

Aboriginal groups put pressure on Tsai

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Aborigines from Hualien County protest at Liberty Square in Taipei yesterday.

Photo provided by The Self Help Association □ Demanding the Restoration of Aboriginal hunting rights

President Tsai Ing-wen (蔡英文) should make concrete promises to pass Aboriginal transitional justice legislation and protect hunting and other rights, Aboriginal activists said yesterday, as hundreds of protesters descended on Taipei, days prior to a widely anticipated official apology to Aborigines tomorrow.

Tsai has promised to issue an official apology to Aborigines for historic injustices on the nation's Aboriginal Day.

Details of a planned Aboriginal transitional justice commission overseen by the Presidential Office are also to be announced, with the Democratic Progressive Party (DPP) earlier this month promising to pass legislation to implement the Aboriginal Basic Act (原住民族基本法), including an Aboriginal self-rule act, language development act, land and sea rights act and recognition for Pingpu (平埔) Aborigines.

The party's legislative caucus has blocked efforts by Aboriginal legislators to include Aborigines in transitional justice legislation, instead focusing on Martial Law era abuses.

More than 70 activists from the Aboriginal Transitional Justice Alliance protested outside the Legislative Yuan for several hours yesterday morning before marching to Ketagalan Boulevard shortly after noon to camp out within sight of the Presidential Office Building, calling for education, hunting and land rights, while singing a victory chant to the tune of a Christian hymn.

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“We demand that President Tsai not just make empty promises,” said alliance president Kumu Hacyo, an independent Tainan city councilor who caucuses with the DPP.

Hacyo called on Tsai to promise passage of an Aboriginal transitional justice act, outline a concrete timetable for passage of other legislation and recognize indigenous sovereignty by establishing a communication platform between national government and Aboriginal communities.

Hacyo also called for the establishment of a parallel Aboriginal transitional justice commission under the Executive Yuan — mirroring the transitional justice commission targeting Martial Law era abuses — adding that a commission established under the Presidential Office would be largely symbolic without real authority to force cooperation from government agencies.

Hundreds of protesters, mainly from Hualien County’s Taroko community, marched from the National Chiang Kai-shek Memorial Hall to Ketagalan Boulevard, waving mock hunting rifles and shouting for revisions to the National Park Act (國家公園法) to recognize traditional hunting rights.

“Everything that flies, crawls or swims is protected except flying squirrels and wild boars, which completely ignores ecological balance and our hunting rights,” Sediq community member Logim said, calling for traditional territories to be removed from the jurisdiction of national parks.

Legal Aid Foundation Taitung Branch executive secretary Jewel Chen (陳麗珠) called for the passage of an Aboriginal hunting act to clarify Aboriginal rights, adding that unrealistic hunting restrictions and vague hunting rifle rules have led to the conviction of more than 355 Aborigines since the passage of the Aboriginal Basic Act (原住民族基本法), which guarantees traditional hunting rights.

“Current laws are in opposition to Aborigines’ hunting lifestyle, requiring complicated applications and restricting hunting to specific rituals. Any other hunting, even hunting purely for self-use with no profit or sales involved, is subject to a minimum six-month sentence under the Wildlife Conservation Act (野生動物保護法),” she said, adding that judges typically directly sentence hunting violations without holding a court hearing, denying the accused the right to

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invoke the Aboriginal Basic Act.

“The definition of the ‘self-made hunting rifle’ which Aborigines are required to use is also extremely vague, which creates a situation in which every judge has their own definition,” she said. “The law also does not have any specific rules for bullets, leading to convictions even if the gun used is legal — as if Aborigines are supposed to throw their guns at animals.”

“The government treats Aboriginal hunting rights like a welfare benefit,” said Association for Taiwan Indigenous People’s Policy president Yapasuyongu Akuyana, who is a member of the Tsou community, at a separate conference on Aboriginal transitional justice at the Legislative Yuan.

He said that implementation of the Aboriginal Basic Act had been hobbled by its confinement within the constitutional structure of the Republic of China, leading to restrictive interpretations of the act’s right guarantees even when enabling legislation for hunting and other rights was passed.

“As long as we do not consider indigenous sovereignty, any talk of implementing the basic law is a groundless fantasy,” he said, adding that implementing Aboriginal transitional justice was crucial to establishing such sovereignty.

National Dong Hwa University Department of Ethnic Relations and Culture professor Shih Cheng-feng (石正豐) said an apology without restoration of indigenous sovereign rights would amount to a “political show.”

“The DPP’s objective is to further the establishment of a Taiwanese national identity comprised of different ethnic groups, but while that is important, if the policy stops there, Aborigines will still be left in a position of being dominated,” he said.

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