

URGENT ACTION

FALUN GONG HIGH SCHOOL TEACHER DETAINED

Falun Gong practitioner and chemistry teacher Chen Yan is facing a trial in April 2019 after she was detained for distributing Falun Gong materials on a street in Beijing. She has no access to her family members and her lawyer said the judge handling her case threatened to give her a heavier sentence if she does not admit to “using evil religious organizations to sabotage the implementation of state laws”.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

*Procurator-General of Shijingshan District Procuratorate in Beijing, Wang Chunfeng
Jia No. 2, Guchengnanli
Shijingshan Qu, Beijing Shi 100043
People's Republic of China*

Dear Procurator-General Wang,

Chen Yan is facing a trial in April 2019 for the charge of “using evil religious organizations to sabotage the implementation of state laws”, under article 300 of China's Criminal Law. She has spent five months in detention.

Chen Yan, a high school Chemistry teacher, was taken away by police officers on 3 December 2018 for distributing a new year calendar with Falun Gong materials to someone on the street in Shijingshan District in Beijing. Her home was raided, and her computers, mobile phones and Falun Gong materials were confiscated.

According to her daughter, in April 2019 Chen Yan's lawyer said that the court personnel threatened to give a more severe punishment if Chen Yan did not admit to the offence.

Although Chen Yan has been able to meet her lawyer in the detention centre, she has not been able to see her family at all since her detention. Chen Yan's family, including her 88-year-old mother-in-law who was hospitalized after the shock of learning about her detention, is worried about Chen Yan's situation in detention.

Therefore, we call on you to:

- immediately and unconditionally release and drop charges against Chen Yan unless there is sufficient credible and admissible evidence that she has committed an internationally recognized offence and is granted a fair trial in line with international standards;
- ensure that Chen Yan is not subjected to any torture or other ill-treatment and has regular and unrestricted access to a lawyer of her choice and is able to communicate with family members, without interference unless justified in line with international human rights law.

Yours sincerely,

ADDITIONAL INFORMATION

The spiritual movement Falun Gong was banned in China for being a "threat to social and political stability" after its practitioners held a peaceful sit-in on Tiananmen Square in July 1999. In response, the government established a dedicated office, the "610 Office", to oversee the crackdown on the Falun Gong and other "heretical cults".

As a result, tens of thousands of Falun Gong practitioners have been arbitrarily detained and, often through the use of torture and other ill-treatment, made to renounce their spiritual beliefs. Since the 2013 abolition of "Re-Education Through Labour" (RTL) facilities, Chinese authorities are using alternate methods of arbitrary detention, including the criminal prosecution of individuals.

Torture and other ill-treatment are endemic in all forms of detention, although China ratified the UN Convention Against Torture in 1988. Amnesty International receives regular reports of deaths in custody, often caused by torture. Other inmates and "cell bosses" are used by detention centres and prison authorities to monitor the behaviour of fellow inmates and mete out punishment including subjecting resistant detainees to sleep deprivation, stress positions, as well as other physical and mental forms of torture or other ill-treatment.

The criminal justice system in China is roughly divided into three distinct phases: the police-led investigation, the prosecution phase, in which the prosecutors approve of the initial evidence needed to arrest a suspect and engages in further investigation to decide whether to indict a suspect; and the final trial phase carried out by the courts. The conviction rate is about 99.9%, making it very important to voice concerns as early in the criminal justice process as possible, preferably before the decisions to arrest or indict suspects are even made.

PREFERRED LANGUAGE TO ADDRESS TARGET: Chinese, English.
You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 28 May 2019
Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Chen Yan (she/her)