

URGENT ACTION

HUMAN RIGHTS LAWYER DETAINED INCOMMUNICADO

Beijing lawyer Yu Wensheng has been detained for more than two months without access to a lawyer of his choice. While the Public Security Bureau in Jiangsu province have admitted that they are holding him, his exact whereabouts are unknown. He is at risk of torture and other ill-treatment.

Yu Wensheng's lawyers have not been allowed to meet him since he was taken away by police in Beijing on 19 January 2018 while taking his son to school. No further information about his current situation has been provided since 27 January when the Tongshan District Public Security Bureau in Xuzhou, Jiangsu province, issued a notice to his family stating that Yu Wensheng was being held under "residential surveillance in a designated location".

A week after the notice was issued, on 5 February, lawyers went to ask the public security officers at Tongshan District Public Security Bureau if they could meet with Yu Wensheng. The public security officers rejected their request, claiming that the case involves "endangering national security". Another request by lawyers made on 23 February was also rejected.

On 24 February, Yu Wensheng's wife Xu Yan, was blocked from crossing the border from the Lowu checkpoint in Shenzhen to Hong Kong. The police told her that it was based on an order from the Beijing Municipal Public Security Bureau, claiming that allowing her to leave the country might endanger national security.

According to the People's Republic of China Criminal Procedural Law, police can deny all access to lawyers' for up to six months in cases which they claim involve "endangering national security", further increasing the risk of torture and other ill-treatment. Yu Wensheng is a prisoner of conscience, detained solely for exercising his right to freedom of expression.

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

- Immediately and unconditionally release Yu Wensheng as he has been detained solely for peacefully exercising his human right to freedom of expression;
- Ensure that Yu Wensheng has access to a lawyer of his choice and his family;
- Ensure that Yu Wensheng is not subjected to torture or other ill-treatment.

PLEASE SEND APPEALS BEFORE 2 MAY 2018 TO:

Director

Ge Xuxiao
Tongshan District Public Security Bureau
Beijinglu Beiduan, Tongshan Xinqu,
Xuzhou Shi, Jiangsu Sheng
People's Republic of China
Tel: +86 516 83535115 (Chinese only)
Salutation: Dear Director

Minister of Public Security

Zhao Kezhi
14 Dongchang'anjie
Dongchengqu
Beijing Shi 100741
People's Republic of China
Tel: +86 10 66262114 (Chinese only)
Salutation: Dear Minister

And copies to:

President
Xi Jinping
Zhongnanhai
Xichang'anjie
Xichengqu, Beijing Shi 100017
People's Republic of China
Fax: +86 10 6238 1025

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 19/18. Further information:

<https://www.amnesty.org/en/documents/asa17/7807/2018/en/>

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ADDITIONAL INFORMATION

On 15 January 2018, four days before he was taken away by police in this current detention, Yu Wensheng received a letter from the Beijing Municipal Justice Bureau that his legal practice license was suspended because he had not been employed by a registered law firm for over six months. He also received another letter from the bureau dated 12 January that his application for opening a new law firm was rejected as he repeatedly made comments opposing the Communist Party's rule and attacking the country's "socialist rule of law" system.

Yu Wensheng is a prominent human rights lawyer in Beijing. He represented a number of high profile human rights cases, including Falun Gong practitioners and fellow human rights lawyer Wang Quanzhang, who was detained and charged with "subverting state power" during the mass crackdown on lawyers and activists in July 2015 and the only one whose whereabouts still remain unknown.

Yu Wensheng was detained for 99 days in 2014, later sharing with Amnesty International that he had been tortured during that time. On 13 October 2014, he was arrested by Daxing Public Security Bureau in Beijing after showing his support for the prodemocracy protests in Hong Kong. He was detained with death row inmates for 61 days and questioned approximately 200 times. Refused access to a lawyer during that detention, Yu Wensheng had 10 public security officers assigned to question him in three shifts every day. At the beginning the officers only abused him verbally. Later, they handcuffed him with his hands bound behind the back of the iron chair. He felt that his body's muscles and bone joints were completely stretched. He said that two police officers repeatedly yanked the handcuffs and he screamed every time they pulled them.

Yu Wensheng was briefly detained again in October 2017 after he wrote an open letter criticizing President Xi Jinping as ill-suited to lead China due to his strengthening "totalitarian" rule over the country. His family and friends believed that Yu Wensheng's current detention is related to his open letter.

On 23 January 2018, Shanghai-based news website The Paper released a news report with a heavily and abruptly edited video claiming that a lawyer surnamed Yu assaulted two police officers while resisting arrest on 19 January. The report was widely circulated on news search portals and social media platforms in China as Yu Wensheng's name was mentioned in tweets and posts from unidentified social media accounts. It seems to be an attempt to discredit the lawyer using similar tactics that have been seen in other cases of detained lawyers and activists.

The detention of lawyer Wang Yu and her family on 9 July 2015 marked the beginning of an unprecedented government crackdown on human rights lawyers and other activists. Over the following weeks, almost 250 lawyers and activists were questioned or detained by state security agents, and many of their offices and homes were raided. As of December 2017, nine individuals had been convicted for "subverting state power", "inciting subversion of state power" or "picking quarrels and provoking trouble". Five of them remain imprisoned, three were given suspended prison sentences and one "exempted from criminal punishment" while remaining under surveillance. Lawyer Wang Quanzhang who has been indicted but awaits a trial, is being held incommunicado without access to a lawyer, and is at risk of torture or other ill-treatment.

Name: Yu Wensheng
Gender m/f: m

Further information on UA: 19/18 Index: ASA 17/8106/2018 Issue Date: 21 March 2018