



Chapter 7

National Security Crimes Supervision Center



I. Supervision mechanism

- (I) The supervision units holds biannual meetings of the supervision meeting.
- (II) To streamline prosecutors and judges appreciation of the status and modalities of the Chinese communists' infiltration and influence on Taiwan's national security and social order, while ensuring appropriate investigation of cases, enhancing initiation of criminal lawsuits and securing proper sentencing, in May 2018, this Office and the National Security Bureau held a National Security Case Investigation Practicum Workshop, with invitations to the Taiwan High Court Chief Judge Yang, Li-Ching who had previously handled adjudication of national security cases to teach on Critical Review and the Future of National Security Intelligence Supervision Status.

II. Review mechanism

- (I) Purpose of establishment

To ensure the national security, this Office established its national security case analysis mechanism which began operations from February 5, 2021, by collection, collation, study, review, analysis, and big data analytics for national security case information, for planning investigations in national security cases and incrementally creating a national security database.

(II) Collection and review

Every quarter, Prosecutors' Offices of the first and second instance report their national security cases (including those referred by agencies and those proffered by prosecutors sua sponte) as classified pursuant to the six key national security acts, according to their final dispositional status documentation as non-prosecution (nolle prosequi), deferred prosecution or closed cases.

Once this Office receives the documentation, it is reviewed by the first prosecutor according to the Investigation of Major Cases Adversely Affecting the National Security and Social Order Supervision Team, then by the assigned Secretary, and after the completion of the review opinions on the national security case analysis forms, submitted to the Chief Prosecutor for final review. The Chief Prosecutor (or delegated Head Prosecutor) then determines whether to conduct a reconsideration meeting of the National Security Cases Review Unit.

(III) Data use and collation

This Office's Documentation Section handles on a quarterly basis the latest national security case final disposition documentation materials from the Prosecutors' Offices of the first and second instance with full scanning of the complete dossier, and creation of electronic records burned into CD-ROMs for provision to the assigned Secretary. The file creation is in accord with the most current provisions of the file management regulations.

The assigned Secretary selects the most relevant cases for reportage, and submits them for evaluation at a meeting by this Office's Investigation of Major Cases Adversely Affecting the National Security and Social Order Supervision Team.

(IV) Implementation status

In the first quarter of 2021, there were a total of 9 national security cases submitted for review (see attached Appendix for the collated table for the first quarter of 2021 referral of national security cases from the Prosecutors' Offices of the first and second instance), which are currently under review by this Office's prosecutors. (Written by Prosecutor Hsiao, Fang-Chou)

Taiwan High Prosecutors' Office National Security Case Review mechanism and National Security Crimes Review Unit operational procedures flowchart

(Implemented from February 5, 2021)

