

EXTRA 01/02

Death pen

PEOPLE'S REPUBLIC Gong Shengliang (m), aged 46
OF CHINA (PRC) Li Ying (f), aged 36
+ possibly three others

On 29 December 2001, Gong Shengliang was sentenced to death and his niece, Li Ying, sentenced to death with a two year reprieve, by Jingmen City Intermediate People's Court in the central province of Hubei. They were tried with 15 others, three of whom, according to some sources, were also sentenced to death. The other co-defendants were sentenced to between two years' and life imprisonment.

All 17 were arrested in April 2001 and accused of leading or being members of a 'heretical religious organisation' called the "Huanan Church" ("South China Church"). Their trial began on 18 December 2001. Gong Shengliang and Li Ying were convicted of "using a heretical organisation to undermine the implementation of the law" and "intentional assault". This latter charge referred to allegations that since 1991 the group had caused serious injuries to four persons and slight injuries to 10 others while "putting the church in order". Gong and Li, as leaders of the church, were held responsible for the alleged injuries. Gong Shengliang was also charged with "hooliganism and rape", a charge often brought by the Chinese authorities against detained leaders of banned religious groups.

The defendants have all reportedly denied their guilt and have appealed against the sentences to the Hubei Provincial High People's Court. Successful appeals are rare in China and execution can take place hours after the rejection of an appeal.

BACKGROUND INFORMATION

China maintains the death penalty for a large number of offences, including non-violent crimes and economic crimes such as tax, financial fraud and counterfeiting. Execution is by shooting or lethal injection. The death penalty is used extensively, arbitrarily, and frequently as a result of political interference. It is particularly used during periodic "Strike Hard" anti-crime campaigns, when defendants may be sentenced to death for crimes which at other times are punished by imprisonment.

There is currently a "Strike Hard" anti-crime campaign, which initially targeted violent organised crime, but this has been expanded to include a wide range of other crimes. Amnesty International is concerned that this campaign, which stresses "quick arrest, quick trial and quick results", may influence the proceedings and outcome of criminal trials. Amnesty International has recorded at least 2,960 death sentences and 1,781 executions in China in the 3 months following the start of the campaign from April to June 2001. These figures, taken from a limited number of sources, show that more people were executed in China between April and June 2001 than in the rest of the world for the last three years.

It is reported that the "Huanan Church" has over 50,000 members and was classified by the authorities as a "heretical organisation" (or "cult") in April 2001. The authorities have also classified many other Christian church groups and Qi Gong groups as 'heretical organisations', which are banned under the Chinese Criminal Law. The government is currently waging a fierce and

unprecedented crackdown on the 'Falungong' movement which was also classified as a "heretical organisation" in 1999. Amnesty International has monitored scores of cases of torture and death in custody of Falungong followers.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Chinese or your own language:

- urging the Chinese authorities to commute the death sentences passed on Gong Shengliang and Li Ying in Hubei province;
- expressing deep concern at the arbitrary and massive use of the death penalty in China and its increased use for economic and non-violent crimes, and calling on the government to immediately commute any death sentences handed down as part of the "Strike Hard" anti-crime crackdown;
- acknowledging the right of governments to bring perpetrators of crime to justice, but expressing opposition to the death penalty in all cases as the ultimate form of cruel and inhuman punishment and as a violation of the right to life, as guaranteed in the Universal Declaration of Human Rights;
- noting that the death penalty has never been shown to have a unique deterrent effect on crime and is brutalizing to all involved in its application.

APPEALS TO:

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Salutation: Your Excellency

President of the Supreme People's Court of the People's Republic of China

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Salutation: Dear President

Director of the Hubei Provincial Department of Justice

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Telegram: Director of the Provincial Department of Justice, Wuhan, Hubei Province, China

Salutation: Dear Director

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PLEASE SEND APPEALS IMMEDIATELY.