

URGENT ACTION

TAIWAN NGO WORKER FACES LIFE IMPRISONMENT

Lee Ming-cheh, the first foreign NGO worker detained after the Foreign NGO Management Law came into effect, was seen “confessing” on camera to charges of “subversion” during his trial. Prior to this appearance, he had not been heard from for six months. If convicted, the maximum sentence is life imprisonment.

Lee Ming-cheh, along with co-defendant and Chinese citizen Peng Yuhua, was tried for “subverting state power” by the Yueyang City Intermediate People’s Court in Hunan province on 11 September 2017. In his first public appearance since his detention in March 2017, Lee Ming-cheh looked tired and seemed to recite a seemingly prepared script. The trial was broadcast live on the court’s *weibo* account, a Twitter-like Chinese social media platform.

Answering the prosecutor’s questions, Lee Ming-cheh described how Peng Yuhua first contacted him in 2012 on *weibo*, and later added him to a group called “Liangyan Qianshou” (literally meaning “holding two hands across the strait”). This group was later renamed “Weiguan Zhongguo” (literally meaning “Watch China”) on QQ, a Chinese online chat platform which comments on China’s political system and promoting Western democratic values, where Lee Ming-cheh also shared his views about promoting a multi-party system in China.

According to the indictment read out by the prosecutor, Peng Yuhua established the group in May 2012 and added Lee Ming-cheh to the group in September 2012. Lee Ming-cheh and Peng Yuhua subsequently created similar groups for different provinces in China later that year and further established a company called “Meihua Gongsi” (Plum flower Company) to build their networks. The indictment also stated that, between 2012 and 2016, Lee Ming-cheh spread information and comments criticizing China’s political system on QQ, Facebook and WeChat.

Lee Ming-cheh’s wife was able to meet him briefly after the trial, however has had no contact with him since then. The verdict has yet to be delivered. Lee Ming-cheh has supported civil society organizations and activists for many years and was visiting China for personal matters when he was detained by state security authorities on 19 March 2017.

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

- Release Lee Ming-cheh immediately and unconditionally unless there is sufficient credible and admissible evidence that he has committed an internationally recognized offence and is granted a fair trial in line with international standards and
- Pending his release, ensure that Lee Ming-cheh has regular, unrestricted access to family and lawyers of his choice while in detention, and is not subjected to torture or other ill-treatment.

PLEASE SEND APPEALS BEFORE 4 DECEMBER 2017 TO:

Procurator-General

Luo Qing
Yueyang City People’s Procuratorate
No. 216 Jin’ezhonglu
Yueyangliuqu, Yueyangshi 414000
Hunansheng,
People’s Republic of China

Salutation: Dear Procurator-General

Minister of State Security

Chen Wenqing
14 Dongchanganjie
Dongchengqu
Beijingshi 100741
People’s Republic of China

Salutation: Dear Minister

And copies to:

Premier
Li Keqiang Guojia Zongli
The State Council General Office
2 Fuyoujie, Xicheng Qu
Beijingshi 100017
People’s Republic of China
Fax: +86 10 6596 1109 (c/o Ministry of
Foreign Affairs)
Email: premier@mail.gov.cn

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 third update of UA 71/17. Further information:

<https://www.amnesty.org/en/documents/asa17/7065/2017/en/>

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ADDITIONAL INFORMATION

On 7 September, four days before the trial, a court notice was circulated online saying that the trial would be held at Yueyang City Intermediate People's Court on 11 September. Lee Ming-cheh's co-defendant Peng Yuhua, little known among Chinese activists, was mentioned for the first time in the case.

Lee Ming-cheh is a manager of an NGO in Taipei, Wenshan Community College. In many state security cases in China in recent years, individuals have been prevented from accessing lawyers of their choice. Given that he has been held in incommunicado detention, it is unclear at this point whether the lawyers now representing him were actually chosen by Lee Ming-cheh.

Lee Ming-cheh first went missing on 19 March 2017 after crossing the Gongbei border from Macao to Zhuhai, Guangdong, southern China. After a few days of no communication, his wife contacted the Taipei Economic and Cultural Office in Macao for assistance, however they were only able to confirm that he had left Macao. In addition to Taiwan's Straits Exchange Foundation, Taiwan's Mainland Affairs Council also got involved and was able to confirm that Lee had entered China at 23:51 on 19 March 2017 and found no subsequent record of a hotel check-in or official arrest.

Lee Ming-cheh's wife, Lee Ching-yu, repeatedly asked the Chinese government to disclose Lee Ming-cheh's whereabouts, but she has not received any response to date. She only indirectly learned from Taiwan officials late on 27 March 2017 that Lee Ming-cheh was being held by state security officers. She travelled to the United States on 16-18 May to lobby the US Congress and the US government to call for Lee Ming-cheh's release.

Lee Ching-yu, held a press conference in Taipei on 6 September 2017 after receiving a call from a mainland lawyer who claimed to be hired by Lee Ming-cheh. He informed her that the trial would be held soon and he asked her to prepare to go to China. In response, Lee Ching-yu applied for a visa and was accompanied to China by her Taiwan legal advisers.

The Foreign NGO Management Law created additional barriers to the already limited rights to freedom of association, peaceful assembly and expression. Although the law was ostensibly designed to regulate and even protect the activities of foreign NGOs, it transferred to the Ministry of Public Security – the state policing agency – the responsibility to oversee the registration of these NGOs, as well as supervise their operations and pre-approve their activities. The wide discretion given to police to oversee and manage the work of foreign NGOs raised the risk of the law being misused to intimidate and prosecute human rights defenders and NGO staff.

During the consultation period, Amnesty International made a submission to the Chinese government, urging that the draft law be withdrawn or substantially amended in order to make it compatible with international human rights law and standards, see: <https://www.amnesty.org/en/documents/asa17/1776/2015/en/>.

Further information on UA: 71/17 Index: ASA 17/7334/2017 Issue Date: 23 October 2017