

# AMNESTY INTERNATIONAL

AI Index: ASA

38/17/90  
9 November 1990

## TAIWAN

### **CHEUNG KI-LOK: PROSECUTOR APPEALS AGAINST THIRD ACQUITTAL**

Amnesty International has today written to President Lee Teng-hui calling for the unconditional release of Cheung Ki-lok, a Hong Kong resident, who has been acquitted of sedition charges on three occasions but has not been allowed to return home because of continuing prosecution appeals against his acquittal.

Cheung Ki-lok is accused of having been involved in the early 1970s with the Hong Kong student magazine Hong Sang Goh, which the prosecution authorities allege was pro-communist, and of having joined the Chinese Communist Youth League in 1977. He denies the charges and the Taiwan High Court has already acquitted him of these three times. In Amnesty International's view, the basis of these charges amounts to no more than the peaceful exercise of the right to express one's political views and engage in peaceful political activities.

Amnesty International regarded Cheung Ki-lok as a prisoner of conscience during his detention between January 1988 and April 1989 and has written to the authorities in Taiwan on a number of occasions to call for his immediate and unconditional release. In its latest letter to President Lee Teng-hui Amnesty International expressed concern that the prosecution authorities' appeal against the third acquittal raises the possibility of Cheung Ki-lok being re-imprisoned in violation of international human rights on freedom of expression and association.

Cheung Ki-lok was born in Hong Kong and studied and lived in Taiwan from 1976 to 1983. He returned to Taiwan in January 1988 to attend a friend's wedding and was arrested at the Taipei hotel where he was staying. He was charged under Article 2(1) of the Statute for the Punishment of Sedition with "attempting to overthrow the government by illegal means" - an offence which on conviction carries a mandatory death sentence - and under Article 5 of the same law with being a member of a seditious group. His trial started in May 1988 before the Taiwan High Court and he denied all the charges against him. In October 1988 he was acquitted of the charge of illegally attempting to overthrow the government but was convicted of being a member of a seditious organisation.

He was sentenced to five years' imprisonment, reduced to three years and four months under a presidential amnesty. Since the original sentence was passed Cheung Ki-lok has been acquitted on appeal on three occasions - in April 1989, in January 1990 and again on 12 October 1990. On the first two occasions the prosecuting authorities successfully appealed against the acquittal and new hearings were held. After the third acquittal the prosecuting authorities have once again appealed to the Supreme Court against the court's verdict. On hearing the news of his third acquittal Cheung Ki-lok, who has been on bail since April 1989 but not allowed to leave Taiwan to rejoin his family in Hong

Kong, is reported to have said "I'm sick and tired of the whole legal ordeal.  
. . I hope this is the last time".

INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED KINGDOM