

**ROC's Initial Report under the International Convention
on the Elimination of All Forms of Racial Discrimination
Taiwan United Religions Organization Parallel Report**

This report covers article 6, 7 of ICERD

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Preface

1. This report is a parallel report submitted based on the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) by the Republic of China (Taiwan) for the first national report.
2. Taiwan is a multicultural and multiethnic country with various ethnic groups, including Han Chinese, Indigenous People, Hoklo (Min-Nan) People, Hakka People, as well as foreign immigrants and overseas Chinese from different regions. Ethnicity and religious beliefs are often intertwined, and specific ethnic groups may have their own unique religious traditions and practices. In Taiwan, Indigenous People preserve and promote their distinctive religious beliefs, while some may also practice Christianity. Han Chinese often follow folk religions, Buddhism, Taoism, and other belief systems. This diversity contributes to Taiwan's cultural richness and religious freedom, making it a country that embraces multiculturalism.
3. Each ethnic group in Taiwan has its unique cultural background and religious beliefs. Therefore, there is a strong correlation between respecting different ethnicities and respecting religious freedom, which is crucial for the human rights development in our country. To ensure equality and respect among different ethnic groups, Article 13 of the Constitution of Taiwan establishes the right of every individual to enjoy freedom of religion. This means that regardless of their ethnic background, everyone has the right to choose, propagate, and practice their religious beliefs without discrimination or infringement.
4. Recognizing the correlation between respecting ethnicities and religious freedom not only signifies the respect for individual rights but also promotes social harmony and diversity. By respecting the religious beliefs of different ethnic groups, we can establish an inclusive social environment where everyone is free to express their beliefs and respects the beliefs of others. Therefore, when formulating policies and laws, it is essential to prioritize and protect the rights of ethnicities and religious freedom to ensure that every ethnicity, group, and individual can practice their religious beliefs in an environment of equality and freedom. This concept of respect and equality serves as the foundation for creating a harmonious society and embodies the core values of Taiwan as a multicultural nation.
5. Freedom of religion and belief is the basic human right originated in the West in the late 18th century. Our country is governed by article 13 of the Constitution: "The people have the freedom to believe in religion." However, due to our cultural heritage based on humanistic ideology (mainly

influenced by Confucianism) and feudal monarchy that had lasted for thousands of years, coupled with the political atmosphere of prolonged Martial law, Taiwan's religious circles, legal circles, and the government rarely conduct in-depth research and dialogue on the profound and broad significance of protecting religious human rights. Freedom of religion is merely reduced to a vague and empty term, difficult to internalize as the substance of our culture.

6. Insufficient knowledge of religion and lack of awareness of specific legislation to protect freedom of religion eventually lead to public inadequate understanding of religious culture, insofar as lacking proper respect and protection of religion. It also leads to public alienation from religion, thus reinforcing people's intolerance towards religion. In addition, such neglect and ignorance of religion may lead to people's excessively utilitarian orientation, lacking deeper care of life and spiritual stability.
7. The government's consideration of policies relating to religious human rights often remains confined to the stage of mere "respect" declarations, with a lack of active efforts in "safeguarding" and "fulfilling" these rights through actual actions and legislation. The purpose of our report is precisely to help the government recognize the long-standing deficiencies in this regard from the perspective of the religious community, in order to assist the government in further enhancing the development of religious human rights in our country.

Chapter1. Escalating Disregard for Religious Discrimination Issues

1. According to the national report, "Victims of racial discrimination based on religion, race, lineage, or place of birth have the right to seek remedies through civil lawsuits or file criminal complaints in accordance with the law." The government also pledges to respect the indigenous languages, traditional customs, culture, and values of Indigenous peoples and safeguard their legitimate rights and interests when handling indigenous affairs (Article 6 of ICERD, No.227 & 228 of the report).
2. Religion universally promotes concepts such as "living in peace with the world," "compassion and love for others," "selflessness and humility," and "peaceful non-violence." In terms of precepts and doctrines, the Buddhist Vinaya Sutra states, "Even if someone kills their own parents, they should not seek revenge." The Christian Bible teaches, "If someone strikes you on the right cheek, turn the other cheek to them." In other words, actively asserting one's own rights and even resorting to litigation is not inherent to the essence of religion. If the government aims to effectively protect religious freedom, it should develop approaches that respect the traditions, customs, doctrines, and values of religions based on an understanding of their unique characteristics. Only then can the rights of individuals practicing their religions be safeguarded.
3. Laws related to anti-discrimination provisions, including the Fundamental Education Act, the Indigenous Peoples Basic Act, etc., are in place, but there is a notable absence of a Basic Law on religious discrimination. Article 20(2) of the International Covenant on Civil and Political Rights states that "Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law." Furthermore, Article 26 of the same covenant stipulates that "All persons are equal before the law and are entitled to equal protection of the law without any discrimination." However, currently, apart from Chapter XVIII of the Criminal Code which addresses offenses of blasphemy and desecration of tombs and corpses, there is no specific law enacted to implement "anti-religious discrimination."

Suggestion:

The innate freedom of conscience of human beings should not be judged as guilty by external laws of the state. Without a "Basic Law on Religion" as a framework, in the future, many laws that may seem unrelated to religion can easily directly infringe upon the basic human rights of religion and even alter

the internal organizational structure of religion. For example, many religions have regulations regarding hierarchical church organizations. However, based on the Civil Code, the regulations on religious legal entities in our country are derived from the "Law of Associations" and the "Law of Foundations," which do not allow for the establishment of hierarchical organizational structures. As a result, the original organizational regulations of religions are not recognized and lose their effectiveness under the law. The above examples are not intentionally caused by the government, but rather due to the government's lack of awareness of the unique nature of religion and its failure to actively establish the legal environment needed for religion.

It is urged that the government should establish a "Basic Law on Religion" in accordance with the spirit of fulfilling the obligations of respecting, safeguarding, and upholding religious freedom as stipulated in the two covenants and our national constitution. Only with this protective framework in place can the state comprehensively demonstrate its fundamental attitude towards protecting religion. Without this framework, any laws enacted by the government in the future may potentially conflict with religious rights and freedoms.

Chapter2. Eliminating Prejudice and Promoting Understanding of Race and Religion

1. Our country claims to "take various measures to combat discrimination and prevent it by eliminating prejudice and increasing awareness and understanding of cultural differences among different races and ethnic groups" (Article 7 of ICERD, No.256 & 257 of the report). The most effective approach, however, is to eliminate prejudice through education, which tackles the root of the problem.
2. Taiwan is a country with diverse religions. The rich religious and cultural heritage is not only a source of pride for Taiwan, but also should be enhanced through basic education to increase the understanding of religious traditions, customs, and culture among the people. It is important to strengthen students' awareness, understanding, respect, and tolerance towards religious human rights, and eliminate possible prejudice in order to support the sustainable development of religious diversity in our country.

Suggestion:

To familiarize the people with diverse religious cultures, the government should establish specific religious holidays related to major world religions

and Taiwan's main religions in order to commemorate or highlight their influence on Taiwanese culture. Through the celebration of these holidays, it encourages people to appreciate the distinct cultural features of different religions, broaden their perspectives, showcase the cultural diversity of our society, as well as convey positive messages about the role of religion in serving and benefiting the community.

To ensure that the people have a thorough understanding of religious beliefs and to promote mutual understanding, tolerance, and friendship among different religions, we suggest that the government include a course on religious knowledge in compulsory education. This can help reduce the chances of exploitation by unscrupulous individuals who take advantage of the general lack of religious understanding among the population for fraudulent purposes. By incorporating religious education into the curriculum, conflicts arising from misunderstandings of religious and cultural perceptions can be avoided.

3. In March 2019, President Tsai Ing-wen issued an appointment order appointing Rev. Pusin Tali as the "Ambassador-at-Large for Religious Freedom in Taiwan" to assist the government in promoting religious freedom internationally. As a representative of religions in Taiwan, it is expected that the ambassador can represent the general opinions of religious communities in Taiwan. However, the appointment process seems to have lacked consultation with major religions in Taiwan, and it is unclear what criteria were used for the selection. This has raised concerns and surprise within the religious community.

Suggestion:

The government should demonstrate respect for human rights and democracy by notifying and seeking the opinions of religious communities in Taiwan in advance regarding important religious affairs. Otherwise, not only would the appointment lack international representativeness, but it would also prevent a genuine discussion, understanding, and resolution of issues regarding religious freedom within the country.