

# Government statement on Taiwan homicide case

The Hong Kong Special Administrative Region (HKSAR) Government today (October 20) issued the following statement on the Taiwan homicide case:

1. The decision of the Taiwan homicide case suspect Chan to surrender himself to Taiwan is purely out of his own free will. The allegations that Chan was manipulated to surrender or his decision was out of political manoeuvring are totally groundless.
2. Upholding the rule of law has always been the core value of Hong Kong. The Hong Kong Police Force spares no efforts in the fight against crime and the Department of Justice is a tight gatekeeper in prosecution. The Department of Justice has thoroughly and comprehensively considered the Police's investigation and the evidence collected, and confirmed that there was only enough evidence to prosecute Chan for money laundering offences, and not other offences including attempting to commit murder or the so-called "willfully plan to commit homicide". Hong Kong's law enforcement, prosecution and judiciary adhere to the principle of political neutrality, and act strictly in accordance with evidence. We express the deepest regret for the groundless and fabricated allegations of "inadequate investigation", "indifferent attitude towards pursuing the charge of homicide", as well as "inaction in exercising the jurisdiction of Hong Kong's Courts".
3. In fact, the HKSAR Government has all along clearly stated to Taiwan that the authority of Hong Kong would be pleased to provide the necessary and legally feasible assistance to Taiwan in its investigation on the homicide case. As early as March last year, Hong Kong has sent its Police officers to Taiwan to liaise with the officers of the Taiwan's Criminal Investigation Bureau. Hong Kong has also communicated with Taiwan Shilin District Prosecutors Office on case development and evidence matters. Between June last year and April this year, Hong Kong issued four letters to the Taiwan authority, some directly and some through the platform of the Hong Kong – Taiwan Economic and Cultural Cooperation and Promotion Council and the Taiwan – Hong Kong Economic and Cultural Co-operation Council, with a view to exchanging information on case development and expressing the intention for face-to-face discussion. In March this year, through the aforementioned platform, we formally suggested sending a delegation to Taiwan for discussing co-operation arrangement on the homicide case. Yet, no reply was received from Taiwan.
4. Chan was arrested by the Police in Hong Kong in March last year. Investigation revealed that there was only sufficient evidence against Chan in the offences of money laundering. As the case entered into judicial proceedings, exchange on case evidence with third party including Taiwan could not be proceeded with. This was clearly stated in the correspondences issued to Taiwan. Now that Chan has indicated his wish to surrender himself to Taiwan, the judicial proceedings are over and Chan will not lodge any

appeal and is about to be discharged from prison, we have conveyed to Taiwan clearly that we will be pleased to provide the necessary and legally feasible assistance to Taiwan. Should Taiwan raise any request for evidence in processing Chan's surrender case, we will positively assist in accordance with our law.

5. The HKSAR Government always cherishes the rule of law and acts in accordance with the law. Earlier on, we have stated clearly that there is no law that allows us to extradite suspect Chan to Taiwan, or to pursue any criminal juridical assistance with Taiwan. As Chan has stated his willingness to surrender himself voluntarily to Taiwan, the authority of Taiwan should handle the case in accordance with its protocol in handling similar cases of self-surrender.

6. On December 3, 2018, the Taiwan authority issued a warrant of arrest on Chan which remains effective to date. It is the practice of all jurisdictions around the world that a person wanted for crime must be apprehended with no delay so that investigation and prosecution could be pursued in order to uphold the rule of law and justice. Owing to this, the HKSAR Government relayed suspect Chan's surrender decision to Taiwan authority without delay, and conveyed that due to Chan's request, the authority of Hong Kong would assist Chan in relevant arrangement, and provide the necessary and legally feasible assistance to Taiwan in this matter. The HKSAR Government hopes that Taiwan will take positive step to receive a self-surrendered person wanted by them in a pragmatic manner. We will offer all necessary assistance within the legal limits of Hong Kong.