

URGENT ACTION



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21 January 2009

Further Information on UA 332/08 (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.

Amnesty International's mission is to undertake research and action focused on preventing and ending grave abuses of the rights to physical and mental integrity, freedom of conscience and expression, and freedom from discrimination, within the context of its work to promote all human rights.

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 traveling 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 Labor, was widely reported in the international media. Subsequently, their terms of Re-education through Labor were revoked.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible:

- 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: 011 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: 011 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: 011 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: 011 86 591 87855770
Salutation: Dear Governor

Ambassador Wen Zhong Zhou
Embassy of the People's Republic of China
2300 Connecticut Ave. NW
Washington DC 20008
Fax: 1 202 328-2582

PLEASE SEND APPEALS IMMEDIATELY.

Check with the AIUSA Urgent Action office if sending appeals after 4 March 2009.