

**PUBLIC**

**AI Index: ASA 17/031/2003**

**24 July 2003**

**Further Information on UA 259/02 (ASA 17/037/2002, 23 August 2002) and follow-up (ASA 17/013/2003, 12 February 2003) Unfair trial**

**PEOPLE'S REPUBLIC OF CHINA    Yang Jianli (m), US permanent resident, aged 39  
   Wang Bingzhang (m), US permanent resident, aged 55**

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On 17 July, Yang Jianli was formally charged with spying and entering the country illegally. His trial is reportedly due to take place on or shortly after 28 July. Amnesty International is concerned that he will not receive a fair trial.

In an opinion adopted on 7 May, the United Nations Working Group on Arbitrary Detention (WGAD) concluded that Yang Jianli's arrest and detention are arbitrary, and infringe his right to a fair trial. This judgement was based on evidence that the Chinese authorities had detained Yang Jianli for more than two months without an arrest warrant or charge. They also failed to formally acknowledge Yang Jianli's arrest or to give him access to a lawyer throughout this time.

WGAD has asked the Chinese Government to "take the necessary steps to remedy the situation." The US House of Representatives has also passed a resolution calling for his release.

Yang Jianli, a Chinese pro-democracy dissident and a permanent resident in the US, was detained in April 2002 for entering China illegally on someone else's passport. He has been held incommunicado and unable to see his lawyer or his family for more than a year.

Wang Bingzhang continues to serve a life sentence after being convicted of spying and terrorism in a separate case. His trial was held in secret and failed to meet international standards for fair trial.

**RECOMMENDED ACTION: Please send a further round of appeals to arrive as quickly as possible, in English or your own language:**

- calling on the authorities to conduct an immediate review of the charges against Yang Jianli, and if the charges are well-founded, to conduct a trial in an open court, ensuring that he is given full facilities to prepare and present his defence in line with international fair trial standards;
- calling on the authorities to conduct a full investigation into the circumstances of Yang Jianli's arrest and detention;
- drawing the attention of the authorities to the opinion of the Working Group on Arbitrary Detention concerning Yang Jiangli (Opinion No.2/2003, People's Republic of China) and urging them to take immediate steps to abide by its ruling.

**APPEALS TO:**

Minister of Justice of the People's Republic of China

**ZHANG Fusen** Buzhang

Sifabu

10 Chaoyangmen Nandajie, Chaoyangqu

Beijingshi 100020

People's Republic of China

**Telegram:    Minister of Justice, Beijing, China**

**Fax:** + 86 10 65 292345  
**Salutation:** Your Excellency

President of Beijing Municipal High People's Court

**QIN Zhengan** Yuanzhang  
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People's Republic of China

**Telegram:** President of the Municipal High People's Court, Beijing, China  
**Email:** [bjgy@chinacourt.org](mailto:bjgy@chinacourt.org)  
**Salutation:** Dear President

Minister of Foreign Affairs of the People's Republic of China

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and 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 4 September 2003.