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Dear Chairperson

**OPEN LETTER: Amnesty International calls for a prompt, thorough and independent investigation into Li Wangyang's death, and for his relatives and friends to be protected against arbitrary detention or unlawful restrictions on their freedom of movement and expression**

Amnesty International calls upon the National Peoples' Congress Standing Committee to order a prompt, thorough and independent investigation into the cause and circumstances of the death of Li Wangyang. On 6 June 2012, the body of Li Wangyang, a veteran dissident, was found in Shaoyang city's Daxiang District People's Hospital, in suspicious circumstances.

In addition, on 7 June 2012, Li Wangyang's sister and brother-in-law, Li Wangling and Zhao Baozhu and at least two of Li Wangyang's relatives and friends were arrested and have been detained since. Amnesty International calls upon the Standing Committee to ensure that Li Wangyang's sister and brother-in-law, and other family and friends are not subject to arbitrary detention or any unlawful restrictions on their freedom of movement and expression.

Background - Li Wangyang

Li Wangyang was imprisoned in the past and considered by Amnesty International to be a prisoner of conscience. Born in 1950, Li Wangyang became an advocate for independent labor unions in China while employed at the Shaoyang Cement Plant. Before 1989, he took part in the publication of the unofficial newspaper "Zijiang Minbao". Li was called in for police interrogations prior to 1989 on several occasions. During the pro-democracy protests preceding the military crackdown on 3-4 June 1989, he founded the Shaoyang Workers Autonomous Federation. The Federation organized labour strikes and demonstrations. Federation members gave speeches, distributed materials and put up "big character posters" that advocated better protection for the rights of Chinese workers. In the aftermath of the 1989 military crackdown, Li was sentenced to 13 years imprisonment.

During his imprisonment in Longxi Prison (No.6 Hunan Prison) and Yuanjian Prison (No.1 Hunan Prison), Li Wangyang lost most of his hearing and was rendered nearly blind, allegedly as a result of torture. He was released before the end of his term, in June 2000, because of his poor health. At the time of his release, he was said to be suffering from heart disease, hyperthyroidism, neck and lower back pain and to be going blind. Upon his release, he began petitioning the authorities for compensation to cover the cost of his medical treatment. On 6 May 2001, Li was apprehended by agents of Shaoyang City Public Security after he went on a 22-day hunger strike to protest the authorities' lack of response to his appeals. He was charged on 11 June 2001 with "inciting subversion of state power" and convicted by the Shaoyang City Intermediate People's Court on 5 September 2001. Li was sentenced to 10 years in prison on 20 September 2001 and was released in May 2011 after

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-serving his prison term. Soon thereafter, he was admitted to Daxiang District People's Hospital in Shaoyang city for medical treatment, suffering from heart disease and advanced diabetes, and remained there until his death.

On 22 May 2012, Li gave an interview to Hong Kong media in which he openly spoke about the torture which had left him both blind and almost deaf, and openly encouraged Ding Zilin, leader of Tiananmen Mothers, to persevere in her quest for justice for the victims of the 1989 military crackdown. In the interview, Li stated "[for the democracy in China] even if I was beheaded I wouldn't regret [my actions]". Following the interview, police or prison officials visited his hospital more frequently.

#### Circumstances surrounding Li's death on 6 June 2012

In the morning of 6 June 2012, around 6:00am, Li's brother-in-law, Zhao Baozhu, received a phone call from the Daxiang District People's Hospital informing them of Li's death. About an hour later, Zhao Baozhu and Li Wangling arrived at Li's hospital room and found Li tied by the neck with a cotton noose to a window frame.

The police claimed that Li had committed suicide, but Li's family and friends have cast doubts on the police version. According to the accounts of his relatives, Li's feet were still firmly on the ground when they saw him, which made the circumstances surrounding his suicide death suspicious. Given his poor health, blindness and inability to walk without assistance, his relatives questioned how he could have found a cotton noose and hung himself. Moreover, his family and relatives confirmed that Li was resilient and had not shown any intention of committing suicide when they made their routine daily visit the day before his death.

On the morning of 6 June, at around 10am, the police took away Li's body despite objections from Li's friends and family. The family repeatedly stated to the media that they would not agree to an autopsy unless it was conducted in the presence of the lawyer of their choice, Tang Jingling. On 7 June Li's family members were detained and on 8 June, the Shaoyang city authorities stated that an autopsy had been carried out that day and filmed in the presence of experts and local politicians, with the consent of Li's family. The family's chosen lawyer was not present.

Under international law and standards, all reasonable allegations of unlawful killings must be investigated. This obligation reflects both the duty of states to ensure reparations to victims of human rights violations, including to disclosure of the truth, and their general duty to protect human rights, not least the right to life, including by holding perpetrators of violations to account and taking steps to ensure that such violations are not repeated.

Principle 9 of the UN Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions<sup>1</sup> states that: "There shall be a thorough, prompt and impartial investigation of all suspected cases of extra-legal, arbitrary and summary executions, including cases where complaints by relatives or other reliable reports suggest unnatural death ... It shall include an adequate autopsy, collection and analysis of all physical and documentary evidence and statements from witnesses." Principle 18 states that perpetrators should be brought to justice. Principle 20 states that families and dependents of victims of such executions should be entitled to fair and adequate compensation, within a reasonable period of time.

#### Li Wangling, Zhao Baozhu and other friends and relatives

On 7 June it was reported that Li Wangling and Zhao Baozhu were detained by the local authorities along with two other friends and held in a Shaoyang hotel, an unofficial place of detention. Since then all efforts by friends, relatives or the media to contact them have failed.

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<sup>1</sup> Recommended by Economic and Social Council resolution 1989/65 of 24 May 1989.

On 10 June 2012, a reliable source reported that several friends of Li Wangyang were placed under close surveillance by local police. Meanwhile, Zhu Chengzhi, a friend who had previously been interviewed with Li Wangyang by Hong Kong media, and Tang Jingling were unreachable and their whereabouts unknown.

Amnesty International calls upon the National People's Congress Standing Committee:

- to order a prompt, thorough and independent investigation into the cause and circumstances of Li's death and to make publicly available the results of the investigation;
- if the investigation finds that Li Wangyang died as a result of unlawful acts, to prosecute, in fair proceedings, anyone suspected of such acts, as envisaged in the National Human Rights Action Plan of China (2012-2015), and to ensure that his family is compensated;
- to ensure that Li Wangling, Zhao Baozhu and relatives and friends of Li are not subjected to arbitrary detention, and to ensure that their freedom of movement and expression are fully protected.
- to ensure that the rights of Li Wangling, Zhao Baozhu and Li's other relatives and friends to freely communicate with others are protected after their release, and to ensure that they are free from any form of restrictions, harassment or intimidation.

Yours sincerely,

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