

AMNESTY INTERNATIONAL

Public Statement

2 December 2015

AI Index: ASA 17/2988/2015

CHINA: FEAR OF DESTRUCTION OF EVIDENCE DURING GOVERNMENT AUTOPSY

The Chinese authorities must prevent the destruction of any evidence of the alleged torture or other ill-treatment of activist Zhang Liumao, who died in pre-trial detention in early November, and ensure an adequate autopsy by an impartial and independent forensic pathologist chosen by his family. They must take steps to secure all evidence concerning his death in custody, and any preceding mistreatment, including eye witness testimony and forensic evidence.

Early on the morning of 2 December, the Chinese authorities conducted an autopsy of the remains of Zhang Liumao, in spite of the family's objections and ignoring the family's written request to appoint an independent expert to conduct the procedure.

Zhang Liumao's younger sister received a notification document from the Guangzhou People's Procuratorate in Guangdong Province, southern China, at 4pm on 1 December. In replying in writing to the authorities, she questioned the short notice for the autopsy and asked whether it was aimed at destroying evidence of torture and other ill-treatment. The family's lawyer sent a formal objection to the authorities by post the same day but the autopsy went ahead on Wednesday morning.

Human rights activist Zhang Liumao had been detained since 15 August on suspicion of "picking quarrels and provoking trouble" and "subverting state power", offences often used by the Chinese authorities to target critics of the government. His case was never heard in court but his family believes Zhang's detention was linked to his unofficial literary magazine that had been circulating in Guangzhou city. He is believed to have died on 4 November while in pre-trial detention at the Guangzhou No. 3 detention centre.

When the family and lawyer were allowed to see Zhang Liumao's body two weeks ago on 16 November they reported seeing bruises and abrasions all over his body which led them to believe he had been beaten or tortured. Although the family and lawyer were not allowed to take photos of the body, on 17 November their lawyer filed a request with the procuratorate describing in detail the wounds they had observed on different parts of the body including the legs, hands and fingers, the abdomen, the chest, the neck and head, as well as blood stains around the anus, the mouth and an ear.

Based on these observations, the lawyer asked the authorities to investigate the suspicious death of Zhang Liumao and any alleged torture or other ill-treatment and to bring those responsible for any violations to justice. They also asked for records of Zhang Liumao's interrogations during detention, health conditions and medical treatment, and an autopsy by an independent expert. However, they received no reply, and instead, the family members have been harassed by police, questioned and forbidden from leaving the country.

Amnesty International calls on the Chinese authorities to ensure no evidence is destroyed, allow an independent and impartial expert of the family's choosing to conduct another autopsy as is provided for in Chinese regulations as well as in international standards, and conduct a prompt, thorough and effective investigation into the suspicious death in custody, and ensure that those responsible for any torture or other ill-treatment are prosecuted. The family should receive access to all autopsy reports as well as information and results regarding the progress of the investigation.
