

EXTERNAL

AI Index: ASA 17/65/95

EXTRA 99/95

Death penalty

4 Septe

PEOPLE'S REPUBLIC OF CHINA

**Wang Shanrong
Chen Kui**

According to the newspaper *Xinmin Wanbao* of 29 August 1995, the Suzhou Municipal People's Court in Jiangsu province on 28 August sentenced two members of a "gang of hooligans" to death, and a third to a prison term, for extortion and manslaughter.

According to the report, all three men were found guilty of "hooliganism". Wang Shanrong, the "ringleader", was sentenced to death and Chen Kui was sentenced to death with a two year suspension. The third gang member, Xia Zhengzu, was sentenced to four years' imprisonment.

The three had allegedly extorted 160 yuan (US\$23) from a number of travelling employees of the Huzhou Cardboard Box Factory in Zhejiang province and had also beaten them severely. One employee, He Xiafang, died, and three others were injured.

It is not known whether Wang Shanrong and Chen Kui have appealed against their death sentences. Under Chinese law, they have between three and 10 days after the passing of sentence to appeal to another court. If no appeal was lodged, their sentences will be automatically referred for review to the Hubei Province High People's Court. This court must then rule on the appeal or review the case within one and a half months. This process can be accelerated and review of death sentences can take place within only a few days after the trial. Successful appeals are rare.

BACKGROUND INFORMATION

The death penalty is used extensively in China. In 1994, Amnesty International recorded 2,496 death sentences and 1,791 executions, although it believes these figures to be well below the actual number of death sentences and executions carried out. The increased use of the death penalty in China since the late 1980s occurs in the context of continuing "anti-crime" campaigns.

Amnesty International is concerned that death sentences in China are meted out following trials which fall far short of international standards for fairness. Defendants do not

always have access to lawyers. In death penalty cases, lawyers, when available, usually have no more than one or two days to prepare a defence. Death sentences are often decided in advance of the trial by "adjudication committees" whose decision is seldom challenged by the courts. Chinese legal experts have in recent years criticized the practice of pre-trial verdicts, but it is reported to be still widespread.

Amnesty International is also concerned that the use of the death penalty in China appears to be discriminatory; it tends to apply disproportionately to people of low social standing who have neither the social nor the political status which enables others to defend themselves against the accusations. Furthermore, cases have been reported in which death sentences were imposed on the basis of confessions extracted through coercion or torture.

RECOMMENDED ACTION: Please send telegrams/airmail letters either in English or Chinese or in your own language:

- **expressing opposition to the death penalty in all cases as the ultimate form of cruel and inhuman punishment and as a violation of the right to life as guaranteed in the Universal Declaration of Human Rights;**
- **urging that the death sentences passed on Wang Shanrong and Chen Kui be commuted.**

APPEALS TO:

Governor of the Jiangsu Provincial People's Government

Zheng Silin Shengzhang

Jiangsusheng Renmin Zhengfu

29 Xikanglu

Nanjingshi 210024

Jiangsusheng

People's Republic of China

Telegrams: Governor Zheng Silin, Nanjing, Jiangsu

Province, China

Salutation: Dear Governor

President of the Jiangsu Provincial High People's Court

LI Peiyou Yuanzhang

Jiangsusheng Gaoji Renmin Fayuan

75 Ninghailu

Nanjingshi 210024

Jiangsusheng

People's Republic of China

**Telegrams: President, Provincial High People's Court,
Nanjing, Jiangsu Province, China
Salutation: Dear President**

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

REN Jianxin Yuanzhang

Zuigao Renmin Fayuan

27 Dongjiao Min Xiang

Beijingshi 100726

People's Republic of China

**Telegrams: President, Supreme People's Court, Beijing,
China**

Salutation: Dear President

COPIES TO:

Chief Editor, Jiangsu Daily

Zongbianji

Jiangsu Ribao

Nanjingshi

Jiangsusheng

People's Republic of China

Chief Editor GAO Di , People's Daily

GAO Di Zong Bianji

Renmin Ribao

Jintaixilu 2

Chaoyangmenwai

Beijingshi 100733

People's Republic of China

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

**PLEASE SEND APPEALS IMMEDIATELY. Check with the
International Secretariat, or your section office, if sending
appeals after 5 October 1995.**