

URGENT ACTION

HARSH SENTENCING PUTS MAN AT RISK OF IMMINENT EXECUTION

The Supreme People's Court approved a death sentence which could result in the execution of Jia Jinglong at any time. According to lawyers, mitigating factors of his case were not taken into account during sentencing.

According to media reports, on 6 May 2013 several unidentified personnel violently evicted **Jia Jinglong** from his home in Hebei province, which was being renovated for his upcoming wedding. As a result, Jia suffered injuries to his head and two of his cousins were beaten. In response to the perceived injustice, Jia Jinglong killed the village chief, He Jianhua, with a nail gun on 19 February 2015.

The Supreme People's Court approved the death sentence with immediate execution for Jia Jinglong on 31 August 2016, while his lawyers only received notification on 18 October. Jia Jinglong voluntarily turned himself in to the police which usually results in a sentence of death with a "two year reprieve", instead of a death sentence with immediate execution. A death sentence with a two year reprieve is usually commuted to a prison term after two years of good behaviour.

Under Chinese law, once the Supreme People's Court approves a death sentence with immediate execution, the decision is final and should be carried out within seven days, though in practice this does not always happen. China does not currently have a pardon or commutation mechanism, as required by international law. Yet, according to government sources, 31,527 prisoners – mostly juvenile offenders and prisoners who had fought in World War II – were pardoned in a special process last year though none of them under a sentence of death.

Please write immediately in English or Chinese urging the authorities to:

- Halt any plans to execute Jia Jinglong and commute his death sentence without delay;
- Establish an official moratorium on all executions as a first step to abolishing the death penalty, as provided by five UN General Assembly resolutions, most recently resolution 69/186 of 18 December 2014,
- Commute all existing death sentences.

PLEASE SEND APPEALS BEFORE 6 DECEMBER 2016 TO:

Minister of Justice

Wu Aiyong Buzhang
Sifabu
10 Chaoyangmen Nandajie
Chaoyangqu, Beijingshi 100020
People's Republic of China
Fax: +86 10 65292345
Email: pfmaster@legalinfo.gov.cn
Salutation: Dear Minister

President of the Supreme People's Court

Zhou Qiang Yuanzhang
Zuigao Renmin Fayuan
27 Dongjiaomin Xiang
Beijingshi 100745,
People's Republic of China
Fax: +86 10 65292345
Salutation: Dear President

Premier

Li Keqiang Guojia Zongli,
The State Council General Office,
2 Fuyoujie, Xichengqu,
Beijingshi 100017,
People's Republic of China.
Fax: +86 10 65961109 (c/o Ministry of
Foreign Affairs)
Salutation: Dear Premier

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

China remains the world's top executioner. Although Amnesty International does not publish any figures for China, the organization believes, based on ongoing monitoring of developments in the criminal justice system that China's executions remain in the thousands annually. However there are indications that the number of executions has decreased since the Supreme People's Court began reviewing the implementation of the death penalty in 2007.

In 2009 Amnesty International stopped publishing its estimated figures on executions in China, as data on the use of the death penalty is classified as a state secret. Instead, the organization has continuously challenged the Chinese authorities to prove their claims that they are achieving their goal of reducing the application of the death penalty by publishing the figures themselves.

Amendments to the Criminal Law in 2015, which came into effect in November, reduced the number of crimes punishable by death from 55 to 46. State media indicated that although the nine crimes were rarely used and would have little impact in reducing the number of executions, their deletion was in line with the government's policy of "kill fewer, kill more cautiously". However, the revised provisions still failed to bring the Criminal Law in line with requirements under international law and standards on the use of the death penalty.

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 kill the prisoner. The death penalty is the ultimate denial of human rights. It is the premeditated and cold-blooded killing of a human being by the state in the name of justice. It violates the right to life as proclaimed in the Universal Declaration of Human Rights. It is the ultimate cruel, inhuman and degrading punishment.

As of today, 103 countries have abolished the death penalty for all crimes and 140 in total are abolitionist in law or practice.

Name: Jia Jinglong

Gender: m

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