

EXTERNAL

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Ill-treatment / Health concern

5 June 1997

PEOPLE'S REPUBLIC OF CHINA YAO Zhenxiang, aged 37
YAO Zhenxian

Two brothers detained in a labour camp near Shanghai are reported to be ill and to have been denied adequate medical treatment. Reports that family members have been denied access to Yao Zhenxiang and Yao Zhenxian since October 1996 and April 1997 respectively have heightened concern for their well-being.

Both men were arrested in April 1996 and are held at the Dafeng penal farm in Jiangsu province, north of Shanghai. Their family recently petitioned the authorities in Beijing to look into their case and improve their treatment.

According to the family, both brothers were severely beaten by police after their arrest in April 1996. Yao Zhenxiang's wife was allowed to see her husband on 15 October 1996, for the first time since his arrest. She subsequently reported that his face was covered with scars and he had great difficulty moving his left hand due to the beatings, and that both he and his brother were in poor health. Yao Zhenxiang has been denied family visits since then and no investigation is known to have been carried out into his reported ill-treatment.

His older brother Yao Zhenxian is reported to have gone on hunger-strike at the labour camp in April 1997 to protest against being deprived of his right to correspondence. His family has been denied access to him since then and his current situation is not known.

BACKGROUND INFORMATION

Yao Zhenxiang, a businessman from Shanghai and long-time supporter of the democracy movement in China, fled China in 1994 following a crackdown against members of the Shanghai Human Rights Association, and sought refuge in France. He returned to China in 1996 after receiving assurances via Chinese representatives in France that he would not be arrested, but he was sought by police upon his return to Shanghai. He was arrested in April 1996 and accused of "illegally crossing the borders of the state" and "broadcasting and making copies of" pornographic material. This latter charge, according to the family, is totally unfounded. His brother Yao Zhenxian was arrested at the same time and accused of helping him.

In late July 1996, the authorities issued a detention order against Yao Zhenxiang assigning him to three years' "re-education through labour", a form of administrative detention imposed without formal charge or trial, to be served in a forced labour camp. His brother Yao Zhenxian was assigned to two years' "re-education through labour". Both were reportedly denied the right to appeal against their sentences.

RECOMMENDED ACTION: Please send telegrams/telexes/express/airmail letters in English, Chinese or your own language or your own language:

- calling for an immediate investigation into the situation of Yao Zhenxiang and his brother Yao Zhenxian, held at the Dafeng farm, Jiangsu province, who are reported to be in poor health and to have been denied medical treatment as well as visits from their family for periods of seven months and two months, respectively.
- calling for an impartial judicial investigation into reports that both were severely beaten by state security officers following their arrest in Shanghai

in April 1996, and for the results to be made public, and for anyone found responsible to be brought to justice;
- expressing concern that both men are reported to be arbitrarily detained for political reasons, without having been formally charged or tried, and urging the authorities to release them without delay if they are not to be charged with recognizably criminal offences and given a fair and open trial in accordance with international standards.

APPEALS TO:

Procurator-General of the Supreme People's Procuratorate of the People's Republic of China

ZHANG Siqing Jianchazhang

Zuigao Renmin Jianchayuan

147 Beiheyuan Dajie

Donganmen, Dongchengqu

Beijingshi 100726

People's Republic of China

Telexes: 210070 FMPC CN or 22478 MFERT CN

(Please forward to the Procurator-General)

Telegram: Procurator-General, Supreme People's Procuratorate, Beijing, China

Salutation: Dear Procurator-General

Mayor of the Shanghai Municipal People's Government

XU Kuangdi Shizhang

Shanghaishi Renmin Zhengfu

30 Fuzhoulu

Shanghaishi 200002

People's Republic of China

Telexes: 333 15 SMERT (Please forward to the Mayor)

Telegram: Mayor, Shanghai, China

Salutation: Dear Mayor

Chief Procurator of Shanghai Municipal People's Procuratorate

NI Hongfu Jianchazhang

Shanghaishi Renmin Jianchayuan

648 Jianguo Xilu

Shanghaishi 200030

People's Republic of China

Telexes: 33289 SHFAO CN (Please forward)

Telegram: Chief Procurator, Municipal People's Procuratorate, Shanghai, China

Salutation: Dear Sir

COPIES TO: diplomatic representatives of 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 23 July 1997.