

MAC Invites Criminal Law Scholar Lin Yu-hsiung to Present Keynote Speech and Deeply Examine the Current Status of National Security Laws and Regulations with National Security Enforcement Teams

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The Mainland Affairs Council (MAC) recently invited Professor Lin Yu-hsiung of the College of Law at National Taiwan University to deliver a keynote speech on "Criminal Law Countermeasures to National Security Threats." The MAC arranged the speech to deeply examine the current status of regulations and implementation of Taiwan's national security legal system in response to changes in domestic and international circumstances. The event was joined by staff of the MAC and relevant members of the National Security Bureau, Ministry of Justice, Supreme Prosecutors Office, Taiwan High Prosecutors Office, Investigation Bureau, Military Police Command of the Ministry of National Defense, Political Warfare Bureau, and other national security enforcement teams. Professor Lin provided an in-depth analysis of various national security and criminal issues and offered several suggestions on policies and legal amendment. He emphasized that national security threats have become a daily occurrence. He also urged the Taiwanese people to be on heightened alert and work together to safeguard our national security.

Professor Lin's analysis revealed that as technology evolves, threats posed by the Chinese Communist Party (CCP) to Taiwan have become more diverse. The threats encompass not only the development of organizations and espionage activities targeting Taiwan's national secrets and core key technologies, but recently also the increased cyberattacks, misinformation and disinformation campaigns, the undermining of critical infrastructure, and other tactics aimed at disrupting Taiwan's democracy and social order.

Addressing public concern about lenient sentencing in CCP espionage cases, Professor Lin stated that most "espionage" acts prompting judicial investigations are considered at the stage of "developing organizations," and can therefore only be prosecuted as such offenses under our National Security Act, rather than as treason under the Criminal Code. Professor Lin recommended that, in addition to amending the law to impose heavier penalties and reviewing sentencing standards, the government should strengthen advance and follow-up administrative control regulations and measures. It should also comprehensively enhance the investigative methods and techniques used by law enforcement agencies in national security cases, employing more active and high-tech investigative approaches to overcome the current difficulties in gathering evidence and prosecuting cases.

MAC Minister Chiu Tai-san indicated that the CCP has long exploited Taiwan's democratic and open society to advance its united front infiltration and divisive interference in all walks of life. In response, the government has amended five national security related laws and formulated the Anti-infiltration Act. It continues to conduct rolling reviews on relevant regulations to keep up with overall developments and effectively maintain national security. Minister Chiu further encouraged all national security personnel to diligently enforce the law and take advantage of various learning opportunities to continuously enhance their professional knowledge and enforcement capabilities, thereby better meet society's expectations in safeguarding national security.