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CHINA

FALUN GONG PRACTITIONER DETAINED INDEFINITELY

A judge has asked the prosecutor to collect further evidence for the trial of Falun Gong practitioner, Chen Huixia, for her indictment of “using an evil cult to undermine law enforcement”. Following a court hearing in Hebei province on 12 May 2017, her trial has now been indefinitely adjourned. Chen Huixia has been arbitrarily detained since 3 June 2016, was tortured, and has had no access to her family for over a year.



Chen Huixia’s family only found out about the trial less than two days before it was due to be held, in Hebei province, northern China, on 12 May 2017, from the defence lawyer. The court only allowed one family member and a single friend to attend the hearing, stating that only three people, including the defence lawyer, were allowed to attend.

During the three hour hearing, Chen Huixia was twice taken away from the court by the police. On both occasions her defence lawyer was not allowed to accompany her. The lawyer argued in the hearing that the evidence provided by the police were extracted by torture and should be excluded. While not stating that evidence extracted through torture would be inadmissible in court, the judge nonetheless asked the Procuratorate (prosecutor) to collect further evidence and adjourned the trial until further notice. The family has since received no information about Chen Huixia and has not yet been allowed to visit her once since police took her away on 3 June 2016.

In the transcript from an interview conducted in 15 December 2016, only recently obtained by her daughter, Chen Huixia provided the details of how she was tortured. According to her testimony, police strapped her to an iron chair in a “brainwashing centre”, an arbitrary detention facility set up to get Falun Gong practitioners to renounce their belief, from 17 June to 16 July 2016 and did not allow her to sleep for 30 days. When Chen Huixia asked the prosecutor investigating the incident whether the events amounted to torture, she said it did not.

Please write a politely-worded letter, urging the authorities

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

Address your appeals to

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

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

Please send a copy to

His Excellency Shaye Lu
Ambassador for the People's Republic of China
515 St. Patrick Street
Ottawa, Ontario K1N 5H3
Fax: (613) 789-1911
Twitter: @ChinaEmbOttawa

Governor of Hebei Province

Zhang Qingwei

Hebeisheng Renmin Zhengfu

113 Yuhuadong Lu, Changan Qu

Shijiazhuang Shi

Hebei Sheng 050000

People's Republic of China

Tel: 011 86 311 8790 2359 (Chinese only)

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. 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.