

URGENT ACTION

AUSTRALIAN-CHINESE WRITER HELD INCOMMUNICADO

Yang Hengjun, an Australian citizen who has amassed a wide public following as a novelist and blogger, was arrested and detained at Guangzhou airport on 19 January 2019. After being detained for more than a year, Chinese authorities finally announced in March 2020 that Yang would be charged with espionage. Citing the COVID-19 pandemic, the authorities have suspended all his visitation rights since 30 December 2019. Yang is believed to be detained at Beijing State Security Bureau Detention Centre, and there are grave concerns that he is at risk of torture or other ill-treatment.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Chief Procurator Zhang Yukun
Beijing No 2 People's Procuratorate,
18, Zhifang Lu,
Fengtai Qu,
Beijing Shi, 100078
People's Republic of China

Dear Chief Procurator Zhang

I am writing to express my concern for Australian-Chinese writer, **Yang Hengjun (杨恒均)**, who was taken into police custody at Guangzhou airport on 19 January 2019. Detained without charge for more than a year, it was only in March 2020 that an official statement was made that he would face charges of espionage. Yang is believed to be detained at the Beijing State Security Bureau Detention Centre.

An Australian citizen since 2002, Yang had been living in the United States as a visiting scholar at Columbia University at the time of his arrest. Prohibited from seeing his family or a lawyer of his choice, Yang was initially allowed a monthly, half-hour visit from a representative from the Australian consulate. However, I find it distressing to learn that since 30 December 2019, no one has seen or heard from Yang at all, as authorities have suspended the consular visits due to COVID-19.

Yang Hengjun has denied all allegations of espionage. Asserting his innocence, he has told the Chinese authorities that he has never been spy for any government. I also worry that Yang is not getting the proper medical care that he needs. Suffering from memory loss, dizziness, blood pressure related issues and several other serious health conditions, it is crucial that he get immediate and proper care.

Because Yang is currently being held incommunicado without access to consular visits, lawyer of his choice or his family, I am gravely concerned for his wellbeing and fear that he is at risk of torture and other ill-treatment.

I therefore call on you to:

- **Release Yang Hengjun immediately and unconditionally unless there is sufficient credible and admissible evidence that he has committed an internationally recognized offence and is granted a fair trial in line with international standards;**
- **Pending his release, ensure that Yang Hengjun has regular, unrestricted access to consular visits and family and lawyers of his choice and is not subjected to torture and other ill-treatment;**
- **Allow him prompt, regular and unrestricted access to medical care on request, or as necessary.**

Yours sincerely,

ADDITIONAL INFORMATION

Yang Hengjun is a prominent writer and blogger who has amassed a wide public following for his novels and often-outspoken commentary on Chinese public affairs. Yang is a former Chinese diplomat who also worked in the private sector in Hong Kong before moving to Australia in 1999, where he earned a Ph.D. at the University of Technology, Sydney. Yang became an Australian citizen in 2002 and before his arrest had been living in the United States, where he was a visiting scholar at Columbia University.

Yang Hengjun was detained by police upon arrival in the southern Chinese city of Guangzhou, where he flew with his family in January 2019. He was initially held under “residential surveillance at a designated location”, a measure that, under certain circumstances, enables criminal investigators to hold individuals for up to six months outside the formal detention system in what can amount to a form of secret incommunicado detention. When held without access to legal counsel of their choice, their families or others, suspects placed under this form of “residential surveillance” are at risk of torture and other ill-treatment. This form of detention has been used to curb the activities of human rights defenders, including lawyers, activists and religious practitioners. Activists and human rights defenders continue to be systematically subjected to monitoring, harassment, intimidation, arrest and detention.

Yang Hengjun was formally arrested in August 2019 and is now being held in a detention centre in Beijing, where he has been denied consular access since 30 December 2019. Yang has denied all allegations of espionage and has told the Chinese authorities that he has never been a spy for any government.

Yang’s wife, Yuan Xiaoliang (an Australia permanent resident), and their son were allowed to enter China but have been banned from leaving the country. In July 2019, Yuan tried to fly home to Australia but was stopped by a border security official. A few days after this attempt, Yuan was taken away by state authorities and questioned for two hours. According to her close friend, Yuan believes that she will be punished if she speaks to international media.

This not the first time that Yang has been detained. In 2011, Yang went missing for a week after having been followed by three men. This sparked global speculation that he had been detained. However, re-emerging a week later, he told the reporters that it is a “misunderstanding” as he had been sick. Yang has since retracted that statement.

Espionage is categorized as a crime of “endangering national security” under China’s criminal law. Individuals convicted of espionage face a minimum of three years’ imprisonment, and individuals deemed to have endangered national security with “particularly serious harm to the country and the people” may be sentenced to death. Suspects in national security trials are regularly deprived of procedural rights afforded to ordinary suspects, including access to legal counsel of their choice and the right to a public hearing. In 2017, Amnesty [described](#) China’s use of the concepts of “national intelligence” and “national security” as excessively vague and overbroad.

PREFERRED LANGUAGE TO ADDRESS TARGET: English or Chinese

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 31 July 2020

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Yang Hengjun (He/Him)