

URGENT ACTION

CHINESE ACTIVISTS DETAINED, AT RISK OF TORTURE

Housing rights activist and former lawyer, Ni Yulan, and her husband, Dong Jiqin, have been detained in Beijing. They are being held on suspicion of “picking quarrels and provoking trouble”. They are at risk of torture and other ill-treatment.

Police detained **Ni Yulan** and **Dong Jiqin** on 7 April. The Beijing Xicheng District Public Security Bureau issued a formal notice of Ni Yulan’s detention to her daughter on 13 April that said she was being held on suspicion of “picking quarrels and provoking trouble.” The police issued her with a similar detention notice for Dong Jiqin on 15 April. The couple is reportedly held at the Changqiao police detention centre in Beijing.

This is the third time Beijing police have detained Ni Yulan for an extended period of time. In 2002, as Ni Yulan was filming the demolition of a Beijing home, authorities took her to a nearby police station and tortured her for several days, breaking her feet and her kneecaps. Her injuries were so severe that she remains in a wheel chair. When Ni Yulan attempted to petition the authorities over the beatings, she was arrested, convicted of “obstructing official business,” and sentenced to one year in prison. Her husband Dong Jiqin was barred from attending her trial.

When Ni Yulan was released in 2003, she continued fighting for the rights of people whose homes faced demolitions ahead of the 2008 Beijing Olympics. In 2008, just before the Olympics, Ni Yulan was arrested and imprisoned for two years after trying to stop the demolition of her own home. While in prison, she was tortured and suffered from other ill-treatment. She was also denied adequate medical care.

Upon her release from prison April 2010, Ni Yulan and Dong Jiqin were homeless. They lived in a hotel before police forced them onto the street and blocked them from renting accommodation or even staying with friends. In June 2010, after dozens of supporters held a demonstration in solidarity with Ni Yulan and Dong Jiqin, police moved the couple into Beijing’s Yuxingong Guesthouse. However, the authorities have again been subjecting them to various forms of harassment, including cutting off their water and electricity supply, as well as their Internet access, and placing them under surveillance.

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

- Call on authorities to release Ni Yulan and Dong Jiqin immediately and unconditionally, unless authorities can show reasonable grounds for suspecting them of having committed an internationally-recognized criminal offence;
- Urge the authorities to ensure they have immediate access to their families, legal representation of their choice, and any medical care they may require;
- Call on authorities to guarantee that Ni Yulan and Dong Jiqin will not be tortured or ill-treated in custody;
- Urge the authorities to take effective measures to guarantee the right to adequate housing, guaranteed in Article 11 of the International Covenant on Economic, Social and Cultural Rights, which China has signed and ratified.

PLEASE SEND APPEALS BEFORE 30 MAY 2011 TO:

Director of the Beijing Public Security Bureau

Fu Zhenghua Juzhang
Beijingshi Gong'anju
9 Dongdajie, Qianmen
Dongchengqu, Beijingshi 100740
People's Republic of China
Fax: +86 10 65242927

Salutation: Dear Director

Mayor of the Beijing Municipal People's Government

GUO Jinlong Shizhang
Beijingshi Renmin Zhengfu
2 Zhengyilu
Dongchengqu, Beijingshi 100744
People's Republic of China
Fax: +86 10 65192233

Salutation: Dear Mayor

Premier

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 accredited to your country. Check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

The detention of Ni Yulan and Dong Jiqin is another troubling development in a widening crackdown on dissent, during which dozens of activists have been detained, many in the last two months.

Since 19 February, the police have detained or placed more than 100 activists across China under various forms of house arrest or surveillance, among those a dozen prominent human rights lawyers, seemingly in an attempt to prevent “Jasmine Revolution” inspired protest from taking place in China. At least five people have been formally arrested under suspicion of crimes endangering state security and at least one person has been sent to Re-education Through Labour, a form of detention handed down by police, rather than courts, and where detainees are often subjected to political “education.” Moreover, at least a dozen lawyers say they have been briefly detained and pressured by the authorities not to take up cases defending those detained, and even told by police to stop tweeting about

Ni Yulan worked as a lawyer for 18 years. She took on many politically sensitive cases of petitioners and people protesting the demolition of their homes. Neither Ni Yulan nor Dong Jiqin have taken part on any of the Jasmine protests in China.

While living in the small Beijing hotel, Ni Yulan has continued to stay in touch with activists, lawyers, and journalists and to publicize human rights abuses on her microblog. In his 2010 film, *Emergency Shelter*, documentary maker He Yang brought widespread attention to Ni Yulan’s persecution. The film showed her and her husband living in the Beijing park and also featured Ni Yulan describing her previous torture in detail. Ni Yulan suffers from respiratory, heart and digestive problems, and cannot walk, due to previous police torture.

Individuals convicted of “picking quarrels and provoking trouble”, Article 293 in China’s Criminal Law, face a maximum penalty of five years in prison. Because of Ni Yulan’s history of being targeted for her activism, as well as her past history of being harassed and tortured by police, she and her husband face a high risk of torture and other ill-treatment.

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