

URGENT ACTION

CHINESE ACTIVIST AT RISK OF PROSECUTION

Chinese prisoner of conscience Zhu Chengzhi was moved to his own home to continue his “residential surveillance” term after being held at an unknown location since 4 January. He is still at risk of being prosecuted for “inciting subversion of state power” as a result of his human rights activities, with a decision expected by mid-March.

Human rights defender **Zhu Chengzhi** was moved back to his home in Shaoyang city, Hunan province on 1 February, but continues to be under ‘residential surveillance’ (a form of house arrest). He is reportedly in good health, but requires permission to leave his home or communicate with anyone outside. While Zhu Chengzhi is able to be with his family for Chinese New Year (10 February), he continues to be arbitrarily detained and is still at risk of being prosecuted for his human rights activities. On 3 February, the Shaoyang Procuratorate confirmed that they are considering initiating a public prosecution against Zhu Chengzhi, and a decision should be made by mid-March.

Zhu Chengzhi was first detained by the Daxiang District police on 8 June 2012 and was given a 10-day administrative detention sentence for “disrupting public order”. This was due to his repeated demands for a truthful account of the death of the veteran human rights activist Li Wangyang. He was formally arrested on 25 July on suspicion of “inciting subversion of state power” for allegedly disseminating photographs of Li Wangyang’s body taken on the supposed day of his death. On 4 January, he was put under ‘residential surveillance’ as the case needed “further investigation”, and was detained at an unknown location, prompting fears that he had been subjected to enforced disappearance.

Amnesty International considers Zhu Chengzhi a prisoner of conscience, detained solely for his work as a human rights defender.

Please write immediately in Chinese or your own language:

- Calling on the authorities to immediately and unconditionally release Zhu Chengzhi from residential surveillance;
- Urging the authorities to ensure Zhu Chengzhi has full access to his lawyers
- Calling on the authorities to ensure that upon release, he and his family members are free from any further harassment, and able to exercise their rights to liberty of movement and freedom of expression

PLEASE SEND APPEALS BEFORE 21 MARCH 2013 TO:

Director of the Public Security Bureau of Shaoyang

Li Xiaokui Juzhang
Public Security Bureau of Shaoyang
8 Hongqilu Qingyunjie, Shaoyang City,
Hunan Province, 422000
People’s Republic of China
Tel: +86 739 5163018 (Chinese only)
Fax: +86 739 6837990
Email: youtajiang@163.com

Salutation: Dear Director

Acting Chief Prosecutor of the People’s Procuratorate of Shaoyang

Dai Huafeng Daijianchayuanzhang
People’s Procuratorate of Shaoyang
27 Weiyuandonglu, Shaoyang City
Hunan Province, 422006
People Republic of China
Fax: +86 739 6827854
Salutation: Dear Acting Chief Prosecutor

And copies to:

Vice Premier of the People’s Republic of China

Li Keqiang Guojiafuzhongli
The State Council General Office
2 Fuyoujie, Xichengqu, Beijingshi
100017 People’s Republic of China
Fax: +86 10 6596 1109
Email: Notice@scio.gov.cn

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date. This is the third update of UA 191/12. Further information: <https://www.amnesty.org/en/library/info/ASA17/006/2013/en>

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ADDITIONAL INFORMATION

It is not yet known how the criminal case against Zhu Chengzhi will progress. The Shaoyang Procuratorate may decide to prosecute him for 'inciting subversion of state power'. Alternatively, the Procuratorate may decide to remand the case to the police to conduct further investigation for a second time while keeping him under continued residential surveillance. Zhu Chengzhi also remains at risk of being taken to an undisclosed location after Chinese New Year to continue the 'residential surveillance'. Given the high profile nature of his case, it is feared that his full liberty will not be restored, even if insufficient evidence is provided by police to prosecute him.

According to article 169 of the Criminal Procedure Law, the Procuratorate should make a decision on whether to prosecute within one month of a case being transferred by the police, with the possible extension of half a month. However, the Procuratorate also has the power under article 171 of the Criminal Procedure Law to remand the case to the police for further investigation for a second time.

Name: Zhu Chengzhi
Gender m/f: Male

Further information on UA: 191/12 Index: ASA 17/001/2013 Issue Date: 7 February 2013