

Beijing Municipal No. 1 Intermediate People's Court -- Criminal Verdict

Criminal Verdict

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December 25, 2009

(2009) No. 3901

Public Prosecution Organ: Beijing Municipal People's Procuratorate Branch No. 1

Defendant Liu Xiaobo: male; 53 years old (born December 28, 1955); Han ethnicity; born in Changchun, Jilin Province; Ph.D. education; unemployed; registered residence: 2-1-2 No. 5 Qingchun Street, Xigang District, Dalian, Liaoning Province; temporary residence: No. 502, Unit 1, Building 10, Bank of China Dormitory, Qixian Village, Haidian District, Beijing. In January 1991, Liu was found guilty of counterrevolutionary propaganda and incitement but was exempted from criminal punishment; in September 1996, he was ordered to serve three years of Reeducation-Through-Labor on charges of disturbing social order. He was summoned for detention on suspicion of inciting subversion of state power on December 8, 2008; placed under residential surveillance on December 9; and was formally arrested on June 23, 2009. He is now being detained at the No. 1 Beijing Detention Center.

Defense counsel: Ding Xikui, a lawyer with Beijing Mo Shaoping Law Firm.

Defense counsel: Shang Baojun, a lawyer with Beijing Mo Shaoping Law Firm.

In Criminal Indictment (2009) No. 247, Beijing Municipal People's Procuratorate Branch No. 1 charges the defendant, Liu Xiaobo, with the crime of inciting subversion of state power; on December 10, 2009, the indictment was tendered to this court for prosecution. This court assembled a collegiate bench of judges in accordance with the law, and heard the case in open court. Beijing Municipal People's Procuratorate Branch No. 1 assigned procurator Zhang Rongge and deputy procurator Pan Xueqing to appear in court to support the public prosecution. The defendant, Liu Xiaobo, and his counsel, Ding Xikui and Shang Baojun, appeared in court to participate in the proceedings. The trial has concluded.

In its indictment, Beijing Municipal People's Procuratorate Branch No. 1 charged that, since 2005, defendant Liu Xiaobo, due to his dissatisfaction with the political and socialist system of our country's people's democratic dictatorship, has published inciting articles, including "The CPC's Dictatorial Patriotism," "Can It Be that the Chinese People Deserve Only 'Party-Led Democracy'?", "Changing the Regime by Changing Society," "The Many Aspects of CPC Dictatorship," "The Negative Effects of the Rise of Dictatorship on World Democratization," and "Further Questions about Child Slavery in China's Kilns," on foreign websites, such as those of Observe China and the Chinese edition of the BBC. The rumors and slanders in the articles include: "since the Communist Party of China took power, generations of CPC dictators

posting date of October 4, 2005. Up until December 23, 2008, there were a total of five webpage links to sites that had posted or reproduced it.

2. From December 19, 2008 to August 3, 2009, the First Brigade of the Office for the Supervision of Public Information Network Security at the Beijing Municipal Public Security Bureau discovered on the Internet and downloaded the article "Liu Xiaobo: Can It Be that the Chinese People Deserve Only 'Party-Led Democracy'?", which bore the signature of "Liu Xiaobo" and was posted on the website with domain name epochtimes.com (*Epoch Times*) and the website with domain name www.observechina.net (*Observe China*), the servers for which are located abroad. The article carried the posting dates of January 5, 2006 and January 6, 2006, respectively. Up until December 23, 2008, there were a total of five webpage links to sites that had posted or reproduced it, with a total of 402 hits.
3. From December 20, 2008 to August 3, 2009, the First Brigade of the Office for the Supervision of Public Information Network Security at the Beijing Municipal Public Security Bureau discovered on the Internet and downloaded the article "Liu Xiaobo: Changing the Regime by Changing Society," which bore the signature of "Liu Xiaobo" and was posted on the website with domain name epochtimes.com (*Epoch Times*) and the website with domain name www.observechina.net (*Observe China*), the servers for which are located abroad. The article carried the posting dates of February 26, 2006 and February 27, 2006, respectively. Up until December 23, 2008, there were a total of five webpage links to sites that had posted or reproduced it, with a total of 748 hits.
4. From December 20, 2008 to August 3, 2009, the First Brigade of the Office for the Supervision of Public Information Network Security at the Beijing Municipal Public Security Bureau discovered on the Internet and downloaded the article "Liu Xiaobo: The Many Aspects of CPC Dictatorship," which bore the signature of "Liu Xiaobo" and was posted on the website with domain name www.secretchina.com ("Secret China") and the website with domain name www.observechina.net (*Observe China*), the servers for which are located abroad. The article carried the posting date of March 13, 2006. Up until December 23, 2008, there were a total of six webpage links to sites that had posted or reproduced it, with a total of 512 hits.
5. From December 20, 2008, the First Brigade of the Office for the Supervision of Public Information Network Security at the Beijing Municipal Public Security Bureau discovered on the Internet and downloaded the article "Liu Xiaobo: The Negative Effects of the Rise of Dictatorship on World Democratization," which bore the signature of "Liu Xiaobo" and was posted on the website with domain name www.secretchina.com ("Secret China"), the server for which is located abroad. The article carried the posting date of May 7, 2006. Up until December 23, 2008, there were a total of seven webpage links to sites that had posted or reproduced