

# AMNESTY INTERNATIONAL PUBLIC STATEMENT

ASA 38/5531/2017

Date: 20 January 2017

## **Taiwan: Government must act on human rights review**

The Taiwan government must demonstrate its commitment to human rights by implementing the recommendations of the international group of independent experts, Amnesty International said today.

The panels of human rights experts convened by the government of Taiwan to review the implementation of the International Covenant on Civil and Political Rights (ICCPR) and the Covenant on Economic, Social and Cultural Rights (ICESCR) today released Concluding Observations and Recommendations to improve the country's implementation of these two important human rights treaties.

"The Taiwan government should seize the opportunity now, while several new draft laws and amendments are being actively debated, to demonstrate that this was not just a paper exercise and ensure that these recommendations from the human rights experts are implemented in law and practice," said Roseann Rife, East Asia Research Director for Amnesty International.

"This process is unique and has drawn the attention of the international community and should be a call to everyone across Taiwan and around the world to increase efforts to realize the promise of human rights for all."

Taiwan, the Republic of China, which was replaced in the United Nations by the People's Republic of China in 1971, cannot participate in the reviews undertaken by the UN Committees mandated to monitor states' compliance with the two Covenants. The Taiwan government initiated this review process with the first review in February 2013, and invited independent experts to review the country's progress. This second review re-confirms the importance of the implementation of international human rights law and standards in Taiwan.

The experts, who came from 11 countries and have wide experience and roles in varied international human rights institutions, presented the government with numerous recommendations at the end of the 3-day process. The recommendations covered a variety of issues including criminal justice, evictions, indigenous peoples and discrimination.

Amnesty International shares many of the concerns raised by the independent experts, including those recommendations urging the government to:

“strongly recommends that the Government take decisive steps by immediately introducing a moratorium on executions with the aim of full abolition of capital punishment in the near future;

notes with appreciation the initiatives taken by the Government of Taiwan aimed at introducing same-sex marriage into Taiwanese law. The full realization of these legislative changes would be a manifestation of Taiwan as a pioneer in the Asia-Pacific region, in combating discrimination on the basis of sexual orientation and gender identity;

immediately take action in order to bring this long lasting violation of Article 21 ICCPR to an end by getting the necessary amendments of the Assembly and Parade Act adopted by the Legislative Yuan;

establishing without further delay, a completely independent and pluralistic national human rights commission in full compliance with the Paris Principles;

accelerate the efforts to also accept the remaining three core human rights treaties: the Convention against Torture and its Optional Protocol (CAT, OPCAT), the International Convention of the Protection of the Rights of all Migrant Workers and Members of their Families (CMW) and the Convention for the Protection of all Persons from Enforced Disappearance (CED).”

In 2013, the human rights experts urged Taiwan to move toward abolition of the death penalty, but little progress on the issue was made. Amnesty International opposes the death penalty in all cases without exception, regardless of the nature or circumstances of the crime; guilt, innocence or other characteristics of the individual; or the method used by the state to carry out the execution.

“Amnesty International has worked closely with Taiwanese organizations and activists urging the government to takes steps to end this ultimate cruel, inhuman and degrading punishment”, said Rife. “It is long past the time that Taiwan should establish an official moratorium on executions as a first step toward abolition of the death penalty.”

The panel of experts repeated its call for Taiwan to recognize the diversity of families. If the Legislative Yuan passes tabled amendments to the Civil Code it would make Taiwan the first jurisdiction in Asia to legalize same-sex marriage. Amnesty International has called on all states to end discrimination in civil marriage laws based upon sexual orientation or gender identity.

“By implementing all of the experts’ recommendations and ensuring the Covenants are fully respected in Taiwan, the government would reinforce that human rights are universal and demonstrate that Taiwan can be a global leader in the protection of human rights.”