

URGENT ACTION

FORCIBLY RETURNED ACTIVIST AT GREATER TORTURE RISK

Without any notification to his family, Dong Guangping has been moved to a new detention centre. Held incommunicado without trial since his forced return from Thailand in 2015, there is even greater concern following his relocation that any trial would be unfair and he is at risk of torture.



Dong Guangping's family heard about his relocation from a friend in October but have received no direct notification from the government, as required by Chinese law.

On 19 October, a friend went to the Chongqing Municipal No. 2 Detention Centre, where Dong Guangping was originally detained, to send him money. However, the detention centre refused his request, stating that Dong Guangping had been moved to another detention centre in September. Without direct information from the authorities, Dong Guangping's family were only able to find out that he had been moved to the Chongqing Municipal Nananqu Detention Centre in late October.

In China, a detainee needs to buy most necessities, such as toothpaste, toilet paper and more nutritious food, using money others have sent. Unlike other detainees, most of the time friends were not allowed to send money to Dong Guangping, as the detention centre required them to show Dong Guangping's notification of formal arrest, which the family has never received.

Recognized as a refugee and accepted for rapid resettlement, Dong Guangping was forcibly returned to China on 13 November 2015, five days before he was scheduled to depart from Thailand to a third country and despite the known real risk that he could face serious human rights violations. Detained for almost two years, his family have yet to receive direct notification from the authorities about his whereabouts, arrest, indictment or charges against him. The family have only heard that Dong Guangping was charged with "subverting state power" and "crossing the national border illegally" through the lawyer appointed by the government to replace the one hired by the family.

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

- Ensure that Dong Guangping is released, or [charged promptly and] tried without further undue delay in line with international fair trial standards and not for the peaceful exercise of his human rights;
- Ensure that while in detention Dong Guangping 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;
- Cease requesting other countries to return individuals to China in violation of international law.

PLEASE SEND APPEALS BEFORE 22 DECEMBER 2017 TO:

Director of Chongqing Municipal
Nananqu Detention Centre
Chongqing Shi Nananqu Kanshousuo
588 Nanpingdong Lu
Nanan Qu, Chongqing Shi 400060
People's Republic of China
Tel: +86 023 62801730 (in Chinese only)
Salutation: Dear Director

Director of Municipal Public Security
Bureau
He Ting Juzhang
555 Huanglong Lu
Yubei Qu, Chongqing Shi 401120
People's Republic of China
Salutation: Dear Director

And copies to:
Minister of Public Security
Zhao Kezhi Buzhang
Gonganbu
14 Dongchangjianjie
Dongchengqu, Beijingshi 100741
People's Republic of China
Tel: +86 10 66262114
Email: gabzfwz@mps.gov.cn

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. This is the fifth update of UA /259/15. Further information: www.amnesty.org/en/documents/asa17/6889/2017/en/



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ADDITIONAL INFORMATION

Dong Guangping was a policeman in China. His employment was terminated in 1999 after co-signing a public letter and distributing articles in different cities commemorating the 10th anniversary of the 1989 Tiananmen Square crackdown. He had previously been detained in China several times for his peaceful activism. He was imprisoned for three years in 2001 for “inciting subversion of state power” and was detained by Chinese authorities from May 2014 to February 2015 after participating in an event commemorating victims of the 1989 Tiananmen Square crackdown. He arrived in Thailand with his wife and daughter in September 2015 to escape harassment.

When the Thai government forcibly returned Dong Guangping and another activist Jiang Yefei to China on 13 November 2015, they had already been recognized as refugees by the UNHCR and accepted for rapid resettlement in a third country and were scheduled to depart on 18 November. The UNHCR and the Office of the UN High Commissioner for Human Rights (OHCHR) voiced strong concern about the forced return of Jiang Yefei and Dong Guangping and their risk of torture and other ill-treatment.

The two men were seen on 26 November 2015 on state media news agency CCTV “confessing” to human-trafficking offences and “admitting” that Jiang Yefei had assisted Dong Guangping to cross the border “illegally” into Thailand. After viewing the footage, their families raised the allegation that both men may have been subjected to torture or other ill-treatment. They found that the two men’s facial expressions and tone of voice were suspiciously different from usual, and showed signs of pain and stress.

Dong Guangping’s had a court hearing scheduled for April 2017 but that was cancelled by authorities with no reason provided. The government appointed lawyer, who in August 2016 replaced the one hired by Dong Guangping’s family, quit on 14 July 2017 due to difficulties in handling the case. The lawyer first been appointed by his family again visited the detention centre in Chongqing on 24 July 2017. There his requests to meet his client were repeatedly rejected, as the authorities did not recognize him as legitimate, nor was he able to review the indictment or any document the government has filed against Dong Guangping.

Dong Guangping’s family, who are resettled in a third country, believe that they would be harassed or even detained if they return to China. His wife has even stopped the connection with her parents after the police visited their home in September 2016 saying she was in contact with “foreign hostile forces”. A stranger, believed to have links to the government, called Dong Guangping’s wife in 2016 to persuade her to return to China from the country where they have been resettled. He threatened them by saying that Dong would be imprisoned for more than 10 years and possibly would not be able to meet his wife again unless she returned to China with her daughter.

South East Asian countries are increasingly violating the non-refoulement principle following pressure from the Chinese government. This principle prohibits the transfer of people to any country or jurisdiction where they would be at real risk of serious human rights violations or abuses. It is enshrined in numerous international instruments, and has achieved the status of customary international law, binding on all states regardless of whether they have ratified the relevant treaties, such as the UN Refugee Convention, the International Covenant on Civil and Political Rights, or the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Further information on UA: 259/15 Index: ASA 17/7432/2017 Issue Date: 10 November 2017