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China: Jailed Sichuan Earthquake Activist's Appeal Declined

Amnesty International has condemned today's court decision to uphold a five year sentence imposed on a Chinese activist who tried to publicize the number of children who died during the Sichuan earthquake and the corruption that led to their deaths.

The Chengdu City Intermediate People's Court in Sichuan upheld Tan Zuoren's sentence of five years imprisonment for "inciting subversion of state power" in a session lasting just 10 minutes.

"The entire trial and appeal process has been grossly unfair and politically motivated," said Catherine Baber, Amnesty International's Deputy Director for the Asia-Pacific. "China must free Tan Zuoren, and stop silencing social activists and anti-corruption campaigners with vague political charges and trials that do not even follow China's own legal procedures."

Tan Zuoren's wife was permitted to attend the appeal, but his elder daughter waiting outside the court was taken away by two police officers in what was seen as an attempt to intimidate supporters gathered there.

Tan Zuoren, an environmental and human rights activist, was detained on 28 March 2009 after declaring his intention to release a list of names of children who died during the May 2008 Sichuan earthquake, along with an independent report on the collapse of school buildings during the quake.

Tan Zuoren's trial in August 2009 was grossly unfair, ignoring China's criminal justice procedures. Witnesses for the defense were prevented from testifying, and lawyers prevented from presenting arguments and evidence. One scheduled witness, the acclaimed artist Ai Weiwei, was detained by security forces until the trial had ended and was beaten until he required hospitalization.

The confirmation of sentence comes a day after China's State Council issued a White Paper or policy document promoting the government's "guarantee of citizens' freedom of speech on the internet." The White Paper also asserts the "public's right to know, to participate, to be heard and to oversee in accordance with the law."

"Tan Zuoren was exercising precisely these fundamental rights," said Catherine Baber. "Continuing prosecutions of human rights defenders such as Tan Zuoren clearly demonstrates the gap between promises and practice on freedom of speech in China."

The initial indictment made reference to Tan Zuoren's activities relating to the Sichuan earthquake, although the ultimate verdict focused on his commemorations of the Tiananmen Square massacre of 4 June 1989 via an online diary posted on an overseas website "The Fire of Liberty" in 2007, and email contact with Wang Dan, an exiled 1989 student leader.