



a world of difference

Lawsuit against Beijing mayor shows Falungong not forgotten

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A lawsuit filed in the United States against visiting Beijing mayor Liu Qi is a sign to Falungong practitioners in China that the world has not forgotten their plight, a lawyer involved in the case said.

"There is nothing that can be done in China to help them so it has to be the rest of the world that does something," Terri Marsh, a Washington-based human rights lawyer involved in the action, told AFP.

The Chinese government banned the group in July 1999, calling it the biggest threat to one party communist rule since the 1989 Tiananmen democracy protests.

Human rights groups have accused Beijing of brutally repressing the Falungong through widespread torture, deaths in custody and the detention of tens of thousands of practitioners without trial.

"China is doing nothing new -- people have been persecuted for their beliefs since history began - but the time has come in history where it is time to say 'stop'," Marsh said.

Liu was slapped with a civil lawsuit on Thursday by four Western members of the spiritual movement claiming they were physically abused during a protest in Beijing in November.

Two Chinese women, both of whom are now in the United States, also took part in the action filed in a US district court by the San Francisco-based human rights organization, the Center for Justice and Accountability (CJA).

The papers were served to Liu -- who is also president of the Beijing Organizing Committee of the 2008 Olympic Games (BOCOG) -- at San Francisco airport shortly before he boarded a flight to Salt Lake City to attend the Winter Olympics.

Sandra Coliver, executive director of CJA, said the lawsuit was a message that those responsible for serious human rights violations "can and will be held accountable by the courts of the United States if they choose to visit here".

"They may have impunity within the borders of their own country, but they cannot visit the US without running the risk that their victims will find them and sue them," she said in a statement.

The suit charges Liu with "torture, cruel, inhumane or degrading treatment, arbitrary detention, crimes against humanity and interference with freedom of religion and belief".

"The mayor under Chinese law and also under international law has a duty to prevent the police from engaging in any unlawful activities against citizens and people visiting the city," Marsh later told a press conference.

"He also has a constitutional duty to investigate and punish any violations ... And yet he has done none of the above. In fact the mayor of Beijing has endorsed the campaign of terror and violence in Beijing against Falungong."

Neither Liu nor officials at the Chinese embassy in Washington could be reached for comment.

The Torture Victims Protection Act and the Alien Tort Claims Act gives US courts jurisdiction over acts of torture committed outside the country. But a suit can only proceed if defendants are served with legal papers while in the United States. Defendants have 20 days to reply to a suit or a default judgement can be lodged against them.

The four Western plaintiffs -- a man with joint US and Israeli citizenship, a French woman and two Swedish men -- were among a group of 36 foreign Falungong activists expelled from China on November 21, a day after they were arrested for protesting in Beijing's Tiananmen Square.

Beijing subsequently denied claims that any of them had been mistreated while in custody.

Liu is not the first Chinese official to have legal action brought against him while visiting the United States.