

EXTERNAL (for general distribution)

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UA 237/93 Death Penalty/Treatment in Detention

20 July 1993

TAIWAN (REPUBLIC OF CHINA): CHOU Wei-cheng, aged 31, antique dealer

Chou Wei-cheng was sentenced to death by Taipei District Court on 12 July 1993 for kidnapping and holding to ransom businessman Hsu Ming-chuan. Two co-defendants were sentenced to life imprisonment. Chou Wei-cheng, like all prisoners under sentence of death, is believed to be permanently kept in iron feet shackles, a practice which constitutes degrading and inhuman treatment.

When delivering the court's verdict, the judge is reported to have said that Chou Wei-cheng deserved the death sentence for plotting the kidnap of Hsu Ming-chuan who had treated the defendant like a son. Hsu Ming-chuan was kidnapped in April 1993 and held for 72 hours before being rescued unharmed by the police. Amnesty International is urging the Government of the Republic of China to ensure that Chou Wei-cheng's sentence is commuted at or before his High Court appeal hearing. It is also calling on the government to ensure that Chou Wei-cheng is held in humane conditions, specifically that he is not made to wear feet shackles permanently.

BACKGROUND INFORMATION

The death penalty is enforced in Taiwan for a wide range of offences, including those which do not cause loss of life. At least 35 executions were carried out during 1992, but no official statistics are available for 1993.

The recent execution of former gang-member turned model prisoner Liu Huan-jong raised questions about the use of the death penalty and government officials told Amnesty International that studies and public opinion polls on the subject were envisaged. Amnesty International believes that there is no evidence that the death penalty is a uniquely effective deterrent and that public opinion would favour abolition if given the true facts about the death penalty.

Amnesty International opposes the death penalty in all countries, on the grounds that it is the ultimate form of torture and inhuman punishment and that it is a violation of the right to life. In Taiwan it has also expressed concern about the permanent shackling of prisoners under sentence of death and the recent introduction of lethal injection as a method of execution. It has also raised questions about the ethical questions surrounding the use of organs from executed prisoners.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters either in English, Chinese or in your own language:

-urging the authorities to review the death sentence imposed on Chou Wei-cheng and to ensure that the sentence is commuted at or before his High Court appeal hearing;

- urging the authorities to end the permanent feet shackling of all prisoners under sentence of death, including Chou Wei-cheng;

- urging the President to use his Constitutional powers to commute the death sentence on Chou Wei-cheng;

- expressing unconditional opposition to the death penalty in all cases on the grounds that it constitutes the ultimate form of torture and inhuman punishment and is a violation of the right to life;

- calling on the authorities of the Republic of China to abolish the death penalty and to suspend all executions until abolition is effective in law.

APPEALS TO

1) President LEE Teng-hui
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Salutation: Dear President Lee

2) MA Ying-jeou
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Salutation: Dear Minister Ma

3) LIN Yang-kang
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Telegrams: President LIN Yang-kang, Taipei, Taiwan

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Salutation: Dear President Lin

COPIES OF YOUR APPEALS TO:

Chinese Association for Human Rights
8/F, 102 Kwangfu South Road
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Republic of China

News Editor
Independence Morning Post
15 Chinan Road
Taipei, Taiwan
Republic of China

and to diplomatic representatives of Taiwan (or representative offices) accredited to your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 31 August 1993.