

URGENT ACTION

HUMAN RIGHTS LAWYER IMPRISONED IN SECRET TRIAL

Chinese human rights lawyer Yu Wensheng was sentenced on 17 June 2020 to four years' imprisonment and deprivation of political rights for three years on the charge of "inciting subversion of state power". According to Yu's wife, neither she nor the lawyer appointed by Yu's family received any information about the secret trial that took place in May 2019, and she was only informed after Yu's sentence had been handed down. Yu Wensheng is a prisoner of conscience and should be immediately and unconditionally released.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

President of the People's Republic of China Xi Jinping

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Dear President Xi:

*I am writing to express my concern about Chinese human rights lawyer, **Yu Wensheng** (余文生), who was sentenced to four years imprisonment and deprivation of political rights for three years on the charge of "Inciting subversion of state power" on 17 June 2020. It is worrying to learn that his family and the lawyer his family appointed were only informed about the sentencing through a phone call from the Xuzhou City Procuratorate more than a year after the secret trial was held.*

Yu Wensheng was taken away in January 2018 and has been held incommunicado since then. His wife and lawyers have attempted to visit Yu at least 25 times, but no visit has ever been granted.

Yu Wensheng was secretly tried in May 2019 and his family-appointed lawyers have not received any information about the trial before the trial took place. Yu has maintained his innocence and intends to appeal against his conviction.

Yu is a prisoner of conscience, detained solely for peacefully exercising his human right to freedom of expression. Without access to lawyer of his choice and family, I fear that he is at grave risk of torture and other ill-treatment, especially as he was tortured during an earlier detention in 2014.

I therefore call you to:

- **Release Yu Wensheng immediately and unconditionally, as he is imprisoned solely for peacefully exercising his human right to freedom of expression;**
- **Pending his release, ensure Yu Wensheng has regular, unrestricted access to a lawyer of his choice and his family and ensure that, while in detention, he is not subjected to torture or other ill-treatment.**

Yours sincerely,

ADDITIONAL INFORMATION

Yu Wensheng is a prominent human rights lawyer in Beijing. He represented a number of high profile human rights cases, including Falun Gong practitioners and fellow human rights lawyer Wang Quanzhang, who was detained and charged with “subverting state power” during the mass crackdown on lawyers and activists starting in July 2015.

On 15 January 2018, four days before he was taken away by police, Yu Wensheng received a letter from the Beijing Municipal Judicial Administration Bureau, notifying him that his license to practice as a lawyer was being suspended because he had not been employed by a registered law firm for over six months. He also received another letter from the bureau, dated 12 January 2018, that his application to open a new law firm had been rejected because, the notice alleged, he had repeatedly made comments opposing the Communist Party’s rule and attacking the country’s “socialist rule of law” system.

Yu Wensheng was formally arrested by the Xuzhou City Public Security Bureau in Jiangsu Province on 19 April 2018 on suspicion of “inciting subversion of state power” and “obstructing the duties of public officers”. He was then held under “residential surveillance in a designated location”, a measure that, under certain circumstances, enables criminal investigators to hold individuals for up to six months outside the formal detention system in what can amount to a form of secret incommunicado detention. When held without access to legal counsel of their choice, their families or others, suspects placed under this form of “residential surveillance” are at 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. Activists and human rights defenders continue to be systematically subjected to monitoring, harassment, intimidation, arrest and detention.

An indictment against Yu Wensheng was filed with the Xuzhou City Intermediate People’s Court on 1 February 2019. However, no formal notification about the indictment or legal documents regarding his case were made available to his lawyers.

Yu Wensheng shared with Amnesty International that he had been tortured during a previous detention lasting 99 days in 2014. On 13 October 2014, he was arrested by Daxing District Public Security Bureau in Beijing after showing support for the pro-democracy protests in Hong Kong. He told Amnesty International that he was held with death row inmates for 61 days and questioned approximately 200 times. Refused access to a lawyer during that detention, Yu Wensheng had 10 public security officers assigned to question him in three shifts every day. At the beginning, the officers only abused him verbally. Later, they handcuffed him with his hands bound behind the back of an iron chair. He felt that his body’s muscles and bone joints were completely stretched. He said that two police officers repeatedly yanked the handcuffs and he screamed every time they pulled them.

Yu Wensheng was briefly detained again in October 2017 after he wrote an open letter criticizing President Xi Jinping as ill-suited to lead China due to his strengthening “totalitarian” rule over the country. Yu’s family and friends believe that his current detention is related to this open letter.

An unprecedented government crackdown on human rights lawyers and other activists was launched on 9 July 2015. Over the following weeks, almost 250 lawyers and activists were questioned or detained by state security agents, and many of their offices and homes were raided. As of today, there are 10 individuals have now been convicted for “subverting state power”, “inciting subversion of state power” or “picking quarrels and provoking trouble”. Two still remain in prison, three were given suspended prison sentences and one was “exempted from criminal punishment” while remaining under surveillance.

PREFERRED LANGUAGE TO ADDRESS TARGET: English or Chinese

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 31 July 2020

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Yu Wensheng (He/Him)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/asa17/9894/2019/en/>

And copies to:

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