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@Police Ill-Treatment: the Case of Huang Yuwei

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Amnesty International is concerned at reports that Huang Yuwei (), a 23 year-old national of the People's Republic of China residing in Japan, was severely beaten by police on 8 June 1993. It is calling on the Japanese authorities to undertake an impartial and independent enquiry into this incident, to make its results public, and to prosecute officials who appear to be guilty of human rights violations.

According to Huang Yuwei's account of the incident, a police officer approached him as he was doing his part-time work of tying advertisements to lamp-posts in the Kabukicho area of central Tokyo. The officer requested him to present his alien registration card, which all foreign residents must carry with them at all times. Huang had left his card at home and said so. The officer proceeded to take Huang Yuwei to the nearest police station. Huang Yuwei said that he went along without any resistance, even though the officer was holding him by his collar and was kicking and beating him with his stick as they walked. At the police station, Huang said he was taken to a back room and questioned by two officer, including the one who detained him. He said they beat him as he sat, kicking him in the legs and beating him on the head with his umbrella. They released him at about 6:30 pm, after about thirty minutes, by which time his head was swelling.

Huang Yuwei said he went back to his work until he was stopped again by three police officers -- including the one who had first taken him into detention -- about three hours later. They again asked him for his alien registration card, which Huang again said he had left at home. The officers shouted at him but Huang Yuwei said that he could not

understand them as his Japanese was quite poor, and that he asked them to speak slowly. The officer who had first detained him started pushing his night stick into Huang Yuwei's chest; Huang tried to push it away and a scuffle ensued. Three more police officers came and Huang said that all six started punching and kicking him and beating him with their sticks, on the street.

According to Huang they then dragged him to the police station again and took him to the same back room. They tied his hands and legs so he could not move, pressed him down on the floor, and beat him severely for about five minutes. Huang said that he was so badly beaten that he could not walk afterwards. The officers then took him to a patrol car and drove him to Shinjuku Police Station. There, he talked on the phone to a Chinese interpreter who told him he had been arrested for not carrying an alien registration card. Huang said that he told the interpreter that he wanted to contact a lawyer and the Chinese embassy. The interpreter told him that he could not phone outside and that he should "further reconsider" whether he wanted a lawyer or not. The interpreter also told Huang that he would contact the Chinese embassy on his behalf.

Huang was released in the evening of 9 June, about 24 hours after his arrest. He said that as a condition for his release the police made him sign a statement saying that he would not contact the Chinese embassy after his release. He demanded compensation for medical treatment and for his torn clothes, but the police refused. He then saw a medical doctor who said that his injuries would take two weeks to heal.

The deputy head of the Shinjuku Police Station, questioned by the press about the incident, stated that Huang had resisted arrest "vehemently" and that the police officers had no choice but to use force.

On the basis of Huang Yuwei's account of the incident and of statements made by officials at Shinjuku Police Station, Amnesty International is concerned that Huang appears to have been beaten and kicked while under arrest and in custody. Such use of force by police cannot be justified as necessary for the performance of police duties. Amnesty International considers that it amounts to cruel, inhuman or degrading treatment or punishment, inflicted in violation of Article 7 of the International Covenant on Civil and Political Rights, which states that "no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment".

WHAT YOU CAN DO TO HELP HUANG YUWEI:

- Write to Japan's National Police Agency and to the Minister of Justice, to urge that an independent and impartial investigation be initiated into the circumstances of Huang Yuwei's alleged ill-treatment by police, and that its results be made public. Also urge that officials who appear to be guilty of human rights violations be prosecuted.

Send appeals to:

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