

To consolidate resources and carry out three-in-one election investigations for mayors/magistrates, county/city councilors and village/township chiefs this year (2009), the Supreme Prosecutors Office (SPO) held the Election Investigation Seminar of the Civil Service Ethics Office Chief Officers from Prosecutors Offices, Police Bureaus and Investigation Bureau today at 2:30 p.m. at the great hall in the National Police Agency, the Ministry of the Interior. The seminar was hosted by Prosecutor-General of the SPO Chen Tsung-ming. Minister Wang of the Ministry of Justice and Vice-Minister Tseng of the Ministry of the Interior were both invited and gave speeches. They encouraged Civil Service Ethics Offices staff from Prosecutors Offices, Police Bureaus and the Investigation Bureau to enhance cohesion, consolidate the strength of these units and initiate the vote-buying investigation in order to purify the election atmosphere.

The participants of the seminar, around 100 people, included Director-General Wang Cho-Chiun from the National Police Agency of the Ministry of the Interior, Commissioner Lin De-Hua from the Criminal Investigation Brigade, Director-General Wu Chang Ying from the Investigation Bureau of the Ministry of Justice, Director-General Chang Chiu-Yuen from of Civil Service Ethics Office of the Ministry of Justice, and high-ranking officers from the Civil Service Ethics Office of Prosecutors Offices, Police Bureaus and the Investigation Bureau. The parties jointly discussed and studied vote-buying investigation strategies and demonstrated official emphasis and resolution on yearend three-in-one election vote-buying investigations.

During the seminar, Minister Wang from the Ministry of Justice said that all colleagues were witnesses and movers of Taiwanese democracy. She added that they are not only the electorate but are also the midwives of Taiwan's democracy, assisting the country to elect the good and capable people. The Minister also instructed that, in spite of the floods prior to this three-in-one election, everyone should endeavor to move forward. Although everyone has tried their best to investigate vote-buying, it cannot be denied that the conviction rate in vote-buying cases is low. Therefore, there is room for review and improvement. Each unit should be responsible for election affairs and vote-buying investigation tasks. The Ministry of Justice, for the purpose of decreasing the workload of prosecution authorities, will be responsible and is already fully prepared to promote knowledge of this election investigation. If the front-line personnel and organizations require any assistance from the Ministry of Justice, the Ministry will coordinate with them. Finally, the Minister reminded each unit that, when carrying out election investigations, they must fully comply with procedural

justice, be in line with the principle of proportionality and increase conviction rates in order to avoid the loss of judicial trust.

Vice-Minister Tseng of the Ministry (原文是”內政部曾次長”,但客戶說好像被翻譯成”部長”了)of the Interior pointed out during the seminar that the current situation indicates that vote-buying still exists. The means and forms of vote-buying, however, are different and need to be investigated by every unit. Police departments are fully prepared to carry out the task of “vote-buying investigation and violence prevention” and will coordinate with each unit to tightly watch and collect intelligence in order to prevent the intervention of money and violence in the elections; endeavor to investigate vote-buying; and maintain security during election; and return the country to a clean and honest election atmosphere.

This seminar aimed to review the defects of past election investigations and improve vote-buying investigation techniques. “The One goal and Three Principles” indicated in the “Work Report on Three-in-One Election Vote-buying Investigations in 2009” delivered by Tsai Rei-tsong, Director of Department of Prosecutorial Affairs, the Ministry of Justice, the goal of the vote-buying investigation is to ensure that “bribes cannot be given out and those offering bribes lose the election” and that the three principles of vote-buying investigation are “tough vote-buying investigation,” “due process” and “accurate prosecution.” Representatives assigned by the Prosecutors Offices, Police Bureaus, Investigation Bureau and civil service ethics authorities with high success rates also made special presentations on their past vote-buying investigations and practical techniques:

1. Head Prosecutor Lin Wen-Liang from Yunlin Prosecutors Office: Related Vote-buying Investigation Techniques and Actions regarding Organizational Vote-buying Cases
2. Commissioner Lin De-Hua from Criminal Investigation Brigade: Special Report on Conducting Three-in-One election Vote-buying Investigation and Violence Prevention in 2009 by the National Police Agency, the Ministry of Interior
3. Director Wan Chia-Fo from Yunlin County Station, the Investigation Bureau, the Ministry of Justice: Work Report on Three-in-One Vote-buying Investigation in 2009 in Yunlin
4. Deputy Director Chung Ting-Tsai from Central Office, the Ministry of Justice: Work Report on the Coordination by Civil Service Ethics Authorities in Conducting Three-in-One Vote-buying Investigation in 2009

All of the reports were comprehensive, practical and beneficial to the improvement of case-handling techniques, promotion of vote-buying investigation ability and enhancement of cooperation and communication. They will assist investigating personnel to further implement the vote-buying investigation tasks.

The Prosecutor-General Chen, at the end of the seminar, instructed the Prosecutors Offices, Police Bureaus, Investigation Bureau and civil service ethics authorities to comply with the following essential points when carrying out vote-buying investigations:

1. The vote-buying investigation should be conducted in accordance with due process of law to ensure the procedure is lawful. The personnel should also be aware of their law-enforcing attitude.
2. During the investigation process, personnel must conduct compulsory measures or evidence collection in line with the principle of proportionality and fully in compliance with Precautionary Matters on Searches and Seizures Carried out by the Prosecution Authorities in order to ensure a prudent and appropriate investigation.
3. Some public opinion suggests that law enforcing officers have been influenced by political parties when handling cases. Such opinions are not true. If there are any inappropriate criticisms, personnel should make an appropriate response as soon they can.
4. The key to success and an essential point of vote-buying investigation is to investigate vote-buying with cash.
5. An effective vote-buying investigation plan suiting the local conditions must be drafted as soon as possible; also, intelligence collection and monitoring should be enhanced in areas with a history of severe vote-buying in the past few years and possibility of vote-buying covered up by disaster relief.
6. To build up an election intelligence database centered on candidates and to list those candidates who likely to use vote-buying means is a main investigation target within the responsible jurisdiction. Verifying and understanding intelligence regarding fund utilization by the candidates is also crucial.
7. If the intelligence is of little value, the prosecutors should not issue investigation instruction letters or assign cases, and should request the reporting unit to make improvements.
8. To strengthen the efficiency of evidence collection.
9. To request the prosecutor-general of each district prosecutors office pay a visit to the directors of bank associations within his/her jurisdiction in order to request assistance regarding vote-buying investigations.

10. Each prosecutors office communication center should additionally establish an email account to accept reports of vote-buying and enhance the communication among units.
11. To prevent false household registration, and, particularly, pay close attention and prevent, at an early stage, false household registrations created by immigrants moving from four metropolitan areas where no elections will be held.
12. The SPO has modified “Types of Vote-buying Conduct and Offences” which will be provided for the reference of each unit when handling the vote-buying investigation. The personnel should actively investigate new types of vote-buying cases, e.g. Provision of Services for Free or with Incomparable Charges, Payment of Salary, Wages, Consulting Fee or Other Benefits Under the Cover of False Employment, Delivery of Bribes Prepared to be Used for Vote-buying Under the Cover of False Payment of Election Activities Expenses, etc.

Finally, the Prosecutor-General Chen anticipated and encouraged each prosecutors office, police bureau, Investigation Bureau and civil service ethics authority to remain neutral, without the influence of political parties or social status, and strictly comply with procedural justice, consolidate people's strength and investigate vote-buying in order to implement superior democratic politics. He also advocated and requested that candidates all over the country should have self-respect keep the election clean. Also, citizens should reject and report the vote-buying in order to eliminate vote-buying.

The Supreme Prosecutors Office