

URGENT ACTION

RISK OF IMMINENT EXECUTION FOR HONG KONG CITIZEN

The death sentence of Hong Kong citizen Wu Zongxi is currently under review by the Supreme People's Court. If approved, the authorities will sign an order to carry out his execution, placing him in imminent risk. Wu Zongxi's family is gravely concerned about his physical and mental state, as they have not been allowed to meet him since he was detained more than four years ago.

Wu Zongxi, a Hong Kong citizen living in Shenzhen, a coastal city in South China, was first convicted and sentenced to death by the Shenzhen Municipal Intermediate People's Court on 9 December 2015 for trafficking approximately 40 kilograms of methamphetamine. The decision was later upheld by the Guangdong Province High People's Court and is currently under review by the Supreme People's Court as required by law. According to the Criminal Procedure Law, if the death sentence is upheld, the Supreme People's Court will send its approval of the death penalty and the subsequent order to implement the death sentence to the Shenzhen Municipal Intermediate People's Court, which will make arrangements to execute Wu Zongxi within seven days.

Wu Zongxi has not been able to see any family member, including his elderly parents, since his detention on 18 November 2014. According to Wu's relatives, the authorities told family members they would not be allowed to meet with Wu because of their intention to appeal his conviction. The authorities only allowed Wu Zongxi's family to send him one letter per month. As a result, Wu's family have no information about his physical and mental state, or even if he has been able to read their messages.

According to Wu's sister, the police told Wu Zongxi that they would sue his family if he did not confess to the offence. While his lawyer reportedly submitted evidence that Wu Zongxi was coerced to "confess", it was not considered a mitigating factor by either of the two lower courts. International law guarantees the right of defendants not to be compelled to testify against themselves or to confess guilt. Statements elicited as a result of torture, ill-treatment or other forms of coercion must be excluded as evidence in criminal proceedings.

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

- Halt plans to carry out Wu Zongxi's execution;
- Ensure that Wu Zongxi has regular, unrestricted access to family and lawyers of his choice, and is not subjected to torture or other ill-treatment;
- Establish a moratorium on all executions with a view to abolishing the death penalty, in line with six UN General Assembly resolution adopted since 2007 and commute all existing death sentences.

PLEASE SEND APPEALS BEFORE 21 JANUARY 2019 TO:

Chief Justice

Zhou Qiang

Supreme People's Court

No. 27 Dong Jiao Min Xiang

Beijing Shi, 100745

People's Republic of China

Email: yzxx@court.gov.cn

Salutation: Dear Chief Justice

Director

Shenzhen Municipal No.1 Detention

Centre

Shangmeilin Gong'anjie Futianqu,

Shenzhen Shi Guangdong Sheng

518049 People's Republic of China

Salutation: Dear Director

And copies to:

Chairperson

Li Zhanshu Weiyuanzhang

National People's Congress Standing Committee

Quanguo Renda Changwu Weiyuanhui Bangongting

23 Xijiaomin Xiang, Xicheng Qu

Beijing Shi 100805

People's Republic of China

Email: english@npc.gov.cn

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 www.chinese-embassy.org.uk

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

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Amnesty International's [report](#) on the global use of the death penalty in 2017 shows that capital punishment was extensively used in China for non-violent crimes such as drug-related offences. These offences do not meet the threshold of the "most serious crimes" to which the use of the death penalty must be restricted under international law. The Economic and Social Council of the United Nations adopted *Safeguards guaranteeing the protection of the rights of those facing the death penalty*, recommending that crimes punishable by death should "not go beyond intentional crimes with lethal or other extremely grave consequences". The UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions has clarified that the death penalty "may be imposed only for those crimes that involve intentional killing". In particular, he has specifically underlined that "[t]he death penalty may not be imposed for drug-related offences unless they meet this requirement".

An in-depth investigation published by Amnesty International in April 2017, *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.

Data on the use of the death penalty is classified as a state secret in China. In 2009, Amnesty International stopped publishing its estimated figures on executions in China; instead, it 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.

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.