

PUBLIC

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Fear of torture or ill-treatment/medical concern

30 April 2004

CHINA

**Cheng Fudong (m)
Kong Wanli (m)
At least four others**

At least six people with HIV/AIDS, including the two men named above, have reportedly been detained by police in Henan province, central China, after seeking help from the local authorities. They may be at risk of torture or ill-treatment, and Amnesty International is seriously concerned for their safety.

According to a report from *Agence France Press* (AFP), the six were detained on 27 April and are currently held in Shangcai county prison, Henan Province. Five of them, including Cheng Fudong, were detained after travelling from their homes in Wenlou village, Shangcai county, to the provincial capital, Zhengzhou, to request government help in repairing their homes. Cheng Fudong's wife, Zhang Qiao, told AFP: "Our home is broken down. Rain pours down from the roof. The government had repaired some of the homes in the village, but neglected the others."

It is unclear what prompted the detention of Kong Wanli, but his wife, Wei Hong, told AFP that he was "among the most outspoken farmers in the village and had previously demanded government help".

According to the report, many local people had been speculating about a visit to the village by the Chinese Premier Wen Jiabao, which was apparently due to take place on 1 May. It is unclear whether this visit will actually take place, but locals reportedly fear that the men have been detained to prevent them from protesting during the visit.

According to AFP, a police officer at the Shangcai county prison, Yuan Xinmin, stated that the men had been detained for "disturbing government organizations and disturbing government office work". He added that they would be detained for 4-5 days.

In June 2003 at least 18 people with HIV/AIDS were arrested in connection with protests and disturbances relating to lack of access to medical care in Xiongqiao, another village in Shangcai county. Five of them were reportedly beaten in police custody. Two were later released, but the fate of the other three remains unclear. Thirteen others were detained during a violent raid on the village by police wielding metal rods and electro-shock batons. At least 12 people were reportedly injured in the raid. Some of the detainees were later released, but around seven of them were reportedly charged. Their fate and whereabouts are unknown.

BACKGROUND INFORMATION

HIV infections have spread rapidly in China since the mid-1980s, affecting the lives and livelihoods of a vast number of people across the country. The Joint United Nations Programme on HIV/AIDS (UNAIDS) has estimated that by the end of 2001 up to 1.5 million Chinese people were infected with HIV, and has warned that this figure could rise to 10 million by 2010 if no effective countermeasures are taken.

Reports on HIV/AIDS in the official Chinese media tend to highlight intravenous drug use and unprotected sex as the main causes for the spread of the virus. A less well-publicised factor has been the operation of blood-collecting stations in many parts of China during the late 1980s and 1990s, including several villages in Henan and other central provinces. Many of these were run by local government health departments, while others were illegal blood banks known as "blood heads" (*xuetou*). They were established rapidly due to a highly profitable global demand for blood plasma. The blood-collection centres failed to implement basic safety checks in handling the blood, and so infections soared. Unofficial estimates of the number of people infected in Henan Province alone through their use of such facilities range from 150,000 to over one million.

Over recent months, there have been signs that there is greater political willingness to tackle the spread of HIV/AIDS in China. A number of new measures have been announced, including the provision of antiretroviral drugs to the poor and free HIV tests. However, it remains unclear how well these measures are being implemented. Official statistics on the spread of the disease are considered to be gross underestimates and discrimination against those with HIV/AIDS remains entrenched.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Chinese or your own language:

- urging the authorities to disclose the names of all those detained with Cheng Fudong and Kong Wanli on 27 April, and to provide immediate guarantees for their safety;
- expressing concern that they appear to have been detained solely because of peaceful protests, and calling on the authorities to release them immediately unless they are to be charged with a recognisably criminal offence;
- urging the authorities to give them access to lawyers, their families and adequate medical treatment while they are in detention;
- urging the authorities to fully investigate the extent of HIV/AIDS transmission in Henan and other provinces due to the operation of blood-collection centres and to publish their findings.

APPEALS TO:

Director of the Henan Provincial Department of Justice

Guo Junfeng Tingzhang

Sifating

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Henansheng

People's Republic of China

Telegram: Justice Department Director, Zhengzhou, Henan, China

Fax: + 86 371 590 6385

Salutation: Dear Director

Premier of the People's Republic of China

Premier Wen Jiabao

Guowuyuan

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Beijingshi 100032

People's Republic of China

Telegram: Chinese Premier, Beijing, China

Fax: +86 10 6596 3374 (c/o Ministry of Foreign Affairs)

Salutation: Your Excellency

Minister of Public Health of the People's Republic of China

Wu Yi Buzhang

Weishengbu

1 Xizhimenwai

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People's Republic of China

Telegram: Health Minister, Beijing, China

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Salutation: Dear Minister

COPIES TO: diplomatic representatives of China accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 10 June 2004.