

EXTERNAL

AI Index: ASA 38/09/96

20 June 1996

Further information (5) on EXTRA 01/96 (ASA 38/01/96, 8 January 1996) and follow-ups (ASA 38/02/96, 16 January, ASA 38/03/96, 19 March, ASA 38/05/96, 23 April, ASA 38/07/96, 19 June) - Death Penalty / Legal Concern / Medical Concern

TAIWAN (REPUBLIC OF CHINA) Liu Chi-hsun (m), aged 29

The execution order concerning Liu Chi-hsun has been suspended. On 20 June, it was reported that, after Minister of Justice Liao Cheng-hao signed the execution order against Liu Chi-hsun, it was discovered that an appeal for retrial, made by Liu Chi-hsun, was still under consideration by the High Court in the city of Tainan. The Minister on 19 June ordered that the execution be suspended pending the Tainan High Court's decision.

Liao Cheng-hao was reported by the newspaper *Liberty Times* on 20 June to have stated that the judiciary cannot wrongfully carry out executions, that the defendant still had avenues for legal recourse, and that respect for the rights of defendants and social equity warranted a suspension order.

On 19 June Liu Chi-hsun's relatives and lawyer told the media that there remained many procedural and material doubts in the handling of Liu's case by the judiciary. His conviction appears to be based solely on the confessions of co-defendants, and there appears to be no material evidence that Liu Chi-hsun committed the murder he is accused of.

Amnesty International is concerned that Liu Chi-hsun may have been sentenced to death as a result of a trial which did not satisfy the guarantees for fairness called for under international human rights standards. Liu Chi-hsun was interrogated by prosecutors while recovering from shotgun wounds, in conditions where he was not in possession of all his physical faculties. He has been held permanently in feet shackles for the last two years or so, which in itself constitutes a form of torture or cruel, inhuman and degrading treatment prohibited under the United Nations Convention against Torture and other international human rights standards.

There are also reports that local officials and members of political parties have had access to information concerning the case of Liu Chi-hsun and may have attempted to influence the course of justice in his case.

Amnesty International opposes the execution of Liu Chi-hsun and calls on the Taiwan authorities to ensure that the execution order concerning him is repealed, that his claim of innocence be fully reconsidered by a court different from that which imposed the original death sentence, and that all claims of political interference in his case be fully investigated.

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

- urging that the execution order against Liu Chi-hsun be repealed;
- urging that Liu Chi-hsun's claim of innocence be fully reconsidered by a court different from that which imposed the original death sentence;
- urging that all claims of political interference in Liu Chi-hsun's case be fully investigated;
- expressing opposition to the death penalty in all cases and seeking its abolition in law.

APPEALS TO:

1) President Lee Teng-hui

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Salutation: Dear President Lee

2) Liao Cheng-hao, Minister of Justice

Ministry of Justice

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Salutation: Dear Minister Liao

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and to diplomatic representatives of Taiwan (Republic of China) accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 20 July 1996.