



# TAIWAN COMMUNIQUÉ

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## Remembering “February 28”

### *Towards a national commemoration*

Forty-four years ago, in the early Spring of 1947, between 12,000 and 20,000 native Taiwanese, including many professionals, mayors, lawyers, doctors, and university students lost their lives when Chiang Kai-shek sent troops from the Chinese mainland to crack down on Taiwanese protests against corruption and repression by the newly-arriving mainlanders.

The events of 1947, which became known as the “February 28th Incident”, have been a taboo subject on Taiwan for four decades. The authorities did not want to be reminded of their dark past, and the Taiwanese people did not dare to speak out for fear of retribution by the KMT’s secret police. Political opposition was all but impossible. The Incident thus lay at the root of the Kuomintang’s stranglehold on the political system of the island during the past four decades.



**“February 28” monument at Chiayi**

The situation changed with the evolution of the democratic opposition of the “tangwai” in the late 1970’s and early 1980’s. However, it wasn’t until 1987 that the budding DPP and the Presbyterian Church in Taiwan first broke the taboo by holding memorial services for the victims. They urged the Kuomintang authorities to stop covering up the facts, and let the truth be known. They also demanded an apology from the KMT authorities, compensation for the surviving relatives of the victims, a monument commemorating those who died, and that February 28th be declared a national “Peace Day.”

The monument came in 1989, when some 10,000 people attended the unveiling of the “February 28th” monument in Chiayi (see *Taiwan Communiqué* no. 41, pp. 22-23). In June 1990, the KMT authorities announced that the Incident would be referred to in textbooks for high schools. The rejoicing over this new openness was short lived when the proposed text became known: it constituted another whitewash (see *Taiwan Communiqué* no. 45, pp. 19-20).

However, during the past few months the Kuomintang authorities have — albeit slowly — moved towards a formal acknowledgement of the fact that past wrongs needed to be redressed. An overview of the recent developments:

- \* **Open commemorations.** This year the 44th anniversary of the February 28 Incident of 1947 was commemorated in an open and conciliatory atmosphere in contrast to 1987, when the first public commemoration on the February 28 Incident took place under the watchful eyes of the riot police. Even the traditionally more conservative Catholic Church and the Buddhists joined the Presbyterian Church and the opposition DPP in holding memorial services to commemorate the anniversary. Many government officials attended the services. Families of victims of the Incident have begun to speak out and demand the KMT authorities restore the good name of their loved ones.
  
- \* **A Special Report on 2-28.** In December 1990, the Executive Yuan took the unprecedented step by forming a special task force on the February 28 Incident and appointed a committee consisting of eight members to conduct research and write a report on the Incident.

Until very recently, opposition magazines which wrote about the Incident were suspended from publication. Scholars who are interested in doing research on the subject had no access to records kept in government archives.

Although the Taipei authorities have given assurances that the committee will present an objective and factual account of the Incident, critics have serious reservations whether the report will be free of political influence. To begin with, they pointed out that the committee is weighted with members who are KMT supporters, and only two scholars are specialists in the history of Taiwan.

Also, Mr. Lai Che-hang, the spokesman of the committee and a historian at the Academia Sinica, is not optimistic that he can have full access to the records of the Taiwan Garrison Command, which has traditionally guarded its records as secrets. Mr. Lai also pointed out that unless the committee has full cooperation from different departments and ministries in the government, the report will not be completed in time.

- \* **Book on oral history.** The Documentation Center of the Provincial Government has also been compiling a book on the February 28 Incident. It is called "The Oral History of 2-28." The project began three years ago at the urging of members of the Provincial Assembly. Three-hundred survivors of the Incident have been interviewed. The book is scheduled to be published in June.

All these developments seem to indicate that the subject of the February 28 Incident is becoming less a taboo. But before the wounds can heal, more needs to be done. The KMT authorities can begin the process of reconciliation, as requested by the families of the victims, by making a public apology and by treating the dead with honor.

## *Taiwan's Eichmann alive and well, and living in California*

The new awareness of "February 28th" also led to the discovery that a key figure responsible for large-scale murder of innocent civilians is alive and well, and living in California.

The Taipei-based news magazine **The Journalist** reported on 12 February 1991 that its reporters had tracked down Mr. Ko Yuan-fen, who was chief of the Command of State Security, the forerunner of the infamous Taiwan Garrison Command. According to Mr. Lai Che-hang, the researcher at the Academia Sinica, Mr. Ko was one of the main people responsible for the atrocities in the aftermath of the Incident.

Mr. Ko emigrated to the United States more than 10 years ago, and is now living at Monterey Park in southern California. Mr. Ko declined requests for an interview from reporters of *The Journalist*, who had traced his address.

Mr. Ko was a key advisor to Mr. Chen Yi, the Governor of Taiwan in 1947 and held the rank of Lieutenant General. He was the superior of General Peng Meng-chi, the commander of the fortress in Kaohsiung. General Peng was dubbed “the butcher of Kaohsiung” for the massacre of thousands of Taiwanese in the southern port-city.

After the Incident, Mr. Ko published his diary dated from February 28 to March 9 1947 in a newspaper. **The Journalist** published some excerpts, which showed Mr. Ko was the commander of the troops sent in to quell “riots.” He was also responsible for the enforcement of martial law, declared on 9 March 1947, when troops from the mainland arrived to reinforce local troops. A former colleague of Mr. Ko quoted him as saying that he “would kill 99 innocent people in order to catch the one that is guilty.”

The Incident and the reign of terror in the subsequent months and years had long-lasting consequences. The death of many students and young elite led to the loss of a political leadership for decades to come. The general public shunned involvement in politics for fear of getting into trouble. It also ushered in the era of white terror in the 1950s, when many leading Taiwanese were branded “communists sympathizers” and arrested and imprisoned.

## *Political murders still unsolved*

Another related area in which the Kuomintang authorities still have to face up to the truth is a series of political murders in the early 1980's. The question is related because the murder of the mother and 7-year-old twin-daughters of prominent opposition member Lin Yi-hsiung also took place on 28 February 1980, just two months following the arrest of Mr. Lin and a large number of other opposition figures in the infamous “Kaohsiung Incident” of December 1979.

The murder of Mr. Lin's family has never been solved in spite of strong indications of involvement by the Kuomintang's secret police (see *Taiwan Communiqué* no. 38, pp. 8-11).

Another political case, which is still open, is the murder of Professor Chen Wen-cheng, who was found dead in the early morning of 3 July 1981 next to a building at National Taiwan University in Taipei. On the previous day Mr. Chen — a brilliant young statistics professor at Carnegie-Mellon University in Pittsburgh — had been called in for questioning by the Taiwan Garrison Command about his political activities in the United States. The round of interrogation reportedly lasted for 13 hours. The Garrison Command denied responsibility in Mr. Chen's death.

*Taiwan Communiqué comment: The Taiwan authorities should realize that this dark blot on their reputation will not wash away until there is a full and open investigation into these murders. Justice should be done and those responsible for these terrorist acts — no matter how high up in the hierarchy of the secret police — should be brought to trial.*

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## The KMT's Reforms: real or token ?

### *“Geriatric roadblock” to reforms*

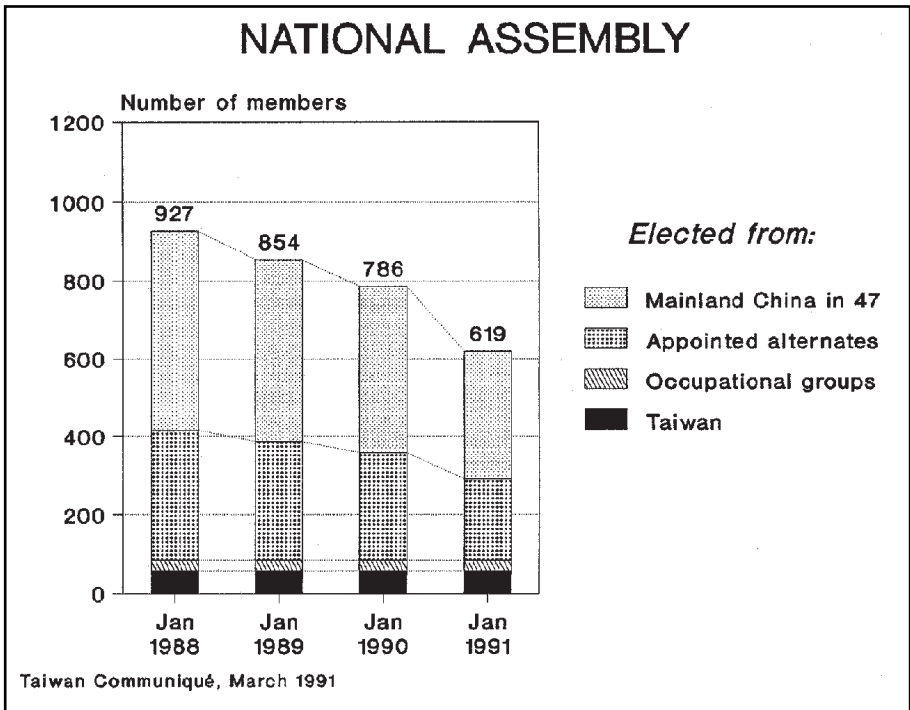
In what was termed a “geriatric roadblock” by the **Taiwan Church News**, the old mainlander members of the National Assembly and Legislative Yuan are continuing to refuse to retire, in spite of the fact that many of them have reached respectable ages in the upper 80s and 90s. Clinging to the old myth that they still represent mainland China, they even defy the “gentle persuasion” approach of President Lee Teng-hui, who is anxious not to press them too hard, for fear of alienating the mainlander-controlled military and secret police.

The matter came to a clash again in the end of February 1991, at the opening of the new session of the Legislative Yuan. Leading members of the DPP opposition protested that the Kuomintang had not retired at least 28 of the oldest and most infirm of the mainlander legislators, as had been promised at the end of the previous parliamentary session in December/January.

## *Amending the Constitution: in two stages or one ?*

Retiring the old mainlanders is becoming increasingly important, not only because they constitute a roadblock to democratic reforms, but also because President Lee has promised he will start the process of amending the Constitution, which was drafted and adopted by the Kuomintang regime in 1946 and 1947, when it was still ruling mainland China.

According to this Constitution, amendments to the Constitution can only be made by the National Assembly, which is presently still dominated by the elderly mainlanders (see graph below). To get around this problem, the Kuomintang authorities devised a "Two-stage" approach, in which an initial round of revisions will be discussed in an extraordinary three-week session of the old National Assembly, starting 8 April 1991.



The democratic opposition of the DPP and many in the academic community have argued in favor of a “One-stage” approach in which only a newly-elected National Assembly which fully represents the people of Taiwan have a role in amending the Constitution. They believe that involving the old mainlanders in the amendment-process will only perpetuate the anachronistic structures brought over from the mainland.

According to a 1990 decision by the KMT’s Council of Grand Justices, the old National Assembly-members will have to retire by the end of 1991, and a new National Assembly will have to be elected. This Interim Assembly will have as sole responsibility to decide on the second round of revisions of the Constitution, a task that is expected to take from one to four years.

According to the present plans, the Interim Assembly will be elected in January or February 1992, and will be composed of a total of 402 members, 300 to be elected from Taiwan, 2 from the offshore islands Kinmen and Matsu, and 20 representing the overseas Chinese community. The remaining 80 seats would be “representing mainland China”, but would be allotted to the political parties in Taiwan on the basis of their proportional share of the vote in the January 1992 elections.

## *The Kuomintang manipulates the rules*

However, there are signs that the Kuomintang authorities are attempting to manipulate the rules of the game, so that in the upcoming National Assembly elections their candidates have a better chance of being elected. Two clear examples:

The most flagrant change is the decision by the KMT’s Constitutional Reform Committee to freeze Article 28 (3) of the Constitution and open the way for current government officials to run for National Assembly in the district where they serve. If elected, they can hold both their position in the executive branch and keep their seat in the National Assembly. Since virtually all the government officials from cabinet members to local town mayors and village chiefs are KMT members, this rule change will allow KMT to capture a majority of the seats.

The DPP has strongly criticized this move, arguing that it is a breach of the fundamental principle of democracy, the separation of power between the executive and the legislative branches.

Another change is the decision by the Central Election Commission to allow currently serving military men to vote by mail. Even two of the most “moderate” DPP members, Mr. Kang Ning-hsiang and Chang Teh-ming, who served in the Central Election Commission, are strongly opposed to this new measure. They pointed out that given KMT’s past track record of vote tampering and dirty tricks, and their tight control of the military, this new rule will give the KMT an unfair advantage.

## Ending the “*Period of Communist Rebellion*”

In a major speech on 25 December 1990, President Lee Teng-hui reiterated his intent to end the “**Mobilization Period for the Suppression of the Communist Rebellion,**” the formal state of siege proclaimed by Chiang Kai-shek in 1947, when he was locked in the Chinese Civil War on the mainland. In May 1990, at his inauguration for his first full term of office, President Lee had announced that this “Period” would formally be ended in May 1991. After his December speech, Mr. Lee instructed the KMT party and government to start preparations.

As we indicated in our previous issue, there are serious concerns that the Kuomintang authorities will only declare the “Period” ended, but that some 170 associated “Statutes” and “Temporary Provisions Effective During the Period of Communist Rebellion” will in practice remain in force until they have been replaced by new legislation, which still could take several years.

One further indication that the KMT is not serious in these reforms is the fact that the KMT’s Constitutional Reform Committee decided at the end of January 1991 that two of the main pillars of the KMT’s security apparatus, the National Security Bureau (NSB) and the National Security Council (NSC), will continue to exist. The two agencies were set up in the late 1940’s by Generalissimo Chiang Kai-shek, but their establishment were never approved by the Legislative Yuan.

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# China Relations

While the Kuomintang authorities have been dragging their feet on political reforms during the past few months, they have sent out a number of signals, indicating an (over) eagerness to establish closer contacts with their old archenemies of the Chinese Communist regime on the mainland, and thus start the process towards their oft-repeated goal of “unification.”

In the following section we give a brief overview of the main developments, and conclude with arguments why “unification” is unrealistic and undesirable, and will remain a KMT daydream — or become a Taiwanese nightmare.

## *From “three no’s” to “four impossibles”*

One reason for the heightened activity on the mainland-relations front was the fact that the three bodies which are at the core of the Kuomintang’s policy towards the mainland (the **National Unification Committee**, the **Mainland Affairs Council**, and the **Foundation for Exchanges Across the Taiwan Strait**) started to work — in spite of their lack of legal basis, or real representation from the democratic opposition of the DPP (see “Cabinet establishes illegal foundation” in issue no. 48, pp. 11-13).

One major dilemma, which the KMT authorities saw themselves faced with in their internal discussions in January and February 1991, was the question of how to refer to the Peking regime. During the past four decades the Taipei authorities have always referred to the PRC as “the Communist rebels”, but ending the “Period” would require a new name. In mid-February 1991, apparently after extensive discussions, the Cabinet-level National Unification Committee (NUC) decided to adopt a range of names, and let the final decision depend upon the PRC’s response to the new overtures. The range — in ascending order of “respectability” — was:

1. the seditious group
2. the group in war
3. the Chinese Communist regime
4. the Communist authorities / Peking authorities
5. the Chinese Communist rulership
6. the Chinese Communist government

The other two bodies, the Cabinet-level Mainland Affairs Council (MAC) and its FEATS subsidiary, also feverishly busied themselves with launching new ideas on how to replace the old “three no’s” (no contacts, no negotiation, no compromise) with the new “three communications” (trade, mail, and navigation across the Taiwan Straits).

Officially, the KMT authorities still base their overtures to the mainland on the four pre-conditions set by President Lee Teng-hui in May 1990: the PRC should a) give up its one-party political system, b) embrace free-market economics, c) renounce the use of force to retake Taiwan, and d) stop frustrating Taipei’s diplomatic overtures to other countries. The opposition quickly dubbed these conditions the “four impossibles.”

## *The KMT’s unification daydream, Taiwan’s nightmare*

The Kuomintang authorities repeatedly state that their eventual goal still is “unification” with China. They consider the Peking regime unstable, and expect that sooner or later it will fall, upon which the Chinese population will welcome them back as the “legitimate” government of China.

They thus overlook a number of important aspects:

- \* The Kuomintang authorities themselves lost power in China in 1945-49 due to their corruption and repression. It is unlikely that the Chinese will invite their old dictators back;
- \* While the Communist regime may in time become unstable and fall — just like in Eastern Europe — it is most likely to be replaced by another Peking power-group. It is inconceivable that the faraway KMT — which in a sense has become a foreign regime — could come back and play a role in mainland politics.
- \* The Kuomintang’s own legitimacy and powerbase is questionable at best: the large majority of the Taiwanese do not have any inclination to be “unified” with China. Any move by the Kuomintang in this direction would be considered a sell-out, and would lead to a large-scale resistance against the Kuomintang.

Taiwan has all the qualifications and ingredients to be a free, democratic, and independent country: it has a larger population than some 120 member states in the

United Nations, it is the 14th trading nation in the world, it has an educated and peace-loving populace, its people have a culture and identity that is highly distinct from that of the Chinese people.

One argument that has been forwarded by both the Kuomintang and the Chinese Communists, is that Taiwan has "historically" been part of China. This is simply untrue: when Dutch traders landed on the island in 1624, there were no Chinese settlers, and the Chinese emperor considered it outside his territory. During the roughly two centuries after the ouster of the Dutch by Koxinga in 1662, there was an



Lee Teng-hui's two "choices": China reunification or mainland recovery.

Teng Hsiao-ping to Gorbachev: "That type of referendum I can tolerate !!!"

increasing flow of settlers, but these people came to Taiwan to escape wars and famine on the mainland, and did not settle the island on behalf of the central government.

When Taiwan was (briefly) made a province of China in 1887, this was only done in an attempt to stop Japan's expansion southward. In any case, it lasted only eight years. After the Sino-Japanese War of 1895, Taiwan became Japanese territory, which it remained until the end of World War II in 1945. Then it was "temporarily" occupied by Chiang Kai-shek's troops, "on behalf of the Allied Forces." During the 1952 San Francisco Peace Treaty, when Japan ceded its sovereignty over Taiwan, it was decided that "in due course a solution (for Taiwan's sovereignty) must be found, in accord with the Purposes and Principles of the United Nations."

At no time in history did the PRC exercise sovereignty over the island. The Chinese Communists only started to claim sovereignty over Taiwan after the Cairo Conference of 1943, when their old archenemy Chiang Kai-shek had laid claim to the island. Taiwan and its people thus unwillingly became the bone of contention of the two mainland rivals.

***Taiwan Communiqué comment:*** *the Kuomintang authorities should forget their old daydreams, and focus on development of a new, free, democratic, and independent Taiwan instead. Keeping their old claims alive will only drag the island deeper into a mainland China quagmire, and will become a nightmare for Taiwan's people.*

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## Special Report: Children's rights in Taiwan

With this new report we are broadening the scope of *Taiwan Communiqué* to include social issues. In each special report we will focus on a particular area of special concern. We start with a report on children in Taiwan, where child labor and child abuse is still common. Other groups and issues we will focus on in the future are fishermen, aborigines, and the environment.

### *Comprehensive study on children*

In 1988, Dr. Chen Hsin-cheng, a specialist in psychiatry at the Kaohsiung Medical School, published a report on the plight of children in Taiwan. The report shows that many children live in a state of neglect, abuse and mistreatment and many die from lack of health care. The report was the first comprehensive study on the lack of protection for the rights of children in Taiwan.

Below we give a summary of Dr. Chen's report. And we hope to draw the attention of KMT authorities to the needs of the young and their right to a life free from exploitation, neglect and abuse.

**1. Lack of medical care.** A major problem facing children of low-income families is the lack of medical care. Statistics compiled by the Association of Pediatricians in Taiwan shows that more than 5,000 sick children die from lack of medical care on a yearly basis, because their parents cannot afford to pay the high costs of hospitalization.

In 1988, newspapers reported three cases of tragedy, where parents of children, who had been seriously ill, resorted to killing in order to end their children's misery. In one case, the father of a handicapped child drowned together with his son.

Dr. Chen pointed out that the government can help by instituting a national health insurance plan where children of low-income families can receive free medical care. At present, only employees of the public sector have health insurance plan. In view of Taiwan's wealth and its huge reserve of foreign exchange, it can easily afford a national health insurance plan for its citizens, which would amount to only a fraction of the military budget.

**2. Teenage Prostitutes.** Teenage prostitution is one of the most serious social problems. Estimates of the number of teenage prostitutes in Taiwan go as high as 100,000. Some of them are as young as 10, who are forced to receive as many as 50 customers a day. The majority of them come from the aboriginal tribes. The aboriginal tribal people, who live in remote mountains, are the poorest and the least educated among the 20 million people of Taiwan. Many young aboriginal girls, who come to the city to search for work, end up in the brothels. In some cases, parents driven by poverty sell their young daughters to brokers from brothels, who offer cash payment.

**3. Mentally Retarded children.** Because mental retardation is considered a social stigma, mentally retarded children are often victims of discrimination, prejudice, mistreatment and sexual abuse. It is also difficult for them to integrate into society, because their rights to education, development and vocational training are seriously restricted.

In recent years, families of handicapped children have begun to organize in order to push for legislation to increase welfare benefits, such as special education programs and health insurance for the handicapped children. A law governing the welfare of the handicapped has been in the making for two years. Due to foot dragging by the Ministry of Interior, it has not been enacted into law.

**4. Violence against children.** Dr. Chen estimated that between 1982 and 1988, there were 60 cases of kidnaping of children. Twelve of the kidnaped children were killed. Police records also show that sexual crime against children is also on the rise. In 1985, there were 138 cases of rape of children.

According to the statistics from the Police Administration, in 1989, there were more than 100 cases of reports of missing children. In 1990 ending August, there were more than 50 cases. It is believed that many of the missing children were abducted by criminals. Several years ago, police uncovered a criminal ring which abducted children and then trained them to be pickpockets and beggars.

In conclusion, Dr. Chen urged the KMT authorities to increase the budget on social welfare and to implement national health insurance programs, which will enable seriously ill children to receive free medical treatment.

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# Report from Washington

by *Marc J. Cohen*

## State Department Human Rights Report

In the beginning of February 1991 the U.S. Department of State issued its annual human rights report. The section on Taiwan in this 1990 report is the most comprehensive and accurate such report since we began analyzing them ten years ago. It outlines the dramatic economic, social, and political changes in Taiwan during the past few years, noting such positive developments as a more genuinely representative legislature, the release of most political prisoners, and reduced restraints on freedom of expression .

**Still authoritarian.** “Nonetheless,” it points out, “significant restrictions still remain.” The report trenchantly adds, “Taiwan has taken some significant steps away from its authoritarian political system to a more pluralistic one, but the people do not yet have the ability to change their government through democratic means.”

The report also offers considerable detail on the Kuomintang government’s efforts to suppress free and open discussion of Taiwan’s international status and the imprisonment of advocates of Taiwan independence. It describes politically-motivated persecutions, selective enforcement of repressive laws, and what it calls “unfair political practices” which allow the KMT to maintain its political power. The latter include the ruling power’s continued monopoly of the broadcast media.

While the report contends that native Taiwanese are increasingly filling important political posts, it concedes that the minority of Chinese mainlanders remain in control of the top positions in the military and security agencies. It questions the commitment of these agencies to democratization, and mentions growing concern about the impact of Premier (and ex-General) Hau Pei-tsun’s “law and order” campaign on civil and political rights.

**Deaths in police custody.** For the first time in some years, the report details deaths in police custody, extrajudicial killings and violence, and police torture of criminal suspects. The reports during past few years have glossed over or ignored these serious problems.

**No independent judiciary.** In another improvement, the report flatly states, “The judiciary is not fully independent and is susceptible to political and personal pressure.” Past reports have tended to suggest that Taiwan’s judiciary exercises a greater degree of independence from the KMT than is in fact the case.

**Political Persecution.** There is an excellent discussion of the KMT’s attempts to use concocted charges of “sedition,” “harming public order,” and “violating the Parade and Assembly Law” to suppress political dissent. The use of such charges against opposition leaders and independence advocates is noted, as is harassment and surveillance of opposition politicians.

The report discusses the case of jailed Taiwan independence advocate Huang Hua at some length (see *Taiwan Communiqué* no.’s 43, 47 and 48). It also states that when the authorities have prosecuted leaders of the Democratic Progressive Party for organizing “illegal protests”, the prosecutors “have not proved that those being prosecuted have personally either advocated or engaged in violence.”

**Freedom of Movement.** The greatly improved section on freedom of movement discusses restrictions on overseas dissidents’ ability to return to Taiwan, and selective punishment of those who enter “illegally.” The case of Taiwanese-Canadian Leo Yih-sheh, an independence supporter who was jailed for 10 months and received harsh treatment, is contrasted with that of folk singer Hou Teh-chien, who received only a suspended sentence upon his “illegal” return from Communist China. The report also mentions the authorities’ fickle treatment of Taiwanese-American leader Dr. Mark Chen, who received a visa to attend the 1990 National Affairs Conference, but was not allowed — for “national security reasons” — to return to the island later that year to meet his new daughter-in-law.

For the first time since 1988, the report also mentions the fact that the full staff of *Taiwan Communiqué* has been denied visa to visit the island.

**Civil Rights.** The report discusses restrictions on academic freedom, discrimination against women, child prostitution, and exploitation of illegal foreign workers at some length. In addition, it provides more detail than in the past years of the KMT’s gross violations of Taiwanese workers’ rights. It notes that three politically well-connected firms fired 15 workers for union activity last year. It also states that in 1989, the legal system resolved 75% of all labor-management disputes in favor of management. And it says that the KMT government’s official minimum wage “is less than that needed to assure a decent standard of living.”



The report does have a number of errors and omissions: it states that the authorities generally uphold constitutional guarantees of freedom of religion, whereas they have forbidden the Presbyterian Church to publish Bibles in romanized Taiwanese script and have in many other ways harassed the Church for its outspoken stance in favor of human rights, democracy, and Taiwan independence. The report downplays the restrictions on internal travel, whereas these are quite burdensome in mountain areas where many aboriginal Taiwanese reside. The report's figure of only 100 overseas critics on the visa "blacklist" is way too low (see "*Blacklisting of overseas Taiwanese continues*" in our next issue).

Most importantly, the report says that President Lee Teng-hui's promise to end the "Period of Mobilization for the Suppression of the Communist Rebellion" will mean "his relinquishment of the emergency powers now held by the President...". However, as we have noted in the previous issue of *Taiwan Communiqué*, there are strong indications that the Kuomintang authorities plan to introduce new laws which will essentially leave these powers intact.

***Taiwan Communiqué comment:*** *We commend the authors of the State Department report for a thorough job. Despite the above mentioned flaws, it is a balanced picture of the current state of human rights in Taiwan. We also appreciate the report's explicit reference to the KMT's unwarranted steps against Taiwan Communiqué's editors for working in support of human rights and democracy on the island.*

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## International condemnation of Huang Hua's sentencing

### ***U.S. Senate: "Serious Set-back for democracy"***

In our previous *Taiwan Communiqué* we reported extensively about the sentencing — on 8 December 1990 — of Mr. Huang Hua, a leading member of the democratic opposition of the DPP, and a long-time advocate of Taiwan independence.

Mr. Huang's sentencing prompted a strong protests from the democratic opposition, and from human rights and church organizations in Taiwan and internationally. Promi-

ment members of the U.S. Congress also urged for his immediate and unconditional release. On 14 January 1991, in a letter to President Lee Teng-hui, U.S. Senators Edward Kennedy, Claiborne Pell (Chairman of the Foreign Relations Committee), Joseph Lieberman, John Kerry, and Paul Wellstone stated:

*“Huang’s imprisonment is a serious set-back to the progress your country has made towards democracy in recent years. His detention clearly violates international human rights standards and contravenes the United Nations Declaration of Human Rights and Taiwan’s own constitution, both of which guarantee the right to freedom of speech.*

*There is widespread public opposition in Taiwan to Huang’s imprisonment. Although we take no position on the question of independence, a free and open discussion of national issues, including constitutional and parliamentary reform, is vital to the success of democracy in Taiwan.*

*Freedom of speech is one of the most fundamental of rights in a democracy. In keeping with your country’s efforts to expand democratic values and institutions, it is imperative that citizens be guaranteed this right without fear of prosecution by the government.*

*We urge you to commute Huang Hua’s sentence and grant his immediate and unconditional release. Such action would represent an important step for Taiwan in establishing a truly democratic society.”*

*Sincerely,*

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## Huang Hua nominated for Nobel Peace Prize

At the end of January 1991, Mr. Huang Hua was nominated for the Nobel Peace Prize. Below we reprint the nominating letter in full:

**The Nobel Peace Prize Committee  
The Norwegian Nobel Institute**

**Dear Sir:**

**It is indeed a great honor to nominate Mr. Huang Hua for your consideration as a recipient of this year's Nobel Peace Prize. Mr. Huang, 51, a native of Taiwan and a lifelong advocate of nonviolence as a means of achieving political change, had made extraordinary sacrifices to promote the cause of peace and democracy and the idea of sanctity and dignity of every individual human being.**

**Since 1963, Mr. Huang has sought to establish a truly democratic government in Taiwan, based on majority rule and universally recognized human rights. He has articulately made the case for Taiwan's independence from China. Convincingly he argues that a democratic, independent Taiwan not only will at last affirm the dignity of the Taiwanese — the dignity that has been denied them through centuries of foreign rules in Taiwan, it will enhance the peace and stability in the Pacific region.**

**These views are in sharp contrast to the policies of both the Kuomintang authorities and the Beijing government. While Beijing insists that Taiwan is a part of China, hence denying the right of the people on Taiwan to determine their own political future, the Kuomintang government in Taipei, since the imposition of its rule forty-five years ago, has yet to hold a genuine parliamentary election, continues to govern under a state of siege, and persists in its claim to sovereignty over China.**

**Because Mr. Huang has for nearly thirty years publicly challenged the authorities on both sides of the Taiwan Strait to recognize the reality that Taiwan and China have long existed as two separate political entities, the Kuomintang government has branded him a "seditionist."**

In 1963, 1967, 1976, and again last year, the Taipei authorities sentenced him to prison merely because he openly expressed his political beliefs. Most unjustly they have repeatedly labeled this ardent champion of peace a violent revolutionary. Amnesty International, an earlier winner of the Nobel Peace prize, has adopted Mr. Huang as a Prisoner of Conscience three times, most recently this past December. As you know, it adopts only those who have neither used nor called for violence.

As a native of Taiwan and a historian, I believe that Mr. Huang's personal fate mirrors the tragic history of our beautiful island country. Like Mr. Huang, Taiwan has lived under oppressive rule for many years. In this century alone, Taiwan has had to endure first harsh Japanese colonialism, and then Kuomintang authoritarianism. But, like Mr. Huang — and thanks to him, the vast majority of the people on the island has remained resolute in their struggle for democracy, decency and independence.

I have tremendous admiration for Mr. Huang. He is a man of principle, a man of vision, a man of enormous courage, and above all, a man of infinite benevolence. Although he has spent nearly twenty-two years of his life in Kuomintang jails, he harbors neither fear nor hatred, and remains convinced that love can overcome injustice.

Your consideration of Mr. Huang's nomination is deeply appreciated.

Sincerely yours,

Tsung-kuang Lin, Ph.D  
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## *Writers march in support of Huang Hua*

Beginning on February 7, Mr. Lin Shuang-po, a prominent Taiwanese writer, led a march for 14 days through the island in support of Huang Hua and the movement for a sovereign, independent state of Taiwan.

The march began from I-lan after a solemn ceremony with a prayer service at the cemetery of Lin Yi-hsiung's family. More than 100 people were present, including writers, university professors, human rights activists, and DPP members.

The march went along the east coast of Taiwan, then down to the south and back up the west coast, and covered some 17 cities and towns. Along the way, speeches and rallies were held to generate public attention for the issue of Taiwan independence. On February 25, the marchers paid a visit to Huang Hua in Kuei-shan prison in Taoyuan and returned to Taipei on February 28th.

Mr. Lin, a high school teacher, became a political activist after the Lin family murder on February 28, 1980. His writings including many short stories and novels reflect the social and political injustice under the Kuomintang regime. In the national election of 1989, he campaigned tirelessly through the island for candidates of the New Nation Alliance.

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## Prison Report

### *Prominent Taiwanese-American medical doctor arrested*

In the evening of Friday, 11 January 1991, the Taiwan authorities arrested Dr. Shen Fu-hsiung, age 51, a Seattle-based Taiwanese-American medical doctor, who was returning to Taiwan for his work as Director of a kidney-dialysis clinic in Taipei. Dr. Shen — who has U.S.-citizenship — was arrested upon arrival at Taoyuan International Airport. For about a day he was held by the Investigation Bureau of the Ministry of Justice (IBMJ) and interrogated about his activities in support of the democratic movement in Taiwan. Late on Saturday, he was transferred to the Taoyuan District Prosecutor's Office, where he was questioned further, even during the night.

On Monday, 14 January 1991, three lawyers were finally able to see Dr. Shen at the Taoyuan Detention Center, but the authorities refused to release Dr. Shen on bail, saying that he was being charged with "smuggling drugs and weapons."

The next few days, the case received extensive media coverage in Taiwan. It became clear almost immediately that the “weapons smuggling” charge was totally false, while the “drugs” turned out to be erythropoietin medicine for use in kidney dialysis.

On Thursday, 17 January 1991, Dr. Shen was released on NT\$ 200,000.—bail, but on 31 January 1991, he was indicted by the Prosecutor’s office of the Taoyuan District Court. He was charged with violating the Law Governing Drugs and Pharmacists. Mr. Wang Shih-tung, a customs official at the airport, was also indicted.



**Dr. Shen Fu-hsiung**

## **Political persecution**

There are strong indications that his arrest was politically motivated. The clearest evidence for this is that during Dr. Shen’s detention, the agents of the Investigation Bureau of the Ministry of Justice in Taipei questioned him extensively about his political views and activities in support of the democratic opposition, the DPP-party.

Furthermore, during searches of his house and office in Taipei, the agents of the Investigation Bureau showed much more interest in gathering evidence related to his political activities than in the so-called “illegal drug” EPO. His correspondence with opposition activists and photographs with prominent opposition leaders were taken away.

Finally, on January 12th, the medicine EPO, which was in Dr. Shen’s possession and was seized by customs agents upon his arrival at the airport, was returned to the hospital. If this medicine is “illegal”, as claimed by the authorities, why was it not kept as evidence? This is another indication that the authorities are using the “illegal drug” as pretext to prosecute him for his political activities.

***Taiwan Communiqué comment:*** *We consider the charges against Dr. Shen to be a ludicrous fabrication by the Kuomintang authorities. He is a longtime advocate of peaceful political change in Taiwan, and has been a vocal, and*

*generous, supporter of the democratic opposition. By arresting him, the Kuomintang authorities apparently intend to silence overseas supporters of the DPP. It is a further sign that the Kuomintang is not seriously interested in political reforms, and refuse to respect the principles of freedom of speech and of political opinion, as laid down in the Universal Declaration of Human Rights.*

*We strongly urge the Kuomintang authorities to respect Dr. Shen's political and human rights and drop the charges against him immediately. Failure to do so will only damage their image in the international community, particularly in the United States and the democratic countries of Western Europe.*

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## ***Radio host sentenced for setting up TV-station***

In *Communiqué* no. 47 (p. 23) we reported on the indictment of radio host Wu Le-tien for his role in setting up "Voice of Democracy" TV in March 1990. On 9 February 1991, Mr. Wu was sentenced to six months imprisonment and a three-year probation period. The sentence was cut to three months under the 1991 Clemency Law.

Undaunted, Mr. Wu announced he would continue his work for press freedom in Taiwan. He resubmitted an application for a license for his island-wide radio and television network. Just a week before his sentencing, the Government Information Office (GIO) turned down Mr. Wu's application for a license.

In a statement, issued at a press conference on 7 February 1991, the democratic opposition DPP party protested the Kuomintang's continuing monopoly of the existing radio and television network and its refusal to make new frequencies available to the democratic opposition.

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