



INTERNATIONAL SECRETARIAT
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United Kingdom

**URGENT
ACTION**

EXTERNAL (for general distribution)

AI Index: ASA 33/09/90

UA 242/90

Death Penalty

Distr: UA/SC

12 June 1990

Taiwan (Republic of China): MA Hsiao-ping, aged 26, Chinese refugee
TANG Lung, Vietnamese refugee
HUANG Shi-chieh, security guard

Amnesty International has received reports that three persons convicted of kidnapping had their death sentences upheld by the Supreme Court on 7 June 1990 and may be executed within seven to ten days of the court's decision. It is urging that the executions not be carried out and that the death sentences against them be commuted.

Ma Hsiao-ping, aged 26, was sentenced to death by the Taipei District Court on 13 March 1990 together with Tang Lung, a refugee from Vietnam, and Huang Shi-chieh, a Taiwan national. They were convicted of kidnapping in November 1989 the son of Chang Yung-fa, the founder of the Evergreen Shipping Company, said to be one of the largest shipping companies in the world. They later exchanged their hostage for a ransom of 50 million NT dollars (approx 1.9 million US dollars). The three men are said to have given themselves up to police shortly afterwards and most of the ransom was recovered.

Ma Hsiao-ping was one of 19 youths from mainland China whose boat was found drifting in South Korean waters in June 1986 and who were later allowed to go to Taiwan where they were granted political asylum. In his appeal, which was widely reported in the Taiwan and Hong Kong press, Ma Hsiao-ping said that he had left China believing that he would be able to earn money easily. When he arrived in Taiwan, he was detained at a refugee camp with the other youths on one of the Penghu (Pescadores) Islands, about 50 km off Taiwan's west coast, where they were held for two years. After leaving the refugee camp, he had a number of odd jobs and planned to save up money to emigrate to Canada. In his appeal, Ma Hsiao-ping apologized for his crime but added "We did not harm the victim and we returned the ransom. Why should we be executed?"

On 11 April the Taiwan Association for Human Rights told the press that they had received a telephone call a few days earlier from Ma Hsiao-ping's sister in China, requesting that the Association help her to gain permission for her parents and herself to go to Taiwan to visit her brother in prison. (At present permission is only granted to mainland Chinese citizens to visit Taiwan if they have gravely ill relatives on Taiwan or to attend funerals of family members.) The Association also said that the sister had blamed herself for encouraging Ma Hsiao-ping to carry out the crime by asking him to send her money for her wedding.

Over 170 human rights activists, lawyers, writers and religious leaders have signed a petition calling for commutation of Ma Hsiao-ping's sentence.

Amnesty International opposes the death penalty in all cases on the grounds that it is a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment, as proclaimed in the Universal Declaration of Human Rights.

RECOMMENDED ACTION: Telexes/telegrams/express and airmail letters:

- expressing concern that the death sentences against Ma Hsiao-ping, Tang Lung and Huang Shi-chieh have been reportedly upheld by the Supreme Court and that they are in danger of imminent execution;

- urging that the executions not be carried out and that the death sentences against the three men be commuted;

- stating Amnesty International's unconditional opposition to the death penalty, and urging that all existing and pending death sentences be commuted to terms of imprisonment and that no more be imposed.

APPEALS TO:

President Lee Teng-hui
President of the Republic of China
Office of the President
Chiehshou Hall
Chungking S road
Taipei
Taiwan, Republic of China

Prime Minister Hau Pei-tsun
Prime Minister
Executive Yuan
1 Chunghsiao E Road
Section 1
Taipei
Taiwan, Republic of China

Telegrams: President Lee Teng-hui,
Taipei, Taiwan, Republic of China

Telegrams: Prime Minister Hau Pei-tsun,
Taipei, Taiwan, Republic of China

Mr Lu You-wen
Minister of Justice
Ministry of Justice
130 Chung Ching S Road
Section 1
Taipei
Taiwan, Republic of China

Telegrams to: Minister of Justice Lu You-wen, Taipei, Taiwan,
Republic of China

Telexes to all officials care of the Ministry of Foreign Affairs,
telex number: 11299 MOFAROC, marked attention of

COPIES TO: Diplomatic representatives of Taiwan (also known as the Republic of China) if there is one in your country. PLEASE DO NOT SEND COPIES TO REPRESENTATIVES OF THE PEOPLE'S REPUBLIC OF CHINA (MAINLAND CHINA).

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 22 June 1990.