

Who has been maneuvering to squeeze Taiwan's diplomatic space? Who has been saber-rattling and threatening Taiwan with coercion or use of force to settle cross-strait differences? And who has been employing various tactics — openly and clandestinely — with the aim of bringing Taiwan under its authoritarian rule and usurping Taiwanese's democratic way of life?

All these queries can be summed up in one short question: Who is Taiwan's enemy?

The answer is obvious: The Chinese Communist Party (CCP), which has made no secret of its ambition to degrade Taiwan and wipe the Republic of China (ROC) off the world map.

Despite this crystal-clear fact, backed by countless incidents of Beijing bullying, suppressing and harassing Taiwan, the nation's laws do not reflect this.

That is because the ROC Constitution defines China on the other side of the Taiwan Strait as "the mainland area," not a foreign country. As China is not considered a foreign country according to the ROC Constitution, it cannot be deemed an enemy state. As such, people convicted of spying for or colluding with the CCP cannot be charged with offenses against the internal and external security of the state stipulated in the Criminal Code, because the offenses are only applicable to crimes committed for an "enemy state."

After being left idling in the Legislative Yuan for more than a year, a draft amendment proposed by Democratic Progressive Party Legislator Wang Ting-yu (王廷瑜) to amend the Criminal Code to close this loophole has finally been put on the agenda for negotiations, with the first round of cross-caucus talks expected to begin today at the earliest.

The move is necessary and long overdue.

Over the years, the public has witnessed countless cases of people convicted of spying for the CCP let off easily because they cannot be charged with treason.

Know thine enemy

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For example, Chinese People's Liberation Army intelligence officer Zhen Xiaojang (陳曉江), who was convicted of organizing the largest Chinese spy ring in Taiwan, and retired ROC Army major general Hsu Nai-chuan (許乃川) one of Zhen's recruits, were given light sentences of a few years behind bars rather than heavier sentences, such as life imprisonment.

Wang's proposal seeks to expand the definition of treason to include collusion with an "enemy" — described in the proposal as any "country, political entity or organization that engages in armed conflict or a military standoff with the ROC," or "poses a military threat to the nation." In other words, it allows room to define the CCP, which harbors a hostile and malicious intent toward Taiwan, as an "enemy," without the need to amend the ROC Constitution at this point.

Wang's proposal, if passed, would allow people convicted of colluding with the CCP to be subject to heavy punishments, such as a life or death sentence.

It should be a matter of course that people convicted of colluding with the CCP to undermine Taiwan's defense and national security be deemed traitors and their conduct be treated as treason.

From tricks to openly hostile moves aimed at diminishing Taiwan's image and international presence, such as the Chinese People's Liberation Army (PLA) troops conducting military exercises around a five-story building with a tower resembling Taiwan's Presidential Office Building, to recent incidents such as the PLA Air Force conducting drills encircling Taiwan, with two of its aircraft crossing the median line of the Taiwan Strait — the CCP's objective to bring Taiwan into its fold is without doubt.

The CCP is not an imaginary enemy, and lawmakers across party lines should keep this in mind as they review Wang's proposal and form a consensus to beef up the nation's security net.

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