

URGENT ACTION

MAN FACES TRIAL FOLLOWING FORCED CONFESSION

Businessman Wu Wai Sing, a 54-year-old US national of Hong Kong residency, was reportedly tortured to make him confess. He has reportedly told his lawyers that he is "losing hope" and cannot stand up to the torture and other ill-treatment any longer.

Wu Wai Sing (also known as Vincent Wu), was detained on 22 June under Article 294 (not 254 as given previously) of the Chinese Criminal Code on suspicion of organising a criminal syndicate. He was held incommunicado for approximately three weeks and transferred to various unofficial places of detention, before being taken to Huidong Detention Centre in Huizhou city, Guangdong province on 1 July. On 4 July, Wu Wai Sing was able to meet his lawyers and reportedly told them that his interrogators had repeatedly beaten, hung upside down and his head had been banged on the floor until he lost consciousness. Unable to withstand the torture, he had "confessed".

In mid-September, Wu Wai Sing communicated to his family that he had been kept in solitary confinement, with his arms and legs in chains at all times and that the police would also shine bright light on his face so as to deprive him of sleep. By early December, his condition was poor, both physically and mentally. He had difficulties answering questions with clarity, although he clearly indicated to his family that he was hung up and beaten again after he was transferred to a detention centre in Huiyang district, Guangdong province, in late November. He told his family that he is 'losing hope and don't know how long he can stand up to these forms of torture'.

On 14 December, Wu Wai Sing's family were informed that he would stand trial on 24 December in Huizhou City Intermediate People's Court in Guangdong province, with 33 others also detained on 22 June in relation to alleged organised criminal activities. Wu Wai Sing's likely charges include organising a criminal syndicate, intentional assault and counts of commercial fraud. Without a fair trial, his lawyers say he is likely to face the death penalty.

Please write immediately in Chinese or your own language:

- Calling on the authorities to guarantee and take all necessary steps to ensure that Wu Wai Sing and others in detention will not be tortured or otherwise ill-treated;
- Urging them to ensure that no evidence obtained through torture is used in any proceedings against Wu Wai Sing;
- Calling on them to order a prompt, independent, impartial and efficient investigation into the allegations of torture and bring those responsible, irrespective of rank, to justice.

PLEASE SEND APPEALS BEFORE 29 JANUARY 2013 TO:

Secretary of Guangdong Province
Political and Legal Affairs Committee

Zhu Mingguo Shuji
Hequn 3rd Road, Yuexiu
Guangzhou, Guangdong
510080, People's Republic of China
Fax: +86 20 8121 8569
Tel: +86 20 8718 5300 (Chinese only)
Email: gdzfwzbb@126.com
Salutation: Dear Secretary

Chief Procurator, Huizhou City People's

Procuratorate
Chen Huagui
No.10 Sanxinanlu Huichengqu,
Huizhoushi, Guangdong sheng
516003,
People's Republic of China
Tel: +86 0752 2827 331 (Chinese only)
Salutation: Dear Chief Procurator

And copies to:

Director, Huiyang Detention Centre
Sun Shirong
Danshuizhen, Baigongaobeiweicun
Huiyang, Huizhou,
Guangdong
516211
People's Republic of China
Tel: +86 0752 3819617 (Chinese only)

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date. This is the first update of UA 231/12. Further information:

www.amnesty.org/en/library/info/ASA17/026/2012/en

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ADDITIONAL INFORMATION

Wu Wai Sing's lawyers were reportedly intimidated by the local authorities. According to Wu Wai Sing's family, in early August the lawyers received a call from the Huizhou police warning them that they would be arrested if they continued to publicise information on Wu Wai Sing and his treatment inside the detention centre. The local authorities also reportedly warned them of repercussions should they continue to speak to foreign media. In mid-August, the lawyers filed a formal complaint with the Huizhou procuratorate regarding the alleged torture the Huizhou Police Security Bureau had inflicted on Wu Wai Sing. They have so far received no reply.

Since the beginning of July, the family have contacted the US embassy in Beijing, the US consulate in Guangzhou city, Guangdong province, as well as the State Department in Washington DC. On 7 August, in a response from the US government to the family, it was explained that requests for consular access to Wu Wai Sing were denied. Although Wu Wai Sing is an US citizen he did not enter Mainland China with his US passport, but on his Home Return Permit which he acquired as a Hong Kong permanent resident. According to agreements between the two governments, this means that he is not entitled to diplomatic visits from the US embassy. The US government continues to request access to Wu Wai Sing on humanitarian grounds.

Name: Wu Wai Sing (胡焯升, also known as Vincent Wu)

Gender m/f: m

Further information on UA: 231/12 Index: ASA 17/057/2012 Issue Date: 18 December 2012