

PUBLIC

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EXTRA 71/02 Fear of Imminent Execution/Death Penalty 11 September 2002

PEOPLE'S REPUBLIC OF CHINA
Qian Changxiong
Chen Shiwen
Liu Guxing
and seven others, names unknown

Yu Xuede

Ten people, including Qian Changxiong, Chen Shiwen and Liu Guxing, are at risk of imminent execution. On 10 September the High People's Court of Hebei province, northern China, reportedly rejected their appeals and upheld their death sentences, passed earlier this year on charges of human trafficking. Executions can take place within hours after the appeal has been rejected and the death sentence confirmed.

In the same case, Yu Xuede was sentenced to death with a two year reprieve, while another seven unnamed people received various terms of imprisonment. All eight had their appeals rejected by the same court.

The 18 people on trial were allegedly members of a gang based in Handan city, Hebei province, led by Qian Changxiong and comprising about 50 people from the southwestern province of Yunnan. They were found guilty of abducting and selling 16 small children between June 2000 and April 2001. One of the babies abducted died in transit. Of the 15 children sold, ten have reportedly been rescued. The sale of the 15 children earned the gang a reported 110,000 yuan (US\$ 13,300).

BACKGROUND INFORMATION

In China the death penalty is used extensively, arbitrarily and frequently as a result of political interference. There is often an increase in executions and death sentences on or around major events or before public holidays, such as on National Day (1 October). Execution is by shooting or lethal injection.

Since the "Strike Hard" anti-crime campaign was launched in April 2001 there has been a dramatic rise in the number of people executed. Amnesty International recorded at least 4,015 death sentences and 2,468 executions in China during 2001, with a peak of 2,960 death sentences and 1,781 executions between April and June 2001, although the true figures are believed to be much higher. Even these figures, taken from a limited number of sources, show that China executed more people in those three months than the rest of the world did in the last three years.

On 8 July 2002 the Chinese authorities called for an intensification of the "Strike Hard" anti-crime campaign, in advance of the Chinese Communist Party Congress in October this year. This is likely to lead to an increase in executions and death sentences and heightens the potential for miscarriages of justice and torture of suspects. Over the last two months, more than 50 people have been sentenced to death and 25 executed. This follows scores of executions across China around International Anti-Drugs day on 26 June.

Despite the unparalleled use of the death penalty in China, the crime rate continues to increase. Amnesty International reiterates its call on the Chinese authorities to review its drastic response to crime and find other, more effective and humane ways of dealing with the issues of law and order.

Amnesty International opposes the death penalty in all cases without exception as a violation of the right to life and the ultimate form of cruel, inhuman and degrading punishment. The death penalty is irrevocable and can be inflicted on the innocent. It has never been shown to deter crime more effectively than other punishments and brutalises those involved in the process of executions and wider society as a whole.

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

- urging the Chinese authorities to commute the death sentence passed on Qian Changxiong, Chen Shiwen, Liu Guxing, Yu Xuede and seven other people by the High People's Court in Hebei province;
- expressing deep concern at the arbitrary and massive use of the death penalty in China and calling on the government to immediately commute any death sentences handed down as part of the "Strike Hard" anti-crime campaign;
- 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;
- 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: (NOTE: Fax numbers may be difficult to obtain, but please keep trying.)

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
Telegram: President, Supreme People's Court, Beijing, China
Fax: +86 10 65125012/ + 86106 529 2345 (c/o Ministry of Communications)
Salutation: Dear President

Minister of Justice of the People's Republic of China
ZHANG Fusen Buzhang
Sifabu
10 Chaoyangmen Nandajie, Chaoyangqu
Beijingshi 100020
People's Republic of China
Telexes: 210070 FMPC CN or 22478 MFERT CN (Please forward to the Minister of Justice)
Telegram: Minister of Justice, Beijing, China
Fax: + 86 10 6529 2345
E-mail: minister@legalinfo.gov.cn
Salutation: Your Excellency

President of the Hebei Provincial High People's Court
LI YUCHENG Yuanzhang
Hebeisheng Gaoji Renmin Fayuan
Shijiazhuangshi
Hebeisheng 050051
People's Republic of China
Telegram: President, High People's Court, Shijiazhuang, Hebei Province, China
E-mail: chenxh@heinfo.net (c/o Hebei Government's website)

Salutation: Dear President

Director of the Hebei Provincial Department of Justice

ZHANG Fuchun Tingzhang

Sifating

3 Shiyilu

Shijiazhuangshi 050051

Hebeisheng, People's Republic of China

Telegram: Director, Provincial Department of Justice, Shijiazhuang, Hebei Province, China

Salutation: Dear Director

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China Society for Human Rights Studies (CSHRS)

Fax: + 86 10 82008118

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

PLEASE SEND APPEALS IMMEDIATELY.