

# URGENT ACTION

## CHINESE HOUSING ACTIVISTS' SENTENCES UPHELD

**On 27 July, a Beijing court overturned the sentence of housing rights activist and former lawyer Ni Yulan on a fraud charge. However, the court upheld her and her husband Dong Jiqin's sentences for "picking quarrels and provoking trouble", criminalized in Article 293 of China's Criminal Law.**

On 10 April, **Ni Yulan** was sentenced to two years and eight months in prison for "picking quarrels and provoking trouble" and "fraud". Her husband **Dong Jiqin** was sentenced to two years for "picking quarrels and provoking trouble". They had been detained in April 2011 and were tried in December 2011.

They appealed their sentences, and on 27 July, Beijing Shijingshan No. 1 Intermediate People's Court heard their appeal. Ni Yulan appeared to be in better health than during her first trial in December 2011 which she spent mostly lying down, needing a respirator to breathe. Now she was able to sit throughout the hearing although she appeared to have swelling in her neck. According to her lawyers, she is malnourished in prison. Ni Yulan suffers from respiratory, heart and digestive problems, and cannot walk, due to previous police torture.

Because Ni Yulan's sentence for "fraud" was overturned, her sentence is now two years and six months in prison. Dong Jiqin's sentence remains as before. Amnesty International believes that the couple have been targeted because of Ni Yulan's peaceful human rights and legal aid activities and considers them prisoners of conscience.

The couple's daughter, who was able to attend the appeal hearing, is under police surveillance.

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

- Calling on the authorities to immediately and unconditionally release Ni Yulan and Dong Jiqin;
- Urging them to guarantee that the couple are not tortured or otherwise ill-treated whilst they remain in detention;
- Calling on the authorities to ensure that they have access to their families, legal representation of their choice, adequate food, and any medical care they may require.

### **PLEASE SEND APPEALS BEFORE 7 SEPTEMBER 2012 TO:**

Director of the Beijing Public Security Bureau

Fu Zhenghua Juzhang

Beijingshi Gong'anju

9 Dongdajie, Qianmen

Dongchengqu, Beijingshi 100740

People's Republic of China

Fax: +86 10 6524 2927

**Salutation: Dear Director**

Minister of Justice of the People's Republic of China

WU Aiyang Buzhang

Sifabu

10 Chaoyangmen Nandajie

Chaoyangqu, Beijingshi 100020

People's Republic of China

Fax: +86 10 6529 2345

Email: pfmaster@legalinfo.gov.cn

**Salutation: Dear Minister**

Premier

WEN Jiabao Guojia Zongli

The State Council General Office

2 Fuyoujie, Xichengqu,

Beijingshi 100017,

People's Republic of China

Fax: +86 10 6596 1109 (c/o Ministry of

Foreign Affairs)

**Salutation: Your Excellency**

**Also send copies to diplomatic representatives accredited to your country.**

Please check with your section office if sending appeals after the above date. This is the third update of UA 117/11. Further information:

<http://www.amnesty.org/en/library/info/ASA17/020/2011/en>, <http://www.amnesty.org/en/library/info/ASA17/035/2011/en> and

<http://www.amnesty.org/en/library/info/ASA17/011/2012/en>

**AMNESTY  
INTERNATIONAL**



# URGENT ACTION

## CHINESE HOUSING ACTIVISTS' SENTENCES UPHELD

### ADDITIONAL INFORMATION

Lawyers are increasingly in the forefront of human rights activism in China as more and more people turn to the law to push for democracy and basic rights. The Chinese government's response has been uncompromising. Human rights lawyers are subject to increased silencing tactics - from suspension or revoking of licences, to harassment, enforced disappearance or even torture. This persecution has kept the number of human rights lawyers down. Out of more than 204,000 lawyers in China, only a brave few hundred risk taking on cases that deal with human rights.

Ni Yulan worked as a lawyer for 18 years. She took on many politically sensitive cases of petitioners and other people protesting the demolition of their homes.

This is the third time Beijing police have held Ni Yulan for an extended period of time. In 2002, as Ni Yulan was filming the demolition of a Beijing home, authorities took her to a nearby police station and tortured her for several days, breaking her feet and her kneecaps. Her injuries were so severe that she remains in a wheel chair. When Ni Yulan attempted to petition the authorities about the beatings, she was arrested, convicted of "obstructing official business," and sentenced to one year in prison. When convicted, she also lost her professional licence to practice law. Dong Jiqin was barred from attending her trial.

When Ni Yulan was released in 2003, she continued fighting for the rights of people whose homes faced demolitions ahead of the 2008 Beijing Olympics. In 2008, just before the Olympics, Ni Yulan was arrested and imprisoned for two years after trying to stop the demolition of her own home. While in prison, she was tortured and suffered from other ill-treatment. She was also denied adequate medical care.

Upon her release from prison in April 2010, Ni Yulan and Dong Jiqin were homeless. They lived in a hotel before police forced them onto the street and blocked them from renting accommodation or even staying with friends. In June 2010, after dozens of supporters held a demonstration in solidarity with Ni Yulan and Dong Jiqin, police moved the couple into Beijing's Yuxingong Guesthouse. However, the authorities continued to subject them to surveillance and other forms of harassment, including cutting off their water and electricity supply, as well as their Internet access.

While living in the guesthouse Ni Yulan continued to stay in touch with activists, lawyers, and journalists and to publicize human rights abuses on her microblog. In his 2010 film, *Emergency Shelter*, documentary maker He Yang brought widespread attention to Ni Yulan's persecution.

Name: Ni Yulan (f) and Dong Jiqin (m)

Gender m/f: Both

Further information on UA: 117/11 Index: ASA 17/025/2012 Issue Date: 27 July 2012