

## **CCP to Implement New Version of “Law on Guarding State Secrets” Starting May 1; Taiwan Government Urges Citizens to Reconsider Travel to Mainland China Due to Increased Risks**

MAC Press Release No. 019

The Mainland Affairs Council (MAC) issued the following statement regarding a new version of the Chinese Communist Party’s (CCP) “Law on Guarding State Secrets” due to take effect on May 1, 2024. This version of the law significantly expands the definition of “state secrets” and the scope of the entities obligated to maintain confidentiality. Taken together with the long-standing lack of transparency of rule of law in mainland China, vagueness of the provisions and high uncertainties of this law have greatly increased potential legal risks for travelers and have sparked concern and unrest across all sectors. The MAC strongly urges Taiwanese citizens to carefully assess whether travel to mainland China is necessary.

The MAC also pointed out that in March, the Taiwan government used online social media platforms to promptly inform its citizens of the implications of the newly revised “Law on Guarding State Secrets” passed by mainland China’s National People’s Congress Standing Committee’s (NPCSC) on February 27, 2024. The amendments made to this law elevate risks for foreign agencies operating and investing in mainland China and put further strain on scientific research and collaborative exchanges that are non-profit and academic in nature. The MAC stressed that any data collected by Taiwan citizens or discussions in which they participate could, at the discretion of the CCP, be deemed harmful to the “interests of the State and its people,” and be considered to involve “state secrets,” even if it is intended for journalism, academic

research, business investment inquiries, or just a casual conversation with locals in mainland China. Additionally, the amendments introduced “work secrets,” a new offense defined as “any matter that, while not classified as a state secret, could have adverse effects if disclosed.” This type of vague provision lacks clear guidelines and could be easily violated.

The Taiwan government has consistently advocated for cross-Strait exchanges and interactions to uphold the principles of parity and dignity and be conducted in a healthy and orderly manner without political preconditions. Despite recent slightly warmer cross-Strait exchanges, monitoring of individuals traveling on exchanges to mainland China has been tightened through the CCP’s various legal means including enacting or amending national security regulations, such as the “Counter-Espionage Law,” “Law on the Administration of Activities of Overseas Nongovernmental Organizations,” “National Security Law,” and “Cybersecurity Law.” As a result, it is not uncommon for Taiwanese citizens and other foreign nationals to be falsely accused and deprived of personal freedom while participating in exchange activities in mainland China.

The MAC once again advises Taiwanese citizens to avoid unnecessary travel to mainland China, and for those who must travel to mainland China to consult the MAC’s recently issued “Reminders and Suggestions for Taiwanese Citizens Traveling to Mainland China” and thoroughly evaluate all risks, especially the risks to personal safety. Additionally, all Taiwanese citizens traveling to mainland China are advised to register their contact details with the MAC’s “Online Registration System for Taiwanese Citizens Visiting Mainland China” to ensure timely government assistance and to protect their rights during their travels.