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XU Qin
Mayor
Shenzhen Municipality
People's Republic of China

By mail

HTUR/JS

21 January 2011

Continued harassment of the Dagongzhe Centre

Dear Mr. Xu,

The ITUC representing 301 affiliated member organisations in 151 countries and territories, with a total membership of 176 million workers, would like to follow up on the assault charged against HUANG Qingnan, the staff of the Shenzhen-based migrant worker service centre, the Dagongzhe Centre, who was stabbed by two men with knives in November 2007. The ITUC wrote a letter of concern to the then Mayor, Mr. XU Zhongheng on 26 November 2007 to express concern for Mr. Huang and a number of violent attacks on civil society organisations propagating the Labour Contract Law to migrant workers in Guangdong province and other regions in China.

The ITUC has been following on the conditions of Mr. Huang and the Dagongzhe centre for the past three years. I am aware of the reaction of the All China Federation of Trade Unions to the ITUC's expressed concern, and the remedial measures taken by the Shenzhen government including prosecuting the suspected offenders. These were reassuring signals to the ITUC and the international community that the Chinese government would not tolerate such violence against civil society organisations and their conscientious staff.

The last update on the condition of Mr. Huang and the Dagongzhe centre reveals discrepancies in the legal procedure of redressing justice in Mr. Huang's case. ITUC is also alarmed to find that harassment of the Dagongzhe centre does not seem to have ceased in the past three years.

I understand that the Shenzhen People's Intermediate Court had given verdict in the second hearing of Mr. Huang's case in July 2009. Under the charge of injury of intent, the sentences given to the four defendants were lenient and short compared to the punishment set out in legal provisions, and given the fact that Mr. Huang was seriously injured and had been appraised to qualify for a sixth level disability by the Bureau of Public Security and Procuratorate in 2008. I have learned that Mr. Huang appealed to the Guangdong People's High Court for retrial in March 2010 but up to this date the retrial has not been held. Mr. Huang's other appeal for civil compensation for injury of intent and damage was not accepted as the intermediate court refused to recognise the disability rating.

We urge your government to ensure that the legal provisions of the relevant legislation are strictly followed, and that the punishment is strictly enforced in the case against Mr. Huang's aggressors.

I was further informed about the continuous harassment of the Dagongzhe centre by unidentified persons since the assault took place. This has already caused heavy pressure and concern over personal safety amongst the staff of the centre. We hope that the lack of adequate punishment for the aggressors and the fact that the authorities continue to allow harassment of the Dagongzhe centre is not an example of a short-lived commitment on the part of your government towards protection of the civil rights and safety of civil society groups. We thus urge you and the related government departments to urgently take necessary steps to rectify these problems, and reaffirm your commitment to ensure protection of the civil society groups and their lawful operation and to prevent assaults of similar nature against these groups and their staff in the future.

Yours sincerely,

General Secretary

CC:

Mr. Wang Yang, Party Secretary, Guangdong Province

Mr. Huang Huahua, Governor, Guangdong Province

Mr. Zhenge, President, Department of Justice of Guangdong Province

Mr. Zhenghong, Procurator-General, People's Procuratorate of Guangdong Province

Mr. Wang Shengjun, Chief Justice of the Supreme People's Court of PRC

Mr. Cao Jianming, Procurator-General, Supreme People's Procuratorate of PRC

Mr. Wang Zhaoguo, Chairman of All-China Federation of Trade Unions