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China: Free activist who defended earthquake victims

Amnesty International today urged the Chinese authorities to immediately and unconditionally release Huang Qi, a human rights defender who worked with the victims of the 2008 Sichuan earthquake and was sentenced today to three years' imprisonment.

The Court said the conviction was based on two city level documents found in Huang Qi's house and found him guilty of "unlawfully holding state secrets". Several dozen police surrounded the courts this morning, and after negotiation only his wife and mother were allowed to enter. Several local women supporters who requested to enter the court to hear the sentence were beaten and injured. There was only a verbal announcement and no written verdict has given to the family. Huang Qi's lawyers were not able to come from Beijing to attend due to the short notice. Huang Qi protested immediately and said he will appeal. The judge asked court police taken him away and not allowed him to speak.

Huang Qi was detained because of his work on behalf of families of five primary school pupils who died when school buildings collapsed in the Sichuan earthquake of May 2008. He had been attempting to bring a legal case against local authorities.

He was sentenced by the Wuhou District People's Court in Chengdu, Sichuan Province.

"The Chinese government is penalizing someone who is trying to help the victims of the Sichuan earthquake. Huang Qi should be treated as a model citizen, committed to the rule of law, but instead he has fallen victim to China's vague state secrets legislation," said Sam Zarifi, Amnesty International Asia Pacific Director.

"He should never have been detained in the first place and should be released immediately."

"China's state secrets legislation needs to urgently be reviewed. These laws are used extensively to retroactively penalize lawful human rights activities and restrict freedom of expression."

Huang Qi was detained by plain clothed police officers on 10 June 2008 while having dinner in a restaurant. He was tried behind closed doors 14 months later in August 2009.

The criminal proceedings against Huang Qi fell far short of China's legal regulations and international human rights standards.

Huang Qi was denied access to his family and lawyer while in detention, on the grounds that the case involved "state secrets". He was first allowed to meet with his lawyer Ding Xikui, on 23 September 2008, after more than a hundred days in incommunicado detention.

On 2 February 2009, the Wuhou District People's Court in Chengdu failed to publicly announce the schedule of his trial, as required by China's Criminal Procedure Law.

On 3 February 2009, the Court, on the pretext of protecting "state secrets", prohibited lawyer Ding Xikui from making photocopies of case documents to prepare for his defence.

During the 5 August trial, the court forbade witnesses from testifying on Huang Qi's behalf, again citing "state secrets".

Huang Qi's health is said to be rapidly deteriorating.

His family fears that he is not receiving adequate medical treatment in custody. According to his other lawyer, Mo Shaoping, a doctor at the detention centre has diagnosed Huang Qi with two tumours, one in his stomach and another in his chest.

Amnesty international believes that Huang Qi was treated inhumanely during his custody, including being interrogated by police for long hours and subjected to sleep deprivation.

Chinese authorities have turned down repeated requests by Huang Qi's family to release him on bail to await trial. His wife has been barred from visiting since the closed-door trial on 5 August 2009.

Notes to editors:

Huang Qi was also sentenced to five years' imprisonment in 2003 for hosting an online discussion about the protests in Tiananmen Square in 2000.

The "evidence" against him included reference to an Amnesty International document about the Tiananmen crackdown, which had been posted on his web-site.

He was released on 4 June 2005. Following his release, he continued to maintain his website and his human rights work and was detained again on 10 June 2008, apparently for his assistance to the parents of students who died during the 2008 Sichuan earthquake in bringing legal cases against the local authorities.