

OPEN LETTER TO THE AUTHORITIES - THE OBSERVATORY

Open Letter to Mr. Wen Jiabao, Prime Minister and Mr. Meng Jianzhu, Minister of Public Security People's Republic of China

Paris-Geneva, December 16, 2011

Re: Call for an impartial investigation into acts of harassment against Mr. Wu Zeheng

Your Excellencies,

The Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), express its deepest concern about the impunity of acts of harassment against Mr. **Wu Zeheng**, a prominent Buddhist leader, also known as Buddhist Zen Master Shi Xingwu, known for his commitment towards greater respect of human rights and the rule of law principles and his fight against corruption.

According to the information received, on May 9, 2011, the eve of an important Buddhist holiday (the commemoration of Buddha Sakyamuni's birthday), in front of several witnesses, Mr. Wu Zeheng was beaten, threatened and forcibly arrested by officers belonging to the Zhu-hai police. At 9 pm, eight policemen forcefully entered Mr. Wu's residence and seized him, his young sister and two other students and searched all rooms, without presenting any search warrant or any other legal documentation authorising their action. Double-handcuffed, Mr. Wu was forcefully taken to the police for questioning, without allowing him to even put on his shoes. Several followers present in his house at the time were also taken in for questioning. Along the way, Mr. Luo Yu, Director of the Zhu-hai Qian-shan Police station (ID No. 082846), beat him on the head with a mobile phone and yelled offensive comments. During the interrogation, which went on until 10 am the following morning, the police told him "We can do anything we want. We can arrest you any time if we want and that is our right". He was told that he would not be allowed to do anything and that only if he remains in his home town, he would not be bothered. He was also warned not to participate in Buddhist ceremonies nor to have his students visit him. He was held in detention for 24 hours. Mr. Wu and his followers were released without charge and without being provided any legal document explaining or justifying the police actions.

According to the police interrogators, Mr. Wu and his followers were detained on "suspicion of intending to organise an illegal assembly". Despite complaints filed on May 16, 2011 with the Xiang-zhou Public Security Bureau (PSB) of Zhu-hai city, these acts of harassment remain today unpunished. According to a written notice in response to the complaints, bearing the seal of the Xiang-zhou PSB of Zhu-hai and dated July 4, 2011, the Bureau stated "no illegal enforcement of the law and assault of citizens" have occurred during the police actions on May 9.

Over the last four months, Mr. Wu Zeheng's home has been visited by the police at least on five occasions. Each time, the police come in, ask him about his activities, and make clear by their presence that he is being closely watched.

Since his release from prison on February 28, 2010, where he served a 11-year prison term on spurious accusations of "economic crimes" that followed a letter he sent in 1998 to the Central Committee of the Communist Party of China and State Council to denounce human rights violations and call for reform, Mr. Wu Zeheng has been subjected to close surveillance by the Chinese authorities as well as various forms of persecutions (stalking, beatings, insults, theft, travel restrictions, etc.).

The Observatory condemns the above-mentioned acts of harassment, which merely seem to aim at intimidating Mr. Wu Zeheng for his human rights activities, as well as the on-going impunity for these acts. It calls on your Excellencies to cease any action aimed at preventing Mr. Wu Zeheng from carrying out human rights activities and that an effective, thorough and impartial investigation into the above-mentioned events is immediately carried out, the result of which must be made public, in order to identify all those responsible, bring them before a civil, competent and impartial tribunal and apply to them the penal sanctions provided by the law.

We respectfully remind you that the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by consensus by the UN General Assembly on 9 December 1998, recognises the legitimacy of the activities of human rights defenders, their right to freedom of association and calls on States to ensure that they can carry out their activities without fear of reprisals.

We would particularly draw attention to Article 6: *“Everyone has the right, individually and in association with others: (c) To study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters”*, and to Article 12: *“(1) Everyone has the right, individually and in association with others, to participate in peaceful activities against violations of human rights and fundamental freedoms. (2) The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”*.

We respectfully thank your Excellencies for your attention in this matter and express our sincere hope that your Excellencies will take these considerations into account.

Yours sincerely,

Souhayr Belhassen
FIDH President

Gerald Staberock
OMCT Secretary General