

Press Release
Taiwan Pingtung District Prosecutors Office
July 12,2019

Taiwan Pingtung District Prosecutors Office closes the bloody case onboard Wen Peng and indicts one Filipino fisherman

1.The process of detection

On the afternoon of February 20, 2019, Taiwan Pingtung District Prosecutors Office was informed that a bloody case broke out onboard Wen Peng, which is a Longline ocean fishing vessel registered in Pingtung County's Donggang Township, No.CT6-1411, 255tons in weight. It was approved to fish in the Indian Ocean from January 1, 2019 to December 31, 2019 by Counsel of Agriculture(CA). The incident happened in the Indian Ocean approximately 1,540 nautical miles from the Mauritius capital of Port Louis(9 degrees 33 minutes south latitude and 82 degrees 1 minute east longitude) at 1:44 on February 20, 2019. The Filipino suspect AURELIO Axxxxxx (Suspect A) is suspected of killing and injuring several Filipino and Indonesian crewmates with knives, while some other Filipino and Indonesian crew members jumped overboard during and after the attack. The chief prosecutor of Taiwan Pingtung District Prosecutors Office defined the incident as a case of important public interest, high social profile and should activate investigation as soon as possible. One prosecutor was appointed to command the investigation. The prosecutor soon contacted Fleet Branch and Investigation Branch of Coast Guard Administration (CGA), Fisheries Agency (FA) and Ministry of Foreign Affairs to assist processing the relevant affairs.

Suspect A was arrested by the special agents of CGA on March 2, 2019, boarded another vessel Hsun Hu No. 8 on March 3, and transferred back to Taiwan on March 18, 2019. Wen Peng with the rest crew members including the Taiwanese captain, chief engineer, 10 Filipino and the rest Indonesian survivors(a total of 12) arrived at the 5th coast guard team pier, CGA at 8:00 on March 24, 2019 under the escort of the special agents of CGA. The prosecutor then boarded the vessel to direct the forensic team of Criminal Investigation Bureau(CIB), National Police Agency, Ministry of the Interior and CGA to board the vessel for forensic examinations, and to interrogate the relevant people to clarify the case. The case now is closed. The prosecutor indicted Suspect A guilty of murder of the first section of Article 271, the first and the second section of Article 271, and the first section of Article 247 of the Criminal Law.

2.The criminal facts indicted

(1) Crime facts process

Since 1:50 on February 20, 2019(local time was 23:00 on February 19), the crime facts Suspect A has offended are as follows:

A. At 1:50 on February 20, 2019, Wen Peng arrived at approximately 1,540 nautical miles northeast from the Mauritius capital of Port Louis. Suspect A first held two fish knives to hacked the Filipino crewmate as shown in Schedule No. 13 repeatedly, causing him to die on the ground. Suspect A then abandoned the corpse to the sea on purpose.

B. Since 3:00 on the same day, Suspect A has held the fish knives to chase and hack the rest of the other crew members on the decks. The Indonesian crew members as shown in Schedule No. 23, 24 were rescued and sent to hospital for treatment, so they survived. The crew members as shown in Schedule No. 5 to 7 and 14 to 18, a total of 8 persons, fled through the decks , the top, the channel of the vessel. There was no space for refuge, so they were forced to jump to the sea for survival. Suspect A cut off the net of the rope machine and surveyed around the watertight doors on the deck area to keep the eight people from boarding or climbing the net equipment for survival, allowing the death of the eight people to occur. The crew members as shown in Schedule No. 5 and 7 were luckily rescued by the rescue boat. However, after the crew members as shown in Schedule No. 6 and 14 to 18 jumped into the sea, the relevant rescue fishing boat kept searching from 15:00 on February 20, 2019 to 19:00 on March 4, staying in the waters of the site searching for more than 72 hours, they were still not found. Therefore, they must be dead.

C. Around 4:00 to 5:00 on the same day, Suspect A held the fish dart stabbed the left shoulder and left chest of the crew member as shown in Schedule No.12 and caused he died because of bilateral pneumothorax.

(2) The Discovery, the escort of the fishing vessel and the inspection of the traces

The captain Chen asked the vessel owner Chen for help via satellite telephone. At 2:20 on February 20, 2019, the vessel owner Chen notified Donggang Fishery Radio to report to the Fisheries Monitoring Center, FA. Then the units such as FA and other nearby fishing vessels were notified to rescue. On the same day, Taiwanese vessels Hung Fu No. 88 and Shang Feng No. 3 also arrived at

the area of the incident. The rescue assistance was activated immediately to search the crew members jumping overboard. The Filipino crew members as shown in Schedule No. 5 and 7 were successively rescued. The Filipino crew members as shown in Schedule No. 23 and 24 who had serious injuries and fever were transferred to the hospitals in Maldives by Shang Feng No. 3. CGA also dispatched Hsun Hu No. 8 at 13:00 on February 21 to the area of the incident for rescuing. Another special agents were dispatched with several FA observers flying to Colombo, Sri Lanka at 8:30 on February 23. There they boarded another vessel Chao Feng No. 277 to the scene. At 22:10 on March 2, Suspect A understood he was unable to resist, so he jumped overboard Wen Peng and swam to Chao Feng No. 277. Then he was arrested by the special agents on the spot.

The Prosecutor commanded the forensic team of CIB to collect the blood traces left and related micro-property marks from the fishing vessel, and directed the International Section to collect the DNA traces of the families of the missing victims and the crew members as shown in Schedule No.23,24. With the assistance of Ministry of Foreign Affairs, Manila Economic and Cultural Office and Indonesian Economic and Trade Office to Taipei, it has been confirmed that the relevant fishing knives and the fishing boat remained DNA traces of the crew members as shown in Schedule No. 6 and 23.

(3) Interrogation, detention and indictment

After notified of the incident, Taiwan Pingtung District Prosecutors Office immediately assigned a prosecutor to set up an ad hoc group to quickly convene the relevant units to conduct rapid rescues, to search victims and to escort the fishing vessel to return to Taiwan for judicial investigation. Suspect A arrived at Taiwan on March 18, 2019 for investigation. On the evening of the same day, the prosecutor immediately appealed to Taiwan Pingtung District Court for detention order and the detention was granted. Meanwhile, the prosecutor also defended the interests and human rights of the suspect. The prosecutor requested Pingtung Detention Center to assist the suspect in requesting the legal aid lawyer to defend the suspect's litigation rights. In addition, Taiwan Pingtung District Prosecutors Office also abided by the "Vienna Convention on Diplomatic Relations" signed on April 18, 1961, so that the suspect had the right to accept visits by representatives of Republic of the Philippines during the trial. In this case, the prosecutor repeatedly interrogated the suspect and related witnesses for more than 20 people, cooperated with CGA, FA and other agencies, quickly and deliberately investigated the facts and finally indicted the suspect .

(4) Sentence Request

The prosecutor said that the suspect slashed several crewmates and some crewmates were forced to jump overboard. His brutal massacres caused deaths of eight people (five Indonesians, three Filipinos) and the injuries of two Indonesian crew members. Suspect A regards human lives as worthless. He only conceded part of the crime facts and denied the others. There still were some discrepancies in his statement. Because of Suspect A's poor attitudes after commission of offenses, the prosecutor filed the charge to Taiwan Pingtung District Court and requested severe sentences according to the law.

Schedule :

No	Name	Country	Note
1	Chen	ROC	Captain
2	Kao	ROC	Chief engineer
3	Yang	ROC	Observer
4	AURELIO xxxxxxxx xxxxxx	PH	Crew member/suspect
5	LAxxxxxxxxxxx xxxxxx	PH	Crew member
6	RIxxxxx xxxxxx xxxxxxx(missing)	PH	Crew member
7	EDxxx xxxxxx xx xxxxxx	PH	Crew member
8	JAxxx xxxxxxxx xxxxxxxx	PH	Crew member
9	MAxxxx xxxxxxxxxx xxxxxxx	PH	Crew member

10	ROxxx xxxxxx xxxxxx	PH	Crew member
11	MAxxxx xxxxxx	PH	Crew member
12	JExxx xxxxxx xxxxx(dead)	PH	Crew member
13	CAxxxxxx xxxxxxxx xxxxxxx(dead)	PH	Crew member / corpse dumped

14	ASxx xxxxxxxx(missing)	ID	Crew member
15	BAxxxxxx xxxxxxxxxx(missing)	ID	Crew member
16	IMxx xxxxxx(missing)	ID	Crew member
17	JUxxxxxxxx(missing)	ID	Crew member
18	YOxxxxxx xxxx xxxxxxx(missing)	ID	Crew member
19	MOxxxxxxx xxxxx	ID	Crew member
20	FAxxxxxx xxxx	ID	Crew member
21	PExxxxxxx	ID	Crew member
22	SExxxxxxxx xxxxxx xxxxx	ID	Crew member
23	BAxx xxxxxx(severely	ID	Crew member

	wounded)		
24	M0x xxxxxx(severely wounded)	ID	Crew member