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Death Penalty

28 February 1995

PEOPLE'S REPUBLIC  
OF CHINA

Ma Yajun

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On 22 February 1995, Shanghai newspapers reported the recent sentences passed on six police officers in Tangshan, Hebei Province, for causing a man's death while attempting to extract confessions through torture. While the Tangshan People's Intermediate Court sentenced five of the police officers to terms of imprisonment, ranging from five to fifteen years, Ma Yajun, former commander of Hehuakeng police station, was condemned to death.

According to the report, at midday on 19 December 1993, Ma Yajun and his colleagues brought two peasants to the Hehuakeng police station after the peasants had demanded food from a local vegetable seller. In order to obtain a confession from the peasants, the six police officers reportedly used electric police batons, rope trusses and rubber truncheons to beat them, as well as subjecting them to kicks, punches and other physical abuse. As a result, one of the peasants died a few hours later, the report says.

The Tangshan People's Intermediate Court ruled that Ma Yajun and the other police officers had caused injury and death in an attempt to extract verbal confessions. Ma Yajun, who was considered to have played a leading role in the beatings, was condemned to death. According to the newspaper report, he expressed a desire to appeal, but it is known whether he did or did not appeal.

While Amnesty International welcomes the investigation of torture allegations and the prosecution of officials who use torture, the organization is opposed to the use of the death penalty in all cases on the grounds that the death penalty is the ultimate form of cruel and inhuman punishment and is a violation of the right to life as guaranteed in the Universal Declaration of Human Rights.

#### BACKGROUND INFORMATION

The death penalty is used extensively in China. For the first nine months of 1994, Amnesty International recorded 1,486 death sentences and 1,006 executions. However, the organization believes these figures to be well below the actual number of death sentences and execution. The increased use of the death penalty in China since the late 1980s occurs in the context of a continuing "anti-crime" campaign. Amnesty International is concerned that death sentences in China are meted out following trials which fall far short of international standards for fairness.

**RECOMMENDED ACTION: Please send telegrams, telexes, express and airmail letters either in English, Mandarin Chinese or in your own language:**

- expressing the concern that while the Chinese authorities' investigation into allegations of torture and punishment is welcomed, the death penalty is in all cases the ultimate form of cruel and inhuman punishment and is a violation of the right to life as guaranteed in the Universal Declaration of Human Rights;
- urging that the death sentence passed on Ma Yajun be commuted.

#### APPEALS TO:

Governor of the Hebei Provincial People's Government

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**Telexes: 26229 HBFOE CN or 26232 SHMPG CN (Please forward to Governor Cheng Weigao)**  
**Telegrams: Governor Cheng Weigao, Shijiazhuang, Hebei Province, China**  
**Salutation: Dear Governor**

President of the Hebei Provincial High People's Court

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

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

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or with your section office, if sending appeals after 28 March 1995.