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PEOPLE'S REPUBLIC OF CHINA

LI WENMING and GUO BAOSHENG Sentenced in Guangdong Province

JUNE 1997

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In a long awaited ruling by the Shenzhen Intermediate People's Court, two labour rights activists, **Li Wenming** and **Guo Baosheng**, were sentenced on 30 May 1997 to three and a half years' imprisonment for "plotting to subvert the government". They also received two years' deprivation of political rights¹, enforceable upon their release. Li Wenming is due to be released on 11 November 1997 and Guo Baosheng on 3 December 1997.

While their sentences are shorter than the legally prescribed minimum for the charge of subversion², Amnesty International considers that they are arbitrarily imprisoned for the peaceful exercise of fundamental human rights and that their conviction and continued detention violate international human rights standards.

Amnesty International is also concerned at reports that Li Wenming is suffering from acute kidney damage but has not received appropriate medical care in detention and is in danger of losing one kidney. Guo Baosheng's condition is not known.

Li Wenming and Guo Baosheng, have been arbitrarily detained for over three years. They were tried in Shenzhen at the end in November 1996 but no verdict was announced at the time. Their trial attracted the attention of the Hong Kong media

¹"Deprivation of political rights" is the denial of certain rights following release, namely the right to vote and be elected, the right to freedom of speech, press, assembly, association, procession and demonstration, and the right to hold a position in any state organ or to hold a leading position in a state-owned company or enterprise. This punishment is supervised by the public security (police) agencies and often also involves restrictions on freedom of movement.

²Under Article 92 of the Criminal Law, the minimum sentence for "plotting to subvert the government" is 10 years' imprisonment. However, under Article 59(2), which was invoked in these cases, courts can pass sentences below the prescribed minimum if, "according to the concrete situation of the case", the legally prescribed minimum sentence for the offence "is still to impose too heavy a punishment".

- ◆ ~~Please express to the government the concerns and sentences passed~~
~~English~~ ~~Chinese~~ ~~Wenming~~ ~~and~~ ~~Guo~~ ~~Baosheng~~ who are arbitrarily imprisoned for the peaceful exercise of their right to freedom of expression and association;
- ◆ Urge that they be released immediately and unconditionally;
- ◆ Express concern about Li Wenming's poor health and urge that he be immediately granted appropriate medical care.

Please send appeals to:

Governor of the Guangdong Provincial People's Government

LU Ruihua Shengzhang
 Guangdongsheng Renmin Zhengfu
 305 Dongfeng Zhong Lu
 Guangzhoushi 510031
 Guangdongsheng
 People's Republic of China
Telexes: 44563 OFAGDCN
Telegram: Governor, Guangzhou, Guangdong Province, China
Salutation: Dear Governor

President of the Guangdong Provincial High People's Court

MAI Chongkai Yuanzhang
 Guangdongsheng Gaoji Renmin Fayuan
 26 Cangbian Lu
 Guangzhoushi 510090
 Guangdongsheng
 People's Republic of China
Telegram: President of the Provincial High People's Court, Guangzhou, Guangdong Province, China
Salutation: Dear President

although no independent journalists or foreign observers were allowed to attend. For further details see Amnesty International's document, *People's Republic of China, Appeal for Li Wenming and Guo Baosheng, ASA 17/27/97, dated 12 May 1997.*

This document is sent to China and CHIRAN Coordinators for action by groups. It is sent to Sections for information only. Check with the East Asia Sub-Regional Team if sending appeals after 5 WEEKS LATER.

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BANNING /