



Chapter 22

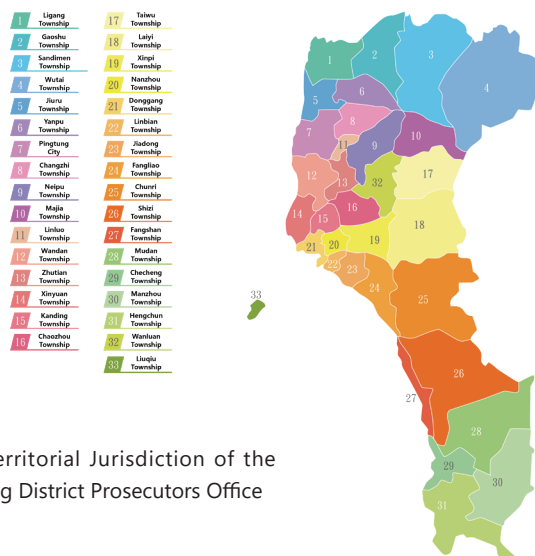
Taiwan Pingtung District Prosecutors Office



Section 1 Historical Overview

During the Japanese Colonial Rule, there were no courts and prosecutorial authorities in the jurisdictional area of Pingtung. It was not until December 20, 1949, the Taiwan Pingtung District Court and its Department of Prosecution were established, which started to accept cases as of January 1, 1950, marking one of the earliest prosecutorial authorities established in Taiwan after the Government of the Republic of China took over and governed Taiwan. On December 24, 1989, the establishment was renamed the "Taiwan Pingtung District Court Prosecutors Office" in conjunction with the amendment of the Court Organization Act. On May 25, 2018, it was again renamed the "Taiwan Pingtung District Prosecutors Office," where the wording of "Court" from its organizational name was taken away, in conjunction with the amendment of the Court Organization Act.

Section 2 Territorial Jurisdiction



Geographic Territorial Jurisdiction of the Taiwan Pingtung District Prosecutors Office

Section 3 Office Buildings

I. The period when the office was on Gongyuan Road, Pingtung City

In December, 1949 when the Department of Prosecution was established, due to the government's financial difficulties, the two-story wooden Japanese style youth hostel located at the intersection of Gongyuan Road and Renai Road in Pingtung City was used as the office.

II. The period when the office was on Beiping Road, Pingtung City

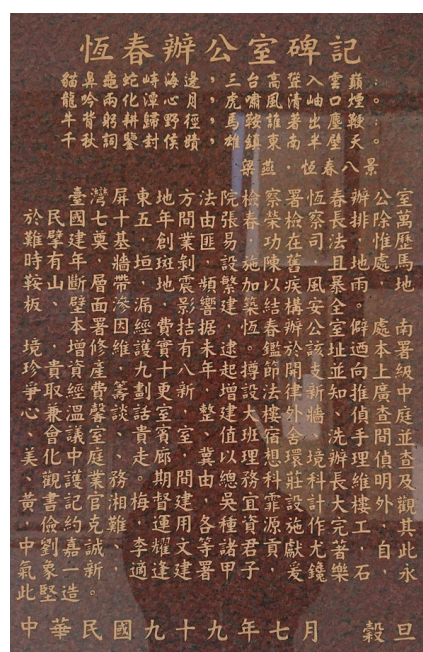
In January, 1952, the resolutions of the Pingtung County Council and the Provincial Council was reported to the Executive Yuan for approval. The school building and dormitory of Mingzheng Junior High School remaining from the Japanese Colonial Rule, located at No. 9, Beiping Road, Pingtung City, were appropriated to the Department of Prosecution and the Court for purpose of office and employees' residences. On September 20, 1953, the repair and renovation was completed and the office was put to use.

III. The period when the office was on Bangqiu Road, Pingtung City

In September, 1983, the Court and Prosecutors Office planned to build a joint office building at another location. On June 9, 1986, the construction project started and on January 24, 1988, the project was completed. On January 25, 1988, the Court and Prosecutors Office were stationed in this new office building which is still in use today.

IV. Hengchun Branch of Pingtung District Prosecutors Office

On July 1, 1984, the Hengchun Branch of Pingtung District Prosecutors Office was established, the office was temporarily set at the office of the "Hengchun Branch of Pingtung County Water Conservation Station." It was not until October 21, 1986 that the official office building was completed. On November 16, 1986, the Hengchun Branch of Pingtung District Prosecutors Office was relocated to a new office which is still in use today.



Inscription of Hengchun Office

Section 4 List of Former Chief Prosecutors

Precedence in office	Title	Name	Period in office	Notes
1	Leading Prosecutor	Liang,Yi-Ching	1949/12~1950/07	
2	Leading Prosecutor	Wu,Chao-Lien	1950/07~1959/01	
3	Leading Prosecutor	Yen,Hsien-Liang	1959/01~1959/03	
4	Leading Prosecutor	Feng,Cheng-Shu	1959/03~1965/09	
5	Leading Prosecutor	Lu,Yu-Chieh	1965/09~1970/09	
6	Leading Prosecutor	Shao,Pin-Ju	1970/09~1973/06	
7	Leading Prosecutor	Tang,Chin-Yin	1973/06/25~1976/10/02	
8	Leading Prosecutor	Chin,Yuan-Chieh	1976/10/02~1981/09/29	
9	Leading Prosecutor	Tai,Yu-Shan	1981/09/29~1984/07/17	
10	Leading Prosecutor	Chang,Chun-Jung	1984/07/17~1989/12/20	
11	Chief Prosecutor	Hsieh,Shang-Hui	1989/12/20~1992/05/22	
12	Chief Prosecutor	Lin,Chieh-Te	1992/05/22~1993/08/02	
13	Chief Prosecutor	Fang,Wan-Fu	1993/08/02~1996/01/20	
14	Chief Prosecutor	Tsai,Mao-Sheng	1996/01/20~1997/08/06	
15	Chief Prosecutor	Yen,Ta-He	1997/08/06~1999/04/29	
16	Chief Prosecutor	Lin,Ling-Yu	1999/04/29~2001/04/27	
17	Chief Prosecutor	Chang,Tou-Hui	2001/04/27~2003/07/31	
18	Chief Prosecutor	Tsai,Jih-Sheng	2003/07/31~2005/03/16	
19	Chief Prosecutor	Tsai,Jui-Tsung	2005/03/16~2007/04/12	
20	Chief Prosecutor	Hung,Kuang-Hsuan	2007/04/12~2008/08/01	
21	Chief Prosecutor	Hsing,Tai-Chao	2008/08/01~2010/07/28	

Precedence in office	Title	Name	Period in office	Notes
22	Chief Prosecutor	Lo,Jung-Chien	2010/07/28~2013/03/11	
23	Chief Prosecutor	Lin,Ching-Tsung	2013/03/11~2014/05/27	
24	Chief Prosecutor	Chang,Chin-Tu	2014/05/27~2015/05/07	
25	Chief Prosecutor	Huang,Yu-Yuan	2015/05/07~2016/07/18	
26	Chief Prosecutor	Lin,Chin-Tsun	2016/07/18~2019/01/31	
27	Chief Prosecutor	Yeh,Shu-Wen	2019/01/31~2020/03/13	
28	Chief Prosecutor	Huang,Mou-Hsin	2020/03/13~2021/05/05	
29	Chief Prosecutor	Chang,Chieh-Chin	2021/05/05 to present	

Section 5 List of Former Chief Secretaries

Precedence in office	Title	Name	Period in office	Notes
1	Chief Secretary	Tsai,Shou-Nan	1973/07/09~1976/08/16	
2	Chief Secretary	Wu,Sung-Sen	1976/08/16~1976/10/09	
3	Chief Secretary	Hao,Chen-Kun	1976/10/13~1981/11/05	
4	Chief Secretary	Ting,Pao	1982/01/28~1984/08/01	
5	Chief Secretary	Yu,Chien-Fu	1985/01/14~1988/01/25	
6	Chief Secretary	Chuang,Mei-Sheng	1988/10/15~1992/07/13	
7	Chief Secretary	Yu,Pu-Yuan	1992/07/22~1993/09/13	
8	Chief Secretary	Yu,Chien-Fu	1995/03/14~1996/06/01	
9	Chief Secretary	Hsu,Ying-Chin	1996/06/01~1999/01/16	
10	Chief Secretary	Huang,Hung-Chang	1999/07/01~2008/12/18	
11	Chief Secretary	Lin,Pei-Yi	2010/04/30 to present	

Section 6 Excerpts of Major Cases

I. The case of murder committed by Cheng, *-Chi, the Speaker of the Pingtung County Council

Cheng, *-Chi was once elected as a councilor of the 12th and 13th Pingtung County Council. During his term in the 12th County Council, he served as the Deputy Speaker. At that time, the Speaker was Kuo, *-Tsai. Later, when Kuo, *-Tsai was elected as a 2nd legislator, Cheng, *-Chi then became the Speaker of the 12th County Council. During his term in the 13th County Council, Cheng, *-Chi was re-elected as Speaker. Cheng, *-Chi and the victim Chung, *-Feng had been close friends since childhood. They used to run a gambling house together. Later, in October and November of 1994, Chung, *-Feng and Huang, *-Lang et al. ran another gambling house in Xinyuan Township, Pingtung County, yet failed to pay the required fees to Cheng, *-Chi. When gambling at Cheng, *-Chi's gambling house located upstairs in a residential building in Pingtung, Huang, *-Ping was humiliated by a man nicknamed "Five Palms" (a good friend of Chung, *-Feng) in matters of betting and funds borrowing. The two parties entered into a dispute which although resolved through third parties, Cheng, *-Chi and Huang, *-Ping still heard that Chung, *-Feng threatened to kill Huang, *-Ping. Therefore, Cheng, *-Chi was furious, and intended to kill Chung, *-Feng to vent his hatred. Subsequently, Cheng, *-Chi first invited Huang, *-Ping and Liu, *-Kuang to survey the terrain of the residence of Chung, *-Feng, and borrowed guns and bullets from Liu, *-Kuang for the purpose of killing Chung, *-Feng. Next, Cheng, *-Chi called Hsu, *-Chi, Tseng, *-Liang and Huang, *-Ping over to discuss the details of shooting Chung, *-Feng.

Cheng, *-Chi and Huang, *-Ping then carried the guns to Chung, *-Feng's residence and lured him out. First, Cheng, *-Chi shot Chung, *-Feng's abdomen and head, once each, with a gun, and then he and Huang, *-Ping and Tseng, *-Liang (who was a bystander initially) joined hands in shooting Chung, *-Feng successively. A total of 16 shots were fired, resulting in 19 exit and entry wounds of gunshot to Chung, *-Feng's body. Chung, *-Feng was shot to death on the spot due to multiple gunshot wounds to his head, chest, and abdomen. With guns in

their hands, Liu, *-Kuang and Hsu, *-Chi were present at the scene, surrounding Chung, *-Feng when Cheng, *-Chi et al. shot and killed Chung, *-Feng. Since Chung, *-Feng was shot dead, the five people quickly fled the scene in the vehicle that they drove there.

After the incident, accompanied by a lawyer, Cheng, *-Chi took the initiative to report to the Prosecutor about the situation of the case. After interrogation, the Prosecutor believed that Cheng, *-Chi was seriously suspected of being involved in this case and ordered Cheng, *-Chi to be detained and prohibited from meeting people. Meanwhile, the Prosecutor continued to investigate the relevant suspects and carried out communications surveillance. The relevant suspects were arrested one after another with warrants. The accomplices Huang, *-Ping, Hsu, *-Chi, Chen, *-En, and Liu, *-Kuang were also detained. In addition, the suspects' residences were searched, the murder scene was inspected, and the relevant witnesses were interrogated under polygraph tests.

On April 15, 1995, the investigation was completed, the Prosecutor prosecuted eight people including Cheng, *-Chi, et al. and requested death penalty from the Court for Cheng, *-Chi and Huang, *-Ping. During the trials, the Supreme Court sent the case back to the court of second instance for retrial four times. At the retrial of fourth instance, Kaohsiung Branch Court of the Taiwan High Court sentenced Cheng, *-Chi to death. With Cheng, *-Chi's appeal, on July 14, 2000, the Supreme Court dismissed the appeal. The case was finalized after 5 years and three months of trials, and Cheng, *-Chi was sentenced to death. On August 2, 2000, he was executed at the execution place of Taiwan Kaohsiung Prison.



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II. The Murder on the South-Link Line Railway

At 9:41 p.m. on March 17, 2006, Train No. 96 of Chu-Kuang Express of the Taiwan Railways Administration ("TRA") departed from Taitung, heading to Kaohsiung. At 10 kilometers and 806 meters away from the marking tree for the South-Link Line of Fangshan Township, Pingtung County, the train was derailed. The train's locomotive, power supply car, and the 10th, 9th, 8th, and 7th passenger cars were overturned on the retaining wall filled with mango trees. The 6th passenger car was derailed but not overturned, while the 5th to 1st passenger cars remained on the track. In this train derail accident, two train drivers were seriously injured, and one passenger with minor injuries was sent to the hospital. The rest of the passengers were unharmed. However, the passenger Trần Thị * Thắm with minor injuries died the next day, whereas the assistant driver who suffered the most serious injuries at the front locomotive even survived. This caught the attention of the Prosecutor. After investigation, it was found that numerous similar incidents of damage to train tracks happened before, and the Trần Thị * Thắm couple also encountered a train derailment incident more than a year ago.

Four days after the incident, the Taitung County Police Bureau received a report stating that the Trần Thị * Thắm couple were covered with a high amount of travel safety insurance. Trần Thị * Thắm's husband was Li, *-Chuan, whose ex-wives all died of poisoning from a snake bite. Li, *-Chuan therefore received insurance benefits from multiple accident insurance claims. The reporter was Huang, *-Lai, who was a TRA employee and a good friend of Li, *-Chuan. Therefore, the Prosecutor investigated the case in the direction of Li, *-Chuan fraudulently

claiming insurance benefits. However, Li, *-Chuan committed suicide, and the focus of the investigation switched to Huang, *-Lai and Li, *-Chuan's brother Li, *-An. Later, through Huang, *-Lai's descriptions, more detailed stories were revealed. It turned out that Li, *-Chuan had decided to kill Trần Thị * Thắm as early as 2005. As of the date the train derailed on March 17, 2006, Li, *-Chuan had planned and carried out crimes of destruction of the railway seven times.

On July 23, 2006, the investigation of this case was completed, and Li, *-An was prosecuted by the Pingtung District Prosecutors Office for the offense of homicide. At the trial of the first instance, the Pingtung District Court sentenced the defendant Li, *-An to life imprisonment. However, discrepancy existed between the facts determined by the Court and the facts prosecuted by the Prosecutor. The Prosecutor of the Pingtung District Prosecutors Office decided to appeal. The Kaohsiung Branch Court of Taiwan High Court re-sentenced Li, *-An to imprisonment for 18 years, which however was sent back by the Supreme Court to the court of a lower instance. At the retrial of first instance, Li, *-An was sentenced to 13 years. However, at the retrial of second instance, Li, *-An was sentenced to life imprisonment. It was until the retrial of third instance, the Kaohsiung Branch Court of Taiwan High Court sentenced Li, *-An to imprisonment for 13 years. On March 24, 2016, the Supreme Court upheld the judgement from the retrial of third instance. The case was finalized.

III. Disaster relief (for Typhoon Morakot) on August 8

On August 8, 2009, a moderate typhoon Morakot struck Taiwan, and the heavy rain that it entrained put southern Taiwan into a water town, and the disaster in Pingtung County was particularly serious. The accumulated rainfall in a single day in Pingtung County was as high as 1,800 mm. More than 30,000 people were trapped in the water in the county, over 70,000 households encountered power outages, 11 bridges were closed, and many dikes were broken. Landslides were seen on provincial highway 24 in Wutai Township, three bridges in the township broke, traffic in Wutai Township was interrupted, and the landslide in the Shizi Section of provincial highway 9 also disrupted the traffic. The Hengchun Peninsula became an isolated island.

Date	Contents
2009/08/09	In response to the disaster of Typhoon Morakot, Minister Wang, Tsing-Fong of the Ministry of Justice called in the morning to instruct those counties and cities with severe disasters to immediately set up disaster relief centers. The Pingtung District Prosecutors Office immediately set up disaster prevention centers at the Prosecutors Office and Hengchun Office on the same day.
2009/08/11	<ul style="list-style-type: none"> ■ The Executive Yuan established the "Executive Yuan Service Team for Stricken Area of Typhoon Morakot" and designated the Ministry of Justice and the Environmental Protection Administration to support disaster relief activities and provide immediate services to the victims. ■ The Minister of the Ministry of Justice instructed correction authorities to assist in disaster relief. Pingtung Prison and Pingtung Detention Center immediately set up the "Joint Community Service Team of the Southern Correction Authorities" with a total of more than 40 members. In addition, one ambulance and one driver were dispatched to support the emergency medical network of the Public Health Bureau of Pingtung City Government. They engaged in the disaster relief work and transported hot food and various disaster-relief materials to the disaster area, so that the affected people could be cared for.

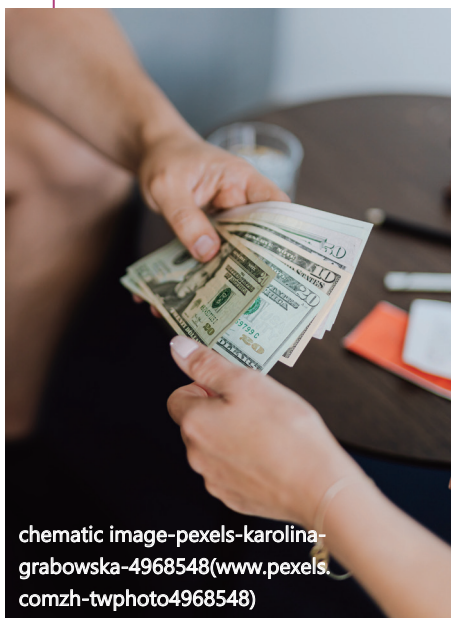
Date	Contents
2009/08/12	<ul style="list-style-type: none"> ■ The Ministry of Justice was responsible for disaster relief services in nine townships on the mountain line of Pingtung County. The Minister appointed Deputy Minister Wu, Chen-Huan as the Team Leader and Chief Secretary Chen, Ming-Tang as the Deputy Team Leader to station in the Pingtung District Prosecutors Office where a command center was set up. The Minister personally presided over the disaster relief meeting in the afternoon. ■ With the mobilization of the Pingtung District Prosecutors Office, Prosecutors Investigators and volunteers were dispatched in service teams to various shelters for victims from the disaster to assist in agricultural disaster relief and repairs, applications for new ID cards and health insurance cards and other documents (or temporary documents), applications for post-disaster loans, legal consultation, and settlement and reconstruction work. ■ On the day of the incident, the community service team from the Pingtung Prison went to Yongle Village in Linbian for disaster relief. The 88 disaster relief team composed of substitute services draftees and inmates led by the Specialist Mr. Tseng from the Security Section joined the disaster relief in the stricken area to assist the victims in rebuilding their homes.
2009/08/13	<p>The service team continued to go to the Gymnasium of Sandimen Township, Nei-Pu Senior Agricultural and Industrial Vocational High School, and Lai Yi High School to provide disaster relief services such as consultation for severely stricken townships in Pingtung County. The community service team from the Pingtung Prison went to Yongle Village in Linbian Township and Jiadong Township to assist in cleaning up the silt sludge and post-disaster recovery.</p>
2009/08/14	<p>The disaster relief meeting was presided over by Deputy Minister Huang, Shih-Ming together with the Chief Prosecutor Mr. Hsing of the Pingtung District Prosecutors Office to survey in Dewen Village in Sandimen Township. The 88 disaster relief team composed of dispatched staff and inmates of the Pingtung Prison used simple tools to manually open up a newly restored walking path about 700 meters long.</p>

Date	Contents
2009/08/15	Minister Wang, Tsing-Fong of the Ministry of Justice, together with Minister Wang, Ju-Hsuan of the Council of Labor Affairs, et al., went to the Gymnasium of Sandimen Township, Nei-Pu Senior Agricultural and Industrial Vocational High School, Lai Yi High School, and the Girls Town of Sandimen Township, which accommodated orphans, to offer condolences to the victims of the disaster.
2009/08/17	<ul style="list-style-type: none"> ■ According to the report, the Pingtung District Prosecutors Office learned that someone in a nursing center in Sandimen Township was hoarding disaster-relief materials donated by benevolent people. They immediately directed the investigation team for people's livelihood cases of the Police Bureau of Pingtung County to go to the nursing center to seize the disaster-relief materials and apply to the Pingtung District Court for detention of the suspect Mr. Pan. Later, another report indicated that there were also a large amount of disaster-relief materials hoarded at a residential house on Zhongzheng Road, Sandimen Village, Sandimen Township. After inspection, various livelihood materials was found, such as rice, instant noodles, and quilts. ■ On August 17 and 18, the community service team from the Pingtung Prison went to the Kuljaljau Elementary School in Laiyi Township to clean up the environment and public facilities.
2009/08/18	<ul style="list-style-type: none"> ■ Minister Wang, Tsing-Fong of the Ministry of Justice and the Director Chen, Tsung-Liang of the Red Cross Society of the Republic of China went to the severely affected areas to distribute emergency relief funds of 5,000 NTD per household. ■ Minister Wang, together with the Mayor of Laiyi Township, village representatives, and Director Tsai, Chen-Yi of Department of Camp Construction of the Armaments Bureau of the Ministry of National Defense, et al. went to survey the Zhongcheng military camp in Chaozhou where 450 households with more than 2,500 victims from Laiyi Township were to be settled. With approval by Director Tsai, the "Shelter for Disaster Victims at Zhongcheng military camp in Chaozhou" was set up.

Date	Contents
2009/08/19	<ul style="list-style-type: none"> ■ The Shelter for Disaster Victims at Zhongcheng military camp in Chaozhou held a handover ceremony this afternoon. The military camp was handed over to the Pingtung County Government to settle a total of 650 victims from Taiwu Township and Laiyi Township. The Shelter for Disaster Victims at Zhongcheng military camp in Chaozhou marked the first location to settle victims from the disaster. ■ As per instructions by the Minister, the environmental clean-up and construction work were expedited. The Pingtung District Prosecutors Office, Pingtung Prison, Kaohsiung Prison, Kaohsiung Second Prison, Kaohsiung Women's Prison, Kaohsiung Drug Abuser Treatment Center and Yangming Junior High School actively engaged in the reconstruction of the military camp. Community service workers also assisted in various affairs, without being intimidated by the hot weather and high temperature. They worked hard despite their sweat and the construction was completed within two months. Victims from the disaster were given a comfortable and safe place for settlement.
2009/08/20	At 9:30 a.m., the Minister, together with the Construction and Planning Agency, officials from Pingtung County Government, and professors from Pingtung University of Science and Technology went to the 30-hectare land of Radio Taiwan International site in Fanhua Village, Changzhi Township, Pingtung County to survey the permanent relocation site for the victims of the disaster in Wutai Township. At 10:40 a.m., the above-mentioned personnel went to the 88.15-hectare Majia Farm to survey the permanent relocation site for the villagers of Dashe Village, Sandimen Township.
2009/08/22	The Minister, together with the Chief Prosecutor Mr. Hsing, the Mayors of Laiyi Township and Taiwu Township, and the representatives of the two townships, surveyed the permanent relocation site of the residents of the two townships.
2009/09/01	With the implementation of the new community service system, the Pingtung District Prosecutors Office had set up a "Post-Disaster Reconstruction Service Team," which mobilized more than 10 community service workers every day to carry out post-disaster reconstruction work in various stricken areas in Pingtung.

Date	Contents
2009/09/02	The Post-Disaster Reconstruction Service Team of the Pingtung District Prosecutors Office planned the first batch of 20 community service workers to engage in the Wenzhi area of Jiadong Township, which was severely affected, to assist in the reconstruction of the homes of the victims. At 4 p.m., Minister Wang went to Yanwen Village and Wenfeng Village in Jiadong Township to inspect the disaster relief carried out by the community service.

IV. The election bribery involving the Speaker of the 17th Pingtung County Council



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As the Deputy Speaker of the 16th Pingtung County Council, Lin, *- was re-elected as a councilor of the 17th Pingtung County Council, and further planned to run for the Speaker. Sung, *- was the driver of the official vehicle of Lin, *- . Hsueh, *- was Lin, *- 's council assistant, responsible for his general affairs. Both were trusted by Lin, *- . Meanwhile, Tseng, *- , Tu, *- , Pan, *- , Huang, *- , Chiu, *- , Su, *- , and Lien, *- were also elected as the councilors of the 17th Pingtung County Council. They all had the right to vote for the Speaker. Before being

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elected as a member of the 17th Pingtung County Council, Lin, *-*, had already deployed his plan to run for the Speaker. With a mens rea to bribe the other councilors, Lin, *-*, along with Tseng, *-*, Sung, *-*, and Hsueh, *-* jointly carried out the election bribery with the funds prepared by Lin, *-*. As a senior councilor elected for several terms, Tseng, *-* was to identify councilor members who could be bribed. Under Lin, *-*'s instructions, driver Sung, *-* and assistant Hsueh, *-* had driven Tseng, *-* out for bribery activities on numerous occasions.

On December 6 or 7, 2009, in the Deputy Speaker's office, Lin, *-* told Tseng, *-* that the election bribery funds would be ready on December 8, and the bribery targets would each receive 500,000 NTD at a private club in Donggang Township, south of Pingtung. At 2 p.m. on December 8, 2009, Tseng, *-* arrived at the private club in a vehicle driven by another councilor Chiang, *-* who was unaware of the real situation. At that time, Lin, *-* had already left but immediately returned on an official vehicle to hand over to Tseng, *-* a paper bag from behind the driver's seat. Inside the bag was bundles of cash packed with rubber bands, in 100,000 NTD each, and in total 5 million NTD. Tseng, *-* counted the cash, and under Lin, *-*'s instruction, was driven back to Pingtung by Sung, *-* in the official vehicle. Subsequently, Tseng, *-* visited several councilors, and conveyed to them that the money 500,000 NTD was a gift from the Deputy Speaker Lin, *-* for thanking them in support of Lin, *-* in the upcoming election of the Speaker. Many councilors received the gift and promised support.

Later, some councilors wanted to return the bribes, being not able to do so, the bribes were handed over to the Prosecutor of the Pingtung District Prosecutors Office and the incident was then reported. Pingtung District Prosecutors Office subsequently knew about the election bribery and started investigation and handling. Through analysis of the communication records, cross-comparison of the records of the base stations and monitoring car recorder, and tracking the withdrawals and transaction details of

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the banks, the Pingtung District Prosecutors Office completed the investigation and the prosecution was made on June 28, 2010. On August 30, 2012, the Supreme Court concluded the trial. Lin, *-* was sentenced to imprisonment for five and a half years, along with a fine of 2.5 million NTD and the deprivation of his citizen's rights for five years. Tseng, *-* was sentenced to one year and 10 months, along with a fine of 1.8 million NTD, suspension of punishment for five years, and the deprivation of his citizen's rights for four years. Assistant Su, *-* was sentenced to three years and six months, along with a fine of 1.5 million NTD and the deprivation of her citizen's rights for three years. Councilor Shih, *-* was sentenced to one year and 10 months, along with suspension of punishment for three years and the deprivation of her citizen's rights for two years. Councilor Tu, *-* was sentenced to one year and eight months, along with suspension of punishment for three years and the deprivation of his citizen's rights for two years. The case was terminated.

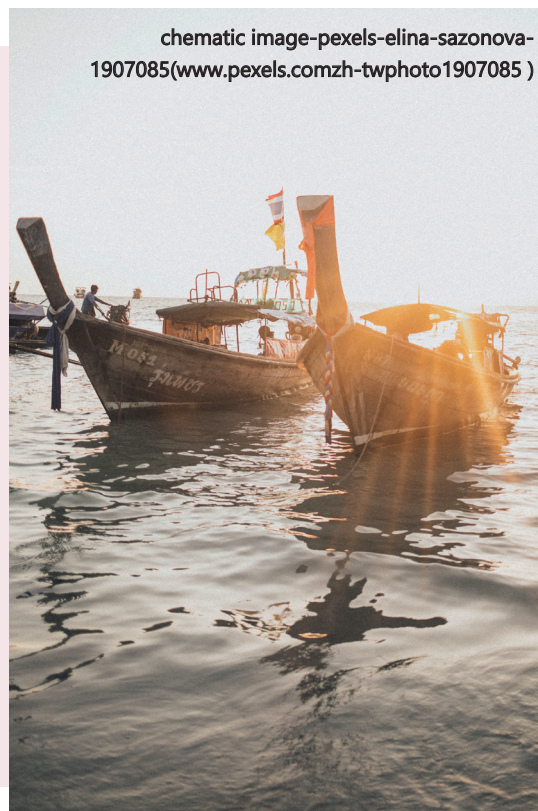
V. The shooting of the fishing boat Guangdaxing No. 28

On May 9, 2013, a Taiwanese fishing boat, Guangdaxing No. 28, operated about 164 nautical miles away from the southeast of Cape Eluanbi of Taiwan and about 43 nautical miles east of the Balintang Islands of the Philippines. At that time, on the fishing boat were the master Hung, *-Chih, and the crew members Hung, *-Cheng. (Father of Hung, *-Chih) and several other fishermen. At 9:45 a.m., the fishing boat was shot with a machine gun by an official vessel of the Philippine Coast Guard Administration in the Balintang Channel. Hong, *-Cheng was then shot and killed. After receiving the report from Donggang Fishery Radio in Pingtung County, the Fisheries Agency of Council of Agriculture of the Executive Yuan immediately notified the

Maritime Patrol Directorate General of the Coast Guard Administration of the Executive Yuan. The following day, the 5th maritime patrol team (based in Qijin, Kaohsiung) of the Maritime Patrol Directorate General went to Pingtung District Prosecutors Office to report the incident and requested to have a prosecutor assigned to direct the investigation.

After the incident, although the Philippines expressed sympathy for the deceased, it had always insisted the legitimacy of the act of the "Philippine official vessel's firing and attacking at the Taiwanese fishing boat due to the boat's illegal fishing in the territorial waters of the Philippines, so as to prevent the fishing boats from intruding into the Philippine territory"; hence, no apology for this act. Regarding this incident, Taiwan government put forward to the Philippine government four "Strict Requests," namely "formal apology, investigation and punishment for the offense, compensations for damage, and fishery negotiations," and explicitly stated that

if a positive response was not received within the time limit, sanctions would be imposed on the Philippines, including 11 items, such as termination of applications made by the Philippine foreign laborers to come to Taiwan, recall of the representative of the Republic of China in the Philippines, cessation of Taiwan-Philippines economic and trade exchanges, cessation of Taiwan-Philippines agricultural and fishery cooperation, etc. In addition to countermeasures at the Taiwan central government level, various local governments had



also successively announced the suspension of urban exchanges with the Philippines in supporting the Taiwan central government's sanctions. As late as August 7, 2013, the Philippines then responded positively to Taiwan's four major demands, namely apology, compensations, punishment for the offense, and fisheries agreement. Accordingly, Taiwan lifted the 11 sanctions, immediately taking effect.

After numerous negotiations with the Philippines, on August 7, 2013, the Pingtung District Prosecutors Office prosecuted the eight Philippine coast guard officers for the offense of homicide. Pingtung District Court then subpoenaed the eight defendants for the preliminary proceeding, but none of the eight defendants appeared in court. The eight defendants were therefore wanted by the Pingtung Court, valid until May 8, 2051. The Ministry of Justice of the Philippines also prosecuted the eight coast guard officers who opened fire for offense of homicide, and two of them were further charged with obstruction of justice. On September 18, 2019, eight costal guard officers involved in the case were convicted of homicide, and sentenced to imprisonment ranging from eight years to 14 years and eight months, along with a fine of PHP 50,000 in civil compensations and PHP 50,000 in moral compensations (equivalent to 60,000 NTD).

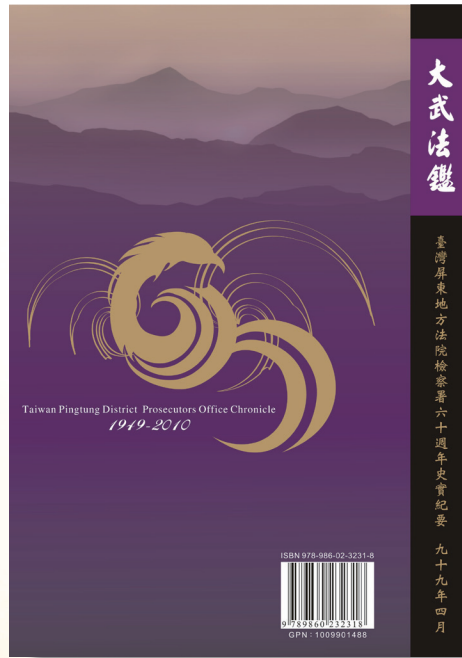
Taiwan Pingtung District Prosecutors Office



Section 7 Cover page of the History of Prosecutors Office and the link of global website



Front Cover



Back Cover

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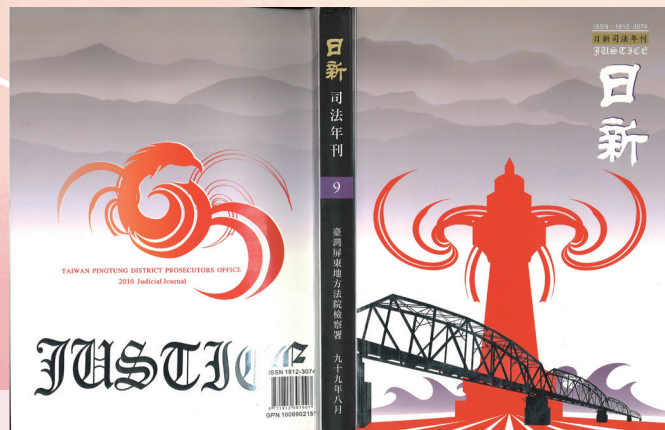
▲ History of the Prosecutors Office of the Taiwan Pingtung District Court at its 60th anniversary

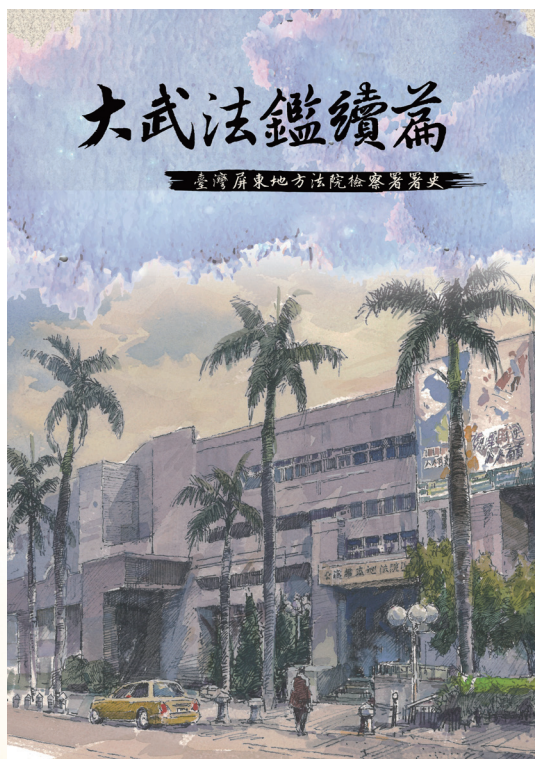
Publication date: April, 2010



Justice No.9 ►

Publication date: January, 2014

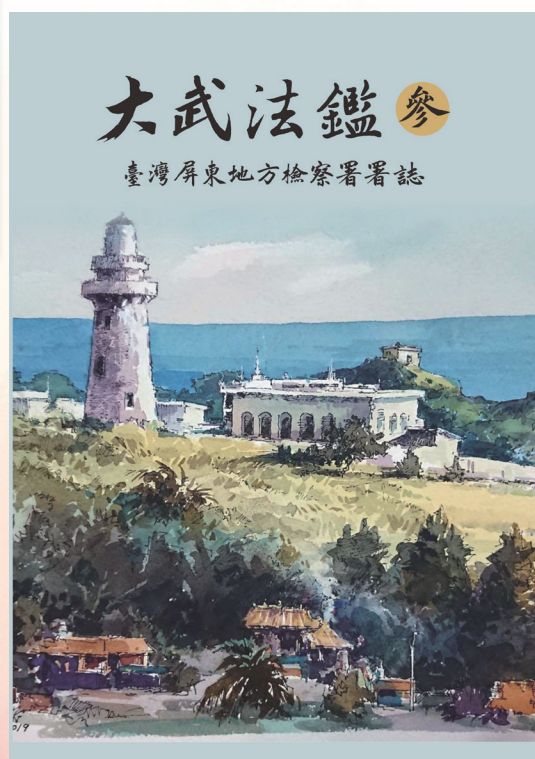




大武法鑑 續篇

◀ History of the Prosecutors
Office of the Taiwan Pingtung
District Court

Publication date: July, 2016



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History of the Prosecutors
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<https://www.ptc.moj.gov.tw/294926/644710/676099/678581/post>