

## Prosecutor calls for stricter espionage laws

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Pointing to lenient sentences handed out in national security cases, Taiwan High Prosecutors' Office Chief Prosecutor Hsing Tai-chao (洪泰超) on Thursday called for stricter measures to deter espionage in Taiwan.

Hsing, a former Taipei district chief prosecutor, said that a review of more than 200 national security cases showed that none of the convicted defendants received a sentence of more than five years in prison.

Cases of people working on behalf of China to infiltrate government and military positions to obtain top-level and classified materials to undermine Taiwan's security are a serious concern that erodes public confidence in the nation's leadership, he said.

Since 2015, 222 people have been charged with contravening the National Security Act (國家安全法) or the Classified National Security Information Protection Act (國家安全情報保護法), he said.

Trials involving 81 people are still in progress, but 141 defendants have received final verdicts, with 137 found guilty, for a conviction rate of 99.3 percent, Hsing said.

Of those convicted of breaches of the National Security Act, 17 were sentenced to six months to two years in prison and two received two to five years in prison, he said, adding that none received a sentence of more than five years.

"So, in the majority of these cases where the defendant was convicted in a final ruling, they received up to a six-month sentence, or only a sentence for brief detention, which could be commuted to a fine, and they do not have to serve prison time," Hsing said.

For cases involving breaches of the Classified National Security Information Protection Act, all defendants in final rulings received a six-month sentence or less, which could also be commuted to a fine, he said.

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“These are breaches of our national security. Some of them have severe repercussions and have caused damage to our national defense and military preparedness to counter enemy threats,” he said.

“Prosecutors are worried that the courts are handing out lenient sentences, which have no deterrent effect, and would lead to further risks to our national security. Therefore, amendments to the law and more stringent measures are needed,” he added.

Some of the cases involved the leaking of information on Taiwan’s domestic missile program and troop deployment plans for the annual Han Kuang military exercises, Hsing said.

“These involved the theft of important state secrets, but they only received prison terms of less than six months, which would not deter future espionage activities,” he said.

“China has a number of government ministries and military agencies conducting espionage missions, sending agents to infiltrate Taiwan and recruiting Taiwanese to spy for them. It is not directed under one singular command,” he said.

China mostly targets retired military officers and intelligence officials, promising large monetary rewards, Hsing said, citing cases involving China’s Central Military Commission working to recruit retired pilots and other mid-rank air force officers to obtain classified material.

Another case involved the pursuit of information on Taiwan’s specialized weapon development programs, with China targeting personnel at the Armaments Bureau and contractors involved in arms procurement and military equipment sales, he said.

In one case, an intelligence officer in the Chinese Ministry of State Security entered Taiwan under an assumed identity to recruit retired Ministry of Justice Investigation Bureau and Military Intelligence Bureau (MIB) employees, Hsing said.

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An investigation also found that an intelligence agency in China's Fujian Province had befriended an MIB agent who was working undercover in China, he said.

After the official retired, he agreed to work for China and attempted to recruit active MIB personnel, and gained access to highly classified materials at the bureau, he added.

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