

Human Rights Watch

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

<https://www.hrw.org/news/2016/05/07/china-detained-activist-journalist-denied-needed-health-care>

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Preventing Access to Adequate Medical Treatment is Cruel, Inhuman

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(New York) The Chinese authorities should immediately ensure two critics of the government whose health is deteriorating have immediate access to adequate medical care, Human Rights Watch said today. Imprisoned veteran activist Guo Feixiong, 49, and outspoken journalist Gao Yu, 72, are feared to be at grave risk.

The denial of medical care amounts to cruel and inhuman treatment in violation of the United Nations Convention Against Torture, to which [China](#) is a party.

Chinese officials are earning an ugly reputation over their willingness to let political prisoners get terribly sick and even die in detention, said [Sophie Richardson](#), China director. The only appropriate response is for authorities to immediately facilitate access to adequate medical care for Guo Feixiong and Gao Yu, and all others who need it.

[Guo](#), whose real name is Yang Maodong, is serving a six-year sentence in Yangchun prison, in Guangdong province. In November 2015, after being detained for almost two years, Guo was found guilty of gathering crowds to disturb social order and picking quarrels and provoking troubles. The court tried him for demonstrating in January 2013 outside the office of *Southern Weekly*, an outspoken newspaper, protesting censorship of an editorial, and of organizing others to post online photos of themselves engaged in similar protests in eight other cities.

When Guo's sister Yang Maoping [visited him in detention](#) on April 26, he told her he was admitted to the prison hospital on April 7 after a year of intermittent bloody or watery stools. He also suffered from occasional bleeding in the mouth and throat, and he hemorrhaged on April 19. She noticed that he was pale, thin, and unsteady on his feet. He complained that when he requested a medical check, prison officers refused. He also complained that he had been kept in a small, overcrowded, and windowless room.

His sister, who is a doctor, feared that Guo could be suffering from a serious illness and requested that prison officials take him to a hospital for necessary tests to get a diagnosis and treatment. But she said prison officers did not take Guo's illness seriously, saying they would send him to a hospital only if he fainted. She worries that her brother's life is at risk.

[Gao Yu](#) is a prominent journalist who was convicted and sentenced in April 2015 to seven years in prison for allegedly leaking an internal Chinese Communist Party document calling for greater censorship of liberal ideas. In November she was released to serve out her term on medical parole. Gao returned to her Beijing home, where her movement is restricted and she remains under tight police surveillance. At that time, authorities told her she would have medical insurance and access to other social benefits, but neither has materialized. Because she is now also barred from writing, she has no income, and is struggling to pay for medical treatment.

Gao has a long history of heart disease, high blood pressure, a chronic skin allergy and suffers from Mnires disease a disorder of the inner ear that causes dizziness and intermittent hearing loss. In a recent health check, she was found to have an abnormal lymph node growth that has the potential to be malign. After she was detained in April 2014, she suffered at least four heart attacks. She was initially given Chinese medicine, and was only treated in a hospital toward the end of her time in prison. On March 31, 2016, Gao suffered another heart attack when [urban management officers](#), a kind of quasi-police, came to her home without warning to demolish a section of her apartment that they said was an illegal structure. The authorities have also turned down her request to travel to Germany to get her illnesses treated.

Gao started her career at the government wire service in the 1980s. She later was vice editor of the state-owned *Economics Weekly*. She was imprisoned from June 1989 to August 1990 for reporting on and supporting the 1989 Tiananmen Square protests. She was imprisoned again from 1993 to 1999 on charges of illegally providing state secrets abroad after being accused of leaking policy decisions

taken by senior officials of the Chinese Communist Party that had already been reported in the Hong Kong media.

Chinese authorities have denied adequate medical care in detention for other critics of the government. Grassroots activist [Cao Shunli](#) died in March 2014, about 20 days after being transferred while in a coma from detention to a hospital. The authorities originally detained her for trying to participate in the 2013 Universal Periodic Review of China's human rights record at the United Nations Human Rights Council in Geneva. Before she died, she told her lawyer that the authorities repeatedly denied her access to adequate medical care, even though she was suffering from tuberculosis and liver disease.

The family of prominent Tibetan monk [Tenzin Delek Rinpoche](#) was informed of his death in a Sichuan prison in July 2015. He had been imprisoned for 13 years on baseless charges after a trial that did not meet minimum international standards. Before his death there were repeated reports that he was being tortured and that he was in deteriorating health.

Failure to provide prisoners access to adequate medical care violates the right to health under the International Covenant on Economic, Social, and Cultural Rights, which China has ratified. In its [2015 review](#) under the Convention Against Torture, China was criticized for its failures to provide such care and resulting deaths in detention.

The UN Standard Minimum [Rules](#) for the Treatment of Prisoners (the Mandela Rules) state that the provision of health care for prisoners is a government responsibility. Prisoners should have access to necessary health-care services free of charge without discrimination on the grounds of their legal status (rule 24). In addition:

All prisons shall ensure prompt access to medical attention in urgent cases. Prisoners who require specialized treatment or surgery shall be transferred to specialized institutions or to civil hospitals. Where a prison service has its own hospital facilities, they shall be adequately staffed and equipped to provide prisoners referred to them with appropriate treatment and care (rule 27).

It's bad enough that China sends peaceful activists and journalists to prison for years, Richardson said. But to deprive them of medical care even to the point of allowing their death is the ultimate in inhumane treatment.

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