



TAIWAN TAICHUNG DISTRICT PROSECUTORS OFFICE
Press Release

Date of release: February 7, 2024

Contact officer: Chang-Hui Chan, Deputy Chief Prosecutor

Contact phone : 04-22232311

No. 1130207-2

Taichung District Prosecutors Office
Investigated Cross-Border Fraud Cases
And Accomplished Our Country's First Successful Case
of Judicial Extradition Request

The Taichung District Prosecutor Office ("the Office") investigated the case of defendant ○○ Liu ("defendant Liu") being extradited from Poland to Taiwan to stand trial on suspicion of fraud. For the investigation, an inter-departmental working group was organized by and among the Department of International and Cross-Strait Legal Affairs of the Ministry of Justice, the Ministry of Foreign Affairs and the Taipei Representative Office in Poland, the Taiwan High Prosecutors Office, the Criminal Investigation Bureau and this Office. On January 12, 2024, officers from the International Criminal Affairs Division of the Criminal Investigation Bureau took a flight to Warsaw, Poland to handle the transfer of prisoner. On the 15th of the same month, the officers brought defendant Liu back and arrived in Taiwan at about 5:18 a.m., completing the arrest procedure at No. 9, Hangzhan South Road, Dayuan District, Taoyuan City (Taoyuan Airport Terminal Boarding Gate). Following the arrest procedure, defendant Liu was transferred to this Office. This was Taiwan's first successful case of judicial extradition request, concretely demonstrating Taiwan's judicial sovereignty and the deepening of judicial cooperation between the two countries after Taiwan and Poland signed the "Agreement between the Taipei Representative Office in Poland and the Polish Office in Taipei on the Legal Cooperation in Criminal Matters."

Head Prosecutor Xin-Lang Chen of the Office commanded the International Criminal Affairs Division and the Second Team of Telecommunications Division of the Criminal Investigation Bureau to investigate this cross-border fraud case of defendant Liu. According to the investigation findings, in 2016 the fraud gang in which defendant Liu was involved set up fraudulent telecommunications computer rooms in Madrid, Barcelona, Alicante and other places in Spain to defraud people in China. The Interpol issued a red notice for defendant Liu. Consequently he was arrested when entering Poland on August 6, 2017 and detained for 5 years and 6 months. While defendant Liu was detained in Poland on suspicion of aggravated fraud, the Ministry of Foreign Affairs immediately notified the Office through the Ministry of Justice to file a case for investigation. Subsequently, Taiwan government and the Polish government signed the "Agreement between the Taipei Representative Office in Poland and the Polish Office in Taipei on the Legal Cooperation in Criminal Matters" on June 17, 2019. Both parties can extradite criminals through formal mutual legal assistance. In order to safeguard our country's judicial sovereignty and the citizens' rights to return Taiwan for trial, the Office actively contacted and handled relevant extradition matters, and wrote to the Department of International and Cross-Strait Legal Affairs, Ministry of Justice to first submit an extradition request to Poland. In November 2023, the Polish court made a ruling to grant the above request, and the Polish Minister of Justice approved the extradition of defendant Liu back to Taiwan for trial. Extradition of defendant Liu was made. After interrogation by the prosecutor, the Office confirmed that defendant Liu was involved in a serious crime of aggravated fraud under Article 339-4 of the Criminal Code. He was wanted and was on trial. Besides, the defendant was a fugitive from justice and had multiple entry and exit records. There were the risks that defendant Liu fled the country, that he conspired with a co-offender or destroyed evidence and that he repeatedly committed the same fraudulent act. Therefore, the Office considered it necessary to detain defendant Liu, thereby applying to the court for incommunicado detention. After interrogation, the judge of Taiwan Taichung District Court found that to detain

defendant Liu was not necessary in spite of a reason for detention. The court ruling was made to restrict defendant Liu to reside in the location of his household registration and impose restrictions on his exit from the border or the island for 8 months. The prosecutor of the Office took an interlocutory appeal from the above ruling. However, the interlocutory appeal was denied by Taiwan High Court Taichung Branch Court by a ruling. For the purpose of preventing defendant Liu from fleeing, the prosecutor immediately ordered to impose technological surveillance equipment on him.

When investigating cross-border fraud cases, the Office adheres to the principle of "All cases must be handled and all guilty parties must be investigated" without discriminating against a victim because of his or her nationality or region. In the role of a public welfare representative, prosecutors fully investigate cross-border cases and are committed to effectively tracing and arresting members of all levels of the fraud gang through international cooperation. Prosecutors of the Office will continue to seek relevant cross-strait mechanisms to jointly combat crime with respect to this fraud case, trace relevant evidence and information about victims' financial losses due to fraud, thoroughly disintegrate fraud crimes, and safeguard social stability and people's interest.