

Kuo treated unjustly by the nation's judiciary

Written by Open letter from the North America Taiwanese Professors' Associa
Saturday, 09 February 2013 09:33

On International Human Rights Day, Dec. 10 last year, the legislature's Judiciary and Organic Laws and Statutes Committee invited the Judicial Yuan and the Ministry of Justice to deliver reports on human rights and how to avoid miscarriages of justice.

The North America Taiwanese Professors' Association (NATPA) affirms the request by the committee's convener, Democratic Progressive Party (DPP) Legislator Yu Mei-nu (游梅璇), for these reports and to speak up on behalf of those who have been wronged.

We also thank DPP legislators Lee Chun-yi (李俊义), Mark Chen (陳水扁) and Hsu Tain-tsair (許添榮) for speaking up for former Sino Swearingen Aircraft Corp (SSAC) chairman and chief executive Kuo Ching-chiang (郭景翔), a member of NATPA allegedly involved in embezzlement and corruption at SSAC.

The three legislators said that the Special Investigation Division (SID), after conducting the SSAC investigation in 2008, did not further investigate the case.

Usually investigations must be finalized within eight months, but this case has been ongoing for almost five years without finding any wrongdoing by Kuo. The SID will not close the investigation and Minister of Justice Tseng Yung-fu (曾榮光) and Prosecutor-General Huang Shih-ming (黃世明) will not deal with it. This has caused suspicion that it is being handled on a political basis.

Kuo is not a public official, but he is under investigation for malfeasance. He was also barred from leaving the country for 10 months without legal grounds. His human rights have been seriously violated.

While barred from leaving the country, he requested that the SID initiate court proceedings to clarify the situation, but his request was rejected.

When Kuo was interviewed by the SID for the second time in January 2009, prosecutors told

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him that the US' investigation into the SSAC case had been completed, that no irregularities had been found and that the investigation would not continue, so he was no longer barred from leaving the country.

However, he was informed that the SID was investigating former Council for Economic Planning and Development chairperson Ho Mei-yueh (何梅月) for influence peddling, and that he was suspected of "passively assisting Ho" and might have to return to Taiwan for questioning. He had to post NT\$1 million (US\$34,000) bail.

Kuo has still not been summoned for questioning. He has requested that the case be closed on five occasions, but the SID has ignored him and his bail payment has not been returned.

Kuo gave up a well-paid job in the US to return to Taiwan and has made numerous contributions here. For example, he helped resolve several problems in Taipei's Mass Rapid Transit system.

He assisted in reconstruction following the 921 Earthquake in 1999 and developed ecological engineering techniques to prevent landslides and restore residential security.

Furthermore, he took charge of SSAC, where he obtained every certification required by the US' Federal Aviation Administration, set up a production line to manufacture high-quality commercial aircraft and attract investment from a Saudi Arabian company, raising SSAC's value to over US\$100 million.

Despite these achievements, the abuse of judicial power and slander by the media have destroyed his reputation. He has been in limbo, suffering due to deliberate procrastination of prosecutors and an unwillingness to close the investigation although they are unable to find any evidence of wrongdoing.

NATPA calls on the Ministry of Justice to urge the prosecutor-general to urgently address this case and, if no wrongdoing can be established, promptly close the investigation.

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