



# China

## Foreign Nationals and the Death Penalty

### Death Penalty Overview

China is amongst the world's most prolific executing states. Although statistics on the use of the death penalty are considered a classified in China, all estimates suggest that China executes thousands of people every year.

Amnesty International estimate that the number of executions in China may be more than in all other retentionist countries combined. This state secrecy also means China's death penalty is characterised by a lack of regulation and in all likelihood falls far short of international human rights standards.

The death penalty can be imposed for many offences, including treason, arson, murder and manslaughter, rape, kidnapping and human trafficking, as well as for robbery, smuggling and drug trafficking.

Frequent and significant fair trial violations permeate the Chinese legal system, from a high probability of torture used as a means to elicit confessions, an inability to gain

access to effective legal counsel, to arbitrary convictions and death sentences.

While some argue that the Chinese government has taken some steps towards limiting the use of the death penalty by both reducing executions and reducing the number of capital offences, this has not had a meaningful impact on the number of death sentences and executions that have been enforced. Public opinion is said to be largely in favour of the death penalty.

While some data may reveal that death sentences are declining, the proportion of capital sentences meted out for drug-related offences are on the increase. In fact, China executes more women for drug offences than any other country in the world.

### Foreign Nationals

Foreign nationals, especially those from Western countries, are often used in hostage diplomacy in China and death sentences may be issued in order to use death row prisoners as political pawns to further China's aims abroad.



### **Siti Aslinda Binte Junaidi**

Singaporean citizen, Siti Aslinda Binte Junaidi, a single mother struggling to support her young daughter, was arrested for drug trafficking. During the trial, Aslinda informed the court that she had met a Nigerian man online who had offered her generous commissions to transport goods from China to Cambodia and that she had

*Guards lead a woman to her execution for drug trafficking (Cornell Center on the Death Penalty and Harm Reduction International, 2021)*

not known that the innocent looking goods contained drugs. The judge rejected her defence, claiming that she should have been aware of the contents. Aslinda has very limited means of communicating with her family in Singapore, who are attempting to save her through diplomatic channels, although Singapore itself has a high rate of executions for drug offences.



### **Robert Lloyd Schellenberg**



Canadian citizen, Robert Lloyd Schellenberg was arrested in 2014, accused of drug trafficking. He was initially sentenced to a 15-year prison

term, but after Meng Wenzhou, CFO of the Chinese tech firm, Huawei was extradited to the US from Canada, Robert was resented in a one-day retrial and sentenced to death. This has broadly been seen as a retaliation for Ms Wenzhou's arrest.

### **Acknowledgements**

With special thanks to the following organisations and individuals who lent their considerable assistance and expertise towards this research in China: Harm Reduction International, Amnesty International, Eleos Justice, Pramod Acharya, Rhea Singh, among others.



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