

PUBLIC

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To: Health professionals  
From: Medical Office / Asia Program  
Date: 23 May 2003

**MEDICAL ACTION**  
**China**  
**Threat of death penalty for breaches of SARS regulations**

In February 2003 a new atypical pneumonia of unknown aetiology – Sudden Acute Respiratory Syndrome (SARS) – was identified in patients and healthcare workers in Guangdong province, southern China (1). Subsequently the virus was found in a number of countries, overwhelmingly due to movement of infected travellers. The current infection pattern of the disease is illustrated in a WHO map.  
([http://www.who.int/csr/sars/map2003\\_05\\_20.gif](http://www.who.int/csr/sars/map2003_05_20.gif))

The virus which causes SARS has recently been identified as a coronavirus (2). It represents a serious public health threat and requires an effective public health response. While research is being undertaken into vaccine development and antiviral medication, simple measures – such as restricting the movement of infected persons or imposition of quarantine – are being adopted.

Control measures have reached their most dramatic level in China where, after earlier denying the full extent of the outbreak, the government has now threatened the application of draconian punishments according to the BBC (<http://news.bbc.co.uk/1/hi/world/asia-pacific/3030069.stm>, 15 May 2003, accessed 16 May), including the death penalty, for people deliberately spreading the virus. Such a punitive approach is not appropriate -- it may inhibit people from cooperating voluntarily and is too open to abuse. No other country has threatened to execute people possibly infected by SARS for infringements of health regulations.

The 20 May 2003 edition of *China Daily* online (<http://www1.chinadaily.com.cn/cndy/2003-05-20/115560.html>), accessed 20 May 2003) reported on the Chinese government position:

"It is necessary to clarify that the intentional spreading of sudden contagious disease pathogens are crimes endangering public security, according to the Vice-President of the China Law Society. Gao Mingxuan was referring to an 18-clause judicial interpretation issued jointly by the Supreme People's Court and the Supreme People's Procuratorate last week. Taking effect on Thursday [15 May 2003], it stipulates that intentionally spreading sudden contagious disease pathogens that endanger public security or lead to serious personal injury, death or the heavy loss of public or private property, will be punishable by 10 years to life imprisonment or the death penalty."

Amnesty International is calling for the withdrawal by the Chinese authorities of the threat of executions in the control of SARS and for the implementation of internationally-agreed public health measures.

Note: WHO plans to hold an international conference in Kuala Lumpur, Malaysia in June 2003 to review the epidemiological, clinical management and laboratory findings on SARS and to discuss global control strategies. (See: [http://www.who.int/csr/sars/meeting2003\\_15\\_04/en/](http://www.who.int/csr/sars/meeting2003_15_04/en/))

## References

- (1) WHO. *Weekly epidemiological record*, 14 February 2003, No.7, 2003, 78: 41-48 (<http://www.who.int/wer/pdf/2003/wer7807.pdf>)
- (2) Drosten C et al. Identification of a novel coronavirus in patients with Severe Acute Respiratory Syndrome. *NEJM* 2003 (15 May) 348:1967-1976 (<http://content.nejm.org/cgi/content/full/348/20/1967>) and Ksiazek TG et al. A novel coronavirus associated with Severe Acute Respiratory Syndrome. *NEJM* 2003 (15 May); 348:1953-1966 (<http://content.nejm.org/cgi/content/full/348/20/1953>)

## Recommended Actions

Please send polite letters to the addresses below

- o noting that you are concerned to see an effective global policy for the control of SARS
- o expressing deep concern at reports that China is thinking of imposing the death penalty for those breaching government regulations on SARS
- o expressing serious scepticism that such punishments have any role to play in an effective public health policy since they tend to damage public good will
- o urging that the government withdraw this proposal and join with other international participants at the WHO international conference in Kuala Lumpur in June to develop an effective strategy to control SARS which meets international public health and human rights standards

## Addresses

### Minister of Public Health of the People's Republic of China

WU Yi (f) Buzhang  
Weishengbu  
1 Xizhimenwai  
Xicheng District  
Beijingshi 100044  
People's Republic of China  
**Salutation: Your Excellency**

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

XIAO Yang Yuanzhang  
Zuigao Renmin Fayuan  
27 Dongjiao Min Xiang  
Beijingshi 100726  
People's Republic of China  
**Salutation: Dear President**

## Monitoring of action

If you have access to e-mail you can help our attempt to monitor letter-writing actions. If you write one or more letters, please send us an e-mail and let us know. Please write in the subject line of your e-mail the index number of the action and the number of letters you write e.g. ASA 17/024/2003 - 2

Please send your message to [medical@amnesty.org](mailto:medical@amnesty.org). Thank you.