

**Press Statement from the
Consulate General of the People's Republic of China in San Francisco**
English Translation

For original statement, see: <http://www.chinaconsulatesf.org/chn/xw/t38435.htm>

Information Concerning Chinese-American Jude Shao's case
(August 20,2003)

Recently, the San Jose Mercury News and major Chinese language media in the Bay area reported the case concerning Chinese-American Jude Shao. From those reports, it seems that there are questions in the following three aspects: whether the criminal charges against Shao for falsely issuing VAT invoices and tax evasion can stand; Whether Shao's right of due process was protected by the Chinese judiciary in the trial of the case; Whether there were questions of extortion by the tax auditors.

This consulate has inquired China's justice bureaus and would like to report the following relevant information concerning the case:

- 1) Whether the charges against Shao can stand. In 2001, the Shanghai High Court reviewed Shao's appeal and concluded that the facts and the application of law in the trials of the first and second instance had been correct. Upon receiving the <<Legal Opinions>> issued by some Chinese Legal experts regarding Shao's case, the Shanghai High Court again performed review and verification and believed that the original verdict had clear facts, solid evidence, and applied laws correctly. Presently, the court has not received the three pieces of new evidence which were mentioned in the <<Legal Opinions>>. If Shao provides these three pieces of new evidence and also make an appeal directly to the court, the court will adjudicate in accordance with the law. In the mean time, according to the Criminal Procedure Law of China, the execution of the original verdict can not stop.
- 2) Shao's right of due process was protected. The trials of the first and second instance by Shanghai No.1 Intermediate People's Court and Shanghai High People's Court, respectively, were conducted strictly in accordance with the law, manifested by the delivery of the indictment to Shao, informing Shao to hire an attorney, and Shao's family members and U.S. Consulate officials in Shanghai attending the open trials of the case. The court also guaranteed Shao's right to provide new evidence and other such rights during the trial, investigated and verified the criminal facts, examined the evidence under the guidance of the court, listened to Shao's appeal reasons and attorney's defense arguments, etc.
- 3) Regarding the questions of extortion by tax auditors, Shao's case was discovered during the Grand Tax Auditing Campaign of Shanghai City. If Shao believes that there existed questions of extortion by the tax auditors, he can report them to China's procuratorial bureau. If found true upon examination, the justice bureau will punish those involved in the case in accordance with the law.