

EXTERNAL

AI Index: ASA 38/03/96

19 March 1996

Further information on EXTRA 01/96 (ASA 38/01/96, 8 January 1996) and follow-up (ASA 38/02/96, 16 January) - Death penalty / Legal concern and new Medical concern

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

On 14 March 1996 the Prosecutor General's office rejected a further appeal by Liu Chi-hsun; Amnesty International fears that he now faces imminent execution. The prisoner is also reported to be in very poor health and to be held permanently in foot shackles.

Liu Chi-hsun, a county council member from Yunlin district in central Taiwan, was sentenced to death on charges of murder. However, he claims that he is innocent and was convicted on the basis of confessions extracted from himself and his co-defendants under torture. On 15 January the Minister of Justice had referred the case of Liu Chi-hsun back to Taiwan's Prosecutor General on the grounds that some important points had not been raised at the original trial.

Liu Chi-hsun is said to be in poor health, but has reportedly been denied medical care by the authorities of Min-Te-Hsin-Tsun prison in Tainan County where he is held. He is also held in permanent foot shackles.

Amnesty International opposes the death penalty in all cases as a violation of the right to life and the ultimate form of cruel and inhuman treatment. It also considers that the permanent shackling of prisoners under sentence of death amounts to an arbitrary additional punishment and constitutes cruel, inhuman or degrading treatment.

In recent replies to letters from the Urgent Action network, Ministry of Justice officials cited a 1993 public opinion poll to justify continued use of the death penalty. However, experience from other countries has shown that public opinion on the death penalty is often based on an incomplete understanding of the relevant facts. If the public were given more information about the cruelty surrounding the death penalty in Taiwan and the real possibility of a miscarriage of justice, they may choose to support abolition.

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

- urging President Lee Teng-hui to exercise his constitutional power to commute the death sentence imposed on Liu Chi-hsun;
- urging the authorities to order an independent inquiry into reports that Liu Chi-hsun was ill-treated and tried unfairly;
- urging the authorities to ensure that Liu Chi-hsun receives appropriate medical care;
- expressing opposition to the death penalty in all cases and seeking its abolition in law;
- expressing opposition to the permanent shackling of prisoners under sentence of death.

APPEALS TO:

1) President Lee Teng-hui
Office of the President

Chiehshou Hall

122 Chungking S. Road, Sec 1

Taipei, Taiwan

Republic of China

Telegrams: President Lee Teng-hui, Taipei, Taiwan

Faxes: + 886 2 311 9574 or 314 0746 (via Ministry of Foreign Affairs)

Salutation: Dear President Lee

2) Ma Ying-jeou, Minister of Justice

Ministry of Justice

130 Chunching South Road, Sec 1

Taipei, Taiwan

Republic of China

Telegrams: Minister Ma Ying-jeou, Taipei, Taiwan

Faxes: +886 2 381 1528 or 389 6759

Salutation: Dear Minister Ma

3) Director, Min-Te-Hsin-Tsun Prison (letters only)

Kuei-Jen

Tainan County

Taiwan

Republic of China

Salutation: Dear Director

COPIES TO:

Ministry of Foreign Affairs

2 Chiehshou Road, Sec 2

Taipei, Taiwan

Republic of China

Faxes: +886 2 311 9574 or 314 4972

Taiwan Association for Human Rights

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Hsingsheng S Road

Taipei, Taiwan

Republic of China

and to official or unofficial representatives of Taiwan (Republic of China)
in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 21 April 1996.