

URGENT ACTION

ACTIVISTS APPROACHING ONE YEAR IN DETENTION

On April 13, 2023, prominent human rights lawyer, Yu Wensheng, and his wife, Xu Yan, were taken into police custody while en route to the delegation of the European Union to China in Beijing. In October, Yu Wensheng and Xu Yan were indicted on charges of “picking quarrels” and an additional charge of “inciting subversion of state power,” and in January 2024, the couple were transferred from a detention center in Beijing to one in Jiangsu Province. Xu Yan has reportedly lost 30 lbs since being detained and the conditions of her detention in Beijing may have constituted torture and other ill-treatment. Their son, who turned 18 just before their detention, has faced a serious deterioration of his mental health over the last year, and currently suffers from depression.

TAKE ACTION:

- Write a letter in your own words or using the sample below as a guide to one or both government officials listed. You can also email, fax, call or Tweet them.
- [Click here](#) to let us know the actions you took on **Ninth Urgent Action 19.18**. It's important to report because we share the total number with the officials we are trying to persuade and the people we are trying to help.

Chief Li Jun
Suzhou City People's Procuratorate,
 No.388 Jiefang East Road, Gusu District, Suzhou City
 Jiangsu Province, 215000, P.R. China

Chinese Embassy in the United States
His Excellency Ambassador Xie Fang
 3505 International Place,
 NW, Washington DC 20008
 Email: chinaembpress_us@mfa.gov.cn
 Salutation: Dear Ambassador Xie Fang

Dear Chief Li, or Dear Ambassador,

I am writing to express my grave concern for prominent human rights lawyer, **Yu Wensheng (余文生)**, and his wife, **Xu Yan(徐艳)**. On April 12, 2023, the couple were taken into police custody while en route to attend a meeting with the EU's Ambassador to China. They were detained in Beijing Shijingshan Detention Center until January 2024, after which they were transferred to Suzhou Detention Center in Jiangsu province, some 1000km away.

Yu and Xu were arrested for “picking quarrels and provoking trouble”, an overly broad crime which is widely used for targeting human rights defenders, journalists, and dissidents.

Xu Yan has reportedly lost 30 lbs since being detained. She has been subjected to verbal abuse, including being intimidated by police who threatened to arrest her son if he undertakes advocacy on her and Yu's case. Their son, who turned 18 just before their detention, has faced a serious deterioration of his mental health over the last year, and currently suffers from depression.

I call on you to release Yu Wensheng and Xu Yan immediately and unconditionally, as they are being detained solely for peacefully exercising their human right to freedom of expression. Pending their release, I urge you to ensure they are not subjected to torture or other ill-treatment. Finally, I urge you to ensure their son and other members of their family are not subjected to harassment and threats.

Yours sincerely,

ADDITIONAL INFORMATION

In 2020, prominent human rights lawyer, **Yu Wensheng**, was sentenced to four years' imprisonment and deprivation of political rights, on the charge of “inciting subversion of state power” (煽动颠覆国家政权罪) for only exercising his right to freedom of expression. Since his first arrest in 2018, Yu's health dramatically deteriorated due to poor conditions and alleged torture and other ill-treatment while in detention.

During Yu's first detention, his wife **Xu Yan** fought tirelessly for the release of her husband and made numerous failed attempts to visit him in prison. Xu was under constant surveillance and repeatedly faced harassment by the Chinese authorities, having been summoned, detained, and occasionally banned from leaving her house.

However, Yu and Xu were taken into police custody while en route to the delegation of the European Union to China on April 13, 2023, where they were to attend a meeting with the EU's Ambassador to China, Jorge Toledo Albiñana, and another senior EU official. On May 21, the police informed their family that Yu and Xu were both formally arrested for “picking quarrels and provoking trouble”, an overly broad crime which is widely used for targeting human rights defenders, activists, journalists, and dissidents. In October, Yu Wensheng and Xu Yan were indicted on charges of “picking quarrels” and an additional charge of “inciting subversion of state power.” Picking quarrels carries a maximum of five years' imprisonment and inciting subversion carries a sentence of up to five years, or longer if they are deemed “ringleaders.”

In early December 2023, Amnesty International learned that Xu Yan's alleged conditions in custody in Beijing may have constituted torture and other ill-treatment. She was given fewer quilts than other detainees and was thus very cold, was forced to sit for long periods of time leading to swelling in her legs and lower back pain, faced bullying from other detainees, including being beaten, and lost 30 pounds due to the poor quality of food in detention. Since being detained, she has been given one medical exam by a doctor, who confirmed there is an issue with her lower back, but they haven't given her any further information. In late November, Xu Yan started a hunger strike in protest of her treatment and denial of her legal rights. Police officers had verbally abused her and intimidated her by threatening to arrest her son if he undertakes advocacy on her and Yu's case.

Their son turned 18 just prior to their detention, and since then has been living on his own, under extensive public security surveillance. In November 2023, civil society groups reported that he had overdosed on medication and was rushed to the hospital; they believe this was a suicide attempt due to the impact of his parents' detentions and the security environment on his well-being and mental health. His situation has been exacerbated by the transfer of his parents to Suzhou, a city 1000 kilometers away, effectively removing the possibility for him to request visits.

PREFERRED LANGUAGE TO ADDRESS TARGET: English, Chinese, or your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: May 17, 2024

NAME AND PRONOUN: Yu Wensheng (he/him) & Xu Yan (she/her)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/ASA17/3729/2021/en/>