

Testimonies on Violent Implementations of the One-Child Policy in Linyi city, Shandong province, China

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Honorable Congressman, ladies and gentlemen,
Good afternoon!

My name is Jiang Tianyong, I am a lawyer from mainland China. I have taken human rights cases, e.g. the 2005 one-child policy case in Linyi city in Shandong province, the case of Chen Guangcheng, etc. I am not an expert on legal issues of the One-Child Policy, but growing up in mainland China, no one is unaware of the violent implementations of the One-Child Policy.

It is worth mentioning that what I call the “one-child policy” in this testimony is different from internationally-known “family planning” in which a husband and wife make their decision on the number of their family members according to their own will. In 1979, the Chinese government made the One-Child Policy as a basic state policy; on September 1, 2002, the government made the “Law of Population and Family Planning of the People's Republic of China.” Later, each province established “Regulations on Populations and Family Planning” in accordance with the law. In this sense, the population and family planning in China is legitimized. Unfortunately, many local family planning officials as well as the executors of the law illegally enforce the law through compulsory abortion, surgical sterilization, etc. The 2005 Linyi case is a typical case and drew international attention at one time. The victim in the case, Mr. Chen Guangcheng, is a blind man. He is oppressed and persecuted by the local government for his legal appeals. He has been in prison for four years and three months and has not yet been released.

Following is some information we collected in our investigation. Here is the list of investigators: Jiang Tianyong, Cheng Guangcheng, Yuan Weijing, Li Chunfu, Li Jian, Li Heping, Teng Biao, Guo Yushan and a few foreign journalists.

According to the director of Population & Family Planning Bureau in Yinan county in Shandong province, in between March to August of 2005, approximately 7,000 surgical sterilizations were operated. Statistically, there should be 84,000 surgical sterilizations done in Linyi city, Shandong province (includes three districts and nine counties). However, our investigation proved that the surgical sterilizations are far more than 100,000. Most of these surgeries are operated by force after the patients and their families have been beaten, illegally detained and fined.

Fang Zhongxia – a peasant in Linyi city, Fei county, Liang Qiu (county capitol) – suffered persecution with her innocent relatives: three children, a pregnant woman, and her 70-year old mother-in-law. On March 11, 2005, she was forced to take prostaglandins, which induced abortion. The next morning, the seven-month fetus was aborted. On the 13th at 9:00 am, she was forced to have sterilization surgery. Her relatives were then finally released.

Hu Bingmei – a peasant in Yinan county, Sunzu town, Shandong province – had high blood pressure and hyper-thyroid. In April of 2005, she was forced to have surgical sterilization. The doctor suggested that it was risky to have the surgery. But the Population and Family Planning officials said, “I said, ‘do it.’ Just do it!” After the surgery, Ms. Hu had severe sequela: stomachache, shaking, etc, which might last the rest of her life.

On February 28, 2005, Li Juan – a 24-year old pregnant woman from Linyi city, Fei county, Qiu (county capitol) – was forcibly taken to a clinic. The officials held her on the bed and gave her a poisonous shot, despite that her due day was soon. The needle went

through her belly to the nine-mouth old fetus. Li said, "At first, I could feel my child was kicking; after a while it stopped." Ten hours later, Li gave birth to a dead baby. The official threw the dead baby into a bucket.

There are many victims like those described above. Many had to escape to avoid being caught. Sometimes, Linyi's Population and Family Planning bureau takes actions at night; the victims dare not to sleep. On June 23, 2005, Chen Guangchen, Li Heping and I investigated at Linyi city, Fei county, Liang Qiuzhen town, Taohuading village in Shandong. We found the village became empty at night. The villagers worked and slept in the field. They have their own "guard." Under the cover of the crops, they report to each other once the officials come. One villager told us, "The officials sneak in and randomly arrest people." On May 9, 2005, lawyer Li Chunfu and I stayed at the home of blind advocate Chen Guangchen. At night, we heard someone banging on our neighbor's door, and then a child burst into screaming. We went out and found about 17 people at the site. They recognized that we are not from that area, and immediately got in the car and left. Chen Guangchen said, "They are the Family Planning officials. They are here to arrest the couple next door."

Many people were involved in persecution. The most unbearable case is that of two siblings who were forced to slap each other in the face. Song Huahou – a 60-year old female, from Linyi city, Fei county, Liangqiu town in Shandong province – and her family were brutally treated only because her daughter-in-law had been pregnant for five months without being reported. Eight of her relatives and two neighbors were beaten savagely. Her 65-old brother was arrested and beaten by the Family Planning officials. Then the officials force Ms. Song and her brother to slap each other on the face. In addition, they charge 100 RMB "education fee" per day. Song begged for mercy and the officials agreed to charge 4000 RMB in total.

The victims of the one-child policy have no one to appeal to. Attorneys that had offered help to them are persecuted. On August 29, 2005, Li Chunfu and I and four other lawyers went to the Linyi city Fei county court to seek help for five victims and to sue the Population and Family Planning officials. On the 30th, we helped file cases for the three victims. The Houfei Court sent us noticed that they dismissed the suit; but the Yinan Court would open a session on October 11 and 12. Later, the Beijing Department of Justice set an investigation on lawyer Li Chunfu and me and demanded for our report on the case. Before we left Beijing for Yinan county, Shandong province, the Beijing Department of Justice strictly forbid us to go. Then we asked lawyer Yang Zaixin to go to Yinan to join the court. On October 11, the Court told Yang, "The session is closed. We will notice you when next session will be." On his way to leave Yinan, Yang Zaixin was beaten by a group of government-hired hooligans. Later, the plaintiffs were forced to withdraw charges. One of the plaintiffs, Hu Bingmei cried over the phone, "This is an evil government. They threatened me to withdraw charges. If not, they will kill my children on their way to school. But I will disappoint Chen Guangchen and all the lawyers if I stopped action."

The one-child policy issue is national. In May 2007, the Bobai event caused 50,000 people to protest in Guangxi Province. The protest increased and reached to Yulin city in Guangxi province and some other places. According to news reports, there was a family planning campaign in May 2009 in Xianyou county, Fujian province, where the Family Planning officials illegally arrested and forced pregnant women to have surgical sterilization. The local officials' explanation of their dehumanizing acts is that they are afraid to lose their jobs.

In mainland China, a married couple has to have a Birth Permit to give birth to their first child; once they have a child, a couple must have Pregnancy Permit and Birth Permit to have a second child. Otherwise, pregnant women will have to confront compulsory abortion. Nowadays, such tragedies caused by this family planning enforcement are continuing.

Thank you!