

**Note: Please write on behalf of these people even though you may not have received the original UA when issued on August 23, 2002. Thanks!**

**24 July 2003**

**Further Information on UA 259/02 (23 August 2002) and follow-ups (23 December 2002, 12 February 2003) Unfair trial**

**PEOPLE'S REPUBLIC OF CHINA**

**Yang Jianli (m), US permanent resident, aged 39**

**Wang Bingzhang (m), US permanent resident, aged 55**

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On 17 July, Yang Jianli was formally charged with spying and illegally entering China. His trial is reportedly due to take place on or shortly after 28 July. Amnesty International is concerned that he will not receive a fair trial that meets international standards.

In an opinion adopted on 7 May, the United Nations Working Group on Arbitrary Detention (WGAD) concluded that Yang Jianli's arrest and detention are arbitrary, and infringe his right to a fair trial. This judgment was based on evidence that the Chinese authorities had detained Yang Jianli for more than two months without an arrest warrant or charge. They also failed to formally acknowledge Yang Jianli's arrest or to give him access to a lawyer throughout this time.

WGAD has asked the Chinese Government to "take the necessary steps to remedy the situation." The US House of Representatives has also passed a resolution calling for his release.

Yang Jianli, a Chinese pro-democracy dissident and a permanent resident in the US, was detained in April 2002 for entering China illegally on someone else's passport. He has been held incommunicado and unable to see his lawyer or his family for more than a year.

Wang Bingzhang continues to serve a life sentence after being convicted of spying and terrorism in a separate case. His trial was held in secret and failed to meet international standards for fair trial.

### **BACKGROUND INFORMATION**

China last year strengthened provisions against terrorism in its criminal law in the wake of the attacks in the USA of 11 September 2001. There are serious concerns that China has used "anti-terrorism" as a pretext to crack down on a variety of oppositional activities, including peaceful political protest and dissent. In the Xinjiang Uighur Autonomous Region, many people have been convicted on charges of "separatism" or "terrorism" after apparently unfair trials. In January 2003, Lobsang Dhondup, a Tibetan from Sichuan province was executed after being found guilty of "inciting separatism", "causing explosions" and "illegal possession of guns and ammunition" in an apparently unfair trial.

### **RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible:**

- calling on the authorities to conduct an immediate review of the charges against Yang Jianli, and if the charges are well-founded, to conduct a trial in an open court, ensuring that he is given full facilities to prepare and present his defence in line with international fair trial standards;
- calling on the authorities to conduct a full investigation into the circumstances of Yang Jianli's arrest and detention;
- drawing the attention of the authorities to the opinion of the Working Group on Arbitrary Detention concerning Yang Jiangli (Opinion No.2/2003, People's Republic of China) and urging them to take immediate steps to abide by its ruling.

**APPEALS TO:**

**Minister of Justice of the People's Republic of China:**

ZHANG Fusen Buzhang

Sifabu

10 Chaoyangmen Nandajie, Chaoyangqu

Beijingshi 100020

PEOPLE'S REPUBLIC OF CHINA

**Telegram: Minister of Justice, Beijing, China**

**Fax: 011 86 10 65 292345**

**Salutation: Your Excellency**

**President of Beijing Municipal High People's Court:**

QIN Zhengan Yuanzhang

Beijingshi Gaoji Renmin Fayuan

215 Xiheyuan

Chongwenqu

Beijingshi 100051

PEOPLE'S REPUBLIC OF CHINA

**Telegram: President of the Municipal High People's Court, Beijing, China**

**Salutation: Dear President**

**Minister of Foreign Affairs of the People's Republic of China:**

LI Zhaoxing Buzhang

Waijiaobu

2 Chaoyangmen Nandajie

Beijingshi 100701

PEOPLE'S REPUBLIC OF CHINA

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**Salutation: Your Excellency**

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***Please send appeals immediately. Check with the Colorado office between 9:00 am and 6:00 pm, Mountain Time, weekdays only, if sending appeals after 4 September 2003.***