

PUBLIC

AI Index: ASA 17/053/2008

21 February 2008

Further Information on UA 240/07 (ASA 17/042/2007, 07 September 2007, ASA 17/048/2007 08 October 2007) Torture or ill-treatment

CHINA **Yang Chunlin (m) aged 52, human rights activist**

Human rights activist Yang Chunlin was tried by the Jiamusi City Intermediate People's Court in Heilongjiang Province on 19 February 2008. Previous reports of abuse in detention and his treatment during the trial suggest that he continues to be subjected to torture or other ill-treatment. He was tried on charges of 'inciting subversion of state power'. He pleaded not guilty, but the verdict has yet to be announced.

Yang Chunlin was taken from the detention cell in Heitong police station, Jiamusi City, to the court by eight police officers in a police van; one held him by the neck in an arm lock to take him to and from the van. He was forced to wear a hood over his head as well as handcuffs and shackles round his feet. This made it impossible for him to climb into the van so he was thrown in roughly by the police. When he arrived at the court building he was forced to walk up six floors in this state. The handcuffs, shackles and hood were eventually removed when his lawyer protested. His lawyer believes that this treatment was aimed at humiliating Yang Chunlin.

The trial started at 9:00am and ended at around 2:30pm. During the process, Yang Chunlin was forced to sit on a metal chair with a ring around the bottom which was used to lock his legs in place and fix his sitting position. He was unable to stretch, move or stand up throughout the trial. The handcuffs, shackles and hood were put back on after the trial and he was taken back to detention centre.

This treatment follows previous reports that Yang was tortured in police custody. For six days in early August and one day in September 2007, his arms and legs were reportedly stretched and chained to the four corners of an iron bed so that he could not move. He was forced to eat, drink and defecate in that position, and clean up the defecation made by other detainees subjected to the same treatment. He was also reportedly beaten by a detainee in the same cell with detention officers failing to intervene to stop the assaults. Yang was given no opportunity to raise these allegations in court.

Yang was detained on 6 July 2007, for his involvement in collecting signatures for a petition entitled "We Want Human Rights, not the Olympics". He was formally charged with 'inciting subversion' on 3 August 2007. He was denied access to lawyers for several weeks on grounds that his case apparently involved 'state secrets', although such charges were not levelled at the time of trial. When he was eventually allowed to see his lawyer, on 25 October 2007, the police reportedly ended the meeting when his lawyer tried to discuss the details of his case and his treatment in detention.

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

- expressing concern that Yang Chunlin's trial failed to meet minimum standards of due process and that his treatment during the trial suggests he is being subjected to forms of cruel, inhuman and degrading treatment aimed at humiliating him;
- calling on the authorities to put an immediate end to such abuses and conduct an immediate, independent and impartial investigation into these allegations as well as previous reports that he was tortured in police detention;
- calling on the authorities to drop the case against Yang Chunlin and to release him immediately and unconditionally as he has been detained solely for exercising his right to freedom of expression;

- while he remains in custody, urging the authorities to allow him regular visits from his family and lawyers as well as any medical treatment he may require.
- expressing deep concern that the ongoing use of 'subversion' charges against peaceful activists like Yang Chunlin runs counter to promises made by numerous Chinese officials that human rights would improve in the run-up to the Beijing Olympics of August 2008.

APPEALS TO:

Prime Minister

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Salutation: Your Excellency

Minister of Justice of the People's Republic of China

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Salutation: Dear Minister

Director of the Heilongjiang Provincial Department of Public Security

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Salutation: Dear Director

COPIES TO:

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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 3 April 2008.