

PUBLIC

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UA 255/07 Fear of torture ill-treatment/fear of unfair trial

CHINA Ye Guoqiang (m), aged 47
Ye Mingjun (m), aged 25

Ye Mingjun and Ye Guoqiang have been detained by Beijing police on suspicion of "inciting subversion". They are held incommunicado, putting them at high risk of torture or other ill-treatment. They are respectively son and brother of imprisoned housing rights activist Ye Guozhu, who has reportedly been subjected to beatings and other forms of torture.

Ye Mingjun was taken from his home on 29 September by police from Beijing Xuanwu District Public Security Bureau together with his cousin, the son of Ye Guoqiang. The police took both men to the district police station for questioning. Ye Mingjun's cousin was released at around midnight, but Ye Mingjun's family received a notice from the police stating that he was in custody under suspicion of "inciting subversion of state power". He is held at the Beijing Xuanwu District Public Security Bureau detention centre.

Earlier that day Ye Guoqiang had gone to a scenic spot in southwest Beijing, Daguanyuan park, with a home-made placard, to protest against forced evictions allegedly carried out to clear space for construction for the 2008 Olympics. There he was detained by Xuanwu district police and taken away to an unknown location. The police then searched his home, confiscating 26 documents he had written and two computers.

In 2003 the Beijing municipal authorities had demolished a restaurant owned by Ye Guozhu and Ye Guoqiang, and their homes, to allow for construction in preparation for the 2008 Olympic Games. The family received no compensation, prompting them to try to raise awareness of the plight of those subjected to forced evictions in preparation for the Beijing Olympics.

The police did not tell Ye Guoqiang's family where he was until 3 October, when the family finally received a notice stating that he too was being held on suspicion of "inciting subversion of state power". They still have not been told where he is detained.

Ye Guozhu was sentenced to four years' imprisonment in December 2004 for "picking quarrels and stirring up trouble" after he applied for official permission to hold a public demonstration against forced evictions in Beijing. According to reliable reports, he was beaten with electroshock batons in prison towards the end of 2006. He was subjected to further beatings during a period of "discipline" in 2005, when he was also made to sit upright for extended periods on a hard chair and forced to wear handcuffs and leg-irons. While awaiting trial, at Dongcheng District Public Security Bureau detention centre in Beijing, he was reportedly beaten repeatedly by police and suspended from the ceiling by his arms. He is believed to be in poor health, partly as a result of this treatment. Amnesty International considers him a prisoner of conscience.

BACKGROUND INFORMATION

The rapid redevelopment of Beijing has been accelerated in preparation for the 2008 Summer Olympics. Houses have been demolished in various parts of the city to make way for new construction projects. Many have reportedly been evicted without due process and without adequate compensation. Forced evictions – those carried out without appropriate legal protection – are a violation of human rights including the right to adequate housing, set out in the International Covenant on Economic, Social and Cultural Rights, to which China is a state party.

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

- urging the authorities to release Ye Mingjun and Ye Guoqiang immediately and unconditionally unless they are charged with a recognisably criminal offence;

- urging the authorities to reveal where Ye Guoqiang is detained, and ensure that both he and Ye Mingjun have access to their family, lawyers of their own choosing and any medical treatment they may require;
- expressing deep concern that reports of abuses against human rights activists in China run counter to commitments made by numerous Chinese officials that the human rights situation in China would improve in the run-up to the Olympic Games, and contravene core principles of the Olympic Charter relating to the preservation of human dignity and respect for universal, fundamental, ethical principles.

APPEALS TO:

Prime Minister

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

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Salutation: Your Excellency

Minister of Public Security

ZHOU Yongkang Buzhang
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Beijingshi 100741
People's Republic of China

Fax: +86 10 63099216 (it may be difficult to get through, please keep trying)

Salutation: Your Excellency

COPIES TO:

Director of the Beijing Public Security Bureau

MA Zhenchuan Juzhang
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Salutation: Dear Director

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 15 November 2007.