

PUBLIC

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Death pen

PEOPLE'S REPUBLIC OF CHINA (PRC)Xiao Jianbo (m)
Luo Qingpu (m)
Three others, names not known

Xiao Jianbo, Luo Qingpu and three others were sentenced to death on 26 November by a court in Nanchong city, Sichuan province, for drug trafficking. One of them received a death sentence with a two year suspension of execution. It was stated that they were members of a heroin trafficking gang.

It is not known if they have appealed against their sentences, though successful appeals against the death penalty are rare and executions can take place within hours of the death sentence being confirmed and any appeals being rejected.

Xiao Jianbo was reportedly convicted of trafficking 15 kilograms of heroin, while Luo Qingpu was alleged to have been caught buying 11 kilos from Xiao for 1.06 million yuan (approximately US\$127,700).

Five others reportedly received sentences of up to life imprisonment for buying and trying to sell between 15 grams and 1.3 kilograms of the drug.

BACKGROUND INFORMATION

China maintains the death penalty for a large number of offences, including non-violent crimes and economic crimes. A large proportion of sentences and executions are imposed for drug-related crimes. Execution is by shooting or lethal injection. Each year China executes scores of people for drug offences on or around 26 June, which the United Nations has designated International Anti-Drugs day.

In China the death penalty is used extensively, arbitrarily and frequently as a result of political interference, in particular during "Strike Hard" anti-crime campaigns, when defendants may be sentenced to death for crimes which at other times are punished by imprisonment. The "Strike Hard" campaign now underway appears to be the most widespread and far-reaching in years.

Amnesty International recorded at least 2,960 death sentences and 1,781 executions in China between April to June 2001. These figures, taken from a limited number of sources, show that China executed more people in these three months than the rest of the world did in the last three years. From 1990 to the end of 1999 Amnesty International recorded at least 27,599 death sentences in China and over 18,194 executions - an average of more than 1,800 confirmed executions every year.

Amnesty International is concerned that, despite all these executions, there has been little public evidence that the death penalty has been effective in combatting the trafficking of illegal drugs.

The renewed "Strike Hard" crackdown puts even greater pressure on police and judicial authorities to investigate and sentence people for crimes as quickly as possible, meaning that the potential for miscarriages of justice and the execution of innocent people is immense.

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

- urging the Chinese authorities to commute the death sentences passed on Xiao Jianbao, Luo Qingpu and three others by a court in Nanchong city, Sichuan province on 26 November;
- urging that the arbitrary and massive use of the death penalty in China be stopped;
- urging the Chinese government to exclude non-violent crimes from the scope of the death penalty, as recommended by the United Nations Special rapporteur on extrajudicial, summary or arbitrary executions;
- 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.

APPEALS TO: (Please note that fax numbers are difficult to reach, and may not be available outside Beijing office hours - GMT +8)

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

XIAO Yang Yuanzhang

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People's Republic of China

Telegram: President, Supreme People's Court, Beijing, China

Salutation: Dear President

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President of the Sichuan Provincial High People's Court

LI Yulong Yuanzhang

Sichuansheng Gaoji Renmin Fayuan

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Salutation: Dear President

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and to diplomatic representatives of People's Republic of China (PRC) accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 8 January 2001.