

PUBLIC

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UA 217/06 Fear of torture or ill-treatment/ health concern

CHINA Li Xige (f), aged 38, HIV/AIDS Activist

Li Xige was detained by police on 18 July in the capital, Beijing, while trying to lobby the national Ministry of Health for compensation for those who have contracted HIV/AIDS from blood transfusions. She may be at risk of torture or ill-treatment, and is being denied access to the regular medical care that she needs.

Li Xige, seven other women and a five-year-old girl, who are all HIV positive, had travelled to Beijing from their homes in Ningling County, Henan province, to call on the Ministry of Health to help them obtain compensation from the local government for their HIV infection. The eight women became HIV positive as a result of blood transfusions, most when giving birth by caesarean section between 1993 and 2001. The five-year-old girl was infected with HIV at birth.

However, when the group arrived at the Ministry of Health on 18 July, they were stopped by around 20 police and local government officials who had followed them to Beijing from Ningling County. The women were forced to board a bus back to Ningling County. They were questioned by police on their arrival on 20 July, but most were released shortly afterwards. However, Li Xige and two other women were charged with "gathering people to assault a State organ" under article 290 of the Chinese Criminal Code after they refused to disclose details of their complaint to the Ministry of Health. Amnesty International considers the charges to be a politically motivated attempt to dissuade them from petitioning and lobbying the authorities about compensation for those with HIV and AIDS.

The two other women have been released on bail, but they still face criminal charges. Li Xige's application for bail was refused, and she remains in police custody. The police initially promised to free her, but on 8 August police reportedly told her family that she will only be released after they receive firm proof that she is infected with the HIV virus. Li Xige requires regular medication and medical check-ups for her HIV infection. Her family has been able to send her some basic medicine, but she has not been provided with medical check-ups.

BACKGROUND INFORMATION

Li Xige's nine-year-old daughter died of AIDS in 2004. Both Li Xige and her daughter were infected with HIV through blood transfusion when Li Xige gave birth to her daughter by caesarean section. In the wake of her daughter's death, Li Xige discovered that there were more than 40 local women and 10 children who had become infected with HIV in similar circumstances, and founded an organization called *Kanglejia* ("Healthy Happy Home") to support those living with HIV/AIDS. The organization provides support and legal assistance to those living with HIV/AIDS.

The national government's policy is to offer those with HIV/AIDS a daily living subsidy. However, Li Xige has turned it down, saying she should receive a more reasonable level of compensation.

According to official statistics, there are around 840,000 people infected with HIV and 80,000 people with AIDS in China, but the real figures may be much higher. It is thought that up to one million people may have been infected with the HIV virus in Henan and other provinces through selling their blood to government-sanctioned blood-collecting stations in the 1990s. The blood-collection schemes became a useful source of income for villagers, but were often poorly managed and unsafe.

The extent of the spread of HIV/AIDS in China has become more widely recognized after campaigning by Chinese activists, who risk arbitrary detention, harassment and other abuses. Pressure from both domestic and international sources has prompted the central authorities to take more concrete measures to tackle the spread of HIV/AIDS. However, implementation of these measures has reportedly been patchy and discrimination against those with HIV/AIDS remains entrenched.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Chinese, English or your own language:

- expressing concern at the arbitrary detention of Li Xige;
- urging the authorities to guarantee the safety of Li Xige and provide her with all necessary medical treatment while she remains in detention;
- expressing concern that the charges against her appear to be politically motivated, and calling on the authorities to release Li Xige immediately and unconditionally;
- calling on the authorities to ensure that all human rights defenders in China, including Li Xige and other HIV/AIDS activists, can carry out their peaceful and legitimate human rights activities without fear of arbitrary detention, harassment or other abuses;
- urging the authorities to fully investigate the extent of HIV/AIDS infections caused by unsafe blood transfusions in Henan and other provinces, and to make the results public, with a view to establishing accountability for the spread of HIV/AIDS.

APPEALS TO:

Minister of Health of the People's Republic of China

GAO Qiang Buzhang

Weishengbu

1 Xizhimenwai Nanlu

Xicheng District

Beijingshi 100044

People's Republic of China

Fax: + 86 10 68792024

Email: buzhang@moh.gov.cn

Salutation: Your Excellency

Governor of the Henan Provincial People's Government

LI Chengyu Shengzhang

Henansheng Renmin Zhengfu

10 Weierlu

Zhengzhoushi, Henansheng

People's Republic of China

Fax: + 86 371 65506097

Salutation: Dear Governor

COPIES TO:

Director of Ningling County People's Government

JIA Hongyu Xianzhang

48 Xinling Xilu, Ningling Xian

Shangqiushi, Henan Sheng

People's Republic of China

Fax: + 86 370 7823533

Salutation: Dear Director

and to diplomatic representatives of China accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 21 September 2006.