

URGENT ACTION

IMMINENT EXECUTION FOR FORMER GOVERNMENT OFFICIAL

A former government official has been sentenced to death for his alleged involvement in the killing of a young woman. His family has raised serious concerns about whether he received a fair trial and he alleges that his “confession” was made after being subjected to torture and other ill-treatment. His execution could be imminent.

Zhao Liping, the former Communist Party Secretary of the Public Security Department of the Inner Mongolian Autonomous Region, was convicted and sentenced to death for intentional homicide by the Taiyuan City Intermediate People’s Court on 11 November 2016. He was also sentenced to 15 years imprisonment for bribery, five years for illegally possessing firearms and ammunition, and three years for illegally possessing explosives. On 28 February 2017 the Shanxi High People’s Court upheld the decision issued by the court of the first instance.

According to state media, on 20 March 2015 Zhao Liping drove a black Audi in pursuit of a white sedan, driven by the victim, in Chifeng City, Inner Mongolia. He then allegedly caught up with the car and, outside of an apartment complex, shot the victim before later burning and burying the body in the wilderness.

Zhao Liping’s legal team have suggested that evidence to support the claim that the “confessions” used to convict Zhao were obtained through torture and other ill-treatment, which is illegal under international law as well as under Chinese law, was not taken into consideration by the first or second instance courts. Zhao Liping was interrogated non-stop for 22 hours, and was repeatedly denied the ability to go to the bathroom. He also suffered extensive bruising to his arms, as a result of pressure put on his handcuffs, in a manner which may amount to torture or other ill-treatment under international law. Despite asking for a lawyer on the first day of his detention, Zhao Liping was not allowed legal consultation until nine months later.

Zhao Liping’s legal team notes that, according to transcripts of police interrogations, three witnesses present at the time of the shooting seemed to identify another man as responsible and their own recorded interview with one of the witnesses also raised this doubt. However, no witnesses were called at the first instance trial, only one witness appeared at the second trial during which he changed his previously recorded testimony and the court stopped the defence team from entering the witnesses’ previously recorded statements as evidence.

Please write immediately in Chinese, English or your own language urging authorities to:

- Immediately halt plans to carry out Zhao Liping’s or any other execution;
- Launch a prompt, impartial, independent and effective investigation into Zhao Liping’s torture allegations, and
- Ensure that Zhao Liping gets a re-trial, that case proceedings fully comply with international fair trial standards and that Zhao Liping is not subjected to torture or other ill-treatment;

PLEASE SEND APPEALS BEFORE 4 JULY 2017 TO:

Chief Justice
Zhou Qiang Yuanzhang
Supreme People’s Court
No. 27 Dong Jiao Min Xiang
Dongcheng District
Beijing Shi, 100745
People’s Republic of China
Salutation: Dear Chief Justice

National People’s Congress Standing
Committee Chairman
Zhang Dejiang
23 Xijiaominxiang
Beijing Shi, 1000805
People’ Republic of China
Salutation: Dear Chairman

And copies to:
Premier
Li Keqiang Guojia Zongli
The State Council General Office 2
Fuyou Jie Xicheng Qu, Beijing Shi
100017 People’s Republic of China
Fax: +861065961109 (c/o Ministry of Foreign
Affairs)

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR LIU XIAOMING, Embassy of the People’s Republic of China, 49-51 Portland Place W1B 1JL, 020 7299 4049, press_uk@mfa.gov.cn

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

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Chinese state media ran several articles stating that since the 18th Party Congress in 2013 none of the 50 or more high-ranking officials that have been tried in court and convicted in the anti-corruption drive had been sentenced to death, apart from Zhao Liping's case which also included an intentional homicide charge.

State media reports, however, did not mention the numerous issues in Zhao Liping's case, such as the allegation that he was subjected to torture and other ill-treatment in detention, that witnesses made contradictory statements in their testimony, and that Zhao was denied the ability to see a lawyer for nine months

Under international law, all persons arrested or detained on a criminal charges have the right to competent and effective legal counsel from the start of a criminal investigation and as soon as they are deprived of their liberty. This enables the individual to protect their rights and to prepare their defence, and serves as an important safeguard against torture and other ill-treatment, and against coerced "confessions" or other self-incriminating statements. This right extends to all stages of criminal proceedings, including the preliminary investigation, before and during the trial and appeals. According to Article 37 of China's Criminal Procedure Law criminal suspects should be allowed to meet with a lawyer within 48 hours of detention. Zhao Liping's relatives have been denied the ability to meet with him since he was detained in March of 2015.

A new in-depth investigation published by Amnesty International in April, *China's Deadly Secrets*, shows that despite claims by China that it is making progress towards transparency in the criminal justice system, Chinese authorities enforce an elaborate secrecy system to obfuscate the extent of executions. This investigation found hundreds of executions in public media reports missing from a national online court database, China Judgements Online, which had been heralded as a major advance in judicial transparency. This new national public database, while a positive first step, does little to lift the veil of state-enforced secrecy over the application of the death penalty in the country.

China remains the world's top executioner. Although Amnesty International does not publish any figures for China, the organization believes, based on its 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 all death sentences in 2007 but it has been impossible to independently verify these claims.

Amnesty International opposes the death penalty unconditionally, in all cases without exception, regardless of the nature or circumstances of the crime, the guilt, innocence or other characteristics of the individual, or the method used by the state to carry out the execution. The organization has long held that the death penalty violates the right to life, as recognized in the Universal Declaration of Human Rights, and is the ultimate cruel, inhuman and degrading punishment.

As of today, more than 140 countries have abolished the death penalty in law or practice. Amnesty International recorded executions in 23 countries in 2016.