

EXTERNAL

AI Index: ASA 17/23/97
Distr:PG/SC

To: Medical professionals
From: Medical office / Asia Regional Program
Date: 16 July 1997

MEDICAL LETTER WRITING ACTION

**Dr Kang Yuchun
PEOPLE'S REPUBLIC OF CHINA**

Keywords

Theme:prisoner of conscience
Affiliation: doctor

Summary

AI is appealing for the release of a doctor of Chinese medicine, Dr Kang Kuchun, who was arrested in May 1992 and sentenced to 17 years' imprisonment for pro-democracy activism. Please see the details attached.

Recommended Actions

Letters are requested from health professionals to the addresses given below:

- o saying that you are writing about Dr Kang Kuchun who is currently serving a 17 year sentence of imprisonment
- o seeking information about his current state of health
- o stating your concern that he was convicted of "counter-revolutionary" activities after a trial which was not open and did not meet international standards for a fair trial
- o urging that he be released immediately and unconditionally from prison on the grounds that he is a prisoner of conscience held solely for the peaceful exercise of his right to freedom of association and expression.

Addresses

Minister of Justice of the People's Republic of China
Xiao Yang Buzhang
Sifabu
Xiaguangli
Beijingshi 10016
People's Republic of China
Salutation: Your Excellency

Copies to: [See over]

Chinese Medical Association
Zhonghua Yizuehui
42 Dongsu Xidajie
Beijingshi 100710
People's Republic of China

All China Lawyers' Association
No 72 Dong Si Jiu Tiao
Beijing 100007,
People's Republic of China

EXTERNAL
AI Index: ASA 17/23/97
Distr: PG/SC

Date: 16 July 1997

IMPRISONED DOCTOR

Dr Kang Yuchun
PEOPLE'S REPUBLIC OF CHINA

Kang Yuchun was working as a doctor of Chinese medicine at Beijing's Anding Psychiatric Hospital when he was arrested in 1992. He was then aged in his late 20s. He is an adopted prisoner of conscience who was among one of many dozens of people arrested in mid-1992 in connection with peaceful pro-democracy activities and is now serving a sentence of 17 years' imprisonment having been convicted on charges of "organizing and leading a counter-revolutionary group" and "carrying out counter-revolutionary propaganda and incitement".

BACKGROUND

The date on which the Chinese authorities state that Kang Yuchun was taken into custody is 29 May 1992. Several sources, however, state that he was secretly arrested earlier that month, on 6 May. His parents, who were unaware of his whereabouts and were unable to locate him, were told by officials at Anding Hospital that the State Security Bureau had been involved in his arrest and that it would be best for them not to pursue the matter.

According to a source who claims to have been in the same prison as Kang Yuchun, Kang was ill-treated while in initial detention. This person claimed in 1994 that Kang was weak and had lost a lot of weight, and had been ordered to pull out his own beard by the roots one-by-one, leaving his face covered with blood. AI has not been able to independently confirm this allegation.

Under Chinese law, the word "arrest" (*daibu*) refers to the stage of the criminal process when a suspect is formally charged with an offence under the Criminal Law. As in Kang Yuchun's case, most suspects are detained for periods ranging from a few days to several months. Some are known to have been detained for far longer periods. Kang was not formally arrested until 27 September 1992.

He was then charged with "organizing and leading a counter-revolutionary group" and "carrying out counter-revolutionary propaganda and incitement" for his alleged involvement in underground pro-democracy organizations. He was accused of being one of the founders, in June 1991, of the China Progressive Alliance (CPA), and of being instrumental in the drafting of various CPA organizational documents. According to the indictment, Kang Yuchun recruited members into the CPA and also joined the Liberal Democratic Party of China (LDPC).

Many of the dissidents detained in 1992 were taken into custody on suspicion of connections with underground dissident groups, some of which had begun to publicize their existence and call for reforms in advance of 4 June 1992 - the third anniversary of the 1989 massacre in Beijing. Some of those held were released without charge after the 4 June anniversary. Others, however, were kept in custody and faced trial, accused of "counter-revolutionary crimes". Along with Kang Yuchun, they were illegally detained for four to six months before being formally arrested under the Criminal Law.

On 29 July 1993 Kang Yuchun and 14 other men were jointly indicted by the Beijing's People's Procuratorate. In October 1993 the Beijing Intermediate People's Court is reported to have returned the indictment to the Beijing People's Procuratorate, apparently because the court believed there was insufficient evidence for conviction. In such cases, the procuracy is normally required to carry out additional investigation and provide further evidence for the case to be brought to trial within a month.

In this instance, however, the defendants underwent a closed trial lasting five months, and on 16 December 1994 nine of the men, including Kang Yuchun, were finally sentenced to some of the longest prison terms to be passed against political dissenters in China for several years. These ranged from 3 years' to 20 years' imprisonment. Relatives, who were not permitted to attend the trial, are said to have learned of the verdict only when the presiding judge left the court to publicly read out the sentences to those awaiting the verdict.

Kang Yuchun was sentenced to 12 years on the first charge and seven years on the second. The sentences were consolidated into one of 17 years plus four years' deprivation of political rights. He is probably being held in a Beijing prison but AI has been unable to confirm which prison.

On 14 June 1995, the court rejected the prisoners' appeals, upholding their sentences without change.