

Ma indicted for September Strife

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Prosecutors yesterday indicted former president Ma Ying-jeou (馬英九) on charges of leaking classified information and abuse of authority in the wiretapping of telephone conversations between then-legislative speaker Wang Jin-pyng (王金平) and Democratic Progressive Party (DPP) caucus whip Ker Chien-ming (柯建銘) during an investigating into alleged improper political lobbying in 2013.

Ma became the third former president to be indicted for an alleged breach of the law while in office. Although former president Lee Teng-hui (李登輝) was acquitted of all charges in August 2014 in a case involving a secret diplomatic fund, former president Chen Shui-bian (陳水扁) was found guilty of corruption and related charges and served more than six years of his 20-year prison term before his release on medical parole in January 2015.

The Taipei District Prosecutors' Office completed its investigation into the 2013 wiretapping case and alleged that Ma had abused his authority by divulging classified information, as well as breaching the separation of political and judicial powers, Deputy Chief Prosecutor Chang Chieh-chin (張建群) said.

Chang said Ma has been charged with offenses related to public officials divulging state secrets that are unrelated to national defense, thereby contravening the Criminal Code; public officials divulging classified information obtained in the course of communications surveillance by the authorities, thereby contravening the Communication Security and Surveillance Act (通訊保障及監察法); and unauthorized use of private information outside of a public official's duties, thereby contravening the Personal Information Protection Act (個人資料保護法).

"The defendant called on then-prosecutor-general Huang Shih-ming (黃世明) to visit the president's official residence on Aug. 31, 2013, to report on the findings of the wiretapping. This breached the law on the use of personal information obtained under surveillance and the divulging of classified information," he said. "The defendant instructed Huang, top aide Lo Chih-chiang (羅智強) and then-premier Jiang Yi-huah (江宜華) on Sept. 4, 2013, in talks where classified information relating to the wiretapping case was discussed. This constitutes offenses of inciting others to divulge information obtained during telecommunications surveillance and violations of personal privacy."

Huang spoke about the probe by the Special Investigation Division and revealed the content of

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telephone conversations between Wang and Ker at a news conference in Taipei on Sept. 6, 2013, which stirred up a political storm known as the “September Strife.”

Ma was accused of pursuing a personal vendetta to oust Wang as legislative speaker, leading to discord within the Chinese Nationalist Party (KMT).

Ker filed a lawsuit on Sept. 3, 2013, against Ma and Huang, accusing them of defamation, divulging personal information, providing false statements, malicious persecution and suppression of evidence.

He referred to the case as Taiwan’s own “Watergate,” adding that he wanted to stop “Ma’s governance by secret-police methods.”

DPP Legislator Kuan Bi-ling (關碧玲) threw her support behind the prosecutors for pressing charges against Ma.

“If there is clear evidence of criminal activities and prosecutors do not see fit to prosecute such a case, then what is the use of our judiciary?” Kuan said. “The indictment has renewed public trust in the judiciary. The prosecutors have done the right thing by taking the case to court for a trial hearing. I endorse the prosecutors’ decision.”

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