

KMT may resort to grand justices on assets: Huang

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New Power Party (NPP) Legislator Huang Kuo-chang (黃國昌) yesterday said that the Chinese Nationalist Party (KMT) might use any government agencies it can influence, including the Council of Grand Justices, to obstruct legislation on ill-gotten party assets.

Huang made the remarks at the second and last day of the “Transitional Justice and Law” symposium held in Taipei by the Taiwan Association of University Professors, during which academics discussed the impediments to transitional justice.

“Given the KMT’s response to the relatively harmless draft presidential transition act, the party is expected to bring its ‘A game’ and turn to all the government agencies it can control, such as the grand justices, to boycott the draft bill on ill-gotten party assets,” said Huang, who presided over a session on how to deal with the KMT’s ill-gotten assets.

Huang said the KMT succeeded in exempting President Ma Ying-jeou’s (馬英九) administration from the draft presidential transition act by demanding that it be referred to party negotiations on Tuesday last week, which froze the proposal for a month.

Huang Shih-hsin (黃世鑫), an honorary professor at National Taipei University’s Department of Public Finance, compared the KMT to East Germany’s Socialist Unity Party (SED), saying both parties had been marred by controversial assets accrued during their one-party rules.

The greatest difference between the two parties is that the SED, as a socialist party, did not have a tangled relationship with corporations as the KMT does, which makes the KMT’s party asset problem all the more complicated, Huang Shih-hsin said.

“While there is no direct causal relation between the amount of assets a party possesses and the chance of it being elected to power, most democratic countries have stringent regulations governing government-business relationships and political contributions,” Huang Shih-hsin said.

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“Our government should do the same if it intends to consolidate the nation’s democracy and provide a level playing field for all political parties,” he added.

Southern Taiwan University of Science and Technology financial and economic law professor Lo Cheng-chung (盧成雄) said the promulgation of an ill-gotten party asset act is imperative in dealing with the KMT’s controversial assets because the nation’s courts have proven themselves unable to address such problems.

Lo said the legal wrangling between the Ministry of Transportation and Communications and the Broadcasting Corp of China (BCC) over the ownership of eight lots in New Taipei City’s Banciao District (板橋) dragged on for 10 years and saw nine court rulings, before the Supreme Court eventually rendered a final verdict in 2014 in favor of the ministry.

“The case was plain and simple. The national properties were illegally entrusted by the KMT to the BCC in the 1980s. Yet it still took the courts such a long time to reach a final verdict,” Lo said.

National Chengchi University Graduate Institute of Taiwan History chair Li Fu-chung (李富雄) said that even if the act passes, it might still be difficult to achieve transitional justice for some of the KMT’s ill-gotten properties that have been transferred to a third party, such as the property housing the Chang Yung-fa Foundation and the land where the luxury residential complex The Palace (宮園) stands in Taipei.

“Even with the passage of [the Democratic Progressive Party’s] draft transitional justice promotion act, the KMT could still request a constitutional interpretation by the Council of Grand Justices to try to safeguard its party assets,” Li said, adding that Taiwan might need longer than Germany’s 16 years to handle illegal party assets.

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