

Minister Chen Ming-tong Reiterates at MOI Press Conference that the Anti-Infiltration Act will not Affect Cross-Strait Exchanges

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Mainland Affairs Council (MAC) Minister Chen Ming-tong, Deputy Minister of the Interior Chen Tsung-yen, and Deputy Minister of Justice Chen Ming-tang held a joint press conference today (January 8, 2020) to further explain and dispel doubts regarding the Anti-Infiltration Act. The press conference was held in response to a series of recent media reports on the impact of the Anti-Infiltration Act on cross-Strait exchanges and claims by certain political parties during a series of press conferences that the Act is "green terror" in execution and labels people as "communist sympathizers." Minister Chen reiterated that the Anti-Infiltration Act aims to counter infiltration. It will not affect cross-Strait exchanges, instead, it safeguards normal cross-Strait exchanges and ensures business, study, travel, religious exchanges, and other activities between the two sides of the Strait return to normal operations. Minister Chen said that taking into account of the misunderstandings of certain political parties toward the Anti-Infiltration Act and the doubts raised among the general public, the administrative agencies have a duty to clarify those misperceptions and help the public better understand the Anti-Infiltration Act.

Minister Chen said that the MAC views the Anti-Infiltration Act as a corrective measure to ensure normal cross-Strait exchanges and reduce politically-motivated infiltration and intervention by Beijing. The Act prevents hostile external powers from engaging, through local collaborators, in illegal lobbying and election campaigning, disrupting rallies and assemblies, and making political donations. Such actions are already considered illegal under current laws and the Anti-Infiltration Act aims to further protect these five areas most central to democracy. The Act will not punish actions of negligence, but only of intention, Penalties are also limited to actions involving both "infiltration" and "violation of the law". People will not be lightly incriminated; claims that the Act is "sweeping in scope" and will lead to "green terror" are overstated.

Minister Chen indicated that scholars and experts from certain political parties believe that the Anti-Infiltration Act will undermine cross-Strait exchanges, however, this actually

misidentifies the root of the problem. On January 2nd last year, the Chinese Communist Party (CCP) unilaterally laid out the "two systems model for Taiwan" to accelerate its unification process. The ROC government has always protected Taiwan's sovereignty. People should instead look into the reasons underlying the mainland Chinese leader's political urgency. Taiwan is at the forefront of democracies facing the political agenda actively advanced by Beijing, with the world closely watching Beijing's infiltration of Taiwan, the government cannot simply turn a blind eye. The opposition parties should join forces with the ruling party in guarding against CCP's infiltration and righting the order of cross-Strait exchanges so as to demonstrate their "loyalty" to this nation.

Regarding public concerns over the impact of the Anti-Infiltration Act on various cross-Strait exchanges, Minister Chen said that the Act will correct the order of exchanges and guarantee normal cross-Strait interactions. For example, Taiwanese businesspeople conduct business in mainland China to make money, yet they also stimulate growth and create jobs in mainland China. The Anti-Infiltration Act can serve as protection for Taiwan businesspeople from CCP carrying out its political agenda, and thus ensure Taiwanese businesspeople's peace of mind in their operations. Minister Chen also pointed out that the Anti-Infiltration Act will not affect Taiwanese students receiving scholarships from mainland China either. Scholarships are given with the purpose of encouraging students to focus on their studies. Yet if the CCP presented scholarships and then demanded students to make political contributions to specific candidates, students should rightly refuse, and with the Anti-Infiltration Act in place to provide as insulation against CCP threats, it protects students from any disturbance to their studies.

Minister Chen also said that normal cross-Strait religious exchanges would be restored. Be it worshipping of Mazu, Xuantian Shangdi or Guan Gong, the Anti-Infiltration Act would prevent religious exchanges from harboring political purposes. Regarding the concerns raised by organizations for Mainland spouses saying that people treated during family visits to the Mainland could run afoul of the law after returning to Taiwan, Minister Chen emphasized that "home is home, whether that be one's parent's home or the home of their husband's family." Mainland spouses visiting their families back home and even meeting with local officials showing concern over their wellbeing are all but natural norms, such actions do not constitute a crime unless infiltration behavior has been committed.

Regarding public concerns over whether the executive branch could arbitrarily incriminate people under the Act, Minister Chen stated that, according to stipulations of the Anti-Infiltration

Act, administrative agencies of all levels enjoy only the right to report violations and must transfer all such cases to the prosecutors for investigation. All cases must undergo a three-level trial process, and the courts alone have the authority and duty to determine them. Cases involving criminal liability are taken seriously, and must undergo careful gathering of evidence and investigation procedures by the judiciary. Minister Chen also emphasized that Taiwan is a democratic and open society with separation of powers and oversight of the "fourth estate", the press and public opinion, social pressure prevents any abuse of power by the executive branch.

During the press conference, Deputy Minister of Justice Chen further explained the legal aspects of the Anti-Infiltration Act. He emphasized that the types of behavior regulated by the Anti-Infiltration Act are specific, clear, and already prohibited under currently existing laws. People engage in regular activities, unrelated to these five types of illegal behavior, should not be concerned. Deputy Minister of the Interior Chen also stressed that the Anti-Infiltration Act provides better guarantees for cross-Strait exchanges and that outside parties should not continue to misinterpret the Act and mislead the society and people with inaccurate information.