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Speeches/Documents

Title: Regulations on Punishing Counter-Revolutionaries

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Article 1: According to the provisions of Article 7 of the Chinese People's Political Consultative Conference Common Programme, in order to punish counterrevolutionary crimes, suppress counterrevolutionary activities and consolidate the democratic dictatorship of the people, these Regulations are formulated.

Article 2: All sorts of counterrevolutionary crimes that have overturning the people's democratic dictatorship or destroying the people's democratic cause as objective, will be punished according to these Regulations.

Article 3: Those collaborating with imperialist countries to betray the motherland will be subject to the death penalty or lifelong imprisonment.

Article 4: Those instigating, seducing or bribing civil servants, members of the armed forces or the people's militia to defect, ringleaders or commanders will be subject to the death penalty or lifelong imprisonment. Others participating in instigating, seducing, bribing or defecting, will be subject to imprisonment of 10 years or less; where the circumstances are grave, the punishment will be heavier.

Article 5: Those heading conspiracy to assemble a mob, command it or others committing evil crimes will be subject to the death penalty; other vigorous participants will be subject to imprisonment of five years or more.

Article 6: Those conducting one of the following activities of spying or supporting the enemy, will be subject to the death penalty or lifelong imprisonment, where the circumstances are relatively light, they will be subject to imprisonment of five years or more:

(1) those stealing or inquiring to State secrets or providing intelligence for domestic or foreign enemies;

(2) those indicating targets for bombarding by enemy planes or warships;

(3) those providing weapons, munitions or other military materials to domestic or foreign enemies.

Article 7: Those participating in counterrevolutionary secret services or espionage activities, where one of the following circumstances is present, will be subject to the death penalty or

lifelong imprisonment; where circumstances are relatively light, they will be subject to imprisonment of five years or more:

- (1) those receiving dispatches or clandestine activities for domestic or foreign enemies;
- (2) those organizing or participating in counterrevolutionary secret services or espionage organizations after liberation;
- (3) those having organized or led counterrevolutionary secret services or espionage organizations before liberation, and other grave criminals, that have not shown intent to expiate their crimes by meritorious service after liberation;
- (4) those having participated in counterrevolutionary secret services or espionage organizations before liberation, and continue to participate in counterrevolutionary activities after liberation;
- (5) those continuing to participate in counterrevolutionary activities after registry with the People's Government or giving themselves up;
- (6) those continuing to contact with counterrevolutionary special services and spies or conducting counterrevolutionary activities after being released from People's Government education.

Article 8: Those using feudal sects and societies to conduct counterrevolutionary activities, will be subject to the death penalty or lifelong imprisonment, where circumstances are relatively light, they will be subject to imprisonment of three years or more.

Article 9: Those scheming or implementing the following acts of destruction or murder with counterrevolutionary objectives, will be subject to the death penalty or lifelong imprisonment; where circumstances are relatively light, they will be subject to imprisonment of five years or more:

- (1) those plundering or destroying military facilities, plants, mines, forests, farms, dikes, dams and communications, banks, warehouses, safety facilities or other important public and private property;
- (2) those circulating drugs, disseminating bacteria or inducing major disasters to humans, animals and plants through other means;
- (3) those causing market disruption or destroying finance on the instruction of domestic or foreign enemies;
- (4) those raiding, killing or maiming civil servants or the people;

(5) those falsely using the name of military organs, democratic parties or people's organizations to counterfeit official documents and certifications, to engage in counterrevolutionary activities.

Article 10: Those committing one of the following acts of incitement or agitation with counterrevolutionary objectives, will be subject to imprisonment of three years or more; where the circumstances are grave, they will be subject to the death penalty or lifelong imprisonment:

(1) those inciting mass resistance, destroying the implementation of People's Government grain taxation, tax collection, custodians, military service and other decrees;

(2) those sowing dissent within the unity of all ethnicities, all democratic classes, all democratic parties, all people's organizations and between the People and Government;

(3) those conducting counterrevolutionary propaganda agitation, fabricating and disseminating rumours.

Article 11: Those illegally crossing the national border for counterrevolutionary objectives, will be subject to an imprisonment of five years or more, lifelong imprisonment or the death penalty.

Article 12: Those gathering mobs to break into jails and rescue prisoners, or inciting prison escapes, organizers and ringleaders will be subject to the death penalty or lifelong imprisonment; other vigorous participants will be subject to imprisonment of three years or more.

Article 13: Those harbouring or sheltering counterrevolutionary criminals, will be subject to imprisonment of ten years or less; where circumstances are grave, they will be subject to imprisonment of ten years or more, lifelong imprisonment or the death penalty.

Article 14: Those committing a crime as listed in these Regulations, where one of the following circumstances is present, the case must be settled leniently, mitigation or exemption from punishment may be granted, taking the circumstances in consideration:

(1) those voluntarily giving themselves up to the Peoples Government and repent sincerely;

(2) those sincerely repenting before or after being exposed or reported and expiate their crime by meritorious service,

(3) those forced or cheated by counterrevolutionaries, and have not volunteered;

(4) those of which counterrevolutionary crimes before liberation were not at all grave, and that have repented and reformed after liberation, and have severed connection with counterrevolutionary organizations.

Article 15: All those committing multiple kinds of crimes, apart from being subject to the death penalty or lifelong infringement, shall be subject lower than the total punishment sum, and higher than the highest individual crime, taking circumstances into consideration.

Article 16: All those committing crimes not specially provided for in these Regulations with counterrevolutionary objectives, must be punished in the light of a similar criminal category in these Regulations.

Article 17: Those committing crimes listed in these Regulations, must be deprived of their political rights, and their complete or a part of their property must be confiscated.

Article 18: For counterrevolutionary crimes committed before the implementation of these Regulations, the provisions of these Regulations apply as well.

Article 19: Any person has the power to expose or inform People's Governments of counterrevolutionary activities, but they may not bring false accusations out of grudge.

Article 20: Those committing crimes listed in these Regulations during the period of military control, will be tried by military courts established by all localities' military region headquarters, military control committees or anti-banditism command organs, in the light of these Regulations.

Article 21: These Regulations take effect on the day of People's Government Committee approval and publication.