

URGENT ACTION

HUMAN RIGHTS DEFENDER RISKS TORTURE

Zhao Lianhai, a man seeking justice for families affected by a tainted milk powder scandal in 2008, was detained on 13 November and is now in custody awaiting trial in Beijing. He is at risk of torture and other ill-treatment.

Zhao Lianhai had been in custody for nearly three months before he was able to meet with his lawyer for the first time, on 2 February. According to his lawyer, Zhao Lianhai has been interrogated intensively by six different officers, sometimes in the middle of the night.

On 2 February his lawyer obtained the document the police submitted to the procurator. This accused Zhao Lianhai of "provoking an incident" (Criminal Law article 293), claiming he "used the incident of the tainted milk issue to mobilize people to protest at the Intermediate court of Shijiazhuang city, Hebei province and courts in Daxing and Fengtai District, Beijing City too, causing disturbance of social order." The document also accused him of "using the incident of petitioner Li Ruirui being raped by a security guard while under house arrest, to motivate people to gather at the public security bureau of Beijing city in the name of reporting a rape crime to cause trouble."

His lawyer said his case was now under consideration by the procurator. If the procurator accepts the case, Zhao Lianhai, will go on trial. He is detained at the Daxing police detention centre. He has had no access to his family since he was detained.

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

- calling on the authorities to release Zhao Lianhai immediately and unconditionally, as he has been detained solely for peacefully exercising his right to freedom of expression and assembly;
- calling on them to ensure Zhao Lianhai has access to his family and lawyers, and to any medical attention he may require;
- calling on them to guarantee Zhao Lianhai will not be tortured or otherwise ill-treated;
- Calling on them to end use of vaguely-defined charges to crack down on human rights defenders.

PLEASE SEND APPEALS BEFORE 17 MARCH 2010 TO:

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

Director, Beijing Public Security

Bureau
MA Zhenchuan Juzhang
Beijingshi Gong'anju
9 Dongdajie, Qianmen
Dongchengqu
Beijingshi 100740
People's Republic of China

Fax: +86 10 65242927

Salutation: Dear Director

And copies to:

Director, Daxing District Public Security
Sub-Bureau

Chen Debao Juzhang
35 Xi Dajie, Huangcun
Daxing Qu, Beijingshi 102600
People's Republic of China

Fax: +8610 69204640 (c/o Daxing District Government)

Salutation: Dear Director

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 first update of UA 311/09. Further information: www.amnesty.org/en/library/info/ASA17/064/004/2009

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ADDITIONAL INFORMATION

On the evening of 13 November, a dozen police officers went into Zhao Lianhai's home and took him to the Daxing District Police Station. At the time, the police showed him a summons which did not give any reason for him to be detained. The police also searched his home and confiscated two computers, USB sticks, some DVDs, campaign T-shirts, a camera, a video recorder and an address book.

The following afternoon, the police gave Zhao Lianhai's wife a detention notice, telling her that her husband had been detained on suspicion of the crime of "provoking an incident."

Parents whose children fell ill or in some cases died after drinking milk products, tainted with melamine, in 2008, have been waging a campaign for justice ever since. Zhao Lianhai's son was one of those who became ill after drinking the tainted milk and he has been prominent among the parents seeking compensation. He organized a parents self-help group, a campaign calling for regular health checks for those affected, and launched a website called "The family of babies with Kidney stones" (<http://www.jieshibaobao.com>). He also helped parents to file a lawsuit against the companies that produced the tainted milk and collected and organized information on individual cases.

Human rights activists in China who attempt to report on human rights violations, challenge policies which the authorities find politically sensitive, or try to rally others to their cause, face serious risk of abuse. Many are jailed as prisoners of conscience after politically motivated trials, while growing numbers are being held under house arrest with the police conducting intrusive surveillance and standing guard outside.

Such patterns of police control, surveillance and arbitrary detention are increasingly being employed against activists in China and members of their families, particularly during significant public events. Before the visit of the US President Barack Obama to China, from 15 to 18 November 2009, many activists and petitioners have had police posted outside their homes in Shanghai, Beijing and elsewhere in the country, or been escorted out of Beijing. Some are held in unofficial places of detention often known as "black jails."

Further information no UA: 311/09 Index: ASA 17/007/2010 Issue Date: 4 February 2010

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