

## **1. Promote international mutual legal assistance and fight against transnational crimes**

I. From 2002 to the end of December 2015, the number of judicial cases in which the Ministry of Justice of Taiwan asked for mutual legal assistance to the U.S. Department of Justice is 109, and the U.S. Department of Justice completed 88 of them. On the other hand, the number of judicial cases in which the U.S. Department of Justice asked for mutual legal assistance to the Ministry of Justice of Taiwan is 62, and the Ministry of Justice of Taiwan completed 61 of them. The U.S. and Taiwan not only consult with each other about the execution of the judicial cases for mutual legal assistance if necessary, but also hold the consultative meetings regularly to discuss the implementation of the agreement and enhance the efficiency in execution. The Ministry of Justice of Taiwan and the U.S. Department of Justice held annual mutual legal assistance consultative meeting in the U.S. in November 2015 to not only look through the judicial cases, exchange ideas about the seizure of assets such as accounts but also discuss whether a sentence of forfeiture from one side can be enforced in another. During the stay in the U.S., the delegation of the Ministry of Justice of Taiwan called at many other law enforcement agencies such as the FBI, the ICE, and the IRS.

II. The Ministry of Justice of Taiwan also has substantial connections with countries without diplomatic relations in regard to the judicial cases for mutual legal assistance. From 2012 to the end of December 2015, the number of cases in which we asked for mutual legal assistance in criminal matters to such countries is 118; on the other hand, the number of cases in which such countries asked for mutual legal assistance in criminal matters to us is 63. In addition, we actively conducted bilateral cooperation with other countries based on reciprocity and encouraged them to sign the agreement on mutual legal assistance with us to effectively fight against the cross-border crimes. In November 2015, we held the first consultative meeting on mutual legal assistance with the Ministry of Justice of Canada to try to solve the problems together face to face.

III. In August 2015, the Investigation Bureau, MOJ delegated one liaison officer to the secretariat of Egmont Group in Toronto, Canada to strengthen the relationship between Egmont Group and Taiwan. Later in November 2015, the delegation of the Ministry of Justice of Taiwan called at the secretariat of Egmont Group to share thoughts with each other on topics such as the legal basis of exchanging information about anti-money laundering and anti-terrorism and how to combat crimes efficiently by taking the advantage of the resources of the Group.

IV. The "Agreement between the Taipei Economic and Cultural Office in Vietnam and the Vietnam Economic and Cultural Office in Taipei On Judicial Assistance in Civil Matters" became effective on October 2, 2011. Until the end of December 2015, the number of judicial

cases in which we asked for mutual legal assistance to the Ministry of Justice of Vietnam is 2,611. On the other hand, the number of judicial cases in which the Ministry of Justice of Vietnam asked for mutual legal assistance to us is 1,778. The Ministry of Justice of Taiwan is the contact window of the “Agreement between the Taipei Economic and Cultural Office in Vietnam and the Vietnam Economic and Cultural Office in Taipei On Judicial Assistance in Civil Matters”, which governs the mutual legal assistance between Taiwan and Vietnam on service of documents, investigation and taking of evidence, recognition and enforcement of the civil judgments, decisions and arbitral awards. The Agreement helps both Taiwanese and Vietnamese to enjoy the same judicial protection when involved in lawsuits in the other country.

V. The Agreement on Mutual Legal Assistance in Criminal Matters between The Taipei Economic and Cultural Office in the Philippines and The Manila Economic and Cultural office in Taipei became effective on September 12, 2013. On October 26, 2015, both the delegations from the Philippines and Taiwan held the third consultative meeting at the Ministry of Justice of Taiwan. Both countries are devoted to strengthen the implementation of the Agreement to effectively fight against the transnational crimes.

## **2. Establish domestic legal system and draft relevant Bills**

The Ministry of Justice of Taiwan is drafting the “International Mutual legal Assistance in Criminal Matters Law” as the legal basis of mutual legal assistance in criminal matters between Taiwan and the other countries. The draft is completed, and other relevant legal work will be carried out soon. Also, since September 2015, the Ministry of Justice of Taiwan has been amending Law of Extradition by inviting experts and scholars to discuss and research the amendment together. Until December 2015, we held totally 25 meetings and preliminary review of the articles is completed. In the future, in addition to subtle adjustment, we will also hold public hearings in the hope of attracting public’s attention to this topic and gathering various opinions to improve the legal system. When these 2 laws become effective, a better mutual legal assistance system in Taiwan will be anticipated, and legal basis of the implementation will be provided to catch up with international standards. On the other hand, the Ministry of Justice of Taiwan formed a group for the regulations of Cross-Strait Joint Fight against Crime and Mutual Legal Assistance Agreement to amend the existing articles and draft relevant regulations by following the spirit of the Agreement, which will improve our legal framework and the pattern of cooperation between the straits.

## **3. Participate in International Organizations and Expand International Cooperation**

The Ministry of Justice of Taiwan actively participates in International Association of Prosecutors (IAP), Asia/Pacific Group on Money Laundering (APG), Asset Recovery Interagency Network - Asia Pacific (ARIN-AP), Asia-Pacific Economic Cooperation (APEC),

Anti-Corruption and Transparency Working Group (ACTWG) and Anti-Corruption Authorities and Law Enforcement Agencies Network (ACT-NET). The Ministry also attend many important conferences of The National Association of Attorneys General, Cambridge International Symposium on Economic Crime, the International Association of the International Authorities and Taiwanese-German Criminal Law Forum, etc. In addition to getting a grasp of international crime trends and information, the delegation from Taiwan exchanges ideas about international mutual legal assistance and investigation on cross-border crimes with the delegation from other countries, regions and international organizations in these events.

#### **4. Uphold justice in Guang Da Xing No. 28 Fishing Boat Event**

Guang Da Xing No. 28, a Taiwanese fishing boat, was shot by the Philippine official vessel in May 2013. 8 defendants were prosecuted by the Philippine Prosecutors on March 18, 2014. The Philippine prosecutors requested for evidences from Taiwan and we provided the assistances according to laws to help the proceedings of the case run smoothly and have the defendants receive judicial punishment as soon as possible.

#### **5. Set the precedent for extradition between England and Taiwan**

After “The Taiwan-England memo about extradite Zain Taj Dean” was signed and became effective on October 16, 2013, the Ministry of Justice of Taiwan immediately requested for extraditing Zain Taj Dean and has been providing the related proofs and information to England during 2014. The Scottish Minister agreed to extradite Zain Taj Dean to Taiwan to serve his time, but Zain Taj Dean filed an appeal. The Ministry of Justice of Taiwan, the Ministry of Foreign Affairs of Taiwan and Taipei Representative Office in the U.K. will continue to work together with Scottish prosecutors to keep providing information during the period of appeal and make the extradition happen to uphold justice.

#### **6. The first case of transfer of sentenced person ever**

“Arrangement between the Taipei Representative Office in the Federal Republic of Germany and German Institute in Taipei on the Transfer of Sentenced Persons and Cooperation in the Enforcement of Penal Sentences” was signed respectively on October 23, 2013 in Taiwan and November 6, 2013 in Germany and became effective on February 7, 2014. The Ministry of Justice of Taiwan sequentially requested Germany to receive German sentenced persons who currently served time in Taiwan to serve the rest of it in Germany based on the agreement. In February 2015, the first German sentenced person was successfully sent back to serve time in Germany.

#### **7. Cooperate with Mainland China thoroughly for mutual legal assistance and fulfill the spirit of the agreement**

I. From the day when both sides of the strait signed the “Cross-Strait Joint Fight against Crime and Mutual Legal Assistance Agreement” to the end of December 2015, we arrested totally 446 of the wanted suspects who fled to Mainland China and get them back to Taiwan such as the chairman of Chung Hsing bank CHIH-HSIUNG WANG, the gunman YUNG-CHIH CHEN, former legislator TING-CAI GUO, the prime suspect of crime group that kidnapped deputy speaker of Taichung city WU-HSIANG HSU, the suspect of Guangxi Nanning Fraud YUAN-YING YU, the suspect of TANG FENG speculation in stocks WU-HSIEN CHOU, the prime suspect of THSR explosion TSUNG-HSIEN HU, the former township mayor of Hsikou township in Chiayi County PANG-SHIH LIU, the prime suspect of murder and dumping body parts YING TANG and her ex-husband JUI-FENG CHANG, the prime suspect of insurance fraud WEN-TUNG HSU and the police officer involving bribes TIAO-LI CHEN.

II. From the day when the agreement became effective to the end of December 2015, the number of the judicial cases in which both Mainland China and Taiwan requested for the mutual legal assistance is 79,019, and 63,407 out of 79,019 were completed, which means 800 cases can be completed per month in average, including getting testimonials, providing documentary and material evidence, locate and identify a person, inspection, examination, visit, investigation and other 1,181 cases related to investigation and taking of evidence in mutual legal assistance. The system benefits the investigation and trial of litigation and protects civil rights. What's more, law enforcement agencies of both sides cracked 176 major criminal cases and arrested 8,707 suspects through information exchanging and joint cooperation. We fight against the crimes together, and the results are extraordinary.

III. To maintain both humanity and correction, the agreement also governs transfer of sentenced persons and helped the sentenced persons who served in another country go back to their own to serve the rest of their time. The Ministry of Justice of Taiwan has established Transfer of Sentenced Persons Act, which is applied mutatis mutandis to Mainland China, and developed the procedures with the Ministry of Justice of Mainland China together. In 2014, we took 5 people in 2 groups back to Taiwan. In 2015, we took 3 Taiwanese sentenced persons who served many years in Mainland China back to Taiwan and transferred them to Taipei prison to serve the rest of their time based on the conversion of court judgments to maintain both humanity and correction.

IV. Both sides from the strait have marked the fighting against cross-border drug crimes as a highly-emphasized task. From the day when the agreement became effective to the end of December 2015, both sides cracked 66 cases of drug crimes and arrested 361 suspects on the basis of information sharing and joint investigation.

V. With the connection and communication between the Ministry of Justice of Taiwan, Supreme People's Court of Mainland China and the Ministry of Public Security of Mainland China, both sides of the straits are devoted to the seizure and recovery of the criminal assets based on the agreement of mutual legal assistance system. From June 2013 to the end of December 2015, a total of NTD 16.48 million was recovered to Mainland China, and around NTD 12.52 million to Taiwan, which sum up a total amount of NTD 29 million. The loss of the victims is recovered by returning criminal assets and the people can really benefit from it.