

The editorial of China Times today (14<sup>th</sup> of July) opines that the rights of privacy and of reputation offered to government officials are different from ordinary people, therefore, it criticizes the private prosecution brought by Prosecutor-General of the SPO Chen Tsung-ming against Legislator Chiu Yi of Legislative Yuan . The SPO wishes to explain as follows

1. Regarding the criticism or observation of all kinds of media, press and congress-people arising from the exercise of duties and handling of cases by Prosecutor-General Chen, he is always respectful since his service is to the public sector. He has never tried to avoid observation by maneuvering litigation.
2. Outside of public duties, government officials should enjoy the same rights of character protection as ordinary people after shedding the public servant's role. Prosecutor-General Chen separately retained an attorney to file a private-prosecution against Legislator Chiu Yi of Legislative Yuan as a private citizen and appeared in front of the court to receive a judgment as an equal with other private prosecutions. He also exercised his personal right with the same measures as ordinary people. People should not criticize him for exercising his personal right to protection measures simply because of his post as Prosecutor-General of the SPO.
3. Members of congress, while observing government officials and all kinds of media, while disclosing all kinds of reports, have a duty to verify facts, so the right of character (even other derivative rights) of reported subjects will not be unduly infringed. There should be no distinction between government officials and ordinary citizens regarding the above.
4. China Times is a written press with a long history within the country. Its editorial has been always been praised as comprehensive and neutral and is an important channel for domestic and international information every day. Prosecutor-General Chen always values information and opinions published by the China Times. Therefore, Prosecutor-General Chen also showed his respect to the opinions released today (14<sup>th</sup> of July) by the newspaper. Nevertheless, the case at issue was due to Legislator Chiu Yi's many untrue public statements and matters disclosed in electronic media which will damage the reputation of Prosecutor-General and prosecution authorities. Due to such statements, the outside world has developed negative opinions against the Prosecutor-General and prosecution authorities. The SPO has had to publish press releases in order to clarify the facts many times. Even so, Legislator Chiu Yi has never changed his behavior. It is hard to believe

that Legislator Chiu Yi had duly fulfilled his duty to verify the facts, and it is also hard to believe he was observing government officials in good faith. Having considered carefully, Prosecutor-General Chen believes a private-prosecution can help the public to fully understand the truth. He also believes that he can definitely be challenged by judicial investigation. Litigation is the final and last resort he can take to safeguard the reputation of the Prosecutor-General and prosecution authorities. The writer of the editorial misunderstands the facts.

The Supreme Prosecutors Office