

High Court keeps Chen behind bars

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The Taiwan High Court yesterday ruled to keep former president Chen Shui-bian (陳水扁) behind bars for another three months, on the grounds that he might flee the country if released.

At 8:45pm last night, an hour later than scheduled, Presiding Judge Teng Chen-chiu (滕盛九) announced the appeals court's decision to extend Chen's detention because he was suspected of committing serious crimes and, as a former president, he has more channels to flee the country than an ordinary citizen.

The judges also expressed concern about the large amount of money and other assets the former first family possesses overseas.

Chen had been listening to the judges' decision while standing up. However, after hearing the judges' decision, he fell back limply into his chair, looking dejected.

Yesterday morning the High Court conducted a random draw, selecting three judges — Teng, Pong Shing-ming (彭盛明) and Pan Tsui-hsueh (潘錫賢) — to preside over Chen's trial. The selection process was closely watched by the media and legal experts because the Council of Grand Justices has been asked to rule on the constitutionality of the switching of judges in Chen's case at the Taipei District Court.

In December, a panel of judges replaced Judge Chou Chan-chun (周善俊) with Tsai Shou-hsun (蔡守訓) in the trial of Chen and 12 codefendants, prompting allegations of procedural flaws and political interference.

Yesterday morning, about 100 Chen supporters gathered outside the High Court, shouting "A-bian is innocent."

Hundreds of police officers stood guard to maintain order. Barricades and barbed wire lined the sidewalks surrounding the High Court and Judicial Yuan.

The hearing started at 3:30pm. As Chen entered the courtroom, his supporters in the public seating shouted words of encouragement and addressed him in Hoklo, saying "President A-bian."

When asked whether Chen would hire his own lawyers, he replied "not currently," and thanked the court for appointing two public defenders to represent him.

Soon after the hearing began, Chen launched into a long speech about why he should not have been found guilty by the District Court.

He focused most of his efforts on explaining the history and nature of the presidential "state affairs fund," from which he and his wife Wu Shu-jen (吳淑珍) were found guilty of embezzlement

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and sentenced to life in prison.

He said that the District Court deemed many expenses incurred from the presidential residence that were reimbursed using the state affairs fund as “embezzlement.”

He listed examples of expenses he believed should be appropriately reimbursed by the fund but were found illegal by the court, from wet towels to haircuts.

“The presidential residence is an extended part of the president’s official duties,” he said, adding that when he was president, he never handled his own accounting and reimbursement procedures.

“Is a president supposed to live without dignity?” he asked, questioning whether the fund could not legally reimburse him for such expenses, especially when used by previous presidents in this way.

He criticized the District Court’s decision to convict him for accepting bribes in a land deal in Longtan (▯▯), Taoyuan County, and from former Taipei Financial Center Corp chairwoman Diana Chen (▯▯▯). He said that it should not have found him guilty just because it believed he knew about his wife taking bribes.

Chen Shui-bian’s readiness to speak in his defense yesterday contrasted with his refusal to answer any questions at the District Court, where he protested in silence at what he called an “unfair judicial system” and his “illegal detention.”

Chen Shui-bian has been detained since Dec. 30 last year.

During his detention hearing yesterday, he offered judges several suggestions, including house arrest or electronic tags. Although judges said these alternatives had been “considered,” they insisted it was necessary to detain the former president for another three months.

On Sept. 11, the District Court found Chen Shui-bian, his wife and 11 codefendants guilty. The former president and his wife were sentenced to life in prison and fined NT\$500 million (US\$15.4 million).

The latest ruling agitated Chen supporters gathered outside the court and they threw eggs and bottles of water to protest the ruling.

“Injustice! Political persecution!” they shouted after learning the verdict.

Several protesters lay down on the ground and put banners on their bodies reading “Injustice!” and “Human rights are dead,” while others chanted “Go go, A-Bian!”

Police blocked the entrance to the court and kept protesters away from the door as they pushed and tried to enter the court building.

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Some supporters sat on the ground, and said they would start a long-term protest and would not leave until Chen was released.

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