

PUBLIC

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Further Information on UA 332/08 (ASA 17/112/2008, 5 December 2008) - Fear of torture or other ill-treatment/Prisoner of conscience

CHINA

Ji Sizun (m) aged 59

On 7 January, legal activist Ji Sizun was sentenced by the Taijiang District People's Court in Fuzhou, Fujian Province to three years' imprisonment for "forging official documents and faking official seals" in 2006. Amnesty International fears that Ji Sizun's sentence is politically motivated, and that he is a prisoner of conscience, held solely for exercising his rights to freedom and expression and assembly.

Despite the verdict which said Ji Sizun confessed to forging an official document and seal, questions remain concerning the motivation for his detention and sentence. Ji Sizun was detained while applying to protest during the Beijing Olympics, which effectively silenced him during this sensitive period. However, the Court's verdict does not mention Ji Sizun's attempt to protest during the Olympics.

Authorities detained Ji Sizun on 11 August 2008 in Beijing and sent him back to Fujian Province. The verdict states that Ji Sizun was placed under criminal detention on 18 September 2008, meaning that he was detained without charge for more than a month. He is now held in Fuzhou No. 2 Detention Centre in Fujian Province.

Ji Sizun had been giving legal advice to local people in his native Fujian Province. Fujian authorities required non-lawyers to get prior approval in order to represent land dispute claims in court. A local source said Ji Sizun had to create the official document and seal so he would be able to represent these claims without a lawyers' license. Beijing lawyer Liu Xiaoyuan questioned the legal basis of this requirement for prior approval. Prior approval is not mentioned in national procedure laws dealing with non-lawyer representation.

The individuals who Ji Sizun had previously given legal assistance to are now trying to hire another lawyer to file an appeal against Ji Sizun's sentence.

BACKGROUND INFORMATION

Human rights activists in China who attempt to report on human rights violations, challenge policies which are deemed politically sensitive, or try to rally others to their cause, face serious risk of abuse. Many are charged and imprisoned as prisoners of conscience after politically motivated trials, while growing numbers are being detained as prisoners in their own homes by the police conducting intrusive surveillance and standing guard outside.

On 23 July, the Chinese authorities announced plans to set up Olympic protest zones in three Beijing parks where individuals "who want to express their personal opinions can go to do so" as is "common practice in other countries." However, all applications to protest required advance permission from the police. Some individuals who planned to apply for permission reported that they were told that their applications would not be successful and were subsequently placed under surveillance or in detention. There were also reports of potential protestors being prevented from travelling to Beijing to protest or being escorted back to their homes. The case of two elderly women, Wu Dianyuan, aged 79, and Wang Xiuying, aged 77, who had applied for a permission to hold a protest in one of the zones and were sentenced to Re-education through Labour, was widely reported in the international media. Subsequently, their terms of Re-education through Labour were revoked.

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

- calling for Ji Sizun to be released immediately, as he is a prisoner of conscience, detained for attempting to exercise his rights to peaceful freedom of expression and association;
- expressing concern that Ji Sizun was detained without charge for more than one month;
- urging the authorities to guarantee that he is not tortured or ill-treated while he is in prison;
- urging the authorities to ensure Ji Sizun has access to his family and lawyer of his choice, and to any necessary medical treatment.

APPEALS TO:

Chief Procurator of the Fujian Provincial People's Procuratorate

NI Yingda Jianchazhang

Fujiansheng Renmin Jianchayuan

253 Hualinlu, Fuzhoushi 350003, Fujiansheng, People's Republic of China

Fax: +86 591 87762163

Salutation: Dear Procurator

Director of the Fujian Provincial Department of Public Security

BAO Shaokun Tingzhang

Fujiansheng Gong'anting

12 Hualinlu, Fuzhoushi 350003, Fujiansheng, People's Republic of China

Fax: +86 591 87093516

Salutation: Dear Director

Director of Fuzhou No. 2 Detention Center

Fuzhou di er kanshousuo

Xiadongzirancun, Zhanglancun

Chengmenzhen, Cangshanqu

Fuzhou 350011, Fujiansheng, People's Republic of China

Salutation: Dear Director

Prime Minister of the People's Republic of China

WEN Jiabao Guojia Zongli

The State Council General Office

2 Fuyoujie, Xichengqu, Beijingshi 100017, People's Republic of China

Fax: +86 10 65961109 (c/o Ministry of Foreign Affairs)

Salutation: Your Excellency

COPIES TO:

Governor of the Fujian Provincial People's Government

HUANG Xiaojing Shengzhang

Fujiansheng Renmin Zhengfu

76 Hualinlu, Fuzhoushi 350003, Fujiansheng, People's Republic of China

Fax: +86 591 87855770

Salutation: Dear Governor

and 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 4 March 2009.