

# URGENT ACTION

## DEMOCRACY ACTIVIST SENTENCED

**On 25 March, veteran democracy activist Liu Xianbin was sentenced to 10 years imprisonment and to two years and four months deprivation of political rights. He is a prisoner of conscience.**

The Suining People's Intermediate People's Court tried Liu Xianbin in the morning of 25 March 2011 on charges of 'inciting subversion of state power'.

The judge did not allow Liu Xianbin to read out to the court his defence statement and interrupted his lawyers when they tried to speak in his defence. The court found him guilty as charged. Liu Xianbin has said he will appeal the judgment.

This is the third time Liu Xianbin has been sentenced to prison. Previously he has served sentences for 'counter-revolutionary propaganda and incitement' and 'subversion'. The political rights that will be officially taken away from him include the right to vote and the right to freedom of speech.

His wife Chen Mingxian was allowed to attend the trial. This was the first time she had seen Liu Xianbin since June last year.

Several local activists were detained on 24 March and released only after the trial, seemingly in an attempt to prevent them from showing their support to Liu Xianbin.

### PLEASE WRITE IMMEDIATELY in English, Chinese or your own language:

- Urging the authorities to release Liu Xianbin immediately and unconditionally.
- Urging them to guarantee his safety whilst he remains in prison.
- Urging them to guarantee that he has access to his lawyers and his family.
- Urging the authorities to take effective measures to ensure freedom of expression in line with Chinese constitutional guarantees and the International Covenant on Civil and Political Rights (ICCPR), which China has signed and declared an intention to ratify in the near future.

### PLEASE SEND APPEALS BEFORE 6 MAY 2011 TO:

President of the Sichuan Provincial  
Higher People's Court  
Liu Yushun Yuanzhang  
Sichuansheng Gaoji Renmin Fayuan  
108 Zhengfujie  
Qinyangqu  
Chengdushi 610017  
Sichuansheng  
People's Republic of China  
Email: [yuanzhangmailbox@sina.com](mailto:yuanzhangmailbox@sina.com)  
**Salutation: Dear President**

Director of Suining City Public Security  
Bureau  
Wang Minghua Juzhang  
19 Heping Lu  
Chuanshan Qu  
Suining Shi  
Sichuansheng  
People's Republic of China  
**Salutation: Dear Director**

Premier of the People's Republic of  
China  
WEN Jiabao Guojia Zongli  
The State Council General Office  
2 Fuyoujie  
Xichengqu  
Beijingshi 100017  
People's Republic of China  
Fax: +86 10 65961109 (c/o Ministry of  
Foreign Affairs)  
**Salutation: Your Excellency**

**Also send copies to diplomatic representatives accredited to your country.** Please check with your section office if sending appeals after the above date. This is the first update of UA: 152/10 Index: ASA 17/028/2010, Date: 5 July 2010. Further information: <http://www.amnesty.org/en/library/info/ASA17/028/2010/en>

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### ADDITIONAL INFORMATION

Since his release from prison in November 2008, Liu Xianbin has continued his democracy activism and defence of human rights. He has published articles on human rights and democracy and worked to increase public awareness of other persecuted activists. He has supported Charter 08, a proposal for fundamental legal and political reform in China that aims to achieve a democratic system that respects human rights, co-authored by Liu Xiaobo, the 2010 Nobel Peace Prize Laureate.

Liu Xianbin was detained on 28 June 2010. He was detained because of articles he wrote for Minzhu Zhongguo (Democratic China) online magazine and because of his support of other democracy activists and human rights defenders, including Chen Yunfei and three netizens from Fujian province who had been charged with “defamation” after they had alleged police malpractice (many young Chinese bloggers and tweeters refer to themselves as ‘netizens’, ie. active citizens on the internet).

The lawyer chosen by his family, Ma Xiaopeng, was able to meet with him once in July 2010. However, thereafter his access to Liu Xianbin to prepare for the trial was severely impeded. In September and December meetings were not allowed on the grounds that Liu Xianbin's case involved so-called “state secrets”.

According to China's Criminal Law, anyone convicted of crimes endangering state security which include ‘inciting subversion’ is in addition to any other punishment also sentenced to deprivation of political rights as a supplementary punishment. This means the deprivation of following rights (1) the right to vote and to stand for election; (2) the rights of freedom of speech, of the press, of assembly, of association, of procession and of demonstration; (3) the right to hold a position in a State organ; and (4) the right to hold a leading position in any State-owned company, enterprise, institution or people's organization.

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