

URGENT ACTION

HUANG QI JAILED AS PRISONER OF CONSCIENCE

Human rights activist Huang Qi, who gave legal advice to victims of the 2008 earthquake in Sichuan province, has been sentenced to three years' imprisonment following an unfair trial. He is a prisoner of conscience, and should be released immediately and unconditionally.

Huang Qi was sentenced by the Wuhou District People's Court in Sichuan's capital, Chengdu, on 23 November. The court had found him guilty of "unlawfully holding state secrets." Several dozen police surrounded the court, preventing Huang Qi's supporters, mostly local women, from entering. Police beat some of the supporters. Only his wife and mother were allowed to attend the hearing. Huang Qi's lawyers, in Beijing, were not able to attend.

On hearing that he had been sentenced to three years' imprisonment, Huang Qi said he would appeal, The judge stopped Huang Qi from speaking further, and asked the police to remove him from the courtroom.

Huang Qi is in poor health. While in custody earlier this year, he said he had been diagnosed as having two tumours: one on his stomach and another on his chest. It appears that he is not receiving adequate medical treatment in custody.

PLEASE WRITE IMMEDIATELY in Mandarin Chinese or your own language:

- calling on the authorities to release Huang Qi immediately and unconditionally, as he is a prisoner of conscience;
- urging them to ensure Huang Qi has access to any medical attention he may require, while he remains in custody;
- urging the authorities to guarantee that Huang Qi will not be tortured or otherwise ill-treated;
- calling on them to end the use of vaguely-defined charges relating to "state secrets" to crack down on human rights defenders.

PLEASE SEND APPEALS BEFORE 11 JANUARY 2010 TO:

Prime Minister

WEN Jiabao Guojia Zongli
The State Council General Office
2 Fuyoujie, Xichengqu
Beijingshi 100017
People's Republic of China

Fax: +86 10 65961109 (c/o Ministry of Foreign Affairs)

Salutation: Your Excellency

Director of the Sichuan Provincial

Department of Public Security
ZENG Shengquan Tingzhang
Sichuansheng Gong'anting
9 Jindunlu
Chengdushi 610041

Sichuansheng
People's Republic of China

Fax: +86 28 86301177

Salutation: Dear Director

And copies to:

Director of the Chengdu City Detention Centre

ZHANG Jianyong Suozhang
Chengdushi Kanshousuo
3 Zhengyilu,
Anjingzhen, Pixian
Chengdushi 611731

People's Republic of China

Salutation: Dear Director

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 second update of UA 172/08 (ASA 17/084/2008). Further information: <http://www.amnesty.org/en/library/info/ASA17/084/2008/en> and <http://www.amnesty.org/en/library/info/ASA17/025/2009/en>

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ADDITIONAL INFORMATION

Huang Qi was detained on 10 June 2008 because of his work on behalf of the families of five primary school pupils who died when school buildings collapsed in the Sichuan earthquake of May 2008. He had been attempting to take the local authorities to court.

He was tried behind closed doors 14 months later, in August 2009. The criminal proceedings against Huang Qi fell far short of China's legal regulations and international human rights standards. Huang Qi was denied access to his family and lawyer while in detention, on the grounds that the case involved "state secrets." He was first allowed to meet with his lawyer, Ding Xikui, on 23 September 2008, after more than 100 days detained incommunicado.

On 2 February 2009, the Wuhou District People's Court in Chengdu failed to publicly announce the schedule of his trial, as required by China's Criminal Procedure Law. The next day, on the pretext of protecting "state secrets," the Court prohibited Ding Xikui from making photocopies of case documents to prepare Huang Qi's defence.

During the 5 August trial, the court forbade witnesses from testifying on Huang Qi's behalf, again citing "state secrets."

Huang Qi was treated inhumanely in custody, including being interrogated by police for many hours at a time, and subjected to sleep deprivation. The authorities turned down repeated requests by Huang Qi's family to release him on bail to await trial. His wife has been barred from visiting since the trial on 5 August 2009.

Huang Qi had been jailed as a prisoner of conscience from August 2001, for "inciting subversion of state power" because he had published the names of people arrested after the 4 June 1989 military crackdown on pro-democracy activists, on his Chinese-language website www.64tianwang.com. He was beaten in prison. He was released on 4 June 2005. After this he continued to maintain his website, and helped victims of human rights abuses to sue the government or document and publicize their cases to increase pressure for government accountability.

Further information on UA: 172/08 Index: ASA 17/ Issue Date: 1 December 2009

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