



Democratic Progressive Party Legislator Yu Mei-nu, center, presides over a public hearing on cross-strait judicial mutual assistance and China's judicial and human rights situation at the Legislative Yuan in Taipei yesterday.

Photo: Liao Chen-huei, Taipei Times

The detention of Hong Kong activist Joshua Wong (黃之鋒) in Thailand raised concerns that Taiwanese who travel abroad could face deportation to China for advocating independence, civil campaigners said yesterday at a Legislative Yuan hearing.

"Even though [Wong] was deported back to Hong Kong, we are concerned that the day will come when activists will be sent to China, particularly a Taiwanese could be deported to China from a foreign nation on the basis of violating China's 'Anti-Secession' Law," said Democratic Progressive Party (DPP) Legislator Yu Mei-nu (俞梅努), who chaired the hearing sponsored by the Legislative Yuan's Parliamentary Cross-Party Group on International Human Rights, Taiwan Association for Human Rights and the Economic Democracy Union.

The jurisdiction of Chinese courts over Taiwanese has been a contentious issue following Kenya's extradition of Taiwanese implicated in telecommunications fraud to China earlier this year. In a separate fraud case in Malaysia, Taiwanese authorities fought to secure several suspects' extradition to Taiwan, only to see them released on arrival for lack of evidence.

"To a certain degree, China has forced Taiwan's legal system into making seemingly unjust decisions by not giving us sufficient evidence or only letting us extradite minor suspects, while they take the main ones. This creates the impression that Taiwan's legal system is powerless to tackle this type of crime," Taiwan Association for Human Rights executive committee member Lee Chia-wen (李建華) said, adding that addressing extradition issues has become more difficult since President Tsai Ing-wen (蔡英文) took office, which preceded a cooling of cross-strait ties.

Lee said that claims of jurisdiction over fraud cases should be based on the destination of money transfers rather than the suspects' nationalities in a bid to establish a clear legal claim to jurisdiction.

“Besides protesting against the extraditions, the Executive Yuan and Legislative Yuan should consider including human rights considerations in deciding whether to execute the Cross-Strait Joint Crime-Fighting and Judicial Mutual Assistance Agreement (兩岸犯罪防治及司法互助協議),” Economic Democracy Union convener Lai Chung-chiang (賴中強) said, adding that Ministry of Justice guidelines do not mention human rights.

He cited a lack of judicial independence, forced confessions, admission of illegally acquired evidence and other concerns as reasons to reject Chinese extradition requests on human rights grounds.

According to Ministry of Justice statistics, Taiwan has extradited 12 people to China since the agreement was signed in 2009, while China has extradited 462 people to Taiwan.

Bruce Chung (鍾國強), a Falun Gong practitioner, said that he was allowed to contact his relatives after being detained during a 2012 trip to China only after beginning a hunger strike.

“No one knew that I had been detained. I was kidnapped and ‘evaporated,’” he said. “When I demanded to be allowed to notify my family and to be accompanied by a lawyer, they denied my requests on the basis of ‘national security.’”

Following an international outcry, Chung was released after 54 days in detention, but had to sign a “repentance statement” for allegedly helping Falun Gong activists hijack the signal of a Chinese television station in 2003.

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