

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

Research Response Number: CHN31470
Country: China
Date: 19 March 2007

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This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

Questions

- 1. In relation to Mr John Deller (if available): – (a) did he visit VIDC around July 2006, (b) did he or an associate have individual meetings with Falun Gong practitioners/claimants, of about half an hour, and (c) does he personally know [name deleted]? If so, can he provide any background information about his past or about his current role in VIDC?**
- 2. A written witness statement claims that the Falun Dafa Association submitted a list of Falun Gong practitioners to the Minister, and that it included the applicant's name [name deleted]. Is this correct? If so, does a person's inclusion on the list indicate any assessment of the person's commitment?**
- 3. Zhuan Falun includes passages relating to drinking and smoking. Are these regarded as important, and do adherents generally follow them?**
- 4. Could I have a reference to any previous brief, or an overview, of current Falun Gong arrangements in VIDC. Does the Association have a representative or liaison person who visits there?**

RESPONSE

These questions were sent to Mr John Deller, the President of the Falun Dafa Association of NSW Inc, on 2 March 2007 (RRT Country Research 2007, Email to John Deller 'Request for information from RRT – CHN31470', 2 March – Attachment 1). Mr Deller replied on 18 March (Deller, John 2007, Email to RRT 'Re: Request for information from RRT – CHN31470', 18 March – Attachment 2). Mr Deller gave these answers to the questions:

1. Could you please tell me what arrangements are in place for members of the Falun Dafa Association in relation to the Villawood detention centre? Does the Association have a representative or liaison person who visits there?

Yes, Jane Sun is a regular visitor/ liaison person for the association to Villawood and at times I visit there myself. You will remember Jane, as she accompanied Jennifer Zeng and myself

to the briefing/seminar with RRT Members in June 2006.

2. *Did you visit the Villawood detention centre in around July 2006? Did you or an associate have individual meetings with Falun Gong practitioners/claimants, of about half an hour?*

Yes, Jan Sun and I visited Villawood in July 2006 and did meet with several of the detainees who practice Falun Gong there.

3. *Do you personally know [NAME DELETED], who is currently in the Villawood detention centre? If so, can you provide any background information about his past or about his current practice of Falun Gong?*

Yes, I know [NAME DELETED] [IDENTIFYING DETAILS DELETED].

4. *A written witness statement claims that the Falun Dafa Association submitted a list of Falun Gong practitioners to the Minister, and that it included the applicant's name [NAME DELETED]. Is this correct? If so, does a person's inclusion on the list indicate any assessment of the person's commitment? Are you able to provide a copy of this letter and list to the RRT?*

A list of Falun Gong practitioners seeking asylum through Ministerial intervention was prepared by the Falun Dafa Association of NSW and was forwarded by email to the Ministerial Intervention Unit (MIU) in NSW. This was in response to enquires from Mr Gerry Barret who in 2006 was with the NSW Section of MIU. Earlier this year I learnt that this list was understood by Mr Barret to be a "heads up" only, as an alert to the association's concern for the welfare of those listed if they were returned to China. In that sense, inclusion on that list does indicate that the association has accepted a practitioner's commitment and has concern for their welfare if forced to return to China. As the correspondence was by email, I am unable to forward a copy of any letter in that matter.

I attach the July list as submitted to Mr Barrett. As more practitioners seeking protection have come to the attention of the association we also have an updated which I can forward to you soon.

5. *Zhuan Falun includes passages relating to drinking and smoking. Are these regarded as important, and do adherents generally follow them?*

Yes, they are important, and yes it can be observed that practitioners do not smoke or drink. But they are not rules as such, to be followed, but rather natural outcomes from the practice of Falun Dafa. Smoking and drinking are attachments to be relinquished as one makes progress in cultivation in Falun Dafa as they are polluting the body and have adverse affects on ones mind and "gong"(the cultivated energy). If someone has lost the supportive environment of fellow practitioners and had limited access to Fa study, and in the stressful context of seeking asylum, then it is possible someone may succumb to an old behaviour of a smoke or a drink. But as a practitioner they would know that it was not correct. If someone was to be judged as NOT being a practitioner because they smoke or drank at some point, that may be too absolute. We would hope the RRT can make an overall assessment of a Falun Gong practitioner seeking protection as it is ones faith in Falun Dafa that will determine if they are persecuted in China.

Mr Deller also forwarded a copy of the list referred to in Question 4 (Falun Dafa Association of NSW 2006, *List Of Falun Gong Practitioners Seeking Asylum Through Ministerial Intervention – July 2006*, July – Attachment 3).

Please note that the Applicant's name has been deleted in Attachment 2 to permit the information to be cited in other cases. The original version of the advice with the applicant's name is at – for use in this case only.

List of Attachments

1. RRT Country Research 2007, Email to John Deller 'Request for information from RRT – CHN31470', 2 March
2. Deller, John 2007, Email to RRT 'Re: Request for information from RRT – CHN31470', 18 March
3. Falun Dafa Association of NSW 2006, *List Of Falun Gong Practitioners Seeking Asylum Through Ministerial Intervention – July 2006*, July