

**ROC's Initial Report under the International Convention
on the Elimination of All Forms of Racial Discrimination**
The Non-Monastic Chinese Mahayana Buddhist
Precepts, Promotion and Conservation Association
(BPPCA)
Parallel Report

This report covers article 1, 2, 3, 4, 5 of ICERD
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Preface

1. This Parallel report is the inaugural submission by the "The Non-Monastic Chinese Mahayana Buddhist Precepts, Promotion and Conservation Association" based on the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD).
2. The Constitution recognizes and safeguards cultural diversity, and the diverse development of religious culture is an essential component of the spiritual life of human societies. The United States conducted a global survey on religious diversity in 232 countries, with R.O.C. ranking second¹. This demonstrates ROC's religious pluralism is closely related to its society. Therefore, there is an urgent need for the country to establish effective measures to ensure people's religious rights are not violated and actively eliminate multiple intertwined religious discriminations and inequalities in society, promoting mutual tolerance and understanding among all.
3. Promoting the development of religious human rights is a core value in many countries and international human rights laws. As R.O.C actively endeavors to harmonize its domestic laws with international treaties, it should give even greater importance to religious human rights. By doing so, R.O.C's human rights protection system can better align with international human rights standards.

Chapter1. Definition of racism

In accordance with the Convention on the Prevention and Punishment of the Crime of Genocide (CPPCG), "religious groups" should be included as primary subjects under ICERD.

4. The United Nations adopted Resolution 260A(III) on December 9, 1948, passing the "Convention on the Prevention and Punishment of the Crime of Genocide (CPPCG)." R.O.C has also incorporated this convention into its domestic law, and according to Article 2 of the convention², the term "racial" includes ethnic, racial, and religious groups.
5. However, In the ICERD initial national report, detailed statistical data were

¹ <https://www.cna.com.tw/news/firstnews/201404160109.aspx>

² CPPCG Article II

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

provided for various ethnic groups, including indigenous peoples, Hakka, Tibetan and Mongolian ethnic groups, new immigrants, and other non-citizens, based on different criteria such as age, gender, nationality, and annual budget comparisons. However, the report did not include religious groups as a primary subject and did not present relevant statistical data concerning them. This omission is evident in paragraph 159, which inaccurately denies the existence of religious discrimination in Taiwan. As mentioned in paragraph 24 of this report, there are clear instances of religious discrimination and challenges faced by religious communities in ROC. The subjective assertion that there is no religious discrimination in our country is not supported by the facts and requires further examination and acknowledgment.

6. Religious freedom is an essential right explicitly guaranteed in various international human rights conventions, and it is also a significant human rights issue of international concern. However, the Taiwanese government has long overlooked it, leading to a general lack of awareness of religious human rights in society. Major incidents that violate religious human rights have been repeatedly disregarded, such as instances where employers show disrespect for religious beliefs by forcing Muslim migrant workers to consume food forbidden by their religion, like pork, under the false claim that it enhances work efficiency and productivity. Although such occurrences may seem commonplace in ROC, they have caused international outrage.
7. Suggestion:
 - (1) According to Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide(CPPCG), the term "racial" includes religious groups. Therefore, in the ICERD report, the government should include "religious communities" as a protected subject and present relevant statistical data concerning them. By doing so, the government can demonstrate its commitment to protecting religious freedom and combating religious discrimination in ROC.
 - (2) Relevant government agencies should promptly conduct detailed surveys and research on the religious beliefs of various ethnic groups within the country, taking into account factors such as gender, age, occupation, and the distribution of religious populations in different cities and counties. Additionally, they should investigate the types of religious discrimination encountered by individuals. By doing so, a comprehensive understanding of the distribution of religious beliefs can be achieved, and necessary improvements can be made to address issues related to religious discrimination.

- (3) For example, the "Animal Protection Act" stipulates the evaluation of animal protection policies on a quarterly basis. Given that religious rights are protected by international human rights conventions, it is even more crucial to publish the relevant data annually. This will enable research and investigation into the status of religious rights and ensure that both citizens and non-citizens in ROC receive fair and equitable treatment in regards to religious freedom.
- (4) The separation of religion and state in the domestic system, results in a lack of education on various religions, leading to significant misunderstandings and discrimination among the public due to a lack of understanding of religious doctrines. The government actively incorporate religious general education courses into the curriculum, similar to how there are courses on animal protection in basic education. This will strengthen and promote people's understanding of different religions, allowing them to adhere to their beliefs freely, whether to believe or not, and which religion to adhere to.

Chapter2. Elimination of racism

Discrimination against religious animal release communities.

8. The act of releasing animals by religious practitioners to provide salvation to those about to be slaughtered has become a precept in Buddhism and Taoism, with a history of over 1600 years³. Presently, all Mahayana Buddhist Bodhisattva practitioners, including all monastics, are required to adhere to this precept.
9. The religious ritual of releasing animals involves specific religious motivations, purposes, and rituals. This religious behavior is protected by the Constitution and international human rights laws, and it differs significantly from other non-religious purposes, such as abandonment of animals by the public, compassionate animal release by individuals, stock enhancement for marine resources, or animal releases conducted by firefighting units or their contractors.

Just like the use of a knife, applied to different legal frameworks apply based on the nature of the action, can be surgical procedures under the Medical Act, authorized slaughter methods under the Livestock Act, or murder charges under the Criminal Code, different laws apply to various actions. In response to the unique nature of religious practices, specific provisions in laws such as the Assembly and Parade Act and the Humane Slaughter Guidelines exclude religious activities from

³ Since the translation of the "Brahmajāla Sūtra Bodhisattva Precepts" by Master Kumārajīva during the Wei, Jin, Southern and Northern Dynasties, the act of animal release has become a Buddhist precept, with a history of over 1600 years.

their application.

10. However, animal and environmental protection theories, which rely on materialistic sciences with only 5% understanding of the universe's true nature⁴, attempt to replace God and Buddha and make comments on the religious precepts and practices ,relating to 95% dark matter and dark energy. Government agencies also actively advocate the outdated culture of religious animal release, is outdated and should be eliminated (Table 1). The authorities fail to investigate and regulate the activities of releasing venomous snakes by various fire departments and outsourced companies.⁵ Instead, they label such practices as religious animal release, confusing the public and creating fake news (Table 2). They stigmatize Buddhist and Taoist precepts on animal release as synonymous with "causing deaths," "ecological catastrophe," and "commercialized animal release," leading to public misunderstanding and collective rejection. This has resulted in serious religious discrimination against the religious animal release community. Moreover, the governments offices of Taichung City and Nantou County have strictly limited religious animal release activities through local ordinances, which clearly violate central legal regulations and infringe upon the human rights of religious practitioners to exercise their religious beliefs. These actions also contravene the principles of international human rights conventions regarding non-discrimination.
11. Religious animal release must adhere to specific precepts and regulations; it cannot be conducted arbitrarily. Releasing venomous snakes, ferocious animals, or exotic species, hybrid or genetically modified organisms that cause controversy, not only violates national laws but also goes against the Buddhist precepts of "avoiding offenses against the country" (not violating the laws of the country) and "avoiding defamation of the Triple Gem" (not slandering Buddha, Dharma, and Sangha). Therefore, the act of abandoning or releasing animals indiscriminately is not allowed according to the religious animal release precepts that have been upheld for over 1600 years
12. Suggestion:
 - (1) Government agencies at all levels should conduct a comprehensive review of their public information to assess whether the content related to religious animal release precepts causes direct or indirect discrimination. Any identified instances

⁴ Humanity is so insignificant! Nobel Prize-winning physicist James Peebles admits that we only know 5% of the universe, while the remaining 95% is difficult to comprehend. <https://www.gvm.com.tw/article/68750>

⁵ Data Statistics Table on Bee and Snake Capture Responsibilities by Local Governments in 2018, provided by ROC's National Fire Agency." <https://www.nfa.gov.tw/upload/pro/attachment/1a7f76dee9b113fa74d702c2ea105c5a.pdf>

of discrimination should be thoroughly reviewed so that they can be either modified or removed accordingly.

- (2) When formulating and amending laws related to religious animal release culture, such as the Wildlife Conservation Act, Animal Protection Act, and relevant laws regarding releasing animals into the wild, the spirit of Interpretation No. 803 of the Constitutional Court on Indigenous Hunting should be followed. This means that relevant amendments should be made in consultation with religious groups, similar to the process for Indigenous-related amendments. The central authority should not solely rely on the opinions of environmental and wildlife experts or scholars while disregarding or suppressing the longstanding precepts and cultural rights of religious groups that have been upheld for over 1600 years.

[Table 1] Summary of Government Agencies' Persecution of Religious Animal Release Practices

No	Government Agency	Acts of Persecution of Religious Animal Release Activities
1	Ministry of the Interior	<p>The official website states: "The current practice of animal release has evolved into an industry. Religious-based animal release activities not only pose a threat to ecological balance and commercialization but also endanger human lives through the indiscriminate release of venomous snakes."</p> <p>Source: https://religion.moi.gov.tw/Goods/Content?ci=3&cid=1&id=2 </p>

2	Ministry of the Interior	<p>On March 22, during the first meeting of the 11th Religious Affairs Consultation Committee, animal release was discussed. The meeting addressed concerns related to commercialization, repeated capture and release, disruption of ecological balance, and public safety associated with animal release activities. Religious groups and the public are encouraged to respond collectively by adopting wise animal release measures, such as "adopt instead of purchase," "adopt instead of abandon," and "treat and rehabilitate injured animals instead of releasing them."</p> <p>Source: https://www.moi.gov.tw/News_Content.aspx?n=4&s=213855 </p>
3	Hsinchu City Government	<p>Regarding religious animal release activities at Ke Ya Creek in Hsinchu, the Hsinchu City Government has made it clear that all animal release activities must undergo application and review processes. Currently, there are no suitable locations for animal release in Hsinchu City, and such activities are not permitted.</p> <p>Source: https://www.ettoday.net/news/20200730/1773316.htm</p>
4	Chiayi County Agriculture Department	<p>On July 26, 2020, news reports indicated that there were activities suspected of religious animal release. The Livestock and Conservation Section Chief of Chiayi County Agriculture Bureau urged the public to refrain from any animal release activities to avoid potential violations of the Wildlife Conservation Act. Offenders may face fines ranging from NT\$50,000 to NT\$250,000, and if there is a risk of ecological damage, the fine can be increased to NT\$500,000 to NT\$2,500,000.</p> <p>Source: https://www.chinatimes.com/realtimenews/20200726003073-260402?chdtv </p>

5	Water Resources Agency, Eighth River Management Bureau	<p>On April 20, 2020, an official website called for the public to refrain from releasing animals indiscriminately to prevent ecological damage. It was emphasized that the Water Act, Article 78-1, explicitly states that any activities within river areas should obtain prior permission. Failure to obtain permission may result in a fine ranging from NT\$10,000 to NT\$50,000, as stipulated in Article 93-3 of the same Act.</p> <p>Source: https://www.wra08.gov.tw/News_Content.aspx?n=14210&sms=9387&s=78084</p> <p>Investigation revealed:</p> <p>It is confirmed that according to the provisions of the mentioned law, only specific activities require an application and permission. Not all activities within river areas need to go through the permitting process.</p>
6	Animal Protection Office, Taipei City	<p>On May 8, 2021, the official website announced that releasing animals is considered equivalent to abandoning them. If individuals are found releasing animals, the Animal Protection Office will impose a fine of NT\$30,000 to NT\$150,000, in accordance with the violation of Article 5, Paragraph 3, of the Animal Protection Act.</p> <p>Source: https://www.tcapo.gov.taipei/News_Content.aspx?n=67993BA7C146BC76&sms=72544237BBE4C5F6&s=D23169B581A18D3C</p>
7	Animal Protection Office, Taipei City	<p>May 7, 2020 News: There have been more than ten cobra sightings on Taipei's Shezi Island in the past two weeks. The Taipei City Animal Protection Office stated that they do not rule out the possibility of illegal release.</p> <p>Source: https://www.setn.com/News.aspx?NewsID=738962</p>

8	Animal Protection Office, Taipei City	<p>On January 14, 2020, the official website stated that releasing animals is considered as abandonment, and it is subject to punishment under the "Animal Protection Act." The public is urged not to release animals indiscriminately, as it can have adverse effects on the ecosystem. Instead, alternative activities such as beach or mountain cleaning can be undertaken to create a clean habitat for wildlife as a replacement for animal release.</p> <p>Source: https://www.tcapo.gov.taipei/News_Content.aspx?n=67993BA7C146BC76&sms=72544237BBE4C5F6&s=F869CBEC0C15116B </p>
9	Forestry Bureau	<p>On July 14, 2016, the following message was displayed on the official website: Releasing animals accelerates the extinction of wildlife. The people and temples involved in animal release, as well as the wildlife, are all victims of this practice. The only beneficiaries are illegal traders who profit from the act and make significant gains.</p> <p>Source: https://conservation.forest.gov.tw/0001664</p>
10	Council of Agriculture	<p>On their official Facebook, cautioned that releasing animals indiscriminately may lead to adverse consequences, urging a combination of animal rescue and rehabilitation with releasing practices.</p> <p>Source: https://www.facebook.com/coataiwan/photos/a.1661824860809011/1832607193730776 </p>

[Table 2] False News Events Persecuting Religious Animal Release Practices

Description
<ol style="list-style-type: none"> Unverified false news about reckless religious animal releases constantly accuses religious release groups, but with so many smartphones and surveillance cameras on the streets, it is difficult to escape the law, yet they have never been caught. The appearance of venomous snakes has been attributed to religious animal release, but the reality is different. <ol style="list-style-type: none"> (1) The Taiwan Fact-Checking Center points out that the claim circulating in the public

about "foreign species of cobras being released" not only lacks evidence but also contains many inconsistencies with common sense.

Source: <https://tfc-taiwan.org.tw/articles/6600>

- (2) Religious groups releasing king cobras? This has been confirmed by the "Taiwan Fact-Checking Center" to be false information.

Source: <https://tfc-taiwan.org.tw/articles/4250>

- (3) The Fire Department has confirmed that the rumor about a snake released by a Buddhist nun biting a firefighter is false.

Source: <https://www.mygopen.com/2018/08/line5.html>

No	News Date	Publisher	Reported Content
1	2021/11/20	Mirror Media	A man in Taichung City was bitten by a venomous snake while hiking on Trail No. 9 of Dakuanshan. He underwent five wound cleaning surgeries. The local village chief criticized religious groups for causing disturbances through animal release activities. Source: https://reurl.cc/51LgGM
2	2021/05/06	Liberty Times	Shezi Island has become a haven for venomous snakes due to animal release practices! A legislator exposed that they were told, "After going through religious rituals, the snakes won't bite people." Source: https://reurl.cc/x78xWZ
3	2021/04/27	Chinatime s Com	Venomous snakes are running rampant on Hsinchu's Eighteen Peaks Mountain, and residents criticize religious animal release practices for causing trouble. Source: https://reurl.cc/VLop2y
4	2020/10/09	Setn.Com	Last year, my younger sister was bitten by a "cobra" at her home in Yangmei, Taoyuan. We urge people to "stop releasing animals randomly" as a result of the incident. Source: https://reurl.cc/N08aq6
5	2020/07/20	Setn.Com	A 1.5-meter-long cobra was found at Keelung Chaojing Park, raising suspicions of random animal release. Source: https://reurl.cc/dDg6LD

6	2020/07/15	Setn.Com	<p>According to the report, the original poster woke up on the ground and found a cobra, believing it was a result of random animal release by a religious group.</p> <p>Source: https://reurl.cc/XEg7EE</p>
7	2020/06/05	Itn Com	<p>In Puyan Township, Changhua County, local residents are waging a major battle against snakes, as there have been three consecutive incidents of cobra sightings in the past month. The blame is being directed towards religious groups involved in animal release activities.</p> <p>Source: https://reurl.cc/QXonVO</p>
8	2020/03/01	Setn.Com	<p>The news reported that last month, Yeh Jihong prevented a bhikkhuni from releasing six bags of poisonous snakes. The bhikkhuni claimed that the snakes became non-poisonous after reciting sutras.</p> <p>Source: https://today.line.me/tw/v2/article/22QwQz</p> <p>Investigation revealed: It was found that the city representative Yeh Jihong passed away on December 26, 2018. However, such false news continues to circulate repeatedly.</p>
9	2019/09/08	Setn.Com	<p>Criticsaccuse religious animal release groups of indiscriminate animal releases. Recently, city representative Yeh Jihong witnessed a group of Buddhist nuns releasing six sacks of venomous snakes and claimed that the snakes were harmless after reciting scriptures.</p> <p>Source: https://reurl.cc/eDov87</p> <p>Investigation revealed: It was found that the city representative Yeh Jihong passed away on December 26, 2018. However, such false news continues to circulate repeatedly.</p>
10	2020/07/31	Setn.Com	<p>Monks and two women released animals by the riverside in Hsinchu, but this was not an act of compassionate release; instead, it caused ecological havoc.</p> <p>Source: https://www.setn.com/News.aspx?NewsID=788939</p>

11	2020/06/16	CTWANT	<p>The religious group believes that animal release is a virtuous act, but in the case of crabs tied with ropes, they released the crabs into the water without untying them, resulting in the act of release becoming an act of causing harm or death instead.</p> <p>Source: https://reurl.cc/DA7GdQ</p> <p>Investigation revealed: The bound crabs were indeed originally dead crabs discarded by fish markets or restaurants. In an effort to save costs, the relevant personnel directly disposed of these crabs at the harbor, and it was not an act of animal release by any religious group.</p> <p>Source: https://reurl.cc/2LA4j6</p>
12	2019/03/18	Setn.Com	<p>Oh my goodness... Releasing freshwater fish by the seaside, and religious groups are polluting the Yuguang Island again.</p> <p>Source: https://reurl.cc/x78xD4</p> <p>Investigation revealed:</p> <p>This is a legally approved religious animal release activity. The marine fish were released into their natural marine environment, but they were mistakenly labeled as freshwater fish released into the sea, causing unnecessary pollution concerns.</p>

Chapter3. Prohibition of racial segregation

Regulations on Animal Release and Conservation" in Taichung City and Nantou County involve racial segregation.

13. The local governments of Taichung City and Nantou County have both enacted the "Animal Release and Conservation Autonomy Ordinance," which stipulates that a release plan must be submitted at least 15 days in advance. The plan must include detailed information such as the scientific and common names of the species to be released, their sources, quantities, dietary habits, and natural habitats. Furthermore, the ordinance also requires specifying the gender of the released animals. These stringent requirements have made it challenging for religious animal release ceremonies to be carried out as they have become difficult to fulfill as religious practices.
14. The prior application mechanism goes against the religious precept of "compassionate rescue of animals in imminent danger", the core principle of religious animal release. The essence of religious animal release has always been driven by compassion, with the intention to save animals that are about to be killed in urgent and unforeseen situations. However, being forced into a "pre-ordered commercialized animal release" model has fundamentally altered the nature of the religious precept of "compassionate rescue of animals in imminent danger" that has been upheld for over a thousand years. This imposition equates to a mandatory change in religious culture and belief, resulting in a serious infringement upon the cultural rights of religious practitioners. When religious followers recite the Bodhisattva precept "When one sees others killing animals, one should offer aid and rescue to alleviate their suffering," this constraint creates insurmountable difficulties and hinders their ability to fulfill the precept.
15. Religious practitioners achieve their religious objectives through the practice of precepts. However, the implementation of the "Animal Release and Conservation Autonomy Ordinance" in Taichung City and Nantou County has introduced strict review regulations and a pre-approval system, altering the religious doctrine of "compassionate release according to circumstances." As a result, religious practitioners are unable to conduct religious animal release activities in the inland and river areas of these regions. Such provisions restrict the settlement of religious groups that adhere to the practice of religious animal release in Taichung City and Nantou County, effectively resulting in a form of "de facto" racial segregation. These

regulations may be considered a violation of Article 3 and General Recommendation No. 19 of ICERD.

16. It also violates the principle of decentralization stated in the Constitution. The power division between the central and local governments in our country is based on the principle of "decentralization," unlike the "coequal" relationship seen in federal systems. The Constitution outlines the division of legislative powers between the central and local governments in Articles 107, 108, 109, and 110, none of which mentions religious matters. Article 111 stipulates that in the event of any unaddressed matters, affairs with a nationwide nature shall be under the jurisdiction of the central government. Religious matters, involving the fundamental rights protected by the Constitution and having national and even global implications, require legislation by the central government to be constitutionally valid. This can be observed in Articles 18 and 19 of the "Local Government Act," which explicitly state that local authorities have only the "guidance" power concerning religious human rights and do not possess the "management" authority.
17. In the domestic "International Covenant on Civil and Political Rights (ICCPR)" Article 18, paragraph 3, also stipulates that the restriction of religious rights should be prescribed by "Law" enacted at the central level.
18. Suggested: In light of the above, it is recommended to repeal the "Autonomous Ordinance on Conservation through Release" in both Taichung City and Nantou County and adopt the following measures:
 - (1) Religious Autonomy :

The religious practice of releasing animals is governed by religious precepts that impose far more severe consequences than secular laws. Moreover, religious practitioners are neither inclined nor would they dare to violate the law by engaging in unauthorized or reckless release activities. The ceremonies centered around cultivating merits and virtues through release should not be tarnished by illegal or unethical acts. Therefore, the religious practice of animal release, based on religious precepts, should be restored to the domain of internal religious autonomy:

 - i. Individuals or groups with a religious need for animal release should first report to authorized Buddhist or Taoist organizations accredited by the government authorities.

- ii. Religious institutions entrusted with the task should provide individuals or groups with relevant documents such as "Code of Conduct for Religious Animal Release" and "Statements," outlining the religious precepts to be followed when releasing animals, the consequences of violating these precepts, and relevant legal regulations.
 - iii. Individuals or groups engaged in religious animal release activities should submit signed "Code of Conduct for Religious Animal Release" and "Statements" documents to the entrusted religious institution. Alternatively, they can use user-friendly online platforms to easily report, manage, and conduct subsequent statistics regarding the activities.
 - iv. The entrusted religious institutions should retain the documents for verification at any time or report them to the authorized regulatory authorities after the activities have taken place.
- (2) Listing species eligible or ineligible for release animal in various regions:
The Agriculture Bureaus of Nantou County and Taichung City conduct surveys of the natural ecological environment within their jurisdictions, carry out natural resource investigations, and publicly disclose research and survey information. They also provide a list of species eligible or ineligible for release in various regions within their jurisdictions, replacing the pre-approval system. Regulations with excessively high control density should not be established solely based on insufficient administrative capacity or administrative convenience, to avoid infringing upon people's religious rights.
- (3) Effective enforcement of existing regulations to strengthen the crackdown on illegal animal releases:
By examining the past records of penalties or fines for illegal animal releases, it becomes evident that there have been very few violations or inadequate enforcement efforts. Therefore, in accordance with the principles of proportionality, appropriateness, necessity, and fairness, the focus should be initially on enforcing the law against illegal animal releases, followed by) effectively implementing the existing comprehensive wildlife conservation, environmental protection, and water resource laws. It is essential to avoid violating the principle of proportionality by imposing strict limitations and pre-approvals on religious animal releases, which may unduly restrict such activities.
- Addressing a few incidents of violating the law or reckless animal releases

through pre-approval measures is akin to targeting a minority of individuals who trespass or engage in reckless driving. Instead of focusing solely on imposing more stringent laws that require advance applications for everyone going out or driving, the government should prioritize targeted enforcement against those who commit crimes, such as theft or reckless driving. Imposing excessively strict laws without considering the principle of proportionality would prove ineffective against lawbreakers while seriously infringing upon the relevant rights.

Publishing Act has been abolished, and there is no longer a censorship system. However, religious ceremonies or events related to religious animal release are still required to undergo a censorship process, which violates the principles of equality and non-discrimination as stated in various international human rights conventions. Furthermore, Article 4(2) and Article 6(2) of the International Covenant on Civil and Political Rights provide additional protection measures for the special nature of religious rights.

Chapter 4. Legislation and relevant measures to prohibit racial hatred

Collecting case study reports on the "Convention on the Prevention and Punishment of the Crime of Genocide(CPPCG)" from various countries to serve as a reference basis for court judgments.

19. In response to Paragraph 88 of the ICERD national report, it is mentioned that our country has domesticated the United Nations "Convention on the Prevention and Punishment of the Crime of Genocide," which can be utilized to penalize actions related to preventing and punishing racial hatred and speech. However, it is evident that Taiwan's administrative authorities and media institutions frequently undermine religious practices related to animal release ceremonies, without providing relevant information in the national report regarding the application and conviction data to illustrate the practical implementation of these measures.
20. The "Convention on the Prevention and Punishment of the Crime of Genocide" is an international treaty that addresses grave offenses. Despite the strong emphasis on the protection of the right to life in the International Covenants, which call for the abolition of the death penalty and its restriction in application and implementation, it is worth noting that according to Article 6, Paragraph 2 of the "International Covenant on Civil and Political Rights,"⁶ the death penalty under the

⁶ Article 6(2) of the International Covenant on Civil and Political Rights (ICCPR): In countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of the commission of the crime and not contrary to the provisions of the present Covenant and to the Convention

"Convention on the Prevention and Punishment of the Crime of Genocide" shall not be subject to commutation. This highlights the significant importance that the international human rights system places on the "Convention on the Prevention and Punishment of the Crime of Genocide."

21. Suggested:

- (1) The current application of the "Convention on the Prevention and Punishment of the Crime of Genocide" within our country should be made public, including statistics on guilty and non-guilty verdicts, related case types, and instances of non-prosecution. This disclosure aims to review whether the Convention is effectively achieving its intended purpose within our country, namely to prevent and punish the crime of genocide, and to protect the people from acts of racial hatred and persecution.
- (2) The collection of relevant provisions and jurisprudential interpretations of the "Convention on the Prevention and Punishment of the Crime of Genocide" from various countries and the European Court of Human Rights, including the basis and considerations of their judgments, should be undertaken. Additionally, the invitation of legal experts and scholars within the country to produce research reports in this regard would serve as a reference for domestic court judgments. This effort aims to align our country's human rights policy and implementation mechanisms with international standards and trends in human rights development.

The NCC (National Communications Commission) should strengthen its monitoring mechanism for media coverage of religion and take proactive steps to improve the situation of religious discrimination.

22. Observing the professional training courses organized by the NCC for broadcasting and media, it is noted that there are courses on child protection, disability rights, and gender equality, but there is no course dedicated to respecting religious beliefs. According to surveys, over 80% of the population in the country has religious beliefs⁷. Therefore, when producing programs or reporting on religious issues, it is essential to maintain a rational and impartial stance, while also showing respect for the diverse cultures of various religions. This approach will foster mutual understanding and tolerance in society, leading to coexistence and prosperity among different ethnic groups.

on the Prevention and Punishment of the Crime of Genocide. This penalty can only be carried out pursuant to a final judgement rendered by a competent court.

⁷ <https://www.ait.org.tw/zhtw/zh-2021-international-religious-freedom-report-taiwan-part/>

23. Suggested: NCC should take the following measures

- (1) To include religious discrimination as one of the self-regulatory items for the media.
- (2) Media coverage of religious affairs should be strengthened with specialized production guidelines and relevant management mechanisms for media organizations, in collaboration with religious groups to develop related matters.
- (3) Compile and track the number of reported cases of religious discrimination in media coverage and the measures taken against the relevant media outlets. Conduct regular reviews on an annual basis to assess the effectiveness of reducing religious discrimination and address the underlying issues for improvement.
- (4) As the media is often referred to as the "Fourth Estate," indicating its significant influence, training programs for media professionals should include courses on religious sensitivity and understanding. By incorporating relevant religious education, media professionals can avoid offending religious dignity, strengthen their expertise in handling religious topics, and prevent inappropriate or biased reporting that may impact social stability and harmony.

Chapter 5. The measures to safeguard various rights

Ensuring people's religious freedom is not violated

24. In response to paragraphs 159-160 of the ICERD first report, it is evident that the government's protection of religious freedom and equality is insufficient. The following examples highlight the oppression faced by people in practicing their religious beliefs:

- (1) The Catholic Church conducted its Sunday Mass, but the police forcibly entered the church to search for missing migrant workers, causing panic among the parishioners.
- (2) Many public or private venues refuse to rent their spaces to any religious organizations or for religious purposes.
- (3) Muslim laborers are often prohibited from performing their regular worship at fixed times by their employers.
- (4) Christian and Catholic workers are often required to work on their religious holidays, preventing them from attending church services and worship.

- (5) The government ignores that the primary sources of air pollution are industrial and transportation emissions and instead attributes the issue to traditional religious practices of burning incense and making offerings with a long history. This has led to severe misunderstandings and criticism in society, resulting in discrimination against the specific religious community.

25. Suggested:

- (1) Promptly enact the "Religious Fundamental Law". Explicitly incorporate the guarantees of religious rights from the Constitution and relevant United Nations conventions to become the fundamental law for safeguarding religious freedom. This will help balance conflicts between religious and non-religious entities and advance the domestic human rights protection towards internationalization and universality, thereby assisting Taiwan in reintegrating into the international human rights system.
- (2) The Ministry of the Interior's Civil Affairs Department, as the governing body for religious affairs, should proactively gather information on the current challenges faced by religious organizations. It should commission academic institutions to conduct in-depth research and investigations on the adequacy and robustness of Taiwan's legal system concerning the protection of religious rights. Based on the findings, relevant laws and regulations should be further developed to better safeguard the rights of religious individuals and groups.
- (3) A dedicated committee should be established to promote religious freedom, and it must include representatives from various religious groups. This committee should conduct regular meetings and reviews annually to assess the state of religious freedom in the country. Subsequently, it should present reports to the public and set deadlines for implementing necessary improvements to ensure the protection of religious rights.
- (4) The judicial authorities are requested to conduct annual investigations and publicly disclose the instances and data related to guilty verdicts resulting from violations of religious human rights. This information should be made available for reference and evaluation purposes, contributing to transparency and accountability in protecting religious rights.