

URGENT ACTION



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UA 114/11

Risk of Torture/Fear for Safety

CHINA

Ai Weiwei, artist
Wen Tao, his friend and assistant
Zhang Jingsong, his cousin and driver
Hu Mingfen, his accountant
Liu Zhenggang, a designer

Ai Weiwei, an internationally known Chinese artist and critic of the government; Wen Tao, his friend and assistant; Zhang Jingsong, his cousin and driver; Hu Mingfen, his accountant; and Liu Zhenggang, a designer, are all detained incommunicado in China at unknown locations. They are at risk of torture and other ill-treatment.

Ai Weiwei was stopped by police at an airport in Beijing on his way to Hong Kong on 3 April. He has been held since then. His family has not received any formal notice about his detention, reasons why the authorities are holding him or information about his whereabouts. On 6 April, the Chinese authorities issued a statement stating that Ai Weiwei is being investigated for suspected economic crimes. His family believes the authorities are holding him because of his political activism.

On 3 April, the police also took in Ai Weiwei's wife Lu Qing and eight employees and volunteers of his design firm for questioning, but they were all released by the following day.

Wen Tao, Ai Weiwei's friend and assistant, was detained separately in Beijing on 3 April. Wen Tao is a former journalist who was forced to resign from his job after he wrote an article about a protest against the demolition of the artists' colony in Beijing in 2010. Ai Weiwei's accountant, **Hu Mingfen**, was taken away by police on 8 April. She has not been heard from since and is believed to have been detained. On 9 April, **Liu Zhenggang**, a designer working at Ai Weiwei's design firm was taken away by plain-clothed police. His wife has reported him missing. On 10 April, the police detained Ai Weiwei's cousin and driver **Zhang Jingsong** (aka Xiao Pang) on 10 April.

BACKGROUND INFORMATION

The detention of Ai Weiwei is a troubling development in a widening crackdown on dissent that has seen dozens of activists detained over the last few months.

Ai Weiwei currently has an exhibition in London's Tate Modern museum. He is also the co-designer of the Beijing Bird Nest stadium where the 2008 Beijing Olympics were staged. Ai Weiwei later distanced himself from the Beijing Olympics, saying 'An Olympics held without freedom and against the will of the people will be nonsense because no totalitarian regime can play at being a democracy. It is a pretend harmony and happiness.'

On 17 February, US-based Chinese news site Boxun reported an anonymous appeal for people to stage protests across the country on 20 February. News of the appeal spread quickly via social media QQ, Twitter and blogs, urging protesters to proclaim: "We want food, we want work, we want housing, we want fairness." The anonymous call was inspired by protests across the Middle East and the "Jasmine Revolution" in Tunisia.

In response, the Chinese authorities closed down websites and blogs reporting or posting information about Middle East protests, and blocked the use of search words such as "Egypt".

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.

Since 19 February, the police have detained or placed more than 100 activists across China under various forms of house arrest or surveillance, among those a dozen prominent human rights lawyers. At least five people have been formally arrested under suspicion of crimes endangering state security and at least one person has been sent to Re-education Through Labor. Moreover, at least a dozen lawyers say they have been briefly detained and pressured by the authorities not to take up cases defending those detained, and even told by police to stop tweeting about the detained people.

Ai Weiwei has also been a vocal supporter of the Nobel Peace Prize Laureate and prisoner of conscience Liu Xiaobo.

In 2010, Ai Weiwei was prevented from attending the trial of Tan Zuoren. Tan Zuoren is an environmental activist who was detained after declaring his intention to release a list of names of children who died during the May 2008 Sichuan earthquake, along with an independent report on the collapse of school buildings during the quake. He was later convicted of “inciting subversion of state power” for criticizing authorities' handling of the Tiananmen crackdown in 1989, and sentenced to a five-year prison sentence. Ai Weiwei was briefly detained and severely beaten by security officials just before he was due to testify for the defense during Tan Zuoren's trial.

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

- Calling on the authorities to release Ai Weiwei, Wen Tao, Hu Mingfen, Liu Zhenggang and Zhang Jingsong immediately and unconditionally, unless the authorities can show reasonable grounds for suspecting them of having committed an internationally-recognizable criminal offence;
- Urging the authorities to ensure they have immediate access to their families, legal representation of their choice, and any medical care they may require;
- Calling on them to guarantee that Ai Weiwei, Wen Tao, Hu Mingfen, Liu Zhenggang and Zhang Jingsong will not be tortured or ill-treated while they remain in custody;
- Urging the authorities to take effective measures to guarantee freedom of expression, association and peaceful assembly in line with China's Constitution and the International Covenant on Civil and Political Rights which China has signed and declared an intention to ratify.

APPEALS TO:

Minister of Public Security

MENG Jianzhu Buzhang
Gong'anbu, 14 Dongchang'anjie
Dongchengqu, Beijingshi 100741
PEOPLE'S REPUBLIC OF CHINA
Salutation: Your Excellency

Minister of Justice

WU Aiying Buzhang
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PEOPLE'S REPUBLIC OF CHINA
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Salutation: Your Excellency

Premier

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The State Council General Office
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PEOPLE'S REPUBLIC OF CHINA
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Salutation: Your Excellency

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PLEASE SEND APPEALS IMMEDIATELY.

Check with the AIUSA Urgent Action office if sending appeals after 26 May 2011.