

EXTERNAL

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Death penalty

8 November

**PEOPLE'S REPUBLIC OF CHINA Feng Weiquan
Chi Weiqi**

On 6 November 1996, two senior managers at the Zhongshan branch of the Bank of China, Feng Weiquan and Chi Weiqi, were sentenced to death by Zhongshan City Intermediate People's Court in the southern province of Guangdong for allegedly misappropriating 710 million yuan (US\$85.6 million) in funds. Feng Weiquan was given the death penalty and Chi Weiqi was given the death penalty with a two-year reprieve.

It is not known whether the two men have yet appealed against their death sentences. Under Chinese law, they have 10 days after sentencing to appeal to another court. If no appeal is lodged, the sentence will automatically be referred for review to Guangdong Province High People's Court. The latter must then rule on the appeal or review the case within one and a half months. Successful appeals are rare. In cases of corruption, the sentence is also reviewed by the Supreme People's Court after the high court review.

These sentences are the latest in an anti-corruption drive in China this year which, according to recent official figures, has resulted in the investigation of more than 34,000 cases. The crackdown on corruption is part of an intensive anti-crime campaign which began on 28 April 1996.

BACKGROUND INFORMATION

A recent example of the increased use of the death penalty in China since the start of this latest anti-crime campaign was the execution on 30 October in three cities in Guangdong province of 62 people convicted of crimes ranging from armed robbery to murder. One, Zheng Jian (26), accused of conspiracy to commit armed robberies and injuries, had reportedly jumped from a two-storey building to avoid being executed. He was then reportedly carried on a stretcher on to the stage of the mass rally in Shenzhen city where his sentence was announced, and then carried to the execution ground, where he was shot. Another man, Deng Bo (33) of Hubei province, had also attempted suicide by jumping from a prison building. He reportedly appeared on the stage with two broken legs, before being executed.

The increased use of the death penalty in China since the late 1980s has occurred in the context of a series of "anti-crime" campaigns. In 1995, Amnesty International recorded 3,610 death sentences and 2,535 executions, although it believes these figures to be well below the actual numbers.

The organization is concerned that death sentences in China are meted out following trials which fall far short of international standards for fairness. In particular it has noted a marked increase in the speedy and summary sentencing and executing of prisoners tried during the current anti-crime crackdown.

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/telexes/faxes/express and airmail letters either in English or Chinese or in your own language:

- acknowledging the right of governments to bring perpetrators of crime to justice, but 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 Feng Weiquan and Chi Weiqi be commuted;**
- expressing deep concern at the arbitrary and massive use of the death penalty in China and its increased use for economic and non-violent crimes, and calling upon the government to immediately stop any further executions under its anti-crime crackdown;**
- noting that the death penalty has never been shown to have a unique deterrent effect on crime and is brutalizing to all involved in its application.**

APPEALS TO:

**Governor of Guangdong Province
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Guangdongsheng Renmin Zhengfu**

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Telegrams: Governor Zhu Senlin, Guangzhoushi,
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Salutation: Dear Governor**

**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**

**President of Guangdong Provincial High People's Court
MAI Chongkai Yuanzhang
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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 20 December 1996.