

**EXTERNAL (for general distribution) AI Index: ASA 17/67/90**  
**Distr: UA/SC**  
**UA 446/90 Death Sentences/Fear of Execution 6 November 1990**

**PEOPLE'S REPUBLIC OF CHINA (PRC): YUE Shoucheng**  
**GAO Shukun**

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In early October 1990 YUE Shoucheng and GAO Shukun were sentenced to death by the Daqing Intermediate People's Court, in China's northern province of Heilongjiang, reportedly on charges of "destroying the state power equipment".

The Heilongjiang provincial radio, which reported these sentences, described YUE Shoucheng and GAO Shukun as "peasants". It said that on 9 January 1989, they had allegedly "colluded" with others to steal 50 meters of high-tension electrical cable, "making 51 oil wells stop production for as long as 12 hours and 34 minutes and causing some 88,000 yuan in economic losses." The report did not allege that the defendants had used violence.

The radio report, which was broadcast on 19 October, said the sentences had been handed down "a few days ago". It did not say whether they had been reviewed by a higher court and carried out. Chinese law and practice provide for the provincial High People's Court to review death sentences and make a final decision if any appeal has been lodged by the defendants.

The Heilongjiang radio report did not say under which article of the Criminal Law YUE Shoucheng and GAO Shukun were sentenced to death. It may have been under Article 150 of the Criminal Law of the PRC which provides the death penalty for theft of property "by violence, coercion or other methods. . . when the circumstances are serious".

#### **BACKGROUND INFORMATION**

The death penalty is used extensively in China. So far this year, more than 800 death sentences have been recorded by Amnesty International on the basis of official Chinese reports. 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. It is also concerned that in China as in other countries, the death penalty is a discriminatory punishment. In China, it tends to apply disproportionately to people of low social standing who have neither the political status of members of the ruling Chinese Communist Party or affiliate organizations nor the prestige accorded members of certain professions.

#### **RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:**

- expressing opposition to the death penalty in all cases as the a violation of the right to life and the right not to be subjected to cruel,

inhuman and degrading treatment or punishment, as proclaimed in the Universal Declaration of Human Rights;

- expressing regret that YUE Shoucheng and GAO Shukun were sentenced to death for an offence which is not a crime with lethal or other extremely grave consequences;

- urging that YUE Shoucheng and GAO Shukun be afforded the right to seek and obtain a thorough review of their sentences;

- urging that they be given an effective opportunity to seek pardon or commutation of their sentences.

**APPEALS TO:**

(Chief Procurator, JIA Chengwen, Heilongjiang Provincial People's Court):

JIA Chengwen Jianchazhang  
Heilongjiangsheng Renmin Jianchayuan  
Haerbinshi  
Heilongjiangsheng  
People's Republic of China  
**Telexes: 87086 HFTVI CN or 97087 HFTBI CN**  
**(Please forward to Chief Procurator JIA Chengwen)**

(Governor SHAO Qihui, Heilongjiang Provincial People's Government):

SHAO Qihui Shengzhang  
Heilongjiangsheng Renmin Zhengfu  
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**(Please forward to Governor SHAO Qihui)**

(Procurator General LIU Fuzhi):

LIU Fuzhi Jianchazhang  
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**(Please forward to LIU Fuzhi Jianchazhang)**

**COPIES TO:**

(State Economic Commission):

Guojia Jingji Weiyuanhui  
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(Chief Editor, Heilongjiang Daily):

Zong Bianji  
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and to diplomatic representatives of the PRC in your country

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat,  
or your section office, if sending appeals after 18 December 1990.