

PUBLIC

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UA 24/09 Arbitrary detention/Fear of torture and other ill-treatment

CHINA Gao Zhisheng (m), aged 48

Beijing-based human rights lawyer Gao Zhisheng, who has been under house arrest since November 2007, was taken into custody on or shortly after 19 January. He is being held incommunicado at an unknown location. In the light of the harsh treatment he received earlier, he is considered to be at high risk of torture and other ill-treatment. While under house arrest, he was often humiliated by his guards: this included being forced to eat food thrown on the ground.

Gao Zhisheng is one of the best-known human rights lawyers in China, and ran his own law firm until 2005, when the authorities revoked his lawyer's license and suspended the operations of the firm. He has represented human rights defenders and Falun Gong practitioners, and worked on death penalty cases. The Ministry of Justice named him "one of the nation's top 10 lawyers" in 2001 for work he had done voluntarily and without payment as a public service.

In 2005, Gao Zhisheng wrote several open letters addressed to President Hu Jintao and Prime Minister Wen Jiabao urging them to end persecution of religious practitioners and pro-democracy activists. In February 2006, he organized a hunger strike campaign to draw further attention to persecution of peaceful activists in China. For this, he was convicted of "inciting subversion" in December 2006. Unusually, his three-year-sentence was suspended for five years. He was allowed to return home, but he and his family have been under surveillance ever since.

Gao Zhisheng later told acquaintances that he had been treated harshly while he was in custody in 2006. He said he was handcuffed and forced to sit in an iron chair or cross legged for longer than four days at a time, and had bright lights shone in his eyes.

Gao Zhisheng was detained again on 22 September 2007 and taken away from his home, after he issued an open letter to the US Congress drawing attention to the deteriorating human rights situation in China. He was held incommunicado for the next six weeks. He later said that on the day he was detained, a group of police in plain clothes came into his home, stripped him and beat him unconscious. During this period in detention, he was beaten, given repeated electric shocks to his genitals and had lit cigarettes held close to his eyes for several hours. This left him partially blind for days afterwards. Upon release, his acquaintances described him as "a broken man," both physically and spiritually.

BACKGROUND INFORMATION

Human rights activists in China who attempt to report on human rights violations, challenge policies which the authorities find politically sensitive, or try to rally others to their cause, face serious risk of abuse. Many are jailed as prisoners of conscience after politically motivated trials, while growing numbers are being held under house arrest with the police conducting intrusive surveillance and standing guard outside. Family members of human rights activists, including children, are increasingly targeted by the authorities, for abuses including long-term house arrest.

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

- calling on the authorities to release Gao Zhisheng immediately and unconditionally;
- if he remains in custody, calling on the authorities to reveal where he is and the formal charges against him;
- urging the authorities to guarantee that he will not be tortured or otherwise ill-treated while he remains in custody;
- urging them to ensure Gao Zhisheng has access to his lawyers, and any medical treatment he may require;
- calling on the authorities to take effective measures to ensure that all human rights defenders can carry out their peaceful activities without fear of arbitrary detention, imprisonment, hindrance or intimidation, in line with the UN Declaration on Human Rights Defenders.

APPEALS TO:

Prime Minister of the People's Republic of China

WEN Jiabao Guojia Zongli

The State Council General Office

2 Fuyoujie

Xichengqu

Beijingshi 100017

People's Republic of China

Fax: +86 10 65961109 (c/o Ministry of Foreign Affairs)

Salutation: Your Excellency

Minister of Public Security of the People's Republic of China

MENG Jianzhu Buzhang

Gong'anbu

14 Dongchang'anjie

Dongchengqu

Beijingshi 100741

People's Republic of China

Fax: +86 10 63099216 (it may be difficult to get through, please keep trying)

Salutation: Your Excellency

Director of the Beijing Public Security Bureau

MA Zhenchuan Juzhang

Beijingshi Gong'anju

9 Qianmen Dongdajie

Dongchengqu

Beijingshi 100740

People's Republic of China

Fax: +86 10 85222320

Email: wbjc@sohu.com

Salutation: Dear Director

COPIES 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 16 March 2009.