

**PRESS RELEASE**

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**Jimmy Lai's National Security Law trial:  
Urgent appeal filed with United Nations raising grave concerns over the treatment of  
prosecution witness, Andy Li, and the reliability of his evidence against Jimmy Lai**

Jimmy Lai's international legal team have today filed an urgent appeal with the United Nations Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The appeal expresses grave concerns over the treatment of a key prosecution witness in the ongoing trial of Jimmy Lai, Andy Li (Li Yu-Hin), and its implications for Mr Lai's trial. Credible evidence is emerging that Andy Li was tortured when in prison in China before confessing to allegedly conspiring with Jimmy Lai to collude with foreign entities to endanger national security. Andy Li's evidence against Jimmy Lai – which it is suspected was coerced and obtained after he endured torture, inhuman and degrading treatment in Chinese detention, with the knowledge of the Hong Kong authorities – is central to the Prosecution's case.

**Background**

Andy Li had been an active pro-democracy campaigner prior to the imposition of the National Security Law ("NSL"). In August 2020 he and eleven other individuals ("the Hong Kong 12") were detained whilst leaving Hong Kong by boat, and taken to mainland China. Following trials in China, they each received sentences of up to three years for illegally crossing the border. Andy Li was returned to Hong Kong in March 2021 where he has since been convicted under the NSL following his guilty plea. He is due to be sentenced after he gives evidence against Jimmy Lai, and after the conclusion of Jimmy Lai's trial.

The *New York Times* [reported](#) that Li and the Hong Kong 12 were refused their choice of lawyer in mainland China. *Amnesty International* [highlighted](#) the serious risk that he and those arrested with him would be tortured in China, noting that they were held incommunicado there. In December 2023 the *Washington Post* published the findings of a year-long [report](#) which concluded that Andy Li and others were mistreated whilst in Chinese custody, but that whilst most of the twelve were not physically abused, "seven people familiar with conditions at the center said screaming could "consistently" be heard coming from one cell: Li's. "It is likely that what [Li] faced inside was 10 times worse" than the rest, one person said."

Since returning from prison in mainland China, Andy Li has reportedly been held in a secure psychiatric facility in Hong Kong, not in the general prison population. If he is there because of a deterioration in his mental health, that raises additional grave concerns.

The US State Department [has concluded](#) that torture is likely used in mainland Chinese prisons:

*"There were credible reports that authorities routinely ignored prohibitions against torture, especially in politically sensitive cases. ... Numerous former prisoners and detainees reported they were beaten, raped, subjected to electric shock, forced to sit on stools for hours on end, hung by the wrists, deprived of sleep, force-fed, forced to take medication against their will, and otherwise subjected to physical and psychological abuse. Although prison authorities abused ordinary prisoners, they reportedly singled out political and religious dissidents for particularly harsh treatment."*

In 2022 the UN High Commissioner for Human Rights [reported](#) that China had been responsible for serious human rights violations possibly amounting to crimes against humanity against its own population, including the routine use of torture.

Despite this background, the Prosecution has now announced that Andy Li will be a key prosecution witness in Jimmy Lai's trial for alleged offences under the NSL, and of sedition. Jimmy Lai has been imprisoned in Hong Kong since 2020 as a consequence of his peaceful pro-democracy campaigning, writing and the work of *Apple Daily*, the popular Chinese language newspaper he founded in the wake of the 1989 Tiananmen Square massacre. His NSL trial is now underway and Andy Li is due to give evidence for the Prosecution imminently.

### **United Nations Urgent Appeal**

Today, the international legal team for Jimmy Lai has filed an urgent appeal with the United Nations Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Dr. Alice Jill Edwards. The appeal is very urgent as the Prosecution has now made clear that it intends to rely upon Andy Li's testimony against Jimmy Lai; and it is understood that he is likely to be called as a witness within weeks. This is despite the credible suspicion that Andy Li was the victim of torture, inhuman and degrading treatment, and that his testimony has been coerced.

Commenting on today's urgent UN appeal, **Caoilfhionn Gallagher KC**, who leads the international legal team for Jimmy Lai and his son, Sebastien Lai, stated:

*“The right to be free from torture is deemed to be so fundamental to a civilised society that it is recognised as an absolute right in international law, which cannot be overridden by any other consideration or in any circumstances. That is also why international law prohibits reliance on evidence derived through torture, inhuman or degrading treatment. Such statements are involuntary, inherently unreliable, violate the right to a fair trial, and reliance upon them indirectly legitimises torture and taints the justice system.*

*“Regrettably there is credible evidence that Andy Li was subjected to torture, inhuman and degrading treatment, and that his testimony has been coerced. Despite this, the Prosecution in Jimmy Lai's show trial has made clear that they are relying upon Andy Li as a key witness. The Chinese and Hong Kong authorities have so far failed to investigate these concerns, and in any event how could they credibly mark their own homework? They must now answer to the United Nations. Evidence which is the fruit of torture and coercion should never be relied upon.”*

The urgent appeal submits that, if there is credible evidence that Andy Li's testimony may have been obtained by coercion or following torture, inhuman or degrading treatment, it must be discarded and should not be relied upon.

In international law matters, Mr Jimmy Lai and Mr Sebastien Lai are represented by an international legal team led by [Caoilfhionn Gallagher KC](#), which includes [Jonathan Price](#), [Tatyana Eatwell](#), [Jennifer Robinson](#), and [Sarah Dobbie](#), barristers at Doughty Street Chambers.

More information about the case and the ongoing trial can be found at [www.supportjimmylai.com](http://www.supportjimmylai.com).

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