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Imprisoned Taiwanese opposition leaders on hunger strike

Mr. Shih Ming-teh, a prominent imprisoned Taiwanese opposition leader, has been on hunger strike since the beginning of April 1985. On March 26, he told his visiting sister, that -- in protest against the continuing repressiveness of the ruling Chinese Nationalist Kuomintang government -- he would go on hunger strike and continue to the very end. In a subsequent letter, dated April 8, he mentioned that he had written his will, packed his belongings in six boxes, and requested his sister that after his death, his ashes be taken around the island -- to symbolize his love for Taiwan.

Another "Kaohsiung prisoner", theologian Lin Hung-hsuan, told his visiting sister on April 4 that he was also going on hunger strike. As soon as Mr. Lin talked about the hunger strike, the telephone connection was cut off, and guards dragged him away from the meeting booth.

Local newspapers in Taiwan reported on April 19 that a third political prisoner, Mr. Pai Ya-tsan, who has been serving a life sentence since 1975, also joined the hunger strike for approximately a week. A fourth prominent political prisoner, writer and editor Huang Hua, went on hunger strike on April 25. All four men have been adopted by Amnesty International as prisoners of conscience.

As of the date of this writing (18 June 1985), Mr. Shih and Mr. Huang were still continuing their fast. On April 28, Mr. Shih was transferred from the isolated Green Island Military Prison to the Three Military Services Hospital in Taipei, but Mr. Huang continued to be detained on Green Island. Both men were taking only 500 cc of



Mr. Shih Ming-teh

milk and fruit juices per day. During the second half of May, Mr. Shih let it be known that if the authorities had not responded to his requests by July 1, 1985, he would stop taking milk and fruit juice.

Huang Hua

Mr. Huang Hua (46) has been imprisoned in Green Island Military Prison since the end of 1976. He was arrested in July 1976, and sentenced to ten years imprisonment in October 1976 for his writings in the **Taiwan Political Review**, an opposition magazine which was suspended in 1975 after publishing only five issues. In his writings Mr. Huang had advocated a multi-party system and an end to martial law on Taiwan. Mr. Huang believes that Taiwan's future can only be secure if a democratic political system is established on the island. He said that he went on hunger strike in order to:

- a. Convince the authorities to release all "Kaohsiung" prisoners who are still serving sentences;
- b. Urge the authorities to lift the ban on political parties;
- c. Urge the *tangwai* to form a political party.

He emphasized that the formation of political parties is the fundamental basis of democracy.

Shih Ming-teh

Mr. Shih (44) was arrested on January 8, 1980 after he and a number of other prominent native Taiwanese opposition leaders had organized a large-scale human rights demonstration in the southern port-city of Kaohsiung on December 10th, 1979. In April 1980, he was sentenced to life imprisonment on "sedition" charges, while seven other prominent opposition leaders received sentences ranging from 12 to 14 years imprisonment. Amnesty International has adopted them as prisoners of conscience.

Mr. Shih has been incarcerated on the isolated Green Island since July 1980. His present hunger strike was prompted by several recent developments in Taiwan. He was particularly concerned about the continued detention of another opposition leader, Ms. L6 Hsiu-lien, who was reported to be ill from a recurrence of thyroid cancer. Ms. Lu was granted medical bail on March 28.

Mr. Shih was also deeply distressed by two major events, which rocked Taiwan recently: the involvement of military intelligence officials in the killing of Chinese-American writer Henry Liu, on 15 October 1984 in his Daly City home, near

San Francisco, and the Tenth Credit Union loan scandal. The attempts by the Taiwan government to cover-up in both cases, were an indication to Mr. Shih that the KMT authorities do not have the intention to bring about a truly democratic system in Taiwan.

On April 6th and 17th, Mr. Shih's sister, Shih Ming-chu, went to the Green Island prison, the second time accompanied by a niece. They found him severely weakened, his hands were trembling and he had difficulty breathing. They tried to convince him to end the hunger strike, but to no avail. Mr. Shih has a long history of spinal problems, dating back to a severe beating in prison in 1962. During a recent medical check, the doctor also diagnosed irregular heartbeat.

On April 28, Shih Ming-teh was transferred to the Three Services Military Hospital in Taipei for treatment. He began to take small amounts of liquids on April 20. At the military hospital Shih was given intravenous injections, but his condition remained serious.

On May 9 and again on May 13, Mr. Shih's sister -- who had just returned from a brief visit to the United States -- visited him in the Three Military Services hospital in Taipei. She said that he was so emaciated from his hunger strike that he almost looked like a skeleton. She said that his weight had dwindled to approximately 48 kg, down 15 kg from his original weight of 63 kg. At the end of May, his weight was reported to be down to 46 kg. The doctor at the hospital stated that Mr. Shih might suffer brain damage as a consequence of his hunger strike. Shih Ming-chu also said that Mr. Shih consumed only 500 cc of milk and fruit juices per day.

Mr. Shih's room is on tenth floor of the Three Services Military Hospital in Taipei. The whole floor has been cleared of other patients, and two guards are posted in his room on a 24 hour basis. More than 20 guards are stationed outside the door and down the hallway. His sister is allowed to visit him only once a week.

On May 13, a number of *tangwai* leaders held a press conference in Taipei, to express their support of Shih Ming-teh. They showed a petition signed by more than 1,000 people, urging the Kuomintang authorities to release all political prisoners, -including Shih Ming-teh, to end press censorship, and to implement democratic rule on the island.

Also on May 13, an opposition magazine, **Taiwan Nien-tai** no. 5, published the text of a letter from Shih Ming-teh, addressed to President Chiang Ching-kuo. In his letter, Mr. Shih requested the President to release all political prisoners, lift martial law, and implement democratic rule. The Taiwan Garrison Command confiscated the full printing of this issue.

During the past weeks, many *tangwai* leaders tried to visit Shih Ming-teh in the Hospital, but they were turned away by the authorities. However, on May 23 in the afternoon, a small group of prominent *tangwai* leaders, including Dr. Y'ou Ch'ing, Mr. Chiang Peng-chien, Mrs. Hsu Jung-shu, and Mrs. Fang Su-ming were permitted to visit him. Mr. Shih told the visitors: "if you come here to persuade me to stop my hunger strike, then you will be disappointed." He said he would request the authorities to send him back to Green Island, so that he could die in his second home. Shih Ming-teh has spent a total of 20 years in the Green Island Military Prison.

During the visit he expressed disappointment at the KMT's lack of sincerity to pursue democratic rule and to release political prisoners. He strongly protested the confiscation of his letters to his relatives. He said that the security agents even seized a letter he wanted to hand to his sister Shih Ming-chu.

Shih Ming-teh also expressed the wish to see Linda Shih Arrigo, his American wife, before he dies. However, on May 30, Foreign Ministry spokesman Henry Wang stated that Ms. Arrigo's visa application had been rejected, and that she would not be allowed to enter Taiwan.

On May 27, Mr. Shih's sister requested the Ministry of Defense to allow Rev. Kao Chun-ming and Ms. Lin Wen-chen to visit Shih Ming-teh. The authorities rejected the application. Shih Ming-teh had requested that Reverend Kao visit him and pray with him.

Also on May 27, Mr. Shih was given a medical examination by a doctor at the Three Military Services Hospital. His chest and spine were X-rayed, and he received an electrocardiogram- and bloodtest. The results showed that his health was rapidly deteriorating: his arteries were hardening, and the blood vessels in his eyes were also hardening. This will -- after some time -- lead to blindness.

Shih Ming-teh's statement written on March 31, 1985

"It is now more than six years ago, that our **Formosa Magazine** group -- in their strive to promote human rights and to speed up the process of democratization -- became a well-known factor in Taiwan's political arena. During these years, military and police security organizations have increasingly resorted to violence. They are beyond public control, and they show a tendency to distort the ruling party's intentions.

The series of events -- the "Kaohsiung incident", the "Lin family murder", the murder of Chen Wen-cheng, and the recent murder of Henry Liu -- prove that the security

agencies have become the ruling authorities' instrument of terror. If this reign of terror is not ended soon, there will be no national unity, peace and harmony. The whole country -- from the most noble ("jade") to the most common person ("stone") -- will be engulfed in chaos and destruction.

To show my opposition to this reign of terror, and to express my deep longing for peace and harmony, I made the decision to go on a hunger strike beginning on April 1, for an indefinite period. I am prepared to sacrifice my life in order to show both the high authorities and the common people my deepest convictions.

Before I begin my hunger strike, I want to make three appeals to my countrymen and to the people of the world:

First, I appeal to those at home and abroad, who strive for human rights and democracy, to remain calm. They must refrain from the use of violence. Henry Liu's murder should by no means be taken as an excuse to use violence against violence. Our country cannot withstand the repeated buffeting of violence. We must continue to use non-violent means to bring about human rights and democracy, and law and order to Taiwan.

Second, I hope that the ruling authorities renounce the policy of terror, stop their repressive measures against the democratic opposition, so that unity, peace and harmony can be attained in our country.

Third, with sincerity and humbleness I ask President Reagan and international human rights organizations to express their concern about the policy of terror by the Taiwan authorities.

May the Almighty guide my countrymen on the road towards human rights, democracy, and unity!

May peace and harmony last forever!

May justice prevail!

Shih Ming-teh
Green Island prison

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The murder of Henry Liu, the cover-up continues *The trials: “open in form, controlled in substance”*

In the previous two issues of *Taiwan Communiqué*. (no's 18 and 19) we presented an overview and details of the events in Taiwan and the United States following the murder of Henry Liu, the Chinese-American writer who was murdered on 15 October 1984 in his home in Daly City, a suburb of San Francisco. The case received wide international attention because of the mid-January revelations that the murder was committed by three underworld figures from Taiwan on the order of top-officials of the Military Intelligence Bureau of the Ministry of Defense. Below we first present a chronological overview of the events since the beginning of April, followed by a brief analysis and commentary:

- April 2: The formal trial against Bamboo Union gang leader Chen Chi-li and two of his gang members (one in absentia) took place in District Court in Taipei.
- April 4: First investigative session in Military Court in Taipei in the case against vice-admiral Wang Hsi-ling, major-general Hu Yi-ming, and colonel Chen Hu-men (the three top officials at the Military Intelligence Bureau), who at the end of March had been charged with being “a joint principal offender, a full accomplice” in the murder.
- April 9: Chen Chi-li and Wu Tun sentenced to life imprisonment by the Taipei District Court.
- April 12: The trial against vice-admiral Wang and his two associates, in Military Court in Taipei.
- April 16: Passage of House Concurrent Resolution no. 110 (regarding the murder of Henry Liu) by the U.S. House of Representatives (387 votes in favor, 2 against); see page 9.
- April 19: Vice-admiral Wang Hsi-ling sentenced to life imprisonment. His two co-defendants each received a sentence of only two and a half years imprisonment.
- April 26: Justice Minister Shih Chih-yang reiterated a statement he had made earlier (Febr. 1) that any request by the United States for the extradition of Chen Chi-li and Wu Tun would be turned down.

- May 10: The Taiwan High Court in Taipei held its first session to review the appeal of Chen Chi-li and Wu Tun against their life sentences.
- May 27: The Taiwan High Court held its final session to review the appeal of Chen Chi-li and Wu Tun.
- May 30: A Military Review Court upheld the sentences handed down against vice-admiral Wang Hsi-ling and his two associates. To our knowledge, no public session had been held in this Review Court.
- June 3: The Taiwan High Court upheld the life sentences against Chen Chi-li and Wu Tun, handed down earlier by the- Taipei District Court. The case will now go to the Supreme Court, which will have the final say.

Analysis

The sessions in both the civil courts and in the military court only added complication to the already confused facts of the case. The statements by the accused, their lawyers, and by the witnesses focused on the following questions:

- a. Did vice-admiral Wang Hsi-ling **order** Chen Chi-li to kill Henry Liu, or did he only tell him to “teach Henry Liu a lesson” ? At various points during the several sessions, the meaning of the latter expression was elaborated on in lengthy statements. Did it only mean “beating up” (as asserted by the defense) or did it imply “killing” ?

During his own trial in the Taipei District Court (March 20 and April 2) Chen Chi-li indicated he had been ordered by Mr. Wang to kill Henry Liu. In the April 4 session in Military Court, Mr. Chen repeated his accusation in an angry confrontation with Mr. Wang. However, in the May 10 session in the Taiwan High Court

Mr. Chen retracted his previous testimony, saying it had resulted from “a misunderstanding.” Strangely, during the May 27 final session of the Taiwan High Court, Mr. Chen’s two lawyers swung back to the position that their client had only been following orders. One of them, lawyer Yeh Chien-chao [himself the son of a former chief of military intelligence -- Ed.] stated that “any actions taken by Chen against Henry Liu were done so under orders of the Military Intelligence Bureau.” The other defense lawyer, Mr. Chu Hsiang-ching, even stated: “When Chen killed Liu, he was following orders, he was acting in righteousness and anger to eliminate a menace to the nation” [**China Post**, May 28, 1985].

Lawyer Chou Tsan-hsiung, who defended Mr. Wu Tun, the second defendant in the civil court case (one of the two persons who actually shot Henry Liu), also made a most interesting statement. He said that his client had only "accidentally" shot Henry Liu (in the process of a struggle in Mr. Liu's garage), and that his client's motives had been "most respectable", namely that he had acted out of "patriotism and nationalism."

- b. Was Chen Chi-li the leader of the Bamboo Union Gang ? In the tape recording made on October 17, 1984 by Chen Chi-li in the United States (right after the murder) he stated he was the top-leader of this wide-spread gangster organization. Just after the November 12 arrest he was described by the Taiwan press as the leader of this gang. However, during his trial, he himself, his defense lawyers, and the government-controlled press began to de-emphasize his leading role. During the May 27 final session of the Taiwan High Court a number of lower-level Bamboo Union members -- all arrested in the "clean sweep" campaign -- even testified that Chen had not been involved in the gang for a long time, or that they didn't know their gang had a leader.
- c. What was the real motive behind the murder ? None of the possible motives mentioned earlier by the Taiwan authorities were backed up by any evidence. The charges that Henry Liu had somehow been a double or triple agent proved to have been a smoke screen. During the May 10 High Court session, vice-admiral Wang even stated that Henry Liu had not to his knowledge betrayed any of Taiwan's intelligence agents in mainland China -- previously a key element in, the argumentation of the Taiwan authorities.

Neither was the assertion of the Military Court -- that Wang had a "personal grudge" against Liu, and had wanted to forestall the publication of information which would be detrimental to Wang's reputation -- backed up by any evidence. The key witness, former Taiwan Daily News publisher Hsia Hsiao-hua, was not even called to testify.

The only theme that kept coming back with a certain regularity during the various sessions was that Henry Liu had somehow "betrayed" his country by writing things critical of President

Chiang Ching-kuo and the ruling Kuomintang. It was never discussed which specific writings of Mr. Liu were at issue, although even the pro-government press in Taiwan did at times refer to Mr. Liu's biography of Chiang Ching-kuo.

Thus, the proceedings -- which were attended by representatives of the American Institute in Taiwan, the international press, and by leading opposition figures -- did go through the motions of formal trials, and did result in the sentencing of those most directly involved. However, little effort was made by the judges to obtain corroborating evidence, and the verdicts left a number of important questions unanswered. The main ones are:

- * It was never spelled out which writings of Mr. Liu were deemed to have called for such a terrorist act.
- * Both the military and the civil courts excluded from the court files a document which was regarded by professor Jerome Cohen to be the single most important piece of evidence in the case -- a report on the murder, contained in a notebook kept by Chen Chi-li, and confiscated by police in Taiwan.
- * The military court did not pronounce itself on whether vice admiral Wang had ordered the killing. It merely stated that he "took advantage of the opportunity afforded by his official position to participate in the collaborative offense of homicide."
- * Neither the military court nor the civil court did go very deeply into the question of whether anyone higher-up than vice-admiral Wang was involved. During the Taiwan High Court session of May 10, the judge did ask vice-admiral Wang if President Chiang's son Chiang Hsiao-wu had been present at a gathering on July 28, 1984 (when Wang reportedly first met Chen Chi-li). Vice-admiral Wang denied that this had been the case, but when he was asked who else had been there, he didn't remember. The judge left it at that, and failed to probe whether the younger Chiang had otherwise been involved.
- * Neither court examined in any detail the statement, made by Chen Chi-li (still in the U.S. at that point in time) to Colonel Chen Hu-men (in Tapei), in a telephone conversation just after the murder. Chen Chi-li is reported to have said: "the deal is concluded, I fulfilled my end of the bargain." Upon their return to Taipei (on October 21) Chen and Wu Tun were met by Colonel Chen at Taoyuan Airport, and a few days later were dined by vice-admiral Wang Hsi-ling. They were offered U.S\$ 20,000 "for travel expenses." The two apparently declined to accept the money.

In a related development, three lawyers representing Henry Liu's widow Helen Liu, filed a civil suit against Chen Chi-li and Wu Tun with the Taiwan High Court, asking for NT\$ 2 million in damages to cover funeral expenses. The Taipei District Court had

earlier turned down a similar suit, an action which raised quite a number of international legal eyebrows. In the Taiwan High Court session of May 10, the three lawyers -- Jerome Cohen (a prominent American expert on Chinese law), Mr. Hsieh Ch'ang-t'ing (a leading *tangwai*-member of the Taipei City Council), and Mr. Lee Sheng-hsiung -- were able to pose a number of questions regarding the motives and the possible involvement of higher officials. However, Mr. Wang resorted to "stonewalling", a tactic made famous by former U.S. President Nixon, and the judge did not pursue the issue beyond the initial series of eight questions.

The case of the three lawyers was not helped very much by the fact that the questions could not be put to the defendant directly. They were presented to chief-judge Huang Ching-jui, who in turn posed the questions to vice-admiral Wang Hsi-ling.

House of Representatives adopts Resolution

As we reported in Taiwan Communiqué no. 19 (page 9), on February 7, 1985 the Subcommittee on Asian and Pacific Affairs of the U.S. House of Representatives held a hearing on the murder of Henry Liu. After the hearing the Subcommittee passed House Concurrent Resolution 49, the text of which was presented on pages 10-II of Taiwan Communiqué no. 19. The resolution was subsequently amended and passed by the full Foreign Affairs Committee, re-baptized as House Concurrent Resolution no. 110, and presented to the full House of Representatives, which passed it overwhelmingly (387 votes in favor, 2 against) on April 16, 1985. The Senate version of this Resolution is presently held up in the Senate Foreign Relations Committee by right-wing Senator Jesse Helms (R-NC).

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The death penalty in Taiwan: “swift injustice”

In the early morning of 12 April 1985 Lin Po-wen was executed. He had been arrested in mid-November 1984 after a shoot-out with police, in which one police official was killed.

The blue-eyed, fair-haired youngster was born 21 years ago, after his mother had been raped by an American GI. Because of his mixed-race, Lin was often discriminated against in schools, and gradually drifted into Taiwan's underworld. Because of his features, he gained the nickname "blue-eyed gangster."

On March 22, 1985 his family learned from an article in the **China Times** that a military court had sentenced him to death. On March 27, the relatives visited him in prison and told him about the sentence. He had not even been informed about it himself !! On April 10, Lin's family visited him again. They apparently did not realize it would be for the last time. He even tried to console them, and told them not to worry about his imprisonment. He said that he would be home again after three or five years. Two days later, he was executed.

Taiwan Communiqué commentary: while we do not wish -- in any way -to justify or condone Mr. Lin's alleged actions before or during his arrest, we do feel that gross injustice has been done to Mr. Lin:

- * The legal procedures which were followed in bringing Mr. Lin to trial were a farce. He attended only one pre-trial hearing in which he was asked a few questions. He was not allowed to retain a lawyer, and none was provided. On March 22, after learning about the death sentence from the newspaper, the family attempted to obtain legal assistance from a number of lawyers and organizations, but were turned down time and again.

Finally, they contacted the Taiwan Association for Human Rights, an organization recently set up by the *tangwai*. A lawyer there, Mr. Kuo Chi-jen, agreed to help the family. On March 28, lawyer Kuo went to the military court, and requested to see Lin's file. The request was turned down, but he was told that he would be "informed by mail."

On April 12, on the day Lin was executed, lawyer Kuo received a document from the military court, which said that Lin's death sentence had been upheld on March 13. That night Lawyer Kuo learned about his execution.

Laywer Kuo said that after Lin was sentenced to death, neither Lin nor his family receive the verdict from the military court. The court also failed to inform Lin himself-or his family with regard to retaining a lawyer to help with his defense and to examine the evidence against him. Kuo also pointed out that the swift manner in which the secret trial took place did not give Lin a chance to seek legal help. The autopsy report of policeman who died in the shoot-out, Mr. Hung Hsu, was never made public.

Another example of the "swift injustice" administered by the Taiwan authorities is the recent case against a Mr. Chen Shih-chang (24), who was sentenced to death on charges

of robbery and rape of a housewife in Kaohsiung. The total value of the robbery was equivalent to U.S.\$ 525 -- a rather small amount in comparison to the tens of millions of dollars which business-tycoon and KMT-legislator Tsai Chen-chou manipulated out of the savings accounts of small depositors in his Tenth Credit Union Bank.

Taiwan Communiqué comment: As in the case of Lin Po-wen -- we do not wish to condone the alleged crimes of Chen Shih-chang, but we emphasize that this is the case of an undereducated and poor small-time criminal. In Taiwan these people are sentenced to death (without the benefit of legal assistance) for relatively minor crimes, while those with good connections in the Kuomintang party and the security police literally get away with murder.

A third example of the double standard with which Taiwan's authorities dispense justice is the recent proposal by the Executive Yuan that fishermen, who are caught smuggling goods between Taiwan and the mainland, will in the future face the death penalty. Until now, fishermen caught with wares such as herbal medicines and porcelain from the mainland, only ran the risk of having their boats confiscated or a maximum fine of three times the value of the contraband.

In contrast to the proposed death penalty for these small-time smugglers, the Taiwan authorities turn a blind eye to the indirect trade by large companies, such as Tatung. According to the **Far Eastern Economic Review** ("A boom on the quiet", 9 May 1985) the total indirect trade between Taiwan and China in 1984 amounted to US\$ 560,-- million, with US\$ 430,-- million of the total representing Taiwan's exports to China.

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Prison report

1. **Wu Cheng-ming on Green Island ?** In Taiwan Communiqué no. 18 and 19 we reported on the case of Mr. Wu Cheng-ming, a former political prisoner, who was re-arrested on December 26, 1984. As we stated earlier, there are strong indications that his re-arrest was politically motivated (see **Taiwan Communiqué** no. 18, pp. 9-10).

We also mentioned in our earlier reports that Mr. Wu had been held *incommunicado*, and that -- in spite of frequent requests from his wife, lawyers, and opposition politicians -- nobody has been allowed to see him. Recent reports from Taiwan

indicate that on April 24, 1985, Mr. Wu was transferred from the Southern Headquarters of the National Police Administration (where he had been held since December 26, 1984) to the isolated Green Island Military Prison.

2. **Lin Shu-chih released.** Mr. Lin, who was arrested for harboring opposition leader Shih Ming-teh after the "Kaohsiung Incident", was released on May 12 at 7:30 a.m. His family, National Assembly member Chou Ching-yu, writer Wang T'o, and members of the Editors and Writers Association went to Jen Ai Prison to welcome him.
3. **Mistreatment in Taitung prison ?** On May 9th, Chang Chun-hsiung, a *tangwai* member of the Legislative Yuan, asked the Minister of Defense, Soong Chang-chih, in an urgent interpellation to clarify reports from the local press that a prison disturbance in a Taitung disciplinary center had resulted in deaths and injuries of as many as 40 prisoners and guards.

Mr. Chang pointed out that he had received reports that on May 1 a disturbance broke out in Tai Yuan prison in Taitung -- when persons who were arrested in the November "Clean Sweep" crackdown protested against inhuman treatment, including beatings and fetters on their ankles to restrict their movements. It was also reported that prisoners tried to seize arms from the guards and that shooting took place.

Legislator Chang said that the public had the right to know the truth involving such a big-scale prison disturbance. Defense Minister Soong Chang-chih denied that the event ever took place.

More than 1600 people, allegedly members of Taiwan's underground gangs, have been arrested since the "Clean Sweep" crackdown started in November 1984. Most of them have been held incommunicado since then.

In the middle of May, an opposition magazine, the Asian Weekly, sent a team of reporters to Taitung and to Green Island to investigate the circumstances surrounding the prison disturbance. The prison officials denied the reports of the disturbance, but refused the reporters to see prisoners who were reported to be killed during the incident.

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Freedom of the press?

Major crackdown on opposition magazines

At the end of April 1985 the Taiwan authorities started a major crackdown on opposition magazines. In this “**Chung Hsing**” campaign, more than 1,000 plain-cloth and uniformed policemen (some press reports even spoke of 3,000 policemen) were assigned to perform frequent searches of printing shops, distribution centers, newsstands, and even the offices of opposition politicians, to confiscate any magazines they could find. This campaign represents a severe tightening of the censorship already taking place on the island.

The campaign was apparently prompted by the wide coverage the opposition magazines gave to two major scandals which recently rocked Taiwan: 1) the involvement of top-officials of the Military Intelligence Bureau of the Ministry of Defense in the planning of the murder of Henry Liu, a Chinese-American journalist who had written a critical biography of President Chiang Ching-kuo; and 2) the collapse of a large business-conglomerate headed by KMT-legislator Tsai Chen-chou.

An additional reason for the censorship campaign is that local elections for the Provincial Assembly and for city and county councils are coming up in October of this year. As they have done in past elections, the Kuomintang authorities want to silence the opposition magazines ahead of time, because these magazines constitute one of the few ways in which opposition politicians can make their views known to the general public. Daily newspapers, and the radio and television are closely controlled by the ruling Kumintang.

A few examples in this latest censorship campaign:

- * at 5:00 p.m. on April 28, one policeman and three plain-cloth men from the “Cultural Affairs Unit” of the Taiwan Garrison Command (TGC) entered the office of Torch magazine, confiscated all copies of the latest issue (no. 41), then entered the storage room and confiscated a total of 6,000 copies of previous issues. The publisher of the magazine said that the policeman did not have a search warrant and that the plain-cloth men did not show any identification.
- * on May 2, policemen from Panchiao (a suburb of Taipei) and plain cloth men from the TGC entered the office of **tangwai** National Assembly-member Wang Chao-chuan

in Panchiao and confiscated 9,000 copies of a new magazine, Check and Balance, first published by Mr. Wang on April 10 of this year. Mr. Wang said that the policemen entered his office without a search warrant.

- * on May 3, policemen also entered the offices of the *tangwai* Editors and Writers Association in Taipei. In a news release on May 14, Taiwan Communiqué reported that officials of the Association refused the policemen entry, because they could not produce a search warrant. This information was incomplete, since we later learned that -- in spite of the absence of a search warrant -- the policemen pushed their way into the office anyway, and confiscated the magazines they found there.

Police-entry of the offices of the magazines and of the National Assembly-member to search for and confiscate opposition magazines represents a serious development: until now the police and TGC-agents "only" entered printing shops and distribution points to confiscate magazines.

On 7 May 1985, a group of approximately 40 opposition politicians and editors and writers of opposition magazines -- led by former Legislative Yuan-member K'ang Ning-hsiang -- presented petitions to the Taipei City Council, the Legislative Yuan, and the Control Yuan, protesting the intensified press censorship campaign. Police and Taiwan Garrison Command agents threatened to arrest them, but no arrests were made.

Statistical overview of press censorship in Taiwan

Reports from Taiwan indicate that during the first five months of this year, press censorship remained at a very high level. According to opposition-legislator Mrs. Hsu Jung-shu -- who questioned Government Information Office director Chang King-yuh about the matter in an interpellation on May 6, 1985 -- the Taiwan Garrison Command banned approximately 90 percent of the total number of issues published by the *tangwai* magazines. Of some magazines -- such as Mr. Huang T'ien-fu's **Neo-Formosa Weekly** -- all issues were banned.

The censorship campaign described above, resulted in a much larger proportion of magazines being confiscated than was the case before the campaign started. Until then, the authorities had issued many banning orders, which did not always result in confiscation of the full circulation: many newsstands managed to sell *tangwai* magazines "under the counter." However, after the new campaign started, a much larger percentage of the banned issues were also confiscated.

Our present (preliminary) estimate shows that -- as of the middle of May 1985 -- the running total of government censorship actions (bannings, confiscations, or suspensions) had exceeded the 100 level. As we already indicated in previous issues of Taiwan Communiqué, the opposition magazines had already been under heavy pressure during the past year: our (updated) total count for 1984 is 187 censorship actions.

Below we list some of the magazines which suffered most during the past few months (period: 1 January 1985 -- middle of May):

<u>Neo Formosa Weekly</u> (新亞人):	15 issues published, all banned (five issues of <u>North-East Wind</u> , two of <u>Neo Formosa</u> bookazine, and eight issues of <u>P'eng-lai-jen</u>);
<u>Sehn Kin group</u> (生根):	17 issues published, 16 banned (nine issues of <u>Taiwan Prospective</u> and seven of <u>Taiwan Weekly</u>);
<u>Progress Weekly</u> (前途):	18 issues published, 14 banned (two issues of <u>Progress Forum</u> and twelve of <u>Progress Time</u>);
<u>Asian Weekly</u> (亞洲人):	15 issues published, 11 banned;
<u>Democratic Era</u> (民主天地):	at least twelve issues banned;
<u>Taiwan Nien-tai</u> (台灣年代):	6 issues published, all banned;

Eye-witness account of “Progress Confiscation”

In *Taiwan Communiqué* no. 19, we reported that the top executives of a prominent opposition magazine, **Progress**, were injured during a confiscation of their magazine on March 2, 1985. Below you find a detailed description of what happened on that day. The account was written by Mr. Lin Cheng-chieh, the publisher. Mr. Lin is a *tangwai* member of Taipei City Council. His wife, Ms. Yang Tzu-chün, is the magazine's president. She has also long been active in politics: in 1983 she was an opposition-candidate for a seat in the Legislative Yuan, but was not elected.

Mr. Lin Cheng-chieh's account of the March 2 event:

"In the early morning of March 2, at 5:00 a.m., three officials of the Taiwan Garrison Command led a contingent of local police agents in a raid on the Ming-Hui Binding Company in Panchiao, Taipei County, to confiscate the 100th issue of **Progress Weekly**. My wife and I came to the scene right away, and a stand-off ensued which lasted for more than 10 hours. It was the longest confrontation over the seizure of a magazine in Taiwan's recent history. In the end, however, the security personnel resorted to heavy-handed tactics and took away every single copy of the magazine, including unbound pages and covers. The security personnel did not leave until 3:55 in the afternoon.

The security agencies involved in this robbery mobilized as many as one hundred agents in several shifts. They called in various police units (of the City and County police) as well as members of the Garrison Command, the Bureau of Investigation and Military Police. A temporary command post was set up in a nearby factory to coordinate the operation.



Lin and wife facing the police

When the Garrison Command officials arrived at the binding company, they did not reveal their identity. They attempted to force their way into the basement of the binding company, but my wife and I prevented this, saying that our magazine was being bound there, and that no outsiders could go in. ~ After we had argued with them for about ten minutes, one of the officials, a Mr. Chou Fu-sheng, produced an official-looking document. However, it was not even addressed to **Progress Weekly**, but to the Taipei County Government. We objected and pointed out that this document in no way constituted a search warrant, and it was thus not legal for them to enter our premises to carry out any seizure.

Ten minutes later, Chou and the other TGC agents -- seeing that they would not be able to succeed in this way -- produced some more documents from the Taiwan Garrison Command's "Cultural Affairs Unit" (Taipei County division), and tried -- again without success -- to gain entry into the building. We argued that they did not have the

legal documents for a search and confiscation, and that we would file "robbery" charges against them if they took the magazines by force.

We then decided to load the magazines in a truck and try to leave, but we found our way blocked by five or six policemen standing outside the door. At this point, TGC-agent Chou Fu-sheng noticed two already bound copies of Progress in one of our vehicles. He reached out and grabbed one. My wife rushed over and tried to pull the magazine out of his hands, which started a tug-of-war. Seeing that my wife was no match for the TGC-agent, I rushed over and grabbed him. A brief scuffle ensued in which my wife's hand was cut, I was punched in the face, and TGC-agent Chou suffered a bruised lip.

At about 7:00 a.m., the TGC sent in negotiators of a higher rank, and the atmosphere grew increasingly tense. We held our ground (that they did not have the legal documents) and the TGC reinforcements failed at this point to carry out their "mission."

We reached a stand-off. A few of the local police agents sat down, politely offering each other cigarettes, and we all smiled. I decided to lecture them on the legal aspects of the situation. I argued that the TGC formally had no authority to give orders to the Taipei County Police. The County Police was only responsible to the County Magistrate, and -- in any case -- they had enough to do already. I said: "The Garrison Command should not keep pushing the local police up to the front lines, and then (afterwards) take all the credit and rewards for themselves."

The policemen, on the other hand, said: "We are only following orders to assist the Garrison Command in carrying out a seizure. As for what you say about the legal aspects, we don't know whether entering a factory to seize unpublished magazines is an illegal act or not. You (Lin Cheng-chieh)



Four policewomen came along to subdue my wife

are an elected representative of the people; why don't you go and explain the situation to those above you."

The deadlock continued through the morning. Finally the local police officers decided they would go to a public prosecutor and apply for a search warrant, so they could carry out their assignment. However, the TGC-agents immediately rejected this idea.

I reiterated to them why their attempt to confiscate the magazine was illegal:

- 1) they did not show their identification cards.
- 2) their documents were incomplete (no search warrant).
- 3) their documents did not state which article(s) in the magazine was (were) "unacceptable." [Taiwan Communiqué has learned that the issue carried a cover story about former prime minister Sun Yun-suan -- Ed.]

- 4) the seizure of the magazine occurred before the magazine went on sale in the newsstands.

I said that the Taiwan Garrison Command had carried out such illegal seizures on an ever-increasing scale during the past year, and that we -- my wife and I, and our chief-editor Wu Hsiang-hui -- would protect our magazine with our bodies, and that we would absolutely not give in.

A few minutes before 3:00 p.m. the news came out of the command post that the security personnel had been ordered to move in at 3:00 sharp, and that they should complete their work in an hour's time. First the area around the Binding Plant was completely sealed off. Roadblocks were set up on all roads leading to the building, and a three-layered ring of police cordoned off the area. Then the main "battle force" arrived and entered the building. A special group of four policewomen -- wearing black caps and high boots -- came along to subdue my wife.



We were grabbed on all sides

Security officials and reporters crowded into the tiny space where we had stored the magazine. Bright lights shone everywhere as the security officials videotaped us. My wife and I stated that we would not give in. I said: "If you attempt to steal these magazines, we will protect them to the very end." As some twelve policemen prepared to pick up the magazines, the three of us place ourselves over the piles of paper and locked hands with each other.

We were grabbed on all sides and carried off into a side alley. Every single copy of the magazine, on which we had worked so hard for day and night during the past week, was taken away by the police -- they were "just following orders." All copies, to the last unbound sheet, were removed from the building. A crowd of bystanders watched as the piles of paper were thrown on a police truck. At 3:55 p.m. the mission was accomplished, the TGC-agents drove off, leaving a cloud of dust swirling behind."

Taiwan Communiqué postscript: In a subsequent development, on May 20, 1985 the Prosecutor's Office in Panchiao brought charges against the three top-executives of **Progress** "...for obstructing officials from carrying out their duties and inflicting injuries."

Index on Censorship

Taiwan's thought-police

In its June 1985 issue, the London-based Index on Censorship printed an excellent cover-article, entitled "Taiwan's thought-police," about press censorship in Taiwan. The article was authored by Professor James D. Seymour, a New York-based expert on human rights in East Asia.

In the article, Dr. Seymour comments on the minutes of a secret meeting, held on October 17, 1984 in Taipei, which was attended by a number of high-level military and police officers and by two civilian officials responsible for press censorship on Taiwan: Mr. Chang King-yuh (the head of Taiwan's Government Information Office), and Mr. James C.Y. Soong, the director of the Cultural Affairs Department of the Kuomintang party. "The officials discussed a more "active" approach to bring Taiwan's opposition press under government control. Dr. Seymour explains:

There was a time when Taiwan's rulers simply imprisoned those involved [in the publication of opposition magazines]. In recent years, however, the authorities have relied on what they call a "passive" approach. Numerous opposition magazines are now

permitted, but they are subject to frequent interference.

After giving some details on **how** and **how much** the opposition magazines are interfered with, Dr. Seymour explains the motivation for the secret meeting:

By last autumn it began to appear to the ruling group that the “passive” approach toward news management was proving inadequate. On 17 October 1984, high level military leaders met to discuss the situation. In addition to various generals, also present were two civilian news managers. The group concluded that it is time to move from the “passive” to a more “active” approach, and bring “culture” (i.e. the media) more completely under government control. This document -- the minutes of that meeting -- spells out these plans.

Dr. Seymour then explains that the “active” approach was not immediately implemented, apparently because of the international publicity surrounding the murder of Henry Liu. He also gives a fitting description of GIO Director Chang King-yuh and KMT Cultural Affairs Bureau head James Soong:

“... it should be noted that the two civilian information managers have no trouble falling into line with their military superiors. James Soong and Chang King-yuh are well-known to foreign dignitaries and reporters in Taiwan; the two men often determine what such foreigners will see and hear. They do their job well, and generally make a favorable impression on those not too familiar with the island’s ways, who see them as moderates and modernizers.”

Taiwan Communiqué postscript: the April/May 1985 crackdown described earlier in this section thus seems to be a belated implementation of the “active” censorship approach, which was decided upon by the Taiwan officials attending the 17 October 1984 meeting. Those who read the minutes of this meeting will find them to be highly reminiscent of George Orwell’s “1984”.

Index on Censorship is available from:

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Notes

Taiwan Tribune wins US Court case

On April 19, 1985, a federal jury in Alexandria, Virginia rejected a libel suit by a pro-Kuomintang physician, Dr. Kao Tzu-min, against the New York-based newspaper Taiwan Tribune. The newspaper was founded in July 1981, and has been a prime source of information for the native Taiwanese community in the United States and elsewhere in the world. It has been a vocal advocate of human rights, democracy, and an end to martial law in Taiwan.

The physician brought the libel suit against the Tribune after the newspaper had described him as a “four legged” Taiwanese, a colloquial expression for someone collaborating with an oppressive ruler. A Taiwanese language expert testifying at the trial explained that the term is similar to the English word “quisling”, after the World War II Norwegian, who collaborated with the Nazi occupation of his native land. Physician Kao had been identified as an official of the “Taiwanese Benevolent Association” and the “Overseas Chinese Affairs Council”, both pro-government front-organizations set up and financed by the Taiwan authorities to lure overseas Taiwanese away from such organizations as the powerful “Taiwanese Association of America”, and the “North American Taiwanese Professors Association.” The latter organizations have been critical of the lack of human rights and democracy in Taiwan.

In the Alexandria trial, the Taiwan Tribune was defended by former U.S. Attorney-General Ramsey Clark, who has gained an excellent reputation for his dedication to the cause of freedom and democracy in Taiwan. Mr. Clark argued that the main issue before the court was one of free speech and free press. The jury concluded that, while the Tribune’s statements were defamatory, they were not false, and it rejected the libel suit. An appeal by physician Kao was also dismissed.

North American Churches concerned about Taiwan

Representatives of 33 Taiwanese congregations in Canada and the United States, nine American denominations and the Presbyterian Church in Taiwan met on March 1-3, 1985 in Los Angeles to share their experiences in ministry to Taiwanese immigrant communities and to develop plans for improved witness and coordinated services for them. The Consultation examined the theological, ecclesiological, social and ethical

issues being raised by the rapid growth of the Taiwanese community in North America from less than 1000 in 1960 to more than 250,000 in 1985. The Consultation approved and transmitted recommendations to its participating church agencies about Church Development, Ministerial Training, Services to Immigrants, Education for Second-Generation Taiwanese-Americans and closer Relationships among the churches involved.

After having been informed of the current situation in Taiwan, the Consultation on Ministries to Taiwanese in North America called attention to the following urgent concerns and recommended to churches and church agencies in Canada and the United States relevant actions.

1. CONCERNED that church buildings erected during this century on common land of the mountain people have been declared to be on Government property and therefore subject to the payment of rents never previously levied; and

CONCERNED that the Provincial Government has declared administratively that any Christian congregation in tribal areas is thus an alien organization even though composed entirely of tribal people and is, therefore, not entitled to own property;

THIS CONSULTATION RECOMMENDS that North American churches call on the governing authorities on Taiwan to recognize the historical and contemporary reality of tribal Christian communities in Taiwan and the legal and social right of tribal congregations to own the churches built by them on common tribal ground and to hold that land rent-free.

2. CONCERNED that administrative actions have been taken at local and provincial governmental levels in Taiwan, apparently without constitutional warrant or adequate legal rationale, to prohibit the use of the peoples' languages in public worship; and

CONCERNED That thus prohibiting the use of peoples' languages such as Hakka, Cantonese, tribal dialects and Hoklo will actually destroy the cultures they express;

THIS CONSULTATION RECOMMENDS that North American churches call on the governing authorities on Taiwan to recognize the cultural heritages and linguistic treasures of the various peoples brought together in Taiwan and to cease forbidding the use of the peoples' languages in worship and church activities.

3. CONCERNED about the increased acceptance internationally of an assumption that there is a close parallel between Hong Kong and Taiwan in their historic and contemporary relationship to the Peoples' Republic of China; and

ACKNOWLEDGING that the people and the churches of Hong Kong have undertaken preparations for Hong Kong's return to the Peoples' Republic of China in 1997;

REMEMBERING that the Presbyterian Church in Taiwan declared in 1977 that the future of Taiwan must be determined by all the people on Taiwan;

THIS CONSULTATION RECOMMENDS that the North American churches publicly reaffirm in principle both the universal right of self-determination and the God-given right to a Homeland, which must not be denied the people of Taiwan; and that these churches call on the governing authorities on Taiwan to provide democratic processes by which all the people can participate in the shaping of their common destiny.

US Senate passes amendment regarding democracy in Taiwan

On June 11, 1985 the U.S. Senate passed the State Department Authorization Bill (S. 659). Earlier the Foreign Relations Committee had -by sixteen votes in favor, one vote against (right-wing member Jesse Helms, R-NC) and one abstaining (Dan Evans, R-Washington) -attached an amendment to this bill, calling for democracy on Taiwan. The amendment had been introduced by Senator Claiborne Pell (D - RI). The full text of the amendment is as follows:

Democracy on Taiwan

(A) Congress finds that

- (1) peace has prevailed in the Taiwan Strait since the normalization of relations between the United States and the People's Republic of China;
- (2) the United States expects the future of Taiwan to be settled peacefully;
- (3) the authorities on Taiwan are striving to achieve democracy at the local level;
- (4) an increasing number of native Taiwanese have been appointed to responsible positions at the provincial and national level on Taiwan;
- (5) martial law measures tend to impede progress toward democracy and to abridge guarantees of human rights;

- (6) movement toward greater democracy on Taiwan serves to bolster continued American public support for the moral and legal responsibilities set forth in the "Taiwan Relations Act"
- (7) the United States in the "Taiwan Relations Act" has reaffirmed as a national objective the preservation and enhancement of the human rights of all the people on Taiwan; and
- (8) the United States considers democracy a fundamental human right;

(B) It is therefore the sense of the Congress that

- (1) one important element of a peaceful future for Taiwan is greater participation in the political process by all the people on Taiwan and, accordingly,
- (2) the United States should encourage the authorities on Taiwan, in the spirit of the Taiwan Relations Act, to work vigorously toward this end.

Taiwan grants loan to repressive Surinam regime

On 30 April 1985 the president of the central bank in Surinam, Mr. H. Goedschalk, announced that the government of Taiwan had granted the Latin-American nation a soft loan of approximately U.S.\$ 40 million. The funds would be used for purchases of goods from Taiwan, and -according to the announcement -- "will be repaid over a period of ten years."

Surinam is a former Dutch colony, and is located north of Brazil. The country gained its independence in 1975, but in February 1980 the democratically-elected government was overthrown by a group of military officers, which has since then held a tight grip on the 350,000 people of African, Indian, Indonesian, and Chinese descent, who inhabit the country. In December 1982 the repressiveness of the leftist-leaning regime reached its peak when 15 civilian leaders of the Surinam community were tortured and murdered. Reportedly the leader of the regime, Mr. Desi Bouterse, himself participated in the killings. Since that event, the Netherlands and all other Western nations have suspended their economic assistance to Surinam.

The announcement of assistance from Taiwan is quite amazing, because Western financial institutions have classified the present government of Surinam as totally uncreditworthy. Also, in a recent (March 1985) report, the International Monetary Fund (IMF) described the prospects for the Surinam economy as very bleak. It is therefore to be doubted that Taiwan will ever get its money back.

A further noteworthy aspect is that the Surinam Vice-Premier who negotiated the deal with Taiwan, Mr. Tjon Kie. Sim, was recently described in a Dutch news report (**NRC-Handelsblad**, May 11, 1985) as most corrupt.

On May 28, 1985 a prominent opposition-leader in Taiwan, Mr. Chiang Peng-ch'ien, asked in a written interpellation in the Legislative Yuan why the Taiwan government would grant Surinam such a loan. He referred to the bad human rights record and to the lack of creditworthiness of the Surinam regime, and wondered whether the Taiwan authorities wanted to "buy" diplomatic recognition from this leftist regime? He indicated that the hard-earned money of Taiwan's taxpayers' should not be wasted in this way.

A note to our readers

*Beginning with this issue, **Taiwan Communiqué** will appear six times a year. We believe the increase in frequency from five to six will bring more up-to-date information to our readers. The number of pages of each issue will be reduced from 32 to 24. If you have any comments, or suggestions as to what else we can do to improve our service, please let us know.*

Seattle, June 18, 1985
