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China: heavy prison sentences on high-profile dissidents show disregard for international human rights standards

Just over two months after China signed the International Covenant on Civil and Political Rights, the Chinese authorities have rushed through the trials of three key dissidents who had attempted to openly set up a political party.

Two of them, Xu Wenli and Wang Youcai, were sentenced today to lengthy prison terms for "subversion". The third one, Qin Yongmin, was tried on 17 December and is still awaiting sentencing.

"These trials are a state-managed exercise and a mockery of justice", Amnesty International said. "In these cases the authorities have not even kept the pretence that they are complying with the requirements of Chinese law."

"These trials show the authorities' contempt for the international standards which they signed only two months ago," the organization continued. "This is a major step backwards, after a year in which the government had shown a slightly more tolerant attitude towards dissent."

Amnesty International is calling on the government to release the prisoners immediately and unconditionally. The organization believes they have been arbitrarily imprisoned for the peaceful exercise of their right to freedom of expression and association, in violation of international human rights standards.

Background

These are the first high-profile dissidents to be tried under the new "national security" provisions of the Criminal Law, which replaced the provisions on "counter-revolutionary crimes" after the 1997 revision.

The three trials took place in three different provinces, barely three weeks after the defendants were detained, on 30 November 1998.

The speed with which the defendants were brought to trial has made it impossible for them to hire lawyers of their choice and to prepare a proper defence. Wang Youcai and Qin Yongmin did not have lawyers and Xu Wenli only had a state-appointed one.

Xu Wenli, 55, a veteran pro-democracy campaigner in Beijing who had previously been jailed for 12 years as a prisoner of conscience, was sentenced to 13 years' imprisonment for attempting to "subvert the state power". His trial, held on 21 December 1998 in Beijing, lasted about three and a half hours. Xu Wenli was represented by a state-appointed lawyer. His wife was reportedly informed of the trial only on 18 December, after being denied information about his whereabouts and legal status since his detention on 30 November.

According to the official Xinhua news agency, the court found that, in November, Xu Wenli had “secretly planned the founding of the so-called Beijing and Tianjin regional Party Committee of the China Democratic Party, with the purpose of subverting state power”, that he has attempted to recruit members in the party, and had sought and accepted funds from some “hostile organisations abroad” in order to organise and conduct subversive activities.

Similar accusations were made in the verdict against Wang Youcai, 32, a dissident from Hangzhou, Zhejiang province, who was tried on the same charge as Xu Wenli. On 21 December Wang Youcai was sentenced to 11 years’ imprisonment on this charge. His chosen lawyer was reportedly detained several times by police to prevent him from defending Wang, who eventually had no lawyer at his trial. One of the “most wanted” student leaders after the repression of the 1989 pro-democracy protests, Wang Youcai had spent two years in prison for his activities during the 1989 movement. The main organiser of the China Democratic Party, Wang Youcai had made an application to register the Hangzhou branch of the party in June 1998, during US president Clinton’s visit to China.

Qin Yongmin, a veteran dissident from Wuhan, Hebei province, was also detained on 30 November 1998 and charged with subversion. He was tried on 17 December in his home city. Lawyers in Wuhan city had reportedly been warned by the authorities not to defend Qin, and his family was unable to find a defence lawyer for him. The verdict against him is expected to be announced on 22 December. Qin Yongmin had been imprisoned on several occasions previously and Amnesty International considered him a prisoner of conscience. Earlier this year, he had been active in the formation of an independent human rights group, “the Human Rights Monitor”, and had been calling repeatedly for political reforms and an improvement in China’s human rights record.

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