



Press Release of Supreme Prosecutors Office

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Today Supreme Prosecutors Office received a sum total of US\$ 6,429,018, approximately equals to NTD 208,943,085, from Swiss authority, which is in nature illegal proceeds obtained by the former President Chen Shui-Bian in the corruption case with regard to the merging case of Yuanta with Fuhua during the Second Financial Reform Case and laundered to Switzerland. Below is the statement given by Supreme Prosecutors Office:

1. In the corruption and money laundering case with regard to the Second Financial Reform Case committed by the former President Chen Shui-Bian, Wu Shu-Chen, Chen Chih-Chung, and Huang Jui-Ching, the part in which the former President Shui-Bian Chen and Shu-Chen Wu had committed corruptive practices in connection with the merging case of Yuanta with Fuhua has been finalized by the Supreme Court on December 20<sup>th</sup>, 2012. In the final judgment, the former President Chen Shui-Bian was sentenced to 10 years of imprisonment with a fine of NTD 100,000,000 while Wu Shu-Chen was sentenced to 8 years with a fine of NTD 80,000,000. And the illegal proceeds at a total value of NTD 200,000,000 should be confiscated.

2. The Supreme Prosecutors Office Special Investigation Division (hereinafter referred to as "SID") has requested for MLA from Switzerland in the very beginning of the investigation upon this case, for freezing orders against those illegal proceeds laundered into Switzerland. Afterwards, with the assistance of the Federal Office of Justice and the Federal Prosecutors Office of Switzerland, freezing orders against the assets in accounts held by Avallo and Bravo, personal holding companies of Chen Chih-Chung and Huang Jui-Ching, in Wegelin and Co. Private Bankers, were successfully granted. Since this part of the corruption case with regard to the Second Financial Reform Case has been found guilty by the Supreme Court conclusively and irreversibly, the SID then filed the legal assistance request to Swiss judicial authorities via the Department of International and Cross-Strait Legal Affairs of the Ministry of Justice on September 5<sup>th</sup>, 2013. So we have requested the Swiss authority to forfeit, liquidate, and return the assets (securities) frozen in the accounts of Avallo and Bravo, which was at a total value of NTD 200,000,000, pursuant to Article 74a of the Federal Act on International Mutual Assistance in Criminal Matters, to the account designated by SID. The prosecutors of SID visited to the Federal Prosecutors Office of

Switzerland and the Federal Office of Justice of Switzerland respectively in October 2013 and December 2014 for the discussion of the issues related to the mutual legal assistance.

3. On April 1<sup>st</sup>, 2014, the Swiss Federal Prosecutor ordered to return the assets frozen in the accounts of Avallo and Bravo, which was at a total value of US\$ 6,746,840 (around NTD 200,000,000), to the account designated by SID. Chen Chih-Chung et al., however, filed a petition against the order of the Swiss Federal Prosecutor with the Swiss Federal Criminal Court, which overruled their petition in January 2015. Then Chen Chih-Chung et al. filed for appeal with the Swiss Federal Supreme Court which conclusively and irreversibly overruled their appeal on April 20<sup>th</sup>, 2015. The Swiss Federal Supreme Court also ordered to return the requested assets to the account designated by SID. The remaining assets under Avallo and Bravo accounts should be continuously frozen awaiting the further requests from Taiwan.

4. Since the assets frozen in the accounts of Avallo and Bravo were foreign securities, in order to enforce confiscation successfully, SID has requested the Swiss judicial authorities to liquidate those securities in Switzerland in advance and return to Taiwan in cash, in the beginning of request for mutual legal assistance. So after the Swiss Federal Supreme Court overruled the appeal of Chen Chih-Chung et al., the Swiss Federal Prosecutor immediately ordered Wegelin to liquidate the frozen assets (securities). After the liquidation was completed, today (September 4<sup>th</sup>) the Swiss Federal Prosecutor has wired the liquidated value, of which necessary fees already deducted, US\$ 6,429,018 (around NTD 208,943,085 at today's closing buying rate, 32.50 NTD/USD, announced by Bank of Taiwan), to the designated account kept in Bank of Taiwan Long Shan Branch.