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| 考試科目 | 英文 | 所別 | 法律學系<br>711. 712. 713. 714. 715. 716 | 考試時間 | 二月三日(日) 第 3 節 |
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Human Rights Watch, an international non-governmental organization that conducts research and advocacy on human rights, published the following report regarding the death penalty in Taiwan. Please read it thoroughly and

1. Write a summary of this report in Chinese. (40%)
2. Write an essay in English and explain whether you agree with Human Rights Watch and why. (60%)

**Taiwan: Reinstate Moratorium on Death Penalty  
12 Executions in 4 Months Sets Back Rule of Law**

April 25, 2013 (New York)

The government of Taiwan should immediately reinstate its moratorium on executions with a view to abolishing the death penalty, Human Rights Watch said today. On April 19, the Taiwanese government executed six people who had been convicted on murder charges: Chen Tung-jung, Chen Jui-chin, Lin Chin-te, Chang Pao-hui, Li Chia-hsuan, and Chi Chun-I. The six were executed by a firing squad.

Taiwan observed a de facto moratorium on the death penalty from December 2005 to April 2010. Since then, the government of President Ma Ying-jeou has executed 21 death row inmates, including six on December 21, 2012.

“A dozen executions in Taiwan since December 2012 is a step backwards for Taiwan’s justice system and Taiwan’s official rhetoric in support of human rights,” said Sophie Richardson, China director. “The government should reverse course and instead take prompt and decisive action toward a total abolition of capital punishment.”

Human Rights Watch opposes the death penalty in all circumstances as an inherently irreversible, inhumane punishment. The government of Ma Ying-jeou has defended its use of the death penalty as a response to “history, culture and public opinion.” A public opinion survey conducted in July 2012 indicated that 76.7% of Taiwanese oppose the abolition of the death penalty.

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During Taiwan's "White Terror" period, which began with the imposition of martial law in May 1949 and lasted until July 1987, the government sentenced to death and executed an estimated 3,000 to 4,000 people on politically motivated charges. Since the end of martial law, successive governments in Taiwan have wrestled with the legacy of these abuses and the need for compensation for victims and their families.

Recent miscarriages of justice in relation to the death penalty have also cast doubt on the policy. On April 10, 2013, a Taiwan court awarded Tw\$15 million (US\$500,000) to three men, Su Chien-ho, Liu Bin-lang, and Chuang Lin-hsun, wrongly convicted for a double murder in 1991. The three men spent 12 years on death row until they were freed due to evidence that police had tortured the men to extract false confessions. President Ma Ying-jeou refused to authorize their executions during his tenure as Taiwan's Minister of Justice from 1993-1996 due to his concerns about the case.

The recent spate of executions also undermines Taiwan's progress toward integrating international human rights standards into its legal system. In 2009, Taiwan ratified both the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Cultural and Social Rights (ICESCR).

In February 2013 an international group of independent experts, including former United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Manfred Nowak, visited Taiwan at the request of its government to review the island's ICCPR and ICESCR compliance. The group's recommendations included an intensification of "efforts towards abolition of capital punishment and, as a first and decisive step ... a moratorium on executions in accordance with the respective resolutions of the UN General Assembly."

"Capital punishment is an act of cruel, pre-meditated killing sanctioned by the law," Richardson said. "Taiwan can demonstrate to the world that it's serious about its international commitment by joining with those nations that have decided to abolish the death penalty."

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