

Ontario

SUPERIOR COURT OF JUSTICE

BETWEEN:

**KUNLUN ZHANG, SHENLI LIN, LIZHI HE,
TIANQI LI, CHANGZHEN SUN and NA GAN**

Plaintiffs

- and -

JIANG ZEMIN, LI LANQING, LUO GAN, LIU JING and WANG MAOLIN

Defendants

STATEMENT OF CLAIM

TO THE DEFENDANTS

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the Plaintiffs. The claim made against you is set out in the following pages.

IF YOU WISH TO DEFEND THIS PROCEEDING, you or an Ontario lawyer acting for you must prepare a statement of defence in Form 18A prescribed by the Rules of Civil Procedure, serve it on the Plaintiffs lawyer, or where the Plaintiffs do not have a lawyer, serve it on the Plaintiffs, and file it, with proof of service, in this court office, WITHIN TWENTY DAYS after this statement of claim is served on you, if you are served in Ontario.

If you are served in another province or territory of Canada or in the United States of America, the period for serving and filing your statement of defence is forty days. If you are served outside Canada and the United States of America, the period is sixty days.

Instead of serving and filing a statement of defence, you may serve and file a notice of intent to defend in Form 18B prescribed by the Rules of Civil Procedure. This will entitle you to ten more days within which to serve and file your statement of defence.

IF YOU FAIL TO DEFEND THIS PROCEEDING, JUDGMENT MAY BE GIVEN AGAINST YOU IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU. If you wish to defend this proceeding but are unable to pay the legal fees, legal aid may be available to you by contacting a local Legal Aid office.

Date: Nov 15/04

Issued by: Sadequr

Court Office: 393 University Avenue, 10th FL,
Toronto, Ontario M5G 1E6

TO: JIANG ZEMIN
Zhong Nan Hai
Beijing, 100017
People's Republic of China

AND TO: LI LANQING
Zhong Nan Hai
Beijing, 100017
People's Republic of China

AND TO: LUO GAN
Zhong Nan Hai
Beijing, 100017
People's Republic of China

AND TO: LIU JING
Zhong Nan Hai
Beijing, 100017
People's Republic of China

AND TO: WANG MAOLIN
Zhong Nan Hai
Beijing, 100017
People's Republic of China

CLAIM

1. The Plaintiffs claim:
 - (a) General damages in the amount of \$5,000,000;
 - (b) Special damages including past care costs, future care costs, loss of income and future loss of income, loss of property, presently estimated in the amount of \$10,000,000;
 - (c) Punitive, aggravated and exemplary damages in the amount of \$5,000,000;
 - (d) Pre-judgment and post-judgment interest pursuant to Sections 128 and 129 of *The Courts of Justice Act*, R.S.O. 1990, c. C. 43;
 - (e) Costs of this action on a substantial indemnity basis, and the Goods and Services Tax;
 - (f) Such further and other relief as this Honourable Court may deem just.

SUMMARY

2. This is an action for damages against the Defendants, being certain individuals who made all the key decisions and had control over how those decisions were carried out, to torture, persecute and terrorize the Plaintiffs. While the Defendants used, or more accurately abused, their positions as top officials of the Chinese Communist Party (“CCP”) and the government of the People’s Republic of China (“China”) to force the initiation and implementation of this campaign of terror, they did so contrary to and acting outside Chinese and international law and the legal authority of their offices. Thus, they acted in their private capacity and are not entitled to immunity from suit.
3. The Defendants used and abused their power in China to force or compel other members of the CCP and the Chinese government, through all levels of both

throughout the country, to participate in the campaign of terror against the Plaintiffs. The Defendants employed threats, intimidation and rewards – all of which they had the power, more than any others in China, to carry out -- to compel others to execute their orders. The Defendants are thus primarily and directly responsible for the harm done to the Plaintiffs.

4. The Plaintiffs are named in this action with their given names first and their surnames second as is the custom in Canada where all Plaintiffs now reside. The Defendants and others residing in China are named in this action with their surnames first and their given names second, as is the custom in China. All references to Chinese language text or statements (laws, orders, statements of the Defendants and others carrying out the persecution, etc.) have been translated by the Plaintiffs into English.
5. All Plaintiffs were at all times material to this action, practitioners of Falun Gong, and are practitioners of Falun Gong to this day. This is the reason for their persecution and torture.
6. Falun Gong (also known as Falun Dafa), is an internationally recognized, peaceful, spiritual discipline devoted to the self-improvement of the body, mind and spirit through adherence to principles of “Truthfulness–Compassion–Forbearance” with roots in ancient Chinese culture. Falun Gong consists of practicing five sets of simple, gentle meditative exercises, and following the three principles in daily life.
7. The practice of Falun Gong in China spread quickly after its master teacher, Li Hongzhi, brought it to the public in 1992. It is estimated that about 100 million people in about 30 countries worldwide (most in China) were practicing Falun Gong as of July 1999. At that time Falun Gong had more practitioners in China than the Communist Party of China had members. And at that time, Jiang Zemin, then head of the CCP and Chairman of China, outlawed the practice of Falun Gong in China.

8. Thereafter, Jiang Zemin and the other Defendants led and orchestrated a systematic persecution of Falun Gong practitioners in China, which included detention in forced labour camps without trial, threats and intimidation, surveillance and wiretaps, public hate mongering, physical and psychological torture (including brainwashing techniques) designed to force practitioners to renounce Falun Gong and turn other practitioners in to authorities, taking and destruction of personal property, loss of employment and income, and separation from family and community. Torture of practitioners often resulted in severe injury, trauma and even death.
9. The nationwide Chinese policy established by Jiang Zemin and implemented by him and the other Defendants was the eradication of Falun Gong. Such eradication was to occur through forcefully securing practitioners' renunciation of their spiritual beliefs (through persecution and torture), or through death (from torture or other means). The Falun Dafa Information Center (a volunteer-run not-for-profit corporation registered in the state of New York, which compiles, cross-checks and publishes information on the persecution of Falun Gong practitioners) has confirmed 1006 deaths of Falun Gong practitioners as a result of torture, from July 1999 to July 2004. The actual number of deaths of practitioners as a result of the persecution campaign might be much higher.
10. The persecution and torture in China continues to this day, along with tactics employed by the Defendants and other Chinese officials residing in Canada and other countries, which defame and instill fear and hate of Falun Gong practitioners including the Plaintiffs. The Plaintiffs continue to fear for their lives and their safety.
11. This claim is grounded in Canadian common law. The Defendants intentionally perpetrated against the Plaintiffs: forced and unlawful confinement, assault and battery, taking and/or destruction of property without right, economic interference, physical and psychological torture, defamation, severe mental and emotional distress.

12. Canadian common law is itself informed by and adheres to international human rights law, which the Plaintiffs hereby additionally plead and rely on. The acts of the Defendants as against the Plaintiffs are part of a systematic persecution by the Defendants of Falun Gong and its practitioners, constituting gross violations of fundamental human rights and international law, including:

- The jus cogens norm against genocide
- The jus cogens norm against torture
- Articles 6 and 7 of the Rome Statute of the International Criminal Court, defining genocide and crimes against humanity (Canada implemented this through the Crimes Against Humanity and War Crimes Act in 2000)
- The United Nations Convention on the Prevention and Punishment of the Crime of Genocide
- The United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (and as a result of Article 4, requiring ratifying states to ensure that all acts of torture are offences under its criminal law, Canada added section 269.1 of the Criminal Code)
- The Universal Declaration of Human Rights (virtually all Articles)
- The United Nations Charter: preamble affirming fundamental human rights and the worth and dignity of the human person; Article 1 affirming respect for and promotion of equal rights and the obligation of member states to act accordingly; Articles 55 and 56 affirming universal respect for and observance of human rights and fundamental freedoms for all.
- The International Covenant on Civil and Political Rights:
 - Article 6 prohibiting genocide
 - Article 7 prohibiting torture and cruel, inhuman and degrading treatment

- Article 9 guaranteeing the right to liberty and security of the person and prohibiting arbitrary arrest or detention
- Article 14 guaranteeing a fair and public hearing and equality before courts and tribunals
- Article 15 prohibiting being held guilty for acts that do not constitute crimes
- Article 17 prohibiting arbitrary interference with privacy, family, home or correspondence
- Article 18 guaranteeing freedom of thought, conscience and religion
- Article 19 guaranteeing freedom of expression
- Article 21 guaranteeing the right of peaceful assembly
- Article 22 guaranteeing freedom of association
- Article 26 guaranteeing equality before the law and equal protection of the law

13. The Plaintiffs bring this action in Ontario for the following reasons, which the Plaintiffs assert constitute reason to ground jurisdiction in Ontario:
 - a. All Plaintiffs are currently residents of Ontario.
 - b. All Plaintiffs have sustained and continue to sustain damage in Ontario arising from torts committed by the Defendants, and thus rely on Rule 17.02(h) of the Rules of Civil Procedure of Ontario.
 - c. The Chinese legal and judicial systems, and all elements of China's state apparatus and governance, at all levels, have been co-opted and employed by the Defendants in the persecution of Falun Gong, including of the

Plaintiffs, and the Plaintiffs are unable to seek or obtain justice or remedy in China for the wrongs inflicted on them.

- d. The persecution of Falun Gong continues to this day in China, and the Plaintiffs legitimately fear for their safety and lives should they return to China to pursue any claim there.
- e. The very nature of this case – persecution and torture by those in positions of significant power, authority and influence – necessitates action in a jurisdiction where abuse of such power is not permitted to determine the outcome.
- f. Article 14 of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which states in part:
 - 1. Each State Party shall ensure in its legal system that the victim of an act of torture obtains redress and has an enforceable right to fair and adequate compensation including the means for as full rehabilitation as possible...
 - 2. Nothing in this Article shall affect any right of the victim or other person to compensation which may exist under national law.

OVERVIEW OF THE PLAINTIFFS

- 14. The Plaintiff Mr. Kunlun Zhang was a citizen of Canada at time of his detentions and torture in China, having returned to China on a temporary basis to care for a seriously ill relative. All the other Plaintiffs were citizens of China at the time of their detentions and torture in China. But two Plaintiffs, Mr. Shenli Lin and Mr. Lizhi He, had applied for immigration visas before their detentions and torture; both their applications were accepted, but unfortunately both were detained in China for the last time before they could leave for Canada on these visas. All the other Plaintiffs (Ms. Changzhen Sun, Ms. Na Gan and Mr. Tianqi Li,) had close family or friends permanently residing in Canada at the time and all made the

decision some time after the persecution against them began to move to Canada as soon as they were able and eventually to attain Canadian citizenship, in order to join their family or friends here and to escape the persecution in China. Thereafter all these Plaintiffs moved to Canada as soon as they were able, attaining or pursuing to date either refugee or landed immigrant status.

15. The Plaintiff Mr. Kunlun Zhang was born on January 25, 1941, in Huantai County, Shandong province in China. He was a renowned sculptor and an associate professor of arts at Shandong Art University in China. He emigrated to Canada in 1989, became a landed immigrant in 1990, and became a Canadian citizen in 1995, taking a post as a visiting scholar at McGill University. His wife joined him in Canada in 1990, their two daughters arrived in Canada in 1992, and all have permanently resided in Canada since their arrival. Mr. Zhang returned to China in April 1996, on a temporary basis, to help care for his mother-in-law who was seriously ill. His mother-in-law remained alive but very ill until her death in 2000, requiring Mr. Zhang to stay in China during this period to care for her (his wife, who had landed immigrant status in Canada, was able to join him there later). During this stay, Mr. Zhang was arrested and detained without trial in China on five occasions beginning July 1999. He was sentenced to three years in labour camp in November 2000 and was released in January 2001 after intervention by the Canadian government, Amnesty International and others. He was then allowed to return home to Canada. While detained he was tortured. At the time of his torture he was a citizen of Canada, and is today. He currently resides with his wife in Ottawa, Ontario.
16. The Plaintiff Mr. Shenli Lin was born on November 16, 1954 in Shanghai, China. He was detained in China first in July 1999, again in December 1999, then again in January 2000 for a period of two years during which he was tortured. At the time of the torture he was a citizen of China, but he had applied for an immigration visa in June 1999 to move to Canada because his wife was a Canadian citizen (he had married Ms. Jinyu Li, who had emigrated from China to Canada in 1989 and attained Canadian citizenship in 1993, having met Ms. Li

during her trip to visit her family in China in 1998). Mr. Lin's visa application was accepted on or about January 25, 2000, two days after Mr. Lin was detained for the third time. After his release from a labour camp in January 2002, Mr. Lin emigrated to Canada to join his wife. As of January 21, 2004 he is a landed immigrant of Canada. He and his wife currently reside in Toronto, Ontario.

17. The Plaintiff Mr. Lizhi He was born on March 17, 1964 in Minqin County, Gansu Province, China. He was arrested and detained in China, first in March 2000, and the last time in July 2000 for a period of three and a half years. He was tortured while detained. He was a citizen of China at the time of the torture, but in 1999 he and his wife Li Zhang had applied for immigration visas to move to Canada, which were accepted on or about July 8, 2000. Shortly after this date Mr. He was detained for the last time in China. In May 2001, his wife left China to move to Canada, two days before her immigration visa would have expired. After his release from his final detention, Mr. He moved to Canada on or about May 21, 2004 to join his wife, at which time he became (and still is) a landed immigrant of Canada. He currently resides with his wife in Toronto, Ontario.
18. The Plaintiff Mr. Tianqi Li was born on August 7, 1946 in Shanghai, China. He was first detained in China in October 2000 for 10 months, then transferred to and detained in a forced labour camp for 14 months. He was tortured while detained. He was a citizen of China at the time of the torture, but came to Canada on or about November 22, 2003 on a visitor's visa to join his close friend, Plaintiff Mr. Shenli Lin. He has applied for refugee status here, and his application is being processed. He currently resides in Toronto, Ontario with Shenli Lin and his wife.
19. The Plaintiff Ms. Changzhen Sun was born on May 2, 1948 in Hefei City, Anhui Province, China. In China, after a short term detention in 1999 and an attempted arrest in 2000 (from which she fled), she was detained in 2002 for several months and tortured. She was a citizen of China at the time of the torture, but her only daughter and son-in-law had emigrated to Canada in March 2000 (they are now landed immigrants) and since about that time Ms. Sun (who has been divorced for

about 20 years and never remarried) intended to move to Canada to join them. Ms. Sun arrived in Canada on or about December 15, 2003 and as of January 6, 2004 has refugee status in Canada. She currently resides in Mississauga, Ontario.

20. The Plaintiff Ms. Na Gan was born on January 23, 1967 in Beijing, China. She was arrested and detained several times in China, beginning in April 1999, the last time on December 31, 2001 to September 6, 2001 and for five months thereafter she was under house arrest. Ms. Gan was tortured while detained. She was a citizen of China at the time of the torture, but her sister and brother-in-law had emigrated to Canada in May 1999 (they are now Canadian citizens) and her mother had emigrated to Canada in December 2001 (she now has landed immigrant status). Ms. Gan had also, during this period, considered emigrating to Canada with her husband and daughter. Ms. Gan left China (without her husband and daughter, as the persecution campaign had manipulated her husband to turn against her) and arrived in Canada on or about May 19, 2004. On May 28, 2004 she applied for refugee status here, and her application is being processed. She currently resides in Toronto, Ontario.

THE DEFENDANTS: THEIR ROLES AND THEIR WRONGDOING

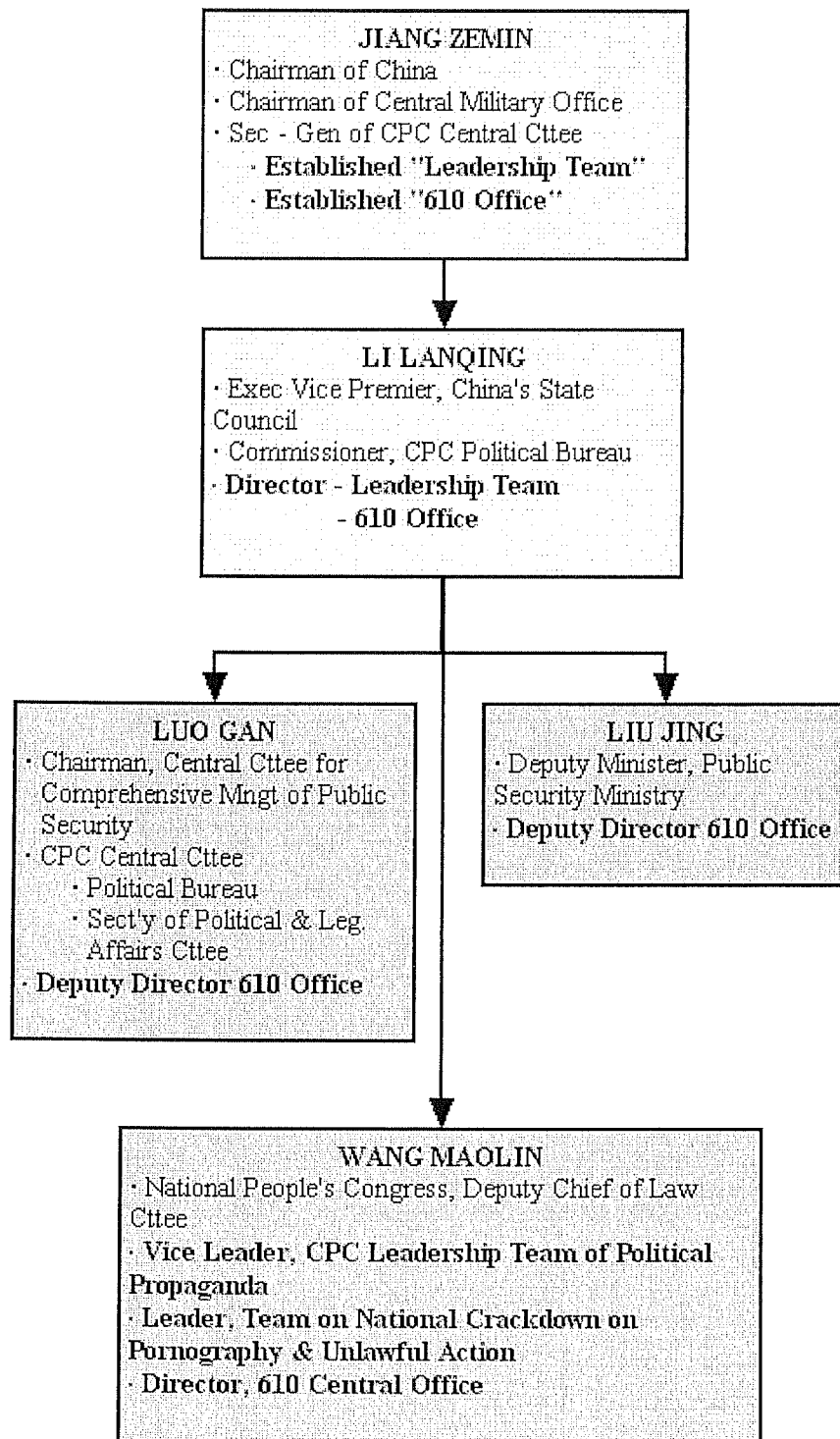
21. The Defendants named in this action were at the times material to this action at the top of the chain of command in the systematic, organized and widespread campaign of persecution of Falun Gong in China. They directed, controlled, supervised, authorized and condoned the campaign of terror and persecution against the Plaintiffs and countless other Falun Gong practitioners.
22. At all material times Jiang Zemin was at the top of the chain, and Li Lanqing was second in command. The three Defendants Luo Gan, Liu Jing and Wang Maolin were essentially third in command. All Defendants were at the relevant times and still are citizens and residents of China.
23. The main structure through which the campaign of terror was carried out was the Chinese Communist Party (CCP), which being a political party is not officially

the government or part of government/state apparatus, but which in reality controls much of government and was used to control all or virtually all aspects of government and state apparatus in this campaign.

24. While the Defendants used and abused their official positions within the CCP and the Chinese government to force the initiation and implementation of the campaign of terror against the Plaintiffs and other Falun Gong practitioners, they did so without any legal authority and outside and contrary to Chinese and international law. They thus acted in their private capacity against the Plaintiffs and other Falun Gong practitioners, and are not entitled to immunity from suit in Canada. Further, The Defendant Jiang Zemin is no longer the Chairman or head of state of the People's Republic of China ("China") and is no longer the Secretary General of the CCP Central Committee or the Chairman of the Central Military Committee of China.
25. In June 1999 Jiang Zemin ordered the CCP Central Committee (sometimes referred to as "CCCCP") the controlling entity of the CCP, to establish a subcommittee to it -- the Leadership Team to Handle Falun Gong Issues (the "Leadership Team"). The Leadership Team was composed of key members of the CCP at each major level of jurisdiction in China.
26. At the same time, Jiang also ordered the establishment of the Falun Gong Control Office, known as the "610 Office" (due to the date it was established, being June 10, 1999). The 610 Office was the "action arm" or implementation apparatus of the Leadership Team and under the Team's control. It was the vehicle through which the Team was to carry out its directive to eradicate Falun Gong. The 610 Office was the institution responsible for the campaign of terror against Falun Gong, orchestrating, planning, controlling and managing this campaign.
27. Li Lanqing was Director of the Leadership Team and was also Director of the 610 Office. Both Luo Gan and Liu Jing were Deputy Directors of the 610 Office. The 610 Office had a hierarchical branch structure, with branches across China

(throughout Chinese cities, villages, governmental agencies, institutions, and schools), and Wang Maolin was Director of the Central 610 Office in Beijing.

28. The 610 Office operates on an extra-legal basis. It was vested by Jiang with sweeping control over the organs of state and Party, including the departments of public security, prosecution, courts, labour camps, propaganda and news media. The power exercised by the 610 Office and its officials far exceeds that which is officially authorized under the Chinese constitution and other Chinese laws (violating Articles of the Chinese Constitution including 35 to 40, regarding freedom of speech and assembly, freedom of religious belief, freedom of the person, individual dignity, protection of the family). It is free from budgetary constraints. Jiang ordered the allocation of billions of RMB Yuan to the work of the 610 Office and the persecution campaign in China. The 610 Office employed and directed countless numbers of people across China (government officials, law enforcement, the judiciary, the media and other public agencies), in cities, towns and the countryside, to conduct a systematic attack on Falun Gong practitioners.
29. An office within the government itself (officially within state apparatus) parallel to the CCP 610 Office was also established. It is called “The Office of Preventing and Handling the Evil Cult Problem of the State Council”.
30. The structures and systems of the CCP and government in China, and links between them, are complex. All Defendants held positions of authority other than those directly in or a part of the CCP Central Committee Leadership Team and 610 Office, and also directly used and abused these other positions of power and authority to orchestrate and execute the campaign of terror against Falun Gong, including against the Plaintiffs.
31. Following is an organizational chart of the position held and used by the Defendants in the campaign of terror against the Plaintiffs (shaded areas denote positions/offices specifically set up to handle Falun Gong):



32. While none of the five Defendants directly detained or tortured the Plaintiffs in person, or directly put their hands on the Plaintiffs' property, their actions were

far more heinous. The Defendants established, orchestrated and led a nationwide campaign of terror. The campaign was designed to, and did, reach through all levels and elements of Chinese state and party apparatus. Virtually all aspects of government and party structures and systems in China were forced or compelled to participate in and propagate the campaign. Through defamatory propaganda, fear and hate mongering, rewards of money, intimidation, humiliation, threats and other means, the Defendants caused police, judiciary, other state officials, employers and others to implement the campaign of terror as against the Plaintiffs and countless other Falun Gong practitioners.

33. This persecution and terror campaign as against the Plaintiffs included: threats; intimidation of the Plaintiffs, their family members, co-workers, friends and neighbours; public defamation and instigating of hate; confiscation of their property; kidnapping; arrest and detention without trial; beatings; brainwashing; other forms of physical and psychological torture; separation of the Plaintiffs from their families and communities; surveillance and wiretaps; harassment and other methods to induce terror.
34. The Defendants each committed violations of fundamental human rights as against the Plaintiffs, including the rights to liberty, security of the person, privacy, equality, and fair hearings; freedoms of conscience, belief, expression, peaceful assembly and association; and rights not to be subjected to arbitrary arrest or detention, cruel, inhumane and degrading treatment, and not to be found guilty of acts which do not constitute crimes.
35. The Defendants' acts were deliberate, malicious, and criminal. They constitute the most serious of intentional torts.

Jiang Zemin

36. The Defendant Jiang Zemin:
 - from March 1993 to March 2003, was Chairman (head of state) of China and no longer holds this position;

- from June 1989 to November 2003, was Secretary General of the CCP Central Committee, and no longer holds this position;
 - from November 1989 to September 2004, was Chairman of the Central Military Committee of China, and no longer holds this position.
37. Jiang had the power, by virtue of the offices of Chairman of China and Secretary General of the CCP Central Committee, to control national and local government affairs, and to select, manage and remove government and CCP party officials.
 38. Jiang established the national policy, and the implementation campaign, to seek the eradication of Falun Gong and its practitioners.
 39. Jiang directed the CCP Central Committee to establish the Leadership Team and the 610 Office, and at all times material to this action, personally authorized and controlled the operations of the 610 Office and the persecution campaign.
 40. Jiang personally and intentionally directed, ordered, controlled, supported, supervised, authorized and condoned through action or inaction, the systematic persecution and torture of the Plaintiffs. Media accounts, including a November 12, 1999 story in the Washington Post (page A1) by John Pomfret, quote party officials as stating that the campaign of terror against Falun Gong was a personal issue for Jiang and that he personally decided that Falun Gong must be eliminated.
 41. Plaintiff Professor Kunlun Zhang was told by his torturers on two separate occasions that they were following the order of Jiang Zemin. On or about June 30, 2000, when Kunlun Zhang was tortured with electric-batons at the Keyuanlu Police Station, one of the torturers and head of the police station Zhang Huisheng said: "Party Secretary General Jiang Zemin said that Falun Gong is an evil cult. You are then cult members. We can do anything to you without being held responsible. Even if we beat you to death, we can simply bury you and tell the outside world that you committed suicide." When Kunlun Zhang was forced to attend the Guodian brainwashing class in Jinan City in October to November of

2000, the heads of the brainwashing class told him during an interrogation: “It is Jiang Zemin who instructed us to do this; it is not what we like to do

42. The document “Directive from Comrade Jiang Zemin at the Chinese Central Politburo Meeting regarding an urgent and fast way to solve the Falun Gong problem”, June 7, 1999, states in part:

“After the leading group dealing with ‘Falun Gong’ problems has been established at CCCCCP [Central Committee of the Communist Party of China], it should immediately organize forces, find out the organization system nationwide of ‘Falun Gong’ ASAP, constitute the battling strategies, get fully prepared for the work of disintegrating ‘Falun Gong’; [we] should never launch a warfare without preparations.... The major responsible comrades in all areas, all departments must solidly take the responsibilities, carry out the tasks [of crushing Falun Gong] according to the CCCCCP’s requirements with the area’s or department’s actual situations taken into consideration.... All CCP [Communist Party of China] central departments, administrative organs, all ministries, commissions, all provinces, self-governing districts, all cities directly under central government must cooperate with the group very closely.”

43. Jiang Zemin was primarily responsible for the initiation, execution and spread of the campaign of terror and commission of gross violations of fundamental human rights against the Plaintiffs and other Falun Gong practitioners.

Li Lanqing

44. The Defendant Li Lanqing:

- as of June 10, 1999, has been the director of the Leadership Team (to Handle Falun Gong Issues);
- since June 1999, has been and is today the Director of the 610 Office

- since 1997 has been the standing Commissioner of the CCP Political Bureau;
 - was from 1993 until recently, the executive vice premier of China's State Council, but he no longer holds this position.
45. The document "Directive from Comrade Jiang Zemin at the Chinese Central Politburo Meeting regarding an urgent and fast way to solve the Falun Gong problem", June 7, 1999, states:
- "It [Falun Gong] is the most serious event since that political storm in 1989. We must treat it seriously, study it deeply, and take trenchant measures [against it]. The central committee has already agreed to let comrade Li Lanqing be responsible for establishing a leadership group that will deal with problems of 'Falun Gong' specifically. Comrade Li Lanqing will be the director and comrades Ding Guangen and Luo Gan will be vice directors; comrades in charge of related departments will be the members of the group. [The group] will study the steps, methods and measures for solving the problem of 'Falun Gong' in a unified way. All CCP central departments, administrative organs, all ministries, commissions, all provinces, self-governing districts, all cities directly under central government must cooperate with the group very closely."
46. Li Lanqing was second in command to Jiang Zemin in the campaign of terror, persecution and torture against the Plaintiffs and other Falun Gong practitioners. He controlled, supervised, authorized and condoned the operations of the 610 Office and its acts of persecution and torture against the Plaintiffs.
47. Li Lanqing designed and oversaw implementation of many aspects of the campaign of terror against Falun Gong, including: re-education through forced labour and brainwashing, detainment, physical maltreatment, and torture. From the start of the persecution, Li Lanqing's role was crucial in developing and implementing anti-Falun Gong policies.

48. As executive vice premier of the State Council at all times during which the Plaintiffs were persecuted and tortured, Li Lanqing had direct and significant control over security and other arms of government. According to Section 3, Article 89, paragraphs 8, 13 and 14 of the Constitution of the People's Republic of China, the State Council holds the power to:
- “direct and administer the work concerning civil affairs, public security, judicial administration, supervision and other related matters”;
 - “alter or annul inappropriate orders, directives and regulations issued by the ministries or commissions”;
 - “alter or annul inappropriate decisions or orders issued by the local organs of state administration at various levels”.
49. Li Lanqing used this first State Council power to persecute and torture the Plaintiffs. On or about July 22, 1999, under the direction of Jiang Zemin and Li Lanqing, the Ministry of Public Security issued the “Six Prohibitions” directed against the practice and communication of Falun Gong. These deprived Falun Gong practitioners, including the Plaintiffs, of several rights including of due process, to petition the government, to freedom of expression, to peaceful assembly, to freedom of religion and belief.
50. Li Lanqing failed to use the second and third State Council powers – to alter or annul decisions and actions of others – where he had a duty to do so, in instances where the Plaintiffs were arrested and detained without trial, and were tortured. In fact, by virtue of his directorship of the 610 Office and design and control over the campaign of terror, he authorized, encouraged, directed, controlled or condoned such actions.
51. In a speech delivered by Li Lanqing on February 26, 2001 in Beijing he declared Falun Gong an evil cult, and stated he was responsible for deciding on the meting out of punishment against those who did not follow his and his Party's directives. This speech was delivered at an awards ceremony organized by the Central Party

Organisation Department and seven other ministries, to recognize and honour 110 Advanced Groups and 271 Advanced Individuals for outstanding performance in combating the “evil cult Falun Gong”. Li Lanqing, on behalf of the Party and the State Department, congratulated the groups and individuals that were commended, and called upon Party organisations of all levels and the masses to learn from their experience, support the righteous and suppress the evil, and carry out resolute struggles against the “Falun Gong evil cult”.

Luo Gan

52. The Defendant Luo Gan:

- since 1998, has been a member of the Political Bureau of the CCP Central Committee, and in 2002 was promoted to a member of the Standing Committee of this Political Bureau;
- since 1998, has been Secretary of the Political and Legislative Affairs Committee of the CCP Central Committee;
- since June 1999, has been chairman of the Central Committee for Comprehensive Management of Public Security (CCCMPS);
- since June 1999, has been deputy director (also known as chief executive officer) of the 610 Office.

53. From 1999 to 2004, Luo Gan directly participated in the making of a series of policies designed to map the escalation of the persecution against Falun Gong. As deputy director of the 610 Office, he was directly responsible for the persecution and torture of the Plaintiffs and other Falun Gong practitioners. He directed, threatened, intimidated, encouraged, provoked, rewarded through money and other means, authorized and condoned police, security, judiciary and other government officials’ persecution and torture of the Plaintiffs.

54. Luo Gan organized and oversaw the activities of the Chinese Anti-Cult Association, a branch of the CCP Political and Legislative Affairs Committee. Such activities comprised the furthering the persecution and oppression of Falun Gong practitioners, and included the advocating and implementing of brainwashing of practitioners.
55. In the year 2000, Luo Gan traveled across China to verbally transmit Jiang Zemin's orders to defame Falun Gong practitioners, to destroy them financially and physically, and to report as suicide any death of a Falun Gong practitioner caused by beating by police or other authorities.
56. Between 2001 and 2003, Luo Gan made at least seven public speeches in which he incited political and judicial departments to step up the persecution, and in which he told these departments to regard "Falun Gong as the number one target for suppression".
57. Luo Gan personally attended at several sites across China to oversee the implementation of persecution orders, at and after which time the rate of arrest, torture and death of Falun Gong practitioners increased (he attended at Weifang City in Shandong Province; Wuhan City in Hubei; Nanchang City in Jiangxi; Changchun City in Jilin; Jiaozuo City in Henan; Xingkaihu City in Jixi; and sites in the provinces of Anhui, Liaoning, Shanyang and Heilongjiang).
58. Prior to the official campaign against Falun Gong, which began in June and July 1999, Luo Gan used the power of his offices to order the Public Security Departments in China to conduct a secret investigation of Falun Gong through planting undercover agents and other means. In 1998 he issued the Public Authority order # 555, "Notification about conducting investigation of Falun Gong", in which Falun Gong was labeled as an "evil cult". These investigations fueled and later served as "evidence" for the campaign of terror, persecution and torture against the Plaintiffs and many other Falun Gong practitioners.

59. On or about January 20, 2001, Luo Gan hosted a “Strike Hard” meeting of local security officials in Beijing instructing them to arrest and severely punish members of Falun Gong and other “enemy forces”.
60. On or about June 28, 2001, at the 14th Plenary Session of the Standing Committee of the 9th Chinese People’s Political Consultative Conference, Luo Gan stated that officials should “deepen the struggle against Falun Gong ...and quickly implement the ‘Strike Hard’ campaign.” He called for the same thing in the following speeches: on December 5, 2001 before the National Political and Judiciary Work Meeting; on January 19, 2002 before the 16th National Congress of the CCP; on March 6, 2002 before a meeting with Fujian Province representatives; and on September 16, 2002 at the national TV-teleconference of the CCP Political and Judiciary Committee.
61. On or about January 21, 2001 Luo Gan met with the special task force of the Beijing Public Security Bureau’s general division for tracking and arresting criminals, and its national security division, and the 6th branch of the Beijing armed police general division, to instruct them to continue strong and brutal suppression of Falun Gong practitioners.
62. On January 23, 2001, the “self-immolation” event was staged and televised in Tiananmen Square, in order to invoke public fear and hatred of Falun Gong and its practitioners. People purporting to be Falun Gong practitioners set fire to themselves in an attempt to show that Falun Gong teaches harmful practices; police doused the flames. Luo Gan helped plan and orchestrate this event.
63. On or about February 26, 2001, at the awards ceremony to honour those who had successfully carried out the campaign against Falun Gong, Luo Gan read aloud to those present “the Decision of the Central Party Organisation Department, Central Propaganda Department, Central Politics and Law Committee, Public Security Ministry, Civil Affairs Ministry, Personnel Ministry and the State Department Office Against Evil Cults to Commend the Advanced Groups and Individuals in Combating Falun Gong Evil Cult”.

64. In September 2001 the 610 Office, under the order of Luo Gan, issued a directive to police across China that they arrest and detain Falun Gong practitioners, and stated that those police who spot such practitioners and do not arrest them will be fired and their household residence registration (government permits to enable people to live in designated cities) will be suspended. In May 2002 Jiang Zemin and Luo Gan issued instructions to security officers across China offering a cash payment of 3,000 RMB yuan for each arrest of a Falun Gong practitioner.

Liu Jing

65. The Defendant Liu Jing:
- since at least early 2000, has been deputy minister of the Public Security Ministry;
 - from September 2000 to the end of 2002, was deputy director of the 610 Office.
66. As deputy director of the 610 Office, Liu Jing was responsible for directing the many provincial and local offices and campaigns against Falun Gong. He directly promoted, passed on and carried out the persecution orders issued by Jiang Zemin, Li Lanqing and Luo Gan.
67. During his time as deputy director, Liu Jing became involved in a hands-on manner in the torture and persecution of Falun Gong practitioners. During an inspection trip in Changchun City, Jilin Province in January 2002, Liu Jing personally issued orders to police to open fire on, undertake large-scale seizures from, and arrest and detain Falun Gong practitioners – which orders were thereafter carried out. During this trip and several others to Changchun after early March 2002, he personally ordered practitioners to be forced into brainwashing, to be tortured, and to suffer other means of persecution. He attended at Masanjia Forced Labour Camp several times, to instruct the use of and supervise aggressive forms of brainwashing. He oversaw the construction of the “Masanjia Ideological Education Transformation Base”. Masanjia has become one of China’s most

brutal institutions of persecution against Falun Gong practitioners. These actions provoked and escalated the violence, persecution and torture of Falun Gong practitioners across China, including the actions perpetrated against the Plaintiffs.

68. In January 2002 Liu Jing held a conference on the persecution of Falun Gong at the Nanhu guesthouse in Changchun City, Jilin Province, where he issued the “thorough eradication” death command, or “shoot to kill” order against Falun Gong practitioners. He thereafter exerted pressure on provincial officials to carry this out, and the next day and thereafter there were wide-scale arrests, detentions and open shootings by police on Falun Gong practitioners in Jilin Province and other provinces.
69. Liu Jing personally inspected the brainwashing transformation work in Wuhan City of Hubei Province in May 2001, and instructed and directed aggressive, tormenting and violent techniques. These techniques established the standard used for brainwashing torture across China, which in turn provoked and encouraged violence against the Plaintiffs and other Falun Gong practitioners.
70. Beginning in early 2002, Jing organized the “Comfort team” as part of the Ministry of Public Security, which was to meet with local security personnel across the country to provide encouragement for their persecution of Falun Gong, and promotion of ever-increasing efforts.
71. On or about December 23, 2003, Liu Jing attended an anti-Falun Gong literary and science fair at the Wuhan City police assembly hall where hate propaganda and defamatory works were displayed and disseminated. Liu Jing repeatedly made defamatory and hateful speeches and statements to Chinese and international media, claiming Falun Gong to be an evil and dangerous cult, and justifying the suppression of the “cult”. These public displays of justification for the campaign against Falun Gong continued the encouragement and provocation of escalated forms of violence against those Plaintiffs who were in detention at the time.

Wang Maolin

72. The Defendant Wang Maolin:

- from June 1999, through the time period during which the Plaintiffs were detained and tortured, to some date thereafter which is unknown to the Plaintiffs, was Director of the 610 Central Office;
- through 2002 and 2003, was vice leader of the CCP Leadership Team of Political Propaganda Work;
- through 2002 and 2003, was leader of the Team on National Crackdown on Pornography and Unlawful Action;
- through 2002 and 2003, was deputy chief of the Law Committee of the National People's Congress.

73. Wang Maolin was responsible for administering, on a day to day basis, the operations of the campaign against Falun Gong practitioners.

74. Through his "propaganda" portfolio, Wang Maolin was responsible for defaming and spreading false and hateful messages about Falun Gong, and for ensuring the destruction of Falun Gong material across China.

75. Wang Maolin hosted and participated in the anti-Falun Gong public lectures and exhibitions nationwide, and in Beijing on or about July 15, 2001. He wrote the preface for the anti-Falun Gong book called "Refuse Evil Cult, and the Schools Refuse Evil Cult", which is for middle and elementary school students. These actions provoked and escalated the hatred of and violence against the Plaintiffs and many other Falun Gong practitioners.

76. Starting in early February 2001, Wang Maolin (with others) organized the Falun Gong persecution campaign of the "Youth Civilization Communities" (as part of the Youth Corps Central Committee secretariat) that involved more than 100 cities in the country.

77. During and after June 2003, Wang Maolin personally went several times to the Masanjia Forced Labour Camp (female detention centre) to command the persecution. Masanjia became one of the most notorious and violent detention centres for Falun Gong practitioners in China, and established and promoted a standard of extreme violence and torture in detention centres across China, which affected those Plaintiffs in detention at the time.

FALUN GONG

78. Falun Gong is an ancient form of qigong. Qigong translates into English as meaning “cultivation-exercise”, which is a generic term for practices of mind and body refinement through special mental and physical exercises. Throughout China’s history and in some other parts of the world, numerous schools of qigong have existed, each with its own characteristics and emphasis.
79. Falun Gong is different than other qigong practices in that it emphasizes both mind cultivation (high moral character) and body refinement, to achieve total health. Through the principles of truthfulness, benevolence and forbearance (tolerance), practitioners seek to improve their mental and moral quality. This, combined with five sets of gentle exercises, has enabled practitioners to achieve purposeful living, improved spiritual, physical, mental and emotional health, and inner peace.
80. Mr. Li Hongzhi is the modern founder and master teacher of Falun Gong. He brought the Falun Gong teachings to the public in 1992. In just seven short years, by 1999, Falun Gong had become a global phenomenon with over 100 million practitioners in more than 30 countries (most in China).
81. The benefits of Falun Gong were first recognized and supported by various levels and officials of the Chinese government, which in turn helped to facilitate the growth and spread of its practice. Falun Gong exercise and meditation practices were held in public venues across China, often with hundreds attending.

CAMPAIGN OF TERROR AGAINST FALUN GONG

82. The increasing popularity of Falun Gong became perceived as a threat to autocratic rule by a few key officials of the Chinese government, especially to Jiang Zemin. In July 1996 Falun Gong books were banned by the Chinese News Publishing Bureau, which is under the auspices of the Propaganda Bureau at the CCP Central Committee, through the issuance of an internal order to all cities and provinces, prohibiting the publishing of Falun Gong books. In 1997 police undercover investigations orchestrated by the Defendant Luo Gan began.
83. Then on April 23, 1999, several Falun Gong practitioners attended at the Tianjin Teacher's College, which had published an article misrepresenting Falun Gong, in order to explain the facts and attempt to correct the misrepresentations. The Tianjin Public Security Bureau sent in 300 armed police to deal with the practitioners. Some of these police assaulted practitioners, and arbitrarily detained 45 of them and ransacked their homes. Two days later, on April 25, 1999, more than 10,000 Falun Gong practitioners gathered peacefully outside the State Council Appeals Office in Beijing, to request the release of those, and the lifting of the ban on Falun Gong books. The then Chinese Premier, Zhu Rongji, met with a few of the gathered practitioners and ordered the release of the detainees; thereafter all those gathered quietly dispersed.
84. The April 25, 1999 gathering spurred international attention on Falun Gong, and a surge in public calls for support of Falun Gong.
85. On June 7, 1999, Jiang Zemin issued a directive entitled "Directive from Comrade Jiang Zemin at the Chinese Central Politburo Meeting regarding an urgent and fast way to solve the Falun Gong problem", which stated that the Leadership Team would be established and that essentially all organs and levels of government and Party must cooperate with its campaign against Falun Gong.

86. On June 10, 1999, at the direction of Jiang Zemin, the Leadership Team and the 610 Office were launched, with sweeping powers over state apparatus at all levels of the Chinese government across the country.
87. On July 20, 1999 Jiang Zemin ordered the persecution of Falun Gong to begin. This marked the beginning of the campaign of terror. On that date Jiang Zemin ordered the CCP Central Committee to issue the document: "Notice from the Central Committee of the Chinese Communist Party that Forbids Communist Party Members to Cultivate in Falun Gong." The Notice stated that Falun Gong posed a "severe danger", that Falun Gong was a political organization in opposition to the Communist Party and principles. The Notice ordered CCP members to "transform" and break all ties with Falun Gong, and to "expose" the Falun Gong "problem". The Public Security Bureau immediately began to arrest Falun Gong practitioners across China.
88. On July 22, 1999, the Ministry of Civil Affairs issued the public notice entitled "Resolution on Banning Falun Dafa Research Association". On that same day, the Ministry of Public Security issued the "Six Prohibitions" directed against the practice and communication of Falun Gong, and which stripped practitioners of many of Chinese constitutional rights.
89. On August 24, 1999, "the Notice from the Two Offices" was issued to all levels of government in China and was publicized to the public through major Chinese media. The two offices are the Chinese Central Government's General Office, and the State Council's General Office. This notice was similar in content to the notice from the CCP Central Committee issued on July 20, 1999, but pertained to all Falun Gong practitioners in China, not just CCP members. The August 24 notice advocated the method of "multiple persons responsible for one" Falun Gong practitioner, meaning that all levels of hierarchy of the government and CCP were held responsible for "transformation" of practitioners.
90. On October 8 and 9, 1999 Jiang Zemin ordered or persuaded the Procurator Committee of the Supreme People's Procuratorate and the Trial Committee of the

Supreme People's Court (judicial arms of the government) to produce a "judicial explanation" entitled "Explanations on Specific Law Applications in Handling Cases of Organizing and Using Cult Organizations to Commit Crimes". This judicial explanation stated that cults were contrary to existing Chinese criminal law, and it was legitimate to take state action against those who practiced them. This judicial explanation was widely published in major Chinese media.

91. Falun Gong was not specifically named in the judicial explanation. But on October 25, 1999, in an interview with the French newspaper *Le Figaro*, Jiang Zemin stated "Falun Gong is an evil cult". In the days following, all major newspapers in China printed Jiang's statement as headline news.
92. On October 30, 1999, Jiang Zemin ordered the standing committee of the Ninth National People's Congress (national legislature) to pass a regulation entitled "Resolution on Banning Evil Cults, and Preventing and Punishing Cult Activities". This regulation essentially made the judicial explanation state law. The law states in part:

"Cults shall be resolutely banned and crimes committed by cults severely punished according to law. Cults that have been found using religion, Qigong breathing exercises or other normally legal activities as camouflage to disturb public order by various means and endanger people's lives and property and economic development must be eradicated, and their activities resolutely punished, in accordance with the law. People's Courts and People's Procuratorates as well as public security, state security and judicial administrative organs must each perform its own functions and coordinate their efforts to this end. Severe punishment must be meted out according to law to those who organize and use cults to hamper the implementation of the state's laws, administrative rules or regulations, gather unruly mobs, disturb public order, mislead others in ways that result in death to them, sexually exploit women, or swindle money or property by means of superstitious inveiglement. The principle of combining education with punishment should be adhered to, in order to

unite with and educate the vast majority of those who have been deceived by cults, while severely punishing the handful of criminals who have deceived them, in accordance with the law.”

93. Henceforward, the brutal campaign of terror, torture and genocide against Falun Gong, including the Plaintiffs, escalated and spread across China.
94. The campaign began primarily with efforts to “transform” practitioners through brainwashing classes, to which practitioners were sent and were forced to endure after having been forcibly taken, or threatened or manipulated into attending. These were often called “law education schools” or centres, or “love and care education centres”. Such brainwashing sessions were held by many institutions from central government agencies to local residential committees. Families and work units of those practitioners abducted to such brainwashing classes were often forced to pay money for the costs of detaining the practitioner and for the “education” costs of transforming the practitioner.
95. A few months after the campaign began, when it became clear to the Defendants that such brainwashing classes were of themselves not transforming enough practitioners, the Defendants caused the campaign to become more violent, causing increased torture and longer term detention to force such transformation.
96. “Transformation” quotas, to secure renunciations of Falun Gong from practitioners, were established for most or all brainwashing classes, forced labour camps and prisons in China, often set at 80 percent. Threats or incentives were used to seek to ensure that such quotas were met. Quotas were to be met by persecution and torture; the greater the resistance to transformation, the greater the degree of torture. “Leadership responsibility investigations” were carried out to ensure that leaders of the CCP and government, of each involved department and agency, and each association (including communist youth leagues, scientific and research associations, schools and education associations, and industry associations), knew that they were held primarily responsible for meeting quotas

and for any failures to do so; lower ranking party and government workers were also held responsible, to a lesser degree.

97. The Defendants' violations against Falun Gong have been widely documented in a number of reports of the United Nations and international human rights organizations such as Amnesty International and Human Rights Watch as well as investigative reports by reputable newspapers.

DETAILS OF ABUSES SUFFERED BY PLAINTIFFS

98. All Plaintiffs have sustained damage in Ontario arising from torts committed by the Defendants. All plaintiffs were subjected to violence, hate and terror, some of which continues to this day, and all of which continues to traumatize and injure the Plaintiffs. The Plaintiffs fear for their safety and lives, and the well-being of their family members and friends, especially those who continue to reside in China. Despite this, the Plaintiffs bring this claim in the interests of justice.

Kunlun Zhang

99. Mr. Zhang is a renowned sculptor and has received numerous awards inside and outside of China. His artistic works and his name are collected in *"Who's Who in the World"*, *"World's Sculpture Collection"*, *"Achievements of Chinese Artists Around the World"*.
100. Mr. Zhang was detained on five occasions in China, for a total of about four months.

First Detention

101. The first detention occurred on or about July 22, 1999. Mr. Zhang and his wife Shumei Zhang decided to walk to the Party Committee of Shandong Province to explain the facts about Falun Gong to those in charge. On the way there that morning, Mr. Zhang was arrested by a group of police. He was then taken to a school in a suburb of Jinan City of Shandong Province, where there were already

more than 3,000 people detained. There, Mr. Zhang witnessed police beating female practitioners. He was released that same night.

Second Detention

102. The second detention occurred from (or about) June 30 to August 2, 2000. He was detained by police at the Keyuanlu Police Station for continuing to practice Falun Gong and for delivering flyers containing facts about Falun Gong and the persecution. His home on QianFoShan Dong Lu, Jinan City, Shandong Province was ransacked by the police at the time of his arrest and later while he was in custody. His personal property, including material about Falun Gong, was confiscated.
103. After he was first taken to the Keyuanlu Police Station, several officers threw him on the ground. The head of the police station, Zhang Huisheng, stated to Mr. Zhang: "The highest authority, Party Secretary General Jiang Zemin, has said that Falun Gong is an evil cult. You are then cult members. We can do anything to you without being held responsible. Even if we beat you to death, we can simply bury you and tell the outside world that you committed suicide." Zhang Huisheng and another police officer, Liang Jian, applied electric shock batons to much of Mr. Zhang's body, causing severe pain and burns. Mr. Zhang could smell his burning flesh. The police threatened him, stating: "If you shout, we will put the electric baton into your mouth." The police then kicked Mr. Zhang repeatedly. His left leg was badly injured and he could not walk properly afterwards. It took months to heal.
104. Mr. Zhang was held in the Keyuanlu Police Station, in an eight square metre room with six other practitioners, for 48 hours. He was transferred on or about July 2, 2000 to the Liu-Chang-Shan Detention Centre where he remained for one month.
105. At the Liu-Chang-Shan Detention Centre, he was detained with 17 other prisoners in a 20 square metre cell. Most of those with whom he was detained had been convicted of serious crimes including murder, rape and drug trafficking. He and

the prisoners had to sleep on the concrete floor. They were never allowed out of their cell. They were required to eat, use the toilet and wash in the cell. Mr. Zhang was given only moldy buns and boiled cabbage to eat, in insufficient quantities to sustain health or even life after a period of time. He was not allowed any phone calls or visits, and was not allowed to discuss or read about Falun Gong. One of the leaders of the prisoners told Mr. Zhang that the police and guards told him and other prisoners to beat detained Falun Gong practitioners, but that since practitioners behaved in a peaceful and respectful manner, he refused to beat them any more. Mr. Zhang was released on the evening of August 2, 2000.

Third Detention

106. The third detention occurred a few days after his release from Liu-Chang-Shan Detention Centre, and lasted 36 hours. Three Falun Gong practitioners phoned Mr. Zhang to say they wanted to visit him. Mr. Zhang believes his phone was tapped, because just after these practitioners arrived at Mr. Zhang's home, two police officers, one named Jianjun Feng, came to his home. The practitioners escaped out the back door. Mr. Zhang was interrogated for several hours in his home but refused to tell the police who his visitors had been. Mr. Zhang was then taken to the QianFoShan Police Station, where he was further interrogated and threatened. The unlawful confinement and threats caused severe emotional and mental distress to Mr. Zhang.

Fourth Detention

107. The fourth detention began on or about October 27, 2000, and lasted about two weeks. On or about October 26, Mr. Zhang's supervisors at the Shandong Art University (where he taught and was director of the Sculpture Arts Research Institute), told him to come to the University, which he did. Mr. Zhang's supervisors kept him confined at the University overnight, and handed him over to police on or about October 27. The Communist Party secretary general of the University told Mr. Zhang that the University supervisors did not want to detain

him but were pressured to do so by people in higher authority and the Public Security Bureau.

108. On or about October 27, an officer from QianFoShan Police Station then took Mr. Zhang to GuoDian (less than 100 km from downtown Jinan City) to attend a "Falun Gong transformation class", a brainwashing class. He was detained there. The instructors were from various police stations, armed forces, procurator offices, and local government agencies, such as the education bureau. They took turns talking to Mr. Zhang and others, trying to pressure them into giving up the practice of and belief in Falun Gong. One of them was Wang Ligang, the political instructor from the Keyuanlu Police Station.
109. Mr. Zhang was denied all freedom while in detention at GuoDian; he was completely isolated from the outside world, and allowed no visitors or calls. The "instructors" extorted 10,000 Yuan from him as his "fee" for attending the class. He refused to pay. They forced his employer, the Shandong Art University, to pay the full amount and to deduct the amount from his salary later. He was told by the instructors that practitioners were not allowed to go home unless they wrote a letter of repentance and denounced Falun Gong. Otherwise, following the transformation class, they would be sentenced to three years in a forced labour camp. These threats caused great emotional distress to Mr. Zhang.
110. During one day of this detention, a police officer searched the room in which Mr. Zhang was staying, and located a handwritten copy of a Falun Dafa book. Three head instructors of the brainwashing class came to his room and interrogated him and others in the room as to who made the copy of the book. One of these instructors stated: "It is Jiang Zemin who instructed us to do this. It is not what we like to do."
111. After three or four days of detention, officials from the Lixia district government inspected the facility at which Mr. Zhang was detained, and came to his room. Mr. Zhang told them that it was wrong to illegally detain practitioners and force them to give up their beliefs. The chief of the inspection delegation threatened

that Mr. Zhang would pay a price for not giving up Falun Gong. Mr. Zhang, although severely distressed by these threats, refused to renounce Falun Gong and started a hunger strike to protest his illegal detention and the brainwashing tactics.

112. During his hunger strike, different people in the detention centre came to persuade and threaten Mr. Zhang to give up his hunger strike as well as Falun Gong. One such person, an officer named Li Yiqing from the Silijie Police Station, said: "We do not care if you eat or not. Later on, we can send you to a psychiatric hospital where they will force-feed you through your nose with liquid food and inject you with medication. Don't you know the means available to the Communist Party?" After six days of not eating or drinking, Mr. Zhang was sent to the Lixia District Hospital and infused with some liquid, then returned to the detention centre. He continued his hunger strike. On the 9th day of his hunger strike, he was sent home because the staff at the detention centre were worried that he would die (he was a prominent person whose death might have provoked sympathy). One staff member told Mr. Zhang: "You go home now and recuperate. We'll get you later."

Fifth Detention

113. The fifth detention started on or about November 14, 2000, before Mr. Zhang was fully recovered from his hunger strike and other effects of the last detention, and lasted until (or about) January 10, 2001. The QianFoShan Police illegally arrested Mr. Zhang in his home. The police told Mr. Zhang that he had been sentenced to three years detention in a forced labour camp (there had been no trial). Police sent him to the Liuchangshan Forced Labour Camp in Jinan City, where he was immediately given a medical examination. The doctor asked him during the physical check-up if he was still practicing Falun Gong, and when Mr. Zhang replied that he was, the doctor stated: "If you continue to practice Falun Gong, you are going to die here."
114. When Mr. Zhang arrived at Liuchangshan Forced Labour Camp, there were already 28 Falun Gong practitioners detained there. He was told by other practitioners that they were beaten and tortured by guards because they did Falun

Gong exercises or appealed for their rights. Mr. Zhang saw the injuries from the beatings and the burns on the other practitioners' bodies. This environment of terror caused Mr. Zhang great emotional and physical distress.

115. Mr. Zhang (as with the other Falun Gong practitioners in custody) was constantly threatened and intimidated into writing a letter of repentance and denouncement of Falun Gong. The camp authorities employed brainwashing routines every day against Mr. Zhang. Every day he was forced to sit on a small bench for many hours to listen to statements from officers that defamed and incited hatred against Falun Gong, and to watch anti-Falun Gong propaganda on television turned up to high volume. No physical movement (not even adjusting himself on the small bench) was allowed; nor was any conversation.
116. The camp officials forced non-Falun Gong prisoners to monitor Mr. Zhang and other practitioners, and ordered these prisoners to ensure that Mr. Zhang not shut his eyes or lower his head during the brainwashing sessions. The prisoners who were especially harsh to Falun Gong practitioners had their prison terms shortened as a reward, while inmates who were kind to practitioners had their incarceration time extended. On one occasion, likely as a fear and intimidation tactic, the camp authorities tortured a supportive prisoner named Zhang in the corridor, using electric batons and burning his flesh, and Mr. Zhang and other practitioners could hear his agonizing cries. Again, this environment of fear and violence caused great emotional distress to Mr. Zhang.
117. On or about December 18, 2000 Mr. Zhang was transferred to Wangcun Labour Camp in Zibo City. He remained in detention there until January 10, 2001. Mr. Zhang had heard this labour camp referred to as "Hell on Earth". He believed he would probably die there. He was detained in Division Three. The head of Division Three, Wang Jiayong, and guard Luo Guangrong, oversaw and administered most of the brainwashing techniques against Mr. Zhang while he was there.

118. While in Wangcun Labour Camp, Mr. Zhang was completely isolated from the outside world, not allowed any calls or visitors, and mail from his wife was confiscated before he could read it. Due perhaps to a rescue campaign that certain Canadian people had initiated for the release of Mr. Zhang, Mr. Zhang was not physically tortured at Wangcun; instead, camp authorities employed manipulation and trickery techniques. While significant overt efforts were made to brainwash him and have him renounce his belief in Falun Gong (he was constantly monitored, intimidated and threatened by other detainees and by guards), he was occasionally induced to engage in “positive” activities (such as painting or playing Chinese chess) which were secretly videotaped. After weeks of this psychological torture and complete isolation from the outside world, Mr. Zhang finally broke down and followed the order to copy a statement handed to him by the guards as a “repentance” and denouncement of Falun Gong. He was then released.

Release and Effects

119. After his release on or about January 10, 2001, Mr. Zhang returned to Jinan City, China. There he saw videotapes of himself while at Wangcun, aired on CCTV (Chinese Central Television, China’s largest state-owned TV station and main communications vehicle for the CCP). The tapes showed him being treated “well” (playing chess, eating, painting), and then showing his denouncement of Falun Gong. The tapes were meant to show the Chinese population that Mr. Zhang, a renowned figure, had freely and voluntarily (without any coercion or ill treatment) renounced Falun Gong, so as to persuade others to do the same thing. Later the tapes were aired across China and beyond, by the Xinhua News Agency (the official communications agency of the CCP), various sites on the internet, and various Chinese embassies and consulates around the world, including Canada.
120. Mr. Zhang felt extreme mental and emotional distress and anguish on witnessing the tapes and the spread of propaganda. He was devastated to be used to create propaganda misleading the public and provoking further persecution of fellow

Falun Gong practitioners. He suffered nightmares, sleep deprivation, extreme depression, humiliation and a sense of great spiritual loss. He felt this mental torture was much worse than the physical torture he had suffered.

121. Mr. Zhang flew back to Canada with help from Canadian Embassy staff, arriving January 15, 2001. Immediately after his arrival in Canada, Mr. Zhang's wife, Shumei Zhang (who remained in China with her sick mother), was harassed, interrogated and threatened by the police and officers from the public security bureau in China for many days. Ms. Zhang managed to escape and went into hiding until she got help from the Canadian Embassy in China and returned to Canada. Mr. Zhang and his wife were forced to leave his wife's 86-year-old, ailing mother behind, who died shortly thereafter. This has caused Mr. Zhang significant emotional distress.
122. Mr. Zhang has sustained damage in Ontario arising from the torts of the Defendants. In particular, Mr. Zhang suffers extreme mental and psychological distress, from the detention, torture and terror, and from being forced to renounce his belief and betray his conscience. Since his release, Mr. Zhang has devoted his time and energy to appeal for an end of the persecution and has traveled to more than 10 countries to recount his experiences in an effort to bring about some justice. Every time he recalls the experiences he suffered, he relives the torture and pain. He feels depression, anxiety, fear and spiritual torment.

Shenli Lin

123. Mr. Lin was detained on four occasions in China, the last time for two years.

First Detention

124. Mr. Lin was first detained on July 22, 1999. He was taken by police to the Shanghai Police Department Auditorium. There, police attempted to pressure him to give up practicing Falun Gong. They forced him to watch videotapes that defamed Falun Gong. He was sent back home some time after 10 p.m. the same day.

Second Detention Period: Daily Detention or Monitoring

125. In the two months following his first detention, Shanghai police took Mr. Lin from his home every day and detained him at the police department. While detained, he was constantly monitored, and subjected to various brainwashing techniques. Police forced him to read magazines that defamed Falun Gong; they threatened and intimidated him. Police officer Yang Zheng stated to Mr. Lin on one occasion: “We are tools. We will do whatever those above tell us to do. Do not fight with them, you cannot win over them.”
126. After this two-month period of daily detention, police continued to monitor Mr. Lin in his neighbourhood and home. He was ordered to report to the police station in his neighbourhood everyday to state where he wished to go that day and to seek a permit to leave his home. Police would then either follow him or take him in a police car to his destination. On or about October 1, 1999, they took him by police car to his brother’s home, and remained outside the building while Mr. Lin visited his brother, frequently calling him on the phone during this visit to intimidate him. As a consequence, Mr. Lin and his family feared for their safety. This loss of liberty, and fear for his family, caused Mr. Lin significant emotional and mental distress.

Third Detention

127. On or about December 23, 1999 Mr. Lin and his wife Jinyu Li, went to the Beijing Appeal Office to appeal for the campaign of terror against Falun Gong to cease. The people who received Mr. Lin at the Appeal office were not the normal staff, but policemen. Mr. Lin was instantly detained and taken by police to the liaison office of the Shanghai Police Department in Beijing. He was then sent back to Shanghai, where he and his wife were detained in Shanghai Pingliang Road Police Station for about 48 hours (they were separated and detained in two offices). During this detention, Mr. Lin was interrogated and threatened by police. He was told by police that if he tried to appeal for Falun Gong again, he and his wife would suffer. He feared for his and his wife’s safety.

128. When Mr. Lin continued to refuse to renounce his belief in Falun Gong, he was transferred from Shanghai Pingliang Road Police Station to the Shanghai Yangpu Detention Centre on or about December 25, 1999. There he was held for about 15 days. During this time, his wife Jinyu Li was deported to Canada as she was a Canadian Citizen and carried a Canadian Passport. Mr. Lin was only allowed to see his wife for five minutes before she was deported. This forced separation caused Mr. Lin great emotional distress.

Fourth Detention

129. The fourth detention began on or about January 23, 2000, involved transfers to a number of detention centres, and lasted for about two years in total.
130. On or about January 23, 2000, Mr. Lin went to the home of a fellow Falun Gong practitioner in Shanghai. As he entered his friend's building, he saw police cars nearby, and headed out to return home. He was blocked by two police cars. Policemen from Yangpu Police Department Branch and Wujiaochang Town Police Station dragged Mr. Lin into a police car. He was taken to Wujiaochang Town Police Station. They searched his bag and found several blank signature collection forms of a petition letter, which urged the government to have a peaceful dialogue with Falun Gong practitioners. Mr. Lin was interrogated by police officer Yang Zheng as to where he got the petition and which practitioners he knew. Mr. Lin refused to answer. Yang Zheng then punched Mr. Lin in the head, forced him into a squat with both arms extending forward, and kicked Mr. Lin hard on his knee. Mr. Lin fell backward and hit his head. Thereafter for more than an hour, Yang Zheng repeatedly beat Mr. Lin in his face and on his head. His head, face and legs were in significant pain, and he could not stand up straight.
131. Later that night, Mr. Lin was then taken to the meeting room of Wujiaochang Town Police Station, where 20 to 30 policemen ridiculed and insulted him. Yang Zheng continuously kicked his right knee. He was tortured this way until about 5 a.m. on or about January 24, 2000.

132. During that same morning (on or about January 24, 2000), Mr. Lin was then taken to Yangpu Detention Centre without any arrest warrant. Mr. Lin heard a detention centre entrance guard say to the police officer who had brought him to the centre: “Write a random reason.” Mr. Lin understood this to mean that the police were to fabricate a reason for his arrest and detention. Mr. Lin remained in detention at Yangpu until (or about) March 15, 2000, during which time police interrogated him several times. At one interrogation, Mr. Lin was repeatedly punched and slapped on his face by police.
133. On or about February 16, 2000, while still in detention at Yangpu, Mr. Lin was charged (retroactively) with “breaking social order” for appealing to the government to peacefully dialogue with Falun Gong practitioners. He was sentenced by the Shanghai Labour Camp Bureau to one and a half years of forced labour.
134. On or about March 15, 2000, Mr. Lin was transferred from Yangpu to Shanghai No. 3 Labour Camp, No. 2 Brigade, No. 1 Squadron (in Dafeng, Jiangsu province). Mr. Lin was detained in room 11 with three criminal offenders who were instructed by guards to monitor him. He was forced to sit on a small stool (a special torture tool) from about 7 a.m. to 9 p.m. for many days, and was forbidden to talk or stand up. His buttocks developed blisters and bled. Mr. Lin developed severe back pain, and his legs and feet cramped and went numb.
135. In winter, with temperatures as low as 8 degrees Celsius below zero, the cell where Mr. Lin was detained was not heated. He suffered from extreme cold. He was allowed only a thin quilt for sleeping, and often could not sleep for hours at a time due to the cold. His limbs and body never got warm.
136. Policeman Wang Zhihua put Mr. Lin through brainwashing sessions approximately every second day. He forced Mr. Lin to watch videos and read materials that defamed Falun Gong, including gruesome pictures he was told depicted Falun Gong practitioners committing suicide. On summer evenings, Mr. Lin was often taken outdoors for the brainwashing sessions, so he would get

covered in mosquito bites. Police threatened Mr. Lin and told him he would never be freed if he did not renounce his belief in Falun Gong. When Mr. Lin continued to refuse to renounce his belief, police ordered the criminal offenders to beat him.

137. Sometime in February 2001, Mr. Lin was transferred to Team 4 of No. 2 Squadron of the Shanghai No. 3 Labour Camp, which was for criminal offenders (compared with No. 1 Squadron, which held political prisoners and Falun Gong practitioners). He was detained there with 28 criminals, three of whom were ordered by police to monitor him. He was given insufficient quantities of food to eat, mostly just rice, much of which was raw. He lost a lot of weight and felt weak and ill much of the time.
138. While detained in No. 2 Squadron, Mr. Lin was forced to hand-sew leather soccer balls and other balls; many days from 6 a.m. to 9 p.m. His hands were cut open by thread and bled, and became swollen and infected. Being forced to sit for hours to do this, his buttocks continued to bleed, and they became infected. When he tried to remove the blood soaked underwear to use the toilet, his skin would peel off. He could not sleep much at night because of pain and could only lie on his side.
139. In April or May of 2001, Mr. Lin was sent to No. 1 Squadron, Team 5, at the same labour camp, where he was kept in a room with 8 prisoners. Seven of these prisoners were other Falun Gong practitioners who had been “transformed” after pressure and torture, and had renounced their beliefs. They were ordered by police to form a “transformation team” to induce other Falun Gong practitioners to renounce Falun Gong. The eighth prisoner was not a practitioner but a criminal offender, named Lu Hanfei, who beat and verbally abused Mr. Lin everyday. Mr. Lu’s sentence was shortened as a reward.
140. Mr. Lin’s sentence was due to expire on July 23, 2001. On July 22, 2001, the day before Mr. Lin’s original sentence would expire, he was taken to the administration office at the labour camp, where two police met him. One was Yang Zheng, who told Mr. Lin that his forced labour sentence had been extended for another half a year. Mr. Lin lost all hope and almost collapsed; he was in

extreme emotional, physical and mental distress. Mr. Lin's detention, forced labour, torture, and brainwashing continued.

141. On January 22, 2002, the day before Mr. Lin's extended sentence would expire, a labour camp official (last name Sun) threatened Mr. Lin that he must write renunciation and denouncement letters against Falun Gong or he would not be released. Sun stated that forced labour can be extended to four years, and Mr. Lin could be transferred to a prison after that. Mr. Lin continued to refuse to renounce his belief, and was nonetheless released on January 23, 2002.

Release and Effects

142. On February 24, 2002, Mr. Lin flew to Canada. During the forced labour term of 730 days, Mr. Lin was not allowed any visits or calls from his family or friends, and all mail from his wife was confiscated. He was finally reunited with his wife when he arrived in Canada.
143. Mr. Lin has sustained damage in Ontario arising from the torts of the Defendants. In particular, Mr. Lin suffers physically from his torture. He regularly suffers from neck and back pain, sometimes severe, and almost constant pain in his left thumb (from sewing soccer balls).
144. Mr. Lin also suffers extreme emotional and mental distress to this day as a result of the torture and abuse. He suffers significant fear and anxiety at the sight of a police car or police officer, and at the sound of a siren. Mr. Lin suffers from nightmares, depression and anxiety about his experiences. Sights or sounds that remind Mr. Lin of an experience in detention cause him to relive the terror and pain. For example, while detained at Shanghai No. 3 Labour Camp, guards used a loud radio to awaken Mr. Lin, and if he did not immediately get up, he was beaten. Upon hearing a loud radio or loudspeaker today, Mr. Lin suffers vivid memories of his torture, and experiences fear and anxiety.

Lizhi He

145. Prior to July 2000, Mr. He held several positions as a senior engineer with various government departments, including Beijing Central Engineering and Research Incorporation of Iron and Steel Industry. He won national awards for his work.
146. Mr. He was detained twice in China, the last time for three and a half years.

First Detention

147. On or about March 4, 2000, after Mr. He's wife, Li Zhang, went to the Great Hall of the People to submit an appeal for Falun Gong, Mr. He arrived to look for her. When he told police he too was a Falun Gong practitioner, police forced him into a van. He was taken to and detained for about two weeks at the Xuanwu Detention Centre in Beijing. His wife was detained in the same centre for about four weeks.
148. After being released, Mr. He was held under a different sort of detention for an additional week, kept at his workplace during the day, and in a hotel room at night, without being able to go home. During this time he was subjected to "education" from the Propaganda Department of the Communist Party of the Ministry of Construction.

Second Detention

149. On or about July 21, 2000, Mr. He was abducted from his office by four or five agents of the Ministry of National Security. They performed a thorough search of his office and residence and confiscated his collections of Falun Dafa material, as well as his address books. He later learned that he had been arrested because a few days earlier he had mailed material to colleagues clarifying the facts about Falun Gong. He was sent to Haidian Police Station, then immediately to Haidian Detention Center where he was detained for about 35 days. Thereafter he was transferred to the 7th Division of Beijing Public Security Bureau, where he was

detained for two weeks. After this two-week period, he was sent back to Haidian Detention Center.

150. On or about November 14, 2000 the Beijing Haidian District Procuratorate issued an accusation stating that Mr. He was guilty of the offence of “use of an evil cult organization to undermine the implementation of the law”. On or about December 5, 2000, after a “trial”, Mr. He was sentenced to three and a half years in prison.
151. During his imprisonment of three and a half years, Mr. He suffered a great deal both physically and mentally. He was initially detained in the Haidian Detention Center in Beijing and spent over six months there. The detention cell was about 18 square meters in size, dark, poorly ventilated (air was foul with toilet and sewage odours), very hot in summer and freezing in winter. The cell was often occupied by more than 25 detainees. Mr. He was kept in this cell for several months without any chance to be let outdoors.
152. For much of his time at Haidian, he was forced to sit still in a fixed posture with legs bent and back straight, all day long for days on end. Four other detainees were ordered by police to monitor him. Any slight movement resulted in a punch, push or kick from the monitoring inmates. Within a few months Mr. He’s skin on his buttocks became infected, and his underclothes became bloody and stuck to his skin. When he removed his underwear to use the toilet, his skin would peel off, causing excruciating pain. Mr. He was not allowed to shower for months.
153. This treatment resulted in Mr. He contracting scabies and other ailments. The scabies lasted one and half years.
154. On or about January 1, 2001 monitoring detainees poured freezing water on Mr. He for hours. He developed cramps in his lower left ribs and could hardly breathe. He developed a high fever. For several days thereafter detainees carried him to the medical room when spasms of acute pain prevented Mr. He from walking. Doctors gave him injections which temporarily reduced his fever, but Mr. He received no other medical help. The pain became unbearable, rendering it

impossible for Mr. He to sleep or move. Mr. He endured this extreme pain for the next month and a half.

155. During Mr. He's detention in Haidian Detention Centre, he was forced to witness brutal beatings and inhumane treatment of other Falun Gong practitioners. Some were tortured by inmates who used toothbrush handles to repeatedly jab the practitioners in the rib area until handles broke. On one occasion a practitioner with a Henan Province accent was thrown into Mr. He's cell. Police ordered inmates to beat him until unconscious because he refused to provide his name and address. When he regained consciousness, the inmates forced his head into the toilet water until he almost drowned. Mr. He could often hear screams from the female cells and was told that the female Falun Gong practitioners were being force-fed. Such horrors and the torture inflicted upon Mr. He himself caused Mr. He horrendous emotional and mental distress.
156. The detainees who engaged in the violence against Mr. He and other Falun Gong practitioners were ordered or blackmailed to perform these actions. Such inmates were sometimes allowed special privileges as a reward, such as introductions to well-connected and influential lawyers.
157. On or about February 14, 2001, Mr. He was transferred to Qianwei Prison in Tianjin City. About one week prior to this, he was forced to sign and finger-print a declaration prepared by police that he had been treated well during his detention at Haidian and that prompt medical service was provided whenever needed.
158. In Qianwei Prison, Mr. He was subjected to an escalated level of torture for failing to renounce his belief. He was forced to endure daily routines of "military drill", despite the fact he had become very ill and weak. At night he was subjected to all-night sessions of "education" or brainwashing, attempting to coerce him into admitting guilt. The "military drill" consisted of hours of strenuous running, jumping, pushups and other exercises. Mr. He would sweat and then be forced to stand for long periods in the cold winter wind. He began to cough severely and a

few days later started coughing up and urinating blood. His legs and feet became swollen and painful to the point where he could barely move.

159. Mr. He became so sick that he was afraid he would die if this sort of treatment continued. He was afraid that his death would be publicized as a suicide of a Falun Gong practitioner and would be used to further defame Falun Gong.
160. In late February 2001, Mr. He finally felt forced, in order to survive, to state that he had committed a “crime” in mailing the material about Falun Gong, and that his deed had infringed upon the “interests of the Communist Party of China, of the State, and of the People”. He was forced to declare that he would no longer be “infatuated insanely with Falun Gong”.
161. Following this renunciation of Falun Gong, Mr. He was finally sent to a prison hospital on or about March 1, 2001. He was informed he was suffering from tuberculosis, acute nephritis, and other conditions. In addition, a canopy adhesion of lung and diaphragm was found from the X-rays. Mr. He had been in very good health before his detention. He was kept in the hospital for 50 days, then returned to the prison. After his return to prison, he felt constant discomfort in the liver area accompanied by frequent diarrhea. His lung capacity was greatly reduced and he was unable to breathe normally.
162. On or about September 10 or 11, 2001, officials from Beijing Prison Administration Bureau came to the prison to inspect how the Falun Gong practitioners were being “transformed”. Mr. He responded that Falun Dafa is the universal Great Law and that he was innocent of any wrongdoing. As a consequence, he was restricted to isolation and subjected to sleep deprivation for several months.
163. On or about October 15, 2001 Mr. He was taken into a police office at the prison, where he was handcuffed and ordered to sit. Three policemen held electric batons of what they said were 30,000 volts each, and repeatedly shocked Mr. He on his neck, forehead, back, arms and legs. He felt extreme pain. He screamed, and

thought he would pass out. Following this ordeal, Mr. He's heart and kidneys did not function properly for months.

164. On or about November 20, 2001, Mr. He was transferred to Qianjin Prison in Tianjin City. Despite his deteriorated health, he was forced to work heavy labour in the field for long hours, spreading out earth mounds to level the land, digging and refilling drainage ditches.
165. Mr. He was constantly monitored by other inmates and by electronic surveillance. He never allowed to sit in any position that resembled a Falun Gong exercise, or to sit with eyes closed such that it resembled meditation. He was forced to watch videos defaming and vilifying Falun Gong for hours on end. He was subjected to sleep deprivation. He was forced to state he was grateful for the messages in the videos. He and other practitioners were forced to prepare a "Daily Thought Report" and "Weekly Thought Report" in which they had to state that Falun Gong was evil and must be suppressed. Mr. He felt extremely guilty, depressed and a severe loss of dignity.
166. During the entire time of this detention which began on or about July 21, 2000, Mr. He was prohibited virtually all communication or contact with the outside world. He was prevented from speaking with his wife for seven months after he was first detained, and was not permitted to inform her of his health condition even when it was very serious. The forced separation from his wife caused Mr. He extreme emotional distress.

Release and Effects

167. Mr. He was finally released on January 20, 2004, after serving the full three and a half year prison term. With the help of the Canadian Government, Amnesty International and others, he was able to leave for Canada and arrived here on May 21, 2004.
168. Mr. He has sustained damage in Ontario arising from the torts of the Defendants. In particular, Mr. He suffers from physical pain and symptoms, sometimes severe,

as a result of the torture and inhumane detention. These include irregular and sometimes painful breathing, chest pains, fatigue, weakness. He is much weaker generally than before his ordeal began.

169. Mr. He also continues to suffer from severe emotional and mental distress as a result of his ordeal. He suffers from extreme guilt, anxiety, depression, sleeplessness, fear and nightmares. These painful symptoms exist on a continuous basis but are more pronounced or triggered when Mr. He hears his name called (because prison officials in China called his name repeatedly to order him to do things), when he encounters police officers, and when he must sign documents (because he had been forced to sign denunciations of Falun Gong while in prison).

Tianqi Li

170. Mr. Li was detained once in China, for a total of two years.

Detention

171. On October 25, 2000 police arrested Mr. Li him at his home, for distributing Falun Gong flyers, and detained him at Xietu Street police station in Shanghai. There he was forced to sit on a chair, with his feet bound to the chair legs and his hands cuffed, for a period of one week. Pairs of police constantly monitored him. He was denied sleep and forced to stay awake for seven days and nights. He became delirious, weak and terrified, feeling close to a mental breakdown. Under such conditions, police interrogated him to attempt to have him disclose the names of other Falun Gong practitioners.
172. He was transferred on or about November 1, 2000 to Xuhui District Detention Centre. He was detained there for about 10 months. He was kept in a small room with 20 other people. They were squeezed together to sleep, and Mr. Li could not move his hands or feet. In winter, the room was not heated and Mr. Li suffered from extreme cold. He was forced to take baths in cold water, which together with the lack of heat in the room, caused hypothermia. He witnessed police force

criminal inmates to beat other Falun Gong practitioners. For most of the time Mr. Li was detained at Xuhui District Detention Center, he was forced to sit on the floor in one position, without moving (if he moved, he was beaten), from about 7 a.m. to 10 p.m. each day. This caused extreme cramping and pain.

173. On or about September 13, 2001, Mr. Li was sentenced without trial by the Shanghai Labour Camp Bureau to two years of forced labour. He was transferred to and detained at the Shanghai No. 3 Labour Camp. He was forced to sit through brainwashing sessions with other Falun Gong practitioners. Police forced him to watch videos and read material defaming Falun Gong. He was insulted, threatened, intimidated and verbally abused by guards and inmates to try to force him to renounce Falun Gong.
174. Mr. Li was subjected to physical torture while at Shanghai No. 3 Labour Camp. Police forced him to jog on site until he became exhausted and could barely breathe; then they forced him to lift one foot and stand on the other until his legs would shake. He was then forced to run around the camp yard several times, until he could not breathe, his heart felt weak and racing, and he passed out. Often he was forced to do heavy manual labour like carrying dung and digging drainage canals. If he did not work quickly enough for the police, they beat him. For a period of seven months, during days when Mr. Li was not forced to work, he was forced to sit on a small stool (designed as a torture tool) from 7 a.m. to 9 p.m. each such day. He was forbidden to move a muscle or to talk, and if he moved at all, he was beaten by other inmates who were assigned by the police to monitor him. His buttocks developed blisters and boils, and became very painful.
175. Mr. Li was released on October 25, 2002.

Release and Effects

176. Following his release Mr. Li was still monitored by the Shanghai Minghang district police department. Police would stand outside his home and follow him wherever he went. Mr. Li lived in constant fear for his safety, afraid that he would

be arrested and detained again at any time. He finally left for Canada, and arrived in Canada on November 22, 2003.

177. Mr. Li has sustained damage in Ontario arising from the torts of the Defendants. In particular, Mr. Li continues to suffer physically from his ordeal. He suffers from almost constant stomach pain.
178. Mr. Li also continues to suffer extreme mental and emotional distress from his detention and torture. The memories have been very painful. He suffers from anxiety, nightmares and depression. He suffers from being forced to live apart from his family (his wife and son are still in China). .

Changzhen Sun

179. Ms. Sun was detained twice in China, the last time for 14 months, and evaded detention on another occasion by going into hiding for a period of ten months.

First Detentions

180. On July 20, 1999 members of the Falun Dafa Research Society and other practitioners were arrested across China. On July 21, 1999, Ms. Sun went to the Appeals Office in Beijing to appeal for reconsideration of these acts. She was arrested by police there and detained in a stadium for the day.
181. The following day, July 22, 1999, Ms. Sun went to the Appeals Office again, but was once again arrested and taken to an elementary school where she was forced to watch video programs defaming Falun Gong. She was released that night.

Hiding and Exile

182. On or about June 28, 2000, five policemen arrived at Ms. Sun's home to arrest her, but she narrowly missed them by chance. She hid nearby at a neighbour's home and later borrowed 10 RMB Yuan and went hiding. She remained in hiding, first in Beijing, then in remote areas of the countryside, and moved from place to

place for 10 months. She saw police at train stations and all over, and lived in constant terror of being caught and tortured.

183. Ms. Sun's son was taken to the Hefei City Public Security Bureau for interrogation as to her whereabouts, and when he refused to answer he was beaten. Thereafter, police harassed her son at home and at work, and he was forced to leave his job. To protect her son, Ms. Sun stopped contact with him. Ms. Sun's father died during this time of exile, and she was unable to attend his funeral for fear of being caught. Her home was searched by police and her computer, photographs and other possessions were confiscated. This forced separation from her family, and knowledge of the harassment to which her son was being subjected, caused Ms. Sun extreme emotional distress.

Second Detention

184. The second detention began on or about April 10, 2001 and lasted 14 months.
185. On or about April 10, 2001, in the middle of the night, Ms. Sun was arrested by policemen in Xicheng District in Beijing City, while she was hiding in an apartment with other Falun Gong practitioners. Police confiscated the 2,000 RMB Yuan Ms. Sun had in the apartment. She and the others were detained in a small iron cage for the night, and the next day transferred to the detention center of Xicheng District Police Station in Beijing. She was detained there for 48 days.
186. On or about May 28, 2001, Ms. Sun was sentenced by the Public Security Bureau of Xicheng District to 18 months of "Reform through labour for disturbing public order". On or about May 29, 2001, she was transferred to the Beijing Pre-detention Center (used for sentenced people before sending them to jail). There she was tortured.
187. Upon arrival at the Pre-detention center, police forced Ms. Sun and other practitioners to bow their heads to confess their "sins". Ms. Sun witnessed a young female practitioner being shocked with electric batons on her neck for refusing to "confess her sins". Ms. Sun was repeatedly kicked on her head by one

of the police (whose last name was Fu), for refusing to renounce Falun Gong. She was also hit on her head by other inmates (with their hands) because she did not bow her head. She was stripped naked and searched by police in an abusive manner. She felt an extreme loss of dignity and shame. The few belongings she had in her possession were taken or destroyed. Ms. Sun witnessed other practitioners, some being elderly women, being beaten and tortured by police. This caused her extreme fear and anxiety.

188. During the first week at the Pre-detention centre, Ms. Sun was forced to undergo intensive military training for seven to eight hours per day, which included hours of running, marching, and other movements which caused significant pain in her legs and back.
189. At the Pre-detention centre, Ms. Sun was given very little to eat, and became weak. Her cell was 12 square meters, and held approximately 14 people. It was filthy and unsanitary, covered in flies and mosquitoes. After the first week, Ms. Sun was forced to do labour -- packaging chopsticks, and other various products - - for 10 hours a day, never allowed to rest. Police forced criminal offenders to beat, bully and threaten her. She was denied all contact with the outside world. Ms. Sun's physical condition deteriorated; her weight fell to 35 kilograms, she became consistently ill and fatigued, and lived in constant fear and depression.
190. On or about July 2, 2001, Ms. Sun was transferred to a female-only labour camp, the Beijing Xinan Labour Camp, which is also called Beijing Womens' Reform Through Labour Camp, where torture and labour similar to that in the Pre-detention centre continued.
191. Moreover, police began intensive brainwashing to force her to renounce Falun Gong. On her arrival there, she was told to pledge never to practice and associate with Falun Gong. When she refused to do so, she was denied sleep and forced to stay awake. Her body had become so weak, that when she yawned, her mouth would not close afterward, as she had dislocated her jaw. She was forced to stay awake through the pain and was not taken to a doctor until hours later. After three

days of sleep deprivation and constant verbal abuse and threats, Ms. Sun finally broke down and signed a confession.

192. For the remainder of her detention, she was forced to watch and read defamatory material condemning Falun Gong. She was released on June 9, 2002.

Release and Effects

193. Family members of Ms. Sun, who also practiced Falun Gong, were threatened and harassed by police because of Ms. Sun's sentence and detention. Ms. Sun lived in constant fear for her safety and that of her family. When Ms. Sun returned home after her detention, her employer withheld her pension, citing that her incarceration and practice had caused trouble.
194. On December 15, 2002, Ms. Sun arrived in Canada. Ms. Sun has sustained damage in Ontario arising from the torts of the Defendants. In particular, Ms. Sun continues to this day to suffer physical injury from her torture in China. She was weak and felt ill and fatigued for much of the time for at least one year after her arrival in Ontario. She often felt dizzy, vomited, could not open her eyes and was afraid of seeing lights. She still feels weaker and sicker than she did before her ordeal.
195. Ms. Sun suffers extreme mental and emotional distress as a result of her ordeal. She suffers from nightmares and sleep deprivation due to the painful memory of her detention and torture and the experience of being subjected to intense-light interrogation during nights while in detention, from which she has not recovered. She is afraid of socializing with people and becomes anxious when she hears a knock at the door. She suffers anxiety and fear in a general sense, and particularly in regard to police, or anyone in uniform. She is often depressed, feels hopeless, and at times feels emotionally unstable and unable to cope. She often loses her temper with her children and grandchildren. She suffers a significant sense of guilt for signing statements against her conscience renouncing Falun Gong.

Na Gan

196. Ms. Gan was a customs officer working for the Beijing Customs at Beijing Capital Airport. She was detained on six occasions in China.

First Detention

197. On the morning of July 20, 1999, Ms. Gan and five other Falun Gong practitioners went to the Beijing Public Petition Centre near Zhongnanhai. Upon nearing the petition centre, several police cars pulled up to the group, beat Ms. Gan and the others, dragging them into buses. Ms. Gan was taken to a regional gym in Shijingshan district and detained there for around 10 hours. Loudspeakers broadcast that Falun Gong was an illegal organization. Ms. Gan was then taken by bus to a school, where police told her and others to write their identities on paper; thereafter, they were allowed to return home.
198. The following day, July 21, 1999, Ms. Gan returned to the petition centre, this time alone, and events similar to that which occurred on July 20 happened again.

Second Detention: At Work

199. On July 22, 1999, Ms. Gan attended at work (she had worked for the government for 11 years), where her supervisors ordered her to leave her office. She was taken to a room at her workplace where she was forced to watch videos, and read newspapers and other documents that defamed Falun Gong. She was forced under threat of harm to herself and her family (her husband and eight-year-old daughter) to write articles against Falun Gong. This was repeated every day for about three months. A government car picked her up from home and drove her to work; she was forced daily to watch and read the defamatory material; her husband had to pick her up and take her home at night; she was constantly monitored by government agents. She was forbidden from practicing Falun Gong or from associating with any Falun Gong practitioners. This caused Ms. Gan significant emotional and mental distress.

200. From early October 1999 until December 27, 1999, Ms. Gan was permitted to undertake her regular work duties again. However, she was denied bonuses which were a regular aspect of her and other government employees' incomes. This caused significant financial pressure on her family, and Ms. Gan understood this to be punishment and a threat to not engage in Falun Gong practices.

Third Detention

201. On or about December 27, 1999, a trial was held at Beijing Intermediate People's Court against several Falun Gong practitioners. Ms. Gan attended at the court. When she informed a police officer that she was a practitioner and was attending to audit the trial, she was forced into a bus and arrested on the spot. She was sent to the detention center of Chaoyang Branch of Beijing Public Security Bureau, on the charge of "attempting to disturb social order", and detained until (or about) January 4, 2000. On her arrival there, she was stripped naked, and searched in a degrading and abusive manner. She was detained in a small room with five to six other practitioners. She was forced to sleep on the cement floor.

Fourth Detention

202. On or about January 5, 2000, two of Ms. Gan's supervisors from work, and two men in police uniforms, attended at her home. They ransacked her apartment and informed her they were taking her to her workplace to search her office for Falun Gong books. They did not produce any search order when Ms. Gan asked them to do so. They forced her into a car, together with her husband.
203. The supervisors and police abducted Ms. Gan to No.3 subsidiary Hospital of Beijing Medical Science University, a psychiatric hospital. Ms. Gan tried to escape, but her abductors grabbed her arms and legs and dragged her to an examining room. Ms. Gan repeatedly stated she was a Falun Gong practitioner and not mentally ill, and asked for help. No one assisted her. A psychiatrist examined Ms. Gan and diagnosed her as mentally fit; thereafter the supervisors and police persuaded the hospital authority to detain Ms. Gan anyway. She was

locked into a room with bars on the window, with patients who were screaming, and was detained there for eight days until (or about) January 13, 2000. During this detention she was bound to the bed for refusing to eat, and was continuously ordered by doctors to stop practicing Falun Gong. This ordeal, plus her realization that her husband had been manipulated to act against her because of her practice of Falun Gong, caused Ms. Gan extreme mental and emotional distress.

Fifth Detention

204. On February 4, 2000, the Chinese New Year's Eve, Ms. Gan went to Tiananmen Square with her mother (also a Falun Gong practitioner), and unrolled a banner with three Chinese characters, "Truthfulness-Compassion-Tolerance". Three to four policemen beat and kicked Ms. Gan. She was arrested and detained again in Chaoyang Branch of Beijing Public Security Bureau, again for "attempt to disturb the social order". She remained in detention there until (or about) March 29, 2000. Policemen incited (through promises of early release and other rewards) or ordered the criminal inmates to beat Ms. Gan and other Falun Gong practitioners being detained. In front of police, the inmates repeatedly and severely slapped Ms. Gan's face with their shoes, punched her head and body, and kicked her back and chest. Police forced her to stand outside for hours on end in the freezing cold and snow, with no over-clothes. She was forcibly deprived of sleep for several nights in a row. Later she discovered she had been pregnant during the time of the detention.
205. On or about March 3, 2000, Ms. Gan was informed by police that she had been sentenced to one year incarceration in a labour camp, from February 6, 2000 to February 5, 2001. The charge against her was "illegally staging an assembly in Tiananmen Square with other Falun Gong members". On or about March 19, 2000, four colleagues from Ms. Gan's workplace came to the Chaoyang Branch to inform her that she had been expelled from the communist party of her work unit branch. On or about March 29, 2000, police informed her that she was to serve the rest of her term at home, under house arrest.

206. On or about March 29, 2000 Ms. Gan was released from Chaoyang Security Branch, to serve the remainder of her sentence under house arrest.
207. When Ms. Gan arrived home, she learned that her husband had sent their daughter to live with a relative in southern China, because Ms. Gan's mother, who frequently cared for Ms. Gan's daughter, has been repeatedly detained for being a practitioner. Her husband stated he did not want their daughter to practice Falun Gong, and that he thought Falun Gong was bad. Ms. Gan felt her family was disintegrating as a result of the persecution of Falun Gong, and this caused her extreme emotional distress. At the end of April 2000, Ms. Gan attended at a doctor and she was informed she had been pregnant for about 12 to 15 weeks (later, under extreme duress and fear for her safety and that of her unborn child, she arranged for an abortion).
208. Ms. Gan learned that her supervisors had stopped paying her salary as of the beginning of March 2000. Then in April 2000 Ms. Gan's supervisors informed her she would lose her job permanently if she did not formally renounce her belief in Falun Gong. She felt she could not give up her belief, and thus was forced to give up her job.

Sixth Detention

209. On or about December 31, 2000, while Ms. Gan was shopping near her home, three policemen approached her and told her they could take her away at any time within her labour camp term. They pushed her into the trunk of a car, and locked her inside. They searched her belongings including her purse, where they found documents about Falun Gong. They delivered her back to the Chaoyang Detention Center, where she was detained for two and a half months.
210. But for January 1, 2001 when she was arraigned, Ms. Gan was never allowed to leave her detention room of about 20 square metres, which was crowded at all times with 20 to 30 other people, most of whom were Falun Gong practitioners.

Ms. Gan's original sentence was extended by one year, and she was informed by police she would have to spend all that time in a labour camp.

211. On or about March 15, 2001, Ms. Gan was transferred from the Chaoyang Detention Center to the Pre-detention Center of Beijing Public Security Bureau. There she and other practitioners worked from about 5 a.m. to 10 p.m. everyday, carrying large sacks full of chopsticks weighing 50 to 60 kilograms each. She was kept in a room of less than 10 square metres, with several other practitioners. She was not allowed to sleep until she completed her workload for the day. Ms. Gan's hands became swollen and bled. On one occasion, Ms. Gan was ordered by an inmate under police direction to read an article defaming Falun Gong. When she refused, she was taken to the administration office where police forced her to squat down with both hands on top of her head. When she could no longer maintain this position, one police officer kicked her head with his boots at least ten times.
212. On or about April 6, 2001, Ms. Gan was sent to Unit 5 of Beijing Xin'an Labor Camp (also called Beijing Women's Reform Through Labour Camp) in Daxing District, the same labour camp at which Plaintiff Changzhen Sun was also detained. Most of the detainees there were Falun Gong practitioners. On her arrival, Ms. Gan was forced to strip naked and was searched in a degrading and abusive manner. At the start of her detention at Xin'an, Ms. Gan was not forced to do heavy labour; instead, during the day she was constantly monitored and accompanied by three to five "transformed" practitioners who repeatedly told her she must give up Falun Gong or face more severe consequences. She would refuse day after day. Following each such day, in the middle of the night, she was taken to the labour camp office by police, and forced to stand perfectly straight, prevented from sleeping for hours. The following day, the pattern of constant fear-mongering and intimidation by other inmates would be repeated. Ms. Gan became totally exhausted and emotionally depleted. She finally signed a pledge to renounce Falun Gong. This caused her extreme emotional distress.

213. While Ms. Gan was detained in the labour camp, her husband's health deteriorated. On or about September 6, 2001 Ms. Gan was released to complete her sentence in her home, so she could care for her husband. This sentence expired on February 4, 2002. During this time she was frequently visited and monitored by regional policemen and residential administrative and security staffs.

Release and Effects

214. To avoid being persecuted and detained again, Ms. Gan left China for Canada on May 19, 2004, without her husband and her daughter.

215. Ms. Gan has sustained damage in Ontario arising from the torts of the Defendants. In particular, Ms. Gan suffers from severe emotional and mental distress as a result of her torture and detention. She suffers from anxiety, depression, nightmares and guilt. She suffers from the forced separation from her daughter, and from guilt and depression over the disintegration of her family brought on by the campaign of terror against Falun Gong. She is afraid for her life and that of her daughter.

SERVICE

216. This proceeding discloses the facts regarding a claim by the Plaintiffs in respect of damage sustained in Ontario arising from torts committed by the Defendants. This Statement of Claim is thus served without leave of the Ontario Superior Court, pursuant to Rule 17.02(h).

217. The plaintiffs propose that this action be tried at the City of Toronto, in the Province of Ontario.

Date: Nov 15/04

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and

ZEMIN et al.

Plaintiffs

Defendants

Court File No.

04-CV-278915-EMZ

Ontario
**SUPERIOR COURT OF
JUSTICE**

PROCEEDING COMMENCED AT
Toronto

STATEMENT OF CLAIM

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