

URGENT ACTION

報導 COVID-19 疫情的記者張展必須獲得保外就醫

一直在進行部分絕食以抗議自己被拘留的公民記者張展，現在的健康狀況十分危急；如果她未能以醫療原因獲得釋放，她的家人覺得她無法熬過這個冬天。她的家人於 11 月 15 日向上海女子監獄提交了醫療保釋申請，但尚未收到回覆。同時，張展的律師和家人也不斷提出親自探望她的申請，卻無法得到准許。在張展獲釋之前，當局必須在她死於獄中之前接受她的保外就醫申請。

立即行動：以你的文字寫一封信，也可以抄寫下列範本

上海市人民檢察院檢察長張本才

親愛的張檢察長：

我來信表達我對公民記者張展深切的憂慮。她一直以部分絕食的方式來抗議當局對她的監禁；身為良心犯，她僅因和平行使表達自由的權利，報導有關 COVID-19 疫情的真相而遭受關押。張展應該立即無條件被釋放。由於張展的健康狀況十分危急，她的家人覺得她無法熬過這個冬天，並一直呼籲當局以醫療因素為由將她釋放，情況極為緊急。近日有消息指出，她的身體非常虛弱，甚至無法走路、抬頭，且皮膚泛黃，看似面臨生死交關的健康狀況。

她的家人於 11 月 15 日向上海女子監獄提交了醫療保釋申請，但尚未收到回覆。申請是按照最高人民法院、最高人民檢察院、公安部等關於印發《暫予監外執行規定》的通知中所列標準提交的，規定中寫明若犯人身體狀況危急，可以申請保外就醫。

更令人擔憂的是，張展仍然無法定期聯繫家人和律師，他們也無法進一步確認她的健康狀況。

中國維權人士遭到監禁時的死亡模式令人震驚，他們通常會在拘留期間死亡，或是因延誤了保外就醫的時間而死亡。為確保在您的拘留設施中沒有其他人死亡，我敦促您：

- 在獲釋之前，接受張展的保外就醫申請；
- 在獲釋之前，確保上海女子監獄立即接受並處理張展的保外就醫申請，並確保張展得到緊急且適當的醫療照護，包括完整的全身健康檢查。

敬此

ADDITIONAL INFORMATION 事件背景

身為公民記者的前律師張展，一直以來積極為中國的政治和人權問題發聲。2020 年 2 月，她前往 COVID-19 疫情爆發的中心：武漢。她利用網路平台（包括微信、推特和 YouTube）報導其他獨立記者被拘留以及受害者家屬受到的騷擾。2020 年 5 月 14 日，張展在武漢失蹤，隨後被證實在 640 公里外的上海受到警察拘留。

2021 年 10 月 14 日，張展與家人進行了 4 分 9 秒的視訊通話，雖然規定的通話時間應該要有五分鐘。她看起來非常消瘦，並決心繼續部分絕食抗議；如果她未能以醫療原因獲得釋放，她的家人不認為她能活過這個冬天。10 月 29 日，張展再次與家人視訊通話。家人透露她的健康狀況惡化，她沒有力氣走路也無法抬頭。更令人擔憂的是，她的皮膚呈現黃色，這是有潛在生命危險的跡象。

自從張展健康狀況危急的消息傳出後，包括歐盟和美國在內的許多組織和國家紛紛發聲，呼籲中國當局釋放張展。國際特赦組織更在 2021 年 9 月與無國界記者組織（Reporters Without Borders, RSF）發表共同聲明，敦促中國釋放張展。

張展於 2020 年 6 月開始絕食，以抗議她被拘留並主張自己的清白。據報導，儘管她打算持續抗議，拘留中心開始以餵食管強行餵她，她的獄友也參與了強行餵食她的行為。張展的辯護律師表示，她的身體非常虛弱，走路時胃痛、頭暈、無力。另有報導指出，作為絕食的懲罰，張展被強迫戴腳鐐，且三個多月以來雙手全天 24 小時都遭到禁錮。

浦東新區人民法院於 2020 年 12 月 28 日判處張展四年有期徒刑，對她「尋釁滋事」的指控源於她對 COVID-19 疫情的報導。2021 年 4 月，張展的家人接獲通知，張展被轉送至上海女子監獄。移監後，張展持續部分絕食的抗議行為，只吃餅乾或饅頭等點心。

中國維權人士遭到監禁時的死亡模式令人震驚，他們通常會在拘留期間死亡，或是因延誤了保外就醫的時間而死亡。2017 年 7 月，人權運動者、諾貝爾獎得主劉曉波在拘留期間死亡，因為當局拒絕他和家人要求在國外接受癌症治療的申請。同年，中國作家和政府評論家楊同彥（筆名楊天水）在保外就醫和接受腦瘤切除手術三個月後去世。2014 年 3 月，北京社運人士和著名倡議者曹順利在被關押數月後死於器官衰竭，她在獄中沒有得到適當的治療。

公民記者是疫情期間主要（甚至是唯一）未經審查的第一手消息來源。中國的公民記者不多，因為他們無法獲得報導新聞的官方認證。公民記者獨立於受國家控制的媒體，常因公開政府隱匿的訊息而必須面對持續的騷擾和鎮壓。

許多報導皆指出，獨立記者和社運人士會因為在社群媒體上分享有關 COVID-19 疫情的資訊而受到當局騷擾。其中包括直言不諱的律師和公民記者陳秋實，他表示自己在發布武漢醫院的影片後受到當局的騷擾；武漢居民方斌也在發布一段呈現 19 名疫情受害者屍體的影片後，被當局短暫抓走。

中國刑法第 293 條規定的「尋釁滋事罪」是一種定義廣泛、措辭模糊的罪行，被廣泛用來針對社運人士和人權捍衛者。儘管該罪行最初適用於擾亂公共場所秩序的行為，但自 2013 年以來，範圍已擴大至網路空間。任何被定罪的人都可能面臨最高五年的監禁。

用中文、英文或熟悉的語言寫下對中國政府說的話；或是參考訴求範本信照著寫。

請在 2022 年 1 月 20 日前

寄到以下地址

105 臺北市松山區八德路三段 36 號 7 樓 國際特赦組織台灣分會

URGENT ACTION

COVID-19 JOURNALIST MUST BE GRANTED MEDICAL BAIL

Citizen journalist Zhang Zhan, who has been on partial hunger strike in protest of her incarceration, is at grave risk of death and her family does not expect her to live through the winter if she is not released on medical grounds. Shanghai Women's Prison has not responded to an application for her bail on medical grounds filed by her family on 15 November. Meanwhile, Zhang Zhan's lawyer and family members continue to file applications to visit her in person, but to no avail. Pending her release, the Chinese authorities must accept the application of medical bail before she dies in the prison.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Chief Procurator of Shanghai People's Procuratorate Zhang Bencai

Dear Chief Procurator Zhang,

*I am writing to express grave concern for the life of citizen journalist **Zhang Zhan (张展)**, who has been on partial hunger strike to protest her incarceration. A prisoner of conscience imprisoned solely for peacefully exercising her right to freedom of expression when she reported about COVID-19, Zhang Zhan should be released immediately and unconditionally.*

It is extremely alarming to learn that, due to her dire health condition, Zhang Zhan's family do not expect her to live through the winter and have been calling the authorities to release her on medical grounds. Recently it is reported that she is feeling incredibly weak, has no energy to walk nor raise her head and, with yellowed skin, looks to be suffering from a life-threatening condition.

For your information, her family submitted a medical bail application on 15 November to Shanghai's Women's Prison and have not received a response yet. The application was submitted pursuant to the criteria listed in the "Notice of the Supreme People's Court, the Supreme People's Procuratorate, the Ministry of Public Security, and Other Ministries on Issuing the Provisions on Temporary Service of Sentences Outside Prisons" (最高人民法院、最高人民检察院、公安部等关于印发《暂予监外执行规定》的通知) where a prisoner can apply for medical bail when he/she is facing critical health condition.

It is further worrying that Zhang Zhan still does not have regular access to her family members and lawyers and there is no way to for them to further verify her health and wellbeing.

There is an alarming pattern of deaths of imprisoned Chinese activists, either in detention or after being belatedly released on medical parole. To ensure that no one else dies while in your detention facilities, I urge you to:

- ***Pending her release, accept the medical bail application for Zhang Zhan;***
- ***Pending her release, ensure that Shanghai Women's Prison immediately accepts and processes the medical bail application for Zhang Zhan and she receives urgent, regular, and adequate medical care, including a full body / medical check-up.***

Yours sincerely,

ADDITIONAL INFORMATION

Zhang Zhan, a former lawyer, is a citizen journalist who has actively spoken out about politics and human rights issues in China. In February 2020, she travelled to Wuhan, then the centre of the COVID-19 outbreak in China. She used online platforms (including WeChat, Twitter and YouTube) to report on the detention of other independent reporters as well as the harassment of victims' families. Zhang Zhan went missing on 14 May 2020 in Wuhan and was subsequently revealed to have been detained by police in Shanghai, more than 640 km away.

Zhang Zhan was able to have a [video call with her family](#) on 14 October for four minutes and nine seconds. The mandated duration of the call is supposed to be five minutes. Looking incredibly thin and determined to continue her partial hunger strike, her family do not expect her to live through the winter if she is not released on medical grounds. Zhang Zhan was again able to speak to her family through another video call on 29 October. They shared that her condition had further weakened, and she has no energy to walk nor raise her head. Of further concern is the yellow colour of her skin, a sign of a potential life-threatening condition.

Since the news that Zhang Zhan's health is in the critical condition, many organisations and states have spoken up and called on the Chinese authorities to release Zhang Zhan. This includes the [EU](#) and the [US](#). Amnesty International also joined Reporters Without Borders (RSF) in a [statement](#) to urge China to release Zhang Zhan in September 2021.

Zhang Zhan started a hunger strike in June 2020 to protest her detention and assert her innocence. Despite her intention to continue with her protest, detention centre authorities reportedly began forcibly feeding her through a feeding tube, and it is reported that her cellmates were also involved in the act of forcibly feeding her. Zhang Zhan's defence lawyer said she is physically very weak and suffering from stomach pain, dizziness and weakness while walking. It is also reported that Zhang Zhan was forced to wear shackles and that her hands were restrained 24 hours a day for more than three months as punishment for her hunger strike.

The Pudong New District People's Court sentenced Zhang Zhan to four years in prison on 28 December 2020. The charge against her of "picking quarrels and provoking trouble" stemmed from her COVID-19 reports. In April 2021, Zhang Zhan's family received notification that Zhang Zhan was transferred to Shanghai Women's Prison. Zhang Zhan has continued to carry out a partial hunger strike since being transferred to prison, eating only light snack such as biscuits or *mantou* (small, steamed buns).

There is an alarming pattern of deaths of imprisoned Chinese activists, either in detention or after being belatedly released on medical parole. In July 2017, human rights activist and Nobel Laureate Liu Xiaobo died in custody after the authorities refused his and his family's requests to receive treatment abroad for his cancer. The same year, Chinese writer and government critic Yang Tongyan (pen name Yang Tianshui) died three months after being released on medical parole and undergoing an operation to remove a brain tumour. Beijing activist and prominent campaigner Cao Shunli died from organ failure after months in custody in March 2014. She was denied appropriate medical treatment while in jail.

Citizen journalists were the primary, if not the only, source of uncensored and first-hand information about the COVID-19 outbreak in China. There are not many citizen journalists in China, as they are not able to obtain official accreditation to report news. Citizen journalists in China face consistent harassment and repression for reporting news and disseminating information that is censored by the government.

There have been many reports of independent journalists and activists harassed by authorities for sharing information about COVID-19 on social media. These include outspoken lawyer and citizen journalist Chen Qiushi, who reported being harassed by the authorities after posting footage from hospitals in Wuhan, and Wuhan resident Fang Bin, who was briefly taken away by the authorities after posting a video purporting to show corpses of COVID-19 victims.

The crime of "picking quarrels and provoking trouble" (寻衅滋事罪) under Article 293 of the Chinese Criminal Law is a broadly defined and vaguely worded offence that has been widely used to target activists and human rights defenders. Although the crime originally applied to acts that disrupted order in public places, the scope has expanded since 2013 to include online space as well. Anyone convicted could face a maximum of five years in prison.

PREFERRED LANGUAGE TO ADDRESS TARGET: English or Chinese
You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 20 January 2022

Send your letter to :

7F., No. 36, Sec. 3, Bade Rd., Songshan Dist., Taipei City, 105., Taiwan

Amnesty International Taiwan Office