
amnesty international

PEOPLE'S REPUBLIC OF CHINA

TWO MORE DISSIDENTS ASSIGNED TO LABOUR CAMPS

AND ANOTHER CHARGED WITH “LEAKING STATE SECRETS”

17 July 1996

AI INDEX: ASA 17/76/96

DISTR: REL CO/GR/SC

Liu Nianchun and **Xiao Biguang** two veteran dissidents have been ordered to serve three years in labour camps. Both were arbitrarily detained without charge or trial. **Li Hai** has been charged with “leaking state secrets”. All had been arbitrarily detained without charge for many months.

LIU NIANCHUN and XIAO BIGUANG

Liu Nianchun, aged 48, a labour activist¹, and a signatory to two 1995 petitions calling for democratic reforms, has been held without charge or trial for over a year following his arrest on 21 May 1995. Recently, **Liu Nianchun**, was accused of accepting illegal aid from human rights organizations abroad and drafting a petition in collaboration with former studeader **Wang Dan**². The petition was signed by 45 signatories and called on the Chinese government to release political prisoners and institute political tolerance and dialogue. On 5 July 1996, **Chu Hailan**, **Liu Nianchun**'s wife, was informed by police that her husband had been ordered to serve three years' re-education through labour. “This is completely unreasonable, this is not in accordance with the law” **Chu Hailan** said. “He will serve three years starting this year, so that is effectively a four-year term. And for doing what? He has committed no crime” said his wife.

Chu Hailan was then ordered by the authorities in Beijing to meet her husband at the Tuanhe labour camp near Beijing and to bring along some personal possessions and 300 yuan. When she arrived at the

¹Liu Nianchun had tried to formally register the League for the Protection of the Rights of the Working People (LPRWP) in March 1994 and for this he was detained for five months without charge or trial. Liu Nianchun is the brother of Liu Qing who had also been imprisoned several times since the 1970s and is now living in exile in the USA.

²Wang Dan imprisoned for four years after the 1989 pro-democracy protests, has been detained without charge or trial since 21 May 1995.

camp, the authorities announced that **Liu Nianchun** had already been transferred to the Shuanghe labour camp in the remote northeastern Heilongjiang Province hundreds of kilometres away. Since the arrest of her husband, **Chu Hailan**, has been closely monitored and regularly followed by the Public Security Bureau (police) restricting her freedom of movement and association.

Xiao Biguang, aged 34, a Christian in Beijing, and a founding member of the League for the Protection of the Rights of the Working People (see footnote) has also recently been sentenced without trial to three years' re-education through labour. **Xiao Biguang** was first apprehended on 12 April 1994 and indicted later that year for "swindling". He was reportedly tried on this charge on 12 April 1995 at the Beijing Intermediate People's Court but no verdict was announced at the time. **Xiao Biguang** is reportedly in poor health. His wife, **Gou Qin Hai**, has also been under close surveillance by the police since the arrest of her husband.

Xiao Biguang who was apprehended two years ago, is now facing another three years in a labour camp. His whereabouts are unknown.

The recent announcement that **Xiao Biguang** was sentenced to three years' reeducation-through-labour suggests that there was insufficient evidence in court to sentence him according to the Criminal Law. Instead the authorities chose to give him an administrative punishment which is imposed by local committees including the police, without recourse to lawyers or the courts. The use of re-education-through-labour is increasingly being used by the authorities in China as a means of punishing dissidents without the complications, expense or publicity of formal court proceedings.

LI HAI

Li Hai, aged 42, a philosophy student in Beijing, was active during the 1989 pro-democracy movement and a signatory to one of the 1995 petitions calling on the Chinese Government to institute democratic reforms. **Li Hai** was apprehended on 31 May 1995 just prior to the sixth anniversary of the 1989 pro-democracy protests. Over a year later, he was indicted on 5 April 1996 for "leaking state secrets". The Beijing Intermediate People's Court reportedly held the trial in secret on 21 May 1996. The verdict has still not been announced. The family were unable to attend the trial and do not know of his whereabouts.

The charge of "leaking state secrets" can be widely applied in China against anyone who reveals or circulates information judged to be politically-sensitive. At least 14 people, whose cases are of concern to Amnesty International, have been sentenced and are currently imprisoned on such charges. The nature of these cases raises concerns that the legislation on state secrets is being used by the authorities to repress freedom of expression and other fundamental freedoms³ and that the trials, which are held in secret, do not meet with international standards for fair trial.

³ For further information, see People's Republic of China: States Secrets - A Pretext for Repression, ASA 17/42/96, May 1996.

Please send telegrams/telexes/faxes/express or airmail letters in English, Chinese or in your own language,

- ◆ requesting the immediate and unconditional release of **Liu Nianchun, Xiao Biguang and Li Hai** as prisoners of conscience, held for the peaceful exercise of the right to freedom of association and expression;
- ◆ expressing concern that they have all been arbitrarily held without charge or trial for long periods in contravention of international human rights standards;
- ◆ requesting the authorities to explain why **Xiao Biguang** was first tried under a criminal charge, the charge later dropped and **Xiao Biguang** then sentenced without charge or trial to re-education through labour.
- ◆ requesting the authorities to stop harassing and restricting the freedom of movement of family and friends of dissidents.

Please send appeals to:

Minister of Justice of the People's Republic of China

XIAO Yang Buzhang - Sifabu

Xiaguangli

Beijingshi 100016

People's Republic of China

Telexes: 210070

FMPRC CN or 2248 MFERT CN (Please forward to the Minister of Justice) - Faxes: +86106 467 7351

Telegram: Minister of Justice, Beijing, China - Salutation: Your Excellency

Mayor of Beijing

Li Qiyang Shizhang

Beijingshi Renmin Zhenfugu

2 Zhengyilu

Dongchengqu

Beijingshi 100744

People's Republic of China

Telegram: Mayor of Beijing, Beijing, China - Salutation: Your Excellency

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 6 WEEKS.

Number of words: 979

KEYWORDS: POLITICAL ACTIVISTS1 / PRISONERS OF CONSCIENCE1 / DETENTION WITHOUT TRIAL1 / DETENTION FOR RE-EDUCATION1 / POLITICALLY MOTIVATED CRIMINAL CHARGES / TRIALS / SURVEILLANCE / CENSORSHIP / TRADE UNIONISTS / STUDENTS / RELIGIOUS GROUPS / FAMILIES / WOMEN / ANNIVERSARIES /

INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED KINGDOM