



我國查獲最大宗古柯鹼 運輸案件

林逸群

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壹、本案緣起

本案緣起於基隆地檢署指揮法務部調查局北部地區機動工作站（下稱北機站）與行政院海岸巡防署海岸巡防總局臺北機動查緝隊等單位組成之專案小組偵辦另案毒品案件時，發現被告葉○、楊女等人與該署原偵辦對象有所往來，遂清查被告葉○名下緯達國際有限公司（下稱：緯達公司）歷次由被告楊女負責出口報關之記錄，發現渠等多次以海空運出口大型電池至澳洲，其方式有違一般國際貿易常規，其經營亦明顯不敷成本，研判渠等極可能以電池夾藏毒品走私，遂協請海關就其報關進出口貨物做即時通報，然此部分因被告葉

○瑋、楊○雅均非設籍於基隆地檢署轄區，經該署與本署緝毒專組主任檢察官協調後，乃於民國 105 年 11 月間，將「被告葉○、楊女疑似以緯達公司運輸毒品」部分，由上開專案小組至本署報請並指派林逸群檢察官指揮偵辦。

貳、偵辦經過

北機站於同年 12 月 1 日上午，接獲財政部關務署基隆關通知：被告楊女以緯達公司名義，報關大型車船用鉛酸電池共 11 顆、總重約 200 公斤，預備出口船運至澳洲，當地收件人為被告葉○本人。同日上午又再接獲財政部關務署高雄關通報：

1. 本文作者為本署檢察官。



▲ 105.12.1 查獲之甲基安非他命



► 105.12.1 以電池夾藏之古柯鹼磚

緯達公司另自巴西進口大型電池 30 顆、總重約 800 公斤，業已運抵高雄港。專案小組緊急通知兩地海關攔截該二批貨物，先於 12 月 1 日下午 3 時許，在位於桃園市楊梅區中航貨運倉儲場，會同基隆關開櫃檢查預備運往澳洲的第一批 11 顆電池，發現其中共藏有第二級毒品安非他命共 50 包，總淨重約 5 萬零 22.08 公克。檢察官旋即簽發拘票，於同日晚間 8 時許拘提被告楊女到案，並漏夜指揮逕行搜索被告楊女住處、車輛及桃園市龜山區疑似夾藏毒品作業點等處所，依法查扣新臺幣及外幣共值約 245 萬元、9 公釐平頭彈及達姆彈 20 顆、賓士轎車等證物。次 (2) 日，承辦檢察官因須留署指揮並訊問被告楊女，本署緝毒專組發揮團隊辦案精神，遂由黃惠玲主任檢察官指派楊舒婷檢察官協助南下勘驗，楊檢察官即偕同專案小組前往高雄關 47 號儀檢站，開櫃查驗自巴西進口的第二批 30 顆電池，再從其中起出第一級毒品古柯鹼共 200 包，總淨重 20 萬 3538.83 公克。

同日下午 6 時許，北機站將被告楊女解送本署，由林檢察官向臺灣臺北地方法院聲請羈押獲准。其餘被告廖○、王○在逃，被告葉○於本次藏毒電池報關前，業已出境前往澳洲，疑似在當地等待接貨，檢察官遂先後對被告葉○、王○發布通緝，並指揮專案組透過調查局駐澳洲法務秘書協助追緝被告葉○，嗣再透過法務部、外交部正式提出司法互助請求，請求協助追緝被告葉○到案。

嗣被告廖○自知法網難逃而於同年 12 月 6 日自行到案，經檢察官指揮專案小組逕行搜索被告廖○住處，並訊問被告廖○後向法院聲請羈押，因被告廖○已辦理好澳洲簽證，隨時可能離境，旋經法院裁定羈押禁見；再於 12 月 8 日指揮專案小組前往被告葉○住處、緯達公司執行搜索，扣得相關文件、行動電話、電腦等證物，並指揮專案小組清查被告等人之金融帳戶，經清查後，發現葉○在案發前後，將千餘

萬元分別匯入其母親及其胞弟等金融帳戶，經聯繫被告葉○母親後，得知係被告葉○透過電話要求其母親操作，顯可疑為被告葉○本案之犯罪所得，遂逕行扣押上開資金，嗣經取得被告葉○母親及其胞弟同意，並聲請法院扣押上開資金獲准，共扣得被告葉○之犯罪所得共 1383 萬元；經繼續清查楊女帳戶後，發現楊女帳戶內多筆交易均註記與澳洲相關之「袋鼠、黃金海岸」等暗語，顯可疑為運毒犯罪所得共 150 萬元，遂聲請法院裁定扣押獲准，全案於 106 年 3 月偵結起訴，被告楊女、廖○就本件運輸毒品部分，分別經臺灣臺北地方法院判決有期徒刑 8 年 6 月、4 年（尚未確定），在逃之被告葉○、王○則仍通緝中。

參、本案特色及影響

古柯鹼在我國實屬罕見，從未發現大量及完整磚狀，此次係國內史上最大查獲

量，此查獲量在國際間亦屬難得，本件古柯鹼係自巴西出口後，經韓國釜山輾轉運至我國，並預備轉運至澳洲，倘成功轉運至澳洲，粗估將可獲得澳洲市價高達約 120 億元以上之暴利，另甲基安非他命部分倘成功出口至澳洲，粗估亦可獲得澳洲市價高達約 6 億元以上之暴利，而本案破獲之毒品為成癮性極強之第一級、第二級毒品，成功阻絕大量之第一級、第二級毒品流入市面，可使上千萬人次免遭毒品危害，並有效向世界各國宣示我國之緝毒決心與能量，且因成功阻止第一級毒品古柯鹼轉運、第二級毒品甲基安非他命出口至澳洲，應可避免使我國再遭國際列名為毒品出口或轉運國，並免於因被列名而遭國際經濟及貿易之制裁，對維護國家利益、提升我國之國際形象與地位應大有助益，本署及承辦檢察官均因本案獲行政院頒發「功在緝毒」獎牌。



106.7.25 行政院院長表揚賴秋萍檢察官



105.12.28 行政院院長表揚林逸群檢察官



Taiwan Seized the Biggest Case of Cocaine

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Yi-chun Lin
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I. Background

II. Investigation

III. Feature and impact

Taipei Children's Amusement Park/Chia-Hsin Lu

I. Background

The Keelung District Prosecutors Office guided Northern Mobile Work Station, Investigation Bureau, Ministry of Justice (hereinafter referred to as the Northern Mobile Work Station), and the Maritime Patrol Directorate General of the Coast Guard Administration of the Executive Yuan to form a task force to investigate a drug case. It was found that, defendants Yeh and Yang et al. had made contact with subjects investigated by the Office. Soon, the Weida International Co., Ltd., as owned by defendant Yeh, was investigated. Defendant Yang was in charge of the records of export customs clearance, and it was found that they had exported large batteries by sea and air to Australia; however, their delivery methods violated the general practices of international trade. The operation was obviously not enough to cover the export costs, thus, it was very likely that they trafficked the drugs by hiding them in the batteries. Thus, the task force asked Customs to offer real-time notice of the exported and imported goods, as Wei-X Yeh and Ya-X Yang were not within the jurisdiction of the Keelung District Prosecutors

Office. After coordination between the Keelung Office and the Director Prosecutor of the Narcotics Squad of our Office, in November 2016, “defendants Yeh and Yang were suspected of drug trafficking via Weida”. The aforementioned task force applied to our Office, which assigned Prosecutor Yi-chun Lin to investigate the case.

II. Investigation

On the morning of December 1 of the same year, the Northern Mobile Work Station received notice from Keelung Customs, Customs Administration, Ministry of Finance that: Defendant Yang, under the name of Weida, had declared a total of 11 lead-acid batteries with the total weight of approximately 200kg, and intended to ship them to Australia. The local recipient was defendant Yeh. On the morning of the same day, Keelung Customs, Customs Administration, Ministry of Finance sent a notice again that: Weida imported 30 large batteries from Brazil, which weighed about 800kg and had arrived at the Port of Kaohsiung. The task force urgently notified customs of the two locations to intercept this second



batch of cargo. At about 3 o'clock on the afternoon of December 1, the drugs found at China Air Cargo Corporation Warehouse, Yangmei District, Taoyuan, together with those hidden in the first batch of 11 batteries about to be delivered to Australia, were checked by Keelung Customs, which included a total of 50 bags of amphetamines, a category 2 drug, with the total weight of approximately 50,022.08g. The prosecutor immediately issued an arrest warrant. At about 8 o'clock on the evening of the same day, defendant Yang was arrested, and the residence and vehicle of defendant Yang, as well as suspected drug-hiding locations in Guishan Dist., Taoyuan City, were

investigated that night. Evidence, including New Taiwan Dollars and foreign currencies, worth NTD2.45 million, 20 9-mm flat-head bullets and dumdums, and a BMW sedan, had been detained by law enforcement officers. On the second day (December 2), the prosecutor-in-charge remained at the Office to command and interrogate defendant Yang. Due to the teamwork spirit of the Narcotics Squad, Hui-lin Huang, the Director Prosecutor, assigned Prosecutor Shu-ting Yang to go south for investigation. Prosecutor Yang assisted the project team and went to No. 47 Inspection Station of Kaohsiung Customs. They opened the container to check the second batch of 30 batteries



105.12.1 the prosecutor found a total of 50 bags of amphetamines with the total weight of approximately **50,022.08g.**



105.12.2 the prosecutor found a total of 200 bags of cocaine with a weight of **203,538.83g.**

from Brazil, and found a total of 200 bags of cocaine, a category 1 drug, with a weight of 203,538.83g.

At around 6 o'clock on the afternoon of the same day, the Northern Mobile Work Station transferred defendant Yang to our Office. Prosecutor Lin applied to Taipei District Court, and obtained approval for detention. The other defendants, Liao and Wang, were at large. Before the customs clearance of the batteries containing the drugs, defendant Yeh had departed to Australia. It was suspected that Yeh went there to wait and receive the drugs. The prosecutor then issued arrest warrants for Yeh and Wang, and guided the task force to contact the Legal Secretary of the Investigation Bureau stationed in Australia to help arrest defendant Yeh. Then, an application of formal mutual legal assistance was submitted to the Ministry of Justice and the Ministry of Foreign Affairs to help arrest defendant Yeh.

As defendant Liao knew that he could not escape the net of justice, he voluntarily surrendered himself on December 6 of the same year. After the prosecu-

tor directed the task force to search the residence of defendant Liao, and interrogated Liao, the prosecutor applied to the court for detention of Liao. As Liao had prepared his visa to Australia, and could exit Taiwan anytime, the court determined to detain Liao. On December 8, the prosecutor guided the task force to search the residence of Yeh and Weida, and evidence, such as relevant documents, mobiles, and computers, were confiscated. The task force was guided to check the financial accounts of defendant Yeh, and found that, before and after the case was registered, Yeh had transferred over NTD10 million to the accounts of his mother and younger brother. After we contacted Yeh's mother, and learned that Yeh made phone calls to his mother to receive the funds, it was suspected that the funds could be the illicit money obtained by Yeh from this crime. Thus, the funds were immediately detained. With the consent of Yeh's mother and his younger brother, and the approval of court to detain the funds, a total of NTD13.83 million of Yeh's illicit money had been detained. Investigation of Yang's account found that several transactions related to Australia were



marked with the code words “Kangaroo, Gold Coast”. It was suspected that the funds could be the illicit NTD1.5 million obtained by Yang from this crime. We applied to the court for approval to detain this illicit money. The entire case was closed and filed in March 2017. Due to the delivery of the drugs mentioned in this case, defendants Yang and Liao were sentenced to eight years and six months, and four years (to be determined), respectively, in jail by Taipei District Court. Defendants Yeh and Wang are still at large and wanted.

III. Feature and impact

Cocaine is rare in Taiwan, and a large number of complete bricks of cocaine have never been found. This case seized the biggest amount of cocaine in the history of Taiwan. This amount is also rare internationally. The cocaine in this case had been exported from Brazil, passed Busan, South Korea, and arrived in Taiwan, where it was prepared for delivery to Australia. If successfully delivered, it would have been worth over NTD 12 billion in the Australian market. The batch of methamphetamine was successfully exported to

Australia. It is roughly estimated that it would be worth over NTD600 million in the Australian market. The drugs involved in this case are category 1 and 2 drugs, which are extremely addictive. The successful block of the majority of the category 1 and category 2 drugs from entering the market can save tens of millions of people from the dangers of drugs, and effectively present the anti-drug determination and energy of Taiwan to all countries in the world. The successful detainment of cocaine, a category 1 drug, and the export of methamphetamine, a category 2 drug, to Australia, could allow Taiwan to avoid being included in the list of countries of drug exports or transfer, and from transactions in international economy and trade. This case is of great help in safeguarding national interest and enhancing Taiwan’s international image and position. Both the Office and the prosecutor-in-charge received medals of “Excellent Anti-Drug Award” by the Executive Yuan.



