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Legal Concern

18 January 1991

**PEOPLE'S REPUBLIC OF CHINA: LIU Xiaobo
LI Yuqi**

Liu Xiaobo, a 35 year-old literary critic and university lecturer detained since 6 June 1989, reportedly went on trial on 16 January 1991, according to a notice posted outside the Beijing Intermediary People's Court. According to the notice, he is charged with "counter-revolutionary propaganda and agitation", which according to the Chinese Criminal Law carries a minimum sentence of 5 years' imprisonment. Liu Xiaobo was adopted as a prisoner of conscience by Amnesty International in December 1989.

Liu Xiaobo was one of four men who started a hunger strike on Tiananmen Square on 2 June 1989 and who negotiated with the army the withdrawal of students from the square during 3 to 4 June. He was accused by the Chinese official media in June 1989 of "instigating and participating in the rioting". In a declaration the four hunger-strikers published on 2 June 1989, they had demanded an end to martial law in Beijing and stated their commitment to "the peaceful ways of democratic progress".

Li Yuqi, reportedly a student leader, also went on trial in recent days on unknown charges. He was reportedly unable to call his girlfriend before the court as a defence witness: officials reportedly argued that the courtroom was "too small".

At least 20 dissidents are now known to have been brought to trial for activities related to the 1989 pro-democracy movement (see UA 07/91, ASA 17/02/91, 11 January, and UA 16/91, ASA 17/03/91, 16 January). Although official reports have indicated that "local residents" were allowed to attend the trials of some dissidents earlier this month, relatives of some of the accused reportedly said they were excluded from the trials. Relatives of at least one defendant have apparently indicated that they had not been officially informed of the proceedings. Foreign correspondents and diplomats in Beijing were also denied permission to attend the trials.

Trial procedures in China fall far short of international standards for fairness. Defendants may be unable to obtain the assistance of the lawyers of their choice and to call defence witnesses. In trials of other dissidents held earlier this month, defendants reportedly had to submit their defence statements to the court in advance for approval.

Amnesty International is concerned that Liu Xiaobo is a prisoner of conscience held solely for the peaceful exercise of fundamental human rights and calls on the Government of the People's Republic of China to release him immediately and unconditionally. It is further concerned that Li Yuqi may be denied a fair and open trial in accordance with international standards for fair trials.

RECOMMENDED ACTION: Telexes/faxes/express and airmail letters:

- expressing concern that Liu Xiaobo is held for the peaceful exercise of fundamental human rights and urging the authorities to review his case and release him immediately and unconditionally;

- urging the authorities to make public the trial proceedings against Li Yuqi and the evidence on which the charges against him are based;
- urging the authorities to ensure that the trial of Li Yuqi is open to the general public and conducted in accordance with international standards for fairness and to allow international observers to attend the trials.

APPEALS TO:

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(Please forward to Cai Cheng Buzhang)

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and to diplomatic representatives of the PRC in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 1 March 1991.