

# URGENT ACTION

## HUMAN RIGHTS LAWYER SENTENCED TO 2 YEARS IN PRISON

**Human rights lawyer Jiang Tianyong, represented by a government-appointed lawyer at trial, has been sentenced to two years of imprisonment for “inciting subversion of state power”. He is at risk of torture and other ill-treatment.**

**Jiang Tianyong** was found guilty of “inciting subversion of state power” by the Changsha City Intermediate People’s Court found on 21 November. He was sentenced to two years of imprisonment and deprivation of political rights for three years. He said in court that he would not appeal.

On 19 November, Jiang Tianyong’s father received a phone call from Yang Jieli, a lawyer appointed by the authorities to represent Jiang Tianyong. Yang Jieli informed the family that the judgement of Jiang Tianyong’s case would be handed down on 21 November. When Jiang Tianyong’s father asked why he had not received any official notification, Yang Jieli replied “I don’t care if you come to the court or not. I have informed you.”

Jiang Tianyong’s first trial was held in the Changsha City Intermediate Court on 22 August, in which he admitted to the charges of “inciting subversion of state power”. At the trial, he also “apologized” for fabricating rumours of torture by Chinese police and for attending overseas workshop to discuss changing China’s political system. According to Jiang Tianyong’s wife Jin Bianling, an “unnamed individual within the Changsha system” said Jiang Tianyong had been tortured and that his whole leg was so swollen he was unable to stand. It is possible that his confession to the charges of “inciting subversion of state power” was a result of torture or other ill-treatment.

Jiang Tianyong was held incommunicado for over a year and neither his family nor the family-hired lawyers were notified about the August trial in advance, in violation of Chinese law. Instead they first read about it via a news report just before the trial. Jiang Tianyong was represented by two government appointed lawyers at the trial. According to Jin Bianling, Jiang Tianyong’s father was taken away by national security officers and escorted to the August trial.

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

- Immediately and unconditionally release Jiang Tianyong as he has been imprisoned solely for peacefully exercising his right to freedom of expression and assembly;
- Ensure that Jiang Tianyong is protected from torture and other ill-treatment, and that he has regular, unrestricted access to his family, lawyers of his choice, and medical care on request or as necessary.

### **PLEASE SEND APPEALS BEFORE 3 JANUARY 2018 TO:**

Director  
Zhong Yibing Juzhang  
Hunan Prison Administrative Bureau  
160 Bayi Lu, Changsha Shi,  
Hunan Sheng 410011,  
People’s Republic of China  
Tel: +86 (0731) 4592678  
Email: enghunan@hunan.gov.cn  
**Salutation: Dear Director**

President  
Xi Jinping  
The State Council General Office  
2 Fuyoujie  
Xichengqu, Beijing Shi 100017,  
People’s Republic of China  
Fax: +86 10 6238 1025  
Email: english@mail.gov.cn  
**Salutation: Dear President**

**And copies to:**  
Minister of Public Security  
Zhao Kezhi Buzhang  
Gonganbu 14 Dongchanganjie  
Dongchengqu, Beijing Shi 100741  
People’s Republic of China  
Tel: +86 10 66262114 (Chinese only)  
Email: gabzfwz@mps.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](mailto: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 141/17. Further information: <https://www.amnesty.org/en/documents/asa17/6491/2017/en/>

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

Jiang Tianyong has been held incommunicado, with no access to his family and lawyers of his choice, since his initial detention on 21 November 2016. He was allowed to speak with his father by phone after he was sentenced on 21 November. Throughout his detention, the Changsha City Public Security Bureau has rejected all meeting requests made by the family-hired lawyers on the grounds of "obstructing the investigation" and "endangering national security".

In January 2017, human rights lawyer Xie Yang, who had been detained in the July 2015 lawyers crackdown, talked to his lawyer, who later provided a detailed account of how Xie Yang was tortured while in detention. The torture allegations were reported widely in the international media, and in February, prompted by the troubling allegations, eleven countries wrote a non-public letter to China expressing "growing concern over recent claims of torture and other cruel, inhuman or degrading treatment or punishment in cases concerning detained human rights lawyers and other human rights defenders." and called on China to end the use of "residential surveillance in a designated location", -- a form of secret incommunicado detention that allowed the police to hold individuals for up to six months outside the formal detention system, without access to legal counsel of their choice, their families or anybody else from the outside world, and placed suspects at risk of torture and other ill-treatment. The contents of this letter were later revealed by the international press. Chinese state media issued a flurry of reports to dismiss the torture allegations as "fake news".

As part of a campaign to discredit the torture allegations, mainland Chinese media released a video-recorded interview of Jiang Tianyong in February. In the video Jiang Tianyong claimed to have fabricated Xie Yang's account of torture. However, as analysts noted, Jiang Tianyong was in incommunicado detention at the time the Xie Yang torture allegations first garnered international headlines, and "forced confessions" on state-run TV have become common in China in recent years.

Jiang Tianyong was formally arrested for 'subverting state power' on 31 May 2017 and on 15 June 2017 the Director of Changsha No. 1 Detention Centre verbally informed the two lawyers hired by his family that Jiang Tianyong had chosen two other lawyers to represent him. In a public statement the family stated they did not endorse these government appointed lawyers and condemned the government for appointing them. The detention centre did not present any proof of Jiang Tianyong's authorization changing lawyers, and would not allow the family-hired lawyers to meet with him.

Jiang Tianyong has been involved in several high profile cases and has supported other human rights defenders, including human rights lawyer Gao Zhisheng, who was imprisoned and consistently harassed due to his human rights work, and blind legal activist Chen Guangcheng, who exposed forced abortion practices on villagers by local officials in Dongshigu Village in Linyi, Shandong.

Prior to his current detention, Jiang Tianyong was most recently detained in March 2014, after he and three other lawyers went to investigate a "black jail", or unofficial detention facility, in Jiansanjiang, Heilongjiang which allegedly detained Falun Gong practitioners. He was beaten while detained and had eight ribs fractured as a result.

Previously, in May 2012, Jiang Tianyong was detained by public security officers while on his way to visit Chen Guangcheng in Chaoyang Hospital, Haidian District, Beijing. Detained for nine hours, Jiang Tianyong was beaten so badly that his left eardrum was perforated and the hearing in his right ear was temporarily impaired.

Nearly 250 lawyers and activists have been targeted since the unprecedented crackdown against human rights activists in the country initiated in July 2015. Lawyer Wang Quanzhang has been held in incommunicado detention for more than two years and he is the last of those targeted that is still awaiting trial.

Further information on UA: 141/17 Index: ASA 17/7481/2017 Issue Date: 22 November 2017