

*Anti corruption
Yearbook 2011*





Message from the Director General

With “eradicating corruption/malfeasance” since 1956 already being part of the Bureau’s responsibility, the Bureau has consistently devoted itself to the work by upholding a stringent approach, and is proud to have achieved rather fruitful results over the years. With the changes in time and place, the Bureau’s anti-corruption work’s implementation focus and methods have also been adjusted in response to social circumstances, public anticipation, and government expectations.

The three aspects encompassed in the content of corruption and malfeasance prevention work are anti-corruption, corruption prevention, and corruption eradication. The Bureau has, at the onset of 2011, begun to realign its focus on “corruption eradication,” which is the investigation and processing of anti-corruption cases; it not only encourages Bureau associates to explore quality anti-corruption leads, but also supports Bureau associates during the conduct of case investigation and processing work from the administrative and psychological aspects, and simultaneously reminds

Bureau associates to excel in teamwork spirit and abide by legitimate legal proceedings during case processing. It is envisaged that the Bureau’s active investigation and processing, combined with the full-time anti-corruption arm – Agency against Corruption, Ministry of Justice which was founded in July 2011, are able to instill a crisscross dragnet with separate tackles for a joint infiltration that truly eradicates anti-corruption cases and bring criminals to justice.

The good news is that the Bureau has, in the year of 2011, launched the investigation of a number of major anti-corruption cases that were suffice to shift trends and practices; for instance, the Department of Health hospital’s procurement fraud case, the Customs Directorate General’s collective bribe-taking case, the Forestry Bureau’s offshore island forestation collective fraud cause, the elementary and middle school nutritional lunch fraud case and so forth, and regardless of the many difficulties during the clue-exploring and evidence-gathering processes of each case, both our office and field

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associates have persevered through them together.

With vote-buying and corruption being the two sides of a coin, “vote-buying investigation/crackdown” has since 1991 been enlisted as part of the Bureau’s responsibility, becoming one of the focal points of the anti-corruption work. The Bureau, in taking on this responsibility, has adopted systematic initiatives by actively conducting the investigation and crackdown, and pursuing the enforcement in compliance with the law. These past years, the results from vote-buying crackdown have lived up to the expectation of all sectors. Among the vote-buying cases the Bureau has investigated and processed on the five-city/central-ruled city and village/town/city rudimentary elections held in 2010, those that have been indicted by the prosecutors office in 2011 have reached 200 cases, while the Bureau’s crackdown actions in 2011 has focused on the presidential/vice presidential and legislator elections held in January 2012. Nearly 20 cases have been indicted as of April 2012, in which the defendants have reached the level of the legislator candidates.

With 2011 being a year of both reflecting into the past and looking forward into the future, and as the promotion of anti-corruption work is able to brace forward steadfastly by resting on a sound foundation built by many former elite associates, we vow to take an even more humble stance and to timely remind ourselves to pursue excellence by building on the existing foundation. On the path of reshaping a transparent and ethical country, we hope to put forth our best efforts, along with the working members of the public, to jointly create a brighter tomorrow.

Sincerely,

Chang, Chí-Ping

April 2012



Editing description

I. Editing purposes

The Anti-Corruption Division, Investigation Bureau (hereinafter referred to as the Bureau), Ministry of Justice compiles and publishes the Anti-Corruption Yearbook (hereinafter referred to as the Yearbook) on a yearly basis, aiming at helping readers understand the Bureau's anti-corruption work content and yearly execution statuses, in anticipation that by the annual reflection and review of the Yearbook, the Bureau will be able to continually refine and adjust its anti-corruption work.

II. Content description

A. Part One, "Profile of the Anti-Corruption Division, Investigation Bureau," of the Yearbook aims at describing the legal and regulatory basis, organizational timeline, operational task-sharing, work objectives, and work emphases of the Bureau anti-corruption work, in anticipation that all sectors can understand the organizational structure, work philosophy, and

execution methods of the Bureau's Anti-Corruption Division of the Bureau.

B. Part Two, "Anti-corruption Work Implementation Status and Results," offers the statistical analysis and description on the operational promotional status of the Bureau's Anti-Corruption Division in 2011, which encompasses two parts – the case investigation and processing work and the proficiency refinement work.

C. Part Three, "2011 Investigation Focus of Major Cases," focuses on four major cases investigated by the Bureau in the year of 2011 that have attracted attention from both the society and the government by describing briefly the processes and influences of the investigation, so that the readers can understand the difficulties that the Bureau faces while undertaking cases. (This part is excluded from English version)

D. Part Four, "2011 Summary of Prosecuted Cases," discusses 12 representative cases investigated by

the Bureau, which were referred to the district Prosecutors Offices in the past two years, and are then prosecuted in 2011; these cases are arranged according to their case types, so that readers can conveniently refer to the criminal patterns and techniques of the various case types. (This part is excluded from English version)

III. Notes

1. For the units referred in the Yearbook, the “year” is “calendar year”, the “case” is in unit of “case”, the suspects are in unit of “person”, and the “amount” is in unit of “TWD” (Taiwan Dollar) . As for the counting of cases, when in the referral stage, each referral is counted as one case; in the indictment stage, one indictment is counted as one case. The count of suspects is based on the number of suspects in referral, or as defendants in the indictments. The units of other items are described in articles or figures.
2. The percentage of the figures is according to the actual number of digits necessary and calculated by rounding.
3. The difference between “corruption/ malfeasance cases” and “non-corruption/ malfeasance cases” is based on whether the suspect is defined as a civil servant when violating the applicable law; if there is at least one civil servant involved in the case, then it is categorized as a corruption/malfeasance case.
4. Classification principles for referred cases: “Maladministration of Public Works” (including public works procurement and other maladministration in public works), if also is some kind of “education”, “medical care” or “environment protection,” can be classified as category “public works”. “Maladministration of Procurement” (including labor and property procurement), if also is some kind of other categories, is classified as category “procurement.”
5. “Public servant” refers to high, middle and low-ranking civil servant, quasi civil servant and representatives; “non-public servant” refers to people other than above five statuses. “High-ranking civil servant” refers to civil servants in position levels of 10-14, or equivalent; “middle-ranking civil



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servant” refers to civil servants in position levels of 6-9, or equivalent; “low-ranking civil servants” refers to civil servants in position levels of 5 and below, or equivalent. “Quasi civil servant” has two definitions; 1) cases referred to or prosecuted by prosecutors before June 30, 2006, and those who were commissioned by government agencies before the amendment of Article 2 of the Anti-corruption Act; 2) cases referred to or prosecuted by prosecutors after July 1, 2006, and those who were commissioned by the central government, local self-governing organizations, and their subordinate organizations, and were involved in public affairs within the authority of commissioned units according to Subparagraph 2, Paragraph 2, Article 10 of the Criminal Code. “Representatives” includes central and locally elected representatives at all levels.

6. “Corruption amount” refers to the illegal profits earned by civil servants, quasi-civil servants, or their accomplices while under suspicion of corruption. “Profiting amount” refers to the illegal profits generated by civil servants with mercenary intention,

whether utilizing the capacity of their offices. “Procurement amount” refers to the final tender price or budget amounts in procurement cases that involved illegal collusion. “Others” refers to crime amounts that did not belong to the above categories.

7. “Key applicable laws” and “key applicable articles on referral” refer to the law applicable to the cases or to the suspects. When the same case or suspect involves in offenses under two or more applicable laws, the heavier punishable law shall prevail.
8. “Education statistics” are based on the graduation qualifications of the suspects; if they did not graduate, they are categorized in the next lower level of education level.

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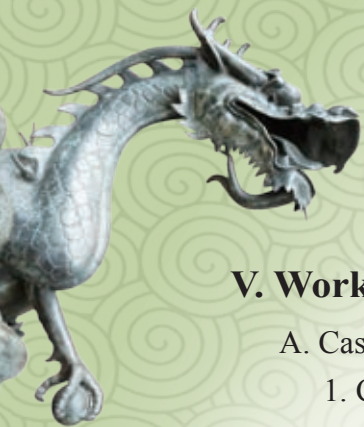
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Part one

Profile of the
Anti-Corruption Division,
Investigation Bureau





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I. Legal and regulatory basis

As stipulated under Article 2 of the pre-amended Investigation Bureau, Ministry of Justice Organization Act:

“The Investigation Bureau, Ministry of Justice is in charge of the investigative and safeguard matters related to the endangerment of national security and the violation of national interests. The aforesaid investigative and safeguard matters are to be defined by the Executive Yuan.” An abridged explanation on what the Executive Yuan has amended and promulgated, over the years, of the Bureau’s administrative responsibility and the portion related to the anti-corruption work is provided below.

The Executive Yuan has on August 27th, 1956 promulgated the Bureau’s ten administrative responsibilities, and among them, item 5 “corruption and malfeasance matters” and item 10 “investigative and safeguard matters specifically entrusted by superior agencies” have come to provide the legal and regulatory basis of the Bureau’s execution of anti-corruption work.

At the onset of the second

National Assembly representative elections in 1991, the Bureau received instructions from Executive Yuan and Ministry of Justice through the means of special project to join the vote-buying investigation and crackdown work in successive elections; starting from October 30th, 1998, the Executive Yuan approved the Bureau’s nine administrative responsibilities, and among them, item 4 “corruption/ malfeasance prevention and vote-buying investigation and crackdown matters,” has clearly enlisted vote-buying investigation and crackdown work as part of the Bureau’s administrative responsibility, while item 9 has the text amended to “pertinent national security and national interest investigative and safeguard matters specifically entrusted by superior agencies.”

On December 19th, 2007, the Organic Act for Investigation Bureau, Ministry of Justice (formerly the Organic Statute for Investigation Bureau, Ministry of Justice) name and all of its 16 articles have been amended and announced, and have gone into effect March 1st, 2008. Article 2 of said law itemized the Bureau’s 20 categorized responsibilities, and among them, Subparagraph 4 “corruption/

malfeasance prevention and vote-buying investigation and crackdown matters” and Subparagraph 20 “pertinent national security and national interest investigative and safeguard matters specifically entrusted by superior agencies” have come to provide the legal and regulatory basis of the Bureau’s execution of anti-corruption work.

II. Organizational timeline

The Bureau’s anti-corruption work, up to May 1979, was handled by Division One of the Bureau. Yet with drastic changes taking place in Taiwan’s politics and economy that year, the Executive Yuan, in a bid to deter economic crime, safeguard the public equity, and maintain the economic order, summoned project meetings on a number of occasions, and, in May of the same year, ordered the Bureau to establish the “Economic Crime Prevention Center” to take over Division One’s pertinent crime investigation operations. The Center was declared to and approved by Executive Yuan to begin its formal operation on June 8th, 1979. In August of the same year, once again according to the “Rectification

of Political Practices and Eradication of Corruption Plan” the Executive Yuan has promulgated, said center has been expanded and organized into the “Corruption and Economic Crime Prevention Center” in order to step up the prevention work against corruption and economic crime.

Subsequently, in response to the increasing anticipation for administrative governance transparency and corruption/malfeasance eradication by all sectors of the society, the Bureau, as ordered by the Executive Yuan, has in February 1989 established the “Division Against Corruption” to be specifically responsible for handling anti-corruption operations. This Division was manned by one Division Director, held concurrently by the Deputy Director General of the Bureau, one Executive Officer, two Division Deputy Directors, and was supported by five sections, where, by its existing manpower, 505 associates were staffed at the time. These associates were assigned to inaugurate Sections and Units Against Corruption at various Field Investigation Divisions and Offices. Simultaneously, in northern, central, southern, eastern Taiwan, four Region Mobile Office Units were



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established to be specifically responsible for investigating and processing major corruption/malfeasance cases. At such point, the anti-corruption work has been segregated from the Bureau's other crime investigation operations as an independent focused taskforce.

In 1990, with further research made for operational refinement and process flow improvement, the anti-corruption work's foremost guidance principle was established as "prevention outweighs investigation, and investigation is also made for prevention." A declaration made with the Executive Yuan has on October 4th, 1990 been approved to rename the "Division Against Corruption" on February 1st, 1991 to "Anti-Corruption Division," which not only acts to instruct Field Investigation Divisions and Offices, and mobile office units to actively uncover, investigate, and process major corruption/malfeasance cases, but also to actively coordinate various agencies' Government Employee Ethics Units and taxation and customs inspection (supervision) units to step up anti-corruption prevention measures in a bid to attain the objectives of rectifying political practices and bringing transparency to administrative

governance.

According to the Executive Yuan chairperson's rulings at the 33rd and 34th security enforcement meetings held on March 26th and April 23rd respectively in 1992, in order to step up the prevention, investigation, and processing of public works project fraud cases, the Bureau has on May 1st, 1992 established the "Public Works Project Fraud Prevention Taskforce" in the Anti-Corruption Division. It is responsible for planning, promoting, and implementing the operation. All members of the Eastern Region Mobile Office Unit were assigned to form the "Major Public Works Project Fraud Investigation and Crackdown Taskforce." This taskforce is specifically responsible for handling major public works project fraud cases, and has also ordered various pertaining field divisions, offices, and units to step up the integration of Government Employee Ethics Officers aiming at enhancing the grasp of information by an active gathering of evidence and pursuit of investigation and processing on such cases.

On January 16th, 2002, the Eastern Region Mobile Office Unit was restructured. And also, in a bid

to simplify the verification process of corruption cases and enhance work efficiency by upholding the “case guidance consistency” principle, the operational task-sharing for various Sections under the Anti-Corruption Division have been readjusted as of July 1st of the same year as follows: Sections One, Two, and Three are the Investigation Sections, Section Four is the Prevention Section, and Section Five is the General Section. The previous “Public Works Project Fraud Prevention Taskforce” is now revamped to being under the operations of Section One, while vote-buying investigation and crackdown operation once processed by Section Three was taken over by Section One, and from September 8th, 2006, the vote-buying investigation and crackdown work is reclassified and taken over by Section Four.

From 2000 to 2010, with the repeated major anti-corruption cases in Taiwan drawing intense coverage by the news media, prompting the masses with a rising anti-corruption awareness, the Ministry of Justice has formulated an “Anti-corruption Action Proposal,” and the Executive Yuan has on November 30th, 2006 approved for it to go into effect.

Eradicating corruption/malfeasance and upholding administrative governance transparency are approached from two aspects, corruption eradication and corruption prevention, which the Bureau, in supporting the government policy, has convened meetings with internal duty and field duty units on several occasions to study, discuss, and finalize the “Stepped-up Anti-corruption Task Proposal,” and this is to be manifested through “Simplifying the case-processing flow,” “Adjusting the anti-corruption manpower,” “Amending the performance evaluation guideline,” and “Increasing anti-corruption work performance weighing and administrative rewards,” by which to guide all field duty units to raise their energy in actively uncovering the cases, fulfill their powers and responsibilities in active investigation, strictly uphold justice in case processing procedure, accelerate case processing effectiveness, investigate and process major benchmark cases, and also to install a toll-free “anti-corruption hotline” 0800-007-007 to encourage the general public to send in tips and leads with tangible action to demonstrate their anti-corruption and corruption eradication determination.



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The Organic Act for Investigation Bureau, Ministry of Justice, which was announced on December 19th, 2007, by the president, went into effect on March 1st, 2008 to legalize the Anti-Corruption Division. The Ministry of Justice has also in October 2008 amended and announced all of the 27 Articles in the Investigation Bureau's Regulations for Departmental Affairs, and which had been implemented back in March 1st, 2008, and according to Subparagraph 2, Paragraph 1, Article 4, "The Anti-Corruption Division is to carry out its mission through five sections," and Article 6, "The Anti-Corruption Division is charged with the following undertakings: I. The planning, guidance, coordination, and evaluation of corruption/malfeasance and vote-buying case investigation and prevention work. II. National security, national interest, and anti-corruption-related investigation specifically entrusted by superior agencies. III. Other pertinent anti-corruption undertakings." which constitute the current state of Anti-Corruption Division's organization and administrative responsibility.

III. Operational task-sharing

The Anti-Corruption Division is in charge of the Bureau's anti-corruption operations, and is headed by the Division Director, who oversees the overall management of departmental affairs, and the Deputy Director and Senior Specialists, who assist with the processing of departmental affairs.

A. Prior to April 9th, 2012, the Anti-Corruption Division is divided into five sections, where each section's operations task-sharing is described below:

Section 1:

Charged with the operational planning and supervision on the investigating and administrative processing of public works fraud cases, and monetary goods and labor rendered procurement fraud cases.

Section 2:

Charged with the operational planning and supervision on the investigating and administrative processing of general corruption/malfeasance cases in the northern and eastern regions, and cases specifically assigned by superior agencies.

Section 3:

Charged with the operational planning and supervision on the investigating and administrative processing of general corruption/malfeasance cases in the central and southern regions, and cases specifically assigned by superior agencies.

Section 4:

Charged with operations on the planning and execution of the vote-buying investigation and crackdown project, the reexamination and review of the investigation and processing procedure of the referred cases, the review and approval of the study reports of the corruption/malfeasance cases, the installation and update of the internal network anti-corruption database of the Bureau, the editing and compiling of the anti-corruption yearbook, and the compiling and amending of the anti-corruption work handbook and criminal investigation operations handbook.

Section 5:

Charged with general operations on the planning, monitoring, evaluation, business statistics, educational training, and performance evaluation of the anti-corruption work, the organizing of public works consultative committee

meetings and irregular operations review meetings, the coordinating and contacting of Division Four, Taxation Agency, Ministry of Finance among other pertinent units, and the processing of the general administrative operations in the Division.

B. As of April 9th, 2012, the Anti-Corruption Division has been temporarily restructured into four sections, where each section's operations task-sharing is described below:

Section 1:

Charged with the operational planning and supervision on the investigating and administrative processing of public works fraud cases, monetary goods and labor rendered procurement fraud cases, general corruption/malfeasance cases in the southern region and Penghu area, and cases specifically assigned by superior agencies.

Section 2:

Charged with the operational planning and supervision on the investigating and administrative processing of public works fraud cases, monetary goods and labor rendered



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procurement fraud cases, general corruption/malfeasance cases in the northern region, and Kinmen, Matsu and Yilan areas, and cases specifically assigned by superior agencies.

Section 3:

Charged with the operational planning and supervision on the investigating and administrative processing of public works fraud cases, monetary goods and labor rendered procurement fraud cases, general corruption/malfeasance cases in the central region, and Hualien and Taitung areas, and cases specifically assigned by superior agencies.

Section 4:

Charged with general operations on the planning, monitoring, evaluation, business statistics, educational training, and performance evaluation of the anti-corruption work, the organizing of public works consultative committee meetings and irregular operations review meetings, the coordinating and contacting of Division Four, Taxation Agency, Ministry of Finance among other pertinent units, the planning and execution of the vote-buying investigation and crackdown project,

the reexamination and review of the investigation and processing procedure of the referred cases, the review and approval of the study reports of the corruption/malfeasance cases, the installation and update of the internal network anti-corruption database of the Bureau, the editing and compiling of the anti-corruption yearbook, the compiling and amending of the anti-corruption work handbook and criminal investigation operations handbook, and the processing of the general administrative operations in the Division.

IV. Work objectives

A . D e t e r m i n a t i o n o f implementing the corruption eradication for corruption crackdown

The Bureau, one of Taiwan's corruption eradication agencies, has consistently shouldered the mission of eradicating corruption and graft for more than fifty years, and has accumulated an abundance of corruption/malfeasance case investigation and processing experience. Not only has it culminated many frontline investigation personnel, but also installed solid logistical

support, such as technology, forensic identification, communication, and surveillance, making it a well-trained, highly organized anti-corruption infiltration unit.

The government, to demonstrate its determination in fighting corruption and graft and respond to public anticipation, has on July 20th, 2011 established a full-time anti-corruption institution – Agency against Corruption, Ministry of Justice. It is charged with conducting anti-corruption, corruption prevention, and corruption eradication work, yet still anticipates the Bureau to continue executing one of its previous responsibilities, “corruption/malfeasance case investigation work,” and by working alongside the Agency against Corruption, they look to build a transparent and clean homestead of transparency through joint efforts. With that said, the Bureau will continue to uphold its consistent corruption-eradicating determination by focusing on case investigation and processing, particularly emphasizing on the uncovering of major corruption/malfeasance leads, such as those that are on a higher level, are of organized crime, or involve a substantial amount of money, and the tangible crackdown

action to support the government’s objective of achieving administrative governance transparency.

B.Purging of governmental procurement to prevent the infiltration of illicit capital

Over the years, the Bureau’s investigation and processing of civil servants who seize the opportunity of engaging in corruption/malfeasance criminal conducts, such as accepting bribery and committing fraud through the processing of public construction procurement, monetary goods procurement, or labor rendered procurement have consistently accounted for a significant percentage of the types of corruption/malfeasance cases investigated and processed in that particular year. Contractors, in fighting for government procurement, tend to be reckless, where well-heeled or powerful ones tend to call together other contractors to perform bid rigging and distribute the benefits. While, to ensure securing the bid or obtaining higher profit margins, these contractors would solicit influential civil servants with bribes or by other means. Due to increased “costs,” contractors would be invariably led to jerry build in order to



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meet contract requirements; however, to successfully pass the acceptance inspection, there is the need to once again solicit influential civil servants with bribes or by other means. Through colluding and sharing the proceeds of government procurement between civil servants and contactors, the quality is to be worried, and public funds are wasted, thus one of the Bureau's anti-corruption work focuses, through the means of investigation, is on the severe punishment and prevention of illicit funding infiltration, particularly honing in on major public works and large sum procurement as the focused investigation targets, in anticipation to construct a fair and clean government procurement environment.

C.Enhancement of vote-buying crackdown performance to rectify electoral practices

With the vote-buying culture being the main reason leading to the occurrence of corruption and malfeasance practices, a permanent cure lies in the combination of strength of the prosecution, investigation, and police agencies, where they step up the vote-buying investigation and crackdown work on local senior

official and representative elections to achieve effectiveness by getting to the root of the problem. Over the years, in response to various public servant, farmers' and fishermen's association, or irrigation association elections, the Bureau invariably sets up a taskforce to support the prosecution agency in executing the vote-buying investigation and crackdown work, and also fully mobilizing its internal duty and field duty associates to uncover and obtain vote-buying information, actively investigate and process vote-buying cases, by which to enforce the government's determination to rectify election practices and maintain the election order, and in turn to erect a fair and transparent voting environment.

D.Strengthening of the evidence-gathering quality to uphold procedural justice

With the current court practice becoming increasingly stringent with the evidential power of the evidence presented, the defendant often resorts to the counterargument that the evidence investigation process provided by the plaintiff contains defects; hence, increasing the conviction rate on cases that the Bureau investigates and

processes and attaining the objective of punishing and eradicating the unscrupulous has been the Bureau's ultimate goal. The Bureau has in 2004 formulated various case processing procedural regulations and guidelines, and has adjusted the detail of the contents in response to law amendments in a timely manner, and has also held anti-corruption work refinement seminars on a yearly basis, all with the purpose of urging the associates to strictly abide by procedural justice, ensuring that the evidence-gathering process conform to the laws and regulations, and using sufficient and valid evidence to prove the crime of the suspect.

E. Upholding of the administrative neutrality to implement a lawful administration

Maintaining “administrative neutrality” has been the consistent stance of the Bureau, and in a bid to strengthen the foundation of Taiwan's democratic nomocracy, regardless of the political party, local fraction, or religion of the alleged suspects, as long as there are suspicion of criminal acts, such as corruption/malfeasance, or

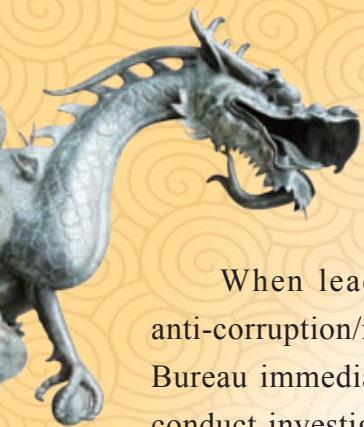
vote-buying, the Bureau will invariably process and carry out the investigation of the cases in compliance with the law, ensuring that the general public is able to perceive that “the service-oriented Investigation Bureau is here to serve the nation and the general public with the greater public good in mind.”

V. Work emphases

A. Case investigation and processing work

1. Corruption/malfeasance cases

The investigation and processing of civil servants corruption/malfeasance crime is the core operation of the Bureau's anti-corruption work. The so-called “corruption/malfeasance cases” refer to criminal cases where civil servants breach the Punishment of Corruption Act stipulated under Paragraph 2, Article 10 of the Criminal Code, breach of Offenses of Malfeasance in Office Chapter of the Criminal Code, non-simple breach of Offenses of Malfeasance in Office as stipulated under Article 134 of the Criminal code, or where a civil servant identify is required as stipulated by other laws before a case may sustain.



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When leads are discovered in anti-corruption/malfeasance cases, the Bureau immediately sets up a case to conduct investigation and upholds the principle of not charging falsely or condoning. Yet, a number of leads, such as the act of contactor engaging in bid rigging or license borrowing, judicial fraudulent conduct, destruction of state property by members of the general public, acts of breaching environmental protection laws and regulations by members of the general public, may not formally fall under the aforesaid “corruption/malfeasance cases,” yet, in view of how such conducts have a high probability of being associated with civil servants, the Bureau would also set up a case to conduct investigation, and once investigated and verified that no civil servants are involved in it, the case would be enlisted as a “non-corruption/malfeasance case.”

Cases where public school teachers, public hospital medical staff, and public enterprise personnel, whose identities are classified as civil servants prior to the amendment of the Criminal Code on July 1st, 2006, allegedly involve themselves in corruption/malfeasance crimes, would be classified as corruption/malfeasance

cases. Following the amendment of the Criminal Code, a majority of the aforesaid personnel is no longer public servants; however, the Bureau would still set up cases to conduct investigation on conducts that are constituted as embezzlement, fraud, forging and tempering of documents, and these cases would be enlisted as “non-corruption/malfeasance cases.”

2. Vote-buying cases

The conducts of soliciting and accepting bribes that breach the Presidential and Vice Presidential Election and Recall Act, Public Officials Election and Recall Act, Farmers Association Act, Fishermen’s Association Act, Organic Act of the Irrigation Association, and the offenses of interference with voting Chapter of the Criminal Code do fall under the scope of “vote-buying cases” under the Bureau’s responsibilities, and are all investigation and crackdown subjects of the Bureau.

B. Professional refinement work

1. Educational training

With lifelong learning offering a viable means for civil servants to advance their professional competency

to keep up with the times, the Bureau holds anti-corruption work refinement seminars on a regular basis, holds internal duty and field duty associates' operational opinion exchange meetings on an irregular basis, and also researches and compiles work handbooks based on operational needs and practical views, and uses the internal network the "anti-corruption database" of the Bureau to offer the latest information; for example, uploading information, such as the latest laws, regulations and administrative directions, the successful investigation and processing experience of certain special types of cases in the form of "case study reports" onto the database, in anticipation that the Bureau associates would be familiar with various case processing procedures and laws and regulations, by which to step up their practical investigative skills, achieve the goals of mutual observation and learning and experience exchange, and in turn to raise the professional standards and enhance the work performance.

2. Consultation meetings

On December 1st, 1993, The "Public Works Consultative Committee" was established. Taiwan's scholars,

experts, and community leaders related to the public works field are hired to be consultative committee members, where they utilize topical discussions or case consultation means to offer various fraud-prevention recommendations, by which to step up the investigation and evaluation methods of public works projects to prevent fraud. The commission's range of consultation is as follows,

- a. Consultation on the professional knowledge of public works projects.
- b. Evaluation of public works projects.
- c. Exploration and discussion of problems in public works projects.
- d. Other matters regarding fraud prevention of public works projects.



Part two

Anti-corruption Work Implementation Status and Results





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I. Case investigation and processing work

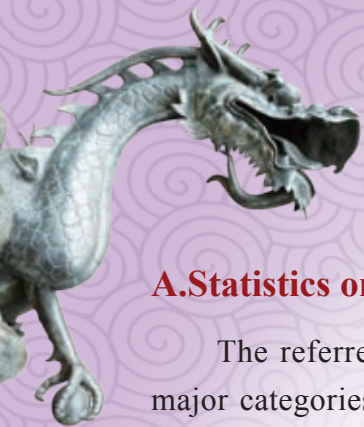
Table 2-01 depicts the overall state of the 2011 case investigation and processing work of the Anti-Corruption Division of the Bureau, which is divided into two categories, namely “anti-corruption cases” and “vote-buying cases,” with a total of 849 cases investigated and processed in 2011. Among them, 630 cases pertained to “anti-corruption cases,” which comprised 574 cases that were referred for prosecutor’s investigation, and 28 of them were indicted after referral, where the Bureau supported the prosecutor’s office in the investigation and processing of 28 cases before the prosecutor proceeded to file for public prosecution, apply for summary judgment, by deferred prosecution, or by ex officio non-prosecution. 219 cases pertained to “vote-buying cases,” which the Bureau supported the prosecutor’s office in the investigation and processing, where the prosecutor’s office had, in 2011, brought public prosecution, applied for summary judgment, by deferred prosecution, or by ex officio non-prosecution.

To truthfully demonstrate the execution state of investigation and processing work of the corruption/malfeasance prevention and vote-buying investigation and crackdown cases, starting from 2003, the basis of statistical analysis for “anti-corruption cases” has been revamped from prosecutorial data to referral data, while the basis of statistical analysis for “vote-buying cases” is still on the penal data of the prosecutor’s office in support of the practical operation state. The 2011 case investigation and processing work will be introduced separately in designated chapters focusing still on “referred cases” and “vote-buying cases.”

Table 2-01 Summary Table of the Investigation Work Performed in 2011

Unit: case

Category		Case Count	Descriptions
Corruption Cases	Referred Officially to Prosecutors	574	Cases referred officially to prosecutors for indictments after investigations
	Forwarded to Prosecutors	28	Cases forwarded to prosecutors with written reports and indicted afterward in 2011 after investigations.
	Others	28	Cooperated with the prosecutors in the investigation, whereby the prosecution agencies have in 2011 brought indictments, summary judgments, deferred prosecutions, or non-prosecutions ex officio.
	Subtotal	630	accounts for 74.2% of the year.
Vote-buying Cases		219	The Bureau has cooperated with the prosecutors in the investigation, whereby the prosecution agencies have in 2011 brought indictments, summary judgments, deferred prosecutions, or non-prosecutions ex officio., which accounts for 25.8%
Total		849	<p>Note 1: The period for statistics is between January 1 and December 31, 2011.</p> <p>Note 2: The chapter "Investigation Work" of this Yearbook indicates the 574"referred cases" and 219"vote-buying cases"</p>



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A. Statistics on referred cases

The referred cases comprise two major categories, namely “corruption/malfeasance” and “non-corruption/malfeasance,” which is classified based on the key applicable articles at the time of referral. The corruption/malfeasance case types, through mirroring the types of fraud practices prone to occur as demonstrated in the “National Integrity Building Action Plan,” were divided into 22 categories, namely public works, procurement, judicial corruption and malfeasance, police administration, fire fighting, correction, urban planning, construction management, land administration, taxation, custom affairs, financial affairs, medical care, education, company registration, motor vehicle management, funeral and interment, environment protection, spoil of land conservation, rivers and gravel management, public welfare subsidy, subvention, while those that were unable to be classified into these specific categories were grouped under the “others” category. Non-corruption/malfeasance cases were divided into eight categories, namely public works, procurement, judiciary fraud, medical care, education, environmental protection, spoil of land conservation

and others.

To correspond to the aforesaid plan’s example categorization, starting in 2010, the case “categories” appeared in the yearbook’s case referral statistical tables 2-02, 2-03, and 2-04 have also been adjusted as follows: “bank loans” and “securities management” appeared in previous yearbooks have been merged to “financial affairs,” “police” has been changed to “police administration,” “educational administration” has been changed to “education,” “medical and health care” has been changed to “medical care,” while “public enterprises” and “military units” have been merged to the “Others” category; while three categories have been added, namely “rivers and gravel management,” “public welfare subsidy,” and “subvention.”

1. Statistics on referred cases over the years

Table 2-02 depicts the statistics on the case count, suspect count, and the amount of money involved in the various types of cases referred in 2011; Table 2-03 depicts the statistics on the case count of the various types of cases referred from 2007 to 2011.

A total of 574 cases were referred to the prosecution agency in 2011, and among them, 304 were “corruption/malfeasance cases,” involving 1,461 individuals, comprising 675 civil servants and quasi civil servants, 38 elected representatives, and 748 non-public servants. Comparing to the figures in 2010, the referred case count was up by 54, a rate of increase of 21.6% (54 cases/250 cases), and the referred suspect count was up by 340, with a rate of increase of 30.3% (340 individuals/1,121 individuals). Among the 304 corruption/malfeasance cases, the majority of the referred case were in the category of public works, procurement, and police administration..

58 cases were in the “public works” category, involving 420 individuals, except where one contracting unit pertained to a public school, the rest were all general government agencies or public enterprises. The criminal conducts were primarily related to operations involving construction supervision, completion acceptance inspection, and opening and awarding bid, and some of these cases involved setting the bidding price, setting the material specification, and so forth. In addition, there were a number of cases

that resorted to profiting individuals with public funds through seizing the opportunity of contracting public works; the majority of the types of construction cases involved building construction and renovation, road and bridge construction, landscape greening and beautification, water conservation projects, and the rest pertained to various projects, such as river dredging, disaster emergency repair, rebuilding of landfill, sewage dredging, soil and water conservation, graveyard relocation, forestation, land reclamation, and so forth.

53 cases were in the “procurement” category, involving 286 individuals, where the procurement units involved not only general government agencies and public enterprises, but also public schools for 10 of the cases, public hospitals for 7 of the cases, and military units for 3 of the cases. The criminal conducts were primarily related to operations involving opening and awarding bid, acceptance inspection, setting the bidding price, and some of these cases involved setting the procurement bid specification, inspecting the reimbursements and billing requests, and so forth. In addition, there were several cases



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that resorted to profiting individuals with public funds through seizing the opportunity of underwriting the procurement; the two major types of bid projects involved in the cases were procurement of goods and procurement of services, where the former included various procurement instances of alcohol, helmet, student uniform, surveillance system, nurse call system, broadcasting system, pig auctioning system, while the latter include various procurement instances of maintenance of cleanliness, group catering of lunch boxes, foreign visitation inspection, river patrol execution plan, digital learning management plan, industry workshop planning, exhibition venue design and layout, environmental improvement project, commissioned planning, design, and supervision of project, and so forth.

Of the aforesaid public works and government procurement cases, those involving fraudulent practices in the opening and awarding bid work primarily pertained to: circumventing the procedure mandated by the Government Procurement Act by allowing specific contractor to underwrite the bid project, evaluation committee member's dereliction of duty

by escorting the contractor to win the bid, maliciously render an unqualified bidder as being qualified, colluding with other contractors to perform bid rigging or winning the bid by borrowing someone else's license, leaking out bid project information that should be kept confidential. Those involving fraudulent practices in the acceptance inspection work primarily pertained to: deliberately going easy on and rendering a contractor's contract work as being satisfactory when it did not comply with the tender criteria, simply collecting bribes by taking advantage of the contractor's conniving mindset. Those involving setting the bidding price primarily pertained to excessively reporting a bid project's reserve price and also colluding and splitting the illicit proceeds with other contractors.

35 cases were in the "police administration" category, involving 240 individuals, where the criminal conducts were primarily related to the following three operations: (I) Criminal investigation and crackdowns, such as embezzlements of cash or drugs detained from the case; soliciting drugs to drug addicts in exchange for drug-trafficking information of others; producing false car accident reports

or deliberately bypassing the alcohol-concentration breathalyzer test to assist the drunk driving perpetrator evade criminal liabilities; producing false investigative records, and so forth; (II) Police duty crackdowns, which often involved accepting bribes from sex trade operators, gambling-natured arcade operators, or waste-soil operators, and then tipping them off about the crackdown information or condoning their illicit acts by forgoing crackdowns; (III) Inquiries of confidential information, which often involved violating the operational guidelines by illicitly inquiring a variety of information, such as others' vehicle registration, household registration, criminal records, arrival/departure information, ID photo, and phone call records, and then leaking the information to the individuals making such illicit inquiries.

Of the 85 cases that fell under the “others” category, 2 cases pertained to public enterprises, 2 cases to military units, over 10 cases to government agency units under the central government departments and ministries, while the remaining cases occurred in local self-governing bodies/governments and elected representative

assemblies of all levels. Of the criminal conducts, besides taking advantage of one's positional power to accept bribes, profit individuals, and embezzle public property, and so forth, embezzling public funds had the highest case count with 37 cases, where the types of public funds included bonuses, local affairs compensations, disaster rescue relief funds, property dismantling/relocating subsidies, overtime pay, travel/meal/miscellaneous expenses, official duty expenses, parking lot charges, village/li grass-roots working fees, meeting attendance fees elected representatives, overseas visitation inspection subsidies, payroll subsidies to elected representative assistants, family member subsidies for diplomatic personnel, and so forth.

As can be extrapolated from the statistical data in past yearbooks, corruption/malfeasance cases in government procurement-related “public works” and “procurement” categories continue to account for rather high percentages in terms of the referred cases, suspect count, corruption amount, or profiting amount, which highlights how government procurement continues to be the primary tool by which unscrupulous civil servants or



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elected representatives extort illicit gains. The rest that do not involve government procurement often pertain to the corruption/malfeasance act of civil servants or elected representatives who resort to their positional powers and opportunities to blackmail related parties for monetary property, defraud treasury and property, or accepting bribes, and so forth, and among them, the number of cases referred under the “police administration” category continues to take the top spot over the years.

A total of 270 “non-corruption/malfeasance cases” were referred in 2011, which involved 783 individuals, comprising of 59 civil servants and quasi civil servants, 3 elected representatives, 721 non-public servants, down by 24 cases or 119 individuals when compared with that of 2010, with reductions of 8.2% (24 cases/294 cases) and 13.2% (119 individuals/902 individuals).

Table 2-03 shows that the number of referred cases in non-corruption/malfeasance cases under the “procurement” and “public works” categories continues to take the top two spots over the years, where the criminal facts often pertain to bidders breaching

various criminal charges stipulated under Article 87 of the Government Procurement Act, followed by the “spoil of land conservation” category, where the criminal facts often pertain to members of the public stealing public-owned land or sand/gravel, illegally developing hillsides, stealing and occupying state-owned land to run illegal business, violating the usage of non urban-land areas as classified by the county/city governments.

The investigation and processing of non-corruption/malfeasance cases primarily begins after the verification of the clues about the alleged involvement of civil servants in corruption/malfeasance, where the portion of criminal evidence on corruption/malfeasance is deemed unclear, or the law a civil servant has breached is other than the charge of corruption/malfeasance, thus eventually, these are referred to the prosecutor’s office as non-corruption/malfeasance cases. Of such type of cases, the content is often closely related to the civil servants’ ethics and government agencies’ image. For example, of the procurement cases that fall under the non-corruption/malfeasance category, where a civil servant processing the

procurement operation has colluded with bidders in bid rigging, even though said civil servant may not be classified as a criminal suspect of corruption/malfeasance, he or she has, however, severely sabotaged the government agencies' ethics; also, just as in judiciary fraud cases, where judicial brokers who resort to brokering bribery and engaging in factual fraud is also poised to sabotage the judiciary's just image. Consequently, the investigation and processing of such type of cases also contribute greatly to establishing a clean government, and even if the cases do not involve corruption/malfeasance directly, it is still necessary to eliminate the crime.



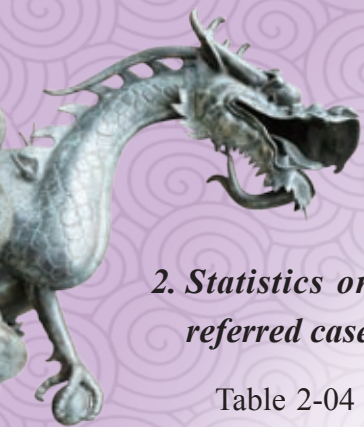
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Table 2-02 Summary of Statistics on Cases Referred in 2011 Unit:case/person/TWD

Item Category		No. of Cases	No. of Suspects			Amount of Money Involved in Cases			
			Civil servant	Representa- tive	Non- civil servant	Corruption	Profiting	Procurement	Others
Corruption/Maleficance	Public works	58	131	20	269	97,897,702	231,135,305	4,718,918,059	235,552,265
	Procurement	53	146	1	139	62,533,566	139,596,790	2,488,451,946	75,622,984
	Judicial corruption and maleficance	2	2	0	1	194,381	0	—	0
	Police administration	35	103	0	137	79,604,898	37,369,300	—	11,593,400
	Fire fighting	1	5	0	1	112,000	0	—	0
	Correction	2	2	0	0	372,756	0	—	0
	Urban planning	5	10	0	3	10,000	74,916,064	—	0
	Construction management	7	10	0	19	1,465,000	18,687,513	—	0
	Land administration	7	8	0	14	3,352,700	1,737,190	—	0
	Taxation	0	0	0	0	0	0	—	0
	Custom affairs	7	21	0	42	11,441,399	22,832,394	—	0
	Financial affairs	0	0	0	0	0	0	—	0
	Medical care	8	20	0	4	10,145,866	32,585,250	—	718,520
	Education	4	10	0	5	1,331,663	0	—	12,000
	Company registration	0	0	0	0	0	0	—	0
	Motor vehicle management	1	1	0	0	11,054,896	0	—	0
	Funeral and interment	4	22	1	14	43,333,000	483,200	—	0
	Environment protection	12	31	0	3	3,999,053	521,260	—	0
	Spoil of land conservation	1	1	0	1	0	240,000	—	0
	Rivers and gravel management	2	2	0	2	560,180	511,211	—	0
	Public welfare subsidy	1	1	0	0	27,000	0	—	0
	Subvention	9	11	0	5	73,614,380	120,000	—	15,600
	Others	85	138	16	89	317,707,655	24,418,090	—	226,527,830
	Sub-total	304	675	38	748	718,758,095	585,153,567	7,207,370,005	550,042,599
Non - Corruption/Maleficance	Public works	73	1	3	221	—	—	6,063,194,510	530,591,751
	Procurement	119	4	0	382	—	—	2,567,307,778	139,679,506
	Judiciary fraud	10	1	0	20	—	—	—	28,427,000
	Medical care	3	5	0	10	—	—	—	21,034,525
	Education	14	22	0	10	—	—	—	3,490,150
	Environment protection	13	0	0	17	—	—	—	0
	Spoil of land conservation	18	0	0	32	—	—	—	0
	Others	20	26	0	29	—	—	—	130,744,287
	Sub-total	270	59	3	721	—	—	8,630,502,288	853,967,219
Total		574	734	41	1469	718,758,095	585,153,567	15,837,872,293	1,404,009,818

Table 2-03 Statistics of Cases Referred in the Past 5 Years Unit:case

Categor		Year	2007	2008	2009	2010	2011	Total
Corruption/Malefeasance	Public works		93	78	79	59	58	367
	Procurement		50	37	41	38	53	219
	Judicial corruption and malefeasance		2	4	3	1	2	12
	Police administration		39	38	27	24	35	163
	Fire fighting		3	4	1	2	1	11
	Correction		4	1	4	6	2	17
	Urban planning		7	4	2	1	5	19
	Construction management		7	10	10	5	7	39
	Land administration		7	3	7	3	7	27
	Taxation		9	4	9	2	0	24
	Custom affairs		4	2	3	2	7	18
	Financial affairs		1	0	0	1	0	2
	Medical care		5	3	3	2	8	21
	Education		9	9	6	5	4	33
	Company registration		2	0	2	0	0	4
	Motor vehicle management		4	3	3	1	1	12
	Funeral and interment		4	4	2	7	4	21
	Environment protection		10	8	10	8	12	48
	Spoil of land conservation		4	0	3	0	1	8
	Rivers and gravel management		—	—	—	1	2	3
	Public welfare subsidy		—	—	—	1	1	2
	Subvention		—	—	—	1	9	10
	Others		131	89	92	80	85	477
	Sub-total		395	301	307	250	304	1,557
Non-Corruption/Malefeasance	Public works		86	60	80	101	73	400
	Procurement		160	103	119	128	119	629
	Judiciary fraud		16	5	6	7	10	44
	Medical care		9	7	6	4	3	29
	Education		5	12	15	10	14	56
	Environment protection		7	3	9	3	13	35
	Spoil of land conservation		19	16	22	17	18	92
	Others		43	52	35	24	20	174
	Sub-total		345	258	292	294	270	1,459
Total			740	559	599	544	574	3,016



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2. Statistics on applicable laws of referred cases

Table 2-04 depicts the statistics on the state of key applicable laws for the various types of referred cases in 2011.

Among the 304 “corruption/malfeasance cases” referred in 2011, most of them were referred by the Anti-corruption Act with 247 cases, which accounted for 81.3% (247 cases/304 cases), with detailed circumstances as described in merged table 2-07. Followed by those referred by the Criminal Code with 56 cases, which accounted for 18.4% (56 cases/304 cases), with suspects encompassing policemen, Coast Guard personnel, River Management Office stationing guards, public hospital head nurses, health center directors, Taiwan Rail station master, Taiwan Water Corporation personnel, central government departmental/ministerial technicians, foreign diplomatic personnel, Customs officers, elementary school principals, county/city government or village/town hall staff members, township magistrates, and village/li magistrates; the criminal charges committed included 19 cases with offenses of forging, falsifying, or

altering official documents, offenses of untruthfully filling out an entry on official documents, and offenses of exercising said documents, 15 cases with offenses of leaking out secrets not related to national defense, 7 cases with offenses of fraud, 6 cases with offenses of breach of trust, 4 cases with offenses of embezzlement, 3 cases with offenses of illegally detaining payment and property, 1 case with offenses of harboring sex brokering by civil servants, and 1 case with offenses of threatening others. 1 case was referred by other laws, which accounted for 0.3% (1 case/304 cases), where the case pertained to the police, where, in order to boost drug crackdown performance and obtain the case crackdown bonuses, they condoned members of the public they are familiar with to use drugs but without processing it as required by law, by which to exchange for intelligence information on other drug users and drug peddlers, and, thus, have allegedly committed the offenses of harboring crime by civil servants as stipulated under Paragraph 2, Article 15 of the Narcotics Control Act.

Among the 270 “non-corruption/malfeasance cases” referred in 2011, most of them were referred by the

Government Procurement Act with 177 cases, which accounted for 65.6% (177 cases/270 cases), and among them, most of them were referred by “offenses of borrowing others’ name or credential documents to enter bid in an attempt to influence the procurement result or obtain improper gains” (commonly known as entering bid by borrowing someone else’s license) as stipulated under Paragraph 5, Article 87 of said law with 121 cases; followed by those referred by “offenses of negotiating for other bidders not to enter the bid or participate in price competition in an attempt to influence the bid price or obtain improper gains” (commonly known as joint bid rigging) as stipulated under Paragraph 4, Article 87 with 27 cases; trailed by those referred by “offenses of using fraud or other means to prevent the bidders from entering the bid or mislead the bid opening with inaccurate results” (commonly known as fraudulent bid rigging) as stipulated under Paragraph 3, Article 87 with 26 cases. With the majority of the suspects breaching said Government Procurement Act cases being the participating bidders, only three cases involved public servants, where the individuals involved in these three cases

were: a township council chairman, vice chairman, and representative, and while not holding a valid construction firm or civil engineering contractor license, borrowed someone else’s license to bid on 65 roadway improvement projects this township has tendered, with the total project funding reaching over TWD \$150 million; an aboriginal area social welfare section chief of the township office, while not holding an aboriginal identity, borrowed the license from a qualified contractor in a bid to secure projects processed by the township office and are intended for contracting by aborigine contractors as protected by law; a county government secretary who colluded privately with two bidders who did not intend to bid by forfeiting the bidding guarantee and service recommendation on a large-scale labor rendered procurement case said government tendered to avoid the bid from falling through not reaching the required three bidders. The tendering agencies of the procurement cases that were implicated by bidders involved in the cases encompass not only central government departmental/ministerial units, county/city government or township offices, irrigation association, public hospitals,



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and public schools, they also included public enterprises such as Taiwan Power Company, Taiwan Tobacco and Liquor Corporation, Taiwan Sugar Corporation, Chinese Petroleum Corporation, Taiwan Water Corporation, and even including military institutions of the army, navy, and air force.

Among the 270 “non-corruption/malfeasance cases,” 64 cases were referred by the Criminal Code, which accounted for 23.7% (64 cases/270 cases), and among them, 34 were fraud cases, 9 were classified as judicial collusion cases under the “judiciary fraud” category, and 6 were classified under the “education” category as cases where university professors falsely declared for National Science Council research project funding grants using figurehead or false invoices, and the rest were referred with charges of forging, falsifying, or altering private documents, misleading civil servants to untruthfully fill out an entry on documents, untruthfully filling out business documents, larceny of real estate, business property embezzlement, breach of trust, and so forth. 29 cases were referred by other charges, which accounted for 10.7% (29 cases/270 cases), where some cases pertain

to Waste Disposal Act under the “environmental conservation” category, some cases pertained to Slope Land Conservation and Utilization Act, Soil and Water Conservation Act, Regional Planning Act, or Forestry Act under the “spoil of land conservation” category, in addition, there were other cases that pertained to the Attorney Regulation Act under the “judiciary fraud” category, where those without lawyer qualifications solicited and processed litigation cases in the name of a lawyer.

Table 2-05 depicts the case count statistics on cases referred between 2007 and 2011 classified by “key applicable laws,” and Figure 2-01 depicts case count statistics by percentage on cases referred in 2011 classified by “key applicable laws.”

Of the anti-corruption type cases the Bureau had investigated and processed, those that fell under the Anti-corruption Act has consistently ranked the highest, followed by those under the Government Procurement Act and the Criminal Code. In terms of 2011, 247 cases were referred by the Anti-corruption Act, which accounted for 42.9% out of all cases referred (247 cases/574 cases), 177

cases were referred by the Government Procurement Act, which accounted for 30.8% out of all cases referred (177 cases/574 cases), and 120 cases were referred by the Criminal Code, which accounted for 20.9% out of all cases referred (120 cases/574 cases); only 30 cases were referred by other laws, which accounted for 5.4% out of all cases referred (30 cases/574 cases), which largely pertained to non-corruption/malefeasance cases, of which the Waste Disposal Act was one of the key applicable laws on environmental conservation criminal cases, which ranked fourth place over the past five years.

Table 2-06 depicts the head count statistics on cases referred between 2007 and 2011 classified by “key applicable laws,” and Figure 2-02 depicts head count statistics by percentage on cases referred in 2011 classified by “key applicable laws.”

The head count on suspects referred by the Anti-corruption Act in 2011 was 874 individuals, which accounted for 38.9% of all suspects referred (874 individuals/2,244 individuals), those referred by the Government Procurement Act was 754 individuals,

which accounted for 33.6% of all suspects referred (754 individuals/2,244 individuals), and there were 525 individuals that breached the Criminal Code, which accounted for 23.4% of all suspects referred (525 individuals/2,244 individuals). Of the ranking on suspect count referred between 2007 and 2010, except for 2010, the figures coincided with that of 2011 in principle, which were in the order of the Anti-corruption Act, the Government Procurement Act, and the Criminal Code, as to those referred by the Waste Disposal Act, the number was fairly significant, and has been ranked in the fourth or fifth place in the past five years. In 2011, 28 individuals in 10 cases were referred by the charges stipulated under Article 71 of the Business Entity Accounting Act, which ranked fourth place of that year, except that the key suspects of said cases have violated laws, such as the Anti-corruption Act, Criminal Code, or Government Procurement Act.

Table 2-07 depicts the cases referred by the Anti-corruption Act and the state of applicable charges between 2007 and 2011. Said table shows that the top three in the case referral rankings were Subparagraph 4, Paragraph 1, Article 6; Subparagraph 2, Paragraph



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1, Article 5; and Subparagraph 5, Paragraph 1, Article 4, and that the state of rankings has been identical in the past five years.

In 2011, those referred by the Anti-corruption Act as the key applicable law totaled to 247 cases, and among them, the most were referred by Subparagraph 4, Paragraph 1, Article 6 of the same law “offenses of profiting on matters under one’s administration or supervision” with 76 cases, followed by those referred by Subparagraph 2, Paragraph 1, Article 5 “offenses of defrauding monetary property by seizing the opportunity of one’s position” with 61 cases, and trailed by those referred by Subparagraph 5, Paragraph 1, Article 4 “offenses of accepting bribes and breaching one’s duties” with 28 cases, then those referred by Subparagraph 3, Paragraph 1, Article 4 “offenses of fraud on one’s project or procurement under management” with 23 cases, then those referred by Subparagraph 3, Paragraph 1, Article 5 “offenses of accepting bribes without breaching one’s duties” with 21 cases, then those referred by Subparagraph 1, Paragraph 1, Article 4 “offenses of embezzling public monetary property” with 20 cases, then those referred by Subparagraph 2 of the

same Paragraph and Article “offenses of blackmailing for or embezzling monetary property by relying on one’s power” with 10 cases, then those referred by Subparagraph 3, Paragraph 1, Article 6 “offenses of embezzling non-public, private monetary property” with 6 cases, and, lastly, those referred by Subparagraph 5, Paragraph 1, Article 6 “offenses of profiting on matters not under one’s administration or supervision” with 2 cases.

Among the 76 cases referred by “offenses of profiting on matters under one’s administration or supervision,” cases that fell under the public works category and were related to government procurement totaled to 25 cases, cases that fell under the procurement category totaled to 20 cases, where the criminal conducts primarily pertained to: knowingly aware that a bidder was engaged in bid rigging, license borrowing, or unqualified, yet taking no action, and escorting the bidder to secure the bid; knowingly aware that a contractor was jerry building, yet still allowing it to pass the acceptance inspection and aiding the contractor to successfully obtain the payment; administering construction on private land using public funds to save the land

owner from one's rightful expenditure; circumventing stipulations set by the Government Procurement Act by allowing a project or a procurement to be executed by a prearranged contractor. The remaining 31 cases, divided by case count from high to low, pertained to the others, construction management, urban planning, police administration, custom affairs, environment protection, land administration, medical care, spoil of land conservation, and so forth, where the criminal conducts primarily pertained to civil servants failing to collect regulation fees mandated to be collected by law on official business rendered, failing to levy penalty fines on mandated penalties, willfully approving and issuing treasury funds that should not have been approved and issued, deliberately approving and exempting the filing for the profiting subject who is mandated to complete the filing process (such as the soil and water conservation plan).

With “offenses of defrauding monetary property by seizing the opportunity of one's position” being a common corruption/malfeasance crime civil servants often commit, and among the 61 cases referred in 2011, a majority of which did not involve

government procurement operation, by case count from high to low, they fell separately under the categories of other, subvention, environment protection, police administration, education, land administration, medical care, funeral and interment, and so forth, where the criminal conducts can roughly be summarized into two types: one being to fraudulently collect public funds with relevant agencies by using figureheads, invoices, or other proof of receipt, for instance, declaring with an agency travel expenses or duty attendance stipend that were inconsistent with the truth, falsely declaring with a funding subsidy agency for subsidy by presenting a fake receipt without having actually paid the expense, colluding with members of the public to produce false survey records to divide the disaster rescue relief funds or dismantling/relocating subsidies, elected representatives falsely producing assistant list to make claim for the salaries of assistants, and so forth; two being to defraud money by seizing the public's unfamiliarity with civil servants' job content, scope of authority, or operating guideline, for instance, a civil servant who boasted of his or her influential power to defraud “service fees” from members of the



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general public, or enlisted a made-up category and forged receipt to defraud “regulation fees” from members of the general public. The majority of the crime scenarios were of the first type, where it often entailed the person who executed the matters and had the power or opportunity to request for funding, and knowingly aware that no funds were paid in advance or no event was staged, has opportunistically presented fake receipts and false photographs to request for payout, and by such means, defraud monetary gains; the suspects’ identities encompassed not only personnel from general government agencies and public colleges/universities, but also democratically-elected public servants, such as village/li magistrates, township elected representatives, councilors, and so forth.

In 2011, there were 28 cases in which civil servants were found “breaching one’s duty demands, promissory agreement, or accepting bribery,” where the most fell under the police administration category with 11 cases, which primarily pertained to unscrupulous policemen, through accepting other’s money, leak out mandated confidential information or escort without investigating and

interdicting the misdeeds; followed by those in the procurement category with 6 cases, which separately pertained to 4 cases with public hospitals, and 1 case each with military unit and central government agency, where all instances involved the procurement case processor or supervisor, where by colluding with contractor and also accepting bribery, resorted to means such as bloating the budget, bid rigging, or leaking requirements, specification, bottom price, and so forth, to assist the contractor in securing the bid, escorting a contractor to pass the acceptance inspection, while knowingly aware that the contractor’s contact work does not comply with the tender criteria, allowing the contractor to obtain illicit gains.

Among the 23 cases referred by “offenses of fraud on one’s project or procurement under management,” 15 cases fell under the public works category, and 8 cases fell under the procurement category, where the former had 10 cases occurring in projects tendered by township/city halls, and the remaining 5 cases separately pertained to county governments, central government agencies, public enterprises, and public schools, where the criminal conducts primarily pertained to

collecting kickbacks of a certain percentage of the project funding from the contractor, and the means of fraud largely pertained to bloating the project budget, leaking mandated confidential tender information, colluding with the contractor for license borrowing or bid rigging, circumventing the superior agency's review, and deliberately going easy on the acceptance inspection, and so forth, and there were businesses that deliberately stuck to the tendering despite the opposition of general budget and ethics units, individuals that bloated the river dredging soil volume and colluded with the contractor to illegally quarry gravel for sale, and there were also individuals that colluded with the vice director of the school parents' association who has an architect background to participate bidding school projects with forged architectural firm license, and these are just a few examples of the perverse acts. Among the 8 cases of the aforesaid procurement category, 3 cases pertained to public hospitals' requisitioning for medical devices or telephone maintenance, 1 case pertained to a military unit procuring for tie and tiepin gift sets as part of its procurement operation, and the remaining 4 cases occurred in

general government agencies, where the means of fraud were similar to those in the cases aforesaid in the public works category.

“Offenses of blackmailing for or embezzling monetary property by relying on one's power” is where civil servants count on the public authority they hold due to the close-knit correlation to the general public's equity, or exercise its functions with considerable discretionary power, in other words, it is a form of crime using forceful means for the public's surrender of willpower and also to obtain monetary property through these means, and in the 10 cases referred in 2011: the criminal subjects of 3 cases were police, where some blackmailed drug suspects for hundreds of thousands of Taiwan dollars in cash and a small amount of the heroin drug, and some blackmailed the “debtors” who borrowed from underground banks, and also some lobbied for a certain case on behalf of their friends, but later blackmailed the friends for “family safety fees” after the case was being investigated and processed. The suspects of the other 3 cases were elected representatives, who upon seizing profit to be schemed from the contractor underwriting projects



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tendered by county/city governments threatened to find fault with the project quality, scrutinized the officials' poor supervision, and gathered the public to petition and rally, which made the project difficult to continue, and the suspects succeeded in blackmailing the contractor millions of Taiwan dollars in 2 of the cases, and the suspects succeeded in having the contractor supply over 30 cubic meters of soil at no charge for personal use by the supporter in 1 of the cases. There were 2 other cases that occurred at a county government environmental protection bureau, where the director general, upon learning that the awarded contractor of said bureau's bid project is also attending the public wake held by a certain bereaved family, succeeded in blackmailing the contractor for an TWD \$11,000 condolence money at his office, but only presented the bereaved family with TWD \$3,000; another where an employee seized the opportunity of underwriting environmental impact assessment and also handling the earth and gravel treatment plant integration operation to blackmail the earth and gravel treatment plant operator for TWD \$800 thousand, threatening the operator that the application will be difficult to pass if the demand is not

met. The remaining 2 cases separately pertained to a CPC construction supervision engineer, where using one's position, demanded the contractor to repair one's private residence, provide banquet entertainment and fruit basket, and so forth, free of charge; a Forestry Bureau coastline forestry work station technician, where relying on one's crackdown positional power, blackmailed operators of the betel nut stand, sausage stand, and so forth, that illegally occupied state-owned protection forest.

Table 2-08 depicts the cases referred by the Criminal Code and the state of applicable charges between 2007 and 2011. Said table shows that the most referred cases were by Paragraph 1, Article 339, and that the state of rankings had been identical in the past five years.

In 2011, "corruption/malfeasance cases" referred by the Criminal Code as the key applicable law tallied to 56 cases, and "non-corruption/malfeasance cases" to 64 cases, totaling 120 cases, where the former largely fell under offenses of Malfeasance in office under Chapter 4 or offenses of forging instruments or seals related to official documents under Chapter 15 of the

Criminal Code, and the latter largely fell under offenses of property crime under Article 320 through Article 342 or offenses of forging instruments or seals related to private documents under Article 15 of the Criminal Code.

In 2011, most cases were referred by Paragraph 1, Article 339 “offenses of fraud (illegally gaining properties)” of the Criminal Code with 38 cases, which accounted for 31.7% of all criminal cases (38 cases/120 cases), of which national university teachers fraudulently claimed National Science Council research project subsidy grants by using figureheads or false invoices totaled to 7 cases, judicial fraud cases involving High Prosecutors Office driver or victims of members of the general public who were unfamiliar with the judicial proceedings were defrauded of activity fee totaled to 9 cases. Followed by those referred by Article 213 “offenses of untruthfully filling out an entry on official documents” of the Criminal Code with 17 cases, which accounted for 14.7% (17 cases/120 cases), where the facts of involvement often pertained to civil servants, in an attempt to profit those with official business ties, making false entries on a host of official documents, such as on-

site joint survey records, disaster survey reports, traffic accident investigative reports, criminal investigative records, import/export cargo inspections, funding reimbursements, and so forth, and despite that the result of making false entries on official documents often allow the subject exercising the government power to obtain improper gains, yet with constituting elements on offenses of profiting under the Anti-corruption Act being extremely strict, thus, some of the cases, following the review and weighing of the material evidence, were referred by offenses of untruthfully filling out an entry on official documents. Trailed by those referred by Paragraph 2, Article 132 “offenses of disclosing a non-state secret (excluding national defense secrets) without authorization” of the Criminal Code with 15 cases, which are identical to that by Paragraph 1, Article 342 “offenses of abuse of trust”, with both ranked at third, and each accounted for 12.5% (15 cases/120 cases), where the secret leaked included government procurement-related information, police household and military conscription and related information through computer inquiry, matters under a civil servant’s administration, and so forth.



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Table 2-04 Statistics of Key Applicable Laws on Cases Referred in 2011

(By Categories)

Unit:case

Applicable laws		Anti-corruption Act	Government Procurement Act	Criminal Code	Others	Total
Category						
Corruption/Malefeasance	Public works	55	—	3	0	58
	Procurement	45	—	8	0	53
	Judicial corruption and malefeasance	1	—	1	0	2
	Police administration	23	—	11	1	35
	Fire fighting	1	—	0	0	1
	Correction	2	—	0	0	2
	Urban planning	5	—	0	0	5
	Construction management	6	—	1	0	7
	Land administration	6	—	1	0	7
	Taxation	0	—	0	0	0
	Custom affairs	5	—	2	0	7
	Financial affairs	0	—	0	0	0
	Medical care	6	—	2	0	8
	Education	3	—	1	0	4
	Company registration	0	—	0	0	0
	Motor vehicle management	1	—	0	0	1
	Funeral and interment	4	—	0	0	4
	Environment protection	9	—	3	0	12
	Spoil of land conservation	1	—	0	0	1
	Rivers and gravel management	2	—	0	0	2
	Public welfare subsidy	1	—	0	0	1
	Subvention	9	—	0	0	9
	Others	62	—	23	0	85
	Sub-total	247	—	56	1	304
Non-Corruption/Malefeasance	Public works	—	64	7	2	73
	Procurement	—	113	6	0	119
	Judiciary fraud	—	0	9	1	10
	Medical care	—	0	3	0	3
	Education	—	0	14	0	14
	Environment protection	—	0	0	13	13
	Spoil of land conservation	—	0	5	13	18
	Others	—	0	20	0	20
	Sub-total	—	177	64	29	270
Total		247	177	120	30	574

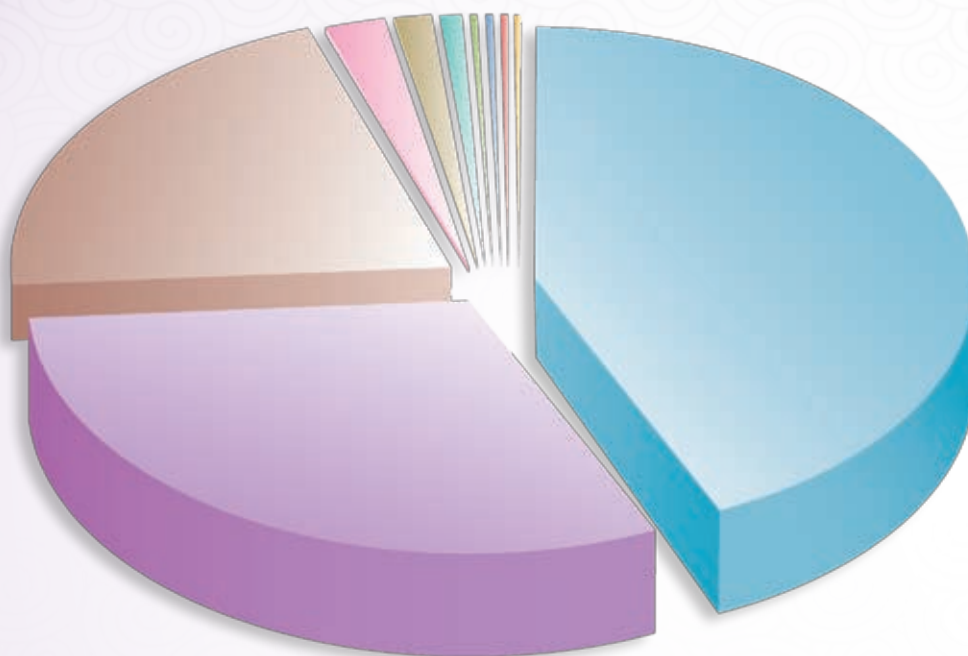
Table 2-05 Statistics of Key Applicable Laws on Cases Referred
in the Past 5 Years (By No. of Cases)

Law	Year	2007		2008		2009		2010		2011	
		No. of cases	%	No. of cases	%	No. of cases	%	No. of cases	%	No. of cases	%
Anti-corruption Act		359	48.6%	289	51.6%	270	45.0%	217	39.8%	247	42.9%
Government Procurement Act		233	31.5%	148	26.5%	185	30.9%	200	36.8%	177	30.8%
Criminal Code		122	16.5%	101	18.1%	113	18.9%	110	20.2%	120	20.9%
Narcotics Control Act		1	0.1%	0	0.0%	1	0.2%	0	0.0%	1	0.2%
Guns, Ammunition and Knives Controlling Act		1	0.1%	0	0.0%	1	0.2%	2	0.4%	0	0.0%
Smuggling Punishment Act		3	0.4%	1	0.2%	0	0.0%	0	0.0%	0	0.0%
Civil Servant Service Act		2	0.3%	0	0.0%	0	0.0%	2	0.4%	0	0.0%
Waste Disposal Act		11	1.5%	4	0.7%	12	2.0%	4	0.7%	13	2.3%
Forestry Act		0	0.0%	1	0.2%	1	0.2%	1	0.2%	1	0.2%
Soil and Water Conservation Act		0	0.0%	2	0.4%	2	0.3%	1	0.2%	5	0.9%
Slope Land Conservation and Utilization Act		2	0.3%	4	0.7%	3	0.5%	4	0.7%	1	0.2%
Urban Planning Act		0	0.0%	0	0.0%	1	0.2%	1	0.2%	0	0.0%
Regional Planning Act		3	0.4%	4	0.7%	2	0.3%	1	0.2%	8	1.4%
Attorney Regulation Act		0	0.0%	1	0.2%	2	0.3%	1	0.2%	1	0.2%
Water Act		0	0.0%	0	0.0%	1	0.2%	0	0.0%	0	0.0%
Act Governing Relations Between Peoples of The Taiwan Area and The Mainland China Area		0	0.0%	1	0.2%	0	0.0%	0	0.0%	0	0.0%
Tax Collection Act		1	0.1%	3	0.5%	0	0.0%	0	0.0%	0	0.0%
Act on Recusal of Public Servants Due to Conflicts of Interest		1	0.1%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Mortuary Service Administration Act		1	0.1%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Personal Materials Protection Act		—	0.0%	—	0.0%	2	0.3%	0	0.0%	0	0.0%
The Classified National Security Information Protection Act		—	0.0%	—	0.0%	1	0.2%	0	0.0%	0	0.0%
Political Donations Act		—	0.0%	—	0.0%	2	0.3%	0	0.0%	0	0.0%
Total		740	100.0%	559	99.9%	599	100.0%	544	100.0%	574	100.0%



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Figure 2-01 Pie Chart of Ratios of Key Applicable Laws on Cases Referred in 2011 (By No. of Cases)



Applicable Laws

- Anti-corruption Act (42.9%)
- Government Procurement Act (30.8%)
- Criminal Code (20.9%)
- Waste Disposal Act (2.3%)
- Regional Planning Act (1.4%)
- Soil and Water Conservation Act (0.9%)
- Slope Land Conservation and Utilization Act (0.2%)
- Forestry Act (0.2%)
- Attorney Regulation Act (0.2%)
- Narcotics Control Act (0.2%)

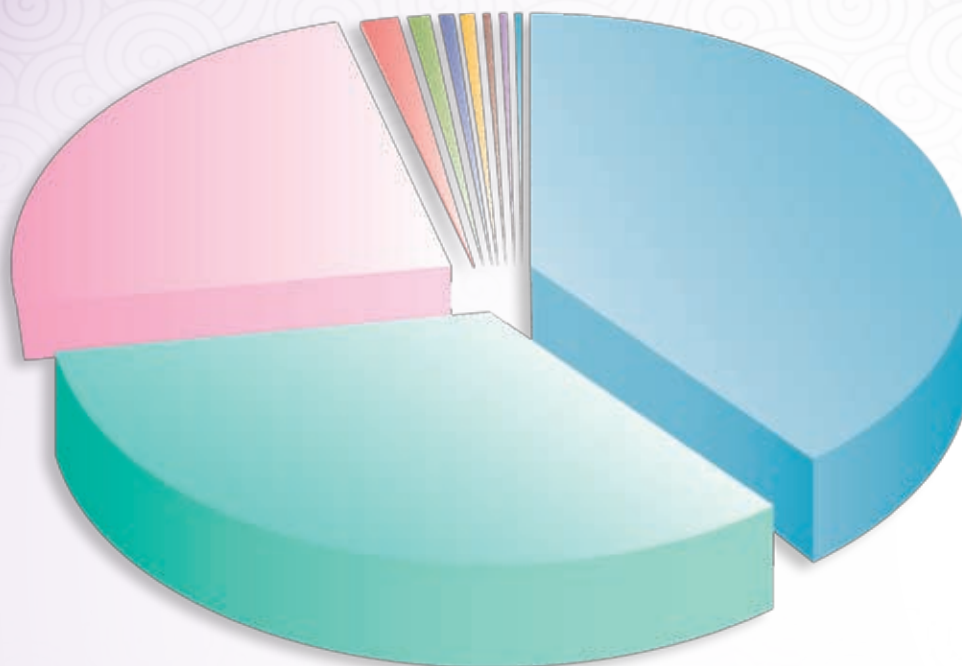
Table 2-06 Statistics of Key Applicable Laws on Cases Referred
in the Past 5 Years (By No. of Suspects)

Law	Year	2007		2008		2009		2010		2011	
		No. of suspects	%	No. of suspects	%	No. of suspects	%	No. of suspects	%	No. of suspects	%
Anti-corruption Act		1,443	45.2%	1321	47.9%	921	40.6%	764	37.8%	874	38.9%
Government Procurement Act		914	28.7%	695	25.2%	774	34.3%	764	37.8%	754	33.6%
Criminal Code		651	20.4%	510	18.5%	437	19.4%	435	21.4%	525	23.4%
Narcotics Control Act		8	0.3%	2	0.1%	5	0.2%	1	0.1%	1	0.05%
Guns, Ammunition and Knives Controlling Act		4	0.1%	0	0.0%	4	0.2%	10	0.5%	1	0.05%
Smuggling Punishment Act		13	0.4%	18	0.7%	0	0.0%	0	0.0%	4	0.2%
Civil Servant Service Act		0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Waste Disposal Act		3	0.1%	0	0.0%	0	0.0%	4	0.2%	0	0.0%
Forestry Act		47	1.5%	25	0.9%	42	1.9%	14	0.7%	17	0.8%
Soil and Water Conservation Act		0	0.0%	2	0.1%	1	0.1%	1	0.1%	2	0.1%
Slope Land Conservation and Utilization Act		0	0.0%	3	0.1%	6	0.3%	2	0.1%	10	0.4%
Urban Planning Act		2	0.1%	6	0.2%	7	0.3%	8	0.4%	1	0.05%
Regional Planning Act		0	0.0%	0	0.0%	3	0.1%	1	0.1%	0	0.0%
Attorney Regulation Act		5	0.2%	5	0.2%	2	0.1%	2	0.1%	17	0.8%
Water Act		36	1.1%	21	0.8%	28	1.2%	9	0.4%	28	1.2%
Act Governing Relations Between Peoples of The Taiwan Area and The Mainland China Area		49	1.5%	130	4.7%	1	0.1%	0	0.0%	3	0.1%
Tax Collection Act		10	0.3%	5	0.2%	5	0.2%	3	0.1%	4	0.2%
Act on Recusal of Public Servants Due to Conflicts of Interest		—	—	1	0.1%	3	0.1%	2	0.1%	1	0.05%
Mortuary Service Administration Act		—	—	—	—	6	0.3%	0	0.0%	0	0.0%
Personal Materials Protection Act		—	—	—	—	2	0.1%	0	0.0%	0	0.0%
The Classified National Security Information Protection Act		—	—	—	—	2	0.1%	0	0.0%	0	0.0%
Political Donations Act		5	0.1%	9	0.3%	9	0.4%	3	0.1%	2	0.1%
Total		3,190	100.0%	2,753	100.0%	2,258	100.0%	2,023	100.0%	2,244	100.0%



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Figure 2-02 Pie Chart of Ratios of Key Applicable Laws on Cases Referred in 2011 (By No. of Suspects)



Applicable Laws

- Anti-corruption Act (38.9%)
- Government Procurement Act (33.6%)
- Criminal Code (23.4%)
- Business Accounting Act (1.2%)
- Waste Disposal Act (0.8%)
- Regional Planning Act (0.8%)
- Soil and Water Conservation Act (0.4%)
- Smuggling Punishment Act (0.2%)
- Money Laundering Control Act (0.2%)
- Tax Collection Act (0.1%)
- Forestry Act (0.1%)
- Others (0.1%)
- Guns, Ammunition and Knives Controlling Act (0.05%)
- Slope Land Conservation and Utilization Act (0.05%)
- Attorney Regulation Act (0.05%)

Table 2-07 Statistics of Key Applicable Articles of the Anti-corruption Act on Cases

Referred in the Past 5 Years

Unit:case

Article	Para-graph	Subpara-graph	Details of the Anti-corruption Act	2007	2008	2009	2010	2011
4	1	1	Larceny or embezzlement of public equipments or properties.	15	20	15	22	20
4	1	2	Obtaining properties by coercion, extortion, conversion or collection on an illegal excuse or by misusing his power and influence.	7	10	8	9	10
4	1	3	False reports about the price or quantity; receiving an unauthorized commission; engaging in other corrupt acts relating to the construction of government projects or the procurement of government equipments or materials.	43	30	28	23	23
4	1	4	Transporting illegal items or evading taxes using public transportation.	0	0	0	0	0
4	1	5	Demanding, soliciting, dealing or receiving bribes or other illegal profits in return for violating, reducing or failing to perform the official or commissioned duties.	65	39	34	30	28
5	1	1	With intent to profit, withdrawing or withholding public funds without authorization; collecting taxes or government bonds in violation of laws.	1	0	0	0	0
5	1	2	Obtaining properties by committing fraudulence through one's position.	73	49	69	44	61
5	1	3	Demanding, soliciting, dealing or receiving bribes or other illegal profits in return for supplying someone with unusual convenience when performing the official or commissioned duties.	17	26	26	24	21
6	1	1	Retaining properties that should be released to people for the intention of making illegal profits.	0	0	0	1	0
6	1	2	Malfeasance for collecting money, land, or property from people.	0	0	0	0	0
6	1	3	Larceny or embezzlement of private equipments or properties possessed by him because of his official position.	9	4	1	2	6
6	1	4	Knowing that something done would be against the law but might directly or indirectly make himself or others gain illegal profits, and still deciding to execute it and finally obtaining the profits. The said "something" should relate to the affairs under his management or supervision.	123	104	87	58	76
6	1	5	Knowing that something done would be against the law but might directly or indirectly make himself or others gain illegal profits by taking advantage of his official position, and still deciding to execute it and finally obtaining the profits. However, the said "something" does not relate to the affairs under his management or supervision.	5	6	2	3	2
11	1		Enticing, dealing or offering bribes or other illegal profits to a civil servant in return for violating, reducing or failing to perform the civil servant's official or commissioned duties.	1	1	0	1	0
Total				359	289	270	217	247



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Table 2-08 Statistics of Key Applicable Articles of the Criminal Code on
Cases Referred in the Past 5 Years

Unit:case

Article	Para-graph	Description	2007	2008	2009	2010	2011
122	1	A civil servant receiving bribes in return for failing to perform the official or commissioned duties	1	0	0	0	0
125	1	A prosecutor indicting somebody without due authority	0	1	0	0	0
129	2	A civil servant intercepting or embezzling money or objects that should be issued to people	0	0	1	0	3
132	1	A civil servant disclosing a non-state secret excluding national defense secrets without authorization	4	3	5	3	15
132	2	A civil servant disclosing a non-state secret excluding national defense secrets without authorization due to negligence	0	0	0	1	0
138		Destroying or hiding documents, objects supervised by civil servants	0	1	1	0	0
157	1	Luring someone to enter a lawsuit and then taking the case	1	0	0	1	0
163	1	A civil servant releasing a person under detainment or arrest without legal reason	0	2	0	0	0
163	2	A civil servant making a person under detainment or arrest escape due to negligence	0	0	1	0	0
165		Destruction of criminal evidence	0	1	0	0	0
168		Perjury	0	0	0	2	0
169	2	An offence of malicious accusation	1	0	0	0	0
210		Forgery of private documents	4	2	0	0	3
211		Forgery of official documents	1	0	0	1	1
212		Forgery of limited kinds of documents	0	1	2	0	0
213		A civil servant fraudulently filling in something on official documents	12	16	20	15	17
214		Causing a civil servant to make fraudulent entries into official documents	2	6	5	3	1
215		Fraudulently filling in something on private documents due to business	5	6	1	5	3
216		Using the forged, falsified, or false information-entry documents	5	2	3	4	3
217	1	Forging a seal, the impression of a seal, or a signature	0	0	0	0	1
218	1	Falsifying, unauthorized use of official seal or imprint	0	0	0	1	0
231	2	A civil servant harboring a person who makes others to have sexual intercourse	0	0	0	0	1
266	1	Gambling	0	0	1	0	0
270		A civil servant harboring gambling	1	0	1	0	0
302	1	Detention without authorization	2	0	0	0	0
305		Threatening to cause injury to the life, body, freedom, or property of another	0	0	0	0	1
320	1	Larceny	3	3	9	0	2
320	2	Larceny of real estate	7	4	6	12	5
321	1	Larceny accompanied with gangs or weapons, or by way of intrusion, or performing at night	2	0	1	1	0
335	1	Embezzlement	0	3	0	0	1
336	1	Embezzling properties possessed on the occasion of official matters or public welfare	8	3	1	1	3
336	2	Embezzling properties possessed on the occasion of profession or business	14	12	13	8	4
337		Embezzlement of someone's lost properties	1	0	0	0	0
339	1	Fraud illegally gaining properties	35	27	35	38	38
339	2	Fraud illegally gaining profits	1	2	2	2	2
339	3	Failure of fraud	0	1	1	1	0
339-1	2	Exercising unlawful control over other's property from a fees-collecting apparatus	0	0	0	0	1
342	1	Abuse of trust	12	5	4	11	15
Total			122	101	113	110	120

3. Statistics on suspect demographics

Table 2-09 depicts the statistics on the identity and gender of suspects in cases referred between 2007 and 2011, and Figure 2-03 depicts the gender ratio of suspects of a variety of identities referred in 2011. Among the 2,244 suspects referred in 2011, male suspects tallied to 1,876 individuals, which accounted for 83.6% (1,876 individuals/2,244 individuals), male suspects of high-, middle- and low-ranking civil servants accounted respectively in each category for 91.3% (116 individuals/127 individuals), 87.9% (285 individuals/324 individuals) and 79.1% (201 individuals/254 individuals), where the ratio of male suspects was obviously higher than that of female suspects, and the same phenomenon also appeared in the data of past years.

Figure 2-04 depicts the statistics on the ratio head count of civil servants of all ranks, quasi civil servants, elected representatives, and related public servants referred between 2007 and 2011. In 2011, middle-ranking civil servants accounted for the highest proportion with 41.8%, followed by

low-ranking civil servants with 32.8%, and trailed by high-ranking civil servants with 16.4%, with quasi civil servants being the lowest with 3.7%; in a sequential ranking by percentage, the phenomenon appeared identical in the past five years.

Table 2-10 depicts the key applicable laws adopted on suspects of various types of identities referred in 2011.

In 2011, civil servants of various ranks, quasi civil servants, and elected representatives referred by the Anti-Corruption Act totaled to 605 individuals, making it the most widespread applicable law on public servants with alleged corruption/malfeasance crime. Among the 269 non public servants referred by the same law, 133 individuals colluded with civil servants to commit corruption/malfeasance crime as stipulated under Article 4 through Article 6, 136 individuals committed bribery crime as stipulated under Article 11, where bribing subjects included policemen, directors and department superintendents of Department of Health hospitals, inspectors of Bureau of Standards, Metrology,



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and Inspection, section chief and section members of Customs Bureau Commodity Inspection Section, chief technicians and technicians of Forestry Bureau, surveyors of National Property Administration, surveyors of Land Office, engineers of River Management Office, counselors of Retired Servicemen Council Veterans Service Office, township magistrates and city mayors, township/city hall secretaries, section clerks of city government Urban Development Bureaus, roadway patrol personnel of city government Construction Bureau Roadway Maintenance Section, township council representative, staff of legislators, managers of public enterprises, and so forth, and among them, as many as 19 individuals were referred in a single case, which all pertained to an awarded bidder in government agency/school uniform procurement projects sending fabric samples for testing at Bureau of Standards, Metrology, and Inspection.

In 2011, only 10 public servants were referred by the Government Procurement Act, comprising of 3 civil servants, 2 village/li magistrates, and 5 elected representatives, where a majority pertained to colluding with non-public servants in committing the

crime stipulated under Article 87 of the same Act, and where one's positional power was unrelated to said disputed procurement cases; nevertheless, 744 non-public servants were referred by said law, a phenomenon that appeared repeatedly in the Bureau's anti-corruption yearbook's statistical charts from 2003 to 2009, which highlights the unscrupulous trend of how certain individuals, in a bid to secure government projects or procurement cases, would attempt to secure the bid through scheming and manipulation has yet to be reduced.

Table 2-11 depicts the statistics on the education of suspects of all types of identities referred in 2011. When eliminating the portion of unknown education, the table shows that the higher the rank of the civil servants involved in the case, the higher their education was likely to be, a majority of the quasi civil servants were highly educated with a university or master's degree, while the education of the elected representatives tend to be lower than that of the administrative agency civil servants, with a majority holding a junior high school degree or lower, a majority of the non-public servants held high school degrees, followed by those

who held junior college and university degrees.

Figure 2-05 depicts the distribution ratio of education among public servants referred between 2007 and 2011.

Among public servants (including civil servants, quasi civil servants, and elected representatives) referred in 2011, 757 individuals were with known education, of whom, those with a university degree accounted for the most at 33.8% (256 individuals/757 individuals), followed by those with a junior college degree at 27.9% (211 individuals/757 individuals), and the remainders in order comprised of those holding a master degree at 20.2% (153 individuals/757 individuals), those holding a high school degree at 12.3% (93 individuals/757 individuals), and those holding a junior high school degree or lower at 5.8% (44 individuals/757 individuals).

In terms of the state of education distribution ratio from 2007 to 2011, it is rather similar as a whole, where university education and junior college education continue to rank in the top two, with rise and fall occurring between 2007 to 2009, but the disparity has been minimal, whereas the trend

of the ratio of university education seemed to be jumping upward, while junior college education seemed to be falling downward in 2010. What is noteworthy is that the ratio of public servants with a master's degree or higher has exponentially increased from 11.8% in 2007 to 20.2% in 2011, which is considerably related to the prevalence of local university master and doctoral programs, and the popularity of the lifetime-learning trend in the public service system. However, the ratio of public servants holding only a high school degree has been exponentially reduced from 20.8% in 2007 down to mere 12.3% in 2011.

Table 2-12 depicts the head count statistics on a variety of public-elected public servants referred between 2007 and 2011, and among them 41 elected representatives of all levels, and 62 local self-governance organization heads were referred in 2011, as briefly described below,

a. Two legislators were referred, which separately pertained to a former legislator allegedly involved in accepting millions of Taiwan dollars from a certain industry association to rally for bills favorable to said



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association members, and the other case pertained to a former legislator, after rallying with the central government for the budget subsidies, colluded through parliamentary assistances with local heads of townships/cities receiving said subsidies for the contract to be awarded to a designated bidder and divided the proceeds.

b. Nine county/city councilors were referred, where one individual pertained to defrauding the council meeting attendance fees, travel stipends, meal stipends, and so forth of the council, two individuals were found falsely declaring figureheads to collect salary subsidies and Spring Festival payouts of councilor assistants, three individuals were found declaring false receipts on foreign visitation inspection expenditures with the council, and the other three individuals were found to blackmail contractors of the city/county government project bid cases for monetary property by making use of the power of councilors.

c. Eight township/city council chairmen were referred, whose criminal conducts pertained to: in two cases,

the same individual, without having been authorized, issued letters in the name of the township council supporting the malpractice of the township magistrate of falsely declaring the public works budget; colluding with county councilors and threatening to stage a public rally against the public works project to blackmail the contractor for five million Taiwan dollars; gathering protesters to the site as a member of the public works supervision team to hinder the progression of the public works to blackmail the contractor for hundreds of thousands of Taiwan dollars; accepting bribes from the contractor awarded with river dredging project by condoning the contractor to dredge and transport excessive gravel for sale; fraudulently declaring council operating expenditures with false invoices; declaring foreign visitation inspection expenditures with township council using false receipts; borrowing the license form a legitimate contractor to bid on a roadway improvement project tendered by the township office.

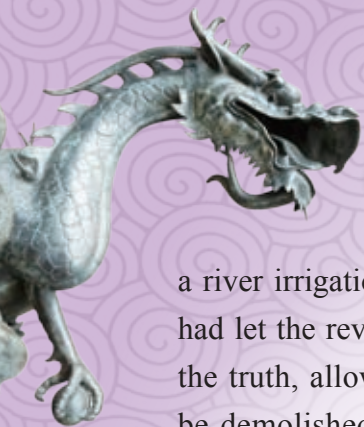
d. Three township/city council vice chairmen were referred, where one

individual was asked by a village magistrate for help after having rallied a long time for the commission of the village office's certain labor rendered procurement case budget, and thus, colluded with the township magistrate to pressure the awarded bidder to withdraw by demanding the contractor only to be the awarded bidder by name only, while the actual contract service and contract payment collection are to be done by the contractor that the village magistrate designates, who later accepted a TWD \$150 thousand bribe from said village magistrate; the remaining two crimes were: fraudulently declaring council operating expenditures with false invoices, and borrowing the license from a legitimate contractor to bid on a roadway improvement project tendered by the township office.

e.19 township/city council representative were referred, among them, 5 individuals colluded with village council chairman, vice chairman to fraudulently declare council operating expenditures with false invoices, and the rest of the circumstances include: seizing the "recommendation right" to rally for subsidies with the city hall for specific

funding of agencies/schools, colluded with a prearranged contractor to secure the bid and accepted kickbacks afterward; pressuring the awarded bidder to withdraw, then re-contracting the project to a prearranged contractor who was to render the actual contract work and collect the project payment, and accepting kickbacks afterward when the project was completed; demanding the township office to perform a project construction using public funds on a private land to benefit the voters; demanding public cemetery caretaker to violate public charnel tower billing stipulations to allow free private usage of charnel site; fraudulently collecting council attendance fees, travel stipends, meal stipends, and other meeting attendance fees; simply borrowing a license to bid on projects that the township office tenders.

f. One county/city mayor was referred, where said county mayor and pertinent county government processor, who, knowingly aware that the households being demolished contained illegal structures and the "legal property certificate" presented contained false content, in surveying the ground improvement structure at



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a river irrigation project land reserve, had let the review pass by concealing the truth, allowing the households to be demolished to fraudulently claim the “full amount of compensation and incentive payouts” from River Management Office, Water Resources Agency, totaling over TWD \$25 million.

- g. 33 township/city magistrates were referred, where most cases were of profiting private individuals with public funds, which encompassed instances such as constructing service road on privately owned slope, such as constructing fences, steps, vegetation, and sheet metal rooftop on private gardens, such as deliberately not collecting the tolls for government-leased offshore island transportation ships that should have been collected from township residents for election gains, such as monetary purchases that did not need to access public funds but were paid for by public funds, and there were also instances such as despite a confirmed court judgment that the township hall was to pay the individual being appropriated with a land appropriate compensation of over TWD \$260 thousand, but a

private settlement was inadvertently made with the appropriated party for a settlement of over TWD \$46.33 million, and the opposite party then petitioned the court for a seizure order afterward. Of those related to government procurement operation, there were instances such as bloating project funding for prearranged contractor to secure the bid, circumventing stipulations set by the Government Procurement Act by having the work done by a privately arranged contractor, demanding the awarded bidder to withdraw and also re-contracting the project work to be done by a prearranged contractor, simply blackmailing the awarded contractor, and so forth. There are 2 cases involving interests of gravel, where, on the one hand, trying to circumvent superior agency’s review by forcefully escorting the tendering of harbor rebuilding project or river dredging project by condoning the contractor to transport the gravel outwardly in order to make profit, and, on the other hand, escorting the contractor to pass the acceptance inspection, while knowing that the contractor had over dredged gravel, and then accepting bribes. There

are 2 other cases, where the village magistrate, in discord with township council, deliberately withheld yearend bonuses or council research funds without distributing them, and there was 1 case, where the village magistrate, having had rift with the council secretary who applied to retire, deliberately withheld the pension without distributing it. Other criminal conducts include: criminal cases such as instructing one's subordinates to complete false disaster damage survey to allow township residents to receive disaster subsidies; allowing members of the public to act as township office janitorial team members with bribery payout as the bartering token; fraudulently declaring operations expenditures with false receipts; fraudulently declaring cleaning bonuses with figureheads; simply defrauding for racketeering.

h. 28 village/li magistrates were referred, where the criminal conducts can be grouped into four types: issuing untrue village/li magistrate certificates to village/li residents to apply for disaster aids, relocation payouts, venue leasing fees among others with the government; doubling

as a member of the village/li neighborhood watch team or village/li community development association, but falsely declaring with the funding subsidizing agency for installation fees, activity expenditures, talent teacher wages among other payouts using figureheads or with false invoices; falsely declaring with figureheads or with false invoices using the village/li magistrate's positional power to claim garbage incineration plant's feedback funds, airport feedback funds, village/li rudimentary working funds among other payouts; embezzling public equipment, such as computers, lawn mowers, office desks and chairs, karaoke equipments, and so forth.

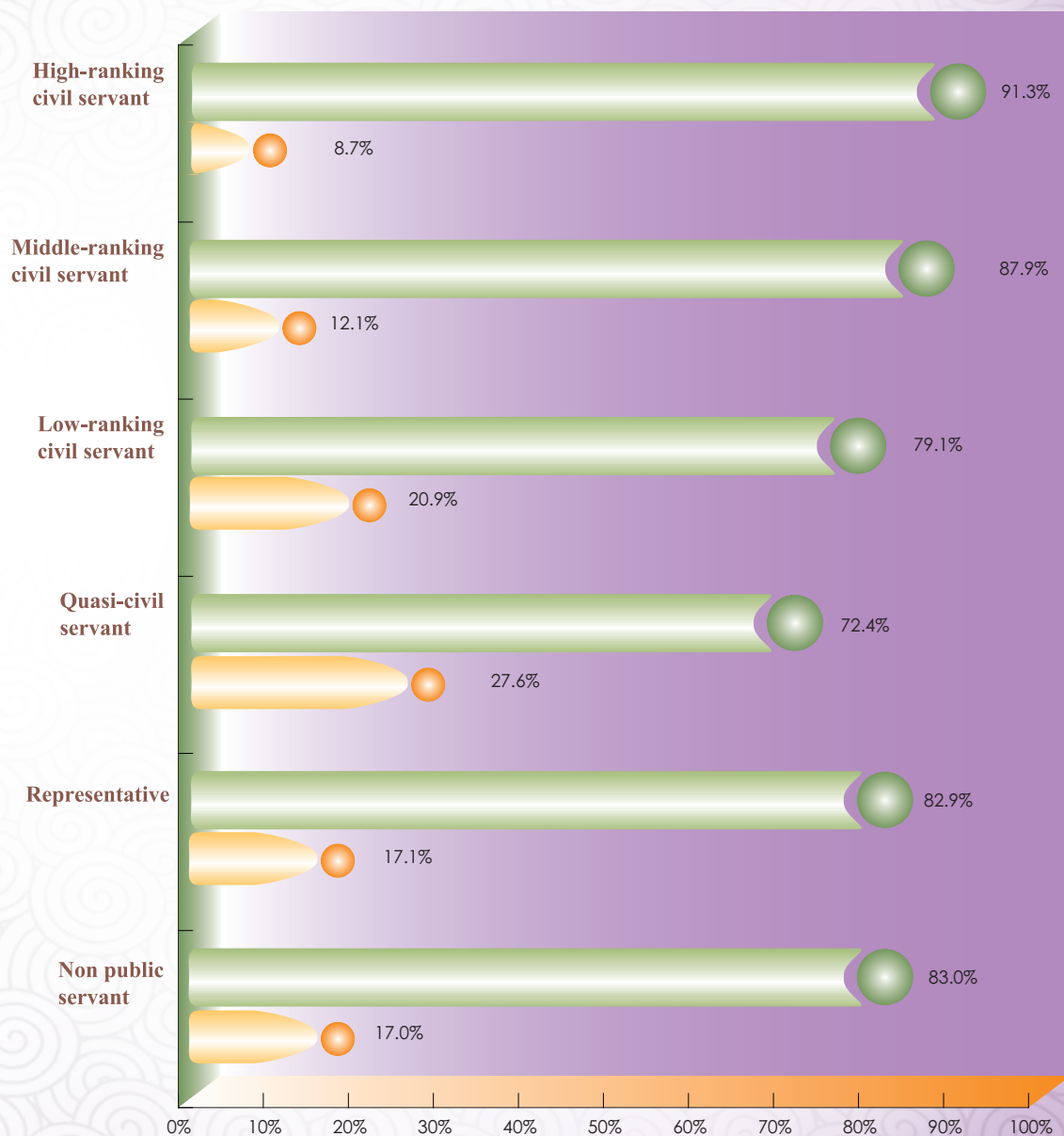


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Table 2-09 Statistics of Suspects' Personal Information in Cases Referred
in the Past 5 Years (By Status and Gender) Unit : person

Year	Status	High-ranking civil servant		Middle-ranking civil servant		Low-ranking civil servant		Quasi-civil servant		Representative		Non public servant		Total
		Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	
2007		194	14	433	53	283	59	45	9	119	25	1,564	392	3,190
		208		486		342		54		144		1,956		
2008		168	16	392	57	359	41	21	4	74	13	1,293	315	2,753
		184		449		400		25		87		1,608		
2009		158	13	293	49	224	50	19	2	57	13	1,171	209	2,258
		171		342		274		21		70		1,380		
2010		89	8	247	19	210	31	24	4	52	4	1,110	225	2,023
		97		266		241		28		56		1,335		
2011		116	11	285	39	201	53	21	8	34	7	1,219	250	2,244
		127		324		254		29		41		1,469		
Total		725	62	1,650	217	1,277	234	130	27	336	62	6,357	1,391	12,468
		787		1,867		1,511		157		398		7,748		

Figure 2-03 Bar Chart of Ratios of Suspects' Gender Information on Cases Referred in 2011 (By Status and Gender)





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Figure 2-04 Bar Chart of Ratios of Public Servants' Status Information on Cases Referred in the Past 5 Years

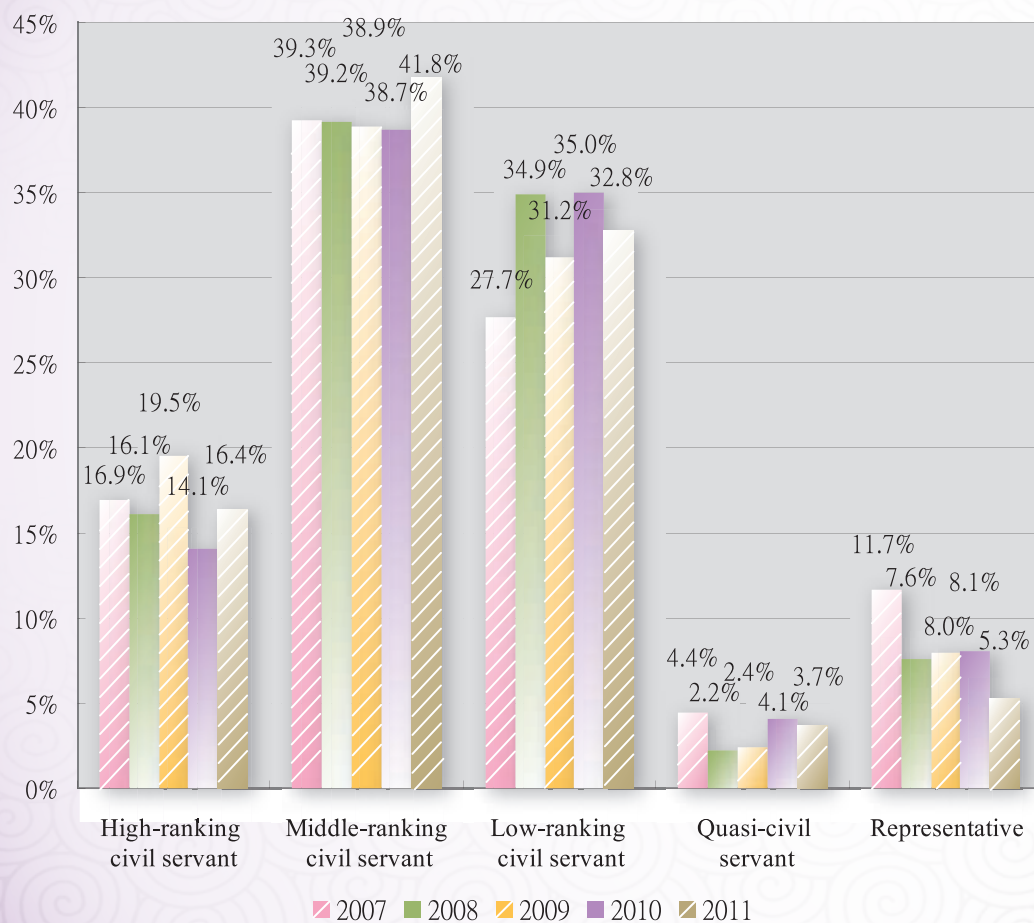


Table 2-10 Statistics of Suspects' Personal Information in Cases Referred in 2011 (By Applicable Laws and Status) Unit:person

Status	Law	Anti-Corruption Act	Government Procurement Act	Criminal Code	Others	Total
High-ranking civil servant		96	0	31	0	127
Middle-ranking civil servant		256	5	62	1	324
Low-ranking civil servant		196	0	56	2	254
Quasi-civil servant		22	0	7	0	29
Representative		35	5	1	0	41
Non public servant		269	744	368	88	1,469
Total		874	754	525	91	2,244

Table 2-11 Statistics of Suspects' Personal Information in Cases Referred in 2011 (By Educational Level and Status) Unit:person

Status	Educational level	Master or above	Bachelor	College	Senior high school	Junior high school or below	Unknown	Total
High-ranking civil servant		60	39	14	10	4	0	127
Middle-ranking civil servant		76	141	68	26	6	7	324
Low-ranking civil servant		6	66	119	43	12	8	254
Quasi-civil servant		7	8	5	5	1	3	29
Representative		4	2	5	9	21	0	41
Non public servant		91	266	292	483	230	107	1,469
Total		244	522	503	576	274	125	2,244



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Figure 2-05 Bar Chart of Ratios of Public Servants' Education-level Information on Cases Referred in the Past 5 Years

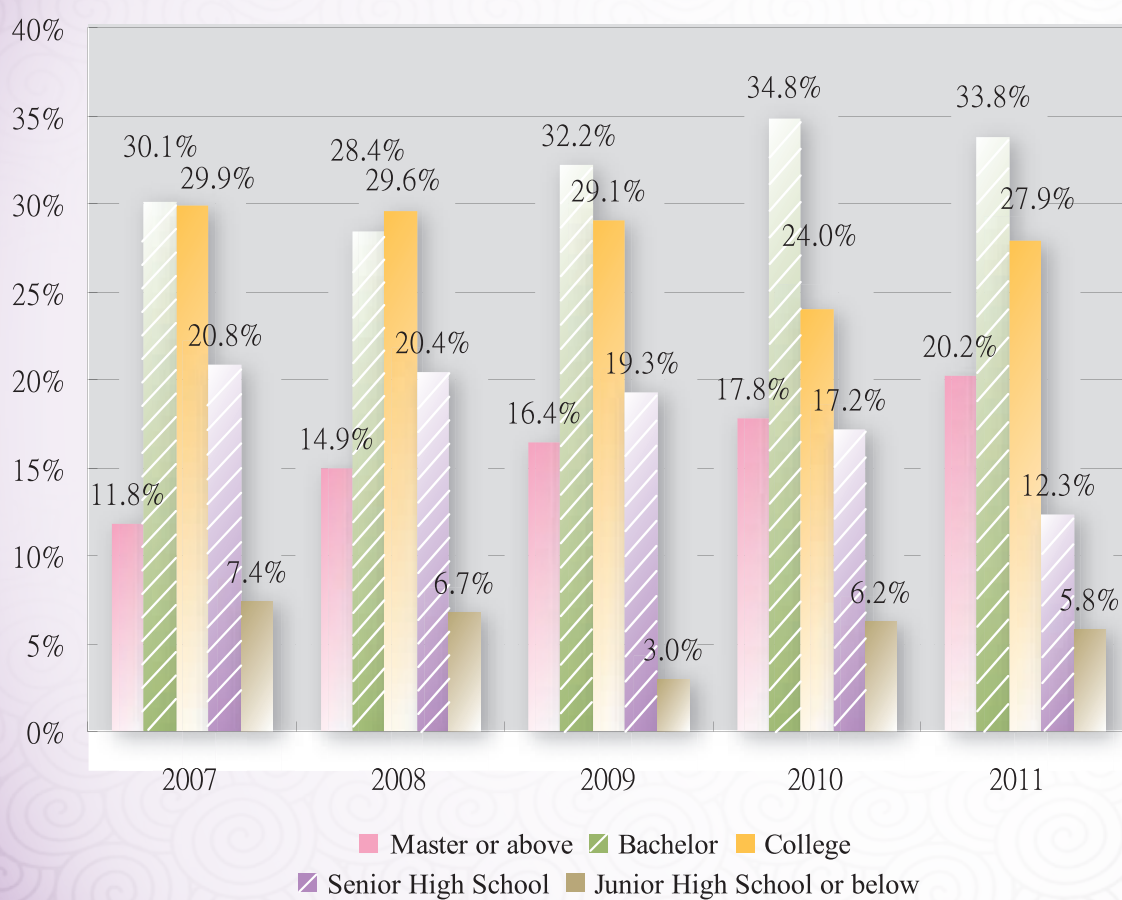


Table 2-12 Statistics of Elected Public Servants Referred in the Past 5 Years

Representatives		Suspect count						Principal of local self-governing body	Suspect count					
		2007	2008	2009	2010	2011	Total		2007	2008	2009	2010	2011	Total
Legislative Yuan	Legislator	4	6	3	1	2	16	Mayor of County / City	1	0	1	0	1	3
County/ City Council	The Speaker of the Council	1	4	3	2	0	10	Mayor of Township	30	38	38	36	33	175
	The Vice-speaker of the Council	2	0	0	0	0	2	Village Chief	13	31	18	17	28	107
	County/City Councilor	26	16	46	9	9	106							
Township Council	Chairperson of the Council	13	12	6	14	8	53							
	Vice-chairperson of the Council	7	2	1	3	3	16							
	Township Councilor	91	47	11	27	19	195							
Total		144	87	70	56	41	398	Total	44	69	57	53	62	285



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B.Statistics on vote-buying cases

Vote-buying cases tallied in the yearbook refer to the cases, following the Bureau's support of the prosecution agency with the investigation and processing, that the prosecutor's office has proceeded to file for public prosecution, applied for summary judgment, by deferred prosecution, or by ex officio non-prosecution, and due to the nature of these cases being different than those referred through the anti-corruption category, thus, the two are tallied separately. Given that the circumstances of applying for summary judgment, deferred prosecution, or ex officio non-prosecution are rulings the prosecutor makes that are applicable to summary procedural cases or minor cases, which in nature are similar to prosecution, where the defendant is deemed to have allegedly committed the crime different from the absolute non-prosecution cases as stipulated under Article 252 of the Code of Criminal Procedure, which the yearbook, for the convenience of description, hereby classifies them as "indictment cases."

1. Statistics on indictment cases over the years

Elections that the existing law regulates in terms of vote-buying conducts can be divided into two domains, public servant elections and non-public servant elections, where the former encompass nine types of elections, namely the president/vice president, legislators, city mayors, county mayors, township magistrates, village/li magistrates, city councilors, county councilors, township/city council representatives, while the latter encompass three types of elections, namely the farmers' association representatives and employees, fishermen's association representatives and employees, irrigation association executive directors and commissioner.

The working objectives of the bribery crackdown missions that the Bureau executes are defined according to the characteristics and geopolitics of the various types of elections by drafting specific project working plans for the respective division holding the purview, where they spearhead the bribery crackdown force, supported by the Navigation Investigation Division and backup manpower from the four

region mobile offices from northern, central, southern, and eastern Taiwan, to complete the various project missions with maximum bribery crackdown energy.

Table 2-13 and Table 2-14 depict the statistics on the number of indictment cases on the vote-buying cases the Bureau investigated and processed between 1993 and 2011 and statistics on the number of suspects indicted over the past eight years, where relevant figures in the election year of various types of elections are labeled in red, so as to clearly grasp the bribery crackdown results on various elections over time. Taking 2011 as an example, as none of the aforesaid elections are held in Taiwan, the statistical figures appeared in the table pertain to the results of elections held in 2010 or earlier that the Bureau has investigated and gathered evidence, where the prosecutor has indicted the cases in 2011.

In 2011, the Bureau's chief mission has been the vote-buying investigation and crackdown on the "13th presidential and vice presidential and the 8th legislator elections" to be held on January 14th, 2012. With two central-

level major elections being staged on the same day, the electoral scenarios in various locations are inextricably intertwined, and with only one candidate getting to win on the legislator's single electoral district system, it has prompted interested candidates to begin their logistical preparations one year in advance, in anticipation to stand out amidst the fierce competition. To ensure the transparency and fairness of the elections, the Bureau, upholding the administrative neutrality principle, has since January 3rd, 2011 began the preliminary preparation work by drafting investigation and evidence-gathering plans and administrative resource matters, in coordination with the election timetable and the Ministry of Justice's vote-buying investigation working abstract to steadfastly push forward various forms of tasks, the enforcement action progresses in an orderly manner, up until January 14th, 2012, the Bureau had supported the prosecutor to investigate and process 122 cases, with indictment results to be manifested in 2012, which will be streamlined into the statistics of the "Anti-corruption Yearbook 2012."

Table 2-13 and Table 2-14 depict 2011 corruption cases the prosecutor



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has brought public prosecution directly, or applied for summary judgment, deferred prosecution, or ex officio non-prosecution, which totaled to 219 cases, involving 1,259 individuals, where the defendants' identities, except the individual per se, often involved a candidate's campaign staffers, family and friends, and supporting members of the public who allegedly solicited bribes, and those others who allegedly solicited or accepted bribes.

Among the 219 cases, the bulk of indictments pertained to the five-city councilor elections held in November 2010 with 64 cases, the city's li magistrate elections and the county/municipal rudimentary village/li magistrate elections held in June 2010 with 122 cases, the rudimentary township representative elections with 22 cases (of the 23 cases enlisted in Table 2-13, 1 case pertained to the township council chairman elections held in 2006). The general state of indictments is separately described as follows,

a. The city councilor elections:

64 cases were indicted, which involved 532 individuals. In terms of case count, Kaohsiung City was the

highest with 21 cases, followed by Tainan City with 17 cases, and trailed by Taichung City with 15 cases, then New Taipei City with 7 cases, and Taipei City with 4 cases; while in terms of defendant count, Tainan City was the highest with 298 individuals, followed by Kaohsiung City with 89 individuals, trailed by Taichung City with 66 individuals, then New Taipei City with 55 individuals, and Taipei City with 24 individuals.

There were 17 cases where the indicted were the city councilor candidates themselves (including 3 from aboriginal electoral districts), where 7 cases were from Kaohsiung City, 5 from Tainan City, 2 from Taichung City, 2 from New Taipei City, and 1 from Taipei City, in which one case in Kaohsiung City, "smoothing act" case, pertained to a candidate, upon accepting the competing rival's improper gains, promised to give up running in the election, and of the remaining 16 cases, the vote-buying mode using monetary currency took the lead with 10 cases, followed by funding donations with 2 cases, then 1 each with travel excursion, food and beverage, gifts, and other modes. City council candidates who resorted to bribing with money often

has the money distributed to voters after it came in through a close-knit personal network, where the means often entailed relying on trustworthy persons to look for a white glove, whereby the white glove will then redistribute the bribes.

With the farmers' association system being one of the aforesaid interpersonal networks, and deemed rather conventional, at the current investigation/crackdown project, the Bureau cracked down 2 cases involving southern district city council candidates who attempted to bribe voters through said system, where 1 case pertained to having the farmers' association executive director step forward and exert his existing influence, and the other case pertained to seeking farmers' association secretary general's support and cooperation, where not only was the capital secured from the farmers' association, but the farmers' association employees were further used as vote-buying tools, as they were demanded to provide a voters list and also act as the bribe distributors. As these were group-based bribes, the number of defendants that the prosecutor indicted on charges of offering bribes was rather sizable, with the former totaling 24 individuals, and the latter as high as

82 individuals, highlighting that the fraud of local farmers' associations intervening in public servant elections is still not completely eradicated.

b. The village/li magistrate elections:

Of the 2010 county/city rudimentary village/li magistrate elections, 26 cases were indicted, which involved 187 individuals, of the 2010 city li magistrate elections, 94 cases were indicted, which involved 426 individuals, and of the 2011 county/city rudimentary village/li magistrate reelections, 2 cases were indicted, which involved 3 individuals. As the village/li magistrate elections tend to cover a smaller electoral district, and there are less votes, candidates are familiar with each other, rendering electoral grudges to be unavoidable, and can influence a few voters' voting intention, which may turn the election results completely around, pushing some candidates or supporters to attempt wrongful opportunistic schemes. With 122 cases indicted in 2011, coupled with 56 cases indicted in 2010, it totaled to 178 cases, a number that tops the indictment case count of all other public servant elections held in the same year (2010), it can be seen that even at the



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most rudimentary village/li magistrate elections, there is still a need to cleanse the electoral practices.

c. The township representative/council chairman/vice chairman elections:

22 cases have been indicted, which involved 71 individuals (among the 80 individuals enlisted in Table 2-14, 9 individuals pertained to the defendants of the township council chairman elections held in 2006), where all were related to monetary vote-buying, and of which, 4 cases pertained to the township council chairman/vice chairman elections, where the defendants included those that logistically planned the rise and fall of the local faction power, and those that were go-betweens and in it for personal gains, with the amount of bribes accepted varying somewhere between TWD \$300 thousand to TWD \$500 thousand, with some paid in full, and also some in the form of prearranged deposit and post-gratuity.

Of the county/city mayor, county/city councilors, and township magistrate elections held in December 2009, referred as the “Three-in-One Elections,” there are a number of cases

that the prosecutor has indicted during 2011 after investigation, which are separately described as follows,

a. The county/city mayor elections:

One case was indicted, which pertained to Hualien County Xincheng Township Hall employees who advocated the short-term employment plan project working personnel that they supervise to participate in a particular rally of a Hualien County mayor candidate, and later falsely helped the interim workers collect “overtime pay” at TWD \$800 each, and also demanded that they support said candidate when voting in the future.

b. The county/city councilor elections:

1 case was indicted, which pertained to a candidate’s campaign staffer who voluntarily bribed voters at the cost of TWD \$1,000 per vote.

c. The township magistrate elections:

Of the three-in-one elections, 2 cases were indicted, of the 2011 township magistrate reelections, 3 cases were indicted, which separately occurred in Sanyi Township of Miaoli County, Touwu Township of Miaoli County, and Yuanlin Township of

Changhua County. The reason for the reelections had all stemmed from that the 3 township officials who were just elected were found to have engaged in vote-buying during the 2009 three-in-one election period, whom following the Bureau's crackdown are charged by the prosecutor or their defeated rivals in a civil action of an "electoral lawsuit for invalid winner," with the defeat verdict confirmed, and their positions abrogated, a reelection is to be staged in compliance with the legal requirements. Said three case defendants, undeterred by prior incidents, attempted to influence the election results through buying votes with cash thinking they would be lucky, only to find themselves being investigated and referred by the Bureau for legal action.

bribe the farmers' association directors by offering to cover travel, food and lodging, and transportation expenditures so as to be re-designated to one's position, and 1 outstanding case from the 2010 Irrigation Association meeting affairs commissioner elections involving bribery with money.

Moreover, out of the cases that the Bureau has investigated and processed, where the prosecutor has indicted in 2011, there is still 1 outstanding case of bribery, where a farmers' association member representing a candidate offered illicit gains of laying orchard service roads, 1 outstanding case from the same year, where a farmers' association chief executive officer has attempted to



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Table 2-13 Statistics of Indicted Vote-buying Cases Investigated by the Bureau during 1993-2011 (By No. of Cases) Unit:case

Category Year	President and vice president	Mayor of Taipei/ Kaohsiung	Mayor of county/ city	Mayor of township	Village chief	Legislator	Taipei/ Kaohsiung councilor	County/ city councilor	Township councilor	Farmers associa- tion	Fishermen associa- tion	Irrigation associa- tion	Total
1993	—	—	0	0	0	3	—	0	0	9	1	—	13
1994	—	—	6	12	26	0	—	56	18	3	0	—	121
1995	—	—	1	0	10	6	—	9	8	1	0	—	35
1996	1	—	0	2	0	51	—	0	0	0	0	—	54
1997	0	—	3	1	0	3	—	0	0	42	3	—	52
1998	0	—	12	15	13	8	—	32	9	3	0	—	92
1999	0	—	3	2	4	25	—	1	2	1	1	—	39
2000	6	—	1	0	0	1	—	2	0	1	0	—	11
2001	1	—	9	1	7	41	—	1	7	81	7	—	155
2002	0	—	23	57	98	46	—	141	60	9	1	—	435
2003	2	—	2	7	31	5	—	19	12	3	0	—	81
2004	7	0	0	2	0	20	3	0	0	0	0	—	32
2005	0	0	8	85	1	116	0	143	0	16	0	—	369
2006	1	1	36	94	95	4	3	185	77	1	0	—	497
2007	1	1	5	6	34	1	24	3	16	0	0	—	91
2008	5	0	0	3	8	127	2	2	1	0	0	—	148
2009	1	0	1	9	2	4	0	22	0	60	3	—	102
2010	0	0	14	67	56	4	2	130	49	8	1	11	342
2011	0	0	1	5	122	0	64	1	23	2	0	1	219
Total	25	2	125	368	507	465	98	747	282	240	17	12	2,888

Note 1: Color red indicates a year with election.

Note 2: Before the year 2003, category " Mayor of county/city" includes the election of "Mayor of Taipei/ Kaohsiung "; category " county/city councilor" includes the election of "Taipei/Kaohsiung councilor ".

Note 3: Every sort of representatives election includes it's Speaker and vice-speaker campaign such as the Speaker and vice-speaker of Legislative Yuan, the Speaker and vice-speaker of county/city council, township council chairperson and vice-chairperson. Farmers association election includes the campaign for representatives, commissioners, and supervisors of the association, and so does fishermen association election. Irrigation association election includes the campaign for commissioners and the president .

Note 4: In addition to the major indictment cases, the statistics also count some cases of summary judgment application, deferred prosecution and non-prosecution ex officio.

Table 2-14 Statistics of No. of Suspects in Indicted Vote-buying Cases Investigated by the Bureau in the Past 8 Years (By No. of Suspects) Unit:person

Category Year	President and vice president	Mayor of Taipei/ Kaohsiung	Mayor of county/ city	Mayor of township	Village chief	Legislator	Taipei/ Kaohsiung councilor	County/ city councilor	Township councilor	Farmers associa- tion	Fishermen associa- tion	Irrigation associa- tion	Total
2004	27	0	0	0	0	101	12	0	7	0	0	—	147
2005	0	0	18	417	20	547	0	509	0	133	0	—	1,644
2006	21	3	203	735	407	23	5	1,080	339	9	0	—	2,825
2007	2	16	10	29	258	4	108	19	79	0	0	—	525
2008	28	0	0	8	33	653	3	4	2	0	0	—	731
2009	2	0	2	29	22	29	0	77	0	260	5	—	426
2010	0	0	39	304	172	15	12	773	195	39	2	46	1,597
2011	0	0	11	13	616	0	532	1	80	5	0	1	1,259
Total	80	19	283	1,535	1,528	1,372	672	2,463	702	446	7	47	9,154

Note 1: Color red indicates a year with election.

Note 2: Every sort of representatives election includes it's Speaker and vice-speaker campaign such as the Speaker and vice-speaker of Legislative Yuan, the Speaker and vice-speaker of county/city council, township council chairperson and vice-chairperson. Farmers association election includes the campaign for representatives, commissioners, and supervisors of the association, and so does fishermen association election. Irrigation association election includes the campaign for commissioners and the president.

Note 3: Defendants may be candidates, other persons who conducted bribes, bribe receivers or other criminals connected with vote-buying.



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2. Statistics on applicable articles of indictment cases

Of the existing law that bans and also clearly stipulates criminal penalty of the vote-buying conduct, in the domain of public servant elections, the presidential/vice presidential elections are deemed more unique and important, and thus, are independently stipulated in the Presidential and Vice Presidential Election and Recall Act, and for the other types of public servant elections, they are stipulated in the Public Officials Election and Recall Act, and of those not stipulated by said two laws, relevant stipulations in the offenses of interference with voting Chapter of the Criminal Code are applied; in the domain of non-public servant elections, they are separately regulated, according to the type of organizations that stages the elections, under the Farmers Association Act, Fishermen's Association Act, and Organic Act of the Irrigation Association.

Table 2-15 depicts the statistics on key articles applicable to the defendants being indicted in the vote-buying cases and the defendant count, which is described separately by varied applicable article:

a. Soliciting or accepting bribes among candidates:

As only elections held under a free competing environment can voters choose the candidates that are able and capable, candidates or those with candidate qualifications who swap gains among themselves (commonly known as “smoothing”) for one party to give up running for office or step forward to join the race with the malicious intent of diluting the votes of a third candidate (most often, the primary competing rival of the other party), whereby the elected individual is not determined collectively by the voters, but actually manipulated by the party rendering the payout. With law explicitly banning such conduct, the applicable articles vary by the identity of the person soliciting or accepting bribes, which separately fall under Paragraph 1 or Paragraph 2, Article 97 of the Public Officials Election and Recall Act. In 2011, there were four cases, where six individuals were indicted, where two cases pertained to the li magistrate elections, one case pertained to the township representative elections and one case pertained to the city council elections, where the content of agreement all pertained to demanding a candidate to “withdraw from the

election,” and the payoff is usually in the form of monetary currency, except in the case of the city council elections, it is somewhat more unique that “one party when elected is to unconditionally accept a list of three councilor assistants the other party presents.”

With one candidate withdrawing from the race after bartering the gains being a norm, there were instances where violent forces and threat were deployed to coerce the other party to withdraw from the elections, where Article 87 of the Public Officials Election and Recall Act provides clear penal stipulations, and in 2011, one individual was indicted, where the case occurred in the 2010 city li magistrate elections.

b. Vote-buying the voters:

Using the means of treating voters to meals, travel excursion, or gifts, and so forth, for the purpose of securing voter commitment, or even resorting to vote-buying by distribution of money, the tactic leads voters to determine their vote not by a candidate’s competency and morality, but rather by the amount of gain. As the practice runs against the ultimate purpose of electing the candidate that is able and capable, the

law of Taiwan has long banned such type of vote-buying conducts, and in the previous investigation and crackdown projects, the Bureau has consistently enlisted it as the crackdown focus.

In the domain of public servant elections, among 579 individuals (of whom, 1 individual was indicted by the old act) indicted by “offenses of soliciting bribes to eligible voters” of the Public Officials Election and Recall Act by the prosecutor in 2011, 60 individuals applied for summary judgment, 1 individual were given ex officio non-prosecution in the prosecution; among 16 individuals indicted by “offenses of attempting to bribe eligible voters” of the same act, 1 individual applied for summary judgment.

In the domain of non-public servant elections, 2 individuals were indicted on “offenses of bribing eligible voters” by the prosecutor in 2011 through the Farmers Association Act, 1 individual was indicted on “offenses of bribing commissioner or commissioner candidate” of the same act. Furthermore, 1 individual was indicted by the prosecutor and given a deferred prosecution ruling on “offenses of



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bribing eligible voters” of the Organic Act of the Irrigation Association.

c. Vote-buying organizations:

Those regulating “indirect vote-buying” under the existing law pertain to the Presidential and Vice Presidential Election and Recall Act and the Public Officials Election and Recall Act, which refer to a briber donating to organizations or government bodies within one’s electoral district with monetary property in one’s name, but it is in fact to benefit a majority of the members of said organizations or government bodies (who are simultaneously eligible voters) and also to sway their votes, which has been clearly stipulated for penal action to be given. Among 5 cases, which involved 6 individuals, the prosecutor had indicted on “offenses of soliciting bribes in the pretense of donations to organizations” of the Public Officials Election and Recall Act in 2011, 2 individuals were city council candidates, 2 individuals were li magistrate candidates, where the organizations receiving donations included temples, li/community development associations, longevity tennis club, and morning exercise dance association.

d. Vote-buying at local representative assembly chairman/vice chairman elections:

Elected representative assembly chairmen and vice chairmen, such as city and county council chairmen, vice chairmen, township/city council chairmen/vice chairmen, command certain administrative power and reputation, and hold significant political influence in their administrative districts, making them the positions that some of the incumbent legislators are vying for with a full force. Article 100 of the Public Officials Election and Recall Act (or Article 90~2 of the old act) clearly stipulates penal clause on the acts of accepting and soliciting bribes at local representative assembly chairman/vice chairman elections. In 2011, 4 cases, which involved 8 individuals, were indicted by the prosecutor on offenses of bribery crime through Paragraph 1, Article 100 of the same law, 1 case, which involved 4 individuals, were indicted on offenses of bribery crime through Paragraph 1, Article 90~2 of the old act, where all 5 cases pertained to council chairman/vice chairman elections, where the masterminds of 2 cases were the chairman/vice chairman candidates

themselves, and the masterminds of the other 3 cases were the current farmers' association chief executive officer who actually controlled the local faction and a former council chairman, and where the candidates were merely “pawns” who were nominated to occupy the local faction seats, a telltale sign of the unique electoral phenomenon in rudimentary local self-governance organizations.



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Table 2-15 Statistics of Vote-buying Cases Investigated by the Bureau and Indicted in 2011 (By No. of Suspects and Key Applicable Laws) Unit:person

Key Applicable Laws		Measures	Indictment	Summary Judgment Application	Deferred Prosecution	Non-Prosecution ex officio	Total
The Public Servant Election and Recall Act	Paragraph 1,Article 97 (Offering bribes to candidates in consideration of quitting the campaign)		5	0	0	0	5
	Paragraph 2,Article 97 (Candidates taking bribes in consideration of quitting the campaign)		1	0	0	0	1
	Paragraph 2,Article 98 (Urging the candidates to quit the campaign by force)		1	0	0	0	1
	Paragraph 1,Article 99 (Bribery to voters)		578	60	0	1	639
	Paragraph 2,Article 99 (Preparation for bribing voters)		16	1	0	0	17
	Paragraph 1,Article 100 (Offering bribes to councilors in district council chairperson campaign)		8	0	0	0	8
	Paragraph 2,Article 100 (Councilors taking bribes in district council chairperson campaign)		3	0	0	0	3
	Subparagraph 1,Paragraph 1,Article 102 (Offering bribes to voters in the name of funding donations to groups)		6	0	0	0	6
	Paragraph 1,Article 90-1 【 former Act 】 (Bribery to voters)		1	0	0	0	1
	Paragraph 1,Article 90-2 【 former Act 】 (Offering bribes to councilors in district council chairperson campaign)		4	0	0	0	4
	Paragraph 2,Article 90-2 【 former Act 】 (Councilors taking bribes in district council chairperson campaign)		5	0	0	0	5
The Farmers Association Act	Subparagraph 1,Paragraph 1,Article 47-1 (Voters taking bribes)		2	0	0	0	2
	Subparagraph 2,Paragraph 1,Article 47-1 (Bribery to voters)		2	0	0	0	2
	Subparagraph 2,Paragraph 1,Article 47-2 (Offering bribes to board commissioners or candidates in secretary general campaign)		1	0	0	0	1
The Organization Act of Irrigation Association	Subparagraph 2,Paragraph 1,Article 38-1 (Bribery to voters)		0	0	1	0	1
The Criminal Code	Paragraph 1,Article 143 (Voters taking bribes)		199	2	237	0	438
	Paragraph 2,Article 146 (False migration for gaining the right to vote)		92	10	10	0	112
	Paragraph 3,Article 146 (An attempt to falsely migrate for gaining the right to vote)		10	0	0	0	10
	Paragraph 1,Article 164 (Concealing a person who escapes from legal arrest)		2	0	0	0	2
	Paragraph 1,Article 165 (Forging, destroying, or concealing evidence in the criminal case of another)		1	0	0	0	1
Total			937	73	248	1	1,259

3. *Statistics on vote-buying modes*

Vote-buying cases, by soliciting or accepting bribes, are distinguished by law into two categories, namely “bribery” and “other improper gains,” and the purpose that no tangible content has been specified has been to cater to the ever-changing society trends and technological development. To enable candidates and voters to understand the boundaries of legal guidelines, the Supreme Prosecutors Office has promulgated the “Illustrated Vote-Buying Criminal Conduct Examples” for the general public to reference to and abide by, with timely revisions and amendments made alongside the state of practical implementation development, and of the latest amended version on November 14th, 2011, it not only enlisted the 23 types of tangible vote-buying modes the practical legal practicing sector had reached a consensus on, but it had also enlisted the collective provision of “soliciting, promising, or presenting other forms of bribes or improper gains” as type 24, in a bid to prevent any omission, which will curtail candidates or their supporters from having any opportunistic mindsets; however, it does still emphasize that whether a particular conduct constitutes

as vote-buying is still subject to rendering by the prosecutor based on the specific circumstances of each case in compliance with the legal stipulations.

By examining vote-buying cases the Bureau has investigated and processed over the years, some of the more common vote-buying modes can be summarized into five major types, namely vote-buying with money, gift giving, food and beverage entertainment, travel entertainment, and funding donations to organizations; Table 2-16 and Figure 2-06 depict statistics on cases the Bureau has investigated and processed grouped by vote-buying modes and the prosecutor has since indicted in the past five years, which are separately described as follows:

a. *Vote-buying with money:*

In 2011, 156 cases of money vote-buying cases were indicted, which accounted for 71.2% of the 219 indictment cases in the same year, while a total of 645 cases were indicted in the past five years, which accounted for 71.5% of the 902 total indictment cases, making it difficult to say the proportions were not high, and highlighting how vote-buying voters using money remains an efficient and higher “rate of return”



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means of vote-buying for candidates or their supporters.

The amount of vote-buying made to voters directly in cash often heeds to the unit of five hundred TWD bills or one thousand TWD bills. At village/li magistrate elections in smaller electoral districts, a vote falls between TWD \$1,000 and TWD \$3,000, while there are fewer case examples with TWD \$500, and in neighborhood magistrate elections, the amount of bribery increases to between TWD \$2,000 and TWD \$5,000, of which, one case even reached a staggering 10 thousand TWD. At township/city council elections and township magistrate elections, a vote falls between TWD \$500 and TWD \$1,000. At city council elections in larger electoral districts, on the contrary, a vote is around TWD \$ 500 as the majority, with a small number of cases reaching TWD \$1,000, while there was a case example that heeds to “household” units, where each household was at TWD \$2,000; the amount of vote-buying in aboriginal electoral districts differ from general electoral districts, where a vote can reach as high as between TWD \$2,000 and TWD \$5,000. There were 2 cases, where the amount of vote-buying is at

TWD \$600 per vote, which occurred separately at city council elections and city li magistrate elections, which pertained to widely distributing the “Respecting elder gratuity of TWD \$600” to the elderly over 65 years old with voting rights in the name of the Sept. 9th Elder Day, as a more unique case.

At township/city council chairman/vice chairman elections, the amount for soliciting incumbent councils with voting rights often heed to the unit of TWD \$100,000, and of the 5 cases indicted in 2011, one vote varied between TWD \$300,000 and TWD \$500,000, where a majority was paid in full in one lump sum, while there were instances of prearranged two-time payouts of “deposit” and “post-gratuity.”

As to the means of “smoothing,” there were four bribe-accepting cases with money, in which a candidate was made to withdraw from the election, with a payoff varying staggeringly between TWD \$300,000 and TWD \$1.2 million. The highest amount of TWD \$1.2 million occurred at city li magistrate elections, where the defendant has initially offered the payoff of TWD \$1 million for the rival

to withdraw from the election, and has upped the stake to TWD \$1.2 million after being refused, yet the negotiated deal eventually fell through.

b. Vote-buying with gifts:

In 2011, 22 cases were indicted as gift vote-buying cases, which accounted for 10% of the indictment cases in the same year. Said vote-buying mode often entails soliciting bribe to voters directly on the pretense of paying a visit to voters but is actually for bestowing gift, by which to garner voters' favor and asking voters to vote and support their being elected. Of the contents of the gifts in the 22 cases, tea gift sets and jerky/sausage gift sets were the most common, others included imported alcohol, Kaoliang, longan honey, coffee, deluxe rice, fruit basket, healthy cooking oil, and a host of gift sets, valued at between several hundred to around one thousand TWD; "one gold medallion ring with a purple jade" is a unique case that occurred at city li magistrate elections.

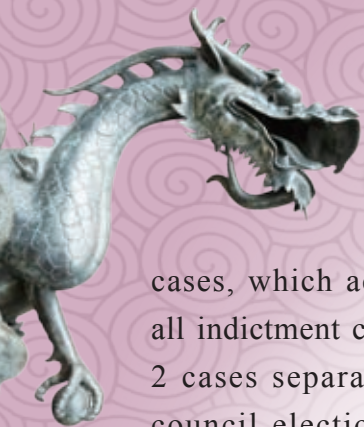
c. Vote-buying with food and beverage:

In 2011, 4 cases each of food and beverage vote-buying cases were indicted at city council elections and

village/li magistrate elections, totaling 8 cases, which accounted for 3.7% of all indictment cases in the same year, where the briber often resorted to the name of hosting an activity by which to invite members with voting rights and who participated in the event to a complimentary banquet, during which, arrangements are made for the candidate to take the stage to deliver a keynote or toast table by table in canvassing, demanding the attendees' support by voting for the candidate in the future. The events that were used included: family clan meal gathering, the concluding banquet of a mountain hiking club's hiking event, the concluding consolation banquet of an aboriginal employment campaign event, meal sponsorships on group travels, meal prizes to the public after having rallied during a campaign headquarters inception rally, and the banquet for the local temple rites, totaling 6 cases. The other 2 cases involve widely extending invitations to unspecified voters to enjoy food and beverage at restaurants or at the eateries of a karaoke establishment.

d. Vote-buying with travel excursions:

In 2011, 3 cases were indicted as travel excursion vote-buying



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cases, which accounted for 1.4% of all indictment cases in the same year. 2 cases separately occurred at city council elections and li magistrate elections, where the means invariably involved soliciting voters to join the travel excursion with an extremely low application fee, and then seizing opportunities to claim that the candidate is sponsoring the shortfall of the travel funding as a complimentary offering, anticipating that participants will support the candidate by voting for the candidate in the future. Another case occurred a few days prior to holding a local farmers' association board meeting to hire the chief executive officer, where the mastermind has succeeded in securing over one-half of the entire board members to make the resolution to appoint his niece by sponsoring the directors willing to render support to a travel excursion, and to avoid the rival camp from "strategizing a revolt," they did not return until the day of the meeting to vote on the resolution. In recent years, the trend of the usage of the more eye-catching travel excursion as the vote-buying mode has been on the decline.

e. Vote-buying with funding donations:

Of the vote-buying cases involving indirect funding donations as means of vote-buying with voters, 5 cases were indicted in 2011, which accounted for 2.3% of the 219 indictment cases in the same year. With pertinent circumstances having been described earlier under "c. vote-buying organizations" of "2. statistics on applicable articles of indictment cases," where the donation amount ranged somewhere from TWD \$10 thousand to TWD \$300 thousand, and among them, the funding of two cases came from the township hall public treasury, meaning the defendants, the city councilor candidates, who were the outgoing township magistrates, have abused their positional power and breached the laws and regulations by subsidizing events staged by private organizations using public funds, while later appearing at the event venue boasting of one's contributions, and also demanding the voters at the venue to vote for the candidates supporting their being elected. It revealed that the current practical prosecutorial implementation reckoned if funding in groups' bribery has not come from the candidate but through misappropriating public funds for the purpose of bribing, then it also constitutes as a form of vote-

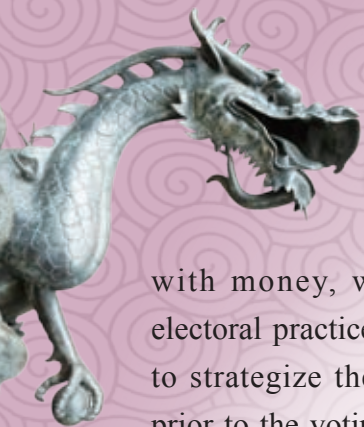
buying crime.

f. Others:

Among the indictment cases in 2011, there were 25 cases that were hard to be categorized under any of the aforesaid five vote-buying modes, which accounted for 11.4% of all indictment cases of the same year. Among them, 12 cases pertained to those not involving monetary currency transaction, but simply fell under “voting through false household registry relocation” as stipulated under Paragraph 2, Article 146 of the Criminal Code; 11 cases pertained to the village/li magistrate elections; 1 case pertained to the city councilor elections, which suggest that this type of crime is more prone to occur in smaller electoral districts, where minute vote disparity can affect the election results of village/li magistrate elections. Other election bribery cases involving “improper gains’ other than monetary currency totaled to 13 cases, which varied in bribery modes; for instance, forging documents on voters’ behalf to apply for free newspaper with the township hall, repairing the computer free of charge, offering working opportunities, repaying debt, falsely declaring for overtime pay,

offering free airline tickets, and so forth. With the latter totaling to 2 cases, which all pertained to Penghu County village magistrate electoral candidates offering airline tickets to voters registered in Penghu, but residing on the main island of Taiwan to return home and reunite with their family and demanding also for their support to vote for the candidate while visiting.

In the past five years, the number of indictment cases on conventional vote-buying modes, such as through gifts, food and beverage, travel excursion, and so forth has appeared scattered, when compared with vote-buying through money, which can be attributed to how the briber often uses traditional festivity customs or interpersonal decorum exchange as excuse, and thus, as the prosecutors aimed to raise the court’s conviction ratios, the threshold of indictment has risen along with it. Nevertheless, the vote-buying using money, both highly secretive and more difficult to gather evidence, had inadvertently ranked top in the number of indictment cases year after year, this can be attributed to two reasons: 1) the Bureau, supporting the government policy over the years, has put its crackdown focus on vote-buying



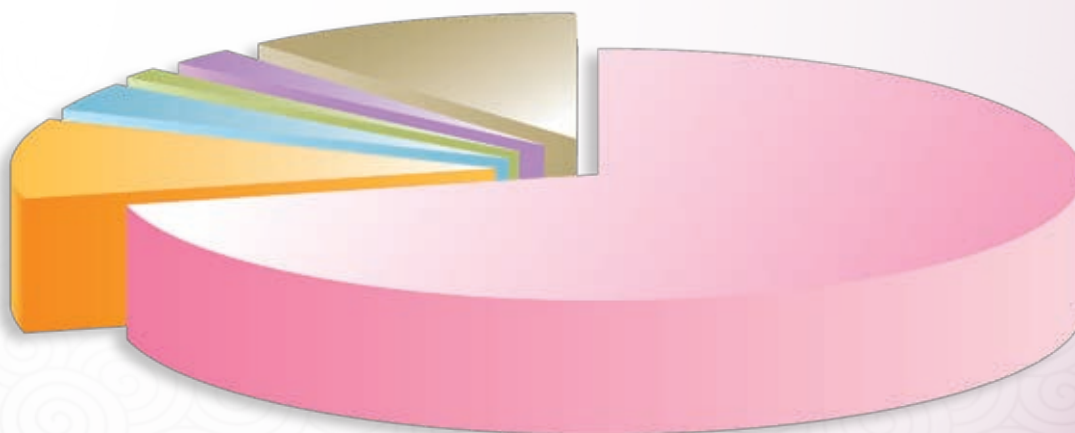
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with money, which influences the electoral practices the most, by starting to strategize the crackdown one year prior to the voting date to the complete mobilized investigative crackdown right before the elections, which, on the one hand, yielded a significant number of vote-buying criminal conducts, and, on the other hand, also served to deter those with opportunistic mindsets; 2) large numbers of the public enthusiastically offers tips on vote-buying with money, which also allow the Bureau to conduct evidence gathering at the opportune time to secure material evidence on vote-buying. For which, active public participation has also been credited as one of the reasons contributing to whether the electoral practices are done transparently and legitimately.

Table 2-16 Statistics of Vote-buying Cases Indicted in the Past 5 Years
(By Vote-Buying Mode) Unit:case

Year	Type	Money	Gifts	Food and beverage	Travel excursion	Funding donations	Others	Total
2007		41	16	12	3	1	18	91
2008		82	17	26	7	7	9	148
2009		71	14	3	4	5	5	102
2010		295	19	4	1	3	20	342
2011		156	22	8	3	5	25	219
Total		645	88	53	18	21	77	902

Figure 2-06 Pie Chart of Ratios of Vote-buying Cases Indicted in 2011
(By Vote-buying Mode)



Types

- Money 156cases (71.2%)
- Gifts 22cases (10%)
- Foods and beverages 8cases (3.7%)
- Travel excursion 3cases (1.4%)
- Funding donations 5cases (2.3%)
- Others 25cases (11.4%)



II. Proficiency refinement work

A. Staging anti-corruption refinement seminars

To assist internal duty and field duty associates become familiar with legal and regulatory stipulations, enhance their investigation and crackdown skills, absorb new case-processing knowledge, and also to respond to the 13th presidential and vice presidential elections and the 8th legislators elections to be held in January 2012, the Anti-Corruption Division has on August 17th through 19th, 2011, and 24th through 26th of the same month staged two sessions of the “2011 Anti-corruption Work Refinement Seminar” at the Bureau’s management training center for mobilized training of internal duty and field duty section chiefs, deputy directors, secretaries, unit chiefs, processors, and outposts in charge of the anti-corruption operations, and the associates of Division Four, Taxation Agency, Ministry of Finance, a total of 180 individuals.

In respect to course planning, judges, attorneys and Bureau internal duty and field duty associates with

extensive case-processing experience are asked to lecture on topics, such as uncovering clues, evidence-gathering tips, evidence judgment, legal applicability, proper legal proceedings, enhancing conviction rates, and so forth, through the means of lecturing, discussions, and experience sharing, in anticipation of refining the associates’ professional competency. In terms external lecturers, Supreme Court judge Hong Chang-hong, rich with practical experience and known for his integral reputation, and the Vice Commissioner of Taiwan Bar Association Lin Chun-rong were invited to lecture respectively on “Exploring the enhanced conviction rates – exploring the issue of evidence judgment on corruption/malfeasance crime cases by utilizing the evidential law,” “Maintaining proper legal proceedings –from the angle of proper legal proceedings to observe the issue of corruption/malfeasance crime cases during the investigation, detection, and trial stages”; in terms of internal lecturers, Anti-Corruption Division section chief was invited to lecture on “Cautionary measures to be observed when investigating and processing major public works and procurement fraud cases,” and field office associates with

excellent case-processing experience were also invited to present their case processing reports on corruption/malfeasance cases and vote-buying cases, in anticipation of exchanging their case-processing tips with participating trainees to further refine their evidence-gathering skills. Lastly, Anti-Corruption Division director Jan hosted a “Panel Discussion,” which utilizes the means of interactive discussions among internal and field duty associates to discern and understand the participating trainees’ learning reflection and field duty case-processing needs, by which to raise the effectiveness of anti-corruption work.

Director Jan, at the “Panel Discussion” has encouraged the associates, “The focal point of the seminar focuses on the energetic exploration of the two tasks, “investigation and processing of corruption/malfeasance cases” and “vote-buying investigation and crackdown,” which is intended for internal duty and field duty associates to fully communicate and examine, and timely derive quality clues, and also quickly formulate an investigation direction to effectively approach the evidence-gathering, cautioning that the entire process is to abide by proper

legal proceedings, and to constantly think about how the defendant and the defense attorney will likely to conduct the defense in the future, which will help to avoid the hard-earned evidence from being questioned, and garner the confidence of the courts and the general public.

B. Utilizing the Internet to exchange learning

Thanks to the increasingly convenient Internet technology, information conveyance, exchange, and integration are able to transcend regional boundaries without any time constraint, and through utilizing Internet database, the objectives of information integration and convenient access can now be achieved. In light of this, the Anti-Corruption Division launched the internal network “anti-corruption database” of the Bureau in the end of 2004, by which to attain the anticipated functions of joint learning and sharing, and to compile case investigation and processing-related laws and regulations, practical views on the substantive laws and procedural laws, various operational guidelines and internal duty and field duty associates’ routine work results, experiences, and reflections, with the



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database segmented into eight major categories, namely the bulletin board, operations profile, anti-corruption laws and regulations, operational guidelines, case study reports, reference literature, yearbooks, and bribery crackdown area, which are updated regularly, in anticipation to share with the Bureau associates and attain the ideology of refining professional competency and innovative working mentality.

Furthermore, the aforementioned “2011 Anti-corruption Work Refinement Seminar” class, after having received the consent from the lecturers, these were separately recorded as the content for digital learning classes, and placed in the internal network “Displaying and Holding the E Academy” unit to provide online learning for those associates who could not attend the actual training.

C. Researching and compiling case study reports

The Bureau had in 2010 investigated and processed the High Court judges’ colluding corruption/malfeasance case, and in 2011 investigated and processed the Forestry Bureau offshore islands’ forestation procurement colluding corruption/malfeasance case, the Department

of Health hospitals’ medical devices procurement colluding corruption/malfeasance case, the New Taipei City elementary and junior high school principals’ colluding lunch meal corruption/malfeasance case, where every case has invariably drawn high levels of attention from the media, general public, and the government, and, at the same time, also triggered follow-up effects, such as system reform and personnel replacement.

The investigation process of said cases was extremely difficult, and not something that can be completed overnight. It invariably relies on a combination of factors, such as “perseverance, creativity, teamwork, determination,” in which the suspects’ job environments, investigation skills, and coordination and cooperation measures are of special reference value for the associates of the whole Bureau when investigating and processing similar cases. The Anti-Corruption Division has, thus, in December 2011 selected and adopted the aforesaid case examples by having the field duty write case study reports, and has also in 2011 uploaded the information on the internal network “Anti-corruption Database” of the Bureau for reference.



Anti corruption Yearbook 2011

Published by: Investigation Bureau, Ministry of Justice, Republic of China (Taiwan)

Issuer: Chang, Chi-Ping

Editor: Anti-Corruption Division, Investigation Bureau, Ministry of Justice

Address: 74 Zhonghua Rd., Xindian Dist., New Taipei City 23149, Taiwan

Phone: (02) 2911-2241

Website: <http://www.mjib.gov.tw>

Time of Issue: July 2012

Time of Initial Issue: October 1994

Periodicity: 1 year

Cost (disc included): \$480 TWD

Illustration for other kinds of versions: The gazette is also available on the website of Investigation Bureau, Ministry of Justice (MJIB).

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ISSN:16806654

GPN:2008300072