

VIA FAX AND EMAIL 4122 917 9006, attn: WGEID; wgeid@ohchr.org

February 4, 2010

Mr. Jeremy Sarkin (Chairperson)
Working Group on Enforced or Involuntary Disappearances
OHCHR, Palais des Nations
8-14 Avenue de la Paix
CH-1211 Geneva 10
Switzerland

RE: In the Matter of Gao Zhisheng v. People's Republic of China

Dear Mr. Sarkin:

We write on behalf of Ms. Geng He to submit the case of her husband, Mr. Gao Zhisheng, to the Working Group on Enforced or Involuntary Disappearances. Mr. Gao is a leading human rights lawyer in China and, as such, regularly had taken on politically sensitive cases.

Many of the details of Mr. Gao's detention are still unknown. However, we are submitting the information required by the Working Group to make the case admissible.¹ Wherever possible, we have provided additional information.

For your information, the Chinese government's detention of Mr. Gao since February 4, 2009 is in violation of the Criminal Procedure Law ("CPL") of the People's Republic of China. Specifically, under the CPL, the Chinese authorities are required to:

- Notify Mr. Gao's family of his detention, where he is being held, and the reason for his detention;² and
- Allow Mr. Gao access to a lawyer³ and the opportunity to challenge his detention⁴ as he has been held beyond the 37-day time limit allowed by Chinese law for him to be formally charged with a crime.⁵

¹ See "Explanatory note for the submission of information on enforced or involuntary disappearances of persons," Office of the High Commissioner for Human Rights, Geneva, Switzerland.

² See CPL, Article 64 (post-detention: "When detaining a person, the public security organ must produce a warrant of detention. The public security organ shall, within 24 hours after detaining a person, notify his family or the unit to which he belongs of the reasons for the detention and the place of custody, unless such notification would hinder the investigation or there is no way for making such notification.") and Article 71 (post-arrest: "When making an arrest, a public security organ must produce an arrest warrant. Within 24 hours after an arrest, the family of the arrested person or the unit to which he belongs shall be notified of the reasons for arrest and the place of custody, except in circumstances where such notification would hinder the investigation or there is no way of notifying them.").

³ See CPL, Article 96 ("After the criminal suspect is interrogated by an investigation organ for the first time or from the day on which compulsory measures are adopted against him, he may appoint a lawyer to provide him with legal advice and to file petitions and complaints on his behalf. If the criminal suspect is arrested, the appointed lawyer may apply on his behalf for obtaining a guarantor pending trial. If a case involves State secrets, the criminal suspect shall have to obtain the approval of the investigation organ for appointing a lawyer. The appointed lawyer shall have the right to find out from the investigation organ about the crime suspected of, and may meet with the criminal

Ms. Geng is anxious to learn the whereabouts of her husband so that she can ensure he is provided with legal counsel to defend himself against any forthcoming charges. We are grateful for any assistance the Working Group can provide in ascertaining where and by whom Mr. Gao is being detained.

With warm regards,



Beth Schwanke, and co-signers Jerome A. Cohen and David Matas

suspect in custody to enquire about the case. When the lawyer meets with the criminal suspect in custody, the investigation organ may, in light of the seriousness of the crime and where it deems it necessary, send its people to be present at the meeting. If a case involves State secrets, before the lawyer meets with the criminal suspect, he shall have to obtain the approval of the investigation organ.”).

⁴ See CPL, Article 75 (“If the compulsory measures adopted by a People’s Court, a People’s Procuratorate or a public security organ exceed the time limit prescribed by law, the criminal suspect or defendant, his legal representatives, near relatives, or the lawyers or other defenders entrusted by the criminal suspect or defendant shall have the right to demand cancellation of the compulsory measures. The People’s Court, the People’s Procuratorate, or the public security organ shall release the criminal suspect or defendant when the compulsory measures adopted against him have exceeded the time limit prescribed by law, terminate the period for awaiting trial after obtaining a guarantor or for residential surveillance, or take different compulsory measures according to law.”).

⁵ See CPL, Article 69 (“If the public security organ deems it necessary to arrest a detainee, it shall, within three days after the detention, submit a request to the People’s Procuratorate for examination and approval. Under special circumstances, the time limit for submitting a request for examination and approval may be extended by one to four days. As to the arrest of a major suspect involved in crimes committed from one place to another, repeatedly, or in a gang, the time limit for submitting a request for examination and approval may be extended to 30 days. The People’s Procuratorate shall decide either to approve or disapprove the arrest within seven days from the date of receiving the written request for approval of arrest submitted by a public security organ.”).

***Consent of victim's family given directly to your organisation to submit this case:**

Yes, we have direct consent received from Mr. Gao's family. Please see the attached authorization from Ms. Geng He, Mr. Gao's wife.

***If this case is being submitted by an organisation, will it be able to provide follow up by conveying information between the family and the Working Group:**

Yes.

1. Identity of the disappeared person:

- (a) Family name (*): Gao
- (b) First name (*): Zhisheng
- (c) Sex: Male
- (d) Date of birth: April 20, 1964
- (e) Identity document:
Redacted
- (f) Address of usual residence:
Redacted
- (g) Indigenous: No

2. Date on which the disappearance occurred (at least as to the month and year) (*):

February 4, 2009

3. Place of arrest or abduction, or where the disappeared person was last seen (*):

Xiao Shi Ban Qiao Village
Jia County
Shaanxi Province
China

4. Forces (State or State-supported) believed to be responsible for the disappearance (*):

- (a) If the perpetrators are believed to be State agents, please specify (military, police, persons in uniform or civilian clothes, agents of security services, unit to which they belong, rank and functions, etc.) and indicate why they are believed to be responsible; be as precise as possible:

On February 4, 2009, "at least seven security officials"⁶ abducted Mr. Gao from his relatives' home in Shaanxi province, where the authorities forcibly took him earlier in the year.⁷ Witnesses state that these security officials were local, Beijing, and Yulin police.

- (b) If identification as State agents is not possible, why do you believe that Government authorities, or persons linked to them, are responsible for the incident?

⁶ John Garnaut, *Tip Reveals Detained Lawyer Alive but Location Remains a Mystery*, SYDNEY MORNING HERALD, Jan. 20, 2010 at <http://www.smh.com.au/world/tip-reveals-detained-lawyer-alive-but-location-remains-a-mystery-20100119-mj7c.html>.

⁷ Michael Bristow, *Mystery of Missing Chinese Lawyer Gao Zhisheng*, BBC NEWS, Jan. 29, 2010 at <http://news.bbc.co.uk/2/hi/asia-pacific/8482413.stm>.

In addition to news reports and witnesses indicating that the Chinese government is responsible for Gao's detention, on January 21, 2010, a Chinese Foreign Ministry spokesperson responded to a question about Gao's whereabouts by stating that, "this person according to Chinese law, is where he should be." According to the *Associated Press*, "Foreign Ministry spokesman Ma Zhaoxu indicated that Gao was in custody, after he was asked whether he knew where Gao was. 'The relevant judicial authorities have decided this case, and we should say this person, according to Chinese law, is where he should be,' Ma said. 'As far as what exactly he's doing, I don't know. You can ask relevant authorities' he said."⁸

(c) If there are witnesses to the incident, indicate their names. If they wish to remain anonymous, indicate if they are relatives, by-passers, etc.; if there is evidence, please specify:

Redacted

5. Action taken by the relatives or others to locate the person (inquiries with police, jail, human rights commission, habeas corpus petition etc.) (*):

(a) Indicate if complaints have been filed, **when**, by **whom**, and before **which organ**.

On December 24, 2009, Mr. Gao's brother, Gao Zhiyi, traveled to the Beijing City Police Petition Office to demand information about Gao's whereabouts. Gao Zhiyi said, "I went to the Beijing City Police Petition Office and told them the story, but they had no response; I then had no other strategy. They did acknowledge that there is such a person, but they said, given the situation, I should search in Xinjiang and then come back. They had no other suggestions."⁹

(b) Other steps taken:

Numerous individuals and foreign governments have pressed the Chinese government to admit to detaining Mr. Gao.¹⁰

(c) If action was not possible, please explain why:

N/A, please see above.

6. Identity of the person or organization submitting the report (*):

(a) Family name: Schwanke

(b) First name: Beth

⁸ Associated Press, *China Says Missing Lawyer "Is Where He Should Be,"* NEW YORK TIMES, Jan. 22, 2010 at <http://www.nytimes.com/aponline/2010/01/22/world/AP-AS-China-Missing-Lawyer.html?scp=3&sq=gao%20zhisheng&st=cse>.

⁹ Wang Qian, Yi Fan, Fang Liang (Sound of Hope Radio Network), *Gao Zhisheng's Whereabouts Still a Mystery,* THE EPOCH TIMES, Dec. 29, 2009, at <http://www.theepochtimes.com/n2/content/view/27151/>.

¹⁰ See, e.g., David W. Chen, *How the Family of a Dissident Fled China,* NEW YORK TIMES, May 9, 2009 at <http://www.nytimes.com/2009/05/10/world/asia/10dissident.html> ("Laura Tischler, a State Department spokeswoman ... said that a senior American official discussed the case on March 31 with high-ranking Chinese officials in Beijing, and that State Department officials had raised the case, most recently on April 15, with the Chinese Embassy in Washington. 'The United States is deeply concerned about the safety and well-being of well-known human rights lawyer Gao Zhisheng,' Ms. Tischler said. 'We have raised our concerns about Mr. Gao's whereabouts and well-being repeatedly, both in Washington and in Beijing.'")

Sydney Morning Herald

Tip reveals detained lawyer alive but location remains a mystery

JOHN GARNAUT HERALD CORRESPONDENT

January 20, 2010



Uncertain condition ... Gao Zhisheng has been held captive since February, but security forces won't say where.

BEIJING: Gao Zhisheng, a prominent rights activist who many feared had been killed by Chinese security forces, is still alive, his captors say.

Mr Gao was abducted by at least seven security officials on February 4 last year, his relatives said. An outspoken lawyer, he had represented persecuted Falun Gong practitioners and had published a harrowing account of his own torture at the hands of State Security officers.

Contrary to Chinese law, he has not been charged and the Government has never acknowledged his abduction. He has not been in contact with lawyers, friends or family except for one phone call to his brother in July.

Fears that Mr Gao had been killed for speaking out about his previous mistreatment were heightened by reports last week that a policeman had told his brother he had "gone missing" on September 25.

The comment was widely interpreted as a euphemism for his death. But a well-placed source in the security apparatus told the *Herald*: "Gao is still alive at present ... he's not missing."

The source said his organisation knew where Mr Gao was staying but was not free to say. He gave no indication of Mr Gao's situation, condition or prospects.

The *Herald* has come across several cases where police have falsely told relatives that detainees had been killed, apparently as a form of emotional harassment.

An open letter from Mr Gao was published by his friends on February 9, five days after his detention. It detailed 10 days of torture in September 2007 that involved beatings, electric prods and even toothpicks to his naked body, followed by weeks of emotional torture.

His torturers said his case had become personal with "uncles" in the state security apparatus after Mr Gao repeatedly publicised previous mistreatment.

"You listen, Gao, today your uncles want nothing but to make your life worse than death," he wrote in the letter. "I tell you the truth, your matter is not only between you and the government. Every time when I was tortured, I was always repeatedly threatened that, if I spelled out later what had happened to me, I would be tortured again, but I was told, 'This time it will happen in front of your wife and children'."

A month before he was detained last year, the Gao family fled across the southern border and received asylum in the United States, where they remain.

Mr Gao had built strong links in US human rights, church and political circles. The *Herald* understands the US embassy raised his abduction several times last year. His case is arguably the most egregious and well-known departure from China's previous commitments to the rule of law.

BBC News

Where is lawyer Gao Zhisheng?

By Michael Bristow

BBC News, Beijing

Concern is mounting for a Chinese lawyer who is believed to be in detention but has not been seen for nearly a year.

Foreign governments have urged Chinese officials to reveal the whereabouts of well-known activist Gao Zhisheng.

Human rights groups say it is unusual that there has been no formal word on why Mr Gao was taken and what condition he is in.

Officials have so far given only cryptic hints as to where he is. A foreign ministry spokesman said he was "where he should be".

The lawyer has long been targeted by the government, which has previously stopped him working, put him on trial and kept him under surveillance.

'Simply evaporated'

Mr Gao disappeared some time in January last year, leading to immediate concern from human rights groups.

He appeared briefly at his family's home in Shaanxi province the following month but was accompanied by people believed to be security officials.

Mr Gao stayed only a short time before leaving and has not been seen since.

The lawyer did manage to telephone his elder brother, Gao Zhiyi, last summer to say he was all right but he added that he was not free and did not say where he was.

Since then, nothing has been heard of him.

“ I asked the police where my brother was. They said they didn't know ”

Gao Zhisheng's brother

"We don't have any clue about where he is. He's simply evaporated. As his friends, we are very worried about him," said fellow Beijing lawyer, Li Fangping.

Gao Zhisheng, a self-taught lawyer, has not always been at odds with the people who run China. He was once a member of the Chinese Communist Party.

In 2001 he was acclaimed as one of the 10 best lawyers in the country by a publication run by the Ministry of Justice.

But he ran into trouble when he started to defend some of China's most disadvantaged groups, such as supporters of the banned spiritual movement, Falun Gong.

Mr Gao's law practice was closed down in 2005. The government said one problem was that the lawyer had failed to tell officials of a change of address.

The following year he was given a suspended prison sentence for "inciting subversion".

Family escapes

After that, Mr Gao and his family - he is married with two children - were subjected to constant surveillance by the authorities. He was even detained again in September 2007.

He said he was tortured while in detention.

“ It is impossible for someone to be missing under the tight control of the police ”

Teng Biao

His captors beat him with electric batons, held lit cigarettes close to his eyes and subjected him to psychological abuse over more than 50 days, he said.

"Many horrendous evils were committed that were too shameful to be written down in the chronicles of the governments of the world," he said in an account of the event that emerged after his latest detention.

Mr Gao's wife and children escaped China last year and now live in the United States but the relatives still in China have made efforts to find out where he is.

His brother travelled to Beijing in December and tracked down a policeman who had been involved in the case.

"I asked the police where my brother was. They said they didn't know. They claimed he has been lost and missing since September," Gao Zhiyi told the BBC.

This comment has worried the family and friends of the missing man.

"It is impossible for someone to be missing under the tight control of the police," said Teng Biao, another friend of Gao Zhisheng.

"I imagine that either he is still under police control or something else may have happened."

Human rights criticism

Foreign governments have also kept up the pressure on China to reveal the whereabouts of a man who has become well-known abroad.

"The United States is deeply concerned about Gao Zhisheng's safety and well-being and we have raised our concerns repeatedly in Washington and Beijing," said a spokeswoman for the US embassy in the Chinese capital.

Journalists have raised the issue at the regular press briefings held by the foreign ministry - although the answers given to queries have failed to shed much light on the issue.

Foreign ministry spokesman Ma Zhaoxu initially said Mr Gao was where he should be. On Tuesday he said he did not know where he was.

All this is irregular, even in a country that often faces criticism for its human rights record.

Nicholas Bequelin, of Human Rights Watch (HRW), said families or work units should be notified if someone is detained.

He said those held by the Chinese state also had the right to receive letters and see a lawyer. But this had not happened in Mr Gao's case.

He added: "Generally when you have this kind of international exposure, the authorities tend to give the appearance of due process. But here that's not the case - there's something amiss."

Story from BBC NEWS:

<http://news.bbc.co.uk/go/pr/fr/-/2/hi/asia-pacific/8482413.stm>

Published: 2010/01/29 00:03:43 GMT

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The New York Times
January 22, 2010

China Says Missing Lawyer 'Is Where He Should Be'

By THE ASSOCIATED PRESS

Filed at 11:30 a.m. ET

BEIJING (AP) -- A Chinese human rights lawyer missing for almost a year has been judged by legal authorities and "is where he should be," a Foreign Ministry official said in China's first public comment on the case.

Gao Zhisheng, one of China's most daring lawyers, has drawn international attention for the unusual length of his disappearance and for his earlier reports of the torture he said he faced from security forces. In a memoir, he described severe beatings, electric shocks to his genitals and cigarettes held to his eyes.

His brother said earlier this month that the Beijing police officer who took Gao away in February 2009 told him he "went missing" in September, leading to fears for the lawyer's safety.

But at a regular press conference Thursday, Foreign Ministry spokesman Ma Zhaoxu indicated that Gao was in custody, after he was asked whether he knew where Gao was.

"The relevant judicial authorities have decided this case, and we should say this person, according to Chinese law, is where he should be," Ma said.

"As far as what exactly he's doing, I don't know. You can ask relevant authorities," he said.

A transcript of Thursday's news conference posted on the ministry's Web site did not include the question on Gao or Ma's response.

Beijing's Public Security Bureau referred questions Friday to the Beijing High Court. The court's press office referred questions to its foreign affairs office, but telephone calls went unanswered.

Gao has been one of China's best-known activist lawyers, taking on highly sensitive cases involving the banned Falun Gong spiritual group and eventually advocating constitutional reform. When he disappeared last year, it was presumed police had taken him into custody.

It has never been clear what happened to him after that.

A lawyer for Gao, Li Fangping, called the Foreign Ministry's comments "extremely insincere," and said Friday that after one year, no one in Gao's family knows where he is.

"His case is an indication of China's human rights situation," Li said.

Human rights group Amnesty International said that Chinese law requires authorities to tell Gao's family where he is.

"Repeated comments that authorities are acting according to law only fall flat when it is so obvious that Chinese law is in fact being ignored," Roseann Rife, deputy program director for Amnesty International's Asia-Pacific office, said in an e-mail.

Gao has long faced pressure from authorities. He was arrested in August 2006, convicted at a one-day trial and placed under house arrest. He was accused of subversion on the basis of nine articles posted on foreign Web sites, state media reported at the time.

Gao did not appeal that conviction, according to Li.

Gao Zhisheng's Whereabouts Still a Mystery

By Wang Qian, Yi Fan, Fang Liang

Sound of Hope Radio Network

Created: Dec 29, 2009 Last Updated: Dec 29, 2009



It has been nearly a year since Gao Zhisheng disappeared—kidnapped by Chinese police. His family lives in a state of constant fear and turmoil regarding his well-being. Their questions persist, unanswered: Where is he? Is he still alive?

Gao is often referred to as the “conscience of China.” At enormous personal risk, he has defended Falun Gong practitioners, house Christians, and others who are denied basic rights by the communist regime in China.

The regime has not responded to queries regarding his whereabouts. Due to the extreme nature of the physical and mental torture he endured during previous arrests, many public officials, human rights organizations, and individuals have petitioned for his release.

On Christmas Eve, in the midst of a harsh winter and after enduring two long days of travel, his older brother Gao Zhiyi went again to Beijing on behalf of his family. His mission: to determine the whereabouts of his brother, so the entire family could have a sense of direction for the New Year.

The result, however, was far from what they had hoped for. Gao Zhiyi spoke with Sound of Hope radio about his experience.

“I went to the Beijing City Police Petition Office and told them the story, but they had no response; I then had no other strategy,” he said. “They did acknowledge that there is such a person, but they said, given the situation, I should search in Xinjiang and then come back. They had no other suggestions.

“I felt so helpless: I'm simply one ordinary person. I felt like there was nothing I could do. Even if I did stay there longer, there would still be nothing that I could do.”

Gao Zhiyi returned to his home in Shanxi with nothing more to tell the family.

As they wait helplessly, their only hope is that the media will help them raise awareness and make their appeals known, and that the international community and the general public will

continue to press for Gao Zhisheng's release.

The New York Times
May 10, 2009

How the Family of a Dissident Fled China

By DAVID W. CHEN

Gao Zhisheng, one of China's most irrepressible dissidents, began the day of Jan. 9 the same way as most days since security officials had begun watching him around the clock. He and his wife, Geng He, ate a breakfast of soy milk, fried eggs and peanuts. Mr. Gao left the apartment to run some errands.

By the time he returned, his wife and two children were gone. With only the clothes they were wearing, roughly \$60 in cash and, out of habit, their keys, the three embarked upon a harrowing odyssey orchestrated by human rights activists that began in the bitter cold of northern Beijing and ended, seven days and some 2,000 miles later, in the humid safety of Thailand.

"I had no time to think," Ms. Geng, whose children are 16 and 5, said. "I didn't have a watch. I had no concept of time. All I knew was that we had to move forward. We couldn't go back." She spoke during an interview late last month in New York, where she and her children settled after arriving in the United States in March.

Ms. Geng's tale stands out not just because it involves a cinematic escape, with elements like stalled motorcycles and nonstop travel with little food or sleep. It is remarkable, human rights activists say, because it reveals how China uses family members of dissidents as leverage against them. And it shows the extreme measures a small number of political opponents will take to deny the authorities that leverage. Ms. Geng insists, though, that her husband knew nothing of her plans.

Mr. Gao said in earlier interviews that security officials used threats against his children to extract a humiliating public confession from him in 2006. So the departure of his family gave him greater leeway to challenge the leadership, though at a high cost: he has not been seen or heard from since Feb. 4, when the security forces hauled him away.

His family's escape upended the way security officials managed the provocative Mr. Gao, a human rights lawyer who has embraced causes including the outlawed spiritual group Falun Gong, displaced urban residents and the Christian underground church. He issued angry manifestos calling for the end of Communist Party rule.

Since his release from prison in 2006, Mr. Gao had been allowed to live a superficially normal life in Beijing. But he was shadowed by plainclothes guards, and he said he felt constrained by the threat of retribution against his family if he violated the terms of his parole.

Though he has not been charged with a new crime, he has vanished altogether since three months ago.

Mr. Gao's disappearance has become a delicate diplomatic issue ahead of the 20th anniversary of the Tiananmen Square democracy movement on June 4. Laura Tischler, a State Department spokeswoman, said that American diplomats had not yet met with Ms. Geng. But she said that a senior American official discussed the case on March 31 with high-ranking Chinese officials in Beijing, and that State Department officials had raised the case, most recently on April 15, with the Chinese Embassy in Washington.

"The United States is deeply concerned about the safety and well-being of well-known human rights lawyer Gao Zhisheng," Ms. Tischler said. "We have raised our concerns about Mr. Gao's whereabouts and well-being repeatedly, both in Washington and in Beijing."

Congress is watching, too. With Ms. Geng in the gallery, Senator Byron L. Dorgan, a North Dakota Democrat, saluted her courage during a Senate floor speech on April 23 and warned that Mr. Gao, a "devout Christian," had been thrust into an "extremely grave" situation.

"There are many today that languish in dark cells, dark cells of Chinese prisons, just because they spoke out to defend the rights of others," said Mr. Dorgan, who is the chairman of a Congressional commission responsible for monitoring China's human rights record. "None have done so more than Mr. Gao."

Beijing officials, however, say that nothing untoward has happened to the Gaos.

"There's no political persecution or limits on the freedom of the family," Qin Gang, a spokesman for the Foreign Ministry, said at a briefing in Beijing in March. "We've handled the case in strict accordance with the law." In response to inquiries about Mr. Gao's whereabouts, the Chinese authorities have not furnished further information and have not acknowledged that he was taken into custody.

Mr. Gao, 45, was once a populist litigator battling corruption and land seizures, and he was recognized by the Ministry of Justice in 2001 as one of China's 10 best lawyers. But he became more active handling cases of police abuse and religious freedom for Christian churches and the Falun Gong. In 2006, he rallied grass-roots organizers around China to go on a hunger strike to protest the way security forces treated another activist. He was later arrested and convicted of sedition. In December 2006, he was given a suspended sentence because, the authorities said, he confessed to his crimes and provided information about other dissidents.

The next year, Mr. Gao said his confession had been coerced. Interrogators threatened to punish his children and deny them an education unless he cooperated, he said in April 2007. "In the end I decided I could not haggle about my children's future," he said. He was tortured, Ms. Geng and human rights watchdogs say, with electric prods, bamboo sticks lancing his genitals, and cigarette burns to his eyelids.

Mr. Gao continues to suffer from ailments that Ms. Geng attributed to his "zhemo," or torment, a word she used repeatedly during the interview, which was conducted in Mandarin at the offices of Human Rights in China, a watchdog group. "My husband may be in his 40s, but he's got the body of someone in his 60s," she said.

For Ms. Geng, the turning point came last September, when her daughter, Geng Gege, now 16, stopped going to school. The teenager felt ostracized by her peers; they felt that her father's status was the reason everyone's cellphone had been confiscated, and why the police shadowed her to and from class.

"Her classmates would bully her and say, 'Your father is involved in organized crime,' " Ms. Geng recalled, her voice trembling. "She could not handle it anymore and she tried to kill herself."

Because of her daughter and her 5-year-old son, Gao Tianyu, Ms. Geng decided to flee. And on Jan. 9, when she got the signal from activists that it was time, she hurriedly scribbled a brief note for her husband and left it on the dining table. It read, "I am taking Gege to school," she said.

"I did not tell my husband because I didn't think he could take it," she said.

The journey was fraught with danger and paranoid moments. The family was always moving, usually at night, via overnight trains, overnight tour buses and motorcycles, and on foot. Only once did they stop overnight at someone's house.

The most trying moment, Ms. Geng said, came when, for security reasons, the guides separated her from her son for several hours. Their motorcycles could not make it up a slippery hill, Ms. Geng said, and she got into an argument with her daughter.

"She said, 'I'll go to jail, I don't care! I can't do this anymore,' " Ms. Geng recalled, continuing, "I begged her not to give up, because we had to be reunited with Tianyu. I was worried that I would be separated from my child forever."

Ultimately, the three made it to Thailand, where they were granted refugee status, facilitated by international rights groups including [China Aid](#), a Christian organization based in Midland, Tex., which has sought to promote Christianity and protect underground church leaders in China.

Ms. Geng says she is still adjusting to her new life, settling in an apartment in Fresh Meadows, Queens, with the assistance of the American government. Her children are taking English classes but are worried about when they will see their father again.

One night last month, Ms. Geng woke at 3 a.m.; the light was still on. Her daughter was staring at a computer, donated by a friend. The screensaver image was Mr. Gao.

"She said, 'I just want to say a few things to my dad,' " Ms. Geng recalled, sobbing. " 'Go back to sleep, Mom.' "