

# URGENT ACTION

## HUSBAND AND WIFE AT RISK OF TORTURE IN CHINA

**Veteran activists Zhang Xiaoyu and Xu Youchen have been severely beaten by police in Henan Province, China, after they were detained on suspicion of killing a policeman. The authorities are denying them access to lawyers, and they are at grave risk of torture and other ill-treatment.**

On 17 July, **Zhang Xiaoyu** and her husband **Xu Youchen** were detained by police in Beijing where they had been petitioning. They were escorted back to their hometown of Jiaozuo, in the northern province of Henan. On the same day, their son was told that his parents had been detained for stabbing a policeman at Jiaozuo police station.

On 21 July, after demanding to meet the couple, lawyer **Chang Weiping** was summoned by police and interrogated for 12 hours. He was named as a witness in the case, effectively preventing him from representing them. On 25 July, four other lawyers met with the couple who said they had been severely beaten by police in Jiaozuo. Zhang Xiaoyu has nearly lost her eyesight as a result, while Xu Youchen has serious injuries to his face. Zhang Xiaoyu said that she did not know someone was killed until she heard people screaming, and knew nothing about a knife.

Following the lawyers' visit, the police have prevented all lawyers from meeting with them, on the grounds that they disclosed information about the case to the media and online during the investigation. This however is not a breach of the lawyers' code of conduct. The lawyers now handling the case, **Li Jinxing and Liu Hao**, were beaten up by a group of unidentified men outside of Jiaozuo City Detention Centre on 30 July.

There have also been other procedural irregularities with the couple's case. The body of the policeman allegedly killed by the couple was cremated on 21 July, only four days after he died, making it impossible to re-examine the exact time and cause of death. In addition, their lawyers' request to move the case to another district to avoid conflict of interest was rejected. The couple was both formally charged with intentional homicide on 2 August.

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

- Calling on the authorities to ensure Zhang Xiaoyu and Xu Youchen are not subjected to torture or other ill-treatment in detention, and have access to any medical attention they require;
- Demanding that they have regular access to the lawyers of their choosing and their families;
- Urging them to ensure that all case proceedings fully comply with international fair trial standards.

**PLEASE SEND APPEALS BEFORE 19 SEPTEMBER 2014 TO:**

**Director of Jiaozuo Municipal People's  
Procuratorate**

Zhu Yabing  
Jiaozuo Municipal People's Procuratorate  
Taihang Middle Rd, Shanyang,  
Jiaozuo, Henan 454002  
People's Republic of China  
**Tel: 011 86 391 357 0700 (Chinese only)**  
**Salutation: Dear Director**

**Director of Jiaozhuo Municipal Public  
Security Bureau**

Ding Baodong  
Jiaozhuo Municipal Public Security Bureau  
358 Jiefanglu, Jiaozuo City,  
Henan, 454150  
People's Republic of China  
**Tel: 011 86 391 2281393 (Chinese only)**  
**Email: jzgaw110@sohu.com**  
**Salutation: Dear Director**

**Director of Jiazhuo Municipal Detention  
Centre**

Li Jun  
Jiazhuo Municipal Detention Centre  
Jiefanglu, Jiaozuo City,  
Henan, 454000  
People's Republic of China  
**Salutation: Dear Director**

**Also send copies to:**

Ambassador Cui Tiankai, Embassy of the People's Republic of China  
3505 International Place NW, Washington DC 20008  
**Fax: 1 202 495-2138 | Phone: 1 202 495 2266 | Email: chinaembpress\_us@mfa.gov.cn**

**Please check with the AIUSA Urgent Action Office if sending appeals after the above date.**

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

Zhang Xiaoyu and Xu Youchen are veteran petitioners (someone who is seeking redress for perceived injustices from the government) who have been detained in black jails many times and also been sent to Re-education through Labor camps.

The right to a fair trial is one of the cornerstones of the international human rights system. This right is enshrined in numerous international human rights instruments including the Universal Declaration of Human Rights, The ICCPR, the Geneva Conventions and the Statute of the International Criminal Court.

Defendants in China are regularly deprived of their right to a fair trial. They are frequently denied the right to hire legal counsel of their choice; they are often denied prompt access to their lawyers and adequate time and facilities to prepare for trial. They are not presumed innocent until proven guilty and are not treated on the basis of equality before the law. Courts do not exclude evidence extracted through torture, and political interference in the judiciary is commonplace. Many trials take place in absolute secrecy, with families and lawyers informed of the trial dates at very short notice or in some cases not at all.

Torture and other ill-treatment remain endemic in all places of detention in China, even though China ratified the UN Convention against Torture in 1988. Amnesty International receives regular reports of deaths in custody, many allegedly caused by torture, in a variety of state institutions, including prisons, Re-education through Labor facilities and police detention centers.

**Name:** Zhang Xiaoyu (f), Xu Youchen (m), Chang Weiping (m), Li Jinxing (m) and Liu Hao (m)

**Issues:** Risk of torture, Risk of ill-treatment, Legal concern, Unfair trial

**UA:** 196/14

**Issue Date:** 8 August 2014

**Country:** China