

URGENT ACTION

PAKISTANI MAN FACES EXECUTION IN CHINA

A Pakistani man, Syed Zahid Hussain Shah, 36, faces imminent execution in China. The Supreme People's Court in Beijing has approved his death sentence and announced an execution date of 21 September.

On 19 March 2010, the Shanghai First Intermediate People's Court found **Syed Zahid Hussain Shah** guilty of drug trafficking and sentenced him to death. At the same trial, the court sentenced four other Pakistanis involved in the case to life imprisonment. The Shanghai High Court upheld the verdict against Syed Zahid Hussain Shah, who was a jewellery importer/exporter, on 10 November 2010. The Supreme People's Court approved the death sentence and scheduled execution by lethal injection for 21 September 2011.

Syed Zahid Hussain Shah's family has said that he is not guilty of the charge against him, and that he did not receive adequate consular assistance during his detention. His family has asked several Pakistani officials to help, but were told there is little hope.

Syed Zahid Hussain Shah's relatives held a press conference in Islamabad on 9 September, during which they told reporters that his business partners had falsely implicated him in the case. The family also said they had sent letters to Pakistani Prime Minister Yousaf Raza Gilani and President Asif Ali Zardari to ask for help but that no one had answered these appeals. Pakistan's Advisor for Human Rights told Amnesty International he has asked the President to intervene in the matter and to request his Chinese counterpart delay the execution.

Please write immediately in English, Chinese or your own language:

- Calling on the Chinese authorities not to execute Syed Zahid Hussain Shah;
- Urging the Pakistan government to provide additional urgent consular assistance to Syed Zahid Hussain Shah and do everything in its power to press the Chinese authorities to commute his death sentence.
- Urging China's National People's Congress to introduce a legal procedure for clemency;
- Calling for an immediate moratorium on executions in China with a view to abolishing the death penalty, as provided by UN General Assembly resolutions 62/149, 63/168 and 65/206.

PLEASE SEND APPEALS BEFORE 21 SEPTEMBER 2011 TO:

Supreme People's Court President

WANG Shengjun Yuanzhang
Zuigao Renmin Fayuan
27 Dongjiaomin Xiang
Beijingshi 100745
People's Republic of China
Fax: +86 10 6529 2345

Salutation: Dear President

National People's Congress Standing

Committee Chairman
WU Bangguo Weiyuanzhang
Quanguo Renda Changwu Weiyuanhui
Bangongting, 23 Xijiaominxiang
Xichengqu, Beijingshi 100805
People's Republic of China
Fax: +86 10 6309 7934

Email: icc@npc.gov.cn or
english@npc.gov.cn

Salutation: Dear Chairman

And copies to:

President of Pakistan
Asif Ali Zardari
Pakistan Secretariat
Islamabad
Pakistan
Fax: +92 5192 04974

Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

No one sentenced to death receives a fair trial in China. There are significant gaps between the law, practice and international commitments made by the Chinese government to international fair trial standards. Allegations of torture are seldom investigated adequately. Many defendants are convicted based on confessions they insist were extracted through torture. Defendants have also had to prove themselves innocent, rather than be proven guilty; and have had limited access to legal counsel.

The death penalty is applicable to at least 55 offences in China, including non-violent ones, such as drug-related crimes. Statistics on the death penalty are a state secret, disclosure of which may result in criminal punishment. Amnesty International estimates that China executes thousands of people every year and certainly more than the rest of the world combined.

In January 2007, the practice of having the Supreme People's Court (SPC) review all death sentences was restored. It had been suspended in 1982. All death sentences must now be reviewed by the SPC, which has the power to approve the sentence or order a retrial. The Chinese authorities have reported a drop in executions since the SPC resumed this review. Nevertheless, the application of the death penalty remains shrouded in secrecy in China, making it impossible to make a full and informed analysis or determine whether there has been a real reduction in the use of the penalty.

China provides no clemency procedures for condemned prisoners after they have exhausted their appeals through the courts.

As a Pakistani national, Syed Zahid Hussain Shah has the right to seek consular assistance "without delay," as required under article 36 of the Vienna Convention on Consular Relations (VCCR). Under the Convention the Pakistan authorities have the right to consular visits and correspondence and to arrange legal representation for any of their citizens detained in China.

Name: Syed Zahid Hussain Shah

Gender m/f: Male

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