

## Supreme Prosecutors Office News Release



Released on: July 17, 2013

Released by: Special Investigation Division

---

Members of the Legislative Yuan have called for, and the media have reported, that “the Special Investigation Division intervene in the investigations in the Hong Zhong-qiu Case, in line with the precedent set by the Jiang Guo-qing Case”. Explanations of this Bureau are as follows:

Article 1, Paragraph 1 of the Code of Court Martial Procedure provides that: “If military personnel on service breaks the criminal law for the army, navy and armed forces or special law, they must be prosecuted and judged in accordance with this Code”. Article 63-1, Paragraph 1, Subparagraph 1 of the Court Organization Act also provides that: “The Supreme Prosecutors Office shall establish a Special Investigation Division, responsible for the following matters: 1. Matters involving the corruption of the President, Vice-President, leaders of the five Yuans, heads of the ministries, or military officials of or above the rank of general.” Based on facts and evidence presently available, the Hong Zhong-qiu Case involves only the violation of criminal law for the army, navy and armed forces by servicemen, and so far there is no evidence that any military official of or above the rank of general is involved as a suspect. In light of the aforementioned legal provisions, this is not a case that can be investigated by the Special Investigation Division.

As for the Jiang Guo-qing Case, while a few of the criminal suspects in that case were servicemen so that the martial law authority had jurisdiction, nonetheless the majority of the suspects had already left military service by the time that their involvement was discovered. Pursuant to Article 5, Paragraph 2 of the Code of Court Martial Procedure, the martial law authority would no longer have jurisdiction over them. Therefore, prosecutors of the Prosecutors’ Office of the Military Supreme Court, the Taipei District Prosecutors Office and the Taichung District Prosecutors Office had carried out separate investigations of the servicemen and ex-servicemen. It had been an investigation conducted jointly by the military and judicial authorities,

coordinated by Prosecutor-General Huang of this Bureau.