

PUBLIC

File Index: 17/37/98

Distrib: PG/SC

To: Health professionals
From: Medical Office / East Asia Subregional Team
Date: 24 November 1998

MEDICAL LETTER WRITING ACTION

Li Hai
CHINA

Theme: POC / ill-health / access to medical care

Summary

Li Hai, a human rights activist and former student in Beijing at the time of the 1989 pro-democracy movement, is serving a nine-year sentence in Beijing's Liangxiang prison after having been convicted in December 1996 of "gathering state secrets". He is reportedly seriously ill and suffers from hepatitis, high blood pressure and gallstones. Amnesty International is concerned that Li Hai is not being provided with adequate medical care in prison. The organization considers Li Hai a prisoner of conscience and is calling for his unconditional and immediate release.

Recommended Actions

Appeals are requested from health professionals to the addresses below:

- introducing yourself as a concerned health professional
 - stating that you are writing about Li Hai, a prisoner currently held in Beijing's Liangxiang prison
 - stating that Amnesty International considers Li Hai a prisoner of conscience held solely for the peaceful expression of his political beliefs, and calling for his immediate and unconditional release
 - expressing serious concern at reports of Li Hai's medical problems
 - seeking detailed information on his current state of health and asking what medical treatment he is receiving
 - urging that, as a minimum, Li Hai receive all necessary medical care in accordance with provisions set out in the UN Standard Minimum Rules for the Treatment of Prisoners
 - expressing concern that Li Hai's trial was held in secret in violation of international standards

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 5 January 1999, and send copies of any replies you do receive to the International Secretariat (att: medical team).

ADDRESSES

Mayor of Beijing
Jia Qinglin Shizhang
Beijingshi Renmin Zhengfu
2 Zhengyilu
Dongchengqu
Beijingshi 100744
People's Republic of China

GAO Changli Buzhang *[Minister of Justice of the People's Republic of China]*
Sifabu
Xianguangli
Beijingshi 100016
People's Republic of China

COPIES TO:

Jian Yuzhang
Prison Director
Liangxiang Jianyu
Liangxiang Xian
Beijingshi
People's Republic of China

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

'Everyone has the right to freedom of opinion and expression'

**Universal Declaration of Human Rights
Article 19**

PUBLIC

AI Index:

ASA 17/37/98

Distrib: PG/SC

Date: 24 November 1998

MEDICAL LETTER WRITING ACTION

**Li Hai
CHINA**

Li Hai, a human rights activist and former student in Beijing at the time of the 1989 pro-democracy movement, is serving a nine-year-sentence in Beijing's Liangxiang prison after having been convicted of "gathering state secrets" in December 1996 after a secret trial. He is reportedly seriously ill and suffers from hepatitis, high blood pressure and gallstones. Amnesty International is concerned that Li Hai is not being provided with adequate medical care in prison. The organization considers Li Hai a prisoner of conscience arbitrarily imprisoned for peacefully exercising his right to seek, receive and impart information [as provided for in Article 19 of the UDHR], and is calling for his unconditional and immediate release.

Following the government crack-down on the pro-democracy protests in June 1989, in which hundreds of protesters were killed, Li Hai was detained for over a year. After his release, unable to continue his studies or find work, he started investigating the situation of those jailed in connection with the 1989 crack-down. In May 1995 Li Hai was re-arrested and charged with "hooliganism" - a charge which was later dropped and replaced by that of "leaking state secrets". Li Hai was detained incommunicado for nearly 18 months. During his trial at the Zhaoyang Distric People's Court which began in May 1996, the charge was changed again to "gathering state secrets". Seven months later, in December 1996, Li Hai was sentenced and convicted. Appeals in political cases rarely succeed in China, and Li Hai's appeal was rejected in March 1997. Amnesty International considers Li Hai a prisoner of conscience convicted and sentenced solely for attempting to monitor human rights violations in China.

It has recently been reported that Li Hai is not allowed to buy supplementary food in Liangxiang prison and that his family has been banned from bringing food for him into the prison. Li Hai has reportedly also been denied reading or writing materials and is not allowed time to exercise in fresh air. By not guaranteeing these basic rights, the Chinese authorities are violating the standards for the welfare of prisoners set out in the UN Standard Minimum Rules for the Treatment of Prisoners [articles 21 and 40].

According to reports by Reuters and AFP, the mother of Li Hai, Gong Liwen, called on the British Prime Minister Tony Blair during his visit to China in October 1998 to appeal to the Chinese President Jiang Zemin for the release of her son.

Background information

In China, the verdict in political cases is often decided before the trial. The charge of 'gathering state secrets' on which Li Hai was convicted can be applied in China to anyone who gathers, reveals or circulates information which is judged to be 'politically sensitive'. Legislation on state secrets has been

increasingly used to arbitrarily repress freedom of expression and association. Since 1991 a growing number of people have been arrested and sentenced on such charges solely for exercising their right to freedom of expression.