

URGENT ACTION

LAWYER DETAINED FOR “INCITING SUBVERSION”

Beijing human rights lawyer Yu Wensheng is currently being held under “residential surveillance in a designated location” on suspicion of “inciting subversion of state power”. Held incommunicado and denied all access to a lawyer and his family, he is at risk of torture and other ill-treatment.

Yu Wensheng, a prominent human rights lawyer in Beijing, was taken away by police near his home while on his way to drop his 13-year-old son off at school. Accused of “picking quarrels and provoking trouble”, he was taken away by police for questioning on 19 January 2018.

Held by the police overnight, Yu Wensheng was criminally detained on suspicion of “disrupting a public service” and held at Shijingshan District Detention Centre in Beijing. Since then, at least five lawyers have tried to go to the police station to meet Yu Wensheng but the police refused their request without providing any reason. In addition, Yu Wensheng’s wife, Xu Yan, has tried on several occasions to deposit money for him to buy extra food and other amenities but the police also refused her request without giving any reason.

At around 9pm on 27 January, approximately 20 police officers from Shijingshan Police Station in Beijing and Xuzhou, Jiangsu province, raided Yu Wensheng’s home. At around midnight, Xu Yan was taken away on suspicion of “inciting subversion of state power” and questioned before being released at around 4pm that day. Her home and Yu Wensheng’s office were repeatedly raided by the police on 28 January, with some documents and Xu Yan’s mobile being confiscated.

Tongshan District Public Security Bureau in Xuzhou, Jiangsu province, issued a notice to his family on 27 January notifying them that Yu Wensheng was being held under “residential surveillance in a designated location”, however no information was provided about where he is being held.

Yu Wensheng is a prisoner of conscience, detained solely for exercising his right to freedom of expression, nevertheless the People’s Republic of China Criminal Procedural Law allows the police to refuse all access to lawyers’ for up to six months in cases which they claim involves “endangering national security”, further increasing his risk of torture and other ill-treatment.

1) TAKE ACTION

Write a letter, send an email, call, fax or tweet:

- Immediately and unconditionally release Yu Wensheng as he has been detained solely for peacefully exercising his human right to freedom of expression;
- Ensure that Yu Wensheng has access to a lawyer of his choice and his family;
- Ensure that Yu Wensheng is not subjected to torture or other ill-treatment.

Contact these two officials by 13 March, 2018:

Director
Meng Bin
Shijingshan District Detention Centre
Jia No. 1, Guchengnanli
Shijingshanqu, Beijing Shi 10043
People’s Republic of China
Salutation: Dear Director

Ambassador Cui Tiankai, Embassy of the People’s Republic of China
3505 International Place NW, Washington DC 20008
Phone: 1 202 495 2266 | Fax: 1 202 495 2138
Email: chinaembpress_us@mfa.gov.cn OR
chineseembassyspokesperson@gmail.com
(If you receive an error message, please try calling instead!)
Salutation: Dear Ambassador

2) LET US KNOW YOU TOOK ACTION

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ADDITIONAL INFORMATION

On 15 January 2018, four days before he was taken away by police in this current detention, Yu Wensheng received a letter from the Beijing Municipal Justice Bureau that his legal practice license was suspended because he had not been employed by a registered law firm for over six months. He also received another letter from the bureau dated 12 January that his application for opening a new law firm was rejected as he repeatedly made comments opposing the Communist Party's rule and attacking the country's “socialist rule of law” system.

Yu Wensheng is a prominent human rights lawyer in Beijing. He represented a number of high profile human rights cases, including Falun Gong practitioners and fellow human rights lawyer Wang Quanzhang, who was detained and charged with “subverting state power” during the mass crackdown on lawyers and activists in July 2015 and the only one whose whereabouts still remain unknown.

Yu Wensheng was detained for 99 days in 2014, later sharing with Amnesty International that he had been tortured during that time. On 13 October 2014, he was arrested by Daxing Public Security Bureau in Beijing after showing his support for the pro-democracy protests in Hong Kong. He was detained with death row inmates for 61 days and questioned approximately 200 times.

Refused access to a lawyer during that detention, Yu Wensheng had 10 public security officers assigned to question him in three shifts every day. At the beginning the officers only abused him verbally. Later, they handcuffed him with his hands bound behind the back of the iron chair. He felt that his body's muscles and bone joints were completely stretched. He said that two police officers repeatedly yanked the handcuffs and he screamed every time they pulled them.

Yu Wensheng was briefly detained again in October 2017 after he wrote an open letter criticizing President Xi Jinping as ill-suited to lead China due to his strengthening “totalitarian” rule over the country. His family and friends believed that Yu Wensheng's current detention is related to his open letter.

On 23 January 2018, Shanghai-based news website *The Paper* released a news report with a heavily and abruptly edited video claiming that a lawyer surnamed Yu assaulted two police officers while resisting arrest on 19 January. The report was widely circulated on news search portals and social media platforms in China as Yu Wensheng's name was mentioned in tweets and posts from unidentified social media accounts. It seems to be an attempt to discredit the lawyer using similar tactics that have been seen in other cases of detained lawyers and activists.

The detention of lawyer Wang Yu and her family on 9 July 2015 marked the beginning of an unprecedented government crackdown on human rights lawyers and other activists. Over the following weeks, almost 250 lawyers and activists were questioned or detained by state security agents, and many of their offices and homes were raided. As of December 2017, nine individuals had been convicted for “subverting state power”, “inciting subversion of state power” or “picking quarrels and provoking trouble”. Five of them remain imprisoned, three were given suspended prison sentences and one “exempted from criminal punishment” while remaining under surveillance. Lawyer Wang Quanzhang who has been indicted but awaits a trial, is being held incommunicado without access to a lawyer, and is at risk of torture or other ill-treatment.

Name: Yu Wensheng
Gender m/f: m

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