

## **CRIMINAL COMPLAINT**

**PEOPLE'S PROCURATORATE**

**Vs.**

**JIANG ZEMIN**

for **TORTURE, MURDER, EXTRAJUDICIAL KILLING, ORGAN HARVESTING, RAPE AND SEXUAL VIOLENCE, ENSLAVEMENT, WRONGFUL ARREST AND IMPRISONMENT, CORRUPTION, PERSECUTION, and THEFT AND DESTRUCTION OF PROPERTY** as set forth below:

### **THE ACCUSED:**

1. **JIANG ZEMIN** was born on August 17, 1926, in Yangzhou, Jiangsu, China. In 1947, he graduated from Shanghai Jiao Tong University with a Bachelor's degree in electrical engineering. Following the establishment of the People's Republic of China, Jiang received training at the Stalin Automobile Works in Russia and worked at Changchun's First Automobile Works. He then worked in government services and, in 1983, he became a member of the Central Committee of the Chinese Communist Party as the Minister of Electronic Industries.
2. **JIANG ZEMIN** became Mayor of Shanghai in 1985. He became the Party Secretary of Shanghai and a member of the Politburo of the Central Committee of the Chinese Communist Party in 1987. He became General Secretary of the Chinese Communist Party, a member of the Politburo Standing Committee, and the Chairman of the Chinese Communist Party Central Military Commission in 1989, and President of the People's Republic of China in 1993.
3. **JIANG ZEMIN** served as General Secretary of the Chinese Communist Party and member of the Politburo Standing Committee from 1989 to 2002. He served as the Chairman of the Chinese Communist Party Central Military Commission from 1989 to 2004. He served as President of the People's Republic of China from 1993 to 2003.

### **JURISDICTION**

4. Jurisdiction is appropriate for Counts 1-14 under Article 5 of the Criminal Procedure Law that vests judicial powers in the People's courts to hear criminal cases brought under Chinese Criminal Law.
5. Jurisdiction is appropriate for Counts 15 and 16 under the Convention on the Prevention and Punishment of the Crime of Genocide, signed by the People's Republic of China on April 18, 1983, and ratified on July 17, 1983; and the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, signed by the People's Republic of China on December 12, 1986, and ratified on October 4, 1988.

6. Jurisdiction is appropriate for Counts 17 and 18 under customary international law, the general practice of states, which is accepted and observed as law, as defined by the Statute of the International Court of Justice, art. 38(1)(b), to which the People's Republic of China is a party by virtue of its ratification of the Charter of the United Nations. Customary international law obligates countries to provide universal jurisdiction for the following violations of *jus cogens* norms: persecution, forced exile, disappearance as a crime against humanity (Count 17), and prolonged arbitrary detention (Count 18).

### **FACTS AND EVIDENCE**

7. Falun Gong is a peaceful and non-violent form of spiritual or religious belief and practice with millions of practitioners in China and elsewhere. Absolute non-violence and compassion are two of the religion's core defining tenets.
8. Falun Gong believers are free to associate and practice their religion without fear of systematic persecutory reprisal anywhere in the world but in Mainland China.
9. Since the late 1990s, Falun Gong believers in China have been subjected to a campaign devised to violently suppress them.
10. In 1997, **JIANG ZEMIN**, in concert with his closest ally in the anti-Falun Gong campaign, Luo Gan, then Deputy Secretary of the Party's Political and Legal Affairs Committee, ordered national level Public Security officers to investigate Falun Gong in China in order to argue within the Party leadership for a violent crackdown ("douzhang") against Falun Gong believers across China. After two full years of investigation, Public Security officers were still unable to find a legitimate basis for the ban.
11. Nonetheless, without any formal legal basis or genuine justification, **JIANG ZEMIN** took a series of steps that resulted in the launching and perpetration of the anti-Falun Gong *douzhang* campaign.
12. For example, **JIANG ZEMIN** delivered and authored a series of speeches and letters instructing Party and State officers to prepare for the persecution of Falun Gong. These speeches and letters were transmitted by the General Office of the CCPCC to the (1) CCP Central Committee members, (2) Minister and Provincial-level officials, and (3) heads of the departments of CCP Central Committees and ministers of Ministries of State Council .
13. On April 25, 1999, **JIANG ZEMIN** signaled the upcoming launch of a violent *douzhang* against Falun Gong. Jiang's April letter was sent to a wide audience of Party leaders by the Office of the Chinese Communist Party Central Committee (CCPCC), instructing them to study the letter carefully and implement the directives it contained.
14. On April 29, 1999, **JIANG ZEMIN** wrote a letter to the Politburo instructing Party leaders to "deal with" the Falun Gong problem as detailed therein.
15. On May 8, 1999, **JIANG ZEMIN** authored a memorandum instructing Party leaders how to covertly prepare for the persecution of Falun Gong (i.e., how to punish Falun Gong believers severely, what Party resources to use for this purpose, and who should be in charge of implementing overall Party orders regarding these tasks). His memorandum was

incorporated into and referenced by official documents of provincial and municipal Party committees with instructions to study it carefully and implement its directives.

16. On June 7, 1999, **JIANG ZEMIN** delivered a speech to the Politburo calling for the implementation of a widespread persecutory “*douzheng*” campaign against Falun Gong in China, to murder, ideologically convert through torture, and in other ways suppress Falun Gong believers in China solely due to their spiritual or religious beliefs.
17. In this speech, **JIANG ZEMIN** directly ordered the establishment of the “Leadership Group” (The Leadership Group and its office were established three days later on June 10. That is also how the “610 Office” was named). In the speech, Jiang said, “the Falun Gong issue involved deep political and societal contexts and a complex international background. It was the most significant incident since the political turmoil in 1989. We must treat it seriously, do thorough research and take effective countermeasures.” The speech equated Falun Gong adherents with the Tiananmen Square protestors in 1989, who were massacred for their nonviolent protests. This was another command by Jiang to mobilize the Party to persecute Falun Gong.
18. In this speech, **JIANG ZEMIN** also announced “the central [Party] authority has decided that Li Lanqing is going to lead the effort to establish a ‘Leadership Group’ particularly for dealing with the Falun Gong issue. Li Lanqing will be the chief of the group. Ding Guangen and Luo Gan will be the deputy chiefs. Other group members will be the leaders from all related [Party] departments. It will centralize all effort of discussing and implementing the detailed steps, tactics, and measures for solving the Falun Gong issue. The [Party] Central Committee, and all [Party] departments at the state level, provinces, municipal autonomous regions, and [other municipalities] must cooperate closely.” The leading group mentioned here was later called “the Leading Group For Handling the Falun Gong Issue” (hereinafter designated as the “Leadership Group”). Its operating office was called “the Office of the Leading Group for Handling the Falun Gong Issue,” which is also called “the 610 Office.”
19. Given that **JIANG ZEMIN**’s speech ordered that “the [Party] Central Committee, and all [Party] departments at the state level, provinces, municipal autonomous regions, and [other municipalities] cooperate closely,” it also gave the Leadership Group extreme power, above the existing administration of Party and state bodies. Since the Central Committee of the Party and all state level departments had to comply with the Leadership Group’s directives and orders, the latter would only be responsible to Jiang himself.
20. The language used by **JIANG ZEMIN** in this speech illustrates well his intent to destroy Falun Gong through the same tactics used to vanquish a military foe, e.g., “establish the martial strategy and tactics, and fully prepare for the work of dividing and demoralizing [Falun Gong]. We should not go in a fight without preparation.”
21. The speech also established the framework for the upcoming propaganda campaign that would be launched against Falun Gong and Falun Gong believers in order to mislead the Chinese people about the true nature of Falun Gong and provide a sham justification for the group’s suppression. The sham cases that **JIANG ZEMIN** established as propaganda templates, e.g., death cases due to mental disorder, were fabricated to slander Falun Gong and later used as “evidence” presented by the “610 Office” according to Jiang’s instructions.

22. In the latter part of 1999, **JIANG ZEMIN** continued to use his various offices, positions of authority, relationships with key Party leadership figures, and political and military power to persecute and terrorize Falun Gong believers in China.
23. In early and mid-July, **JIANG ZEMIN** enlisted the support of key Party leaders by launching an intra-Party study campaign to make clear to key party leaders that the elimination of Falun Gong is necessary insofar as the practice posed a threat to survival of the Communist Party.
24. In July 1999, in full collaboration with Central Committee of the Party, **JIANG ZEMIN** ordered that all Party members practicing Falun Gong be subjected to “*zhuanhua*” or “forced conversion,” i.e., torture.
25. On July 19, one day before the mass apprehension and wrongful detention of Falun Gong believers, **JIANG ZEMIN** gave a speech at a meeting of Party leaders of the Provincial-level committees to mobilize final orders for beginning the persecution.
26. Two days later, under **JIANG ZEMIN**’s direct or indirect orders, the Party media announced the persecution as formally beginning on July 22, 1999.
27. On August 24, 1999, in full collaboration with the Central Office of the Chinese Communist Party Central Committee and the General Office of the State Council, **JIANG ZEMIN** ordered the ideological conversion of all Falun Gong believers, regardless of their Party status, and emphasized, for the very first time, the pivotal role of effective *zhuanhua* in the *douzheng* campaign against Falun Gong.
28. Throughout the same period, in full collaboration with **JIANG ZEMIN** and under his direct or indirect orders:
  - Key officials at the Ministry of Public Security issued a notice purportedly banning the practice of Falun Gong, without legal authority or any basis in law. The same officials deprived Falun Gong believers from exercising citizen rights of appeal and protest under the Chinese Constitution, again without legal authority or any basis in law.
  - Key Chinese security officers, along with others, issued a circular calling for the destruction of all publications related to the spiritual practice of Falun Gong and the investigation and punishment of all units and individuals that have published, printed, copied, and distributed such materials. They did this in spite of laws protecting all Chinese citizens from the destruction of their property, including their books.
  - The “610 Office” furthered the campaign through (1) the continued promulgation of misleading information and lies about the peaceful spiritual practice, and (2) requirements that legal cases filed against Falun Gong be handled consistently with the Party’s anti-Falun Gong policies. In some regions, the “610 Office” further required that Party-appointed and other Falun Gong lawyers enter a plea of “guilty” at the outset of a Falun Gong trial, and that judges reach a “guilty” verdict at the trial’s conclusion.
29. Throughout August and September, key Party leaders and especially the Party’s propaganda apparatus, working in concert with and under **JIANG ZEMIN**’s direct or indirect orders, engineered a thoroughgoing media campaign to produce sham evidence of Falun Gong

crimes so as to justify the upcoming illegal round-up, detention, interrogation, and persecution of Falun Gong, as well as to incite the police and other security forces to subject practitioners of Falun Gong to these unlawful practices, and to mobilize public support of the crackdown.

30. On October 25, 1999, in an interview with the French paper *La Figaro*, **JIANG ZEMIN** openly and publicly described Falun Gong as an appropriate target of violence and suppression when he characterized the peaceful spiritual practice as a “*xie jiao*” (a deviated or evil religion). **JIANG ZEMIN**’s use of this phrase occurred before any documents or media controlled by the Party had used the term, demonstrating (once again) that **JIANG ZEMIN** personally made the decision for the crackdown and kept pushing it forward. Two days later, on October 27, the People’s Daily, in full collaboration with and under **JIANG ZEMIN**’s instructions, published an article contending (wrongly) that there was sufficient evidence to prove that Falun Gong was a cult.
31. Five days after **JIANG ZEMIN**’s interview, the Standing Committee of People’s Congress joined the concerted effort and enacted its “Decision to Ban Heretical Organizations,” i.e., “*xie jiao*,” which amounted to an unlawful, *ex post facto*, overly vague, poorly drafted law that runs afoul of all “rule of law” principles and practices.
32. Also in October 1999, key officials at both the People’s Court and the Supreme People’s Procuratorate issued their “Explanations . . . Concerning Laws Applicable to Handling Cases of Organizing and Employing Heretical Cult Organizations to Commit Crimes.” This document defined a “deviated religion” as having the characteristics attributed to Falun Gong by the Party-controlled media and other Party and government entities, thereby making it inevitable that Falun Gong practitioners would be brought to trial under their arbitrary and capricious codes and regulations.
33. In November 1999, in a Notice interpreting their October 1999 “Explanations,” key officials at the Supreme People’s Court provided instructions to the people’s courts across China for trying cases against Falun Gong practitioners. According to a January 14, 2000 Supreme People’s Court and Supreme People’s Procuratorate document, “Proposals Concerning Issues Related to the Current Handling of Falun Gong Criminal Cases,” the verdicts and sentences of Falun Gong (sham) trials would be decided ahead of time at Party meetings organized and run by the Party’s Political and Legal Affairs Committee.
34. By 2000, there were “610 Office” branches housed in the Party’s Central Committee and all the way down to each local Party branch. In full collaboration with and under the direct or indirect orders of **JIANG ZEMIN**, the “610 Office” used its delegated power to drive and coordinate the nationwide *douzheng* of Falun Gong. A “610 Office” branch specializing in arrests and intelligence was set up as Bureau 26 of the Ministry of Public Security in Beijing. The “610 Office” and their officers played a major role in the ideological conversion of Falun Gong, especially through their direct access to “Golden Shield” Falun Gong databases.
35. Among other things, the “610 Office,” in full collaboration with and under the orders of **JIANG ZEMIN**, promulgated public notices and guidelines requiring the Procuratorate, the courts, and lawyers to support the Party’s staunch stance against members of the religion. For example, a typical “610 Office” notice, “Requirements Regarding Prevention and Control of Enemy Situations,” required that all Party-appointed and other Falun Gong

lawyers enter a plea of “guilty” at the outset of a Falun Gong trial, that Judges reach a “guilty” verdict at the trial’s conclusion, and that the “610 Office” itself meet with such court officers as the prosecutor and judge prior to trial to ensure that they severely crackdown on Falun Gong believers in the courtroom.

36. In 2000 or early 2001, the All China Lawyer’s Association (“ACLA”), in full collaboration with and under the authority and influence of **JIANG ZEMIN**, also issued notices and guidelines to ensure that all lawyers in China support **JIANG ZEMIN**’s anti-Falun Gong agenda. For example, at a February 13, 2001 meeting held at the Bureau of Justice in the city of Chongqing to set legal guidelines for the handling of Falun Gong cases, the local city offices of ACLA demanded that all lawyers follow Party policies with respect to Falun Gong cases, including the guideline that requires that all lawyers “recognize fully the importance of the *douzheng* of Falun Gong.”
37. Party organizations across the nation similarly supported and reiterated **JIANG ZEMIN**’s calls to *douzheng* Falun Gong. According to currently available records found on Party websites, Party committees across the nation initiated conferences, seminars, and forums to study the Party Central Committee’s notices containing **JIANG ZEMIN**’s speeches, which call for the violent suppression and eradication of Falun Gong. These committees strongly voiced their support, and took actions to advance **JIANG ZEMIN**’s anti-Falun Gong campaign.
38. The media apparatus, in continued collaboration with **JIANG ZEMIN**, continued to spread the word to ensure that Falun Gong would be subjected to *douzheng* as a known Party enemy (and evil cult). In addition to calling for the violent suppression of Falun Gong, their polemic – mirroring that used during the Holocaust to ensure the violent elimination of the Jewish population in Europe – compared Falun Gong believers to subhuman viruses, epidemics, vermin, parasites, demons, psychopaths, and state enemies. After the increased global focus on terrorism in 2001, persons identified as Falun Gong were additionally labeled as “terrorists.” In one representative incident, the China Anti-Cult Association, an organization devoted to the suppression of Falun Gong with close ties to **JIANG ZEMIN**, published and adopted comments explicitly acknowledging the strategy of demonizing Falun Gong in order to justify their elimination (“I say that we first define it as terrorist so that any necessary measures are justified”).
39. At the same time, many Party officials who heard about or read **JIANG ZEMIN**’s speech not only transmitted **JIANG ZEMIN**’s order to subject Falun Gong to a violent suppressive campaign, but also played a major role in ensuring that Falun Gong became the latest target of **JIANG ZEMIN**’s anti-Falun Gong campaign, through their own use of his rhetoric and polemic in their speeches, policy papers, and/or written instructions. Their instructions and commands to subject Falun Gong believers to unlawful persecution and suppression reached the courts, the Procuratorate, labor camps, and detention centers, as did the flagship media and widespread propaganda.
40. Although some judges and prosecutors, in addition to lawyers have objected quietly to the illegal campaign perpetrated against Falun Gong, many Party leaders and other co-perpetrators continued to use the legal system as a persecutory tool, with the full support of the “610 Office,” the All China Lawyers Association, and some members of the bench and prosecutor’s offices.

41. Although some “610 Office” officers have defected and/or quit their posts due to their wish to distance themselves from the persecutory campaign, according to several eyewitness and expert reports, the application of torture and brainwashing was intensified in 2001 under the direct or indirect orders of **JIANG ZEMIN** and is ongoing as of June 2015.
42. In 2010, the central “610 Office” launched a three-year campaign to intensify the transformation of Falun Gong believers nationwide. Official documents referring to the campaign were found on government and Party websites in nearly every provincial jurisdiction. Modes of surveillance and detainee abuse were highly standardized in the concerted effort to fully transform recalcitrant practitioners. Political and Legal Affairs Committee documents and those of the associated “Anti-Cult Associations” outline several strategies and methods to be used in the campaign. For instance, these documents call on Party security forces to make home visits to released “transformed” practitioners and to coerce employers, family members, and neighbors to participate in transformation efforts.
43. Since the onset of the *douzheng* campaign, Falun Gong practitioners have died in custody or shortly after release from prisons, re-education through labor camps, detention centers, and forced conversion facilities. Victims come from all age groups, strata of society, and geographical regions. The majority died due to physical and psychiatric torture or by being denied their right to health while in custody.
44. Since the onset of the *douzheng* campaign, public security officers have abused their power through their leveling of illegal fines, their unbridled confiscation of property, extortion of money from and blackmail of Falun Gong believers and their families to entrap and coerce false confessions or sensitive information from them. Prison guards operating under the auspices of the CCP have commuted or diminished prison sentences in exchange for the murder or brutal beating of other (often Falun Gong) detainees. Public security and prison security guards have forced the families of Falun Gong believers to pay bribes to protect Falun Gong believers from harsher treatment.
45. Since 2001 if not earlier, Chinese security officers have broken into Falun Gong practitioners’ homes and took property related to their Falun Gong activities, and in some instances have even stolen property not related to Falun Gong at all.
46. Attached to this formal Complaint are the particulars of my case. See attached “Individual Complaint.”

#### CRIMINAL LIABILITY

47. **JIANG ZEMIN** is individually criminally responsible for the crimes referred to below in this complaint, which he initiated, designed, planned, ordered, launched, implemented, managed, instigated and participated in. By using the word “participated,” the Procuratorate does not intend to suggest that the accused physically committed any of the crimes charged personally. Rather, “participated” in this complaint refers to participation in a joint crime as a co-perpetrator.

### Joint Crime

48. **JIANG ZEMIN** was the key principal actor in a joint crime, the purpose of which was the violent suppression and forced conversion through torture of China's millions of Falun Gong practitioners.

49. This joint crime was launched in June 1999 by **JIANG ZEMIN**. Individuals participating in this joint crime included **JIANG ZEMIN**, Li Lanqing, Luo Gan, Liu Jing, and Zhou Yongkang.

50. The crimes enumerated in Counts 1 to 18 of this complaint were within the object of the joint crime. Alternatively, the crimes enumerated in Counts 1 to 18 were the natural and foreseeable consequences of the execution of the object of the joint crime and the accused was aware that such crimes were the likely if not certain outcome of the execution of the joint crime.

51. At the heart of this joint crime was **JIANG ZEMIN**'s decision to launch a "*douzheng*" violent suppression campaign against Falun Gong. The Chinese word "*douzheng*" has been a term for particular practices of political persecution with ideological roots, and is part of the Chinese Communist Party's persecution culture. When a group of individual is identified as a target of a "*douzheng*" campaign, the implication is clear: it is imperative to go outside of the law to persecute that person or group.

52. In order for the joint crime to succeed in its objective, **JIANG ZEMIN** worked in concert with or through several individuals in the joint crime. Each participant or co-perpetrator within the joint crime played his own role or roles that significantly contributed to the overall objective of the enterprise. The roles of the participants or co-perpetrators include, but are not limited to, the following:

53. Li Lanqing, as Standing Committee member of the Politburo of the Central Committee of the Chinese Communist Party from 1997 to 2002, was appointed by the accused as head of the "Leading Group for Handling the Falun Gong Issue." Li Lanqing carried the responsibility for the policy and execution of this organization since its establishment on June 10, 1999. Li Lanqing thus carried direct responsibility for the acts of violence committed by this body during this time for the repression and forced conversion of Falun Gong.

54. Luo Gan, as Secretary of the Chinese Communist Party's Central Political and Legal Affairs Committee and as head of the "Leadership Group" from 2002 to 2007, carried direct responsibility for the acts of violence committed by this body during this time for the repression and forced conversion of Falun Gong.

55. Liu Jing was one of **JIANG ZEMIN**'s key collaborators in the persecutory campaign perpetrated unlawfully against Falun Gong believers in China. **JIANG ZEMIN** selected Liu Jing to play a leading role in the anti-Falun Gong *douzheng* as Deputy Director of the Central "610 Office" in June 2000 through September 2001. In September 2001, **JIANG ZEMIN** promoted Liu Jing to the post of Director of the Central "610 Office," a post he held until October 2009. In January 2001, **JIANG ZEMIN** selected Liu Jing to serve as Vice-Minister of Public Security. In these capacities, Liu Jing promoted and carried out all "Leadership Group" instructions issued by both **JIANG ZEMIN** and Lou Gan. These included orders to apprehend, shoot, and in other ways kill, ideologically convert, torture, and abuse Falun Gong. At the same time, he created misleading lies and mischaracterizations of believers and the Falun Gong spiritual practice to further justify and

instigate **JIANG ZEMIN**'s crimes. In particular, his order to shoot to kill Falun Gong believers in Changchun was issued in January 2002, as were his orders to thoroughly eradicate the spiritual group. He is also directly responsible for the crimes perpetrated against Falun Gong believers at the notorious Masanjia labor camp, which he helped construct solely to carry out **JIANG ZEMIN**'s orders to torture to death all detained Falun Gong who refused to publicly denounce Falun Gong and help the authorities subject other believers to illegal *douzheng*. Wherever Liu Jing went, he left behind a trail of blood. His instructions and practices resulted in the torture and murder of Falun Gong not only at Changchun and Masanjia, but also in other cities across China.

56. In his capacity as General Secretary of the Party, **JIANG ZEMIN** exercised effective control or substantial influence over the above-listed participants in the joint crime and either alone or acting in concert with them and additional known and unknown persons effectively controlled or substantially influenced the actions of the Party (including its various committees and sub-committees at the national, provincial, and municipal levels), the Ministry of Public Security, the “610 Office,” and the network of prisons, detention centers, psychiatric hospitals, “black jails,” and re-education through labor camps. As President of the People’s Republic of China and Chairman of the Central Military Commission, he was able to ensure that his designs and plans would be and were carried out.

57. **JIANG ZEMIN** took several steps to ensure that the *douzheng* campaign against Falun Gong would continue even after he stepped down from the Presidency and Party-Chairmanship. First, he held onto his role as Chair of the Central Military Commission for two more years. In addition, he expanded the membership of the Politburo Standing Committee by two seats, adding the two persons most needed to ensure the continuation of the campaign: Li Changchun and Lou Gan (who was replaced by **JIANG ZEMIN** loyalist Zhou Yongkang in 2007). Finally, upon his retirement, he arranged that everyone in the Standing Committee had only one vote, and no veto, including even the new President and Party-Chair, Hu Jintao. As a result of these strategic maneuvers, **JIANG ZEMIN** protected himself and his faction from being held accountable for the crimes they perpetrated against Falun Gong, while at the same time ensuring the continuation of the illegal acts and activities.

58. **JIANG ZEMIN** was the key principal actor in this joint crime due to his initiation, design, ordering, planning, launching, implementing, and management of the “*douzheng*” violent suppression campaign against Falun Gong. He possessed the authority and influence to initiate the campaign and did so through his commission of the following acts:

59. Initiation and Design

- a) In 1997, **JIANG ZEMIN**, with the help of Lou Gan, ordered national level Public Security officers to investigate the operation of the Falun Gong religion in China in order to argue, within the Party leadership, for a ban against the religion and the ideological conversion and suppression of Falun Gong believers. After two full years of investigation, public security officers were still unable to find a legitimate basis for the ban.
- b) Nonetheless, without evidence or justification, in several speeches and letters, he initiated and designed the persecutory campaign.

- c) In May 1999, he designed key parts of the persecutory campaign, e.g., how to suppress Falun Gong, what Party resources to use for this purpose) in a memorandum he shared with key party leaders.
- d) In June 1999, in his Speech to the Politburo, he established the “Leading Group for Handling the Falun Gong Issue” and its office of operations, referred to as the “610 Office,” and directed and authorized them to carry out the violent suppression and forced conversion of Falun Gong practitioners.
- e) In the same speech, he established the framework for the propaganda campaign based on earlier characterizations of Falun Gong as “evil” and “deviant” in order mislead the Chinese people and enlist their support of his attempt to persecute and terrorize Falun Gong in China.
- f) In the same speech, he further designed the campaign to include all echelons of the Party, including the propaganda apparatus; the security apparatus, run by his newly created “Leadership Group;” Party Committee leaders at national, provincial and all other regional levels; and other high-, mid-, and low-level Party operatives.
- g) He characterized Falun Gong as an appropriate target of *douzheng* in an interview with *La Figaro* in which he characterized the peaceful spiritual practice of Falun Gong as “deviated” and “evil.”
- h) In direct violation of Chinese law, he suborned the legal system to serve his anti-Falun Gong agenda. As a direct result, instead of protecting the legal rights of Falun Gong believers, the courts permitted (and even facilitated) his campaign to subject law-abiding Falun Gong citizens to unlawful arrest, detention, forced conversion, and other egregious violations.
- i) He further designed the campaign to include the participation of such state organs as the Ministries and Bureaus of Public Security, Justice, Civil Affairs, Religious Affairs, in addition to all segments of civil society.

60. Ordering and Planning

- a) **JIANG ZEMIN** did not only design the criminal suppression of Falun Gong. He also provided direction and assistance to the political leadership of the Party, in particular the seven-member Politburo Standing Committee, which has control over the Politburo, which has control over the Party’s Central Committee, which has control over reach of the Party’s regional subsidiary committees. Under the authoritarian, single-party system of governance in China, these committees all exercised high levels of control over parallel governing organs at various levels, especially within the security hierarchy.
- b) He directed organs of the government of the People’s Republic of China to carry out the violent suppression and forced conversion of Falun Gong practitioners, including in the form of speeches and letters instructing top leadership of the Party, which were transformed into official Central Committee internal documents ordering preparation and guidelines for the persecution.
- c) He issued May 8, 1999, “Instructions to Politburo Members, the Offices of the Central Party Secretaries, and the Central Military Commission,” which were officially distributed on May 23, 1999, instructing officials to secretly prepare for the persecution of Falun Gong, including how to severely punish Falun Gong practitioners, what Party resources

- to use for this purpose, and who should be in charge of implementing Party orders regarding these tasks.
- d) He delivered a June 7, 1999, speech about “Paying Attention to Dealing With and Solving the Falun Gong Issue,” which directly ordered the establishment of the “Leadership Group” and the “610 Office” and appointed its heads, and described the Falun Gong issue as “the most significant incident since the political turmoil in 1989,” referring to the Tiananmen Square massacre of pro-democracy students.
  - e) Through this speech, he also ordered the Central Committee and all Party departments at provincial and municipal levels to “cooperate closely,” and gave the “Leadership Group” powers above the existing administration of the Party and state organs, making the group responsible only to the accused himself.
  - f) He additionally instructed the “Leadership Group” to initiate a nationwide propaganda campaign to mislead the Chinese people as to the true nature of Falun Gong. He instructed them to, among other things, “collect among Falun Gong practitioners in all areas the extraordinary cases including schizophrenia, suicide, and refusing medicine resulting in diseases worsening or death,” and to gather resources to investigate the organization structure of Falun Gong and prepare the work of dividing and demoralizing Falun Gong.
  - g) He delivered a July 19, 1999, speech to Party leaders of the provincial-level committees, instructing them to mobilize final orders for the beginning of the persecution of Falun Gong. The following day, the mass unlawful arrests and wrongful detention of Falun Gong began.
  - h) In July and August 1999, through a series of official documents, **JIANG ZEMIN** ordered that Falun Gong believers be subjected to ideological conversion practices (i.e., torture). These included a July 1999 notice Jiang issued through the Central Committee of the CCP ordering the *zhuanhua* (forced conversion) of CCP members practicing Falun Gong; an August 6, 1999 notice Jiang that provided specific rules and guidelines to enable the effective *zhuanhua* of Party members practicing Falun Gong; and an August 24, 1999 notice expanding his orders to include all Falun Gong believers regardless of their party status.
  - i) **JIANG ZEMIN** ensured that the designs, plans and instructions included in his official speeches and letters were transmitted by the General Office of the Party Central Committee to the (1) Central Committee members, (2) Minister and Provincial-level officials, (3) heads of the departments of Central Committees at various levels, and (4) other key Party, state and civic leaders. He further ensured that these recipients directed a wider audience of party members, state and civic organizations and their leadership to study and implement his directives.

61. Launching, Implementing, and Managing

- a) On April 25, 1999, **JIANG ZEMIN** signaled the upcoming launch of the violent campaign against Falun Gong believers in China.

- b) On June 7, 1999, **JIANG ZEMIN**'s speech to the Politburo called for the launch of a persecutory campaign against Falun Gong to murder, torture, and in other ways suppress believers.
- c) In early and mid-July, **JIANG ZEMIN** launched an intra-Party study campaign to signal the necessity of the elimination of Falun Gong based on the threat it posed to the hegemony of the Party.
- d) On July 19, 1999, the accused gave a speech at a meeting of Party leaders to mobilize final orders for the launch of the persecution.
- e) Soon thereafter, the accused implemented the campaign in full collaboration with co-perpetrators Li Lanqing, Lou Gan, and other key "Leadership Group" members, along with key leaders at the Political and Legal Affairs Committee, the Ministry of Public Security, the Supreme People's Court, the Supreme People's Procuratorate, the Ministry of Justice, State Administration of Religious Affairs, and the National People's Congress.
- f) In concert with flagship media and the propaganda apparatus, he engineered a propaganda campaign to provide sham evidence of Falun Gong criminal conduct to justify the illegal round up, detention, ideological conversion, torture, murder, maltreatment, and degradation of Falun Gong believers across China.
- g) In concert with the "Leadership Group," its "610 Office," the Political and Legal Affairs Committee, the All China Lawyer's Association, Ministry of Public Security, and others, he launched the illegal round up, detention, ideological conversion, torture, murder, maltreatment, and degradation of Falun Gong.
- h) His *ex post facto*, vague, poorly drafted laws created a false veneer of legitimacy to the illegitimate campaign he initiated, designed, ordered, planned, launched, and implemented against Falun Gong.
- i) Due to his actions, Falun Gong believers across China were subjected to surveillance and tracking geared to identify and locate them, wrongful apprehension/arrest and detention/imprisonment, torture to coerce confessions and other types of torture, murder, severe mental and physical abuse, rape and sexual violence, organ harvesting, theft, destruction of their property, illegal searches and seizure, persecution, enslavement, slander and humiliation, genocide and Crimes against Humanity that include forced exile, disappearance and persecution.

62. **JIANG ZEMIN** knowingly and willfully initiated, designed, ordered, planned, instigated, supervised, and participated in the joint crime, sharing the intent of other participants or aware of the foreseeable consequences of their actions. On this basis, he bears individual criminal responsibility for these crimes in addition to his responsibility for having otherwise instigated the execution of these crimes, as set forth below.

63. The accused and other participants in the joint crime shared the intent and state of mind required for the commission of each of the crimes charged in counts 1 to 18.

64. **JIANG ZEMIN** directly intended that the violent suppression and forced conversion through torture of Falun Gong be committed, through the commission of the crimes identified in counts 1 to 18 of this complaint. The accused intentionally issued orders and designed plans to carry out the "*douzheng*" violent suppression of Falun Gong, including the final step of all "*douzheng*" campaigns, which is the forced conversion through torture of the targeted group. The accused also

repeatedly labeled Falun Gong as an appropriate target of violence, including the use of such phrases as “state enemy” and “evil cult.”

65. **JIANG ZEMIN** cannot claim immunity for his unlawful acts. As the General Secretary of the Party, the General Secretary of the Central Military Commission, and the President of China, the accused was obliged to follow and implement Chinese law. He does not enjoy any privileges or rights outside the scope of Chinese law. To the contrary, as the leader of China, he was obliged to use his authority, power, and influence to uphold the law. See, e.g., Articles 5 and 33 of the Constitution; and Articles 6 and 7 of the Criminal Law of the People’s Republic of China (hereinafter “Chinese Criminal Law”).

**THE CHARGES:**

**COUNT 1**  
**TORTURE TO COERCE CONFESSIONS**  
**Article 247 of Chinese Criminal Law**

66. The allegations set forth above in this Complaint are re-alleged and incorporated by reference as if fully set forth herein.

67. Article 247 of Chinese Criminal Law prohibits “extort[ing] a confession from criminal suspects or defendants by torture” or “us[ing] force to extract testimony from witnesses.”

68. From on or about April 27, 1999 until 2015, **JIANG ZEMIN**, acting alone or in concert with other known and unknown members of a joint crime, initiated, designed, planned, ordered, launched, implemented, managed, participated in, or otherwise instigated the torture and cruel, inhuman, and degrading treatment of Falun Gong practitioners in China, in violation of Articles 247 of Chinese Criminal Law.

69. Throughout this period, Chinese security personnel, comprised of “610 Office” officials; Ministry of Public Security officials at national, provincial, and municipal levels; and detention center, prison, psychiatric hospital, “black jail,” and re-education through labor camp officials, tens of thousands of Falun Gong practitioners have been tortured in Chinese custody.

70. Common torture methods include beatings, shocking with electric batons, suspension upside down in stress positions, shackling hands and feet and linking them with crossed steel chains, breaking of limbs, violent force-feedings, prolonged sleep deprivation, injections with psychotropic drugs, medical experimentation, organ harvesting, forced sterilization, rape and sexual assault, and humiliation.

71. Former detainees in labor camps who are not Falun Gong practitioners have confirmed that Falun Gong practitioners in the camps are singled out for torture and abuse.

72. “610 Office” security officials engage in the routine practice of attacking women’s genitals. Falun Gong detainees, be they male or female, are typically stripped naked prior to torture.

73. Police officers often use excessive force when detaining peaceful Falun Gong practitioners, including some who were elderly or who were accompanied by small children.

74. As noted below, the gang rape, rape and/or sexual assault of elderly and young Falun Gong believers were routine.

75. The living conditions in the facilities where Falun Gong practitioners were detained were brutal and characterized inhumane treatment, overcrowding, starvation, forced labor, inadequate medical care, and constant physical and psychological assault, including torture, beatings, and sexual violence.

**COUNT 2**  
**MURDER**  
**Article 232 of Chinese Criminal Law**

76. The allegations set forth above in this Complaint are re-alleged and incorporated by reference as if fully set forth herein.

77. Article 232 of Chinese Criminal Law prohibits “intentionally kill[ing] another.”

78. From on or about April 27, 1999 until 2015, **JIANG ZEMIN**, acting alone or in concert with other known and unknown members of a joint crime, initiated, designed, planned, ordered, launched, implemented, managed, participated in, or otherwise instigated the murder of Falun Gong practitioners in China, in violation of Article 232 of Chinese Criminal Law.

79. Thousands of Falun Gong practitioners have died in custody since 1999. Many bore signs of severe beatings and/or torture. There are many credible reports of deaths due to torture and abuse. Practitioners who refuse to recant their beliefs are among those whose deaths have been traced to torture.

**COUNT 3**  
**ABUSE OF INMATES**  
**Article 248 of Chinese Criminal Law**

80. The allegations set forth above in this Complaint are re-alleged and incorporated by reference as if fully set forth herein.

81. Article 248 of Chinese Criminal Law prohibits “beat[ing] or physically abus[ing]” inmates in the custody of prisons, detention centers, and other guardhouses.

82. From on or about April 27, 1999 until 2015, **JIANG ZEMIN**, acting alone or in concert with other known and unknown members of a joint crime, initiated, designed, planned, ordered, launched, managed participated in, or otherwise instigated the widespread abuse of Falun Gong believers in violation of Article 248 of Chinese Law.

83. Throughout this period, Chinese security personnel comprised of “610 Office” officials and other Chinese security officers, subjected Falun Gong believers across China to physical and mental abuse that included torture. These unlawful acts were carried out against Falun Gong detainees at prisons and other detention centers in China.

84. Common forms of abuse include beatings, shocking with electric batons, suspension upside down in stress positions, shackling hands and feet and linking them with crossed steel chains, breaking of limbs, violent force-feedings, prolonged sleep deprivation, injections with psychotropic drugs, medical experimentation, organ harvesting, forced sterilization, rape and sexual assault, and humiliation.

85. Former detainees in labor camps who are not Falun Gong practitioners in addition to Falun Gong targets have confirmed that Falun Gong practitioners are been subjected to such unlawful conduct.

**COUNT 4**  
**RETALIATION AND FRAMING OF OTHERS**  
**Article 254 of Chinese Criminal Law**

86. The allegations set forth above in this Complaint are re-alleged and incorporated by reference as if fully set forth herein.

87. Article 254 of Chinese Criminal Law prohibits workers of state organs from “abus[ing] their authority by retaliating against or framing accusers, petitioners, critics, or informants, in the name of conducting official business.”

88. Workers of state organs who abuse their authority by retaliating against or framing others in the name of conducting official business are liable under this article.

89. From on or about April 27, 1999 until 2015, **JIANG ZEMIN**, acting alone or in concert with other known and unknown members of a joint crime, initiated, designed, planned, ordered, launched, managed participated in, or otherwise instigated the framing of Falun Gong believers for crimes they did not commit and/or by criminalizing activities that are lawful under the Chinese Constitution and in all rule of law countries in violation of Article 254 of Chinese Criminal Law.

90. Throughout this period, key leaders and their subordinates at the Political and Legal Committee, the “610 Office,” and the All China Lawyers Association ensured that all known Falun Gong believers would be falsely characterized as “criminals” and subjected to wrongful arrest and detention, torture, degradation, and humiliation as a form of retaliation for their practice of Falun Gong. This has occurred at brainwashing centers, “black jails,” detention centers, police stations, re-education through labor camps, and prisons, solely as a result of their lawful participation in the peaceful spiritual practices of Falun Gong.

91. Lawyers in China have confirmed that Falun Gong believers have been subjected to such unlawful conduct.

92. Official documents, including those issued by the People’s Court and the Supreme People’s Procuratorate, by the Leadership Group and its Office 610, provide additional evidentiary support.

**COUNT 5**  
**ORGAN HARVESTING**  
**Article 234(a) of Chinese Criminal Law**

93. The allegations set forth above in this Complaint are re-alleged and incorporated by reference as if fully set forth herein.

94. Article 234(a) of Chinese Criminal Law prohibits “organiz[ing] others to sell human organs,” “remov[ing] the organs of a person without the consent thereof,” “remov[ing] the organs of a minor,” “compel[ling] or cheat[ing] another person to donate organs,” and “remov[ing] the body organs of a deceased person against his/her wishes made when he/she was alive” or “where the person has never consented to the removal when he was alive” or “against the wish of the deceased persons’ immediate relatives.”

95. From on or about April 27, 1999 until 2015, **JIANG ZEMIN**, acting alone or in concert with other known and unknown members of a joint crime, initiated, designed, planned, ordered, launched, implemented, managed, participated in, and otherwise instigated the organ harvesting of Falun Gong practitioners in China, in violation of Article 234(a) of Chinese Criminal Law.

96. Since 2000, Falun Gong detainees have been killed in order to supply China’s organ transplant industry.

97. A series of phone calls made to several high-level officials has corroborated the widespread practice of organ harvesting of Falun Gong detainees. In September 2014, a high-ranking Chinese official directly implicated **JIANG ZEMIN**’s involvement. According to a secretly recorded phone conversation, when asked where the orders to harvest Falun Gong practitioners’ organs came from, Bai Shuzhong, former minister of health of the People’s Liberation Army General Logistics Department, replied, “At the time it was from Chairman Jiang, there was an instruction, an instruction to start this thing, organ transplantation.”

98. Several experts have confirmed the use of organ harvesting to subject Falun Gong believers to further pain and suffering as have eye-witnesses who been subjected to thwarted organ harvest operations and/or observed the practice.

### **COUNT 6** **RAPE & SEXUAL VIOLENCE** **Articles 236 and 237 of Chinese Criminal Law**

99. The allegations set forth above in this Complaint are re-alleged and incorporated by reference as if fully set forth herein.

100. Article 236 of Chinese Criminal Law prohibits any person from “by violence, coercion or other means, rap[ing] a woman.”

101. Article 237 of Chinese Criminal Law prohibits any person from “by violence, coercion, or other means, forc[ing], molest[ing], or humiliat[ing] a woman” or “assembl[ing] a crowd to commit” this crime.

102. From on or about April 27, 1999 until 2015, **JIANG ZEMIN**, acting alone or in concert with other known and unknown members of a joint crime, initiated, designed, planned, ordered, launched, implemented, managed, participated in, and otherwise instigated the rape of and sexual

violence toward Falun Gong practitioners in China, in violation of Articles 236 and 237 of Chinese Criminal Law.

103. Gang rape, rape, and other forms of gender-based abuses have been used to coerce forced confessions from women who practice Falun Gong in China.

104. As noted above, attacking detained female Falun Gong practitioners' genitals is routine.

## COUNT 7

### WRONGFUL ARREST AND IMPRISONMENT

#### Articles 37 of the Chinese Constitution and Article 238 of Chinese Criminal Law

105. The allegations set forth above in this Complaint are re-alleged and incorporated by reference as if fully set forth herein.

106. Article 37 of the Chinese Constitution prohibits the unlawful restriction of citizen's freedom of the person by detention or other means.

107. Article 238 of Chinese Criminal Law prohibits "unlawfully detain[ing] another or depriv[ing] him of his freedom" and requires heavier punishment for "an employee of a state organ [who] abuses his authority" to commit this crime.

108. From on or about April 27, 1999 until 2015, **JIANG ZEMIN**, acting alone or in concert with other known and unknown members of a joint crime, initiated, designed, planned, ordered, launched, implemented, participated in, and otherwise instigated the wrongful arrest, detention and/or imprisonment of Falun Gong practitioners in China, in violation of Articles 37 of the Chinese Constitution and/or 238 of Chinese Criminal Law.

109. Falun Gong believers have been subjected to arbitrary arrest based solely on their practice of their religion.

110. Arrested Falun Gong practitioners who have been put on trial have been afforded only a choreographed procedure of appearing in a courtroom, during which they have not been permitted to testify on their own behalf, to plead "not guilty," or to retain an attorney of their choice.

111. The "610 Office" has promulgated public notices and guidelines requiring lawyers, the Procuratorate, and the courts to support the Party's stance against Falun Gong. One such notice, "Requirements Regarding Prevention and Control of Enemy Situations," requires that all Party-appointed and other Falun Gong lawyers enter a plea of "guilty" at the outset of a Falun Gong trial, that judges reach a "guilty" verdict at the trial's conclusion, and that representatives of the "610 Office" meet with such court officers as the prosecutor and judge prior to trial to ensure that they severely crack down on Falun Gong practitioners. Attempts to enter a not guilty plea or reveal any forms of maltreatment suffered up to the point of the appearance has resulted in intensified abuse.

112. In some cases, the questions of what law a Falun Gong practitioner broke, or what facts show that the law was broken, have been fabricated. In virtually all cases, the authorities have based their apprehension and detention of Falun Gong on vague, overly broad, and poorly drafted laws that were concocted solely to subject Falun Gong believers to "zhuanhua" and "douzheng."

**COUNT 8**  
**CORRUPTION**  
**Articles 397 and 399 of Chinese Criminal Law**

113. The allegations set forth above in this Complaint are re-alleged and incorporated by reference as if fully set forth herein.

114. Article 397 of Chinese Criminal Law prohibits any state personnel from “abus[ing] their power or neglect[ing] their duties, causing great losses to public property and the state’s and people’s interests.”

115. Article 399 of Chinese Criminal Law prohibits any judicial personnel from “act[ing] with partiality and defeat[ing] the ends of justice,” including “subjecting to prosecution persons they clearly know to be innocent” and “intentionally go[ing] against facts and laws in criminal trials to render judgments that misuse the law.”

116. From on or about April 27, 1999 until 2015, **JIANG ZEMIN**, acting alone or in concert with other known and unknown members of a joint crime, initiated, designed, planned, ordered, launched, implemented, participated in, and otherwise instigated corruption, in violation of Articles 397 and 399 of Chinese Law.

117. According to eyewitness reports, leaders and officers at Public Security bureaus and offices across China have abused their power through their leveling of illegal fines, their unbridled confiscation of property, extortion of money from, and blackmail of Falun Gong believers and their families to entrap them and/or coerce false confessions or sensitive information from them.

118. Eyewitnesses have also reported incidents of rampant violations of Article 397 by Party officials and Party-controlled prison guards in prisons across China. Sentences – even death sentences – are commuted in exchange for the murder or brutal beating of Falun Gong detainees. Families are forced to pay bribes to protect Falun Gong believers from harsher treatment. Funds provided by families to pay for food for Falun Gong practitioners are routinely confiscated by prison guards and prisoners acting in collusion.

119. The abuses perpetrated by rogue members of the justice system in violation of Article 399 have been reported widely by Chinese lawyers and eyewitnesses. As noted above (see, e.g., Count 7), Falun Gong believers are subjected to wrongful arrests and detention through the application of vague, arbitrary, and circular laws enacted solely to violently and coerce false confessions from them and in other ways subject them to *douzheng*. Evidence is often fabricated or produced through the application of torture. Falun Gong believers are routinely denied access to the due process protections guaranteed to all Chinese people under Chinese law. Verdicts and sentences are decided ahead of time based on political considerations, such as whether or not the Falun Gong practitioner is willing to abandon his religious practice and belief or whether instead he refuses to be “transformed” and to “transform” others.

**COUNT 9**  
**THEFT AND DESTRUCTION OF PROPERTY**  
**Articles 263, 267, 270, 275 of Chinese Criminal Law**

120. The allegations set forth above in this Complaint are re-alleged and incorporated by reference as if fully set forth herein.

121. Article 263 of Chinese Criminal Law prohibits “rob[ing] public or private property using force, coercion, or other methods,” including “intruding into others’ houses to rob,” “causing serious injuries to or death while robbing,” and “committing robbery using guns.”

122. Article 267 of Chinese Criminal Law prohibits “seiz[ing] public and private property.”

123. Article 270 of Chinese Criminal Law prohibits “illegally tak[ing] over another person’s property in the latter’s custody.”

124. Article 275 of Chinese Criminal Law prohibits “intentionally destroy[ing] public or private property.”

125. From on or about April 27, 1999 until 2015, **JIANG ZEMIN**, acting alone or in concert with other known and unknown members of a joint crime, initiated, designed, planned, ordered, launched, implemented, participated in, and otherwise instigated the theft and destruction of Falun Gong practitioners’ property, in violation of Articles 263, 267, 270, and 275 of Chinese Criminal Law.

126. Security officials have broken into Falun Gong practitioners’ homes and taken away belongings related to Falun Gong activities, and have in some instances stolen property not related to Falun Gong at all.

127. Security officials have burned, shredded, or otherwise destroyed Falun Gong-related materials confiscated from Falun Gong practitioners.

128. Security officials have shut down, destroyed, confiscated property from, or otherwise forcibly disrupted or terminated businesses owned by Falun Gong practitioners, without regard for the business or its employees.

**COUNT 10**  
**ILLEGAL SEARCH; ILLEGAL INTRUSION**  
**Article 245 of Chinese Criminal Law**

129. The allegations set forth above in this Complaint are re-alleged and incorporated by reference as if fully set forth herein.

130. Article 245 of Chinese Criminal Law prohibits “illegally physically searching others or illegally searching others’ residences” or “illegally intruding into others’ residences,” and requires more severe punishment for judicial workers committing such a crime.

131. From on or about April 27, 1999 until 2015, **JIANG ZEMIN**, acting alone or in concert with other known and unknown members of a joint crime, initiated, designed, planned, ordered, launched, implemented, participated in, and otherwise instigated the illegal search of and intrusion into Falun Gong practitioners’ residences, in violation of Articles 245 of Chinese Criminal Law.

132. According to eyewitness accounts, many if not most Falun Gong believers in China have been subjected to break-ins by Chinese security without probable cause or other legal grounds or bases. Such intrusions are routinely conducted solely to find evidence of Falun Gong-related materials and include theft of computers, cell phones, and other such devices. Where Falun Gong materials have been found, security have confiscated the materials and subjected the Falun Gong believers to severe humiliation and torture in their homes, police stations, and detention sites.

**COUNT 11  
PERSECUTION**  
**Article 251 of Chinese Criminal Law**

133. The allegations set forth above in this Complaint are re-alleged and incorporated by reference as if fully set forth herein.

134. Article 251 of Chinese Criminal Law prohibits robbing citizens of the right to religious belief and encroaching on minorities' habits or customs.

135. On or about April 27, 1999 until 2015, **JIANG ZEMIN**, acting alone or in concert with other known and unknown members of a joint crime, planned, ordered, participated in, or otherwise instigated the deprivation of Falun Gong practitioners' right to religious belief and expression in violation of Articles 251 of Chinese Criminal Law.

136. As noted above, the main objective of the **JIANG ZEMIN**'s *douzheng* campaign has been to force Falun Gong believers to abandon the practice of Falun Gong, through torture and other egregious forms of maltreatment, notwithstanding **JIANG ZEMIN**'s formal characterization of Falun Gong as a religion (i.e., a "jiao") and laws that expressly protect freedom of religion in China.

**COUNT 12  
ENSLAVEMENT**  
**Article 244 of Chinese Criminal Law**

137. The allegations set forth above in this Complaint are re-alleged and incorporated by reference as if fully set forth herein.

138. Article 244 of Chinese Criminal Law prohibits "compel[ling] other persons to work by violence, intimidation or by means of restricting their personal freedom" or "recruit[ing] or transport[ing] personnel therefore or otherwise render[ing] assistance."

139. From on or about April 27, 1999 until 2015, **JIANG ZEMIN**, acting alone or in concert with other known and unknown members of a joint crime, initiated, designed, planned, ordered, launched, implemented, managed, participated in, and otherwise instigated the enslavement of Falun Gong practitioners in China, in violation of Articles 244 of Chinese Criminal Law.

140. As noted above, and as attested by many eyewitnesses, Falun Gong believers have been forced to work without compensation in Re-education through Labor Camps and other detention centers across China.

**COUNT 13**  
**SLANDER AND HUMILIATION**  
**Article 246 of Chinese Criminal Law**

141. The allegations set forth above in this Complaint are re-alleged and incorporated by reference as if fully set forth herein.

142. Article 246 of Chinese Criminal Law prohibits the fabrication of stories to insult others or insulting others through physical force.

143. From on or about April 27, 1999 until 2015, **JIANG ZEMIN**, as Secretary of the Party, acting alone or in concert with other private (non-governmental) actors initiated, designed, planned, ordered, launched, implemented, managed, participated in, and otherwise instigated the slander and humiliation of Falun Gong believers in China in violation of Articles 246 of Chinese Criminal Law.

144. As noted above, **JIANG ZEMIN** instructed the Party-controlled media and propaganda apparatus to solicit and ensure the support of Party leaders and the Chinese people (living in China and abroad) as part of the persecutory campaign he decided to wage against Falun Gong. By deliberately misleading the Chinese people through a polemic that wrongly casts aspersions on Falun Gong believers and the religion through, e.g., comparisons of spiritual devotees to “criminals,” “self-immolators,” “psychopaths,” “vermin,” “snakes,” and other subhuman creatures, **JIANG ZEMIN** has both slandered and humiliated Falun Gong practitioners in China in order to facilitate his perpetration of the other crimes alleged herein.

**COUNT 14**  
**INTENTIONAL HARM TO OTHERS**  
**Article 234 of Chinese Criminal Law**

145. The allegations set forth above in this Complaint are re-alleged and incorporated by reference as if fully set forth herein.

146. Article 234 of Chinese Criminal Law prohibits intentionally injuring the person of another.

147. From on or about April 27, 1999 until 2015, **JIANG ZEMIN**, acting alone or in concert with other known and unknown members of a joint crime, initiated, designed, planned, ordered, launched, implemented, managed, participated in, and otherwise instigated harm to the person of Falun Gong believers in China in violation of Articles 234 of Chinese Criminal Law.

148. **JIANG ZEMIN**’s persecutory campaign has harmed Falun Gong believers through the infliction of severe mental and physical pain and suffering that do not meet the elements of torture,

murder, rape, sexual violence and humiliation, wrongful arrest and detention, illegal search and seizure, enslavement, slander, and so on.

**COUNT 15  
TORTURE**  
**Convention Against Torture**

149. The allegations set forth above in this Complaint are re-alleged and incorporated by reference as if fully set forth herein.

150. Article 1.1 of the Convention Against Torture prohibits “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him, or a third person, information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.”

151. Falun Gong believers have been subjected to severe mental and physical pain and suffering to force them to publicly denounce their deeply held spiritual beliefs, to elicit false confessions or sensitive information about third parties from them, and/or to retaliate against them for their Falun Gong beliefs and practice.

152. **JIANG ZEMIN** is responsible for the harm suffered by Falun Gong believers in that from April 27, 1999 through 2015, **JIANG ZEMIN**, acting alone or in concert with other known and unknown members of a joint crime, initiated, designed, planned, ordered, launched, implemented, managed, participated in, and otherwise instigated and incited the torture and cruel, inhuman, and degrading treatment of Falun Gong practitioners in China, in violation of the Convention Against Torture, which China has signed and ratified.

**COUNT 16  
GENOCIDE**  
**Convention Against Genocide**

153. The allegations set forth above in this Complaint are re-alleged and incorporated by reference as if fully set forth herein.

154. The “*douzhen*” campaign perpetrated against Falun Gong believers in China under the direction of **JIANG ZEMIN** satisfies all elements required under the Convention Against Genocide.

155. Article 2 of the Convention Against Genocide prohibits a range of acts committed with the “intent to destroy, in whole or in part, a national, ethnical, racial or religious group,” including “killing members of the group,” “causing serious bodily or mental harm to members of the group,” and “deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.”

- Falun Gong meets the definition of a “religious or spiritual” practice under international law. Instruments and practitioners of international law take it as a fundamental principle that the category of “religion” is extremely diverse and that rights claims should be interpreted broadly rather than limited based on formalistic criteria. There is no formal test as to what constitutes a religion under international law. Courts look to the *sincerity* of a person’s beliefs to help decide if those beliefs constitute a religion that deserve protection, not to any specific set of attributes that must be met by the party seeking protection. That said, the practice of Falun Gong has been characterized as a “religion” by several courts because the emphasis is on spiritual self-perfection. Moreover, even in China, Falun Gong has been characterized as a “religion” (i.e., a “*jiao*”).
- The purpose of the “*douzheng*” campaign of violent suppression launched by **JIANG ZEMIN** was to force all Falun Gong practitioners to abandon their religious or spiritual beliefs or, where necessary, extrajudicially kill them, with the ultimate goal of completely purging Falun Gong from Chinese society.
- Falun Gong believers across China were subjected to torture, extrajudicial killing, and other egregious maltreatment based solely on their refusal to abandon their deeply held beliefs in the peaceful spiritual practice of Falun Gong.

156. **JIANG ZEMIN** is responsible for the harm suffered by Falun Gong believers in that from April 27, 1999 through 2015, **JIANG ZEMIN**, acting alone or in concert with other known and unknown members of a joint crime, initiated, designed, planned, ordered, launched, implemented, managed, participated in, and otherwise instigated and incited the “*douzheng*” campaign against Falun Gong believers across China to purge China of the Falun Gong religion and its believers, in violation of the Convention Against Genocide, signed and ratified by the Republic of China on July 20, 1949.

### COUNT 17 CRIMES AGAINST HUMANITY: PERSECUTION, FORCED EXILE, DISAPPEARANCE, OTHER INHUMANE ACTS Customary International Law

157. The allegations set forth above in this Complaint are re-alleged and incorporated by reference as if fully set forth herein.

158. Customary international law (CIL) defines crimes against humanity as a specified set of acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack, including persecution, forced exile, disappearance, and other inhumane acts.

159. Enforced disappearance is defined as the arrest, detention or abduction of persons by, or with the authorization, support or acquiescence of, a State or a political organization, followed by a refusal to acknowledge that deprivation of freedom or to give information on the fate or whereabouts of those persons, with the intention of removing them from the protection of the law for a prolonged period of time.

160. Thousands upon thousands of Falun Gong believers have disappeared while in custody. After being detained, they have been denied contact with friends or family members. They have not been seen or heard from in many years. Their whereabouts have not been disclosed and they are presumed dead by their family.

161. Forced exile is defined as the transfer of one or more persons to another location by expulsion or other coercive acts for the purpose of murder, extermination, enslavement, other inhumane acts.

162. Persecution is defined as an act carried out against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender grounds involving the intentional and severe deprivation of fundamental rights contrary to international law by reason of the identity of the group or collectivity.

163. Falun Gong believers have been deprived of their fundamental rights contrary to international law by reason of their identity as Falun Gong believers. These rights include but are not limited to the right to be free from rape and gang rape, from the harvesting of their organs, from wrongful or arbitrary apprehension and detention, from forced exile, forced disappearance, cruel, inhuman, and degrading treatment, and other types of *jus cogens* violations and egregious maltreatment.

164. **JIANG ZEMIN** is responsible for the harm suffered by Falun Gong believers in that from April 27, 1999 through 2015, **JIANG ZEMIN**, acting alone or in concert with other known and unknown members of a joint crime, initiated, designed, planned, ordered, launched, implemented, managed, participated in, and otherwise instigated and incited persecution, forced exile, disappearance and other inhumane acts against Falun Gong believers in China in violation of *jus cogens* norms of customary international law.

### COUNT 18 PROLONGED ARBITRARY DETENTION Customary International Law

165. The allegations set forth above in this Complaint are re-alleged and incorporated by reference as if fully set forth herein.

166. *Jus cogens* norms of customary international law prohibit the prolonged arbitrary detention of persons.

167. Public Security officers and Office 610 security agents detained Falun Gong believers in re-education through labor camps without any legal or due process. During their confinement, Falun Gong believers have been subjected to unlawful treatment including torture, public degradation, organ harvesting, and other forms of extrajudicial killing.

168. **JIANG ZEMIN** is responsible for the harm suffered by Falun Gong believers in that from April 27, 1999 through 2015, **JIANG ZEMIN**, acting alone or in concert with other known and unknown members of a joint crime, initiated, designed, planned, ordered, launched, implemented,

managed, participated in, and otherwise instigated and incited the prolonged arbitrary detention of Falun Gong practitioners in China, in violation of *jus cogens* norms of international law.

By Human Rights Law Foundation