

URGENT ACTION

TWO HONGKONGERS REMAIN INCOMMUNICADO IN CHINA

Quinn Moon and Tang Kai-yin, two of the 12 Hongkongers arrested in August 2020 by the Chinese coast guard and sentenced on 30 December 2020 without a fair trial, have been held without access to their families and family-appointed lawyers for nearly eight months. All requests from their families for direct communication with them have so far been denied. There are grave concerns for their condition and wellbeing, as both need medical care for chronic conditions.

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

*Director Li Jingyan
Guangdong Prison Administration Bureau
298 Guangyuanzhonglu
Baiyun Qu, Guangzhou Shi
Guangdong Sheng, People's Republic of China*

Dear Director Li:

I am writing to express my grave concern for **Quinn Moon (乔映瑜)** and **Tang Kai-yin (邓焯然)**, who have been held without access to their families and family-appointed lawyers since August 2020. Sentenced to imprisonment in an unfair trial for “organizing other persons to secretly cross the border” (组织他人偷越国(边)境), Quinn and Tang are being held in Guangdong Province Women's Prison and Guangdong Province Conghua Prison, respectively.

I find it distressing to learn that the families of Quinn and Tang have received only one letter from each of them since they were transferred to prison in late January 2021. All requests from their families for direct communication with them, including video conversations, have so far been denied.

I am particularly concerned about their health and wellbeing. Quinn has depression and needs regular medication, while Tang also requires treatment for his asthma. Without access to their families or family-appointed lawyers, there is no way to know whether they are receiving adequate medical care while in prison.

I therefore call on you to immediately:

- **Ensure that Quinn Moon and Tang Kai-yin have regular and effective access to family and family-appointed lawyers without delay;**
- **Allow Quinn Moon and Tang Kai-yin prompt, regular and unrestricted access to medical care on request or as necessary.**

Yours sincerely,

ADDITIONAL INFORMATION

QUINN Moon (乔映瑜), TANG Kai-yin (邓荣然) and 10 other individuals were intercepted by coast guard officers from mainland China after leaving Hong Kong on a speedboat on 23 August 2020.

After an unfair trial, Quinn and Tang were sentenced to two and three years' imprisonment, respectively, for "organizing other persons to secretly cross the border" (组织他人偷越国(边)境) on 30 December 2020. They were transferred to Guangdong Province Women's Prison and Guangdong Province Conghua Prison in late January 2021 respectively. Another eight of the 12 arrested were sentenced to seven months' imprisonment for "secretly crossing the border" (偷越国(边)境) and handed over to the Hong Kong police on 22 March 2021 after serving their sentences. The other two, who were under 18 at the time of arrest, were handed over to the Hong Kong police on 30 December 2020 after the Chinese authorities decided not to pursue prosecution. Nine of the 10 Hongkongers handed over to the Hong Kong authorities are currently being detained on criminal charges pressed against them before their arrest in mainland China in 2020. These charges include conspiring to wound with intent, rioting, assaulting a police officer, conspiring to commit arson, possessing a substance with intent to destroy or damage property, making an explosive substance, committing arson with intent and conspiring to commit arson with intent. Li Yu-hin is charged with "assisting offenders", "possessing ammunition without license" and "colluding with foreign or external elements to endanger national security".

Since the 12 Hongkongers were intercepted on 23 August 2020, the Chinese authorities have deprived them of their right to legal representation of their choice and claimed that they had "chosen their own lawyers" without allowing any direct communication between them and their family. Apart from rejecting all requests made by family-hired lawyers to meet with the detained Hongkongers, the authorities threatened and intimidated at least four of the family-hired lawyers to withdraw from this case. The practicing licenses of Lu Siwei and Ren Quanniu, the two lawyers representing Quinn Moon and another Hongkonger respectively, were revoked in February 2021. It is reported that at least seven of the returned Hongkongers could not contact their family and lawyers days after they were sent back to Hong Kong.

Amnesty International has documented numerous cases in which detained individuals in mainland China, many of them human rights defenders, have been routinely deprived of their right to see lawyers that they or their families have chosen to represent them. In some instances, the authorities have [appointed](#) lawyers for detainees without their consent or consent of the family. In other cases, the authorities [threatened](#) lawyers to drop cases, claimed that detainees [dismissed](#) family-hired lawyers without producing any proof or [stopped](#) families from hiring lawyers – all of which effectively amounts to depriving the detainees' of their right to legal representation. Individuals deprived of legal representation of their own choice are often denied access to information about their legal rights, making them more vulnerable to unfair legal procedures.

PREFERRED LANGUAGE TO ADDRESS TARGET: English or Chinese

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 8 June 2021

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PRONOUN: QUINN Moon (乔映瑜) (she/her), TANG Kai-yin (邓荣然) (he/him)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/asa17/3529/2021/en/>