

PUBLIC

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EXTRA 60/00

Death penalty/imminent execution

PEOPLE'S REPUBLIC OF CHINA (PRC)

**Zhang Eryang, aged 20
Zhong Weiyang, aged 20
Liu Guangyuan, aged 17 or 18
Ding Shanyang, aged 21**

The four men named above were sentenced to death on 14 July, convicted of the murder of a German businessman and his family. Once sentences are confirmed and any appeals rejected, executions can take place within hours. Appeals are rarely successful. The victims' relatives have reportedly pleaded for clemency. It is not known if the four will appeal.

Amnesty International is also extremely concerned about reports that one of the defendants, Liu Guangyuan, may only be 17 years old and so not eligible to be sentenced to death. His mother is claiming that she had inflated his age some time ago in order to gain a grant of land. It is not clear whether this claim is being investigated.

Jurgen Pfrang, deputy manager of a joint Sino-German car works in Nanjing, was stabbed with three members of his family, allegedly as he entered their villa in Nanjing. Three of the defendants were found in the villa and the fourth was found as he attempted to flee the area. Reportedly the defendants had entered the villa to rob it.

The case attracted great media interest within China because of the brutality of the stabbings and the fact that the victims were foreign nationals. The chief judge in the case, at Nanjing city Intermediate People's Court, has been quoted in the press as saying that the killings were especially cruel, suggesting that any appeal is unlikely to result in a reduction of sentence.

There were also reports that Jurgen Pfrang had been about to expose financial irregularities within the company, and a rumour that the four defendants were hit-men. The trial judges reportedly found no evidence to support this rumour.

Amnesty International is also concerned that the sentencing of the four may well have been influenced by the fact that the victims were foreign nationals following the media outcry over the stabbings and the impact of these among the expatriate community in China.

BACKGROUND INFORMATION

The death penalty continues to be used extensively, arbitrarily, and frequently as a result of political interference. There are often mass executions during major events or on public holidays in China, such as 1 January and the Chinese New Year. Execution is by shooting or lethal injection.

Only a fraction of death sentences and executions carried out in the country are publicly reported. In 1998 alone, based on the incomplete public reports, Amnesty International recorded 2,701 death sentences and 1,769 confirmed executions. From 1990 to the end of 1998, Amnesty International recorded more than 25,400 death sentences and 16,600 executions. These statistics are believed to fall far short of the real figures, but even based on this limited record China executes many more people than the rest of the world put together.

A revision to the Criminal Code in March 1997 confirmed the increasing scope for the use of the death penalty.

RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in English, Chinese or

your own language:

- urging the Chinese authorities to commute the death sentences on Zhang Eryang, Zhong Weiyang, Liu Guangyuan and Ding Shanyang;
- urging that the arbitrary and massive use of the death penalty in China be stopped;
- urging the Chinese government to take note of the pleas for clemency from the victims' family and reduce the sentence;
- expressing concern that the severity of the sentences may be, in some part, due to the need to reassure foreign business people that China is a safe place for them to work;
- urging the Chinese authorities to investigate claims that Liu Guangyuan is in fact 17 and should not be sentenced to death, according to Chinese law and international standards;
- 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.

APPEALS TO: please note that faxes in China are unreliable and often do not work outside office hours (GMT + 8):

Premier of the People's Republic of China**ZHU Rongji** Zongli

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People's Republic of China

Telex: 210070 FMPRC CN or 22478 MFERT CN**Telegram: Premier Zhu Rongji, Beijing, China****Faxes: + 8610 6 520 5316/467 7046 (c/o Ministry of Justice)****+ 86 10 6 851 2174 (c/o Ministry of Radio, Film, TV)****Salutation: Your Excellency**President of the Jiangsu Provincial High People's Court**LI Peiyu** Yuanzhang

Jiangsusheng Gaoji Renmin Fayuan

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Nanjingshi 210024

Jiangsusheng

People's Republic of China

Telegram: President, Provincial High People's Court, Nanjing, Jiangsu Province, China**Salutation: Dear President****Fax: + 86 10 6 201 2068 / 201 1369 (Jiangsu People's Government Beijing Office)****+ 86 25 330 1809 (Jiangsu Peoples's Government)****COPIES TO:**

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and to diplomatic representatives of the People's Republic of China accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY