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Freedom Of The Press - Taiwan (2011)

Status: Free
Legal Environment: 7
Political Environment: 9
Economic Environment: 9
Total Score: 25

Taiwan's media environment is one of the freest in Asia, with a vigorous and diverse press that reports aggressively on government policies and alleged official wrongdoing. But some journalists voiced fears that press freedom was backsliding in 2010. A growing trend of marketing disguised as news reports, a proposed legal amendment that would limit descriptions of crime and violence in the media, and licensing obstacles all contributed to these concerns.

The constitution provides for freedoms of speech and of the press, and the government and independent courts generally respect these rights in practice. In November 2010, the legislature considered amendments to the Children and Youth Welfare Act that would forbid descriptions or images of crime, drug use, violence, bloodshed, or lewdness, according to local news reports. Violating the law would result in fines as high as NT\$500,000 (US\$17,000). Journalists and press freedom advocates raised concerns that the proposed legislation could be interpreted to limit a broad range of legitimate reporting. At year's end, the draft was awaiting a second reading by the legislature.

Print media are free of state control, and following reforms in recent years, broadcast media are no longer subject to licensing and programming reviews by the Government Information Office (GIO). Media coverage is often critical of the government, though politically polarized; most media outlets are sympathetic to one of the two major parties. In November 2010, the media faced criticism for partisan news coverage. At a campaign rally on the day before municipal elections, a gunman shot and injured Sean Lien, son of Lien Chan, the former leader of the ruling Kuomintang (KMT) party. Television stations that tend to favor the opposition Democratic Progressive Party were rebuked for burying the news, while KMT-friendly stations were accused of violating election laws by tying the incident to campaign coverage, according to local news reports.

Some critics questioned the fairness of the broadcast licensing process. The National Communications Commission (NCC), which is tasked with awarding licenses, came under fire for setting roadblocks in the path of several media ventures. The commission repeatedly denied requests by Next Media, the parent company of leading news publications in Hong Kong and Taiwan, to launch a cable television station. The company is perhaps best known worldwide for producing sensational computer animations of news events and celebrity mishaps, which are posted on the website of the *Apple Daily* newspaper. In rejecting the application, the NCC cited its doubts that the proposed station, Next TV, would "fulfill the social responsibility"

expected of a broadcaster, an explanation that commentators described as subjective and open to broad interpretation. In late December, the NCC invalidated the license of another broadcaster, Era TV, charging that it had failed to distinguish advertising from programming content. The decision drew a complaint from Taiwanese legislators, who said that the punishment was disproportionate and arbitrary, according to local news reports. Other channels had committed similar violations without penalty, the legislators said.

Media owners can exercise considerable sway over the editorial content of their outlets. As commercial ties between Taiwan and mainland China deepened in 2010 with the signing of the Economic Cooperation Framework Agreement, press freedom advocates raised concerns that media owners and some journalists were whitewashing news about China to protect their financial interests. Critics perceived Beijing's influence in a column that ran on June 4 in the *Want Daily* newspaper. The column, which commemorated historical events on both sides of the Taiwan Strait, failed to mention the military crackdown on protesters in Beijing's Tiananmen Square on that date in 1989. China Times Group, the parent company of *Want Daily*, is owned by Tsai Eng-meng, a businessman with significant commercial interests in mainland China. Physical violence against journalists is rare, and both local and foreign reporters are generally able to cover the news freely.

Taiwan has over 360 privately owned newspapers and numerous radio stations. Satellite television is broadcast on 143 channels. Legislation approved in 2003 barred the government and political party officials from holding positions in broadcast media companies, and required government entities and political parties to divest themselves of all broadcasting assets. Disputes continue to plague the Public Television Service (PTS). In 2009, the legislature attempted to require government approval of PTS programming and increased the number of directors on the PTS board. The GIO immediately appointed eight new directors, but in January 2010 an injunction requested by the incumbent board chairman prevented them from taking office. After the GIO obtained another injunction three months later, preventing the chairman and six other sitting directors from exercising their duties, the remaining six directors dismissed the president and executive vice president of PTS in September. Their removal sparked concerns about government interference and the PTS's political neutrality.

The issue of "embedded marketing"—advertising cloaked as news—came to the fore in December 2010, when veteran *China Times* journalist Dennis Huang resigned, reportedly to protest the proliferation of positive coverage purchased by both businesses and government entities. His resignation led to a public campaign to end the practice, which has increased sharply in recent years, according to press freedom watchdogs. Prime Minister Wu Den-yih pledged to address the issue, and at year's end legislators from both major parties were considering restrictions on purchases of news space by government entities.

The government refrains from restricting the internet, which is accessed by 71.5 percent of the population. But cyberattacks in 2010 on at least three foreign journalists

based in Taiwan raised new security concerns about reporters whose work relates to mainland China. The three were among an unknown number of reporters and activists who found in March that their Yahoo e-mail accounts had been compromised, according to international news reports. The source of the attack was unclear, but the breaches were similar to recent attacks on the U.S.-based search-engine giant Google that led that company to announce a partial withdrawal from the mainland Chinese market in early 2010.