

MAC Sternly Protests Detention and Deportation of Taiwan National to Mainland China: The Government Absolutely Upholds the Rights and Interests of the People and Secured Immediate Return to Taiwan

Date: April 11, 2016

MAC Press Release No. 27

The Mainland Affairs Council (MAC) stated that, since November 2014, when a telecommunications fraud was uncovered by Kenyan authorities leading to the detention and trial of Taiwan nationals, the council and the Ministry of Foreign Affairs (MOFA), Criminal Investigation Bureau (CIB), and other relevant agencies have maintained contact and closely watched developments in this case.

The MAC was informed by the CIB and MOFA on April 8 this year that the Mainland proposed that eight of the Taiwanese nationals acquitted and released by the Kenyan court be deported to the Mainland. The MAC immediately informed the Mainland of Taiwan's position and explained that the related persons should be handled by Taiwan. It also demanded that Taiwan Affairs Office actively coordinate the relevant departments to promptly release the Taiwan nationals and said that Taiwan nationals cannot be forcibly detained in the Mainland. However, later that same day later, the MAC confirmed that Taiwan nationals had been forcibly taken to the Mainland by the Mainland side. The MAC strongly protested to the Mainland that evening, saying that the Mainland's move disregards the tacit agreement established between the two sides through the handling of similar case since 2011, particularly in view of the acquittal of the said persons by the Kenyan court. The move seriously infringes the basic rights and interests of the people of Taiwan and hurts the feelings of the Taiwanese people. The Mainland must take full responsibility for the serious impact of this move on cross-strait relations.

The MAC stressed that, after this case occurred, the related agencies in Taiwan actively negotiated with Kenya and the Mainland to protect the rights and interests of the eight Taiwanese detainees. Since the Taiwan side hoped to secure the prompt

return of the Taiwanese nationals to Taiwan through negotiations, the government did not immediately disclose this matter to the public.

The MAC explained that the Mainland's actions also infringe on Taiwan's jurisdiction and entirely ignores the facts of the Agreement on Joint Cross-Strait Crime-Fighting and Mutual Judicial Assistance signed between the two sides on the basis of the past eight years of mutual non-denial of authority to govern.

The MAC stressed that Taiwan can never accept the opinion expressed today by the Mainland Ministry of Foreign Affairs Spokesman on this case that "It is laudable that the governments of other countries adhere to the one China policy." The Republic of China (ROC) is a sovereign country with full jurisdiction. The ROC government's positioning of cross-strait relations according to the ROC Constitution will not be changed by any actions by the Mainland. The Mainland also should actively face up to the reality of the existence of the ROC.

The MAC explained that, according to the Agreement on Joint Cross-Strait Crime-Fighting and Mutual Judicial Assistance, the Mainland notified Taiwan that eight Taiwan people are currently detained at the Haidian District Detention Center in Beijing. The MAC, in conjunction with the relevant agencies, has demanded that the Mainland promptly repatriate the eight persons to Taiwan. Moreover, the government hopes that the 15 Taiwan nationals still in Kenya will be promptly returned to Taiwan. The MAC also emphasized that the government absolutely gives first priority to protecting the rights and interests of the people. The Ministry of Justice, in conjunction with the CIB and the MAC, will ask the Mainland to allow staff to be sent to the Mainland to understand the case details and actively begin communication with the Mainland. The MAC will also provide coordinated assistance to ensure that the Taiwanese nationals are promptly returned to Taiwan.