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**CHINA: STATE SECRETS -- A PRETEXT FOR REPRESSION**

Since 1989 dozens of people, including prisoners of conscience, have been detained in the People's Republic of China (PRC) on charges relating to 'state secrets'. At least 14 people remain imprisoned on such charges. Others have been released but are still on bail awaiting trial on appeal. Amnesty International believes that the Chinese authorities are using legislation on state secrets to repress fundamental freedoms.

The meaning given to the term 'state secrets' by the authorities is very broad. It encompasses matters which would be the subject of public scrutiny in other countries and goes far beyond what is needed to protect national security. Among the issues which are classified as state secrets, for example, are national statistics on the number of people sentenced to death and executed every year. Virtually anything can be classified as a state secret if the authorities so decide.

The Chinese government has passed a series of laws and regulations relating to the protection of state secrets and state security in recent years. These laws are used to try to tighten control over information circulating within China and contacts with foreigners, as well as to prevent dissemination abroad of information judged to be politically sensitive. Amnesty International believes this to be a retrograde step by the authorities after a loosening of control over information following the launch of economic reforms in the 1980s.

Journalists and other people who either worked for, wrote articles for or provided information to the foreign media, mainly the Hong Kong press, have been detained for divulging alleged state secrets. These arrests have been interpreted by Hong Kong journalists as an attempt to draw them into self-censorship ahead of the 1997 reintegration of Hong Kong into the PRC.

Amnesty International believes that the state secrets legislation in China has been used to arbitrarily imprison people, many of them prisoners of conscience, and that prosecutions and sentencing are politically motivated. The law has been used to stifle legitimate political debate and restrict freedom of expression, by the intimidation and imprisonment of human rights defenders and journalists, and the suppression of trade union rights.

Amnesty International is calling on the Chinese authorities to review and amend this legislation to bring it in line with international standards. In particular, the organization is urging the government to ensure that the legislation recognizes the legitimate right of all people to gather and impart information, including journalists in the course of their work, and freely express their conscientiously held beliefs; allows public debate on matters of public interest, the disclosure of which cannot be shown to jeopardize national security and allows freedom of association, including participation in foreign or international organizations.

Among the cases featured in the report are:

Xi Yang, a reporter for the *Ming Pao*, a Hong Kong newspaper, who was sentenced in 1994 to 12 years' imprisonment for having published an article information on China's financial plans. The Chinese authorities condemned him for practices they do not recognize as "normal" journalism.

Bao Tong was a member of the CCP Central Committee and Director of the CCP Central Committee Research Centre for Reform of the Political Structure. He resigned shortly before the imposition of martial law in Beijing in May 1989, and was detained the same month. In January 1992, he was charged with 'leaking important state secrets' and 'counter-revolutionary propaganda and agitation'. His detention is reported to be based on private conversations he held on the political situation prior to June 1989. He is currently serving a seven year sentence followed by two years' deprivation of political rights, and is reported to be seriously ill. Amnesty International believes his sentence to be an act of political retribution.

Gao Yu, who is currently serving a six year prison sentence for 'leaking state secrets'. She had published various documents which the authorities claimed included 'state secrets' - although the information in one of these documents had already been published in a Hong Kong newspaper, and another was a speech by Jiang Zemin. Gao Yu was brought to trial three times in 1994. Each time the court found the evidence against her 'still needed to be verified', however, the high court upheld her conviction.

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**This media advisory is a summary of *People's Republic of China: State Secrets -- a pretext for repression* (AI Index ASA 17/42/96). If you would like to receive a full copy of the 36-page document, more information on Amnesty International's concerns in China, or to arrange an interview, please call:**

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