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State Department report inaccurate

“The human rights situation in Taiwan remains uneven.” Thus starts the section on Taiwan in the U.S. State Department’s Human Rights Report. After reading through the report we must conclude that the State Department’s *reporting* on Taiwan’s human rights situation is just as uneven as the situation itself: we found a considerable number of inaccuracies in the report.

Below we *first* discuss the most obvious inaccuracies. We wish to point out that these could easily have been avoided if the State Department’s officer in charge of writing the report had read his own documents, or had shown a bit more diligence in reading reports by the Congressional Research Service and Amnesty International, and English-language news-papers from Taiwan.

In the *second* part of this article we reprint a number of statements from the State Department report which, in our opinion, present a more or less accurate picture of the situation in Taiwan.

Inaccuracies

1. Torture. The report states (Section 1.a) that “..... *Prior to the Kaohsiung Incident (of December 1979 — Ed.) allegations of torture had been extremely rare.*”

We may refer to two documents containing information on extensive use of torture in Taiwan during the ten years prior to the Kaohsiung incident:

a. Human Rights in Taiwan. Hearing before the Subcommittee on International Organizations, U.S. House of Representatives, June 14, 1977. This report contains a considerable amount of information on the use of torture against political prisoners, such as writer Hsieh Ts’ung-min and others.

b. **Amnesty International Briefing Papers, 1976 and 1980.** We quote from the second document: “There have been *persistent* allegations (emphasis added) that torture or ill-treatment takes place during interrogation and it is not unusual for prisoners to claim during their trials that confessions (often the sole evidence for conviction) have been extracted from them by force. Various forms of pressure, including physical torture, are said to be used by the security organs to make prisoners ‘confess.’“

Among the forms of psychological and physical pressure which have allegedly been used to obtain ‘confessions’ are solitary confinement, round-the-clock interrogation, denial of sleep, extraction of nails, electric shocks and severe beatings. In one case it was reported that gasoline had been poured into the prisoner’s nostrils during interrogation in 1971“

We believe that it should not be very difficult for the State Department to gain access to these documents.

2. Mistreatment of “Kaohsiung” defendants. The report first *correctly* states that during the trials of the opposition members who were arrested following the Kaohsiung incident, “ *there was a considerable amount of testimony from the defendants that they were subjected to one or more forms of mistreatment during interrogation ... including denial of sleep, being forced to stand for long periods of time, threats of physical abuse, solitary confinement and being forced to eat salted rice, which caused severe bloating and constipation.*”

However, the report then *incorrectly states*: “*A few (emphasis added – Ed.) defendants testified that they were beaten by their interrogators.*” We wish to point out that the U.S. government’s own observers at the trial of the Kaohsiung 33 reported that more than 20 of the defendants said that they were beaten during interrogation: this we consider not “a few” but a large majority. The A.I.T. (American Institute in Taiwan) observers also reported that at least six of the defendants described their torture, one of them bringing a bloodied piece of underwear as proof of his mistreatment.

Of the major eight Kaohsiung defendants only Provincial Assembly member Lin Yi-hsiung was able to talk freely to outsiders (during the two months between the murder of his mother and daughters and his re-arrest by the authorities). He described his torture extensively in his statement “My Detention” (published in **SPEAHRhead** 6/7, Summer-Autumn 1980). Reports from Taiwan indicate that several other prominent opposition leaders (particularly lawyer Yao Chia-wen and theologian Lin Hung-hsüan) were also beaten extensively during the more than 40 days of interrogation.

We suggest that they didn't dare to mention this during the trial for fear of reprisals by agents of the secret police, or because they feared they would then be sentenced to death (See 'Taiwan Prosecutors ask Death for 8 Dissidents in Sedition Trial,' New York Times, March 27, 1980).

3. Torture of professor Chen Wen-cheng. The State Department report extensively quotes the conclusions of the Taiwan authorities (“..... *Chen died of injuries sustained in a fall from the building no evidence of murder*”) and of an American pathologist (“..... *he disputed the authorities' suggestion that suicide or accidental death was indicated, he found no evidence of torture*”) but it fails to present the findings of U.S. officials in Taipei (as reported in the **Washington Post**):

“A confidential cable to the State Department from U.S. officials in Taipei lists some of the inconsistencies (in the Taiwan government's version of the professor Chen's death):

- a. Nongovernment experts who examined Chen's body found “many injuries, obvious even to laymen, which are not explained by a fall.” In particular, the cable says, these outside experts “believe that Chen was tortured by a variety of means, including needles inserted in sensitive areas.” They noted such suspicious injuries as small lesions under the fingernails and on the left wrist, and four puncture wounds in the kidneys — none of which, they believe, would be caused by a fall from a building, accidental or otherwise.
- b. “once it is established that at some point prior to the death Chen was subjected to torture, it is difficult then to argue that he would go to the top of a fire escape, get dizzy and fall off,” the cable states. Yet that is the theory offered by the Taiwanese authorities when confronted with the even greater absurdity of their suggestion that the new father committed suicide.
- c. Chen's interrogators claimed to have shared meals with him during his prolonged questioning. The authorities also say Chen had dinner with a friend after the interrogation. Yet the official autopsy showed Chen's stomach was empty.”

Quotes from “*Secret Cables Hint Torture of Taiwanese*”, **Washington Post**, September 14, 1981.

Possibly the State Department's officers at the Taiwan desk could rummage through their files a bit more and come up with more complete information on Dr. Chen's case than was reported in their human rights report.

4. Death penalty and executions. The report casually mentions that “..... *the death penalty is occasionally imposed*” (emphasis added). **Amnesty International** gives us quite a different picture. In its memorandum about human rights violations in Taiwan (dated August 5, 1981) the London-based organization states:

“Amnesty International is concerned about the number of death sentences passed by Taiwan civilian and military courts and about the number of executions carried out every year. Between July 1979 and June 1980, 57 death sentences were reportedly passed in Taiwan: 28 for corruption and fiscal offenses, five for drug offenses, 17 for murder and seven for robbery.”

Just reading through Taiwan’s English-language pro-government **China Post** we counted fifteen death sentences during the period February 5th through March 4th, 1982 alone. If the month of February is anything near representative for a whole year, then more than 180 death sentences would be imposed yearly. We suggest that this is anything but “occasionally.”

While most of the death sentences reported in the **China Post** were for murder cases, there was also the following interesting example of justice, “Taiwan style”:

“Two overseas Chinese from Indonesia were sentenced to death by the Taiwan High Court yesterday after robbing and raping a woman at the Lai Lai Shangri-la Hotel last October. The verdict said the two knocked on the woman’s door, pretending to visit a friend. They later tied the woman up and raped her, also taking NT\$ 1,700 in cash (approximately US\$ 45.-) and US\$ 2,000 in checks from her” (China Post, February 25, 1982).—

We would agree that rape is a hideous crime, but we believe that the price these two persons have to pay is a bit high.

5. Secret arrests. The State Department’s report wishes us to believe that “.... *In recent years, there have been no credible reports of persons being abducted or secretly arrested by the security services.*” The author(s) of the report thus apparently forget that in the cases of Mr. Kao Hao-yuan and of Ms. Yeh Tao-lei almost two months elapsed between the arrests (which occurred in September and October 1980) and the announcement by the Taiwan authorities. In the meantime apparently nobody — at the State Department or anywhere else outside the walls of Taiwan’s detention and interrogation centers — was aware of the arrests.

The State Department's report does briefly discuss Ms. Yeh Tao-lei's case, but dwells more on the accusations against her than on her denial of these accusations. In any case, the report should have mentioned that Ms. Yeh was adopted by Amnesty International as a prisoner of conscience, which indicates that — in the opinion of Amnesty International — Ms. Yeh was imprisoned because of her political beliefs.

6. Political representation. In section 2c (Freedom to participate in the Political Process) the State Department states that the proportion of total seats in the Legislative Yuan open for periodic election now stands at “ over 20 percent.”

However, a glance in a recent report of the Congressional Research Service shows us that the number of legislators *elected* is 69 (51 from Taiwan and the offshore islands, and 18 from occupational groups and aborigines) out of a total of 411 members. There are 27 persons who are selected by President Chiang Ching-kuo from *abroad*, but we suggest that counting these members as “elected” would be stretching one's imagination a bit too far. We thus calculate the proportion of seats open for periodic election to be slightly less than 17 percent.

7. Economic equity and per capita GNP. The State Department's report repeats the claim made by the government on Taiwan that “ the overall distribution of income is egalitarian, with the average income of the top 20 percent of income earners about four times greater than that of the bottom 20 percent.”

We have earlier pointed out that such a figure for economic equity would make Taiwan the most equitable nation *in the world* (see our article “*Growth with Equity?*”, **ICDHRT Newsletter**, September 8, 1980). One would have to be slightly out of touch with reality to believe that this could be the case.

Another noteworthy error in this section of the report is the statement that the per capita GNP in 1981 is estimated at nearly US\$ 2,500. Using data published by the prestigious **Far Eastern Economic Review** (The Asia Yearbook 1982, pp. 8-9) we arrive at a per capita GNP of US\$1,810.- for 1980: simply divide a GNP of US\$ 32.3 billion by a population of 17.84 million (mid-1980). If we can assume that the per capita GNP grew at a rate of 6.5 %, then the 1981 figure would be approximately US\$ 1928.-

Figures recently published by pro-KMT economist Samuel P.S. Ho also indicate that Taiwan's 1981 per capita GNP cannot be higher than approximately US\$ 1,900.- (“South Korea and Taiwan, Development Prospects and Problems in the 1980's,” **Asian Survey**, December 1981, p. 1192).

Accuracies

The weaknesses of the State Department report as outlined above do detract from the overall credibility of the report. However, the report also contains a number of reasonably accurate statements. We present a selection below:

Overall evaluation. “.... Taiwan remains an essentially one-party system. Although the right of individuals to run for elective office is recognized, coordinated opposition activity is generally prohibited. The publication of opposition political views is closely controlled and the activities of outspoken oppositionists are monitored, both at home and, apparently, abroad. Martial law has been in effect since 1949 “

“Opposition to basic policy (such as expressing views contrary to the authorities’ claim to represent all China, or supporting an independent legal status for Taiwan) is considered seditious and thus punishable under martial law.”

Denial of fair public trial. “Neither civil nor martial law provides the defendant with protection from self-incrimination. He can be interrogated at length. The defendant may be detained during the investigation phase and has no right to legal representation prior to the filing of an indictment” (which, according to Amnesty International, can take several months and sometimes more than a year. See **Amnesty’s Briefing Paper** on Taiwan, p. 6 — Ed.).

Freedom of expression. “Information brought to light during the investigation of the death of Professor Chen Wen-cheng suggests that the security authorities closely monitor political expression, both at home and overseas. The authorities were reported to have disclosed that during the police interrogation of Chen immediately prior to his death, they confronted him with detailed evidence of his alleged political activities in the United States. The evidence reportedly included a tape recording of what was purported to be an international telephone call between Professor Chen in the United States and Kao-hsiung Incident defendant Shih Ming-teh in Taiwan, and a recording of a speech which Chen had made in Pittsburgh supporting the Kaohsiung Incident defendants.

These reports sparked a resurgence of allegations that Taiwan agents are carrying out a systematic program of surveillance and intimidation of Taiwanese students on American university campuses who are suspected of having Taiwan independence or self-determination sympathies. Indeed, Taiwan newspaper articles have noted the role of Taiwan security service units in the United States and Japan in monitoring dissident Taiwan political activists. Returnees from overseas are sometimes questioned by the authorities about their activities abroad.”

Freedom of the press. “Censorship of publications occurs frequently and is carried out through provisions of the publications law which empowers the security services to seize or ban printed material that ‘confuses public opinion and affects the morale of the public and the armed forces.’ While the authorities continue to allow some domestic political opinion magazines, in 1981 they banned one or more issues of several such magazines.”

“In July 1981 the Taiwan press reported that official sanctions had been taken against 453 publications for various infractions during the preceding year Foreign publications are also subject to censorship. Issues of **Time**, **Newsweek**, and the **Far Eastern Economic Review** sometimes have pages carrying articles offensive to the authorities removed before they are distributed. Occasionally a complete issue will be banned without explanation.

Issues of the **International Herald Tribune** have had articles blacked out and some issues have not been delivered at all. In September 1981, the Government Information Office suspended the credentials of one foreign wire service reporter who declined to retract wording in a politically sen-sitive story. (She had described the examination of Chen Wen-cheng’s body by the American pathologist as an ‘autopsy’, instead of using the approved version that he had merely ‘viewed the body’).”

Freedom of assembly. “While assembly for non political purposes generally has not been a problem, assembly for-political purposes, except during elections, has often been *limited or prevented*. In October 1981 two separate meetings organized by oppositionist legislator K’ang Ning-hsiang drew thousands of participants. However, both were dispersed by police an hour after they had begun.”

Trade Unions. “There is no tradition of trade unions in Taiwan, and labor unions do not exercise significant influence either in the eco-nomic or political sphere. While labor unions are permitted to organize, walkouts and strikes are prohibited under martial law. Collective bargaining, although provided for by legislation, does not exist.”

Elections. “Independents (non-KMT candidates — Ed.) face several disadvantages in the election process. The election law enacted in 1980 generally favors KMT candidates, because its provisions, many of which are ambiguous, are interpreted by the Central Election Committee, which is controlled by the KMT. The law forbids the participation of students, formerly a prime source of campaign workers for independent candidates, and allows only rallies approved by the authorities to be held in the week prior to the election.

Independent candidates are further disadvantaged by the authorities' control of the press. The daily press tends to give little or no publicity to the views and positions of the independents. The authorities allow some periodicals to publicize the views of independent candidates, but these magazines are subject to close scrutiny and frequent censorship by the security services. Prior to the December 1980 elections, the authorities effectively silenced all periodicals which supported independents, but this practice was not repeated in the provincial level elections in November 1981."

Prison visit

The following article appeared in **Care Magazine** no. 2, November 25, 1981. It was written by Chou Ching-yü. Her husband, Mr. Yao Chia-wen, is one of Taiwan's most well-known lawyers. Mr. Yao was arrested — together with several of other prominent native Taiwanese — on December 13, 1979 in the aftermath of the Kaohsiung incident.

The authorities did not allow Mr. Yao and the other prisoners to see their families until February 27, 1980 (two-and-a-half months after the ar-rest). On April 18, 1980 he was sentenced to twelve years imprisonment.

In December 1980 Chou Ching-yü won a seat in the National Assembly with an overwhelming majority. She is the publisher of Care magazine, which is devoted to the improvement of social welfare in Taiwan.

When reading this article one must bear in mind that it was written for publication in Taiwan, and that it could thus not contain any direct criticism of the stifling conditions under which the prisoners are being held. Our message is: read between the lines.

"It has been almost two whole years. Until today, seven hundred and twenty days have gone by, and I still cannot quite believe that my beloved husband is really locked up in prison. Week after week I anxiously wait for every Wednesday to come. On that day I prepare a never-ending list of things to tell him, together with information, photographs, books, clothing, and food. Then I nervously go to the Taipei Hsin-tien military detention center. I "see" him through a glass wall and iron bars.

And I "talk" to him through a monitored "telephone" (which has a recorder connected to it). Besides me are several "accompanying" personnel: when-ever the conversation does not suit their ears, they immediately warn me: "You can only discuss family matters."

Sometimes the telephone is abruptly cut off. In spite of the unpleasant environment, I always look forward to the most precious 30 minutes of every week, when I can see my husband on Wednesday morning.

The high wall. Early in the morning I hurry to the Taipei Hsien-tien Detention Center. The wall of the military detention center is high and long. Actually I am not interested in knowing how long it is. I only know that on top of the wall is barbed wire. Several armed guards are on duty. The iron gate is huge and it is constructed of heavy iron bars. The iron gate has a small door in it but it too is tightly shut. A small window on the top of the small door is the only channel of communication between the inside and the outside of the wall. Through this opening the visitor must hand in their identification card to the armed guard inside and explain whom you want to visit. After they have checked that every-thing is in order, they open the small door for you to enter. It is immediately shut again.



**Lawyer Yao with his wife and child.
Approximately ten years ago.**

Only one person is allowed through the small iron door at a time, unless there are more visitors for one prisoner: then the maximum is three people at the same time. The guards work very slow and are absolutely oblivious as to how many families are waiting in line along the main road outside the wall; or how cold the weather is; or how hot the sun shines; or how hard the wind blows and the rain falls.

Registration. With my head bowed, my back hunched, I enter the small door. Once I am inside, I must first register at a small office. I again submit my identification card. They record my identification number and my relationship with the imprisoned person in a book. Then I am granted a visit permit. Everything I bring along - my purse, packages, books, clothing, food has to be opened for a very thorough examination. Having checked that everything is in order, they finally let me go. I walk across the long court, pass through three gates guarded by armed security men, and finally come to a big hall.

The store has everything. On the right-hand side of the big hall is a store, which has a complete stock of consumer goods — towel, toothbrush, soap, even fruit, bread, ice cream, and soda. The price is at special discount. The function of the store is to serve the military personnel who work at the Military Detention Center. Families of imprisoned people can also purchase goods here and then request the store to deliver it to the prisoners.

The prisoners themselves, though locked up in jail, can purchase items from the store by submitting a written request. It happened once that my dear husband ordered a package of milk powder and two packages of frozen shui-chiao (Chinese dumpling) and asked the people in the store to give it to me. At the beginning I didn't know from whom it came, but after I realized that it was from *him*, I was moved to tears. Recently I received another present: a small bottle of Chinese medicine. All of these are supplied by the store.

Another registration. After I enter the big hall, I must again register at a window on the right-hand side of the hall, right across from the store. I receive an application form on which I must fill in my name, address, age, occupation, relationship with the prisoner, and the prisoner's term of sentence. No more than three persons are allowed to see the prisoner at the same time, and they must be blood relatives. After the application is approved, we then receive a number. The procedure for registration is now completed. The next thing is to wait for my turn.

The delivery window. During the period when I wait for my turn, I hand in things I have brought along for my husband — food, books, clothing — to the delivery window. Of course, everything has to be recorded and thoroughly examined.

During the early part of the imprisonment, families tried to bring food for the prisoners, but this was not allowed. The official reason given by the authorities was that they were afraid that the food would contain poison!! But the families persisted in their request to deliver food. Then the rule was changed: only things purchased from the store in the Military Detention Center could be delivered to the prisoners.

Finally the ban was lifted and families are now allowed to deliver food, under the condition that it has been thoroughly examined by the authorities. Such restrictions have never been imposed on families of the other prisoners: only families of the Kaohsiung prisoners receive so much special "treatment". Fortunately all of us were very persistent in our request to deliver food and were able to gain permission to do so.

Now every week we can prepare a few delicious dishes for our beloved ones. Every week I prepare with the utmost care a few dishes for my dear husband. I also try to decorate it so it look appetizing and colorful, but the guards mess it all up during “thorough examination”. After they stir it from inside out, the dishes look messy and ugly.

I am allowed to deliver two books per week. They have to be recorded and then examined. There is no standard as to what kind of books are permit-ted. Nobody knows whether the prisoners will receive the books. We only know that books or magazines related to politics are banned. But books like “Three People’s Principles”, “Russia in China” (written by Chiang Kai-shek) or “Tranquility in the Storm” (written by Chiang Ching-Kuo) are allowed. I cannot comprehend why religious hymns or an English Bible are not allowed. Also foreign language books are forbidden. From the very beginning we have tried to determine which other books are not allowed. However, it seems that there is no consistency as to which books are per-mitted, and which ones are not. It depends on your luck when you deliver the books.

Some items such as belt, neck-tie and stockings which presumably could be used by the prisoners to harm themselves are not allowed in. But the prisoners are also deprived of their watches, which are kept by the Detention Center. I cannot understand why they cannot keep their own watches.

Families can leave pocket money for the prisoners at the delivery window. The money is kept in the store, as the prisoners are not allowed to have any money in their possession. Whenever the prisoner wants to buy some-thing, he submits a written request to the store. The store takes care of the bookkeeping for the prisoners. Presumably there is a reason why the prisoners cannot keep their own money, but I have not been able to figure out what it is.

The waiting room. The waiting room is on the left-hand side of the big hall. There are four rows of clean and nice-looking benches in the wait-ing room. Families wait here for their turn. As there are so few oppor-tunities to see each other, families make good use of these occasions to exchange information, concern, gifts and food.

When new faces appear, they are recognized as families of new prisoners. Especially when we see the sad faces in tears, we cannot help but to offer comfort and help. People in the same predicament are usually quicker to offer concern to eachother. A board with numbers hangs on the wall of the waiting room. When the bell rings, a number on the board blinks. It indicates that it is now someone’s turn for the meeting. The precious period of 30 minutes is about to begin.

The meeting room. The door to the meeting room is a very inconspicuous wooden door. A guard stands next to it. I must show him my number. Having checked my identification, he allows me to go in. I have heard that before the Kaohsiung incident, this door was never closed. The families could go in and out without restriction. After the Meili-Tao people came (those political prisoners associated with **Formosa Magazine** which is **Meili-Tao** in Taiwanese), it became much more restrictive.

Through the wooden door, I enter a very small room. On one side is a glass wall. Behind the glass wall are iron bars. There are eight tightly shut windows on the glass wall. Each window has a number. Below the window is a long wooden board. Below the wooden board hangs a telephone and a chair stands next to it. Through the glass and the iron bars we see our loved ones. Both the prisoner and myself are “accompanied” by agents who constantly say to us: “Only talk about family matters.” On the right-hand side is a draped room. I have heard this is the place where they monitor and record our telephone conversations. I have great sympathy for the people who have to monitor and record our conversations. I have heard that they must submit a written report on every word we say. But the families only talk about matters without substance. I feel sorry that we make their job so difficult.

Because this precious period of 30 minutes is so short, I must make good use of every second. I don't want him to feel separated from the outside world, so I read the newspapers carefully and I prepare messages on cards before I go to the prison to visit him. During the meeting I try to catch a right moment to give him a quick news report from my cards.

Because I want him to see the outside world, I take pictures and during the meeting I try to show these pictures so that he can see that the out-side world still exists. I don't want him to feel hopeless so I usually hide several magazines and nervously wait for an opportunity to display them very fast in front of the glass so that he can have a quick glance of the cover, or the title. Because I was afraid of being overheard and recorded, I put names of concerned friends on cards and find an opportunity to display it in front of the window so he knows that many friends are thinking about him.

I want to make good use of the hard-to-get opportunity to deliver two books per week to him, and because I want him to have the most useful books, every week I carry a basketful of books, and display them one by one in front of the glass so that he can choose the ones he likes best. But there is no guarantee that he gets them. I can only do my best. I also take notes of everything he wants me to do. Thirty minutes is far too short. No wonder the new chief of the Military Detention Center said to us: “Even if we give you a lifetime here, you would never finishing talking.”

He is doing OK. When I see friends or even strangers, their first question is always: “Is he well?”. I always answer: “He is in jail. How can he be well?” But he is calm and in peace. He does not have too many illusions (about getting out early — Ed.). He tries to read. Besides he misses everyone very much. To be honest, the present condition is much better when compared to the early period of the arrest. Then he was interrogated day and night, threatened, intimidated and *mistreated*.

Now every day he can spend two hours outside his cell; he has some limited freedom of movement. One day in a week he can move around, play sports or read in the library. The rest of the time he is locked up in his cell. The three meals are on time: lunch is at eleven o’clock in the morning, dinner is between 4 and 5 o’clock. They eat the same meals as ordinary soldiers. Special dishes are added on Chinese New Year, and other special occasions. Yao Chia-wen came from a poor family, therefore he is never fussy about food.

I have heard that the size of their room is only about eight by twelve feet. There are no beds, so they sleep on the floor. It seems that the former prisoners did not have good hygienic habits, so bugs were crawling around in the room. It improved after a good cleaning-up. The number of prisoners in a room varies from time to time — from one to four. Prisoners who share the same room must be from different cases. The authorities try to prevent the prisoners of the Kaohsiung incident from seeing and talking to each other.

There is a toilet in the room. There is also a hole in the wall for food delivery. The four walls in the room are covered with thick foam pads. Therefore the air cannot ventilate. It becomes warm and humid in the room. In the winter it is still bearable, but in the summer the temperature in the room is very high. Some prisoners only wear shorts and try to cool off by constantly wiping their body with a cold towel.

There are no tables or chairs in the room. If you want to write, you have to crawl on the floor, or use books as pads or simply use your ingenuity. An ancient saying goes as follows: “When people are poor, they try to change things. And changes usually bring a solution.” I can receive a letter from him every week. I am sure it was created under these conditions.

According to the regulations he can send out two letters per week. Each letter cannot exceed two hundred words. He is also allowed to receive letters from family members. But he does not receive every letter that is sent to him. Yao Chia-wen has not yet received any of the letters that his friends sent to him, nor has he received any of the birthday cards, or Christmas cards that were sent to him. Until now I still don’t know what the rules for

receiving mail are. But there is no way I can find out from the prison authorities: they simply refuse to tell us.

Before the congressional election in December 1980, Yao Chia-wen was able to leave his cell to go to the work area where he drew face masks from characters in Peking opera. I have heard that he was peaceful and got along well with others. But after I won the election as a National Assembly member with the highest number of votes of all candidates, Yao Chia-wen was sent back to his jail. I have learned that he did nothing wrong, that he did not fight or quarrel with anyone. Why was he returned to his cell? For what reason? Of course, I have heard a lot of rumors. I think only the authorities know the real reason.

The prison conditions have improved compared to when they first arrived. They are allowed to read one- or two-day old **Central Daily News**. Even though it is the official publication of the KMT, still the prison authorities censor it: so many articles were cut out that the prisoners now refer to it as the “holy” paper.

There is a saying that says: “Nobody is a saint; who can be free of committing errors?” Even good people will sometimes make mistakes. Not all the people who are serving jail sentences are bad people. Some are innocent and have been imprisoned unjustly; others have unwillingly made mistakes due to negligence. Of course, in order to maintain order, the government must enforce the law. But the law must be applied in a reasonable manner. Overdoing it will have unintended effects.

It was unfortunate enough that Kaohsiung incident occurred. But after reviewing mistakes, we can only improve by moving forward. A common proverb says: “A prison sentence is not a form of revenge or punishment, it is an opportunity for rethinking, reeducation and reexamination.” Therefore those who are serving jail sentences should be given reasonably humane treatment:

1. Enough time for exercises and free activities every day in order to have good health,
2. A more open policy on correspondence with relatives and friends is required. There is really no need to restrict the length and number of letters. Besides the contents of the letters is still censored. This is a waste of human labor. Controlling and restricting human emotions is not a very healthy business for the government to be involved in. I think it is better to relax this restriction.
3. Intellectuals locked up in jail without enough books to read can only indulge in futile thinking. I think it is better to supply them with a large amount of requested books,

and publications so that they can learn from the past and the present and correct their mistakes.

4. The meeting time is only 30 minutes per week. That is really too little. Allowing the relatives to talk to the prisoners under freer conditions is not going to hurt the government and the society. Besides those who are serving jail sentence and their families will be deeply grateful.

Prison report

1. Prison disturbance in Hsinchu. On March 8th 1982, prisoners at Hsinchu Juvenile Prison started a protest against mistreatment and the inhumane conditions at the prison. The immediate reason was a beating which five prisoners were about to get from guards. The five called out for help, whereupon some 1500 prisoners came out and fought guards and riot police, which were sent in by the authorities. There have been persistent reports of mistreatment at the prison: a month ago several young men tried to commit suicide after being physically abused by guards.

2. Hunger strike of political prisoners on Green Island. In the middle of November, 30 political prisoners on Green Island went on a hunger strike for 10 days. One of the reasons of their action was to show solidarity with Shih Ming-teh who started a hunger strike on November 4 to protest the murder of Dr. Chen Wen-cheng. Mr. Shih's hunger strike lasted 30 days (see Taiwan Communiqué no. 5, p. 11). Another reason for the general hunger strike was the death of two fellow prisoners: the two men died from an undisclosed illness after prison authorities refused to provide medical assistance. The two became seriously ill in November and requested permission to go to a hospital for treatment. Their request was denied.

3. Imprisoned Provincial Assemblyman ill. Mr. Chang Chün-hung has serious eye problems. In the beginning of January, he was granted permission to go to the Three Military Services General Hospital for an examination. It was discovered that he has Gloucoma in his right eye. This condition may cause blindness if left untreated. However, the authorities say that they "can't do anything" about the problem. Mr. Chang also suffers from high blood pressure and a heart problem.

4. Female opposition leaders held under deplorable conditions. Reports out of Taiwan indicate that the two most prominent imprisoned female opposition leaders, Chen Chü and Lü Hsiu-lien, are held under stifling conditions: They stay in adjacent cells and are continuously watched on closed-circuit TV. There is also a tape recorder which apparently records all their conversations. Each has a female guard 24 hours a day.

The two women may only exercise once a week for one hour. They are required to write weekly reports on what they think. They do not receive any medical attention. Particularly Ms. Lü is in poor health: she is asthmatic, has pains in her throat (before her imprisonment she was treated for thyroid cancer), and her arms and legs are swollen and numb. Requests by relatives for medical check-ups are routinely rejected by the authorities. They may only receive mail from close relatives. The two women have not received the hundreds of letters and postcards sent to her by human rights groups around the world.



Annette Lü (L) and Chen Chü

We urge our readers to write to the authorities in Taiwan and ask them to improve the prison conditions. Addresses are :

General Chen Shou-shan, Taiwan Garrison Command, 172 Po Ai Road, Taipei, Taiwan.
Chief of Hsin-shen Prison, Green Island, P. O. Box 8234, Taitung County, Taiwan.

Overseas Taiwanese write to Haig

Recently the President of the World Federation of Taiwanese Associations, Dr. Mark Chen, wrote a letter to U.S. Secretary of State Alexander Haig expressing the concerns of the native Taiwanese. The World Federation --which has its headquarters in Springfield, Virginia — is a broad-based grouping representing Taiwanese outside the island. We reprint Dr. Chen's letter in full.

February 12, 1982

Dear Mr. Secretary:

*We, the native **Taiwanese** who constitute over 85 percent of the population in Taiwan, applaud President Reagan's recent decision to fulfill the U.S. pledge to defend the independence of Taiwan by selling **defensive** arms to Taipei, despite Peking's protest. We also hail the Administration's resolve to resist pressures from the Nationalist Chinese in Taiwan to sell them offensive fighters. At the same time, our feelings are mixed because continued arms sales to the Nationalist Chinese leaders in Taiwan may be interpreted by them as an unconditional American support for the repressive regime there.*

You are aware, I am sure, that we Taiwanese want neither the Communists on the mainland nor the exiled Nationalist Chinese in Taiwan to be the masters of the Taiwanese. Needless to say the Taiwanese people do not subscribe to the baseless claims of the "Chinese on either side of the Taiwan Straits" that Taiwan is part of China, any more than the Americans consider the United States to be part of Great Britain.

In fact, for decades the Taiwanese have aspired to and struggled for self-determination. Given the choice, the majority of people in Taiwan will definitely opt for an Independent Taiwan, free from Communist Chinese interference and Nationalist Chinese domination.

To be sure, the self-serving arguments of both the Communist and the Nationalist extremes and their lobbies will continue to plague you. In the past, the ferocity of these extremes have obscured the self-determination aspirations of the Taiwanese people. Under martial law imposed by the Nationalist Chinese for more than three decades, the Taiwanese wishes have been branded seditious and ruthlessly suppressed. They have been denied access to the news media. For these reasons the Taiwanese' fer-vent wishes have not gained worldwide recognition.

Recently, however, the U.S. Congress has been awakened to the stark Taiwanese reality so systematically covered up by both the left and the right in this country. It has acted to reflect our determination to resist the Nationalist Chinese attempts to silence our voices. It has also appropriated immigration quotas for the Taiwanese, separate from the Communist Chinese. In both cases, President Reagan has concurred with the Congressional acts. We thank him and this Administration for recognizing our desires.

*Lest history be twisted again by the Chinese extremists on both sides of the Taiwan Straits to serve their interests, **we the Taiwanese, now wish to go on record that any communiqués, understandings, agreements or treaties based on the fallacious premise of Chinese sovereignty over Taiwan are not binding on the Taiwanese people.** Any such accords reached between the Communists and the Nationalist Chinese, or between them and any other nations affecting the destiny of Taiwan will not have binding effect without genuine Taiwanese people's representation. Taiwan is not a piece of real estate. Nor are the Taiwanese people to be made pawns of power politics.*

In the interest of world peace, we suggest that the only just way out of the Communist-Nationalist impasse is to honor the Taiwanese people's wishes for self-determination, which will undoubtedly lead to the establishment of an independent nation of Taiwan. In this endeavor, we pledge to work closely with you and the Administration and offer our specific plans in the future.

*Sincerely,
Mark Chen, Ph.D., President
World Federation of Taiwanese Associations*

Notes

1. Taiwan government support for juntas in Latin America. The Taiwan authorities have recently expressed their support for several of the right-wing military juntas in Central America: after the rigged "elections" in Guatemala President Chiang Ching-kuo sent his congratulations to military general Romeo Lucas Garcia, who had declared himself a winner. Sadly enough for President Chiang, Mr. Garcia was deposed in a military coup a few days later.

A more serious matter is the support which the Nationalist Chinese are giving to the military junta in El Salvador: recently a member of the junta, General Jaime Abdul Gutierrez, visited Taiwan. He signed an "economic aid package" for 3 million US dollars. We wonder why a military general has to travel all the way from El Salvador to Taiwan to obtain economic aid.

2. More publications banned. On February 26th 1982 the Taiwan authorities banned issue no. 6 of **Deep Plough Magazine (Sheng Keng)**, a political monthly published by Mrs. Hsu Jung-hsu, whose husband Chang Chün-hung is one of Taiwan's imprisoned opposition leaders. The issue contained an extensive report on the funeral of U.S.- based Professor Chen Wen-cheng (who was murdered during a visit to Taiwan last summer), and an article by writer Li Ao describing prison conditions in the Taipei Detention Center, where Mr. Li had just spent six months.

Deep Plough was started last summer by a group of young opposition members under the editorial leadership of Mr. Lin Cheng-chieh, who was elected as a member of Taipei's City Council in the local elections of November 1981. The authorities stated that "*... the contents of this magazine confuses the public.*"

On February 27, 1982 the Taiwan Garrison Command banned one issue of yet another publication, **The Politician**. The magazine is presently the third-largest publication (circulation 15,000) associated with the "non-Party" opposition in Taiwan. The official reason given for the banning was that the magazine published an interview with opposition-leader K'ang Ning-hsiang. Informed sources in Taiwan say that an additional reason may have been that the issue also contained an article discussing the deteriorating health of President Chiang Ching-kuo.

3. The Wall Street Journal reports on Taiwan's spying. On March 8, 1982 the New York-based Journal published an extensive article on the spying activities by Taiwan's secret police agents on university campuses in the United States. In the article, titled "Taiwanese students bring fierce rivalries to U.S. campuses", reporter Doron P. Levin discussed the relation between the murder of Professor Chen Wen-cheng and the spying activities. He also examined the background of the problem:

"The dispute dates back from 1949, when Chiang Kai-shek and his Kuo-mintang fled to nearby Taiwan and, though a minority, took control of the island. But many Taiwanese natives came to resent the KMT dominance and particularly the imposition of martial law (which remains in effect today)."

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