

**EXTERNAL**

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**Death Penalty**

**31 Octo**

**PEOPLE'S REPUBLIC  
OF CHINA**

**Luo Guohong**

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**According to a *Reuter* report from Beijing dated 30 October 1995, Luo Guohong, a 35-year-old former bank manager has been sentenced to death for embezzlement by a court in Guangdong province.**

**The Intermediate People's Court in Zhaoqing city, Guangdong province found Luo Guohong, a former manager of a branch of the Agricultural Bank of China, guilty of embezzling 2.18 million *yuan* (US\$263,000) in 1993 and 1994. Luo reportedly used the money to "buy an apartment and squandered the rest on gambling and whoring".**

**It is not known whether Luo Guoping has appealed against his death sentence. Under Chinese law, depending on the case, the defendant has either three or 10 days to appeal to another court after the passing of the sentence. If no appeal is lodged, the sentence should be automatically referred for review to the Guangdong Province High People's Court, which will then rule on the appeal within one and a half months or review the case if there has been no appeal. This process can sometimes be accelerated and review of death sentences do sometimes 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. The organization believes these figures to be well below the actual number of death sentences and executions carried out. The use of the death penalty in China has increased since the late 1980s in the context of continuing "anti-crime" campaigns.**

**Amnesty International is concerned that death sentences in China are meted out after 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, have usually 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 be applied disproportionately to people of low social standing who have neither the social nor the political status enabling 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/telexes/faxes/express and 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 sentence passed on Luo Guohong be commuted.**

**APPEALS TO:**

**Governor of the Guangdong Provincial People's Government**  
**ZHU Senlin Shengzhang**  
**Guangdongsheng Renmin Zhengfu**  
**305 Dongfeng Zhong Lu**  
**Guangzhoushi 510031**  
**Guangdongsheng**  
**People's Republic of China**  
**Telexes: 44563 OFAGDCN**  
**Telegrams: Governor, Guangzhou, Guangdong Province,**  
**China**  
**Salutation: Dear Governor**

**President of the Guangdong Provincial High People's Court**  
**MAI Chongkai Yuanzhang**  
**Guangdongsheng Gaoji Renmin Fayuan**  
**26 Gangbian Lu**  
**Guangzhoushi 510090**  
**Guangdongsheng**  
**People's Republic of China**  
**Telegrams: President of the Provincial High People's Court,**

**Guangzhou, Guangdong 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 of the Supreme People's Court Ren**

**Jianxin, Beijing, China**

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**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 30 November 1995.**