

URGENT ACTION

CHINESE ACTIVISTS TORTURED, RISK PROSECUTION

Human rights defenders Ding Hongfen, Qu Fengsheng, Shen Aibin, Shen Guodong and Yin Xijin have been formally arrested on suspicion of “gathering crowds to disturb social order” in Jiangsu province, eastern China. This means that they are likely to face a trial. At least four of them say that they have been tortured to extract confessions.

Ding Hongfen, Qu Fengsheng and Shen Aibin were formally arrested on suspicion of "gathering crowds to disturb social order" in early August in eastern Jiangsu province for their part in a “rescue action” that released five individuals from an unlawful “black jail”. They have been in detention since late June.

In addition, Shen Guodong and Yin Xijin, who were also involved in the "rescue action" (see the original UA for details) on 22 June, are confirmed to have been formally arrested, also on suspicion of "gathering crowds to disturb social order". All five have been assigned lawyers by their families.

According to their lawyers, Ding Hongfen, Shen Aibin, Shen Guodong and Yin Xijin were tortured to extract confessions. According to his lawyer, Shen Guodong was tied up to a wooden ladder hanging by his wrists on widely stretched arms. After approximately ten minutes in such a position, he could no longer tolerate the pain and confessed. Lawyers have said that Ding Hongfen has so far refused to confess, while there is no information about the other two men.

Ding Hongfen is currently held in Wuxi City No.1 Detention Centre while Qu Fengsheng, Shen Aibin, Shen Guodong and Yin Xijin are held in Wuxi City No.2 Detention Centre. Three other human rights defenders - Xu Haifeng, Wu Ping and Zheng Bingyuan – who were also initially detained were released on bail. Xu Haifeng has also stated that she was tortured during her detention.

The charge of “gathering crowds to disturb social order” carries a maximum sentence of seven years in prison.

Please write immediately in English, Chinese or your own language:

- Calling on the authorities to ensure that Ding Hongfen, Qu Fengsheng, Shen Aibin, Shen Guodong and Yin Xijin are not tortured or otherwise ill-treated and have regular access to their families, lawyers and any medical attention they may require;
- Calling on them to order an independent investigation into allegations that Ding Hongfen, Shen Aibin, Shen Guodong, Yin Xijin, and Xu Haifeng were tortured and otherwise ill-treated to extract confessions;
- Urging them to ensure that the five detainees receive fair trials in line with international standards, and that any evidence, including confessions, extracted through torture are excluded in any possible proceedings against them.

PLEASE SEND APPEALS BEFORE 24 OCTOBER 2013 TO:

Chief Prosecutor of Wuxi City People's
Procuratorate

Jiang Yongliang Jianchayuanzhang
People's Procuratorate of Wuxishi
9 Chongninglu, Chong'anqu
Wuxishi 214002
People's Republic of China
Tel: +86 510 8271 8864

Salutation: Dear Chief Prosecutor

Director of Wuxi City Public Security
Bureau

Zhao Zhixin Juzhang
Wuxishi Gong'anju
58 Chongninglu, Wuxishi 214002
Jiangsusheng
People's Republic of China
Fax: +86 510 81133034
Email: wxga_bgswgk@163.com

Salutation: Dear Director

And copies to:

Director of Jiangsu Provincial
Department of Justice
Liu Yuxiang Tingzhang
Jiangsusheng Sifating
28 Beijingxilu, Nanjingshi 210024
Jiangsusheng
People's Republic of China
Fax: +86 25 83302918

Salutation: Dear Director

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date. This is the first update of UA: 180/13. Further information:
www.amnesty.org/en/library/info/ASA17/022/2013/en

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ADDITIONAL INFORMATION

Ding Hongfen, Qu Fengsheng, Shen Aibin, Shen Guodong and Yin Xijin were among 30 people who on 22 June broke into a guesthouse in Wuxi city, in the eastern province of Jiangsu where a private security firm, working for the local authorities, were detaining five petitioners unlawfully. According to fellow activists, the group broke down doors and released the five people detained there, among them relatives of Ding Hongfen and Xu Haifeng. In the following days, the police took away 16 people involved in the "rescue action". Some of them were being arbitrarily detained incommunicado in secret detention facilities before being transferred to detention centres. Only Ding Hongfen, Qu Fengsheng, Shen Aibin, Shen Guodong and Yin Xijin remain in detention.

According to the article 169 of China's Criminal Procedure Law, the People's Procuratorate should make a decision on whether to prosecute within one month of a case being transferred by the public security organ, with the possible extension of half a month. However, the People's Procuratorate also has the power under the article 171 to remand the case to a public security organ for supplementary investigation, or conduct the investigation itself if they consider the evidence provided to be insufficient for prosecution. In cases where supplementary investigation is to be conducted, it shall be completed within a month. Supplementary investigation may be conducted twice at most. During this time the suspects would typically remain in custody. In pre-trial detention, the suspects can only meet with their lawyers and not for example, with their family members.

Names: Ding Hongfen (f), Qu Fengsheng (m), Shen Aibin (m), Shen Guodong (m), Yin Xijin (m), Xu Haifeng (f), Wu Ping (m) and Zheng Bingyuan (m)
Gender m/f: both

Further information on UA 180/13 Index: ASA 17/031/2013 Issue Date: 13 September 2013

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