

MAC Responds to the Hong Kong Government's Statement on Taiwan Homicide Case

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The Mainland Affairs Council (MAC) issued the following solemn response to the Hong Kong government's statement on Taiwan homicide case:

(1) The Hong Kong government claimed that the decision of the homicide case suspect Chan Tong-kai to surrender himself to Taiwan is purely out of his own free will. However, the timing of the announcement, the background of the person said to have persuaded Chan to surrender, various illogical circumstances, and the consistent rhetoric on the handling of this matter by the Hong Kong government and Mainland media, all together, make abundantly apparent that the surrender was carefully arranged by political powers behind the scenes. It is no wonder that many media channels and individuals suspect that Chan was manipulated to surrender. The Hong Kong government's statement does nothing to dispel these doubts.

(2) Taiwan has long made clear on several occasions that the two sides need to establish a mutual judicial assistance and cooperation mechanism for homicide cases to achieve a fundamental solution. However, the Hong Kong government has not responded to the multiple judicial requests by Taiwan. It also refused to allow the Ministry of Justice and other agencies in Taiwan to jointly participate in communication last November. As for the letters mentioned by the Hong Kong government, Taiwan had clearly replied and stated the hope to focus on mutual legal assistance in this matter. However, the Hong Kong government failed to respond positively. Instead, it only sought to use negotiations between the two sides to act as an endorsement of its amendments to the Fugitive Offenders Ordinance. Therefore, as early as May 2 this year, the MAC stated at a regular press conference that Taiwan would have reservations if negotiations were conducted under the framework of the existing Fugitive Offenders Ordinance. This position was also conveyed to the Hong Kong government on the same day through

existing channels. The claim that Taiwan has not responded is entirely at odds with the facts and is intended to mislead the public. MAC expressed the deepest regret for this wrongful claim by the Hong Kong government.

(3) The Hong Kong government stated that should Taiwan raise any request for evidence in processing Chan's surrender case, it would positively assist in accordance with the law. However, it also said that there is no law that allows Hong Kong to pursue any criminal justice cooperation with Taiwan. With this self-contradictory statement, we would like to ask the Hong Kong government, exactly how does it plan to assist Taiwan? Or whether this is simply another excuse to shirk responsibility?

(4) The defendant and the victim in the homicide case are both Hong Kong residents. A responsible government would do its utmost to bring justice and consolation to the victim's family. However, over the past months, the Hong Kong government has done many things but thinking about how to resolve this matter. It first ignores Taiwan's judicial requests, and then uses this opportunity to promote the widely opposed amendments to the Fugitive Offenders Ordinance. Now it is trying to circumvent its own proper jurisdiction. This exhibits an astonishing level of contempt for the murder of a Hong Kong resident.

(5) The political maneuvers of the Hong Kong government in this case is to fundamentally and methodically underscore that the Hong Kong government lacks jurisdiction over offenses committed by people of Hong Kong outside Hong Kong, but in the Mainland area, must therefore be sent to mainland China for trial. The Hong Kong government tries to use the same logic to bring Taiwan under the so-called "one China" political framework. It emphasizes that Taiwan alone has jurisdiction over the Chan Tong-kai homicide case because it considers Taiwan to be a part of China and consequently Taiwan and Hong Kong cannot hold negotiations on mutual legal assistance. In reality, Hong Kong has signed agreements on "mutual legal assistance in criminal matters" with 30 countries worldwide, including Australia. Why will it not negotiate and sign such an agreement with Taiwan? The MAC believes that such political maneuvers undoubtedly seek to achieve "extradition to China" without the

"Extradition to China bill," denigrate Taiwan's sovereignty, and undermine justice and human rights. Taiwan will never accept this, nor will we play along with this shenanigan.

(6) The MAC reiterated that Taiwan will, on the basis of reciprocity, dignity, and mutual benefit, proactively and promptly provide relevant evidence pertaining to the homicide case and cooperate with the Hong Kong government on subsequent prosecution of the murder case if the Hong Kong government so requests. Taiwan also hopes that the Hong Kong government will promptly and pragmatically address our request and together work to ensure justice is served for the victim.