

**OFFICIAL STATEMENT OF THE REPUBLIC OF CHINA
(TAIWAN) ON THE INTENTIONAL SHOOTING
CONDUCTED BY THE PHILIPPINE LAW
ENFORCEMENT VESSEL AGAINST
THE GUANG DA XSIN 28
MAY 18, 2013, 9:00AM**

The government of the Republic of China (Taiwan) formally issued two letters to request legal assistance from the Philippine government through the Taipei Economic and Cultural Office in the Philippines (TECO) before the departure of Taiwan's investigation team.

In the said letters, Taiwan government requests the Philippine government to provide assistance in the collection and inspection of evidence; in interrogating the perpetrators; and in providing the investigation reports. With the said assistances provided by the Philippine side, Taiwan government will be able to obtain the evidence collected by the Philippine authorities in the soonest possible time so that the liability of all the perpetrators could be clarified and determined afterwards.

It should also be noted that Resident Representative Antonio Basilio of the Manila Economic and Cultural Office (MECO) has stated publicly and clearly that the Philippine side will conduct joint investigation with its Taiwan counterpart in his letter to Taiwan's government and in his statement given in the previous press conference.

The results of Taiwan's investigation are as follows:

1. As stated in the report coded No.1021101517 made by the Institute of Forensic Medicine, Ministry of Justice, the Taiwanese victim died from a single perforating gunshot wound in the bottom left section of the neck, which perforated the left common carotid artery, trachea, esophagus, transverse thoracic burst fractures from L2 to L6, aorta, and upper lobe of the left

lung, rupture of upper and lower lobes of the right lung causing massive bleeding and pneumothorax, hemothorax, hypovolemic shock, and respiratory failure. The forensic report further states that the severe transverse thoracic burst fractures from L2 to L6 of the victim suggested that the gunshot wounds were caused by high speed or powerful guns such as machine guns or rifles. Therefore, based on these medical evidences, the manner of death is “homicide”.

2. Based on the bullets collected from Guang Da Xsin 28, the criminal investigators concluded that the ammunitions used were 7.62mm caliber shots, most likely coming from M14 rifle, M240 or M60 machine guns. However, there is still possibility that the wound was caused by other armaments which are also 7.62mm caliber.
3. After the 2nd check-up on the Guang Da Xsin 28, it was found out that the vessel has been shot by a total of 45 bullets. In addition, bullet remnants were not found on the surface of Guang Ta Hsin 28, thus omitting the possibility that Guang Ta Hsin 28 was trying to ram the Philippine law enforcement vessel, specifically the Maritime Control Surveillance 3001 (MCS-3001) which resulted to the defensive measure taken by the latter.
4. According to the relevant regulations of the international maritime law, even if the Philippine law enforcers on MCS-3001 were conducting an official duty, they should follow the procedures of warning, dispelling, boarding and detaining the illegal vessel, then proceed to the legal procedure. However, MCS 3001 failed to do the aforementioned measures which clearly showed that the personnel on board the ship totally ignored and violated the customs of the international law. Moreover, after double checking the Guang Da Xsin 28, it was found out that it has been shot with 45 bullets, not counting the missed shots since both sea vessels were in continuous motion. Most of those 45 bullets were shot at the cockpit, in which the four crew members were hiding. In addition, the wound was a

result of a high speed rupturing gun shot. By combining the abovementioned evidences, it clearly shows that the Philippine law enforcers were intentionally shooting the Guang Da Xsin 28 crew members, which indicates their intent of murder. This kind of behavior should not be conducted by a civilized country. We believe that the Philippine government would never allow for this kind of act to be done to its people.

5. As shown in the VDR recorded by Guang Da Xsin 28, the exact location where the incident occurred is within the EEZ of the Republic of China and not in the Philippine territorial water.

Based on anonymous reports, the Philippine media has mentioned that the Philippine government is already in possession of a videotape of the incident and other relevant evidence; however, the said evidence from the Philippine side indicate different results from the preliminary reports yielded by Taiwan's investigation. Given the discrepancy of the two sides' reports, it is necessary for Taiwan and the Philippines to jointly form an investigation team to uncover the truth behind the incident. Following the Agreement on Mutual Legal Assistance (AMLA) signed by the two sides, the Taiwan government welcomes the Philippine government to send a team to Taiwan to join the investigation provided that they also follow appropriate procedure.

From the beginning, all the statements made by the Taiwan government have always been in accordance to the results of our investigation. However, the Philippine government has continuously accused and labeled the victim as the villain in the incident, without disclosing sufficient evidence to back up their claims. Therefore, we strongly urge the Philippine government to follow the same standard that Taiwan has done faithfully. They should first present their evidence before directing meaningless claims and accusations against the victim. If they are unable to produce sufficient evidence that will deem their claims as legitimate, it can be said that the Philippine government is purposely concealing the offense of their officials.

The Taiwan investigation team arrived in Manila on May 16 in hopes that they will be able to jointly conduct an immediate investigation with their Philippine counterparts in order to further shed light on what truly transpired during the May 9 incident. Their initiative to come to the Philippines is based on the sincerity and consent expressed by the Philippine government in conducting a joint probe prior to the investigation team's arrival. However, the Philippine government has tried to prolong and delay our requests for a joint investigation. Although we made some progress yesterday, we still feel discontent on the lack of sincerity and credibility exhibited by the Philippine side in cooperating with our team. For this very reason, all the members of the Taiwan investigation team has decided to go back to Taiwan immediately. We hope that the Philippine government understands that there is only one truth; and that the way to show sincerity is by proposing concrete and feasible proposals for bilateral cooperation which will pave the way for the clarification of truth. In this way, we will be able to determine the proper compensation to the victim's family and carry out the appropriate punishments to the perpetrators.