

US bid to seize Chen properties raises queries

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The US may have been influenced by pressure from Taipei in its decision to seize properties in New York and Virginia that had allegedly been bought with bribes paid to the former first family, a Taiwan-born lawyer said.

The US Department of Justice has filed civil forfeiture complaints against former president Chen Shui-bian (陳水扁) and his wife, Wu Shu-jen (吳淑珍), based almost entirely on information from President Ma Ying-jeou's (馬英九) administration and before Taiwanese courts have made a final ruling in the case, said Yang Tai-yu, who now runs a law practice in Iowa.

"There are two ways to look at what has happened, the legal way and the political way," Yang said.

"This is a civil forfeiture complaint and not a criminal one. The government in Washington does not have to wait for the legal action to be completed in Taipei. These are two different cases," said Yang, who has made a special study of the case.

"I have read the complaints and the legal documents, and the move by the US government seems hasty. The most the US has to gain is to win these two properties. Even then they will have to give some of the money they get for them back to Taiwan," he said.

"The US does not have a whole lot to gain financially. This is not a terrorism case [and] there is no national security issue involved. So why would they be in such a hurry to file the case?" he asked.

Yang said it was obvious from the legal documents that the information supporting the US case was provided by Taiwan's government.

"The question is, why is the Taiwanese government pushing this and why is the US government cooperating with them?" he asked.

"There is nothing for the US government to gain by acting at this point in time. The property is not going anywhere. They could wait until the supreme legal authority in Taiwan makes a decision on it and then move if necessary," Yang said.

"It is also curious that the US government should choose to cooperate in this way on this case," he said.

The US government filed its case in the courts on July 14, saying Chen's property in the US was subject to forfeiture because "it was involved in money laundering and represents the proceeds of a bribery and money laundering scheme."

A US Department of Justice press release on the case makes Washington's cooperation with

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Taipei very clear.

“The Department of Justice and ICE [Immigration and Customs Enforcement] worked closely with the Taiwan Supreme Prosecutors Office, Special Investigation Division to gather and exchange evidence regarding the money laundering that took place in this case to support the forfeiture of these funds,” the statement says.

The US investigation, it said, was conducted “in cooperation with prosecutors in Taiwan.”

Asked how the case would proceed from here, the Department of Justice told the *Taipei Times* : “We will continue with legal proceedings regarding our filings. If we prevail and the properties are declared US government property, they will be sold and the proceeds deposited into the forfeiture fund and then available to share back with Taiwan.”

A department source denied there had been pressure from the Ma administration to bring the civil case against Chen.

“They were very cooperative, but all decisions to proceed were made here without interference from Taipei,” the source said.

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