

# URGENT ACTION

## PROMINENT LEGAL SCHOLAR HELD INCOMMUNICADO

Prominent legal scholar and activist Xu Zhiyong, who has been held incommunicado for five months, has been formally arrested for “inciting subversion of state power”. Along with more than 10 human rights defenders, Xu was detained by police after joining a social gathering in Xiamen. Held in secret detention, Xu has had no access to his family and lawyers of his choice and is at imminent risk of torture and other ill-treatment.

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

**Director Li Dengquan**

*Linyi Shi Public Security Bureau  
7 Shanghai Lu, Lanshan Qu  
Linyi Shi, Shandong Sheng  
People's Republic of China*

Dear Director Li,

I am writing to express my concern for **Xu Zhiyong** (许志永), who has been held in custody with no access to a lawyer of his choice, or his family, since 15 February 2020. It was only recently, on 19 June, that he was formally arrested for “inciting subversion of state power” (煽动颠覆国家政权) and has been placed under residential surveillance at a designated location (指定居所监视居住).

Xu Zhiyong is one of several human rights defenders detained and arrested for participating in a private social gathering in Xiamen in December 2019 in which participants are said to have merely discussed current affairs and the situation of civil society in China.

International human rights laws and standards guarantee the rights to liberty, freedom of association and freedom of expression. No one should be detained or arrested for peacefully exercising their rights. The United Nations human rights experts have repeatedly [expressed concerns](#) about the Chinese authorities continuously using national security provisions to target human rights defenders who peacefully exercise their rights.

It is distressing to learn that Xu Zhiyong has now been held incommunicado for more than five months, with no way for his family or lawyer to check his physical and mental wellbeing. Given the limited safeguards protecting those held incommunicado, I am very worried that Xu is at imminent risk of torture and other ill-treatment.

**I call on you to:**

- **Release Xu Zhiyong immediately and unconditionally unless there is sufficient credible and admissible evidence that he has committed an internationally recognized offence and is granted a fair trial in line with international standards.**
- **Pending his release, ensure that Xu Zhiyong has regular, unrestricted access to family and lawyers of his choice and is not subjected to torture and other ill-treatment.**
- **Stop harassing and arresting other human rights defenders who peacefully exercise their right to freedom of association and other human rights.**

Yours sincerely,

## ADDITIONAL INFORMATION

Xu Zhiyong is a prominent Chinese legal scholar and rights activist known for his work on behalf of disadvantaged groups and his promotion of a “New Citizens’ Movement”, a loose network of activists founded by Xu to promote government transparency and expose corruption in 2012. He has been jailed previously for his peaceful activism, spending four years in prison on trumped-up public order charges from 2013 to 2017.

In December 2019, dozens of human rights defenders, lawyers and activists attended a private informal gathering in Xiamen, a city on China’s southeast coast. Many who were present at this private gathering had been active in the New Citizens Movement.

Since 26 December 2019, police across the country have been summoning or detaining participants of the gathering. More than 10 people who were at the meeting have since been summoned or detained. Among them are Ding Jiayi, Dai Zhenya and Zhang Zhongshun. Dai Zhenya and Zhang Zhongshun were released on bail on 18 June 2020. Former human rights lawyer Ding Jiayi was formally arrested for “inciting subversion of state power” on 19 June after being held incommunicado for more than six months.

Friends of Xu Zhiyong say he went into hiding after the meeting in December 2019. In early February 2020, Xu criticized President Xi Jinping’s handling of the coronavirus crisis and the Hong Kong pro-democracy protests and called on him to resign. On 15 February, Xu was detained while staying at the home of fellow activist Yang Bin, who had also spoken out against China’s censorship of information about the coronavirus outbreak. Since then, Xu Zhiyong has not allowed to meet his lawyers or family.

Apart from detaining participants of the Xiamen meeting, police have also harassed and detained families of the participants. Li Qiaochu, a labour rights and feminist activist who is also Xu Zhiyong’s partner, was held in secret detention from February to June 2020. One of the reasons behind her detention was her connection with Xu Zhiyong.

In March 2020, the United Nations human rights expert bodies [expressed their alarm](#) at the ongoing use of residential surveillance at a designated location (RSDL) in China, a detention system that enables the authorities to hold criminal suspects for periods of up to six months outside the formal detention system in what can amount to a form of secret incommunicado detention. This form of detention has been used to curb the activities of human rights defenders, including lawyers, activists and religious practitioners.

**PREFERRED LANGUAGE TO ADDRESS TARGET:** English or Chinese  
You can also write in your own language.

**PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL:** 28 August 2020  
Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

**NAME AND PREFERRED PRONOUN:** Xu Zhiyong (He/Him)

**And copies to:**

His Excellency Mr Liu Xiaoming  
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