

Press Release of the Ministry of Justice

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The Ministry of Justice and the China Judicial Authorities today (4th) announce their cooperation to complete the first case of transfer of remains in a murder case under Cross-strait Mutual Legal Assistance

Through the contacts and arrangements by the Ministry of Justice (MOJ) and the Supreme People's Procuratorate (SPP) under the procedures of cross-strait mutual legal assistance, today (4th) the Fujian Kinmen District Prosecutors Office (KDPO) has smoothly transferred the victim's arm of a dismemberment and murder as an evidence, which occurred at Xiamen City in Fujian Province, China in April of 2013 which drifted to Kinmen County, to People's Procuratorate of China Fujian Province to assist with subsequent judicial proceedings and the return of these remains to the family of the deceased in order to exemplify a humanitarian spirit.

In May of 2013, a broken human right arm which was found on the Niaoshajiao shore of Jinning Township in Kinmen County was autopsied as unidentified body by KDPO. Later in June, the Ministry of Public Security (MPS), through the channel of Cross-strait Mutual Legal Assistance, informed MOJ that unidentified human body parts were found on the beach under the jurisdiction of the Public Security Bureau in Xiamen and Zhangzhou City. Based on geopolitical relations and investigation needs,, MPS, in order to facilitate the investigation, formally requested MOJ to assist in identifying whether the victim might be a Taiwanese pursuant to "Cross-Strait Joint Crime-Fighting and Judicial Mutual Assistance Agreement" (hereinafter referred to as the "Agreement"). After receiving the request from China as well as the DNA data of the body parts, MOJ instructed KDPO, which is near Xiamen and Zhangzhou City, to assist. After the comparison and examination conducted by the Forensic Medicine Institute of MOJ, the corresponding STRDNA types between the arm of unknown identity and DNA data sent by China were consistent. It was determined that the arm very likely came from the same victim of the murder case under the investigation in China. MOJ subsequently replied all verified and related information to MPS. In accordance with the information provided by MOJ, China Public Security institutions continued to investigate the case.

It was then found that Lu-x-Song, a mainland China man, after quarreling with his live-in girlfriend Zen-x-Yin, strangled her with a belt and dismembered her body into eight parts at a residence in Huli District, Xiamen City on April 6th 2013. The dismantled trunk and limbs were then discarded at Wuyuan Bay and Xiamen ferry terminal, respectively.

After murder charge was laid by Xiamen Municipal People's Procuratorate, owing to the said broken arm is an important piece of evidence for the murder trial, SPP again in June (2014) requested MOJ to assist in transferring back the body parts evidence, pursuant to the "investigation and collection of evidence" under the Agreement. After confirming relevant procedures by both sides, the personnel of the prosecutorial institutions of Fujian Province and Xiamen City dispatched by SPP went to KDPO through Mini-three-links to fetch back the said arm to complete the evidence transfer procedure under cross-strait mutual legal assistance, and to ensure the subsequent procedure of the murder case could be carried out smoothly in order to effectively combat crimes.

Ever since the Agreement entered into force for five years from June 25, 2009, the number of completed cases through the cooperation of both sides have been more than 40,000. In the aspect of fighting crimes, the mutual legal assistance include the cooperation of intelligence exchange, service of documents, investigation and collection of evidence, repatriation and asset recovery. The dimensions are broad; the quantities are great; and the contents are various. Under the mechanism of the Agreement, both sides will continue to implement the Agreement in order to strengthen the effectiveness of mutual legal assistance.