

PUBLIC

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UA 327/08 Fear of torture and other ill-treatment / Prisoner of conscience

CHINA Xu Na (f) aged 41, artist

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Falun Gong practitioner Xu Na is at risk of torture or other ill-treatment. She was sentenced to three years in prison on 25 November for 'crimes' related to her membership of an outlawed spiritual movement which has been targeted by the Chinese authorities. Amnesty International believes she is a prisoner of conscience, detained solely for the peaceful exercise of her right to freedom of conscience and religion.

Xu Na was found guilty of "using a heretical organization to undermine implementation of the law". During the sentencing trial she expressed her desire to lodge an appeal. Should she lose her appeal, this will be the second time that she would face imprisonment. Xu Na was imprisoned for five years from 2001 to 2006 for offering her apartment to Falun Gong members travelling to Beijing to appeal against the authorities' persecution of the movement.

Concerns for her safety are heightened by the fact that she told friends and family she had been subjected to torture during her first imprisonment, including beatings, sleep deprivation, forced-feeding, and being tied into uncomfortable positions for hours.

On 25 January 2008, Xu Na and her folk musician husband Yu Zhou were detained after a routine search, during which the Beijing police discovered they were carrying Falun Gong materials. Yu Zhou died in detention 11 days after being taken into police custody, raising concerns over police brutality towards individuals in detention. Xu Na's parents have not been allowed visitation rights since her detention in January.

Xu Na's case was first sent to the Chongwen District People's Court on 30 June but the court did not announce the verdict until 25 November - nearly three months after the maximum time permitted by China's Criminal Procedure Law. Xu Na was found guilty of possessing and intending to disseminate 53 copies of Falun Gong leaflets and 11 computer disks of Falun Gong material. Xu Na had appealed the verdict immediately after the sentencing.

#### **BACKGROUND INFORMATION**

Falun Gong is a spiritual movement that gained large numbers of adherents in China during the 1990s. After a peaceful sit-in in front of the party and government headquarters at Zhongnanhai in July 1999 the government outlawed the group and launched a campaign of intimidation and persecution, directed by a special organization called the 610 Office. The crackdown on Falun Gong intensified in the lead-up to the Olympics. Falun Gong sources reported over 8,000 arrests of Falun Gong practitioners nationwide during this period, and say that in 2007 over 100 died in detention or shortly after being released due to torture, starvation and lack of medical attention. Falun Gong practitioners are often sentenced to terms of Re-education through Labour (RTL), a form of punitive administrative detention in which people can be deprived of their liberty without trial for up to four years. Between 300,000 and 500,000 people are currently estimated to be held in RTL camps.

On 21 November 2008 the UN Committee Against Torture expressed deep concerns over continued allegations of widespread torture and ill-treatment in places of detention in China as well as the high numbers

of deaths in detention and the lack of impartial investigation into these abuses. According to the Committee, the continued reliance on confessions is likely to facilitate the use of torture and ill-treatment of suspects.

**RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, Chinese or your own language:**

- asking the authorities to provide immediate guarantees for Xu Na's safety and assurances that she will not be tortured or ill-treated;
- expressing concern that Xu Na has been imprisoned solely for her religious beliefs;
- asking the authorities to release Xu Na immediately and unconditionally;
- asking the authorities to conduct a full and impartial investigation into the death of Yu Zhou in police custody.

**APPEALS TO:**

President of the Supreme People's Court

WANG Shengjun Weiyuanzhang

Zuigao Renmin Fayuan

27 Dongjiaomin Xiang

Beijingshi 100006

People's Republic of China

**Fax: + 86 10 65292345**

**Salutation: Dear President**

Director, Ministry of Justice,

Wu Aiyong Buzhang

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10 Chaoyangmen Nandajie

Chaoyangqu

Beijingshi 100020

People's Republic of China

**Fax: +86 10 65292345**

**Email: pfmaster@legalinfo.gov.cn**

**Salutation: Dear Director**

Chief, Detention Center

Beijing Chongwen Detention Center

Tuanhe Road, Da Xing District, Beijing

People's Republic of China

**Tel: +86 10 61297799--62604**

**Salutation Dear Chief**

**COPIES TO:** Diplomatic representatives of China accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 9 January 2009.