



法務部新聞稿

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有關今(30)日民主進步黨國際記者會對於最高法院檢察署特別偵查組監聽國會事件所提意見，法務部說明如下：

- 一、馬總統上任以來，一再要求執法機關杜絕非法監聽，如有違反，一定依法究辦。馬總統當然絕無下令或要求最高法院檢察署特別偵查組(下稱特偵組)監聽國會，民進黨任意指控馬總統監聽國會，並未提出任何證據，絕非事實。
- 二、在實務上，監聽節費電話須依該電話之線數全部聲請，否則無法達成監聽目的。特偵組僅聲請一線，結果未錄得任何內容，依常情判斷，特偵組當時應係以為 0972*****電話是立法院配給個人使用之電話，不知是立法院之節費電話。
- 三、國會的總機電話至少數十線，如要監聽國會，應該全部監聽，特偵組只聲請其中一支，而且30日屆滿即未繼續，其餘同時聲請的多支則繼續監聽，初步瞭解特偵組並非以國會為監聽對象。至於此部分有無應負之責任，法務部調查小組會做後續處理。
- 四、特偵組聲請監聽前述電話，皆依法定程序(Due Process of Law)向法院聲請核發通訊監察書，與美國水門事件私自潛入他人建築物安裝監聽器，截然不同，不能相提並論。
- 五、本事件起源自特偵組於偵查其他犯罪時，發現有立法委員涉嫌關說假釋案件，於是循線對相關人員聲請監聽。故本案純屬司法案件，與政治鬥爭無關。

Press Release
Ministry of Justice
Republic of China (Taiwan)

September 30, 2013

MOJ responds to Sept. 30 DPP international news conference on
alleged SID wiretapping of Legislative Yuan

(1) No illegal wiretapping conducted

Since President Ma Ying-jeou took office, he has repeatedly insisted that law enforcement agencies shall not wiretap illegally, and if illegal wiretapping did occur, that the violators should be investigated and prosecuted pursuant to law. The president never ordered or requested that the Special Investigation Division (SID) of the Supreme Prosecutors Office conduct telephone surveillance on the Legislative Yuan. The Democratic Progressive Party has offered no evidence for its accusations in this regard, which are categorically unfounded.

(2) Legal surveillance on only one individual phone, not the entire Legislative Yuan phone system

In practice, wiretapping a group of discount-rated phone lines requires that an application be filed for all numbers in the group, or the purpose of surveillance cannot be achieved. The SID applied for only one number, and thus did not record any telephone conversations, indicating that at the time the SID must have assumed that the number 0972-xxx-xxx was a telephone that the Legislative Yuan had assigned to an individual, and must not have been aware that it was a number under the Legislature's discount-rated telephone group.

(3) Preliminary investigation indicates Legislative Yuan not the object of SID surveillance

The Legislative Yuan switchboard has dozens of numbers; if the purpose were to conduct telephone surveillance on the Legislature, all the numbers would have to be wiretapped. The SID applied to wiretap only one of the numbers, and ended surveillance on the 30th day when the court-ordered time limit for wiretapping had ended. Wiretapping

on several other phone numbers, which was applied for at the same time, was continued. The ministry's initial understanding is that the Legislative Yuan was not the object of the SID's surveillance. The MOJ task force investigating the case will determine whether any responsibility was incurred in this regard.

(4) Watergate totally irrelevant

The SID's applications to the court for wiretapping warrants were all made according to due process of law. Comparisons cannot be made with the Watergate case in the U.S., in which buildings were illegally entered to install listening devices. The two cases are completely different, and the analogy is entirely inappropriate.

(5) Purely a judicial, not political, matter

The present case arose out of an SID investigation into other crimes, in which it was discovered that a legislator may have been involved in influence peddling in a parole case. Applications for wiretapping were thus made to follow the evidence trail. The case is thus a judicial matter having nothing to do with political infighting.

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