

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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China's latest use of the death penalty for drug offences condemned

Amnesty International today condemned Chinese authorities for their plan to execute three Filipinos on Wednesday for the non-violent offence of drug smuggling, which falls short of the legal threshold of the 'most serious' crimes as set in the International Covenant on Civil and Political Rights.

Ramon Credo, a 42-year-old father of five, was detained on 28 December 2008 at Gaoji International Airport in Xiamen, China. He is alleged to have smuggled 4,113 grams of heroin in his luggage. He is scheduled to be executed in Xiamen.

Authorities detained Sally Villanueva, 32, on Christmas Eve 2008 also at Gaoji International Airport. She is alleged to have smuggled 4,410 grams of heroin in her luggage. She, too, is scheduled to be executed in Xiamen. She is a mother of two.

Elizabeth Batain, 38, was detained on 25 May 2008 at the airport in Shenzhen. She is alleged to have smuggled 6,800 grams of heroin in her suitcase. She is scheduled to be executed in Shenzhen.

All three were sentenced in 2009 and their death sentences were upheld by the Beijing Supreme People's Court in February 2010. The three were originally scheduled to be executed later that month, but Chinese authorities granted them a temporary stay of execution following intense lobbying by the Philippine government, including a visit to China by Philippine Vice President Jejomar Binay. But on 23 March, Chinese officials announced they had set the execution date for 30 March.

China does not tell the world how many people it executes, but is believed to put to death thousands of people each year—more than the rest of the world combined.

People sentenced to death in China do not receive fair trials. The accused are not presumed innocent, but must prove it, and police often extract confessions through torture or other ill treatment. Although the government this year eliminated the death penalty for 13 crimes, mainly white-collar offenses for which executions are seldom reported, it retained the death penalty for many non-violent crimes, such as corruption. And it expanded the scope of the death penalty to crimes such as forcing or deceiving someone to donate their organs, which in some circumstances can now be classified as intentional wounding or intentional killing—both punishable by death. The government also expanded the circumstances under which a death sentence can be imposed for crimes of producing and selling fake drugs or poisonous or harmful foodstuffs.

Amnesty International calls on the Chinese government to abolish the death penalty in law and practice. As first steps the Chinese government should establish a moratorium on executions, release official figures on its use of capital punishment, eliminate the death penalty for all non-violent crimes, and introduce a legal procedure for clemency.

The worldwide trend toward abolition is unmistakable. In 1977, when Amnesty International began its global campaign against the death penalty, only 16 countries had abolished it. This

year, Amnesty International's report, *Death Sentences and Executions 2010*, shows nearly a hundred countries have stopped using it for all crimes, with 139 ending it in law or practice. Amnesty International officially recorded 527 executions in 2010, not including the thousands thought to have been executed in China. In 2009, the organization recorded 714 executions. Amnesty International opposes the death penalty in all cases without exception, regardless of the nature of the crime, the characteristics of the offender, or the method used by the state to carry out the execution. The death penalty is cruel, inhumane, ineffective and unjust.

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