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The opposition establishes a political party *A historic day for Taiwan*

For the first time in its history, Taiwan has a formally-established opposition party: on Sunday, 28 September 1986, the *tangwai* opposition in Taiwan announced the establishment of the new party, named **Democratic Progressive Party**. The announcement was made at 6:00 p.m. at the Grand Hotel in Taipei by Dr. You Ch'ing, a *tangwai* lawyer who is also a member of the Control Yuan. Until now the ruling Kuomintang has enforced a ban on new political parties.

The announcement was made at the end of a meeting at which the *tangwai* had nominated their candidates for the upcoming elections for a limited number of seats in the Legislative Yuan and National Assembly (see article on page 3). All *tangwai* office holders and candidates, 135 persons in total, are founding members of the new party. A party platform for the upcoming elections has been worked out. It includes paragraphs regarding an end of martial law, respect for press freedom and other basic freedoms, elections for *all* seats of the national legislative bodies, and direct election of the president. The full text can be found on page 2.

Press reports from Taiwan indicate that on Monday, 29 September 1986, high level emergency meetings were held by the ruling Kuomintang, and by military and secret police organizations on how to deal with the matter. On the next day, Justice minister Shih Chih-yang reiterated that the ban on the formation of new parties remained in force, and that people defying it would be dealt with "in accordance with the law."

On 3 October 1986, an unnamed "senior official" of the Kuomintang said that the leaders of the KMT had decided to lift martial law "at the end of the year, or even much sooner."



Dr. You Ching

He added, however, that it would take longer to lift the ban on political parties because several laws would have to be abolished or amended by the Legislative Yuan.

On 7 October 1986, President Chiang Ching-kuo said in a meeting with Mrs. Katharine Graham, chairman of the Board of the Washington Post, and two editors from Newsweek and the Post, that his government would soon propose the lifting of martial law. He also mentioned that his government was studying the legalization of new parties, but he criticized the newly-formed party because it “had no concept of our nation” and had “failed to mention the anti-Communist policy in its platform.” The first point refers to the fact that the *tangwai* do not adhere to the Nationalists’ basic policy of “recovery of the mainland.”

The Democratic Progressive Party Platform

For the upcoming elections, the newly-formed Democratic Progressive Party has worked out a 12-plank platform. They are:

1. The future of Taiwan should be decided by *all the people on Taiwan* [and not by the ruling KMT, or by the regime in Peking — Ed.];
2. Lift martial law immediately. Abolish the “temporary amendments” to the Constitution and decrees [issued by the Chinese Nationalist Kuomintang in the late 1940’s and early 1950’s — Ed.] that suspend rights and freedoms guaranteed by the Constitution;
3. Freedom to form political parties is a right guaranteed by the Constitution. Political parties should compete on equal basis;
4. All the seats in the national legislative bodies (Legislative Yuan, National Assembly, and Control Yuan) should be open for election. The President should be elected directly by the people of Taiwan [presently he is elected by the National Assembly, which is mainly made up of old mainlanders — Ed.].
5. Legislation governing the autonomy of local administration should be enacted in accordance with the Constitution. The governor of Taiwan and the mayors of Taipei and Kaohsiung should be elected directly by the people [presently they are appointed];
6. Guarantee the independence of the judiciary and the protection of basic human rights; strongly oppose individual and family control of political power [a hint at President Chiang].

7. Dismantle the system of privileges enjoyed by business enterprises that are controlled by the ruling Kuomintang party, the government and the military; assist the growth of medium and small-scale enterprises; strengthen a free-market economic system; make efficient use of the foreign exchange reserves in the building of new infrastructure.
8. Curtail the high growth of the budget of national defense; implement a new, efficient military draft system; shorten the duration of military service.
9. Implement a social welfare system; protect the rights of women, the handicapped, veterans, fishermen and minority groups.
10. Pursue a sovereign foreign policy; maintain peace on both sides of Taiwan channel; return to the United Nations as a new member.
11. Respect all the languages spoken in Taiwan, and the existing (Taiwanese) customs and culture [the authorities have been imposing Mandarin, and the customs and culture of the Chinese mainlanders on the island's population — Ed.]. Welcome the return of overseas Taiwanese to visit their home country; guarantee their freedom of entry and departure [this refers to the severe restrictions the Kuomintang authorities have put on the return of politically-active overseas Taiwanese].
12. Oppose the building of new nuclear power plants. Economic development must take into consideration environmental protection. Protect the rights of consumers.

* * * * *

Preparations for crucial elections in full swing

On 6 December 1986, elections will be held in Taiwan for a limited number of seats in the Legislative Yuan and the National Assembly. The large majority of the seats in both bodies are held by aging members who were elected in 1947 on the mainland. They have “permanent seats”, which they keep until the mainland is “recovered.”

The Legislative Yuan functions more or less as a legislature, but has very limited powers: government officials can be questioned in interpellations, but decision-making powers remain with the all-powerful Executive Yuan (Cabinet) and the KMT's Central Committee. Because of the fact that the large majority of the members of the Legislative

Yuan are mainland leftovers (at present approximately 215 out of a total membership of some 315), it is thus in effect a rubber-stamp body, designed to sanction the decisions of the ruling Kuomintang.

However, over the past years the *tangwai* opposition has increasingly made effective use of the possibility of interpellations to question the Kuomintang's basic policies, such as "recovery of the mainland", the continuation of the 37-years' old martial law and the ban on the formation of opposition parties. The opportunity to raise these sensitive issues in the legislative chambers, and during the election campaign, has made elections of crucial importance for the *tangwai*, who are speaking out for the democratic rights of the native Taiwanese majority (85 % of the population) on the island.

| | LEGISLATIVE YUAN | | | NATIONAL ASSEMBLY | | |
|--|------------------|------------|-----|-------------------|------------|-----|
| | Seats | Candidates | | Seats | Candidates | |
| | | Tangwai | KMT | | Tangwai | KMT |
| <u>To be elected:</u> | | | | | | |
| Taipei City | 8 | 3 | 6 | 8 | 3 | 5 |
| Kaohsiung City | 5 | 3 | 4 | 4 | 2 | 4 |
| Rest of Taiwan | 41 | 12 | 35 | 45 | 15 | 30 |
| Subtotal: | 54 | 18 | 45 | 57 | 20 | 39 |
| <u>(S)elected by the KMT:</u> | | | | | | |
| Vocational groups | 16 | 2 | 14 | 16 | 2 | 11 |
| Women's groups | -- | -- | -- | 7 | -- | 7 |
| Aborigines | 2 | -- | 2 | 2 | -- | 2 |
| "Fukien Province" | 1 | -- | 1 | 2 | -- | 2 |
| Subtotal: | 19 | 2 | 17 | 27 | 2 | 22 |
| Total no. of open seats and no's of candidates: | 73 | 20 | 62 | 84 | 22 | 61 |
| Overseas Chinese | 27 | -- | 27 | -- | -- | -- |
| "Permanent" members from mainland China: | 215** | -- | -- | 910** | -- | -- |
| <u>GRAND TOTAL:</u> | 315 | -- | -- | 994 | -- | -- |

** The numbers of "permanent" members from mainland China are approximates, since they are dying at a rate of some 20 per year in the Legislative Yuan, and at least twice or three times that rate in the National Assembly.

The National Assembly has even less powers than the Legislative Yuan. It meets only once every six years to elect the President. The Kuomintang authorities view the Assembly as the “protector” of their “Republic of China Constitution”, which was promulgated by the Chinese Nationalists in Nanking, mainland China in December 1946. In the National Assembly, the imbalance between mainland seats and Taiwan-elected seats is even greater than in the Legislative Yuan: some 910 out of a total membership of 994 are “life member” leftovers from the China mainland. Their average age is now well over 80.

On the table on the previous page, we present the numbers of seats which are up for “election.” We are putting “election” in quotation marks, because the election process is so closely controlled by the ruling Kuomintang that it is difficult to characterize them as fair and open elections. Furthermore, in the case of seats assigned to Overseas Chinese, aboriginals, women’s and vocational groups and “Fukien Province” one can only speak of a selection process, so we do not consider these persons to be elected by the people of Taiwan.

We also present the numbers of candidates who have been formally endorsed by the mainstream *tangwai* Democratic Progress Party (DPP) and by the ruling Kuomintang respectively.

Besides the DPP and KMT candidates, a considerable number of persons can be expected to run as “unaffiliated.” An accurate estimate of their number can only be given after the end of the registration period, which closes on November 5th. Some of these unaffiliated candidates will be KMT-members who failed to receive the endorsement of the party, while others will be leaning towards the *tangwai* camp.

The Democratic Progress Party nominates its candidates

On 28 September 1986 the *tangwai* held a meeting in Taipei to nominate its candidates for the December 6 elections. Below we present a brief overview of the most well-known candidates:

Legislative Yuan:

Taipei City:

- Mr. K’ANG Ning-hsiang, well-known opposition leader, served in the Legislative Yuan from 1975 through 1983;
- Mr. HSIEH Chang-t’ing, age 40, a lawyer, presently member of the Taipei City Council;

- Mrs. CHEN Wu Shu-cheng, wife of imprisoned lawyer CHEN Shui-pien. Mrs. Chen is paralyzed from the waist down after she was run down by a farm tractor in a suspicious “accident” during the November 1985 elections;

Kaohsiung City:

- Mrs. YEN Chen Hsiu-luan, Mrs. Yen is the wife of a prominent political prisoner, Mr. Yen Ming-sheng, who has been imprisoned since 1976;
- Mr. CHANG Chun-hsiung, incumbent Legislative Yuan-member, lawyer;
- Mr. WANG Yi-hsiang, a lawyer with a Ph.D. from Paris, France;

First District (Taipei and Ilan Counties, and Keelung City):

- Mr. YOU Ch'ing, well-known lawyer, past chairman of the *Tangwai* Public Policy Association (TPPA).
- Mr. HUANG Huang-hsiung, lawyer, served in the Legislative Yuan from 1980 through 1983;
- Mr. CHENG Yu-cheng, current member of the Legislative Yuan;

Second District (Taoyuan, Hsinchu, and Miaoli Counties):

- Mr. HSU Kuo-tai, younger brother of exiled opposition figure Hsu Hsin-liang, who plans to return to Taiwan in spite of threats by the Taiwan authorities that he will be imprisoned;
- Mr. LIN Kuang-hua;

Third District (Taichung, Changhua, and Nantou Counties):

- Mrs. HSU Jung-shu, incumbent Legislative Yuan member, wife of imprisoned opposition leader Mr. CHANG Chun-hung;
- Mr. Li Tu, current member of the National Assembly;



Mrs. Yao Chou Ching-yü

In the remaining three districts and for the seats in the professional groups, the DPP has nominated 7 candidates. One of them is Mr. CHIU Lien-hui, former County Magistrate of Pingtung County, who is running for a seat from the Fifth District.

For the *National Assembly*, 22 candidates were nominated:

Taipei City:

- Mrs. YAO Chou Ching-yü Taiwan's foremost human rights leader and publisher of CARE magazine. Mrs. YAO's husband, Yao Chia-wen was imprisoned

following the 1979 “Kaohsiung” incident. In 1980 Mrs. Yao was elected to the National Assembly with the highest number of votes.

- Mr. TSAI Shih-yuan;
- Mrs. HSIAO Yu-chen;

Kaohsiung City:

- * Mr. Huang Chao-hui, campaign aide of Mrs. Lin Li-chen in November 1985 election for Kaohsiung City Council. He is being charged in the Kaohsiung District Court on political charges.
- * Mr. Huang Tien-sheng;

Of the remaining 17 candidates, two have earlier become well-known on the political scene in Taiwan: the candidate for a seat from Taichung City is Mrs. CHANG Wen-yin, a female dentist who served two years in prison following the “Kaohsiung Incident” for helping opposition leader Shih Ming-teh hide from the police. The opposition candidate in Hsin-chu City is also a dentist, Mr. SHIH Hsing-jung, the older brother of the former mayor of Hsin-chu, who was imprisoned in July 1985 on political grounds. The elder Shih ran in local elections in November 1985, but lost due to election fraud by the authorities (see Taiwan Communiqué no. 24, pp. 8-9). Eleven people were subsequently arrested and tortured during interrogations. In February 1986, nine of these were sentenced to prison terms ranging from six months to two years.

Neither free nor fair

The Kuomintang authorities will attempt to present the fact that elections are being held as “proof” that Taiwan has a democratic political system. As can be seen from the points listed below, the elections are neither free nor fair:

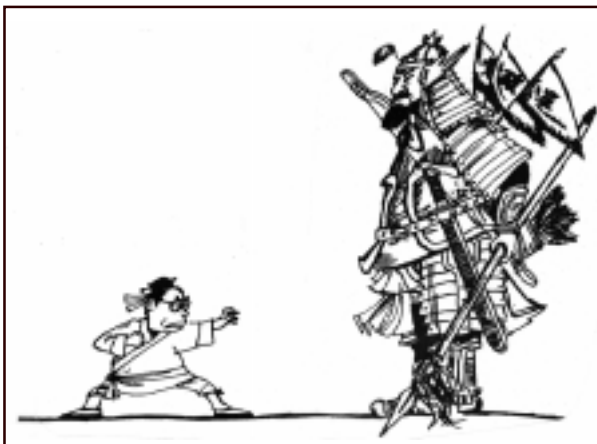
- **Martial law** has been in force on Taiwan since 1949, suspending all provisions for individual rights and freedoms guaranteed by the 1946 Constitution. Under this martial law, the authorities have arrested people who became too vocal in their opposition against the outdated policies of the regime. During the past months there has been much talk about ending martial law, but for many people in Taiwan the fear lingers on.

On 29 September 1986, the Central Election Commission issued vague new “guide-lines” under which it will be possible to arrest and sentence opposition members or their aides. E.g., one clause says that “whosoever is caught forcing others to vote or not

to vote for a particular candidate will be sentenced to a maximum of five years in prison.” The authorities can be expected to follow a very broad interpretation of the word “forcing.”

- Until now **no new political parties** have been allowed. During the past year the native Taiwanese democratic opposition has been able to achieve much more room for maneuver than was the case in the past: in May 1986 the Tangwai Public Policy Association (TPPA) was allowed to set up branch offices, and now they have formally set up a party. However, considerably more time is needed to set up a permanent party-machinery to do the grassroots work in the towns and villages throughout the island.

- During the past year, a **harsh censorship campaign** has driven the opposition press underground. The weekly and monthly *tangwai*-magazines have in the past been one of the few means available to the opposition’s candidates in their attempts to communicate their views to the public: the government-controlled daily newspapers and radio-



Elections in Taiwan: Unfair competition

and TV stations were heavily slanted in favor of KMT-candidates and rarely gave any coverage to the *tangwai*-candidates.

- The **election campaign is limited** to only eight days of open election activity, followed by a seven-day period during which only tightly controlled meetings organized by the government’s Central Election Commission can be held. During the first eight-day period, the candidates can only hold a maximum of six rallies per day. Permission has to be obtained for the location of each rally. It is not uncommon for *tangwai* to have major problems obtaining these permissions, while KMT-candidates receive immediate permission for prime locations such as large sports fields. During the second seven-day period the candidates can only speak at the government-organized meetings, where the 15-minute speeches of *tangwai* candidates are sandwiched in between those of KMT-candidates.

- During the campaign period, **police often harass people** attending gatherings of the opposition candidates. During the November 1985 elections for City Councils and the Provincial Assembly there were also many instances of intimidation and violence against campaign aides of opposition candidates.
- Under the Election and Recall Law, candidates and their aides can be arrested and prosecuted if they hold election meetings, which have not been formally approved by the Central Election Commission (CEC). Only officially registered campaign aides may speak at campaign rallies. Speakers who are not registered are prosecuted. During the past year at least five well-known opposition members have been charged under such Election and Recall Law regulations. The charges stem from events during the local elections held in November 1985 and January/February 1986. Two of them have been imprisoned; the cases against three are still being considered, pending appeals.

U.S. Congress: for democracy on Taiwan ?

Republican conservatives sabotage resolution

In *Taiwan Communiqué* no. 26 (August 1986) we reported on the progress of House Concurrent Resolution no. 233, expressing the sense of the Congress concerning representative government, political parties, and freedom of expression on Taiwan. The operative part of the Resolution stated:

“...it is the sense of the Congress that the authorities on Taiwan should continue and accelerate progress toward a fully democratic system, in particular by:

- (1) allowing the formation of genuine opposition political parties;
- (2) ending censorship and guaranteeing freedom of speech, expression, and assembly; and
- (3) moving toward full representative government, including the free and fair election of all members of all national legislative bodies, and direct Presidential elections.”

On 1 August 1986, the resolution was approved in the House Foreign Affairs Committee by an overwhelming majority, and was sent to the full House for a vote.

During August and the beginning of September, the Taiwanese community in the United States lobbied hard to get backing from the full House for the Resolution. By mid-September a large majority of the House members had informally indicated they favored the Resolution, and passage looked certain. However, at that point several ultra right-wing Republicans circulated a letter stating their opposition to the Resolution. The four ultra right-wingers [Jack F. Kemp (New York), Trent Lott (Miss), Guy Vander Jagt (Michigan), and Henry J. Hyde (Illinois)] are known for their support of repressive authoritarian governments, such as Chile, South Korea, South Africa and Taiwan.

Apparently the four prevailed upon House majority leader Jim Wright (D-Texas) to withdraw the Resolution from the floor. Since the present Congress adjourned in the beginning of October, the whole process will have to start over again next year.

Informed sources in Washington say that another factor may also have influenced Mr. Wright's decision: conservative Congressmen had linked the Taiwan resolution to a resolution expressing concern about human rights in the People's Republic of China [see *Taiwan Communiqué* no. 26, page 5 — Ed.]. Passage of this resolution would have soured the relations between the United States and the PRC and would have been particularly "inconvenient" at a time when the PRC is playing the "Eastern Europe" card.

Taiwan Communiqué comment: *by blocking Resolution 233, the four ultra-conservative Congressmen have put themselves on record as being opposed to democracy in Taiwan. It clearly displays their double standards, and adds yet another blotch to their despicable record on the issue of human rights.*

The Reagan Administration does not go scot-free either: its silence on the issue of human rights in Taiwan has been deafening, and is being seen by the people of Taiwan as a failure by Mr. Reagan to live up to the ideals of freedom, democracy and human rights.

Once there was a time when the United States was perceived as a defender of democratic ideals. This time now appears to be over. Mr. Reagan's policies (or lack thereof) with regard to South Africa, Nicaragua, and Chili are but examples of a lack of vision and a prevalence of simple-minded ideological sloganism in the White House. If the United States is to regain its moral leadership in the Western world, it should work much harder for true democracy in countries such as Taiwan and South Korea, and immediately stop its support for dictatorships such as that of Mr. Pinochet in Chili and terrorists such as the Nicaraguan "contras."

Finally, *Taiwan Communiqué* wishes to express its deep appreciation to Congressmen Leach (Republican — Iowa) and Solarz (Democrat — New York) for their efforts to get this Resolution passed. This time the hard work did not result in passage, but it meant a great moral support for those fighting for democracy and human rights in Taiwan.

Congressional Concern about Censorship

The continuing harsh censorship campaign in Taiwan, which has driven the *tangwai* opposition press underground (see *Taiwan Communiqué* no. 26, pp. 15-21), has drawn the attention of a number of prominent leaders in the U.S. Congress. On August 28, 1986, in a letter to Secretary of State Shultz, they wrote:

Dear Mr. Secretary:

We write to express our deep concern about continuing censorship of opposition magazines in Taiwan, and to ask that the United States Government, through appropriate channels, call upon the Taiwan authorities to expand and guarantee press freedom. Otherwise, any progressive steps Taiwan authorities might take in the political field will be profoundly undercut.

It would appear that the current situation in Taiwan can be summarized as follows:

- The Taiwan authorities have instituted a systematic policy of controlling political dissent;
- In accordance with that policy, the Taiwan authorities have regularly confiscated individual issues of magazines published by opposition leaders, and periodically suspended, either temporarily or permanently, the licenses for those publications;
- The Taiwan authorities continue to deny permission to opposition figures to publish daily newspapers or operate radio or television stations.
- The Taiwan authorities have resorted to libel suits as a means of harassing and intimidating opposition publishers. As the case of the Neo-Formosa magazine makes clear, these suits are not justified on the merits and do not stand up to independent critical inspection.

We recognize that the KMT authorities have made a commitment to move eventually toward fuller democracy. Yet the essence of democracy is that a government remains

accountable to the people it leads and purports to represent. Without a free press, it is, as Jefferson noted, virtually impossible to ensure that accountability.

The KMT's restrictions on press freedom diminish the prospects for an evolution to democracy on Taiwan. Opposition journals offer lively criticism of government leaders and government policy which, in our judgement, bolster, rather than jeopardize, the long-term security and stability of Taiwan.

It would appear that the KMT's suppression of press freedom has the purpose and effect of heading off the formation of opposition political parties — institutions that we believe are long overdue.

The United States has a strong interest in the emergence of a democratic system on the island of Taiwan. Accelerated progress toward pluralism would help mute growing tensions in the economic sphere, and would give Americans a more understood philosophical stake in the security of Taiwan. Most importantly, the institutionalization of democracy on Taiwan is perhaps the best guarantee for a peaceful resolution of the Taiwan question which is one of the fundamental tenets of United States policy in East Asia.

Accordingly, we call on the State Department to urge Taiwan authorities to liberalize their treatment of opposition magazines, to create institutionalized mechanisms whereby freedom of the press is guaranteed, to open new avenues of political expression, including granting permission for the formation of opposition political parties.

Thank you for your consideration. Sincerely,

Congressmen Jim Leach (R - Iowa) and Stephen J. Solarz (D - NY)

Senators Claiborne Pell (D - RI) and Alan Cranston (D - CA) and Paul Simon (D - IL)

Prison Report

Fourteen political prisoners transferred from Green Island

Taiwan Communiqué recently learned that in March 1986 a total of 15 prisoners were to be transferred in two groups from the Green Island prison to Jen Ai Detention Center, near Taipei. However, one prisoner, Mr. Len Chin-cheng, was rejected by Jen Ai and was returned to the Green Island prison on the ground that he is "mentally not stable."

The fourteen who were transferred in the beginning of March are listed below. The numbering corresponds to that of the list of prisoners presented in *Taiwan Communiqué* no. 24:

2. Huang Hua, well-known opposition writer and editor. Born in 1939, from Keelung. For further information see *Taiwan Communiqué* no.'s 15, 20, and 21.
6. Lin Chien-chung, Born 1929 in Tainan. Graduated from Tainan Teachers' College.
7. Hung Wei-ho, Born 1934 in Tamsui, Taipei.
8. Huang Klun-neng, Born 1954 in Chia-yi. No's. 6, 7, and 8 were arrested in 1973 and sentenced to life in connection with the "Taiwan Independence Revolutionary Army" case. In 1975, their sentences were commuted to 15 years.
11. Ch'en Wen-hsiung, born 1936 from Taitung, graduated from National Cheng-chi university. In 1968 he ran for election and won a seat as a representative of Taitung city. In 1977, he ran for the mayor of Taitung but lost the election. During his campaign for mayor, he became closely associated with Li Jung-ho, which resulted in his arrest in connection with the Wu Tai-an case. Sentenced to 10 years.
12. P'an Sung-hsiung, Age 45 from Pintung. He was a taxi-driver before his arrest in connection with the Wu Tai-an case in 1978. Sentenced to 10 years. His brother, Li Jung-ho, a monk of Hai-san temple in Taitung, was sentenced to life but died from liver cancer in the Green Island prison. Mr. P'an's wife and children, who lived in extreme poverty, have been offered temporary shelter in the Hai-san temple.
13. Yen Ming-sheng, well-known political prisoner. Born in 1936 on the Penghu Islands, off Taiwan's west coast. He went to middle school in Kaohsiung and then attended Tainan Teachers' Training College. He attended the Military Law School, but was eventually disqualified on "political shortcomings." In 1973, he ran for the city council of Kaohsiung and was elected with the highest number of votes, but the authorities subsequently invalidated the election. In 1975, he ran for the Legislative Yuan but lost. In 1976 he was arrested and sentenced to 12 years imprisonment.
15. Kao Chin-ts'ai, Born in 1940, from Kaohsiung city. He was a campaign aide of Yen Ming-sheng and was arrested and sentenced to 12 years in connection with the same case.

34. Chen Wei-chi, age 51, from Fu-chou (Fu-kien province). He was arrested together with Chu Chi-chao (TC no. 32) and Chiang Ch'ing-yao (no. 33) in 1976 and sentenced to 12 years. Messrs. Chu and Chiang are still on Green Island.
37. Chang Lan-t'ing, born in 1922, from He-pei, mainland. See no. 47.
42. Chao Yi-wu, Age 50, from Che-kiang, mainland. Graduated from the Chinese University in Hong Kong. His family followed the KMT's retreat to Taiwan, but Mr. Chao remained in China to finish his study at Che-kiang university. During the "let the hundred flowers bloom" period, he wrote articles criticizing the Communist regime and was dismissed from the university. In 1957, he escaped to Hong Kong and began to work for the KMT authorities in Hong Kong. In 1973, he came to Taiwan for medical treatment, but was arrested and sentenced to life imprisonment. In 1975, his sentence was commuted to 15 years.
46. Chiang Han-yin, Age 62 from Hu-nan. Graduated from the Army Officers' Academy. In 1981 he went to China via Japan and visited Peking and his hometown in Hu-nan. He was disillusioned with the Communists during his trip and quickly returned to Taiwan. Although he reported to the authorities about his trip to China, he was soon arrested and sentenced to 7 years.
47. Hsu Teh-liang, born in 1934, from Hu-pei. No.'s 37 and 47 are two ex-soldiers who were arrested for spreading "extreme thoughts" and sentenced to three years of reformatory education from 1956-59. In 1978, they were working with young aborigines. While drinking and relaxing they criticized the government and especially its policy towards the aborigines. Both were arrested again on charges of "plotting to overthrow the government by illegal means" and were sentenced to 10 years in prison. They are physically handicapped. Chang Lan-t'ing has lived under fear and pressure for a long period and has problems with his nerves. Hsu Teh-liang is quite deaf.
- * Lu Keng-pai, New name, not earlier listed. Born in 1951, comes from Tainan. A Chinese medicine practitioner. In December 1975, he went to Hong Kong to study at the University of Modern Chinese Medicine. In 1982 he was arrested after his return to Taiwan and was sentenced to 15 years. His sentence was reduced to six and a half years after three appeals and retrials.

Shih Ming-teh's hunger strike

In our previous *Communiqué* (no. 26, page 13) we reported that imprisoned opposition leader Shih Ming-teh was entering the fifth month of his partial hunger strike. On August 7, the press in Taiwan reported that on the previous day Mr. Shih had been visited by two representatives of the Chinese Association for Human Rights, a group which is basically an arm of the ruling Kuomintang party. The two men, Legislative Yuan-members Hung Chao-nan and Hung Wen-tung reported that Mr. Shih was “in good health” and weighed 59.5 kg. They said that he was “eating and drinking normally.”

However, on the same day, Mr. Shih was visited by Mrs. Chou Ching-yu, a *tangwai* member of the National Assembly, and Taiwan's foremost human rights leader. She reported that Mr. Shih still refused to take normal food, but is force-fed 2800 calories of nutrients per day. She also said that he had been allowed to read books and listen to music during his hunger strike.

Chen Shui-pien on brief hunger strike

In the beginning of August 1986, Mr. Chen Shui-pien, one of the three **Neo-Formosa** executives imprisoned in June on political charges, went on hunger strike for six days. Mr. Chen, a lawyer who also served as a *tangwai* member of Taipei City Council, did this in protest against the restrictions on his correspondence. According to prison regulations, the number of letters a prisoner can send out depends on the length of his sentence: only one letter per week if the sentence is longer than one year, but no limits exist if the sentence is less than one year. Since Mr. Chen had been sentenced to 8 months, he was entitled to more than one letter a week. However, the prison authorities, apparently trying to annoy him, allowed him only one letter a week, and also held up and censored his letters.



Mr. Chen Shui-pien

Mr. Chen went on a hunger strike when the prison authorities failed to heed his written protest. After six days he started to take rice soup again. However, his health had deteriorated to the extent that he suffered from dehydration: on August 12 and 13 he was given intravenous injections.

Wei T'ing-chao moved to Jen-ai prison

On May 14, 1986 Mr. Wei T'ing-ch'ao, a prominent opposition writer and editor imprisoned after the "Kaohsiung Incident" of December 1979, was moved from the Military Detention Center in Taipei to Jen-ai Prison. In June 1984 Mr. Wei had been granted parole after completing 41 years of his 6-years' "Kaohsiung" sentence, but he was not allowed to go home: he was transferred to the Military Detention Center to serve another two years and ten months — the remainder of an earlier sentence for which he had been paroled in 1975 (see "Wei T'ing-chao: profile of a scholar-prisoner", *Communiqué* no. 23, January 1986).

At Jen-ai Mr. Wei has to attend classes each day. He talks with other political prisoners there, such as writer Huang Hua and politician Yen Ming-sheng. He daily does seventy push-ups to keep himself fit. His wife says that the numbness in his hands is getting worse and she has petitioned the Garrison Command to allow him to go to the Neurology Department of the Taiwan National University Hospital for examination and treatment.

More cases of death in police custody

In our previous issue we reported on several cases of torture in Taiwan's prisons (*Taiwan Communiqué* no. 26, "Torture common Taiwan's prisons"). Since then, several new cases have been come out into the open. Below, we present five cases, which recently came to our attention. Newspapers in Taiwan reported a sixth case in Chang-hua: a Mr. Li Chun-hsun died there in police custody in the middle of August.

We believe that this is only the tip of an iceberg, and that most cases are covered-up by the regular and secret police in order to avoid the "loss of face." Relatives of the victims are silenced through a combination of bribes and threats.

"Died from a bad cold"

In June 1986, newspapers in Taiwan reported that a young man named CHANG Tsun-jung, age 18, was found dead in his prison cell. He had been sentenced to six months imprisonment in the beginning of 1986, and was scheduled to be released in July. The prison authorities said that Chang had "died from a bad cold." The young man's parents suspected otherwise and asked the prosecutor's office for an autopsy.

“Passed out during questioning”

The second new case is that of Mr. HSU Cheng-sheng, age 30, who was arrested in Kaohsiung on July 1 on charges of riding a stolen motorcycle. He was first allowed to post bail, but taken into custody again when the district prosecutor found out he had used a false identity card. During questioning on July 24 in the Yencheng Police Office in Kaohsiung, Mr. Hsu “passed out” and was brought to a nearby hospital, but died on the way.

Police chief Wang Yu-ching found it necessary to issue a statement denying that he or his men had tortured Mr. Hsu to death. According to him, the coroner’s examination showed no internal or external injuries. However, the statement did not give the cause of death, nor was an independent examination allowed.

“Detainee said to commit suicide”

On July 29, another arrested man died in police custody in Kaohsiung. Mr. CHEN Chien-sheng, age 30, had been arrested earlier in the day, and was detained at the police station on Chung-cheng Third Road. He had allegedly stolen a motorcycle and police had chased him through Kaohsiung. Three hours after his arrest, Mr. Chen was rushed to a hospital, but died shortly after arrival. The police authorities said that he had committed suicide. Mr. Chen’s relatives subsequently received a NT\$ 33,000 (US\$ 900) “donation” from the police.

“Died from cardiac bleeding”

On August 14, a fourth man, CHEN Kai-chieh, age 19, died in the Hsichih police station in Taipei after he was arrested on rape and robbery charges. Mr. Chen blacked out when he was escorted to a temple around 11 p.m., to recover a pen-pistol he allegedly used in robberies, and died on the way to Nankang hospital. The coroner said that bruises were found on Mr. Chen’s face, legs, and chest, and stated that he had died from cardiac bleeding. Mr. Chen’s father has stated that his son was tortured to death. The Taipei Municipal Shih-lin Prosecutor’s Office has prohibited the eight policemen, who arrested and interrogated Chen, to leave Taiwan for the time being.

The death of Mr. Chen led to a large-scale public protest in Hsichih. Mr. Chen’s parents led a six-hour demonstration in front of the police office to demand justice. The authorities mobilized more than 500 policemen to control the large crowd.

As of the middle of September 1986, it was apparent that the police were attempting to delay the investigation into Mr. Chen’s death: the coroner, who performed the

autopsy right after the death, still had not issued the autopsy report. A witness, who in mid-August stated that he had seen the police torture Chen, inexplicably changed his testimony.

“Dead of apparent suicide”

On Wednesday, 20 August 1986, a fifth man, LI-SU Chu-yang, age 35, died in police custody in the Sanchung police office in Taipei. He was reported to have committed suicide during interrogation. He had been arrested on Chiang-yuan Street in Sanchung on Wednesday afternoon for allegedly assaulting a policeman, who attempted to keep him from knifing a car driver. In police custody, Mr. Li-su was said to have used a telephone receiver to hit himself on the head and banged his head on a desk until police officers overpowered him and put a helmet on his head. When questioning continued at around 5:30 p.m., Mr. Li-su allegedly kicked a desk violently, rammed his head against the wall and bit his tongue in a suicide attempt. He was proclaimed dead on arrival at Mackay Memorial Hospital.

Taiwan Communiqué comment: *the Taiwan authorities should conduct an independent investigation into these and earlier cases of death in police custody. The outside world is not so gullible as to accept the version of these events as told by the police themselves or by the Investigation Bureau of the Ministry of Justice, which itself is often guilty of torture during interrogation.*

Freedom of the Press ?

Censorship campaign continues with full force

As we reported in August [*Taiwan Communiqué* no. 26] a year-long, intensive censorship campaign by the Taiwan government has forced the opposition *tangwai* (“outside-the-party”) press to go underground. Reports from Taiwan indicate that during the past few weeks the secret police has continued to issue blanket banning orders for each issue published by virtually all of the opposition magazines, and has confiscated scores of magazines. No copies of *tangwai* magazines are on sale openly at the newsstands in Taipei anymore.

In a statement issued on 22 September 1986, the Executive Yuan (cabinet) said that the Taipei government would “punish without exceptions” magazines which had “abused

freedom of the press.” The statement was issued in response to an interpellation by *tangwai* legislator Chiang P’eng-chien, who had voiced criticism of the censorship campaign. In response to an interpellation by a number of KMT-legislators, the Executive Yuan stated that some magazines published “untrue reports” and “slandered government officials and even national leaders.” The statement concluded that the authorities would shut down or suspend such publications.

Through the end of September 1986, the secret police, the Taiwan Garrison Command, banned and/or confiscated at least 210 issues of opposition magazines and books, while the publishing licenses of at least five magazines have been suspended, one of them permanently. This amounts to a banning rate of approximately 95 percent in the first half of the year, and close to 100 % since May-June 1986.

A major reason for the censorship campaign is that “supplementary” elections for a limited number of seats in the national legislative bodies is coming up in December 1986 (see article on page 3). As they have done in past elections, the Kuomintang authorities want to silence the opposition magazines ahead of time, because these magazines constitute one of the few ways in which opposition politicians can make their views known to the general public. Daily newspapers and the radio and television are controlled — directly or indirectly — by the ruling Kuomintang.

Even magazines published by moderate opposition leaders, such as **The Eighties** (published by Mr. K’ang Ning-hsiang), **CARE** (published by National Assembly-member Mrs. Chou Ching-yu), **Sheng Ken** (published by Legislative Yuan member Mrs. Hsu Jung-shu) and **Free Taiwan** (published by Control Yuan member Dr. You Ch’ing) have been systematically banned and confiscated by the Taiwan Garrison Command. Below you find some recent examples.

Recent examples of press censorship in Taiwan

Magazine confiscated for summer camp story

In the first week of September 1986, the Taiwan authorities confiscated issue no. 51 of **CARE** magazine, published by Taiwan’s foremost human rights activist Mrs. Yao Chou Ching-yu, who is also a member of the National Assembly. The magazine carried a cover-article on a summer camp, which Mrs. Yao organized from 8 through 10 August for children of political prisoners. The organizers of the camp had made T-shirts inscribed with “I Love Taiwan” in Chinese characters. When the group of some

200 participants, all wearing the T-shirts, wanted to leave the camp to go to the beach, they were surrounded by more than 100 policemen, including agents from the much-feared Taiwan Garrison Command. The police told the participants to take off the T-shirts before walking around in public. The police relented only after a two-hour standoff.

The Asian starts up again...and is confiscated

On 9 May 1986, opposition leader Mr. K'ang Ning-hsiang's **Eighties** had its publishing license suspended after it printed a series of articles showing that the operations of several departments of KMT party were funded from the national defense budget. After the Taiwan authorities permanently withdrew the license of its sister-magazine **The Current** three weeks later, Mr. K'ang and his chief-editor Antonio Chiang were without a magazine for three months. The third "spare tire", **The Asian**, couldn't be revived again until after August, because its license was suspended for one year in August 1985. When this magazine started up again in the beginning of September, the secret police didn't waste any time before they made their move: on September 9th, 20,000 copies of the first issue were confiscated.

Globe News Agency license suspended again

Just over one year ago, on 21 May 1985, the publishing license of the **Globe News Agency** was suspended for a year after the agency had started to publish information about *tangwai* activities in its daily news reports (see *Taiwan Communiqué* no. 21, p. 17). The daily press service, called **Globe News**, was not available to the general public, but was distributed to newsdesks of regular newspapers and magazines. Because of its broad coverage of *tangwai* activities, it had in a very short time become a very popular source of information in central and southern Taiwan. In September 1986, the publisher wanted to start up again. However, on 3 September, before he was able to bring out the first issue, the agency's license was suspended for a year by the Information Bureau of the Taipei City Government. No reasons given. Apparently the authorities did not want the *tangwai* to control such a powerful instrument of mass communication.

Sentence of Progress publisher sparks demonstrations

On 3 September 1986, yet another opposition-press publisher was sentenced in Taiwan on political charges. Mr. Lin Cheng-chieh age 34, publisher of the **Ch'ien Chin** magazine series, was sentenced to one-and-a-half years imprisonment. Mr. Lin is the

sixth opposition press executive to be sentenced this year. In June three **Neo-Formosa** executives were imprisoned, while in July, two **Democratic Times** officials were sentenced (see *Taiwan Communiqué* no. 26, pp. 17-21). Besides these six, the Taiwan authorities also prosecuted at least four other opposition politicians on political charges.

Mr. Lin — who is also a member of the Taipei City Council was prosecuted on “libel” and “violation of the election law” charges, because, on 29 August 1985 he stated in an interpellation in the City Council that a fellow Council-member, KMT-delegate Hu Yi-shou had abused his privileges as a Council-member. He accused Mr. Hu of improprieties involving some NT\$117 million (US\$ 3.16 mln.) in loans from two banks in Taipei, one of which was the Taipei City Bank, which is owned by the Taipei City Government, and thus falls under the legal jurisdiction of the City Council. In his magazine, **Ch’ien Chin Shih Chieh** no. 12 of 31 August ’85, the allegations were reiterated and further substantiated.



Mr. Lin Cheng-chieh

Mr. Hu subsequently filed two separate suits, a “libel” suit charging that Mr. Lin had defamed Mr. Hu’s name, and a “violation of the election law” suit, alleging that Mr. Lin attempted to influence the results of the November 1985 elections, in which both Mr. Lin and Mr. Hu were candidates. Mr. Lin won by a large majority and Mr. Hu lost.

Mr. Lin had declined to appear in the Taipei District Court in protest against the Court’s unfair handling of the case: the Court refused to consider evidence presented by Mr. Lin to substantiate the charges against Mr. Hu. Finally, on 27 August 1986, policemen appeared at Mr. Lin’s home and took him to the Court. He was later released, but on September 3rd, he was sentenced. He did not appeal, since he felt this would be useless in view of the political nature of the case.

Opposition sources in Taiwan indicate that the timing of the Court’s move is also politically-motivated: Mr. Lin is the secretary of one of two Taipei-branches of the Tangwai Public Policy Association (TPPA) — the major framework for the opposition’s activity (since the ruling KMT authorities do not allow the opposition to form a party). In the upcoming elections he would play a crucial role in coordinating the *tangwai*’s election campaign.

Mr. Lin said that it was a travesty of justice that he was convicted for attempting to uncover corruption. He stated that his accusations regarding Mr. Hu's abuses and improprieties were well-documented. He also emphasized that, as a member of Taipei City Council, he enjoys parliamentary immunity. Mr. Lin also mentioned that he had brought charges against Mr. Hu accusing him of bribing voters with soap bars and other presents, and provided the Court with evidence. But the Court refused to prosecute Mr. Hu on the ground of "lack of sufficient evidence."

12 days of rallies and demonstrations

Mr. Lin's sentence sparked 12 days of rallies and demonstrations, each drawing several thousand people. On 3 September, after the pronouncement of the Court, prominent opposition members, including Mr. K'ang Ning-hsiang, Mr. Lin's wife Yang Tzu-chun, writer/editor Chang Fu-chung and Hung Chi-chang demonstrated in front of the Court by holding up a banner carrying the inscription, "Justice is Dead" to protest the Court's unfair handling of the case.

From September 4 through the 9th, gatherings were held in and around Taipei. During the following four days, Mr. Lin went to other cities, such as Chungli, Kaohsiung, Hsinchu, and Taichung, where farewell gatherings in sports centers and primary school yards were each attended by thousands of people. When he was on his way to Taichung on Saturday, September 13th, Mr. Lin and his entourage were held up for several hours by police on the highway near Miaoli. The police barricade caused a chaotic traffic jam of several kilometers. However, the group finally continued and when they arrived in Taichung at around 11:00 p.m., they found a crowd of several thousand people, who had been waiting for them since 6:00 p.m.

A final farewell party was held in Taipei on Sunday, September 14th. Some 10,000 people attended a meeting at the school-grounds of a secondary school on Hsin Sheng South Road in Taipei. After the meeting, the crowd streamed out of the schoolyard, chanting "Taiwan wants democracy", "The *tangwai* want peace", "Lin Cheng-chieh is innocent", "the Kuomintang is guilty." The parade proceeded along Hopping East Road and then turned onto Roosevelt Road in the direction of Taiwan National University. However, before they reached the University, police trucks and a thick line of policemen blocked their way. *Tangwai* leaders told the people to stay back some 30 steps, in order to avoid a confrontation. The crowd then stopped and stayed right there until 10 p.m., peacefully singing Taiwanese freedom songs.

On September 27, Mr. Lin and some 200 supporters walked to the Court House in Taipei to be taken to jail. The group was led by a drum-band and carried placards and banners protesting the political nature of the charges against Mr. Lin. After they arrived at the Court, they held a festive gathering and asked the judge to come out of his office to have Mr. Lin arrested. The judge refused. While the festive gathering was taking place, one of Mr. Lin's supporters, Mr. Shang Chieh-mei, hung a big banner from a second-story window, pronouncing in big Chinese characters: "Lin Cheng-chieh is innocent." Immediately he was grabbed by six uniformed and two plaincloth police-men in the building, who dragged him down to the basement and beat him up severely. After about half an hour the young man was released, but had to be taken to the hospital for medical treatment.



Lin Cheng-chieh at rally in Taipei

At noontime the judge told the crowd that the building was closed and that everyone should go home. Presumably he wanted to have Mr. Lin arrested under less-conspicuous circumstances. However, the crowd stayed inside the building, where they put up posters with messages regarding the political nature of the sentence. Finally, at around 8:30 in the evening the judge told police officers to take Mr. Lin into custody. He was taken to Kueishan Prison in Taoyuan, leaving his wife and little daughter behind.

Taiwan Communiqué postscript: On 3 October, Minister of Justice Shih Chi-yang stated that the authorities were planning to prosecute a number of Mr. Lin's supporters, who had played a prominent role in organizing the September 27 rally. On 4 October 1986, the *tangwai* leadership issued a statement pointing out that such legal action amounted to political reprisal. The *tangwai*'s statement, which was signed by 60 leading members of the Democratic Progress Party, also criticized the ruling Kuomintang for using court action as a political tool against the opposition. They pointed out that this violated the independence of the judiciary.

The Parliamentary immunity debate

Mr. Lin's sentencing sparked a debate among politicians and scholars in the academic community on the issue of immunity for members of local legislative bodies. Tangwai leaders argue that Mr. Lin as a member of Taipei City Council enjoy immunity from prosecution for statements made in the Council. Many scholars also argued in Mr. Lin's favor. Prof. Li Hung-his of the law department of National Taiwan University pointed out as the Constitution provides parliamentary immunity for members of Legislative Yuan (the national parliament), such privilege should automatically apply to members of local legislative bodies.

In its judgement, the Taipei District Court evoked the so-called "interpretation No. 165 of the Grand Justice Conference" which specifies that members of local legislative bodies are not accorded immunity if their interpellation goes "beyond legislative matters." A number of scholars pointed out that Mr. Lin's interpellation concerned irregularities with loans made to a KMT-member of the City Council by the Taipei City Bank, and was thus clearly a matter for the Taipei City Council to deal with.

On 9 September 1986, eleven prominent professors of National Taiwan University hosted a luncheon in Mr. Lin's honor, thereby openly expressing their disapproval of the verdict. At the luncheon, a noted history scholar at the University, Prof. Chang Chung-tung, announced that the eleven professors would contribute NT\$200,000 to a research fund to study the issue of immunity.

Notes

Mr. Chi Wan-sheng: Dark view from a Taiwan prison

On 29 September 1986, the **Asian Wall Street Journal Weekly** published an article by a courageous Taiwanese schoolteacher, Mr. Chi Wan-sheng, who was imprisoned in Taiwan after the "Kaohsiung Incident" of December 1979. In the article Mr. Chi recounted the interrogation and torture during the two months following his arrest. In May 1980 he was brought before a Court together with 32 other "Kaohsiung" defendants. Mr. Chi received a five years' sentence.

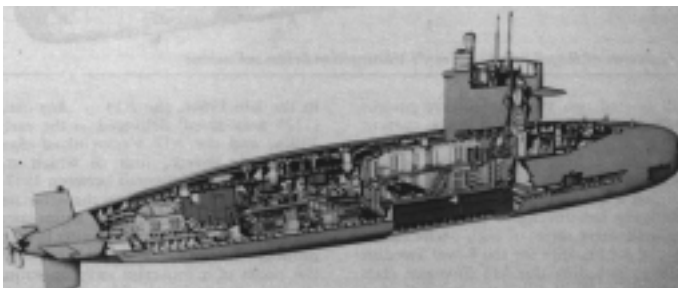
George H. Kerr: A brief history of Taiwan

In the summer of 1986 two Taiwanese organizations in the United States published a 100-page book by the foremost historical writer on Taiwan, former U.S. diplomat George H. Kerr. In the book, titled “The Taiwan confrontation crisis”, Mr. Kerr presents an excellent overall view of Taiwan’s history through mid-1985. The book is available at U.S.\$ 10,— from the Formosan Association for Public Affairs (FAPA), P.O. Box 15062, Washington, DC 20003.

Dutch Navy personnel for Taiwan submarine trials

In the beginning of July 1986, major Dutch newspapers such as the **NRC-Handelsblad** and **TROUW** reported that Wilton-Feyenoord, the shipyard that is building the two submarines for Taiwan, still had not been able to find personnel to perform the officially-required “sea trials”, the operational qualification of the two submarines at sea. Only personnel of the Dutch Navy are qualified to perform this operation, but the then Dutch Defense Minister, De Ruyter, had refused to allow personnel on active duty to do the job.

Another Dutch daily, **De Volkskrant**, reported on July 16, 1986 that the Taiwan authorities had secretly sent a group of technical people to check on the progress of the construction of the two “Sea Dragons.”



Model of the *Sea Dragon* submarine

The group included the vice-admiral of the Taiwan navy. The special mission was due to recurrent reports in Taiwan that the construction was delayed. According to the article, the Financial Director of the shipyard, Mr. T. Jonker, confirmed that the first submarine would start sea-trials in January 1987, and the second one in May 1987. Each ship will undergo at least four months of sea trials.

On 7 October 1986, several Dutch newspapers reported that a solution had been found for the involvement of the navy personnel in the sea trials: they would be employed by a separately-created umbrella organization, but would not have to leave active duty.

A Dutch government spokesman recently confirmed that the final decision on the export permits will be made just before the submarines are ready for transfer to Taiwan. As we reported in *Taiwan Communiqué* no. 24 (March 1986) the Dutch Parliament decided in 1981 that the granting of the export permits for the two submarines would be subject to two conditions:

1. Taiwan should also place orders for civilian industrial products in the Netherlands to the approximate total value of at least 400 million Dutch guilders (price level 1981).
2. Delivery of the two submarines should not contribute to an increase of political tension in the area.

While there is little doubt that the first condition has been met, there will be a major discussion in the Netherlands' Government and Parliament regarding the second condition, which follows from a basic Dutch policy statement on the export of weapon systems (the "Ontwapeningsnota" of 1975). In particular the Dutch will look at the outdated claims by the Kuomintang authorities that they are still the legitimate government of all of China, and that they (the KMT) still plan to "recover" the mainland.

Taiwan Communiqué reiterates its conviction that the submarines should be delivered to a responsible, democratically elected government, and not to a minority regime that still plans to "recover" the mainland.
