

EXTERNAL (for general distribution)

AI Index: ASA 17/64/90  
Distr: UA/SC

UA 437/90

Fear of Execution

30 October 1990

PEOPLE'S REPUBLIC OF CHINA: WU Dapeng

---

WU Dapeng, a 28-year-old former bank accountant from Beijing who fled to Taiwan in 1989, has been repatriated from Taiwan to the People's Republic of China.

He is at grave risk of being sentenced to death for his alleged involvement in an embezzlement scheme. According to a report in Taiwan's China Post, WU Dapeng left the People's Republic of China (PRC) in early 1989. He fled to Taiwan and was arrested in Taipei in February 1989. In October 1989, he was sentenced to a one-year term of imprisonment for illegal entry into Taiwan.

WU Dapeng was deported to the PRC immediately after he completed his prison sentence in Taiwan.

According to a report on 10 October 1990 in the Legal Daily, published in Beijing, WU Dapeng is accused by the PRC authorities of being a "prime culprit" involved in the embezzlement of US\$ 3.34 million from the Beijing branch of the Bank of China where he used to work. The Beijing Public Security Bureau (police) and procuratorate are reportedly investigating his case. If formally charged, WU Dapeng risks being sentenced to death.

#### BACKGROUND INFORMATION

The Criminal Law of the PRC provides that the death penalty may be meted out in "especially serious" cases of embezzlement. Regulations adopted in 1983 shortened the period previously available to defendants to present a defence and reduced the scope for appeal in death penalty cases. Hundreds of prisoners, including scores accused of "economic crimes", have been sentenced to death and executed since May 1990 in the context of a campaign of "severe crackdown" against crime, which is said to be continuing.

WU Dapeng was deported to the PRC after the Red Cross Societies of the PRC and of the Republic of China (ROC, Taiwan) had reached an agreement on 19 September to oversee the transportation of illegal migrants and fugitives across the Taiwan Strait. It is not known whether WU Dapeng requested to remain, and be tried, in Taiwan, nor whether the risk that he be sentenced to death was taken into account by the Taiwan authorities in their decision to deport WU Dapeng to the PRC. The governments of the ROC and of the PRC do not recognise each other. The death penalty is in force both in Taiwan and in mainland China.

#### RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:

- expressing opposition to the death penalty in all cases as the ultimate form of torture and a violation of the right to life;
- urging that WU Dapeng be afforded all facilities, including free access to a lawyer of his choice, for a fair trial before an independent, competent and impartial tribunal, and that his rights be protected at all stages of the judicial process;
- urging that WU Dapeng be afforded the right to seek and obtain a thorough review of his sentence.

**APPEALS TO:****Prime Minister LI Peng:**

Li Peng Zongli  
Guowuyuan  
Beijingshi  
People's Republic of China

Telexes: 210070 FMPC CN or 22478 MFERT CN

**Beijing Municipal Chief Procurator HE Fangba:**

HE Fangba Jianchazhang  
Beijingshi Renmin Jianchayuan  
Beijingshi  
People's Republic of China

Faxes: +86 1 512 1158  
Telexes: 210217 FAOGB CN or 22476 BJGVT CN

**Secretary LI Ximing, Beijing Municipal Party Committee:**

LI Ximing Shuji  
Zhonggong Beijingshi  
Weiyuanhui  
Beijingshi  
People's Republic of China

**COPIES TO:****Procurator General LIU Fuzhi:**

LIU Fuzhi Jianchazhang  
Zuigao Renmin Jianchayuan  
Beijingshi  
Zhonghua Renmin Gongheguo  
People's Republic of China

**Chief Editor SHAO Huaze, People's Daily:**

SHAO Huaze Zong Bianji  
Renmin Ribao  
Jintaixilu 2  
Chaoyangmenwai  
Beijingshi 100733  
People's Republic of China

and to diplomatic representatives of the People's Republic of China in your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 12 December 1990.