Indictment on Chang leaking information to China case

Taipei District Prosecutors concluded the investigation of former MAC Deputy Minister Chang Hsien-yao (張顯耀) and two other without prosecution.

The accused Chang is allegedly leaked classified state documents included cross-strait conference issue, time span of visit to China, the fixed period of China spouse obtaining Taiwan ID card, official personnel appointment matters and so on via co-defendants Chang (female) or friends who then passed them on to mainland China authorities from sometimes from June 2012 till Feb. 2014.

The Taipei Prosecutors Office had closed the case not to indict Chang because there was not enough evidence to support the allegations for reasons listed below:

1. With the access the communications records between several related authorities departments and Chang, as well as the testimony of certain witness, there was insufficient evidence to indicate Chang revealed to the China government our government's bargaining priorities and bottom-line conditions negotiations or matters related to the national safety. The information allegedly leaked consisted of normal documents and information on visitors' itineraries could not be construed as secret information.

2. Chang had not intended to reveal confidential information when he asked his driver, or personal assistant to keep the information he gave them in both paper and electronic forms. Since under the mandate contract of which, Chang's driver and personal assistant all owe the duty to maintain the task secrecy. It should not be considered divulging state secrets to people in the private sector to be illegal as Chang has already taken the aforesaid measures to maintain the secrecy. Therefore, prosecutors reasoned that Chang and the two suspects in question lacked criminal intent.

3. The testimony done by witness Wang was merely hear-and-say evidence, which is insufficient to indicate Chang had revealed to the Chinese government any our government's classified state documents.