

URGENT ACTION

HUMAN RIGHTS DEFENDER AT RISK OF TORTURE

Yang Maodong, better known by his pen-name Guo Feixiong, a human rights defender based in Guangdong province on the South China Sea coast, has been arbitrary detained for more than 65 days. He is at risk of torture and other ill-treatment.

Human rights defender **Guo Feixiong** was detained on suspicion of “gathering a crowd to disrupt order in a public place” on 8 August. His sister only received his detention notice on 17 August. Neither his family nor his lawyer have received notification of his formal arrest, although the police has now detained him beyond the legal 37-day limit by which such a formal notice must be given. He is being held at the Guangzhou City Tianhe District Detention Centre, where he is at risk of torture and other ill-treatment in detention. Amnesty International considers Guo Feixiong a prisoner of conscience, who should be immediately and unconditionally released.

Police denied Guo Feixiong’s lawyers, Sui Muqing and Ling Qilei, access to him on five occasions, most recently on 26 September on the grounds that the case is of a “serious nature”, and stating that the lawyers had to file a formal application to meet Guo Feixiong. However, under China’s Criminal Procedure Law, only crimes of “endangering state security, terrorism or a particularly serious crime of bribery” require lawyers to receive permission to meet with their clients.

Guo Feixiong’s detention is believed to be in connection with his involvement with the “New Citizens’ Movement”, a grass roots movement of citizens calling for greater government transparency and an end to corruption. Around 60 individuals have been criminally detained or subjected to enforced disappearance in the last few months in connection with this movement, including Xu Zhiyong, a prominent human rights defender and inspiration to the movement’s supporters. Twenty-nine of these individuals are known to have been formally arrested to date.

The charge of “gathering a crowd to disrupt order of a public place” carries a maximum sentence of five years in prison.

Please write immediately in Chinese or your own language:

- Urging the Chinese authorities to release Guo Feixiong immediately and unconditionally;
- Calling on the Chinese authorities to ensure that Guo Feixiong is not tortured or otherwise ill-treated, that he has regular access to his family and lawyers, and that he receives any medical attention he may require.

PLEASE SEND APPEALS BEFORE 22 NOVEMBER 2013 TO:

Director of Tianhe District Public Security
Sub-branch

Wu Yusheng Juzhang
613 Sougoulinglu, Tianhequ
Guangzhoushi 510640
People’s Republic of China
Tel: +86 20 83115036 (Chinese only)

Salutation: Dear Director

Minister of Public Security

Guo Shengkun Buzhang
Gong’anbu

14 Dongchang’anjie
Dongchengqu
Beijingshi 100741
People’s Republic of China
Tel: +86 10 66262114 (Chinese only)

Salutation: Your Excellency

And copies to:

Premier

Li Keqiang Guojia Zongli
The State Council General Office
2 Fuyoujie, Xichengqu,
Beijingshi 100017,
People’s Republic of China
Fax: +86 10 65961109 (c/o Ministry of
Foreign Affairs)

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

Guo Feixiong is a writer, rights advocate and was once a legal adviser with the Beijing-based Shengzhi Law Office. He has supported various human rights causes in the past decade. In 2005 he participated in a hunger strike in response to a call by prominent human rights lawyer Gao Zhisheng for a "hunger strike group" to protest the government's crackdown on human rights activists. The hunger strike was also a protest against his previous detention and beatings following his legal support of Taishi villagers who were calling for the ouster of a village official they had accused of corruption in 2005. In 2007 he was sentenced to five years in prison for "illegal business dealings" (Article 225 of the China's Criminal Law). Guo Feixiong states that he was tortured into confessing this crime, leading him to attempt suicide.

In January 2013, Guo Feixiong supported the staff protest of Southern Weekly against political interference in editorial matters. In March 2013, he helped organize a signature campaign to urge the National People's Congress to ratify the International Covenant on Civil and Political Rights which China signed in 1998, but has not yet ratified. Guo Feixiong has also been a vocal supporter of the social movement calling for disclosure of officials' assets.

Guo Feixiong's case has received support from more than 120 Chinese human rights lawyers who set up a "legal support group" to give legal support and advice on his current case.

Guo Feixiong has a wife and two children who were granted political asylum in the US in November 2009.

In May 2012 in the article "China Needs a New Citizens' Movement", prominent human rights defender Xu Zhiyong describes the "New Citizens' Movement" as a peaceful cultural, social and political campaign. The activities he suggested people take include disseminating the "New Citizen Spirit" online and in the streets; practicing "New Citizen Responsibility" by rejecting corruption and by doing good for society; using the "Citizen" sign or other identifying methods; participating in civic life by holding meetings to discuss the political situation; helping the weak; and uniting to share and coordinate work.

The charge of "gathering a crowd to disrupt order in a public place" (Article 291 of China's Criminal Law) applies to people who gather to disturb order at railway stations or bus terminals, wharves, civil airports, marketplaces, parks, theatres, cinemas, exhibition halls, sports grounds or other public places, or to block traffic or undermine traffic order, or resist or obstruct public security administrators of the State from carrying out their duties according to the law. If the circumstances are serious, a ringleader can receive a maximum penalty of five years imprisonment.

Name: Guo Feixiong

Gender m/f: Male

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