

PUBLIC

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12 February 2003

Further information on UA 259/02 (ASA 17/062/2002, 23 August 2002) and follow-up (ASA 17/037/2002, 23 December 2002) Possible "disappearances"/ Incommunicado detention/ Fear for Safety New concern: Unfair trial

PEOPLE'S REPUBLIC OF CHINA/ Wang Bingzhang (m) US permanent resident, aged 55
VIET NAM Yang Jianli (m), US permanent resident, aged 38

On 10 February, the official Chinese news agency, *Xinhua*, announced that Wang Bingzhang had been sentenced to life imprisonment after being convicted of spying and terrorism. This is the first known case of terrorism charges being used to convict a pro-democracy activist in China.

Wang Bingzhang was tried in secret on 22 January by the Shenzhen Intermediate People's Court in Guangdong Province. The verdict, announced by the court on 10 February, stated that he had been found guilty of various offences, including passing military secrets to Taiwan, plotting to blow up the Chinese embassy in Thailand, advocating assassinations and kidnappings and leading a "terrorist group". The evidence presented in court remains unclear.

Several Chinese dissident groups have challenged the verdict, saying that the charges against Wang Bingzhang are false. It is unclear whether or not Wang Bingzhang will appeal against the ruling, but appeals are rarely successful in China.

Amnesty International is concerned that Wang Bingzhang's trial was held in secret and did not meet international standards for fair trial. He was held incommunicado for months following his detention in early July 2002 and was not given full and adequate legal representation. The authorities only confirmed his detention in December 2002. In addition, the authorities have failed to give any indication of the nature of the evidence used to convict him.

Zhang Qi and Yue Wu, who went missing along with Wang Bingzhang near the border with Viet Nam in early July 2002, were reportedly cleared of all charges and released from detention by the Chinese authorities in December 2002 (see previous follow-up). Yang Jianli, detained in a separate case on 26 April 2002, remains in detention.

BACKGROUND INFORMATION

China last year strengthened provisions against terrorism in its criminal law in the wake of the attacks in the USA of 11 September 2001. There are serious concerns that China has used "anti-terrorism" as a pretext to crack down on a variety of oppositional activities, including peaceful political protest and dissent. In the Xinjiang Uighur Autonomous Region, many people have been convicted on charges of "separatism" or "terrorism" after apparently unfair trials. In January 2003, Lobsang Dhondup, a Tibetan from Sichuan province was executed after being found guilty of "inciting separatism", "causing explosions" and "illegal possession of guns and ammunition" in an apparently unfair trial.

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

- expressing concern that Wang Bingzhang's detention and trial did not meet international standards for fair trial;
- urging the authorities to ensure that Wang Bingzhang has full access to lawyers of his choosing, medical treatment and his family while he remains in detention;

- calling on the authorities to conduct an immediate review of the case against Wang Bingzhang, and if charges are well-founded, to conduct a re-trial in an open court ensuring that he is given full facilities to prepare and present his defence in line with international fair trial standards.
- expressing concern that accusations of "separatism" or "terrorism" have been used to suppress peaceful political dissent and urging the authorities not to use "anti-terrorism" as a pretext to restrict fundamental human rights.

APPEALS TO:

Mayor of Shenzhen Municipal People's Government

Mayor Yu Youjun

Shenzhen Municipal People's Government

Building One, 2F, City Hall

Shenzhenshi

Guangdongsheng

People's Republic of China

Telegram: Mayor, Shenzhen Municipal People's Government, Shenzhen, Guangdong Province, China

Fax: + 86 755 8209 4047

Email: english@sz.gov.cn

Salutation: Dear Mayor

President of the Guangdong Provincial High People's Court

Lu Botao Yuanzhang

Guangdong Provincial High People's Court,

26 Cangbian Lu

Guangzhoushi,

Guangdongsheng 510030

People's Republic of China

Telegram: President of the Provincial High People's Court, Guangzhou, Guangdong Province, China

Fax: + 86 20 8333 0344

Email: gd_gov@gd.gov.cn

Salutation: Dear President

Minister of Foreign Affairs of the People's Republic of China

Tang Jiaxuan Buzhang

Waijiaobu

2 Chaoyangmen Nandajie

Beijingshi 100701

People's Republic of China

Telegram: Minister of Foreign Affairs, Beijing, China

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Email: ipc@fmprc.gov.cn

Salutation: Your Excellency

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and to diplomatic representatives of the People's Republic of China accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 26 March 2003.