

ASA 17/038/2012
3 October 2012

UA 280/12 CHINA - CHEN GUANGCHENG'S NEPHEW DETAINED

CHINA

Chen Kegui, nephew of human rights activist Chen Guangcheng, was detained on 30 April in Yinan county, Shandong province, China. He has been held in incommunicado detention for more than five months. He is being denied access to his lawyers and family – who are also being harassed and intimidated. He is at risk of torture, an unfair trial and a possible death sentence.

During the night of 26 April, just days after human rights activist Chen Guangcheng escaped from years of illegal house arrest, his brother's home was raided. Chen Guangcheng's nephew, Chen Kegui, and Chen Kegui's mother, were violently attacked in the raid that lasted until the next morning. Chen Kegui reportedly acted in self defence and went into hiding. After the raid, Chen Kegui's father was taken into custody where he was allegedly tortured by police who chained his legs, beat him in the ribs and whipped him with belts. Upon revealing details of his torture to the media after his release on 29 April Chen Kegui's father was told by officials that his son Chen Kegui would receive an even harsher punishment.

On 30 April, after days of fleeing for his safety, Chen Kegui was apprehended by the police and detained in a detention facility in Yinan county. On 9 May Chen Kegui's family was notified the he was detained on suspicion of "intentional homicide" concerning alleged injuries of those who raided his home, even though no deaths have been reported. Since then the family has received no further information regarding legal procedures or official written notification with regard to the charges and scheduled trial of Chen Kegui as required by Chinese law. This is despite him having been held in incommunicado detention for over five months. Chen Kegui has been denied access to his lawyers and the lawyers initially appointed by the family were threatened by officials with retaliation, forcing them to drop the case.

Please write immediately in Chinese or your own language:

- * Demanding the authorities give Chen Kegui the right to choose his own legal representation, and ensure that lawyers are able to mount a defence free from harassment or intimidation.
- * Calling on the authorities to either release Chen Kegui or formally charge him and try him in proceedings respecting international fair trial standards and without recourse to the death penalty.
- * Calling on the authorities to ensure that Chen Kegui is not subjected to torture or other ill-treatment and to immediately cease all harassment of Chen Kegui's family.

PLEASE SEND APPEALS BEFORE 6 NOVEMBER 2012 TO:

Chief Procurator of the Shandong Provincial People's Procuratorate
Wu Pengfei Jianchazhang
Shandongsheng Renmin Jianchayuan
Hepinglu Dongsou
Jinanshi 250014
Shandongsheng
People's Republic of China
Telephone: +86 531-83011062
Fax: +86 531-83012514
Email: webmaster@sdjcy.gov.cn
Salutation: Dear Procurator

And copies to:

Secretary of the Shandong Provincial Party Committee
Jiang Yikang Shuji
Zhonggong Shandongsheng Weiyuanhui 482 Jingyilu
Shizhongqu
Jianashi 250001
Shandongsheng
People's Republic of China
Telephone: +86 53187935501
Email: icc@npc.gov.cn
Salutation: Dear Secretary

Also send copies to diplomatic representatives accredited to your country.

KINESISKA FOLKREPUBLICENS AMBASSAD
LIDOVÄGEN 8
115 25 STOCKHOLM
FAX 08-579 364 54
E-post: protocol@chinaembassy.se

Please check with your section office if sending appeals after the above date.

ADDITIONAL INFORMATION

Chen Kegui's family home was raided by around twenty plain clothed individuals who failed to show any identification or search warrant. According to those present, Chen Kegui picked up a knife in self defence and injured several of the intruders, before fleeing the house. He was formally detained on suspicion of "intentional homicide" on 9 May 2012.

Chen Wuquan, a lawyer who tried to assist in the case had been laid off by his firm after the Judicial Bureau of Guangzhou Municipality put pressure on his firm. The same bureau refused to allow Chen Wuquan to renew his lawyer's license.

Another lawyer, Liu Weiguo, was put under house arrest. While harassing the lawyers appointed by the family, the authorities have assigned two "legal aid" lawyers to Chen's case that the family have publicly rejected.

Name: Chen Kegui; Chen Guangcheng; Chen Wuquan; Liu Weiguo
Gender m/f: Chen Kegui (M); Chen Guangcheng (M); Chen Wuquan (M); Liu Weiguo (M)