

Indictment

XJ BT KG RA Proc. Pub. Crim. Pros. No. 23 [2017]

The defendant is Huang Yunmin, also known as "Huang Laoxie". Male, DOB: July 1, 1959, national ID number: [REDACTED]. Ethnic Han, college graduate, civilian [not CCP member], retired cadre. Huang's permanent residence: the Xinjiang Production and Construction Corps (Bingtuan) city of Tumshuq, residing at [REDACTED]. On March 12, 2017, Huang was detained by the Xinjiang Bingtuan Third Division public security bureau (PSB) on the suspicion of illegal possession of items promoting terrorism and extremism. On April 17 of the same year, following the approval of the People's Procuratorate of the Xinjiang Bingtuan Tumshuq Reclamation Area ("the Procuratorate"), he was formally arrested by the Xinjiang Bingtuan Tumshuq City PSB on the suspicion of the illegal possession of items promoting terrorism and extremism, as well as of actively promoting terrorism and extremism and inciting terrorist activities.

The Xinjiang Bingtuan Kashgar Reclamation Area PSB investigated the case of Huang Yunmin being charged with illegal possession of items promoting terrorism and extremism, as well as actively promoting terrorism and extremism and inciting terrorist activities, and sent the investigation results and formal prosecution to the Procuratorate on June 16, 2017. On the same day, the Procuratorate informed the defendant of his right to appoint a lawyer, questioned him in accordance with the law, listened to the lawyer's viewpoints, and examined all of the relevant case materials. The prosecution process was given a 15-day extension on June 11, 2017.

The investigation has revealed the following:

From 2009 to March 2017, the defendant Huang Yunmin downloaded via his home computer a large number of "7/5" event-related videos promoting terrorism and extremism, and saved all these files in his computer folder and on his personal USB drive. During this period, Huang also used a VPN on numerous occasions to log into overseas anti-Chinese websites and to download videos with anti-Chinese content.

On August 20, 2016, the defendant Huang Yunmin used the WeChat software on his personal VIVO mobile phone to send a video with content promoting terrorism and extremism to his friend Wu Huaxiang.

The cybersecurity team of the Bingtuan Third Division PSB examined the USB drive to find that it contained a total of twelve "7.5"-related videos promoting terrorism and extremism, with a total size of 980MB, and seven video files broadcast by an anti-Chinese television station, with a total size of 30.6MB. Another sixteen anti-Chinese TV video files with a total size of 244MB were found on the hard disk of his personal computer. A video promoting terrorist and extremist content was found on his VIVO mobile phone, with a total size of 5.57MB.

The determined list of the above-mentioned evidence is as follows:

1. Huang Yunmin's personal computer, mobile phone, and USB;
2. Proof of Huang Yunmin's residence and other case-relevant documents;
3. Testimony of Wu Huaxiang;
4. Defendant's confession and defense;
5. The Bingtuan Third Division PSB national security branch's review of the videos found;
6. The Tumshuq City PSB's inspection records;

7. The discovered videos, audio recordings of the interrogation, and other digital evidence.

The Procuratorate hereby decides that, as a retired police cadre, defendant Huang Yunmin ignored the national law, stored a large number of videos promoting terrorism and extremism on his personal computer and USB, and used the WeChat software to share those videos with others – acts that carry severe consequences and have bad influence. His actions have violated Articles 126-6 and 126-3 of the Criminal Law of the People's Republic of China. The facts of the crime are clear. The evidence is solid and sufficient. The defendant is thereby found guilty of the charges of: the illegal possession of items promoting terrorism and extremism, actively promoting terrorism and extremism and inciting terrorist activities. By Article 69 of the Criminal Law of the People's Republic of China, the defendant Huang Yunmin should be given a cumulative sentence. By Article 172 of the People's Republic of China Procedural Law, the case is now sent to the prosecution, with the suggestion that the defendant be sentenced in accordance with the law.

Hereby directed to

People's Court of the Xinjiang Bingtuan Kashgar Reclamation Area



Additional:

1. The defendant Huang Yunmin is currently being held at the Kashgar Reclamation Area PSB pre-trial detention center.
2. Two copies of the accompanying dossiers of materials and evidence are included.

