

URGENT ACTION

FORMER POC FEARED TO BE IN DETENTION AGAIN

The whereabouts of Human Rights lawyer Gao Zhisheng remains a mystery after he has been missing for over three months. Conflicting accounts have emerged as to his exact location and current condition. Given his previous treatment in detention, and without access to a lawyer, he is at high risk of torture or other ill-treatment.

Gao Zhisheng was first reported missing by his family on 13 August 2017. Local police in Jia county and Yulin city, both located in the northern Chinese province of Shaanxi, denied that he was being held in police custody. Gao Zhisheng's family finally learned from a local official on 5 September that he had been taken to Beijing. Other than that, Gao Zhisheng's family have not received any information from the authorities as to Gao Zhisheng's exact whereabouts, his current condition or the grounds for any detention.

Two lawyers appointed by Gao Zhisheng's family visited Beijing Municipal Public Security Bureau and Jia County Public Security Bureau on 12 October and 8 November respectively intending to seek further information about his detention. Yet, the authorities refused to disclose any information to the lawyers.

Radio Free Asia (RFA) reported that an officer of the Security Maintenance Office in Gao Zhisheng's hometown - Lu township, Jia county told RFA's reporter on 11 November that Gao Zhisheng was in the custody of the local national security office in Jia county and his condition was fine. However, according to Gao Zhisheng's wife, no one in the family had been told about this.

In late August, Gao Zhisheng's friend and activist Shao Zhongguo was criminally detained on suspicion of "picking quarrels and provoking trouble" for assisting Gao Zhisheng to secretly leave his heavily guarded house and travel to the neighbouring province in early August. Shao Zhongguo's family was informed by the police that he was formally arrested in late September, however, they have not received any written notification about his arrest.

Please write immediately in Chinese, English, or your own language urging the authorities to:

- Immediately and unconditionally release Gao Zhisheng if he has been detained solely for exercising his right to freedom of expression;
- Pending his release, immediately disclose the whereabouts of Gao Zhisheng, and ensure that he is detained in an official place of detention, is not subjected to torture or other ill-treatment; and he has regular, unrestricted access to his family, lawyers of his choice, and medical care on request or as necessary;
- Allow the peaceful work of Human Rights Defenders and their families to continue without fear of hindrance, intimidation, arbitrary detention or imprisonment, in line with the UN Declaration on Human Rights Defenders.

PLEASE SEND APPEALS BEFORE 11 JUNE 2018 TO:

Director of Shaanxi Provincial Public Security Bureau
Hu Minglang
120 Weiyanglu,
Weiyangqu,
Xi'an Shi 710016
Shaanxi Sheng
People's Republic of China
Salutation: Dear Director

Director of Beijing Municipal Public Security Bureau
Wang Xiaohong
Beijing Shi Gonganju
9 Qianmen Dongdajie
Dongchengqu
Beijing Shi 100740
People's Republic of China
Salutation: Dear Director

And copies to:
Minister of Public Security
Guo Shengkun Buzhang
Gonganbu
14 Dongchanganjie, Dongchengqu
Beijing Shi 100741
People's Republic of China
Tel: +86 10 6626 2114 (Chinese Only)
Email: gabzfwz@mps.gov.cn
Salutation: Dear Minister

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 212/17. Further information:

<https://www.amnesty.org/en/documents/asa17/7091/2017/en/>

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ADDITIONAL INFORMATION

On 13 August 2017, Gao Zhisheng's wife posted on Twitter that she had tried to call her husband but had been unable to reach him for two days. She then contacted his elder brother, Gao Zhiyi, who told her that he had visited Gao Zhisheng's home that morning and found no one there. Gao Zhiyi reported to the local police that Gao Zhisheng's was missing on the same day.

Gao Zhisheng is one of the most respected human rights lawyers in China, with the Ministry of Justice naming him "one of the nation's top 10 lawyers" in 2001 for his pro bono work on public interest cases. Despite this, Gao Zhisheng has been subjected to enforced disappearance, torture, illegal house arrest and detention as a result of his work, which includes representing human rights activists and working on other politically sensitive cases. In late 2005, the Beijing Municipal Justice Bureau revoked his lawyer's license and suspended the operations of his law firm, Shengzhi Law Office. This was a direct result of Gao Zhisheng's open letters to the government calling on them to stop religious persecution, including persecution of Falun Gong practitioners.

In February 2006 Gao Zhisheng organized a hunger strike campaign to draw attention to the persecution of human rights activists in China. Shortly after the campaign ended, the authorities detained Gao Zhisheng on 22 August and held him without charge. After a month, on 21 September, he was charged with the vaguely-defined offence of "inciting subversion of state power". In December 2006, he was given a three-year suspended prison sentence with a five-year reprieve.

In April 2010, he told Associated Press in an interview that he was tortured while in detention. Shortly after that he went missing again and his whereabouts were unknown for almost 20 months. In December 2011, state media announced that Gao Zhisheng had violated terms of his suspended sentence and was therefore sent to serve his three-year sentence in prison. Due to the constant harassment by authorities, including freezing the family bank accounts and preventing his children from attending school, Gao Zhisheng's family fled China in March 2009 and currently reside in the United States. In October 2010, his daughter Grace Geng wrote an open letter to the President of the United States of America saying "President Obama, as the father of two girls yourself, please ask President Hu Jintao of China to tell this daughter where her father is."

Since his release from prison in 2014, Gao Zhisheng has been living with his elder brother's family in an isolated village in Shaanxi province under tight surveillance. His family said he had suffered abuse in prison and malnutrition that led to severe damage to his teeth which, three years later, still makes it difficult for him to eat solid food. According to his family, the authorities had barred Gao Zhisheng from leaving the village to receive medical and dental treatment. Despite his difficult situation, he has remained outspoken about human rights and continues to criticize the Chinese Communist Party.

In 2016, Gao Zhisheng launched a memoir titled "The year 2017, Stand Up China" with the help of his daughter Grace Geng. In the book, Gao Zhisheng detailed his treatment while in detention from 2009 to 2014, and told of his life after he was released and sent to Shaanxi to live under round-the-clock police surveillance with his elder brother, Gao Yisheng. He wrote the book as a way of continuing his resistance against human rights violations under the ruling Chinese Communist Party.

Activists and human rights defenders continued to be systematically subjected to monitoring, harassment, intimidation, arrest and detention. Police detained increasing numbers of human rights defenders outside of formal detention facilities, sometimes without access to a lawyer for long periods, exposing the detainees to the risk of torture and other ill-treatment.

Name: Gao Zhisheng

Gender: male

Further information on UA: 212/17 Index: ASA 17/7545/2017 Issue Date: 6 December 2017