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@Further News on Dissidents Detained in Beijing since March 1994

13 September 1994

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Amnesty International is concerned that a number of dissidents detained during 1994 continue to be held in violation of international human rights standards. One of them, Tong Yi, has been charged recently and is awaiting a trial which may not meet the minimum international standards for fair trial. Another, Zhang Lin has received an administrative term of "reeducation-through-labour", without charge or trial, while a third detainee, Liu Huanwen, was reportedly given a two-year sentence for "hooliganism". Others remain detained without charge after being held for several months¹.

Tong Yi, who was detained at the beginning of April 1994, is reported to have been formally arrested on 13 August 1994 and, according to relatives, was charged with a forgery offence². Tong Yi, who is 26, acted as assistant to Wei Jingsheng, China's best known dissident, prior to his arrest on 1 April 1994. She was detained three days later on 4 April 1994³.

According to relatives, Tong Yi's mother travelled to Beijing from Wuhan shortly after receiving official notification of her daughter's formal arrest, but although she was permitted to hand over money for her care in prison she was not allowed to see her daughter or to give her clothes which she had prepared. She was told that she could give clothing after Tong Yi had been sentenced which, according to reports, could be in October.

Dissident sources say that Tong Yi is accused of forging the official stamp from her university on a document which the authorities had reportedly refused to stamp. According to academics at Columbia University in New York, the charge relates to documents Tong Yi submitted to Columbia in applying to enter a Masters programme in political science due to start in early September 1994. Article 167 of the Criminal Law of the People's Republic of China shows that the penalty for "forgery" ranges from deprivation of political rights to not more than three years' imprisonment for "minor" cases, but can be punished by up to ten years of imprisonment in "serious" cases. Amnesty International is concerned that Tong Yi may not have a fair trial in accordance with international standards and that she may be sentenced primarily because of her association with Wei Jingsheng. The evidence against her has not

¹ See *Update on Dissidents Detained in Beijing and Shanghai since March 1994*, AI Index: ASA 17/26/94, 2 August 1994, and previous documents cited in it for further information on those detained.

² See *Reuter*, 8 September 1994.

³ See *Appeal for Dissidents Detained in March and April 1994*, AI Index: ASA 17/17/94, 27 April 1994.

been made public and she may not have adequate access to a lawyer of her choice, as required under international standards for fair trial.

There has been no further news about **Wei Jingsheng** since he was detained by police on 1 April 1994. At that time he was reportedly being held without charge in a guesthouse in the suburbs of Beijing. This is the second time he has been detained since he was released on parole in September 1993 after fourteen and a half years in prison.

Foreign press reports on 2 April 1994 said that the Beijing Public Security Department was investigating suspected new criminal offences allegedly committed by Wei Jingsheng. On 4 April a Foreign Ministry spokeswoman is reported to have said that "Wei Jingsheng violated relevant regulations when he was on parole and when he was being deprived of political rights". His parole period expired on 29 March 1994 but he was to be deprived of political rights for three further years following this date. Amnesty International considers Wei Jingsheng to be a prisoner of conscience held solely for the peaceful exercise of his right to freedom of expression.

Democracy activist **Zhang Lin** was recently given an administrative term of three years of "reeducation-through-labour" by authorities in Anhui province, according to his wife Ji Xiao⁴. He was reportedly told by the police that he was being sentenced because his marriage licence was not in order, and was accused of having too many contacts with foreign reporters. Zhang Lin, aged 31, was detained on 28 May 1994 in Beijing and on 2 June 1994 was sent back to his home town in Anhui province. According to Ji Xiao, he has been on hunger strike since 29 August 1994 in protest against his term of detention which he will reportedly serve working in a coal mine. Zhang Lin has a three month old daughter who he was permitted to see for the first time at the beginning of September when his wife visited him before he was taken to the coal mine. Amnesty International is concerned that Zhang Lin is reported to have been sentenced for the peaceful exercise of his right to freedom of association because of his contacts with foreign reporters, and that he is being held under an administrative order without having been charged or tried.

Liu Huanwen, 32, a member of an official protestant church in Beijing, detained since July 1994, is reported to have been sentenced in August to two year's detention for "hooliganism". It is not clear whether he was tried and sentenced by a court or whether he was sentenced by administrative order to "reeducation-through-labour". According to press reports, however, he is due to serve the sentence in a labour camp and appears to have been sentenced without a trial. The Beijing police have so far refused to give further information about Liu Huanwen's sentence, though his detention is believed to be connected to those of dissenters and labour activists detained since March 1994. Liu Huanwen was previously detained for two years after being arrested in 1989 for carrying a cross during demonstrations in Tiananmen Square. His wife was reportedly allowed in August to send him clothes and a Bible, but was not permitted to see him.

According to some dissidents in Beijing, **Li Hai** may have been detained by police in Beijing at the end of June 1994. Li Hai, who is in his late twenties, was in touch with members of the Peace Charter group, several of whom have also been arrested. Li Hai took part in the 1989 pro-democracy movement and was briefly detained at that time. He has not been heard of since late June 1994, but his reported detention has not been confirmed.

There has been no further news about **Liu Nianchun**, **Wang Zhongqiu**, **Xiao Biguang**, **Yuan Hongbing** or **Zhou Guoqiang** who remain detained in Beijing without charge or trial.

KEYWORDS: DETENTION WITHOUT TRIAL¹ / POLITICAL ACTIVISTS¹ / PRISONERS OF CONSCIENCE

⁴ See *Reuter*, 5 September 1994.

Please send telegrams/telexes/express and airmail letters either in English or in your own language,

- ◆ *expressing concern that Tong Yi's detention appears to be politically motivated and that in violation of Chinese law she was held for more than four months before being charged with an offence;*
- ◆ *urging that the evidence of the accusation against Tong Yi be made public, that she has a fair and open trial and is given access to a lawyer of her choice;*
- ◆ *urging the immediate and unconditional release of Wei Jingsheng, Zhang Lin, Liu Nianchun, Wang Zhongqiu, Xiao Biguang, Yuan Hongbing and Zhou Guoqiang unless they are promptly charged with recognizably criminal offences in accordance with international standards and given a fair and open trial;*
- ◆ *urging the authorities to disclose whether Li Hai has been detained and, if so, on what charges.*
- ◆ *seek information about Liu Huanwen's sentence and urging that he be released unless he has been charged with a recognizably criminal offence in accordance with international standards and given a fair and open trial*

Please send appeals to:

Premier of the People's Republic of China

LI Peng Zongli

Guowuyuan

9 Xihuangchenggenbeijie

Beijingshi 100032

People's Republic of China

Telexes: 210070 FMPC CN

or 22478 MFERT CN

Faxes: + 86 1 512 5810

(via Ministry of Foreign Affairs)

Telegram: Premier Li Peng, Beijing, China

(Salutation: Your Excellency)

Director, Beijing Public Security Bureau

SU Zhongxiang Juzhang

Gong'anju

19 Qianmen Dongdajie

Xuanwuqu

Beijingshi 100740

People's Republic of China

Telegram: Director of the Beijing Public Security Bureau Su Zhongxiang, Beijing, China

(Salutation: Dear Director)

In the case of Zhang Lin, please send appeals to:

Governor, Anhui Provincial People's Government

FU Xishou Shengzhang

Anhuisheng Renmin Zhengfu

85 Changjiang Lu

Hefeishi

Anhuisheng

People's Republic of China

Telegram: Governor Fu Xishou, Hefei, Anhui Province, China

(Salutation: Dear Governor)

This document is being sent to China and CHIRAN Coordinators for action by groups. It is being sent to Sections for information only. Check with the China Research Team at the International Secretariat if sending appeals after 12 October 1994.

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