

URGENT ACTION

FALUN GONG PRACTITIONER FACES IMPRISONMENT

Falun Gong practitioner Chen Huixia has been indicted for “using an evil cult to undermine law enforcement” and is facing three years to life imprisonment. Her family have been unable to visit her since 3 June 2016, the date she was first detained.

The indictment against **Chen Huixia**, for “using an evil cult to undermine law enforcement”, was submitted by the Procuratorate (Prosecutor) to the Shijiazhuang Municipal Yuhua District People’s Court in December 2016. While her trial date has not yet been set, if she is convicted, she could face a prison sentence of between three years to life. A request by Chen Huixia’s lawyer to review her casefile in January 2017 was rejected by the court, claiming that it had yet to verify Chen Huixia’s relationship with her daughter, who had hired the lawyer from abroad.

Following a visit to the detention centre by her defence lawyer, on 15 December 2016 and 13 January 2017, it has been confirmed that Chen Huixia’s health condition is “fine” and she is no longer being tortured or subjected to “brainwashing” sessions to get her to renounce her beliefs. The family have no further details, as the lawyer assumed their communications were being monitored and therefore only passed on limited information, and all requests by Chen Huixia’s brother and sister to visit her have been rejected.

First taken away by police on 3 June 2016, Chen Huixia was strapped to an iron chair at an unofficial place of detention for more than 1 month before being relocated to Shijiazhuang Municipal No. 2 Detention Centre, in the north-eastern province of Hebei on 15 July 2016. Chen Huixia did not have a lawyer until November 2016, as many lawyers that her family approached refused to take up the case because they believed the authorities would not allow them to defend a Falun Gong practitioner.

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

- Immediately and unconditionally release Chen Huixia, as she has been detained solely for exercising the right to freedom of belief and expression and, pending her release, ensure that she has prompt, regular and unrestricted access to her family and lawyers of her choice;
- Ensure that Chen Huixia is tried in line with international fair trial standards, including to guarantee her rights to legal counsel pre-trial and adequate time and facilities to prepare a defence, by promptly informing her of the nature and cause of the charge against her;
- Ensure that while detained, Chen Huixia is protected from torture or other ill-treatment, and that her treatment is in accordance with the UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).

PLEASE SEND APPEALS BEFORE 4 APRIL 2017 TO:

Director of Shijiazhuang Municipal No. 2
Detention Centre

Shijiazhuang Shi Dier Kanshousuo
Zhaoling Lu, Changan Qu,
Shijiazhuang Shi
Hebei Sheng, 050000
People’s Republic of China
Salutation: Dear Director

Chief Procurator of Shijiazhuang

Municipal People’s Procuratorate
Chen Xiaoming Jianchanzhang
Shijiazhuang Shi Renmin Jianchayuan
360 Xinshibei Lu,
Shijiazhuang Shi
Hebei Sheng 050091
People’s Republic of China
Salutation: Dear Procurator

And copies to:

Governor of Hebei Province

Zhang Qingwei,
Hebeisheng Renmin Zhengfu
113 Yuhudong Lu, Changan Qu
Shijiazhuang Shi
Hebei Sheng 050000
People’s Republic of China
Tel: +86 311 8790 2359 (Chinese only)

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR LIU XIAOMING, Embassy of the People’s Republic of China, 49-51 Portland Place W1B 1JL, 020 7299 4049, press_uk@mfa.gov.cn

Please check with your section office if sending appeals after the above date. This is the first update of UA 216/16. Further information: <https://www.amnesty.org/en/documents/asa17/4869/2016/en/>

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ADDITIONAL INFORMATION

According to her daughter, Chen Huixia started practicing Falun Gong in 1998 to heal her chronic illness and poor health. She was consequently detained for approximately three months in 2003 and following her release her family has been subjected to persistent harassment and intimidation by authorities.

The spiritual movement Falun Gong was banned in China for being a "threat to social and political stability" after its practitioners held a peaceful sit-in on Tiananmen Square in July 1999. In response, the government established a dedicated office, the "610 Office", to oversee the crackdown on the Falun Gong and other "heretical cults".

As a result, tens of thousands of Falun Gong practitioners have been arbitrarily detained and, often through the use of torture and other ill-treatment, made to renounce their spiritual beliefs. Since the 2013 abolition of "Re-Education Through Labour" (RTL) facilities, Chinese authorities are using alternate methods of arbitrary detention, including the criminal prosecution of individuals.

Torture and other ill-treatment are endemic in all forms of detention, although China ratified the UN Convention Against Torture in 1988. Amnesty International receives regular reports of deaths in custody, often caused by torture. Other inmates and "cell bosses" are used by detention centre and prison authorities to monitor the behaviour of fellow inmates and mete out punishment including subjecting resistant detainees to sleep deprivation, stress positions, as well as other physical and mental forms of torture or other ill-treatment.

The criminal justice system in China is roughly divided into three distinct phases: the police-led investigation, the prosecution phase, in which the prosecutors approve of the initial evidence needed to arrest a suspect and engages in further investigation to decide whether to indict a suspect; and the final trial phase carried out by the courts. Similar to previous years, the conviction rate in 2015 was higher than 99.9%, making it very important to voice concerns as early in the criminal justice process as possible, preferably before the decisions to arrest or indict suspects are even made.

Further information on UA: 216/16 Index: ASA 17/5751/2017 Issue Date: 21 February 2017