

URGENT ACTION

DETAINED HUMAN RIGHTS LAWYER LOCATION UNKNOWN

Xie Yang, a human rights lawyer detained since the government crackdown in 2015, has been transferred to an unknown location and is at risk of torture and other ill-treatment. He is a prisoner of conscience and should be immediately and unconditionally released.

Xie Yang is one of at least 248 lawyers and activists targeted in an unprecedented crackdown by the Chinese government which started in July 2015. Currently awaiting trial for “inciting subversion of state power” and “disrupting court order”, Xie Yang was transferred from the Changsha City No. 2 Detention Centre to an unknown location. No details about the date or reasoning for his transfer have been provided to his family.

Following the publication of an interview transcript with Xie Yang in January 2017, his lawyers’ requests to meet Xie Yang have been rejected since February 2017. The transcript detailed prolonged torture during his detention, including lengthy interrogation, beatings, deprivation of water and sleep, and threats to his family in an attempt to coerce him to “confess” and give false witness against other human rights defenders.

Two government-appointed lawyers met Xie Yang in March 2017 and, although they claim that Xie Yang had requested them, Xie Yang’s family and existing defense lawyers have insisted that the government-appointed lawyers cannot represent Xie Yang until they receive confirmation that he wishes to change lawyers. Government departments and lawyers’ administration bodies have repeatedly warned Chen Jiangang, one of Xie Yang’s defense lawyers, to stop discussing Xie Yang’s case with international media and have initiated an investigation into his eligibility to practice law. It is believed that these intimidation tactics are being used to pressure Chen Jiangang into no longer representing Xie Yang.

Fears for Xie Yang have increased, as torture and other ill-treatment occur more frequently when the whereabouts of an individual is unknown and lawyers and family are unable to monitor the prisoner’s condition during visits.

Please write immediately in Chinese, English or your own language urging authorities to:

- Immediately and unconditionally release Xie Yang, who is a prisoner of conscience, detained solely for exercising his right to freedom of expression and carrying out his legitimate professional duties as a lawyer;
- Pending his release, immediately disclose the whereabouts of Xie Yang, and ensure that he is detained in an official place of detention, is not subjected to torture or other ill-treatment, has regular, unrestricted access to his family, lawyers of his choice, and medical care on request or as necessary;
- Stop harassing or intimidating Xie Yang’s family and lawyers.

PLEASE SEND APPEALS BEFORE 24 MAY 2017 TO:

Director of Public Security Bureau

Tang Xiangyang
Changsha City Public Security Bureau
140 Jiefangxi lu
Changsha Shi
Hunan Sheng
People’s Republic of China

Salutation: Dear Director

Minister of Public Security

Guo Shengkun Buzhang
Gonganbu
14 Dongchangan Jie
Dongcheng Qu
Beijing Shi 100741
People’s Republic of China
Tel: +86 10 66262114 (Chinese Only)

Email: gabzfwz@mps.gov.cn

Salutation: Dear Minister

And copies to:

Premier

Li Keqiang Guojia Zongli
The State Council General Office
2 Fuyou Jie
Xicheng Qu
Beijing Shi 100017
People’s Republic of China
Fax: +86 10 65961109 (c/o Ministry of Foreign Affairs)

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR LIU XIAOMING, Embassy of the People’s Republic of China, 49-51 Portland Place W1B 1JL, 020 7299 4049, press_uk@mfa.gov.cn

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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Xie Yang was indicted in December 2016 for “inciting subversion of state power” and “disrupting court order” for peacefully exercising his rights to freedom of expression and carrying out his professional activities as a lawyer. Charges are related to his online articles critical of government and judicial systems relating to human rights defenders he represented as well as his role in organizing protests against a fatal police shooting of a petitioner and mobilizing villagers to gather outside the court during a court hearing on a home demolition case.

Lawyer Jiang Tianyong went missing on 21 November 2016 on the way back to Beijing after visiting Xie Yang’s wife. He had accompanied her and three other lawyers to Changsha City No.2 Detention Centre to try to arrange a meeting with Xie Yang. Mainland Chinese media released interviews and video-recorded “confessions” of Jiang Tianyong in February 2017, claiming that he was the one who fabricated Xie Yang’s account of torture, and labelling the foreign media reports about Xie Yang’s account of torture as “fake news”. Jiang Tianyong still has no access to a lawyer. (see <https://www.amnesty.org/en/documents/asa17/5421/2017/en/> for more information)

Following an unprecedented government crackdown on human rights lawyers and other activists, at least 248 lawyers and activists have been questioned or detained by state security agents since 9 July 2015. In addition to the raiding of many offices and homes, family members of those detained were also subjected to police surveillance, harassment and restriction of their freedom of movement.

As of April 2017, three people have been imprisoned for “subverting state power” and, in addition to Xie Yang, four others are awaiting trials on charges of “subverting state power” and “picking quarrels and provoking trouble”.

Legal assistant Zhao Wei and lawyer Wang Yu were released on bail in early July and early August 2016 respectively, although they remained subject to restrictions on their rights to freedom of movement, expression and association for one year and remained at risk of prosecution. Lawyer Li Chunfu was released on bail in January 2017 and was reportedly tortured during detention. He was diagnosed with schizophrenia after release.

At least 12 of the individuals detained in the crackdown, including Xie Yang and other prominent human rights lawyers Zhou Shifeng, Sui Muqing, Li Heping and Wang Quanzhang, had been held in “residential surveillance in a designated location”, a form of secret incommunicado detention that allowed the police to hold individuals for up to six months outside the formal detention system. The individuals are denied access to legal counsel of their choice, their families or anybody else from the outside world, and are consequently at increased risk of torture and other ill-treatment. This form of detention has been used to curb the activities of human rights defenders, including lawyers, activists and religious practitioners.

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