

**PUBLIC**

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To: Health professionals  
From: Medical office / East Asia team  
Date: 13 July 2000

***MEDICAL LETTER WRITING ACTION***  
**Ill-health POC**  
**Xu Wenli**  
**China**

**Key words** ill-health / POC / unfair trial

**Summary**

Amnesty International is concerned for the health of Xu Wenli, prisoner of conscience, who is held at Beijing Yang Qing Prison, China. Xu Wenli is reportedly very ill and suffering from Hepatitis B with persistent oedema. Xu Wenli was detained on 30 November 1998 and was convicted on 21 December 1998 after an unfair trial. He was sentenced to 13 years' imprisonment and deprivation of political rights for a further three years. Xu Wenli has been detained solely for the peaceful exercise of his right to freedom of expression and association on charges of planning to "subvert state power" for his role in the China Democracy Party. Amnesty International is calling for Xu Wenli to be provided with proper medical care and is asking for his immediate and unconditional release as a prisoner of conscience.

**Recommended actions**

Please send letters to the addresses below:

- expressing concern at reports of ill-health of Xu Wenli in Beijing Yang Qing Prison;
- asking for further information on Xu Wenli's current health and for Xu Wenli to be given access to proper medical care, including treatment for liver disease in a specialist hospital ward;
- noting that Xu Wenli's trial on 30 November 1998 did not meet international standards for fair trial, for example, by not giving Xu Wenli a choice in his legal defence;
- calling for the immediate and unconditional release of Xu Wenli as a prisoner of conscience.

If you receive no reply from the government or other recipients within two months of dispatch of your letter, please send a follow up letter seeking a response. Please check with the medical team if you are sending appeals after 30 September, and send copies of any replies you do receive to the International Secretariat (att: medical team).

## **Addresses**

*Premier of the People's Republic of China*

ZHU Rongji Zongli

Guowuyuan

9 Xihuangchenggenbeijie

Beijingshi 100032

People's Republic of China

Telexes: 210070 FMPC CN or 22478 MFERT CN

Telegram: Premier Zhu Rongji, Beijing, China

Salutation: Your Excellency

*Director of the Beijing Bureau of Reform through Labour*

Juzhang

Beijingshi Laogai Gongzuo Guanliju

4 Lirenjie

Xuanwuqu

Beijingshi 100054

People's Republic of China

Telegram: Director of the Beijing Bureau of the Reform through Labour, Beijing, China

Salutation: Dear Director

*Director of the Beijing Yang Qing Prison*

Jiayu Zhang

Beijing Yang Qing xian

Box 3554-13

Beijingshi 102100

People's Republic of China

Salutation: Dear Director

and to diplomatic representatives of China accredited to your country.

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**MEDICAL CONCERN**  
**Ill-health POC**  
**Xu Wenli**  
**China**

Amnesty International is concerned for the health of Xu Wenli, prisoner of conscience, who is held at Beijing Yang Qing Prison, China. Xu Wenli is reportedly very ill and suffering from Hepatitis B with persistent oedema. Xu Wenli was detained on 30 November 1998 and was convicted on 21 December 1998 after an unfair trial. He was sentenced to 13 years' imprisonment and deprivation on political rights for a further three years. Xu Wenli has been detained solely for the peaceful exercise of his right to freedom of expression and association on charges of planning to "subvert state power" by his role in the China Democracy Party (CDP). Amnesty International is calling for Xu Wenli to be provided with proper medical care and is asking for his immediate and unconditional release as a prisoner of conscience.

**Background information**

Xu Wenli is 55 years old and is a long-time pro-democracy campaigner from Beijing. He has already spent 12 years in prison previously as a prisoner of conscience for his pro-democracy activities. Xu Wenli originally was a maintenance electrician in a Beijing factory.

*Trial*

The trial of Xu Wenli took place just three weeks after he was detained by the police on 30 November 1998. Xu Wenli was tried on charges of organizing and planning to subvert state power. The trial lasted only three and a half hours. His wife was reportedly only informed of the trial on 18 December 1998, having been denied information about the whereabouts of her husband and his legal status since his detention more than two weeks earlier. Because of the lack of advance notice his wife was unable to find a lawyer willing to defend him on time. It was reported that the court appointed a lawyer.

According to reports by the official Chinese News Agency, Xinhua, the court found that Xu Wenli had secretly planned the founding of the so-called Beijing and Tianjin regional Party Committee of the China Democracy Party, with the purpose of subverting state power, that he had attempted to recruit members in the party, and had sought and accepted funds from some hostile organizations abroad in order to organize and conduct subversive activities.

The official indictment of the court included the charges that Xu Wenli had, between November 1997 and April 1998 given numerous interviews with foreign journalists, tried to incite the formation of independent unions, made a great fuss about ending the one party tyranny, building the third republic, protecting human rights and freedoms, and re-make (ing) constitutional democracy.

*International response*

On 16 December 1998 Amnesty International produced a Worldwide Rapid Action (WARN) on the cases of Xu Wenli and two well known dissidents whose trials took place in the same week, Qin Yongmin and Wang Youcai. On 4 February 1999 Amnesty International featured these cases and

others in an open letter to the European Union. The International Community also responded to the arrests by calling for the release of the three prisoners.

#### *Current health*

It has been reported that Xu Wenli is currently very ill. He was reportedly diagnosed on 23 September 1999 as suffering from Hepatitis B with oedema of the upper limbs and abdomen. He has been given some medication for his liver (Amnesty International does not have details) and some form of diuretic. Amnesty International is calling for Xu Wenli to be treated in a specialist hospital ward dealing with liver disease.

#### *Previous detention*

Before 1998 Xu Wenli had served 12 years in prison for his pro-democracy activities. He was tried on 8 June 1982 in Beijing on charges of Aorganizing a counter revolutionary clique@ and Acounter revolutionary propaganda and agitation@. He was sentenced to 15 years imprisonment and a further four years deprivation of political rights. He was paroled in May 1993 during China=s bid to host the Olympic Games. His sentence formally ended in April 1996. It was reported that he had spent eleven years of his imprisonment in solitary confinement and had lost most of his hair and teeth.

#### **Appendix:** Excerpt from a letter by Xu Jun, the daughter of Xu Wenli

Excerpt from an open letter to the Chinese Government written on 2 December 1998 by Xu Jin. Xu Jin is a student at Boston University. Xu Jin and several other Chinese people staged a hunger strike outside the U.N. headquarters in New York on Sunday December 27 after her father had been sentenced.

*On Monday, November 30th, you jailed my father, Xu Wenli, yet again. This time you accuse him of "subverting the government." I grew up without him. In 1981, when I was eight years old, you imprisoned my non-violent father for twelve years because he advocated free speech. He was in solitary confinement for his entire term. For three of those years he was kept in a room not much wider or longer than a coffin and was allowed no visitors.*

*All he has done is to try to register a new political group, the Chinese Democratic Party. There is no law against forming a political party. If you don't want him to do this, you certainly have the power to stop him, you do not need to jail him.*

*Since his release in 1993 and for five years incessantly, you have had a team of police watching our house. Several stand near the front door while others sit in the apartment next door. We have no back door, just a window facing a schoolyard. Several police sit in the schoolyard and stare at the window. Every time my father left the house, he was followed ... Why are you afraid of my father and me?*

*My father has ideas about democracy and freedom but he has no soldiers and no secret police. He cannot hurt you. Let him go.*

*The newspapers here report that you recently signed the International Covenant on Civil and Political Rights. Show the world, my mother, and myself that your signature means something.*

- Xu Jin