

AI Index: PRE 01/588/2012
30 November 2012

China: ‘Appalling’ sentence for blind lawyer’s nephew

Chen Kegui, nephew of exiled blind lawyer Chen Guangcheng, is understood to have received three years and three months imprisonment from a Shangdong court in eastern China.

Roseann Rife, Amnesty International’s Head of East Asia, said:

“Chen Kegui was today tried by the same court that in 2006 sentenced his uncle Chen Guangcheng to prison on trumped up charges. The family has since suffered a catalogue of abuse at the hands of local authorities which central authorities have failed to investigate despite promises to the contrary.

“The sentence is appalling. It is clear that Chen Kegui’s trial was not fair. We are concerned that sentencing him to imprisonment for something that many consider self defence is nothing more than retaliation for his uncle’s escape.”

Chen was tried by the Yinan County Court in Linyi, on charges of “inflicting intentional injury”, which can result in a sentence of less than three years imprisonment, or between three to 10 years in serious cases.

His family, who witnessed the scene, say Chen was acting in self-defence after unidentified intruders forced their way into their home.

They have not heard from him since he was detained on 30 April this year, and have received no information about how he has been treated or what his condition is.

The family was informed about the trial just hours before it started. They were not called as witnesses or allowed to attend.

During the trial, Chen was represented by a court-appointed lawyer. His family-appointed lawyers have not been able to meet with him since he was detained.

Having been denied the right to a lawyer of his choice, Chen can be presumed to have been unable to present his case effectively, and it is not clear whether he is able to appeal.

Background:

Chen Kegui was detained on 30 April this year, after fleeing for his safety following a violent raid by local authorities on his family’s home on 26 April.

This raid – which happened just days after Chen Kegui’s uncle, human rights activist Chen Guangcheng, escaped from illegal house arrest – was conducted by around 20 plain-clothed individuals who failed to show any identification or search warrant.

According to those present, Chen Kegui picked up a knife in self defence and injured several of the intruders, before fleeing the house. On 9 May, Chen Kegui's family was notified that he was arrested on suspicion of "intentional homicide". However, in October when the police submitted the case to the prosecuting official, the charge was changed to "inflicting intentional injury".

After being released from prison in September 2010, Chen Guangcheng and his immediate family were kept under illegal house arrest until his daring escape. Chen Guangcheng is currently studying in the USA with his wife Yuan Weijing and the couple's children.