

# ROC's Initial Report under the International Convention on the Elimination of All Forms of Racial Discrimination

NGO

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Parallel Report



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This report covers article 1, 5, 7 of ICERD

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## **Chapter1. Definition of racial discrimination**

### **Explanation:**

1. Although the Republic of China (ROC) is not a member of the United Nations, as one of the founding members of the United Nations, ROC has spared no effort in promoting human rights, and Article 7 of its Constitution clearly states that "All citizens of the Republic of China, irrespective of sex, religion, race, class, or party affiliation, shall be equal before the law."
2. In the past, ROC has incorporated United Nations core conventions into Domestic Law, such as CEDAW, CRC and CRPD. The aims were providing protection for different groups and ethnic groups, such as women, children, and the mentally and physically handicapped.
3. In Article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), "race" is described as being based on race, colour, descent, or national or ethnic origin. However, in the national report, there are terms such as "community," "minority," "specific ethnic group," and "community and group". The definitions and meanings of these terms are not clear, and would make people confused.
4. There is also no clear definition of 'discrimination', which is an abstract concept. "The opposite of 'discrimination' is 'respect'.

### **Suggestion**

Terms such as "race" "ethnic origin", "descent" and "discrimination" should be clearly defined so as to be consistent with the implementation of the policy and acts of ICERD and to be able to achieve its precise implementation, avoiding confusion caused by the terms.

## **Chapter5. Measures to protect all kinds of right**

### **N. Right of freedom of thought, conscience and religion**

#### **Explanation:**

1. Article 7 of the ROC Constitution stipulates that the people of the R.O.C. shall be equal before the law, without distinction as to sex, religion, or race. On this basis, Article 13 stipulates that "The people shall have freedom of religious

belief " and that everyone has the right of freedom of thought, conscience and religion.

2. As a matter of fact, there have been cases in various countries where people have been persecuted because of the value of their religion or beliefs. For example, in the United States, a cake baker was sued because of refusing to make a cake for a transgender person owing of her beliefs; in the United Kingdom, a pastor was arrested for preaching on the value of marriage; in Taiwan, a university professor was convicted of violating the "sexual harassment" of the Gender Education Act by his school's Gender Equity Education Committee for discussing his views on homosexuality and homosexual behavior in his "The Ideology of Christ" class. The investigation results were even "sealed" by the Ministry of Education for 30 years, and the whole case can be described as "unjust, unfair, and unjust". These caused not only mental torture to the victim, but also disrupted his reputation.

### **Suggestion**

Organizations, enterprises, stores, and individuals that protect the core values of their religious beliefs should be guaranteed the freedom of choice based on their religious beliefs, their personal freedom and the right to life should be protected, such as a doctor who refuses to perform abortions because of his or her beliefs....

## **Chapter7. Promoting understanding, tolerance and friendship among nations and racial or ethnical groups**

### **E. Language Policy:**

#### **Explanation:**

1. The shortage of teaching materials and qualified teachers of the native language should be solved. Most teachers are part-time employees, which often causes problems for schools they are elder people and unstable. Although they are familiar with the native language, they are not familiar with the teaching skills and classroom management.
2. Shortage of environment to practice native language for students.
3. The native language classes would push out the times of other subjects.

#### **Suggestion**

1. Creating an environment for learning the native language at home. We should not only rely on the school as the main source of learning native language.
2. Through cultural and educational policies, combing local governments, social

media and related festivals, so that more people will recognize and understand native languages. For example, taking part in “Harvest Festival” of indigenous tribe is a good way to learn and to preserve their native languages, culture and traditions.