

URGENT ACTION

ENVIRONMENT ACTIVIST JAILED AFTER UNFAIR TRIAL

Chinese environmental activist and writer Tan Zuoren was sentenced to five years' imprisonment on 9 February, for "inciting subversion of state power". He is at risk of torture and other ill-treatment.

Tan Zuoren, from Sichuan province in southwestern China, was convicted for criticizing the Chinese Communist Party and the government authorities' military crackdown on the 1989 pro-democracy movement in Beijing. The verdict stated Tan Zuoren was "(u)nsatisfied with how the Chinese government handled the June 4th issue and over the years slandered the Chinese government through actions such as blood donations on June 4th commemorating the anniversary and writing articles such as "The last beauty –A witness's diary on Tiananmen Square" in 2007 posted on overseas website "The Fire of Liberty"." The verdict also accused him of "contacting an overseas enemy" by sending to Wang Dan, an exiled Chinese student leader from 1989 an email titled "Suggestions for 20th anniversary activities".

Tan Zuoren's trial was held on 12 August 2008 at the Chengdu Intermediate People's Court, but his sentence was only announced on 9 February 2010 after more than five months' delay, in contravention of Chinese Criminal Procedure Law. In addition to his prison sentence, Tan Zuoren was also sentenced to three years' deprivation of political rights after he is released. This means that for these three years, he will not be able to vote, stand for election, or hold a position in any state body or state-owned company and shall submit to supervision.

Tan Zuoren's trial disregarded China's criminal procedures. His lawyers reported they were unable to call their witnesses to testify in court, show the video footage they prepared, or present their defense. Journalist were harassed and prevented from reporting both on the trial and the sentencing.

PLEASE WRITE IMMEDIATELY in Chinese, English or your own language:

- calling on the authorities to release Tan Zuoren immediately and unconditionally;
- urging authorities to ensure he has access to a lawyer, his family and any medical treatment he may require;
- calling on them to guarantee Tan Zuoren will not be tortured or otherwise ill-treated;
- calling on them 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.

PLEASE SEND APPEALS BEFORE 24 MARCH 2010 TO:

Director of the Sichuan Provincial
Higher People's Court
Liu Yushun Yuanzhang
Sichuansheng Gaoji Renmin Fayuan
108 Zhengfujie
Qinyangqu
Chengdushi 610017
Sichuansheng
People's Republic of China
Email: yuanzhangmailbox@sina.com
Salutation: Dear Diector

Director of the Chengdu City
Department of Public Security
LI Kunxue Juzhang
Chengdushi Gonganju
144 Wenwulu, Qingyang Qu
Chengdushi 610016
Sichuansheng
People's Republic of China
Email: cdsqaj@cheng.gov.cn
Salutation: Dear Director

And copies to:
Prime Minister
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

Also send copies to diplomatic representatives of China accredited to your country. Please check with your section office if sending appeals after the above date. This is the first update of UA: 91/09 (ASA 17/014/2009). Further information:
<http://www.amnesty.org/en/library/info/ASA17/014/2009/en>

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ADDITIONAL INFORMATION

Tan Zuoren is a prominent environmentalist. He previously issued a report warning against possible health, safety and environmental hazards of the government's chemical projects in Sichuan province. Following the earthquake in Sichuan in May 2008, he joined a team of volunteers who distributed food and clothing to survivors. He also worked with several academics to investigate the cause of the deaths in the earthquake and improve building standards to prevent a reoccurrence.

He was detained by the police in Chengdu city, Sichuan province, on suspicion of "inciting subversion of state power" on 28 March 2009. He was detained for five months before his trial took place. He is held at Wenjiang Detention Centre and has appealed.

When his trial took place on 12 August 2009, internationally acclaimed artist Ai Weiwei was due to give evidence for the defense. However individuals claiming to be police came to Ai Weiwei's hotel room on the day of the trial severely beat him and illegally detained him for hours until after the trial had ended. Two Hong Kong journalists were prevented from covering the trial when local police detained them in their hotel room under the guise of searching for drugs. Police barred supporters of Tan Zuoren from the courtroom, allowing only his wife and one of his daughters, to attend the trial. Court officials filled the rest of the seats.

At his trial in August 2009, the indictment focussed both on his criticism of the Chinese government's handling of the 1989 crackdown and his investigation into the deaths of children in the 2008 Sichuan earthquake due to corruption and the collapse of poor-quality school buildings. His defence lawyers' arguments at trial mainly focussed on his right as a citizen to investigate these deaths and speak out on human right abuses. However, the verdict said that lawyer's defence statements in August were "irrelevant".

On 9 February 2010, the day his sentence was announced, journalists were again harassed as they tried to cover the story at the court. His wife, Wang Qinghua, and his two daughters were not allowed to go into the court room. They were told that the room was full.

According to a local source, his indictment said that he was originally detained because he had intended to publish sensitive information about the 2008 Sichuan earthquake. On the first anniversary of the earthquake, he had reportedly planned to publish a list of children who died in the earthquake, along with an independently investigated report on the collapse of many school buildings due to corruption. However in his verdict announced in court the charges connected to the earthquake were removed.

Prior to his detention in March 2009, Tan Zuoren had been repeatedly questioned by the police. He was also previously harassed by unidentified individuals who stole his computer twice and stabbed and injured his dog.

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.

Further information on UA: 91/09 Index: ASA 17/008/2010 Issue Date: 10 February 2010

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