

People in public life throughout the country have been seriously concerned or even suspicious about the Special Investigation Division of The Supreme Prosecutors Office regarding Former-President Chen Shui-bian and his family members in their alleged involvement in corruption with state affairs funds and money laundering. The Supreme Prosecutors Office hereby seriously clarifies the facts below to prevent unnecessary suspicion by the public:

- I. Prosecutor-General of SPO Mr. Chen Tsung-ming was officially appointed in accordance with the Court Organic Act only after review and endorsement by the Legislative Yuan (The Congress) through the balloting process. He holds a four-year tenure of office and is not entitled to reelection after the tenure of office expires. Such complicated process is just intended to assure the Prosecutor-General of SPO from potential interference. The Prosecutor-General of SPO has duly organized the Special Investigation Division according to law to put forth wholehearted efforts to crack down upon major cases enumerated under Article 63~1, Paragraph 1 of Court Organic Act. Since he took the office, Prosecutor-General of SPO Chen has been discreet in words and deeds, acting as cautiously as treading on thin ice so as not to disappoint the public.

- II. In his alleged concealment of the information and official documents regarding money laundering, the Former Investigation Bureau Head Yeh Sheng-mao once said having reported to Prosecutor-General of SPO Chen about the aforementioned money laundering issue. In fact, nevertheless, never did Former Investigation Bureau Head Yeh inform Prosecutor-General of SPO Chen of the information and official documents, as Prosecutor-General of SPO Chen has reiterated this key point externally in detail. Former Investigation Bureau Director Yeh

declared through the news release dated August 16, 2008: “In early February 2008, I carried the said document and reported orally to Prosecutor-General of SPO Chen Tsung-ming.” In the press conference held on September 2, 2008, he stated: “In a certain meeting, I already made a report to Prosecutor-General of SPO Chen.” That statement already contradicts his former news release. In early February 2008, never did Prosecutor-General of SPO Chen attend any meeting externally except the Chief Prosecutors’ Meeting, nor did he meet with Former Investigation Bureau Director Yeh. What Former Investigation Bureau Director Yeh said is appropriately inconsistent with the facts. Besides, Taipei District Prosecutors Office has brought indictment on the subject issue and has verified that Former Investigation Bureau Director Yeh did not inform either former Prosecutor-General of SPO Wu Ying-chao or incumbent Prosecutor-General of SPO Chen Tsung-ming. During the investigation process, Former Investigation Bureau Director Yeh did apologize to Prosecutor-General of SPO Chen and did acknowledge that he already handed over two documents regarding money laundering to the Former-President. How could it have been possible in a meeting held in the Ministry of Justice in the presence of many participants, Yeh had reported in a quiet voice to Prosecutor-General of SPO Chen about such information but had not given concrete details? In the absence of concrete evidence, how could Prosecutor-General of SPO Chen judge the information and “hold that with the information, not backed by concrete proof, the Investigation Bureau should continually go ahead in the investigation”? In fact, Former Investigation Bureau Director Yeh has not continued the investigation at all. Prosecutor-General of SPO Chen, therefore, sees no reason to withdraw himself from the investigation process according to the law. Shouldering his solid powers, duties and responsibilities according to the law, Prosecutor-General of SPO Chen oversees the Special Investigation Division and advises the Team

members about how to proceed with investigation and find evidence, guide the entire staff to work together with one heart and concerted efforts day in and day out to conclude the case as promptly as possible to live up to the public expectation of the entire society.

- III. In the criminal process, there must be legally prescribed prerequisites before an alleged criminal can be brought into custody. Wouldn't an unnecessary or abusive custody be contrary to the mounting mainstream of stressed human rights or Minister of Justice Wang's inaugural promulgation for prudent enforcement of prosecutors' powers and safeguarding of human rights? In the process of the present cases of corruption and money laundering, the Special Investigation Division of The Supreme Prosecutors Office will prudently enforce the power of mandatory disposition and will of course apply to the court for a ruling of custody when the prerequisites prove to have been satisfied.
- IV. The investigation launched by the Special Investigation Division of The Supreme Prosecutors Office against Former-President Chen is not necessarily the same as the range of indictment against Wu Shu-chen by the prosecutor of Special Investigation Team of Black Money (SIT). Since September 12, 2006, all state affairs funds have been settled on the grounds of written vouchers instead and the facts cannot be proven until the original vouchers are checked and verified in detail. The Special Investigation Division could not, therefore, jump to an indictment by quoting the indictment of the Special Investigation Team of Black Money (SIT).
- V. We at the Special Investigation Division of The Supreme Prosecutors Office are more than aware of how the public of the entire nation are concerned about the subject case. All our staff members will not spare any effort at all in the investigation process. When inter-support documents are received from foreign counterparts, we

will try by all available means to conclude the case in the quickest
maner to maximize the dignity of justice.

The Supreme Prosecutors Office

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