

URGENT ACTION

APPEAL REJECTED, HEALTH CONTINUES TO DETERIORATE

On 27 December 2020, the Jiangsu Provincial People's High Court rejected Yu Wensheng's appeal of his four-year prison sentence for "inciting subversion of state power", passed down after a secret trial in June 2020. After almost three years without access to his family, Yu Wensheng was finally able to take part in a video call with his wife Xu Yan on 14 January 2021. Afterward, Xu expressed grave concerns about the apparent deterioration of Yu's health. In addition to being unable to use his right arm due to nerve damage, Yu continues to show signs of malnutrition. He is a prisoner of conscience, detained solely for peacefully exercising his right to freedom of expression, and must be immediately and unconditionally released.

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

Director Yin Zhaoming
Xuzhou City Detention Centre
206 Guodaodongze
Sanbao Zhen Nan, Tongshan Qu
Xuzhou Shi, Jiangsu Sheng, 221112
People's Republic of China

Dear Director Yin:

I am writing to express my grave concern for the health of **Yu Wensheng (余文生)**, a human rights lawyer sentenced to four years' imprisonment and deprivation of political rights for three years on the charge of "inciting subversion of state power" (煽动颠覆国家政权罪) for peacefully expressing his right to freedom of expression. First arrested in 2018, Yu's health has dramatically deteriorated due to poor conditions and alleged torture and other ill-treatment while in detention.

After three years of no access to his family members, it was promising to learn that Yu Wensheng was finally granted a video call with his wife on 14 January 2021. Unfortunately, the call only lasted 25 minutes, five minutes shorter than the standard visiting period at Xuzhou City Detention Centre. After the call, Yu Wensheng's wife observed that his health had dramatically deteriorated. Three of his teeth had been removed, and his right arm is weak due to nerve damage which makes it impossible for him to write.

Yu Wensheng's wife also noticed signs of malnutrition. Yu told his lawyer in August 2020 that he was often not given enough food, and it seems that this situation has not improved. I find this incredibly distressing, as Yu Wensheng has already endured three years of poor conditions and ill-treatment in detention. Unless his treatment improves, I fear that his health will only continue to worsen.

Yu Wensheng is a prisoner of conscience detained and sentenced solely for peacefully exercising his right to freedom of expression.

I therefore call you to:

- **Ensure that Yu Wensheng has access to adequate food, health care and prompt access to medical attention;**
- **Ensure Yu Wensheng has regular, unrestricted access to a lawyer of his choice and his family and while in detention, he is not subjected to torture or other ill-treatment;**
- **Release Yu Wensheng immediately and unconditionally, as he is imprisoned solely for peacefully exercising his human right to freedom of expression.**

Yours sincerely,

ADDITIONAL INFORMATION

Yu Wensheng is a prominent human rights lawyer in Beijing. He represented a number of high-profile human rights cases, including Falun Gong practitioners and fellow human rights lawyer Wang Quanzhang, who was detained and charged with “subverting state power” during the mass crackdown on lawyers and activists starting in July 2015.

On 17 June 2020, Yu was sentenced to four years’ imprisonment and deprivation of political rights for three years in a secret trial. Shortly after Yu’s sentencing, an appeal to the Jiangsu Provincial People’s High Court was filed. On 27 December 2020, Yu’s lawyers received the decision in writing from Jiangsu Provincial People’s High Court that Yu’s appeal was rejected, and the court upheld the original sentencing. According to the judgement, Yu is scheduled to be released on 1 March 2022.

Yu Wensheng will soon be transferred from the detention facility to a prison to complete his sentence. It is still unknown which prison he will be sent to. However, Yu requested to be transferred to a prison in Beijing where his *hukou* (户口) is and where his family is. *Hukou* is a system of household registration system in China that officially identifies a person as a permanent resident of an area and includes information such as name, parents, spouse and date of birth.

When Yu was granted the first meeting with his lawyer in August 2020, after more than 18 months in detention, he shared that he had been sprayed with pepper spray water and was at times required to sit on a metal chair for an extended period of time, until he partially lost consciousness. Yu also said that he was often not given enough food and that he suffered heatstroke in the summer and was cold in the winter.

Yu’s family and friends believe that his conviction is related to an open letter in which he criticized President Xi Jinping as ill-suited to lead China due to his strengthening “totalitarian” rule over the country.

Yu Wensheng is one of the finalists for the [2021 Martin Ennells Award](#), an annual prize for human rights defenders. Finalists and the laurate are selected by a Jury of 10 of the world’s leading human rights NGOs. The Award provides protection and support human rights defenders who are at risk.

Yu Wensheng’s wife Xu Yan has been tirelessly fighting for the release of her husband in the past three years. Xu made numerous attempts to visit her husband, who has been detained 800km away from their home in Beijing. Xu Yan has been under constant surveillance and harassment by the authorities since she started to advocate for her husband. She has been summoned, detained and banned from travelling.

Activists and human rights defenders in China continue to be systematically subjected to monitoring, harassment, intimidation, arrest and detention.

PREFERRED LANGUAGE TO ADDRESS TARGET: English or Chinese

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 20 March 2021

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PRONOUN: Yu Wensheng (He/Him)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/asa17/2897/2020/en/>