

16 December 1994

Further information on UA 267/94 (ASA 17/25/94, 15 July 1994) - Unfair trial / prisoners of conscience

PEOPLE'S REPUBLIC OF CHINA:   Hu Shigen, 20 years' imprisonment  
                                  Kang Yuchun, 17 years' imprisonment  
                                  Liu Jingsheng, 15 years' imprisonment  
                                  Wang Guoqi, 11 years' imprisonment  
                                  Lu Zhigang, 5 years' imprisonment  
                                  Wang Tiancheng, 5 years' imprisonment  
                                  Chen Wei, 5 years' imprisonment  
                                  Zhang Chunzu, 5 years' imprisonment  
                                  Rui Chaohuai, 3 years' imprisonment

new names:                   Li Quanli, 2 years' supervision  
                                  Wang Peizhong, not sentenced  
                                  Chen Qinglin, not sentenced  
                                  Xing Hongwei, not sentenced  
                                  Xu Dongling, not sentenced  
                                  Zhang Guojun, not sentenced

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After a closed trial lasting five months, nine prisoners of conscience have been sentenced to some of the harshest prison terms to be passed against political dissenters in China for several years. The sentences, passed on 16 December 1994, range from three to 20 years and each of the nine defendants received an additional term of deprivation of political rights ranging from one to four years.

In total, 15 alleged dissidents were tried for "counter-revolutionary" crimes, nine were found guilty, five were not sentenced but did not have the charges against them dropped. Li Quanli has been put under "supervision" for two years which includes having to report regularly to the police. This was the largest group of Chinese prisoners of conscience to be jointly tried in many years and the first major political trial in Beijing since 1991.

According to reports, relatives were not permitted to attend the trial in the Beijing Intermediate People's Court and only heard the verdict when the presiding judge came out of the court to read the sentences to those waiting outside. The court verdict indicates that at least some of the defendants had legal representation but it is not known whether or not the defendants were permitted to choose their own lawyer or had full opportunity to present their defence. Relatives say that those found guilty plan to appeal and it has been reported that Hu Shigen and Liu Jingsheng have already lodged appeals. Amnesty International is concerned that the defendants did not have a fair trial, with full facilities to defend themselves, in accordance with international human rights standards.

According to the court verdict, the three defendants who received the heaviest sentences were found guilty of "leading a counter-revolutionary group" and of "counter-revolutionary propaganda and incitement". Hu Shigen was sentenced to 13 years on the first charge and ten years on the second; his sentenced was consolidated to 20 years and he is due for release on 26 May 2012. Kang Yuchun was sentenced to 12 years on the first charge and seven years on the second which was consolidated to 17 years and he is due for release 28 May

2009. Liu Jingsheng was sentenced to eight years on the first charge and eight years on the second charge which was consolidated to 15 years and he is due for release 27 May 2007.

All defendants were charged for allegedly forming or joining three underground dissident groups, writing and printing political leaflets and planning to distribute them before 4 June 1992, the third anniversary of the crackdown on the 1989 pro-democracy movement. Fourteen of them had been detained for more than two and a half years after being arrested in May and June 1992. The fifteenth, Li Quanli, had been "released on bail pending trial" in November 1992.

Amnesty International considers those imprisoned to be prisoners of conscience, jailed solely for the peaceful exercise of their fundamental human rights and is calling for their immediate and unconditional release. It is also seeking assurances from the Chinese authorities that those who were not sentenced were released unconditionally and is calling for the "supervision" order imposed on Li Quanli to be lifted.

**FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes and airmail letters either in Mandarin, English or in your own language:**

- urging the authorities to release the fifteen (named above) immediately and unconditionally in accordance with international human rights standards;
- expressing grave concern that those detained are prisoners of conscience held solely for the peaceful exercise of their fundamental right to freedom of expression;
- expressing concern that the trial appears to have been grossly unfair and that it was closed to family members, the public and foreign observers; urge the authorities to disclose information about the procedures followed at the trial.

**APPEALS TO:**

1) Premier of the State Council

Li Peng, Zongli

Guowuyuan

9 Xihuangchenggenbeijie

Beijingshi 100032

People's Republic of China

**Telexes: 210070 FMPC CN or 22478 MFERT CN**

**Faxes: + 86 1 512 5810 (via Ministry of Foreign Affairs)**

**Telegrams: Premier Li Peng, Beijing, China**

**Salutation: Your Excellency**

2) Minister of Justice of the People's Republic of China

Xiao Yang, Buzhang

Sifabu

Xiaguangli

Sanyuanqiao

Chaoyang Qu

Beijingshi 100016

People's Republic of China

**Telexes: 210070 FMPC CN or 22478 MFERT CN (Please forward to Xiao Yang Buzhang)**

**Faxes: + 861 467 7351**

**Telegrams: Minister of Justice Xiao Yang, Beijing, China**

**Salutation: Your Excellency**

**COPIES OF YOUR APPEALS TO:**

1) President of Beijing Municipal High People's Court  
Sheng Liangang, Yuanzhang  
Beijingshi Gaoji Renmin Fayuan  
215 Xiheyuan  
Chongwenqu  
Beijingshi 100051  
People's Republic of China

**Telegram: President of the Municipal High People's Court Sheng Liangang,  
Beijing, China**

and to diplomatic representatives of People's Republic of China accredited  
to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat,  
or your section office, if sending appeals after 30 January 1995.