

Chen Shui-bian appeals for release

Written by Taipei Times

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Former president Chen Shui-bian (陳水扁) yesterday appealed to the court to release him from custody so that he could defend himself at the appeals court.

Chen has been in custody since December. He and his wife, Wu Shu-jen (吳淑珍), were sentenced to life in prison for graft on Friday, making them the first former first family in the nation's history to be indicted and convicted.

Chen has asked his lawyers to file an appeal, but said he would not attend the hearings if his appeals were not handled in a fair and transparent manner.

Chen said in a 10-point statement released by his office yesterday that he could challenge President Ma Ying-jeou's (馬英九) re-election bid in 2012, like Ma did when he announced his presidential bid right after he was indicted for graft.

"But I will not do that," Chen said in the statement.

"When I saw the ruling against me, I know I stand a chance of proving my innocence," Chen said.

"I don't believe that all High Court judges are like the presiding judge in my case, Tsai Shou-hsun (蔡守訓)," he said.

Chen asked the court to release him, claiming that Special Investigation Panel (SIP) prosecutors Lin Jhe-huei and Yueh Fang-ju (岳芳菊) had said his incarceration could end after all the witnesses or defendants were questioned.

He would not escape, Chen said, because as a former president, he would have a heavy security detail. His public attorney also had his new passport and he was willing to give it to the court or Ministry of Foreign Affairs for safekeeping.

"Please let me have my freedom back, so I can enjoy the least that a defendant is entitled to: a chance for a fair trial," he said.

Calling the ruling illegal and unconstitutional, the statement said the court processed the cases with political bias.

"Just like what [New York-based political commentator] Cao Changqing (曹長青) said in his recent column, in which he asked what Chen Shui-bian's 'crimes' are: 'His crime is promoting Taiwan independence. His crime is declaring 'one country on either side of the Taiwan Strait.' His crime is insisting on holding a referendum on joining the UN under the name 'Taiwan,'" the statement read.

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Instead of reaching a verdict based on evidence, the statement said it was a “100 percent ethical judgment” and Tsai rejected all accounts concerning the presidential funds made by former president Lee Teng-hui (李登輝), former Presidential Office chief account Fon Shui-lin (方水林) and former chief of the Directorate-General of Budget, Accounting and Statistics Hsu Chang-yao (許昌耀).

The statement said that while the former president knew nothing about the cash donation by former Taipei Financial Center Corp chairwoman Diana Chen (陳麗華), the court ruled it was an act of bribery and profiteering.

The statement also criticized Tsai for applying double standards to the former president's discretionary fund and Ma's “special allowance fund” during his stint as Taipei mayor.

Chen's office yesterday also requested that the Taiwan High Court publicize the travel records of Judge Chen Hsiao-pei (陳昭培) to prove that Taiwan High Court President Huang Shui-tong (黃水同) did not interfere in the former president's cases.

Citing an anonymous source at the High Court, Chen's office on Monday issued a statement alleging that after Judge Chou Chan-chun (周昌春) released Chen from detention last year, Huang called up and asked Judge Chen Hsiao-pei, who was abroad at the time, whether Chou should be removed from the former president's cases.

Chen Hsiao-pei later served as the one of the panel of judges who reviewed an SIP appeal against Chou's decision to release Chen Shui-bian from detention. The panel ruled to keep Chen Shui-bian in detention.

Huang dismissed the allegations, while Taiwan High Court spokesperson Wen Yao-yuan (溫耀元) said Chen Hsiao-pei had been selected from a random drawing, in accordance with the law.

As for which high court judge would preside over Chen Shui-bian's appeal, Wen said the High Court would conduct a random draw in accordance with the law and that the entire process would be transparent.

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