

PUBLIC

AI Index: ASA 17/022/2003

14 May 2003

Further Information on UA 104/02(ASA 17/019/2002, 5 April 2002), and follow-ups (ASA 17/021/2002, 24 May 2002; ASA 17/001/2003, 7 January 2003; ASA 17/016/2003, 28 February 2003; ASA 17/018/2003, 24 March 2003) Fear of torture/arbitrary arrest/possible "disappearance"/unfair trial/serious health concern

PEOPLE'S REPUBLIC OF CHINA	Yao Fuxin (m), aged 57]	
	Xiao Yunliang (m), aged 54]	
	Gu Baoshu (m)]	workers' representatives
	Wang Dawei (m)]	
	Pang Qingxiang (m), aged 58]	
	Wang Zhaoming (m), aged 59]	

On 9 May, workers' representatives Yao Fuxin and Xiao Yunliang were sentenced to prison for seven and four years respectively by the Liaoyang City Intermediate People's Court in Liaoning Province, north east China.

Their sentences were announced in court almost four months after their original trial on 15 January 2003, and over a year after their detention in March 2002. Both Yao Fuxin and Xiao Yunliang will appeal against the sentences to the Liaoning Provincial Supreme Court.

They were arrested for their role in large demonstrations in Liaoyang against official corruption and supporting the legitimate rights of workers who had been laid off, mainly from the city's state-owned steel industry. According to official press reports, both men were convicted of "subverting the political power of the state" following charges that they had tried to establish a local provincial branch of the outlawed China Democratic Party (CDP).

Amnesty International is concerned that the trial proceedings against Yao Fuxin and Xiao Yunliang on 15 January were unfair. On 9 May, their lawyer, Mo Shaoping, was unable to attend the sentencing hearing due to national travel restrictions resulting from the outbreak of Severe Acute Respiratory Syndrome (SARS) in China. At the time of the sentencing hearing, there was a strong police force outside the court building. A scuffle followed and Xiao Yunliang's wife was reportedly beaten to the ground by police. She lost consciousness and was taken to hospital, but was later returned home.

Concerns also remain for Xiao Yunliang's health. He is reported to be suffering from symptoms associated with tuberculosis, which began soon after his detention in March 2002. Tuberculosis can be life-threatening if left untreated and is commonplace in Chinese prisons and detention centres. It is not known whether he is receiving adequate medical attention.

The families of both men have been refused visiting rights since their trial in January. Furthermore, they have been warned not to take part in any form of protest and have been told not to talk to foreign media organizations.

Wang Dawei, Gu Baoshu, Wang Zhaoming and Pang Qingxiang, who were all originally detained in March 2002 for their involvement in the workers' demonstrations, have all faced harassment from the police and city authorities since their release on bail.

Many thanks to all who sent appeals. Amnesty International will continue to monitor the case and use longer term campaigning methods on behalf of Yao Fuxin and Xiao Yunliang. Please send a final round of appeals, in Chinese or your own language:

- appealing for the immediate and unconditional release of Yao Fuxin and Xiao Yunliang as prisoners of conscience, who were imprisoned for the peaceful exercise of their legitimate rights to freedom of expression and association;
- expressing concern that trial procedures did not meet with international standards for fair trials;
- urging the authorities to make public full details of the trial proceedings and evidence on which the charges were based;
- expressing concern at the treatment of family members at the sentencing hearing on 9 May and calling for an impartial investigation into their treatment;
- expressing concern at reports that Xiao Yunliang continues to be in poor health, and calling for him to be given all necessary medical treatment;
- calling on the authorities to grant the detainees immediate access to their relatives and lawyers;
- calling on the authorities to ensure Wang Dawei, Wang Zhaoming, Gu Baoshu and Ping Qingxiang and other supporters are permitted to exercise their legitimate right to organise peaceful protests through officially sanctioned channels.

APPEALS TO:

Governor of the Liaoning Provincial People's Government

BO Xilai Shengzhang

Liaoningsheng Renmin Zhengfu

45 Huangguqu, Beiling Dajie

Shenyangshi 110032

Liaoningsheng

People's Republic of China

Telegram: Governor, Shenyang, Liaoning Province, China

Fax: +86 24 8689 2112

Email: zmln@sina.com

Telexes: 80039 LFAO CN or 80040 SYFAO CN (Please forward to the Governor)

Salutation: Dear Governor

Director of the Liaoning Provincial Department of Justice

LI Chengyi Tingzhang

Sifating

45 Beilinglu

Huangguqu, Shenyangshi

Liaoningsheng

People's Republic of China 110032.

Telegram: Justice Bureau Director, Shenyang, Liaoning Province, China

Fax: + 86 24 8690 6792

Salutation: Dear Director

President of the Liaoning Provincial High People's Court

TIAN Fengqi Yuanzhang

Liaoningsheng Gaoji Renmin Fayuan

27 Ningshan Zhonglu

Huangguqu

Shenyangshi 110032

Liaoningsheng

People's Republic of China

Telegram: President, Liaoning Provincial High People's Court, Shenyang, Liaoning Province, China

Salutation: Dear President

COPIES TO: diplomatic representatives of People's Republic of China accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 25 June 2003.