

Taiwanese human rights advocates were joined by several foreign counterparts on Thursday in calling for an independent national human rights commission to be established, one that actually has the power to conduct investigations. However, their appeal will likely end up being just another statement in a debate about commissions that goes back decades.

There has been talk about establishing an official rights commission since January 2000, shortly before the first transfer of power from a Chinese Nationalist Party (KMT) administration. The key sticking point over the years has been whether such a commission would be an independent agency or part of the government and, if the latter, which branch of government should administer it.

The gulf between the pan-blue and pan-green camps has also been a hindrance, as it has been since the late 1970s, when the then-KMT government pre-empted opposition moves to create a non-government organization (NGO) for human rights by establishing the Chinese Human Rights Association in 1979.

In those days there could only be one organization for any specific activity registered with the government and so the first one to register became the *de facto* NGO and applications by subsequent groups for recognition were denied, whether it was a women's group or labor union. This forced the Taiwan Association for Human Rights, established by members of the *tangwai* (outside the party), to operate illegally until it was able to win recognition in 1995.

Fourteen years ago, the Chinese Human Rights Association argued that the work of a rights commission should focus on educating the public and advising the government. It also thought the commission should be placed under its remit. While the association had been active in promoting human rights, it was still seen as very much a pro-KMT group.

Others felt such a commission should produce annual reports on the state of human rights in Taiwan and create a human rights index for the nation. Still others wanted a commission that would be empowered to investigate abuses of the White Terror era.

Time for a meaningful rights body

Written by Taipei Times Editorial
Saturday, 26 April 2014 11:04

Early on in former president Chen Shui-bian's (陳水扁) time in office, there was an effort to establish a national commission that could investigate rights abuses, issue annual reports, suggest amendments to improve legal protection of citizens' rights and push for Taiwan's participation in international human-rights associations. Those efforts went nowhere in the face of KMT legislative intransigence.

In 2009, the legislature ratified the International Covenant on Civil and Political Rights and the International Covenant of Economic, Social and Cultural Rights, and President Ma Ying-jeou (馬英九) signed them into law.

Ma marked Human Rights Day in 2010 by establishing an 18-member human rights commission under the leadership of then-vice president Vincent Siew (宋楚瑜). The commission was made up of four government officials, including Siew, and 14 rights "experts." Ma said it would establish rights policies and produce annual reports. However, it had no authority to investigate or review human rights violations.

Any complaints about the built-in ineffectiveness of the new organization were countered by officials noting that the Cabinet already had a task force to promote human rights, while the Control Yuan had its own human rights protection commission.

Four years on and Taiwan still lacks a national human rights institution worthy of its name or one that conforms to the Paris Principles adopted by the UN General Assembly in 1993. Those principles call for a rights institution that is funded by a nation's government, but is independent of it. Such a body reviews complaints about rights violations, assists in transitional justice processes and helps in the development of democratic institutions.

If it is up to the KMT, Taiwan will wait a long time for a true rights commission, one that has teeth.

Source: [Taipei Times - Editorials 2014/04/26](#)