

PUBLIC

AI Index: ASA 38/002/2006

06 December 2006

UA 328/06 Imminent Execution

TAIWAN Chong Deshu (m)

Chong Deshu is at risk of imminent execution. His execution order was reportedly signed by the Minister of Justice on 1 December 2006. Under standard procedure, execution should have taken place three days after the notice of final judgment from the Ministry of Justice – that is, 4 December 2006. However, the execution has not yet been carried out. It is possible that the Chong Deshu could be executed at any moment without notice.

The execution appears to have been delayed because the Prosecutor-General has permitted Chong Deshu's lawyer further time to review the papers in the case. His lawyer is now trying to see whether there are any further legal channels that could be used to prevent his execution.

Chong Deshu was convicted of arson in August 2003. The fire led to the deaths of three people and injuries to 18 others. He was sentenced to death and has spent three and a half years on death row.

Taiwan's Minister of Justice, Shih Mao-Lin, appears to have signed the execution order just weeks after sending a letter to Amnesty International in which he promised to 'give serious thought to [Amnesty International's] suggestion not to carry out any executions over the coming months'. He also stated "We must say we agree with you completely that the reliance on the death penalty as a method of crime control is illusory. We also believe that execution is not the answer [...]." Amnesty International had written to him on 10 October 2006, the World Day against the Death Penalty, urging the authorities to move swiftly towards abolition of the death penalty in line with numerous commitments to do so over recent years.

BACKGROUND INFORMATION

Between 70 and 100 prisoners are believed to be held on death row in Taiwan, of whom at least 22 have had their sentences confirmed. Execution is carried out by a shot in the heart through the back or lethal injection although so far no-one has been executed by lethal injection in Taiwan.

So far, no executions have been carried out in Taiwan during 2006, continuing a downward trend in the use of the death penalty since 2000. Local anti-death penalty activists had hoped that 2006 would be an 'execution-free year' helping to increase momentum towards abolition. Several Taiwanese officials have indicated support for abolition of death penalty in recent years, including President Chen Shui-bian.

The Taiwanese authorities have taken some measures to reform the death penalty system over recent months: the use of shackles for those on death row has been reduced; and legal aid has been extended to death penalty prisoners. However, the government's promises to move towards abolition have yet to be fulfilled.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Chinese, English or your own language:

- urging the authorities to halt the execution of Chong Deshu;
- calling on the authorities to commute his sentence and that of all other death row prisoners in Taiwan;
- expressing deep disappointment that the decision to execute Chong Deshu contradicts statements made by the Taiwanese authorities in support of the abolition of the death penalty;

- urging the authorities to institute a formal moratorium on executions as an immediate step towards full abolition of the death penalty in law.

APPEALS TO:

President of Taiwan

President CHEN Shui-bian
Office of the President
122 Chungching S. Road, Sec.1
Taipei 10048
Taiwan

Fax: +886 2 23115877

Salutation: Your Excellency

Chief Prosecutor of Taiwan High Prosecutors Office

Mr HSIEH Wen-ding
124 Chungching S. Road, Sec.1
Taipei 10048
Taiwan

Fax: +886 2 23142300/ 23817824

Salutation: Dear Chief Prosecutor

Minister of Justice

Mr SHIH Mao-lin
Minister of Justice
130 Chungking S. Road Sec.1
Taipei 10048
Taiwan

Fax: +886 2 2389 8923/ 23751757

Salutation: Dear Minister

COPIES TO:

President of Judicial Yuan

Mr WENG Yueh-sheng
124 Chungking S. Road Sec.1
Taipei 10048
Taiwan

Fax: +886 2 23313715

Email: president@mail.judicial.gov.tw

Salutation: Dear President

President of Legislative Yuan

Mr WANG Jin-pyng
1 Chungsan S. Road
Jhongjheng District
Taipei
Taiwan

Fax: +886 2 23955317

Salutation: Dear President

and to diplomatic representatives of Taiwan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.