

PUBLIC

AI Index: ASA 17/049/2002

8 October 2002

Further information on EXTRA 01/02 (ASA 17/001/2002, 4 January 2002) and follow-up (ASA 17/008/2002, 5 February 2002) - Death penalty/Fear of imminent execution/Torture and ill-treatment

PEOPLE'S Gong Shengliang (m), aged 46

REPUBLIC OF CHINA Xu Fuming (m)

Hu Yong (m)

Li Ying (f), aged 36

Gong Bangkun (also known as Gong Bangchen) (m)

Zhang Hongjuan (f), aged 20

Li Tongjin (also known as "Immanuel") (f)

Yang Tongni (also known as "Ni") (f)

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Gong Shengliang, Xu Fuming, Hu Yong, Li Ying and Gong Bangkun, who were condemned to death in December 2001, have had their death sentences overturned and will be re-tried by the Municipal Intermediate Court in Jingmen city, Hubei, central China.

On 22 September the Hubei Province High Court ordered a re-trial of the cases, reportedly because there was not enough evidence for a conviction. The retrial is due to begin on 9 October.

All five were condemned to death in connection with their membership of an unofficial Christian organization, the "Huanan (South China) Church", which has been banned by the authorities. Gong Shengliang, together with Xu Fuming and Hu Yong, were sentenced to death. Ying and Gong Bangkun (also known as Gong Bangchen) were given death sentences with a two-year suspension. Amnesty International is concerned that the five were convicted based on evidence obtained through torture.

Zhang Hongjuan, Li Tongjin and Yang Tongni, three women who were reportedly detained on separate occasions between August and October 2001, claimed they were tortured by police, apparently to make them confess to having had sexual relations with Gong Shengliang. The charges against Gong Shengliang included "hooliganism and rape". Yang Tongni and Li Tongjin are reported to be serving three-year terms at Shayang Labour Camp in Hubei Province. The current whereabouts of Zhang Hongjuan are not known.

**FURTHER RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Chinese, English or your own language:**

- welcoming the authorities' decision to overturn the verdict passed on Gong Shengliang, Li Ying, Xu Fuming, Hu Yong and Gong Bangkun;
- urging the authorities to ensure that the retrial is conducted according to international fair trial standards and that the death penalty will not be applied;
- calling on the authorities to investigate all allegations that those detained in connection with this case have been tortured, including the specific allegations made by Zhang Hongjuan, Yang Tongni and Li Tongjin;
- urging the authorities to clarify the whereabouts of Zhang Hongjuan and to guarantee that Zhang Hongjuan, Yang Tongni and Li Tongjin will not be subjected to further human rights violations.

**APPEALS TO:**

Premier of the People's Republic of China

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**Salutation:** Your Excellency

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

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**Salutation:** Dear President

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**Telegram:** Director of the Provincial Department of Justice, Wuhan, Hubei Province, China

**Salutation:** Dear Director

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**PLEASE SEND APPEALS IMMEDIATELY.**