

# URGENT ACTION



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2 November 2009

UA 294/09

Imminent execution

CHINA

Eight Uighurs and one Han Chinese

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Nine people (apparently, eight Uighurs and one Han Chinese) have been sentenced to death for involvement in unrest earlier this year in western China. They have exhausted all their appeals, and could be executed within days once their sentences are approved by the Supreme Court.



According to official Chinese and international media reports, the Xinjiang Uighur Autonomous Region (XUAR) Higher People's Court upheld the nine people's death sentences on 30 October. They had been convicted of offences ranging from robbery and arson to murder, in connection with unrest that broke out in the XUAR on 5 July.

Chinese-language media reports gave all nine names in Chinese: and eight of the names appear to be Uighur, while one appears to be Han Chinese.

## BACKGROUND INFORMATION

Violence and widespread unrest broke out in the capital, Urumqi, and other parts of the XUAR on 5 July, after a police crackdown on demonstrations by Uighurs in Urumqi, which had begun peacefully. The demonstrators were protesting the authorities' failure to take immediate action following the death of two Uighur workers during a riot at a factory in the city of Shaoguan, in the southern province of Guangdong. After a violent crackdown, the authorities accused overseas Uighurs, in particular the World Uyghur Congress and its president, Rebiya Kadeer, of having masterminded the unrest.

Since the July unrest in the XUAR the authorities have detained thousands of people, brought dozens to trial, and threatened those involved in the unrest with harsh sentences. The authorities have interpreted all dissent as stemming from "terrorist" or "separatist" activities, justifying their harsh crackdown while ignoring the underlying causes of the discontent. Eyewitness accounts received by Amnesty International contradict government accounts of the events of July, and suggest the authorities used excessive force against the protesters, resulting in the deaths of possibly hundreds of people.

The XUAR Intermediate People's Court has announced sentences for people tried in connection with the July unrest. On 12 October from the way the names are written in Chinese, it appears that six Uighur men were sentenced to death and one Uighur man to life imprisonment. On 15 October, it appears two Uighurs and one Han Chinese man were sentenced to death, three Uighurs to suspended death sentences, three Uighurs to life imprisonment and four Uighur men and one Han Chinese man to shorter prison sentences.

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*Amnesty International's mission is to undertake research and action focused on preventing and ending grave abuses of the rights to physical and mental integrity, freedom of conscience and expression, and freedom from discrimination, within the context of its work to promote all human rights.*

The death penalty is applicable to approximately 68 offenses in China, including non-violent ones. China executes more people every year than any other country in the world. Amnesty International estimated that China carried out at least 1,718 executions and sentenced 7,003 people to death in 2008. These figures represent a minimum – the real figures are undoubtedly much higher. A US-based NGO, the Dui Hua Foundation, estimates that between 5,000 and 6,000 people were executed in 2008, based on figures obtained from local Chinese officials. Statistics on death sentences and executions in China are classified as state secrets.

In January 2007, the practice of having the Supreme People's Court (SPC) review all death sentences was restored; it had been suspended in 1982. All death sentences must now be reviewed by the SPC, which has the power to approve or revise death sentences. The Chinese authorities have reported a drop in executions since the SPC resumed this review. Nevertheless, the application of the death penalty remains shrouded in secrecy in China. Without access to such information it is impossible to make a full and informed analysis of death penalty developments in China, or to say if there has been a reduction in its use.

No one who is sentenced to death in China receives a fair trial in accordance with international human rights standards. Many have had confessions accepted despite saying in court that these were extracted under torture; have had to prove themselves innocent, rather than be proven guilty; and have had limited access to legal counsel.

China provides no clemency procedures for condemned prisoners after they have exhausted their appeals through the courts.

**RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible:**

- urging the Supreme People's Court not to allow the execution of the nine people whose sentences were upheld by the XUAR Higher People's Court on 30 October;
- calling on the authorities to ensure that the nine people have access to their families and any medical attention they may require;
- urging the National People's Congress to introduce a procedure whereby anyone sentenced to death can appeal for clemency;
- urging the authorities to establish an immediate moratorium on executions with a view to abolishing the death penalty, as provided by UN General Assembly resolution 62/149, of 18 December 2007.

**APPEALS TO:**

**Supreme People's Court President**

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PEOPLE'S REPUBLIC OF CHINA  
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**Salutation: Dear President**

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Chairman**

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**PLEASE SEND APPEALS IMMEDIATELY.**

**Check with the AIUSA Urgent Action office if sending appeals after 14 December 2009.**