

EXTERNAL (for general distribution)

**AI Index: ASA 27/02/94
Distr: UA/SC**

1 March 1994

Further information on EXTRA 08/94 (ASA 27/01/94, 11 February 1994) - Death Penalty

**MACAU: Antonio Ti Luo
new name: Yeung Yuk-leung, aged 35**

The Macau Supreme Court, at a hearing on 1 March, denied the People's Republic of China's request for the extradition of Antonio Ti Luo, an ethnic Chinese national of Bolivia. Amnesty International welcomes this decision as it believed that Antonio Ti Luo faced a high risk of unfair trial and execution for alleged economic offences if returned to China.

However, the same court accepted in principle the extradition to China of Yeung Yuk-leung, a Hong Kong resident, who is suspected of murder by the Chinese authorities. Amnesty International is concerned that, if returned to China, the 35-year-old, who faces investigation for the murder of a woman in Guangdong province in 1990, may not be able to present an adequate defence and obtain a fair trial in accordance with international standards, and may be sentenced to death and executed.

It is believed that an appeal against the court's decision on Yeung Yuk-leung's case will be considered by the Macau authorities within the next five days.

The Macau branch of China's official news agency, Xinhua (which acts as the Chinese Government representative in Macau), reportedly informed the Supreme Court that Yeung Yuk-leung would not be executed. The status of this assurance is unclear, and Amnesty International is concerned that it may not be binding on China's prosecution authorities.

BACKGROUND INFORMATION

There is no extradition treaty between China and Portugal, which administers Macau. Under Portuguese presidential Decree-Law 437/75 of August 1993, extradition requests may be refused by Portuguese authorities in certain circumstances, including if there are no guarantees that the judicial process in the country of extradition will be conducted in accordance with international standards; and if the defendant is at risk of being sentenced to death.

In 1993, according to figures compiled by Amnesty International mainly on the basis of published information, at least 2,100 people have been sentenced to death, and at least 1,400 were executed in China. Trial procedures in China fall far short of international standards for fairness, and defendants in death penalty cases have virtually no chance of presenting an adequate defence. The death penalty has not been used in Macau since the 19th Century.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters either in English or your own language:

- welcoming the decision of the Macau Supreme Court not to extradite Antonio Ti Luo to China;
- expressing concern that Yeung Yuk-leung, whose extradition to China was granted by the Supreme Court, may face an unfair trial and execution if returned to China, and urging the Macau authorities to give favourable consideration to his appeal to reverse that decision;

- requesting information about the nature of any assurances received by the Macau authorities concerning the investigation of Yeung Yuk-leung's case in China.

APPEALS TO:

1) Macau Governor

Governador General Vasco Rocha Vieira, Government Palace
Rua da Praia Grande, Macau

Faxes: + 853 972746

Telegrams: Governador General Vieira, Macau

Telexes: 88201

Salutation: Dear Governor

2) Macau Deputy Procurator General

Procurator General Adjunto Dr Rodrigo Leal de Carvalho
Address, faxes and telexes as above

Telegrams: Procurator General Leal de Carvalho, Macau

Salutation: Dear Deputy Procurator General

3) President of Portugal

Exmo Sr Presidente, Mario Alberto Nobre Lopes Soares
Palacio de Sao Bento, Lisboa 3
Portugal

Faxes: + 351 1 363 6603

Telegrams: Presidente Soares, Lisbon, Portugal

Salutation: Dear President

COPIES OF YOUR APPEALS TO:

Chief Secretary's Office

Hong Kong Government Secretariat
Central Government Offices
Lower Albert Road
Hong Kong

and to diplomatic representatives of Portugal accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.