



Supreme Prosecutors Office News Release

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In the matter of former President Chen Shui-bian being suspected of misappropriating documents of national secrets, the Special Investigation Division of the Supreme Prosecutors Office has concluded the investigations on May 21, 2012 following 8 opening and sealing of evidence, collaboration with more than 33 departments and authorities, 43 inspections in collaboration of such authorities, mobilizing relevant departments and all overseas postings to collect and compile the relevant approvals and documents, 16 interrogations of the defendant, and 43 interrogations of witnesses. The prosecutor has officially indicted the defendant, that is former President Chen Shui-bian, for a number of offenses including misappropriation of public property, concealing documents under the power and duty of a public servant, and violating the National Secrets Protection Act.

The indictment totaled 3 volumes comprising of 1,221 pages and 1,201,275 words. It found that after the presidential election in March 2008, the defendant had instructed his aides to pack all of the important or secret documents previously provided by the **National Security Council, the National Security Bureau, the Ministry of National Defense, the Ministry of Foreign Affairs and the Bureau of Investigation**, so that he could continue to have access to the relevant public documents and national secret information that he had obtained during his term of office, for the purposes of his later writing his memoirs, to support his defense of litigation cases in which he is involved, to collect facts and evidence detrimental to relevant political figures, and to divert public attention. Said packed documents and information were all transported to the office of the 11th outgoing president, and constituted misappropriation and concealment of 17,375 documents held in the course of official duties and duties of a public servant (including 10,995 documents of general confidentiality, around 64% in proportion), which included concealment of 3,419 items of national secret documents (around 20% in proportion). The prosecutor considered that the President was the supreme leader of the State and should have been example to the people; instead he had misappropriated public property, concealed documents held in the course of official duties, and concealed national secrets to such an excessive degree that it posed severe dangers to national security, national defense and diplomatic affairs. He particularly denounced the fact that the defendant had attempted to shirk his responsibilities by blaming his aides, and had applied for a heavier sentence as a result. Nonetheless, since the defendant in this case had become imprisoned within months after leaving office, the national secrecy documents that he had misappropriated and concealed were not leaked, nor cause any damage. The prosecutor therefore prays that the court

take into consideration these circumstances in determining the appropriate sentence according to law. As for the official documents and national secrets confiscated, these are public property that should be returned to the injured party, that is the Government of the Republic of China, after conclusion of the case.