

China’s open disregard for a cross-strait judicial assistance agreement during a spate of suspected cross-border telecoms fraud cases involving Chinese and Taiwanese suspects has no doubt led to a change in the cross-strait “status quo.”

The 2009 Cross-Strait Joint Crime-Fighting and Judicial Mutual Assistance Agreement (海峽交流貿易合作協議) has resulted in both sides since 2011 operating under a tacit agreement that Taiwanese and Chinese fraud suspects caught in a third country should be repatriated to their home nations — along with the relevant evidence and judicial records. However, China, in the past month alone, has had several Taiwanese deported to China and has failed to hand over evidence against the suspects.

In the Kenya case, on April 8 and April 12, a total of 45 Taiwanese telecoms fraud suspects, 23 of whom had been acquitted by a Kenyan court, were deported to China — despite Taiwan’s insistence that it has jurisdiction over its citizens. On April 15, Malaysia deported 20 fraud suspects to Taiwan, but failed to provide the Taiwanese authorities with relevant evidence or records of their alleged criminal activities.

In another case involving Malaysia, President Ma Ying-jeou’s (馬英九) administration on Saturday first lodged a strong protest over Kuala Lumpur’s deportation of 32 Taiwanese fraud suspects to China instead of Taiwan. However, hours later it softened its tone, saying that “it views with positivity” China’s sending of a letter inviting a Taiwanese delegation to China to jointly handle the Malaysian and Kenyan cases.

In all these cases, Beijing has brazenly disregarded the “status quo” and failed to honor a pact signed by both sides on cross-strait judicial assistance, and the obsequious attitude of Ma’s administration has failed to uphold Taiwan’s judicial powers — or the nation’s dignity.

Rather than condemning China over what a New Power Party legislator described as an “extrajudicial abduction,” and asserting Taiwan’s jurisdiction over its own people, the Ma administration has reasserted its position as Beijing’s lackey, saying that China’s actions ensure the best outcome in terms of cracking down on crime.

The truly meaningless ‘status quo’

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Truly pathetic.

While pretending to investigate cross-border fraud, Beijing’s real goal is to try and foster among the international community the idea that Taiwan belongs to China.

So far, the tactic has worked brilliantly, with even Taiwan’s government quickly censoring its condemnation.

As a result of the Ma administration’s spinelessness when it comes to dealing with China, Taiwan’s judicial power has been greatly undermined and its sovereignty slighted — needless to say the integrity of the Cross-Strait Joint Crime-Fighting and Judicial Mutual Assistance Agreement has been left in tatters.

More importantly, each time a nation responds to Taiwan citing the “one China” principle, the damage increases — the repeated cases of Taiwanese being “extradited” to China instead of Taiwan help cement the illusion Beijing desires — that the cross-strait dialogue takes place within “one China.”

From the Kenya case through to Malaysia’s deportation of Taiwanese to China, Ma, although slated to step down in less than three weeks, has shamelessly dragged led Taiwan straight into the jaws of Beijing’s “one China” trap.

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