

URGENT ACTION

CHINESE ACTIVIST CHARGED WITH SUBVERSION

Prominent activist Wu Gan (better known by his pen name *Tufu*, ‘The Butcher’) has been charged with “subverting state power” and has been detained for 15 months. He was detained after staging a protest outside a courthouse in support of a group of lawyers. He is at risk of torture and other ill-treatment.

Wu Gan has not had access to legal assistance since his lawyer **Yan Xin** last visited him on 4 June 2015. His lawyer went to the Tianjin Municipal No. 1 Detention Centre again in early August 2016 to see him but was refused. The lawyer received a written notice, dated 11 August, entitled “Decision on Rejecting Lawyers’ Visit to Criminal Suspect” from Tianjin Municipal Public Security Bureau, citing Article 37(3) of the Criminal Procedure Law and claiming that Wu Gan was accused of “subverting state power”, which belonged to a case of “endangering state security” and that allowing the lawyer’s visit would interfere with the investigation or leak state secrets.

Wu Gan was administratively detained for 10 days after he staged a demonstration outside the Jiangxi Provincial Higher People’s Court on 20 May 2015 while supporting a group of lawyers who were demanding access to court documents regarding a death penalty case in Leping county from 2000.

On 28 May 2015, Wu Gan was criminally detained on suspicion of “picking quarrels and provoking trouble” and “defamation”. In July 2015, Wu Gan was formally arrested on charges of “inciting subversion of state power” and “picking quarrels and provoking trouble” by the Xiamen City People’s Procuratorate. His case was transferred to the Tianjin Municipal Public Security Bureau for investigation in January 2016. The investigation of his case was extended three times before his lawyer was given the “Decision on Rejecting Lawyers’ Visit to Criminal Suspect.

Please write immediately in Chinese, English or your own language:

- Immediately and unconditionally release Wu Gan who has been detained for exercising his right to freedom of expression.
- Urging authorities to ensure that Wu Gan has regular, unrestricted access to family and lawyers of his choice, and is not subjected to torture or other ill-treatment.

PLEASE SEND APPEALS BEFORE 27 SEPTEMBER 2016 TO:

Director
Tianjin Municipal No. 1 Detention Centre
Dabianzhuang, Zhongbeizhen,
Xiqingqu, Tianjinshi
300112
People’s Republic of China
Tel: +86 22 27535320 (Chinese only)
Salutation: Dear Director

Minister of Public Security
Guo Shengkun
14 Dong Chang’an Jie
Dongcheng Qu, Beijing Shi 100741
People’s Republic of China
Tel: +86 10 66262114 (in Chinese only)
Email: gabzfwz@mps.gov.cn
Salutation: Dear Minister

And copies to:
Premier
Li Keqiang Guojia Zongli
The State Council General Office
2 Fuyou Jie
Xicheng Qu, Beijing Shi 100017
People’s Republic of China
Fax: +86 10 659611

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 116/15. Further information:

<https://www.amnesty.org/en/documents/asa17/1831/2015/en/>

**AMNESTY
INTERNATIONAL**



URGENT ACTION

CHINESE ACTIVIST CHARGED WITH SUBVERSION

ADDITIONAL INFORMATION

Between 18 and 20 May 2015, Wu Gan participated in a demonstration outside the Jiangxi Provincial Higher People's Court in Nanchang. He was supporting a group of lawyers who were demanding access to court documents regarding an alleged case of miscarriage of justice from 2000, when four men were convicted and imprisoned for robbery, rape and murder. Their lawyers have claimed the men's confessions were obtained through torture and are seeking to re-open the case, but they have so far been refused permission to review the court files. In 2011, another criminal suspect in another case admitted after he was arrested that he committed the murder. However, the procuratorate did not withdraw the prosecution against the other four defendants.

On 20 May 2015, Wu Gan was taken away by police and put into administrative detention for 'disturbing order in a work place' and 'insulting people' on 20 May. The Public Security Bureau changed the charges on 28 May and criminally detained him. He was later formally arrested for "inciting subversion of state power" and "picking quarrels and provoking trouble". His case was later transferred to Tianjin Municipal Public Security Bureau.

Following his detention, Wu Gan was denounced in the state media for matters relating to his personal life and previous activism. His case has received considerable attention in China, and is illustrative of the continued intolerance being displayed by the authorities to any form of dissent.

Since 2009, Wu Gan has been a high-profile activist in China and is recognized for his innovative tactics of connecting online and offline actions, raising awareness of human rights abuses, and raising funds online to support his activities. Shortly before his detention, Wu Gan offered a financial reward for any surveillance video of the fatal shooting of a man by two police officers in Qing'An, Heilongjiang province, in an attempt to collect evidence for the case. He worked as an administrative assistant in the Beijing Fengrui Law Firm. Several lawyers and staff of the law firm were among those detained and questioned in the 2015 crackdown.

Since 9 July 2015, at least 248 lawyers and activists across China have been detained and questioned. Most of them were released later but a total of eight lawyers and activists, were formally arrested on subversion charges and are still in custody. A further four have been formally arrested on other charges. Those still in detention include: prominent human lawyer Li Heping; Li Heping's brother Li Chunfu, also a lawyer; human rights lawyer Wang Quanzhang and Liu Sixin of Beijing Fengrui Law Firm; lawyers Xie Yanyi and Xie Yang; and activists Liu Yongping, Wang Fang, Yin Xu'an, Monk Wangyun (a.k.a. Lin Bin), Xing Qingxian and Tang Zhishun.

Zhao Wei, Li Heping's assistant, and human rights lawyer Wang Yu of the Beijing Fengrui Law Firm, were reportedly released on bail on 7 July 2016 and on 1 August respectively after being detained for more than a year. Wang Yu's husband Bao Longjun, a legal practitioner of Beijing Fengrui, has also been released on bail according to mainland media reports quoting Wang Yu. However, Zhao Wei's husband has not been able to contact her since her supposed release.

Between 2 and 5 August, lawyer Zhou Shifeng, director of the Beijing Fengrui Law Firm, activists Hu Shifeng, Zhai Yanmin and Gou Hongguo (a.k.a. Ge Ping) were convicted of "subverting state power" in separate trials. Zhou Shifeng and Hu Shigen were sentenced to seven years' and seven and a half years' imprisonment respectively, while Zhai Yanmin and Gou Hongguo were given suspended prison sentences.

Name: Wu Gan

Gender: m

FU UA: 129/15 Index: ASA 17/4674/2016 Issue Date: 17 August 2016