

TAIWAN'S RESPONSE TO DISINFORMATION

A MODEL FOR COORDINATION TO
COUNTER A COMPLICATED THREAT

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— FOREWORD —

Much like how 2016 was a watershed moment in U.S. politics due to the influence of social media on the presidential election, Taiwan's political world was shaken in 2018 by the role of social media in the midterm elections and the death of a diplomat. As described in greater detail within this report, the suicide of Su Chii-cherng and the election of Han Kuo-yu as Kaoshiung's mayor (the first Kuomintang candidate to win the seat since 1998) were strongly suspected to be the result of disinformation campaigns conducted by the People's Republic of China (PRC).

After these two shocking incidents, there was a groundswell of action across Taiwan within both the government and civil society. The result was not that disinformation in Taiwan ceased to exist but rather that its influence decreased. To what degree, it is hard to say, but the successful 2020 presidential election suggests that the combined actions by the government and civil society were effective.

Many reports on how Taiwan counters disinformation focus on identifying who the malign actors are, what false information they deploy, and how that information is disseminated. Rightly so, it is important to understand how harmful information is weaponized and spread. What has been less examined, however, is the approach that Taiwan's government took to counter disinformation, and how those policies interacted with the responses by civil society. What approach has Taiwan employed, and can it be replicated elsewhere? This report, written by Shih-Shiuan Kao, a legal researcher at Doublethink Lab, and coordinated by the National Bureau of Asian Research (NBR) while I had the privilege of managing the Taiwan portfolio, seeks to answer those questions.

The framework created by Taiwan's government comprises four facets: identification, debunking, combat, and punishment. Of these four facets, the first two have been implemented in Taiwan deftly and innovatively. Identification entails empowering and educating citizens to discern what is disinformation, thereby reducing the need for intervention. This part of the framework is manifest through media literacy programs. While the full impact is yet unknown, these educational programs will likely pay the most dividends over time. For debunking, Taiwan's government agencies have adopted rules such as using short, humorous responses to deflate rumors and streamlining the response time.

As for the remaining two policy options of combat and punishment, Taiwan faces challenges in effectively resolving the spread and influence of disinformation. Combating, or restricting, disinformation through the legislature has faced criticism from civil society and the judicial branch due to fears of limiting freedom of expression. Punishment also remains elusive, in large part because many of the actors disseminating false information are operating under false accounts or are farming out the content to other creators. In addition, the major law used to prosecute cases was originally used to enforce martial law in Taiwan, which makes it a controversial tool.

At the same time, several research organizations and fact-checking mechanisms have appeared across Taiwan's civil society. Examples include institutions such as Doublethink Lab and online tools such as the fact-checking bot for the popular messaging app LINE. In particular, the report highlights the work of Taiwan FactCheck Center (TFC), which was founded by journalists to help disprove false information. Summer Chen, TFC's chief editor, explained in interviews with the report's author how the various civil-society organizations operate separately from the Taiwan

government and prefer to keep a distance to maintain their independence. TFC regards its role as a watchdog to hold the government accountable to the general public. The critical missing element of Taiwan's responses to disinformation is within the social media platforms themselves. This is true across all societies, as large platforms continue to operate opaquely and release only limited raw data to researchers.

Disinformation is an ongoing, evolving issue that moves more quickly than most policymakers can respond to it and poses a critical threat to democracies. No democracy has articulated a clear and replicable policy response. That being said, civil society and government operating in mutually enabling ways is the basis for a "Taiwan model" that the United States and other mature democracies can learn from.

Melissa Newcomb
National Democratic Institute

Taiwan's Response to Disinformation

A Model for Coordination to Counter a Complicated Threat

Shih-Shiuan Kao

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EXECUTIVE SUMMARY

This report examines efforts by the Taiwan government and civil society to counter disinformation and argues that Taiwan demonstrates unique strengths but still faces significant challenges that demand solutions.

MAIN ARGUMENT

The Taiwan government established a team in the executive branch to oversee policies for countering disinformation and coordinate with other agencies. This team promotes a four-facet framework focused on identification, debunking, combat, and punishment. Three main characteristics can be observed from Taiwan's model to counter disinformation: (1) there is not a partnership between the society and government but instead civil society distances itself from the government, (2) civil society and government nonetheless operate in mutually enabling ways, and (3) the framework created by the team allows for a swift, coordinated response. Apart from these characteristics, Taiwan also faces several challenges, including (1) strong resistance to regulations and transparency from social media platforms, (2) the lack of capacity of relevant agencies (e.g., law enforcement and the judiciary) to deal with disinformation, and (3) the urgent need for methodologies to evaluate the scale, dynamics, and impacts of circulating disinformation and the effectiveness of countermeasures.

POLICY IMPLICATIONS

- For the enforcement of punishment-based regulations, checks and balances by the judicial branch remain crucial to prevent infringement on freedom of expression.
- To concretely evaluate the effectiveness of fact-checking, more data from platforms should be accessible to researchers and fact-checking groups. Further studies on the populations most susceptible to disinformation should also be conducted.
- Governmental and civil-society fact-checking organizations can reinforce each other while maintaining distance. To this end, the government could emphasize and promote the work of civil society while ensuring data transparency, creating guidelines, and making policy information accessible to the public.

According to the Australian Public Service Commission, some problems that demand policy attention are complicated threats (or “wicked problems”) that share similar characteristics. These problems are constantly evolving and require efforts beyond the capacity of any one agency or discipline to address.¹ Disinformation is one such threat with no easy policy solution.

In recent years, the People’s Republic of China (PRC) has waged a disinformation campaign against other countries, including the United States, with the dual aim of maintaining stability at home and imposing its “sharp powers” abroad.² Taiwan, given its history of constant political clashes with the PRC government, is on the front line of the Chinese disinformation campaign and is a “testing ground” for China to experiment with propaganda techniques before they are employed elsewhere.³ Taiwan also serves as a critical node for China to disseminate disinformation to other regions like Southeast Asia.⁴

Facing this pressing threat from China, Taiwan has adopted some approaches to countering disinformation that are noteworthy for being innovative while maintaining respect for a pluralistic civil society.⁵ As a newly democratized state, Taiwan has been passing through the “narrow corridor to liberty” in which society and the state must be delicately balanced.⁶ However, the tentative success of its liberal democracy has also been threatened by disinformation and systematic foreign influence operations.⁷ By examining Taiwan’s front-line efforts to counter disinformation, this report hopes to provide insights that are relevant for the United States and other democracies.

The Current Situation of Countering Disinformation in Taiwan

Taiwan has been aware of disinformation under the term “fake news,”⁸ following a series of journalistic reports on content farms⁹ and cognitive manipulation by microtargeting.¹⁰ However, it

¹ Australian Public Service Commission, “Tackling Wicked Problems: A Public Policy Perspective,” June 12, 2018, <https://legacy.apsc.gov.au/tackling-wicked-problems-public-policy-perspective>.

² For further discussion, see Jesse S. Curtis, “Springing the ‘Tacitus Trap’: Countering Chinese State-Sponsored Disinformation,” *Small Wars and Insurgencies* 32, no. 2 (2021): 229–65; Sarah Cook, “Welcome to the New Era of Chinese Government Disinformation,” *Diplomat*, May 11, 2020, <https://thediplomat.com/2020/05/welcome-to-the-new-era-of-chinese-government-disinformation/>; and David Shullman, ed., *Chinese Malign Influence and the Corrosion of Democracy: An Assessment of Chinese Influence in Thirteen Countries* (Washington, D.C.: International Republican Institute, 2019), https://www.iri.org/sites/default/files/chinese_malign_influence_report.pdf.

³ Aaron Huang, *Combatting and Defeating Chinese Propaganda and Disinformation: A Case Study of Taiwan’s 2020 Elections* (Cambridge: Belfer Center for Science and International Affairs, 2020), 8–9.

⁴ See Harper Ke and Lilly Min Chen Lee, “How China’s Infodemic Spreads to Taiwan and Southeast Asia,” Doublethink Lab, 2020.

⁵ See Jude Blanchett et al., “Protecting Democracy in an Age of Misinformation: Lessons from Taiwan,” Center for Strategic and International Studies, January 2021, 3–4.

⁶ The term “narrow corridor to liberty” is borrowed from Daron Acemoglu and James Robinson, *The Narrow Corridor: States, Societies, and the Fate of Liberty* (New York: Penguin Press, 2019).

⁷ For more details on the nature of these systematic foreign influence operations (specifically from China), see Blanchett et al., “Protecting Democracy in an Age of Misinformation,” 5–8.

⁸ For example, see “Chanye zhengfu gongmintuanti canyu iWIN qiaolian qixu dazao duofang zhili de wangjiwanglu huanjing tongshi NCC ye huyu meiti yu baodao xinwen shi ying zhuzhong shishi chazheng” [Industrial Government Citizen Groups Participate in the Relocation of iWIN and Hope to Create a Multi-Government Internet Environment. At the Same Time, NCC Also Calls On the Media to Pay Attention to Fact Verification When Reporting News], National Communications Commission (Taiwan), Press Release, January 24, 2017, https://www.ncc.gov.tw/chinese/news_detail.aspx?site_content_sn=3562&sn_f=37144.

⁹ See the local news report on the features of “fake news” by the content farms in “Jia xinwen changjue: Zi an gongsi ti liu da bianshi tezhen” [Fake News Is Rampant: Information Security Company Mentions Six Distinguishing Characteristics], *Apple Daily*, June 21, 2017, <https://tw.appledaily.com/life/20170621/2EMBI3LLTFQDFPUMBR6NGIU7HI>.

¹⁰ See the local news report on the effort by Cambridge Analytica during the 2016 U.S. presidential election and Brexit referendum in “Ni xiangbudao de yuanyin! Zhe jia dashuju gongsi shi Yingguo tuo ou yu chuan pu dangxuan de beihou gongchen” [The Reason You Can’t Think Of! This Big Data Company Is the Hero Behind Brexit and Trump’s Election], Meet, February 17, 2017, <https://meet.bnext.com.tw/articles/view/39831>.

was not until a tragedy caused by a series of systematic influence operations in September 2018 that mainstream society truly realized the harm of disinformation. A Taiwanese diplomat, Su Chii-cherng, stationed in Osaka, Japan, committed suicide after being accused of leaving hundreds of Taiwanese tourists stranded when Typhoon Jebi struck the Kansai airport in Osaka. The accusations were based on reports on social media that later proved to be fabricated and then amplified by politicians and online influencers.¹¹ The general public and the legislature were alarmed by the incident and called for changes.¹² The premier at the time, Lai Ching-te, promised to review current regulations and formed task forces (such as the Disinformation Coordination Team, described in later sections) to deal with the harm of disinformation when interpellated by the legislature.¹³ Two months later in November 2018, the results of the local elections (e.g., Han Kuo-yu winning the Kaohsiung mayoral race) and referendums on social issues (e.g., LGBTQ rights) frustrated both the ruling party and civil-society activists. It is widely believed that these elections were inundated with waves of disinformation orchestrated by the PRC.¹⁴ As a result, greater awareness of this threat now exists among civil society, the legislature, and the central government. Several local advocacy groups have been formed,¹⁵ while the government has submitted several bills to the legislature and strengthened existing public relations mechanisms to address circulating disinformation on different topics since 2019.

While government officials and civil-society actors have been eager to counter disinformation, this threat has continued to evolve, interfering with both the 2020 presidential election campaign¹⁶ and the response to the Covid-19 pandemic.¹⁷ The ongoing efforts by government officials and civil-society actors will be addressed in the following two sections, respectively.

Taiwan's Governmental Response to Disinformation

The Disinformation Coordination Team comprises multiple offices in the Executive Yuan, including the Office of Science and Technology and the Department of Cyber Security. The team is convened by Lo Ping-cheng, a minister without portfolio who is responsible for coordinating legal affairs, along with Audrey Tang, a minister without portfolio who is responsible for

¹¹ For more details on this incident, see Oiwen Lam, "Amidst Typhoon Rescue Effort in Japan, a Taiwanese Diplomat Dies. Did Misinformation Play a Role?" *Global Voices*, September 22, 2018, <https://globalvoices.org/2018/09/22/amidst-typhoon-rescue-efforts-in-japan-a-taiwanese-diplomat-dies-did-misinformation-play-a-role>. See also a chronology edited by Taiwanese netizens: "Daban yaoyan ruhe chansheng?" [How Did the Osaka Rumors Come About?], Northwestern University, Knightlab, <https://cdn.knightlab.com/libs/timeline3/latest/embed/index.html?source=1ro40uK2m7QZRuq5XiWQYO7XYHO5gYwvpPfdCx4O1xu0>. For an example of fabricated reports, see **Appendix 1** (in Chinese).

¹² For example, some legislators proposed a bill of amendment on the National Security Law to deal with systematic fabricated information. See Sean Lin, "Lawmakers Weigh In on Fake News, Diplomat's Suicide," *Taipei Times*, September 19, 2018, <https://www.taipeitimes.com/News/taiwan/archives/2018/09/19/2003700718>.

¹³ See Yu Xiang, "Pandian xianyou fagui duikang jia xinwen laiqingde: Lifayuan ben kuai qi queli fangxiang" [Inventory of Existing Laws and Regulations against Fake News: The Legislative Yuan Sets the Direction This Session], *Apple Daily*, October 2, 2018, <https://tw.appledaily.com/politics/20181002/EEI3DITWO5WKDAKMWOD33QV4YI>.

¹⁴ See Chien Li-Chung, Chung Li-Hua, and Jonathan Chin, "China Using Fake News to Divide Taiwan," *Taipei Times*, September 16, 2018, <https://www.taipeitimes.com/News/front/archives/2018/09/16/2003700513>. See also Yu Hua-Chen, "China's Meddling in the 2018 Taiwan Local Election," *Taiwan Insight*, December 11, 2018, <https://taiwaninsight.org/2018/12/11/chinas-meddling-in-the-2018-taiwan-local-election>. For further discussion of how the referendum campaigns became highly polarized, see Nick Aspinwall, "How Direct Democracy Went Nuclear in Taiwan," *Diplomat*, January 18, 2019, <https://thediplomat.com/2019/01/how-direct-democracy-went-nuclear-in-taiwan>.

¹⁵ For example, the advocacy group FakeNewsCleaner was formed just after the local elections to raise awareness of disinformation and to promote information literacy. More information is available at <https://www.fakenewscleaner.tw>.

¹⁶ See Lily Kuo and Lillian Yang, "Taiwan's Citizens Battle Pro-China Fake News Campaigns as Election Nears," *Guardian*, December 30, 2019, <https://www.theguardian.com/world/2019/dec/30/taiwan-presidential-election-referendum-on-ties-with-china>.

¹⁷ See Poyu Tseng and Puma Shen, "The Chinese Infodemic in Taiwan: A Preliminary Study on the Dissemination Model of Disinformation, Taking COVID-19 as an Example," Doublethink Lab, July 26, 2020, available at <https://medium.com/doublethinklab/the-chinese-infodemic-in-taiwan-25e9ac3d941e>.

coordinating digital affairs and the spokesperson of the Executive Yuan.¹⁸ Its mission includes drafting policies, interacting with major platforms, and leading interagency discussions. Important agencies involved in the discussions include the Ministry of Justice, the Ministry of Education, the Ministry of the Interior, the National Communications Commission, and the Central Election Commission, to name a few. In the beginning, the team collected existing regulations and literature from around the world and mapped out disputed issues for further discussion. After a series of interagency discussions from September to December 2018, the team proposed a three-element definition of disinformation that all agencies agreed to and a four-facet framework to develop policies for countering disinformation.¹⁹ Agencies assigned to each issue area were later instructed by the team to propose action plans, review their regulations, and propose amendments, if necessary.

The team has defined disinformation as information that satisfies three criteria:²⁰

1. *Malice*. When viewed subjectively, the disseminator of the information has malicious intent, driven by political or economic motives.
2. *Falsehood*. When viewed objectively, the content is demonstrably false.
3. *Harm*. The information leads to harmful consequences for personal, societal, or national interests.

Along with these three criteria, the team has proposed the following four-facet framework to develop countering policies:²¹

1. *Identification*. Citizens must be empowered to identify disinformation and make independent judgments.
2. *Debunking*. Misleading content must be debunked with timeliness, accuracy, and clarity.
3. *Combat*. Disinformation must be combated to contain the spread of harm across multiple platforms.
4. *Punishment*. The identities of malicious disseminators must be investigated so as to hold them liable, under the review of the judicial branch.

Creating a Framework

The Disinformation Coordination Team collected research and materials from around the world, such as a training handbook by UNESCO and a report by the European Commission,²² and most importantly existing domestic laws that counter some forms of harmful information.²³

Minister Lo Ping-cheng stated in an interview with the author that the team did not directly adopt any currently enforced regulations from other countries to develop its definition of

¹⁸ The spokesperson was Kolas Yotaka when the Disinformation Coordination Team was established. At the time of writing, Minister Lo had been assigned the post of spokesperson of the Executive Branch concurrently.

¹⁹ “Fangzhi jiaxunxi weihai yinying zuowei” [Countermeasures to Prevent the Harm of False Information], Foreign Affairs and Defense Legal Affairs Office of the Executive Yuan, December 13, 2018, <https://www.ey.gov.tw/Page/448DE008087A1971/c38a3843-aaf7-45dd-aa4a-91f913c91559>. For the summary diagram of the definition and framework, see **Appendix 2** (in Chinese).

²⁰ Tseng and Shen, “The Chinese Infodemic in Taiwan.” See also Executive Yuan (Taiwan), “Anti-Disinformation Policy Overview,” 2019.

²¹ Executive Yuan (Taiwan), “Anti-Disinformation Policy Overview.”

²² See Cherilyn Ireton and Julie Posetti, eds., *Journalism, “Fake News” and Disinformation: Handbook for Journalism Education and Training* (Paris: UNESCO, 2018), <https://unesdoc.unesco.org/ark:/48223/pf0000265552>; and European Commission, “Final Report of the High Level Expert Group on Fake News and Online Disinformation,” March 2018, <https://digital-strategy.ec.europa.eu/en/library/final-report-high-level-expert-group-fake-news-and-online-disinformation>.

²³ These included defamation (in the Criminal Code) and prohibition of influencing trading price by spreading rumors or false materials (in the Securities and Exchange Act).

disinformation. None of the mature democratic states that were surveyed had developed any concrete and stable legal definition of disinformation in general at that time. During the interview, Minister Lo explicitly mentioned that the team had been aware of legislation such as the Anti-Fake News Act in Malaysia or the Protection from Online Falsehoods and Manipulation Act in Singapore; however, it concluded that similar legislation would not be feasible in a country like Taiwan with robust protections for freedom of expression. What Minister Lo omitted was that Taiwan has a provision to punish the spreading of disinformation in general. That being said, this provision is less stringent than the legislation in authoritarian countries, and the judicial branch has provided a check and balance by upholding the importance of freedom of expression in many of its decisions.²⁴

More importantly, Taiwan's framework and definition do not legally bind all relevant regulations and policies but rather guide stakeholders and policymakers to develop strategies for different facets of countering disinformation. Policymakers might (and should) emphasize certain elements of the definition more than others. The team believed that responding policies should counter not only disinformation but also “disordered information” (*shi xu xun xi*) in general that may not always satisfy all three elements. Minister Lo uses the term “disordered information” to describe information that is false, distorted, or in any other way harmful to others or society. This includes disinformation, misinformation, and “disputed information” whose malice, falsehood, and harm cannot be determined *prima facie*.

For example, wide circulation of disputed information is enough to trigger the clarification mechanism of the Executive Yuan, but only disinformation that meets all three elements (explicitly described in specific regulations) would trigger an investigation and might be tried by the court. However, the team developed this definition based on existing domestic laws concerning disinformation (in different terminology) that are mostly criminal laws. Thus, the “malice-falsehood-harm” definition is best suited for developing regulations that hold the disseminator liable or trigger the obligation that requires containment of disinformation by the platform.²⁵

The Disinformation Coordination Team further developed the four-facet framework to limit the flow of disinformation. First, disinformation (or disputed information in general) must be identified by either the public or the government so that further actions can be decided. Second, the disputed information must be clarified by the relevant governmental agencies or fact-checked by independent organizations in as timely a manner as possible, without sacrificing accuracy. Third, for widely circulated and truly harmful disinformation, social media platforms and service providers should consider measures such as removing, downranking, geofencing, or displaying a warning. Fourth, those who knowingly and actively spread the harmful false messages shall be held liable so as to deter other potential disseminators, and the precise scope of the harm caused by that disinformation should be publicized.

The following discussion will describe the efforts by the Disinformation Coordination Team during 2018 to 2020 on each of the four facets of this framework.

²⁴ The tension between the freedom of expression and the enforcement of relevant provisions in Taiwan will be described in detail in a later section.

²⁵ In the criminal law system of Taiwan, *mens rea* is a prerequisite of an offense by default, unless the specific law describing the offense explicitly states otherwise (see Section 12 of the Criminal Code). Therefore, most current legislation related to disinformation in Taiwan need not explicitly require the existence of *mens rea* in the text because such a requirement is already assumed, and the burden of proof remains with the prosecutor. Specific crimes may require a higher standard for the subjective element like intention or intent.

Identification

The team set “identification” as the first facet of the framework to signify its importance. As the “upstream” measure of countering disinformation, identification is critical for empowering citizens to discern disinformation and thereby reducing the workload of other “downstream” measures. Yet it is also the facet that requires the most effort and resources and has the slowest response speed.

The response is closely related to the promotion of media literacy.²⁶ Therefore, policies focusing on identification have been developed by governmental agencies that have been familiar with media literacy promotion—for example, the Ministry of Education and the Directorate-General of Personnel Administration.²⁷ Media literacy has already been included in the latest Curriculum Guidelines of 12-Year Basic Education (promulgated in 2014 and implemented since 2019). In this document, one of the core competencies achieved by basic education is the ability to conduct interactive communication with peers, by “possess[ing] the ability to effectively use technology, information, and media of all types, develop competencies related to ethics and media literacy, and develop the ability to analyze, speculate about, and criticize humans’ relationships with technology, information, and media.”²⁸ Therefore, teachers of the primary and secondary education systems have to develop lessons and attend relevant trainings on media literacy to adhere to the curriculum guidelines. Additional policy responses developed by the team include training teachers and civil servants, supplying educational materials and lesson plans on media literacy for the basic education system, and cooperating with universities and NGOs to provide courses and lectures in lifelong learning institutes.²⁹

Clearly aware of the splintering nature of media outlets, the policies depicted above were developed to reflect the diversity of audience groups and channels.³⁰ Indicators for measuring the performance of media literacy promotion were also developed and included statistics on relevant activities, training, developed courses, and participants. However, these statistics cannot directly measure impact. The programs targeted diverse groups based on existing demographic categories such as age and education level but did not focus on groups especially vulnerable to disinformation. This information was not yet available when the indicators were developed.³¹

²⁶ For the introduction by the Ministry of Education (Taiwan), see “Zixun yu meiti suyang xiangguan shuoming” [Information and Media Literacy Related Instructions], Ministry of Education (Taiwan), <https://mlearn.moe.gov.tw/Connotation>.

²⁷ For the exact action plan on the promotion of media literacy, see Ministry of Education (Taiwan), *Jiaoyu bu 109 niandu tuidong meiti suyang jiaoyu xingdong fang'an* [Ministry of Education's 109 Annual Action Plan for Promoting Media Literacy Education] (Taipei, 2020). The Directorate-General of Personnel Administration is an agency responsible for the training and oversight of civil servants in the Executive Yuan.

²⁸ See Ministry of Education (Taiwan), *Curriculum Guidelines of 12-Year Basic Education* (Taipei, November 2014), 8.

²⁹ The most common institutes in Taiwan are “community colleges,” which are supervised by the Department of Lifelong Education in the Ministry of Education. See Executive Yuan (Taiwan), “Anti-Disinformation Policy Overview.” This issue was also discussed in the author interview with Minister Lo Ping-cheng.

³⁰ See Ministry of Education (Taiwan), *Jiaoyu bu 109 niandu tuidong meiti suyang jiaoyu xingdong fang'an*.

³¹ As far as the author is aware, only three pieces of research focus on the harm caused by disinformation in Taiwan. Two studies were conducted by Tai-Li Wang. For a case study of the 2018 local elections, see Tai-Li Wang, “Does Fake News Matter to Election Outcomes? The Case Study of Taiwan's 2018 Local Elections,” *Asian Journal for Public Opinion Research* 8, no. 2 (2020): 67–104, <https://doi.org/10.15206/ajpor.2020.8.2.67>; and for analysis of the relationship of voting behavior and the ability to discern the falsehood of “fake news,” see Tai-Li Wang, “Fake News and Democracy Crisis,” *Taiwan Democracy Quarterly* 16, no. 3 (2019): 155–62. The third piece is an online survey conducted by Lilly Min-Chen Lee, Po-Yu Tseng, and Shih-Shuan Wilson Kao, “Deafening Whispers: China's Information Operation and Taiwan's 2020 Election,” Doublethink Lab, 2021. More literature deals with the personality, ability of logical reasoning, or other features of the audiences for disinformation that is not specifically aimed at Taiwan's population. See, for example, Juliana K. Leding and Lilyeth Antonio, “Need for Cognition and Discrepancy Detection in the Misinformation Effect,” *Journal of Cognitive Psychology* 31, no. 4 (2019): 409–15; Colleen Wolverton and David Stevens, “The Impact of Personality in Recognizing Disinformation,” *Online Information Review* 44, no. 1 (2019): 181–91; Gordon Pennycook and David G. Rand, “Lazy, Not Biased: Susceptibility to Partisan Fake News Is Better Explained by Lack of Reasoning Than by Motivated Reasoning,” *Cognition* 188 (2019): 39–50; and Dora-Olivia Vicol, *Who Is Most Likely to Believe and to Share Misinformation?* (London: Full Fact, February 2020). None of the literature mentioned above was available to the Disinformation Coordination Team back in 2018.

The lack of understanding of which populations are most affected by disinformation, though understandable in the beginning, might make policymakers overestimate the effectiveness of their programs and overlook potential pitfalls or limitations. It is thus important to tailor the media literacy approach to each audience.

Debunking

Disinformation spreads more quickly and reaches farther than true information,³² which suggests that faster debunking will lead to greater harm reduction. Before the Disinformation Coordination Team proposed the framework, governmental agencies took around six to seven hours to approve and deliver press releases for clarification after disputed information had begun to circulate online.³³ These press releases were often written in a lengthy and obtuse style that was unpopular with the general public. The team therefore developed the following principles for debunking disinformation:³⁴

- *Humor over rumor.* All debunking messages shall be “packaged in such a way that the audiences cannot resist to share”—or in another word, “memeified.”³⁵
- *2-2-2 principle.* Each memeified debunking message shall contain no more than 20 characters in its title, no more than 200 characters in its content, and no more than 2 images appended.³⁶ This principle helps ensure that a message is delivered within an hour and can be easily read and shared within and across platforms.³⁷ Its implementation is currently one of the most important working indicators for evaluation of the debunking facet.
- *Delaying.* Each debunking message, while memeified by the group of community editors set up by each agency, would be directly reviewed (or often instructed in advance) by the spokesperson of the agency. Spokespersons are mostly deputy ministers, directors of the agencies, or people in other positions at a comparable level. They are thus familiar with the overall policy arrangements within their agencies and authorized to decide their stances on relevant affairs.³⁸ The 2-2-2 principle would not be achieved if the review process of debunking messages were not simplified by this delaying approach.
- *Coordination in advance.* All spokespersons of agencies within the central government are highly connected as a “system.”³⁹ This system continuously monitors the circulating opinions of the public (by groups of community editors within all agencies) and decides which agency is best suited for responding to disputed information. For “major policy issues,” the Executive

³² See Soroush Vosoughi, Deb Roy, and Sinan Aral, “The Spread of True and False News Online,” *Science* 359, no. 6380 (2018): 1146–51.

³³ The response time was reported by local news media. See Lin Shangzuo, “‘Jia xunxi’ pingjun lingxian 6 xiaoshi! ‘Zhenxiang’ zhuigan bu ji zhengwei yaoqiu guanyuan 1 xiaoshi nei chengqing chuli” [“False Messages” Lead by an Average of 6 Hours! ‘The Truth’ Can’t Catch Up. The Political Commissar Asks the Official to Clarify within One Hour], Storm Media, December 13, 2018, <https://www.storm.mg/article/709199>.

³⁴ See **Appendix 3** (in Chinese) for a message that was crafted and released according to these principles.

³⁵ See “‘Mi yin gongcheng’ shi duifu wang jun de hao banfa! Tang feng: 1 Xiaoshi nei jishi chengqing” [‘Memes Project’ Is a Good Way to Deal with the Cyber Army! Tang Feng: Clarify in Time within 1 Hour], Newtalk, December 8, 2019, <https://newtalk.tw/news/view/2019-12-08/337558>. See also Audrey Tang, “The Future of Democracy in Asia” (speech at Brookings Institution, Washington, D.C., January 29, 2021), https://www.brookings.edu/wp-content/uploads/2021/01/fp_012921-asia_democracy_transcript.pdf. In this speech, Minister Tang also provided one example of how messages to debunk memes are achievable.

³⁶ Ibid.

³⁷ For example, the Ministry of Internal Affairs has established the Guiding Principles of Timely News Clarification, which incorporate the 2-2-2 principle, and the ministry even requires the subordinate agencies to deliver debunking messages within 30 minutes when possible. See Wang Guanren, “Yimin shu su chengqing jia xinwen zan shi ‘222 yuanze’ xiaoying” [Immigration Department Quickly Clarifies Fake News, Commends the “222 Principle” Effect], *Liberty Times*, July 21, 2019, <https://news.ltn.com.tw/news/society/breakingnews/2859374>.

³⁸ Author interview with Minister Lo.

³⁹ “Spokesperson system” was the term used by Minister Lo during the author interview.

Yuan will use the system to coordinate efforts by relevant agencies to develop effective press releases and debunking messages in advance.⁴⁰

Along with the four principles discussed above, the Taiwan government has realized that transparency increases public trust. As a result, the executive branch is now more likely to provide relevant information than simply distribute propaganda, which enables the public-private partnership between the government and fact-checking mechanisms by civil society to operate smoothly. The government has also tried to negotiate with online platforms to counteract disinformation. These two efforts were included in the work description of the Disinformation Coordination Team as contributing to the debunking facet. However, Minister Lo has acknowledged that the fact-checking mechanisms by civil society cannot technically be counted as an “effort” of the team.⁴¹ Moreover, apart from the guidelines of self-regulation proposed by social media platforms, attempts to work with these platforms to impose more regulations and accountability have been strongly opposed and failed.⁴²

Combat

To reduce the spread of disinformation, the Disinformation Coordination Team suggested that containment of the dissemination, or “combat,” is as important as debunking. This facet of the framework has been the most controversial one and faces strong opposition from various stakeholders.

The team had instructed the Central Election Commission to propose two bills of amendments on election laws to strengthen measures to curtail disinformation. The first bill introduced provisions that require disclosure of contributors to and spending on election campaign ads and that ban foreign sponsorship of such ads.⁴³ The second bill introduced measures permitting a candidate to file a motion asking for a provisional injunction to restrain the dissemination of misleading campaign ads and requiring the court to respond within three days.⁴⁴ The second bill was strongly protested by the judicial branch, which objected that the legislation forces the courts to meddle in politics too much and that the courts are incapable of quickly deciding the

⁴⁰ Minister Lo cited the decision by the Taiwan government to relax restrictions on pork imports containing trace amounts of ractopamine (mostly from the United States) as an example of a “major policy issue.” This decision has been highly contested in Taiwan, and the opposition party (Kuomintang) even organized a referendum to counter this decision. In this case, the Executive Yuan directly coordinated relevant agencies (including the Ministry of Health and Welfare, the Ministry of Economy, and the Committee of Agriculture) with the Presidential Office to determine how to communicate with the general public on this topic. For more details of this decision, see “Taiwan Lawmakers Approve Imports of Additive-Fed U.S. Pork,” Reuters, December 24, 2020, <https://www.reuters.com/article/us-taiwan-politics-idUSKBN28Y0ZF>.

⁴¹ Taiwan FactCheck Center, which is the most important third-party fact-checking NGO in Taiwan and was interviewed for this report, has questioned whether “public-private partnership” is an adequate description for its role and mission as a civil-society actor. See the relevant section below for further discussion.

⁴² The guidelines were proposed by Facebook, Google, LINE, Yahoo! Taiwan, and PTT (Taiwan’s equivalent of Reddit) and the Taipei Computer Association (of which all these platforms, except PTT, are members). See Taiwan Association for Human Rights, “Bushì xunxi fangzhi yezhe zilu shijian zhunze” [Self-Regulation Practice Guidelines for False Information Prevention and Control Industry], June 2021, https://www.tahr.org.tw/sites/default/files/u87/190621_disinformation_code_of_practice_taiwan.pdf.

⁴³ Executive Yuan (Taiwan), “Xingzheng yuan han qing shen yi gongzhi ren yuan xuan ju ban mian fa bu fen tiaowen xiuzheng cao’an” [Letter from the Executive Yuan Requesting to Consider the “Draft Amendments to Some Provisions of the Law on the Election and Recall of Public Officials” and the “Draft Amendments to Some Provisions of the President and Vice President Election and Recall Law”], December 26, 2018, https://lci.ly.gov.tw/LyLCEW/agenda1/02/pdf/09/06/15/LCEWA01_090615_00101.pdf.

⁴⁴ Executive Yuan (Taiwan), “Xingzheng yuan han qing shen yi ‘zongtong fu zongtong xuan ju ban mian fa zengding bu fen tiaowen cao’an’ ji ‘gongzhi ren yuan xuan ju ban mian fa bu fen tiaowen xiuzheng cao’an’” [The Executive Yuan’s Letter Invites Consideration of the “Drafts for the New Part of the Law on the President and Vice President’s Election and Recall” and “Draft Amendments to Some Provisions of the Law on Election and Recall of Public Officials”], May 22, 2019, https://lci.ly.gov.tw/LyLCEW/agenda1/02/pdf/09/07/15/LCEWA01_090715_00045.pdf. This bill is inspired by French legislation that permits any person to file a motion to the court to stop the “dissemination of fake or misleading information online” and requires that the court rule within 48 hours. National Assembly (France), “Loi no. 2018-1202 du 22 décembre 2018 relative à la lutte contre la manipulation de l’information” [Law no. 2018-1202 of December 22, 2018 on the Fight against the Manipulation of Information], December 22, 2018, <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000037847559>.

authenticity of related campaign ads as the agencies of the executive branch do.⁴⁵ Both bills failed in the legislature.⁴⁶

The Disinformation Coordination Team further tried to increase the accountability of online platforms through an amendment of the Digital Communications Bill.⁴⁷ The new provisions suggested by the team were regulations that permit government agencies to file a request to the service providers (including social media platforms) to take down content that spreads disinformation violating existing laws, providing that the respective agencies also report such violations to the law-enforcement agencies. The service providers, under the suggested regulation proposals, would be obliged to comply with such request within 24 hours. The amendment quickly incited strong opposition from both social media platforms and NGOs for the lack of discussion and *ex ante* judicial review process.⁴⁸ For example, Asia Internet Coalition, an industry association whose members include Apple, Facebook, Google, LINE, Twitter, Yahoo, and Cloudflare, released a response statement on the suggestion for amending the Digital Communications Bill.⁴⁹ The Taiwan Association for Human Rights, a well-respected advocacy group, also released a statement opposing the suggested regulatory option.⁵⁰ The amendment was withheld by the Executive Yuan, and the bill did not pass the legislature.

The Digital Communications Bill provided safe harbor for platforms that react to a user's complaint of tortious content, while explicitly excluding all content liability for ISPs that do not in any way filter, arrange, or moderate content, essentially alleviating them of civil liability. According to the description of the bill, the respective provisions were inspired by the Manila Principles and the German Telemedia Act. However, from the perspective of Minister Lo, the relevant provisions were more similar to the safe harbor rules described in Section 230 of the U.S. Communication Decency Act of 1996 or in copyright laws (concerning the takedown of materials infringing on a copyright). According to the author interview with Minister Lo, such a design "provided a low degree of [internet] governance on these platforms." He added that this kind of "private interest-focused mode" of internet governance would not suffice to deal with the current infodemic and that another "public interest-focused mode" that involves more governmental intervention is needed.

⁴⁵ For the protest from the judicial branch, see, "Bu shi xuan ba guanggao zhi kan bo xianzhi, buyi you fayuan danren di yi xian shenhe jiguan xinwen gao" [It Is Not Advisable for the Court to Act as the First-Line Review Agency to Restrict the Publication of Advertisements for False Election Strikes], Civil Department of the Judicial Yuan (Taiwan), Press Release, May 17, 2019, <https://jirs.judicial.gov.tw/GNNWS/NNWSS002.asp?id=459197>. During the author interview, Minister Lo stated that he would like to re-evaluate this approach, as the opposition from the judiciary was strong and the efficacy of similar legislation in France had not been verified.

⁴⁶ Being more lenient, the first bill did not provoke opposition from the social media platforms; yet it still was not enacted because of the turbulent political climate during 2019. It is also worth noting that measures taken by Google and Facebook on campaign ads in Taiwan (namely, requirement of disclosure of spending or temporary suspension of all political ads) might help reduce the circulation of disinformation.

⁴⁷ The Digital Communications Bill was a draft of a new legal framework focusing on the internet, prepared by the National Communications Commission, and submitted to the legislature in 2017, when disinformation was not yet a grave concern of policymakers.

⁴⁸ Platforms and NGOs often cited the Manila Principles, which state that "content must not be required to be restricted without an order by a judicial authority." In response to this critique, Minister Lo stated in the author interview that he is well aware of the principles, but believes that the courts are unlikely to be capable of deciding these requests quickly enough to contain the dissemination of disinformation in a timely manner.

⁴⁹ See Jeff Paine, "AIC Submits Industry Response on Taiwan's Draft Digital Communications Act (12 December 2018)," Asia Internet Coalition, December 12, 2018, https://aicasia.org/wp-content/uploads/2018/12/AIC-Statement_Taiwan%E2%80%99s-draft-Digital-Communications-Act-bill.pdf. See also Jane Rickards, "The Battle Against Disinformation," American Chamber of Commerce in Taiwan, August 21, 2018, <https://topics.amcham.com.tw/2019/08/battle-against-disinformation>. Facebook, LINE, and Google continued lobbying the legislature of Taiwan, including the office in which the author served during that time.

⁵⁰ See "Gei xingzheng yuan de gongkaixin: Hanwei yanlun ziyou cai shi duifu jia xunxi de wuqi" [Open Letter to the Executive Yuan: Defending Freedom of Speech Is the Weapon against False Information], Taiwan Association for Human Rights, December 14, 2018, <https://www.tahr.org.tw/news/2362>.

One successful, yet more controversial, attempt by the government to counter disinformation through existing regulations in this “combat” facet was the rejection of license renewal for Chung T’ien News (CTi News) by the National Communications Commission in November 2020. CTi News was a pro-China television channel owned by Want Want China Times Group and was alleged to be a local agent of the PRC government by the defected Chinese spy Wang Liqiang.⁵¹ Along with adopting a pro-China stance that often clashed with the Tsai administration, CTi News had violated media regulations on 25 occasions since 2014, 12 of which were violations of the fact-verification principle required by the respective law.⁵² CTi News further failed to effectively enforce its own regulations and control mechanisms to prevent these violations. Finally, the exact contents of CTi News were decided by Tsia Eng-meng, the chairperson of the Want Want China Times Group, which violated its own internal rules.⁵³ The National Communications Commission held an unprecedented hearing to decide whether to approve the license renewal, and most of the reviewers suggested that the application should be denied.⁵⁴ CTi News and the opposition party Kuomintang claimed that the commission’s decision to not renew the license was politically prejudiced and infringed on freedom of media, while many NGOs from civil society rejected such claims.⁵⁵

In sum, the government’s efforts on the combat facet, while covering various domains, have mostly failed to make progress against the dissemination of disinformation. Most of the proposed measures have faced strong opposition from various stakeholders, including courts, social media platforms, and NGOs.

Punishment

In contrast with identification, punishment deals with the harms that have already occurred and been worsening. Though it might seem to be the most intuitive response to the infodemic, the deterrent effect of punishment is the hardest to measure and explain.

Several pieces of legislation have been introduced and promulgated, mostly provisions prescribing penalties for spreading disinformation on specific topics that cause specific harm.⁵⁶ However, one of the most commonly used provisions to punish dissemination of disinformation is the Social Order Maintenance Act, which has not been amended since its promulgation in 1991. The Social Order Maintenance Act is a police law that punishes various misdemeanors.

⁵¹ See Nick McKenzie, Grace Tobin, and Paul Sakkal, “The Moment a Chinese Spy Decided to Defect to Australia,” *Age*, November 23, 2019, <https://www.theage.com.au/national/the-moment-a-chinese-spy-decided-to-defect-to-australia-20191122-p53d0x.html>.

⁵² See Satellite Broadcasting Act, National Communications Commission, § 27 II and III (4), June 13, 2018, <https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=P0050013>. The most extreme violation by CTi News is the apparently intentionally false report on receiving a fine from NCC. For details, see Shelley Shan, “NCC Fines CtiTV NT\$1.6m for Fact-Checking Failures,” *Taipei Times*, July 25, 2019, <https://www.taipetimes.com/News/taiwan/archives/2019/07/25/2003719299>.

⁵³ See “Guojia tongxun chuanbo weiyuanhui jueyi yuyi bohui Zhongtian xinwentai weiguang shiye zhizhao huanfa shenqing” [The NCC Had Decided to Reject the Satellite Broadcast License Renewal Application from the CTiTV], National Communications Commission (Taiwan), November 18, 2020, https://web.archive.org/save/https://www.ncc.gov.tw/chinese/news_detail.aspx?site_content_sn=8&sn_f=45332.

⁵⁴ “Scholars, Lawyer Butt Heads in NCC Heading on CtiTV License Renewal,” *Focus Taiwan*, October 26, 2020, <https://focustaiwan.tw/politics/202010260009>.

⁵⁵ See “Taiwan: The Non-Renewal of CTi News Channel’s License Does Not Go Against Press Freedom,” *Reporters Without Borders*, November 20, 2020, <https://rsf.org/en/news/taiwan-non-renewal-cti-news-channels-licence-does-not-go-against-press-freedom>. See also Chen Boyang, “Zhongtian tingzheng hui Taiwan renquan cujin hui zuowei jiangdingren zhi yijian shu” [CTi News Hearing Opinions from the Taiwan Association for the Promotion of Human Rights as an Expert], Taiwan Association for Human Rights, October 26, 2020, <https://www.tahr.org.tw/news/2809>.

⁵⁶ The full list of these regulations can be found in Blanchette et al., “Protecting Democracy in an Age of Disinformation.” The newly introduced Anti-Infiltration Act also indirectly deals with disinformation by prohibiting the agency of “source of infiltration by external hostile force” (i.e., by the PRC and its affiliates) to organize political events, contribute political donations, and lobby elected officials and lawmakers. However, the Anti-Infiltration Act does not create any new prohibition provisions but only increases penalties that were already described across different existing laws. Moreover, the introduction of the act was not part of the legislation developed by the Disinformation Coordination Team.

It replaced the Act Governing the Punishment of Police Offences, which was part of martial rule and declared unconstitutional and void in part twice by the Constitutional Court. The Social Order Maintenance Act has often been criticized by scholars, civil-society groups, and politicians as the remnant of stringent social control of martial rule. Section 63 (5) states that “people [who spread] rumors in a way that is sufficient to undermine public order and peace... shall be punishable by detention of not more than three days or a fine of not more than NTD 30,000.” The text of this article is ambiguous and does not specify topics of “rumors” that shall be held liable. The interpretation of this text by the courts is far narrower than the plain reading might suggest.⁵⁷ In recent years, the courts in Taiwan have construed the phrase “sufficient to undermine public order and peace” in this article as meaning “sufficient to incite panic,” with the clear intention to protect freedom of expression.⁵⁸ Only 21% of the cases referred to the courts were deemed punishable in 2020.

Similar trends can be observed in cases decided on other newly implemented legislation, though the conviction rates are slightly higher.⁵⁹ The Disinformation Coordination Team has not established any indicators nor evaluated the deterrence effects of this newly implemented or existing legislation. However, Minister Lo has not been surprised by these trends, which he believes demonstrate the fact that the judiciary branch in Taiwan is truly independent and the courts provide an effective check on matters of freedom of expression. Although only some of the investigated or prosecuted cases result in convictions, Minister Lo believes that the cases are a deterrent to potential offenses and help educate the public on the harm of false speech under certain circumstances.

Overall, the Disinformation Coordination Team has not overestimated the effectiveness of punishment-based legislation, given the limited number of cases reported to law-enforcement agencies (which are not capable of dealing with all of them) and the low number of cases that go to trial and result in conviction. While the current punishment-based laws are far from ideal and seem to be somewhat inefficient, the intention of existing policies for punishing disinformation is to educate (or deter) the public and preserve freedom of expression in civil society.

Taiwan’s Civil-Society Responses to Disinformation

While Taiwan has adopted a whole-of-society approach to counter disinformation, the dynamics between civil society and the government are more nuanced than the term “civil-government partnership” may suggest. There are many actors from civil society who engage in responding to disinformation in Taiwan, and Taiwan FactCheck Center (TFC) is among the most important. As a nonprofit founded in 2018 by the Association for Quality Journalism and

⁵⁷ Since Section 63 (5) describes detention as a possible punishment of the offense, the police cannot impose the punishment by themselves but must immediately refer the case to the courts, according to Sections 43 and 35 of the same act (see also Section 8 of Taiwan’s constitution on the protection of personal freedom). The courts, therefore, exercise ex post judicial review of these cases and reduce possible encumbrance on freedom of expression.

⁵⁸ For example, courts often cite Judicial Interpretation No. 509 by the Constitutional Court in their decisions on Section 63 (5). This judicial interpretation is one of the most important precedents delineating the nature of freedom of expression. By citing it in their decisions, especially in acquittals, courts signal their perceptions on this subject matter.

⁵⁹ According to internal ad hoc statistics provided by the office of Minister Lo, around 400 cases related to Covid-19 disinformation were investigated by the Ministry of Justice Investigation Bureau. Only 77 cases were referred to the prosecutors, with 44 of those resulting in conviction and 30 being deferred prosecuted. Around 1,000 cases related to overall disinformation were investigated by the police from January 2019 to November 2020. Of the 766 cases referred to the prosecutors or juvenile courts, 543 were decided, while only 158 cases were indicted (including cases of deferred prosecution and summary sentence).

Taiwan Media Watch, TFC established a code of principles and acquired certification from the International Fact-Checking Network after three months of operation.⁶⁰ Since then, it has built a reputation for prudent responses on disinformation not only by clarifying whether relevant messages are accurate, partially false, or completely false but also by elaborating on the fact-checking process with rationales for decisions. TFC thus can serve as a case study of the role of civil-society actors.

In the following subsections, three main questions about civil society will be addressed. First, what is the overall civil-government partnership in countering disinformation in Taiwan? Second, what is the role of social media platforms in curtailing disinformation from the perspective of civil society? Third, how does civil society evaluate the efficacy of measures to counter disinformation? To answer these questions, efforts and obstacles faced by TFC will be discussed. In addition, some research conducted by Doublethink Lab that does not focus on fact-checking but on disinformation in general will help shed light on related phenomena.

The Civil-Government Partnership to Counter Disinformation

Summer Chen, the chief editor of TFC, stated in an author interview that TFC focuses on verification of facts, which is important because accurate information is what makes constructive debate possible in a democratic society. She further suggested that even though the Taiwan government acknowledges the efforts by civil society,⁶¹ sometimes the government is less transparent and tensions with civil-society actors arise. Chen elaborated that the term “civil-government partnership” stresses collaboration, while TFC essentially observes and audits the government for the public in general (with the exception of its activities to promote media literacy, which somewhat more closely resemble collaboration).

Other actors in civil society also exert their efforts for the public. For example, experts interviewed by TFC for disinformation clarification would explain why some messages are nonsense, such as that Covid-19 could be transmitted by mosquito bites, while other messages are “providing false solutions along with correct background information,” such as that myocardial infarction could be relieved by simply biting one’s finger.⁶² These experts and TFC have acknowledged that not only the conclusion of correctness (or truthfulness) but the rationale of how the conclusion was reached could help the public get rid of anxiety and effectively eliminate dissemination of disinformation.

Although TFC does not directly promote media literacy education, one of its founders, Yuan-Hui Hu, who is a professor in the Department of Radio and Television at National Chung Cheng University, interacts with the government, the platforms, and other actors on this issue. For example, he curated a media literacy resource collection and introduced Google to allocate

⁶⁰ The code of principles includes criteria for selecting cases (reported from the netizens) and responding, the process of fact-checking, and the workflow of internal quality control. See “Chahe zhunze” [Check Criteria], Taiwan FactCheck Center, <https://tfc-taiwan.org.tw/about/principle>. TFC also explicitly states that it declines to receive donations from governments, politicians, or political parties to preserve its independence, and that the fact-checking process will not be influenced by donors. See “Juankuan banfa” [Donation Method], Taiwan FactCheck Center, <https://tfc-taiwan.org.tw/about/donation>.

⁶¹ This tendency has been especially strong during the Covid-19 pandemic. For further discussion, see Summer Chen, “How Taiwan Fact Checking Groups Response to the Epidemic,” interview, Doublethink Lab, <https://infodemic.doublethinklab.org/transcript1.html>.

⁶² For an example of clarifying “nonsense messages,” TFC clarified that Covid-19 would not be transmitted through mosquitoes bites with an explanation from a top virologist. See Taiwan FactCheck Center, April 10, 2020, <https://tfc-taiwan.org.tw/articles/3596>. For an example of clarifying “messages providing false solutions along with correct background information,” TFC clarified that biting fingers would not relieve myocardial infarction with an explanation from a cardiologist. See Taiwan FactCheck Center, January 6, 2021, <https://tfc-taiwan.org.tw/articles/4900>.

resources to the National Community College Promotion Association for teacher training.⁶³ He also frequently comments on media literacy and disinformation-prevention policies, including as a consultant for the government.⁶⁴ In general, Dr. Hu is the person who speaks directly to government departments on policies, undertakes government procurements, and organizes educational activities, while TFC deliberately keeps a certain distance from the government.

The case of TFC shows that there is not a typical civil-government partnership between Taiwan's government and civil-society actors on countering disinformation. More often, important members of NGOs interact with the government on disinformation or media literacy affairs, while the organization itself maintains distance from the government. By such practice, civil-society actors can maintain a reputation for independence and integrity and will not be perceived by the public as the government's mouthpiece.

The Role of Social Media Platforms in Curtailing Disinformation

International Fact-Checking Network certification has enabled TFC to collaborate with social media platforms such as Facebook so that its fact-check reports can be delivered on the platform. These platforms also provide some services (e.g., CrowdTangle) for fact-checking organizations. In addition, some platforms (e.g., Google) will provide training and invite lecturers for fact-checking organizations or community colleges.

However, the collaboration between TFC and these platforms also has its limitations. For example, Facebook's policy does not allow fact-checking of the words and deeds of politicians, even though the International Fact-Checking Network and many fact-checking organizations had suggested that "fact-checking politicians helps reduce their repetitive mistakes."⁶⁵ TFC stated that Facebook's principles of content moderation are too opaque and cannot be understood by fact-checking organizations.⁶⁶

In general, Taiwan's fact-checking organizations have established guidelines, credibility, and a certain degree of cooperation with platforms. However, the effort to prevent disinformation, especially disinformation related to politics, is still limited by platform policies. Such limitations may even erode the credibility of fact-checking organizations because audiences (especially those affected by disputed information) might conclude that they collaborate with the platforms, and thus serve as the mouthpiece of the powerful.⁶⁷

⁶³ See Chen, "How Taiwan Fact Checking Groups Response to the Epidemic."

⁶⁴ For example, Dr. Hu had been invited to the National Communications Commission to advise on how mass media should perform their due diligence on fact-checking. See National Communications Commission (Taiwan), Press Release, October 17, 2018, https://www.ncc.gov.tw/chinese/news_detail.aspx?site_content_sn=8&sn_f=40593.

⁶⁵ See Zheng Jingwen, "IFCN zongjian: Chahe zhengzhi renwu yanxing ke jiangdi chongfu cuowu" [IFCN Director: Checking the Words and Deeds of Politicians Can Reduce Repetitive Mistakes], Central News Agency, December 5, 2019, <https://www.cna.com.tw/news/ahel/201912050199.aspx>. For a summary on critiques by some fact-checking organizations on social media platform policies following the storming of the Capitol Building in the United States, see He Hui'an, "Meiguo guohuishanzhuang shijian zhihou: Neng cha or buneng cha she qun pingtai de 'zhengzhi renwu huomian ling' shou tiaozhan" [After the U.S. Capitol Incident: Can Check or Not Check, Social Platform's "Politician Immunity Order" Is Challenged], Taiwan FactCheck Center, January 19, 2021, <https://tfc-taiwan.org.tw/articles/4948>. For the exact fact-checking program policy of Facebook, see "Program Policies," Facebook, <https://www.facebook.com/business/help/315131736305613?id=673052479947730>.

⁶⁶ Author interview with Summer Chen. See also Chen, "How Taiwan Fact Checking Groups Response to the Epidemic."

⁶⁷ Full Fact, a fact-checking organization based in the United Kingdom, assessed whether debunking could somewhat reinforce belief in the debunked claims among audiences ("backfire effect") in March 2019 by reviewing related literature. See Amy Sippitt, *The Backfire Effect: Does It Exist? And Does It Matter for Factcheckers?* (London: Full Fact, March 2019). See also He Hui'an, "Xinzhe hengxin: Ni huo xiaoying cunzai ma?" [Believers Always Believe: Does the Backfire Effect Exist?], Taiwan FactCheck Center, December 9, 2019, <https://tfc-taiwan.org.tw/articles/1499>. In an author interview, Chen stated that she does not take such perceptions of "bad reputations" seriously because TFC "had already collected different 'labels' of 'being a propaganda machine' for different political stances." Therefore, the range of such perceptions "actually reaffirm[s] that TFC is indeed independent and does not serve for any political parties nor ruling regimes." Further local psychological or ethnological studies on the audiences of disinformation are urgently required to answer whether a backfire effect with respect to fact-checking is present in Taiwan and what strategies could be implemented if the effect is ever observed.

TFC also stated that platforms have not exerted enough effort to support fact-checking. Some platforms, for example, have not developed a formal collaboration with fact-checking organizations and instead rely on ad hoc collaboration. In addition, Chen believes that if the platform can accurately predict users' preferences based on their behavior in order to deliver advertisements or paid posts, it could use this model to accurately deliver fact-checking reports.

Dr. Hu has argued that, first, platforms must help mitigate disinformation dissemination through the internet to decrease damage to democracy and should create comprehensive and transparent appeal mechanisms that allow the public to understand how they handle disinformation. He explains: "We are not asking a platform to act as the 'arbiter of truth' who 'controls the content of speech' but rather to be a 'basic online garbage janitor' who cleans up harmful contents."⁶⁸ Second, while Taiwan is currently adopting a moderate stance toward the platforms by asking them to regulate themselves, the "self-regulation practice guidelines" proposed by five major platforms in Taiwan are "weak and vague" compared with the European Union's Code of Practice on Disinformation.⁶⁹ For example, the guidelines do not include facilitating research on disinformation, a clearer monitoring and evaluation mechanism, or specific measures on how to empower users to discern disinformation and promote good news on their services.⁷⁰ Third, the government should employ administrative guidance to require the platforms to fulfill their social responsibility, or even develop regulatory options, as the EU does, when these platforms fail to self-regulate themselves.⁷¹

While it is not fair to say that platforms like Facebook or Twitter make no effort to counter disinformation, they pay much more attention to eliminating coordinated inauthentic behavior in their services rather than eliminating disputed information.⁷² This approach focuses on the "behavior" of actors rather than on the "content." Eliminating coordinated inauthentic behavior is undeniably an essential measure to curtail disinformation; however, introducing more transparency on how such behavior is determined, how "harmful content" is defined, and how algorithms facilitate both the spread of disinformation and delivery of fact-checking clarification would be more effective in preventing and mitigating disinformation.

Evaluation of the Efficacy of Countering Disinformation in Civil Society

TFC thus far has not developed clear quantitative metrics for its efforts. However, Chen has noticed the following. First, when the fact-checking reports are released in response to sensitive

⁶⁸ See Shi Xiujian, "Zhenxiang shi shenme...Hu Yuanhui chou zu Taiwan di yi ge 'dujue jia xinwen' wangzhan dapo tong wen ceng xiaoying" [What Is the Truth...Hu Yuanhui Is Planning to Set Up Taiwan's First "No Fake News" Website to Break the Stratospheric Effect], Storm Media, September 14, 2017, <https://www.storm.mg/article/330301?page=3>.

⁶⁹ See Taiwan Association for Human Rights, "Bushu xunxi fang zhi yezhe zilu shijian zhunze." For comparison, see "Code of Practice on Disinformation," European Commission, <https://digital-strategy.ec.europa.eu/en/policies/code-practice-disinformation>.

⁷⁰ See Hu Yuanhui, "Pingtai zilu haojiao xiangqi jiandu jizhi wu ying wu zong" [The Platform's Self-Discipline Horn Sounded, and the Supervision Mechanism Disappeared], Foundation for Excellent Journalism, July 24, 2019, <https://www.feja.org.tw/47110>. For details of the guidelines, see "Code of Practice on Disinformation."

⁷¹ Recent developments in the EU can be observed in the ongoing Digital Service Act legislation, which does not directly regulate user content but rather strengthens the duty of compliance of self-regulation codes and mechanisms of independent oversight by asking enterprises to "mitigate systemic risks." For a detailed description of the scope of the legislation, see European Commission, Press Release, <https://ec.europa.eu/commission/presscorner/detail/en/QANDA202348>. See also Paolo Cesarini, "The Digital Services Act: A Silver Bullet to Fight Disinformation," MediaLaws, February 8, 2021, <https://www.medialaws.eu/verso-il-digital-services-act-the-digital-services-act-a-silver-bullet-to-fight-disinformation>; and Alex Engler, "Platform Data Access Is a Lynchpin of the EU's Digital Services Act," Brookings Institution, January 15, 2021, <https://www.brookings.edu/blog/techtank/2021/01/15/platform-data-access-is-a-lynchpin-of-the-eus-digital-services-act>.

⁷² Facebook, for example, defines coordinated inauthentic behavior as "coordinated efforts to manipulate public debate for a strategic goal where fake accounts are central to the operation." See Facebook, "February 2021 Coordinated Inauthentic Behavior Report," February 2021, <https://about.fb.com/wp-content/uploads/2021/03/February-2021-CIB-Report.pdf>. For an example of coordinated inauthentic behavior in Taiwan, see **Appendix 4** (in Chinese).

events, such as during a political election or at the beginning of the Covid-19 pandemic, these reports have been circulated widely. Second, the readers of the reports are not only from Taiwan but also from Hong Kong and other Chinese diaspora communities, including in Malaysia, the United States, and Australia. Third, TFC's workshops on fact-checking methodology are always very popular among the general public and teachers, which indicates that civil society is eager to learn about this topic.

For the purpose of developing quantitative indicators and grasping the whole picture of the infodemic, TFC suggests that more tools are needed to systematically monitor the circulation of disinformation on platforms rather than doing this manually or relying on feedback from users. TFC also hopes that there will be more research from academia or civil society on how the circulation mode of disinformation changed after the release of their reports and what kind of narrative structure is the most effective for clarification.

Doublethink Lab has also not yet developed quantitative metrics to measure impact. However, from pilot studies on the cognitive impacts of disinformation through online surveys of the audiences of disinformation, Doublethink Lab has identified four personas, each corresponding to different possible communication strategies.⁷³ The four personas include “persona A” (the apathetic office worker who is uninterested in politics and tends to align with people she has built rapport with); “persona B” (the cynical businessperson who believes that politicians only care about their own interests and do not take care of small and medium-sized enterprises); “persona C” (the credulous retiree who is prone to believe any information and would pass it to others out of fear); and “persona D” (the fanatic veteran who is a firm supporter of a specific political party, has the tendency to buy into any scandals about the opposite party, and feels obligated to share with others to solidify his own political ideology).⁷⁴ Second, through cognitive behavioral experiments, Doublethink Lab found that the source of information may not be important for people receiving media messages to determine the subjective credibility of the message. Instead, whether the content of the message is consistent with people's beliefs is often more important. Moreover, when the messages were delivered in a rational tone, these messages were more likely to be shared by recipients than those in an emotional tone.⁷⁵

In sum, civil society in Taiwan has not developed good metrics to evaluate the efficacy of measures to counter disinformation. Anecdotal and observed evidence suggests that Taiwanese society does show greater awareness of disinformation in recent years. However, more data from platforms should be accessible to researchers and fact-checking groups so that the scope of influence can be better estimated. More studies based on quantitative, qualitative, or ethnological methods also should be conducted so that the effects of different communication strategies can be carefully examined.

⁷³ Persona analysis is “a method for depicting the target audience in marketing planning or business design,” which is fit for disinformation audience analysis, since both marketing and disinformation are based on persuasion and cognitive nudges. It is worth noting that the determined personas are not descriptive statistics of demographic data from the audiences but rather “details describing the background, personality, and preferences of individuals.” See Lee, Tseng, and Kao, “Deafening Whispers,” 70–74. After Doublethink Lab obtained the cluster analysis results, it held several workshops for civil-society advocates, some of whom were already promoting fact-checking tools for the general public. Most participants agreed that these four personas of disinformation consumers are consistent with their own experience.

⁷⁴ See *ibid.*, 72–75.

⁷⁵ Chen Yun-Ju, Tseng Po-Yu, and Puma Shen, “Relating Credibility to Writing Style, Emotion, and Scope of Spread of Disinformation,” Working Paper, 2021.

What Makes Taiwan's Model Distinct?

The analysis in previous sections highlights three main characteristics of Taiwan's model to counter disinformation. First, there is not a "civil-government partnership" in Taiwan; on the contrary, civil society distances itself from the government. This helps civil-society actors earn the general public's trust in their independence and integrity and helps eliminate suspicions that they are part of the propaganda machines of the current government or certain political parties. While efforts by civil-society actors (including, but not limited to, research, fact-checking, and promotion of media literacy) may be utilized by the government, few civil-society organizations choose to closely interact with the public sector.

Second, civil society and the government operate in mutually enabling parallels. Taiwan's government has become more aware of the harm of disinformation, and high-profile cases increased awareness in society, creating the conditions to make intervention possible. However, the public sector and civil-society actors have mostly worked without close collaboration, though they have occasionally benefited from one another's efforts. Civil-society actors may cite the definition of disinformation coined by the Disinformation Coordination Team in the Executive Yuan to frame their works, and society's demands for the promotion of media literacy and fact-checking methodology have been largely facilitated by the requirement from the curriculum guidelines proposed by the government. Similarly, the government might cite work from civil society to debunk unfavorable disinformation or to elaborate on the necessity of combating disinformation and justify its policy agenda.

Third, the framework created by the Disinformation Coordination Team allows for a swift, coordinated response. However, while the four facets are effective and might be duplicated in other countries easily, they sometimes backfire. For example, rushing out debunking messages without prudent measures may erode public trust. The government once provided response materials containing factual errors. In another incident, it provided materials to a partisan who was sympathetic to online influencers, and the influencers released those materials early, which led to charges of favoritism and indecent propaganda among the public.

Apart from the unique characteristics of its own experiences, Taiwan also faces similar challenges to other countries in countering disinformation. First of all, resistance to regulations and transparency from the social media platforms is still strong, and Taiwan (like many countries) has little leverage to negotiate with them. Therefore, it is necessary to explore more innovative policy options and build international policy consensus to enable substantial negotiations between governments and social media platforms. Second, government agencies, especially law enforcement and the courts, lack the capacity to counter disinformation and are sometimes even resistant to dealing with the problem. While this obstacle remains to be addressed, policy stakeholders often face a dilemma: the public urges them to address the dire situation of disinformation more quickly; yet insufficient, incoherent, and imprudent policy response and enforcement also reaffirm the critique of the skeptical that combating disinformation is just another excuse to justify political persecution of dissidents. Although it is important to stress the harm of disinformation in order to raise awareness in the public (as well as in some governmental agencies that are still not aware of it), policy stakeholders, especially in the government, should be extremely careful in their enforcement to clearly distinguish between malign disinformation and political messages that were based on incorrect information or assumptions. Assertions by the government that certain

messages are disinformation (and therefore punishable by law) should be avoided unless all three elements of disinformation are undeniably present and can be recognized by the public.

Finally, there are still no methods to quantitatively measure the scale, dynamics, and impacts of circulating disinformation and to assess the effectiveness of approaches to countering disinformation. Such methods are urgently needed so that policy stakeholders and civil-society actors can develop concrete action plans and allocate resources adequately to mitigate the harm of this dangerous problem.

APPENDIX 1: THE KANSAI AIRPORT INCIDENT



SOURCE: Poyu Tseng and Puma Shen, "The Chinese Infodemic in Taiwan: A Preliminary Study on the Dissemination Model of Disinformation, Taking COVID-19 as an Example," Doublethink Lab, July 26, 2020, 18–19, 25–26, available at <https://medium.com/doublethinklab/the-chinese-infodemic-in-taiwan-25e9ac3d941e>.

APPENDIX 2: ANTI-DISINFORMATION POLICY OVERVIEW

防制假訊息之策略作為

STRATEGIES for COUNTERING DISINFORMATION

1. 定義 Definition

綜整我國既有法制對於不實訊息的規範意旨，並參考相關國家的類型定義，我們將「假訊息」定義為：行為人在主觀上基於特定意圖（如政治、經濟、國安等特定目的），且有將訊息散布於眾的故意【惡】，客觀上所製造、傳播、利用的訊息或事件；全部或部分可證明為不實【假】，因而造成個人、社會或國家法益產生危害或實害結果【害】；亦即假訊息應具備上述「故意、虛假、危害」三要素。

Taking into consideration the purposes of current regulations under Taiwan's legal mechanisms with regard to false information, and with reference to definitions used by other countries, we define disinformation as follows: Firstly, viewed subjectively, the perpetrator has a motive (e.g., political, economic, or national security-related) to spread information with malicious intent; secondly, viewed objectively, the message or incident that the perpetrator creates, disseminates, and uses, either in whole or in part, is demonstrably false; and thirdly, such information has the consequence of harming personal, societal, or national interests, or of doing actual material harm. All three of these elements must be present for disinformation to be defined as such.

2. 防制假訊息目標與原則

基於，我們依假訊息製造、傳播的行為順序及危害程度，分為「識假」、「破假」、「抑假」、「懲假」四個面向。

「識假」以提升公民識讀素養並養成獨立判斷能力為目標，由教育部統籌，秉持「透明、公開、信賴」為原則；「破假」為提升澄清機制效率同時推廣第三方查核機制，由本院新聞傳播處統籌，首重「即時、正確、有效」；「抑假」為強化公私協力避免假訊息散播的危害擴大，由國家通訊傳播委員會統籌，強調「法制與科技並重」；「懲假」係針對散播假訊息造成危害者課以法律責任，由法務部統籌，同時兼顧「安全與人權」。

Objectives and principles in countering disinformation

On this basis, we are responding to the production and dissemination of disinformation, and the harm it does, in four ways: identifying, debunking, combating, and punishing.

Identifying aims to improve citizens' civic literacy and cultivate their capacity to make independent judgements under the principles of transparency, openness, and trust; debunking means increasing the efficiency of clarification mechanisms and expanding third-party checks, with an emphasis on timeliness, accuracy, and effectiveness; combating means strengthening coordination between the public and private sectors to avoid the further spread of damaging disinformation, with an equal emphasis on legal mechanisms and technology; and punishing means making those who disseminate disinformation legally responsible for the harm they cause, while paying particular attention to striking the right balance between security and human rights.

識假

— IDENTIFY —

識別/辨認 警覺揪害
Identify/recognize Be alert to harm

提升公民識讀素養
養成獨立判斷能力
improve citizens' civic literacy, cultivate capacity to make independent judgments

透明、公開、信賴
Transparency, openness, trust

破假

— DEBUNK —

核查/釐清 澄清汙染
Check/clearify Clarify, remove the pollution

提升澄清機制效率
推廣第三方查核機制
increase efficiency of clarification mechanisms, expand third-party checks

即時、正確、有效
Timeliness, accuracy, effectiveness

抑假

— COMBAT —

抑制/移除 阻卻散播
Control/eliminate Block the spread

強化媒體平台協力
有效抑制危害擴散
strengthen cooperation across media platforms, effectively control the spread of harm

法制與科技並重
Equal emphasis on legal mechanisms and technology

懲假

— PUNISH —

規管/究責 溯源清理
Regulate, assign responsibility Track to the source to be cleaned

追究法律責任
公正獨立司法審查
Investigate legal liability, conduct impartial and independent judicial review

安全與人權
Striking the right balance between security and human rights

3
4

SOURCE: Executive Yuan (Taiwan), "Anti-Disinformation Policy Overview," 2019, <https://www.ey.gov.tw/Page/5B2FC62D288F4DB7/58fc25c7-125f-4631-8314-73b82c8c62b7>.



SOURCE: Su Tseng-chang, Facebook, February 7, 2020, <https://www.facebook.com/gogogoeball/photos/a.186955736269/1015711862290127>.

APPENDIX 4: EXAMPLE OF A COORDINATED DISINFORMATION CAMPAIGN ON SOCIAL MEDIA



SOURCE: Poyu Tseng and Puma Shen, "The Chinese Infodemic in Taiwan: A Preliminary Study on the Dissemination Model of Disinformation, Taking COVID-19 as an Example," Doublethink Lab, July 26, 2020, available at <https://medium.com/doublethinklab/the-chinese-infodemic-in-taiwan-25e9ac3d941e>.



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