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China: 50th Anniversary -- What future for human rights?

As the People's Republic of China (PRC) prepares to celebrate its 50th anniversary on 1 October, many people in China are still being denied their fundamental human rights.

"China has gone through 50 years of political upheavals and remarkable social and economic change," Amnesty International said. "The 50th anniversary of the PRC should be the occasion for the government to review the legacy of the past and deepen the process of reform, ensuring the rights of the Chinese people are respected in future."

"The Chinese leadership must decide whether China in the next 50 years will be ruled by law and justice and respect its citizens' human rights, or remain known as a country where serious human rights violations occur on a daily basis and state officials routinely ignore the law," the human rights organization added.

In an Open Letter issued today, Amnesty International calls on the Chinese authorities to stop arbitrary detention, torture and executions and take radical action to reform the law enforcement and justice system in China.

"The international community will not take seriously the government's assurances that it is moving towards greater observance of international human rights standards when in practice it is doing just the contrary," the organisation said.

While China signed two key international human rights conventions in 1997 and 1998, since the end of last year the authorities have carried out the most serious crackdown on peaceful dissent since 1989. In the name of "stability", they have detained a broad range of people who dared to exercise peacefully their rights to freedom of expression or association and sentenced some to long prison terms for "subversion" under sweeping "national security" provisions introduced in 1997.

"In just a few months, the authorities have turned the clock backwards and created a new generation of prisoners of conscience," Amnesty International said.

Those detained include not only members of the identifiable dissident community, but also people who raised a new range of issues, such as labour, the environment and corruption, and members of religious groups. The latest victims are followers of the Falun Gong, a spiritual movement banned by the government in July 1999. Hundreds of them remain detained and some are now being prosecuted.

"Equality before the law", which is guaranteed by the Constitution, remains a theoretical right and double standards prevail in the application of the law. Political detainees and others who are arbitrarily detained at the whim of the authorities are routinely denied the few rights guaranteed to them under Chinese law, including access to lawyers.

Illegal detention is common and torture of criminal suspects and convicted prisoners is widespread across the country. Police often intimidate and humiliate people in custody, beat, kick and

use electric shocks on detainees, hang them by the arms, shackle them in painful positions and deprive them of food and sleep. Cases of deaths in custody as result of torture are reported every year.

While torture is prohibited by Chinese law, many police, prison and labour camps officials show utter contempt for the human rights of detainees and for the law, knowing full well that they are unlikely to be punished. Superior officers, prosecutors, judges and other officials often cover up cases of torture and ignore the complaints made by the victims.

"Another challenge for China in the next 50 years will be its handling of ethnic minorities, many of whom aspire to independence," the human rights organization added. "At present, the Chinese government's rhetoric on the protection and development of minorities masks a record of brutal suppression."

In Tibet and Xinjiang, political suspects are routinely denied their legal rights. They are often held for months without charge, denied access to lawyers, tortured and summarily tried in secret, while their family are denied information about their whereabouts and legal status.

More people are executed every year in China than in the rest of the world put together. Despite changes in the law in 1997, over 60 crimes can be punished by death, including many non-violent offences. Many death sentences are imposed following trial proceedings which can only be described as summary.

According to incomplete records gathered by Amnesty International, at least 2,600 people were sentenced to death and at least 1,500 were confirmed to have been executed in 1998. From 1990 till the end of 1998, Amnesty International recorded over 25,400 death sentences and over 16,600 executions. These figures are believed to be far below the real numbers.

Miscarriages of justice are reported every year in China. They include cases of people sentenced to death for crimes they did not commit, who had confessed to the charges under torture. Some of these cases are discovered before the victims are executed, but others are not.

"China has undergone profound social and economic changes in the past 20 years, but civil and political freedoms remain severely curbed," Amnesty International said. "Continuing restrictions on basic rights will only reinforce alienation and destabilising social division, stunt China's development and hinder its engagement with the global community."

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