

Chief Procurator Zhang Yukun
Beijing No. 2 People's Procuratorate
18, Zhifang Lu,
Fengtai Qu,
Beijing Shi, 100078
People's Republic of China

Dear Chief Procurator Zhang:

I am writing to express my concern for Australian-Chinese writer Yang Hengjun (杨恒均), whose criminal case on charges of "espionage" is currently being reviewed by your procuratorate.

He was taken into police custody at Guangzhou airport on 19 January 2019. Detained at Beijing State Security Bureau Detention Centre, without confirmation that he will have regular access to consular and lawyer's visit, and with reports that he has already endured in long hours interrogation, he might subject to torture and other ill-treatment.

Although I am relieved to learn that, after being held incommunicado for more than eight months, Yang Hengjun was finally allowed to meet online with an Australian consular representative on 31 August and have an in-person meeting with his lawyer on 3 September, it is distressing to read reports that Yang Hengjun has endured more than 300 interrogations by 30 different people for sometimes hours at a time in the middle of the night. Furthermore, the lights in his cell are apparently switched on 24 hours a day. Under these incredibly stressful conditions, I fear that Yang's mental and physical health will rapidly deteriorate, and he would be unable to recover.

It is essential that you ensure that, as long as he remains in detention, Yang Hengjun is granted regular access to his defence lawyer and consular access in line with the Vienna Convention on Consular Relations. I fear that without regular access to these, he may be at risk of torture and other ill-treatment while in detention.

Furthermore, I find it worrying that Yang will face a closed-door trial for espionage, an allegation he continues to strongly deny. As stated in Article 10 of Universal Declaration of Human Rights (UDHR), everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

I therefore call on you to:

- Release Yang Hengjun immediately and unconditionally, unless there is sufficient credible and admissible evidence that he has committed an internationally recognized offence and is granted a fair trial in line with international standards;
- Pending his release, ensure that Yang Hengjun has regular, unrestricted access to consular visits, is able to meet and communicate with family and lawyers of his choice and is not subjected to torture and other ill-treatment;
- Allow him prompt, regular and unrestricted access to medical care on request, or as necessary.

Yours sincerely,