

ISSUES AND FACTS

# STOP EXECUTIONS

CHINA'S CHOICE

LEGACY OF THE  
BEIJING OLYMPICS

**AMNESTY**  
INTERNATIONAL



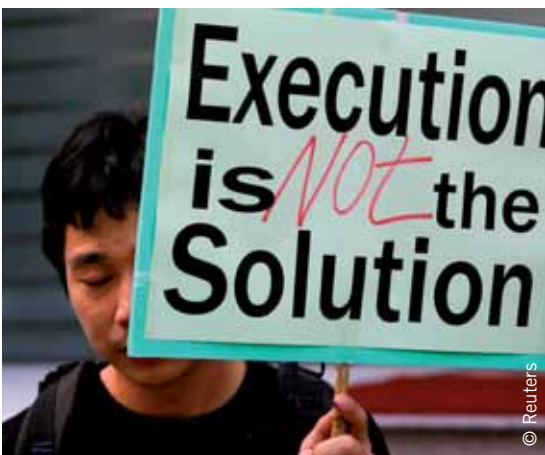
故意杀人犯

刘勇

# STOP EXECUTIONS!

## ISSUES AND FACTS

When Beijing was chosen as the host city for the 2008 Olympics, in 2001, Chinese officials made assurances that the human rights situation would improve in the run-up to the Games. These statements were echoed by the President of the International Olympic Committee and reflected in spirit by the Olympic Charter.



A protester carrying a placard calling for the abolition of the death penalty demonstrates outside a Chinese liaison office in Hong Kong July 2005.

Cover: Criminals sentenced to death during an open trial in Zhuzhou, central China's Hunan province, December 2006. The Chinese characters read "murderer" and their names.

Amnesty International calls on the Chinese authorities to introduce concrete reforms to ensure a lasting and positive human rights legacy for the Beijing Olympics.

According to the Olympics Charter, one of the "Fundamental Principles of Olympism" is to "promote a peaceful society concerned with the preservation of human dignity". The death penalty violates the right to life and the prohibition on torture and other cruel, inhuman or degrading treatment or punishment. Both the death penalty itself, as well as conditions of detention on death row in China, are an affront to human dignity.

China introduced an important reform to its death penalty system on 1 January 2007 by restoring Supreme People's Court review of all death sentences passed in China. Now the Chinese authorities need to build on this reform by introducing greater transparency – by ensuring that families and lawyers of those sentenced are given access to them and information about their cases, and by publishing the statistics on the death penalty nationwide. Amnesty International also calls on the authorities

to reduce the scope of the death penalty, pending full abolition.

Chinese legal scholars have claimed that restoration of the Supreme People's Court review could result in a 20 to 30 per cent reduction of the number of executions in China. In June 2007, a Supreme People's Court official announced that executions had dropped by 10 per cent compared with the same period in 2006. However, Amnesty International maintains that the best way to enable full and informed analysis of death penalty developments in China, not only by court officials but also by Chinese legal academics and others, would be to make the full data public.

### **KILLED AFTER A FLAWED TRIAL**

No one who is sentenced to death in China receives a fair trial in accordance with international human rights standards. Failings include: lack of prompt access to lawyers, lack of presumption of innocence, political interference in the judiciary and failure to exclude evidence extracted under torture. A number of cases recently reported in the Chinese press, including



A woman, convicted of murder, shouts as she hears the verdict before being taken to be executed in the southern Chinese city of Guangzhou, 11 April 2001.

that of Nie Shubin, reveal that innocent people have been put to death in China due to such shortcomings in the system.

While the restoration of the Supreme People's Court review is welcome, there is still concern that it would not expose serious human rights violations, such as torture to extract confessions, if evidence of such abuses had not been introduced during an earlier trial.

#### **KILLED FOR EVADING THE TAX MAN**

China maintains the death penalty for approximately 68 offences, including non-violent crimes. The death penalty is used extensively, arbitrarily, and often as a result of political interference. Its use has increased during periodic "Strike Hard" anti-crime campaigns. During these campaigns, defendants may be sentenced to death for crimes which at other times may be punished by imprisonment. Use of the death penalty has also increased at particular times of the year in the run-up to significant national events such as National Day (1 October) and International Day against Drug Abuse and Illicit Trafficking (26 June). Amnesty International also recorded a dramatic rise in executions in December 2006, which appeared to be

as a result of local courts attempting to "clear up" cases before the Supreme People's Court review was introduced on 1 January 2007.

#### **FACTS**

- China is the world leader in the use of the death penalty.
- The exact number of executions carried out each year is unknown. Official figures on death sentences and executions are considered state secrets. Based on media reports, Amnesty International estimates that at least 470 people were executed and 1,860 sentenced to death in China in 2007. Whether this reflects a true reduction in the use of the penalty since 2006, or other factors including changes in reporting practice, is impossible to establish given the lack of official transparency.
- In 2006 Amnesty International estimated at least 1,010 people were executed and 2,790 sentenced to death in China.
- Liu Renwen, a Chinese criminal law professor, estimated in early 2006 that 8,000 executions take place annually in China.

- The US-based Dui Hua Foundation estimates that 7,500 to 8,000 executions took place in 2006, based on information obtained from Chinese sources with access to official information.
- Approximately 68 crimes can be punishable by the death penalty in China, including non-violent offences such as tax fraud, embezzling, accepting bribes and some drug-related crimes.
- In February 2007, Wang Zhendong was sentenced to death for swindling investors in his ant-breeding business of 3 billion yuan (US\$400m).
- On 10 July 2007, Zheng Xiaoyu, former head of China's State Food and Drug Administration, was executed for taking bribes and dereliction of duty.
- In July 2005, China's Vice Minister of Health reportedly acknowledged that the majority of organs for transplant in China come from executed prisoners.
- On 1 May 2007, new regulations took effect banning trading in organs and live organ transplants from those under the age of 18, and stressing voluntary consent. The regulations make no mention of organs from prisoners on death row.
- On 5 October 2007, Chinese medical officials agreed not to transplant organs from prisoners or others in custody, except into members of their immediate families. The agreement was reached at a meeting of the World Medical Association in Copenhagen, Denmark. It is unclear how far this is reflected in official transplantation practice in China.
- Amnesty International considers that those faced with the trauma or anguish of imminent executions are not in a position to provide voluntary consent and that the secrecy surrounding the application of the death penalty in China makes it impossible to independently verify whether such consent was given.

## YOUR VOICE – STOP EXECUTIONS!

Please send polite letters to Xiao Yang, President of China's Supreme People's Court, welcoming the Supreme People's Court review of all death sentences in China.

In line with China's officially stated goal of complete abolition, urge him to bring about a significant reduction in the number of capital offences, including the abolition of the death penalty for non-violent crimes, including economic and drug-related offences.

Express interest in recent official statements that death sentences and executions have been reduced since the Supreme People's Court review was introduced on 1 January 2007.

Do express concern, however, that the full statistics remain a state secret. In the interests of transparency, urge him to use his influence to ensure the regular publication of official statistics on the total number of death sentences and executions in China.

### WRITE TO:

President of the Supreme People's Court of the People's Republic of China,  
XIAO Yang Yuanzhang,  
Zuigao Renmin Fayuan,  
27 Dongjiaomin Xiang,  
Beijingshi 10000,  
People's Republic of China,

**Salutation:** Dear President

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Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion – funded mainly by our membership and public donations.