

# AMNESTY INTERNATIONAL PRESS RELEASE

AI Index: ASA 17/005/2003 (Public)  
News Service No: 008  
14 January 2003

## **People's Republic of China: 'Subversion' charges must not be used to imprison rights activists**

Tomorrow (15 January 2003) two labour rights activists, Yao Fuxin and Xiao Yunliang, are due to stand trial for organizing workers protests in March last year in Liaoyang city. They have reportedly been charged with "subversion" and there are serious concerns that they will not receive a fair trial.

"If they are convicted of 'subversion' after doing nothing more than peacefully exercising their rights to freedom of expression, association or assembly, we would consider them to be prisoners of conscience," Amnesty International said asking for their immediate release.

It is reported that Yao Fuxin's lawyer has been prevented from gaining full access to his client and the families of both men have been prevented from receiving incoming telephone calls in an apparent attempt to prevent them from publicising the case. Yao Fuxin is also believed to be in poor health.

'Subversion' charges which carry a maximum penalty of life imprisonment or the death penalty continue to be used widely to detain and imprison rights activists in China. Since the beginning of November 2002, at least ten people have reportedly been detained by the Chinese authorities in connection with their peaceful activities, such as petitioning the authorities and publishing or accessing information on the Internet. At least two have been charged with "inciting subversion".

"These cases contradict recent positive developments such as the early release on 24 December of long-term dissident Xu Wenli who was also convicted of 'subversion'," Amnesty International said.

"For every single individual released, many more continue to be detained in China in violation of their fundamental human rights," the international human rights organization continued, adding that the institutional framework that allows such violations in China remains unchanged.

### **Background**

Yao Fuxin, Xiao Yunliang, Wang Zhaoming and Pang Qingxiang were detained on 20 March 2002 for their alleged role in organizing demonstrations involving 30,000 workers from twenty bankrupt state-run firms in Liaoyang city, Liaoning province. The workers were protesting against lay-offs, alleged management corruption and delayed welfare payments. Wang Zhaoming and Pang Qingxiang were released on bail on 20 December 2002, reportedly on condition that they obtain evidence against other demonstrators. However, Wang Zhaoming, was detained once again on 31 December, after hiring a lawyer in an apparent attempt to sue the authorities for his ninth-month detention. Yao Fuxin and Xiao Yunliang were initially charged with "illegal assembly and demonstration" but, according to a local court official this has since been changed to "subversion" .

More recently, seven political activists have been detained in connection with organizing or signing a petition to the 16th Chinese Communist Party Congress (held in November 2002) calling for political reforms. They are Zhao Changqing, Ouyang Yi, Dai Xuezhong, Jiang Lijun, Sang Jianchen, He Depu, Liao Yiwu and Han Lifa. Liao Yiwu and Ouyang Yi had also reportedly published a series of articles on the Internet calling for political reform in China. Both Zhao Changqing, who organised the petition, and Sang Jianchen, one of its signatories, have reportedly been charged with "inciting subversion". It is not known whether any of the others have been formally charged.

Since the beginning of November 2002, Amnesty International has also received reports of people being detained in connection with publishing or accessing materials on the Internet: Liu Di, a student from Beijing, who goes by the pen-name "Stainless Steel Rat" and Li Yibin, a political activist were detained in early November 2002. Liu Di had posted various items on the Internet, including a statement in support of Huang Qi, a computer engineer detained in June 2000 and charged with 'subversion' after setting up a human rights website. Li Yibin had published an online pro-democracy magazine, called "Democracy and Freedom". It is unclear whether they have been formally charged and their current whereabouts are not known. Amnesty International had earlier documented the cases of 33 people, including Huang Qi, who had been detained for Internet-related offences. Most have been charged with 'subversion'. ( For more information , please refer to: *People's Republic of China: State Control of the Internet in China*, ASA 17/007/2002 and *People's Republic of China: State Control of the Internet in China - appeal cases*, ASA 17/046/2002).

Veteran dissident Xu Wenli was released into exile in the USA in December 2002, nine years before the end of his sentence. Xu Wenli was serving a 13-year prison sentence for "subversion" imposed in 1998 after he established the China Democracy Party. He was officially released on medical parole due to a deterioration in his state of health after he contracted Hepatitis B in prison.

#### Public Document

\*\*\*\*\*

For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

For latest human rights news view <http://news.amnesty.org>