



## Press Release

Taipei District Prosecutors Office

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Media Contact: Deputy Chief Prosecutor Chang

Contact number: (02)23146881

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**A clarification to commentators' critics regarding  
speculated privilege enjoyed by former president Ma  
and speculation of manufactured indictment by  
prosecutors**

1. After receiving indictment of former president Ma with the charge of divulging national confidential information to Taipei District Court (hereinafter, the Court), the Court scheduled a pretrial hearing on April 14, 2017. The Court managed the proceeding of summoning defendant, the court session, and court order. Our Office had no participation in that regard. Therefore, we had no previous knowledge regarding former president Ma's intended speech in the hallway of our office. In addition, we feel sorry about defendant Ma's decision.

2. Facts regarding Defendant Ma's wrongdoing had been confirmed by the Taiwan High Court in the previous civil and criminal cases of Mr. Wang Jin-Pyng and of Mr. Huang Shih-Ming. In addition, according to explanation no. 729 of the Constitutional Court, the behavior of Defendant Ma in dealing with the illegal lobbying had exceeded the boundary of separation of powers. Defendant Ma's blame on our office for "manufactured indictment" and "indictment with speculation" were obviously untrue.

3. Defendant Ma criticized that "Justice died while prosecutors' office indicted those who dealt with illegal lobbying but not those

who lobbied illegally?” Pursuant to criminal laws, there is no criminal punishment for illegal lobbying; therefore, our office has no ground to indict those who lobby illegally. Moreover, Defendant Ma had failed to propose laws regulating illegal lobbying during his 8-year presidency and 6-and-a-half-year chairman of the ruling political party. Even worse, Defendant Ma didn’t care to propose any illegal lobby regulation after the illegal lobby incident. Prosecutors are obviously not those who should be blamed for lack of regulation.

4. Defendant Ma questioned our office with his 17 questions regarding how should be done to investigate this case lawfully and properly. However, Defendant Ma had served as the Minister of the Ministry of Justice, the mayor of Taipei Municipal City, and the president of our country for nearly 20 years, he should know better about legality and proper exercise of power. Defendant Ma’s questions were apparently without basis. .

5. We call upon rational discussion based on evidence regarding the indictment, and sincerely hope no more misleading statement based on populism or political language.