

PUBLIC

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14 March 2006

Further Information on UA 271/05 (ASA 17/037/2005, 14 October 2005) and follow-ups (ASA 17/040/2005, 25 October 2005, ASA 17/005/2006, 06 February 2006) Fear of further torture and ill treatment /arbitrary detention

CHINA **Chen Guangcheng (m), aged 34**
 Chen Hua (m), aged 27
 Chen Guangchun (m), aged in his 40s

New names: **Chen Guangyu (m), aged 32, cousin of Chen Guangcheng**
 Yuan Weijing (f), aged 29, wife of Chen Guangcheng
 Chen Guangjun (m), aged 43

Human rights defender and legal adviser Chen Guangcheng, who has been under a form of house arrest since 6 September 2005, was detained by police on the night of 11 March along with his cousin, Chen Guangyu, and a local resident, Chen Guangjun. Chen Guangcheng's wife, Yuan Weijing, was assaulted by police on the same night. Amnesty International fears that the detained men may be at risk of torture or ill-treatment, and that Yuan Weijing may also be in danger.

At around 7pm on 11 March, Chen Guangyu left his house in the village of Dongshigu in Yinan county, eastern China, to buy cigarettes. He was reportedly beaten by four hooded men wielding wooden sticks, who were waiting nearby. Police standing guard outside Chen Guangyu's house apparently failed to intervene to stop the four men. According to local sources, Chen Guangyu had blood on his face, neck and arms following the attack. The reason for the alleged attack is unclear, but sources close to Chen Guangcheng have speculated that it was a trap aimed at forcing Chen Guangcheng to leave the house, providing the police with a pretext to detain him.

When Chen Guangcheng discovered that his cousin had been attacked, he reportedly became angry. He went outside with Chen Guangyu to ask the police who was responsible for the beating, but could not get an answer from them. The two men then set out towards the Yinan local government office to seek an investigation into the beating. Chen Guangcheng's wife Yuan Weijing and another villager, Chen Guangjun, followed Chen Guangyu and Chen Guangcheng in an effort to protect them in case of further attack. However, the four were soon surrounded by a crowd of around 100 people, including about 50 police officers. When they were only a few hundred metres from the house, around 10 uniformed police officers arrested Chen Guangcheng, Chen Guangyu and Chen Guangjun, and took them to the local police station.

Chen Guangcheng's mother and Yuan Weijing, who was carrying her baby, allegedly tried to stop the police from arresting the men, but police officers reportedly threw both women into a ditch at the side of the road. The women and the baby apparently suffered bruising as a result of this ill-treatment. After the men had been arrested, Yuan Weijing received an official notice from police saying that Chen Guangcheng was suspected of "leading people to block the road" and that the three men would be held for 24 hours in connection with these charges. However, all three are still detained, though the basis for their detention is still unclear.

Chen Guangcheng, who has been blind since birth, has been under 'residential surveillance' (a form of house arrest) since 6 September 2005. He had been assisting villagers to take legal action against the Linyi city authorities, who they alleged had been breaking the law in their pursuit of birth quotas. Under 'residential surveillance', his house has been surrounded by police officers and others allegedly hired to prevent him from leaving his house, and his home telephone line has been cut several times. On 5 February 2006, around 400 villagers gathered outside Chen Guangcheng's home to protest against his 'residential surveillance' and the arrest of Chen Hua, a neighbour and relative of Chen Guangcheng (see previous update). The villagers escorted Chen Guangcheng to Chen Guangyu's house, which is close by, so that he would be able to use the telephone more freely. Local officials and police have reportedly not attempted to

forcibly return Chen Guangcheng to his own home, but have put guards outside Chen Guangyu's house. Chen Guangyu's telephone has reportedly since been cut off.

On 15 February, Yuan Weijing was reportedly beaten by a group of around 30 unidentified people as she left her house to shop for food. This beating caused her pain in her back and side. When she tried to go to a hospital on 16 February for medical treatment for her injuries, she was reportedly stopped by a group of people, including a local Communist Party official. It remains unclear how serious her injuries are.

Chen Hua, a neighbour and relative of Chen Guangcheng, remains in detention after expressing support for Chen Guangcheng. Local resident Chen Guangchun, who led a protest calling for Chen Hua's release, is now in detention. Both men continue to be at risk of torture and ill-treatment.

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

- urging the authorities to immediately and unconditionally release Chen Guangcheng, Chen Guangyu and Chen Guangjun, unless they are to be charged with a recognizably criminal offence ;
- urging the authorities to provide them with access to lawyers of their choosing, their family and medical treatment while they remain in detention;
- seeking assurances that they will not be tortured or ill-treated;
- calling on the authorities to conduct a full, independent and impartial investigation into allegations that Chen Guangyu was beaten by four unknown individuals on 11 March and that the police failed to intervene to stop the attack;
- calling for a full, independent and impartial investigation into allegations that Chen Guangcheng's wife, Yuan Weijing, as well as his son and mother, were physically assaulted by police officers on 11 March; and that Yuan Weijing was beaten by around 30 unidentified people on 15 February;
- urging the authorities to bring all those responsible for the torture or ill-treatment of Chen Guangcheng and members of his family to justice;
- urging the authorities to lift all restrictions placed on Chen Guangcheng, and on Chen Guangyu and his family;
- calling on the authorities to guarantee that Chen Guangcheng can carry out his legitimate activities in defence of human rights without being subjected to arbitrary detention, torture ill-treatment, or other human rights violations.

APPEALS TO:

Prime Minister

WEN Jiabao Guojia Zongli

The State Council

9 Xihuangcheng Genbeijie, Beijingshi 100032, People's Republic of China

Fax: + 86 10 65292345 (c/o Ministry of Communication)

Salutation: Your Excellency

Governor of the Shandong Provincial People's Government

HAN Yuqun Shengzhang

Shandongsheng Renmin Zhengfu, 1 Shengfuqianjie, Jinanshi, Shandongsheng, People's Republic of China

Fax: + 86 531 86062047

Salutation: Dear Governor

COPIES TO:

Mayor of Linyi City

Lian Chengmin Shizhang

Linyishi Renmin Zhengfu Ban Gong Shi, Shandongshen, People's Republic of China

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and 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 25 April 2006.