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Death of a Journalist

Cheng Nan-jung Dies for Independence

On Friday, 7 April 1989, a major opposition journalist in Taiwan died. Mr. Cheng Nan-jung, publisher and chief-editor of *Freedom Era Weekly*, set himself on fire rather than be arrested by police who forced their way into his office to arrest him on “sedition” charges for publishing a draft-Constitution for a new, democratic, and independent Taiwan.

Mr. Cheng’s funeral took place on May 19th – the same date on which, three years ago, he organized the first “Green Ribbon” demonstration, which helped bring about a end to martial law in Taiwan. Between 6,000 and 8,000 people participated in the funeral procession, which wound its way through Taipei for more than four hours. A mourner, Mr. Chan Yi-hua, a farmers’ rights activist from Kaosiung, died after he doused himself with gasoline and set himself on fire to protest a police blockade that prevented the funeral procession from reaching the square in front of the Presidential Building, which had been cordoned-off with barbed-wire barricades and was guarded by some 2,000 riot troops.



**Mr. Cheng Nan-jung and his daughter,
a few months before his death**

Taiwan Communiqué comment: Mr. Cheng's death would not have occurred if the Taiwan authorities had recognized Mr. Cheng's universally recognized right to free expression. Instead, the authorities in Taipei censored his work, charged him with sedition, and sent in some 100 policemen to arrest him. Mr. Cheng's tragic death is thus yet another dark chapter in the Kuomintang's long history of repression.

For Freedom of Expression

During the past years, Mr. Cheng's magazine has been the most censored magazine in Taiwan because of its outspoken criticism of the authorities and because of its advocacy of a free, democratic, and independent Taiwan. For an overview, see "The legacy of an uncompromising independence fighter" on pp. ...

Mr. Cheng's most recent problems with the Kuomintang authorities started in December 1988, when his magazine published the text of the draft for a new Constitution for a new and independent Taiwan. The document had been drafted by professor Hsu Shi-kai in Japan. Professor Hsu is President of the **World United Formosans for Independence** (WUFI), the main international Taiwanese organization working for Taiwan independence.

On 5 January 1989, Mr. Cheng was called in for questioning by the Investigation Bureau of the Ministry of Justice, but he refused to appear. On 27 January, and again on 25 February, he received summons to appear in Court for arraignment and possible detention on "sedition" charges. Both times he refused to appear — arguing that the "Statute for the Punishment of Sedition" under which he was being charged, was clearly unconstitutional, and that these charges were "obvious political persecution under the guise of the judicial process."

Mr. Cheng thus considered his case a testcase for freedom of the press and the freedom to advocate Taiwan independence, and decided at an early stage that the police would not get him alive.

Long-term preparation for the attack

A month before the police attack on 7 April 1989, the police asked the resident on the fourth floor to move out and used the vacant floor as a command center. On 7 April 1989, the residents on the second, fifth, sixth, seventh floors were all evacuated, and the office of *Freedom Era Weekly* on the third floor was completely isolated.

On 7 April 1989, at around 5 a.m., at least one hundred (and by some accounts up to four hundred) riot police in full riot gear moved into the Chung-shan Primary School, across the street from the office of *Freedom Era Weekly*, in preparation for the attack.

What happened on 7 April 1989 ?

After the death of Mr. Cheng, the KMT authorities and certain pro-government newspapers engaged in a smear campaign portraying Mr. Cheng as “deluded” and “mentally unstable”, that Mr. Cheng threw fire bombs at the police and that he ordered his staff to stay in the office after the fire broke out so they would die with him. This was pertinently incorrect.

Special memorial issue banned

To counter the police version of the events on 7 April 1989, the staff members of *Freedom Era Weekly* put together a special memorial issue, which appeared on April 16, and in which several eyewitnesses gave their account of the events on 7 April 1989. However, the special issue (No. 272) was banned by the Taipei Information Bureau, because it “emphasizes separatist ideology and advocates independence of Taiwan.” The publication license of the title, Hsiang-tu Shih-tai, was also suspended for one year. The following is a summary of this report:

“The Prosecutor of the High Court issued an arrest warrant for Mr. Cheng on 4 April 1989. On April 5th, Mr. Cheng received a phone call warning him that the police were coming to arrest him the next morning. About 20 of Mr. Cheng’s supporters kept a vigil in his office on the night of April 5th, but the police did not show up. After the false alarm, most of Mr. Cheng’s supporters departed. The phone call was apparently a police ruse to keep the staff off guard.

On Thursday, 6 April 1989, the staff worked through the night to put together the magazine before it went to the printing press. After a long and exhausting night, most of the staff were gone before 8 a.m. on 7 April 1989.

At 8:50 a.m., all telephones started ringing. On the line were people who wanted to subscribe to the magazine. Mr. Cheng became suspicious and told the staff to hang up and to leave the office immediately. Mr. Chen Yuan-fen, a supporter of Mr. Cheng, went downstairs. As soon as he was out of the door, he was seized by eight riot policemen, who started to beat him up and kick him. He was then taken into custody. The police then forced their way through the front door on the ground floor and entered the building.

Meanwhile, in the third floor office, the staff desperately tried to call for outside help but found that all the telephone lines were cut off. Mr. Cheng woke up his daughter, who was still sleeping in his office, and told her to leave the office with the staff. Mr. Cheng shouted to the staff: “get out of here quickly.”

At this moment, the office staff noticed a fire at the front door of the apartment. The fire had apparently started in the stairwell where the police were entering the building and were cutting their way through iron gates with blowtorches. Five members of the staff, including Mr. Cheng’s brother, tried to extinguish the fire with the fire extinguishers in the office. Smoke began to engulf the whole office. Three staff members, a cleaning lady, and Mr. Cheng’s daughter retreated to the documentation center, where they opened all the windows to let fresh air in.

By the time the fire at the front door of the apartment was extinguished, which took some five minutes, the office staff noticed that Mr. Cheng was missing. They discovered that he had locked himself in his own room. Mr. Cheng’s brother tried to kick the door open, but without success. After he opened the door with a spare key, he saw that the room was engulfed in flames as high as one man’s height. As the fire extinguishers had all been used up in the fire at the door, Mr. Cheng’s brother and the others tried to extinguish the fire by throwing in quilts and sleeping bags, but to no avail. They were forced out of the room by the heat of the flames.



Mr. Cheng Nan-jung at his desk

By this time, the police had arrived at the front door of the office and were cutting through the third and last metal door with a blowtorch. Mr. Cheng’s brother tried to open the door for the police, but an explosion from the direction of the police forced him to retreat to the window. After 30 minutes, Mr. Cheng’s brother and two supporters were rescued by firefighters through one window. Another group of eight including Mr. Cheng’s daughter and staff were rescued through two other windows.

Charred body

After the fire had been extinguished at around 9:40 a.m., police retrieved Mr. Cheng's body from his office. Witnesses who saw the body in the morning say that it was still recognizable, and that a yellow jacket and underwear could be distinguished. However, in the afternoon it was in the words of one witness totally beyond recognition, just like a chunk of charred wood. At first, opposition sources suspected that the police had burned the body further in order to cover up something. Later they concluded that the change in the condition between the morning and the afternoon was due to the "charring" process which occurs when an object has been subjected to intense heat.

Wounded police ?

Government officials stated after the event that 10 or 12 police officers were injured. However, the magazine's staff and a foreign reporter at the scene stated that they had not seen any wounded policemen being taken out of the building.

Witnesses detained

The eleven witnesses including Mr. Cheng's daughter were taken into custody by the police as soon as they landed on the ground. They were shoved into three police patrol cars. Each witness was flanked by two policemen. One staff member, who just arrived at the front door on the ground floor to report to work, was also taken into custody. They were kept *incommunicado* for seven hours, from 10 a.m. until around 5 p.m. in the Chung-shan police station, and were not allowed to contact families or lawyers. Of the total of twelve detained persons, eight were staff members of *Freedom Era Weekly*, including Mr. Cheng's daughter, and four were supporters of Mr. Cheng.

What happened during police investigation ?

The police claimed that one witness said during police investigation that he saw Mr. Cheng throw fire bombs before he set himself on fire. The witness, Mr. Cheng Kunhan, was a local supporter of Mr. Cheng Nan-jung who had stayed at the office to help protect Mr. Cheng from arrest by police. Later, the witness denied the police allegations during a press conference on 8 April 1989, and said that the police had tried to force him into the "confession."

After their release, Mr. Liao Kuo-cheng, an editor of *Freedom Era Weekly*, described how Mr. Cheng Kun-han was treated by the police during the “investigation”:

“The policeman, who was questioning Mr. Cheng, was especially ferocious and mean. He shouted at Mr. Cheng and tried to coerce him to collaborate. The police prepared a “confession” for Mr. Cheng, in which he allegedly said that he saw Mr. Cheng Nan-jung throw a gasoline bomb out of the door, and started the fire. Mr. Cheng, who is illiterate, could not read what had been written in the confession. When the policeman read it out loud to him, Mr. Cheng Kun-han protested and denied having said that. But the police ignored his protest and forced him to put his fingerprints on the “confession” to make it appear as if he agreed with it.”

The Press Conference

In the press conference held on 8 April 1989, Mr. Cheng’s wife Yeh Chu-lan spoke of his dedication and his ideals. She said:

“Nylon (his anglicized name for those close to him – Ed.) loved his family and his friends, but he loved Taiwan even more. He died for his ideals. He sacrificed himself in order to awaken the Taiwanese people to love this island, to pay attention to the future of Taiwan, and to support the movement for a free, democratic, and independent Taiwan.”

At the press conference, the twelve witnesses again emphatically denied that Mr. Cheng Nan-jung had thrown any firebombs, as alleged by the police. They also condemned the pro-government *United Evening News* for spreading malicious rumors by printing a report that Mr. Cheng asked his staff members to die with him.



Mr. Cheng's wife, Ms. Yeh Chu-lan

The man who had been coerced by police into saying that he saw Mr. Cheng Nan-jung throw firebombs at the police, also spoke at the press conference. He broke down and cried when he described the events and his treatment at the hands of the police, and emphasized once again that he did not see Mr. Cheng Nan-jung throw any firebomb.”

Taiwan Communiqué comment: unfortunately, some international press agencies such as Reuters and Associated Press only reported the police side of the story, and neglected to verify it with the staff of the magazine who had been at the scene of the incident.

DPP Statement

In the afternoon of 7 April 1989, the opposition DPP-party issued a strongly worded statement to the press, calling the police grossly crude, violent and inefficient and calling for a full investigation of the circumstances of Mr. Cheng’s death. The DPP blamed the death on the Kuomintang’s martial law mentality and ... indiscriminate arrests and political persecution of its opponents.

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The Legacy of an Uncompromising Freedom Fighter

Mr. Cheng was born in Taipei, Taiwan in 1947. He was actually half mainlander, half Taiwanese: his father came from Fukien, in mainland China, while his mother is a native Taiwanese from Keelung.

During his college days, Cheng majored in philosophy at National Taiwan University. As a young and innovative entrepreneur, Cheng was already quite successful in publishing and other business when, in 1984, he started ***Freedom Era Weekly*** magazine. A firm believer in liberalism, he wanted to advocate “complete freedom of expression”, based on his strong conviction that freedom of expression is the basic foundation of democracy.

Until the time of Cheng’s death, ***Freedom Era Weekly*** had published 270 issues. It was the only opposition publication to have succeeded in publishing continuously, in spite of heavy censorship by the authorities. Before the end of martial law in July 1987, some 95 % of the individual issues published by Mr. Cheng were banned or confiscated by the secret police. Still, Mr. Cheng never lost a beat, and the following week a new

issue would find its way to the readers. For this, Mr. Cheng did not make use of the postal system or bookstalls along the streets (where the magazines were very susceptible to confiscation), but a private distribution system. He also had 17 magazine titles registered, so that each time the authorities suspended a title for a year, he would continue with the next title as if it were a spare tire. Even after the end of martial law, the authorities issued some two dozen suspension orders against *Freedom Era Weekly*.

In addition to his leading role in the battle for freedom of expression and the press, Mr. Cheng also played an important role in bringing about an end to the four decades' old martial law: in 1986 he initiated the "Green Ribbon" series of mass-demonstrations — the first of a long string of demonstrations which eventually brought about the end of martial law in July 1987. He also helped organize the 1987 "Peace Day" campaign in commemoration of the "February 28 incident" massacre of 1947, and the "19 April 1987" protest against the National Security Law, which replaced martial law.

On 18 April 1987, Mr. Cheng was the first person in Taiwan to openly advocate Taiwan independence in a public speech. Later, he helped organized a support group for Reverend Ts'ai Yu-ch'uan and Mr. Hsu Tsao-teh, who were arrested in October 1987 and subsequently sentenced to long prison terms on charges of advocating Taiwan independence. In November/December 1988, Mr. Cheng helped organize the island-wide "**New Nation**" movement, which staged rallies for 40 days in support of "a new nation, new political system and new parliament" to replace the Kuomintang's anachronistic system brought over from the mainland by Chiang Kai-shek.

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An Open Letter to the Government on Taiwan

The reaction from the Taiwanese community around the world to Mr. Cheng's death is perhaps most eloquently expressed in the following open letter from the U.S.-based **North American Taiwanese Professors Association**:

To the Government on Taiwan

The tragic death of renowned dissident writer Cheng Nan-jung compels us once again to address the long-standing issue of human rights violations in Taiwan. In recent months, distinguished democratic leaders such as Hong Chin-chang, Hsieh Ch'ang-t'ing, Chu Kao-cheng and Huang Chao-hui have been harassed, threatened, even physically harmed by the government police and security agents. The fiery death of Cheng Nan-jung, albeit the most dramatic, was but one of countless incidents directly related to the concerted effort on the part of the Taipei government to silence its critics.

That incidents of this nature are still taking place in Taiwan is outrageous. It is obviously disappointing to those Taiwanese at home and abroad who, encouraged by the lifting of martial law, the establishment of an opposition party and the general relaxation of press controls, might have entertained the hope that at long last their beloved island country is on the way towards genuine democratization. Instead, this string of incidents has actually intensified the skepticism regarding the genuineness of the government-sponsored political reforms.

It is time for the Taipei government to stop using high-handed measures against dissidents who are pressing democratic demands. Not only are these demands in themselves noble and desirable for Taiwan, they are in line with the unmistakable world trend that calls for nations to implement political liberalization. Authoritarian governments are being seriously challenged by democratic forces. In Taiwan, the democratic movement, buoyed by rapid economic development and social changes, has gained such momentum that it has become irreversible. Any government attempt to revert to authoritarian practices would be unwise and, in the end, futile.

We condemn the government actions in the recent rash of incidents. We encourage the democratic leaders to push the democratic movement vigorously forward. In the meantime, we also implore the government to join hands with democratic forces to accelerate the democratization process. We believe that only through these efforts can the process towards full democracy be realized peacefully. We believe that democracy is strength. Through the democratic process, we expect to see the emergence of a national consensus that is essential to safeguard the independence and sovereignty of Taiwan.

The Kuomintang's "flexible diplomacy"

Much is being written these days about the Kuomintang's new so-called "flexible diplomacy". President Lee Teng-hui's recent visit to Singapore, the attendance of the ADB-meeting in Peking by a delegation from Taipei headed by Finance Minister Shirley Kuo, and other signals are interpreted as a willingness by the Kuomintang authorities to soften their former rigid policies.

Below we present an overview of these signals, and then give our assessment of the changing situation.

"One country, two governments"

The main code word for the Kuomintang's new policy is "One country, two governments", indicating that they still adhere to the "One China" idea, but that they want to be considered a government on equal standing with the PRC government in Peking. The new code word was first mentioned on 28 March 1989 in a statement to the Legislative Yuan by conservative Prime-Minister Yu Kuo-hwa, who said it would be a good way to counter the PRC's attempts to isolate Taiwan in the international community.

The initiative resembles earlier trial balloons in this direction, such as the "dual recognition" idea launched in March 1988 by Dr. Wei Yung, then chairman of the Cabinet-level "Research, Development and Evaluation Commission" (see *Taiwan Communiqué* no. 34, p. 10) and reiterated in November 1988 by the Foreign Ministry in Taipei (see *Taiwan Communiqué* no. 37, pp. 4-6).

The new policy became more apparent during the past few months with a number of events:

* During President Lee Teng-hui's visit to Singapore in the beginning of March 1989, he stated that he would "continue and upgrade" relations with Singapore, even if Singapore would establish diplomatic ties with China. In the past, the Kuomintang authorities would immediately break off relations with any country establishing ties with the PRC.

* Allowing a group of young Taiwanese gymnasts to travel to Peking in mid-April 1989 to compete in an international gymnastic competition;

* Allowing a 12-member delegation headed by Finance Minister Shirley Kuo to attend the annual Asian Development Bank meeting in Peking from 4-6 May 1989.

Particularly the third event caused an uproar among the old KMT diehards in Taipei: Mrs. Kuo's actions in Peking — meeting with Mrs. Chiu Cheng, the vice-governor of the People's Bank of China, shaking hands with Mr. Li Kuei-hsien, the Bank's Governor, standing up for the playing of the Communist Chinese national anthem — all were in clear violation of the official KMT policy of “no contacts, no compromise, no negotiations.”

As we went to press, heated debates were still going on in Taipei. The old conservatives in the military, the secret police and the old “permanent” mainlander legislators can be expected to put in a hard fight: one of the major consequences of the “one country, two governments” policy is the tacit recognition of the Communist regime on the mainland. This would mean that the “Period of Communist Rebellion” will have to be terminated. For the duration of this “rebellion” — more than 40 years now !! — the KMT authorities passed a host of “Statutes” and “Provisions” granting military and secret police agencies broad authority, and the old legislators many perks and privileges.

On 17 April 1989, Justice Minister Hsiao Tien-tzang told the Legislative Yuan that if the “Period of Communist Rebellion” were terminated, the most controversial “Temporary Provisions Effective During the Period of Communist Rebellion” would have to be scrapped. Under the terms of these “Provisions”, members of the three national-level elective bodies — the Legislative Yuan, National Assembly, and Control Yuan — who were elected on the mainland 42 years ago (!!!) have been “frozen” in their seats, “until elections can be held in their home districts” (on the mainland!).

Also under the terms of the “Provisions”, the President and Vice-President could be reelected without being subject to the two-term restriction prescribed by the Constitution. Thus President Chiang Kai-shek was “elected” to a total of five terms by a National Assembly in which the Kuomintang held — and still holds — an artificial majority.

What's in a name ?

Interestingly, during the Singapore, president Lee apparently accepted being referred to as “the President from Taiwan”, instead of the official designation President of the so-called “Republic of China” on which the Taipei authorities have until now always

insisted. He referred to it as a “minor problem” and emphasized that “if we keep being bothered by these minor problems, there is no way to break out” of Taiwan’s isolation.

Rejoining the United Nations ?

Interestingly, on 10 April 1989, Taipei’s Foreign Minister Lien Chan told the Legislative Yuan during an interpellation that the long-term “ultimate goal” of his government was to join the United Nations. In the short and medium term the goal of his foreign policy would be to seek admission to regional and international organizations such as the General Agreement on Tariffs and Trade (GATT) and the Organization of Economic Cooperation and Development (OECD).

Let Taiwan be Taiwan

Taiwan Communiqué comment: *it is time for the United States and the rest of the international community to make it clear that they would be ready to accept Taiwan as a full member of the family of nations if the following conditions are met:*

- * *Taiwan has a fully-democratic system of government in which all members of the legislative bodies are elected by the people on the island, instead of the present Kuomintang-imposed system which lacks true legitimacy;*
- * *The government in Taipei presents itself as government of Taiwan itself, and does not claim sovereignty any more over mainland China.*

Such a policy would be fully in line with the principles laid down in the Charter of the United Nations, and particularly Article 1.2. This article gives the people on Taiwan the right to self-determination, including their right to establish a free and independent nation of Taiwan if they so choose. No country, person or organization can deny the Taiwanese people this right.

The United States and other nations have an interest in good relations with China, of course, but they should not pursue them at the expense of the rights of the people on Taiwan. Moreover, with U.S. — Soviet détente, the idea of “playing the China card” against the USSR has become obsolete, as Mr. Bush himself said in February 1989 while in Peking. The Chinese authorities may not be happy with an international policy of supporting self-determination for the people on Taiwan, but they are not going to jeopardize access to Western technology and capital, not to mention hard-won acceptance in the international community of nations, over the issue.

Besides, it is in the interest of China itself to transform the decade-long animosity between the Communists and the Kuomintang into a new peaceful coexistence with a free, democratic and independent Taiwan.

So, it is time for the U.S. and other nations around the world to help the People's Republic of China become more democratic and modernized, and, in the meantime, to let "Taiwan be Taiwan."

Protest Against Nuclear Power

On 23 April 1989, more than two thousand people marched in the rain in Taipei to protest the government's decision to go ahead with the construction of Taiwan's fourth nuclear power plant.

The demonstration was organized by the **Federation for the Protection of Taiwan's Environment**, a grass-roots organization consisting of environmentalists, scholars, religious groups, women's groups and students. Leading the demonstration was a 82-year-old man from Yen-liao, a northeastern coastal fishing village, where the state-run utility, **Taipower Company** plans to build Taiwan's fourth nuclear power plant. Villagers from Yen-liao came in tour buses to participate in the demonstration.

The demonstrators gathered at Chiang Kai-shek memorial and marched for two kilometers to the Ministry of Economic Affairs to deliver a petition.

Before the demonstration, ten representatives consisting of leading environmentalists and opposition leaders went to the presidential building to deliver a petition, which asked President Lee Teng-hui to cancel the plan of construction of the fourth nuclear power plant.

In 1988 fierce opposition by environmentalist forced the government to shelve the construction of the fourth nuclear power plant, which would cost the taxpayers NT\$180 billion (US\$ 6 billion). However, on 11 February 1989, the Kuomintang authorities decided to proceed with the construction of the plant anyway, citing shortage of power as the reason.

Environmentalists are concerned about the safety of nuclear power plants. The three existing nuclear plants have reported accidents, which caused concern about leaks of

radioactive material into the atmosphere. In 1985, a fire broke out at the third nuclear power plant in Hengchun on Taiwan's southernmost tip, and destroyed a generator.

In 1986, the Chernobyl accident prompted intense public debate on the safety of nuclear power plants. The construction of a fourth nuclear power plant, environmentalist point out, will pose a great safety hazard, as Taiwan is in an earthquake zone and has a high population density. They advise the Taiwan authorities to seek alternative sources of energy.

Public opposition has halted the construction of the fourth nuclear power plant in 1982, 1984 and 1988. This time, the Kuomintang authorities seem determined to go ahead. They have launched a public relations offensive. A public relations firm was hired to dress up the image of Taipower Company. The government tried to buy the goodwill of the residents of Yen-liao by increasing their budget for the construction of local infrastructure, by offering lower rates of electricity, free trips and gifts.

Environmentalists have suggested that — in view of the high costs of construction of the plant (which could easily triple by the time of completion in 1998) — the issue should be settled in a national referendum to be held together with the elections scheduled at the end of 1989.

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Report from Washington

by Marc J. Cohen

North Trial Exposes Kuomintang “Contra” Funding

The recent Washington federal court trial of retired Lt. Col. Oliver North, a former official of President Ronald Reagan's National Security Council, over his illegal activities in the “Iran-Contra” scandal, has shed some new light on the Kuomintang's role in funding the counter-revolutionaries in Nicaragua.

The U.S. government issued a 42-page “Admission of Facts” concerning North's activities. Although this does not contain any startling new information or “smoking guns” about the Kuomintang, it does offer some new details: in particular, it indicates

that contra leader Adolfo Calero sought assistance from the KMT as early as the Spring of 1984.

However, the Taiwan authorities initially turned him down “because of patently adverse diplomatic consequences.” At the time, the Sandinista government in Nicaragua was one of the few governments which still maintained diplomatic relations with the “Republic of China” (the Sandinistas subsequently switched their recognition to Peking).

According to the document, Calero also sought aid from the PRC-government in Peking (which he eventually obtained), and promised that if his side won the civil war, it would switch diplomatic recognition to the Communists in Peking. The “Admission” also notes that ex-General John Singlaub began working to get KMT-aid to the contras in December 1984, eventually gaining a commitment in February 1985.

While the outlines of all this had come to light some time ago, the “Admission” lends support to one theory of why the KMT — after their initial adamant refusal — eventually agreed to give aid to the Nicaraguan counter-revolutionaries: the family of writer Henry Liu, an American-Chinese critic of the Kuomintang murdered by government agents on 15 October 1984 (see *Taiwan Communiqué* no.’s 19 through 22) has long charged that the Reagan Administration agreed not to pursue the extradition of Liu’s murderers from Taiwan if the KMT would fund the contras.

While there is no definitive proof in the “Admission”, the timetable it presents offers further evidence that this is in fact correct. Gangsters working for the Kuomintang’s Military Intelligence Chief Wang Hsi-ling murdered Liu in October 1984, after Calero’s initial approach to the KMT. The following January, the Taiwan authorities admitted Wang’s role in the murder, and in February, the U.S. House of representatives held hearings on the matter.

Thus, Singlaub (who is Chairman of the U.S. chapter of the Taipei-based right-wing extremist World Anti-Communist League) obtained a commitment — which eventually resulted in a US\$ 2 million donation to the contras — just as the KMT role in Liu’s death was being confirmed.

Prison Report

Political Prisoner Wang Hsing-nan on Hunger Strike

Mr. Wang Hsing-nan, age 47, is one of the most well-known remaining political prisoners in Taiwan: the Taiwanese-American businessman was arrested in January 1977 during a stop-over in Taipei while on a business trip to Hong Kong. The authorities accused him of involvement in sending a letter-bomb that crippled the left hand of then vice-president Shieh Tung-min.

After his arrest, Mr. Wang was held *incommunicado* for three weeks. When he finally appeared in the military court on 28 January 1977, it was obvious that he had been tortured: his face was swollen and scarred. After not even the semblance of a fair trial — lasting about one hour — the military tribunal sentenced him to life imprisonment on “sedition” charges.

In April 1988, the sentence was commuted to 15 years in a clemency in memory of the late president Chiang Ching-kuo. Under Taiwan’s laws he is now eligible for parole since he has served more than half his term, but the authorities have refused requests that he be released: the prison authorities at Green Island Prison say that they have



Mr. Wang Hsing-nan ("Tom")

submitted the necessary papers to the Ministry of Justice, but the Ministry says they have not received the papers (Catch-22 !!).

Mr. Wang’s case came in the news again in Taiwan at the end of April 1989, when he started a hunger strike and threatened to commit suicide if he was not given parole. Mr. Wang’s father, a prominent elder in the Presbyterian Church, passed away on April 14th. In spite of requests by Mr. Wang and his family, the prison authorities refused

to give permission for Mr. Wang to attend the Christian funeral service on April 21st. He was only allowed to pay a private visit to his home in Tainan on April 20th. Mr. Wang pointed out to the prison authorities that when his mother died in 1987, he *was* allowed to attend the funeral service. At the time, martial law was still in force.

After interpellations by DPP-legislators, the Ministry did grant Wang permission to attend his father's funeral — but only when shackled in leg-chains. Wang refused to attend the funeral under such humiliating circumstances, and continued his hunger strike. He vowed that he would continue his fast until May 19th, the date of the funeral of fellow independence-advocate and editor/journalist Cheng Nan-jung (see story on pp. 1—8).

On 26 April, Mr. Wang was so weakened that the prison authorities decided to transfer him from Green Island Prison to the Taitung Branch of Mackay Memorial Hospital. However, the authorities ordered that, while at the hospital, he be kept in leg-chains at all times. They weren't removed until May 3rd, when DPP legislators raised the issue with the Minister of Justice in an interpellation in the Legislative Yuan.

On May 4th, a group of some 30 representatives of human rights and church organizations accompanied Wang's wife Chen Mei-hsia to the Justice Ministry, where they handed a petition to Justice Minister Hsiao Tien-tzang, demanding that Wang be released on parole.

DPP-member Sentenced for Raising DPP-flag

On 30 March 1989, Mr. Hung Chi-wang, a DPP member from Tainan, was sentenced to a total of 16 months imprisonment for raising the DPP-flag instead of the Nationalist Chinese flag on a flagpole on the square of the Chiang Kai-shek Memorial in the center of Taipei during a demonstration in January 1989.

On 29 January 1989, the DPP organized a major demonstration in Taipei to demand national re-elections for all the seats in the parliament, and to protest the voluntary Retirement Law which had just been passed by the Kuomintang-controlled Legislative Yuan (see *Taiwan Communiqué* no. 39, pp. 10-11). Nearly ten thousand people from every part of Taiwan participated. The demonstrators marched in three directions through the city and met on the square of the Chiang Kai-shek memorial late in the afternoon to hold a rally. During the closing ceremony, Mr. Hung lowered the Nationalist Chinese flag from a flagpole standing on the square and raised the DPP flag instead.

Mr. Hung was later arrested and prosecuted on charges of “insulting the national flag” and interference with the duty of public officials. On March 30, 1989, he was sentenced to a total of 16 months imprisonment.

Huang Kuang-hsiung sentenced for “Sedition”

On 31 March 1989, the High Court in Taiwan upheld its earlier verdict against Mr. Huang Kuang-hsiung, age 47, on “sedition” charges. Mr. Huang’s sentence was reduced from five years to three years and four months. Mr. Huang, a medical doctor, was arrested on 26 January 1988 after he returned to Taiwan from Argentina (see Taiwan Communiqué, no. 34, pp. 15-16).

According to the Kuomintang authorities, Mr. Huang joined a Taiwan independence organization while he was in Argentina, where he emigrated in 1984. Before leaving for Argentina, Mr. Huang was active in politics in Taiwan: in 1980 he ran for a seat in the Legislative Yuan and in 1981 for a seat in the Taipei City Council. He lost both times.

Death Penalty: Number of Executions Rising Sharply

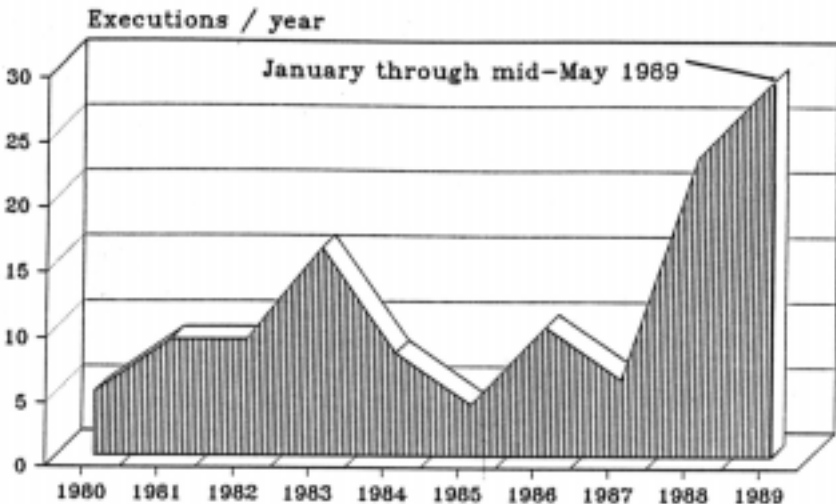
In several recent issues of *Taiwan Communiqué* we reported on the sharp rise in the number of death sentences and executions in Taiwan. As the graph on the next page indicates, this upward spiral has grown even steeper during the past few months: according to our estimates, as of the middle of May, some two dozen persons had been executed since the beginning of this year — eight persons in the month of April alone. This is more than the total number of persons executed in all of 1988, which itself was a peak year in recent history.

Taiwan Communiqué: we hereby issue a strong appeal to concerned persons and organizations in the international community to express its deep concern about the death sentences to the Kuomintang authorities and to urge them to end this wave of executions immediately.

The London-based human rights organization **Amnesty International** recently also expressed its deep concern about the use of the death penalty by the Taiwan authorities to combat the rising crime rate. In a special briefing paper issued in May 1989, **Amnesty** presented the details of a number of recent cases, and stated:

“...many studies carried out over the years in a number of countries have shown that there is no evidence to show that the death penalty deters crime more effectively than other punishments. Amnesty International urges the Taiwan government to consider the evidence shown by these studies and discontinue its apparent policy to increase the number of executions of people convicted of violent crimes.”

The death Penalty in Taiwan



Hong Kong Businessman Cheung Ki-lok Acquitted

On 18 April 1989, the High Court in Taipei acquitted Hong Kong businessman Cheung Ki-loh, who had been sentenced to three years and four months imprisonment in October 1988 on “sedition” charges (see *Taiwan Communiqué* no. 37, pp. 15-16).

Mr. Cheung had been arrested in January 1988 while on a business trip to Taiwan and was tried on charges of being a member of the Chinese Communist Youth League (CCYL) — a “seditious” organization in the parlance of the Kuomintang authorities — and of trying to “overthrow the government through illegal means” while he was

a student in Taipei from 1977 through 1981. Two prominent human rights organizations, **Amnesty International** and **Asia Watch**, have said that the charges against Mr. Cheung were unsubstantiated, and that it appeared that Mr. Cheung was being punished because of his peaceful political activities.

Interestingly, the High Court in Taipei based its opinion on the fact that a mainland Chinese law prohibits non mainland-Chinese from joining the CCYL — Cheung, who was born in Hong Kong, has denied he ever joined the organization. Until now the Taiwan authorities have always refused to even acknowledge that there was a legal system on the mainland, let alone base its opinion on any law promulgated by Peking.

The High Court also ruled that “*Student Brother*” — the Hong Kong magazine Cheung was associated with in the mid-seventies — was not a seditious publication financed by the Chinese Communists, but a publication for high school students. According to the verdict, “...intelligence authorities apparently confused *Student Brother* with another pro-Communist publication.”

Freedom of the Press ?

Two Journalists Sentenced for “Spreading Rumors”

On 3 April 1989, Mr. Chen Wei-tu the former chief editor of the Democratic Progressive Weekly, and a student, Mr. Chen Chung-yi, were sentenced to eight and four years imprisonment respectively. The two had been charged under the Statute for the Punishment of Sedition with “spreading rumors” about Military Chief of Staff Hau Pei-tsun.

In the beginning of October 1988, Mr. Chen Wei-tu allegedly wrote a pamphlet in which he warned that General Hau was planning a coup d’état during the October 10 celebrations of the Kuomintang’s “National Day.” Mr. Chen was arrested in the case in mid-November 1988, and was held *incommunicado* until December 30th, when he appeared in Taipei District Court.

On 21 April 1989, the New York-based **Committee to Protect Journalists** wrote President Lee Teng-hui to protest the imprisonment and sentencing of Mr. Chen, calling it “...a clear violation of [Mr. Chen’s] right to impart information and ideas through any media as guaranteed by Article 19 of the Universal Declaration of Human Rights.” **The Committee’s** Executive Director, Ms. Anne Nelson, urged in the letter that Mr. Chen be released from prison immediately and unconditionally.

The **Committee** also expressed its concern to President Lee about the charges against *Freedom Era Weekly* Editor Cheng Nan-jung (see pp. 1-8). The **Committee** stated that “Although ... it now appears that Mr. Cheng set fire to himself, this in no way alters the fact that the charges against him were a blatant violation of his right to free expression. The **Committee** asked that President Lee’s government cease the obstruction of journalists’ basic right to express themselves freely.

Radio Reporters Suspended for Expulsion Report

The expulsion of Father Neill Magill in March 1989 (see *Taiwan Communiqué* no. 39, pp. 4-6) had an interesting tail for press freedom in Taiwan, and particularly for the American-run radio station International Community Radio Taipei (ICRT). Immediately after Father Magill was expelled, the press in Taiwan in general did a reasonably accurate job of reporting on the matter: Newspapers and radio journalists contacted Father Magill and reported on the reasons for his involvement in labour affairs.

Two radio reporters of ICRT, Nicholas Gould and Brian Curtiss, also tried to do some objective reporting ... but ran into some problems: they did a telephone-interview with Father Magill after his expulsion and — on Monday 20 March — aired it in their program “Issues and Opinions.” On the very next day, Tuesday, 21 March, they were suspended for one month without pay because “they had not notified their management in advance that they were going to broadcast a programme of a sensitive nature.”

The suspension of the two reporters itself caused a storm of protests in Taipei. Two opposition legislators even submitted interpellations to Government Information Office director Shaw Yu-ming. However, regrettably, the two reporters caved in to pressure, and issued a “clarification” in which they stated that they “deeply regret what has happened” and accepted the suspension. They also stated that they “prefer that the matter be handled as an internal ICRT affair.”

***Taiwan Communiqué* comment:** *It is highly regrettable that Bryan Curtiss and Nicholas Gould caved in to pressure by their superiors. Their suspension is clearly not a case which should be treated as “internal” to ICRT, but is a matter of basic press freedom. With their “clarification” the two reporters are doing a great disservice to press freedom in Taiwan. They should not have let themselves be cowed into submission, but should have stood up for the right to report on Father Magill’s expulsion without prior censorship by their superiors. We fully agree with Sherry Li, a journalism student at National Chengchi University, who wrote in a letter to the China Post that by backing down, the two reporters “...have ... betrayed the ideal of journalism.”*

Notes

Lei Chen Accuser Retracts “Confession”

On 7 March 1989, it became known in Taipei that the person who was used by the Kuomintang authorities in 1959-1960 to implicate a leading advocate for democratization — Mr. Lei Chen — had admitted that he was forced by the Taiwan Garrison Command to falsely implicate Lei.

Mr. Lei — who died on 7 March 1979 — was a prominent mainlander within the Kuomintang’s political hierarchy. In the late 1950’s he became disenchanted with Chiang Kai-shek’s one-party rule, and started to publish a magazine, the Free China Fortnightly, which advocated democratization and the establishment of an opposition party. This was not to Chiang’s liking and in 1960 Mr. Lei was arrested and sentenced to 10 years imprisonment on charges of “spreading propaganda for the communists and harboring a communist spy.”

Now, 10 years after Mr. Lei’s death, his one-time accuser, Mr. Liu Tzu-ying, has acknowledged that he was used by the Taiwan Garrison Command to frame Mr. Lei. In an 18-page letter, written in December 1988, Mr. Liu detailed the way in which the Garrison Command forced him to implicate Lei. The methods show an all-too familiar pattern of the use of threats, intimidation and torture in an attempt to remove an advocate of democracy from the political scene.

Mr. Lei’s case became front-page news in Taiwan in mid-1988 when it became known that authorities at Hsintien military prison had burned Mr. Lei’s memoirs after the Minister of Defense had promised Lei’s 86-years’ old widow that the memoirs would be returned to her (see “Military authorities burn Lei Chen memoirs”, *Taiwan Communiqué* no. 36, pp. 1-4).

Two officials involved in the burning, a military judge and the chief warden at Hsintien, were subsequently impeached by the Control Yuan. However, in practice the impeachment did not mean anything: the two simply continued their function and the military judge was recently even promoted to the rank of lieutenant-general !!

At the end of January 1988, the authorities did return Mr. Lei’s 10 volumes of prison diaries to his widow. However, a number of pages containing “sensitive” information had been removed by the authorities.

The KMT's Report on "2-28": Another Whitewash

On 22 April 1989, three government ministers appeared before the Legislative Yuan in Taipei to report on the "February 28" incident of 1947. The appearance of the three ministers was prompted by demands from the Democratic Progressive Party (DPP) that the Kuomintang authorities stop covering up the facts of the incident — in which between 12,000 and 20,000 Taiwanese were executed by Chiang Kai-shek's Chinese Nationalist troops. For an excellent detailed account, see the book titled "*Formosa Betrayed*", by Mr. George H. Kerr. During the incident, Mr. Kerr was U.S. consular officer in Taipei.

Until recently, the incident was one of the major taboos on the island, but during the past years the democratic opposition, church groups and students have been urging the authorities to open up the case and present the full facts of what happened in 1947. They also demanded that the authorities provide compensation for surviving relatives of the victims, a monument commemorating those who died, and that February 28 be declared a national "Peace Day." (see *Taiwan Communiqué* no. 39, pp. 6-8).

However, during the interpellation of 22 April, the three ministers still refused to acknowledge what really happened, and came up with some lame excuses and outright lies: Interior Minister Hsu Shui-teh attributed the incident to "... low morale due to an economic recession after World War II, the low quality of civil servants and Communist manipulation." Defense Minister Cheng Wei-yuan attributed the incident to a plot by the Chinese Communists, while Justice Minister Hsiao said the incident occurred "...because the government was cracking down on corruption."

The ministers said a monument is "not necessary", since the authorities "investigated the case twice" immediately after it occurred. They added that a further report would "reopen old wounds", and declared it is "time to close the book" on the incident.

Taiwan Communiqué comment: *the response by the three ministers represents yet another outrageous whitewash by the Taiwan authorities. It is equivalent to telling the Jewish people that they should close the book on the Holocaust, because it would open up old wounds. If the Kuomintang authorities really want to gain any respect in the international community, they should try to correct the wrongs they committed in the past.*

A monument for those who died in 1947 and making February 28 a national "Peace Day" will never fully compensate the victims and their families, but it will show the people of Taiwan and the rest of the world that a process of reconciliation is taking place on the island. If the authorities continue to deny what happened, the wounds will fester.
