

90 THE CONTROL YUAN
*90th Anniversary
Special Issue*







1929 Taihoku-shū (Taipei Prefecture) Office Building / National Taiwan University Library Collection



President's Preface

The Control Yuan is the highest supervisory organ in the country. Because of changing times, many changes have occurred with its functions and organizational structure. Although the Control Yuan has transformed from a central democratic body to a non-representative agency, its core value of serving people has not changed. It exercises its powers of impeachment, censure, and audit granted by the Constitution and also accepts people's complaints in accordance with laws. The Control Yuan is empowered to review and investigate government agencies' actions; it can propose corrective measures and request that government agencies make improvements. Other supervisory powers include conducting circuit supervision of the work and facilities of government agencies, and handling issues related to ethics of government officials and civil servants. It is the Control Yuan's duty to promote integrity and good governance to protect people's rights.

Over the long trajectory of history, the Control Yuan has carried many important historical memories. This special issue selects major cases and details their investigation results to show the hard work of previous presidents, members, and staff. Because of their efforts, the Control Yuan, part of the constitutional governing system, has effectively carried out its supervisory duties to protect the people's rights and prevent corruption. In this term, we will continue to ensure that each member handles each case independently and transparently, and by doing so, protect people's rights, rectify officials' conduct, give full play to the Control Yuan's supervisory functions, and fulfill constitutional duties. This special issue also records the Control Yuan's participation in the international community. In 1994, under the name of "Control Yuan, R.O.C.," the Control Yuan joined the International Ombudsman Institute (IOI). In the early years of membership, due to political reasons, we were not able to participate meaningfully. It was not until the Control Yuan changed membership from the Asian Region to the Australasian and Pacific Ombudsman Region (APOR) that the Control Yuan began to gain support from regional countries. Over the past 30 years, the Control Yuan has upheld a pragmatic attitude and seized every opportunity to participate in international conferences. We have invited ombudsman from different countries and enhanced international exchanges. Through concrete actions, the Control Yuan has fulfilled its obligations as an IOI member of and developed a network within the international ombudsman community.

After more than two decades of effort by the government and private sectors, the National Human Rights Commission (NHRC) was formally established on August 1, 2020. This national human rights institution symbolizes the nation's conscience; and it shows that the country is committed to speaking out for the most vulnerable groups, ensuring that people's rights are protected in accordance with the Constitution, and to promoting human rights and social justice. Since its establishment, the NHRC has paid attention to various human rights issues, provided independent opinions on national reports, expanded participation in international human rights affairs, cooperated with government agencies to promote human rights education, and worked with public and private organizations.

In the "Freedom in the World 2021" report published by the US-based Freedom House, Taiwan ranks second in Asia, with its competitive democratic system. This means that Taiwan's democratic success is recognized by the international community, which is an achievement that is not easy to come by. In order to fully attend to people's rights and fulfill the duties and obligations of a national human rights institution, we will continue to improve laws and regulations gradually and implement policies accordingly, with the expectation that the Control Yuan and the NHRC will work in concert for social justice and serve as reliable justice institutions for the people and the country.

Over the past century, the Control Yuan has gone through institutional and organizational changes. However, it has faithfully performed its duties, and has never forgotten either its social responsibilities or people's expectations. This year is the 90th anniversary of the Control Yuan. The publication of this special issue aims to cultivate a better understanding of the agency, including its functions, institutional changes, and constitutional role. This special issue also demonstrates the Control Yuan's determination toward transparency and innovation. We continue to reflect on the past, stand firmly in the present, and listen to the voices of the people. We will work with other agencies to safeguard human rights to make Taiwan a beacon for democracy and freedom, and a country of human rights.



Chen Chu
President of the Control Yuan
Chairperson of the National Human Rights Commission
May 2021

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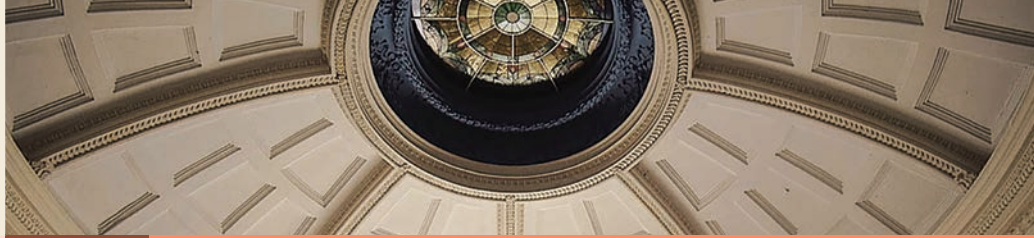
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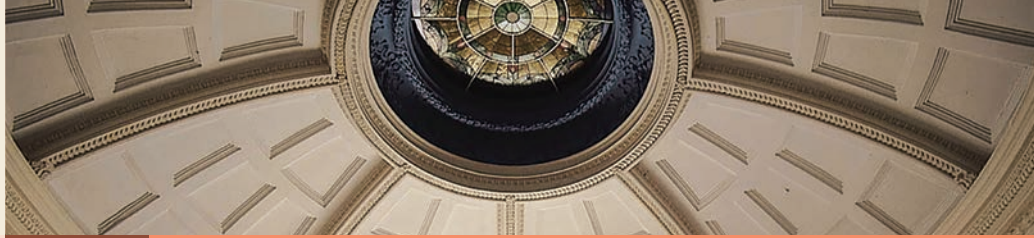
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Managing Editors: Ko Min-ching, Chang Jung-jung, and Hung Wei-ping
Copy editor: Chien Li-yun



CHAPTER

1

The Organization and Members of the Control Yuan

History, People, and the Control Yuan

Preface

Section 1 Organizational Evolution

Section 2 Members of the Control Yuan

Section 3 Experience and Heritage

Preface

The supervisory system dates back to the Qin (246-206 BC) and Han (206 BC–AD 220) dynasties, giving the system a history of more than two thousand years. At the time, the Censorate was established and in charge of supervision work. During the years of Emperor Wu of the Western Han dynasty, the positions of counselor-in-chief supervisor and metropolitan commandants were created. These positions were responsible for censure. In addition, 13 prefectural governors were established for local inspection. Emperor Guangwu of the Eastern Han dynasty preserved the system from the earlier dynasty. The exception was that now metropolitan commandants and 12 prefectural governors were responsible for local inspection. There were additional institutional changes after the Wei (220–265) and Jin (265-420) dynasties. From the Sui (581–618) and Tang (618–940) dynasties onward, the two positions of the Censorate and the Remonstrance Bureau were established. The Censorate oversaw the behavior of civil and military officials, while the Remonstrance Bureau advised the emperors. This system was modeled after the regional inspectors from Han dynasty. There

were 15 regional inspectors throughout the territories under the imperial control. At first, the Song (960-1279) dynasty followed the Tang dynasty system. Halfway into the rule of the Song dynasty, however, the responsibilities of the Censorate could not be clearly differentiated from those of the Remonstrance Bureau. Both agencies were then merged during the Yuan (1279-1368) dynasty. During the Ming (1368-1644) and Qing (1644-1911) dynasties, the Censorate was in charge of ethics and there were more thorough local inspections. The number of investigating censors was expanded from 13 to 15. In the late Qing dynasty, each province had its own investigating censor, and the total number of censors increased to 20. The supervisory institutions were dedicated to promoting goodness and eliminating evil. They gave full play to the purpose of rectification.

Dr. Sun Yat-sen led the revolution against the Qing dynasty and advocated for a five-power constitution. This system combines the advantages of the three-branch separation of powers adopted in Western countries; but in addition to executive power, legislative power, and judicial power, he added powers



of supervision and examination. When the Republic of China was first established, due to the division of the country among warlords and political instability, Sun's idea of separating the five powers was not implemented immediately. The Beijing government still followed the principle of three-branch separation of powers adopted in Europe and the United States, with the Legislative Yuan holding impeachment rights. In addition, the Pingzheng Yuan "the administrative litigation organ" and the Anti-Corruption Office were created during

this period for the purpose of justice in governance. The nationalist government was established in Guangzhou in July 1925. Its establishment followed Sun's "Fundamentals of National Reconstruction." The government then revised the Organic Law of the Control Yuan three times. However, due to military chaos, the Control Yuan was not created. In April 1927, the Nationalist Government chose Nanjing as its capital and began implementation of the five-power system. Although the exercise of supervisory power had gradually taken shape and become

institutionalized, due to military issues, the Control Yuan was not officially created until February 2, 1931 during the Period of Political Tutelage. The Control Yuan then became the highest supervisory agency of the Nationalist government. Yu You-ren, the first president, was sworn in on the same day. On January 1, 1947, the Constitution of the Republic of China was promulgated and the Period of Constitutional Government officially began. According to the Constitution, the first Control Yuan members were to be "elected by Provincial and Municipal Councils, the local Councils of Mongolia and Tibet, and Chinese citizens residing abroad." The



members gathered at Nanjing on June 5, 1948. On the same day, the Control Yuan officially entered the Period of Constitutional Government.

On August 13, 2013, at the 62nd Meeting of the Control Yuan's fourth term, the Control Yuan decided that starting from 2013, the second day of February will be celebrated as the anniversary of the Yuan's establishment. As of 2021, it has been 90 years since the Control Yuan was established on February 2, 1931, during the Period of Political Tutelage. There have been major reforms and changes over this period, including in the role of the Control Yuan, the creation of internal units, and the selection of members. This chapter is primarily divided into three parts: Organizational Evolution, Members of the Control Yuan, and Experience and Heritage. The first section, Organizational Evolution, elaborates on changes the Control Yuan has undergone during three periods: the Period of Military Government, the Period of Political Tutelage, and the Period of Constitutional Government.

The second section, Members of the Control Yuan, introduces regulations in different aspects, including methods of selection, statutory number of members, qualifications, and introduction to some members, to give an understanding of the Control Yuan membership. The third section, Experience and Heritage, is interviews with former Control Yuan's Presidents and



members, which will give a sense of their experiences. However, due to limited time and labor availability, in addition to an article written by former president Chen Lu-an, this section only collects interviews with a few people, including with former presidents Fredrick Chien and Chang Po-ya; and with member Chao Chang-ping who has served three terms, member Chao Jung-yao, member Chai Tsung-chuan (who

is known as a "judicial Rambo"), member Wu Feng-shan (who has both media and political experiences), and member Huang Huang-hsiung (who has devoted his life to investigating cases). In the future, we will continue to publish the interviews with other Control Yuan members in the Control Yuan Newsletter, so that our supervisory experience can be pass on to future generations.

Section 1 Organizational Evolution

Dr. Sun Yat-sen's idea of the five-power constitution included establishing a Control Yuan. However, at the founding of the Republic of China, the Control Yuan was not established. The Department of Audit was created instead at the central government level, with this office being subordinate to the Prime Minister. In June 1914, the Department of Audit was changed to the Auditing Yuan and was directly subordinate to the President of the Republic of China. It was not until the Nationalist Government was established in Guangzhou in July 1925 that the power of supervision started to be exercised for trial. However, the establishment of the Control Yuan was postponed several times due to military reasons. On February 2, 1931, during the Period of Political Tutelage, Yu You-ren was sworn in as the Yuan's president and the Control Yuan was officially established. After the Constitution was enacted, the members of the Control Yuan gathered at the capital, Nanjing on June 5, 1948, and the Control Yuan formally entered the Period of Constitutional Government. This section describes the establishment and organizational evolution of the Control Yuan during three periods: the Period of Military

Government, the Period of Political Tutelage, and the Period of Constitutional Government.

I. The Period of Military Government

On January 30, 1924, the Kuomintang (Chinese Nationalist Party) issued a declaration at the 1st National Congress that the government will adopt the principle of separation of five powers. On July 17, 1925, the nationalist government formulated and promulgated the Organic Law of the Control Yuan for the first time. There were 5 members, with one of them to be elected as chair by other members; the Control Yuan's own administrative affairs were to be decided by the Yuan's meetings. This was the institutional organization when supervisory authority first began to be exercised. Although the Nationalist Government later revised and promulgated the Organic Law of the Control Yuan three times, due to the Northern Expedition, the Control Yuan was not created. However, to address the needs of the time, the Nationalist Government appointed Yu You-ren as president of the Auditing Yuan on February 28, 1928, and the Auditing Yuan itself was created on April 27 of the same year to oversee finances.

II. The Period of Political Tutelage

On October 20, 1928, the Nationalist Government promulgated the Organic Law of the Control Yuan for the second time. Yu You-ren was selected as the president in November 1930 and sworn in on February 2, 1931. The Control Yuan of the Period of Political Tutelage was then formally established. On August 13, 2013, at the 62nd meeting of the Control Yuan's fourth term, the Control Yuan decided that starting from 2013, the second day of February will be the anniversary of the Yuan's establishment.

On February 21, 1931, the Nationalist Government announced that the name of the Auditing Yuan would be abolished and, in accordance with the law, the (Ministry-level) National Audit Office was to be established under the jurisdiction of the Control Yuan. On February 24, the president of the Auditing Yuan, Yu You-ren, reported to the government that the Auditing Yuan was to be abolished and that a transition plan was ready. On March 9 of the same year, the National Audit Office was established.

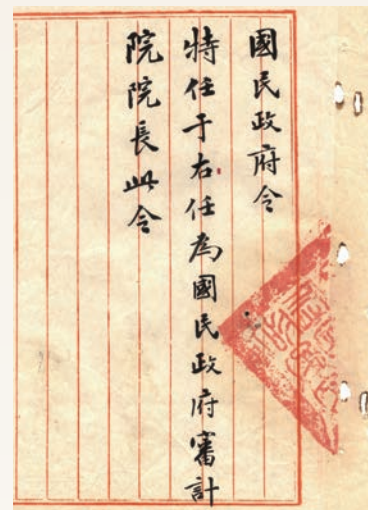


Figure 1-1

The Nationalist Government appoints Yu You-ren as president of the Auditing Yuan on February 28, 1928 (Source: Academia Historica).



Figure 1-2
Promulgation of the Organic Law of the Control Yuan on October 20, 1928 (Source: Academia Historica).

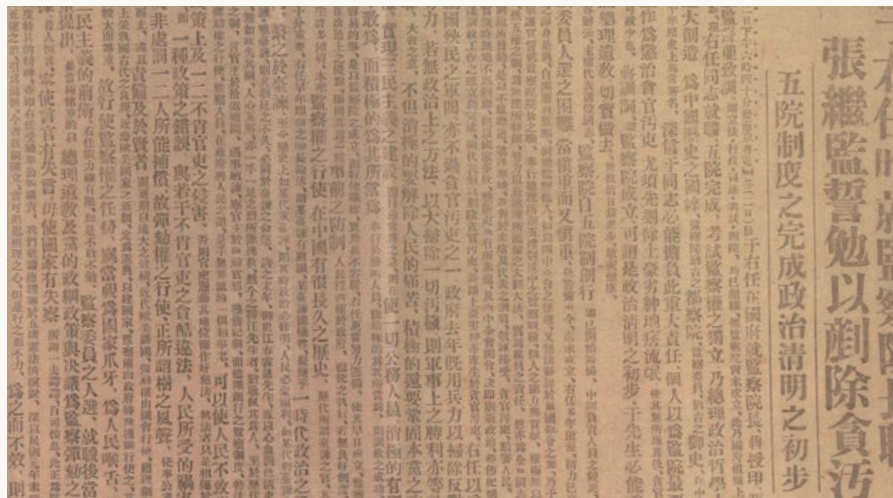


Figure 1-3
Yu You-ren is sworn in as president of the Control Yuan (Source: Ta Kung Pao, page three, February 3, 1931).



Figure 1-4

Yu You-ren, president of the Auditing Yuan, reports to the Nationalist Government that the Yuan will be abolished and that a transition plan is ready (Source: Academia Historica).

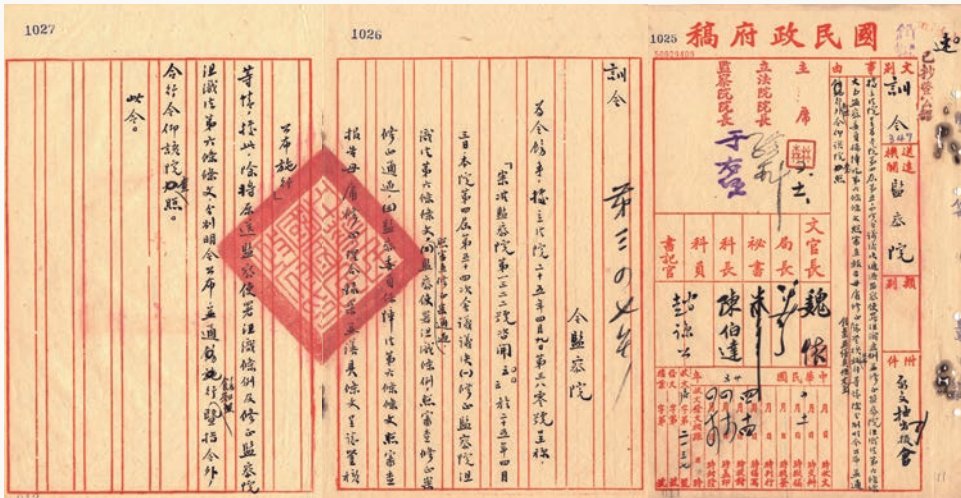


Figure 1-5

Based on the Nationalist Government's decree issued on April 14, 1936, the Organic Law of the Ombudsman was to be formulated, and Article 6 of the Organic Law of the Control Yuan was to be revised (Source: Academia Historica).

On April 14, 1936, the Nationalist Government promulgated the revised Article 6 of the Organic Law of the Control Yuan. New regulations on the establishment of the Ombudsman Bureau and the term of office for the ombudsmen were added. In addition, the Organic Law of the Ombudsman was formulated. In accordance with the Law, the president of the Control Yuan would report to the Nationalist Government to request that ombudsmen be sent to different regions to conduct circuit supervision and inspection.

During the Chinese Civil War, to meet war requirements, on June 5, 1940, the Nationalist Government promulgated the Organic Regulations for the Control Yuan War Zone Circuit Supervision Group. Groups were

assigned to war zones to conduct supervision and enhance the supervisory power of the Control Yuan. The mission ended in May 1946.

III. The Period of Constitutional Government

A. Evolution of the Organizational Structure

The Constitution of the Republic of China was promulgated on January 1, 1947. On March 31, 1947, the Nationalist Government promulgated the Organic Law of the Control Yuan for the third time. In addition, there were two revisions on December 23, 1947 and April 3, 1948. It was explicitly ordered

國民政府令 三十六年三月三十一日(補發)

茲制定監察院組織法，公布之。此令。

監察院組織法

第一條 本法依憲法第一百零六條制定之。

第二條 監察院行使憲法所賦予之職權。

第三條 監察院得分設委員會，其組織以法律定之。

第四條 監察院設審計總處，其職掌如左。

一、監督政府所屬全國各機關預算之執行。

二、核定政府所屬全國各機關之收入命令及支付命令。

三、審核政府所屬全國各機關之計算及決算。

四、稽察政府所屬全國各機關財政上之不法或不忠於職務之行為。

審計總處之組織，另以法律定之。

第五條 審計長綜理審計總處事務。

第六條 監察院院長綜理院務，並監督所屬機關。

監察院院長因事故不能視事時，由副院長暫行代理其職務。

第七條 監察院會議，由院長副院長及監察委員組織之，以院長為主席。

第八條 監察委員得分赴各地巡迴監察，行使彈劾糾舉之職權。

第九條 監察院置秘書長一人，由院長就監察委員外選派人員，提出監察院會議決定後，由政府特派之。

秘書長承院長之命，處理本院事務，並指揮監督所屬職員。

第十條 監察院設秘書處，其職掌如左。

一、關於會議紀錄事項。

二、關於派查案件及蒐集有關資料事項。

三、關於文書收發及保管事項。

四、關於文書分配撥發及編製事項。

五、關於印信典守事項。

六、關於出納庶務事項。

第十一條 監察院置秘書六人至十八人，簡任，掌理撰擬審核關於監察之法案命令事項。

第十二條 監察院置庶務六人至十八人，其中四人簡派，餘荐派，科長四人至六人，荐任，調查專員六人至十人，其中二人至四人簡任，餘荐任，科員四十八人至五十人，委任，其中十二人得為兼任，書記官二十人至四十人，辦事員二十人至四十人，均委任，並得用雇員四十人至六十人。

第十三條 監察院得聘用編審四至六人。

監察院設會計室、計室及人事室，依法律之規定分別辦理會計、統計及人事事項。

第十四條 會計室、計室及人事室各設主任一人，均荐任，其餘人員由院長會同主管機關就前條所定員額中決定之。

第十五條 監察院會議規則及庶務規程，由監察院定之。

本法施行日期，以命令定之。

Figure 1-6 The Nationalist Government announces the Organic Law of the Control Yuan on March 31, 1947 (Source: Nationalist Government Bulletin).

on May 1, 1948 that the Organic Law of the Control Yuan took effect on the day of the constitution-stipulated first meeting of the Control Yuan members in 1948. In accordance with Article 7 of the preparatory procedures for the implementation of the Constitution, "The first constitutionally-stipulated meeting of Control Yuan members is to be convened by the President of the Republic of China after the closure of the National Assembly." On May 26, 1948, the President issued a decree: "The first constitutionally-stipulated meeting of the Control Yuan members is to be held at the capital on June 5, 1948."

After the Constitution was enacted, the first meeting of the Control Yuan was held at Nanjing on June 5, 1948. The constitutional Control Yuan was established, and the Organic law of the Control Yuan took effect, the same day. On June 9, 1948, Yu Youren was elected as the first Control Yuan president during the constitutional period.

In accordance with the Organic Law of the Control Yuan implemented on June 5, 1948, the Control Yuan established office of secretariat, accounting office, statistics office, human resources office, and national audit office. In addition, in accordance with the Organic Act of the Control Yuan Committees promulgated on July 28, 1948, committees were established to oversee the Executive Yuan and other ministries.

After the establishment of the constitutional Control Yuan, the Regulations Governing Control Yuan Administrative

Affairs (below, the "Yuan Regulations") were formulated and passed by the 30th meeting of the first Control Yuan's first term on September 7, 1948. According to the regulations, the Department of Secretariat had six divisions, responsible for confidential documents, meeting documents, press releases, handling mail, proofreading, storage, investigations, employee welfare and health, and cashiering and general affairs. Furthermore, offices for shorthand dictation, data processing, library collection, supervision, and translation were created. In addition, the Office of Control Yuan Members was established to handle the registration and transfer of people's written complaints, impeachments, and review reports for censure cases.

From 1968 to 1975, in response to changes in the internal structure of the Control Yuan and the implementation of the Position Classification and Appointment Regulations, utilization of human resources was improved and auditing duties were enriched. Revision in positions in accordance with the grade system of recommendation and examination also took place. Revisions to the Organic Law of the Control Yuan were announced on July 2, 1968; April 14, 1971; November 4, 1971; December 6, 1972; and April 22, 1975.

According to the Yuan Regulations passed by the 1,248th meeting of the Control Yuan's first term on January 11, 1972, the Department of Secretariat had 5 groups

(each group divided into two divisions), and there were offices for review, shorthand dictation, inspection, and public relations. All offices and divisions were responsible for different matters.

The amendments to the Constitution of the Republic of China promulgated on May 28, 1992 included changes in the powers of the Control Yuan members and the way they were selected. The Control Yuan was no longer a representative institution. Originally, the Control Yuan was empowered to approve nominated candidates for the president, vice president, and grand justices of the Judicial Yuan, as well as the president, vice president, and members of the Examination Yuan. Now, this power was removed; the Control Yuan became solely responsible for impeachment, censure, and audit. In accordance with the constitutional change, the Organic Law of the

Control Yuan was amended and promulgated on November 4, 1992 to add qualifications for the Yuan's members; the revisions took effect on February 1, 1993. Changes occurred in a way that met the needs of changing times. The Yuan Regulations were further revised in April 1993 with large-scale adjustments to the internal organizational structure of the Control Yuan.

In addition, on July 2, 1993, the Act on Property-Declaration by Public Servants was promulgated. It states that the Control Yuan will be the agency that implements the Act. Before the revision of the Organic Law of the Control Yuan, the Department of Property-Declaration by Public Servants was created on August 1, 1993. It was mission-oriented and for temporary purposes, with staff appointed from various Control Yuan units to serve concurrently.



Figure 1-7

The first meeting of the Control Yuan's first term during the Period of Constitutional Government on June 5, 1948.



Figure 1-8

All members of the Control Yuan listen to a speech in the Control Yuan's first term during the Period of Constitutional Government on June 5, 1948 (Source: Academia Historica).

總統令

中華民國八十一年十一月四日

茲修正監察院組織法第六條、第九條及第十五條；並增訂第三條之一條文，公布之。

總統 李登輝
行政院院長 郝柏村

修正監察院組織法第六條、第九條及第十五條；
並增訂第三條之一條文

中華民國八十一年十一月四日公布

第三條之一

監察院監察委員，須年滿三十五歲，並具有左列資格之一：

- 一、曾任中央民意代表一任以上或省（市）議員二任以上，聲譽卓著者。
- 二、任簡任司法官十年以上，並曾任高等法院、高等法院檢察署以上司法機關司法官，成績優異者。
- 三、曾任簡任職公務員十年以上，成績優異者。
- 四、曾任大學教授十年以上，聲譽卓著者。
- 五、國內專門職業及技術人員高等考試及格，執行業務十五年以上，聲譽卓著者。
- 六、清廉正直，富有政治經驗或主持新聞文化事業，聲譽卓著者。

前項所稱之服務或執業年限，均計算至次屆監察委員就職前一日止。

第六條

監察院院長綜理院務，並監督所屬機關；監察院院長因事故不能視事時，由副院長代理其職務。

監察院院長出缺時，由副院長代理；其代理期間至總統提名繼任院長經國民大會同意，總統任命之日為止。

監察院副院長、副院長同時出缺時，由總統就監察委員中指定一人代理院長；其代理期間至總統提名繼任院長、副院長經國民大會同意，總統任命之日為止。

監察院院長、副院長及監察委員出缺時，其繼任人之任

Figure 1-9

The President announces excerpts from the revised Organic Law of the Control Yuan on November 4, 1992 (Source: Presidential Office Bulletin).

In 1997, domestic political, social, and economic conditions had undergone major changes. The people's expectations for government opposition to corruption were increasing; the number of people's complaints had doubled; and there was also a surge in the number of public officials who needed to declare property. The Control Yuan's staffing and capacity of the time was unable to respond to these changes. There was therefore an urgent need to expand the Control Yuan's personnel; and so, the Organic Law of the Control Yuan underwent another round of thorough revisions, with the new version being published on January 7, 1998. This was the biggest change ever made to the Law, and it paved the foundation for the current organizational structure of the Control Yuan. In addition to some reasonable adjustments of personnel allocation and quota, other important changes included:

1. Addition of one deputy secretary-general.
2. The original Department of Secretariat was divided instead into divisions and offices, with offices and the Department now on an equal level. In order to strengthen acceptance, processing, and review of people's written complaints, and to further enhance censure, punishment, and supervision of law violations by public servants, the Department of Supervisory Operation was created.

To assist Control Yuan members in exercising the power of investigation, the Department of Supervisory Investigation was established. In addition, the Department of Property-Declaration by Public Servants (which handles civil servants' property declarations) and the Information Management Office (which handles information technology) were established. The Administration Office and the Research Office were combined into the General Planning Office, while the Department of Accounting was downsized into the Accounting Office. An Ethics Office was also created.

3. To assist the Control Yuan members in exercising their powers independently, Article 13-1 was added to allow the hiring of one assistant for each member, with assistants' terms coterminous with the members'.

The Organic Law of the Control Yuan was further revised and revisions were made public on January 8, 2020, with Paragraph 2 of Article 3 stipulating the new establishment of a National Human Rights Commission. Article 3-1 was also newly added to address qualifications of Control Yuan members' human rights expertise. Moreover, to ensure optimum use of human resources and administrative unification, the General Planning Office and the Information Management Office were integrated into the Department of Coordination and Planning.

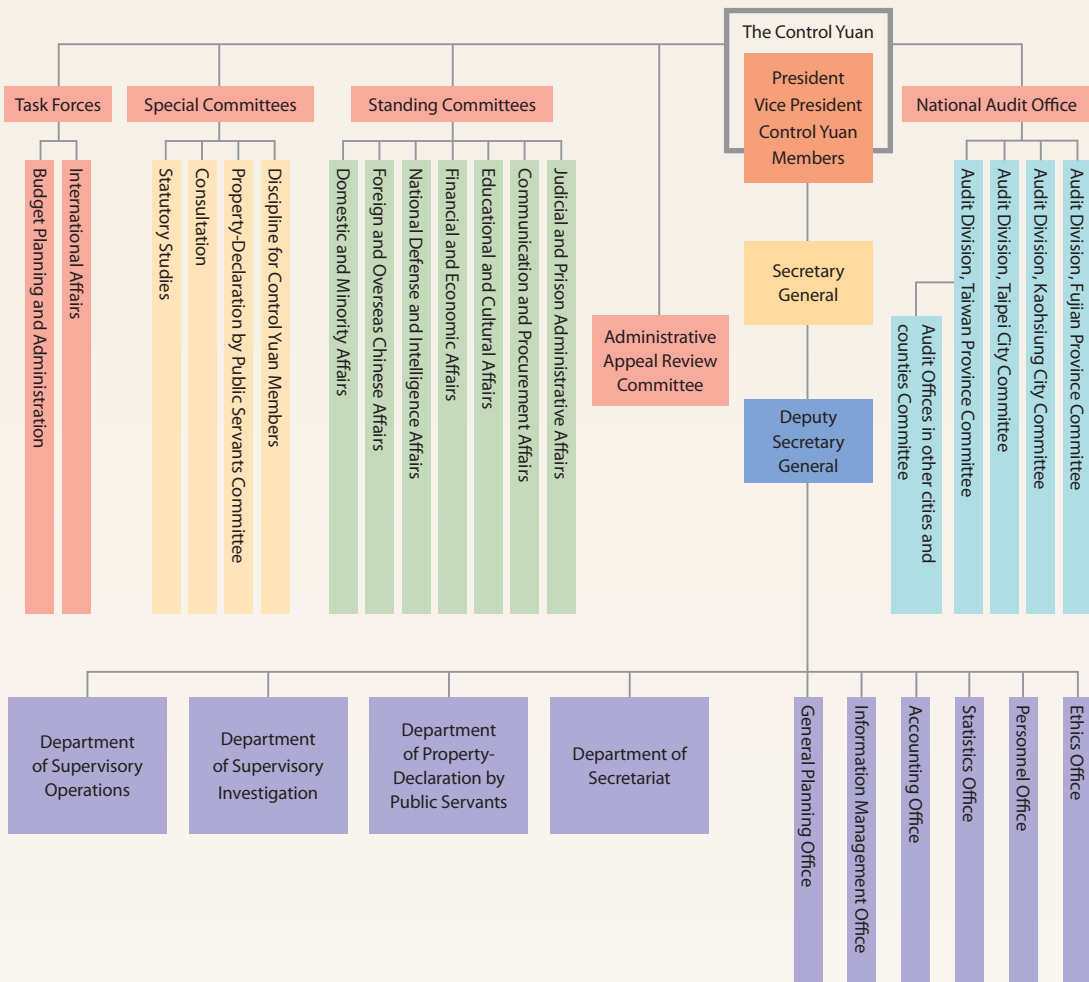


Figure 1-10
The Organization Chart of the Control Yuan, as revised in 1998.

B. Evolution of the Control Yuan

Committees' Organizational Structure

The establishment of Control Yuan Standing Committees began in the Period of Constitutional Government. According to the Article 96 of the Constitution, "The Control Yuan may, taking into account the work of the Executive Yuan and its various Ministries and Commissions, set up a certain number of committees to investigate their activities with a view to ascertaining whether or not they are guilty of violation of law or neglect of duty." Article 3 of the Organic Law of the Control Yuan published on March 31, 1947 stated that "The Control Yuan may separately establish committees whose organization shall be stipulated in separate laws." This is the legal basis for the establishment of the Control Yuan Committees.

On July 28, 1948, the government announced the Organic Act of the Control Yuan Committees. In accordance with the Act, the Control Yuan was to create ten Committees: Domestic Affairs and Land Administration; Foreign and Overseas Chinese Affairs; National Defense; Finances and Grains; Economic Resources, Agriculture, Forestry, and Water Resources; Education; Transportation; Judiciary; Social Welfare and Health; and the Mongolian and Tibetan Affairs Committee. The conveners were selected by committee members during the 27th meeting of the Control Yuan's first term on July 29, 1948. The Committees were

officially established on August 10, 1948.

In response to changes in the organizational structure of the Executive Yuan, the Organic Act of the Control Yuan Committees was revised and promulgated on June 11, 1949. As part of these changes, the Social Welfare and Health Committee was abolished. Nine Standing Committees were created: Domestic Affairs; Foreign and Overseas Chinese Affairs; National Defense; Financial Affairs; Economic Affairs; Education; Transportation; Judiciary Affairs; and Mongolian and Tibetan Affairs.

In 1953, to be in line with the Executive Yuan's organizational structure of eight ministries and two commissions, the Control Yuan Committees underwent another adjustment. Because there were only 104 members who came to Taiwan with the Nationalist Government, there was a need to adjust the organizational structure of the committees based on actual situations. The Organic Act of the Control Yuan Committees was revised, and the revisions were promulgated on May 27, 1953. Ten Standing Committees were established: Domestic Affairs; Foreign Affairs; National Defense; Financial Affairs; Economic Affairs; Education; Transportation; Judiciary Affairs; Border Affairs; and Overseas Chinese Affairs. Another round of revisions again took place on November 30, 1953. However, the organizational structure of the committees was not changed this time.

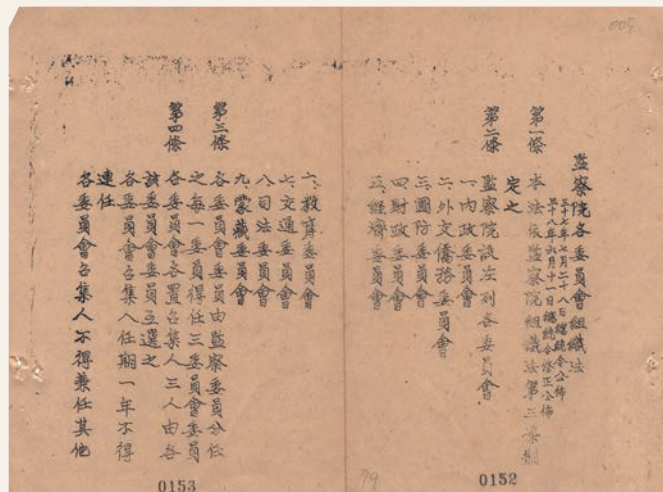


Figure 1-11

Revisions and promulgation of the Organic Act of the Control Yuan Committees on June 11, 1949 (Source: Academia Historica).

On November 13, 1992, amendments to the Constitution of the Republic of China specified that the number of Control Yuan members was to be 29, and the Organic Act of the Control Yuan Committees was revised accordingly. In order to enhance organizational competencies and revise the law to meet the needs of changing times, a revision to the Organic Act of the Control Yuan Committees was issued on January 7, 1998. Based on the structure of the Legislative Yuan's Committees, the number of Committees for the Control Yuan was

reduced from ten to seven; the names of the Standing Committees were also changed. The new titles were: Domestic and Minority Affairs; Foreign and Overseas Chinese Affairs; National Defense and Intelligence Affairs; Financial and Economic Affairs; Educational and Cultural Affairs; Communication and Procurement Affairs; and Judicial and Prison Administration Affairs. In addition, articles were added to allow the establishment of special committees to address the Control Yuan's new needs.

In response to ethnic diversity, another revision took place, and the new version of the Organic Act of the Control Yuan Committees was published on January 8, 2020. As part of these changes, the Domestic and Minority Affairs Committee was renamed as the Committee on Domestic and Ethnic Affairs.

In response to emerging government functionalities and in order for the government to be able to effectively carry out its duties, the Control Yuan revised and announced the Organic Act of the Control Yuan Committees on May 12, 2021. The Control Yuan made reference to

the Legislative Yuan's committee model in making adjustments to Control Yuan Committees, while still maintaining seven Standing Committees. The Committee on Foreign and Overseas Chinese Affairs and the Committee on National Defense and Intelligence Affairs were merged into the Committee on Foreign and National Defense Affairs. A new committee, the Committee on Social Welfare and Environment Hygiene Affairs, was also established. The revisions to the Act took effect on August 1, 2021.

(Regarding the evolution of the organizational structure of each committee, see Chapter 3, Section 3 for more details.)

Figure 1-12

President Tsai Ing-wen (second from left); Chang Po-ya (first left), fifth-term president of the Control Yuan; Chen Chu (second from right), sixth-term president of the Control Yuan and Chair of the NHRC; and Upay Radiw Kanasaw (first right), member for the Control Yuan's sixth term, preside over the opening ceremony for the NHRC on August 1, 2020.



C. National Human Rights Commission

The National Human Rights Commission (NHRC) was created under the Principles Relating to the Status of National Human Rights Institutions (commonly known as the "Paris Principles") passed by the United Nations in 1993. After years of research and discussions, a draft version of the Organic Act of the Control Yuan National Human Rights Commission was passed on June 11, 2019 by the Control Yuan at the 62nd meeting of the Control Yuan's fifth term. The Act was then passed by the Legislative Yuan on the Human Rights Day, December 10, 2019. It was promulgated on January 8, 2020.

The Organic Act of the Control Yuan National Human Rights Commission came into effect on May 1, 2020. The NHRC was officially inaugurated on August 1, 2020, the first convening day for the Control Yuan's sixth-term members. This was a new milestone for Taiwan in promoting and securing human rights, and realizing human rights as a core value of the country. The NHRC is divided into a Research and Planning Division, an Enquiries and Investigation Division, and an Education and

Promotion Division. Each division handles administrative affairs in accordance with its legal responsibilities.

(Regarding NHRC organization, see Chapter 4 for details.)

IV. The Present Organization of the Control Yuan

In accordance with the revised Organic Law of the Control Yuan announced on January 8, 2020 and the revised Organic Act of the Control Yuan Committees took effect on August 1, 2021, the Control Yuan established a Department of Supervisory Operation; Department of Supervisory Investigation; Department of Property-Declaration by Public Servants; Department of Secretariat; Department of Coordination and Planning; Accounting Office; Statistics Office; Personnel Office; and Ethics Office, for a total of five departments and four offices. In addition, seven standing committees were established: the Committee on Domestic and Ethnic Affairs; the Committee on Foreign and National Defense Affairs; the Committee on Social Welfare and Environment Hygiene Affairs; the Committee

on Financial and Economic Affairs; the Committee on Educational and Cultural Affairs; the Committee on Transportation and Procurement Affairs; and the Committee on Judicial and Prison Administration Affairs.

Furthermore, in accordance with the Organic Act of the Control Yuan National Human Rights Commission promulgated on January 8, 2020, the NHRC was established. The Commission has 10 members. The president of the Control Yuan and the seven Control Yuan members who meet the qualifications laid out in the Subparagraph 7, Paragraph 1, Article 3-1 of the Organic Law of the Control Yuan are ex officio members of the Commission. The Chair shall be the president of the Control Yuan appointed by Taiwan's President at the time of nomination as a candidate for Control Yuan member;

and the Vice Chair is to be elected by the Commission's members.

In response to service demands, and in accordance with Article 2, Paragraph 3 of the Organic Act of the Control Yuan Committees, four special committees have been established. They are the Committee on Statutory Studies; Committee on Consultation; Committee on Discipline for Control Yuan Members; and the Committee on Anti-Corruption. In accordance with Administrative Appeal Act, the Administrative Appeal Review Committee was created. In addition to the above special committees, there are four task forces: Budget Planning and Administration; International Affairs; Gender Equality; and Human Rights Protection.

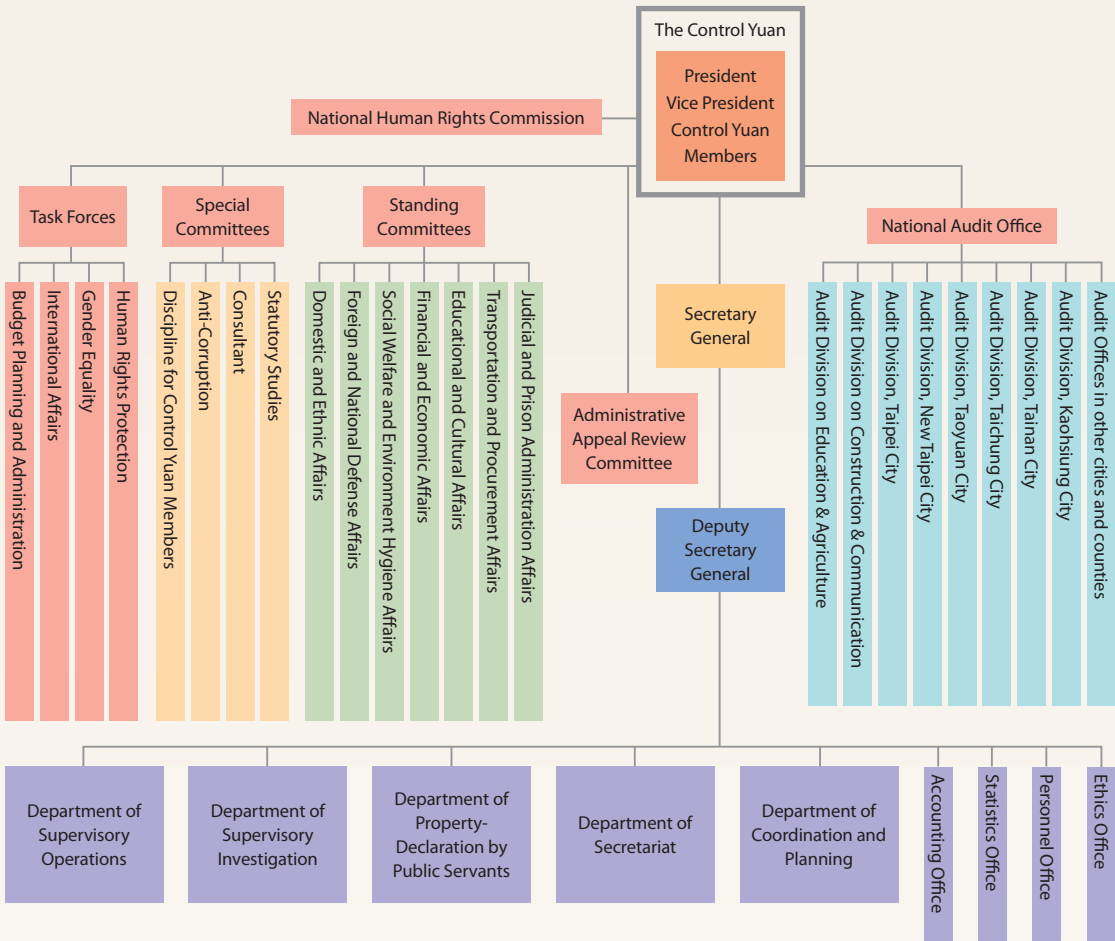


Figure 1-13
2021 revised organizational chart for the Control Yuan.

Historical Development of the Control Yuan

1925

- *July 17*

The Nationalist Government promulgates 13 articles of the Organic Law of the Control Yuan for the first time.

- *August 1*

The Control Yuan is established, marking the beginning of the Nationalist Government's trial of supervisory powers.

1927

- *November 5*

The Nationalist Government promulgates the revised Organic Law of the Control Yuan. However, due to the Northern Expedition and military chaos, the Control Yuan is not established.

1928

- *April 27*

The Auditing Yuan is formally established, with Yu You-ren serving as president.

- *October 20*

The Nationalist Government issues the Organic Law of the Control Yuan for the second time, with 23 articles promulgated.

1931

- *February 2*

The Control Yuan is officially established and Yu You-ren is sworn in.

- *February 21*

The Nationalist Government issues an order abolishing the Auditing Yuan. The "Yuan" is renamed as the "National Audit Office" and subordinate to the Control Yuan.

1936

- *April 14*

The Nationalist Government promulgates revised Article 6 of the Organic Law of the Control Yuan. Additional regulations such as the establishment of the Ombudsman Bureau and ombudsmen's terms are added.

1947

- *March 31*

The Nationalist Government issues the Organic Law of the Control Yuan for the third time, with 15 articles promulgated.

The Nationalist Government promulgates the Act for Election and Recall of Control Yuan Members.

1948

- *May 1*

The Nationalist Government orders that the Organic Law of the Control Yuan shall come into effect upon the day when the 1948 Constitution-stipulated first meeting of the Control Yuan members. Control Yuan members convene.

- *June 5*

The first Control Yuan members convene at the capital, Nanjing. The Control Yuan officially enters the Period of Constitutional Government. On the same day, the Organic Law of the Control Yuan takes effect.

- *June 9*

Yu You-ren is elected the first president of the Control Yuan, with 118 votes.

- *July 28*

The Organic Act of the Control Yuan Committees is promulgated. The Organic Act of the Control Yuan Member Bureau is also promulgated, with the Act establishing regional Member Bureaus.

- *August 10*

The 27th meeting of the Yuan's first term is held on July 29. The various Committees are officially created on August 10, with conveners for each Committee to be elected by committee members.

1951

- *June*

The Control Yuan Member Bureaus are abolished; the Control Yuan Member Bureau for Fujian and Taiwan is abolished at the end of June. Functionalities are then transferred to the Control Yuan, upon which time, all bureaus are abolished.

1992

- *November 4*

In response to the announcement of amendments to the Constitution of the Republic of China, the role of the Control Yuan is re-oriented as a non-representative agency. The right of consent is removed. The Control Yuan's powers now focus on impeachment, censure, and audit, in accordance with the Organic Law of the Control Yuan.

- *November 13*

In accordance with the amendments to the Constitution of the Republic of China stating that the number of Control Yuan Committee members shall be 29, revisions are made to the Organic Act of the Control Yuan Committees.

1998

- *January 7*

1. In response to major changes in domestic political, social, and economic conditions, the Organic Law of the Control Yuan is revised, with the chief secretary replaced by a deputy secretary general. The Departments of Supervisory Operation, Supervisory Investigation, and Property-Declaration by Public Servants, as well as the Information Management Office, are created. Furthermore, the Administration Office and Research Office are combined into the General Planning Office. The Department of Accounting is downsized into the Accounting Office, and the Ethnic Office is created.

2. The Organic Act of the Control Yuan Committees is revised; the original ten standing committees are merged into seven. The names of the standing committees are also revised. In addition, to meet service demands, the Control Yuan is allowed to establish special committees.

2020

- *January 8*

1. In order to establish a national human rights institution that complies with the Paris Principles, the Organic Act of the Control Yuan National Human Rights Commission is promulgated on January 8, 2020.
2. Revised Articles within the Organic Law of the Control Yuan are promulgated, with the establishment of the National Human Rights Commission added to Article 3. Article 3-1, regarding the qualifications of Control Yuan members, is also revised. The General Planning Office and the Information Management Office are integrated into the Department of Coordination and Planning.
3. Revised articles of the Organic Act of the Control Yuan Committees are promulgated. The Domestic and Minority Affairs Committee is renamed as the Domestic and Ethnic Affairs Committee.

- *May 1*

The Organic Act of the Control Yuan National Human Rights Commission comes into effect.

- *August 1*

The National Human Rights Commission is officially inaugurated on the Control Yuan sixth-term members' inauguration day, marking a new milestone for Taiwan in promoting and protecting human rights. The Commission's establishment embodies the implementation of human rights as a core value for the country.

2021

- *May 12*

Articles 2 and 11 of the Organic Act of the Control Yuan Committees are revised and announced. The Committee on Foreign and Overseas Chinese Affairs and the Committee on National Defense and Intelligence Affairs are merged into the Committee on Foreign and National Defense and Affairs. A new committee, the Committee on Social Welfare and Environment Hygiene Affairs, is established.

- *August 1*

Revisions to Articles 2 and 11 of the Organic Act of the Control Yuan Committees take effect.

Section 2 Members of the Control Yuan

I. Selection Methods

During the Period of Political Tutelage, the Control Yuan had one president and one vice president, who were selected by the Central Executive Committee. After the Organic Law of the National Government was amended in September 1944, the president and vice president were to be selected by the Nationalist Government Chairman from among the National Government members, then approved by the Central Executive Committee. The Control Yuan members were then to be appointed by the Control Yuan president, with the consent given by the Nationalist Government.

During the Period of Constitutional Government, the selection of Control Yuan members was conducted through indirect election. According to Article 91 of the Constitution, "The Control Yuan shall be composed of Members who shall be elected by Provincial and Municipal Councils, the local Councils of Mongolia and Tibet, and Chinese citizens residing abroad." The quota of members was decided by the size of population in provinces, municipalities directly under the jurisdiction

of the central government, the Mongolian region, Tibet, and foreign countries where Chinese nationals resided. Article 92 of the Constitution stipulates that "the Control Yuan shall have a President and a Vice President, who shall be elected by and from among its Members." During the Period of Mobilization for the Suppression of Communist Rebellion, it was impossible to hold elections; and thus, in December 1969, a by-election was held. Furthermore, in February 1973, December 1980, and January 1987, elections for additional members were held.

In accordance with Article 15, Paragraph 2 of the Additional Articles of the Constitution of the Republic of China promulgated on May 28, 1992, the selection method for the Control Yuan members was amended to say that they are "to be nominated by the President and approved by the National Assembly," with one among their number to serve as Yuan president and one as vice-president. On April 25, 2000, the revised and current Article 7, Paragraph 2 of the Additional Articles regarding the selection of the Control Yuan members was promulgated, stating that members are to be

"nominated by the President and approved by the Legislative Yuan."

II. Statutory number of members

According to the Organic Law of the Control Yuan promulgated on July 17, 1925, the Control Yuan had 5 members. In response

to changing laws and times, the number of members has changed, as shown in Table 1-1. In accordance with Article 7, Paragraph 2 of the Additional Articles of the Constitution of the Republic of China promulgated on July 21, 1997, the current statutory number of Control Yuan members is 29.

Table 1-1 The Statutory Number of Control Yuan Members Over the Years

Dates	Legal Basis	Statutory Number of Control Yuan Members
July 17, 1925	Article 2 of the Nationalist Government's Organic Law of the Control Yuan	5
November 5, 1927	Article 6 of the Nationalist Government's Organic Law of the Control Yuan	7
October 8, 1928	Article 43 of the Nationalist Government's Organic Law of the Control Yuan	19 to 29
June 15, 1931	Article 47 of the Nationalist Government's Organic Law of the Control Yuan	29 to 49
December 30, 1931	Article 48 of the Nationalist Government's Organic Law of the Control Yuan	30 to 50
December 26, 1932	Same as above	29 to 49

Dates	Legal Basis	Statutory Number of Control Yuan Members
April 17, 1947	Article 50 of the Nationalist Government's Organic Law of the Control Yuan	54 to 74
Promulgated on January 1, 1947 Enacted on December 25, 1947	Article 91 of the Constitution of Republic of China	<ol style="list-style-type: none"> 1. Five Members from each province; Two Members from each municipality under the direct jurisdiction of the Executive Yuan; Eight Members from Mongolian Leagues and Banners; Eight Members from Tibet; Eight Members from Chinese citizens residing abroad. 2. When the elections were conducted in 1948, there were 35 provinces and 12 municipalities directly under the jurisdiction of Central Government, for a total of 223 members. However, because some provinces, regions and localities failed to hold elections, only 180 members were elected.
March 27, 1969	Article 11 of the Measures for the Central Government's Civil Servants Selection in Free Areas During the Period of Mobilization	<ol style="list-style-type: none"> 1. Based on the then-current administrative demarcations, the number of members was calculated in accordance with Article 91 of the Constitution, deducting the number of originally-elected members. 2. In accordance with point 1, Taipei City was to elect two more members.
June 29, 1972	Article 10 of the Measures for Increased Quota of the Central Government's Elected Representatives in Free Areas during the Period of Mobilization	<ol style="list-style-type: none"> 1. 7 members from each province within the free areas; 3 members from municipalities directly under the jurisdiction of the Central Government within the free areas; and 5 nationals residing abroad, for a total of 15 members. 2. In February 1973, 10 members were elected by the Taiwan Provincial Consultative Council and the Taipei City Council. The President approved that an additional 5 members be elected from overseas Chinese groups.
June 11, 1980	Article 10 of the Measures for Increased Quota of the Central Government's Representatives in Free Areas during the Period of Mobilization	<ol style="list-style-type: none"> 1. 12 members were elected by Taiwan Province; 5 members were elected by Taipei City; 5 members were elected by Kaohsiung City; and 10 members were elected by nationals residing abroad, for a total of 32 members. 2. In December 1980, 22 members were elected by the Taiwan Provincial Consultative Council, Taipei City Council, and Kaohsiung City Council. The President approved that an additional 10 overseas Chinese members be elected.

Dates	Legal Basis	Statutory Number of Control Yuan Members
February 23, 1989	Same as above	<ol style="list-style-type: none"> 24 members were elected by Taiwan Province; 10 members were elected by Taipei City; 10 members were elected by Kaohsiung City; and 10 members were elected by nationals residing abroad, for a total of 54 members. The above-mentioned 54 members should originally have been elected before February 1, 1993. However, Article 3 in the Additional Articles of the Constitution promulgated on May 1, 1991 stipulated revisions to regulations on the allocation of Control Yuan Members; while the Presidential Decree of June 12, 1991 abolished the listed quota.
May 1, 1991	Article 3, Paragraph 1 of the Additional Articles of the Constitution of Republic of China	<ol style="list-style-type: none"> 25 members from the Taiwan Province free area; 10 members from each municipality in the free area; 2 nationals residing abroad; and 5 members nationwide without administrative demarcation, for a total of 52 members. However, because Article 15 of the Additional Articles of the Constitution promulgated on May 28, 1992 revised the quota and the number of the Control Yuan Members, elections of said 52 members were not held in accordance with the preceding regulations.
May 28, 1992	Article 15, Paragraph 2 in the Additional Articles of the Constitution of Republic of China	29
August 1, 1994	Article 6, Paragraph 2 in the Additional Articles of the Constitution of Republic of China	
July 21, 1997	Article 7, Paragraph 2 in the Additional Articles of the Constitution of Republic of China	

III. Nomination Qualifications

According to 1992 constitutional amendment, Control Yuan members by election went down in history. With reference to the Judicial Yuan Organization Act and the Examination Yuan Organization Act, which regulate the qualifications of grand justices and Examination Yuan members, respectively, the Organic Law of the Control Yuan was amended on November 4, 1992, with newly added Article 3-1 concerning the qualifications of Control Yuan members. In response to the establishment of the NHRC; to enhance the Control Yuan's power of oversight over human rights and its protection abilities of human rights; and to bring the Control Yuan more in line with the diversity in the member composition of national human rights institutions required by the Paris Principles, on January 8, 2020, the Organic Law of the Control Yuan was amended. Article 3-1, Paragraph 1, Subparagraph 7 added a qualification clause regarding human rights expertise. Paragraph 2 specifies that "The number of Members with qualification in the preceding Subparagraph 7 shall be seven and there

shall be no vacancies. The composition shall be diverse and include representatives from different ethnic groups or professional fields. No gender shall constitute less than one-third of the Members, and prior to their nominations, recommendations from civil society organizations shall be openly sought."

Regarding the qualifications for Control Yuan members, in addition to being 35 years of age or more, members must possess one of the following qualifications (again, quoting from Subparagraph 7):

- A. Service with outstanding reputation as a legislator for at least one term or as a special municipality councilor for at least two terms.
- B. Service with distinction as at least a level 12 judge or prosecutor for at least 10 years and served as a judge or prosecutor in the judiciary at the level of High Court, High Administrative Court, High Court Prosecutors' Office or higher.
- C. Service with distinction as a public servant at a Selected Rank for at least 10 years.
- D. Service with outstanding reputation as a university professor for at least 10 years.



- E. Qualification under the domestic Professional and Technical Senior Examination and at least 15 years of professional practice with outstanding reputation
- F. A person of honesty and integrity with extensive political experience or experience presiding over a journalistic or cultural undertaking with outstanding reputation.
- G. A researcher of or person devoted to human rights protection with outstanding reputation, or a person with practical experience related to civil society organizations involved in the promotion and protection of human rights.

IV. Control Yuan Members

A. The Nationalist Government Period

The various promulgated revisions to the Organic Law of the National Government all stipulated that the Control Yuan have one president and one vice president. After the Nationalist Government implemented the five-Yuan system, the president of the Control Yuan was to be selected by the central government. Presidents who were selected by the central government included Tsai Yuan-pei, Chao Tai-wen, and Yu You-ren. Vice presidents selected by the central government included Chen Kuo-fu, Ting Wei-fen, Hsu Chung-chih, Liu Shang-ching, Huang Shao-hung, and Liu Che.



Figure 1-14

Yu You-ren, first President of the Control Yuan (Source: Liu Yan-tao Culture and Education Foundation).



Figure 1-15

Inauguration Ceremony of Yu You-ren (middle, first row) as President of the Control Yuan on February 2, 1931.

B. Members During the Control Yuan's First Term

During the Period of Constitutional Government, members for the Control Yuan's first term, which was formed in accordance with the Constitution in 1948, were elected from each province and city except for the provinces and cities that were under special circumstances. The government announced a total of 180 members, of whom only two did not take their positions; the other members all successively took their posts. However, after the Control Yuan moved to Taiwan in December 1949, only 104 members came with it.

In accordance with Article 92 of the Constitution of the Republic of China, the president of the Control Yuan shall be

elected by its members. With 118 votes, Yu You-ren was elected first president of the constitutional Control Yuan on June 9, 1948. He was also selected as the president of the Control Yuan by the Nationalist Government during the Period of Political Tutelage. He was sworn in on February 2, 1931 and served as president until November 10, 1964. His terms of service lasted for 34 years, making him the longest-serving president of the Control Yuan. During the 864th meeting of the Control Yuan's first term in 1964, the Control Yuan passed a resolution naming Yu You-ren as the Father of the Control Yuan.

Due to a large number of the Control Yuan members, the list of members and secretaries-general is attached in appendix 2.



Figure 1-16

Yu You-ren (middle) is elected first president of the Control Yuan on June 9, 1948.

In December 1969, the Taipei City Council elected two members in accordance with the Measures for the Central Government's Civil Servants Selection in Free Areas during the Period of Mobilization. From 1973 to 1987, in accordance with the Measures for Increased Quota of the Central Government's Elected Representatives in Free Areas during the Period of Mobilization and with the Measures for Increased Quota of the Central Government's Representatives in Free Areas during the Period of Mobilization, the Taiwan Provincial Consultative Council, the Taipei City Council, and the Kaohsiung City Council selected members three times. Furthermore, additional members selected from overseas Chinese were approved by the President of the country three times. Each member's term of service was 6 years. In 1973, an election was held for additional positions. At the end of 1978, another election should

again have been held for these positions in accordance with the law. However, due to extraordinary circumstances at that time, the President issued an emergency decree on December 16, 1978, and the election was postponed. The election was then to be held in December 1980. In accordance with Paragraph 2 of Article 15 in the Additional Articles of the Constitution of the Republic of China promulgated on May 28, 1992: "The Control Yuan shall have 29 members. One of them shall be the president and one of them shall be vice-president. The term of office is 6 years. Candidates will be nominated by the President and are to be approved by the National Assembly." Accordingly, the selection method for members was changed. The term of office for the first term of constitutional Control Yuan members expired on January 31, 1993.



Figure 1-17

Group photo for the first-term Control Yuan member inauguration ceremony in 1981.



Figure 1-18

Yu Chun-hsien (middle) is sworn in as the third president of the Control Yuan's first term on March 19, 1973.

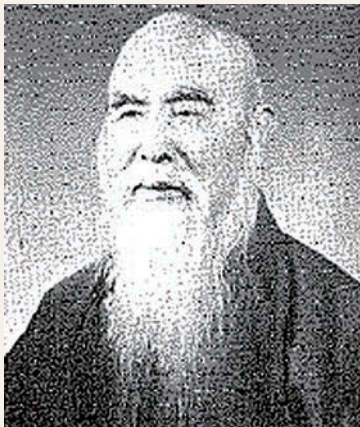


Figure 1-19

Huang Tsun-chiu (middle) and Ma Kung-chun (right) are sworn in as the fourth president and vice president of the Control Yuan's first term, respectively on March 16, 1987.



Education and Experience of Control Yuan Presidents During the Constitutional Control Yuan's First Term



President Yu You-ren

Term of Office: February 2, 1931 to November 10, 1964
(including the Period of Political Tutelage)

Education

Zhendao College

Experience

- Founder, Shenzhou Daily, Minhu Daily, Minyu Daily, and Minli newspapers
- Professor, Fudan College and Chinese Public University
- Deputy and Acting Chief, Ministry of Transportation of the Provisional Government, Republic of China
- Commander-in-Chief, Shaanxi Jingguo Army
- Commander-in-Chief, Nationalist Revolutionary Army in Shaanxi
- Standing Committee Member, Nationalist Government
- Standing Committee Member, Military Commission
- President, Auditing Yuan
- Standing Committee Member, Supreme Council of National Defense
- President, Nationalist Government's Control Yuan
- First President of the constitutional Control Yuan

Education and Experience of Control Yuan Presidents During the Constitutional Control Yuan's First Term



President Li Ssu-tung

Term of Office: August 17, 1965 to May 14, 1972

Education

Sciences Degree, National Beijing University

Experience

- Standing Committee Member, Kuomintang Party Headquarters, Hebei Province and Shanxi Province
- Executive Member, Central Committee waiting list
- Member, Central Supervisory Committee and Chairman of the Central Discipline Committee of Kuomintang
- Member, Control Yuan
- Ombudsman for Henan Province and Shandong Province
- Ombudsman for Hebei Province and Head of Investigation and Takeover
- Head of Military Discipline and Supervision
- President, Control Yuan

Education and Experience of Control Yuan Presidents During the Constitutional Control Yuan's First Term



President Yu Chun-hsien

Term of Office: March 19, 1973 to March 15, 1987

Education

National Sun Yat-sen University

Experience

- Head, Overseas Section, Kuomintang Central Department
- Standing Committee Member, Southeast Asia Dutch General Branch
- Editor-in-Chief, Dutch Republic Daily News
- Director, Overseas Section, Central Department of Kuomintang
- Standing Committee Member, Kuomintang Branch in Guangzhou
- Special City Standing Committee Member, Kuomintang Branch in Guangdong Province
- Standing Committee Member and Director of Overseas Chinese Education Division, Overseas Chinese Affairs Commission
- Head, Teacher Training Institute for Overseas Chinese Education
- Director General, National Institute of Southeast Asian Studies
- Executive Member, 5th and 6th Central Committee of Kuomintang
- Senator, Guangdong Provincial Senate
- Representative, Constitutional National Assembly
- Chairman, Kuomintang Branch in Guangdong Province
- Chairman, Central Appraisal Committee of the Kuomintang
- President, Control Yuan

Education and Experience of Control Yuan Presidents During the Constitutional Control Yuan's First Term



President Huang Tsun-chiu

Term of Office: March 16, 1987 to January 31, 1993

Education

Central Police Academy

Passed special examination for judicial officers in 1954

First training class at the Judicial Training Institute

Experience

- Judge and chief for staff, court administration for District Courts in Hsinchu, Taipei, and Kaohsiung
- Chief of staff, court administration, Tainan branch of Taiwan High Court
- Chief Prosecutor, Prosecutors Office, Penghu District Court
- Chief Prosecutor, Prosecutors Office, Taitung District Court
- Chief of staff, court administration, Tainan branch of Taiwan High Court
- Member, Control Yuan
- Vice President, Control Yuan
- President, Control Yuan

C. Members of the Control Yuan's Second Term

Article 15, Paragraph 2 of the Additional Articles of the Constitution of the Republic of China, as promulgated on May 28, 1992, stipulated that the Control Yuan members shall be nominated by the President of the country. The candidates were to be approved by the National Assembly before taking office. In accordance with the stipulations, the President nominated Chen Lu-an and 28 other candidates on December 30, 1992 to be the members of the Control Yuan's second term. This was approved by the National Assembly on January 20, 1993. Chen Lu-an became the president of the Control Yuan and Cheng Shui-chih became vice president, taking office on February 1, 1993.

On March 27, 1993, in a second round of nominations, the President nominated Wang Ching-feng and three other candidates as members. These nominations were approved by the National Assembly on April 28, 1993.



Figure 1-20

Chen Lu-an (second from left) is sworn in as second-term Control Yuan president on February 1, 1993.



Figure 1-21

Group photo for the second-term Control Yuan member inauguration ceremony on February 1, 1993.

On September 23, 1995, Chen Lu-an resigned from his positions as president and Control Yuan member; Cheng Shui-chih then became the acting president of the Control Yuan. On July 9, 1996, the President nominated Wang Tso-jung as Control Yuan

president and member. The nomination was approved by the National Assembly on August 26 of the same year; Wang took office on September 1. The term of office for the second Control Yuan members ended on January 31, 1999.



Figure 1-22

The handover ceremony between Chen Lu-an (right), president of the Control Yuan's second term, and outgoing president Huang Tsun-chiu (left). Hsieh Tung-min (middle), Senior Advisor to the President, presides over the ceremony on February 1, 1993.



Figure 1-23

The handover ceremony between Wang Tso-jung (right), president of the Control Yuan's second term, and acting president Cheng Shui-chi (left). Yu Kuo-hua (middle), Senior Advisor to the President, presides over the ceremony on September 1, 1996.



Education and Experience of Control Yuan Presidents During the Constitutional Control Yuan's Second Term



President Chen Lu-an

Term of Office: February 1, 1993 to September 23, 1995
Resigned from the office on September 23, 1995

Education

Bachelor's degree, Electrical Engineering, Massachusetts Institute of Technology, USA
Master's and Doctoral Degrees in Math, New York University, USA

Experience

- President, Ming Chi Institute of Technology
- Director, Department of Technological and Vocational Education, Ministry of Education
- President, National Taipei Institute of Technology
- Political Deputy Minister, Ministry of Education
- Deputy Secretary-General, KMT
- Chair, National Science Council, Executive Yuan
- Minister, Ministry of Economic Affairs
- Minister, Ministry of Defense
- President, Control Yuan

Education and Experience of Control Yuan Presidents During the Constitutional Control Yuan's Second Term



President Wang Tso-jung

Term of Office: September 1, 1996 to January 31, 1999

Education

Bachelor's degree, Economics, National Central University

Master's degrees, Washington State University and Vanderbilt University, USA

Experience

- Industry Committee Member, Economic Stability Commission, Executive Yuan
- Director and Counselor, US Aid Commission, Executive Yuan
- Director and Consultant, Council for International Economic Cooperation and Development
- Group leader, United Nations Economic Commission for Asia and the Far East
- Professor, National Taiwan University, Soochow University, and Chinese Culture University
- Managing Editor, China Times; Editor in Chief, Commercial Times
- Member, Examination Yuan
- Minister, Ministry of Examination
- President, Control Yuan

D. Members for the Control Yuan's Third Term

On December 5, 1998, the President nominated Fredrick Chien and 28 other people to be members of the Control Yuan's third term. The nominations were approved by the National Assembly on January 13, 1999, with Fredrick Chien as president of the Control Yuan and Chen Meng-ling as vice president. Both took office on February 1, 1999. The term of office for the third-term Control Yuan members ended on January 31, 2005.



Figure 1-24

Fredrick Chien and others are sworn in to be the president and members of the Control Yuan's third term at the Presidential Office on February 1, 1999 (Source: *Academia Historica*).



Figure 1-25

Group photo for the third-term Control Yuan member inauguration ceremony on February 1, 1999.



Figure 1-26

The handover ceremony between Fredrick Chien (left), president of the Control Yuan's third term, and Wang Tso-jung (right), outgoing president. Senior Advisor to the President, Yu Kuo-hua, presides over the ceremony on February 1, 1999.



Education and Experience of Control Yuan Presidents During the Constitutional Control Yuan's Third Term



President Fredrick Chien

Term of Office: February 1, 1999 to January 31, 2005

Education

Bachelor's degree, Political Science, National Taiwan University

Master's degree, International Relations, Yale University, USA

Doctoral degree, International Relations, Yale University, USA

Experience

- Director-General, Government Information Office
- Representative, Coordination Council for North American Affairs
- Minister without Portfolio, Executive Yuan; Chairman, Council for Economic Planning and Development
- Administrative Deputy Minister, Ministry of Foreign Affairs
- Political Deputy Minister, Ministry of Foreign Affairs
- Minister, Ministry of Foreign Affairs
- Speaker, National Assembly
- President, Control Yuan



E. Members for the Control Yuan's Fourth Term

In accordance with Article 7, Paragraph 2 of the Additional Articles of the Constitution of Republic of China promulgated on April 25, 2000, the power of consent on Control Yuan's members shifted from the National Assembly to the Legislative Yuan. Before the term of office for the Control Yuan's third-

term members expired on January 31, 2005, the President of the country nominated 29 people including Chang Chien-pang to be the members for the Control Yuan's fourth term. However, the Legislative Yuan did not exercise the power of consent, resulting in the first window period since the Constitution was enacted in which the Control Yuan did not fully operate.



Figure 1-27

Group photo for the fourth-term Control Yuan member inauguration ceremony on August 1, 2008.

On June 23, 2008, the President nominated 29 people including Wang Chien-hsuan as members for the Control Yuan's fourth term. On July 4, the Legislative Yuan exercised its power of consent and approved the nomination of 25 people including Wang Chien-hsuan. It also approved Wang as president of the Control Yuan; Wang took office on August 1, 2008. The nomination of vice president, however, was not approved.

On September 19 of the same year, in another round of nominations, the President of the country nominated four people, including Chen Chin-li, as members for the Control Yuan's fourth term. The Legislative Yuan passed the nomination on November 14, and Chen Chin-li became vice president. The term of office for members of the Control Yuan's fourth term ended on July 31, 2014.





Figure 1-28

Wang Chien-hsuan (middle), president of the Control Yuan's fourth term, and Control Yuan members are sworn in at the Presidential Office on August 1, 2008 (Source: Academia Historica).



Figure 1-29

The handover ceremony between Wang Chien-hsuan (right), president of the Control Yuan's fourth term, and Fredrick Chien (left), outgoing president. National Vice President Siew Wan-chang (middle) presides over the ceremony on August 1, 2008.



Figure 1-30

Chen Chin-li (first right, front row), vice president of the Control Yuan's fourth term, and other members are sworn in at the Presidential Office on December 1, 2008 (Source: Academia Historica).

Education and Experience of Control Yuan Presidents During the Constitutional Control Yuan's Fourth Term



President Wang Chien-hsuan

Term of Office: August 1, 2008 to July 31, 2014

Education

Bachelor's degree, Department of Accountancy and Statistics, National Cheng Kung University

Master's degree, Graduate Institute of Public Finance, National Chengchi University

Experience

- Administrative Deputy Minister, Ministry of Economic Affairs
- Political Deputy Minister, Ministry of Economic Affairs
- Minister, Ministry of Finance
- Legislator, Legislative Yuan
- President, Control Yuan

F. Members of the Control Yuan's Fifth Term

The President of the country nominated 29 people, including Chang Po-ya, to be the members of the Control Yuan's fifth term. On July 29, 2014, the Legislative Yuan exercised

the power of consent and approved the nomination of 18 people including Chang Po-ya, with Chang becoming president of the Control Yuan and Paelabang Danapan becoming vice president. Both president and vice president took office on August 1, 2014.



Figure 1-31

Group photo of all the members of the Control Yuan's fifth term after the inauguration ceremony on March 13, 2018.

On March 2, 2017, in the second round of nominations, the President nominated Wang Yu-ling and 10 other people to be members of the Control Yuan. Because Mr. Liu Wen-hsiung passed away due to illness, Yang Fang-ling was nominated as a member on November 6 of the same year. On January 16

the same year, the Legislative Yuan approved the nomination of Wang Yu-ling and ten other people to be members of the Control Yuan's fifth term. On July 31, 2020, the term of office for the members of the Control Yuan's fifth term expired.





Figure 1-32

Chang Po-ya (front row, middle) and Control Yuan members are sworn in at the Presidential Office on August 1, 2014 (Source: Academia Historica).



Figure 1-33

The handover ceremony between Chang Po-ya (right), president of the Control Yuan's fifth term, and outgoing president Wang Chien-hsuan (left). National Vice president Wu Tun-i (middle) presides over the ceremony on August 1, 2014.



Figure 1-34

Members of the Control Yuan's fifth term nominated in the second round are sworn in at the Presidential Office on February 12, 2018. (Source: Academia Historica)

Education and Experience of Control Yuan Presidents During the Constitutional Control Yuan's Fifth Term



President Chang Po-ya

Term of Office: August 1, 2014 to July 31, 2020

Education

MD, School of Medicine, Kaohsiung Medical University

MPH, Graduate Institute of Public Health, College of Medicine, National Taiwan University

MPH, School of Hygiene and Public Health, Johns Hopkins University, USA

Dr. MSc in Medicine, Kyorin University, Japan

Experience

- Director, Department of Public Health, Kaohsiung Medical University
- Mayor, Chiayi City
- Legislator, Legislative Yuan
- Minister, Ministry of Health, Executive Yuan; Founding Director, National Health Research Institutes
- Minister, Ministry of the Interior; concurrently, Taiwan Provincial Governor
- Adjust Professor, Institute of Health Policy and Management, College of Public Health, National Taiwan University
- President, Women's Federation for World Peace-Taiwan; President, Universal Peace Federation-Taiwan
- President, Johns Hopkins Alumni Association, Taiwan Chapter
- President, Chiayi City Community University
- President, Women's Health Association of Taiwan
- Senior Advisor, Presidential Office
- Chairperson, Central Election Commission; Chair, Association of Asian Election Authorities (AAEA)
- President, Control Yuan

G. Members of the Control Yuan's Sixth Term

In accordance with the Organic Act of the Control Yuan National Human Rights Commission promulgated on January 8, 2020, the president of the Control Yuan concurrently serves as the chair of the National Human Rights Commission (NHRC). The President of the country nominated 27 members, including Chen Chu, to be the members of the Control Yuan's sixth term. On July 17, 2020, the Legislative Yuan exercised the power of consent and approved the nomination of 27 people. Chen Chu became the president of the Control Yuan and chair of the NHRC; Chen Chu took office on August 1, 2020.



Figure 1-35
The handover ceremony between Chen Chu (right), president of the Control Yuan's sixth term, and outgoing president Chang Po-ya (left). National Vice president Lai Ching-te (middle) presides over the ceremony on August 1, 2020.



Figure 1-36
Inauguration ceremony group photo with President Tsai Ing-wen and the Control Yuan's sixth-term president and members on August 1, 2020.



Figure 1-37

Chen Chu (front row, first left), president of the Control Yuan's sixth term, and Control Yuan members are sworn in at the Presidential Office on August 3, 2020.



Education and Experience of Control Yuan Presidents During the Constitutional Control Yuan's Sixth Term



President Chen Chu

Term of Office: August 1, 2020 to July 31, 2026

Education

MBA, Institute of Public Affairs Management, National Sun Yat-sen University

Experience

- Director, Society for the Protection of East Asian Human Rights
- Chairperson, Secretary-General, and Director, Taiwan Association for Human Rights
- Member, National Assembly
- Commissioner, Department of Social Welfare, Taipei City Government
- Director, Social Affairs Bureau, Kaohsiung City Government
- Chairperson, Council of Labor Affairs, Executive Yuan
- Researcher, Conflict Study and Research Center; Visiting Associate Professor, Graduate Institute of Taiwan Studies, Chang Jung Christian University
- Mayor, Kaohsiung City
- Secretary-General to the President
- President, Control Yuan



Section 3 Experience and Heritage

I. President Chen Lu-an

It has been 26 years since I left the Control Yuan. I recall that when I returned from the United States in 1970 and became the President of Ming Chi Institute of Technology. Afterwards, I worked in the Ministry of Education, the Kuomintang (Chinese Nationalist Party), National Science Council, Ministry of Economic Affairs, and Ministry of National Defense. The Control Yuan was my last stop as a civil servant. Many memorable things happened during this period. On this, the 90th anniversary of the Control Yuan, I wish all members and staff of the Control Yuan peace and happiness.

When I was serving in the Control Yuan, the first thing I thought of was how to reverse the negative image of the Control Yuan. To maintain the Yuan's neutral position, I resigned my position as a member of the Standing Committee of the ruling party (the Kuomintang). In addition, I came up with disciplinary regulations for Control Yuan members, in order to get the Yuan's operations on track quickly. To enhance the positive image of the Yuan, I proposed that the Control Yuan president and vice



president participate in case investigations and conduct supervisory visits at the local government level. The first time that a Yuan president conducted a supervisory visit at the local government level was in Miaoli. At the time, there was an enormous number of cases to be investigated – an almost unimaginable quantity. However, after the Control Yuan team conducted research on the roles of the president and vice president, we decided to maintain the policy that both figures shall adopt a neutral position.

In 1993, I was accompanied by Huang Yueh-chin, one of the Control Yuan members, on visits to advanced democratic countries in Western Europe. Our trip was to learn and observe on-site the ombudsman systems of those countries. We also visited the Secretariat of the International Ombudsman Institute (IOI) in Edmonton, Alberta, Canada. Because of our visit, the Control Yuan eventually became a member of the International Ombudsman Institute under the name of the Control Yuan, R.O.C. In 1994, the Control Yuan hosted an international ombudsman conference, with "The Ombudsman Concept" as the conference topic. The IOI president and regional directors were invited to participate in the conference.

After understanding how the supervisory system works among the five powers in Taiwan, ombudsmen from various countries highly praised our system.

I still remember that during my term of office, in an opinion poll about the Control Yuan's social image, 66.7% of the people said they would submit complaints to the Control Yuan if they had grievance. Taiwan has more than 20 million people; with so many people living on a small island, that makes it imperative for people to live together with harmony and mutual understanding. When people serve actively and care for one another, only then is the blessing shared by everyone.

II. Interview with President Frederick Chien

Frederick Chien, currently 85 years old, has played an important role in Taiwan politics. During his public service career, he has served five Presidents, as head of six agencies, and was the third-term president of the Control Yuan. The Control Yuan, which was established on February 2, 1931 and has operated nearly a century of ups and downs, is celebrating its 90th anniversary this year. In conjunction with that, our colleagues specially interviewed former Control Yuan President Chien, in hope of learning from the past, to reminisce about the Control Yuan's historical trajectory since its founding, and to continue the ombuds spirit. A summary of the interview follows.

Please introduce us briefly to the Control Yuan's important historical developments.

Yu You-ren was the first president of the Control Yuan, but in fact the Yuan's historical development had existed even earlier. During the Northern Expedition, the Nationalist Government decided to implement the five-Yuan system for the central government, and Tsai Yuan-pei was appointed as the first president of the Control Yuan. Yet, due to health reasons, Tsai was unable to take



up the post. When the Control Yuan was established in 1931, Tsai resigned, and Chao Tai-wen was appointed instead. As a matter of fact, Chao did not serve as president, but was responsible for the preparatory work. Therefore, Yu You-ren became the first president of the Control Yuan after its official establishment.

During the 90-year period between 1931 and 2021, the development of the Control Yuan can be divided into three stages. The first stage was the Political Tutelage period, from 1931 to 1948, when there was no parliament and the Standing Committee of the Kuomintang's Central Executive Committee took the place of parliament.

According to the Founding Father Sun Yat-sen's idea of differentiation of powers and functions, the central government was divided into five Yuans with the "functions," while the National Assembly should take the "powers." However, there was no National Assembly back then, so the Kuomintang exercised those powers. The five Yuans did in fact hold functions; so the Control Yuan, one of the five Yuans, was a real tiger possessing authority, not the "paper tiger" it was later jokingly called.

The Control Yuan had 19 to 29 members when it went into operation in 1931, all of whom were appointed by the Nationalist Government after the president had selected suitable candidates. Hence, the president of the Control Yuan had the authority to decide on the appointment of the members. Since the government's territory in China was large back then, the Control Yuan located in Nanjing had difficulty exercising its authority, so it established ombudsman offices in various places. The Control Yuan members appointed by the president managed these offices and carried out the supervisory power.

Compared to the members' authority when I was serving as president in the third term, during the Political Tutelage period, the Control Yuan had the powers to investigate, impeach, and censure, but not

the powers to propose corrective measures or consent. Impeachments were handled separately depending on whether the impeachment was of a political appointee official or a civil servant. The impeachment of political appointees was handled by the Nationalist Government's Political Officer Disciplinary Sanction Commission; while the impeachment of civil servants was handled by the Public Functionary Disciplinary Sanction Commission. This is different from present system, in which impeachment cases are handled by the Disciplinary Court; the earlier system operated until the Constitution was enacted in 1948.

After the Constitution was enacted, the Control Yuan operated for a long time until the termination of the National Assembly in 1991. At that time, the Control Yuan was one of the three major parliaments; Control Yuan members were elected by the provincial and municipal councils, with five Control Yuan members elected by each province, two by each municipality, and eight each by Mongolia, Tibet, and overseas Chinese. According to the constitution at that time, 223 Control Yuan members should have been elected in 1948. But during the civil war, only 180 Control Yuan members were finally elected, with Yu You-ren and Liu Che elected as president and vice president of the Control

Yuan. They did not stay long in mainland China before they went to Taiwan in 1949 or 1950. When the Control Yuan members first arrived in Taiwan, they were in an unfavorable situation, and the Control Yuan was the least valued among the five Yuans, with no place provided for them to work or hold meetings. The staff was all crammed into a shop located on Zhongxiao West Road (current Cosmos Hotel Taipei). In the meantime, many Control Yuan members had not yet arrived in Taiwan. It was not until President Chiang Kai-shek resumed his duties in 1951 that the Control Yuan went into operation. When the Taiwan Provincial Government moved to Zhongxing New Village in Nantou, President Yu strove to move the office of the Control Yuan to the former site of the Taiwan Provincial Government's Department of Education.

Later, about 90 of the original Control Yuan members arrived in Taiwan. Although they performed well in their jobs, there was a general consensus that these members were too old. After all, when they had been elected in mainland China, they were all 60 or 70 years old and highly respected. Later, they arrived in Taiwan and after 20 years, they became 80 or 90 years old; some had difficulty in walking, and some used wheelchairs, giving the outside world an unfavorable impression. Meanwhile, the Wild Lily student movement was initiated by students from National Taiwan University at Chiang Kai-shek Memorial Hall, and was met

by President Lee Teng-hui, who promised to convene a National Conference to end the Period of Mobilization for the Suppression of Communist Rebellion. In the 1990s, representatives of the central democratic bodies from mainland China, whether they were members of the Legislative Yuan or the Control Yuan, were all re-elected. Thus, the members of the Control Yuan's second term took office in 1993.

The work of the Control Yuan's second term members was actually the same as that of the first term, with almost the same power and functions. Nevertheless, as they were nominated by the President and appointed with the consent of the National Assembly, they were no longer public representatives. The constitutional amendment in 1992 positioned the Control Yuan as the highest supervisory body, but no longer a democratic body. Additionally, the Control Yuan's original Power to Consent to members of the Judicial Yuan and the Examination Yuan was transferred to the National Assembly, while its power to impeach the national President and Vice President was exercised by the Legislative Yuan instead. Since then, Control Yuan members' speech has not had legislative immunity, and even non-current offenders can be arrested. The third phase of the Control Yuan began in 1993, accompanied by many new tasks, including the establishment of the Department of Property-Declaration by Public Servants,

which is responsible for the enforcement of the "Sunshine Acts."

What was your impression of the Control Yuan before and after being nominated as president?

At the age of 37, I became a chief executive – Director-General of the Government Information Office – and subsequently served as Vice Minister of Foreign Affairs for eight years, the Representative to the United States for six years, the Chairperson of the Council for Economic Planning and Development for two years, and the Minister of Foreign Affairs for six years. I was in charge of the foreign affairs department for a long time under the supervision of the Control Yuan Committee on Foreign Affairs. Back then, the Control Yuan members often visited the Ministry of Foreign Affairs, and I often received praise and encouragement from them for my business reports. For example, Control Yuan Members Tsai Hsiao-i and Chang Hsiu-lan showed care for me like that of a teacher for a student, which left me with a good impression of the Control Yuan. Control Yuan Member Chang I-chung was said to be very difficult to get along with; but his son-in-law was my colleague, so he treated me very well. Control Yuan Member Wang Kuan-wu was very strict, which is also mentioned in the memoirs of Vice President Fu Bing-chang of the Judicial Yuan; but he was also very nice

to me. After I was nominated as president, I also paid multiple visits to Feng Ching-fu, the Kuomintang Secretary-General in charge of the Control Yuan at his house to ask for advice and guidance.

Control Yuan member Tao Pai-chuan, who was highly regarded as a modern model of a Censor, or even as a 'Justice Bao Qingtian', was my classmate's father, so I got to know him from a very early age. After I was nominated as president of the Control Yuan, I went to Zhongyang New Village in Xindian to pay Mr. Tao visits, and I also visited him during the Lunar New Year. He and his wife passed away at almost the same time. His son called me, and I immediately asked Deputy Secretary-General Chen Chi-hsiung, who knew Control Yuan Member Tao very well, to help arrange for their funerals. Control Yuan members have been very kind to me, and my deep affection for the Control Yuan comes from these old members.

How did you perform the function of "handling national affairs" during your tenure as president of the Control Yuan?

According to the division of powers and functions, there were many things that Control Yuan members were qualified to do, and which the president was not. During my tenure, I stayed in my office almost every day and avoided external activities. Yet, I enjoyed working with all the Control Yuan members. Therefore, after I was nominated for the

presidency of the Control Yuan and the nomination passed, I treated the new Control Yuan members to a meal right away as the president at the former Xinyi Joint Logistics Command officers club. In addition, Deputy Secretary-General Chen Chi-hsiung, who had extensive experience of the Control Yuan, was also invited.

After the meal, Chen especially reminded me not to amend the investigation reports or other important documents of the Control Yuan members, because he heard that I was very strict in approving official matters. Apart from that, Article 12 of the Control Act stipulates that presidents cannot interfere with or give instructions regarding impeachment cases. As far as I know, this is the so-called "Yu You-ren Clause." That is because earlier, as the head of the independent system, President Yu would instruct the Control Yuan members to impeach officials or oppose the impeachment of officials. After the constitutional amendment, President Yu was unaware of the change in his role and continued to act as he did, so the Control Yuan members requested that the Legislative Yuan enact Article 12 of the Control Act for Mr. Yu.

Given the independent nature of each Control Yuan member's authority, I clearly know that the presence of a president needs to be like a 'bodhisattva.' I stayed in the office almost every day, and the members were

aware of my experience in administrative matters, so they could always come to me for useful advice when they encountered any problems or difficulties in public affairs. This situation then gradually spread among the members.

After the meal at the Xinyi Joint Logistics Command officers club, I explained to the Control Yuan members that the furniture arrangements of the Control Yuan Plenary Meeting venue had the president sitting above and the members sitting below during meetings, and it was difficult for me to reposition the seating. However, the meetings were just a formality, and an extensive exchange of opinions and communication was still needed. Therefore, I proposed holding a Plenary Meeting on the first Tuesday of every month, with the secretary-general attending, in addition to the president, vice president and 26 Control Yuan members. In each plenary meeting, everyone could express their opinions freely, and the meeting contents would not be disclosed; thus, any difficulties encountered by the Control Yuan and its members could be brought up and discussed together. For those six years, discussion was a very effective practice; many issues were handled through the monthly discussion, which I think is very important. There was no need to set a topic for each plenary meeting; the focus was on the free exchange of views, and avoiding mere formalities.

After stepping down from the Control Yuan presidency, I still invited the Members of Control Yuan's third term and their wives for a meal together every year. Then, it became the members inviting each other for a meal once every three months on a rotating basis. This co-working relationship has lasted for 16 years. To this day, some old colleagues from different agencies and different service eras still visit me. Hence, as I always say, "how you manage things is indeed important, but what is more important is how you behave as a person." If you can be selfless, you will succeed. If you are a selfish person who always thinks of yourself, you will definitely fail.

Were there any investigation cases or events that impressed you during your term of office?

One of the most impressive cases during the third term was the investigation of the government budget deficit. In fact, prior to 1986, there was no shortfall reported in the country's annual budget, and there were even yearly surpluses. That was the result of our growing economy, tax revenues exceeding expectations, and the government carefully paring down expenses. After 1988, the situation changed drastically, eventually resulting in a national debt; the central government and local governments had a combined debt of over NT\$20 trillion.

The members of the Control Yuan's third term investigated the case and found that the Six-year National Development Plan in 1990 had huge expenditures. Due to insufficient budgeting, the government had dealt with the deficit using government bonds, with each item listed as a special budget item. Consequently, it was difficult to meet the budget in 1992 and 1993, and the total budget for each year was used to repay the capital and interest, accounting for 12% of appropriations. Additionally, because of the country's democratic politics, those in power had to rely on votes; so the government didn't dare to do anything that would offend the public. Not only were they unwilling to raise taxes, they in fact reduced taxes, and increased the social welfare spending that had originally accounted for less than 10% of the total budget. In the 1990s, it went up to over 25%, and the defense budget that originally accounted for 20 or 30%, was later reduced to 5%. Too many slices were being taken out of the budget pie, to the point that the defense budget was now listed as a special budget. To me, that was the most responsible investigation that the Control Yuan had done for the development of the whole country at that time, because it revealed the facts to the public for examination.

During my tenure, I requested that Siew Wan-chang, Executive Yuan Premier, transfer the former site of the Council of Agriculture's Fisheries Agency to the Control Yuan, in order to expand Control Yuan office space; to renovate and reinforce the Control Yuan historic site to ensure that it would not be damaged during typhoons or earthquakes; and to establish a museum in the circular corridor of the Control Yuan. The Control Yuan had done a lot of works, but the public was unaware of it, so the establishment of the museum would provide an opportunity for the public to visit and understand the Control Yuan. In addition, I commissioned the publication of a book on the investigation of public service cases, and requested that the writer turn the raw investigation report into a vivid story, with a total of 12 volumes published. Unfortunately, there was a three-year gap after I stepped down from the position, and it seems that the later presidents did not continue to publish books on investigation cases.

What is your opinion about the supervisory system?

As the old saying goes, the best way to stop slander is to cultivate oneself. I served the Control Yuan by preserving this spirit. Not only did I hope to make the functions of the

Control Yuan known to the nation, but I also always explained the powers and functions of the Control Yuan to foreign countries.

For example, in 2002, Mr. Guzman, the Dominican Republic's Ambassador to the Republic of China, was asked by Dominican President Mejía to invite me to give a speech on the subject of the Control Yuan in the Dominican Republic. I was a bit puzzled, because in the past it was always us inviting heads of foreign agencies to give speeches in Taiwan; but I still happily agreed. When I arrived in the Dominican Republic, I was surprised after realizing that the event venue was set at the Central Bank auditorium, the largest in the country, with a capacity of more than 1,200 people; and that all senior government officials were present for my speech regarding the Republic of China's supervisory system and investigation cases. At the banquet after the talk, President Mejía expressed his gratitude to me. Because their country has a high level of corruption, our supervisory system, with its strong authority, has become a good example for them to follow.

In 2004, I served as President Chen Shui-bian's special envoy to the Republic of Guatemala to celebrate the inauguration of President Berger. On the day of my arrival, our embassy hosted a banquet for the newly appointed President and the Minister

of Foreign Affairs. During the two-and-a-half-hour meal, President Berger thanked Taiwan for all the help we had provided over the years. Then, I took the opportunity to introduce the Control Yuan to him, explaining that the main function of the Control Yuan is to promote transparency in the work of government agencies, and that if every agency is transparent, there will be less corruption and fraud. The next day, in his 20-minute-long inaugural speech, the President actually included a paragraph that called for the transparency of all government agencies in Guatemala from that day onwards. I was a bit bewildered, and when I asked about the speech at a state dinner later the day, the President said that it was because he heard what I had said the day before and agreed that transparency in government work was very important.

I would not deny that bad things did happen in the Control Yuan. For example, in the second term, a Control Yuan member assigned overseas used his authority to commit fraud and corruption; the member was finally sentenced to 14 years in prison by the Supreme Court. And of course, there are other things that the Control Yuan has been criticized for; so I would like to encourage everyone by saying, "The best way to stop slander is to cultivate oneself." We must work hard, and we have to let the public know how we function. A foreign head of state inviting me, as Control Yuan president, to give a speech on the supervisory system, and the functions of the Control Yuan being quoted by the same foreign head of state as part of his inaugural speech – these are things that deserve to be understood by the people.

Interviewers: Secretary-General Judy, Fu-meei JU, Chief Secretary Lin Ming-huei

Text & Photography: Chen Cheng-yi

Interview Date: February 3, 2021

III. Interview with President Chang Po-ya

In conjunction with the 90th Anniversary of the Control Yuan, to compile the Control Yuan 90th Anniversary Special Issue, which records the 90-year trajectory of the Control Yuan, Secretary-General Judy, Fu-meei JU led colleagues to interview Chang Po-ya, President of the Control Yuan's fifth term. A summary of the interview follows.

Expectations for the exercise of Control Yuan functions and powers

The supervisory powers are granted by the Constitution; the scope of those powers range from the heads of administrative agencies down to the grassroots. Even members of the judicial and military police are targets of supervision. Therefore, these powers should be cherished, and the powers of investigation, impeachment, and correction should be exercised independently and impartially, regardless of party affiliation; there is no room for acting in a selfish or biased manner. I also hope that members can learn more about the policies and difficulties of agencies, which will help them maintain neutrality and objectivity when conducting investigations, and at the same time avoid preconceived ideas.



From another point of view, I don't think civil servants should exclude investigations by the Control Yuan. One who is impartial and consistent in the execution or his duties has nothing to fear from the Control Yuan. The existence of the Control Yuan is to supervise the impartial execution of civil servants' duties. Only those who act wrongly will feel excluded or fearful of the Control Yuan, because they worry that their fraudulent practices will be exposed. Therefore, civil servants should always remind themselves to

be fair, to abide by the law, and to fulfill their duties so that they can live up to the people's trust.

Particularly impressive events during the term of office

During my tenure as president of Control Yuan's fifth term, there were two cases that I was most shocked by. The first was the investigation and impeachment of the Taoyuan and Changhua Juvenile Reform Schools, under the Ministry of Justice's Agency of Corrections, for conducting illegal acts while carrying out their duties. It is heartbreaking that the juvenile correctional institution staff, who should have provided counseling, protection, and education to young people with love and patience in accordance with the law, executed their duties unlawfully and improperly, resulting in the death of young people who were receiving correctional education.

The victim of the first case was a teenager surnamed Mai. After being adjudicated by the Juvenile Court of the Taiwan New Taipei District Court, Mai was admitted to the Taoyuan Juvenile Reform School (below, the "Taoyuan School") under the Ministry of Justice's Agency of Corrections for correctional education.

In February 2013, he suffered from sepsis caused by suppuration in his thoracic and abdominal organs. When Mai's vital signs appeared to be low, the Taoyuan School supervisor thought he was faking his illness, and ignored the manager's suggestion to send him to see an external doctor. Consequently, Mai died before being taken to the hospital due to the serious delay in seeking medical attention. What's more, after Mai's death, the Taoyuan School required its staff to specifically report back on the inquiry before and after the investigation by the Taoyuan District Prosecutors Office, thus giving rise to suspicion of monitoring and unifying testimony. Also, the school staff were suspected of withholding evidence, collusion to falsify their testimony, and making untrue reports to the Agency of Corrections. The director of the Taoyuan School, and the section chiefs of the Discipline Division and the Hygiene Division, were impeached by the Control Yuan and punished with demotion and reduction in rank or given demerits.

The other case was that the Changhua Juvenile Reform School (below, the "Changhua School") under the Ministry of Justice's Agency of Corrections. The Changhua School repeatedly handcuffed and shackled juveniles in the outdoor laundry

area and corridors during major incidents, used physical training as a punishment, and confined students for long periods of time. The punishment was tantamount to abuse; in fact, the severity of the punishment was so outrageous that the then-director of the Changhua School was impeached by the Control Yuan and punished with demotion and reduction in rank.

In addition to impeaching four derelict officers in accordance with the law, 17 other people were also punished by the Ministry of Justice's Agency of Corrections based on the Control Yuan's investigation results. These two cases were also submitted to urge reform of the Executive Yuan, the Taoyuan School, and the Changhua School, calling for improving, and amending relevant laws and regulations, in order to strengthen juvenile protection mechanisms.

What is most gratifying is that, with the perseverance of the members and the Control Yuan staff, the two juvenile correctional institutions were finally transformed into the Taoyuan branch and the Changhua branch of Chengzheng High School, respectively, formally inaugurated as such on July 31, 2019. Since then, about 1,100 students every year have received correctional education while concurrently receiving normal school education; their rights to education have been safeguarded, thus truly implementing Children and youths' human rights the juvenile justice system.

Please share the key impacts and insights of your public service career.

The introduction of the National Health Insurance system was a historic task. The system was originally planned by the former Council for Economic Planning and Development within the Executive Yuan. After taking over as Minister of Health, I took the initiative in July 1990 to express to then-Executive Yuan Premier Hau Pei-tsun my willingness to take charge of the second phase of health insurance planning. After more than four years of effort, the National Health Insurance was implemented on March 1, 1995 as scheduled, and has continued since then to provide a strong support for national health care.

A destiny entwined with the Control Yuan

When the Control Yuan expanded to establish the Department of Property-Declaration by Public Servants in 1998, there wasn't enough office space. The two-story building near the Sheraton was originally owned by the Fisheries Agency. However, in consideration of the fact that both the Control Yuan and the Fisheries Agency had offices in separate locations, the Control Yuan wrote to the Executive Yuan in February 1999, proposing transfer of the Fisheries Agency offices to the Control Yuan. The Executive Yuan convened a meeting to study and discuss the case, then made

a resolution to request that the Fisheries Agency move out by the end of 1999, with the premises then transferred to the Control Yuan. I was Minister of the Interior back then, and in 2000, I wrote on behalf of the Yuan to transfer the building and the site to the Control Yuan for gratuitously using. Eventually, the handover was completed. Part of the premises was not covered within the scope of the historic monument, yet it was still part of the Taihoku-shū Office Building as a whole. Due to the responsibilities of the competent authority for historic monuments, I requested that the investigation, planning, design and examination of the premises be in accordance with the Cultural Heritage Preservation Act, following the same stipulations as the portion of the Control Yuan building that was a national monument.

I have never imagined that, 14 years later, I would serve in the Control Yuan, and see my colleagues working in these allocated premises. That made me feel a wonderful connection with the Control Yuan.

Blessings for the 90th anniversary of the Control Yuan

The Control Yuan was established on February 2, 1931; it has not been an easy 90 years to endure. I would like to express my congratulations on the 90th anniversary of the Control Yuan, and to wish President Chen Chu, the Control Yuan members, the Secretary-General, and all colleagues the best of luck in promoting the Yuan's affairs. I hope they will work hard while also taking care of their health.

Interviewers: Secretary General Judy, Fu-meei JU, Director Uang Lin-ling

Text & Photography: Hung Chun-ting, Jiang Shing-rong

Interview Date: February 19, 2021

IV. Interview with Control Yuan Member Chao Chang-ping

Chao Chang-ping served as a member of the Control Yuan's second, third and fourth terms. He and Chao Jung-yao are the ones to have served as Control Yuan members for three consecutive terms – a record still unbeaten to this day. Control Yuan Secretary-General Judy, Fu-meei JU interviewed Chao in the afternoon of March 9, 2021. In his early years, through his personal efforts, Chao passed examinations to be a teacher, judge, prosecutor, and lawyer, then served as a prosecutor and chief prosecutor for a long time. Subsequently, he served as a delegate to the National Assembly and was honored as Chairman of the Presidium. Also, Chao was nominated by several national Presidents to the second, third, and fourth terms of the Control Yuan; he served as a Control Yuan member for 18 years. A summary of the interview follows.

Much about your childhood and upbringing has been written in the media. Can you tell us a little bit about it?

When I was six, my mother died after a difficult childbirth. That was during the early stage of Taiwan's Retrocession; life then was difficult. My seven siblings were still young, so there was not enough to go around. My father moved back to Luzhu, Taoyuan to



work as a farmer. During the period from my elementary studies to teacher training, I had to assist in cattle herding and farming on weekends, and both summer and winter vacations; and I had to work as a vendor in the nearby military village markets – Taoyuan, Zhongli, and Taipei – to promote our agricultural produce. Local housewives and vendors knew that I was a student and they gave me a lot of support and encouragement, which I still feel very grateful for. My father, who had received higher education and was good at poetry and writing, asserted the idea of "when it's sunny, farm; when it's rainy, study." He took Dr. Lu Hsueh-i, a gentry and professor at National

Taiwan University, as a role model for me and encouraged me to study hard at all times. I dared not forget everything he taught me during my schooling period. As a result, I was honored to receive the County Magistrate's Award in both elementary and secondary schools; served as a grade leader at National Taiwan Normal University; became a squad leader in the China Youth Corps; was president of the school's fellowship club; received the (Taipei City) Mayor's Award; got a Second-class Medal of Scholarship during my military service; and attended a banquet hosted by Chiang Kai-shek at the Zhongshan Hall, Taipei. Those were all great honors for me. After being discharged from the army, I went to the School of Law at Kindai University, Japan, and was subsequently appointed to teach in the Department of Law, Kainan University.

You served as a Control Yuan member for many years and are highly respected. Can you share some of your experiences with us?

"I just try to do my best in everything!" During my tenure at the Control Yuan, other than joining the Committee on Judicial and Prison Administration Affairs for my expertise, I also joined the Committee on National Defense and Intelligence Affairs due to my interest in national defense

affairs; on that latter committee, I served as convener several times. National defense is a highly specialized field, and it is not easy to earn professional experience without hard work. Thus, I often read books, journals, and magazines in the Yuan library during my tenure, to enable myself to ask in-depth questions when inspecting and investigating cases. Once, when the Committee on National Defense and Intelligence Affairs inspected a missile test at Jiupeng Military Base in Pingtung, I instantly provided a suggestion to the senior management of the Ministry of National Defense: With rapidly evolving cross-strait relations, the focus of our national defense had shifted to a defensive position, in which missile development would play an important role. Therefore, in addition to obtaining technology from abroad, National Chung-Shan Institute of Science & Technology should also actively cultivate missile research and development talents, and obtain more national defense research funding. Such pertinent views were admired by the military, and later became the military's strategy. In my opinion, Control Yuan members must strive to earn professional knowledge. Only professionalism and knowing what one is talking about will gain a person high respect by the inspected/investigated agencies.

What attitude do you think the Control Yuan should adopt in handling complaint cases, to win the approval of the public?

When people submit complaints to the Control Yuan, what they want is to get help. However, after receiving a complaint, we often only use it as a reference for establishing a case and investigation – such is much different from what the public expected. If we investigate cases with care and concern for people's actual needs, we will be able to win the approval of the public. I take the case of Xiaolin Village, which was buried by a mudslide, investigated by the Control Yuan member Huang Huang-hsiung and myself, as an example. In August 2009, Typhoon Morakot brought unprecedented rainfall volume to Kaohsiung, causing the burial of Xiaolin Village due to a mudslide that wiped out nearly the entire tribal village. The investigation not only resulted in the impeachment of Liu Chien-fang, Mayor of Kaohsiung County's Jiaxian Township, and corrective measures against Kaohsiung County's Jiaxian Township Office, but also urged that the Executive Yuan make the reconstruction of Xiaolin Village a major construction project, tasked ministers without portfolio with coordinating the project, and gave the Council for Economic Planning and Development responsibility for preparing the project's budget. Eventually, the investigation led to the completion of the

Xiaolin Pingpu Cultural Village, the Xiaolin Village Permanent Houses, the Xiaolin Village Memorial Park, and Xiaolin Elementary School, allowing the villagers to return to a normal life quickly. Investigating such a case was very meaningful for me.

Did any major cases impress you during your 18 years of service in the Control Yuan?

It is difficult to count all the cases I investigated during my service. But some of the ones that impressed me the most are: (1) The fire in the Hawaii Sauna, Taichung that killed 17 people; and the fire in the Minsheng Building that killed 14 people and injured 15 people. (2) Naval conscript Huang Kuo-chang, who disappeared while on patrol with the ROCS Nanyang, was found dead by a fishing boat from Fujian, China, and transported to the port of Shishi for examination. (3) Prosecutor Chen Yu-chen of the Taiwan High Prosecutors Office, and Chief Prosecutor Kuo Hsueh-lian of the Hsinchu District Prosecutors Office, were suspected of harboring a video game provider in a case that seriously endangered the administration of justice. (4) Judge Hu Ching-bin of the Taiwan High Court Taichung Branch Court accepted bribes and made biased judgments, undermining judicial credibility. (5) The Chinese Petroleum Corporation's Taoyuan Refinery caught fire several times, with a gas explosion occurring in 2002, leading to public protests against

the plant. (6) The case of Army Missile Force soldier Lei Cheng-ju, whose father, Lei Tzu-wen, believed that his son's death was not a suicide; the case was unresolved for many years, and his father eventually set himself on fire out of anger and died. (7) Jingmei Girls' High School student Chang Fu-chen, who visited the Armed Forces Museum in Taipei, was raped, killed and abandoned by soldier Kuo Ching-ho. (8) Air Force F-16s crashed three times in a single year, damaging three fighter planes and killing five pilots.

You have shown your work at various joint exhibitions of Western paintings. Please share with us your journey of learning to paint.

I have loved painting since I was a child, and I can still remember the scenes and people of the Luzhu countryside vividly today. Childhood hardships have not affected my desire for art; painting has even become a lifelong hobby of mine. After stepping back from my career, I have continued to hold exhibitions. The inspiration of art has been of great value in my life. "Art not only refines humanity, but also cultivates the virtue of concentration. The power of concentration and determination is very important when walking through the storms of life!" To sum up my life philosophy, "cultivating the mind" is far more important than "nurturing the body."

Interviewers: Secretary General Judy, Fu-meei JU, Chief Secretary Wang Hsien

Text & Photography: Chen Jui-chou

Interview Date: March 9, 2021

V. Interview with Control Yuan Member Chao Jung-yao

Chao Jung-yao has an academic background in science and engineering; he holds a Ph.D. in Electrical Engineering from Duke University in the US. At Tamkang University, he served as Chairman of the Department of Computer Science and Information Engineering, Dean of the College of Engineering, Dean of Academic Affairs, Vice President, and President. At the age of 49, he served as a member of the Control Yuan's second term, then received consecutive appointments to the third and fourth terms. In both his academic career and his time at the Control Yuan, Chao has devoted himself to the promotion of international affairs, and is well known in the international ombuds and human rights fields in the Asia-Pacific region. In conjunction with the 90th Anniversary of the Control Yuan, Secretary-General Judy, Fu-meei JU and colleagues interviewed former Control Yuan member Chao to learn more about the Control Yuan's involvement in the international community and to pass on the ombuds spirit. A summary of the interview follows.



The journey of changing roles from university president to Control Yuan member

It was by chance that I joined the Control Yuan. At the age of 28, I was the department chairman at Tamkang University, and eventually rose to the position of president. In the year I turned 49, I was unexpectedly nominated by then-President Lee Teng-hui to serve as a member of the Control Yuan's second term; I became the youngest male Control Yuan member. However, from the second to the fourth terms, even though I was a Control Yuan member, Tamkang University still maintained my research office. In fact, it's still intact today.

The academic field is less complicated; the professor's research topics are concerned with the future, with an aim to accomplish self-imposed research goals. The Control Yuan, on the other hand, is based on a member system, in which each member independently investigates cases; essentially, they evaluate and assign responsibility for incidents that have occurred, and the scope of investigation is broad. To me, for example, I had to investigate judicial cases even though I majored in engineering. But with good logical thinking skills, it wasn't a problem to handle matters in accordance with the law. In terms of management systems, universities and the Control Yuan both follow a collegial structure, so sometimes it was difficult to integrate many different opinions and form consensus. Also, it involved factors of group membership and leadership style, so each term had different case management practices. During my tenure as a Control Yuan member, former President Frederick Chien never interfered with investigations by Control Yuan members. Because of his high social status and extensive administrative experience, all the Control Yuan members had a high degree of confidence in him, which led to a united group.

I left my full-time teaching position at Tamkang University at 49 years of age, and

became a Control Yuan member to enrich my life experience. I am very grateful for this opportunity.

Experiences, difficulties, and suggestions for participating in international ombudsman affairs

Founded in 1978, the International Ombudsman Institution (IOI) is a non-governmental global ombuds organization consisting of national ombudsman institutions. The IOI was established to provide a platform and a bridge for ombudsmen around the world to communicate. The IOI is divided into six regions: Asia, Africa, Australasia & Pacific, the Caribbean and Latin America, Europe, and North America. Generally, these regions hold annual meetings, while the IOI holds a World Conference every four years. In August 1994, Taiwan joined the IOI under the name of "The Control Yuan of the Republic of China," and paid its first membership fee to become a voting member.

In 1997, the 2nd Asian Ombudsman Conference was held in South Korea. The Control Yuan was invited by South Korea, and I led a delegation to the conference. I learned in the conference that the 1st Asian Ombudsman Conference had been held in

Pakistan in the previous year, but Taiwan was not invited due to pressure applied by mainland China. The IOI leadership considered mainland China's Ministry of Supervision to fall under the State Council, and subject to an integrated bureaucratic structure, rather than an independent body; as such, it did not accept complaints from the people, and thus it was not approved for membership due to not meeting the qualifications specified in the IOI by-laws. However, in order to accept mainland China's membership to the organization and to fulfill the political purpose of excluding Taiwan's participation, some members from IOI Asian Region, such as Pakistan, Sri Lanka, and India, organized the Asian Ombudsman Association (AOA) to replace the statutory organization and activities of IOI Asian Region. The establishment of the AOA was approved at the Asian Ombudsman Annual Conference held in Pakistan in 1996. South Korea had kindly invited delegates from both Taiwan and mainland China to participate in the 2nd Asian Ombudsman Conference, but mainland China cancelled its participation on short notice due to their failure to resist Taiwan's participation. As a result, the draft articles of association for the AOA and the establishment of its Board of Directors, which had been on the agenda, were discussed, but no clear consensus could be reached;

it was only decided that the six founding countries and regions that participated in the 1st Asian Ombudsman Conference would continue to work on the articles of association, and that South Korea would be the convener of preparations aimed at establishing both the Association and its articles of association for the next two years. The hoped-for establishment of the AOA was not accomplished at this meeting, due to Taiwan's participation and the absence of mainland China; instead, this establishment was postponed until the 3rd Asian Ombudsman Conference, held in Macau in 1998. However, Taiwan was not invited to join the Association.

I remember that IOI Secretary-General Jacoby, who had already foreseen this development, deliberately arranged to meet me at Taoyuan International Airport during transit to Macau when he was invited to attend the conference in 1998. He explained to me the IOI's stance – that the IOI Board members considered the Ministry of Supervision to fall under mainland China's State Council, and not to be an independent authority; the Ministry of Supervision was thus not in line with the values specified in the IOI by-laws, and not eligible for membership. However, the IOI can only encourage, and cannot prevent organizers from inviting non-IOI countries to hold ombudsman exchange events. Jacoby

privately advised the Control Yuan to consider leaving the Asian Region and transferring our membership to the Australasian and Pacific Region (APOR). Therefore, former Control Yuan President Frederick Chien made a formal request to IOI Secretary-General Jacoby in 2001 that the Control Yuan's IOI regional membership be transferred to the APOR, and formally become a member of the region. Subsequently, in 2011, the Control Yuan successfully won the right to host the 26th APOR Conference in Taipei.

Since the Control Yuan's IOI membership was transferred to the APOR, we also considered joining the Asia Pacific Forum of National Human Rights Institutions (APF). Thus, I visited the APF Secretariat during my trip to the APOR Conference in Sydney, Australia in 2001, and expressed our interest in participating in the Forum. In 2004, I led a delegation to Nepal for the 8th APF Annual Conference. Since mainland China was not an APF member, the participants could speak freely, and there were also many observers including Tibetan and refugee organizations. Later, because the Control Yuan could not exercise its powers for three years, we did not participate in the APF forum. However the Ministry of Foreign Affairs still organized a delegation to attend. It is known that in 2006, due to the strong political action demonstrated by Taiwan's delegation, mainland China may have put

pressure on the APF host country; and as a result, the Council resolved in 2007 that the official delegation of Taipei was not welcome to the Forum. Since 2008, when the Control Yuan's fourth-term members took office, they actively ascertained the reasons for the suspension of our participation, kept track of APF-organized events, and contacted the APF Secretariat several times to seek approval for resumed participation. Eventually, the APF again approved our participation as an observer in 2011, but the level of courtesy shown to the Control Yuan had decreased. The fact that our Thai representatives from Ministry of Foreign Affairs was refused to accompany the CY delegation to the Forum showed that unpleasant interactions had occurred between the two sides.

The difficulty for Taiwan to participate in international affairs is that we have to face ever-stronger pressure from mainland China. I personally suggest that we should be patient; slow but steady wins the race. Apart from that, a fixed budget is needed to support our participation in international activities, as well as fixed members and coordinators to continuously participate in international affairs. Frequent changes should be avoided in order to strengthen professional networks and to create in-depth knowledge of international affairs.

What were the most impressive or fulfilling investigation cases during your term of office?

I served as a second, third and fourth term member of the Control Yuan. I found that the members of each term faced different environments and the cases they handled and investigated were also different. After the lifting of martial law in 1993, the economy and construction leaped forward with the Ten Major Construction Projects and the Six-year National Development Plan. Therefore, during my tenure as a member of the Control Yuan's second and third terms, more public works safety issues occurred, and the Control Yuan investigated many construction scandals. At a Control Yuan Plenary Meeting, Chai Tsung-chuan and other Control Yuan members proposed establishing a group to monitor public works. Since I was the only Control Yuan member who had majored in engineering at that time, I became the convener. Cases that made a deep impression on me include the fire at the Weierkang Club in Taichung that killed 64 people; the disaster in the Lincoln Mansions community in Xizhi District, New Taipei City; and the flooded underpasses at various train stations caused by Typhoon Nari, which I went to personally investigate onsite. Other cases include Typhoon Morakot, which caused many casualties, and the Muzha MRT Line corruption case. I was particularly impressed by the China Airlines'

plane crash in Dayuan, which killed over 200 people. Three days later, during an on-site inspection, all I could smell was formalin. As the plane was on its way back from Bali and carrying aquatic products, I couldn't tell if it was the smell of humans or fish. The next day I developed hives all over my body and went to see a doctor.

There are two cases that I feel most accomplished in investigating. The first case was the procurement of the La Fayette-class frigate involving illegal commission payments, which was investigated together with the case of the murder of Yin Ching-feng. Follow-up reports on this case can still be found in the newspapers today. The investigation was proposed by a third-term Control Yuan member, Kang Ning-hsiang, and later a five-member team (composed of himself, Lin Chiou-shan, Ku Den-mei, Ma Yi-kung, and myself) was formed to investigate the case. During my tenure as a second-term member, we went to the construction sites for the La Fayette-class frigate and the Dassault Mirage. During the third term, when I was the convener of the task force, Member Ku Den-mei discovered that the 10-year statute of limitations for the procurement would expire in one month, and that the government would have no recourse if it did not pursue the case at that time. Therefore, the Control Yuan wrote to the procurement unit, Navy Headquarters, and requested that they expeditiously file criminal and civil

lawsuits. Although the lawsuit cost about €3 million per year, the government was able to win the lawsuit eventually after 10 years through international arbitration and the continuous follow-up efforts of the Control Yuan's third, fourth and fifth-term members. As a result, NT\$28 billion was recovered in 2011, and froze the bank accounts and assets of Andrew Wang, his family, and his company in countries other than Switzerland, including interest. In addition, the Control Yuan also requested that the Ministry of Justice recover the illegal commissions through mutual legal assistance; that effort was to the credit of the Control Yuan.

The second case was that of Sun Li-jen's mutiny. During World War II, General Sun's Chinese army won wars overseas, and he was awarded the Most Excellent Order of the British Empire by the United Kingdom and the Legion of Merit by the United States for the Battle of Yenangyaung. He had obtained a bachelor's degree in civil engineering from Purdue University and was a graduate of the Virginia Military Institute, so the Americans were well disposed toward him, and thus he was appointed Commander-in-Chief of the Army after he arrived in Taiwan in 1950. After the Korean War ended, General Sun was transferred to the new role of Chief Military Aide to the Office of the President, with no actual power. In 1955, he was accused of plotting a mutiny by his cadres and staff while he was the Commander-in-Chief of

Army. President Chiang Kai-shek formed a nine-member board of investigation composed of the Vice President, the Office of the President's Secretary-General, the Vice Premier of the Executive Yuan, the President of the Judicial Yuan, the Vice President of the Examination Yuan, and the Minister of National Defense to investigate the case. The investigation concluded that Sun Li-jen's subordinates were suspected of plotting a military coup and that Sun should be held responsible. Consequently, he resigned from position of Chief Military Aide to the Office of the President for allowing the armed rebellion by his subordinates and inadequate supervision. Subsequently, after President Chiang Kai-shek granted his resignation, Sun was placed under house arrest in Taichung for 33 years; President Chiang also instructed the Ministry of National Defense to put him under strict surveillance.

After martial law was lifted in Taiwan in 1988, Sun Li-jen's family members and his subordinates continued to submit petitions to the Control Yuan. In fact, after Sun Li-jen's mutiny incident, Tao Pai-chuan and other Control Yuan members initiated an investigation on their own and found Sun Li-jen innocent, in contradiction to the findings of the previous nine-member board of investigation. In addition, Luo Wen-fuh, a first-term Control Yuan member, also conducted an investigation and concluded that although Sun Li-jen was under house

arrest, his life had not been affected, and the case was closed. Since the original draft of the investigation report by Tao Pai-chuan and other Control Yuan members was lost, and the content of Tao's previous investigation report (photocopy) attached to Luo's investigation case was mostly crossed out or blank, Sun's family members were dissatisfied and continued submitting complaints for the case, even into the Control Yuan's second term. The Committee on National Defense agreed to have Chiang Peng-chien, Lin Meng-kuei, and me set up a task force to review the case. However, the review was interrupted by another ad hoc case review task force, and it was suggested that the Committee on National Defense supplement the original investigation report. Then, the Committee on National Defense made a resolution requesting that our 3-member team retrieve the information from the crossed-out and blanked-out parts of the investigation report. We thus sought assistance from Professor Chu Hong-yuan of Academia Sinica's Institute of Modern History to study how those missing parts could be retrieved. Moreover, I managed to obtain relevant information from the Ministry of National Defense for his reference. It was not until one day in 2000 that our Control Yuan colleagues found the original draft of the investigation report by Tao Pai-chuan and other members, in a safe in the basement of the Control Yuan's old building, and confirmed that the initial

Control Yuan investigation results were different from the findings of the previous nine-member board of investigation. Due to the fact that the members were forced to make oral reports in the Control Yuan Plenary Meeting, and that they were not allowed to disclose any information, nor was there any written information, the case was kept hidden for a long time. The initial Control Yuan investigation report stated that the truth was that Sun Li-jen's subordinates had been dissatisfied with corruption in the military, and they took the opportunity to submit written suggestions to President Chiang; this case was not led by Sun Li-jen and had nothing to do with him. At that time, the Control Yuan interviewed Sun Li-jen, but some of his subordinates were unable to speak to the Control Yuan because the Military Court forbade our staff from contacting them. During my tenure as a third-term Control Yuan member, I was the only one left in the three-member team established in the second term. In January 2001, I proposed and requested that the Ministry of National Defense consider how to clear Sun Li-jen's name and return the commemorative gifts confiscated during his house arrest, and also consider how to compensate his unjustly imprisoned subordinates. During the fourth term, after Li Pen-nan joined as a Control Yuan member, the investigation into the involvement of Sun Li-jen's subordinate Kuo Ting-liang

was relaunched, and we learned that a military intelligence unit instructed Kuo Ting-liang to confess to being a communist spy. However, the military increased his additional pay from 1955 onwards, and later he also enjoyed great benefits; when he built a house in Yonghe, he received a rent subsidy and education fees for his children. Obviously, Kuo Ting-liang confessed to being a communist spy in order to save Sun Li-jen's life. Later, he was relocated to Green Island, where he enjoyed freedom, tended goats, and received a salary, and his dependents were given subsidies and rehoused. Such favorable treatment had us wondering if it was because he cooperated and confessed. Our investigation concluded that Sun Li-

jen was framed, and we demanded that the military vindicate his subordinates. As a Control Yuan member, I am not a political figure, but I feel honored to be involved in the vindication of this case.

The two cases mentioned above, in which I have the greatest sense of accomplishment, were both vindicated by the persistent investigation and continuous efforts of previous terms' Control Yuan members. Some cases take several years to clarify the truth and bring justice to the parties involved, so I advise that an appropriate number of former Control Yuan members be retained each term; otherwise, it will be a pity if there is no one to pass on the experience.

Interviewers: Secretary General Judy, Fu-meei JU, Chief Secretary Lin Ming-huei

Text & Photography: Hsu Fang-yuan, Chen Cheng-yi

Interview Date: March 16, 2021

VI. Interview with Control Yuan Member Chai Tsung-chuan

Chai Tsung-chuan, who is currently 91 years old, was a member of the Control Yuan's second term. Before serving as a Control Yuan member, Chai Tsung-chuan won the Sixth Ten Outstanding Youth award in 1968. He has rich experience in public affairs, having served as a judge, court president, prosecutor, chief prosecutor, and Administrative Deputy Minister of the Ministry of Justice. While serving as the chief prosecutor of the Prosecutors Office of Tainan branch of Taiwan High Court, he handled being besieged by a crowd without being afraid of pressure from them. Because of this, the media called him the "Rambo of the judiciary." During his tenure as a Control Yuan member, he dealt with cases with fortitude and integrity, forming his popular image. He was sympathetic to the people and handled petitions in an all-around way, which both compelled the public and gave them trust in him. For the 90th anniversary of the Control Yuan, Judy, Fu-meei JU, Control Yuan Secretary General, and colleagues had an interview with Chai Tsung-chuan. A summary of the interview follows.

In your opinion, how should Control Yuan members properly exercise their powers?

The duty of the Control Yuan members is



to supervise government agencies and civil servants, not the people. They should focus on overseeing senior officials. It is better for them to focus on major issues, rather than small matters. They should put their energy into cases in which higher-ranking officials are involved. Cases involving civil servants at lower government levels are best handled by their superiors.

During your term of office as a Control Yuan member, what has impressed you most?

In 1995, Control Yuan Members Li Shen-i, Chao Jung-yao, and Chen Chin-li conducted investigations into the tragic incident of death and injury in the Weierkang Club fire in Taichung City. Major Lin Po-jung was

impeached. I remember that in March that year, someone mobilized crowds and had them sent by four or five tour buses to the Control Yuan to make complaints. At the time, I was on duty. There must have been hundreds of people in an uproar that the Control Yuan's impeachment decision was wrong. I decided to accept their complaint with one condition: People would enter the lobby hall of the Control Yuan to make their complaints, but they needed to behave in an orderly fashion, with no commotion. They accepted. Later, people asked to see the president. President Chen Lu-an then came out to explain to the crowd. The event ended peacefully. At the time, the City Police Department wanted to send a police force to the Yuan to maintain order, but I refused; the Control Yuan had enough guards to deal with the incident. I personally think that this incident was handled appropriately. The Yuan listened to the people's opinions and fulfilled its power of oversight. The event made a deep impression on me.

The members for the Control Yuan's second term took office on February 1, 1993. President Chen Lu-an placed great emphasis on member self-discipline; he asked me to draft self-discipline rules for the Control Yuan members. Two of those drafts, Articles 5–8 (Articles 10 and 11 of the current regulations) prohibit illegally lobbying. Article 11 of the

draft (Article 14 of the current regulations) is about property declaration by civil servants. Back then, the Act on Property-Declaration by Public Servants was still at the draft stage (it was promulgated July 2, 1993). The Control Yuan took the lead in implementing property declarations by civil servants across the country. This is a manifestation of the Control Yuan self-discipline and high standards for ourselves; that is of great significance.

Another thing was that I impeached Huang Chin-jui, the president of Taichung District Court. He used his position as president to manipulate loans for hidden real estate investments to make huge profits. Civil servants are not allowed to operate a business, much less high-level judicial personnel. If they are involved in business activities, they are subject to the suspicion of abuse of power. Impeachment of high-ranking officials by Control Yuan members often causes a backlash. However, this is the Control Yuan members' constitutional authority, and the members should courageously undertake their tasks.

What are your expectations for the National Human Rights Commission?

The Control Yuan supervises the government on behalf of the people. One of its priorities is to protect human rights. When

the government violates human rights or has administrative inefficiency, the Control Yuan members should exercise their power from the people's standpoint. It is my personal opinion that Control Yuan members should focus on keeping an eye out for violations of the law and negligence by the competent authorities and personnel. In other words, they should not directly intervene in human rights matters, but supervise the authority in charge of human rights or the protection of human rights. This is the role of the Control Yuan members. This is purely my opinion. Basically, when the protection of human rights is not done well, Control Yuan members should exercise their power over the competent authorities, because it is the Control Yuan's duty to supervise government agencies and to protect the rights and interests of the people.

The Control Yuan's Department of Supervisory Investigation was established during the Control Yuan's second term, when Wang Tso-jung was president. In your opinion, how can investigators assist Control Yuan members in investigating cases?

It is important to have competent persons in the right positions. While President Wang Tso-jung was preparing to establish the Department of Supervisory Investigation, I became responsible for recruitment. We formed a group to deal with the matter; I

was on the oral examination committee to select the first class of investigators. President Wang's idea of how to select talents was a good one. I also gained a good impression of the first class of investigators; they were indeed outstanding. The Control Yuan exercises its powers over a wide range of matters that government agencies deal with, including the military, finances, and economic affairs. If investigators have insufficient professional knowledge, how are they going to assist the Control Yuan members in their investigations? I believe that professional training should be strengthened. Seminars should be held to improve investigators' professional abilities.

How did you interact with the media when you were a Control Yuan member?

In principle, I adopted an open attitude toward the media. As long as it was legal, I would try to provide the media with information that could be made public, to satisfy people's right to know. Nowadays, it is indeed important for government agencies to interact with the media and publish information. In principle, I support freedom of the press, but I also expect that the media report the facts.

Please share a memorable experience from your career.

I would like to share one thing with you. I was sent to Penghu District Court

after I completed judicial officer training. That wasn't because I had poor grades; rather, I wanted to prepare to study abroad. When I was a judge in the district court, I was successfully admitted to a school in the US, but I failed to obtain a US visa. I then applied again after six months. However, the embassy staff clearly told me: "You don't need to come again. You don't have parents, a spouse, or children in Taiwan. You have no real estate here, either. We will not issue visas to you." Without a visa, there was no way to go abroad at that time, so I got married. Unexpectedly, after many years, when I was the chief prosecutor in Kaohsiung, the American Institute in Taiwan invited me to conduct an inspection. I

visited many places. The report I wrote was praised by Mr. Cheng, Head of the Ministry of Judicial Administration. This event has profoundly affected my career development in the judiciary. Life is so unpredictable and wonderful!

My suggestion is therefore that that you always keep a good mood and not care too much about what you gain or lose. "As long as you are in a good mood, you will be healthy and have no worries. As long as you have a kind heart, the Bodhisattva will protect you." "It is important to know what is right and what is wrong." "One needs to uphold principles, utilize methods flexibly, and behave with decency."

Interviewers: Secretary-General Judy, Fu-meei JU, Chief Secretary Wei Chia-sheng

Text & Photography: Wu Hung-chieh, Chen Mei-ju, Lin I-min

Interview Date: March 18, 2021

VII. Interview with Control Yuan member Wu Feng-shan

Wu Feng-shan has rich media and political experience. He served as publisher of the Independence Evening Post for 13 years; was the chairman of the Public Television Service for two terms; and has been a representative in the National Assembly for two terms; a member of the Central Election Commission; an advisor to the Executive Yuan; minister without profile; and more. In his early years, Wu led the Independence Evening Post and the Independence Morning Post during an era of Taiwan's democratization. Without any political party affiliation, he undertook many important government positions to serve the people. Wu's service is worth of praise, and Wu sets a good example. Judy, Fu-meei JU, secretary general of the Control Yuan, and colleagues interviewed Wu Feng-shan. A summary of the interview follows.

You have said that extra caution is needed in dealing with impeachment cases and cases that involve corrective measures. Can you share your experiences and cases that you remember most?

The Constitution makes it clear that the Control Yuan members shall be nonpartisan and exercise their power of oversight independently. This is the spirit of



the Control Yuan. If not handled carefully, impeachment cases will cause damage to good people. In dealing with cases, one needs to take into account law and reason, and show empathy as well. I once opposed an impeachment case. For universities on the east coast, it is not easy to hire faculty members. A president of a university on the east coast therefore came up with the idea of building faculty and staff dormitories to attract more people to apply for faculty positions. A committee for the construction of faculty and staff dormitories was formed. However, the bank said that to obtain loans, the committee needed to be turned into a company. The president then had to establish a company, with himself serving as chairman

of the board and the director of the school's General Affairs as general manager. Both of them were reported to the Control Yuan on the grounds that they had violated the regulation that prohibits civil servants from engaging in business. During the review session, I insisted that due to a deficiency in the law, the president was forced to take the measure of building dormitories, and the president himself in fact did not conduct business. The impeachment of the president didn't pass, but the director of general affairs still got impeached. I think this was the result of a deficiency in the law.

In addition, late in the Control Yuan's fourth term, I observed a worrying phenomenon and made my suggestions to the Yuan. Impeachment, corrective measures, and censure are clearly stated in the Constitution, which means that impeachment cases and mistakes that need to be addressed by corrective measures shall be major cases. What I noticed is that many Control Yuan members focused on small details, which in the end leads to correction fatigue. In responding to the Control Yuan's stated corrections, government agencies simply replied with an official letter and that was the end of it. Eventually, this became a regular practice, with neither meaning nor effect. Corrective measures are clearly stated in the Constitution, which means that what is

corrected must be major mistakes. However, some Control Yuan members made a big deal out of small details. They proposed corrective measures to correct small things. Once it became common practice, government agencies also stopped taking corrective measures seriously.

Can you share your experience in exercising the power of oversight?

First, one needs to act in accordance with the Article 7 of the Additional Articles of the Constitution, which state that the Control Yuan members shall be non-partisan and exercise their power independently. Second, one needs to take into account laws and reason, and show empathy as well, in dealing with impeachment cases and corrective measure cases. I once said that a Control Yuan member should use the power of impeachment when it should be used; this is not a bizarre idea. What is not easy, though, is that one has to have courage to say "no" to impeachment when impeachment should not be used. A saying goes that "even when legal principles don't apply, empathy still does." In East Asian society, I think it is quite good to consider empathy.

The reason why the Control Yuan exists is to protect people. Its main goal is to protect people from the abuse of authority.

This makes the Control Yuan an important agency. The existence of the Control Yuan is good for the people and good for the country. The Control Yuan members are responsible for what the control Yuan is now. The members' responsibilities continue, through rain and hail; and what they do will make some people unhappy. They are going to make government officials who have bad performance unhappy. However, people will give them applause. "Government officials hate me, but I am fine with it" – this is what the members of the Control Yuan do, correct officials' mistakes. Whom you impeach and whom you send corrective measure notices to depend on your conscience. There are a lot of educated people out there and they will make their own judgements.

Article 26 of the Control Act stipulates that cases under investigation cannot be disclosed to the public, but some cases are also of concern to the public. How do you decide what to say and what not to say to the public?

It is right not to disclose information to the public when the case is under investigation. When one interacts with the

media, one needs to be sincere. The existence of media serves certain purposes; and government agencies also aim to achieve certain goals, and will inevitably impose some restrictions. If information is disclosed, it will create unnecessary trouble. However, there is no need to be entirely cold to the media. Information that is not related to cases, information that meets journalists' needs, can be provided. One needs to be skillful in meeting the needs of government agencies and media. Journalists often understand that there are some things that the Control Yuan members can talk about, and some things they cannot, no matter how one pleads for information. This is mutual respect. Media reporting is a type of power too. If you don't respect me, why should I respect you? Interacting with journalists takes mutual respect, patience, sincerity, and care in.

What have you done in retirement to maintain physical and mental health?

Since my term of office in the Control Yuan ended, I have still been in good physical and mental health.

Reading brings me happiness. When you have reflections on things, you want to share them with others. Seven books of mine have been published in the past seven years. I have also read many books that teach how to lead the retired life; what they say can be summed up in two sentences. The first is, keep your

body healthy; the second is, live a meaningful life. Before retirement, reading, writing, calligraphy, and playing golf were part of my life. Since retiring, I've learned to paint, including colors and composition of drawing. I want to make my retirement meaningful.

Interviewers: Secretary-General Judy, Fu-meei JU, Chief Secretary Wei Chia-sheng

Text & Photography: Wu Hung-chieh, Tseng Li-wen, Lin I-min

Interview Date: March 25, 2021

VIII. Interview with Control Yuan Member Huang Huang-hsiung

Huang Huang-hsiung, founder of the Taiwan Research Fund, was a member of the Control Yuan's third and fourth terms. Since his days as a non-party (dangwai) member, he has been committed to constitutional reform. During his political career as a legislator, he gained the trust of the community for being a broad-minded and magnanimous person, as well as his unwavering commitment to the values he believes in. After serving as a Control Yuan member, he took the initiative to investigate issues related to national development, people's welfare, and intergenerational justice. He also created a "general check-up" approach, featuring multi-site investigations and numerous interviews and seminars to collect first-hand information directly from the grassroots; he set a goal for himself to "work on cases with my life." In conjunction with the 90th anniversary of the Control Yuan, Secretary-General Judy, Fu-meei JU, led colleagues to interview Control Yuan Member Huang Huang-hsiung. A summary of the interview follows.



Many of the cases you investigated were related to national development, the people's welfare, and even intergenerational justice. How did these ideas come about?

First of all, before I became a Control Yuan member, I had been a member of the Legislative Yuan for three terms. There, I was exposed to multi-faceted national political issues. The image I built up during my time as a legislator gave the community faith in me and helped the intellectual community to accept me, thus accumulating and strengthening my connection with society and talents. That helped me to discover and explore important issues; otherwise my

investigations would have lacked depth. Moreover, after I stepped down from my role as a legislator, in 1996, I went to Harvard University, where I served for two years as a visiting scholar. That gave me ample time to settle my mind, read many books, write articles, and think carefully about many national and social issues. From which, I realized that I should not just "see the world from Taiwan," but also "see Taiwan from the world." To sum up, "connection" and "vision" were my most important foundation and energy while I exercised my authority as a Control Yuan member, coupled with my curious and exploratory spirit. Those all helped me to discover issues.

From legislator to Control Yuan member, your work style and orientation changed drastically, yet you are still highly appreciated by society. How did you make the adjustment?

In terms of the operation of the constitutional system, the powers and functions of legislators and Control Yuan member are very different. The former's task is not only to diligently visit the grassroots level, but also to do everything, even to change the constitutional system itself. For example, the Democratic Great Charter Study Group, which I chaired during my term as a legislator, proposed in 1990 that

the national President be directly elected by the people. The idea sparked an irresistible wave of movements at that time and prompted reforms to the ROC constitution, which have continued to influence our central government system for the past three decades. However, this is not the case for Control Yuan members, who must follow the mechanisms, strictly abide by the boundaries, and exercise their authority. Therefore, when I changed my position from the Legislative Yuan to the Control Yuan, it was a move from a "dynamic" to a "still" role. I not only narrowed my social circle and changed my mindset to focus on exercising my duties, but also kept thinking about where the boundaries between the two roles lay. How could I hold the line? What had to be done? And what should not? I learned that the work and life of a Control Yuan member is relatively uncomplicated, monotonous, and disciplined; it's not agitated, not sensational, not seeking fame, and one has to endure loneliness. These form the basic transformation and literacy that must be established.

You completed several major and difficult investigation cases systematically. How did you accomplish this?

First of all, unlike chief executives who have no autonomy, and whose use of time is

fragmented, Control Yuan members have the advantage of being "masters of time," which allows them to plan their own work schedule to closely integrate with the progress of investigation. Take the National Health Insurance "general check-up," for example. During the investigation, we visited more than 200 medical institutions, met with more than 3,000 health care workers, held about 200 to 300 seminars, and even consulted with many key medical professionals and academics during the final stage of writing the investigation report. What enabled us to thoroughly and fully complete that work was that Control Yuan members were able to decide their own schedules and exclude other chores. In addition, "general check-up" cases involve a number of professions and aspects that cannot be successfully completed by one person alone. That means a "task group" is rather important. That is to say, the key factor in finding and forming the right "team" is "connections."

Where did such persistence and strength come from?

The key was to have passion, perseverance, vitality, and a sense of mission, while also upholding the spirit of never giving up, and the belief of being faithful to the goals until the end. If one considers the position of Control Yuan member as a job, they will surely feel tired. Other than that, it also had something to do with my

background as a non-party member. I ran for legislative election all by myself, with no background support nor financial support from my family; but the support and trust of the community gave me the opportunity to serve as a legislator. In order to live up to these expectations, I was determined to do more for the country and people as long as I had the opportunity to do so. I was unafraid of hardship.

Many of the cases you investigated effectively promoted and guided the government's administration. How did you get to the heart of cases, rather than just assigning responsibility for trivial matters?

During my tenure as a legislator, I was concerned about national defense affairs and the government budget structure. Therefore, after taking office as a Control Yuan member in February 1999, I started four months of exploration; and after that, I conducted investigation on national defense affairs with a series of "general check-up" cases in June of that year. Later on, I extended my investigations to the fields of education and culture, community development, social welfare, land conservation, marine Taiwan, finance and industrial development, and even the National Health Insurance system. These fields involved a wide range of issues, so it was necessary to identify and prioritize the key issues that can be improved in order to implement effective investigations. My

ability to do so is the result of experience as a legislator, and what I gained during all those years.

Take national defense affairs an example. I completed eight or nine investigation reports during my tenure as a Control Yuan member for two terms. What enabled me to complete those major cases was the sincere attitude and image that I had established when I was a legislator; that gave the generals a certain level of mutual trust. The retired generals trusted me, and were willing to be interviewed and to pour out their thoughts during the investigation, allowing me to clearly understand the circumstances surrounding key changes in national defense. A retired chief of the general staff once told me that it was only when he was in a specific post that he could "see the whole sky" and understand the full picture of national defense; in other posts he could only see a part of the whole; the posts restricted his view, and he couldn't get the full policy-making picture. I had long been concerned about national defense issues, from my time as a member of the Legislative Yuan until I served in the Control Yuan, so I could "see the whole sky" of the Ministry of National Defense. My participation in the management of state affairs and image gained the trust of the armed forces and the generals, and I have cultivated an atmosphere of positive interactions with them. The accumulation of these elements

made it possible for me to break through the restrictions of the martial law system and the taboo against confidential national defense information, and to complete *The Reform of Taiwan's National Defense*, a most representative book that analyzes the national defense changes over the past 30 years in Taiwan.

How did you face and overcome the various queries and controversies arising from reviews by Control Yuan members and from the outside world regarding your investigation reports?

As an example, the party assets case was reviewed by the Control Yuan members three times before it was approved. At the time, I had only one conviction in mind: Of all the democratic countries out there, in terms of competition among political parties, hardly a one has the kind of party assets issue Taiwan does; thus these kinds of issues must be eliminated from Taiwan's political agenda at the soonest, for the sake of Taiwan's constitutional democracy. Also, I hoped to resolve the issue in my lifetime, so I didn't take the twists and turns that occurred during the process to heart. Subsequently, the case turned out to be a major issue of concern in the presidential and legislative elections for at least the next decade. The credibility of the investigation report is due to the fact that the Control Yuan, as a

constitutional authority, has access to the original information provided by the local authority in accordance with the law, with full contents and an authenticity that cannot be denied.

In addition, after the corrective measures for the Taipei Dome investigation case were passed, the Far X Group unprecedentedly bought front-page advertisements in seven major newspapers to criticize me. I regarded that as a trial of my tenacity and strength of character. The same is true of the former President Chen's medical case. I was mentally prepared for that highly sensitive case, so I handled it calmly, even though it took four reviews before the investigation report was approved. Thus, I took the various criticisms and queries arising from investigation cases as a "tonic," transforming them into positive strengths during my term as a Control Yuan member.

How did you manage to identify the expertise and competence of all the Department of Supervisory Investigation colleagues, and provide guidance, integrate functions, and assign tasks appropriately to complete each investigation both on time and with quality?

I personally believe that the Department of Supervisory Investigation is the soul of the Control Yuan, and that the Control

Yuan would not be able to complete case investigations without those investigators' contributions; and former President Wang Tso-jung is to thank for this. I was not acquainted with my colleagues in the Department of Supervisory Investigation at first, but through interaction and observation while working on projects with them, I learned each person's expertise and work attitudes, which led us to become a strong team. Those colleagues who work with me on investigations put in a lot of hard work, but they improved and gained a sense of accomplishment during the process.

Please share with us your experience and suggestions on how to effectively exercise the Control Yuan members' powers and functions.

Our country has had a democratic system in place since the direct presidential election in 1996. I think that the appropriate exercise of the Control Yuan's authority is also an important part of the "democratic consolidation" of our country. The powers and functions of the Control Yuan can be divided into two major areas: one is to "put official admonitions in order and correct violations," and the other is to "protect human rights and reduce public grievances." The reason why the public respects Control Yuan members as if they were Justice Bao



Qingtian or the Censor-in-chief in ancient China is primarily because they correct the mistakes made by the officials. Therefore, following the establishment of the National Human Rights Commission (NHRC) in 2020, the Control Yuan must carefully consider how

to combine the initial supervisory powers and functions with national mechanisms to promote protection of national human rights, in order to bring a multiplier effect to the functions of the supervisory authority.

Interviewers: Secretary General Judy, Fu-meei JU, Director Su Jui-hui

Text & Photography: Yu Sheng-chi, Wang Hui-yuan, Lai Chien-wen

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Managing editors: Chang Li-ya, Hsiao Wen-chun, and Chen Liang-chih
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CHAPTER

2

The Control Yuan Building: Beauty Both Ancient and Modern

A leisurely walk down the tunnel of time, tracing the past

Preface

Section 1 Old Building, Old Memories

Section 2 Leaping through the Centuries:
The Golden Years of the Control Yuan
Building

Section 3 An Old Building, Reborn:
The Restoration and Transformation of
the Control Yuan Building



Preface

The Control Yuan building, a national monument, is located at the intersection of Zhongxiao East and West Roads, and Zhongshan North and South Roads in Taipei City. This is also the starting point for Taiwan's highway system. Sitting at this site for over a century, the building has seen the times come and go, and witnessed the ups and downs of history; the history of the Control Yuan building cannot be ignored. The architecture is rich in artistic elements, and its restoration and transformation originate from touching stories; anyone who passes by will stop and admire it. This chapter is divided into three parts, describing the construction and characteristics of the Control Yuan building; its spatial and office allocation in different periods; and the restoration and transformation of the building.

Section I, A Historic Building with Historic Memories, explains the building's construction phases in detail. This begins with the main building construction period, which started in 1912, then the inauguration ceremony held in April 1915, and then to later construction, demolition, and the building's appearance in the war. This Section also displays 14 not-to-be-missed architectural

designs. In addition to the red bricks, grey-and-white friezes, and towers and domes in the Tatsuno Style, the building's design also includes a mix of other architectural styles. It is thus categorized as a late Renaissance style building, and is also known as a historically-styled building.

Section II describes the building used by the Taihoku-shū (Taipei Prefecture) during the period of Japanese colonial rule; the Taiwan Provincial Administrative Executive Office after the war; and how the Control Yuan officially moved in in 1958. In 1998, the building was declared a national monument by the Ministry of the Interior. In November 2000, the Fisheries Agency relocated from the site; later, the building and site were officially transferred to the Control Yuan. The period of joint office, lasting more than 40 years, has ended.

Section III narrates the restoration and transformation of the building. As things have changed over the past century, not only has this historic building been tempered by the passage of time, but it has also revealed the splendor and beauty of the monument. This Section covers technical challenges faced during the office building expansion,



the Chamber construction, the copper roof tile replacement, the aluminum window repair and restoration, and even the paint removal and repair for the exterior walls. All these major projects have peeled back the Control Yuan's "heavy makeup" and unveiled its graceful and elegant appearance, thus also recreating the architectural beauty of the times. By touching each brick and tile, one can feel the enthusiasm and warmth that went into crafting it; and through this spirit, the historic building continues to be reborn and stand.

This chapter ends with Images of the Control Yuan over Time and with Images

Unveiling the Building's Beauty, with the aim to present the splendor and transformation of the Control Yuan building by capturing the beauty of this national monument from different angles.

So we see that Control Yuan is not just a government agency, but a valuable monument in Taiwan. Its architecture echoes with the trivialities of the times; its design reveals the style and evolution of the decades; its history has passed accompanied by different government agencies; its rebirth is climactic and long-lasting; its beauty and history are carefully presented via this Special Issue; and all of it is worth being enjoyed.

Section 1 Old Building, Old Memories

The Western-style Control Yuan building, which was constructed during the period of Japanese colonial rule, was a work completed by the Construction Section under the Civil Engineering Bureau of the then-Taiwan Governor-General Office. The construction started at the end of 1912 (Year 1 of the Taishō reign) and completed in 1915 (Taishō 4); at the time, the building was used as the administrative center of Taihoku-chō ("Taipei Prefecture"; this was renamed Taihoku-shū, still translated as "Taipei Prefecture," in 1920, that is, Taishō 9). After Japanese colonial rule, it was taken over by the Taiwan Provincial Administrative Executive Office in 1945, who then set up the Department of Education and the Department of Health offices here. In 1947, the Taiwan Provincial Administrative Executive Office was reformed into the Taiwan Provincial Government. In 1957, it moved to Zhongxing New Village in Nantou, together with the Department of Education and other units, and the site was then transformed into the Taiwan Provincial

Government Taipei Liaison Office. In 1958, the Control Yuan moved in; and later, in 1998, the building was designated as a national monument by the Ministry of the Interior.

The beginning of the story

In 1895 (Meiji 28), Taiwan entered the period of Japanese colonial rule, and Taihoku became the center of rule, with the old Tâi-pak hú Office as its administrative office (Figure 2-1); with Japanese rule, Tâi-pak hú was renamed Taihoku-ken ("Taipei County"). In 1901 (Meiji 34), Taihoku-ken was then renamed Taihoku-chō; urban improvements began with demolishing the old walls of Taihoku City, gradually expropriating the fields on both sides, and installing street lights and planting trees alongside the Taihoku Three-parallel Roads (present-day Zhongshan South Road, Zhonghua Road, Aiguo West Road, and Zhongxiao West Road), in order to make it a modern Western-style public building site.

In August 1911 (Meiji 44), a typhoon struck northern Taiwan and damaged most of the Min-style buildings in the city. The old Taihoku-chō office building was also destroyed. The original Taihoku-chō space had become packed as its business expanded, so the Taiwan Governor-General Office decided to build three new office buildings in Taihoku, Taichū (Taichung), and Tainan. The new Taihoku-chō office building was located in Huashan town, at the intersection of Chokushi Street (Zhongshan South Road) and Keelung Street (Zhongxiao East Road) (Figure 2-2), which was originally rice fields and weedy fields situated outside the city. After Chokushi Street (Zhongshan South Road) was opened, it became a representative road with the advantages such as convenient transportation, a broad thoroughfare, and a prominent location. Hence, a modern Western-style office was built, and that building was the predecessor of the Control Yuan building.



Figure 2-1

Old Tâi-pak hú Office (Source: *Views of Taihoku* by Nagaaki Murasaki).

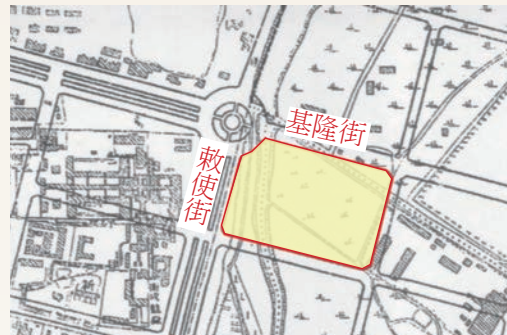


Figure 2-2

Location of the new office building (Source: *Urban Planning of Taihoku, 1905*).

Construction details

The Taihoku-chō office building's layout was designed by the Civil Engineering Bureau of the Taiwan Governor-General Office, from which an engineer—Matsunosuke Moriyama—was commissioned for the building design. The contractor was a private company, the Sawaigumi. The budget of the new office was 120,000 yen (approximately NT\$114 million) with a 3-year construction period. In 1912 (Taishō 1), construction began; and then in 1915 (Taishō 4), the office officially went into operation. The old hall was demolished only after each business unit had moved in. In 1920 (Taishō 9), Taihoku-chō was renamed Taihoku-shū (still translated into English as "Taipei Prefecture," though), with three cities and nine districts under its jurisdiction and the prefecture government located in Taihoku City; the building was renamed the Taihoku-shū Building. Later, the entire building has been expanded four times in early days of Japanese colonial rule.

I. Construction of Taihoku-shū office building during Japanese colonial rule

A. The first phase of main building construction (1912-1913)

The Taihoku-chō Office Building began construction in 1912 (Taishō 1); this was already visible in the background of a photo showing the unveiling of the bronze statue of Kumaji Oshima, the 5th governor, on October 23, 1913 (Taishō 2) (Figure 2-3).

B. The second phase of main building construction (1914-1915)

In 1915 (Taishō 4), a photograph of the new office building was published in the Memorial of Taihoku Urban Reconstruction, showing that the central dome, the North and West Wings' buildings, the tower, and the West Wing guard tower had already been completed. After the completion of the new office main building, the Taihoku-chō Relocation Ceremony was held on April 24,

1915 (Taishō 4). On May 1 of the same year, the head of the Taihoku-chō issued Article 88 of the Taihoku-chō Notice, specifying that all

units would be gradually moved into the new office, except for the financial, general affairs, and mediation units.

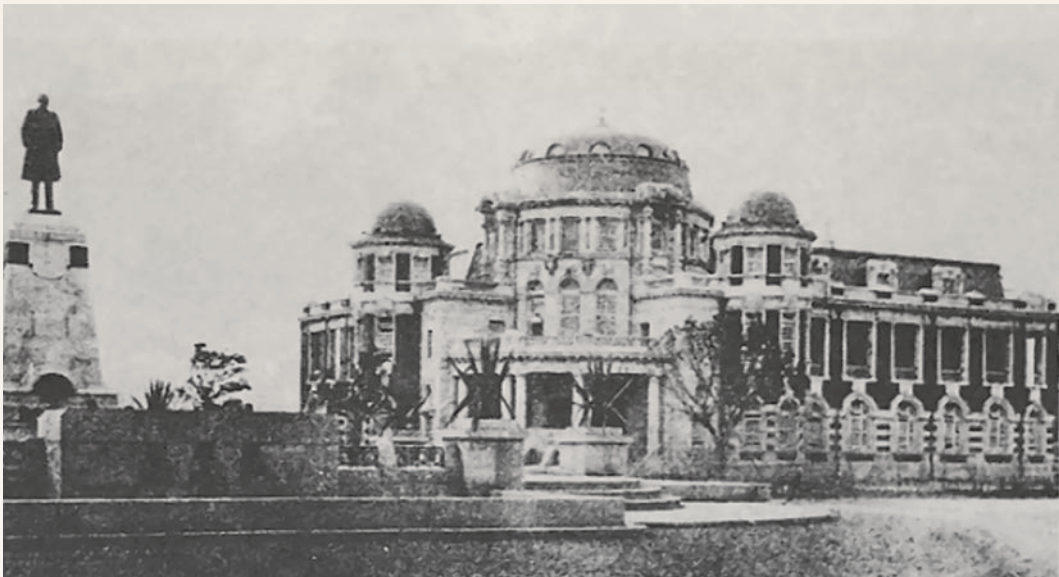


Figure 2-3

The Taihoku-chō Office building's appearance during the first phase construction in 1913 (Taishō 2) (Source: Lee Chien-lang, *History of Taiwan Architecture*).

C. Third-phase horseshoe-shape construction (1915-1917)

According to the Taihoku City Street Map of 1914 (Taishō 3), a square area (Figure 2-4) appeared on the site, showing that the central dome, the guard towers, and part of the West and North Wings had been completed during the first phase construction. The later Taihoku City Layout Plan (Figure 2-5) of 1916 (Taishō 5) shows that the main Taihoku-chō office building area had developed into a horseshoe-shaped area from the original square area. Apart from the main building, another building adjacent to the Qingdao East Road was also constructed on the southwest side of the site, along with

an annex. From the Taihoku-chō Relocation Ceremony until 1917 (Taishō 6), construction work was continuously carried out until a building connecting the West Wing was completed. However, the building was demolished to make way for the construction of the Chamber and the new office building in 1985.

D. Fourth-phase building expansion and appearance during war (1917-1945)

After 1917 (Taishō 6), construction work primarily involved the annex next to the main building. In the Design Commission of 1919 (Taishō 8), a "Taihoku-chō Office Building Expansion" design fee of 129,999.55 yen was

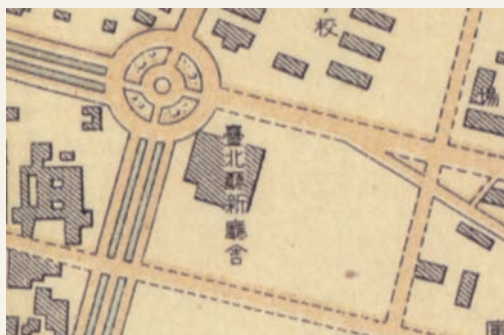


Figure 2-4

Taihoku-chō office building volume from the 1914 (Taishō 3) map (Source: *Taipei City Centennial Historical Map, Taihoku City Street Map, Academia Sinica*).



Figure 2-5

Taihoku-chō office building in the 1916 (Taishō 5) Taihoku City Street Layout Plan (Source: *Taipei City Centennial Historical Map, Taihoku City Street Layout Plan, Academia Sinica*).

recorded, indicating that the office building had been expanded again. The new building was a two-story red brick building made of Renga bricks; this was then identified as the "Former Fisheries Agency Office Building" in the Taihoku City Street Full Map, with the new building appearing behind the North Wing (Figure 2-6). The new building had a hip roof; a photo from the 1929 (Shōwa 4) Taihoku-shū Guide shows that the roof has four dormers protruding from the roof, a contrast from the present-day building's roof (Figure 2-7).



Figure 2-6

Taihoku-chō office building volume on the 1919 (Taishō 8) map (yellow circled area is the later Fisheries Agency Office Building) (Source: *Taipei City Centennial Historical Map, Taihoku City Street Full Map, Academia Sinica*).

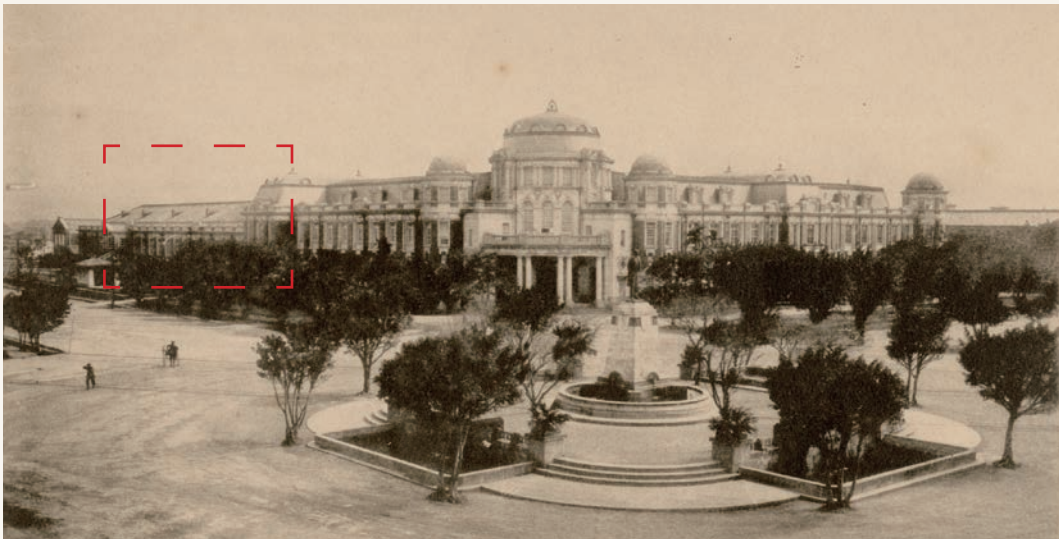


Figure 2-7

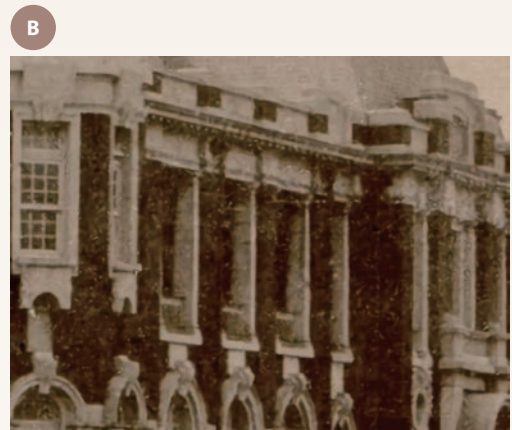
The appearance of the Taihoku-shū office building in 1929 (Shōwa 4), with four dormers protruding from the roof of the building located at the rear of the North Wing (Source: *Taihoku-shū Guide, National Taiwan University Library collection*).

After the reformation of Taihoku-chō into Taihoku-shū in 1920 (Taishō 9), minor expansions and renovations were carried out several times in response to the increasing number of agencies and the scale of business.

The balconies of the North and West Wings, for example, were gradually converted into indoor space due to the demand for office space (Figure 2-8).



A full view of the completed building in 1915.

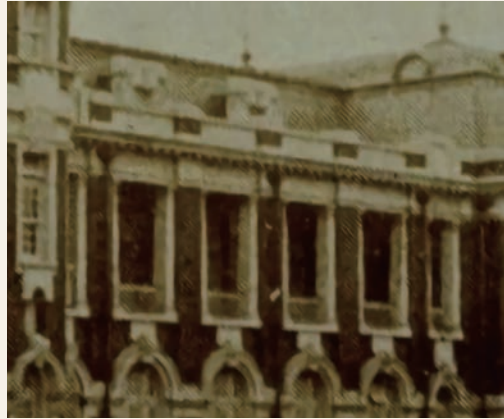


In 1915, A (North Wing) and B (West Wing) both show balconies.

A



B



In 1925, the balcony in A (North Wing) was converted into indoor space, while in B (West Wing), the balcony remained.

A



B



Today, both A (North Wing) and B (West Wing) are interior space.

Figure 2-8

A comparison on the prefectural office building appearance before and after 1915 (Taishō 4) (Source: National Taiwan University Library collection, *Report on the Paint Removal and other Restoration Works of the National Monument Control Yuan Roofs and External Walls, and the Control Yuan's photography materials*).

In the Waterway Map (Figure 2-9) of 1940 (Shōwa 15), the entire prefectural office building shows a sort of "8" shape, with a total area of 10,648 m². In 1941 (Shōwa 16), the office was expanded with a two-story building (occupying a total area of 1,094 m²). In response to circumstances during World War II, a basic air-raid shelter was built on the west side of the prefectural office building, under the green area near the main entrance.

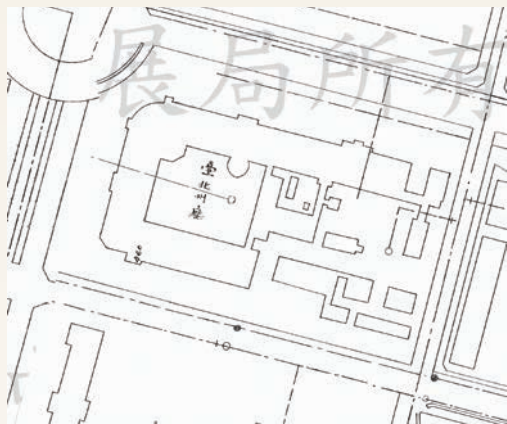


Figure 2-9

The entire prefectural office building in 1940 (Shōwa 15) (Source: *Taipei City Centennial Historical Map, Waterway Map, Academia Sinica*).

On May 31, 1945 (Shōwa 20), the US Army launched a major air raid on Taihoku, which affected the Taihoku-shū Office Building near the Taihoku Station and the old Taipei City, and the premises near Zhongxiao East Road. The differences between the main prefectural office building and its annexes can be seen in an aerial photograph taken by the US military (Figure 2-10).



Figure 2-10

Aerial photo of prefectural office building in 1945 (Shōwa 20) (Source: *Taipei City Centennial Historical Map, US Army aerial photograph, Academia Sinica*).

II. To see a world in a grain of sand: 14 must-see architectural facets

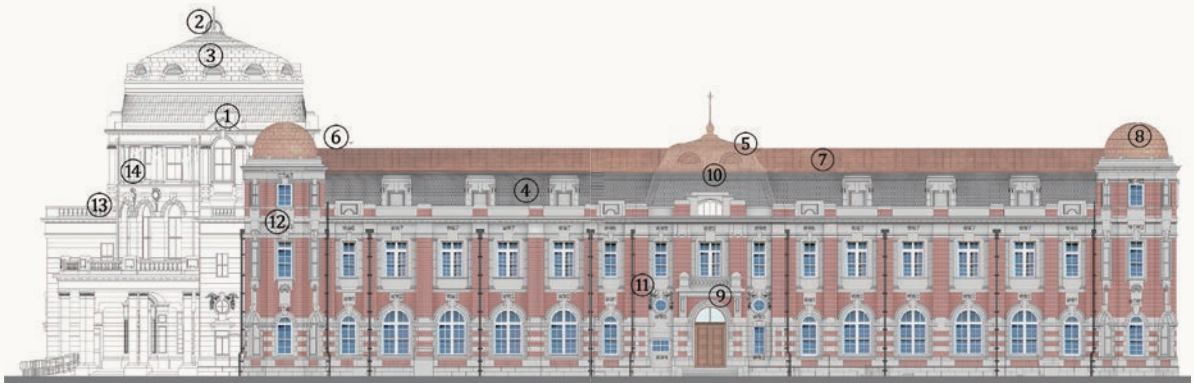
Reminiscing about the past; counting how appearances change

The architectural style of a building often tells the style of the times and the artistic values those styles imply. During the period of Japanese colonial rule, in order to demonstrate to the Western great powers its determination to operate Taiwan as a colony, Japan cultivated a group of architects—primarily from the Department of Architecture of Tokyo Imperial University—to build Taiwan, giving them ample room for creativity. As a result, these architects are considered the shapers of Taiwan's modern urban landscape.

Japanese colonial-era buildings in Taiwan were strongly influenced by the Renaissance style, and the Tatsuno Style is also reflected in the period's architectural design. The Tatsuno Style is attributed to the Japanese architect, Tatsuno Kingo (October 13, 1854-March 25, 1919), who graduated from the Department of Architecture of the Imperial College of Engineering (the present School of Engineering, the University of Tokyo) before pursuing his studies in England. He was part of the first generation of Japanese architects. His works include the famous Bank of Japan Kyoto Branch, Nara Hotel, Tokyo Station, Osaka City Central Public Hall, etc., and he has had a profound influence on modern

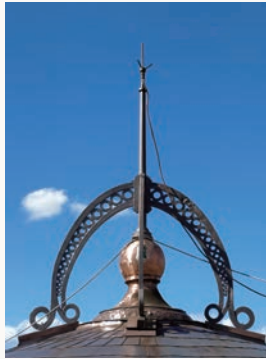
Japanese architectural education and design. Red bricks and grey-and-white friezes, as well as the crown-like towers and domes, are often found in his architectural design; these features are thus known as the "Tatsuno Style."

The architectural design of the Control Yuan building is no exception; with its red bricks and grey-and-white friezes, towers, and domes, it represents how the Tatsuno Style that had a considerable impact on Japanese colonial-era buildings in Taiwan. The Tatsuno Style demonstrates the architect's expertise and extensive use of architectural forms, as evidenced by the use and combination of mansard roofs, orders, pediments, wing towers, foyers, arcades, etc., as well as by how the materials were treated. The design of the Control Yuan building's plan form and vertical movement is simple and clear, reflecting how the architectural trend of the time was to comprehensively pursue rational thinking. In addition, the simple but decorative exterior, with its red brick walls and brick arches, belongs to the late Renaissance style of architecture that mixes architectural styles; this is also known as a historic-style building. In terms of both architectural art and period style, the Control Yuan building is a model of classical architecture, while its architectural repertoire and decoration reflect artistic traces from East-West cultural exchanges found in modern architecture, as a result of the prevalence of imperialistic thinking.



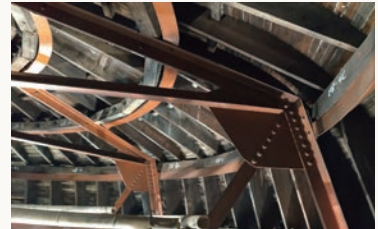
① Broken Pediment

Ionic capitals support the broken pediment beneath the roof structure; the middle of the triangular pediment is made hollow to create both dynamic visual and intricate decorative effects.



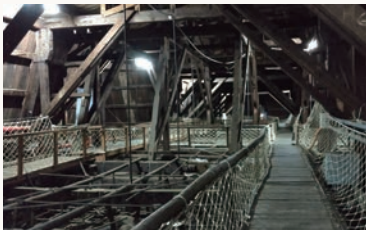
② Lightning Rod

The lightning rod on the central dome has a complex shape, with 4 additional curved flange plates set up around its main body, for both support and aesthetic purposes.



③ Central Dome Inner Structure

The main structure of the central dome is composed of a steel structure with riveted joints, and longitudinally-spaced trusses are formed, with the dome center being the axis that support the roof's weight. Additionally, circular wood trusses are locked to the circular steel girders to connect the roof with the steel structure, while brick brackets are used to support the steel structure and transfer the load to the brick wall.



④ Catwalk

The mansard roof is a two-part sloping roof, with the upper half sloping more gently than the lower half; the roof is supported by multiple sets of wooden trusses. A catwalk provides access for roof inspection and maintenance. As the name implies, the catwalk is an extremely narrow walkway that requires extra care when walking, preferably with the dexterity and grace of a cat.



⑤ Bull's-eye Window

The tower's semi-circular bull's-eye window is completed by craftspeople cutting copper sheets that follow the curvature of the window, then progressively cladding the louvers and splicing them together. The curvature of an bull's-eye window makes the construction extremely difficult, and thus it requires exquisite craftsmanship to complete.



⑥ North Wing Roof (facing the atrium)

The North Wing facing the atrium has several circular louver windows on the slate roof, which are for ventilation and decoration. On top of the copper roof are copper tile bars and lightning rod wires; the corridors are down below.



⑦ West Wing Roof

The double-pitched roof of the West Wing building is composed of two parts, with copper tiles above and slate tiles below. In addition, the tower has a mansard roof, which is also made of copper and slate tiles.



⑧ Guard Tower Roof

The guard tower roof is primarily made of wooden beams. The dome is shaped from folded wood, then covered with a waterproof layer, and finally topped with copper tiles.



⑨ Tower Entrance

The tower entrance has an arched canopy, and the first-floor exterior wall is made of plain bricks with red-and-white horizontal friezes of light-colored facial washed terrazzo, a well-known feature of the Tatsuno style.



⑩ Tower Roof

The tower has a mansard roof, which is made of copper and slate tiles. In addition to a lightning rod, the roof also features semi-circular louver windows that not only provide ventilation, but also serve as decorations.



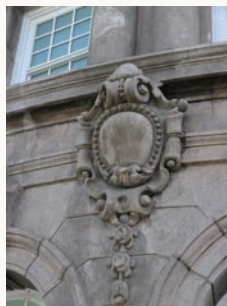
⑪ Circular Window

The fruit ornaments on both sides of the tower's round window include pomegranate, pineapple, java apple, and other fruits local to Taiwan, making them completely different from western floral ornaments. In addition, the keystone above adds liveliness and diversity to the tower walls.



⑫ Guard Tower façade (adjacent to Zhongshan South Road)

The Westfaçadefacade has arched windows on the first floor and rectangular sash windows on the second floor, with a shell-like hood on the guard tower and decorative keystones and moulding above the windows.



⑬ Cartouche

The cartouche is oval in shape, with an oval bulge in the center, surrounded by floral ornaments. Due to its shape, which resembles an abalone, it is also commonly known as an "abalone cartouche" in Mandarin Chinese.



⑭ Central Dome Entrance

The central saucer-shaped dome has bull's-eye louver windows for ventilation. The first-floor facade is an octastyle portico, which is the focal point of the entrance. The second-floor facade is set back due to the terrace. The vaulted roof paired, with guard towers on both sides, creates an imposing image for the facade, while the complex architectural elements add to its grandeur.

Section 2 Leaping through the Centuries: The Golden Years of the Control Yuan Building

As the years passed and circumstances changed, the building has taken on different roles and reflected the times. This gives us the opportunity to take a glimpse into the history of different periods and complete the story of this piece of land, from usage use and changes in the monument's space allocation, to the different authorities that moved in, to the policies of the time.

I. Japanese colonial rule: Space allocation for Taihoku-shū (Taipei Prefecture)

1914: Irrigation and Agriculture Offices

After the completion of the two-story Taihoku-chō (Taipei Prefecture) Office Building, its interior space was much larger than that of the old office; it was able to cater to the space application needs and uses of different units. In 1914 (Taishō 3), the Taihoku-chō's Farmers' Association submitted an application to the Head of Taihoku-chō, Imura Daikiti, stating that the association would donate 10,000 yen for the operation of the new Taihoku-chō Office Building, in which they hoped to establish an office. Therefore, the North Wing of the Taihoku-chō

Office Building was allocated as the Public Irrigation Office and Farmers' Association Office (Figure 2-12). This also reflects industrial policy during Japanese colonial rule, where irrigation management and agricultural development were important benchmarks in governance.

1920: Short-term office for district hall and police station

In 1920 (Taishō 9), in response to reformation, the Shichisei District Hall, the Southern Police Station, and the Taihoku City Hall were established under Taihoku-shū. At first, though, they were located in the Taihoku-shū Office Building (Figure 2-13), because their respective office buildings had not been completed at that point. In 1927, the district hall was completed and moved to where the Legislative Yuan Qingdao Hall 2 now stands (Figure 2-14). In 1928, the Southern Police Station was moved to where the Taipei City Police Department Headquarters now stands (Figure 2-14) (No. 96, Yanping South Road, Zhongzheng District, Taipei City, next to Zhongshan Hall).

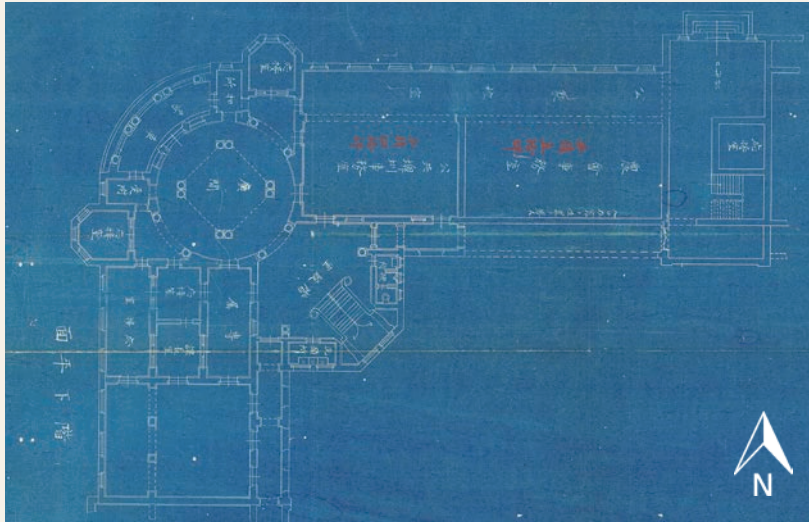


Figure 2-11

Space allocation of the Taihoku-chō Office's Farmers' Association in 1914, Taihoku-chō's Farmers' Association and Public Irrigation Office Floor Plan (Source: *Approval of the Farmers' Association Office Establishment Application in the Taihoku-chō, in the Taiwan Governor-General Office Archives*).



Figure 2-12

Southern Police Station and Shichisei District Hall joint office period (Source: *Taipei City Centennial Historical Map, Taihoku City Street Map with Corrected Names, 1922, Academia Sinica*).



Figure 2-13

Shichisei District Hall later moved out (Source: *Taipei City Centennial Historical Map, Taihoku City Street Map, 1927, Academia Sinica*).

1920–1935: Taihoku Prefectural Council Office

Between 1920 and 1935 (Taishō 9–Shōwa 10), the Taiwan Governor-General Office established symbolic local authorities such as the Prefectural Council and the City Council, and the Taihoku-shū Office Building then became the office and meeting venue of the Taihoku Prefectural Council.

II. Post-War: Taiwan Provincial Administrative Executive Office, and the Control Yuan

1945: Taiwan Provincial Administrative Executive Office

In the early post-war period, the Taiwan Provincial Administrative Executive Office took over Taiwan and started to be based in the Taihoku-shū Office Building in September, 1945. On November 8 of the same year, the Administrative Executive Office established the Taihoku Prefectural Administration Committee. At that time, the front half of the second floor of the Taihoku-shū Office Building was requisitioned by the Taiwan Garrison Command, while the rest of the first and second floor areas were used for daily administration. In 1947, the Taiwan Provincial Administrative Executive Office was reformed into the Taiwan Provincial Government offices; this was also where the offices of the Taiwan Provincial Government's Department of Education, Department of Health, and

Department of Construction were, until 1957, when the Taiwan Provincial Government moved to Zhongxing New Village in Nantou in response to the relocation plan. With the relocation of the different units, the office was renamed the Taiwan Provincial Government Office.

1958: The Control Yuan officially moves in

In 1950, due to insufficient office space, the Control Yuan, together with the Legislative Yuan, rented space from the Bank of Taiwan in the Chih-Yang Building located in front of Taipei Main Station. In August 1958, the Control Yuan submitted a request to the Executive Yuan for office space. After receiving approval, the Control Yuan moved into the Taiwan Provincial Government Office (Figure 2-15) that same year, while the Taiwan Provincial Government Office only vacated the space later.

III. Joint office period

1957: Taiwan Provincial Government Fisheries Management Office moves in

In October 1945 (Shōwa 15), during the period of Japanese colonial rule, the Taiwan Governor-General Office established the Ministry of Industry, under which the Commercial, Industrial and Fisheries Section and the Agriculture and Forestry Section were established to develop aquaculture-related businesses. After the war, the Taiwan

Provincial Government established the Section of Fisheries of the Agricultural and Forestry Office. In October 1951, the Section of Fisheries was reorganized into the Fisheries Management Office (later transformed into

the Fisheries Bureau), which moved into the former Taihoku-shū office annex after the Taiwan Provincial Government relocated south in 1957 (Figures 2-16 and 2-17).

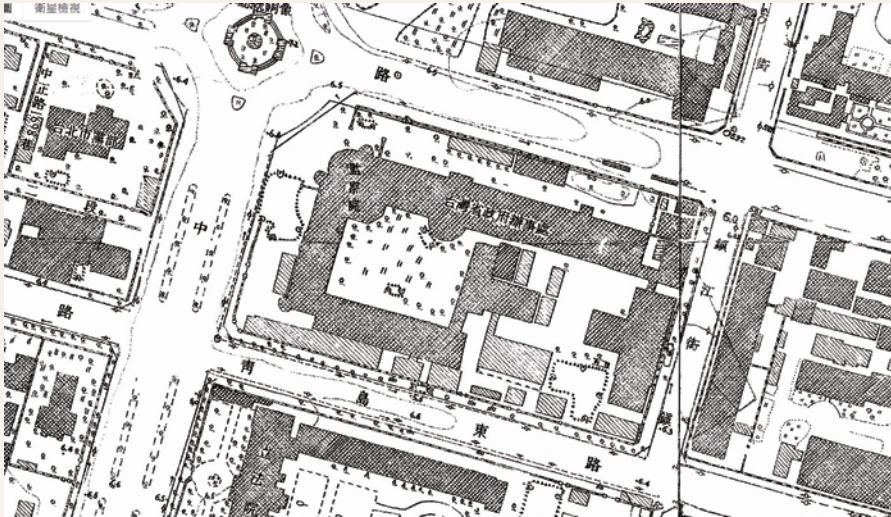


Figure 2-14

The Control Yuan and Taiwan Provincial Government Office joint office period in 1958 (Address: No. 1694, Zhongzheng Road) (Source: *Taipei City Centennial Historical Map, 1:1200 Topographic Map of Taipei City, Academia Sinica*).



Figure 2-15

After the Taiwan Provincial Government moved out (address changed to Zhongxiao East Road) (Source: *Taipei City Centennial Historical Map, Taipei City Street Map, 1974, Academia Sinica*).



Figure 2-16

Fisheries Management Office joint office period
(Source: *Taipei City Centennial Historical Map*,
Taipei City Street Map, 1977, Academia Sinica).

1999: Joint office for the Fisheries Agency of the Executive Yuan's Council of Agriculture

On August 1, 1998, the Fisheries Agency of the Executive Yuan's Council of Agriculture (below, the Fisheries Agency) was established. In the following year, the provincial government simplified its organization; the Fisheries Agency therefore incorporated the former provincial government's Fisheries Bureau of the Agricultural and Forestry Office. Even so, the former Fisheries Bureau staff remained working in the same location.

2000: End of the joint office period, and official transfer to the Control Yuan

In 1998, the Organic Law of the Control Yuan was amended to add the Department of Property-Declaration by Public Servants, with offices rented elsewhere due to insufficient space. In consideration of the fact that both

the Control Yuan and the Fisheries Agency had offices in separate locations, the Control Yuan wrote to the Executive Yuan in February 1999 with a proposal to transfer the Fisheries Agency office space to the Control Yuan, in hopes of increased convenience in using the space for administrative work. On July 22 of the same year, the Executive Yuan studied and discussed the Control Yuan's borrowing of office space from the former Provincial Fisheries Bureau and the Department of Accounting Taipei Liaison Office; the Executive Yuan then made a resolution to request that the Fisheries Agency move out by the end of that year. On November 6, 2000, Chang Po-ya, the then-Minister of the Interior, wrote on behalf of the Court that the building and the site would be transferred to the Control Yuan without compensation. The completion of the handover officially ended the joint office period that had lasted for more than 40 years.

IV. Moving towards a National Monument

On March 28, 1995, the Taipei City Council approved 30 historic buildings proposed by the Department of Civil Affairs as monuments. This included classifying the main Control Yuan building as a Class 1 Monument, the highest level. On July 30, 1998, it was declared as a national monument (Figure 2-18) by the Ministry of the Interior. This put the building on a par with the Office of the President; the Executive Yuan building;

the Taipei Guest House; and the Judicial Building, indicating the prominent position that the Control Yuan building holds.

The scope of the Control Yuan monument covers its central dome and two Wings, and its exterior, which is a blend of Western historical styles. The rich decorative repertoire and architectural exterior make it the most versatile of the three major prefectural office buildings (Taihoku, Taichū, and Tainan) designed by Matsunosuke Moriyama.

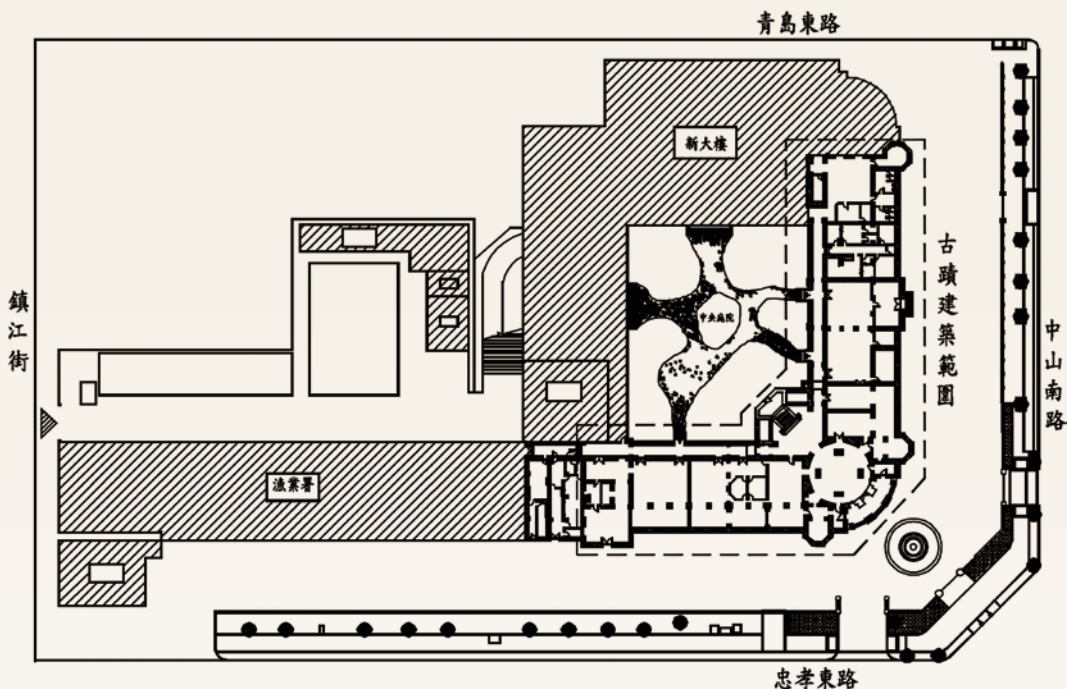


Figure 2-17

The scope of the Control Yuan monument map (black dashed line) (Source: *Report on the Restoration Works of the National Monument Control Yuan Old Building Roof*).

Section 3 An Old Building, Reborn: The Restoration and Transformation of the Control Yuan Building

After the war, the Taiwan Provincial Government moved in. In addition to repairing the building parts damaged by artillery fire, the Control Yuan began to demolish or reconstruct parts of the building in response to the expansion of business units and the demand for office space.

The Birth of the New Office Building and Chamber

In 1984, the old buildings in two areas were demolished (Figure 2-19), including the West Wing annex, the North Wing

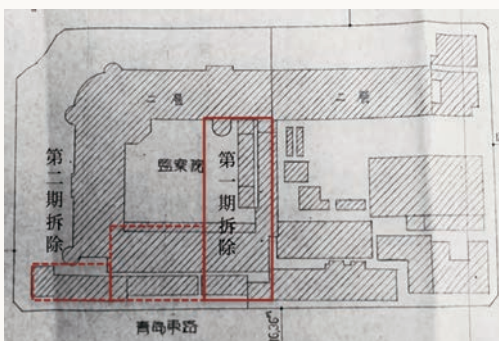


Figure 2-18

The red boxes mark buildings demolished in 1984 (Source: *Report on the Paint Removal and other Restoration Works of the National Monument Control Yuan Roofs and External Walls*).

semi-circular terrace, and some of the annexes. In 1987, a new eight-story with one underground-level office building was built in the east side, while a Chamber was built in the south side. In addition to cladding the exterior with red bricks during reconstruction, as well as a mansard roof and a dome to duplicate the old building style, the Chamber was also built in the style and color of the central dome to create the effect of visual contrast between the two sides; this was the biggest post-war change (Figures 2-20 and 2-21). However, the

Taipei Architects Association evaluated that the office building as requiring earthquake resistance structural reinforcement in 2012, and the Executive Yuan approved the budget for this in May 2015. Construction began in March 2016, and was completed on June 8, 2018.

The long journey toward monument restoration

After a long period of use, and with the decay of the building's materials, restoration work for each part of the building had long been ongoing. Before gaining cultural

heritage status, the building's restoration work could be contracted out directly. However, when it became a national monument in 1998, design planning had to be carried out in accordance with the Cultural Heritage Preservation Act (below, the CHPA) before any construction work could begin. In addition to searching for imperial kiln black tiles overseas to solve the problem of rainwater leakage in the former Fisheries Agency office premises in 2000, the Control Yuan proposed a medium-term plan to the Executive Yuan in 2013 to resolve monument restoration problems. The plan was then approved by the Executive Yuan, and moved forward in 2014. After the Ministry of Culture's approval of the restoration plan in February 2016, the plan then called for tenders and completed the bidding process. After a trial run was conducted, construction work began on September 2, 2017 and was completed on December 31, 2019, with a cost of NT\$90,647,336. The project was divided into 3 phases. Work included removal of paint from the building exterior walls and their bases; restoration of the facade facial washed terrazzo, the friezes and clay sculptures; inspection and repair of the wooden frames of both the monument's roof and the corridors with double eaves; renewal of the outer copper layer; repair and restoration of the lightning rod, the doors, windows and new buildings; and other maintenance work to restore the original look of the monument.



Figure 2-19
The newly built office building in 1987.

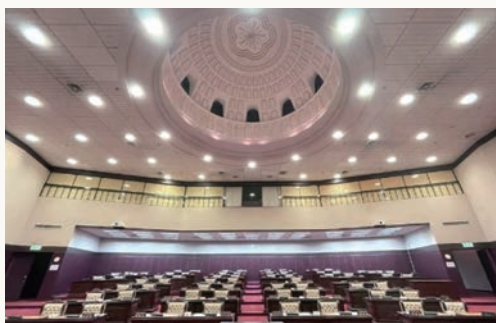


Figure 2-20
The newly built Chamber in 1987.

The restoration of the Control Yuan has not only added a beautiful monument to Taipei City, but has also contributed to the preservation of cultural assets, the remnants of ancestral life, and cultural inheritance. Although the restoration not always went smoothly, the twists, turns and coincidences that occurred during the process have in turn become interesting vignettes.

I. A journey in search of black tiles and kilns: Seeking building materials across the sea leads to a magnificent destiny

Having withstood the vicissitudes of time, scorching sun, and heavy rain, as well as a long history of use, the original building materials of the Control Yuan had gradually deteriorated. The building had been undergoing regular restoration and renovation for a long time. After being declared as a national monument by the Ministry of the Interior in 1998, building restoration work had to be carried out in accordance with the procedures stipulated in the CHPA. In 2000, the Control Yuan formally initiated building restoration in accordance with the CHPA, and the former office premises of the Fisheries Agency were transferred to the Control Yuan in the same year. Although those former office premises were not covered within the scope of monument, they are still part of the Taihoku-shū Office Building as a whole; and so the Ministry of the Interior therefore requested that they be managed under the CHPA in the same way as the Control Yuan national monument.

Kiln firing across the sea to reproduce long-lost Japanese black tiles

The former Fisheries Agency office premises ran into the problem of rainwater

leakage; complete replacement and repair was extremely urgent. After expert validation, the roofing material used was determined to be Japanese black tiles, and it was determined that they had to be restored to their original form. However, the demand for Japanese black tiles decreased in the 1960s, and due to environmental protection regulations, the kilns in Taiwan gradually disappeared. In Japan, there are no black tile suppliers. In order to faithfully reproduce the monument's original appearance, Chang Po-ya, then the Minister of the Interior, assigned Fu Meng-jung, the Ministry's Chief Secretary, and Liu Wen-shih, the Director-general of the Department of Civil Affairs and in charge of monument affairs, to lead a delegation to Suzhou. The trip was about learning the architectural features of black roof tiles and whitewashed walls, as well as monument restoration techniques. Subsequently, after the professional team carefully identified the architectural specifications, they specially ordered more than 50,000 custom-made black tiles from Jiangsu Imperial Kiln across the sea.

In order to make this batch of black tiles, the Imperial Kiln Village in Wu County, Jiangsu Province, China, specialized in making ancient-style imperial architectural materials, mobilized hundreds of its villagers to work together; it took them more than half a year to complete the project. Not only was firing these black tiles an exceptionally

difficult process, it also required unique skills. The tiles must be fired with rice husks in a kiln for 49 days, during which time the fire cannot be extinguished. Each tile takes more than 80 days to make, from collecting and raising the soil, making the clay, letting it dry, firing it in the kiln until completely dry, and removal from the kiln (Figure 2-22). The finished black tiles were so bright they could serve as a mirror, with a solid texture and a metallic sound when struck; they were

completely moisture-proof. Additionally, it is said that these tiles will endure until the next century and still be in perfect condition. These hard-earned tiles are the first batch of black tiles produced according to the ancient firing method that was used in Japanese-style buildings in Taiwan. The construction started in the end of November 2000 and was successfully completed in September 2001 (Figure 2-23).



Mixing and blending soil material



Imperial Kiln site



A view of the dome firing kiln



Adding rice husks as fuel



Putting a new cover in place on the roof

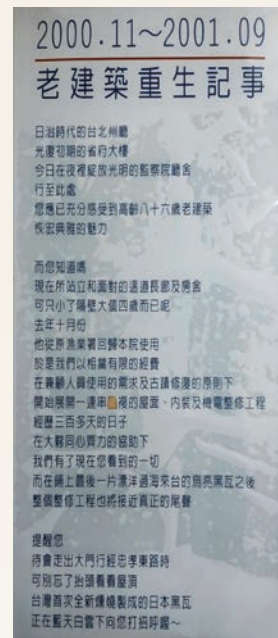


Figure 2-21

Japanese black tile kiln firing process and the light box that records this part of the history.



Figure 2-22

The North Wing's completed black tile roof (near Zhongxiao East Road).

It started with black tiles: Three leaders reunited after a decade

As things changed, the black tile project later led to several interesting coincidences. The then-Minister of the Interior, Chang Po-ya, eventually became President of the Control Yuan; while the Chief Secretary, Fu Meng-jung, and the Director-general of the Department of Civil Affairs, Liu Wen-shih, became the Secretary General and Deputy Secretary General of the Control Yuan, respectively. President Chang once said, with emotion, "It never occurred to me that I would be working right here, every day, ten years after I confirmed the free allocation of the space and decided to designate the restoration work to be carried out in

accordance with the CHPA." President Chang also added earnestly, "From this, I've learned that civil servants should treat every public construction project with the same prudence and care as they do their own homes, and should not think of cutting corners. No one can predict the day when they themselves or their loved ones will use this facility. Additionally, the formulation of laws and policies must also uphold empathy – putting oneself in the shoes of others – and being considerate and impartial. Since no one will always be in power, those who regulate today may be the ones who are regulated by law tomorrow. Therefore, people who hold the power should be especially cautious!"

II. Paint removal and exterior wall restoration: After taking off heavy makeup, the Control Yuan is reborn

You may not be aware how the Control Yuan looked years ago compared to what you see now, because its roofs and exterior walls have been repaired as many as about 31 times since the war. During the 1980s to 1990s, the Control Yuan exterior walls and copper roofs became old and deteriorated due to perennial exposure to wind and rain, resulting in stains and water leakage. Whether for aesthetic purposes, or to solve

the water leakage problems, the walls and roofs were gradually painted in similar colors. Yet, not only did the paint conceal the original appearance of the monument, but new problems that were not easy to deal with, such as weathering and disintegration of the walls and foundation stones, arose. In 2016, with the examination and approval of Ministry of Culture, it was finally decided to remove the long-accumulated layers of paint, in order to restore the building's original appearance (Figure 2-24).

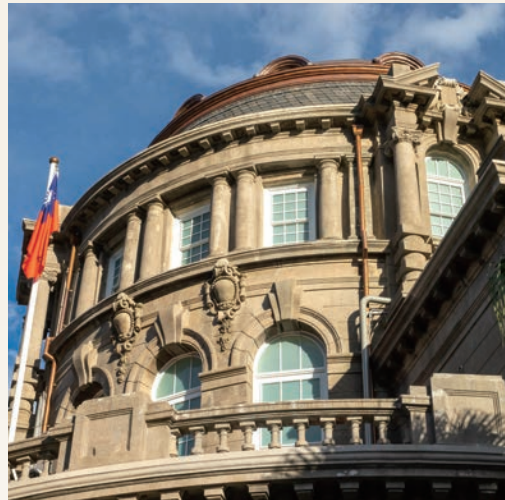
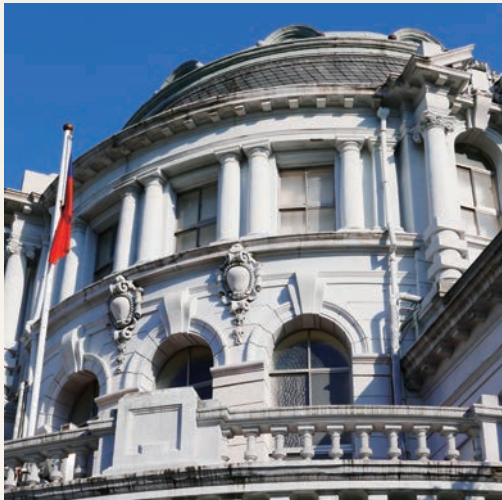


Figure 2-23

The style and appearance of the central dome exterior walls before (left) and after (right) paint removal and restoration.

With heavy makeup gone, a return to the original state

In order to make the project go smoothly, before actually removing the paint of the Control Yuan's exterior walls, the contractor conducted 4-5 months of trial runs. During these trials, they tested pressure level for the high-pressure hoses that would be used for paint removal; the pressure level ratios to use for cleaning mud on clay sculptures and facial washed terrazzo; repair and protection of the red brick surface after paint removal; the filling of brickwork joints; etc. Through these trial runs, they became acquainted

with all the interfaces of the building blocks, the environmental flows, and the potential problems, all of which helped them to study and plan the treatment methods in advance. These were special features that distinguished the paint removal work for the exterior walls.

In September 2017, the Control Yuan exterior wall paint removal work and window and door repair and restoration work began. In the meantime, the site was still functioned normally for daily office use, so the project was carried out like "mending your clothes while wearing them" (Figure 2-25). The



Figure 2-24

The appearance of the exterior walls before (left) and after (right) paint removal (Source: *Report on the Paint Removal and other Restoration Works of the National Monument Control Yuan Roofs and External Walls*).

project thus posed more difficulties than usual. Any construction work that would affect the environment by producing noise, dust, or odors had to be suspended during office hours and when meetings were held, or be carried out on holidays instead. As a result, construction areas for Monday to Friday and holidays had to be carefully considered and precisely planned. Apart from the schedule's great impact on and challenges for the project progress, there were also careful protection measures to be taken, such as being aware of water penetration caused by high-pressure hoses during paint removal, and protection of office equipment after the original roof was removed. In addition, protection and cleaning measures had to be redone repeatedly and continuously as the construction work progressed and moved from one area to another, causing more difficulties in the management process.

The lesser-known refurbishment secrets of timber-aluminum windows

Unlike other monuments built during Japanese colonial rule, while the Control Yuan

windows may look like wooden windows, they are in fact aluminum sash windows that imitate a wood-like appearance. This is the first example in Taiwan to use such windows for monument restoration. In general, restoration of Japanese colonial-era monuments is done by restoring the original wooden doors and windows. However, after the 1980s, the Control Yuan wooden windows were changed to standard aluminum windows. These were structurally different from the windows used during Japanese colonial rule, so counterbalanced windows were not an option. Additionally, aluminum windows are larger and heavier, making them difficult to support with the existing Japanese hydraulic and pneumatic balancing technologies. For these reasons, the windows could only be opened by linking two windows in a symmetrical way, thus causing significant technical limitations for the restoration work.

For the aluminum window restoration, the designs were finalized only after repeated discussions focusing on the specifications, with the aim to produce 1:1 matched finished products. After actively consulting with Japanese manufacturers, the relevant unit decided to make reference to the restoration method used in Japan's Tokyo Station. Additionally, the unit sought assistance from the Sankyo Alumi Company in Japan. The windows were then successfully designed using aluminum materials. However, due to various reasons, the Japanese aluminum window manufacturer was unable to provide assistance during the design process. Finally, assistance was sought from Chiu Jou Aluminum Co., Ltd. in Taiwan, who was willing to remold and reproduce the aluminum window pattern for the project. The aluminum window construction was eventually and smoothly completed (Figure 2-26).



Figure 2-25

The style and appearance before (left) and after (right) restoration.

III. The ultimate test of craftsmanship: Arduously splicing the copper tiles

Layer by layer, piece by piece: The test of curvature

Copper tile restoration, which was primarily applied to the Control Yuan's central flat dome, tower domes, and guard tower domes, is a special yet difficult project that stands out among all the Control Yuan building repair and restoration. What made this restoration project so difficult are the characteristics of the copper sheet materials and the beautiful curves of the building. A close look reveals that the building materials of the Control Yuan dome are stacked on top of each other and in different pieces. Hence, in order to completely cover the Control Yuan domes and towers, professional craftspeople had to carefully measure, fit the pieces onsite, and match each tile; while construction workers had to adjust and hammer the pieces onsite according depending on curvature. Because each layer – even each tile – has a different curvature, it was impossible for the craftspeople to finish all the work in the factory before piecing them together onsite. This added an immense amount of difficulty to the work (Figure 2-27).



Figure 2-26

Each layer of the central dome copper tiles has a different curvature.

Through bull's-eye windows, craftsmanship shines through

Another highlight of the tile restoration process is the copper clad bull's-eye louver windows in the central dome and tower. As the curvature of each copper sheet on the bull's-eye louver windows is different, they had to be cut and hammered onsite to fit the curvature of the building and present the correct shape. In addition, waterproofing had to be completed before cladding the copper sheets. During construction, special attention had to be paid to the joining

work between the bull's-eye windows and the tower structure, as proper joint work is required to prevent leaks. The roof has a certain slope to it, which had to be restored to its original shape when the work is completed; only then could the waterproof, watertightness, and other characteristics be confirmed. For copper tile craftspeople, the bull's-eye louver windows we might take for granted require a great deal of effort and skill to repair successfully. This was a task that challenged their decades of experience and craftsmanship (Figure 2-28).



Figure 2-27

Copper cladding construction of bull's-eye louver windows, and demonstration of craftsmanship.

IV. Removing the monument's internal lesions: Termite control

It has been over a century since the construction (1915) of the Control Yuan building. In that time, not only has it suffered from war and man-made destruction, but its structure has also eroded due to both biotic and abiotic factors, with termites being particularly harmful to the timber and wooden structures.

Historic building as a termite feast: The Control Yuan's countermeasures

"When I opened a cabinet that hadn't been used for a long time, its wooden panel collapsed. We were all stunned! When we took a closer look, there were holes all over the boards, all eaten by termites." This was how a Control Yuan senior staff described in graphic detail the "scene of the crime" where an army of termites was found.

In 2003, the Control Yuan hired professionals to inspect the building's condition. They found that many wooden structures were seriously infested with both termites and wood-decay fungus (Figure 2-29); of these, termite control was the most difficult of all and the most pressing need. In order to capture the termites and preserve structural safety right away, the Control Yuan immediately formulated the National Monument Control Yuan Termite-Proofing Project and took action (Figure 2-30).

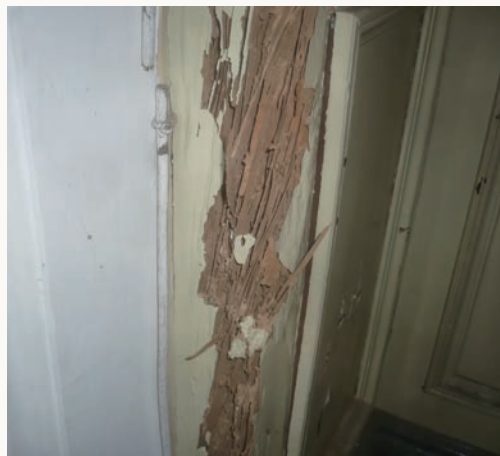


Figure 2-28

Door frame infested with termites (Source: *Report on the National Monument Control Yuan Termite-Proofing Project*).

Capturing termites became a top priority, in addition to comprehensive inspections and emergency repairs. A termite control process was thoroughly conducted, including applying, spraying, and injecting termite repellent into building materials, as well as installing fixed termite bait stations. In the most effective measure – installation of fixed termite bait stations – highly palatable non-toxic bait was used to lure termites, which were then collected and poured into the drug bait tube. In doing so, termite workers would bring the drug bait back to the nest to feed their companions, which would eventually achieve the goal of removing the entire termite nest.



Figure 2-29

Injecting termite repellent (Source: *Report on the National Monument Control Yuan Termite-Proofing Project*).

20 years of termite control: A sustainable health check for the historic building

Although the termite control project was successful, it was still hard to guarantee that the building would remain structurally safe and that the termites would not return. Therefore, during the control process, the wooden frame structure was given special care by pressurizing the decayed wood structures and injecting termite repellent, allowing it to penetrate into the wooden structure and prevent termite infestation and rotting. At the same time, new stringers were erected (Figure 2-31) to strengthen the overall structural safety. Despite the fact that no termites have been found so far after about 20 years of termite control, the Control Yuan still commissions specialists

to implement termite treatment and wood structure inspection every year, thus ensuring the structural safety and sustainability of the monument.



Figure 2-30

Emergency wood structure support (Source: *Report on the National Monument Control Yuan Termite-Proofing Project*).

V. Transforming a monument in a humanistic way: Accessible facilities to eliminate barriers

Entering the Control Yuan's majestic Baroque building, one cannot help but marvel at the exquisite architectural ingenuity and workmanship of our predecessors. However, some functional deficiencies special to old buildings also become apparent. The most common problem is the lack of accessible facilities and pathways, which are always found in modern buildings. Built a century ago, the Control Yuan cannot be considered to meet the standards of accessible, modern architecture for physically challenged persons when judged with present-day insights and technical requirements. In order to preserve the historical elements of this monument and its architectural structure, the process of building accessible facilities for the Control Yuan building is certain to be a difficult one.

Removing obstacles, one by one: Clever architectural renovation and balance

With strict legal regulations on historical monument renovations, efforts to create

accessible facilities encountered many difficulties. The most difficult was the first floor of the monument's North Wing and the former Fisheries Administration. There was originally a height difference of about 80 centimeters. As the concept of accessibility was not widespread in the early days, the area was connected by a four-step staircase. This made it somewhat inconvenient for most users, but workable. The historical monument could not just be renovated at will, and there were issues both with modifying the office entrance and exit, and with the net ceiling height being insufficient. As a result, it remained impossible to renovate the area into an accessible access ramp. However, as times have changed and the concept of barrier-free accessibility has advanced, the need for a friendly, accessible environment has become clear. Therefore, it has become the Control Yuan's mission to overcome constraints presented by these facilities.

The area was inherently small and adjacent to the historical monument area; this became the crux of the matter for engineers. Since one side of the staircase is the historical monument, removing the

staircase to reduce the height difference was impossible. Thus, the only way was to connect the high and low ends directly by placing a ramp. However, after the ramp was built, the ceiling became too low, which made accessibility difficult. Additionally, it caused adjacent office entrances to have a slope. To overcome the corridor's insufficient net height problem, the engineers chose to either remove or merge the ceiling and the

electrical system above to create a suitable space. Also, the height of the ramp was adjusted in a three-step manner to make the office entrances horizontal. These measures finally solved the height difference between the two buildings' first floors (Figure 2-31). This project broke down a barrier that had existed for a long time, and represented a big step toward making the Control Yuan building a friendly environment.

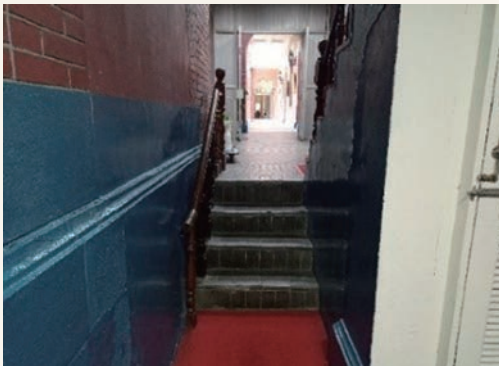


Figure 2-31

Before and after construction of the first-floor accessible access ramp.

Creating an accessible and friendly environment to stay in line with the times

In order to actively implement the spirit of the Convention on the Rights of Persons with Disabilities (CRPD) and to provide undifferentiated consultations and visits, the Control Yuan has carried out a series

of renovations. In addition to renovating the Complaint Receipt Center, building accessible access, adding accessible toilets (Figure 2-32), improving accessible elevators, installing new accessible handrails on the stairs, adding disabled parking spaces, and improving the ramps in the first-floor corridor



Figure 2-32
Addition of accessible toilet facilities.



Figure 2-33
The first-floor corridor ramp.

and at the main entrance (Figures 2-33 and 2-34), the Control Yuan also optimized the Briefing Room's accessibility (Figure 2-35). By doing so, the Control Yuan provides more considerate services for physically challenged persons and the elderly, enhances accessible access to the Control Yuan for public

meetings and visits, and protects both the rights of persons with disabilities and the design concepts of the historical monument's architecture; the Control Yuan helps to make the building's beauty shine while also making it more usable.



Figure 2-34
The main entrance's accessible access ramp.



Figure 2-35
Optimization of environmental accessibility for the Briefing Room.

VI. Images of the Control Yuan Over Time



During the period of Japanese colonial rule, the new Taihoku-chō Office Building was completed and opened in 1915 (Taishō 4) – a fact that was published in the *Memorial of Taihoku Urban Reconstruction*, released that same year.



After the retrocession of Taiwan, the Control Yuan moved into the building in 1958. The initial wooden windows beneath the central dome were replaced with aluminum windows after 1981. However, the new office building is not visible in this photo, so it is assumed that this photo was taken between 1981 and 1986 (the new office building was built in 1987).



On July 30, 1998, the Ministry of the Interior declared the Control Yuan to be a national monument. This photo was taken in 2017, before paint removal and other restoration work on the Control Yuan national monument's roofs and external walls were conducted; the paint on the walls here conceals the traces of time.



In December 2020, after the completion of paint removal and other restoration work, the original appearance of the Control Yuan was reproduced. The building is even more magnificent after its heavy layer of makeup has been removed.

VII. Unveiling the Building's Beauty



Overlooking the Control Yuan in the sunlight, the two guard towers connecting the West and North Wings are like a pair of powerful wings, guarding the main building of the central dome.



The main entrance facade of the building, seen from a distance, has an octastyle portico, where the arrangement of the walls and window mullions with red brick and grey-and-white artificial stone complement each other. The perfect proportions and the elegant color palette add to the building's charm.



The North Wing contains a guard tower and a wing building completed during the early phase, as well as a black-tile-roofed building expanded in the later phase. Rows of plantings stand outside the fence, creating pleasant shade.



Looking back from the West Wing, the guard tower is accompanied by the central dome; they make a perfect pair against the blue sky.



The design of the main entrance extends 90 degrees from the dome entrance to the left and right, with a central arched dome at the corner and an octastyle portico on the dome's first floor facade.



Beneath the octastyle portico, the Control Yuan entrance has a demeanor of stateliness and elegance.



The lobby, c. 15 meters tall, gives a sense of majesty and grandeur. Additionally, the four pairs of Tuscan order twin pillars are a special feature of the Control Yuan building.



From the M-shaped staircase to the main entrance, the open hall looks particularly elegant and magnificent when lit.



The dome above the hall is similar to the lofty coffered ceiling design of the Pantheon in Rome, exuding an artistic atmosphere of luxury and opulence.



The lobby viewed from a different angle looks even more magnificent under the light.

Going up the M-shaped staircase, the first thing that comes into view is the bronze statue of the Founding Father, and the swaying olive trees against the window. These give a sense of subtle beauty, with the red building and verdant greens complementing each other.



The West Wing first floor corridor is located to the right of the lobby, where you will see the cascading arches of red brick.



Overlooking the second floor, the majestic grandeur and the slender curves make the M-shaped staircase an impressive sight.



Going up the M-shaped staircase, on the right side is the North Wing second floor corridor, where offices are located.



Going up the M-shaped staircase, on the left side is the West Wing second floor corridor, where offices are located.



The first-floor atrium garden is a hidden paradise in the middle of the city, with a lotus pond under the green shade and koi swimming happily, displaying beauty in both dynamic and still forms.



Blossoming in early spring, the olive trees in the atrium function as a visual focal point, softening the hard lines of the building and conveying a sense of tranquility.



The Chamber on the first floor is designed with a stepped seating area, making for a dignified and formal venue in which to hold Control Yuan Plenary meetings.



In the Chamber, the dome gives the dignified hall a classic feel.



Located on the second floor, the Control Yuan Exhibition Area is where many commemorative artifacts and archival copies can be found, showcasing the history and achievements of the supervision system over the 90 years since its establishment.



The Briefing Room, which is also located on the second floor, is a simple yet elegantly furnished venue in which to hold Control Yuan press conferences, as well as staff education and training activities.



The central dome is topped with a saucer-shaped section that has 12 bull's-eye louver windows around it. The top portion is also clad with a copper layer, which was pieced together manually.



The mansard dome roof above the guard tower not only provides ventilation, but also acts as decoration.



The lightning rod above the saucer-shaped top is intricately shaped, giving it a majestic and dignified aura.



The wooden trusses area (also known as the catwalk) beneath the mansard roof extends along both wings of the building, thus facilitating roof inspection and maintenance.



The guard tower walls glow an orangey-red color in sunlight. A closer look reveals the tower's semi-circular arched windows, rectangular sash windows, shell-like hood decorations, and decorative keystones and molding above the windows. With the red-and-white color combination, the overall effect is very well coordinated.



Taihoku-chō in 1915 – National Taiwan University Library collection.





Light and shadow at night give different looks for the Control Yuan.





Accompanied by coconut trees and shadows cast by moonlight, the North Wing of the Control Yuan is as beautiful as a poem, making for a scene that appears far away from the hustle and bustle of Taipei City.





The silence of the night is like a soft veil, while the night-shrouded Control Yuan exudes the beauty of silence.





Managing editors: Wang Tseng-hua, Wang Hsien, Lin Ming-hui, Chang Hui-ching, and Chen Cheng-yi
Copy editors: Wu Yu-hsiang, and Yang Hua-hsuan



CHAPTER

3

The Exercise and Evolution of the Control Yuan's Powers

Promoting Good Governance; Protecting Human Rights;
Keeping Up With the Times

Preface

Section 1 Receiving People's Written Complaints

Section 2 Investigation

Section 3 Corrective Measures

Section 4 Impeachment

Section 5 Censure

Section 6 Circuit Supervision

Section 7 Invigilation

Section 8 Integrity and Anti-Corruption

Section 9 Statistical Analysis of Supervisory Practices

Section 10 Case Records

Preface

The Control Yuan was established in 1931 (the 20th year of the Republic of China). At that time, the Constitution was not yet formulated. It was not until 1936 that Article 87 of the May Fifth Draft Constitution stipulated that "The Control Yuan shall be the highest authority of the Central Government in the exercise of supervisory powers. It shall govern impeachment, punishment, audit, and assume responsibility for the National Assembly." In 1946, Article 96 of the Political Convention Constitutional Draft stipulated that "The Control Yuan shall be the highest control body of the State and shall exercise the powers of consent, impeachment, and supervision." Then, in 1947, the Constitution was promulgated and defined the Control Yuan as an indirectly elected council, with its president and vice president elected by and from among the members of the Control Yuan; Article 90 stipulated that "The Control Yuan shall be the highest control body of the State and shall exercise the powers of consent, impeachment, censure, and audit." As it was considered to be legislative, the Control Yuan members at that time had legislative immunity for free speech.

Since Taiwan's Constitution did not mention the specific term "National Assembly," there was question as to whether the National Assembly, the Legislative Yuan and the Control Yuan were equivalent to the National Assembly of a democratic country. In Judicial Yuan Interpretation No. 76 of 1957, the Judicial Yuan provided the brief interpretation that "The National Assembly shall exercise the power of governance on behalf of its citizens; the Legislative Yuan shall be the highest legislative organ in the nation; and the Control Yuan shall be the highest supervisory organ in the nation. They shall comprise representatives or committee members elected directly or indirectly by the people. The respective functions and power that they exercise shall be the important parliamentary functions and powers of a democratic country. However, in terms of the nature of constitutional status and powers, the National Assembly, the Legislative Yuan, and the Control Yuan shall be recognized as the parliament of a democratic country."

The second amendment to the Constitution in 1992 changed the selection of Control Yuan members, to nomination by



Figure 3-1

A photo taken October 4, 1950, after a first-term Control Yuan Meeting. In the middle of the front row is Control Yuan President Yu You-ren.

the President and approval and appointment by the National Assembly. Under this version of the Constitution, the Control Yuan was no longer regarded as part of the National Assembly. The original power of the Judicial Yuan and Examination Yuan to consent to personnel were executed instead by the National Assembly. At this point, Control Yuan members no longer had legislative immunity for free speech. The only stipulation was that they should go beyond party affiliation and exercise their independent power in accordance with the law. The fourth amendment to the Constitution in 1997 shifted the power to impeach the President and the Vice President from the Control Yuan to the Legislative Yuan. The fifth amendment to the Constitution in 2000 abolished the National Assembly and shifted the approval and appointment of Control Yuan members to the Legislative Yuan.

The five-power system remained unchanged; the Additional Articles of the Constitution did not modify the Control Yuan's investigation, impeachment, censure, corrective measure or audit powers. Control Yuan members were no longer elected by provincial and municipal councils, the local councils of Mongolia and Tibet, and Chinese citizens residing abroad; and the way they were chosen changed. However, their

original functions and powers based on the five-power constitutional system, with the five branches of the government remaining equal and each having its own divisions, did not change with the Additional Articles of the Constitution; it remained the highest supervisory organ of the nation.

In addition, in accordance with Article 97 of the Constitution, the Control Yuan may, after investigation and resolution by its Committees, propose corrective measures to the Executive Yuan and its various ministries and commissions to urge them to pay attention and improve. In addition, in accordance with Article 95 of the Constitution on the exercise of its supervisory power, "The Control Yuan may, in the exercise of its supervisory powers of control, request the Executive Yuan and its Ministries and Commissions to submit to it for perusal the original orders issued by them and all other relevant documents." Article 3 of the Control Act stipulates that Control Yuan members may conduct circuit supervision in different areas; Article 4 stipulates that the Control Yuan and its members may receive written complaints from the people. Moreover, Article 26 of the Control Act stipulates that in order to exercise the Control Yuan's supervisory powers, Control Yuan members holding a control license

or personnel assigned by the Control Yuan and holding an investigation license may go to public or private sectors to investigate their files, records, and relevant documents. Article 1 of the Examination Invigilation Act stipulates that when examinations other than Qualification Screenings are held by the government, the Examination Yuan or the agency charged with examination administration must invite the Control Yuan or its administrative offices to appoint Control Yuan members as invigilators in the examination.

It is worth mentioning that in the past few decades, the Control Yuan has also played an important role in the interpretation of the Constitution. As of March 2021, the Control Yuan has petitioned for 48 constitutional interpretations (refer to Attachment 3-1). Other than interpretation of the constitutional system, most of the interpretations have pertained to human rights protections that have had a profound impact on the nation and society.

The Control Yuan has the power to investigate, impeach, censure, correct, and audit in accordance with the Constitution Act and Additional Articles of the Constitution. In addition, to promote clean governance, rectify official conduct, curb corruption and

improper pay-to-play, and strengthen the development of democracy, Taiwan has formulated the Act on Property-Declaration by Public Servants, the Act on Recusal of Public Servants Due to Conflicts of Interest, the Political Donations Act, and the Lobbying Act (collectively known as the Sunshine Acts, whose competent authorities are the Ministry of Justice and the Ministry of the Interior). These Acts were promulgated on July 2, 1993; July 12, 2000; March 31, 2004; and August 8, 2007, respectively, by the President.

The Control Yuan is clearly designated as the agency in charge of execution and meting out punishments in a portion of matters covered by the Sunshine Acts. Therefore, in addition to the power clearly defined in the Constitution and in the Additional Articles of the Constitution, the Control Yuan has a role in executing anti-corruption in accordance with the law. In addition to introducing the functions and power of the Control Yuan, this Special Issue also presents statistical data analysis to explain performance outcomes in the Control Yuan's exercise of its powers, and trend changes in the concerns of the people. Finally, official correspondences and documents provide a collection of important historical records.

Section 1 Receiving People's Written Complaints



Receiving written complaints from the people is an important task in the exercise of supervisory power. The Department of Supervisory Operation signs and provides opinions on written complaints received from the people by the Control Yuan. The written complaints are then submitted to an on-duty Control Yuan member at the Complaints Receipt Center or members during a circuit supervision for approval. Upon approval, Control Yuan members are assigned by lots, based on their rotation, to undertake investigation and submit an investigation report.

In accordance with Article 4 of the Control Act, the Control Yuan and its members may receive the people's written complaints, and the procedure for doing so is determined by the Control Yuan. The regulations formulated by the Control Yuan for receiving and handling the people's written complaints constitute the major legal basis for receiving and processing the people's written complaints.

I. Evolution of the procedure for handling people's written complaints

A. Before the Constitution

In accordance with the provisions of the impeachment law at that time, the people's written complaints of violation of the law or dereliction of duty on the part of civil servants were received by the Control Yuan. The law stipulated that the people's written complaints should primarily describe in detail the facts in any form, and list or attach evidence. Complainants were required to clearly state their names and addresses. However, complaints against civil servants for serious violation of the law or dereliction of duty that warranted expedited remedy in accordance with the law could be submitted by telegram.

After receiving the people's written complaints, two on-rotation duty Control Yuan members would investigate the

complaint. Upon approval of the complaint, they would handle the complaint in accordance with the relevant regulations, and based on the content of the complaint. They could also assign Control Yuan members to investigate, or assign investigators, secretaries, or section chiefs to investigate in what was called a "assigned investigation;" or they could commission the investigation to a relevant agency through a written request in what was called an "administrated investigation." If the investigation found evidence that the defendant was in violation of the law or dereliction of duty, a suit for impeachment or censure was filed.

B. Since the Constitution has come into effect

In accordance with the provisions of Article 4 of the Control Act, the Enforcement Rules of the Control Act, and the Regulations for Receiving and Handling People's Written Complaints, if any member of the public discovers that a civil servant in the central or local government has violated the law or has been derelict in their duties, or that the Executive Yuan and its subordinate agencies have violated the law or have been derelict in their duties or facilities, that member of the public may file a detailed report with attached supporting documents to the Control Yuan or to Control Yuan members.

After receiving a written complaint from the people, one on-rotation duty Control Yuan member investigates the complaint. Upon approval, a resolution is made as to whether to assign on-rotation duty Control Yuan members to investigate; to entrust the investigation to a relevant agency or its superior agency; to send a letter to the relevant agency to submit additional materials; to submit the investigation opinion of the investigator; to refer the complaint to the relevant Committee; or to handle the complaint in another appropriate manner as required by the content of the complaint. However, if the complaint in question falls beyond the scope of power of the Control Yuan, it is not accepted.

In cases where the complainant is anonymous, has passed away, or cannot be located, or where the content of the complaint is vague, or the complaint has been responded to with a written notification but was re-filed without provision of any new evidence, no letter of reply is issued after the written complaint from the people is handled. Except for the abovementioned cases, the Control Yuan's Department of Supervisory Operation or other relevant Control Yuan members will respond to the complainant by letter.

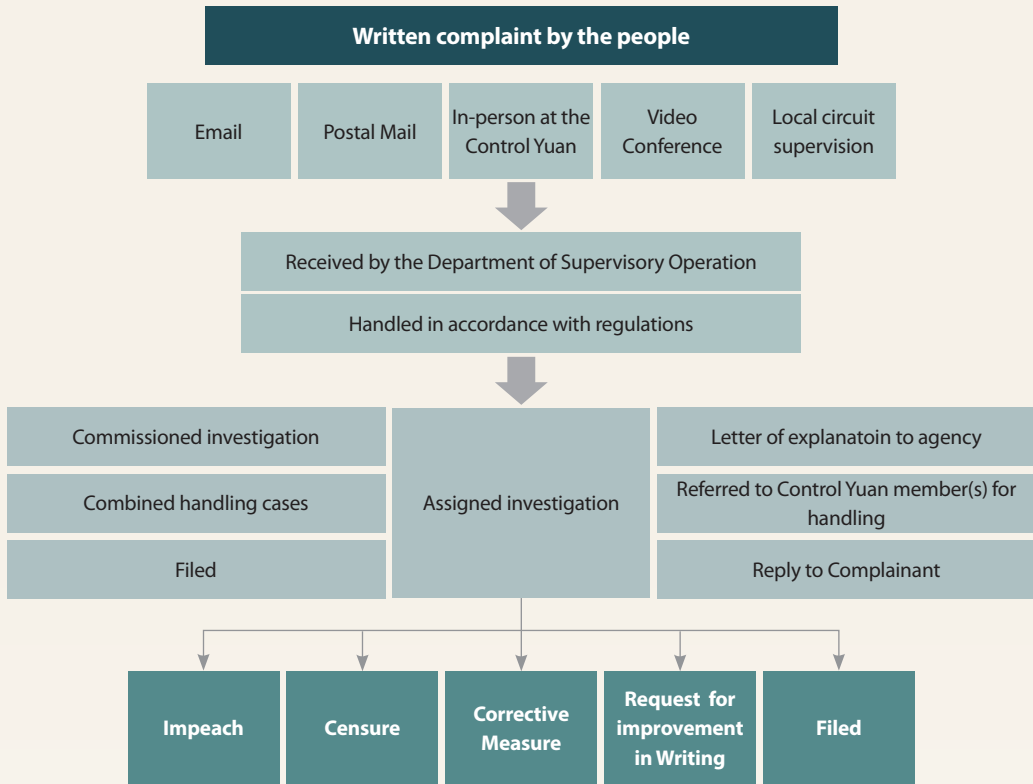


Figure 3-2
The current handling of people’s written complaints by the Control Yuan.

Note: Written complaints from the people are handled in accordance with the provisions of the Control Act, the Enforcement Rules of the Control Act, and the Regulations for Receiving and Handling People’s Written Complaints.



Figure 3-3
Third-term Control Yuan members Chao Jung-yao (third from right) and Li Shen-i (second from right) receive a complaint from Cheng Jen-hung (first from right), the secretary-general of the Consumers’ Foundation, Chinese Taipei at the Control Yuan on December 18, 2002.



Figure 3-4

Huang Huang-hsiung (third from right), fourth-term Control Yuan member, receives a complaint from Legislator Tien Chiu-chin (second from right) at the Control Yuan on October 12, 2011.



Figure 3-5

Chiang Ming-Tsang (first from right), fifth-term Control Yuan member, receives a complaint from Legislator Lai Chen-Chang (center, second row) at the Control Yuan on September 26, 2014.



Figure 3-6

Lee Yueh-der (first from right), fifth-term Control Yuan member, receives a complaint from former Vice President Annette Lu (second from left) at the Control Yuan on December 24, 2014.



Figure 3-7

Yeh Yi-jin, sixth-term Control Yuan member, receives a complaint from a complainant in Hualien via video conference call on December 25, 2020.

The Control Yuan primarily receives complaints from complainants in-person at the Control Yuan, via postal mail, fax, complaints submitted to Control members during county or municipal circuit supervision, or complaints submitted to the complaint mailbox on the Control Yuan website. To adapt to the advent of IT and the technology era, the Control Yuan initiated a remote video complaint-submission channel in December 2020. By doing so, the Control Yuan provides the people with more diverse, friendly, convenient, and smart complaint

channels, and creates zero-distance, barrier-free communication between the Control Yuan and the people. Moreover, to fulfill the human rights covenants, to actively protect the human rights of incarcerated individuals, and to ensure that they have the same right to petition as the general public, inmates can submit complaints via video conference beginning January 2021. With the help of the Ministry of Justice and its Agency of Corrections, the Control Yuan is making diversified services a reality.

II. Evolution of the unit responsible for handling the people's written complaints

A. The Secretariat Review Office period

According to the political guidelines of the Nationalist Government, governance was based on the division of the five powers. On February 2, 1931, the Control Yuan was formally established. Prior to the enactment of the Constitution on December 25, 1947, the Organic Law of the Control Yuan stipulated that the Control Yuan shall set up a Secretariat and an Office of Counselor to comprehensively manage its various duties. At that time, the duties of the Control Yuan did not include the receipt and handling of the people's written complaints. After the Constitution was enacted, Article 14 of the Organic Law of the Control Yuan stipulated that the regulations for Control Yuan meetings and the Control Yuan's department affairs shall be established by the Control Yuan itself. On September 7, 1948, the Control Yuan formulated the Regulations Governing Control Yuan Administrative Affairs as the basis for handling the Control Yuan's affairs.

In accordance with the above procedural regulations, the Control Yuan established the Office of Control Yuan Members. Personnel were called upon by the Secretariat to

undertake the registration and forwarding of people's complaints and reports of impeachment and censure cases. On October 11, 1951, the Office of Control Yuan Members was dissolved; its original duties of handling cases pertaining to impeachment and censure were assigned to the Secretariat's First Section, and while handling people's written complaints was assigned to the Fourth Section. On April 17, 1954, the Review Office of the Secretariat was established to take charge of agency correspondence in cases pertaining to people's written complaints, censure, and impeachment, and to review response letters. The Review Office of the Secretariat was the predecessor of the current Department of Supervisory Operation.

B. The Secretariat Group One period

In response to the promulgation of the Additional Articles of the Constitution on May 1, 1991, the Control Yuan began adjusting the supervisory duties of non-central public opinion organs on February 1, 1993. After evaluation, the organization of departments and offices and their respective duties were adjusted accordingly. Thereafter, on April 15, 1993, the Regulations Governing Control Yuan Administrative Affairs were amended, and the Secretariat was dissolved. Group One of the Secretariat was divided into three

sections, respectively undertaking matters pertaining to people's written complaints; censure and impeachment; and invigilation. These duties were precursors to the duties of the current Department of Supervisory Operation.

C. The Department of Supervisory Operation period

To achieve full effectiveness in the exercise of supervisory power; in compliance with actual business operation needs; and taking into account the organizational structure and levels of central organs, on January 7, 1998, the Organic Law of the Control Yuan was amended. The original groups and offices of the Secretariat were restructured into parallel departments and offices, and the Department of Supervisory Operation was added. On February 13, 1998, the Regulations Governing Control Yuan Administrative Affairs established three

groups and a Complaint Receipt Center under the Department of Supervisory Operation. These four departments undertake matters pertaining to people's written complaints (including complaints submitted in-person at the Control Yuan); censure and impeachment; inspection of local agencies; and invigilation.

Large streams of new complaints continued to emerge. To meet the expectations of the people; to promptly handle, appropriately investigate and respond to the people's complaints; and to alleviate public grievances, the Control Yuan amended the Regulations Governing Control Yuan Administrative Affairs on March 16, 2020. The three groups of the Department of Supervisory Operation were increased to five groups; however, their duties remained unchanged. The purpose was to adopt a more specialized operation method of labor division through the creation of additional groups.

Table 3-1 People's complaints

Unit: Cases

Control Yuan Member Terms of Office	First term	Second term	Third term	Fourth term	Fifth term	Sixth term
	June 1948	February 1993	February 1999	August 2008	August 2014	August 2020
	-	-	-	-	-	-
	January 1993	January 1999	January 2005	July 2014	July 2020	August 2021
Total	223,108	91,461	100,730	134,506	86,224	15,558

Note: From February 2005 to July 2008, the fourth-term Control Yuan members had not yet taken office; during that period, the number of complaints received was 21,654.

Section 2 Investigation

Article 95 of the Constitution stipulates that "the Control Yuan may, in the exercise of its powers of control, request the Executive Yuan and its Ministries and Commissions to submit to it for perusal the original orders issued by them and all other relevant documents;" and Article 96 of the Constitution stipulates that "the Control Yuan may, taking into account the work of the Executive Yuan and its various Ministries and Commissions, set up a certain number of committees to investigate their activities with a view to ascertaining whether or not they are guilty of violation of law or neglect of duty." These articles form the Constitutional basis on which the Control Yuan exercises its investigative powers. In addition, Article 99 of the Constitution stipulates that "in case of impeachment by the Control Yuan of the personnel of the Judicial Yuan or of the Examination Yuan for neglect of duty or violation of law, the provisions of Articles 95, 97 and 98 of this Constitution shall be applicable." Article 7, Paragraph 4 of the Additional Articles of the Constitution stipulates that "in the case of impeachment

by the Control Yuan of Control Yuan personnel for dereliction of duty or violation of the law, the provisions of Article 95 and Article 97, Paragraph 2 of the Constitution, as well as the preceding paragraph, shall apply." The Control Act and the Enforcement Rules of the Control Act have also formulated special sections on "Investigation," to standardize investigation procedures and methods. Any case pertaining to corrective measures, impeachment, and censure must be handled according to the investigation procedures in verifying the collected evidence and forming the basis for the case. Therefore, the investigation of cases is relevant and extremely important to the exercise of supervisory power. Investigation reports are examined by the relevant Committees, and Control Yuan members may propose corrective measures. Upon approval, the corrective measures are sent to the Executive Yuan and its subordinate ministries and commissions, urging them to pay attention to matters requiring improvement. Cases pertaining to impeachment or censure are submitted for investigation to Control

Yuan members, who take turns serving as investigators. Cases established according to the investigations are referred to disciplinary organs for hearing, or referred to the chief or superior officer of the censured person for handling.

I. The Meaning of Investigative Powers

A. Sources of investigative power

1. Members assigned by rotation: Cases for investigation by Control Yuan members are assigned on a rotating basis. Except

when recused in accordance with regulations, members are not permitted to refuse an investigation assignment. If a member is excused from a case investigation for reason of recusal, another member is assigned in order of rotation.

2. Members appointed by the Control Yuan Meeting or committees: Based on the Control Yuan Meeting resolutions or Committee Meeting resolutions, members are appointed to undertake investigation, or recommendations



Figure 3-8

Sixth-term Control Yuan Members Jao Yung-ching (front, second from left) and Tien Chiu-chin (front, third from left) inspecting a beach near a nuclear power plant in August 2020.

are made for a rotating member to undertake investigation.

3. Investigation by a task force: Each committee may appoint two to three members to form an investigation task force. The appointed members are regarded as being on rotation assignment.
4. Self-initiated investigation: Control Yuan members may initiate an investigation without waiting for a rotated assignment. In accordance with Article 24 of the Enforcement Rules of the Control Act, if

investigators have been assigned or a member has registered an investigation, a request for joint handling shall be submitted to the investigating members. Applications for self-initiated investigations shall be jointly made by one to three members. The Control Yuan president may, in accordance with the report submitted by the applying members, assign members with relevant expertise and inclination to accompany the investigation.

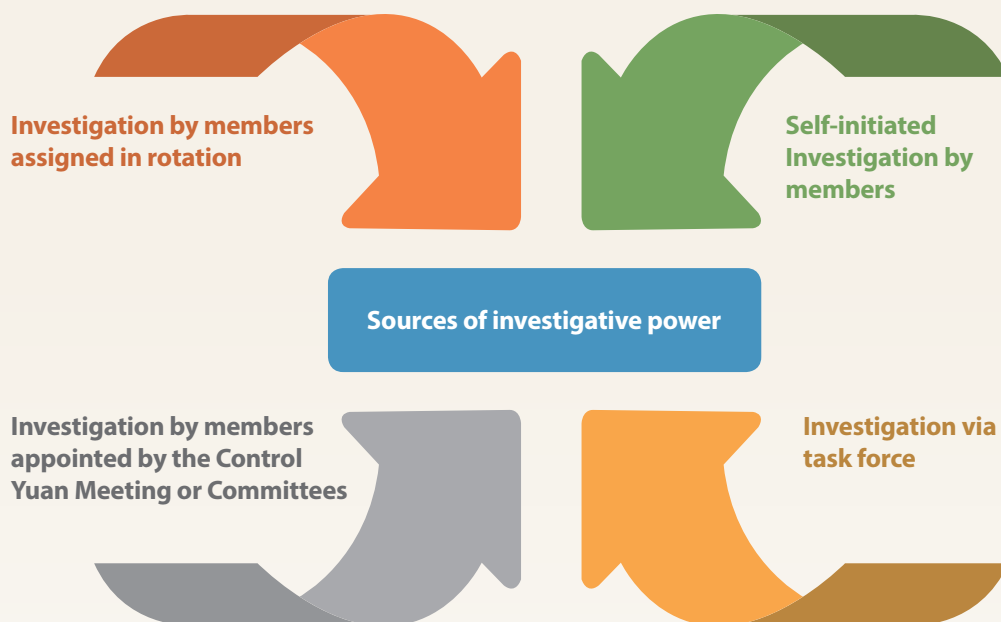


Figure 3-9

Sources of investigative power.

B. Methods of exercising investigative powers

In accordance with Articles 26 to 29 of the Control Act and the relevant provisions of the Guidelines Governing Case Investigation by the Control Yuan:

1. A Control Yuan member with a control license or the personnel assigned by the Control Yuan with the investigation license, may go to public or private sector to investigate the files, records, and relevant documents. The heads of these organizations and other related personnel shall not refuse, shall be responsible for making detailed replies if they are inquired, and shall sign the paper copies of inquiry records.
2. When exercising the power of investigation, the investigators may notify the signatory of the written complaint and the investigated party to appear at a designated place for inquiry. The investigator may temporarily impound related documentary evidence or remove the whole or a part of them if necessary. In doing so, they shall first obtain the permission of the organization's supervisor, except where such action will impair the national interest, in which case said supervisor shall not refuse.
3. When investigating, the investigator may request the local government, local court or other agencies concerned to provide assistance if needed. The investigator may also inform the police authorities to help take necessary measures or to take precautions when he or she encounters resistance, finds it necessary to protect evidence, a case is considered crucial or if it is feared that the investigated may escape.
4. During the course of an investigation, if the investigator encounters resistance, deliberate concealment, or refusal to provide detailed answers on the part of relevant persons, the investigator may file censure or impeachment charges against the relevant civil servants, in accordance with the provisions of Article 6 or Article 19 of the Control Act.
5. Where an investigation is particularly major, the investigating members may consult with scholars, experts, and personnel from relevant authorities.
6. In accordance with Article 30 of the Control Act, the Control Yuan may entrust another agency to investigate a designated case or matter. After accepting the case, the agency shall proceed with the investigation immediately and reply to the Control Yuan in writing. The procedural regulations are as follows:
 - a. Fully-commissioned investigation: In accordance with the provisions of Point 16, Paragraph 1 of the Guidelines Governing Case Investigation by the

Control Yuan, if no member has been assigned to investigate a case, the entire case shall be entrusted to the various agencies in accordance with Article 30 of the Control Act. Based on the people's written complaint, the key items of the commissioned investigation must be stated and a written request sent to the entrusted agency to conduct the investigation. Except in special circumstances, cases are generally entrusted to a higher-level agency for investigation. In accordance with Article 29 of the Enforcement Rules of the Control Act, if a response is not received within two months, a written demand for response may be sent.

- b. Partially-commissioned investigation: In accordance with the provision of Point 17 in the Guidelines Governing Case Investigation by the Control Yuan, if investigating members find it necessary to entrust part of an investigation to relevant agencies, they may submit a request to the Department of Supervisory Investigation. Based on the

investigation items and the deadline stated in the request, the Department of Supervisory Investigation shall entrust the investigation to the relevant agencies in accordance with Article 30 of the Control Act. If a response is not received within the deadline, the investigating members may assign co-investigators to the entrusted agency to serve a reminder or inquiry. The reply document in the preceding paragraph is sent to the investigating member for processing.

7. If the investigating member is investigating a case involving units or personnel stationed abroad, in addition to entrusting relevant agencies to investigate in accordance with Article 30 of the Control Act, he or she may require the persons under investigation to return to the country for investigation depending on the circumstances or magnitude of the case.
8. In executing the investigation, the investigating member may conduct a final inspection of the investigated site if necessary.

Table 3-2 Number of investigation cases

Unit: Cases

Control Yuan Member Terms of Office	First term	Second term	Third term	Fourth term	Fifth term	Sixth term
	June 1948 – January 1993	February 1993 – January 1999	February 1999 – January 2005	August 2008 – July 2014	August 2014 – July 2020	August 2020 – August 2021
Number of Cases	19,914	3,337	3,534	3,077	1,822	429

Note: When the fifth-term Control Yuan members took office in August 2014, there were 18 members. At the end of January 2018, eleven more members were added, for a total of 29 members.



Figure 3-10

Lin Chu-liang (second from right), Teresa Yin (third from right) and Li Pen-nan (fifth from right) of the fourth-term Control Yuan members inspect a precision machinery vocational training center in central Taiwan on June 10, 2013.

C. Suspension of investigation

In accordance with the provisions of Point 6 of the Guidelines Governing Case Investigation by the Control Yuan, investigation by Control Yuan members may be suspended under the following circumstances:

1. Persons not under the investigation or relevant persons are not able to provide an investigation report, and cannot be questioned for some reason.
2. In the criminal investigation or trial for the same act committed by the person under investigation, "when deemed necessary to determine administrative responsibility of the defendant based on whether or not guilt is established."
3. The same facts in the case under investigation have entered administrative remedy procedures, or judicial or military investigation procedures.
4. The evidence has been sent for evaluation and no results have been obtained.

D. Application for review investigation

In accordance with Articles 31 to 35 of the Enforcement Rules of the Control Act, in cases of impeachment, censure, or corrective measures that are not established after investigation, the original investigators, plaintiffs, and stakeholders can apply for review if new facts or new evidence found is sufficient to overturn or bring into question the facts of the original investigation decision.

1. General review: The deadline for review applications shall be three years from the date that the Control Yuan issued notification of the investigation results. In cases where notification has not

been made according to provisions, the deadline shall be calculated from the date that the investigation report was presented.

2. Special review: If the original investigators or two or more members of the Control Yuan members deem review to be necessary in cases where an application for case review exceeds the deadline set for the general review, they may submit, once per case, a written explanation of the reason to the Control Yuan president for approval. If approved, the case shall be submitted to a review committee to render a decision on the review.

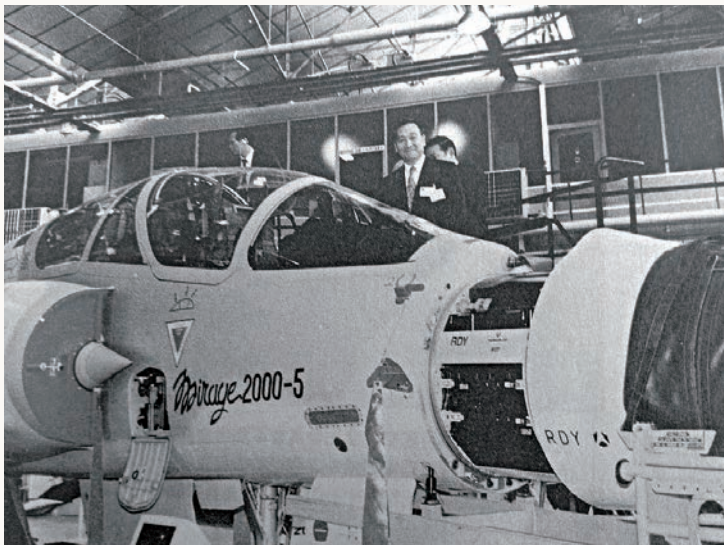


Figure 3-11

Second-term Control Yuan Member Kang Ning-hsiang (center) accompanies a military procurement inspection group from the Committee on National Defense on an inspection visit of Dassault Aviation's Mirage fighter manufacturing plant in April 1995 (Source: *Kang Ning-hsiang: Six Years in the Control Yuan*).

II. Establishment and evolution of designated units to assist with investigation

Prior to the Additional Articles of the Constitution, the Control Yuan was a democratic body. The design of its organizational functions did not include designated investigative units to assist Control Yuan members with investigation. In most cases, staff members assisted with investigations.

After the first amendments to the Constitution, it became necessary to restructure the organization of the Control Yuan. In the second-term Control Yuan members' 2nd Control Yuan Affairs Meeting on February 8, 1993, Control Yuan President Chen Lu-an and the members proposed the concept of specialized investigation assistance. They proposed that to improve the function of supervisory power, an investigation department and a specialized co-investigation system should be established, and that expertise should be optimized by assigning cases to different sections in accordance with the case content, to help members investigate cases. Hence, the Organic Law of the Control Yuan was amended.

On August 26, 1997, Control Yuan President Wang Tso-jung proposed an organizational reform at the 66th Meeting of the second-term Control Yuan. He proposed establishing three departments, so that

in addition to the existing Department of Property-Declaration by Public Servants, the additional Department of Corruption Investigation and Department of Supervisory Operation should also be established.

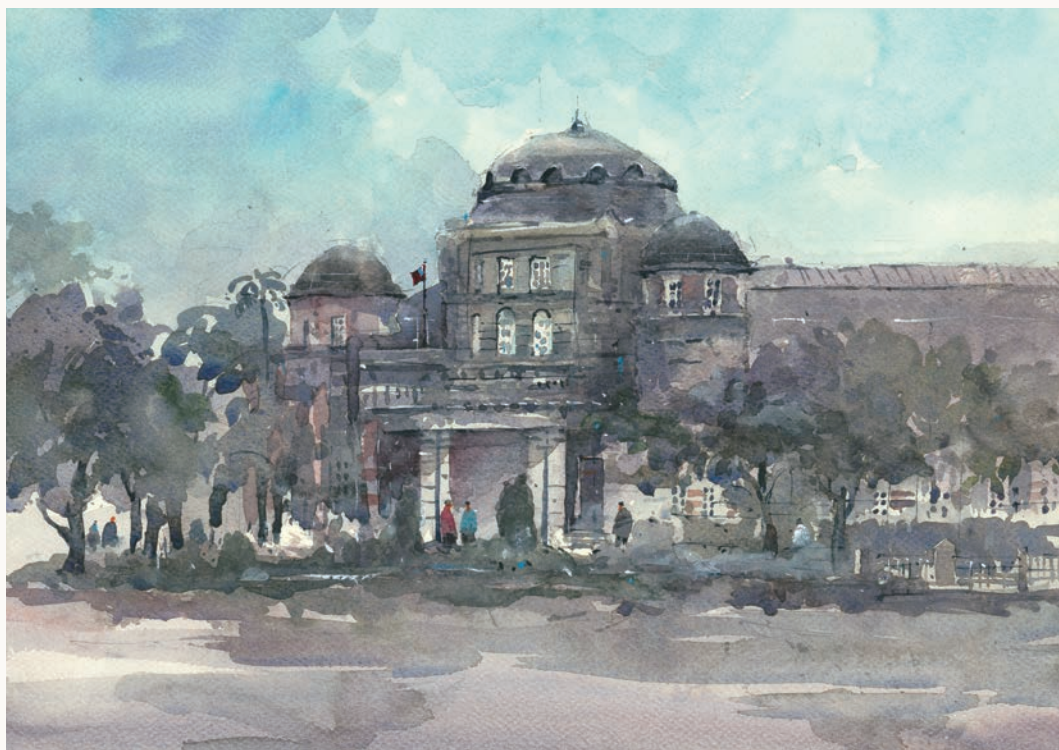
On January 7, 1998, a Presidential order promulgated another amendment to the Organic Law of the Control Yuan. The Department of Supervisory Investigation was added as the unit of the Control Yuan designated to assist members with handling investigations. The Department's official staff comprised one director, one deputy director, five team leaders, 24 to 28 investigation officers, 24 to 28 investigation specialists, and 24 to 28 investigators, thus striving to achieve the function of "supervising professionals with professional expertise."

After the Department of Supervisory Investigation was established, there were originally five team leaders. However, because they were of the 10th and 11th rank, their rankings were lower than the 10th to 12th ranks of the investigation officers, making it difficult for them to fulfill leadership roles in their teams. Thus, the investigation officers concurrently served as group leaders. However, by doing so, each person was assuming the responsibilities of two people, which was not conducive to the human resource utilization of the Control Yuan as a whole. Therefore, adjustments were made to the Department of Supervisory Investigation's organizational structure, and

seven investigation directors and one official team leader were separately established in terms of task organization. In addition, eight groups were formed: Comprehensive Administration and Project Investigation and Research Group; Judicial Affairs Group 1; Judicial Affairs Group 2; Engineering Affairs Group; Educational and Cultural Affairs Group; Financial and Economic Affairs Group; Land Administration Affairs Group; and the National Defense and Foreign Affairs Group.

When assisting with investigations, the co-investigators of the Department of

Supervisory Investigation are confronted with the challenge of integrating a variety of specialized domains and emerging affairs. To improve the effectiveness of co-investigation, the Control Yuan therefore amended the Organic Law of the Control Yuan; the amendments were promulgated by Presidential order on January 8, 2020. Thereafter, the Department of Supervisory Investigation handled tasks in groups and established eight investigation director positions; the investigation officers concurrently serve in these posts.



Section 3 Corrective Measures

After investigating the work and facilities of the Executive Yuan and its subordinate agencies, the relevant standing committees of the Control Yuan conduct investigations and reach resolutions. If any violation is found, the Control Yuan may propose corrective measures to the Executive Yuan and the relevant ministries or commissions

to urge improvement. If a response regarding the facts of improvement and actions is not received within two months, the Control Yuan may ask questions to the competent personnel of the organ subject to corrective measures; such inquiry may be done in writing, or the person may be notified to come to the Control Yuan for inquiry.



Figure 3-12

On February 8, 2017, the Control Yuan's Committee on Financial and Economic Affairs approved the proposal of Control Yuan Member Chiang Yi-wen (right) and Control Yuan Vice President Paelabang Danapan (left) with regard to both the incompetent management and utilization of revenue and expenditure of county and municipal exclusive Employment Funds established for people with disabilities, and of the Improvement Funds established for barrier-free equipment and facilities in public buildings, where corrective measures were imposed on the Ministry of Labor and the Construction and Planning Agency of the Ministry of the Interior.

I. The Meaning of Corrective Powers

The power of the Control Yuan to correct originated from pre-Constitution "power to recommend." This power to recommend originated during the Second Sino-Japanese War. The Nationalist Government had organized various "patrol agencies" to conduct inspection and circuit supervision in the central government and throughout the country. At the same time, in order to supervise and intervene in the administration of central and local governments and military actions, the Nationalist Government announced on December 17, 1937 the Interim Measures for the Exercise of Supervisory Power during the Extraordinary Period, giving the Nationalist Government's Control Yuan the power to recommend.

On November 28, 1946, the Nationalist Government submitted the draft Constitution of the Republic of China to the Constituent National Assembly for review. Article 102, Paragraph 1 of the Political Convention Constitutional Draft stipulates that "based on the review and resolution of its various committees, the Control Yuan may propose corrective measures for improvements to the Executive Yuan and its subordinate ministries and commissions." In addition, 89 representatives of the Constitutional Review Committee also proposed adding the provision, "If the Control Yuan finds the

central and local agencies inappropriate or incompetent in their governance, it may propose and serve corrective measures to the respective agencies or their superior authority." The draft clearly formulated provisions that allowed the Control Yuan to propose "corrective measures" and its "power to recommend." After review by the Constituent National Assembly, Article 97, Paragraph 1 of the Constitution of the Republic of China (Taiwan) stipulates that "the Control Yuan may, on the basis of the investigations and resolutions of its committees, propose corrective measures and forward them to the Executive Yuan and the ministries and commissions concerned, directing their attention to effecting improvements." Eventually, corrective power became the legal authority of the Control Yuan.

In addition, Article 23 of the Control Act promulgated on July 17, 1948 stipulates, "The Control Yuan, after investigating the work and facilities of the Executive Yuan and its subordinate organs, may propose corrective measures to the Executive Yuan or its subordinate organs for improvement after these measures are examined and approved by the relevant committees." This article was revised as Article 24 on June 11, 1949, and it has been in effect to this day. Therefore, if the work and facilities of the Executive Yuan

and its subordinate agencies are found to be in violation of the law or dereliction of duty is discovered, corrective measures may

be proposed in accordance with the above regulations upon the review and resolution of the various committees.

Table 3-3 Number of corrective measure cases

Unit: Cases

Control Yuan Member Terms of Office	Number of Cases	Committee for investigation report review						
		Committee on Domestic and Ethnic Affairs	Committee on Foreign and National Defense Affairs	Committee on Social Welfare and Environmental Hygiene Affairs	Committee on Financial and Economic Affairs	Committee on Educational and Cultural Affairs	Committee on Transportation and Procurement Affairs	Committee on Judicial and Prison Administration Affairs
First term June 1948– January 1993	783	266	44	-	296	56	85	36
Second term February 1993– January 1999	684	217	92	-	200	66	79	30
Third term February 1999– January 2005	1,018	314	146	-	286	90	129	53
Fourth term August 2008– July 2014	1,158	297	152	-	365	159	124	61
Fifth term August 2014– July 2020	563	186	62	-	129	86	52	48
Sixth term August 2020– August 2021	52	14	5	2	10	5	10	6

Notes:

1. When the fifth-term Control Yuan members took office in August 2014, there were 18 members. At the end of January 2018, eleven more members were added, for a total of 29 members.
2. In January 1998, the Organic Act of the Control Yuan Committees was amended. Beginning in February of that year, the original ten committees were combined to form seven committees. The former Committee on Domestic Affairs and Committee on Border Affairs were merged to form the Committee on Domestic and Ethnic Minorities Affairs (and on January 8, 2020, it was again amended to form the Committee on Domestic and Ethnic Affairs); the former Committee on Foreign Affairs and the Committee on Overseas Chinese Affairs were merged to form the Committee on Foreign and Overseas Chinese Affairs; the former Committee on Financial Affairs and Committee on Economic Affairs were merged to form the Committee on Financial and Economic Affairs. In May 2021, the Organic Act of the Control Yuan Committees was again amended, and in August of that year, the former Committee on Foreign and Overseas Chinese Affairs and the Committee on National Defense and Intelligence were merged to form the Committee on Foreign Affairs and National Defense. In addition, the Committee on Committee on Social Welfare and Environmental Hygiene Affairs was established. The numbers of cases handled by the pre-merger former committees are here combined and counted together.

In addition, in response to the Control Yuan's exercise of power to impeach and its power to censure, the 1360th Meeting of the Control Yuan on July 9, 1974 passed the Guidelines Governing the Handling of Censure and Impeachment Cases by the Control Yuan. As there were no detailed standards regulating the handling of corrective measure cases by the Control Yuan at that time, the 16th Meeting of the second-term Control Yuan passed the Regulations Governing the Handling of Corrective Measure Cases by the Control Yuan on April 12, 1994. On May 10, 1994, the 17th Meeting of the second-term Control Yuan renamed it the Guidelines Governing Control Yuan Handling of Corrective Measure Cases and revised the text accordingly. On March 24, 1998, the 78th Meeting of the second-term

Control Yuan members amended Points 11 and 16 of the Guidelines Governing Control Yuan Handling of Corrective Measure Cases to serve as the legal basis on which committees examine corrective measure cases. In accordance with the provisions of Articles 96 and 97 of the Constitution and Articles 24 and 25 of the Control Act, "the Control Yuan, after investigating the work and facilities of the Executive Yuan and its subordinate organs, may propose corrective measures to the Executive Yuan or its subordinate organs for improvement after these measures are examined and approved by the relevant committees"; "the Executive Yuan or any of its subordinate ministries or commissions, upon receiving the corrective measures, shall immediately make improvements or take appropriate



Figure 3-13

The Control Yuan's Committee on Financial and Economic Affairs and the Committee on Domestic and Ethnic Affairs notified the Ministry of Finance, the National Property Administration, and other relevant authorities to be inquired at the Control Yuan on October 20, 2020 in a case involving Donghu Ecological Farm's occupation of state-owned land in Hualien County.

actions and shall reply to the Control Yuan in writing on the improvements or actions. If the Control Yuan receives no reply within two months," it may, upon resolution being

passed by the relevant committee, ask questions to the competent personnel of the organ in writing or notify him or her to come to the Control Yuan for inquiry.

Table 3-4 Number of inquiries in corrective measure cases

Unit: Number of Times

Control Yuan Member Terms of Office	Number of inquiries	Committee						
		Committee on Domestic and Ethnic Affairs	Committee on Foreign and National Defense Affairs	Committee on Social Welfare and Environmental Hygiene Affairs	Committee on Financial and Economic Affairs	Committee on Educational and Cultural Affairs	Committee on Transportation and Procurement Affairs	Committee on Judicial and Prison Administration Affairs
Second term February 1993– January 1999	14	6	2	-	2	-	4	-
Third term February 1999– January 2005	18	7	1	-	6	4	-	-
Fourth term August 2008– July 2014	32	2	4	-	9	5	5	7
Fifth term August 2014– July 2020	10	5	-	-	4	1	-	-
Sixth term August 2020– August 2021	3	2	-	-	1	-	-	-

Notes:

1. Since the first-term Control Yuan was a democratic body, the meetings conducted by the committees and reports made by personnel of administrative agencies assigned to the Control Yuan were not regarded as inquiries, and are therefore not included within these figures.
2. In January 1998, the Organic Act of the Control Yuan Committees was amended. From February of the same year, the original ten committees were combined to form seven committees. The former Committee on Domestic Affairs and Committee on Border Affairs were merged to form the Committee on Domestic and Ethnic Minorities Affairs (On January 8, 2020, it was again amended to form the Committee on Domestic and Ethnic Affairs); the former Committee on Foreign Affairs and the Committee on Overseas Chinese Affairs were merged to form the Committee on Foreign Affairs and National Defense; and the former Committee on Financial Affairs and Committee on Economic Affairs were merged to form the Committee on Financial and Economic Affairs. The number of cases handled by each previous committee in the merger was combined and counted together. In May 2021, the Organic Act of the Control Yuan Committees was again amended, and in August of that year, the former Committee on Foreign and Overseas Chinese Affairs and the Committee on National Defense and Intelligence were merged to form the Committee on Foreign Affairs and National Defense. In addition, the Committee on Committee on Social Welfare and Environmental Hygiene Affairs was established. The numbers of cases handled by the pre-merger former committees are here combined and counted together.

II. Procedures for exercising corrective powers

In accordance with the provisions of the Constitution, the Control Act, and Enforcement Rules of the Control Act, the procedures for exercising corrective powers include the procedures for filing investigation and corrective measures; review and resolution; announcement and delivery; agency response and interrogation; and inquiry and case closure. The procedures are as described below:

A. Conducting investigation and proposing corrective measures

Article 24 of the Control Act stipulates that "The Control Yuan, after investigating the work and facilities of the Executive Yuan and its subordinate organs, may propose corrective measures to the Executive Yuan or its subordinate organs for improvement after these measures are examined and approved by the relevant committees." Therefore, after the Control Yuan has delivered the investigation report for an investigation conducted by designated rotation Control Yuan members or a self-initiated investigation by Control Yuan members, those believing it necessary to correct the work and facilities of the Executive Yuan or any level of its subordinate agencies must submit a proposal for corrective measures.

B. Review and resolution

The relevant committees must first review and pass resolution on the corrective measure proposal. To review the corrective measure proposal, more than half of the committee members must be present (except those who have requested official leave), and the resolution must be passed by a simple majority of those present. If the corrective measure case involves other committees, a joint review meeting with the relevant committees must be convened for the review. The joint meeting must be jointly convened by the conveners of the relevant committees, and one of the members is elected as the chair of the meeting. The committees will decide on the validity of the corrective measure case.

C. Announcement and delivery

Upon approval by the committee meeting, the relevant committee meetings will pass resolution on whether the corrective measure case should be announced and served to the relevant agency. If the resolution is to announce a corrective measure case, the announcement shall be made upon delivery to the relevant agency. There shall also be a press release and an announcement published in the Control Yuan Gazette. In practice, except for cases involving foreign affairs or national defense secrets, corrective measure cases are publicly announced.

D. Response and Query

After the Executive Yuan and its subordinate agencies receive a corrective measure proposal, they must implement appropriate improvements and actions immediately, and respond to the Control Yuan in writing. When the relevant agencies' response documents are delivered to the Control Yuan, the relevant committees must first submit a response to the committee that formulated the proposal for opinion and approval. A meeting is then convened for discussion. If the Executive Yuan and its subordinate agencies fail to respond with facts of improvements or actions within two months of receiving the corrective measure proposal, the relevant committees of the Control Yuan must convene for discussion. Upon resolution, the Control Yuan then question the competent personnel of the Executive Yuan or its subordinate agencies in writing, or notifies them to come to the Control Yuan for questions.

E. Inquiry and case closure

After the relevant committees have convened for a discussion and review and determined that appropriate improvements or actions have been implemented by the Executive Yuan or its subordinate agencies in response to the corrective measure proposal, the case is closed in accordance with the resolution. If it is determined

that the Executive Yuan or its subordinate agencies require further improvement, the relevant committees decide on the measures accordingly, and the Control Yuan then delivers a letter to the relevant agencies for handling or inquiry.

F. Investigative opinions and letters requesting improvement

In an investigation case, if members find inappropriate conduct by Executive Yuan or its subordinate agencies but not to the extent of requiring corrective measures, they generally send investigative opinions to the relevant agencies, requesting review and improvement in writing. In practice, such action is called a "minor corrective measure" and is also an exercise of authority.

III. Evolution of the Standing Committees for Corrective Measures

A. Evolution of the standing committees' organizational legality

The Control Yuan has seven standing committees: the Committee on Domestic and Ethnic Affairs; the Committee on Foreign and National Defense Affairs; the Committee on Social Welfare and Environmental Hygiene Affairs; the Committee on Financial and Economic Affairs; the Committee on Educational and Cultural Affairs; the Committee on Transportation and Procurement Affairs; and the Committee on

Table 3-5 Investigative opinions and written requests for improvement

Unit: Cases

Control Yuan Member Terms of Office	Number of cases passed	Review Committee						
		Committee on Domestic and Ethnic Affairs	Committee on Foreign and National Defense Affairs	Committee on Social Welfare and Environmental Hygiene Affairs	Committee on Financial and Economic Affairs	Committee on Educational and Cultural Affairs	Committee on Transportation and Procurement Affairs	Committee on Judicial and Prison Administration Affairs
Third term February 1999– January 2005	2,686	788	339	-	662	281	269	347
Fourth term August 2008– July 2014	2,486	614	268	-	747	338	248	271
Fifth term August 2014– July 2020	1,518	443	157	-	299	223	152	244
Sixth term August 2020– August 2021	112	15	12	4	18	11	19	33

Note: The number of investigative opinion and written request for improvement cases is calculated beginning with the third-term Control Yuan.

Judicial and Prison Administration Affairs. These committees were established for the purpose of dividing responsibilities within the Control Yuan's supervisory powers. Their responsibilities included deliberating the documents of corrective measure cases and tracking the effectiveness of improvements made by government agencies in accordance with the corrective measures. Over the years, the standing committees of the Control Yuan underwent many reforms, as described below.

The Nationalist Government's Organic Law of the Control Yuan was promulgated, and the Nationalist Government established itself in Guangzhou in July 1925. In August of the same year, it attempted to establish the Control Yuan. Article 3 of the Nationalist Government's Organic Law of the Control Yuan stipulates that "the Control Yuan shall have five members and one chair shall be elected from among the members. All affairs of the Control Yuan shall be decided by the resolutions of the Control Yuan plenary

meeting." The law was amended on October 4, 1926; November 5, 1927; and February 13, 1928. However, no provision was made for the establishment of committees.

It was not until October 8, 1928 that the Organic Law of the Nationalist Government of the Republic of China was amended to expressly stipulate that the Nationalist Government shall be organized into the Executive Yuan, the Legislative Yuan, the Judicial Yuan, the Examination Yuan, and the Control Yuan; and to state that each premier or president of the five Yuans be members of the Nationalist Government. The Control Yuan had 19 to 29 members, recommended by the president of the Control Yuan and appointed by the Nationalist Government. In February 1931, the Control Yuan was officially established. Therefore, prior to the Constitution, the organization of the Control Yuan did not have separate committees.

The Constitution was promulgated on January 1, 1947. Article 96 of the Constitution stipulates that "the Control Yuan may, taking into account the work of the Executive Yuan and its various Ministries and Commissions, set up a certain number of committees to investigate their activities with a view to ascertaining whether or not they are guilty of violation of law or neglect of duty." Article 3 of the Organic Law of the Control Yuan,

which was promulgated and enacted on March 31, 1947, stipulates that "the Control Yuan may separately establish committees whose organization shall be stipulated in separate laws." Since then, the Control Yuan has organized its own committees.

On September 2, 1947, the 108th Meeting of the Control Yuan passed the draft Organic Act of the Control Yuan Committees. Eight days later, on September 10 of the same year, it was submitted to the Nationalist Government for submission to the Legislative Yuan for deliberation. The preliminary draft proposed establishing twelve committees: Domestic affairs; foreign affairs; military affairs, financial affairs; economic affairs; educational affairs; transportation affairs; judicial affairs; social affairs; agriculture, forestry and water resources affairs; land administration affairs; and border administration and overseas Chinese affairs. However, the legislative procedure was not completed. After the Constitution was promulgated on December 25, 1947, the first-term Control Yuan members were elected by the various provincial and municipal councils, the local councils of Mongolia and Tibet, and Chinese citizens residing abroad. When the Constitution was promulgated on June 5, 1948, the Control Yuan was officially established.

The history of the committees and of committee members' terms in office since the promulgation of the Constitution are as follows:

Table 3-6 History of Control Yuan Standing Committees

Period	Committee Names	Notes
July 1948 to June 1949	Domestic and Land Administration Affairs; Foreign and Overseas Chinese Affairs; National Defense Affairs; Agriculture and Food Administration; Economic Resources, Agriculture, Forestry and Water Resources Affairs; Educational Affairs; Transportation Affairs; Judicial Administration Affairs; Social and Hygiene Affairs; Mongolian and Tibetan Affairs (a total of ten committees).	<ol style="list-style-type: none"> 1. On June 23, 1948, the 8th Meeting of the Control Yuan passed the draft Organic Act of the Control Yuan Committees and submitted it to the Legislative Yuan for speedy completion of legislative procedures. The Act was promulgated by the national President on July 28, 1948. 2. The members of each committee were appointed from among the Control Yuan members, with each member allowed to serve on three committees. Each committee had three conveners selected by its members. 3. The first convener of each committee was elected by their respective committee members at the 27th Meeting of the Control Yuan, on July 29, 1948. The Control Yuan committees were formally established on August 10, 1948.
June 1949 to May 1953	Domestic Affairs; Foreign and Overseas Chinese Affairs; National Defense Affairs; Financial Affairs; Economic Affairs; Educational Affairs; Transportation Affairs; Judicial Administration Affairs; Mongolian and Tibetan Affairs (a total of nine committees).	In March 1949, the Control Yuan passed an amendment to the Organic Act of the Control Yuan Committees. The amendment was promulgated by Presidential order on June 11, 1949, abolishing the Social and Hygiene Affairs Committee.
May 1953 to December 1969	Domestic Affairs; Foreign Affairs; National Defense Affairs; Financial Affairs; Economic Affairs; Educational Affairs; Transportation Affairs; Judicial Administration Affairs; Border Administration Affairs; Overseas Chinese Affairs (a total of ten committees).	<ol style="list-style-type: none"> 1. To align with the establishment of the Executive Yuan's eight ministries and two commissions, the Control Yuan amended the Organic Act of the Control Yuan Committees in 1953. The amendment was promulgated on May 27, 1953 via Presidential order. 2. The committee members were appointed from among the Control Yuan members. Each Control Yuan member was limited to serving on two committees, and each committee was limited to a maximum of 30 members. Committees with less than 20 members had one convener; committees with 20 or more members had two conveners. The conveners were selected by the specific committee's members.

Period	Committee Names	Notes
December 1969 to May 1992	Domestic Affairs; Foreign Affairs; National Defense Affairs; Financial Affairs; Economic Affairs; Educational Affairs; Transportation Affairs; Judicial Administration Affairs; Border Administration Affairs; Overseas Chinese Affairs (a total of ten committees).	A change was made to allow each Control Yuan member to serve on up to three committees. Each committee was limited to a maximum of 30 members. Committees with less than 20 members had one convener; committees with 20 or more members had two conveners. The conveners were selected by the specific committee's members.
May 1992 to January 1998	Domestic Affairs; Foreign Affairs; National Defense Affairs; Financial Affairs; Economic Affairs; Educational Affairs; Transportation Affairs; Judicial Administration Affairs; Border Administration Affairs; Overseas Chinese Affairs (a total of ten committees).	<ol style="list-style-type: none"> 1. In May 1992, the Additional Articles of the Constitution were amended to stipulate that the Control Yuan have 29 Control Yuan members. On November 13, 1992, the Organic Act of the Control Yuan Committees was revised in coordination with the amendment. 2. Each Control Yuan member was limited to serving on three committees; each committee was limited to a maximum of 14 members. Another change was made to appoint only one convener per committee, with conveners selected by the specific committee's membership.
January 1998 to January 2020	Domestic and Minority Affairs; Foreign and Overseas Chinese Affairs; National Defense and Intelligence Affairs; Financial and Economic Affairs; Educational and Cultural Affairs; Transportation and Procurement Affairs; Judicial and Prison Administration Affairs (a total of seven committees).	<ol style="list-style-type: none"> 1. On January 7, 1998, the Organic Act of the Control Yuan Committees was amended and promulgated. 2. Each Control Yuan member was limited to serving on three committees; each committee was limited to a maximum of 14 members.
January 2020 to July 2021	Domestic and Ethnic Affairs; Foreign and Overseas Chinese Affairs; National Defense and Intelligence Affairs; Financial and Economic Affairs; Educational and Cultural Affairs; Transportation and Procurement Affairs; Judicial and Prison Administration Affairs (a total of seven committees).	On January 8, 1, 2020, the Organic Act of the Control Yuan Committees was amended and promulgated. The "Committee on Domestic and Minority Affairs" was renamed the "Committee on Domestic and Ethnic Affairs."
August 2021	Domestic and Ethnic Affairs; Foreign and National Defense Affairs; Social Welfare and Environment Hygiene Affairs; Financial and Economic Affairs; Educational and Cultural Affairs; Transportation and Procurement Affairs; Judicial and Prison Administration Affairs (a total of seven committees).	On April 27, 2021, the Legislative Yuan passed the third reading of an amendment to the Organic Act of the Control Yuan Committees. The amendment integrated the Committee on Foreign and Overseas Chinese Affairs and the Committee on National Defense and Intelligence Affairs to form the Committee on Foreign and National Defense Affairs. In addition, the Committee on Social Welfare and Environment Hygiene Affairs was established.

B. Evolution of division of labor between the standing committees

1. Committee on Domestic and Ethnic Affairs

The Control Yuan Committee on Domestic and Land Administration Affairs was established on August 10, 1948, to include the Ministry of the Interior and the Department of Land Administration under its supervisory power. On June 11, 1949, the Organic Act of the Control Yuan Committees was amended and promulgated, and the Committee was reorganized into the Committee on Domestic Administration Affairs. In response to the new departments, bureaus and committees established by the Executive Yuan, to facilitate supervision and align with the committee structure of the Legislative Yuan, amendments were made on January 7, 1998 to merge the Committee on Domestic Administration Affairs and the Committee on Border Administration Affairs into the Committee on Domestic and Minorities Affairs. In accordance with its authority, the Committee supervised the Ministry of the Interior, the Mongolian and Tibetan Affairs Commission, the Central Election Commission, the Mainland Affairs Council, the Council of Indigenous Peoples, the Hakka Affairs Council, and the Ocean Affairs Council.

In 2015, the division of labor between the Control Yuan committees was adjusted. The business of the Ministry of Health and Welfare, which was originally supervised by the Committee on Financial and Economic Affairs, was now handled by the Committee on Domestic and Minorities Affairs. In coordination with the amendment and promulgation of the Article 2 regulations within the Organic Act of the Control Yuan Committees on January 8, 2020, the former Committee on Domestic and Minority Affairs was restructured to form the Committee on Domestic and Ethnic Affairs. In compliance with the amendment of the Organic Act of the Control Yuan Committees in May 2021, the original supervisory purview of the Ministry of Health and Welfare was handed over to the newly established Committee on Social Welfare and Environmental Hygiene Affairs.

Agencies falling under the Committee on Domestic and Ethnic Affairs' supervisory purview include the Ministry of the Interior, the Ministry of Health and Welfare, the Central Election Commission, the Mainland Affairs Council, the Council of Indigenous Peoples, the Hakka Affairs Council, and the Ocean Affairs Council.



Figure 3-14

The Control Yuan Committee on Domestic Affairs on an inspection tour of Yushan National Park, October 5, 1994.



Figure 3-15

The Control Yuan Committee on Domestic and Minority Affairs on an inspection tour of the Yilan County Catholic Marian Long-Term Care Center, under the jurisdiction of the Department of Social Affairs of the Ministry of the Interior, on July 19, 2013.



Figure 3-16

A Control Yuan Committee on Domestic and Ethnic Affairs meeting on March 16, 2021.

2. Committee on Foreign and National Defense Affairs

The Committee on Foreign and National Defense Affairs was established on August 1, 2021 to meet service needs, strengthen organizational functions, and align with the committee structure of the Legislative Yuan.

Article 2 of the Organic Act of the Control Yuan Committees was amended and

promulgated on May 12, 2021 to merge the Committee on Foreign Overseas Chinese Affairs into the Committee on Foreign and National Defense Affairs. The supervisory purview of the Committee now includes the Ministry of Foreign Affairs, the Ministry of Defense, the Overseas Community Affairs Council, the Veterans Affairs Council, and the National Security Bureau.



Figure 3-17

The Control Yuan Committee on Foreign and Overseas Chinese Affairs invited diplomatic envoys stationed in Taiwan to visit the Control Yuan on January 26, 2011.



Figure 3-18

The Control Yuan Committee on Foreign and Overseas Chinese Affairs host a group of overseas Chinese people from the United States on May 21, 2012.



Figure 3-19

The Control Yuan Committee on Foreign and National Defense Affairs invites former Chief of the General Staff Huang Shu-kuang to the forum; August 19, 2021



Figure 3-20

The Control Yuan Committee on National Defense and Intelligence Affairs on an inspection tour of Guishan Island, July 2, 1998.



Figure 3-21

The Control Yuan Committee on National Defense and Intelligence Affairs on an inspection tour of the ROC Military Academy, June 29, 2012.



Figure 3-22

The Committee on National Defense and Intelligence Affairs on an inspection tour of the Aerospace Industrial Development Corporation's T-5 Brave Eagle advanced jet trainer on September 24, 2020.



Figure 3-23

The Control Yuan Committee on Social Welfare and Environment Hygiene Affairs performs a circuit supervision and inspection of the Taiwan Women's Center, affiliated with the Social and Family Affairs Administration, Ministry of Health and Welfare ; November 5, 2021

3. Committee on Social Welfare and Environmental Hygiene Affairs

The Control Yuan Committee on Social Welfare and Environmental Hygiene Affairs was established on August 1, 2021 to meet service needs, strengthen organizational functions, and align with the committee structure of the Legislative Yuan. Article 2 of the Organic Act of the Control Yuan Committees was amended and promulgated on May 12, 2021 to establish the Committee on Social Welfare and Environmental Hygiene Affairs. The supervisory purview of the Committee on Social Welfare and Environmental Hygiene Affairs includes the

Ministry of Labor, the Ministry of Health and Welfare, and the Environmental Protection Agency of the Executive Yuan.

4. Committee on Financial and Economic Affairs

The Committee on Agriculture and Food Administration and the Committee on Economic Resources, Agriculture, Forestry and Water Resources Affairs were established on August 10, 1948. After the amendment and promulgation of Article 2 of the Organic Act of the Control Yuan Committees on June 11, 1949, the committees were restructured into the Committee on Financial Affairs and the Committee on Economic Affairs. The

supervisory purview of the Committee on Financial Affairs included the Ministry of Finance; the Central Bank; the Central Mint; the Central Engraving and Printing Plant; and the Chief Office of Budget, Accounting and Statistics of the Executive Yuan. The supervisory purview of the Committee on Economic Affairs were the Ministry of Economic Affairs, the Council for Economic Planning and Development of the Executive Yuan and its subordinate agencies including the Atomic Energy Council, the Fair Trade Commission, and the Council of Agriculture.

As a result of the Control Yuan proposing to adjust the work load of different committees, on November 9, 1993, the 11th Meeting of the second-term Control Yuan approved the duties of each committee, and the resolutions were implemented on January 1, 1994. The Executive Yuan Council of Labor Affairs and the Environmental Protection Administration were added to the supervisory purview of the Committee on Economic Affairs.

On January 7, 1998, Article 2 of Organic Act of the Control Yuan Committees was amended and promulgated. This amendment merged the Committee on Financial Affairs and the Committee on Economic Affairs into the Committee on Financial and Economic Affairs. In addition, the 59th Meeting of the second-term conveners of Control Yuan committees passed the resolution that "the Executive Yuan Atomic Energy Council and the businesses of the Executive Yuan

Consumer Protection Committee, which were formerly under the supervision of the Committee on Financial and Economic Affairs, shall be respectively transferred to the supervision of the Committee on Educational and Cultural Affairs and the Committee on Domestic and Minority Affairs." The amendment was enacted on March 1, 1998. After the adjustments, the supervisory purview of the Committee on Financial and Economic Affairs included the Ministry of Finance; the Central Bank; the Central Mint; the Central Engraving and Printing Plant; the Chief Office of Budget, Accounting and Statistics of the Executive Yuan; the Ministry of Economic Affairs; the Council for Economic Planning and Development of the Executive Yuan; the Fair Trade Commission; the Council of Agriculture; the Council of Labor Affairs; the Environmental Protection Administration; and the Department of Health of the Executive Yuan.

To align with the Central Bank's jurisdiction over the Central Mint and the Central Engraving and Printing Plant; the establishment of the Financial Supervisory Commission of the Executive Yuan; the reorganization of the Executive Yuan's Chief Office of Budget, Accounting and Statistics into the Executive Yuan's Directorate-General of Budget, Accounting and Statistics; the reorganization of the Council for Economic Planning and Development of the Executive Yuan into the National Development Council; and the reorganization of the Council of

Labor Affairs of the Executive Yuan into the Ministry of Labor, the 4th Meeting of the fifth-term conveners of Control Yuan committees on November 6, 2014 passed a resolution that "starting on January 1, 2015, the relevant services of the Ministry of Health and Welfare that are fall under the jurisdiction of the Executive Yuan and were formerly under the supervision of the Control Yuan Committee on Financial and Economic Affairs shall be transferred to the supervision of the Committee on Domestic and Minorities Affairs." Therefore, as of 2015, the Ministry of Health and Welfare came under the supervision of the Committee on Domestic and Minority Affairs. With the establishment of the Committee on Social Welfare and

Environmental Hygiene Affairs on August 1, 2021, the Executive Yuan's Ministry of Labor and Environmental Protection Agency now fall within the supervisory purview of the Committee on Social Welfare and Environmental Hygiene Affairs.

The supervisory purview of the Committee on Financial and Economic Affairs includes the Executive Yuan's Ministry of Finance; Ministry of Economic Affairs; Central Bank; Directorate-General of Budget, Accounting and Statistics; National Development Council; Fair Trade Commission; Financial Supervision Commission; Council of Agriculture; Environmental Protection Administration; and National Audit Office.



Figure 3-24

The Control Yuan Committee on Financial and Economic Affairs on an inspection tour of the Railway Car Business Department of Tang Eng Iron Works Co., Ltd. on June 4, 2001.



Figure 3-25

The Control Yuan Committee on Financial and Economic Affairs on an inspection tour of the Taipower Taichung Power Plant on July 27, 2010.



Figure 3-26

The Control Yuan Committee on Financial and Economic Affairs on an inspection tour of the Central Bank's Central Engraving and Printing Plant on March 6, 2015.

5. Committee on Educational and Cultural Affairs

The Committee on Educational Affairs was established on August 10, 1948. At that time, its supervisory purview included the Ministry of Education; the Council for Cultural Affairs of the Executive Yuan; the National Science Council of the Executive Yuan; the Research, Development and Evaluation Commission of the Executive Yuan; the National Palace Museum; Academia Historica;

Academia Sinica; the Examination Yuan; the Ministry of Examination; the Ministry of Civil Service; the Public Service Pension Fund Management Board; and the Civil Service Protection & Training Commission. In 1994, three more agencies were added to its supervision, namely the Government Information Office of the Executive Yuan; the National Youth Commission of the Executive Yuan; and the Central Personnel Administration of the Executive Yuan.



Figure 3-27

The Control Yuan Committee on Educational and Cultural Affairs on an inspection tour of the National Taiwan University Experimental Forest on August 27, 1998.

In accordance with the amendment of Article 2 of the Organic Act of the Control Yuan Committees promulgated on January 7, 1998, the Committee on Educational Affairs was restructured into the Committee on Educational and Cultural Affairs, and two more agencies were added to its supervision, namely the Atomic Energy Council of the Executive Yuan and the Sports Affairs Commission of the Executive Yuan.

Thereafter, in response to the phased implementation of the organizational restructuring by the Executive Yuan starting in 2012, the Council for Cultural Affairs of the Executive Yuan became the Ministry of Culture, the Central Personnel Administration of the Executive Yuan became the Directorate-General of Personnel Administration of the Executive Yuan, and the National Science Council of the Executive



Figure 3-28

The Control Yuan Committee on Educational and Cultural Affairs on an inspection tour of the National Kinmen Institute of Technology on April 30, 2010 to understand the preservation of historical buildings in the area.

Yuan became the Ministry of Science and Technology. To align with the abolishment of the Executive Yuan's Government Information Office and the restructuring of the Executive Yuan's National Youth Commission and Sports Affairs Commission into subsidiary organs of the Ministry of Education, the Committee on Educational and Cultural Affairs readjusted its supervisory purview.

The supervisory purview of the Committee on Educational and Cultural Affairs includes the Ministry of Education, the Ministry of Science and Technology, the Ministry of Culture, the Atomic Energy Council of the Executive Yuan, the Directorate-General of Personnel Administration of the Executive Yuan, the National Palace Museum, Academia Historica, Academia Sinica, and the Examination Yuan.



Figure 3-29

The Control Yuan Committee on Educational and Cultural Affairs on an inspection tour of the Ministry of Education on November 20, 2020.

6. Committee on Transportation and Procurement Affairs

The Transportation Committee was established on August 10, 1948. It included the Ministry of Transportation and Communications and its affiliated units as its supervisory purview. With the growing scale of national construction projects and the increasing budgets required, the Executive Yuan established the Public Construction Commission on July 20, 1995 to undertake

overall planning, deliberation, coordination and supervision of public works, and the Commission was included within supervisory purview of the Transportation Committee. In accordance with the amendment to Article 2 of the Organic Act of the Control Yuan Committees promulgated on January 7, 1998, the Transportation Committee of the Control Yuan was restructured into the Committee on Transportation and Procurement Affairs.



Figure 3-30

The Control Yuan Committee on Transportation and Procurement Affairs on an inspection tour of the Kaoshiung Xiaogang Airport (now Kaohsiung International Airport) on April 25, 1966. (Source: Academia Historica).

At the time of the Dayuan air crash incident in 1998, there was no independent aviation safety agency in the country. Hence, the Executive Yuan established the Aviation Safety Committee on May 25, 1998, which was renamed the Executive Yuan Aviation Safety Council in 2001. On May 20, 2012, it was restructured and renamed the Aviation Safety Council, with responsibility for identifying, investigating, and evaluating the causes of aircraft crashes and major accidents. The Aviation Safety Council came

under the supervision of the Committee on Transportation and Procurement Affairs. In October 2018, the Puyuma train derailment occurred in Yilan. For independent and impartial investigation of major aviation, railway, waterway and road accidents, the Executive Yuan reorganized the Aviation Safety Board. On August 1, 2019, the Taiwan Transportation Safety Board was formally established, which remains under the supervision of the Committee on Transportation and Procurement Affairs.



Figure 3-31

The Control Yuan Committee on Transportation and Procurement Affairs on an inspection tour of the Pinglin Pilot Tunnel project on April 28, 1993.

To promote the sound development of communications, and to supervise and manage communications business, Taiwan formally established the National Communications Commission on February 22, 2006. The Commission fell under the supervisory purview of the Committee on Transportation and Procurement Affairs.

The supervisory purview of the Committee on Transportation and Procurement Affairs includes the Ministry of Transportation and Communications, the Public Construction Committee of the Executive Yuan, the National Communications Commission, and the Taiwan Transportation Safety Board.



Figure 3-32

The Control Yuan Committee on Transportation and Procurement Affairs on an inspection tour of the progress of a Taoyuan International Airport major construction on February 27, 2019.



Figure 3-33

The Control Yuan Committee on Transportation and Procurement Affairs performs a circuit supervision and inspection of the National Communications Commission (NCC); March 23, 2021

7. Committee on Judicial and Prison Administration Affairs

The Committee on Judicial Administration Affairs was established on August 10, 1948; its supervisory purview included the Judicial Yuan (under which was the Department of Judicial Administration). To improve the judicial system and clearly divide judicial

power from administrative power, the government implemented the division of judicial and prosecutorial powers on July 1, 1980. Courts below the High Court within the Department of Judicial Administration were transferred to fall under the jurisdiction of the Judicial Yuan; the Department of Judicial Administration was restructured into



Figure 3-34

The Control Yuan Committee on Transportation and Procurement Affairs performs a circuit supervision and inspection of Ministry of Transportation and Communications; November 30, 2021



Figure 3-35

The Control Yuan Committee on Judicial and Prison Administration Affairs on an inspection tour of the Judicial Yuan's Constitutional Court on November 15, 2010.

the Ministry of Justice, and has been fallen under the jurisdiction of the Executive Yuan since then. The supervisory purview of the Committee on Judicial Affairs included the Judicial Yuan and the Ministry of Justice. In accordance with the amendment to Article 2 of the Organic Act of the Control Yuan Committees promulgated on January 7, 1998, the Committee on Judicial Affairs was restructured into the Committee on Judicial and Prison Administration Affairs.

Its supervisory purview now includes the Judicial Yuan (and all levels of its courts), the Ministry of Justice (and all levels of its prosecutor offices, prisons, detention centers, drug abuser treatment centers, skill training institute, juvenile detention houses, juvenile correction schools, and juvenile reform schools), and the Department of Military Law of the Ministry of National Defense (and all levels of its military courts and prosecutor offices).



Figure 3-36

The Control Yuan Committee on Judicial and Prison Administration Affairs on an inspection tour of the Department of Military Law, Supreme Military Court, and Prosecutors Office of the Ministry of National Defense on September 17, 2012.

In response to the organizational reform of the Executive Yuan, the Ministry of National Defense restructured its Department of Military Law into the Department of Military Justice on January 1, 2013. After the death of Hung Chung-chiu, the Military Trial Act was amended and enacted on August 15, 2013. Crimes committed by military personnel on

active duty not in times of war time are now prosecuted and tried by the general judicial organs. Accordingly, with military personnel on active duty who commit crimes, whether during wartime or not, their prosecution and trial for violations are subject to supervision by the Committee on Judicial and Prison Administration Affairs.



Figure 3-37

The Control Yuan Committee on Judicial and Prison Administration Affairs performs a circuit supervision and inspection of Ministry of Justice on October 27, 2021.

Table 3-7 Different Control Yuan committees' division of labor, by supervisory power and purview.

Committee	Supervised agencies
Committee on Domestic and Ethnic Affairs	Ministry of the Interior; Central Election Commission; Mainland Affairs Council; Council of Indigenous Peoples; Hakka Affairs Council; Ocean Affairs Council.
Committee on Foreign and National Defense Affairs	Ministry of Foreign Affairs; Ministry of National Defense; Overseas Community Affairs Council; Veterans Affairs Council; National Security Bureau.
Committee on Social Welfare and Environmental Hygiene Affairs	Ministry of Labor; Ministry of Health and Welfare; Environmental Protection Administration.
Committee on Financial and Economic Affairs	Ministry of Finance; Ministry of Economic Affairs; Central Bank; Directorate General of Budget, Accounting and Statistics; National Development Council; Fair Trade Commission; Financial Supervision Commission; Council of Agriculture; National Audit Office.
Committee on Educational and Cultural Affairs	Ministry of Education; Ministry of Science and Technology; Ministry of Culture; Atomic Energy Council; Directorate-General of Personnel Administration; National Palace Museum, Academia Historica, Academia Sinica; Examination Yuan.
Committee on Transportation and Procurement Affairs	Ministry of Transportation and Communications; Public Construction Commission; Taiwan Transportation Safety Board; National Communications Commission.
Committee on Judicial and Prison Administration Affairs	Judicial Yuan; Ministry of Justice; Department of Military Justice of the Ministry of National Defense.

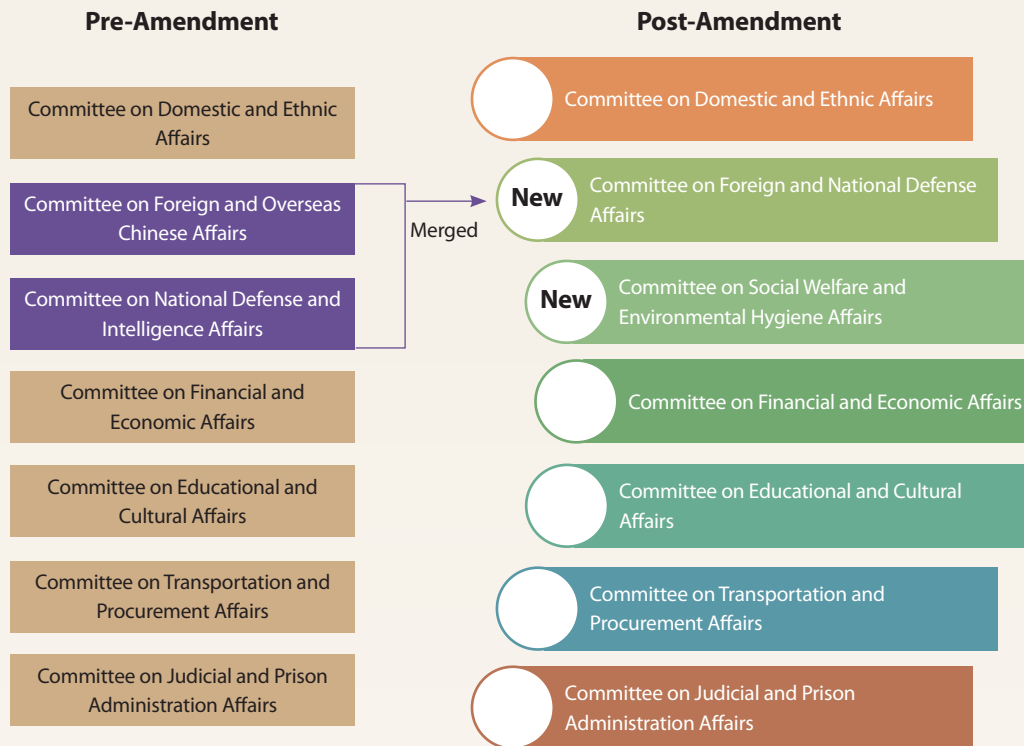


Figure 3-38

Amendment of Control Yuan regulations to integrate and add standing committees.

C. Evolution of standing committee members' terms of office

After the Constitution was promulgated, the first-term standing committees of the Control Yuan were formally established on August 10, 1948. At the beginning, a "term system" was adopted where the convener of each committee was elected every year. It was not until 1992, after the Additional Articles of the Constitution amended that the selection of Control Yuan members was changed. The selection of Control Yuan members was changed from election by provincial and municipal councils, and the local councils of Mongolia and Tibet and Overseas Chinese to the system of presidential nomination and approval by the National Assembly, which transformed the Control Yuan into a non-democratic body. In practice, the Control Yuan members who took office on February 1, 1993 to exercise their powers are called the second-term Control Yuan members following the enactment of the Constitution, in order

to distinguish them from the first-term Control Yuan, which was in nature a central democratic body. In addition, beginning with the second-term Control Yuan members taking office, the tenure of the members and conveners of each Control Yuan committee was changed to the "annual system."

The third-term Control Yuan members took office on February 1, 1999. Likewise, the members were nominated by the President and approved by the National Assembly. However, in April 2000, the 5th Meeting of the third-term National Assembly once again amended Additional Articles of the Constitution, changing the selection of Control Yuan members to presidential nomination, with approval by the Legislative Yuan. After the Constitution was promulgated, the fourth- to sixth-term Control Yuan members were also selected according to the abovementioned system, and the tenure of the members of the various Control Yuan committees continued to be based on the "annual system."

1. The first-term Control Yuan members (from June 1948 to January 1993)

Table 3-8 List of Control Yuan committees' terms

Committee	Term (Year)	Note
First	August 10, 1948 to March 31, 1949	<p>1. The conveners of the first Control Yuan committees were selected by the members of the respective committees during the 27th Meeting of the Control Yuan on July 29, 1948. The committees were established at the same time on August 10, 1948, and their conveners also took office concurrently. The term of office of the first Control Yuan committee members lasted from August 10, 1948 until the first month of the following year after their re-election in the Annual General Review Meeting.</p> <p>2. Since the Control Yuan held its Annual General Review Meeting in March 1949, the term of office of the first Control Yuan committee members was from August 10, 1948 to March 31, 1949.</p>
Second	April 1, 1949 to May 31, 1950	<p>1. According to the amendment of Article 4 of the Organic Act of the Control Yuan Committees promulgated on June 11, 1949, each Control Yuan committee had three conveners elected from among the specific committee's members. The term of office of each committee convener was one year.</p> <p>2. The term of office of the first committee members originally expired on March 31, 1949, and the term of office of the second committee members was originally from April 1, 1949 to March 31, 1950. However, in coordination with the change of the Control Yuan Annual General Review Meeting to May 1950, the term of office of the second committee members and conveners was extended to May 31, 1950 since the re-election of the members and conveners of each committee was held during the Annual General Review Meeting.</p>
Third - Ninth	June 1, 1950 to May 31, 1957	Beginning 1950, the Control Yuan Annual General Review Meeting was changed to May of each year. The re-election of the members and conveners of the various committees of the Control Yuan members was held during the Annual General Review Meeting, and the handing over was held during the following month. Hence the term of office of the third to the ninth committee members was from June 1 of that year to May 31 of the following year.

Committee	Term (Year)	Note
Tenth	June 1, 1957 to November 30, 1958	The term of office of the tenth committee conveners and members originally expired on May 31, 1958. However, to coordinate with the change of the Control Yuan Annual General Review Meeting to November 1958, the 510th Meeting of the Control Yuan deliberated and passed a resolution on December 14, 1957 to delay the re-election of the conveners of each committee. The re-election, originally scheduled for May 1958 during the Annual General Review Meeting, was delayed by half a year to November 1958 during the Annual General Review Meeting. Hence the term of office of the tenth committee members was extended to November 30, 1958.
Eleventh - Twentieth	December 1, 1958 to November 30, 1968	Since 1958, the Annual General Review Meeting of the Control Yuan was changed to November of each year. The term of office of the members and conveners of the 11th to 20th Committees was changed from December 1 of the current year to November 30 of the following year.
Twenty-first	December 1, 1968 to December 31, 1969	The term of office of the twenty-first committee members and conveners was originally until November 30, 1969. However, in coordination with the change of the Control Yuan Annual General Review Meeting to December, members and conveners of each committee were re-elected accordingly during the Annual General Review Meeting. Hence the term of office of the twenty-first committee members was extended to December 31, 1969.
Twenty-second– Thirty-seventh	January 1, 1970 to December 31, 1985	Members and conveners of Control Yuan committees were uniformly re-elected at the Annual General Review Meeting held in December each year. Hence the term of office of the twenty-second to thirty-seven committee members and conveners was from January 1 to December 31 of the following year.
Thirty-eighth	January 1, 1986 to February 11, 1987	The term of office of the thirty-eighth committee members and conveners was originally until December 31, 1986. However, in coordination with election for additional Control Yuan members, the term of office of the thirty-eighth committee members and conveners was extended to the Control Yuan plenary meeting held in February 1987 when the new members and conveners were elected and took office.
Thirty-ninth	February 12, 1987 to December 31, 1987	The term of office of the thirty-eighth committee members and conveners was originally until December 31, 1986. However, in coordination with election for additional Control Yuan members, the term of office of the thirty-eighth committee members and conveners was extended to the Control Yuan plenary meeting held in February 1987 when the new members and conveners were elected and took office.

Committee	Term (Year)	Note
Fortieth – Forty-third	January 1, 1988 to December 31, 1991	The election of the members and conveners of the 40th to 43rd committees was changed to December of the current year during the Control Yuan Meeting. The elected members and conveners were scheduled to take office in the following month. Hence the term of office of the 40th to 43rd committee members was from January 1 to December 31 of the following year.
Forty-fourth	January 1, 1992 to January 31, 1993	The term of office of the 44th committee members and the election of the conveners was originally before the end of December 1992 when their term expired. However, to coordinate with the inauguration of the second-term Control Yuan members on February 1, 1993, the term of office of the 44th committee conveners and members was extended to January 31, 1993.



Figure 3-39

The Annual General Review Meeting of the first-term Control Yuan in 1966.



Figure 3-40

Yu Chun-hsien (second from left), first-term president of the Control Yuan, chairs a Control Yuan plenary meeting in 1973.



Figure 3-41

The Annual General Review Meeting of the first-term Control Yuan on December 8, 1986.



Figure 3-42

The Annual General Review Meeting of the first-term Control Yuan on November 21, 1991.

2. The second-term Control Yuan members (from February 1993 to January 1999)

The second-term Control Yuan members took office on February 1, 1993. From 1993 to 1999, the members' tenure in each committee was changed to the "annual system." The term of office of the members and conveners of the committees was from

February 1 of the current year to January 31 of the following year. The conveners of each committee were elected by the members of the respective committees during the annual Control Yuan plenary meeting in January. Their term of office was one year with no re-election.



Figure 3-43

Wang Tso-jung (center), second-term president of the Control Yuan, chairs a Control Yuan plenary meeting on October 27, 1998.



Figure 3-44

The 96th Meeting of the second-term Control Yuan on December 22, 1998.



Figure 3-45

Photo of the second-term Control Yuan members with their supervisory badges conferred by the Control Yuan on January 29, 1999.

3. The third-term Control Yuan members
(from February 1999 to January 2005)

The third-term Control Yuan members took office on February 1, 1999. Coinciding with the amendment to the Additional Articles of the Constitution by the National Assembly in April 2000, the power to consent to the president, vice president and members of the Control Yuan was shifted to the Legislative Yuan; however, the change had no

impact on the operations of the committees. From 1999 to 2004, the term of office of the members and conveners of the committees remained from February 1 of the current year to January 31 of the following year. The conveners of each committee were elected during the Control Yuan plenary meeting held in January each year. Their term of office remained one year with no re-election.



Figure 3-46

Photo of the 72nd Meeting of the third-term Control Yuan on January 11, 2005.

4. The fourth-term Control Yuan members (from August 2008 to July 2014)

In view of the fact that the term of office of the third-term Control Yuan members expired on January 31, 2005, the President nominated 29 people as the next term of Control Yuan members on December 20, 2004 in accordance with the provisions of Article 7 of Additional Articles of the Constitution. However, deliberation over the

approval of nominations was not included within the agenda of the Legislative Yuan as expected, and thus the power to consent could not be exercised. From February 1, 2005 to July 31, 2008, this resulted in a period of inability to exercise the supervisory power; and during this period, the Control Yuan committees were unable to exercise their authority.



Figure 3-47

The fourth-term Control Yuan convened a meeting on January 16, 2012 to review the annual performance in 2011.

It was not until August 1, 2008 when the fourth-term Control Yuan members took office, and the 1st Meeting of the fourth-term Control Yuan members was convened on the same day, that the list of nominated members and elected conveners of the committees were confirmed. The term of office of members and conveners of the

committees from 2008 to 2013 was changed to August 1 of the current year to July 31 of the following year. The conveners of each committee were elected from among the members of the respective committees during the Control Yuan plenary meeting held in July each year. Their term of office was one year with no re-election.



Figure 3-48

Photo of the fourth-term Control Yuan members with their supervisory badges conferred by the Control Yuan, on October 14, 2014.

5. The fifth-term Control Yuan members (from August 2014 to July 2020)

In accordance with the provisions of Article 7 of Additional Articles of the Constitution, on May 8, 2014, the President nominated 29 Control Yuan members for approval by the Legislative Yuan as the next Control Yuan term. After review by the Legislative Yuan in July 2014, 18 among the nominees were approved by a simple majority of the members of the Legislative Yuan and appointed. The 18 members took office as fifth-term Control Yuan members on August 1, 2014. The first meeting of the fifth-term Control Yuan was convened the same day to confirm the list of members and elected conveners of the committees. In March and November of 2017, the President provided the Legislative Yuan

with an addition of eleven nominees for the fifth-term Control Yuan. After review by the Legislative Yuan in January 2018, all the nominees were approved by a simple majority of the members of the Legislative Yuan and appointed. The eleven members of the fifth-term Control Yuan took office at the end of January 2018, and election of the conveners of the committees was delayed until the term of office expired. Hence from 2014 to 2019, the term of office of the members and conveners of the committees was from August 1 of the current year to July 31 of the following year. The conveners of each committee were elected from among the members of the respective committees during the Control Yuan plenary meeting held in July each year. Their term of office was one year with no re-election.



Figure 3-49

Chang Po-ya, president of the Control Yuan's fifth term, chairs a Control Yuan plenary meeting on October 15, 2019.

6. The sixth-term Control Yuan members (from August 2020 to present)

The sixth-term Control Yuan members took office on August 1, 2020. The first meeting of the sixth-term Control Yuan was held on the same day to confirm the list of members and elected conveners of each committees. The term of office of the

members and conveners of the committees is from August 1 of the current year to July 31 of the following year. The conveners of the committees are elected from among the members of the respective committees during the Control Yuan plenary meeting held in July each year. Their term of office is one year with no re-election.



Figure 3-50

Chen Chu, sixth-term president of the Control Yuan, chairs a Control Yuan plenary meeting on September 8, 2020.



Figure 3-51

The sixth-term Control Yuan convenes a meeting on January 11, 2022 to review the annual performance in 2021.

Section 4 Impeachment

According to the Constitution and the Control Act, if a Control Yuan member believes that a civil servant has violated the law or is derelict in the duties, the member should submit an impeachment case to the Control Yuan. The power of impeachment is an important constitutional power of the Control Yuan. It is an important tool, by which the Control Yuan exercises the supervisory power to ensure clean and ethical governance, and to promote sound governance.

I. The evolution of impeachment power

The ancient Chinese system of censuring officials is the major origin of the Control Yuan's impeachment power. The censor system and censure of officials not only served as the eyes and ears of the emperor, but also served as administrative checks and balances, and helped communication regarding political situations. It had a pivotal position in the ancient political system of our country and still has a profound impact on the current impeachment system.

In October 1928, the Nationalist Government tried out the five-power system

and promulgated the Organic Law of the Control Yuan on October 20 of the same year. Article 1 of the Organic Law of the Control Yuan stipulates that "the Control Yuan shall exercise its power of impeachment through its members." On July 10, 1929, the Nationalist Government promulgated the Act on the Exercise of Governance Power, whose Article 4 stipulates that "the power to impeach any public officials shall belong to the Control Yuan, and any report of dereliction on the part of civil servants shall be submitted to the Control Yuan for handling." All impeachment cases were submitted to three Control Yuan members for investigation. If investigation results indicated that a case warranted punishment, the case was submitted to the Nationalist Government since in the beginning, there was no disciplinary agency. After receiving impeachment cases, the Civil Service Office of the Nationalist Government proposed a resolution to the Nationalist Government Meeting or referred the case separately to the Executive Yuan and Judicial Yuan for handling.

On January 1, 1947, the Nationalist Government promulgated the Constitution

of the Republic of China, which came into effect on December 25 of the same year. In accordance with Article 97, Article 98, and Article 100 of the Constitution, the Control Yuan could file an impeachment case against central and local civil servants if it believed that they were derelict in their duties or had violated the law. An impeachment case had to be filed by more than one Control Yuan member, and reviewed and decided by more than nine members before it could be submitted to the disciplinary agency.

However, to impeach the President or the Vice President, more than one-fourth of all Control Yuan members had to file for impeachment; and the proposal had to be investigated, resolved upon by more than one half of all the Control Yuan members, and submitted to the National Assembly. In accordance with the Control Act, the deliberation of impeachment cases had to be performed by all Control Yuan members according to their duty rotation, and those who were stakeholders in the case had to recuse themselves. If a case was rejected after investigation, and the proponents of the case object, the case was further reviewed by additional nine Control Yuan members for the final resolution. When filing an impeachment case, if the Control Yuan believed that the magnitude of the legal violation or dereliction was serious enough to warrant expediated sanction, it could notify the chief officer of the imeached person for urgent remedy. If the legal violation or dereliction

of duty involved criminal or military law, the case was sent directly to the competent judicial or military agency for handling in accordance with the law.

On May 28, 1992, the National Assembly passed Article 15 of the Additional Articles of the Constitution of the Republic of China. The Article stipulated that in its impeachment cases against central and local civil servants and members of the Judicial Yuan or Examination Yuan, the impeachment must be filed by two or more Control Yuan members, and reviewed and approved by at least nine members. Not subject to the stipulation of Article 98 of the Constitution, the conditions for exercising the power of impeachment were more rigorous. To impeach Control Yuan members or staff for dereliction of duty or violation of the law, Article 95 and Article 97 Paragraph 2 of the Constitution and the preceding stipulation were applied. To impeach the President and Vice President, the case had to be filed by more than one half of the Control Yuan members and decided by two-thirds or more of the Control Yuan members, and submitted to the National Assembly.

The Constitution was amended on July 21, 1997, and in Article 4 Paragraph 5 of the Additional Articles of the Constitution of the Republic of China, the power of impeachment against the President and Vice-President was transferred to the Legislative Yuan.

The Constitution was amended on April 25, 2000. The power of the Legislative Yuan to impeach the President and Vice President, and the regulations stipulating the filing, the deliberation, and the resolution of impeachment cases by the Control Yuan were changed and subjected to the provisions of Article 4 Paragraph 7 and Article 7 Paragraph 3 of the Additional Articles of the Constitution.

II. The evolution of the impeachment unit and system

On January 7, 1998, the Control Yuan amended the Organic Law, revising the existing groups and offices of the Secretariat into parallel levels of departments and offices and adding a Department of Supervisory Operation. Since then, the Department of Supervisory Operation has undertaken the deliberation of impeachment cases, which was previously handled by the Review Office of the Secretariat and Group 1 of the Secretariat.

An impeachment case filed by Control Yuan members must undergo investigation and resolution. Therefore, an Impeachment Examination Committee must be formed. Given the significant impact of an impeachment on the reputation of civil servants, taking into consideration the voting pressure in which the examination committee is under, and to ensure prudence, a secret ballot was adopted in accordance

with the Enforcement Rules of the Control Act. In addition, only established cases and their impeachment contents were published. This practice remained in effect until June 29, 2018 without any change.

With the gradual implementation of democratic politics and in response to public opinion and with the consideration for system changes, it became advisable to adopt a progressive approach. On June 29, 2018, the provisions for the Enforcement Rules of the Control Act were amended and promulgated. A compromise was reached where the principle of secret ballot was adopted except for influential cases with much social attention. Such cases were voted by registered ballot. In terms of announcements, as before, only established cases and their impeachment texts were published. However, for cases voted by registered ballot, the names of members who voted to approve or reject the cases and the total number of votes were published.

On June 19, 2019, the provisions of Article 8 Paragraph 2 and Article 13 of the Control Act were amended and promulgated. Registered ballot was comprehensively adopted; thus, regardless whether a case is established or not, it is announced. The content of the announcement includes the names of members who voted to approve or reject the cases, the number of votes, the content and resolution report of the established cases, and the resolution reports

of all previous examination meetings for the cases that are not established.

In response to the fact that the disciplinary organ has adopted a court approach, and to prevent doubts about interference with judicial power and uphold the principle of constitutional separation of powers, the deletion of Article 17 Control Act which stipulated that "the Control Yuan may inquire about any impeachment case that is not settled within three months after it has been turned over to the disciplinary organ..." was promulgated on January 20, 2021.

III. Exercising the power of impeachment

From the Control Yuan's first to sixth terms, a total of 1,071 impeachment cases have been established after investigation in accordance with the law, and successively referred to the Public Functionary Disciplinary Sanction Commission (renamed to the Disciplinary Court on July 17, 2020) for deliberation.

The summaries of seven major cases over the years are as follows:

- A. The "Li Tsung-jen Failure to Carry Out Duties due to Illegal Conduct" case by the first-term Control Yuan members to impeach Vice President Li Tsung-jen for abandoning his post and going abroad during a severe national crisis.

When Vice President Li Tsung-jen was Acting President, he abruptly left for the United States in November 1949 citing medical reason while the nation was amid war and its southwestern area was in a military crisis. The Control Yuan sent a telegram urging for a clear expression of his stance, and received the response stating that "he is handling documents as usual while in the United States and has not abandoned government affairs." He remained in the United States for a long period of two years, effectively cutting himself off from the people. Citing dismissal as Acting President, he issued orders from a foreign country, claiming his plan to restore a "cooperative government," which clearly revealed the intention of subverting the government and endangering the country. With the case being an open-and-shut case, impeachment was filed in accordance with the provisions of the Constitution.

After the impeachment by the Control Yuan in 1952, based on the provisions of Article 12 of the then-Presidential and Vice Presidential Election and Recall Act, the 6th National Assembly on March 10, 1954 permitted the use of Article 10 of the same Act for resolution on the recall in the impeachment case. 1486 representatives attended and a secret ballot was adopted. Of those present, 1403 approved the recall.

Table 3-9 Number of impeachment cases

Unit: Cases

Control Yuan Terms of Office	First term June 1948- January 1993	Second term February 1993- January 1999	Third term February 1999 - January 2005	Fourth term August 2008 - July 2014	Fifth term August 2014 - July 2020	Sixth term August 2020 - August 2021
Total	438	188	121	164	185	17
Opened	434	186	118	146	170	17
Not Opened	4	2	3	18	15	-

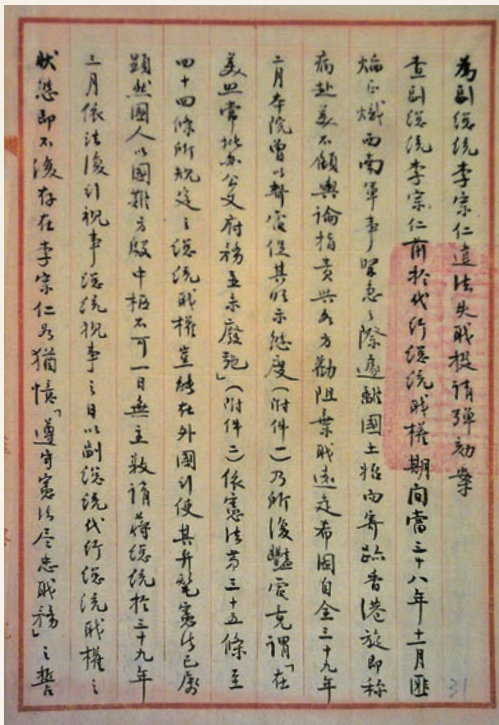


Figure 3-52

The Control Yuan passed the Vice President Li Tsung-jen impeachment case on January 11, 1952 (A resolution was passed on March 10, 1954 by the 6th National Assembly to recall the Vice President).

Original Text

Filing to impeach Vice President Li Tsung-jen for Failure to Carry Out Duties Due to Illegal Conduct

During his office as Acting President, Vice President Li Tsung-jen left his homeland in November 1949 while the country was amid war and its southwestern area was in a military crisis. From Hong Kong, he went to the United States citing medical reason without regard for public criticism and dissuasion by parties, abandoning his duties with the intent of fulfilling personal interest. In February of 1950, the Control Yuan sent a telegram urging for a clear expression of his stance (Attachment 1), and received a telegram reply stating that "he is handling documents as usual while in the United States and has not abandoned government affairs" (Attachment 2). How can the Presidential functions and powers stipulated in the provisions of Articles 35 to Article 44 of the Constitution Act be disdained, and be exercised from a foreign country when the Constitution is clear that the people of the country cannot be without a leader in a national crisis. President Chiang is earnestly requested to resume Presidential duties in March 1950 in accordance with the law. And on the day of reassuming office, the power of the Acting President is abolished and it recalls Li Tsung-jen in his oath to "abide by the Constitution and be loyal to his duties."

B. The first-term Control Yuan case to impeach Premier Yu Hung-chun of the Republic of China for misleading important national politics and obstructing supervisory power.

On December 4, 1956, the Control Yuan Committee on Financial Affairs proposed a corrective measure case to the Executive Yuan for paying the staff of the Executive Yuan's Council for US Aid a salary that was approximately five times higher than that of general civil servants. 90 days after the reply deadline, the Executive Yuan rejected the corrective measure case, citing that a reduction in remuneration was a sufficient reason to have an emotional impact on work and would result in staff resignation. Subsequently, the Control Yuan Meeting raised the issue of adjusting remuneration for military, public and educational personnel,

and filed a corrective measure case in March 1957 to the Executive Yuan to stop the waste and adjust remuneration. However, the Executive Yuan did not respond until 49 days after the deadline, and failed to take action and make appropriate improvement. Since the corrective measure did not receive appropriate results and the nature of the case was serious, and Premier Yu Hung-chun refused to appear after being notified to appear at the Control Yuan for questioning, the Control Yuan filed a case to impeach Yu Hung-chun for failing to make appropriate response.

After the impeachment by the Control Yuan on December 23, 1957, the Public Functionary Disciplinary Sanction Commission passed a resolution to admonish Yu Hung-chun.

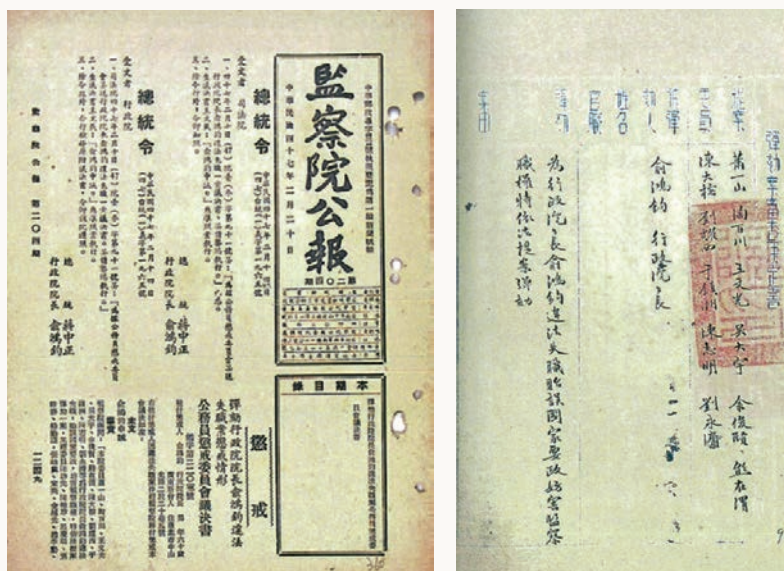


Figure 3-53

On December 23, 1957, the Control Yuan approved the case to impeach Premier Yu Hung-chun (on February 10, 1958, the Public Functionary Disciplinary Sanction Commission passed a resolution to admonish Yu Hung-chun).

- C. The second-term Control Yuan case to impeach Taichung Mayor Lin Bo-jung for failure to supervise the investigation of the violation and fire inspection of Weierkang Club, where 64 people were killed in a fire.

The Mayor of Taichung City, Lin Bo-jung served as the chief executive of the city and concurrently served as the convener of Building Violation Supervision Committee, the Public Order Committee and the Public Safety Committee. For many years, the issuance of for-profit business registration certificates, investigation and processing of illegal constructions and building violations, the clamping down on businesses, and the fire safety inspection of buildings for public use lacked supervision and management, resulting in the Weierkang Club and KTV fire in 1995 causing 75 deaths and injuries. No personnel from the Taichung City Government stepped forward to request disciplinary action; instead, all the units attempted to pass off responsibility to each other. Related reports that were submitted were also evasive and attempted to avoid responsibilities. Since the Mayor demonstrated indulgence and unwillingness to assume responsibility, the case constituted a dereliction of duty.

After the impeachment by the Control Yuan on March 24, 1995, the Public Functionary

Disciplinary Sanction Commission passed a resolution to suspend Lin Bo-jung for six months.

- D. The third-term Control Yuan case to impeach the former Judge Advocate General Captain Liu Chin-an and others in the Judge Advocate Department of the Navy Command Headquarters for failure to diligently investigate the Yin Cing-feng homicide case. The sloppy collection of evidence compromised early opportunities to break the case, thus constituting a severe case of dereliction of duty (the impeachment was against the former Judge Advocate General Captain Liu Chin-an of the Judge Advocate Department and the former Military Prosecutor Commander Wu Jung-chang of the Navy Command Headquarters):

After the murder of Yin Cing-feng on December 9, 1993, the former Judge Advocate General Captain Liu Chin-an of the Judge Advocate Department and the former Military Prosecutor Commander Wu Jung-chang of the Navy Command Headquarters failed to diligently supervise and investigate the murder case. Sloppy evidence collection resulted in failure to properly preserve critical evidence and important evidence was deliberately concealed, compromising early

opportunities to break the case. As a result, the Yin Cing-feng homicide case remained unsolved and severely damaged the national image of the military, thus constituting serious violation and dereliction of duty.

After the impeachment by the Control Yuan on August 26, 2002, the Public Functionary Disciplinary Sanction Commission passed a resolution to penalized Liu Chin-an with one demerit and Wu Jung-chang with two demerits.

E. The fourth-term Control Yuan case to impeach Prosecutor Ching Tian-po for accepting bribes in violation of his duties.

Prosecutor Ching Tian-po of the Taiwan Kaoshiung District Prosecutors Office accepted bribes in violation of his duties and obtained illegitimate interests by participating in foreign mining investment opportunities. Furthermore, he wrote letters of complaints on behalf of criminal suspects known through his position to help them avoid criminal liability. His illegal enquiry of immigration information of individuals unrelated to his case investigations and divulgence of the information to a third party, and unrestrained conduct by frequenting pick-up joints with female escorts seriously damaged the image of prosecutors, and clearly evidenced the severity of his violations.

After the impeachment by the Control Yuan on September 7, 2012, the Judicial Yuan's Disciplinary Chamber of the Judiciary passed a sentence to remove Ching Tian-po from his post and suspended his appointment for five years.

F. The fifth-term Control Yuan case to impeach former Dean Lin Chiu-lan of the Taoyuan Juvenile Reform School of the Agency of Corrections, Ministry of Justice and others for the illegal handling of the death of Mai, the juvenile on probation (the impeachment was against former Dean Lin Chiu-lan, former Chief Chen Li-chung of the Discipline Section and Chief Hou Hui-mei of the Sanitation and Health Section of the Taoyuan Juvenile Reform School of the Agency of Corrections, Ministry of Justice, and Dean Chang I-peng of the Changhua Juvenile Reform School):

In February 2013, Mai died of sepsis caused by suppuration of organs in the chest and abdominal cavities while in reform education. When Mai showed weakening in his vital signs, former Dean Lin Chiu-lan of the Taoyuan Juvenile Reform School and others regarded it as a pretense and seriously delayed seeking medical attention for him. After the incident, they were suspected of concealing evidence and collaborating

evidence, and making false reports. Dean Chang I-peng of the Changhua Juvenile Reform School used handcuffs, ankle cuffs and other restraints on students who violated regulations, mistreating the students for as long as 13 hours. In the name of evaluation, students were confined for up to one year and five months. The excessive discipline constituted legal violation in the execution of duties.

After the impeachment by the Control Yuan on June 2, 2015, the Public Functionary Disciplinary Sanction Commission passed a resolution to demote Lin Chiu-lan and Chang I-peng by one level in their positions with reassignment of salary grades and Chen Li-chung by two levels with reassignment of salary grades, and penalized Hou Hui-mei with two demerits.



Figure 3-54

On June 2, 2015, the Control Yuan approves the case to impeach former Dean Lin Chiu-lan and others from the Taoyuan Juvenile Reform School of the Agency of Corrections, Ministry of Justice. Control Yuan Member Chiang Ming-tsang (center) who is Chair of the fifth-term Control Yuan Examination Committee, and Control Yuan Members Wang Mei-yu (first from right), Lin Ya-feng (second from right), Paelabang Danapan (second from left) and Tsai Pei-chun (first from left) jointly hold a press conference.

G. The sixth-term Control Yuan case to impeach Shih Mu-chin, former Chair of the Public Functionary Disciplinary Sanction Commission for longstanding improper contact with parties involved in litigation and purchasing the companies' stocks for profit:

From July 22, 1997 to 2017, Shih Mu-chin, former Chair of the Public Functionary Disciplinary Sanction Commission had continuously dined and golfed with Wong Maw-jeng, who was in the midst of lawsuits. He also failed to voluntarily recuse and expressed legal opinions in the presence

of the attorneys at law and counsels in five of the lawsuits. In particular, when Wong's case involved the Supreme Court or an appeal to the Supreme Court from a lower court, Shih Mu-chin, as a Supreme Court Judge had improper contact with Wong and did not recuse from cases involving Wong. In addition, during civil and criminal trials involving Wong, Shih was not above suspicion. To profit, he improperly bought company stocks from RF-Link Systems Inc. and LandMark Optoelectronics Corporation, both controlled by Wong, under the name of his wife and children. His actions undermined the judicial image of independence, impartiality, neutrality, integrity and honesty, and clearly evidenced the severity of his violations and dereliction of duty.

Since the impeachment by the Control Yuan case on August 14, 2020, the Disciplinary Court has yet to reach a resolution as of March 2021.

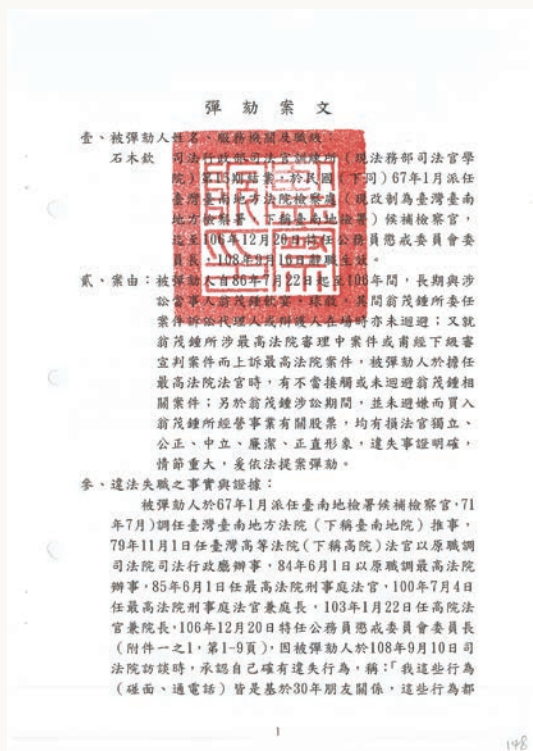


Figure 3-55

On August 14, 2020, the Control Yuan approved the case to impeach Shih Mu-chin.



Section 5 Censure

In accordance with the Constitution and the Control Act, when the Control Yuan members find a civil servant violating the law or derelict in his or her duties that warrants suspension or expedited sanction, they may file a written censure. Upon receiving the written censure, if the officer in charge of the censured person or his superior fails to punish the censured person in accordance with regulations or decides that the censured person should not be punished, and the censured person is impeached and punished, his or her officer or superior is liable for dereliction of duty. The power to censure is another important constitutional power of the Control Yuan. Control Yuan members can exercise this power to urge officers or superiors to promptly punish their subordinate civil servants who violate the law or are derelict in duty in order to achieve immediate and tangible effects to remove culprits and admonish government officials.

I. The evolution of the power to censure

In response to the many cases of violation of the law and dereliction of duty among civil

servants during the Second Sino-Japanese War and the vast territory of the Mainland, the censure system was established to gain time in cracking down violations to make up for gaps in impeachment. In December 1937, the Nationalist Government promulgated the Interim Measures for the Exercise of Supervisory Power during the Extraordinary Period to stipulate the conditions and content of exercising the power to censure. If the Control Yuan members believed that civil servants had violated the law or were derelict in their duties and should be quickly dismissed or promptly disciplined, they could file a written of censure for review and approval by the president of the Control Yuan, and subsequently propose the censure to the respective officer in charge or superior of the censured civil servant. If the illegal conduct involved criminal or military law, the written censure was submitted to the competent judicial authority for trial. The procedures for censure cases were simple and quick to cope with the extraordinary wartime situation. After the Constitution was enacted, the power to censure was formally included into the Constitution Act as one of

the supervisory powers of the Control Yuan. In accordance with the provisions of Article 19 to Article 22 of the Control Act, if Control Yuan members believe that civil servants have violated the law or are derelict in their duties and should be quickly dismissed or promptly disciplined, they may file a written censure for examination review and approval by more than three other Control Yuan members. Upon approval, the Control Yuan then propose the letter of censure to the respective officer in charge or superior. If the illegal conduct involves criminal or military law, the written censure is submitted to the competent judicial authority or military law organs for trial. If the censure case is not established, and the members filing the case object, the censure case is submitted to three or more other Control Yuan members for examination and final resolution. Except for cases involving criminal or military laws, which are separately handled in accordance with the laws of the relevant competent authorities, the chief officer in charge or the superior of the censured person must handle the case in accordance with the provisions of the Civil Service Discipline Act within one month after receiving the written of censure, and may implement suspension or other expedited disciplinary action. If the officer in charge or his superior believes that the censured person should not be punished, he or she should immediately report the reasons to the Control Yuan. If the officer in charge

or superior fails to handle the censure case in accordance with regulations, or if two or more Control Yuan members believe that the case had been improperly handled and the censured person is subsequently impeached and punished, his or her officer in charge or superior is liable for dereliction of duty.

II. Exercising the power of censure

The purpose of the censure system is to quickly and effectively deal with violation of the law and dereliction of duties by civil servants. Therefore, between 1938 during the Second Sino-Japanese War and the demobilization period after the Victory over Japan Day in 1947, more than 1,100 censure cases were filed by the Control Yuan. During the 10-year period from 1948 to 1957, more than 400 censure cases were filed. However, in recent years, with various systems and measures in place and the convenience of transportation and communications, the number of censure cases filed by the Control Yuan has decreased over the years. During the fifth-term Control Yuan, only one censure case filed in accordance with the law was established.

From the Control Yuan's first to sixth terms, a total of 600 censure cases were examined and established in accordance with the law. All of the cases were subsequently referred to the office in charge or superior of the censured person for handling in accordance with the law.

Table 3-10 Number of censure cases

Unit: Cases

Control Yuan Terms of Office	First term June 1948- January 1993	Second term February 1993- January 1999	Third term February 1999 - January 2005	Fourth term August 2008 - July 2014	Fifth term August 2014 - July 2020	Sixth term August 2020 - August 2021
Total	579	3	11	8	2	1
Established	579	3	10	6	1	1
Not Established	-	-	1	2	1	-

The following are summaries of five major cases handled by the Control Yuan:

- A. The first-term Control Yuan case to censure the Minister of Transportation and Communications Tuan-mu Chieh for: 1. Inadequate supervision of state-owned civil aviation industry, resulting in revolt and unemployment among civil aviation employees; 2. Dereliction of duties resulting in the disastrous loss of national property.

Minister of Transportation and Communications Tuan-mu Chieh took office when the Executive Yuan was reorganized in March 1949, and resigned in March 1950 when the Executive Yuan was partially reorganized. During his time in office when there was rampant lawlessness and the war had moved to Taiwan, he should have been loyal and helped the country in its time of hardship. However, since taking office, he was: 1. Inadequate in his supervision of the state-owned civil aviation industry, and derelict in preventive measures, resulting

in revolt by civil aviation personnel, which undermined the public's sense of security and morale, and impeded the affairs of the State. 2. Irrational in his handling of affairs, which resulted in incidents such as two airline companies (Air China and Central Air) revolting and turning to the China Merchants Steam Navigation Company investing vessels with the communist; Hong Kong and Kowloon becoming material rivals; and the foreign exchange funds allocated by its subordinate agencies for material purchase from various countries becoming frozen. His negligence in taking advance precaution and thoughtless in remedying the situations resulted in heavy losses to national property, thereby constituting dereliction of duty.

After the Control Yuan filed for censure in 1949 and 1950, it received a response from the Executive Yuan respectively on February 1, 1950 to report the resolution to relieve Tuan-mu Chieh of his duties and a response on April 14, 1951 to suspend Tuan-mu Chieh from his position.

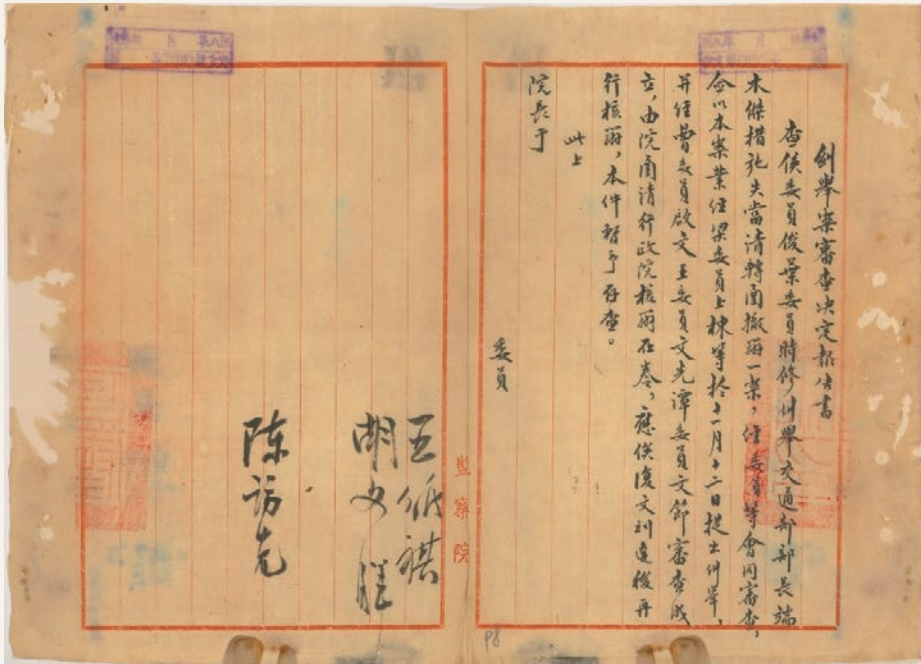


Figure 3-56

On November 12, 1949, the Control Yuan passed the case to censure Minister of Transportation and Communications Tuan-mu Chieh.

B. The second-term Control Yuan case to censure seven members of the Water and Soil Conservation Section of the Agriculture Department, Taipei County Government, including the Section Chief Chen Chun-lung for violations and dereliction in the review of miscellaneous license renewal for the Lincoln Mansions Development Site (the persons censured were: Section Chief Chen Chun-lung of the Water and Soil Conservation

Section, the Agriculture Department, Taipei County Government; Technical Specialists Lin Ying-chuan and Lian Jui-lin of the same Section; Senior Secretary Chiang Kun-yuan of the Taipei County Government; Section Chief Liu Hung-tien and Technical Specialists Lin Chen-liu and Hsu Hsin-hsing of the Buildings Management Section of the Public Works Bureau of the Taipei County Government).

On August 18, 1997, the impact of Typhoon Winnie caused the retaining walls and houses in the Lincoln Mansions Development Site in Xizhi Township, Taipei County to collapse, tragically killing 28 people. Section Chief Chen Chun-lung of the Water and Soil Conservation Section of the Agriculture Department, Taipei County Government and others were found in violation and dereliction in the review and management of renewal of miscellaneous land licenses, miscellaneous usage licenses, construction licenses and user licenses for the plot of land on the No.100XX 1 stretch of Beigang Section in Xizhi Township in 1991, 1993 and 1995. Their review and management were in obvious violation of the stipulations of Article 1, Article 5 and Article 7 of the Civil Servant Work Act. The persons responsible for undertaking the case and exercising decision over the case were based on the authority level list of the Taipei County Government. The abovementioned persons were found in serious violation and dereliction. Given that the abovementioned persons also had the responsibility to inspect hillside soil and water conservation and buildings, it became urgent to quickly implement advance disciplinary action. Therefore, the Control Yuan members filed a censure case and submitted the censure to

the Taiwan Shilin District Prosecutors Office for criminal investigation.

On October 6, 1997, the Control Yuan proposed the censure to the Taipei County Government for handling. In addition to job transfer and suspension, the Taipei County Government also referred disciplinary actions to the Public Functionary Disciplinary Sanction Commission which passed the resolution to dismiss Lian Jui-lin, Lin Chen-liu and Hsu Hsin-hsing from their posts and suspend them from appointment for one year; and suspend Chen Chun-lung, Lin Ying-chuan, Chiang Kun-yuan and Liu Hung-tien from their posts for three years.

C. The third-term Control Yuan case to censure Director Hsieh Yung-feng from Changhua Hospital of the Executive Yuan's Department of Health, for using his authority to collude with pharmacists in National Health Insurance contracted pharmacies for fraudulent and illegal gains.

As the head of Changhua Hospital of the Executive Yuan's Department of Health, Director Hsieh Yung-feng failed to exemplify honesty and self-restrain in his leadership. He used the government to promote policies on the "separation of medical care and pharmaceutical industries" to encourage

hospitals to release prescriptions. On the pretext of improving business performance, he colluded with pharmacists in National Health Insurance contracted pharmacies to forge false diagnosis records and prescriptions for fraudulent and illegal gains. The prosecutor of the Taiwan Changhua District Prosecutors Office filed a public prosecution and specifically sought a sentence of ten years in prison. Given the severity of the violation and dereliction and the magnitude of damage to the reputation of the hospital and the image of a clean government, Hsieh Yung-feng was judged unfit to continue his post as Director.

In response to the censure filed by the Control Yuan, the Department of Health of the Executive Yuan replied in a letter on July 11, 2000 that Hsieh Yung-feng had been transferred to the Hualien Hospital of the Ministry of Health and Welfare as a physician.

D. The fourth-term Control Yuan case to censure Principal Lin Shu-e of a certain national agricultural and industrial vocational senior high school for numerous cases of administrative negligence and failure to fulfill the responsibility of supervision and management during her administration

of school affairs, thus warranting a case of serious dereliction.

During her term as the principal of a certain national agricultural and industrial vocational senior high school, Lin Shu-e had teacher advisors erase the absenteeism records of students, and the access control to offices and doors were in effect useless. Regulations on campus sexual assault or sexual harassment prevention were not promoted to faculty, staff and students, resulting in dishonorable teachers sexually assaulting female students in their advisor office and driving female students out of campus during class hours to sexually assault them. Not only were campus sexual assaults not prevented in the first place, but victimized students were unaware of complaint channels for campus sexual assault. It was a major administrative negligence. The investigation by the Ministry of Education and the Control Yuan also found incidents of illegal orders. Hence, Lin Shu-e failed to fulfill her supervision and management responsibilities, was seriously derelict in her duties, and was obviously not fit for her current position.

The Control Yuan proposed the censure to the Ministry of Education for handling on July 14, 2011. Lin Shu-e retired from

her post as principal on August 1, 2011. In addition, she was penalized with one demerit as disciplinary action, and the results of her performance evaluation in the 2009 academic year was downgraded to Level B.

E. The fifth-term Control Yuan case to censure Division Chief Wu Tsai-wei of the Logistics & Resource Division of the Agency of Corrections, Ministry of Justice for using his authority when he was the warden of the Yilan Prison to gain unlawful benefits, thus warranting a case of serious misconduct.

In his previous position as the warden of Yilan Prison, Division Chief Wu Tsai-wei of the Logistics & Resource Division of the Agency of Corrections, Ministry of Justice was responsible for the overall management of inmates' reform education and safety. He also had the authority to approve or refuse request to visit the inmates.

Using his power to approve or refuse visitation requests, he accepted favors from visitation applicants such as banquet invitations, mahjong games in hotels, accommodation vouchers for hot spring

hotels and other unlawful benefits. He was licentious in conduct and failed to observe the duty and standards of a civil servant. Investigation of his conduct found him in violation of Article 1 and other provisions of the Civil Servant Work Act. Since the misconduct of the censured person was also suspected to involve corruption, the case was also investigated by the prosecutor of the Taiwan Taipei District Prosecutors Office and a public prosecution was filed accordingly. As a civil servant whose financial integrity was questioned, Wu Tsai-wei was judged extremely unfit for the post of Division Chief of the Logistics & Resource Division of the Agency of Corrections, Ministry of Justice.

The Control Yuan proposed the censure to the Minister of Justice for handling in accordance with the law. The Agency of Corrections of the Ministry of Justice approved a disciplinary action of two demerits and adjusted the duties of Wu Tsai-wei.

On June 18, 2015, the Control Yuan filed an impeachment against him. As of March 2021, the Disciplinary Court has not yet reached a judgment.

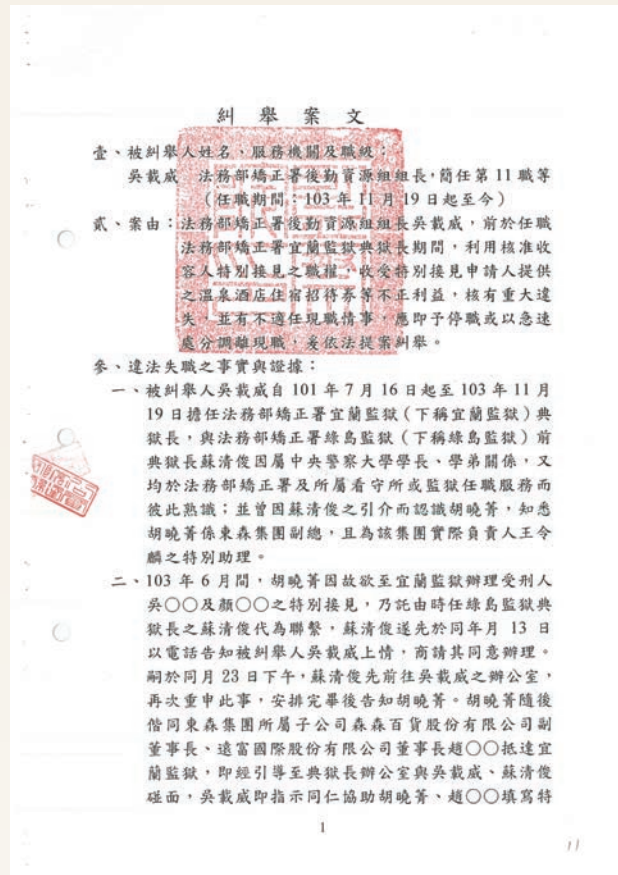


Figure 3-57

On April 29, 2015, the Control Yuan passed the case to censure Division Chief Wu Tsai-wei of the Logistics & Resource Division of the Agency of Corrections, Ministry of Justice.

Section 6 Circuit Supervision

In accordance with the provisions of Article 3 of the Control Act, Control Yuan members may conduct circuit supervision in different districts. The circuit supervision is an important part in the exercise of supervisory power. The circuit supervision is divided into two parts: central government agencies and local government agencies. Circuit supervision of central government agencies by Control Yuan members shall be handled by the Committees, and the targets of circuit supervision are the central government agencies relevant to their operations. During on-site supervisions, Control Yuan members focus the enquiries on the improvements and various issues in the investigated and censured cases of the agencies under supervision and urge agencies to improve. The agencies under supervision must provide explanations or propose improvement measures.

For local government agencies, the circuit supervision shall be conducted by teams according to administrative areas delimited by municipality or county (city) administrative divisions. The circuit supervisions are handled in teams to gain in-depth understanding of the administrative situation of local governments, including administrative violations and major failures in the utilization, operation and management of measures or public projects. Accordingly, cases are filed for investigation, corrective measures, improvements, and investigation of administrative responsibilities for violations. During the circuit supervision, the Control Yuan members also accept people's written complaints in accordance with the law. The Control Yuan includes every written complaint from the people into its supervision and urges local governments and relevant agencies to properly handle the complaints to alleviate public grievances and ensure human rights protection.



Figure 3-58

In 1971, first-term Control Yuan Member Tsao Cheng-te (holding pen) conducts a circuit supervision of the Taiwan Provincial Chiayi Junior Teachers College (Source: National Chiayi University).

I. Circuit Supervision of Central Government Agencies

A. The evolution of the power for circuit supervision of central government agencies

In accordance with the provisions of Article 3 of the Control Act promulgated on July 17, 1948, "Members of the Control Yuan may conduct circuit supervision in different areas, and the Control Yuan shall prescribe procedures in this respect." On July 21, 1948, the 23rd Meeting of the Control Yuan approved the procedure regulating the circuit supervision of the Control Yuan members in different areas. The regulations stipulated that the Control Yuan members of each administrative office must conduct circuit supervision each year. When necessary, the Control Yuan could also appoint members or organize circuit supervision teams to conduct circuit supervision in designated areas. Thereafter in September 1948, the Control Yuan formed the Taiwan Circuit Supervision Team, and each Committee appointed one member as a team member. In October of the same year, the Capital Circuit Supervision Team was established. It was divided into ten circuit supervision teams according to the

Committees, and each Circuit supervision team formed several small teams as needed. Members of each Circuit Supervision Team were selected by the respective Committees, and each member of the Committees could participate in two Circuit Supervision Teams. Each Circuit Supervision Team had a maximum of nine members. In addition, each Committee elected one person from the members of the Capital Circuit Supervision Team, and one person was elected from among all the members of the Team to together form the eleven standing committee members of the Capital Circuit Supervision Team for handling circuit supervisions.

At its 68th Meeting on April 7, 1950, the Control Yuan passed a resolution that the Committees form circuit supervision teams and divide the supervision of their designated business targets into schedules and areas. Hence, each Committee began to form small teams to supervise state-run businesses and educational, transportation, and judicial agencies. After the Control Yuan regulation for circuit supervision in different areas was abolished in 1953, the Committees respectively approved the 1954 Regulations Governing Circuit Supervision of Central

Agencies by the Control Yuan during the 356th Control Yuan Meeting on January 12, 1955, and approved the 1955 Regulations Governing Circuit Supervision of Central

Agencies by the Control Yuan during the 409th Control Yuan Meeting on February 7, 1956 for the handling of relevant inspection business.



Figure 3-59

The Education Committee of the Control Yuan on a circuit supervision of the teaching situation at Tainan School for the Hearing Impaired on September 26, 1995.



Figure 3-60

The Control Yuan Committee on Foreign and National Defense Affairs performs a circuit supervision and inspection of Ministry of Defense on November 26, 2021.



Figure 3-61

The Control Yuan Committee on Foreign and Overseas Chinese Affairs on a circuit supervision of the Taipei Economic and Cultural Representative Office in Japan on November 22, 2010.



Figure 3-62

The Control Yuan Committee on Domestic and Ethnic Affairs on a field visit to understand the progress in native indigenous language and experimental education promotion, at Alishan Township's Shanmei Elementary School and Alishan Junior High School on March 12, 2020.



Figure 3-63

The Control Yuan Committee on Domestic and Ethnic Affairs performs a circuit supervision and inspection of Beipu Township; March 30, 2022



Figure 3-64

The Control Yuan Committee on Domestic and Ethnic Affairs performs a circuit supervision and inspection of Mainland Affairs Council on April 23, 2021.

To distinguish the circuit supervision of central and local government agencies, the Interim Regulations Governing Circuit Supervision by the Control Yuan was formulated and promulgated on August 14, 1956. The Measures stipulated that circuit supervision should be conducted once a year and the targets of circuit supervision were the Executive Yuan, the Judicial Yuan, the Examination Yuan and their subordinate agencies. The circuit supervision team was divided into ten teams for conducting supervision, namely the Domestic Affairs Team, Foreign Affairs Team, National Defense Team, Financial Administration Team, Economic Affairs Team, Education

Affairs Team, Transportation Affairs Team, Judicial Affairs Team, Border Administration Team, and Overseas Chinese Affairs Team. Two members from each Committee were elected to form the respective team. When supervising the Executive Yuan, all the above mentioned ten teams participated, and the members of Domestic Affairs Team served as conveners.

In response to the organizational reform of administrative organs and to ensure that the circuit supervision of the central organs could be promptly handled by the Committees at any time according to their duties and needs, and that the circuit supervision of the Executive Yuan could

be jointly carried out by the conveners of the various Committees, the Control Yuan amended the Interim Regulations Governing Circuit Supervision by the Control Yuan on March 24, 1998. The amended regulations clearly stipulated that Control Yuan Committees may nominate and appoint members for circuit supervision of central government agencies relevant to their operations without limit to the number of members. In addition, the supervision of the Executive Yuan would be jointly conducted by the Committees in December each year, and the supervision would be organized by the Committee on Domestic and Minorities Affairs.

The 8th Meeting of the third-term Control Yuan on September 14, 1999 amended the title of the Regulations, renaming it the Regulations Governing Circuit Supervision by the Control Yuan. To align with amendments to the Organic Act of the Control Yuan Committees on January 8, 2020, the Committee on Domestic and Minorities Affairs originally established by the Control Yuan was restructured to form the Committee on Domestic and Ethnic Affairs. On July 28, 2020, the Regulations Governing Circuit Supervision by the Control Yuan was amended. Circuit Supervision of the Executive Yuan continued to be jointly conducted by the Committees in December each year but organized by the Committee on Domestic and Ethnic Affairs.



Figure 3-65

The Control Yuan Committee on Domestic and Ethnic Affairs performs a circuit supervision and inspection of Mainland Affairs Council on April 23, 2021.



Figure 3-66

The Control Yuan Committee on Social Welfare and Environment Hygiene Affairs performs a circuit supervision and inspection of Institute of Labor, Occupational Safety and Health; April 22, 2022



Figure 3-67

The Control Yuan Committee on Educational and Cultural Affairs performs a circuit supervision and inspection of National Sports Training Center; February 24, 2022



Figure 3-68

The Control Yuan Committee on Foreign and National Defense Affairs performs a circuit supervision and inspection of National Security Bureau Telecom Technology Center; April 25, 2022



Figure 3-69

The Control Yuan Committee on Social Welfare and Environment Hygiene Affairs performs a circuit supervision and inspection of National Research Institute of Chinese Medicine; November 5, 2021



Figure 3-70

The first-term Control Yuan Committee on Domestic Affairs on a circuit supervision of the Executive Yuan on November 27, 1971 (Source: Academia Historica).



Figure 3-71

Convener Chen Chien-ming (standing) from the fourth-term Control Yuan Committee on Domestic and Minorities Affairs leads a delegation of seven standing committee members on a circuit supervision of the Executive Yuan on December 23, 2009.



Figure 3-72

Convener Wang Mei-yu (rear, second from left) from the sixth-term Control Yuan Committee on Domestic and Ethnic Affairs together with Control Yuan President Chen Chu, lead a delegation of seven standing committee members on a circuit supervision of the Executive Yuan on December 28, 2020.

B. Units responsible for circuit supervision of central government agencies

Central government agencies targeted for circuit supervision are the Executive Yuan, the Judicial Yuan, the Examination Yuan and their subordinate agencies. The circuit supervisions are handled by Control Yuan Committees. Each Committee may nominate and appoint members for circuit supervision of central government agencies relevant to their operations as needed. The phrase "central government agencies relevant to their operations" refers to the central competent authorities and their subordinate agencies under the business

authority of each Committee. The agency to be supervised, the number of Committee members conducting the circuit supervision, and the date, time and items of the circuit supervision are determined by the respective Committee.

Circuit supervision of the Executive Yuan is jointly conducted by the Committees in December of each year and organized by the Committee on Domestic and Ethnic Affairs. The "Special Investigation of Major Violation in Government Work and Facilities" and the "Annual Circuit Supervision of the Executive Yuan" are combined and conducted together, and the Executive Yuan reports back on

the handling of situations in March of the following year. The circuit supervision of agencies stationed abroad are incorporated into the Committee's overseas inspection plan. Before the end of each year, all the Committees must submit a work report of their annual circuit supervisions. The reports are compiled by the organizer and submitted for review at the Annual Review Meeting of the Control Yuan.

II. Circuit Supervision of Local Government Agencies

A. The evolution of the power for circuit supervision of local government agencies

Before the Constitution was enacted, the Control Yuan regarded internal and external supervision power as equally important. In addition, to ensure that supervision was prevalent across the vast territory of the nation and avoid irregularities and inconsistencies, the division and diversion system used by the Ming and Qing dynasties were adopted and adapted to the situations in various parts of the country. When the Control Yuan was formally established in 1931, it divided the country into 14 supervisory areas and formulated the Organic Law of the Ombudsman. In 1934, the country was divided into 16 supervisory areas; and in 1946, it was divided into 19 supervisory areas.

After the Constitution was enacted, the Ombudsman Bureau system was changed to the member system, and on July 28, 1948, the Organic Law of the Ombudsman was promulgated. In April 1949, when the Communist Party crossed the Yangtze River and captured Nanjing, areas in the Mainland began to fall one after another.

The administrative bureaus in various districts were terminated or recalled by the resolutions of the Control Yuan Meeting, and only the Control Yuan Ombudsman Bureau in Fujian and Taiwan continued to function. In May 1951, the Control Yuan Meeting passed a resolution to dissolve the bureau, ending it on June 30 of the same year. As of then, all Control Yuan Ombudsman Bureaus across the country had ceased work.

After retreating to Taiwan, the Control Yuan passed resolutions each year on the Measures Governing Circuit Supervision by the Control Yuan for the current year in accordance with actual needs. The supervision areas included all parts of Taiwan Province, Kinmen and Matsu. In 1956, the Control Yuan formulated the Interim Regulations Governing Circuit Supervision by the Control Yuan to temporarily divide circuit supervisions into central supervisions and local supervisions. The Control Yuan members were also specifically assigned to supervision teams according to the counties (cities) that they were supervising.

In 1999, the abovementioned Interim Regulations was renamed the Regulations Governing Circuit Supervision by the Control Yuan. It additionally stipulated the division of responsibility areas and the grouping of assignments, which were generally based on the number of members and the business needs of each term, and decided by the Control Yuan Meeting.

B. Implementing circuit supervision of local government agencies

Existing laws and regulations did not specify the unit in charge of local inspections, which in practice were undertaken by the Department of Supervisory Operation. The

implementation and the key items of the circuit supervisions were determined by the members themselves. The frequency of inspection per year were set as follows: from August 1956 to November 1993, one regular inspection; from December 1993 to January 1995, at least once every three months with province (city) and county (city) as a unit; from January 1996 to May 2019, at least once every four months; and from June 2019 to the present, twice. However, in the event of a major natural disaster or accident, or when determined as necessary by the members of each team, circuit supervision is not limited to twice a year.

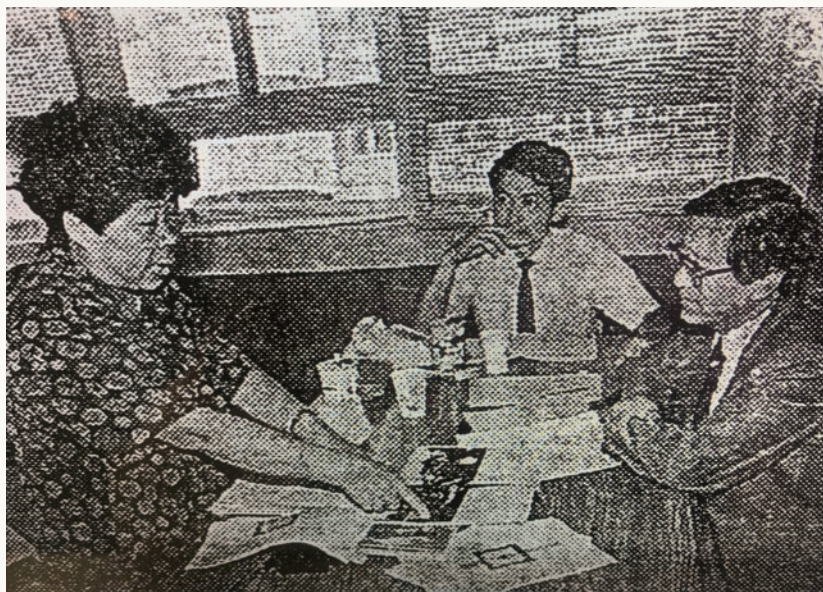


Figure 3-73

Second-term Control Yuan Member Chai Tsung-chuan (first from right) receives complaints from the people in the former Tainan County Government building on September 24, 1993.



Figure 3-74

Fourth-term Control Yuan Member Huang Wu-tzu (center) receives complaints from the people at Dongyin Township Administration in Matsu on June 5, 2014.



Figure 3-75

Fifth-term Control Yuan Member Tsai Chung-i (second from right) receives complaints from the people at Kinmen County Government on May 29, 2018.



Section 7 Invigilation

Invigilation originated from the ancient imperial censor system or the official position of supervising the imperial examination system for talent selection. At the beginning of the establishment of the nation's current examination system, certain traditions inherited from the systems of previous dynasties were retained, including the invigilation system. After the establishment of the Republic of China, the Examination Yuan actively planned to construct an examination system to establish the prestige of national examinations. With respect to the supervisory power of the Control Yuan, all examination procedures were designed under the supervision of the Control Yuan members. On November 25, 1930, the Examination Invigilation Act was promulgated and formed the basis for the invigilation.

After the Constitution was enacted, the Examination Invigilation Act was amended and promulgated on October 26, 1950, and the invigilation system was retained. On January 31, 2005, when the term for the third-term Control Yuan members expired, the Legislative Yuan did not approve Presidential nomination of Control Yuan members, and

the fourth-term Control Yuan members had yet to be appointed. As a result, from February 1, 2005 to July 31, 2008, the power of invigilation hadn't been exercised for 3 years.

Although the existence of the invigilation system is based on the abovementioned historical, its nature as a preemptive act of supervision was inconsistent with the nature of the supervisory powers of the Control Yuan. Hence, legislators repeatedly proposed abolishing the invigilation system and the Examination Invigilation Act. Given that national examinations were based on the Examination Affairs Act, the Civil Service Examinations Act, the Professionals and Technologists Examinations Act and other relevant laws, and the legal system was already sound by then, the relevant examination procedures were rigorous and meticulous. Examination affairs had also become information-based, so the Examination Yuan believed that by making good use of the information technology, the security management mechanisms in information technology can be used to replace human supervision in examinations to ensure fairness and impartiality in

examinations. Hence, on January 28, 2021, the Examination Yuan passed a resolution to abolish the Examination Invigilation Act and submitted the resolution to the Legislative Yuan. On April 13, 2021, the Legislative Yuan approved to abolish the Examination

Invigilation Act on the third reading. On April 28, 2021, the abolishment was promulgated by the President, and the Control Yuan members no longer assume the duty of invigilation.

Table 3-11 Number of invigilation cases

Control Yuan Member Terms of Office	Examination Categories of Invigilation					
	Total	Senior Examination	Junior Examination	Special Examination	Elementary Examination	Other
Third term June 1948– January 1993	900	78	82	625	-	115
Second term February 1993– January 1999	153	12	12	97	-	32
Third term February 1999– January 2005	202	29	21	120	6	26
Fourth term August 2008– July 2014	258	64	48	128	7	11
Fifth term August 2014– July 2020	221	66	29	114	6	6
Sixth term August 2020– March 2021	27	7	3	15	1	1

Section 8 Integrity and Anti-Corruption

The Control Yuan is the enforcement and disciplinary action organ of the Act on Property-Declaration by Public Servants, the Act on Recusal of Public Servants Due to Conflict of Interest, the Political Donations Act, and the Lobbying Act. The evolution of the various legal powers is as follows:

I. Act on Property-Declaration by Public Servants

To rectify government ethics, and ensure integrity in public servants' conduct, the Act on Property-Declaration by Public Servants (below, the "APDPS") was promulgated on July 2, 1993, and amended six times. Assuming the authority of an enforcement organ, the Control Yuan was responsible for handling the acceptance, formality review, substantive review, arbitration, announcement and inspection of property declarations for the President, the Vice President, the Premier or Presidents of the five Yuans, the Vice Presidents of the five Yuans, politically assigned officers, Legislators/councilors in the Legislative Yuan/councils at all levels and Judges and Prosecutors with the basic salary at 6th level and above. The evolution of the businesses is as follows:

A. Types and methods of property declarations

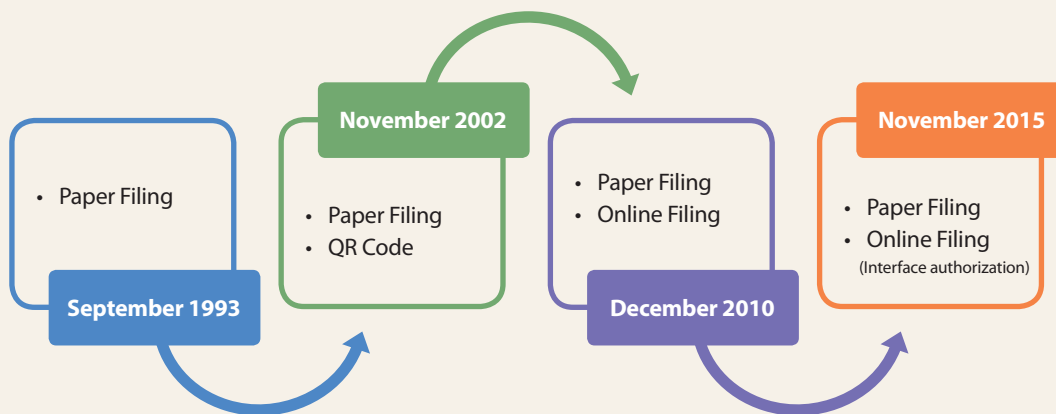
As of October 2008, after the Act was amended in 2007, the number of people required to submit property declaration to the Control Yuan increased from more than 2,000 to more than 8,000, and the types of declarations increased from five categories to 14 categories. Prior to the amendment, the original provisions stipulated that real estate and listed (counter) stocks owned under the name of a specific person could be handled by either a dynamic declaration or a trust declaration. After the amendment, both trust and dynamic declarations for properties are required.



Figure 3-76

The Control Yuan accepts property declarations from Control Yuan President Chen Lu-an on September 1, 1993, the day the APDPS was enacted.

Evolution of Property Declaration



From the handwritten paper declaration forms which were submit via postal mail to the online declaration today, the automatic prompting and checking mechanism of the information system have helped reduce errors and omissions in declarations and enabled the methods of property declaration to become standardized. At the same time, it reduces manpower and financial burden of inputting property information, reviewing paper copies and proofreading. In line with the government's policy to digitalize, "physical routes are replaced with Internet routes." In addition, property declaration information from the previous year (filing) are made available for declarants to download to assist with the declaration. Since 2015, the Control Yuan E-declaration System has been using interface data through the Internet to comprehensively implement

authorized interface services for regular property declarations. The platform allows declarants to declare property online, and creates a triple win situation for declarants, filing agencies and enquired agencies (organizations).



Figure 3-77

The Control Yuan provides an internet data interface service at the Nantou County Council on August 8, 2020.

B. Formality review of property declaration materials

After receiving the property declaration materials, a formality review is conducted. Since the implementation of the online declaration, the system's automatic prompting and verification functions have eliminated the need for manual formality review and greatly simplified administrative procedures and the cost of paper copy reviews.

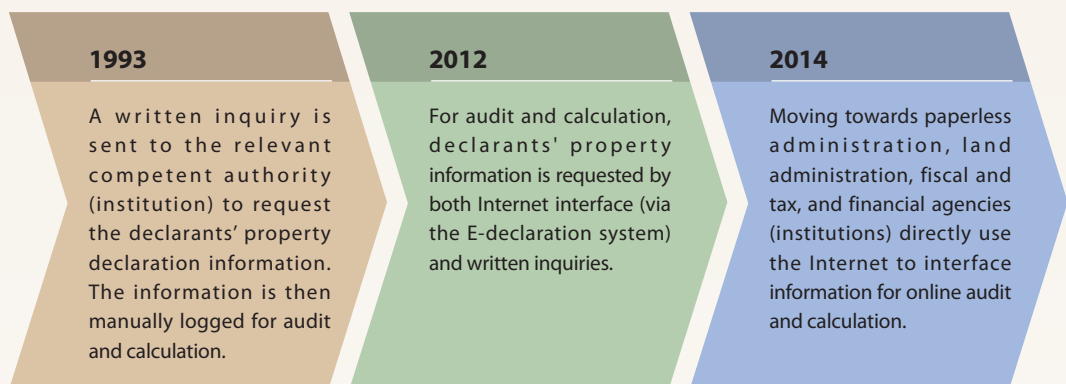
C. Method for reporting change in declarants' job positions

The agent (institution) or designated agent (institution) which represents the government or government's shareholdings

as director or supervisor in private juristic person with which a public servant serves must immediately notify the competent property declaration agency (institution) with the reason and time of position change in their personnel. In the beginning, a paper-based register was used in the notification, and records were created and managed. In 2010, the Declarant's Job Position Change Notification Platform was established to allow various agencies (institutions) to submit notification via this platform instead of the back-and-forth paperwork, thus saving time and paper.

D. Property declaration document audit

1. Audit method



2. Types of audit

In the initial stage when the APDPS was enacted, there were two types of audit: declaration determining overdue and false declarations. Although abnormal increase and decrease in properties over consecutive years were compared, there was no regulation on penalties. Therefore, abnormalities were only noted for special attention in annual property declarations. In terms of auditing for false declarations, a case sampling method was adopted.

After the APDPS was amended in 2007, the trust declaration audit and property comparison audit for consecutive years were added. To audit for false declarations, a proportional (above 5%) regulation called the Proportional Audit was added, and

audit was conducted through a random public selection system. This approach differed from the Case Audit which requires statutory circumstances to conduct an audit. To strengthen the means of audit, a parallel method of auditing for false declarations and a comparative audit of properties over consecutive years was adopted. Through this method, after the declarant has explained any discrepancies in the comparison, other undeclared and not easily discovered business investment, private creditor's rights, debts, or other administrative violations and misconduct can be uncovered, thus improving the effectiveness of the audit.

3. Property comparison audit for consecutive years

1997

Strengthen audit follow-up

Based on the additional data from annual property declarations in the previous and following years and income tax information, if audit results show an abnormal increase, the declaration and the original declaration will be listed for follow-up investigation on a case-by-case basis, depending on the case's abnormality. Control Yuan members are assigned or assigned in rotation to conduct the investigation.

1998

Formality Comparison

The information independently submitted by the declarant in the previous and following years is formally compared.

2013

Comprehensive Substantive Audit

The declarant's actual property information from the previous and following years is obtained from the respective agencies (institutions) for comparison.

4. Mutual assistance and cooperation with other agencies to enhance the effectiveness of the auditing business
 - a. When other administrative violations are found during audits, they are referred to the Department of Supervisory Operation of the Control Yuan for handling. Other violations that are not under the jurisdiction of the Control Yuan are referred to judiciary investigation, civil service ethics, audit, taxation or other competent administrative authorities for investigation and handling.
 - b. Since 2013, the Ministry of Justice has been requested to regularly submit a list of corruption prosecution cases and a property declaration list to the Control Yuan for audits so as to uncover hidden and undeclared properties through the abnormal property increases review.
5. Property declaration information published in official gazettes and accessible to inquiry

On October 10, 1993, the "Special Report on Public Servant Property Declaration Information" was issued for the first time. At that time, it was published under Control Yuan Gazette. Later, to highlight the uniqueness of the disclosure of the declared information and differentiate it from regularly published gazettes, it was independently

issued in 2010 and renamed Control Yuan Gazette — Publication of Property Declaration.

To date, the Control Yuan has received nearly 7,000 applications for declaration inquiry. In the earlier days, to avoid the leakage of personal information, relevant fields on the declaration forms were manually masked before being photocopied for on-site inquiry. However, after online declaration was implemented, the online declaration system is used in conjunction with the paper-based declaration document input system as of April 2012, and the program has been designed to automatically mask the relevant personal data. Applicants can view the information on the computer screen in the Control Yuan Reading Room.



Figure 3-78
The Control Yuan Gazette publishes the first issue of "Special Report on Public Servant Property Declaration Information" on October 10, 1993.

II. The Act on Recusal of Public Servants Due to Conflicts of Interest.

To promote uncorrupt and efficient politics and to rectify political ethics by establishing standards to be followed by public servants for recusal due to conflicts of interest, so that corruption and conveyance of unjust interests can be efficiently eliminated," the Act on Recusal of Public Servants Due to Conflicts of Interest (below, the "Conflicts of Interest Act") was promulgated on July 12, 2000. The Control Yuan accepted voluntary letters of recusal from civil servants, compiled annual reports of recusal cases, and handled, investigated, arbitrated and announced violations of the Conflicts of Interest Act. The evolution of its various businesses is as follows:

A. Methods of accepting voluntary recusal cases from civil servants

When the Conflicts of Interest Act was first enacted in 2000, all public servants under the jurisdiction of the Control Yuan were required to voluntarily avoid conflicts of interest when performing their duties. When confronted with conflict of interest, they were required to file a voluntary notice for recusal with the Control Yuan in accordance with the situation of the case.

After the Conflicts of Interest Act was amended and enacted on December 13, 2018, it was no longer necessary to accept voluntary recusal filing from individual civil

servants. Instead, within 30 days after the end of the year, agencies with which he/she serves, superior agencies, agency appointing, selecting or employing must compiled a list of recusal situations in the previous year of their civil servants who are under the jurisdiction of the Control Yuan, and submit the compiled report to the Control Yuan. To improve the administrative efficiency of the report compilation, the Recusal of Public Servants Due to Conflicts of Interest Notification Online System was established in 2019 to provide for online reporting by the agencies.

B. Channels for accepting suspected cases violating the Conflicts of Interest Act

The Control Yuan provides multiple channels for accepting suspected cases that violate the Conflicts of Interest Act. In addition to receiving reports from the public, it also accepts suspected cases of violations from the civil service ethics, audit, and prosecution agencies. It also actively investigates media reports on incidents involving the violation of the Conflicts of Interest Act.

Since 2015, cooperation with the Ministry of Justice has been strengthened. From the list of public servants who have been prosecuted for corruption, cases are reviewed to determine whether they also involve the violation of the Conflicts of Interest Act, and listed for judgment tracking

in accordance with the situation of the cases. Cases involving Article 26 Paragraph 2 of the Administrative Penalty Act are analyzed and investigated accordingly.

C. Target of jurisdiction

The jurisdiction of the Control Yuan was originally limited to public servants. After the Conflicts of Interest Act was amended and enacted in 2018, jurisdiction over stakeholders relevant to civil servants was handed over from the Ministry of Justice to the Control Yuan. Based on a service standpoint, the Identity and Relationship Disclosure System and Inquiry Online System for Subsidy Transactions by Public Servants or Relevant Stakeholders was established. The online system allows for the centralized management of identity and relationship disclosures by government agencies and groups, and enables the public to make online inquiries, thereby fulfilling the mission of openness and transparency of the Sunshine Acts.

D. Investigating violations of the Conflicts of Interest Act

1. In response to the different ranks of civil servants, investigations are divided into the investigation of public servant cases and the cases investigated by members. During the initial investigation, all cases are investigated by designated personnel. Since 2003, suspected



Figure 3-79

Fourth-term Control Yuan Member Yu Teng-fang (center) conducts an on-site inspection in Taoyuan County on July 31, 2013, in an investigation of a Conflicts of Interest Act violation case.

violation of the Conflicts of Interest Act by the President, Vice President, the Premier or President of the Five Yuans, politically assigned officials, legislators and heads of counties and municipal cities are investigated by Control Yuan members according to duty rotation. The members are assisted in their investigation by the staff.

2. Flexible methods of inquiry to give full play to the effectiveness of the investigation: When the Conflicts of Interest Act was first enacted, the person under investigation and relevant witnesses were notified to be present at the Control Yuan for questioning. Since 2009, depending on the needs of the case, interviews are conducted at the county and municipal government, township and city offices, or the audit offices of the National Audit Office where the person under investigation resides.

In this way, investigators can collect evidence immediately, or flexibly adjust the target of the inquiry, thus increasing the number of interviews and the efficiency of evidence investigation.

E. Target and method of legal education

To strengthen education, programs are planned every year to educate various types of civil servants on the Conflicts of Interest Act. Since 2019, in addition to including more categories of civil servants into the education, designated personnel undertaking subsidies and procurements in their agencies and groups were also included in the education in response to the new regulations on

identity and relationship disclosure in subsidy transactions. In cooperation with the COVID-19 pandemic prevention measures in 2020, in addition to conducting education in assembly type settings, staff created e-learning videos on the Conflicts of Interest Act and information on using the online systems. The videos provide public servants, agencies, groups, and the public with a learning channel that is not limited by time or space.

Since 2021, the Control Yuan has been actively digitizing its supervisory services and has organized Interactive Video Promotion for public institutes of higher education and public entities across the country.



Figure 3-80

A promotional event by videoconference on the Act on Recusal of Public Servants due to Conflicts of Interest, held on July 28, 2021.

III. Political Donations Act

To normalize and manage political donations, promote the political participation of the citizens, ensure the fairness and justness of political activities, and strengthen the development of democracy, the Political Donations Act was promulgated on March 31, 2004. To date, the Act has undergone 6 amendments. The Control Yuan is the sole enforcement and disciplinary action agency. It accepts declarations and public accounting reports, and conducts audits and education. The evolution of its businesses is as follows:

A. Method of declaration

In the beginning, declarations were declared on paper. In 2005, a QR code declaration software with itemized receipts and disbursements statement and accounting reports was developed. Later, to allow candidates, political parties and political groups to "receive political donations without worries" and avoid violating the law, the Political Donations Declaration Online System was established in 2010. In addition, individuals from various agencies who are not permitted to donate are compiled into a database. Functions such as application, verification and declaration are available online to simplify administration, provide convenience for the public, and improve

the quality and efficiency of declaration and accounting reports.

B. Public release of accounting reports for political donations

When the Act was first legislated, only income and expenditure balances were made public. When the Act was amended on August 13, 2008, the basis for the power to audit was added. Since February 2009, itemized receipts and disbursements statements of political donations are made available to the public at the Control Yuan. Responding to the June 20, 2018 amendment of the Act for comprehensive public disclosure of accounting reports online, the Political Donations Public Review Online System was established and launched on August 14, 2019. The online system allows the public access to itemized receipts and disbursements statements of political donations.

C. Method of Audit

Beginning in 2005, data were manually checked against the declared information. To enhance the efficiency of audit, the database for individuals who are not permitted to donate was established in 2009, which can interface with other agencies to collect data and make comparative analysis.

D. Method of education and promotion

December 2004	December 2004	2009	2018	March 2021
Paper-based education	On-site education and briefing	Telephone guidance	Digital media education	Video conferencing education
Printed promotional brochures, FAQs, and customized promotional materials	Main method used by the Control Yuan for face-to-face interaction with people throughout the nation	Initiating telephone contact to provide counsel (e.g., to set up special political donation accounts for election candidates)	Designed education QR codes; created educational e-learning videos and uploaded them to YouTube	Sunshine Acts briefings by video conference
		Public-initiated telephone contacts to seek guidance	Government channels and media such as e-bulletin boards, LED displays, and public service channels to assist in education.	



Figure 3-81
Educating the Taichung City Election Commission on the Political Donations Act; June 21, 2018



Figure 3-82
Staff from the Department of Property-Declaration by Public Servants are invited to lecture in a specialized course for accountants from the Certified Public Accountant Associations R.O.C. (Taiwan); December 9, 2020



Figure 3-83

The Control Yuan holds a Sunshine Acts education by video conference; January 21, 2021



Figure 3-84

The first video conferencing education of the Sunshine Acts on March 19, 2021, educates the general public on the topic of "Individual Political Donations."



Figure 3-85

The Sunshine Acts education Alive video conferencing on March 29, 2021 educates the general public and different commercial, industrial and business groups on the topic of "Political Donations by For-profit Enterprises and Private Organizations."

IV. Lobbying Act

To create open and transparent procedures for lobbying; to prevent the continuation of improper benefits; and to assure citizen participation, the Lobbying Act was promulgated on August 8, 2007 by Presidential decree and enacted on August

8, 2008. After the United States, Canada, and Poland, our nation became the fourth country in the world to enact special laws on lobbying.

In accordance with Article 29 of the Lobbying Act, in addition to accepting arbitration cases of Lobbying Act violations

by those serving as the President, Vice President, legislators, or cases referred by the organs of political officials specified in Article 2 Paragraph 1 of the Act Governing the Payment of Compensation to Retired Political Appointees, the Control Yuan may also initiate investigation. Therefore, the Control Yuan serves a very important role in lobbying. However, Article 5 Subparagraph 3 of the Lobbying Act stipulates that the acts of people or organizations who are addressing their opinion via the application, petition, pleading and statement of opinion in accordance with the procedures and means of other acts are not subject to the provisions of the Lobbying Act. Therefore, if the people or organizations express their opinions to the Control Yuan and its members through written complaints in accordance with Article 4 of the Control Act, they are not regarded as engaging in lobbying activities. Hence, to date, the Control Yuan has not received any cases of lobbying registration. The agencies to which various lobbyists belong also has no case stipulated in Article 29 Paragraph 1 of the Lobbying Act to refer to the Control Yuan for the implementation of punishment. Thus, education on the Lobbying Act must continue to encourage compliance.

To carry out registration, changes and termination of lobbying cases, the disclosure of financial receipts and disbursement

statements on telecommunication network and other businesses, the Control Yuan has established a "Lobbying Area" on the Control Yuan website to provide relevant information. In 2008, educational brochures and a compilation of laws and regulations were printed for various agencies and the public across the country to reference. In 2009, the Control Yuan visited the United States to study its legal system for managing and operating lobbying contacts and lobbying activities. The Control Yuan also produced educational videos on lobbying laws and regulations. Streaming software is used to integrate audiovisual and presentation materials to transform them into portable files, which are posted on the Sunshine Acts webpage of the Control Yuan for online browsing or download.

For a more complete implementation of the Lobbying Act, the Control Yuan actively participated in Lobbying Act communications and exchange meetings held by the Ministry of the Interior in 2015, two lobbying advisory committee meetings, seminars on the Lobbying Act in 2020, and convened a March 2021 meeting to draft amendments to portions of the Lobbying Act. By providing timely amendment recommendations, the Control Yuan strengthens its power to exercise the Lobbying Act.

Section 9 Statistical Analysis of Supervisory Practices

In addition to the power to investigate, impeach, censure, correct, and audit granted by the Constitution and the Additional Articles of the Constitution, the Control Yuan also implements anti-corruption businesses in accordance with the law. The Control Yuan's responsibility to accept people's written complaints is an important basis for its exercise of supervisory power. Any corrective measure cases, impeachment cases and censure cases that have been proposed must undergo the process of investigation to verify and collect evidence for the cases to be founded and filed. The Control Yuan members investigate cases and propose investigation reports, which are reviewed by the relevant Committees. The Control Yuan members may also propose corrective measures and propose them to the Executive Yuan and its relevant ministries for improvement. Impeachment cases are submitted for examination, which are conducted by Control Yuan members on a rotating basis. Cases that are established are referred to the Disciplinary Court for trial. In the statistical data analysis of the abovementioned exercise of supervisory

powers, including the nature of people's written complaints and investigation reports, the ranking of the agencies that are corrected, the positions of impeached officials, the ranks of officials who are censured, and the type of corruptions in civil services, the exercise of power by the Control Yuan and the grievances of the people are evident, and are reminders for government agencies to evaluate and improve their performance towards good governance.

I. People's written complaints

From June 1948 to July 2021, the Control Yuan has accepted a total of 672,868 written complaints from the people. Since the Control Yuan's fourth term, the nature of people's written complaints has been systematically summarized to understand the source of people's grievances. From August 2008 to July 2021, 234,425 complaints were received, averaging 18,033 per year. Of these, the top complaint category was in judicial and prison administration affairs, which accounted for 32.4% of the complaints. This was followed by domestic and ethnic affairs, at 29.7%; then financial and economic affairs, which accounted for 17.3% of the complaints.

To further analyze changes in the complaints received from the people in different Control Yuan terms the complaints were sorted according to the number of complaints

received in each category. The top three categories were charted, as shown in Table 3-12, to show changes over time.

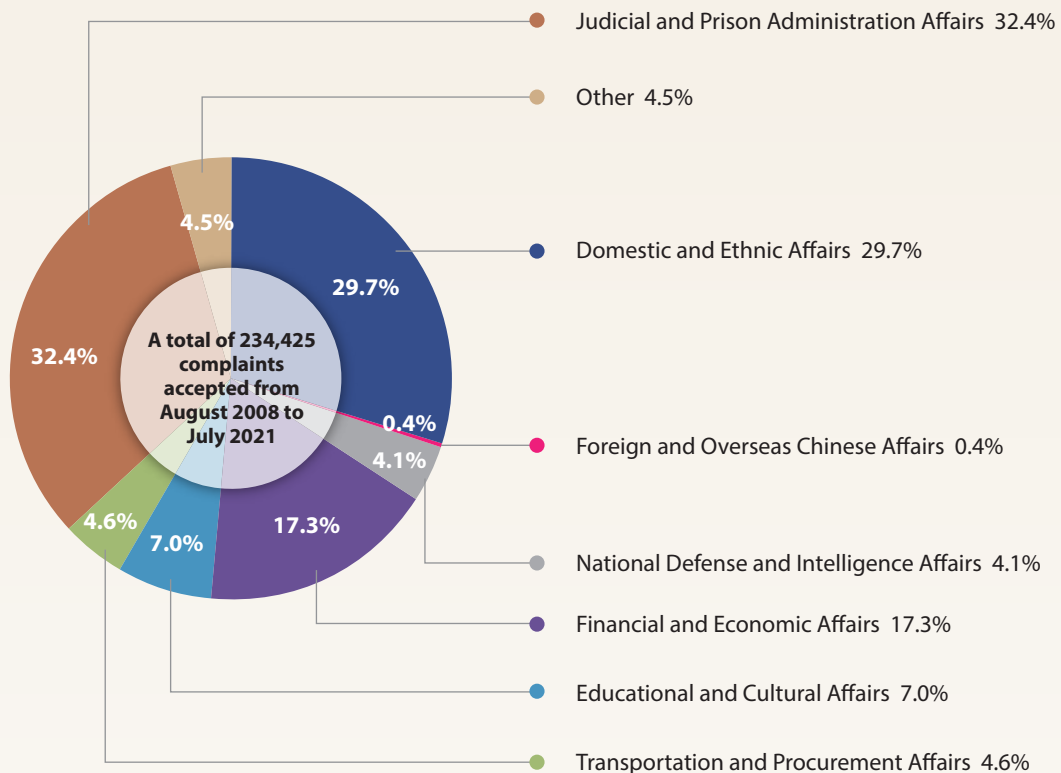


Figure 3-86

Classification and distribution of people's written complaints.

Table 3-12 Nature of people’s written complaints (top three categories)

	Fourth term August 2008–July 2014			Fifth term August 2014–July 2020			Sixth term August 2020–July 2021		
Domestic and Ethnic Affairs	Building Management	Police Administration and Fire	Land Administration	Building Management	Police Administration and Fire	Land Administration	Police Administration and Fire	Land Administration	Building Management
Foreign and Overseas Chinese Affairs	Overseas Administration	Consul Affairs	Foreign Affairs	Foreign Affairs	Consul Affairs	Overseas Administration	Foreign Affairs	Consul Affairs	Human Rights Affairs
National Defense and Intelligence Affairs	Base Family Quarters Management	Training Management	Pension Administration	Base Family Quarters Management	Pension Administration	Training Management	Base Family Quarters Management	Training Management	Military Supply Procurement
Financial and Economic Affairs	Hygiene	Taxation	Environmental Protection	Labor	Taxation	Environmental Protection	Labor	Agriculture	Taxation
Educational and Cultural Affairs	Personnel Examination	Higher Education	K-12 Education	Personnel Examination	Higher Education	K-12 Education	Personnel Examination	K-12 Education	Higher Education
Transportation and Procurement Affairs	Roads	Public Works Supervision	Urban Transportation	Urban Transportation	Roads	Public Works Supervision	Roads	Urban Transportation	Maintenance and Procurement
Judicial and Prison Administration Affairs	Criminal Cases	Prosecution	Civil Cases	Criminal Cases	Civil Cases	Prosecution	Criminal Cases	Civil Cases	Prosecution

Note: People’s written complaints are divided into seven major categories and 107 sub-categories.

Taking trend changes in the Financial and Economic Affairs category as example, the top three concerns during the fourth-term Control Yuan were hygiene, taxation and environmental protection. However, in the fifth term, the top three were labor, taxation, and environmental protection; while in the sixth term, they were labor, agriculture, and taxation. Both in the fifth and sixth term, the Control Yuan had the largest number of labor issues in the complaints that were received, indicating that the people were mostly dissatisfied with labor issues.

Taxation has always been a topic of concern for the people. Environmental protection is more closely related to livelihood issues and consistent with the trends of the society.

In addition, based on the trend comparison of the nature and structure of people’s written complaints, it can be seen that prior to 2011, people’s complaints mostly pertained to domestic and ethnic affairs, followed by judicial and prison administration affairs. This trend began to change in 2012, with judicial and prison administration affairs leaping to the top

and the proportion of such complaints increasing by the year. In fact, after 2018, the proportion exceeded 40%, showing that the people's trust in the judiciary needs to be strengthened. Most of the judicial and prison administration cases submitted to the Control Yuan by the public were criminal cases, followed by civil cases. This could be likely because criminal cases have a significant impact on the rights and interests of the people. For example, they might hope for the Control Yuan to redress injustice. However, the Control Yuan is the highest

supervisory organ; it is not a judicial court of the fourth instance. Therefore, in many of the judicial and prison administration complaints cases investigated by the Control Yuan members, if extraordinary relief was offered, it remains limited. In terms of judiciary civil cases, they often involved disputes over private rights disputes, and an adversary system is adopted. If the cases do not involve a breach of the due process of the law, it is better for the people to assert their own terms.

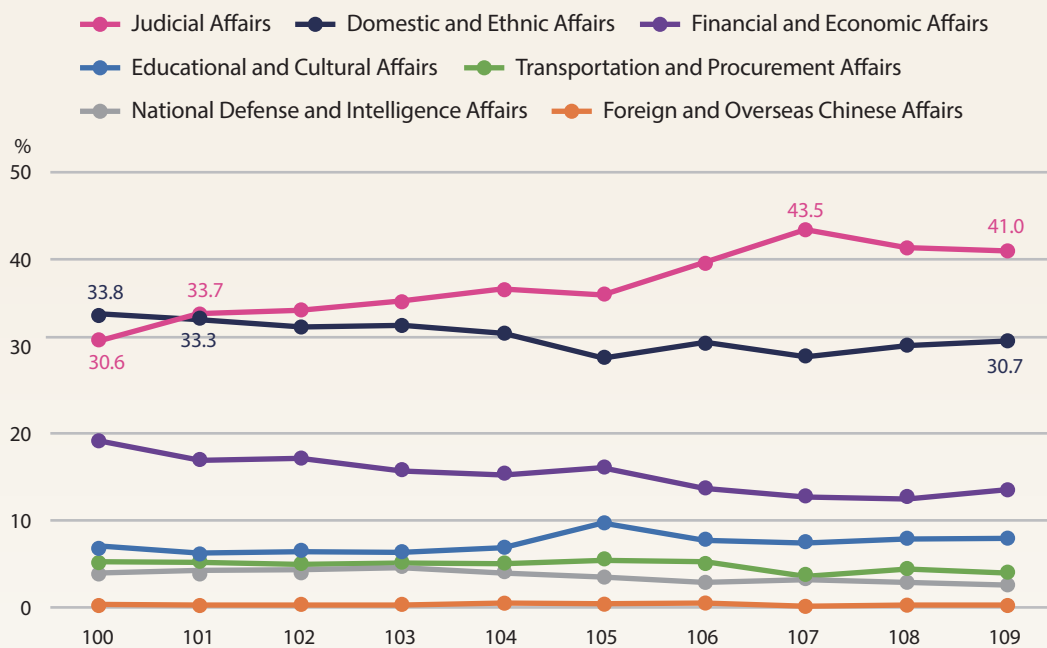


Figure 3-87

Comparison of nature and structure of people's written complaints.

II. Investigation reports

Exercising its power to investigate in accordance with the Constitution and the Control Act, the Control Yuan has filed a total of 32,088 cases from 1950 to July 2021. Cases have been categorized by their nature since the fourth-term Control Yuan. The analysis of the cases from August 2008 to July 2021 Shows that the top two categories are the Domestic and Ethnic Affairs category, of which the Domestic and Ethnic Affairs category accounts more than 30% of the cases at 30.9%.

Table 3-13 on the nature of investigation reports (top three categories) shows that, among reports in the Educational and Cultural Affairs category, the fourth-term Control Yuan's top three categories — cultural and physical education; K-12 education; and higher education — have shifted to higher education, personnel examination, and K-12 and pre-school education during the Control Yuan's fifth and sixth terms. It is clear that the investigatory focus on education and cultural cases has shifted from different educational stages to a greater focus on personnel examination issues.

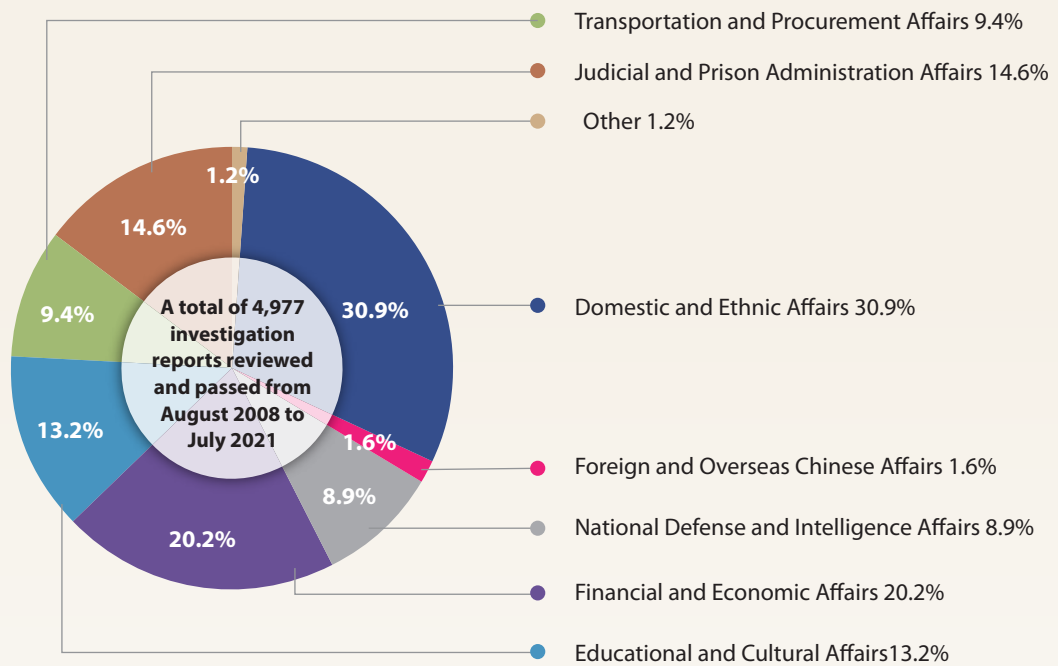


Figure 3-88
Classification and proportion of investigation reports.

Table 3-13 Nature of investigation reports (top three categories)

	Fourth term August 2008–July 2014			Fifth term August 2014–July 2020			Sixth term August 2020–July 2021		
Domestic and Ethnic Affairs	Building Management	Land Administration	Police Administration and Fire	Civil Affairs	Hygiene	Building Management	Civil Affairs	Hygiene	Police Administration and Fire
Foreign and Overseas Chinese Affairs	Foreign Affairs	Overseas Administration	Consul Affairs	Foreign Affairs	Consul Affairs	Overseas Administration	Foreign Affairs		
National Defense and Intelligence Affairs	Training Management	Base Family Quarters Management	Military Supply Procurement	Training Management	Military Supply Procurement and Production Business	Base Family Quarters Management	Training Management Military Supply Procurement	Base Family Quarters Management	Production Business
Financial and Economic Affairs	Hygiene	State-run Businesses	Agriculture	Agriculture	Environmental Protection	State-run Business	Labor	Agriculture	Taxation, Environmental Protection, Water Resources, Industry
Educational and Cultural Affairs	Culture, Physical Education	K-12 Education	Higher Education	Personnel Examination	Higher Education	K-12 Education, Pre-School Education	Higher Education	Personnel Examination	K-12 Education, Pre-School Education/Special Education/Audiovisual, Culture
Transportation and Procurement Affairs	Roads	Public Works Supervision	Railway	Roads	Urban Transportation	Railway	Road Maintenance and Procurement	Harbor Affairs, Tourism	Railway, Public Works Supervision
Judicial and Prison Administration Affairs	Criminal Cases Affairs	Prosecution	Judicial Affairs	Criminal Cases	Prison Administration	Prosecution	Criminal Cases	Prosecution, Prison Administration	Civil Cases

Note: People's written complaints are divided into seven major categories and 107 sub-categories.

III. Corrective Measure Cases

After the Control Yuan has investigated the work and facilities of the Executive Yuan and its subordinate agencies, its relevant standing committees deliberate on the cases to reach a resolution. If violations are found, the Control Yuan may propose a corrective measure and propose the measure to the Executive Yuan or its respective subordinate

agencies for improvement. From June 1948 to July 2021, the Control Yuan has filed a total of 4,245 cases. The cases have been categorized and analyzed by the nature and their corresponding committees. From February 1993 to July 2021, 3,462 corrective measure cases were filed. The top two categories were Domestic and Ethnic Affairs, and Financial and Economic Affairs.

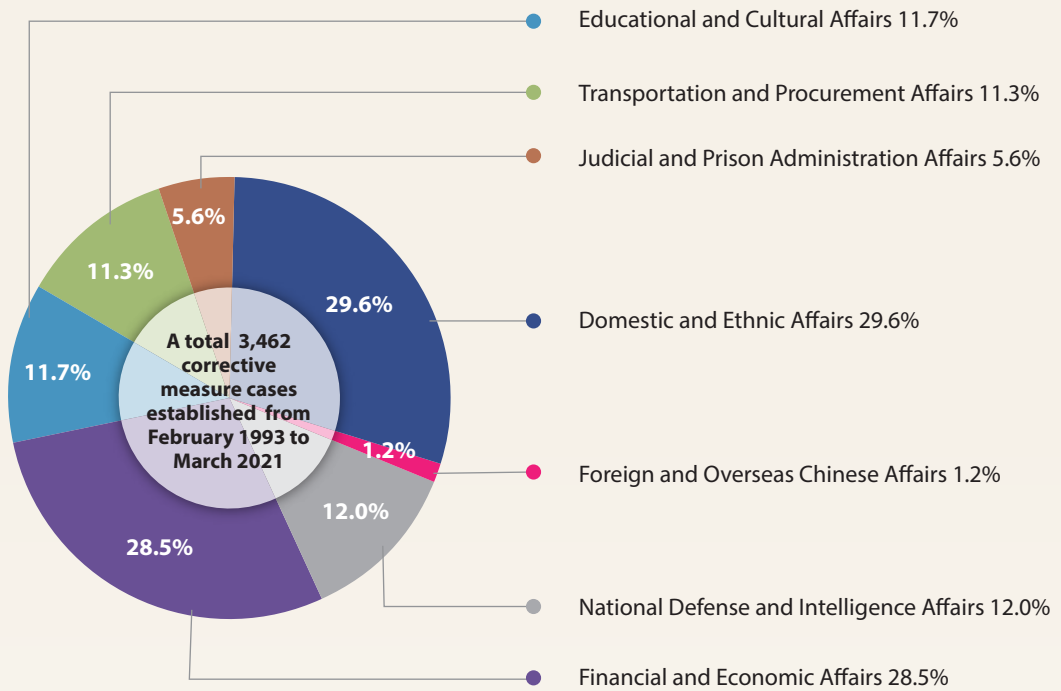


Figure 3-89
Classification and proportion of corrective measure cases.

In addition, agencies under corrective measures are divided into central agencies and local agencies. This clearly shows which agencies are most frequently corrected by the Control Yuan, indicating that they are key focuses for the Control Yuan’s annual

Executive Yuan inspections. Agencies subject to corrective measures are sorted by number of corrections, and the top three agencies among both central and local agencies are listed, as shown in Table 3-14.

Table 3-14 Corrected agencies in corrective measure cases (top three)

	Central Agencies			Local Agencies		
Second term February 1993– January 1999	Ministry of Defense	Ministry of Economic Affairs	Ministry of Transportation and Communications	Taiwan Provincial Government	Taipei City Government	New Taipei City Government
Third term February 1999– January 2005	Ministry of the Interior	Ministry of Defense	Ministry of Economic Affairs	Taipei City Government	New Taipei City Government	Taoyuan City Government
Fourth term August 2008– July 2014	Ministry of Defense	Ministry of Economic Affairs	Ministry of the Interior	Taipei City Government	New Taipei City Government	Kaohsiung City Government
Fifth term August 2014– July 2020	Ministry of Justice	Ministry of Defense	Ministry of Economic Affairs	Taipei City Government	New Taipei City Government	Taoyuan City Government
Sixth term August 2020– July 2021	Ministry of Defense	Ministry of the Interior	Ministry of Transportation and Communications	New Taipei City Government	Hualien County Government	Chiayi County Government

Note: The central and local agencies listed in the table include their subordinate agencies.

IV. Impeachment and censure cases

A. Impeachment

In accordance with the Constitution and the Control Act, if a Control Yuan member believes that a civil servant has violated the law or is derelict in duty, he/she may file for impeachment with the Control Yuan. Hence, the power to impeach is an important constitutional power of the Control Yuan. From June 1948 to July 2021, a total of 1,070 impeachment cases involving 2,932 people were established.

Among these, there were 80 political appointees, 109 elected personnel, 814

senior rank personnel, 89 generals and 249 judges & prosecutors. These individuals accounts for 45.7% of the total number of the impeached, nearly a majority of the key people that the Control Yuan impeached. If analyzed by the nature of their jobs, the top three categories are economic development, national defense, and judicial personnel. From the analysis of the violation profile of the impeachment cases, it is evident that the cases have gradually shifted from corruption in the earlier days to concurrent service violations and ethical violations.

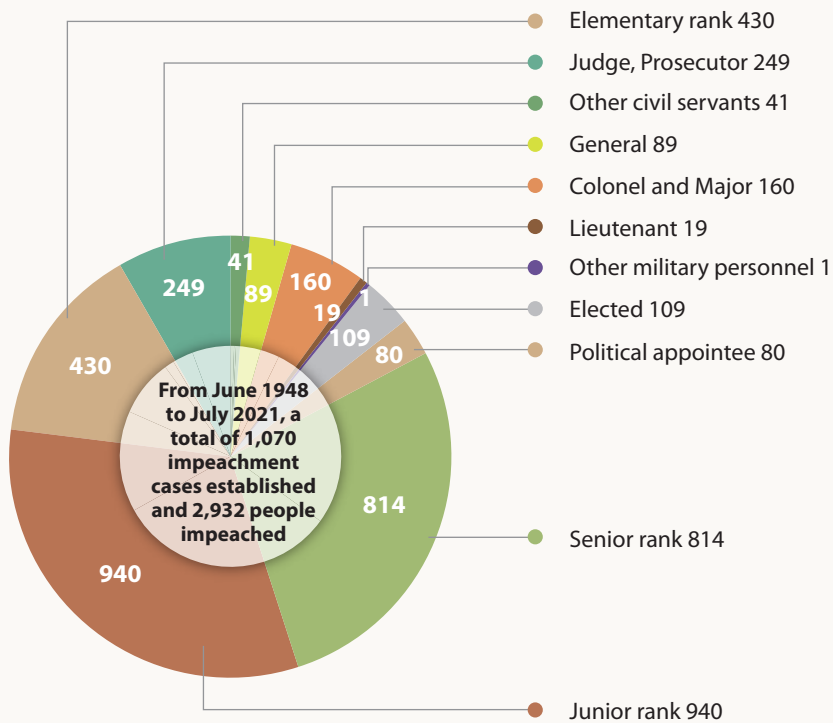


Figure 3-90
Impeached persons, categorized by rank.

Table 3-15 Impeached persons by job position

■ : Rank Order 1 ■ : Rank Order 2 ■ : Rank Order 3 Unit: Persons

	First term	Second term	Third term	Fourth term	Fifth term	Sixth term
	June 1948– January 1993	February 1993– January 1999	February 1999– January 2005	August 2008– July 2014	August 2014– July 2020	August 2020– July 2021
Total	1,588	497	302	282	245	18
General administration	191	42	28	53	79	11
Land administration	61	10	-	2	-	-
Financial administration	353	28	7	9	-	-
Finance	-	-	-	2	1	-
Economic development	303	140	56	39	5	-
Police administration	62	27	15	10	14	-
Culture and education	40	37	7	26	36	2
Transportation	129	45	21	17	7	2
Hygiene	38	19	14	23	7	-
Environmental protection	-	-	9	-	2	-
News	-	1	-	4	-	-
Foreign affairs	5	-	3	7	1	-
Overseas Chinese administration	2	-	3	-	-	-
Judiciary	168	49	41	48	52	2
National defense	36	69	96	28	35	-
Agriculture and forestry	19	16	2	10	3	1
Audit	5	2	-	-	-	-
Accounting	71	9	-	4	3	-
Personnel	18	1	-	-	-	-
Other technicians	85	-	-	-	-	-
Other	2	2	-	-	-	-

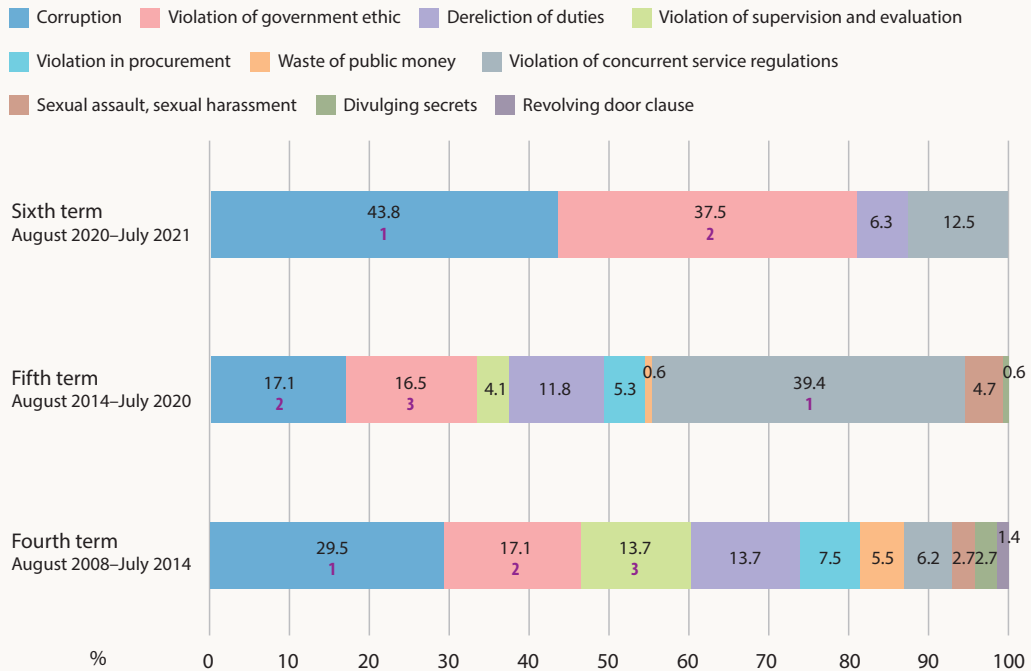


Figure 3-91
Violations of the impeachment and cases.

B. Censure cases

In accordance with the Constitution and the Control Act, when a Control Yuan member believes that a civil servant has violated the law or is derelict in duty, he/she shall first suspend the civil servant or impose other expedited sanctions, and may file a written censure. Hence, the power to censure is also an important constitutional power of the Control Yuan. Through the exercise of this power, the Control Yuan may urge the chief or superior officer of the censured civil servant to promptly punish him or her for

violation of the law or dereliction of duty. From June 1948 to July 2021, the Control Yuan has filed a total of 600 censure cases. Most of these cases were filed by the first-term Control Yuan. From the fourth term to the sixth term of the Control Yuan, less than ten censure cases were filed. The reason may be that time effectiveness is critical in censure cases. In recent years, various systems and measures have taken off, and transportation and communication have also become convenient, giving rise to the increase in impeachment cases and the

gradual decrease in censure cases each year. During the fifth term and sixth term of the Control Yuan, only one case of censure was respectively established in accordance with the law. Based on the analysis of the ranks of officials in the figure below, most of those

censured were junior rank and elementary rank personnel. They account for 80.3% of the total cases. It is clear that censure cases require expedited sanctions and most involve mid and low rank civil servants.

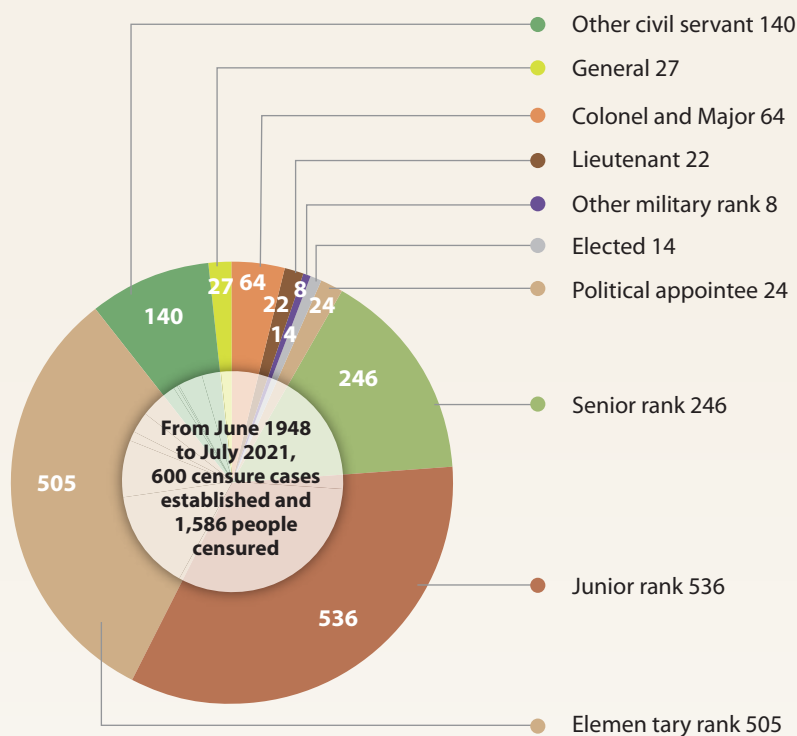


Figure 3-92

Censured persons, categorized by rank.

V. Anti-corruption

A. Online property declaration by public servants and use of the services for regular declaration

The implementation of convenient e-services and the establishment of the online property declaration system have provided a method of online property declaration and improved the convenience and accuracy of declaration. As a result, online declaration rate has been increasing year by year since the 2.68% rate in 2010. In 2014, in order to reduce the burden of collecting and sorting property information for declarants, and simplify the inspection

and reduce the administrative cost of the declaration acceptance agencies, the Public Servants Authorized Interface for Property Information service was launched on a trial basis to combine regular property declaration and online declaration. The service was formally launched in 2015 and was well-received. In 2020, the interface authorization rate was 86.12%, the online user rate for regular filing reached 90.04% and continues to increase year by year. Evidently, the combination of online declaration and the authorized interface service for property information has become a method of declaration that is widely approved and adopted by declarants.

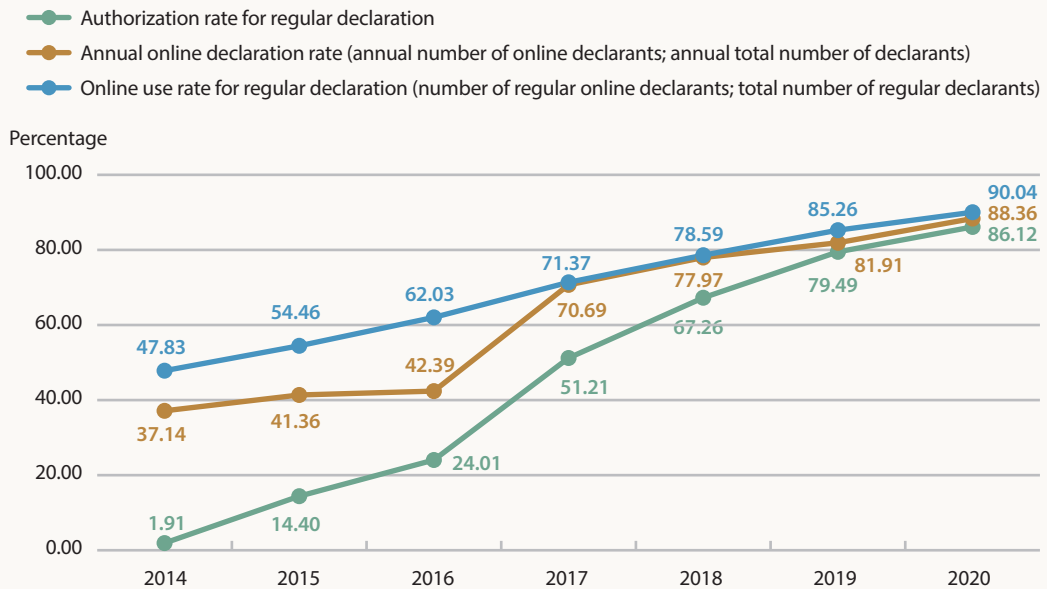
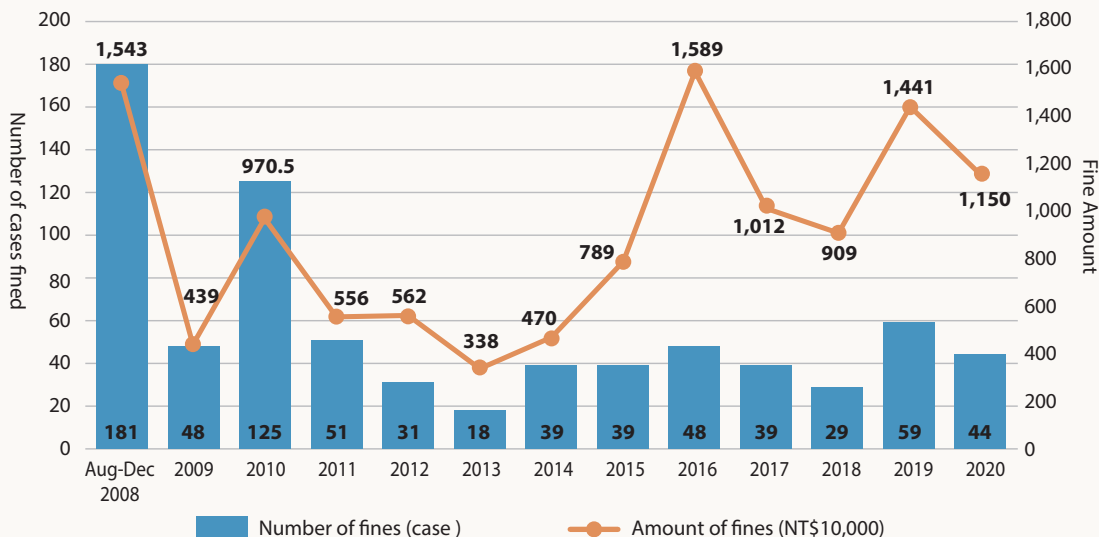


Figure 3-93
Online property declaration and authorization rate for regular declaration.

B. Audited cases of public servant property declaration and penalty and disciplinary actions

Based on the principle of "prevention over punishment" in the exercise of its power, the Control Yuan analyzed the types of reasons for punishment, and compiled a Table of Common Declaration Violations to strengthen education and remind declarants to pay particular attention. From 2011 to 2013, the number of cases of penalties has been decreasing. In 2013, insurance became listed as an audit item subject to penalty, resulting in an increase in the number of cases of fines since 2014. In addition, to prevent corruption and uncover violations of the law, since April 9, 2013, the Control

Yuan has requested the Ministry of Justice to regularly provide a list of public servants who filed property declaration while under prosecution by the local district court for corruption in order to examine and audit these cases accordingly. In 2016 and 2019, the fines imposed on such audit cases were relatively high, accounting for the steep increase in the fines received in those two years. In recent years, audit has focused on comparing abnormal increase and decrease of property in consecutive years. The comparisons have uncovered undeclared property, and the subsequent penalties have resulted in the higher number and amount of penalty in recent years compared to the past.



*A total of 528 cases were fined prior to July 2008, with fines amounting to NT\$53.045 million.

Figure 3-94

Property declaration audit cases and penalties.

C. Political donations and type of violations

In recent years, joint elections were respectively adopted in the "President, Vice President, and Legislator Election" and the "Local Public Servant Election." Due to the different election cycles, number of special accounts registered for political donations and audit periods, annual statistics fluctuate between high and low. According to statistics, a total of 1,493 fines were imposed from 2009 to 2020. The most frequent type of violations is donations exceeding

the legal limit, totaling 723 cases; political donations from profit-making enterprises with accumulated losses, totaling 424 cases; and third, not fulfilling the obligation to verify, totaling 187 cases. On the whole, the promotion and prevalence of the political donations declaration system, the increased rate of use of the verification system by political parties and candidates, and the stipulation to return or pay to the treasury have effectively reduced the number of violations and penalties, leading to the yearly decline in the number of penalty cases.

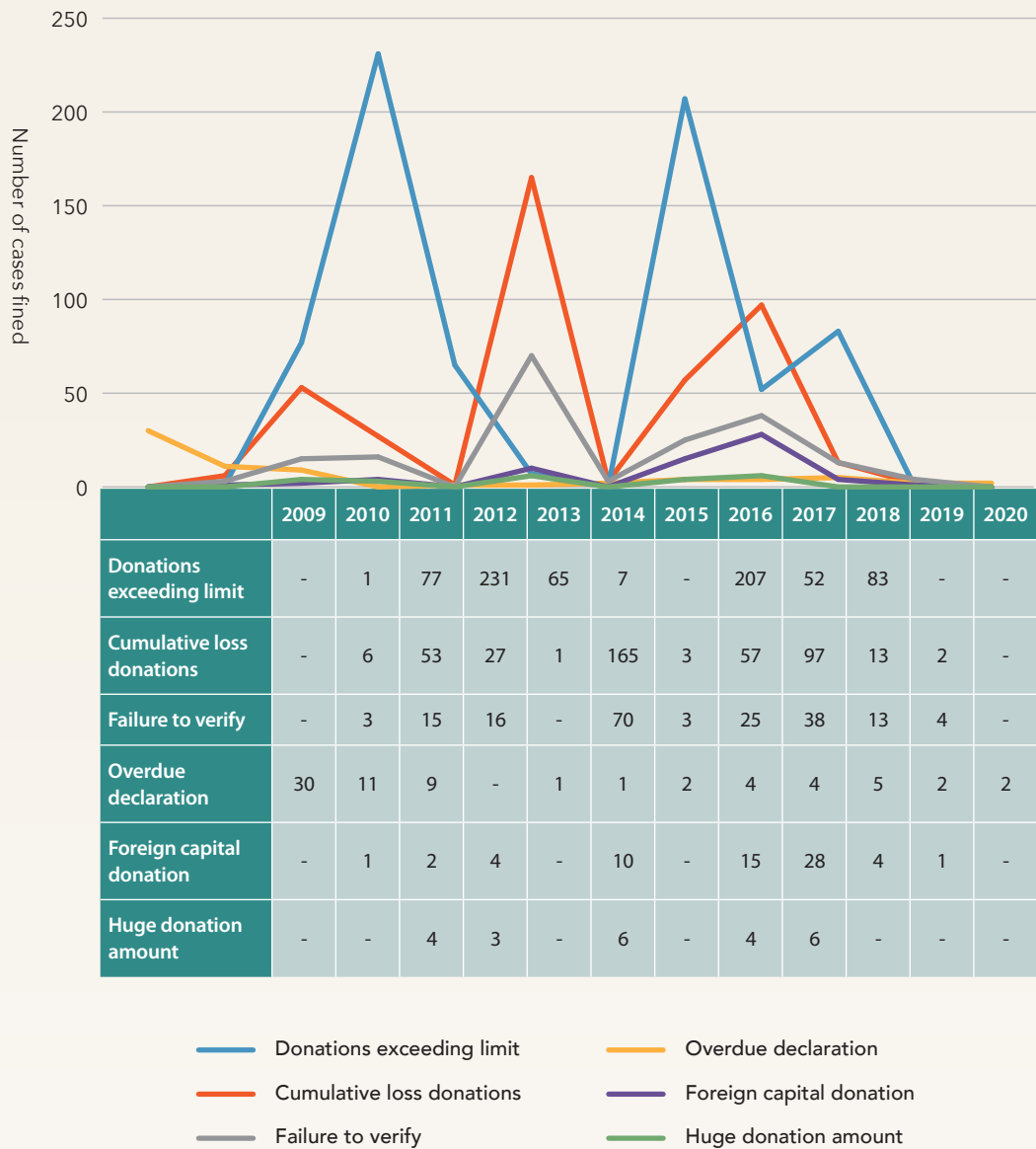


Figure 3-95

Political donation penalties and the types of violations.

Section 10 Case Records

I. Qing Dynasty Supervisory Documents — Memorials



Figure 3-96

"Reporting on the local rainwater situation and grain prices in Taiwan," from Investigating Censor Suo Lin's inspection tour in Taiwan during the Yongzheng Period of the Qing Dynasty (Source: National Palace Museum).

II. History of the Organic Law of the Control Yuan



Figure 3-97

The Nationalist Government promulgates the third amendment to the Organic Law of the Control Yuan on November 5, 1927 (Source: Academia Historica).

III. Evolution of the power to consent



Figure 3-98

Prior to 1992, the Control Yuan exercised the power to consent to personnel, in accordance with the provisions of the Constitution. After 1992, the power to consent was abolished.

IV. Exercise of Power

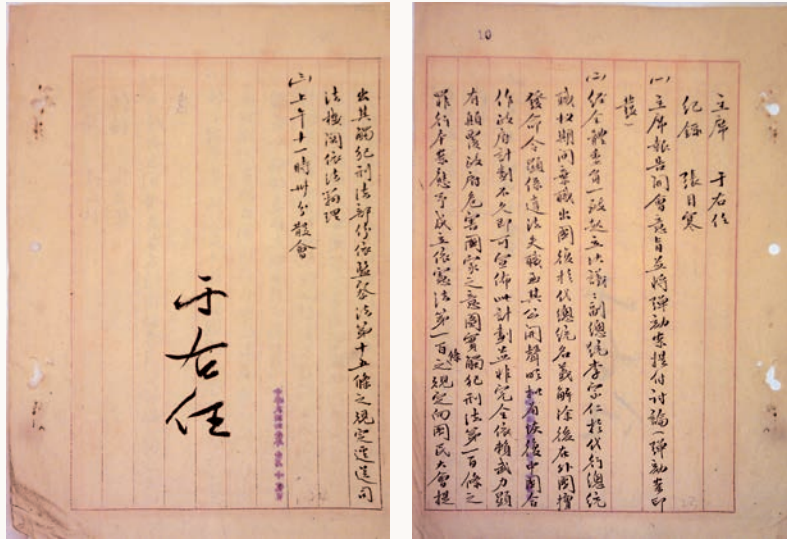


Figure 3-99

The Control Yuan approves the case to impeach former Vice President Li Tsung-jen; January 11, 1952



Figure 3-100

The impeachment against former Premier Wang Zhaoming (Wang Jingwei) of the Executive Yuan; June 3, 1932 (1) (Source: Academia Historica)

稿府政民國

0012 50013338

主席		文官長		由事 中共執行委員會函准中央監察委員會函為監察院請懲戒行政院長汪兆銘一節 應毋庸議汪法議照加達多照行如照一崇訓令知照	
蔡院長		魏			
于		謝		文 字 第 2688 號 訓令 檢閱 監察院 別類 附 件	
六二		張			
書記官	科員	科長	秘書	局長	文官長
	張	彭	謝	魏	魏
中華民國三十一年一月一日					
去文	年	一月	一月	一月	一月
字第	月	日	日	日	日
號	時	時	時	時	時
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銷號

Figure 3-101
 The impeachment against former Premier Wang Zhaoming (Wang Jingwei) of the Executive Yuan; June 3, 1932 (2)
 (Source: Academia Historica)

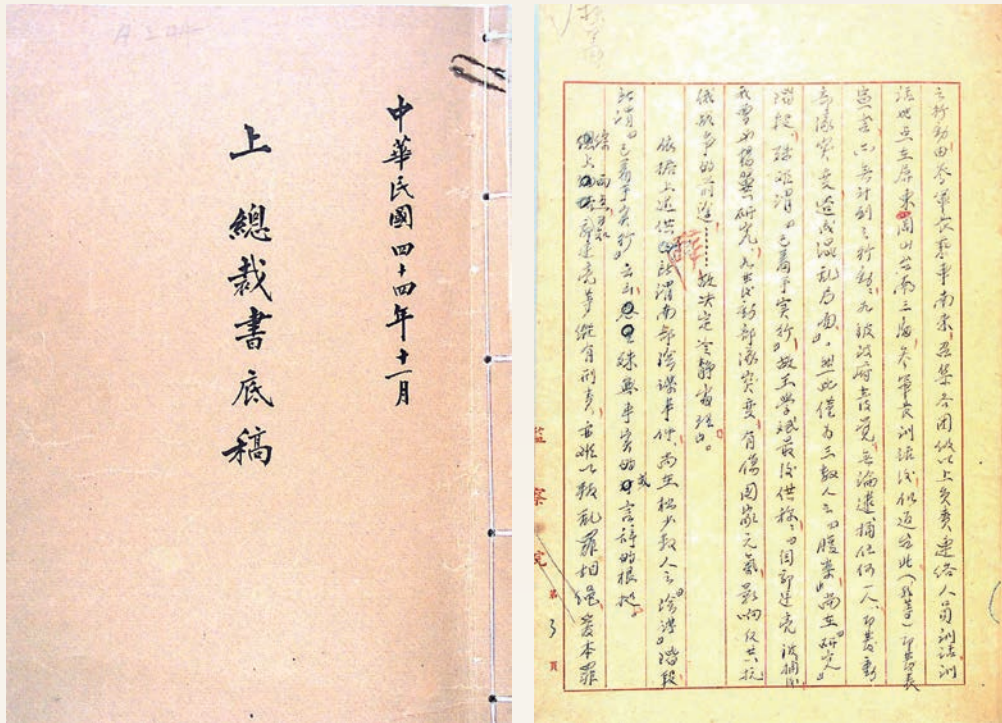


Figure 3-102

The Control Yuan investigates the relationship between General Sun Li-jen and the conspiracy incident in southern Taiwan, November 1955 (1).

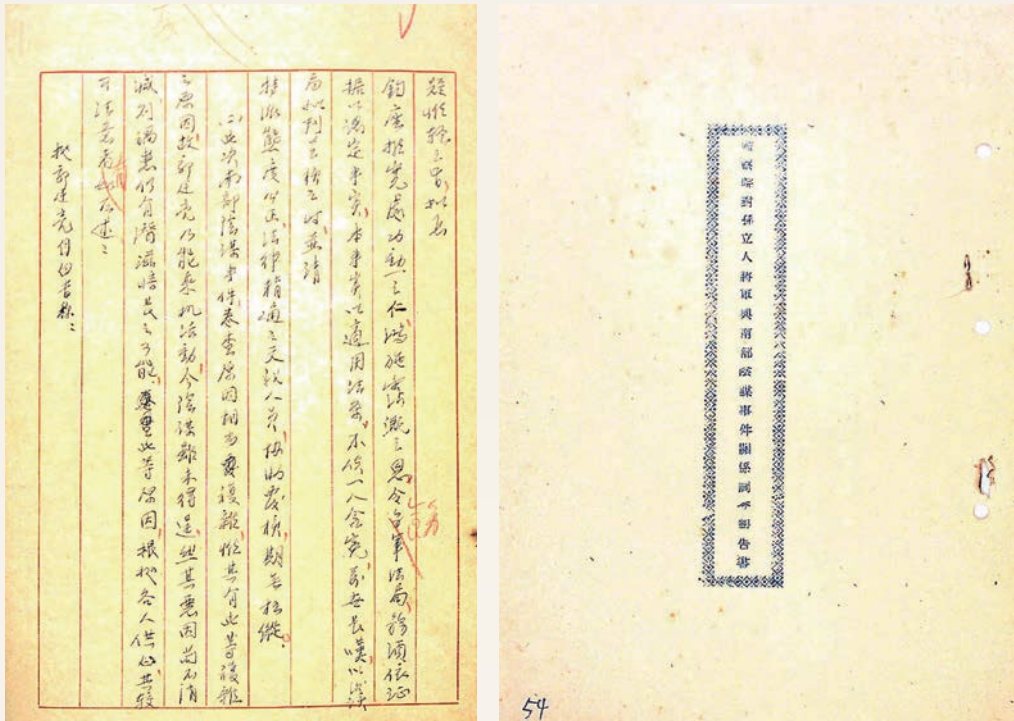


Figure 3-103

The Control Yuan investigates the relationship between General Sun Li-jen and the conspiracy incident in southern Taiwan, November 1955 (2).

定		核閱核員委		主擬		見意查調	
<p>抄送 三州</p>		<p>核示 移送 司法及廉政委員會 檢辦</p>		<p>本體親 移請 司法及廉政委員會 檢辦</p>		<p><input checked="" type="checkbox"/> 函 <input checked="" type="checkbox"/> 送 <input type="checkbox"/> 彈劾 <input type="checkbox"/> 勸導 <input type="checkbox"/> 糾舉 <input type="checkbox"/> 正</p>	
				<p>移送 司法及廉政委員會 檢辦</p>		<p><input checked="" type="checkbox"/> 函 <input checked="" type="checkbox"/> 送 <input type="checkbox"/> 彈劾 <input type="checkbox"/> 勸導 <input type="checkbox"/> 糾舉 <input type="checkbox"/> 正</p>	

字調委台監(87)日24月3年87		期日文收	
要摘容內見意查調		由案	
<p>一原確定判決係以警方偵獲之資料為依據，而警方搜獲之過程倉促草率，證據百出，二原確定判決係以罪中論之自由為基礎，而罪中論之自由與事實不相符，極為顯然，三原確定判決違反刑事訴訟法第一百五十六條自由之證據能力規定，第二條對被告有利或不利之情形一律注意之規定，第一百六十三條偵查權調查證據之規定，第三百七十九條關於審判日調查之證據而未予調查之當然違背法令之規定。四最高法院駁回非常上訴之判決，違反大法官會議解釋之規定，致無以維持國家刑罰權之正確行使，自有疏失。</p>		<p>一原確定判決係以警方偵獲之資料為依據，而警方搜獲之過程倉促草率，證據百出，二原確定判決係以罪中論之自由為基礎，而罪中論之自由與事實不相符，極為顯然，三原確定判決違反刑事訴訟法第一百五十六條自由之證據能力規定，第二條對被告有利或不利之情形一律注意之規定，第一百六十三條偵查權調查證據之規定，第三百七十九條關於審判日調查之證據而未予調查之當然違背法令之規定。四最高法院駁回非常上訴之判決，違反大法官會議解釋之規定，致無以維持國家刑罰權之正確行使，自有疏失。</p>	
<p>羅季華 羅季華 羅季華</p>		<p>羅季華 羅季華 羅季華</p>	

Figure 3-104
Fourth submission of the investigation report regarding Su Ping-kun's alleged robbery case on March 24, 1998, to the Prosecutor General for extraordinary appeal.

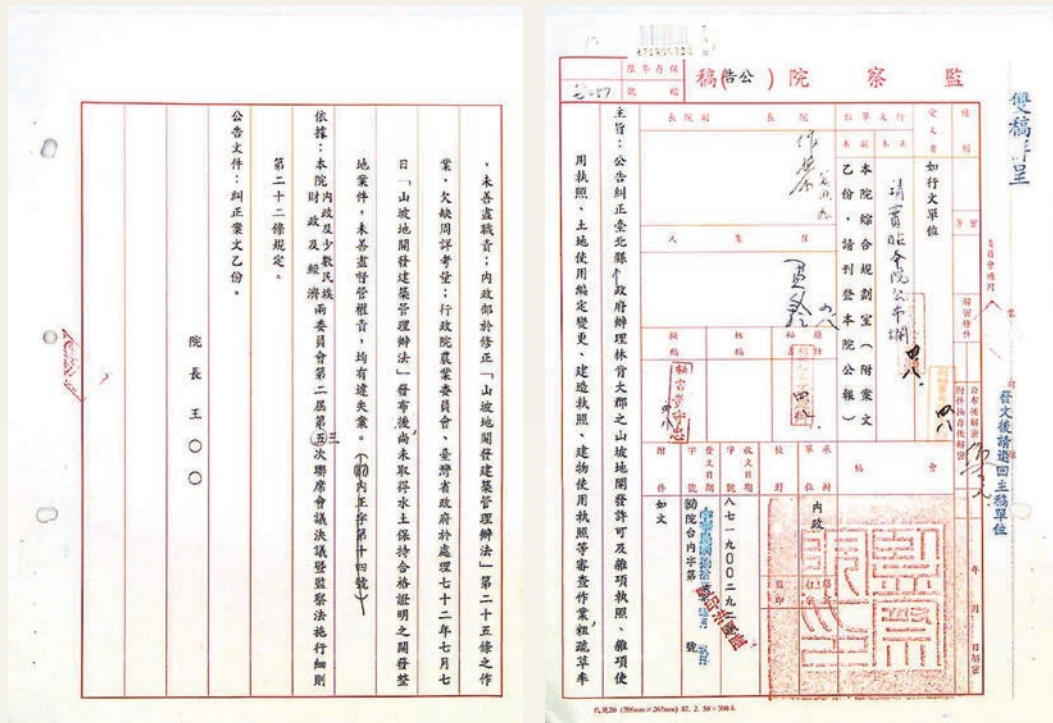


Figure 3-105

Public announcement of corrective measures in the Lincoln Mansions collapse case on April 9, 1998.

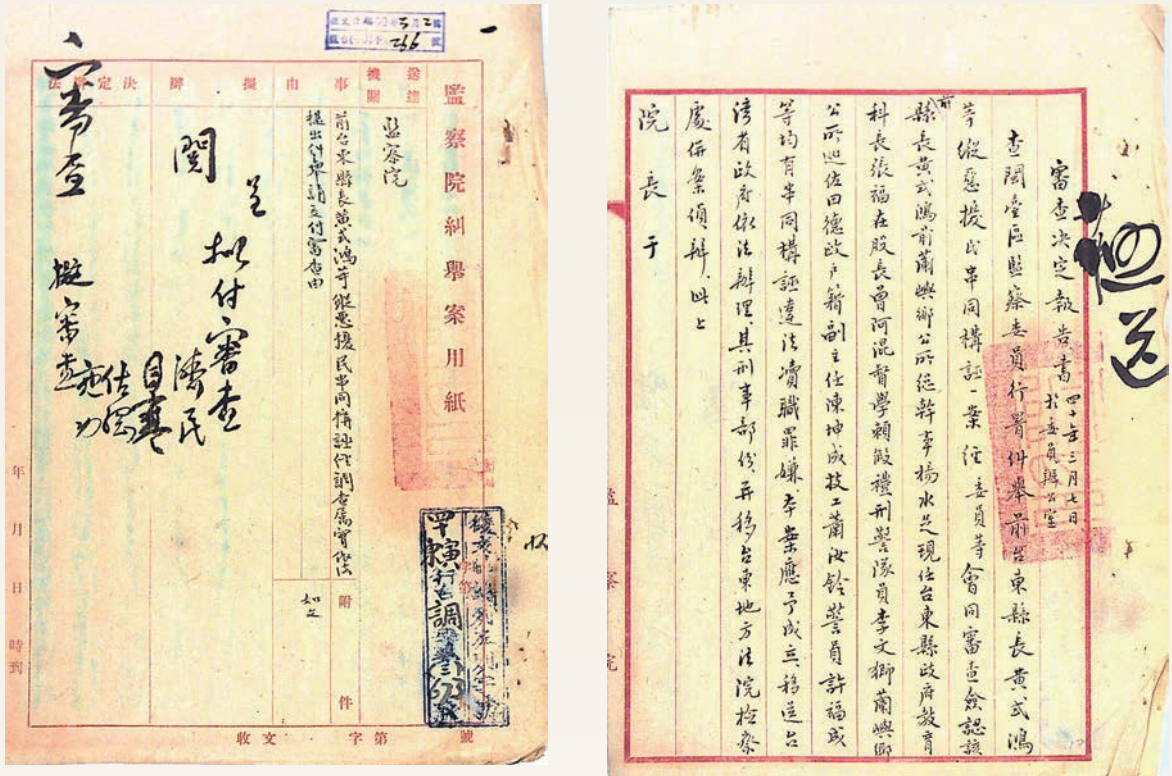


Figure 3-106

Censure case against former Taitung County Mayor Huang Shi-hung and others on March 7, 1951 for harassing the people and colluding to slander.

V. The Beginnings of the Investigation License.



Figure 3-107

A 1951 investigation license (Source: National Archives Administration, National Development Council).

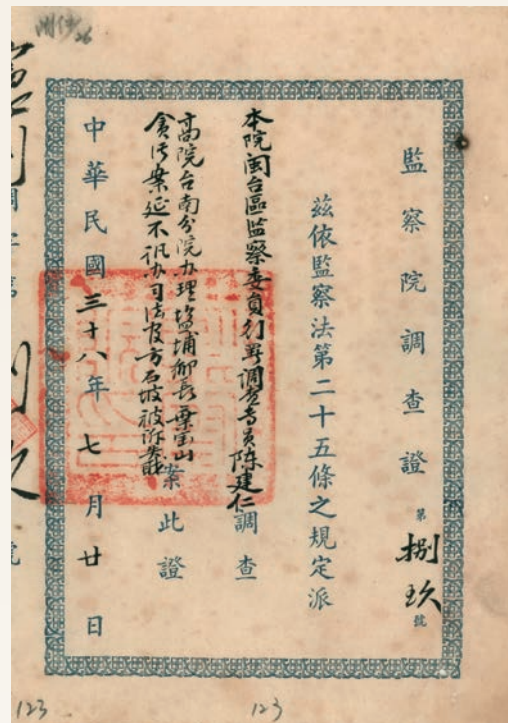


Figure 3-108

A 1949 investigation license (Source: National Archives Administration, National Development Council).

Attachment 3-1 List of cases in which the Control Yuan requested and received constitutional interpretation from the Judicial Yuan

No.	Control Yuan Plenary Meeting/Resolution	Reason for requesting constitutional interpretation/Dispute interpretation	Interpretation of the Grand Justice
1	Investigation report submitted to the Counsellors' Office for examination and requesting interpretation.	Questions about civil servants also serving as publishers and editors for newsprints.	September 29, 1952 Interpretation No. 6
2		Questions about the meaning of "public office" in Article 103 of the Constitution.	June 3, 1953 Interpretation No. 19
3		Questions about the chairperson or director of the organizations of provincial party departments, the director of public hospitals and doctors being defined as the "public office" in Article 103 of the Constitution.	July 10, 1953 Interpretation No. 20
4	March 24, 1949 The 45th Meeting of the first-term Control Yuan	Questions about whether the Control Yuan has the power to submit proposals to the Legislative Yuan.	May 21, 1952 Interpretation No. 3 The Control Yuan sent two letters to the Judicial Yuan requesting interpretation. The request were combined and discussed.
	May 30, 1950 The 84th Meeting of the first-term Control Yuan	Questions about whether the Control Yuan has the power to submit proposals to the Legislative Yuan.	
5	May 30, 1950 The 84th Meeting of the first-term Control Yuan	Questions about the meaning of public servants and whether legislators and self-governing personnel are subject to the supervisory power of the Control Yuan.	March 21, 1953 Interpretation No. 14
6	October 15, 1952 The 228th Meeting of the first-term Control Yuan	Questions about whether the judges referred to in Article 81 of the Constitution include tenure prosecutors specified in Article 40 Paragraph 2 of the Court Organization Act.	January 31, 1953 Interpretation No. 13
7	The Control Yuan sent a letter to the Department of the Secretariat, which was delivered to the Judicial Yuan on April 21, 1953 requesting interpretation.	Questions about whether the Speakers of provincial and county councils are subject of the supervisory power of the Control Yuan.	April 2, 1954 Interpretation No. 33
8	Control Yuan members sent a letter to the Control Yuan, which was delivered to the Judicial Yuan on June 6, 1953 requesting interpretation.	Questions about whether both civil and criminal litigation in high courts and local courts being under the jurisdiction of the Department of Judicial Administration is a violation of Article 77 of the Constitution.	August 15, 1960 Interpretation No.86

No.	Control Yuan Plenary Meeting/Resolution	Reason for requesting constitutional interpretation/Dispute interpretation	Interpretation of the Grand Justice
9	March 8, 1955 The 360th Meeting (Report) of the first-term Control Yuan	Questions about the income of state-run enterprises being based on the final surplus approved by the auditing agency, or being based on the amount of income approved by the tax collection agency.	May 9, 1955 Interpretation No. 46
10	Control Yuan members sent a letter to the Control Yuan, which was delivered to the Judicial Yuan on October 15, 1955 requesting interpretation.	In the case against the manager of Darson Trading Limited Company, the judges and prosecutors of the Supreme Court and the High Court of Taiwan found that a manager surnamed Fu of document forgery and fraud. There were objections regarding the appropriate application of legal interpretation.	April 2, 1956 Interpretation No. 60
11	September 11, 1956 The 449th Meeting of the first-term Control Yuan	Questions about whether in Article 5 of the Statute for the Punishment of Treason, can the so-called participation in the rebellion is considered continuous in nature regardless of whether the act of participation occurred numerous years ago and current contact and activities have not been verified, and if it is subject to Article 5 of the same Statute, leaving no room for the application of Article 2 of the Criminal Code of the Republic of China and clemency orders.	November 26, 1956 Interpretation No. 68
12	November 19, 1956 The 456th Meeting of the first-term Control Yuan	Questions about the applicability of Articles 33, 74, and 102 of the Constitution to current offenders.	April 26, 1961 Interpretation No. 90
13	June 8, 1961 The 686th Meeting of the first-term Control Yuan	<ol style="list-style-type: none"> 1. Questions about whether in the current Printing Act, the regular suspension of printing and distribution and the revoking printing licenses should be subject to the deliberation of judicial agencies in order to be legitimate. 2. Questions about whether the punishment by detention and punishment by labor service stipulated in the Breach of Police Regulations Act violate the provisions of Article 8 of the Constitution. 	<p>October 7, 1964 Interpretation No. 105</p> <p>November 7, 1980 Interpretation No. 166</p>

No.	Control Yuan Plenary Meeting/Resolution	Reason for requesting constitutional interpretation/Dispute interpretation	Interpretation of the Grand Justice
14	July 17, 1961 The 690th Meeting of the first-term Control Yuan August 10, 1961 The 692nd Meeting of the first-term Control Yuan October 12, 1961 The 695th Meeting of the first-term Control Yuan	Questions about whether "the act of bribery" and "abetting or instigating bribery" are considered the crimes described in the Criminal Code chapter on Offenses of Malfeasance in Office.	June 27, 1962 Interpretation No. 96
15	February 17, 1962 The 731st Meeting of the first-term Control Yuan February 20, 1962 The 732nd Meeting of the first-term Control Yuan February 21, 1962 The 733rd Meeting of the first-term Control Yuan	Questions about whether the relief order issued by the Executive Yuan pursuant to Articles 16 and 18 of the National General Mobilization Act, and the provisions of the relief order and handling regulation are compatible with the National General Mobilization Act.	February 12, 1965 Interpretation No. 106
16	March 14, 1962 The 734th Meeting of the first-term Control Yuan	<ol style="list-style-type: none"> 1. Questions about whether disciplinary citations for administrative agencies should be written in the format stipulated by the provisions of the Official Document Format Regulations. 2. Questions about the whether the provisions of the Official Document Format Regulations refer only to the internal documents of the agencies rather than formal communication documents with outside agencies. 	September 7, 1962 Interpretation No. 97
17	June 21, 1965 The 908th Meeting of the first-term Control Yuan July 13, 1965 The 909th Meeting of the first-term Control Yuan	The questioning by Councilor Chen at the 3rd General Assembly of the Sixth-term of the Taitung County Council caused disputes over the expression of opinions by county and city councilors during general assemblies and the making resolutions on outside responsibilities.	July 5, 1967 Interpretation No. 122
18	April 13, 1965 The 902nd Meeting of the first-term Control Yuan August 10, 1965 The 912th Meeting of the first-term Control Yuan	In order to investigate the lawsuit by the person surnamed Liu against the Hsinchu County Government and the Taiwan Provincial Government for illegal expropriation of civil land, and the perversion of the law by the Ministry of the Interior and the Administrative Court in their judgment, it was discovered that the Land Act and the Enforcement Act of Land Act lacked clear definitions and differed in their interpretations, making appropriate application difficult.	December 29, 1965 Interpretation No. 110

No.	Control Yuan Plenary Meeting/Resolution	Reason for requesting constitutional interpretation/Dispute interpretation	Interpretation of the Grand Justice
19	March 16, 1967 The 1002nd Meeting of the first-term Control Yuan	Interpretation was requested as to whether the president and other judges of the Administrative Court of the Judicial Yuan be regarded as per the provisions of Article 81 of the Constitution.	April 25, 1980 Interpretation No. 162
20	September 12, 1967 The 1021st Meeting of the first-term Control Yuan	Request to explain Judicial Yuan Interpretation No. 122 regarding the expression responsibilities of county councilors during meetings.	September 12, 1980 Interpretation No. 165
21	January 11, 1968 The 1051st Meeting of the first-term Control Yuan	Questions about the whether the exercise of preferential right to purchase land as stipulated in the provisions of Article 15 of the 37.5% Arable Rent Reduction Act. The opinion held by the Control Yuan differs from the opinions expressed by the Supreme Court. Request was made for a unified interpretation in accordance with Article 7 of the Grand Justices Council Adjudication Act of the Judicial Yuan.	August 23, 1968 Interpretation No. 124
22	April 9, 1968 The 1057th Meeting of the first-term Control Yuan	In recent years, the Supreme Court has ruled that when tenant farmers who entered leases in accordance with the 37.5% Arable Rent Reduction Act, the landlord may still terminate the lease before the expiry of the lease term if there are circumstances other than those specified in Article 17 of the Act. This interpretation is inconsistent with the original intent of the rigid restriction. However, since this involved legal opinions, the case was referred to the Grand Justices Council for interpretation in order to ensure the rights and interests of farmland tenants.	October 30, 1968 Interpretation No. 125
23	November 26, 1968 The 1087th Meeting of the first-term Control Yuan	In the corrective measures of the criminal conviction of someone surnamed Mou and others for participating in communist children's organization, the Control Yuan and the Executive Yuan differed in their legal opinions, and hence referred to the Judicial Yuan Grand Justices Council for interpretation.	October 30, 1970 Interpretation No. 129

No.	Control Yuan Plenary Meeting/Resolution	Reason for requesting constitutional interpretation/Dispute interpretation	Interpretation of the Grand Justice
24	January 18, 1969 The 1099th Meeting of the first-term Control Yuan	County and city government notifications that are issued in accordance with Article 19 Paragraph 1 of the 37.5% Arable Rent Reduction Act should have constraining power towards tenants when administrative decrees are being enforced. The Supreme Court's interpretation of precedent cases and the interpretation of the Control Yuan differed, and hence interpretation by the Grand Justices was requested.	April 17, 1970 Interpretation No. 128
25	December 16, 1969 The 1136th Meeting of the first-term Control Yuan	The conciliation referred to in Article 19 Paragraph 2 of the 37.5% Arable Rent Reduction Act is interpreted as being binding between the parties involved, and shall be handled in accordance with administrative relief procedures and submitted to the Grand Justices Council for mutatis mutandis interpretation.	April 17, 1970 Interpretation No. 128
26	June 17, 1972 The 1262nd Meeting of the first-term Control Yuan	Questions about whether judges can simply reject the interpretations of administrative orders of relevant laws and regulations made by various agencies in relation to their duties. The issue not only involves the rights and obligations of the people, the judicial powers of judges and the effectiveness of administrative orders. It is also closely relevant to the exercise of the powers of the Control Yuan.	December 14, 1973 Interpretation No. 137
27	March 12, 1974 The 1350th Meeting of the first-term Control Yuan	Regarding the interpretation of "Five-Year Period" in Article 41 of the Business Tax Act, Ministry of Finance believes that the period should be calculated from the date when the Act was promulgated and becomes effective. The interpretation of the Control Yuan differs from that expressed by the Executive Yuan, and a request was sent to the Judicial Yuan Grand Justices Council for a unified interpretation.	February 7, 1975 Interpretation No. 142
28	February 10, 1977 The 1485th Meeting of the first-term Control Yuan March 10, 1977 The 1487th Meeting of the first-term Control Yuan	Government agencies did not have provisions in their tax laws to stipulate the items of taxes that should be paid; whether a comparable method can be adopted to ensure that the public (including legal entities) pay taxes.	December 23, 1977 Interpretation No. 151

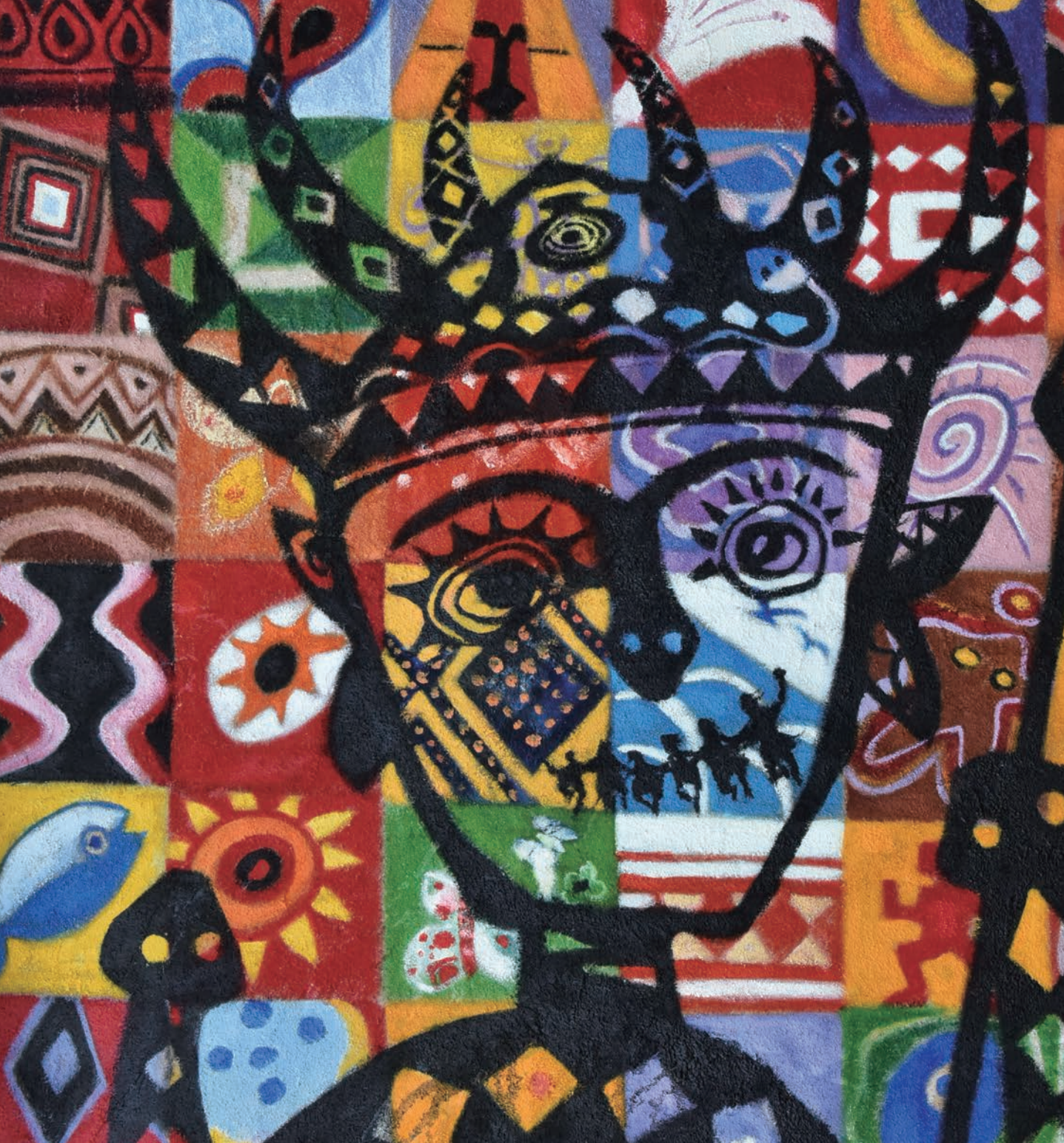
No.	Control Yuan Plenary Meeting/Resolution	Reason for requesting constitutional interpretation/Dispute interpretation	Interpretation of the Grand Justice
29	October 9, 1979 The 1589th Meeting of the first-term Control Yuan	Government agencies did not have provisions in their tax laws to stipulate the items of taxes that should be paid; whether a comparable method can be adopted to ensure that the public (including legal entities) pay taxes.	June 20, 1980 Interpretation No. 163
30	January 17, 1980 The 1611st Meeting of the first-term Control Yuan	Questions about if an administrative court cited competent fiscal and taxation authorities and used administrative orders to change legal decrees to form the basis for judgment, would such an action violate the Principle of Taxation Under the Law and violates the Constitution.	March 13, 1981 Interpretation No. 167
31	February 7, 1980 The 1613rd Meeting of the first-term Control Yuan March 11, 1980 The 1614th Meeting of the first-term Control Yuan	Request to explain whether the scope of application of the Judicial Yuan Interpretation No. 107 includes Article 767 of the Civil Code, which stipulates the right to claim the removal of interference.	July 18, 1980 Interpretation No. 164
32	September 10, 1981 The 1671st Meeting of the first-term Control Yuan October 13, 1981 The 1672nd Meeting of the first-term Control Yuan	Request to explain whether the application of Article 216, as stipulated in Article 5 Paragraph 5 of the Criminal Code, should include the forgery of private documents as described in Articles 210, 212, 213, and 215.	August 13, 1982 Interpretation No. 176
33	March 11, 1982 The 1701st Meeting of the first-term Control Yuan	Request to explain whether the Judicial Yuan has the right to file legal cases pertaining to its duties with the Legislative Yuan.	May 25, 1982 Interpretation No. 175
34	April 15, 1982 The 1703rd Meeting of the first-term Control Yuan	Question about the definition of "previous trial" in Article 17 Paragraph 8 of the Code of Criminal Procedure, which stipulates that "where the judge had participated in the decision at a previous trial," he or she shall voluntarily "disqualify himself/herself from the case concerned...and may not exercise his/her functions."	December 31, 1982 Interpretation No. 178

No.	Control Yuan Plenary Meeting/Resolution	Reason for requesting constitutional interpretation/Dispute interpretation	Interpretation of the Grand Justice
35	September 16, 1982 The 1714th Meeting of the first-term Control Yuan	Request to explain the so-called judgment violation in Article 447, Paragraph 1 Subparagraph 1 of the Code of Criminal Procedure, which refers not only to the violation of the substantive law, but also to procedural violation which subsequently effects the violation of substantive laws, itself included. However, the opinion of the Judicial Yuan and the Supreme Court that it is only a procedural violation and therefore does not warrant substantive relief differed from the interpretation of the Control Yuan.	July 1, 1983 Interpretation No. 181
36	September 13, 1983 The 1754th Meeting of the first-term Control Yuan	Regarding the validity of the interpretations of the Judicial Yuan, if clarification of the text is based on existing literal rule or the purpose of the legislation, such as in Interpretation No. 178, then it should take effect from the date the law was enacted. If the original stipulation was amended or if the original interpretation was revised, then it should take effect on the day following the interpretation. In this, the Control Yuan differed from the Executive Yuan and the Supreme Court. Interpretation of precedent cases. Hence in accordance with Article 7 of the Grand Justices Council Adjudication Act of the Judicial Yuan and previous cases, a re-interpretation of Interpretation No. 178 was requested.	August 3, 1984 Interpretation No. 188
37	February 9, 1988 The 1904th Meeting of the first-term Control Yuan	Regarding the scope of application of the definition of workers in the current Factory Act Implementation Rules, the Judicial Yuan expressed opinions that are different from those held by the Control Yuan.	May 20, 1988 Interpretation No. 226

No.	Control Yuan Plenary Meeting/Resolution	Reason for requesting constitutional interpretation/Dispute interpretation	Interpretation of the Grand Justice
38	April 12, 1988 The 1907th Meeting of the first-term Control Yuan	The debtor of secured transaction of movable property described in Article 38 of the Personal Property Secured Transactions Act must be the owner of the movable property mortgage, the purchaser of conditional purchases, or the trustee of trust postterm in order to be regarded as a criminal subject. The legal representative, guarantor, joint guarantor, or other stakeholders of the debtor shall not alone be convicted of this crime unless they jointly implemented, instigated or abetted in the offense, as described in Article 31 of the Criminal Code. It has been determined that the interpretation held in the judgment of the Taiwan High Court Tainan Branch Court is contrary to the principle of legality, and differed from the interpretation of the Control Yuan.	June 17, 1988 Interpretation No. 227
39	September 13, 1988 The 1914th Meeting of the first-term Control Yuan	In the Control Yuan investigation of the Li XX petition case, the Supreme Court rejected the appeal, docket number 1983 Criminal Judgment Tai-fei-tzu-ti-135 in accordance with the resolutions of the General Meeting of the Criminal Court on February 22, 1940. The reasons for the different opinion held by the Control Yuan pertained to the legality and scope of application. Hence a request was made to provide additional explanation of Interpretation No. 181.	March 31, 1989 Interpretation No. 238
40	July 11, 1989 The 1942nd Meeting of the first-term Control Yuan	Impeachment case of military personnel by the Control Yuan should be referred to the Public Functionary Disciplinary Sanction Commission of the Judicial Yuan for disciplinary action, or to the Ministry of National Defense for deliberation and action. However, disputes arose in the Control Yuan over the application of appropriate laws.	July 6, 1990 Interpretation No. 262
41	May 12, 1992 The 2016th Meeting of the first-term Control Yuan	Questions about whether the provisions in Article 69 Paragraph 2 of the Civil Servants Election and Recall Act, which states, "the provisions of recall shall not apply to the electees of the national integrated election and the overseas election" is inconsistent with the provisions of the Constitution.	December 30, 1993 Interpretation No. 331

No.	Control Yuan Plenary Meeting/Resolution	Reason for requesting constitutional interpretation/Dispute interpretation	Interpretation of the Grand Justice
42	February 13, 1996 The 38th Meeting of the Second-term Control Yuan	Regarding the handling of the Changhua Fourth Credit Union case, the Ministry of Finance cited Article 27 of the Credit Cooperatives Act of The Republic of China and Article 62 of the Banking Act of The Republic of China as basis for ordering the Taiwan Provincial Cooperative Bank to broadly undertake the case. There were questions about whether the order is in compliance with the law. Moreover, after the Act on Autonomous Provincial and County Governance was enacted, did central ministries have the authority to order a provincial financial institution to undertake a credit union case?	July 30, 1999 Interpretation No. 489
43	October 8, 1996 The 46th Meeting of the Second-term Control Yuan February 10, 1998 The 75th Meeting of the Second-term Control Yuan	Without legal authorization, the Judicial Yuan and the Ministry of Justice issued the "Precautions for the Court Handling of Criminal Cases," the "Regulations for the Handling of Criminal Defendant Bails by the Prosecutors Office" and other administrative orders or internal regulations that pertain to civil procedural rights or human rights. This seriously violated the principle of legal reservation of Article 23 of the Constitution, the principle of retention of laws and the Central Regulation Standard Act.	October 5, 2001 Interpretation No. 530
44	June 23, 1998 The 84th Meeting of the Second-term Control Yuan	Regarding the use of land for non-public facilities in urban planning area, the Executive Yuan handled the expropriation of land without prior revisions to urban planning. This obviously violated the provisions of the Land Act and the Urban Planning Law. Due to the difference in opinions between the Control Yuan and the Executive Yuan and the subsequent huge impact on the property rights of the people, there are questions about the about legality of the actions.	September 29, 2000 Interpretation No. 513
45	December 10, 2002 The 47th Meeting of the third-term Control Yuan	The land expropriated for the third phase of the Hsinchu Science Industrial Park was not developed within the statutory period, resulting in the invalidity of the schedule and delays in expropriation. Consequently, some rural landlords had to bear a huge inheritance tax. The Control Yuan and the Executive Yuan differed in opinion on this.	September 26, 2003 Interpretation No. 566

No.	Control Yuan Plenary Meeting/Resolution	Reason for requesting constitutional interpretation/Dispute interpretation	Interpretation of the Grand Justice
46	September 14, 2004 The 68th Meeting of the third-term Control Yuan	To handle cases of retirement of government officials, the Control Yuan applied the newly promulgated and enacted Act Governing the Payment of Compensation to Retired Political Appointees, which raised questions about the violation of the Constitution and differences in opinion with the Examination Yuan (the Ministry of Civil Service).	January 28, 2005 Interpretation No. 589
47	November 9, 2004 The 70th Meeting of the third-term Control Yuan	Regarding the enforcement of penalty for land value increment tax violation in the case of death of the obligor, even though there is no clear legal stipulation, the Ministry of Finance has ignored the interpretation of the judicial authority. Using administrative rule, it determined that administrative penalty is a tax debt under public law, and that based on Article 15 of The Administrative Enforcement Law or the analogous application of relevant fines enforcement regulations of the Code of Criminal Procedure, it should be referred for mandatory enforcement. This violates the principle of taxation by law of Article 19 of the Constitution. The Control Yuan and the Executive Yuan differed in opinion regarding investigation.	December 22, 2006 Interpretation No. 621
48	July 8, 2014 The 73rd Meeting of the Fourth-term Control Yuan	"Regarding the application of Articles 6 and 7 of The Mass Rapid Transit Act, the opinions held by the Control Yuan and the Executive Yuan are different." The Grand Justices of the Judicial Yuan is requested to provide a unified interpretation.	December 30, 2016 Interpretation No. 743



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Copy editors: Su Jui-hui, Lin Hui-mei



CHAPTER

4

Protection and Promotion of Human Rights

Realizing Human Dignity in Taiwan

Preface

Section 1 The Origin and Establishment of
the National Human Rights Commission

Section 2 Promotion of Human Rights

Section 3 Spreading the Wings of Hope for
Human Rights

Preface

Lesson Learned from World War II, the United Nations Strives to Maintain Peace and Promote Human Rights

After the end of World War II, the United Nations was established to promote world peace. The UN adopted the Universal Declaration of Human Rights on December 10, 1948, reflecting on the lessons learned from the war. Since then, the United Nations has been actively working to turn the Universal Declaration of Human Rights into formal covenants, and has adopted many international human rights conventions and important documents for more than half a century. Primary examples include:

1965 —————
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)

1966 —————
International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR)

1979 —————
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

1984 —————
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (commonly known as the "United Nations Convention against Torture" (UNCAT))

1989 —————
Convention on the Rights of the Child (CRC)

1990 —————
The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW)

1993 —————
Since this year, the "Paris Principles" have been used as the norm for countries in establishing their national human rights institutions.

2006 —————
The Convention on the Rights of Persons with Disabilities (CRPD), the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED)



Of these, the Principles relating to the status of national institutions for the promotion and protection, commonly known as the "Paris Principles," were adopted in 1993. The Principles reveal the authority

and composition of national human rights institutions, and encourage, advocate, and assist countries in establishing national human rights institutions.

Section 1 The Origin and Establishment of the National Human Rights Commission

I. Chang Peng-chun, Republic of China Representative to the United Nations Security Council; one of the principal drafters of the Universal Declaration of Human Rights

During his tenure as Republic of China Representative to the United Nations Security Council as well as the Vice Chairperson of the UN Commission on Human Rights, educator Chang Peng-chun (1892-1957) was one of the principal drafters of the Universal Declaration of Human Rights. He had been a key influence in establishing the universality of the Universal Declaration of Human Rights, by advocating that human rights are based on conscience and rationality. In doing so, he avoided the exclusive reliance on Western theology (such as 'god-granted' rights), and provided the perspective of Asian countries, which eventually resolved the stalemate among the member states of the Council.

However, when the Republic of China was plunged into the Chinese Civil War, the

Constitution was held in abeyance on May 14, 1948, and the Temporary Provisions Effective During the Period of National Mobilization for Suppression of the Communist Rebellion was passed. On May 20, 1949, the Governor of Taiwan Province and the Commanding General of Taiwan Garrison Command, Chen Cheng, declared martial law in Taiwan. At the end of the same year, the National Government of the Republic of China retreated to Taiwan.

Subsequently, on the basis of the Universal Declaration of Human Rights, the United Nations General Assembly passed first the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) in 1965, and then the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) in 1966, providing that all state parties are obliged to take appropriate measures to implement these rights.

The ICCPR, in particular, provides for the individual enjoyment of fundamental freedoms and the right to participate in politics. Examples include freedom of life, liberty and freedom from slavery and torture; personality rights; the right to judicial remedies; freedom from arbitrary and unlawful arrest, and from detention or exile; the right to a fair and public hearing; the right to the presumption of innocence; freedom of communication; freedom of movement and residence; the right to property; freedom of thought and religion; freedom of expression; freedom of assembly and association; and the right to equal political participation.

However, the Republic of China government in Taiwan did not complete the signing and ratification process, due to the Temporary Provisions Effective During the Period of National Mobilization for Suppression of the Communist Rebellion and martial law. Also, many former Western colonies in Africa became independent in the 1960s, which caused the People's Republic of China to gain the support of more countries in the United Nations. In addition, U.S. President Richard Nixon opened relations with the People's Republic of China in 1970

in an attempt to keep the balance of power between the United States and Soviet Union (now Russia), resulting in the United Nations seat of the Republic of China, which was vetoed by the United Nations General Assembly Resolution 2758 in December 1971.

Due to the withdrawal from the United Nations, the process of signing and ratifying the international human rights conventions in Taiwan was shelved for a long time. Later, when martial law was lifted on July 15, 1987, and the press ban was lifted on January 1, 1988, the radical ethos began to grow and civic movements thrived. In 1990, constitutional reform was initiated to terminate the Temporary Provisions Effective During the Period of National Mobilization for Suppression of the Communist Rebellion, and democratization practices such as the re-election of the entire National Assembly and the direct presidential election were completed one after another. Consequently, with advocacy from scholars and civic groups, the signing and ratification of international human rights conventions and the establishment of a national human rights commission had become issues of increasing concern to society.

II. Civil initiatives and efforts of former Presidents begin enshrining human rights conventions in Taiwanese law

After Taiwan initiated constitutional reform and completed work to become democratic, human rights scholar Professor Mab Huang first advocated in 1997 that Taiwan should establish a national human rights commission in compliance with the Paris Principles. This advocacy was supported by many civic groups. Huang Wen-hsiung, the chairperson of Taiwan Association for Human Rights, joined hands with 22 civic groups to form the Coalition for the Promotion of a National Human Rights Commission in 1999; the coalition then began social and political lobbying, and the issue became one of concern during the presidential election held in the spring of 2000.

In March 2000, President Lee Teng-hui established the Control Yuan Committee on Human Rights Protection in response to civic groups' expressed desires. May 20, 2000 marked the first transition of power from one party to another in Taiwan, and President Chen Shui-bian announced in his inaugural speech that an independent national human rights commission would be established. In October, the Coalition for the Promotion of a National Human Rights Commission released a civil version of the draft proposal on the Organic Act of the National Human Rights

Commission. The Office of the President then set up a Human Rights Advisory Group to promote the establishment of a national human rights commission.

In May 2001, the Executive Yuan sent a letter to the Legislative Yuan to ratify the ICCPR and ICESCR, but no consensus was reached between the ruling and opposition parties. In July of the same year, the Office of the President and the Executive Yuan jointly prepared a bill on the national human rights commission in response to the civil version of the draft. In the meantime, though, the political reality was that Taiwan was not a United Nations member state. In light of this, and in reference to the Human Rights Act 1998 of United Kingdom as a precedent, Huang Wen-hsiung proposed the Act to Implement the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (below, the Covenant Implementation Act), that is, the initiative to incorporate the ICCPR and ICESCR international human rights conventions.

In May 2008, President Ma Ying-jeou took office, and Taiwan completed its second political transition, thus deepening Taiwan's democracy. In February 2009, President Ma declared his support for the ICCPR and ICESCR, and the Legislative Yuan passed the Covenant Implementation Act, which

officially initiated a model for incorporating international human rights conventions. In December 2010, President Ma responded to the demands of human rights groups by establishing the Presidential Office Human Rights Consultative Committee. Additionally, the Coalition for the Promotion of a National Human Rights Commission transformed to promote the establishment of Covenants Watch in response to the incorporation of the ICCPR and ICESCR.

In May 2011, the Legislative Yuan passed the Enforcement Act of Convention on the Elimination of All Forms of Discrimination against Women. In January 2012, Covenants Watch and other organizations collaborated with the government in the planning of the international review process, to establish a "Taiwan-style" international convention implementation review mechanism, while making reference to the United Nations norms and taking Taiwan's special international status into account.

In April 2012, President Ma issued the first national report on the ICCPR and ICESCR. In May 2012, Covenants Watch issued a shadow report on the ICCPR and ICESCR composed by civic groups. In February 2013, the reports were reviewed by international human rights experts in Taiwan. The experts made 81 concluding comments and recommendations, while also for the first

time urging Taiwan to establish a national human rights commission in compliance with the Paris Principles.

In June and August 2014, the Legislative Yuan passed first the Implementation Act of the Convention on the Rights of the Child, and then the Act to Implement the Convention on the Rights of Persons with Disabilities. During this period, the Presidential Office Human Rights Consultative Committee made three proposals, namely, to establish the National Human Rights Commission within the Office of the President, within the Executive Yuan, or as an independent agency. However, no consensus was reached.

III. International human rights organizations recommended the National Human Rights Commission be established in the Control Yuan

On December 10, 2015, Human Rights Day, presidential candidate Tsai Ing-wen publicly pledged to "establish a national human rights commission" as part of her election campaign, in response to the expectations of the human rights organizations. After her election and inauguration as President in spring 2016, she instructed the Human Rights Consultative Committee to continue its operations. In January 2017, 10 international human rights

experts came to conduct a review meeting on the Second National ICCPR and ICESCR Report, and again urged Taiwan to establish a national human rights commission. President Tsai promised to complete the plan as soon as possible.

In July 2017, international human rights experts including Rosslyn Noonan (former

chairperson of New Zealand's Human Rights Commission) came to Taiwan to assist in evaluating Taiwan's proposal for the establishment of a national human rights institution. In November 2017, the international human rights experts submitted a formal evaluation report in the name of the Asia Pacific Forum of National Human



Rights Institutions (APF), which specifically stated that "the best option for establishing a national human rights institution in a timely manner is to make it part of the Control Yuan and to provide for an institution fully in compliance with the Paris Principles by amendments to the Organic Law of the Control Yuan and to the Control Act."

In June 2019, the Control Yuan sent a draft proposal for the Organic Act of the Control Yuan National Human Rights Commission and related supporting bills to the Legislative Yuan for ratification; this was then passed by the Legislative Yuan on December 10 of the same year. On January 8, 2020, the Organic Act of the Control Yuan National Human Rights Commission was promulgated, and came into effect on May 1 of that year. Additionally, the Presidential Office Human Rights Consultative Committee was terminated on May 19, 2020, as the group had completed its interim goal. On August 1, 2020, the Control Yuan National Human Rights Commission (NHRC) was officially established and went into operation.



Figure 4-1

May 19, 2020 – The Organic Act of the Control Yuan National Human Rights Commission was passed by the Legislative Yuan on December 10, 2019. The Presidential Office Human Rights Consultative Committee had completed its interim goal and was terminated on May 19, 2020.

Courtesy Office of the President, ROC (Taiwan).

Section 2 Promotion of Human Rights

On August 1, 2020, President Tsai visited the Control Yuan for the first time. During the visit, she was invited to deliver a speech and inaugurated the NHRC, which was established in accordance with the Paris Principles of the United Nations. The NHRC's establishment demonstrated that the promotion and protection of human rights in Taiwan had reached a new milestone, with the nation governed based on the principles of human rights. Since formally entering operations, the NHRC has actively implemented its authority set forth in Article 2 of the Organic Act of the Control Yuan National Human Rights Commission. Specific actions have been as follows:

- I. **To investigate incidents involving torture, human rights violations, or various forms of discrimination in accordance with its authority or in response to petition from the general public, and to handle them and provide remedy according to the law**
- A. **Convening NHRC meetings to investigate incidents involving human rights issues in accordance with the law**

1. During the initial stages, because the system had yet to be established and internal coordination and communication had to be strengthened,



Figure 4-2

August 1, 2020 – The unveiling ceremony and official inauguration of the Control Yuan National Human Rights Commission.

the NHRC actively convened 11 meetings from August 1 to December 31, 2020. There were 52 reported items, 38 discussed matters, and 14 extempore motions during the meetings; commissioners were also assigned to investigate 4 human rights incidents.

2. In order to strengthen the consensus and establish the operational mechanism, five consensus conferences were held between August 1 and December 31, 2020, in which external interlocutors and NHRC advisors were invited to discuss core issues related to human rights development with NHRC commissioners and staff.

B. Caring for deep sea fishers and visiting placement agencies for persons with disabilities

In order to gain better insight into venues for the disadvantaged and their rights, the NHRC visited the Sailors' and Fishers' Service Center of Qianzhen Fishing Port in Kaohsiung, and the Home for the Disabled of Kaohsiung City Government's Social Affairs Bureau, on November 27, 2020. The trip was to explore the labor rights of migrant fishers; to learn about the assistive devices, resources, and workflows in the workplace for persons with disabilities, and their living conditions; and to care about learning environments for children with developmental delay.



Figure 4-3

November 27, 2020 – Chairperson Chen Chu and NHRC commissioners visit the Home for the Disabled of Kaohsiung City Government's Social Affairs Bureau.

C. First human rights investigation report released: The case of illegal infringement of Lin Shui-chuan’s human rights by the national administration

On July 14, 2021, the first human rights investigation report was released. This investigation focuses on the case of "the government’s infringement on dissident Lin Shui-chuan’s right to personal freedom, 61 years ago, via administrative sanctions such as ‘reformation training for hooligans’ in order to avoid judicial procedures." Since the current law’s compensation mechanism for victims is limited to judicial cases only, there is no way to seek redress for victims of human rights violations resulting from administrative injustice. The investigation report concluded that this case is typical of national human rights infringement, and was sent to the Judicial Yuan for reference. Also, the Legislative Yuan and the Transitional

Justice Commission were requested to consider revising the law.

D. Trial National Preventive Mechanism visits: First visit to Tainan Juvenile Detention House

The NHRC will be the dedicated agency for the National Preventive Mechanism (NPM). In order to ensure smooth implementation of the NPM in the future, a trial implementation was launched on August 5–6, 2021, with the first NPM visit conducted at the Tainan Juvenile Detention House, which is an agency of corrections of the Ministry of Justice’s Agency. Alongside experts, NHRC Commissioners Kao Yung-cheng and Yeh Ta-hua interviewed the inmates and staff. Additionally, they observed the institution’s hardware and software facilities to see if there was a potential risk of neglect or infringement of human rights.



Figure 4-4

July 14, 2021, a human rights investigation report press conference is held, with Vice Chairperson Kao Yung-cheng (left), Chairperson Chen Chu (center), and NHRC Commissioner Chang Chu-fang (right).

II. To assist government agencies in the signing and ratification of international human rights instruments and their incorporation, and to ensure the conformity of domestic laws, regulations, directives, and administrative measures with international human rights norms

To promote the legalization and incorporation of the Convention Against Torture and its Optional Protocol, in collaboration with the Ministry of the Interior, the NHRC submitted comments on the draft proposal on the Implementation Act of the Convention Against Torture and its Optional Protocol in relation to the National Preventive Mechanism (NPM) provisions, and attended the meeting held by the Criminal Investigation Bureau of the Ministry of the Interior's National Police Agency on August 28, 2020 to discuss the NPM provisions involved.

The draft proposal on the Implementation Act of the Convention Against Torture and its Optional Protocol was passed by the Executive Yuan meeting on December 10, 2020 and sent to the Legislative Yuan for ratification. On December 1, 2020, the Criminal Investigation Bureau held the 2020 Convention Against Torture Seminar, and NHRC Chairperson Chen Chu and Vice

Chairperson Kao Yung-cheng were invited to be the opening speakers, as well as interlocutors for the first session.

III. To conduct systematic studies of the Constitution and legal statutes based on international human rights standards in order to propose necessary and feasible recommendations to amend the Constitution, and to legislate and amend laws

A. Attending Constitutional Court hearings

1. Human rights issues in the constitutional interpretation of compulsory treatment orders for sexual assault

On November 3, 2020, the NHRC commissioners were invited to provide human rights perspectives on the constitutional interpretation of the compulsory treatment order for sexual assault listed in Hui-Tai Case No. 11541 of the Justices of Constitutional Court, Judicial Yuan. NHRC Commissioner Chi Hui-jung (who has long been concerned with human rights issues of concern to women and children) and Commissioner Chang Chu-fang (who is a lawyer with expertise in sexual assault and gender law) attended the Constitutional Court hearing as amici curiae.



**Control Yuan NHRC Commissioners
Chi Hui-jung and Chang Chu-fang act as *amici curiae*.**

Figure 4-5

November 3, 2020 – NHRC Commissioners Chi Hui-jung (left) and Chang Chu-fang (right) attend the Constitutional Court hearing.

During verbal arguments, Commissioner Chang provided human rights perspectives on the matter.

2. Human rights issues in the constitutional interpretation of indigenous people possessing hunting guns and hunting protected animals

On March 9, 2021, NHRC Vice Chairperson Kao Yung-cheng and Control Yuan Member Pu Chung-cheng attended the Constitutional Court hearing as *amici curiae* on the indigenous people(s) culture (hunting), the possession of hunting guns, and other issues listed in Hui-Tai Case No. 12860 of the Justices of Constitutional Court, Judicial Yuan.

During verbal arguments, Vice Chairperson Kao Yung-cheng provided human rights perspectives on the matters.



**Control Yuan NHRC Commissioner
Kao Yung-cheng appears as *amicus curiae*.**

Figure 4-6

March 9, 2021 – Vice Chairperson Kao Yung-cheng attends the Constitutional Court hearing.

B. Providing written comments on human rights perspectives regarding constitutional interpretations

In response to the Secretary-General of the Judicial Yuan letter dated November 30, 2020, regarding Tsai and others petitioning for a constitutional interpretation of Hui-Tai Case No. 13769 of the Justices of Constitutional Court, Judicial Yuan, the Control Yuan was requested to provide opinions and reply to the relevant information on each of the points of the constitutional interpretation petition for the hearing's reference. The constitutional interpretation was related to Article 6 of the current Personal Data Protection Act and Article 79 of the National Health Insurance Act, which did not distinguish the importance of public interests outside of the original purpose of collection; that is, they allowed public agencies to mandatorily retain personal data on a large scale and establish databases. This violated the information privacy protection in Article 22 of the Constitution and the principle of legal reservation under Article 23. The NHRC provided written opinions from a human rights perspective for each of the points listed in the petition, which also served as a reference for the constitutional interpretation hearing.

IV. To monitor the effectiveness of government agencies in promoting human rights education, enhancing human rights awareness, and handling matters involving human rights

To promote human rights education, the NHRC seeks joint cooperation programs with a variety of government agencies. In terms of human rights education for civil servants, the NHRC actively cooperates with the National Academy of Civil Service, the National Academy for Educational Research, the Academy for the Judiciary of Ministry of Justice, and the Executive Yuan's Civil Service Development Institute of the Directorate-General of Personnel Administration. The NHRC cooperates with its partners by selecting specific cases of human rights violations investigated by Control Yuan members, analyzing controversies and advocating for the Conventions, and by providing concrete experiential training materials on human rights education for civil servants, educators, and judicial officers.

A. National Academy of Civil Service Cooperation Program

On October 27, 2020, the NHRC and the National Academy of Civil Service held the Presentation on Cooperation to Improve Human Rights Education for Civil Servants. On November 24, 2020, the NHRC and the Examination Yuan jointly held the 2020 Basic

Training for Personnel Newly Passing the Civil Servant Senior and Junior Examinations: Viewing Public Service Situations in Terms of Human Rights Issues.

B. Visiting the National Academy for Educational Research, Ministry of Education

On November 23, 2020, the NHRC visited the National Academy for Educational Research to learn more about the promotion of human rights education, and provided international human rights information such as the UN Plans of Action for Human Rights Education and the establishment of professional boundaries for teacher-student relationships. Additionally, the two sides

exchanged experiences in promoting human rights education, and reached a consensus on future cooperation in both human rights teaching materials and lesson plans.

C. Visiting the Civil Service Development Institute of the Executive Yuan’s Directorate-General of Personnel Administration

On December 17, 2020, the NHRC visited the Directorate-General of Personnel Administration’s Civil Service Development Institute. During the visit, the NHRC and Institute exchanged experiences and promotion suggestions on future cooperation, and how to develop human rights teaching materials and lesson plans.



Figure 4-7
 October 27, 2020 – The NHRC and the National Academy of Civil Service hold the Presentation on Cooperation to Improve Human Rights Education for Civil Servants.

Apart from that, they reached an initial consensus on cooperation in how to implement on-the-job training on human rights concepts for current civil servants.

V. To cooperate with domestic authorities, civic groups, international organizations, national human rights institutions and non-governmental organizations to promote human rights protection

A. Study on Human Rights Development in Communities and Human Rights Education

In terms of human rights development in communities, the NHRC actively strives to promote human rights concepts and to

strengthen human rights education and studies. The NHRC raises human rights awareness through events, topics of which have included exploring human rights issues related to the death sentence; gender equity; persons with disabilities; children and youths; and migrant workers. Some specific events include:

1. Voices of Youth Rights

On November 19, 2020, in response to the United Nations' World Children's Day, the NHRC held the Voices of Youth Rights event. 49 children and youth representatives from the country and disabled groups were invited to exchange opinions with the NHRC commissioners in the form of a World Coffee Table.



Figure 4-8

November 19, 2020 – The NHRC holds the Voices of Youth Rights event on International Children's Rights Day. At the event, children and youth representatives gather to discuss human rights issues.

2. Purple Ribbon Against Domestic Violence: Dance, Film Screening, and Forum

On November 21, 2020 at the Rose Historic Site, the NHRC and the Tsai Jui-yueh Dance Research Institute held the Purple Ribbon Against Domestic Violence dance performance, film screening, and forum. In response to the International Day for the Elimination of Violence Against Women and Girls, a special performance of The Puppet Goes into Battle by the Tsai Jui-yueh Dance Research Institute was arranged, along with a human rights discussion.

3. Hai-kuang Human Rights Lecture – first cooperation with civic groups on human rights promotion

In the NHRC’s first cooperation with a private academic organization since its

establishment, the Be a Complete Person - Hai-kuang Human Rights Lecture was held beginning on March 8, 2021. Topics including "2020 Human Rights Chronological Event Seminar," "Practical Workshop on Human Rights Issues Promotion," "Forum: The Formation and Future of National Committees," and the "Hai-kuang Reading – Human Rights Topics" series were in cooperation with Hai-kuang School of Humanities. Through this series, the NHRC helped to explore various human rights issues of current social concern.

Affected by the rise of the COVID-19, since July 2021, the Hai-kuang Human Rights Seminars have been held via videoconferencing. The seminar "Freedom and Human Rights in the Era of Digital Supervision and Data Collection" was held



Figure 4-9

November 21, 2020 – The NHRC holds the Purple Ribbon Against Domestic Violence event to advocate for an end to violence against women internationally through dance and drama.

on July 1, and the "Both the Flowers and the Gravel for Human Rights NGO Workers in Taiwan – Practical Insights on Human Rights

Work Sharing Session" was held on July 20, to actively promote human rights education for young students.



Figure 4-10

March 8, 2021 – The NHRC holds a press conference to launch the Be a Complete Person – Hai-kuang Human Rights Lecture series at the former residence of Yin Hai-kuang.



Figure 4-11

The "Freedom and Human Rights in the Era of Digital Supervision and Data Collection" seminar; July 1, 2021.

Figure 4-12

The "Both the Flowers and the Gravel for Human Rights NGO Workers in Taiwan – Practical Insights on Human Rights Work Sharing Session" is held on July 20, 2021.

4. Human Rights Hub! – promoting human rights progress with care

The "Social Dialogue – Human Rights Hub" series of seminars were launched on March 5, 2021. The first seminar was hosted by Human Rights Commissioner Chi Hui-jung, who has long been concerned with women’s rights issues, to discuss and exchange opinions on women and gender issues. The second seminar, on the topic of

"Children and Juveniles," was held on April 21 and hosted by Commissioner Yeh Ta-hua. The third seminar, on the topic of "Workers" on May 10, was hosted by Commissioner Wang Yu-ling. In the future, the seminars will continue to discuss and exchange opinions with related groups on human rights topics such as youth, indigenous people, and new immigrants.



Figure 4-13
 March 5, 2021 – Group photo from the NHRC Social Dialogue – Human Rights Hub (women’s issues).



Figure 4-14

May 10, 2021 - Representatives of trade unions and labor organizations exchange views at the Social Dialogue - Human Rights Hub series of seminars.

5. Collaboration with the social welfare sector – Exploring the pandemic’s socio-economy and human rights impacts

Human rights issues are emerging with the COVID-19 outbreak. In response to this, on May 14, 2021, the NHRC held a two-day seminar on Welfare State and Social Solidarity: Models and Innovation for Human Rights and Social Welfare During the

Pandemic. In holding this seminar, the NHRC worked with the Social Welfare Association of Taiwan, an organization from the social welfare sector for the first time. Due to pandemic, the seminar was conducted via multi-location videoconferencing, to broadly explore the pandemic’s impacts and influences on lifestyles in all facets of society.



Figure 4-15

May 14, 2021 - NHRC Chairperson Chen Chu delivers an opening speech for the seminar through videoconferencing.

6. Carrying on human rights concepts: A discussion on the work and mission of human rights with Professor Mab Huang

On July 12, 2021, human rights consultant Professor Mab Huang was invited to discuss the topic of "A Look Back on 20 Years of Human Rights Education in Taiwan, and Prospects for the Future" at a seminar. Early in 1997, Professor Huang advocated for the establishment of a national human rights institution in accordance with the United Nations' Paris Principles; he was the earliest advocate in Taiwan. Professor Huang urged that in-depth surveys be conducted and reports released with disadvantaged groups such as indigenous people, fishers, migrant workers, homeless people in urban areas, and prisoners. He has emphasized that such

work is an indispensable tool for policy recommendations, and forms a part of human rights education.



Figure 4-16

July 12, 2021 - NHRC Chairperson Chen Chu (left) invited human rights consultant Professor Mab Huang (right) for a discussion at the seminar.



Figure 4-17

"2021 International Conference on Human Rights Development"; November 23-24, 2021

B. International Exchanges

1. Mutual Visit and Collaboration with British Office Taipei

On October 5, 2020, Representative Catherine Nettleton of the British Office Taipei, visited the NHRC and expressed British human rights institutions' wish to work together on human rights with Taiwan. On November 18, 2020, NHRC Vice Chairperson Kao Yung-cheng met with Mark Fletcher, Head of Political Affairs at the British Office Taipei. A video conference was held between the NHRC and UK's Equality and Human rights Commission (EHRC) to exchange views on the feasibility of collaboration in promoting human rights.

2. Asia Pacific Forum (APF) of National Human Rights Institutions Video Conference

On November 11, 2020, an online video conference was held between the NHRC and Director of the APF Secretariat Kieren Fitzpatrick, Special Emissary Rosslyn Noonan, Principal Advisor Pip Dargan, Legal and Policy Manager Phillip Wardle, and others. During the meeting, the two sides exchanged views on human rights issues, operations, and national inquiries, and will continue to build consensus on exchanges of experience and training.



Figure 4-18

October 5, 2020 – Catherine Nettleton (third from left), Representative of the British Office Taipei, visits the NHRC.



Figure 4-19

November 11, 2020 – The NHRC holds a video conference with the Asia Pacific Forum of National Human Rights Institutions.

3. French Office in Taipei visits the NHRC

On December 21, 2020, Jean-François Casabonne-Masonnave, Director of the French Office in Taipei, paid a visit to NHRC Chairperson Chen Chu and toured the Human Rights Day Exhibition. The two sides exchanged experiences on the progress of human rights in France and Taiwan, and looked forward to more substantive bilateral exchanges and collaboration on human rights issues in the future.



Figure 4-20

December 21, 2020 - Jean-François Casabonne-Masonnave (fourth from left), Director of the French Office in Taipei, visits the NHRC.

4. Say NO to Torture! Seminar connecting with New Zealand on torture prevention and fishers' rights

On June 23, 2021, the 2021 Forum on International Practice of OPCAT-NPM & Human Rights of Fishermen was held in three sessions, each with a different topic. In consideration of pandemic-fighting measures, the forum was conducted via multinational videoconferencing. The forum connected the representatives of the NHRC with New Zealand Human Rights Commission and the Office of the Ombudsman staff, to share operational experience from New Zealand's multi-agency National Preventive Mechanism (NPM). This experience then served as a reference for the launch of the visits for the trial implementation of NPM in 2021. Additionally, representatives from all sectors in Taiwan were invited to explore the issue of human rights of fishermen, and were requested to pay attention to the issue, as well as to protect their human rights.



Figure 4-21

June 23, 2021 – The 2021 Forum on International Practice of OPCAT-NPM & Human Rights of Fishermen is held. Shown here, Kuang Ching-tai (first from left), Chief of the Criminal Investigation Bureau within the Ministry of the Interior's National Police Agency; Professor Huang Song-lih (second from left), human rights consultant; NHRC Chairperson Chen Chu (third from left); NHRC Vice Chairperson Kao Yung-cheng (second from right); and Professor Yao Meng-chang (first from right) of Fu Jen Catholic University's Department of Law.

5. Coordination with all walks of life to facilitate the return of Indonesian crew stranded in the Taiwan Strait

As the COVID-19 pandemic has raged, many countries have imposed strict border controls. Consequently, about 250,000 crew were stranded at sea and unable to return to their home countries. Teddy Surachmat, Deputy Representative at the Indonesian Economic and Trade Office to Taipei (IETO), visited the NHRC on March 24 and July 28, 2021, in hopes of securing humanitarian aid to assist Indonesian crew stranded off the coast of Taiwan in returning home. With coordination and cooperation from all walks

of life, and through the dedicated assistance of Taiwan government agencies, a total of 105 Indonesian crew had returned home successfully on August 20, 2021.

C. Staff training and translation of the United Nations-related human rights documents and reports

The NHRC actively conducts staff training and translates United Nations-related human rights documents and reports to enhance the professional capacity of its staff, and to deepen their understanding of the functions of national human rights institutions.



Figure 4-22

March 24, 2021 - The deputy representative of the Indonesian Economic and Trade Office to Taipei (IETO), Teddy Surachmat (third from left), visits the NHRC in hopes of securing humanitarian aid to assist Indonesian crew in returning home.

1. Internal training to encourage professional development for staff

On November 16, 2020, the NHRC held a training course regarding the Australian Royal Commission of Systematic National Inquiry and invited Joanna Feng, Executive Director of the Humanistic Education Foundation, to share her experience on the national inquiry into child and youth sexual abuse cases in Australia. Pavel Doubek, a Czech human rights lawyer, was invited on November 23, 2020 to give a lecture and discussion on the National Preventive Mechanism (NPM) for the Convention Against Torture. In addition, the authors of *A Smoking Island*,

who are interested in environmental rights practice, were also invited for a study visit and discussion with regards to the training of systematic inquiry visits.

2. Collecting and translating international human rights documents and reports

In order to gain an in-depth understanding of international human rights, the NHRC is actively planning for translation of international human rights documents and reports, including APF and the United Nations-related human rights conventions and documents. Examples include the APF Manual for National Human Rights



Figure 4-23

November 23, 2020 – The NHRC conducts a seminar on the National Preventive Mechanism for the Convention Against Torture with Pavel Doubek (fourth from left).

Institutions; the human rights indicators of the ICCPR and ICESCR; the Convention Against Torture, etc.

The plans of action for the first, second and third phases of the World Program for Human Rights Education, which was released by the United Nations for educators, were the firstly launched works. In addition, the NHRC works with the Ministry of Education to conduct human rights education for educators on campus.

The NHRC plans to further assist in translating human rights documents into other languages, such as Indonesian, in the hope that the concept of international

human rights will spread and take root among different language groups.

3. Taking human rights advisors' advice into account

In order to establish the NHRC system and carry out its mandate, 15 experts from the fields of disabilities, human rights education, international public law, labor, children and youths, gender and women, the environment, ethnic groups, and report study were recruited as human rights advisors. On November 30, 2020, the NHRC held an advisory meeting to hear their advice. In the future, more advisors will be



Figure 4-24

November 30, 2020 – Group photo of first-term NHRC commissioners and advisors.

commissioned depending on the NHRC’s different issue-based groups and as required by international human rights conventions.

4. Visiting Historical Sites of Injustice

From August to November 2020, the NHRC visited historical sites of the White Terror period, including the Ankang Reception House, Xindian Military Prison, Liuzhangli cemeteries, Green Island White Terror Memorial Park, and Taiyuan Correctional Prison. There, they lifted the veil shrouding Historical Sites of Injustice from

the martial law period. By integrating the ICCPR’s human rights protection provisions, such as personal freedom and the right to a fair trial, these sites also serve as site-based learning materials.

VI. To provide independent opinions on the governmental national reports on human rights conventions

In accordance with the authority set forth in Article 2 of the Organic Act of the Control Yuan National Human Rights Commission, the NHRC may provide



Figure 4-25

October 7, 2020 – NHRC Chairperson Chen Chu and NHRC commissioners visit Green Island White Terror Memorial Park.

independent opinions, including on national reports published by government agencies regarding human rights conventions.

A. Independent Opinion on the Third National ICCPR and ICESCR Report

The NHRC provided the Independent Opinion on the Third National ICCPR and ICESCR Report published by the government in June 2020. The Independent Opinion is intended to identify shortcomings in the current system, in terms of supervision power by departments other than administrative ones, and to urge the government to make improvements. Additionally, by making reference to the Third National ICCPR and ICESCR Report, the Independent Opinion gives the truest reflection of the human rights situation in Taiwan. The NHRC published both Chinese and Brief versions of the Independent Opinion, with both being issued on December 10, 2020, Human Rights Day.

B. Independent Opinion on the Second National Report on the CRPD

The NHRC is in the process of composing independent opinions on the governmental Second National Report on the Convention on the Rights of Persons with Disabilities (CRPD), which was published on December 1, 2020. The NHRC has incorporated a

wide range of external opinions obtained through focus group discussions and expert consultation meetings. The report was approved by the 20th meeting of the first-term NHRC on August 24, 2021. The report will later be translated into English and sent to the International Review Committee (IRC) for reference. In addition, accessible format versions such as Braille, sign language, easy-to-read, and audio books will be published to help the public understand the implementation of CRPD.



Figure 4-26

December 2020 – The NHRC publishes the Independent Opinion on the Third National ICCPR and ICESCR Report.

VII. Other matters related to the promotion and protection of human rights

A. 2020 Human Rights Day Series Events

Charged with the important responsibility of promoting human rights and shouldering the key mission of bridging international human rights organizations, the NHRC organized a series of events in conjunction with Human Rights Day 2020. These events included the static "Human Rights Taiwan – Human Rights Day

Exhibition" and the dynamic "Taiwan Human Rights Upgrade."

1. Human Rights Day Exhibition

From December 4, 2020 to January 24, 2021, the Human Rights Taiwan - Human Rights Day Exhibition took place in the Control Yuan. The exhibition included the development of international human rights, the history of human rights in Taiwan, human rights videos, the history of the NHRC, the NHRC's achievements, and major human rights investigation cases over the years.



Figure 4-27

December 4, 2020 – The NHRC holds a press conference to launch the Human Rights Day Exhibition.

Additionally, the NHRC cooperated with disabled groups to set up an interactive disabled experience area for visitors to physically experience the daily life of persons with disabilities.

2. Taiwan Human Rights Upgrade Event

On Human Rights Day (December 10), 2020, the Taiwan Human Rights Upgrade event was held. President Tsai Ing-wen was invited to deliver a speech. She and representatives from all sectors of society

(including indigenous representative Yavai Yatauyoungana; NHRC Commissioner Wang Jung-chang; Chairperson Chen Chu; new immigrant representative Trần Thị Hoàng Phượng; and political victim representative Tsai Kuan-yu) held a launch ceremony for the NHRC's visual identity and logo. The logo design is based on the five ethnic groups in Taiwan, highlighting the Taiwanese people's commitment to equality, freedom, diversity, justice, and democracy.



Figure 4-28

December 10, 2020 - President Tsai Ing-wen (third from left) and NHRC Chairperson Chen Chu (third from right) unveil the NHRC's visual identity design and logo, along with representatives from all sectors of society.

B. Draw up relevant laws and regulations for the NHRC

After its official inauguration on August 1, 2020, the NHRC has been actively working on the development of various supporting laws and regulations. As of December 31, 2020, the Regulations Governing the Selection of Human Rights Consultants for the Control Yuan National Human Rights Commission (promulgated on September 11, 2020) and the Rules of Procedure of the Control Yuan National Human Rights Commission (promulgated on November 9, 2020) have been completed. In addition, supporting regulations of systematic inquiry and research, and the National Preventive Mechanism (NPM) for the Convention Against Torture are also studied by the NHRC to facilitate the implementation of related administrative affairs.

C. Anniversary Press Conference! Chairperson Chen Chu expects human rights in Taiwan to keep moving forward

On August 2, 2021, the NHRC held the NHRC Anniversary Achievement Presentation Press Conference/Migrant Fisher Human Rights Investigation Mid-term Report Presentation. Chairperson Chen Chu said that the mission of NHRC is to become the national conscience and a reliable source of support for disadvantaged people. The first anniversary was just the starting point; through greater effort and practice, human rights will become "warm power;" through unwavering pursuit, human rights in Taiwan will continue to move forward. During the press conference, two new NHRC commissioners appointed in 2021, Chao Yung-ching and Fan Sun-lu, were introduced. Commissioners Wang Yu-ling, Wang Mei-yu, and Chi Hui-jung presented the "Migrant Fisher Human Rights Investigation Mid-term Report."



Figure 4-29

August 2, 2021 - NHRC commissioners attend the NHRC Anniversary Achievement Presentation Press Conference.

Section 3 Spreading the Wings of Hope for Human Rights

I. Commission Objectives

A. Laying the foundation for the promotion and protection of human rights to realize social justice and fairness

The NHRC is dedicated to exercising its powers and functions; to laying the foundation for the promotion and protection of human rights; to ensuring the realization of social justice and fairness; to complying with international human rights standards by adopting universal human rights values; and to implementing constitutional protection of the people's rights.

B. Promoting international exchanges and cooperation, to move toward the goal of a country built on human rights

In accordance with its powers and functions, the NHRC actively establishes networks of human rights cooperation and strengthens cooperation and exchanges with domestic authorities, civil groups and organizations, international organizations, national human rights institutions and non-

governmental organizations. The goal of this work is to achieve the 'active facilitation' function of the Paris Principles. By promoting international human rights exchanges, the NHRC enhances both Taiwan's image as a nation of human rights and international participation, to align with the international standards.

C. Independently maintaining the human rights mandate to form the nation's conscience

The NHRC improves its powers, functions and systems; strengthens its communication with society; operates in a neutral, pluralistic and more efficient manner; actively speaks out for the disadvantaged; monitors and evaluates the human rights situation in the country from a national perspective; strengthens the human rights awareness and protection mechanisms of government agencies at all levels to be in line with international standards; adheres to human rights values; and leverages its powers to change Taiwan and the world, all in order to make human rights the nation's conscience.

D. Continuing to promote cross-disciplinary human rights education and helping human rights education to take root

In addition to administrative agencies that are already engaged in cooperation or negotiation, the NHRC will continue investing resources to develop teaching materials and modules. By deepening international human rights norms and concepts, the NHRC will help human rights education to take root in every domain.

II. Promotion Strategies

Strategy 1: Handling and providing remedies for human rights violations

Protecting human rights and strengthen human rights work capacity through inquiries, research, and public-private partnerships

The Control Yuan, which receives people's written complaints and exercises its authority of investigation, already possesses multiple functions of a national human

Six Main Promotion Strategies

Handling and Providing remedies for human rights violations

Systematic inquiry & case investigation

Policy research and analysis

Establishing a human rights database and related indicators

Providing independent opinions for national reports on human rights conventions

CRPD; CRC; CEDAW

Human Rights Promotion Strategies

Public-private partnerships

Organizing forums, dialogues, and cooperative promotion

Aligning with international practices

Exchange meetings; international document translation

Helping human rights education take root

Inter-institutional cooperation; innovative lesson plans

Figure 4-30

NHRC Six Main Promotion Strategies for 2021.

rights institution. Additionally, it has been promoting its monitoring and supervision functions to protect human rights. With the gradual incorporation of international human rights conventions in Taiwan, it is even more important for the Control Yuan to monitor how government agencies at all levels implement their international human rights duties. Through the exercise of its authority, the Control Yuan will actively handle and assist in remedying human rights violations by participating in or assisting in the investigation of incidents involving torture, human rights violations, or which constitute any form of discrimination; by conducting systematic inquiry and research; by handling operations related to the prevention of torture; by assisting human rights victims; by recording oral statement of human rights victims; and by conducting overseas inquiries, research, and investigations.

Strategy 2: Establishing a human rights database and related indicators to study and review national human rights policies

Evaluating the government's human rights policy and the practices of international conventions

The specific measures of this strategy include the establishment of a human rights database, human rights convention indicators and review mechanisms; publishing forward-looking human rights

policy studies and thematic reports; and analyzing relevant laws (bills) involving human rights issues.

The NHRC actively plans to build a Level AAA-accessible website, in order to construct human rights information, and in the hope of providing dynamic information on a wide range of human rights issues, collecting domestic and foreign human rights-related information and literature, and establishing a database of important human rights cases to facilitate research in the field of human rights and public international law. Additionally, a platform for public participation in human rights issues will be established in order to understand the public's thoughts and opinions on human rights issues, and to expand understanding of and participation in human rights, thereby refining policies and practices related to human rights protection. Not only will the extensive human rights information on the website effectively promote international human rights exchanges and cooperation, but it will also showcase the human rights protection-related actions conducted by the Control Yuan and its performance in promoting human rights work. Doing so will help the NHRC's human rights protection work to better meet public expectations. This will highlight the effectiveness of Taiwan's active implementation of international human rights conventions, and thus help the world to see Taiwan's human rights development.

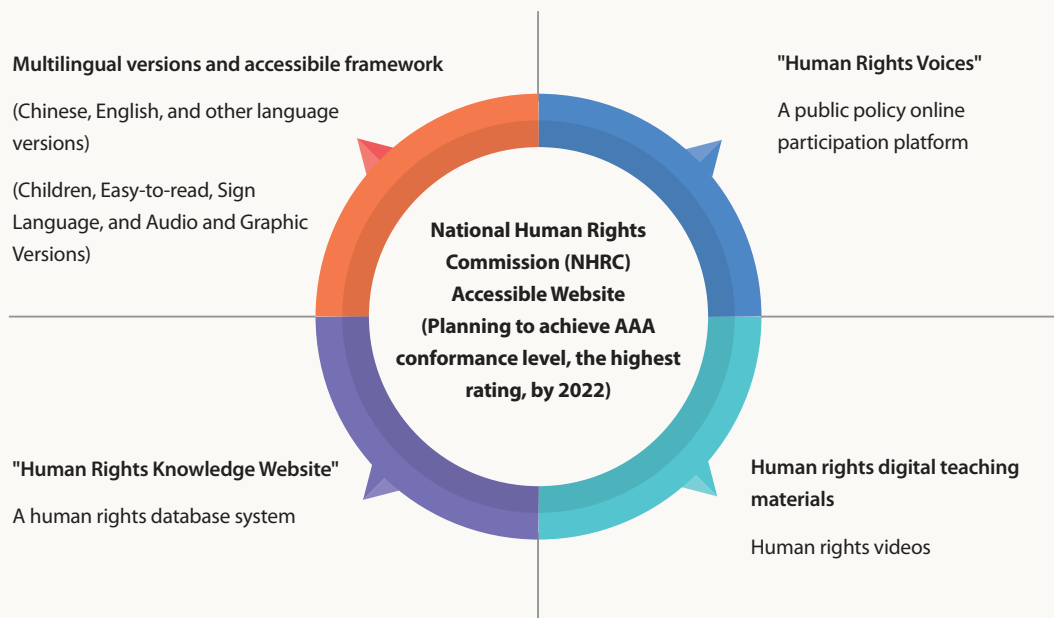


Figure 4-31

Goals and strategies for the NHRC accessible website.

Strategy 3: Providing independent opinions on the national report on human rights conventions

Playing an independent and professional role in evaluating the implementation of human rights policies and assisting the government to promote human rights protection

Providing independent opinions on the national reports of human rights conventions is an important responsibility of independent national human rights institutions. The NHRC, as an independent national human rights

institution in compliance with the Paris Principles, first published the Independent Opinion on the Third National ICCPR and ICESCR Report in December 2020. The NHRC will continue to compose and publish the independent opinions on national reports regarding the CRPD, the Convention on the Rights of the Child (CRC), and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) from a national perspective, then compile and translate them in a timely manner. In addition, the NHRC will also focus on

the follow-up process of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and establish standards for evaluating governmental human rights policies based on international human rights conventions, in order to fulfill the NHRC’s independent and professional role.

Strategy 4: Partnering with the public and private sectors to promote human rights protection

Strengthening the human rights profession, and grasping the connection between international human rights trends and domestic human rights development

The great progress of human rights in Taiwan is the result of years of efforts by both the government and the public. Since its establishment, the NHRC has actively worked on the implementation of various human rights promotion and protection tasks in accordance with its mandate. The NHRC works to unite the power of common concerns and constantly promote the progress of human rights, in response to the people’s expectations.

Human rights civic groups are an important force in the progress of human rights in Taiwan, and are also key partners for cooperation. Organizing professional forums on human rights; collaborating



Figure 4-32
 March 8, 2021 – Press conference to launch the Be a Complete Person – Hai-kuang Human Rights Lecture.

with civic groups to establish civil dialogue; cooperating to organize human rights awards; and cooperating with civic groups/research institutions to develop innovative human rights promotion programs – these are all specific and feasible ways in which the NHRC promotes human rights. In March 2021, the NHRC assisted the Yin Hai-kuang Foundation to promote the Hai-kuang Human Rights Lectures, so as to get them running smoothly; and this marked the initial step to collaboration with civil society. In the future, the NHRC will continue to pay attention to related organizations' operating conditions. Through the injection of government resources, the NHRC will

work together with civil society to promote the ideal of human rights, freedom, and democracy.

Strategy 5: Aligning with international practices to establish international human rights exchanges networks

Actively participating in international cooperation to promote human rights protection

One of the important functions of the NHRC is to cooperate with international organizations, national human rights institutions, and non-governmental organizations to promote human rights



Figure 4-33

November 11, 2020 – Discussion with representatives of the Secretariat of the Asia Pacific Forum of National Human Rights Institutions (APF) via video conference.

protection. Since its inauguration, the NHRC has conducted bilateral exchanges with foreign institutions and human rights organizations in Taiwan. For example, the NHRC exchanged views with the British Office Taipei and the French Office in Taipei regarding the feasibility of cooperation in promoting human rights affairs; and in a video conference with the Asia Pacific Forum of National Human Rights Institutions (APF), the two sides exchanged views on a wide range of human rights issues, the operation of the Commission's affairs, and the Australian experience in national inquiries, and reached consensus to strengthen the APF's experience and exchange views on staff training in the future. In doing so, the NHRC is able to achieve practical benefits in promoting international exchange and cooperation.

Human rights are the values generally pursued by the international community. In the future, the NHRC will continue to take a proactive approach to establishing networks of human rights cooperation; focus on organizing opinion exchange and networking meetings with international organizations and human rights institutions; attend the APF Biennial Conference; organize international human rights institution visits and training and education cooperation programs; participate in international conferences on human rights; and translate

specialized investigations and research reports from abroad.

Strategy 6: Strengthening social Communication, enhancing human rights awareness, and helping human rights education to take root

Strengthening public officials' awareness of human rights and enabling them to apply human rights values to their duties

Promoting human rights concepts and spreading awareness of human rights are core duties within human rights protection work. By incorporating the strengths of cross-disciplinary agencies, human rights education can take root in multiple areas. The NHRC is currently in cooperation with several government agencies, including the National Academy of Civil Service, the National Academy for Educational Research, and the Civil Service Development Institute of the Directorate-General of Personnel Administration. Together with these agencies, the NHRC will review, evaluate, and improve the effectiveness of lesson plans, and work to develop human rights education modules, board games, integrated teaching materials, seed teacher training programs, and human rights lesson plan collaboration. In the future, the NHRC hopes to cooperate with the Ministry of Justice's Academy for the Judiciary to promote human rights-related

lesson plans, thereby helping international human rights norms and concepts to be truly implemented in the process of domestic laws and judicial investigations. By deepening human rights education in many domains, the NHRC helps human rights concepts take root in the hearts of the people.

In terms of implementation, these six promotion strategies are being gradually promoted and continuously improved. In addition, from the legal aspect, for the purpose of exercising the NHRC's human rights authority and protecting its

independent role (which also relies on the full authorization by the relevant laws and regulations), the Control Yuan currently welcomes advice and suggestions from all walks of life; the NHRC also strives to improve the appropriateness of laws, regulations, and systems. Meanwhile, in keeping with the original intention of protecting and promoting human rights, the NHRC will operate in a more neutral, pluralistic, and efficient manner, to actively speak for the disadvantaged.

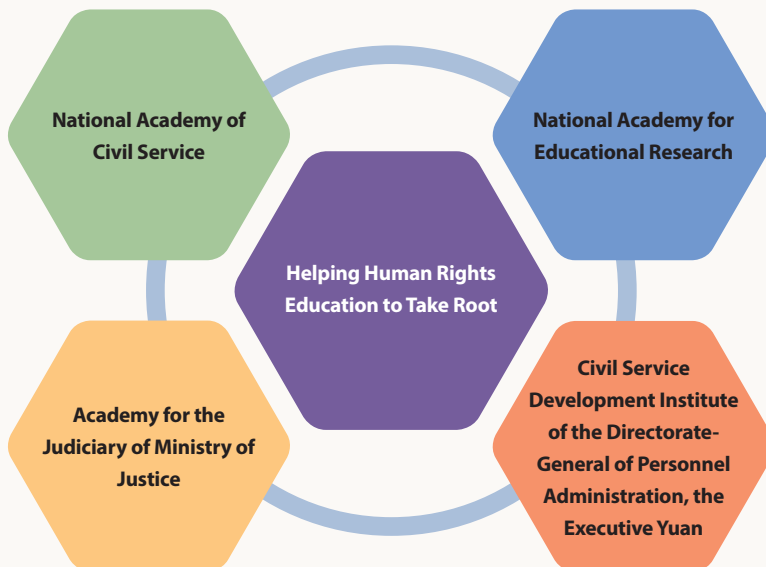


Figure 4-34

Current partners in human rights education.



Managing editors: Su Jui-hui, Chen Mei-yan, Yang Chang-hsien, Lin Ya-ling, Cheng Chiao-yun, Ho Tai-chun; Copy editors: Wei Chia-sheng, Cheng Hsu-hao



CHAPTER

5

Major Achievements in Supervisory and Anti-Corruption Cases

Moving Towards the Future with a Focus on History, the People, Diligence and Wisdom

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Preface

Since its establishment 90 years ago, the Control Yuan has had four major goals: rectify government officials, clarify official governance, protect human rights, and alleviate the grievances of the people. These goals have been the basis for the exercise of powers by the Control Yuan members to ensure that civil servants who violate the law or who are derelict in their duties have nowhere to hide. The Control Yuan also strives to be a good government physician by dedicating itself to eradicating malfeasance from the state apparatus. The Control Yuan aims to become the conscience of the nation, the support of the people, the beacon of the aggrieved, and the bedrock to the disadvantaged.

A survey on the exercise of power by Control Yuan members shows that most investigated cases in the professional domain were judicial and land related. However, there were also several cases involving finance, national defense, education, engineering, procurement, and prison administration. With recent increasing awareness of environmental protection, health promotion, and human rights protection, cases involving hygiene and welfare, environmental protection, industrial safety, and food safety

have reached significant numbers. Several such investigations have been high profile cases that have been affirmed by the public and cited by many academic publications. These cases were also frequently reported by the media and further spurred government agencies at all levels to promote the beneficial and abolish the harmful, to strive toward sound governance, and to strengthen the protection of human rights and public welfare. In addition, since 1993, the Control Yuan has successively implemented Sunshine Acts, which include the Act on Property-Declaration by Public Servants to promote law-abiding conduct of government officials. The promotion of the Sunshine Acts has helped raise political ethics standards and develop democracy, and great effort has been spent to successfully remove corruption in government and law enforcement.

Due to the limitations of space, it is not possible to fully present the results of tens of thousands of supervisory and anti-corruption cases. However, major representative, memorable and influential cases from various categories of supervision and investigation have been selected. These cases are divided into the following nine categories: request for constitutional interpretation; land justice;

national defense and diplomacy; judicial justice; prison administration reform; social welfare, education, and labor rights; fiscal discipline and property rights; health rights and environmental rights; and public safety.

In addition, the Control Yuan's implementation of the Sunshine Acts has demonstrated its effectiveness in cleaning up the government. This is the tenth category, anti-corruption in government functions, for which four benchmark cases have been selected as examples. These cases are as follows: the first ever sentence imposed for deliberate concealment of property, fraudulent declaration and failure to provide

reasonable explanation for abnormal increase in property; the first ever sentence imposed on refusal to declare property; the maximum statutory penalty imposed for breaching power to profit stakeholders; and a sentence imposed for accepting excessively large donations from foreign capital and Hong Kong capital.

The above ten categories of cases are summarized in this chapter as a special collection and documentation for the 90th anniversary of the Control Yuan. They serve as a historical witness to the heritage of the past so as to carry the cause forward into the future.



Section 1 Requests for Constitutional Interpretation

I. Requesting constitutional interpretation to clarify laws and regulations to safeguard basic human rights

Term: 1-5

In the spirit of the Constitution, a democratic country cannot depend solely on the written law of the Constitution. In addition to relying on the articles of the Constitution, the growth of constitutionalism also relies on the establishment of constitutional conventions and the interpretation of the Constitution. Only then can development and social change be integrated to solidify the cornerstone of democracy and the rule of law.



Figure 5-1

Photo of the Constitutional Court downloaded from the website of the Judicial Yuan in March 2021 (Source: <https://www.judicial.gov.tw/tw/mp-1.html>).

The Control Yuan is one of the five Yuans and has played an extremely important role in the history, development, and interpretation of the Constitution. In fact, long before the Constitution was enacted, the Control Yuan formally made requests for interpretation to the Judicial Yuan. After the Constitution was enacted, the Grand Justices Council of the Judicial Yuan passed a resolution to formulate the Judicial Yuan Interpretation No. 3 regarding the role of civil servants as publishers and editors in newspapers and magazines. Specifically, in accordance with the provisions of Article 14 Paragraph 1 of the Civil Servant Services Act, civil servants cannot concurrently hold such employment unless otherwise stipulated (Judicial Yuan Interpretation No. 6). The restriction to "concurrently hold a public office or engage in any profession" referred to in Article 103 of the Constitution is distinct from the restriction to "concurrently hold a government post" restriction referred to in Article 75 of the Constitution. Further, the content of these restrictions is not limited to government officials (Judicial Yuan Interpretation No. 19). For example, they

apply to the Provincial Party Office and the Provincial Working Committee on Women and the Provincial Women's Work Committee, which are civil associations whose chairs and boards of directors are not regarded as so-called public office referred to in Article 103 of the Constitution (Judicial Yuan Interpretation No. 20).

From the Constitution's enactment until the end of March 2021, nearly 50 interpretations have resulted from requests filed by the Control Yuan. When the Constitution was first enacted and the constitutional structure was first established, it was unclear which organs could submit bills to the Legislative Yuan. In June 1948, the Control Yuan submitted the Control Act draft to the Legislative Yuan to request the expeditious completion of legislative procedures. However, because there were no clear and relevant stipulations in the Constitution, the Legislative Yuan was unable to accept the bill proposed by the Control Yuan, which resulted in a constitutional dispute. In accordance with Article 44 of the Constitution stipulating that "the President may call a meeting of the presidents of the Yuans concerning consultation with a view to reaching a solution," the Control Yuan first consulted with the President. Then on July 10, 1948, a meeting was convened and included the presidents of the Legislative Yuan, Judicial Yuan and Control Yuan. The meeting reached a resolution to obtain an interpretation

from the Grand Justices Council. On March 24, 1949, the 45th Meeting of the Control Yuan's first term approved the following proposal: "Regarding the ongoing dispute over whether the Control Yuan has the power to file proposals to the Legislative Yuan, a request should be made to the Judicial Yuan to expeditiously convene the Grand Justices Council for interpretation and resolution."

On May 21, 1952, the Grand Justices Council of the Judicial Yuan formulated Judicial Yuan Interpretation No. 3, which became the earliest interpretation provided by the Judicial Yuan to a Control Yuan request for interpretation since the enactment of the Constitution. After this, it was not until 1982 that the 1700th and 1701st Meeting of the Control Yuan's first term again submitted a written request to the Judicial Yuan to request interpretation of matters under its powers and whether it has the right to submit bills to the Legislative Yuan. The Judicial Yuan then formulated Judicial Yuan Interpretation No. 175, which stipulated that under the mutual dependence of the five-power constitutional system, each constitutional government agency has the right to propose bills.

In addition, other interpretations made by the Judicial Yuan from Control Yuan requests include the following: whether the judges referred to in Article 81 of the Constitution include tenured prosecutors (Judicial Yuan Interpretation No. 13); the

definition of civil servants and whether representatives of public opinion and personnel of self-governing bodies are subject to the supervisory power of the Control Yuan (Judicial Yuan Interpretation No. 14); whether the speakers of provincial and county councils are subject to the supervisory power of the Control Yuan (Judicial Yuan Interpretation No. 33); the division of investigation and prosecution (Judicial Yuan Interpretation No. 86); basing of the income of state-run business on the final audited surplus by the auditing agency (Judicial Yuan Interpretation No. 46); the meaning of the so-called "continued participation in insurgent organizations" (Judicial Yuan Interpretation No. 68); the applicability of provisions to a person in flagrante delicto (Judicial Yuan Interpretation No. 90); the equivalence of the National Assembly, the Legislative Yuan and the Control Yuan to the congress of democratic countries (Judicial Yuan Interpretation No. 76); constitutional review of the Printing Act and its violations (Judicial Yuan Interpretation No. 166, Judicial Yuan Interpretation No. 251); the scope of the application of the National Mobilization Act (Judicial Yuan Interpretation No. 106); how to ensure the opinions of local council members are expressed inside meetings (Judicial Yuan Interpretation No. 122); disputes over the provisions of The 37.5% Arable Rent Reduction Act on the retrieval of farm land for owner-cultivation

(Judicial Yuan Interpretations No. 124, No. 125 and No. 128); the issue on whether during trials, judges are subject to the interpretations of administrative orders of relevant laws and regulations made by various agencies in relation to their duties (Judicial Yuan Interpretation No. 137, Judicial Yuan Interpretation No.530); issues pertaining to the principle of taxation under the law (Judicial Yuan Interpretations No. 142, No. 151, No. 167, No. 706, and No. 757); the question of whether during a criminal proceeding, a judge should voluntarily recuse from a case where the said judge had participated in the decision at a "previous trial" (Judicial Yuan Interpretation No. 178); the question of the requirements for filing an extraordinary appeal (Judicial Yuan Interpretations No. 181 and No. 238); and the question of disciplinary procedures in the Control Yuan impeachment of military personnel (Judicial Yuan Interpretation No. 262). The major cases listed above cover a wide scope. In addition to achieving uniform interpretations of laws and decrees, they also play an important role in improving the constitutional framework and supplementing constitutional gaps. In particular, protecting human rights through the mechanism of constitutional review is a very important function.

By 1993, constitutional reform had undergone the first stage of constitutional amendment. At that time, the Control Yuan

was no longer a public opinion agency. As a result of the constitutional amendment, the Control Yuan's power to consent to the Grand Justices of the Judicial Yuan was shifted to the Legislative Yuan. On February 3 of the same year, the President ordered the amendment and promulgation of the Judicial Yuan Grand Justices Case Adjudication Act. Since then, the number of interpretations made by the Grand Justices at the request of the Control Yuan has gradually decreased. Interpretations made after the Constitution was amended include Judicial Yuan Interpretations No. 331, No. 489, No. 530, No. 513, No. 566, No. 589, No. 621, and No. 743. The overall quantity and proportion have noticeably declined compared to before the Constitutional amendment, and the proportion of rejected requests has increased. Nevertheless, the Control Yuan's request for interpretation continues to exert an important influence on protecting the rights of the people. For example, based on Interpretation No. 743 of Article 6 of The Mass Rapid Transit Act on land expropriation, before the competent authority expropriates a piece of land, there must be clear legal stipulations that the land may be transferred to the ownership of a third party. Regarding land acquisition by force through expropriation, unless expressly stipulated by the law, unauthorized transfer to private ownership is not permitted in order to protect the property rights of the people.

II. Requesting interpretation on Breach of Police Regulations Act and constitutional violations to safeguard personal freedom (Judicial Yuan Interpretation No. 166)

Term: 1-3

A. The right of personal freedom guaranteed by the Constitution is the basis of fundamental human rights.

Personal freedoms are the basis of all basic human rights guaranteed by the constitutions of modern countries under the rule of law. These basic human rights include freedom rights such the freedom of speech; freedom of secret communication; freedom of assembly and association; freedom of belief and religion; freedom of residence and movement; property rights; litigation rights; and voting rights (reference: Judicial Yuan Interpretation No. 384).

The constitutions of democratic countries under the rule of law all over the world strictly regulate the protection of personal freedoms. The British Magna Carta formulated on June 15, 1215 clearly stipulated that people cannot be arrested or detained unless they are tried by the court in accordance with the law. The U.S. Constitution, which derived from England's Magna Carta, also expressly stipulated that rights, such as personal freedoms, should be protected in accordance with the law.

After the atrocities against humankind in the Second World War, all countries have learned that totalitarian autocracies can easily lead to wars and catastrophes to humankind. Therefore, the United Nations General Assembly on December 12, 1948, passed Article 3 of the Universal Declaration of Human Rights, and later on March 23, 1976, Article 9 of the International Covenant on Civil and Political Rights. Both of these articles expressly stipulate basic human rights, such as the law of legal procedures for the protection of personal freedoms and the right to petition for habeas corpus so that everyone in a free democratic society can live without fear.

Promulgated and enacted on December 25, 1947, Article 8 of the Constitution stipulates that personal freedoms shall be guaranteed by the due process of the law. The provision of Article 8 of the Constitution clearly and specifically expressed in detail the procedures for protecting the personal freedoms of the people. It has become a constitutionally-reserved power where even during the extraordinary period of martial law, regardless of criminal or administrative penalties, not even the legislature is permitted to formulate laws to restrict Article 8 (reference: Judicial Yuan Interpretations No. 384, No. 392, No. 443, No. 523, No. 567, No. 636 and numerous other interpretations of the Grand Justices).

B. The Breach of Police Regulations allowing offenders to be subject to long-term detention or punishment by labor service.

According to Article 32 of the Breach of Police Regulations which was enacted on October 1, 1943, police bureaus were allowed to impose a punishment of up to 14 days of detention or 16 hours of labor service on those who violated its regulations. The Regulations was not revised even after Article 8 (protecting personal freedoms) of the Constitution was enacted. Among the provisions, Article 28 further stipulated that those who habitually violated the Breach of Police Regulations by loafing or laziness would be more severely punished, and following the punishment, could be further sent to an equivalent bureau for correction or life skills training.

First-term Control Yuan Member Tao Pai-chuan pointed out cases of severe abuse. "Those deemed to have violated the regulations were even regarded as 'gangsters' and sent to outlying islands or other agencies for numerous years of reformation training. The supervisory authority for those so-called gangster cases was the Garrison Command. The identification, registration and handling of gangsters were all implemented by the Garrison Command, and there were many injustices.... My understanding and attention

to misconduct in the reformation training of gangsters is based on what I saw and heard during my annual inspection of the Department of Judicial Administration in 1959 with Control Yuan Member Liu Yung-chi. In a report to the Control Yuan, I pointed out: In recent years, the various Yuans have declared rehabilitative disposition for general criminal defendants where rehabilitative disposition is called for. However, the Taiwan Garrison Command continues to frequently use Article 28 of the Breach of Police Regulations to arrest gangsters for reformation training. Together, the arrests and reformation training totaled more than 3,300 people, which is nearly the number of inmates currently serving their sentence in the various prisons, and some of their sentences are as long as seven years." (Reference: "Eighty Years of Knowledge From Overcoming Suffering" by Tao Pai-chuan; pp. 325-326, published May 1, 1986).

C. Pleading unconstitutionality and seeking interpretation from Grand Justices in 1961.

In addition to charges by the military police for habitual violating the Breach of Police Regulations for loafing and laziness and to sentences of long-term deprivation of personal freedoms, other activities of daily living such as food, clothing, housing and transportation could also potentially become

violations of relevant regulations; these offenders would be detained or sentenced to labor service by police bureaus. Here are some examples of these kinds of regulations. Article 54 Paragraph 1 Subparagraph 9 of the Breach of Police Regulations stipulated that "Those who hold games or performances in public venues without the permission of government bureaus" may be detained for up to seven days; Article 55, Paragraph 1 Subparagraph 7 stipulated that: "Anyone who has knowledge of but fails to report a preventable major crime that can affect public security" may be detained for up to five days. Another example is Article 56 Paragraph 1 Subparagraph 4 stipulated that "Anyone who arbitrarily posts advertising slogans outside of premises designated by government bureaus" may be sentenced to up to three days of detention or labor service; Article 64 Paragraph 1 Subparagraph 1 stipulated that "Those who loaf around or who are disorderly in conduct" may be sentenced to up to seven days of detention or labor service; and Article 66 Paragraph 1 stipulated that "Those who wear strange attire that obstructs morals" may be sentenced to up to three days of detention or labor service.

Control Yuan Member Tao Pai-chuan and other members filed a proposal to the Control Yuan's Joint Meeting of the Committee on Domestic Affairs and the

Committee on Judicial Affairs. The Joint Meeting passed a resolution on June 8, 1961, for the Control Yuan Meeting to request interpretation by the Grand Justices of the Judicial Yuan. The petition for constitutional interpretation stated that in the Breach of Police Regulations Act, the detention and labor service punishment imposed by independent divisions were punishments against personal freedoms, and all investigation and implementation of punishments were solely executed by the police bureaus. This was in violation of the provisions of Article 8 of the Constitution which guarantees the protection of the personal freedoms of the people by stipulating that courts may not interrogate and punish without the rule of law.

D. The Judicial Yuan successively announced in Judicial Yuan Interpretations No. 166 and No. 251 that the Breach of Police Regulations is unconstitutional.

The Control Yuan request for interpretation by the Grand Justices was delayed for nearly 20 years in the Judicial Yuan. It was not until November 7, 1980, that the Judicial Yuan Interpretation No. 166 was promulgated, declaring that the sentencing, detention and labor service stipulated in the provisions of the Breach of Police Regulations are inconsistent with the intent of Article 8

Paragraph 1 of the Constitution, and "should be promptly changed to handling by the court according to the rule of the law." Unfortunately, the government agency at that time turned a deaf ear to Judicial Yuan Interpretation No. 166.

It was not until July 5, 1987, after martial law was lifted that the political environment began to change. Nevertheless, relevant agencies were not able to actively amend their laws to ensure the protection of personal freedoms in accordance with Article 8 of the Constitution. This indicates that there was a lack of strict control in the political system at that time. After the Judicial Yuan Interpretation No. 251 by the Grand Justices was promulgated on January 19, 1990, the Judicial Yuan sent out two messages: 1) they re-emphasized the intent of the Judicial Yuan Interpretation No. 166, and 2) they also charged that in Article 28 of the Breach of Police Regulations, the stipulation that police bureaus may send habitual violators of the regulation in question "to an equivalent bureau for correction or life skills training" violates Article 8 Paragraph 1 of the Constitution that states that interrogation and sentencing should be conducted in a court of law with due process of the law. To prevent relevant agencies from regarding Judicial Yuan Interpretation No. 166 as only an opinion of the Judicial Court for reference purposes, it specifically declared in Judicial Yuan Interpretation No. 251 that relevant

unconstitutional provisions such as detention and labor service would be abolished as of July 1, 1991.

E. After 30 years, the Legislative Yuan finally passed the resolution to abolish the Breach of Police Regulations on the third reading in 1991.

On June 29, 1991, the Legislative Yuan passed the Social Order Maintenance Act on the third reading. It also abolished the Breach of Police Regulations on the same day. Detention for violation of the Breach of Police Regulations was instead handled in accordance with the rulings of the court. The Legislative Yuan also abolished the various provisions on labor service, the provisions in Article 28 on loafing and laziness as habitual violation of the Breach of Police Regulations, and the corresponding corrective actions restraining personal freedoms and reforming with labor. The number of detention days for violating police regulations was reduced from seven days to no more than three days. Finally, the original regulations on detention punishment for loafing, disorderly conduct, strange attire, arbitrarily posting advertising slogans, acting in a public place without permission, or not reporting knowledge of a potential crime were abolished and stripped of any punishment in a step towards a free and democratic society.

The Breach of Police Regulations formulated in 1943 gave power to the police bureaus to detain and punish offenders, and even the authority to impose edification and reformatory training for an undetermined period of time. In 1961, the Control Yuan petitioned the Judicial Yuan to interpret the unconstitutionality of the Breach of Police Regulations. It was not until 30 years later that it was finally abolished and the aims of the petition were finally achieved. This laid the cornerstone of a democratic constitutional government to protect human rights. This was validated by people from all walks of life and became a case model in the history of the Constitution.



Figure 5-2

A representation of the unconstitutionality of the Breach of Police Regulations.

F. Since 1995, the Grand Justices Council has successively interpreted and declared The Statute Governing Reporting and Purging of Gangsters as unconstitutional.

The Judicial Yuan provided Judicial Yuan Interpretation No. 166 as requested by the Control Yuan, laying the foundation for guaranteeing basic human rights such as the personal freedoms as stipulated by the Constitution. Nonetheless, even though Control Yuan urged government bodies to follow the Judicial Yuan's interpretation of Article 8 of the Constitution to guarantee personal safety, the government departments at that time did not actively review and revise their regulations relating to The Statute Governing Reporting and Purging of Gangsters that also deprived many of their personal freedoms. However, the Grand Justices interpreted the Statute's unconstitutionality on a case-by-case basis, amending or abolishing one provision one at a time. Hence, the gradual journey from authoritarian rule to a free and democratic society with basic constitutional values protecting personal freedoms is long and difficult.

On July 28, 1995, the Judicial Yuan successively promulgated the Judicial Yuan Interpretation No. 384 of the provisions of The Statute Governing Reporting and Purging of Gangsters which authorized

police agencies to force the people to make an appearance and to impose on them disciplinary punishment such as deprivation of personal freedom. On March 22, 2001, it promulgated the Judicial Yuan Interpretation No. 523, which declared that the provisions of The Statute Governing Reporting and Purging of Gangsters were unclear regarding the required conditions for courts to detain suspects. On February 1, 2008, it promulgated Judicial Yuan Interpretation No. 636 of The Statute Governing Reporting and Purging of Gangsters, and declared courts' not informing the people of the duration disciplinary education is a violation of both Constitution Articles 8 (due process of the law to protect personal freedoms) and 23 (restriction of personal freedom only for substantive and legitimate reasons).

After three readings by the Legislative Yuan, a resolution was passed to abolish The Statute Governing Reporting and Purging of Gangsters, which was finally promulgated by the President on January 21, 2009. The provisions of the Criminal Code and the Organized Crime Prevention Act are applied instead so that the daily lives of the people would no longer be subject to arbitrary interference by military and police powers. In addition to enjoying personal freedom guaranteed by Article 8 of the Constitution, the nation also began to move towards a society that protects all people from fear as

proclaimed in the Universal Declaration of Human Rights and other international human rights conventions.

G. Request for constitutional interpretation to protect human rights, widely praised by all sectors of society.

Although delayed justice, Judicial Yuan Interpretation No. 166 requested by the Control Yuan in 1961 safeguarded personal freedoms while under the martial law system. Such an achievement cannot be overstated. The Control Yuan's persistence to uphold the Constitution and its spirit of safeguarding human rights continues to win applause and recognition from all sectors of society.

Speaking at the Legislative Yuan Chang Chun-hsiung, then legislator and later the Premier of the Executive Yuan, affirmed that the Control Yuan's petitions to the Grand Justices over the years to request interpretations have enhanced constitutionalism and the protection of human rights: "In order to ensure that the personal freedom of the people is protected by Article 8 of the Constitution, the Control Yuan urged the Grand Justices to formulate Judicial Yuan Interpretation No. 166 so that police bureaus can no longer detain people based on the provisions of the Breach of Police Regulations.... To enable members of local councils to enjoy legislative immunity,

they urged the Grand Justices to formulate Judicial Yuan Interpretation No. 165 so that local legislators are guaranteed free speech. Theirs is an indelible contribution to our constitutionalism." (Reference: "Eighty Years of Knowledge From Overcoming Suffering" by Tao Pai-chuan; p. 350, published May 1, 1986).

III. Requesting a unified interpretation on the MRT Joint Development Project to safeguard property rights (Judicial Yuan Interpretation No. 743)

Term: 4-5

The Ministry of Transportation and Communications began the preliminary planning of the Taipei Mass Rapid Transit (MRT) system under the directive of the Executive Yuan in 1975. In 1986, the Executive Yuan approved the entire Taipei Mass Rapid Transit project, and in 1987, the Taipei City Government established the Department of Transit Systems to implement the Taipei Mass Rapid Transit project. The Xindian Depot is located at the intersection of Zhongyang Road and Huanhe Road in the Xindian District, New Taipei City. In 1990, the former Taipei County Government announced the Proposal to Modify Xindian Urban Planning, and in 1991, it announced land expropriation for the Xindian Depot. During the land expropriation period, the Taipei City

Government Department of Transit Systems conducted a joint development briefing, and in 1999, it approved the joint development project (called the MRT Joint Development Project), which became popularly known as the MeHAS City Joint Development Project.

In 2009, the Control Yuan received written complaints from the people, and believed that in 1991, the former Taipei County Government and the Taipei City Government had used the Taipei MRT Xindian Line project to forcibly expropriate land from the people. After the fact, they only held a symbolic joint development negotiation meeting but did not actually

negotiate with the landowners. Furthermore, they re-categorized lands in question into general building lands and signed investment contracts with builders. The value of the lands soared multiple times in value over the original expropriation price, thereby infringing on the rights of the people. Petitions were made to revoke the expropriation but were ignored by the government agencies.

In 2010, the Control Yuan successively conducted investigations and proposed corrective measures. It is believed that originally, the percentage of the public land was as high as 99.24%, and the proportion



Figure 5-3
A front-page news story of the MeHAS City project by United Daily News on December 31, 2016.

of private land was only 0.76%. Yet through equity distribution in the joint development, as many as 69.25% of public land had been converted to private ownership, which is completely inconsistent with the principle of proportionality. Moreover, land ownership in the development project was forcibly obtained by the authorities through expropriation, then converted into private ownership through the joint development, which is a clear failure in law-based administration. For these reasons, the Executive Yuan was asked to conduct an investigation.

However, in 2013 an official letter of the Ministry of the Interior stated that "in this joint development project, there shall no longer be any dispute regarding the registration and transfer of land to private persons." The New Taipei City Government thus registered the transferred land for the joint development of the MRT Xindian Depot to private persons. In response, the Control Yuan in 2014 once again investigated the combined application of Article 6 and Article 7 of the Mass Rapid Transit Act, and in particular, the dispute over the transfer of land to private ownership after the joint development. The investigation of the Control Yuan had two conclusions: "(1) The Taipei City Government expropriated lands in accordance with Article 6 of the Mass Rapid Transit Act, then used Article 7 of the Act (regarding joint development)

to expropriate lands from the people; such lands were handed over to investors to build residential, commercial, and office buildings via a joint development model, then sold to others. This is a violation and distortion of Articles 6 and 7, which stand separately and shall not be implemented in parallel. This is a serious violation of Article 15 of the Constitution, regarding protecting the people's property rights. (2) Since mandatory land expropriation is a state violation of the basic rights of the people as guaranteed by the Constitution, lands acquired through compulsory expropriation must not be transferred to private ownership unless expressly stipulated by the law. However, in the joint development project of the MRT Xindian Depot, the Taipei City Government acquired lands through expropriation and then without any legal basis, transferred and registered the lands under the joint development model to private ownership. This clearly violates the law." However, in its 2014 response to the investigation, the Executive Yuan differed in opinion from the Control Yuan, asserting that it was not in any legal violation in its original method of handling. Given that the Control Yuan and the Executive Yuan differed in their legal interpretation of land transfer to private ownership in this case, and that the case pertained to the protection of the rights of the people and the establishment and development of the nation's rule of law,

the Control Yuan requested that the Grand Justices of the Judicial Yuan provide a uniform interpretation to settle the dispute.

The Judicial Yuan Interpretation No. 743 made in 2016 agreed with the opinion of the Control Yuan and held that "The lands expropriated by the competent authority for the MRT in accordance with Article 6 of the Mass Rapid Transit Act, promulgated July 1, 1988, shall not be used for the joint development approved by Article 7 Paragraph 1 of the same Act for the same project. In accordance with Article 6 of the Mass Rapid Transit Act, the competent authority may only transfer the ownership of expropriated lands to a third party if clearly stipulated by the law in order to be consistent with the Constitutional protection of the property rights of the people."

More recently, the Taipei City Government has proposed examining and revising policy and implementation regulations for the MRT joint development. Regarding the distribution of rights and interests in the MeHAS City joint development, more than NT\$3.35 billion have been recovered through arbitration procedures and seven other cases were re-negotiated and arbitrated, recovering a total of more than NT\$7.45422 billion in cash (or entitlement value) to the government.

As for compensation for damage to the rights and interests of the original owners of the expropriated land, the competent authorities will be handling the matter accordingly after the damage to the rights and interests of the original landowners have been determined by the judicial process.



Section 2 Land Justice

I. Revision of the building measurement regulation to safeguard the rights and interests of consumers

Term: 4-5

There have been several complaints that the so-called "common areas" (shared by all building tenants) in the real estate market are excessive. Investigations have uncovered case in which areas registered in existing building registrations are inconsistent with

those registered in construction management permits.

The Ministry of the Interior has continuously tolerated building regulations to exclude floor area items and accommodate land administration laws and regulations to revise measurement registration; the result is that builders can "inflate" the size of common areas. The ratio of common areas in housing has increased from less than 10% prior to 1982 to about 50%. This is because in current

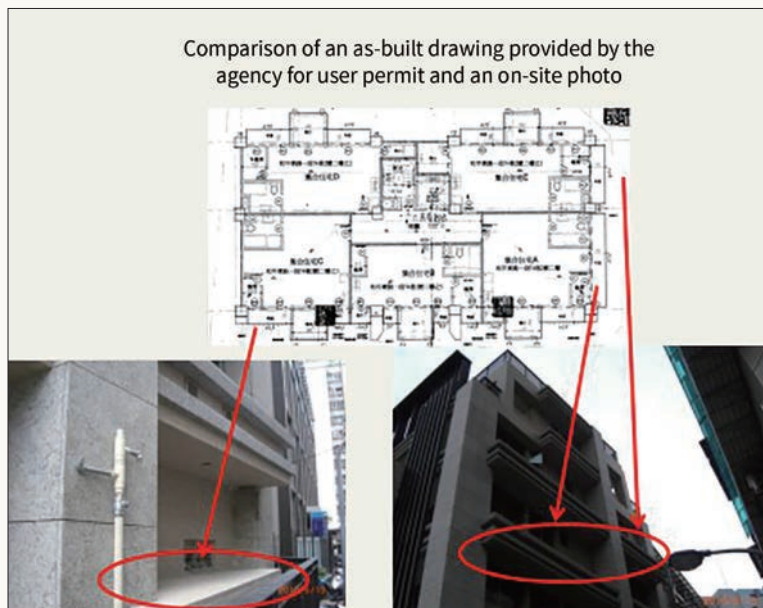


Figure 5-4

Comparison of an as-built drawing provided by the agency for user permit and an on-site photo (source: Briefing material from Land Administration Affairs Office of Da-an District, Taipei City) in September 2010.

housing transactions, the areas listed in the building registration are included in its pricing, and auxiliary buildings such as public facilities, balconies and even canopies can be counted in the apartment floor area that determines price. Since the Ministry of the Interior has been derelict in revising these laws and regulations that infringe people's rights and interests, the Control Yuan filed for corrective measures.

In May 2010, after corrective measures by the Control Yuan, the Ministry of the Interior revised and enacted provisions requiring items that must be included and excluded in standard form contracts for off-plan properties. The area and sale price of the primary building and auxiliary buildings and common areas must be separately calculated and listed. In this way, both buyers and sellers can determine whether the area and price for each part of the building in the transaction and the pricing method are reasonable. This leaves consumers more room to negotiate and make choices. Standard form contract templates for off-plan properties were also revised, and as of May 1, 2011, the standard form contracts provided by builders must include clauses stating that eaves and canopies are excluded from the pricing.

On January 9, 2017, the Ministry of the Interior also amended and promulgated

Article 273 of the Cadastral Survey Implementation Regulations, removing "eaves" and "canopies" from the auxiliary construction measurement. In addition, the boundaries in the survey and mapping of the underground levels of a building are now based on the area range stated in the as-built drawings (that is, the center line of the wall) so as to eliminate disputes over registration scope and area determination, and protect the rights and interests of consumers. Given that this revision would be a major change to the system, the new system was set to take effect on January 1, 2018 to give the public and the industry sufficient time to respond. The revised registration system for building surveys can safeguard consumer rights, reduce transaction pricing disputes, and gradually align the system with international standards. It reduces the area inflation of common areas into pricing by unscrupulous builders seeking to make unfair profits, thereby protecting the rights of consumers.

In addition, the nation lacks a complete volume control mechanism for urban volumes. There was no upper limit to accumulate building volume ratio bonus. As such, builders profited from speculation, and the base floor area ratio system (legal floor area ratio) of the Urban Planning Law became ineffectual and existed only in name.

In a 2010 investigation, the Control Yuan found that in New Taipei City, for example, the total building volume ratio bonus allowed by various laws and regulations was as high as 3.4 times the legal floor area ratio. According to a case analysis of the licenses obtained, the building volume ratio bonus was approximately 2.28 times the legal floor area ratio. Furthermore, the floor area ratio for residential zones exceeded that of commercial zones. This makes it clear that the significance of land use "intensity" control has been lost. Therefore, the Control Yuan served the Ministry of the Interior with a corrective measure.

By providing higher volumes, the government can allow more residential population and crowds into an area. However, this will create pollution, noise, congestion, sanitation, transportation, residential safety, and environmental right issues. Once the bulk exceeds the allowable load capacity of the city, the city will inevitably have to pay a high social cost, which poses challenges to social fairness and justice for the residents. If the total bulk is uncontrolled, developers will become the sole beneficiaries of the building bulk ratio bonus, whereas the people will have to shoulder the high costs. Both the

overall society and its individual residents will suffer from diminished quality of life and living environment, among other issues.

After the Ministry of the Interior reviewed the case, it amended certain provisions of the Taiwan Province's Enforcement Rules of Urban Planning Law, adding provisions to set upper limits of the total bulk in urban planning. These amendments, enacted on July 1, 2015, stipulate that general zones are not allowed to exceed 20% of the legal floor area ratio and new urban renewal zones are not allowed to exceed 50% of the legal floor area ratio. In old urban zones, joint development of small building sites, and the demolition and reconstruction of houses constructed with cheap, substandard concrete mixed with sea sand or radioactive material are not allowed to exceed 30% of the existing legal floor area ratio. Moreover, in conjunction with the promoting of the building bulk bank, future additional bulk will no longer be owned exclusively by developers but will have to be purchased by developers. In this way, profits from the building bulk can be returned to the people, creating a win-win situation for the public, the developers, and the government.



Figure 5-5

Expropriation and demolition of a pharmacy in the Dapu Section of Miaoli on November 8, 2013.

II. Investigating the demolition of residential houses in Dapu and amending the Land Expropriation Act

Term: 4-5

Article 17 of the French Declaration of Human Rights (1789) clearly states that ownership is a sacred and inviolable right, and except in cases of evident public necessity, legal ascertainment, and on condition of just compensation, no one ought to be deprived of this right. Although in appearance, land expropriation seems to be an infringement of private property rights by public powers and a major exception to the protection of private property rights, expropriation is still indispensable for the implementation of public utilities and

public welfare projects. In other words, land expropriation is a system created to reconcile private rights and public welfare. It integrates with the private property rights system and "has a mutual relationship with the private property rights system" (Chen Li-fu, "Discussion on Controversial Issues in the Land Expropriation System of Taiwan;" p.214, Land Law Research, published by New Sharing Culture Enterprise Co., Ltd., August 2007). According to Judicial Yuan Interpretations No. 400 and No. 409, land expropriation should be used by the government to obtain land for public utilities, but only as a last resort after all possible and more moderate methods have been tried.

In response to the needs of the development of the Hsinchu Science

Industrial Park and the development of its surrounding areas, the Miaoli County Government announced in April 2009 that after formulating an urban expansion plan (i.e., the Dapu Project), it would be expropriating land in the county districts surrounding the Zhunan base of the Hsinchu Science Industrial Park. However, in spite of many protests and questions about whether the Dapu Project meets the statutory requirements for expropriation, the Miaoli County Government still insisted on proceeding. On June 9, 2010, bulldozers plowed through farmlands at around five o'clock in the morning, eradicating rice crops that were about to be harvested. This act prompted a public outcry.

Investigation by the Control Yuan found that the Miaoli County Government did not carefully evaluate the willingness of the vendors to invest. Neither did it take into account that the crops were ready for harvest and rashly enforced the removal of ground objects. It also failed to review and verify whether its re-zoning actions would seriously affect the integrity of agricultural land and the agricultural production environment. Therefore, the Control Yuan requested that the Miaoli County Government undertake a government review and improve the situation. The Control Yuan also pointed out that land expropriation should be specifically evaluated to determine its necessity, its public benefit and whether it conforms to

the principle of proportionality. However, since the legal system lacks clear and specific norms regarding such evaluations, the Control Yuan urged the Ministry of the Interior to strengthen regulations on such important matters, and also strengthen the powers of the Land Expropriation Examination Committee.

At the same time, the farmers who were dissatisfied with the land expropriation in the Dapu section formed a self-help association to protest. They also legally filed for administrative relief against expropriation in the land plots approved by the Ministry of the Interior. According to the verdict of the Supreme Administrative Court Judgment No. 953 in 2012, the Land Expropriation Examination Committee of the Ministry of the Interior in the original evaluation failed to clearly determine the necessary scope of expropriation, and whether there is a clear balance between the resulting damages and benefits. Hence it annulled the original judgment and returned it to the Taichung High Administrative Court. Shockingly, even before there was a verdict of the retrial (Taichung High Administrative Court Retrial Judgment No. 47 in 2012), the Miaoli County Government mobilized the police to demolish the houses in question on July 18, 2013, including Mr. Chang Sen-wen's pharmacy.

At this time, the protesters were filing their complaint at the Executive Yuan.

Liu Cheng-hung, former Mayor of Miaoli County, took advantage of what the media later called "godsent opportunity" and provoked a massive civil protest. The protesters splattered paint on the Executive Yuan building and besieged the Ministry of the Interior, shouting "Demolish the government!" In response, the Control Yuan conducted a separate investigation into the "Dapu Four-house Compulsory Demolition Incident." In addition to urging the Ministry of the Interior to clarify the claims of the public benefit and the necessity of expropriating the land in question, it also severely reprimanded the Miaoli County Government for merely going through the formality of price negotiation. Its governance practices and policy communication were inadequate and repeatedly resulted in disputes and serious social confrontations.

After the above conflicts and Control Yuan's investigation and corrective measures, the Land Expropriation Act was finally amended and promulgated on January 4, 2012. The amendments include protecting specific agricultural areas, strengthening the evaluation of the public benefits and necessity of expropriation, formulating resettlement plans for the economically disadvantaged, compensating for expropriation at the market price, and guaranteeing the farming rights of the original landowners of lands inside the expropriation section if they are willing

to continue farming. With regard to Mr. Chang's pharmacy, it was to be rebuilt on the original site. Land is not only an asset and environmental resource, but also a "home" where people settle and develop an emotional attachment and identity. As a guardian of human rights, the Control Yuan has always placed great emphasis on various land issues. In the future, it will continue to urge agencies subject to its supervision to recognize the multiple values of land, to uphold constitutional government and international human rights standards, and to review the implementation of land policies and laws in order to ensure land justice and protect the basic human rights of the people.

III. Investigating corruption cases in public housing to deter collusion between government officials and businesses

Term: 4-5

The right to housing is expressly guaranteed by Article 11 Paragraph 1 of the United Nations International Covenant on Economic, Social and Cultural: "The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions...." This issue should belong to the government. However, the land in Taiwan is limited and densely populated.

A combination of imbalanced regional development and unreasonable tax system has led to soaring housing prices in the metropolitan areas. This has also become one of the top "ten major grievances of the people." This is a long-standing problem that frustrates the government which has been unable to suppress and control housing prices.

An example of a related government scandal is the 2010 to 2013 Taoyuan public housing project scandal that involved the Construction and Planning Agency of the Ministry of the Interior and the former Taoyuan County Government. Both organizations began promoting the Airport MRT Station A7 area and the Bade District in Taoyuan County as two areas suitable for public housing, with the former to have approximately 4,000 households and the latter 900. Yeh Shih-wen, who was promoted from a basic-level civil servant to the Director of the Construction and Planning Agency (August 29, 2008 to June 3, 2013), was recruited as Deputy Mayor of Taoyuan County on July 15, 2013 after his retirement from a position in which he enjoyed long held power in urban planning, housing, and construction policies. As such, he should have had a deep understanding of the abovementioned housing plight of the people. However, despite this knowledge, despite his professional responsibilities, and despite his awareness of the government's

dedicated efforts to promote an appropriate public housing policy to alleviate one of the top "ten major grievances of the people," he instead betrayed the country's trust and people's expectations.

This story of corruption started in 2011 while Yeh Shih-wen was the Director of the Construction and Planning Agency. At this time, he accepted a bribe of NT\$4 million from the bidder Farglory Land Development Co., Ltd. when handling the supervision and approval for the bidding of the A7 Station public housing investment project. Emboldened by his greed and undiscovered bribery for the A7 Station project in 2011, he proceeded to demand another bribe of NT\$26 million from Farglory Land Development Co., Ltd. when he served as Deputy Mayor of Taoyuan County and handled the supervision and approval for the bidding of the Bade District public housing project. Yeh further received NT\$16 million in bribes in 2014 after intervening in a dispute between the same construction company and the Taoyuan County Government over the price of parking spaces in the same project. The magnitude of Yeh's violations is a dark stain on government credibility and its efforts to policy to build public housing for the disadvantaged. Moreover, Yeh Shih-wen frankly admitted that most of the more than NT\$33.17 million of suspicious assets were deposited into the accounts of his friends, thus failing to declare his assets in

accordance with the provisions of the Act on Property-Declaration by Public Servants. He was also unwilling to comply with Article 6-1 of the Anti-Corruption Act to reasonably explain the sources of these assets, again showing obvious disregard for the integrity and incorruptibility expected of civil servants.

Moreover, as Director of Construction and Planning Agency, Yeh Shih-wen had been reported many times on ethical issues. Yet the Ministry of the Interior failed to fulfill its duties for internal supervision and monitoring, and allowed the unethical behavior to continue. The Taoyuan County Government also neglected to investigate Yeh and his repeated wining and dining with stakeholder vendors that eventually led to these corruption cases. Unfortunately, the Ministry of the Interior's failure to verify the moral integrity of Yeh Shih-wen became a source of embarrassment: his Airport MRT A7 Station public housing project was lauded as an achievement that enabled him to be selected as the 2013 model public servant of the Ministry of the Interior. Naturally,

when the corruption story broke, it caused an uproar from all parts of society, and cast a dark shadow over the "model civil servant" selection system.

Driven by greed, Yeh Shih-wen not only destroyed his reputation and betrayed the people, but also severely damaged the people's image of and trust in the government and civil servants, and marred the public housing project in the Bade District. On January 8, 2015, the Control Yuan filed an impeachment against Yeh and referred the case to the former Public Functionary Disciplinary Sanction Commission for deliberation. The Committee passed a resolution on April 10, 2015, to remove Yeh Shih-wen from his position and suspend him from his duties for 5 years. In addition, the Control Yuan also requested that the Executive Yuan earnestly review and improve its mechanisms for promoting public housing, preventing wrong-doing, supervising the moral integrity of its civil servants and preventing corruption.

Section 3 National Defense and Diplomacy

I. Investigating the General Sun Li-jen conspiracy incident to vindicate and exonerate

Term: 1-5

On September 21, 1955, the first-term Control Yuan Members Tsao Chi-wen, Hsiao Yi-shan, Wang Chen-hua, Tao Pai-chuan and Yu Chun-hsien formed a five-member committee to investigate the case of General Sun Li-jen's involvement in the armed insurrection by his subordinate Kuo Ting-liang in 1955. On November 21, 1955, they signed the "Investigation Report on the Relationship between General Sun Li-jen and the Conspiracy Incident in South." Due to pressure from higher-level authorities, the investigation report remained classified as confidential and was not released to the public until 33 years later on March 31, 1988, in a concealed form commonly known as the "XX version" of the investigation report. Then, 13 years later on January 9, 2001, the 24th Meeting of the third-term Control Yuan passed a resolution to release the full version of the investigation report. The report pointed out that this incident only involved a proposal to the President to reform the troops, and there was no intention for insurrection.

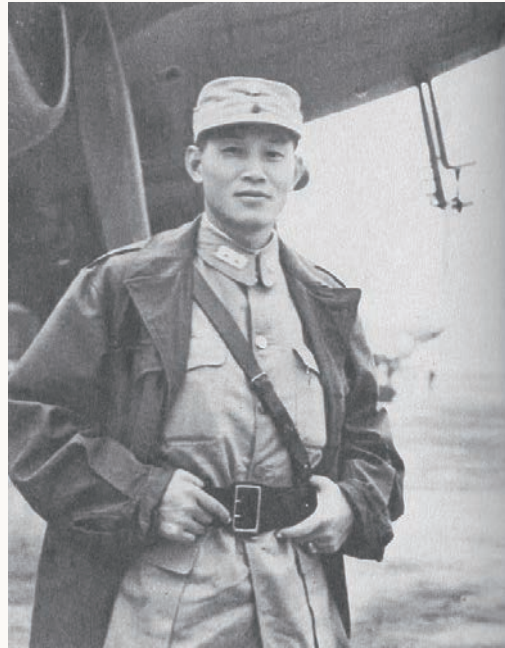


Figure 5-6

Photo of General Sun Li-Jen taken in the 1940s.

Although the proposal described methods that were clearly illegal and even advocated the "violent coercion of officers," it still did not constitute the "crime of insurrection" as defined in Article 100 Paragraph 1 of the Criminal Code. The investigation report made no mention of Kuo Ting-liang's involvement in any communist spying. On December 15, 1955, the convener for the five-member committee Tsao Chi-

wen reported the investigative process to the 404th Meeting of the Control Yuan: "This report made no mention of Kuo Ting-liang because after the investigation, we could not prove that Kuo Ting-liang is or is not a communist spy. There is no way to prove that this is a spy incident. In addition, whether Guo Ting-liang is a spy has nothing to do with Sun Li-jen, and therefore he is not mentioned. It is not an omission." Hence, the results of the Control Yuan investigation in 1955 did not determine whether Kuo Ting-liang was involved in conspiracy.

During the Control Yuan's fourth and fifth terms, Control Yuan Members Li Pen-nan, Sheree Ma, Yu Teng-fang, Chao Jung-

yao, and Chen Hsiao-hung continued to investigate whether Kuo Ting-liang, the subordinate of General Sun Li-jen, was a spy. They found that the investigation of General Sun Li-jen was conducted by a nine-member committee with the personal involvement of the nation's top leaders. President Chiang Kai-shek commissioned the Vice President Chen Cheng to form the committee and subsequently handle the investigation while Sun Li-jen was under house arrest. More than 50 years after initial investigations, the investigation committee of the fourth-term Control Yuan members conducted three years of investigation. During this time, investigators reviewed the documents on

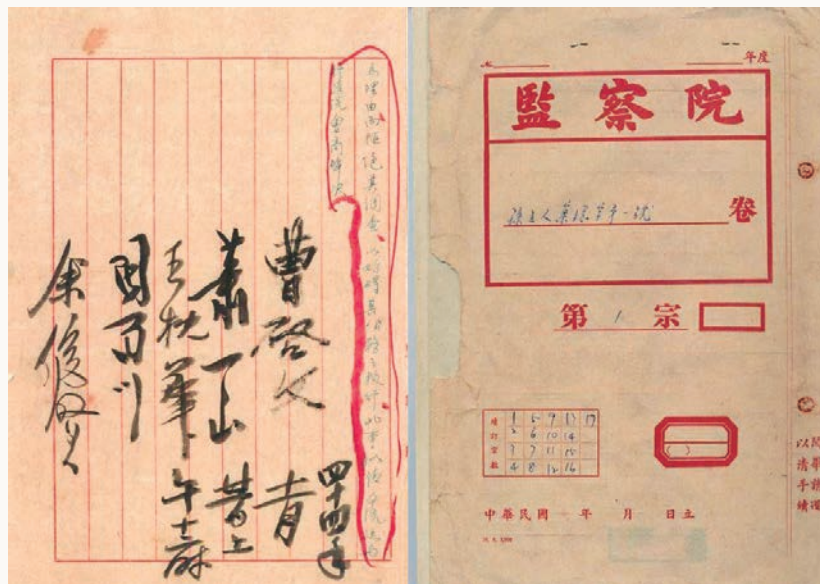


Figure 5-7

The signatures of the five-member Control Yuan Committee on the investigation report in September 1955.

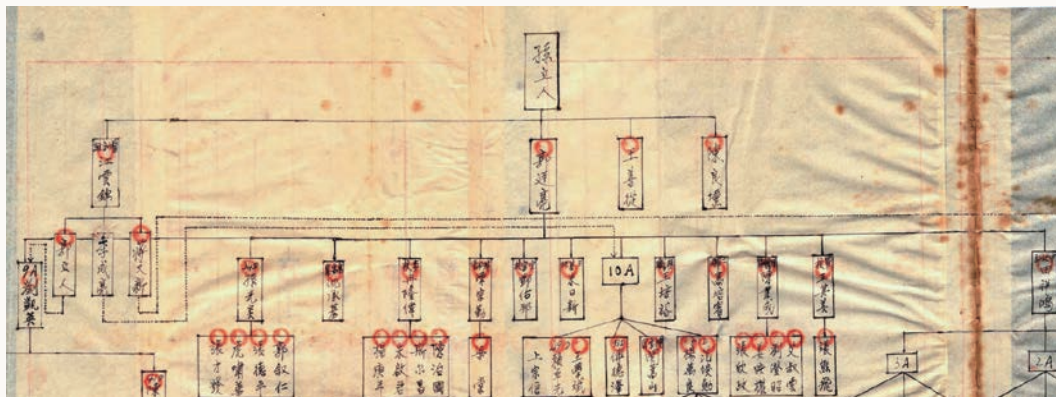


Figure 5-8

A Sun Li-jen liaison chart in September 1955 (source: archives of the Control Yuan).

General Sun Li-jen and his subordinates and visited the National Security Bureau, the Ministry of National Defense, the Military Intelligence Bureau, the Political Warfare Bureau, the Ministry of Justice Investigation Bureau, the Navy Command Headquarters, the Army Headquarters, the National Security Council and other relevant agencies and units. They also visited Stanford University's Hoover Institution in the United States for the second time to review the diaries of Chiang Kai-shek. The report submitted in July 2015 pointed out that it is plausible that Kuo Ting-liang was coerced and deceived into cooperating with the request to act as a spy by the intelligence agency at that time. Moreover, during the investigation by the nine-member investigation committee, General Sun Li-jen was not given the right to appoint an attorney, to present witnesses,

to cross-examine witnesses, or to subpoena witnesses. He was denied his basic human rights and freedom of expression.

Over the last 60 years, the Control Yuan has investigated many cases related to Sun Li-jen, exposed historical facts, and revealed the truth to the world.

The investigation reports made by the previous Control Yuan members on the General Sun Li-jen case are of great significance to the accurate revision of history. General Sun Li-jen, who was placed under house arrest for 33 years for ineffective supervision of his subordinates, was freed and vindicated by reports that had been kept secret for 40 years. The reports confirmed that Sun Li-jen was not guilty of insurrection or any similar offense, thus finally setting the official record straight in the half-century old case of Sun Li-jen.

After the government formulated and promulgated the Compensation Act for Wrongful Trials on Charges of Sedition and Espionage during the Martial Law Period, most of the subordinates implicated and imprisoned in the General Sun Li-jen case received compensation or wrongful imprisonment compensation. Finally, on April 14, 2016, after persistent follow-up by the Control Yuan, the Ministry of Defense returned the Colt pistol that was gifted to General Sun Li-jen by U.S. President General Eisenhower during the Second World War. The pistol was placed in the General Sun Li-jen Memorial Hall and is currently on display as a symbol of his vindication and exoneration.

II. Seeking arbitration to recover commission in the *La Fayette*-class frigate military procurement

Term: 3-4

In 1980, in order to enhance naval combat power, the Ministry of Defense replaced naval warships and emphasized missile patrol vessel projects to strengthen air defense capabilities. Hence the "Guanghua No. 2" came into being. The navy originally contacted South Korea to purchase *Ulsan*-class frigates but later decided to purchase *La Fayette* class frigates from France. In 1989, the Ministry of Defense decided to adopt the French *La Fayette*-class in its implementation plan. However, political interference from

across the Strait delayed the contract signing for two years with the French manufacturer Thomson-CSF. The shipbuilding contract clearly included a "commission clause" stipulating that the French manufacturer is not allowed to pay commission to anyone.

On December 9, 1993, the officer in charge of executing the *La Fayette* procurement, Colonel Yin Ching-feng, disappeared. The following day, his body was found off the coast of Dong'ao, Yilan County. The navy originally determined that he drowned.

However, forensic science expert Yang Jih-sung determined that it was a homicide, which greatly raised public concern, as well as suspicion that his death was related to arms purchase commissions. In response to public concern, the Ministry of Defense established the 1209 Task Force, not only to investigate the homicide, but also to investigate arms purchase fraud. However, for several years, no progress was made in the case.

In 1997, a commercial arbitration case shed some possible light the *La Fayette* case. Frontier AG Bern sued Thomson-CSF for 1% payment from the sale of the *La Fayette* frigates as a commission for the company's service in facilitating the contract (the contract is hereafter referred to as the Frontier Agreement), filing an arbitration claim with the Swiss Arbitration Association. The arbitration determined that Thomson-CSF should pay the commission in



Figure 5-9
1980s photo of the *La Fayette* frigate.

accordance with the agreement. However, Thomson-CSF disputed the judgment and appealed to the court to revoke the arbitration judgment. On January 28, 1997, the Federal Supreme Court of Switzerland upheld the arbitration decision, and Thomson-CSF lost the case.

For a while, the dispute over the Thomson-CSF's possible violation of the commission clause of the shipbuilding contract raised a frenzy of speculation. On June 16, 1997, in order to confirm whether

Thomson-CSF had violated the commission clause, the Ministry of Defense requested Thomson-CSF to send a representative to Taiwan to provide an explanation. The representative of Thomson-CSF was emphatic that it did not pay any commission to any person or company, and informed the Ministry of Defense that because the company had lost the appeal on the arbitration verdict, a criminal fraud lawsuit had been separately filed. On the advice of legal counsel, the Ministry of National

Defense hired lawyers in France to apply for participation in the criminal proceedings as a party to a civil case. The original intent was to obtain documents relevant to the Thomson-CSF case. However, the lawyers were unfamiliar with the court procedures and thus unable to obtain and read the relevant documents, the expectation of the Ministry of Defense was not met.

In fact, if the Ministry of Defense had obtained the Frontier Agreement between Thomson-CSF and Frontier AG Bern, it would have been able to confirm whether payments took place or not. Instead, it trusted the words of the Thomson-CSF representative that the Frontier Agreement was only an agreement for Frontier AG Bern to assist the Taiwan and French parties with the translation and explanation of the procurement procedures.

In view of the possibility that the *La Fayette* shipbuilding contract might have involved military procurement fraud, lack of sound planning and even murder, the Control Yuan established an investigation committee on May 12, 2000. The committee comprised Control Yuan Members Kang Ning-hsiang, Ma Yi-kung, Ku Den-mei, Chao Jung-yao and Lin Chiou-Shan to conduct an in-depth investigation of any violation or misconduct by any military units. They conducted two years of close scrutiny and

careful investigation, including reading 116 meeting records of the 1209 Task Force of the Ministry of Defense and about 500 dossiers and pieces of evidence. In order to realize the decision making process of the navy to procure the *La Fayette* frigates, they sent 351 letters to relevant units, interviewed 218 relevant personnel, and conducted eleven terms of enquiries, five on-site inspections and even two overseas investigations in France where they visited the former French Minister Roland Dumas of the Ministry of Foreign Affairs and former Director Major General Jean-Claude Pujol of the Direction des Constructions Navales (DCNS). When the investigation committee members went to France, they compared the verified and notarized photocopy of the Frontier Agreement held by the French attorney appointed by the Ministry of Defense with the copy obtained by the Control Yuan to verify the content before examining the terms and tasks of the agreement. The examination revealed that the agreement involved a huge amount of remuneration that could not be attributable to the translation services of the contract alone. The flaw would have been immediately obvious to anyone, but the Ministry of Defense was evidently too quick to believe Thomson-CSF and failed to verify its statements.



Figure 5-10
Photocopy of a letter from the Control Yuan, issued on July 13, 2001.

Moreover, the Control Yuan investigation also found that the final bidding price for the six *La Fayette* frigates was 14.697 billion francs, which is an average of 2.449 billion francs per ship. However, according to the supporting information provided by the French Inter-Agency Commission for Military Exports Control (CIEEMG), the price of the six ships that were requested was 11.454 billion francs, which is an average of about 1.9 billion francs per ship. Based on the resolution from the meeting of the President of the Council of Ministers, the total price of the six ships would have been 10 billion francs, which is an average of 1.66 billion francs per ship. Therefore, it was enough to prove that the procurement case involved improper commissions.

Since the contractual request for the return of commissions had a time limit of only ten years, and was expiring on August 31, 2001, the Control Yuan issued a letter on July 13, 2001, to request the Naval Command Headquarters to file a lawsuit for the return of the commissions as soon as possible to avoid exceeding the time limit. The Ministry authorized the law firm (Coudert Freres) to file an arbitration claim with the Swiss Arbitration Association against the defendant Thales (formerly known as Thomson-CSF) ten days before the deadline to show cause for action. On July 8, 2011, the navy finally signed an agreement with Thales to fulfill the arbitration judgment for Thales to pay

compensation according to the content of the judgment, which is an estimate of US\$910 million (about NT\$27.08 billion). The compensation has been remitted to the national treasury.

III. Follow-up on the illegal access to military aircraft (Boeing AH-64 Apache case) to enhance military discipline

Term: 5

The Republic of China Armed Forces spent NT\$59.3 billion on the purchase of 30 AH-64E Apache attack helicopters (hereafter referred to as Apache helicopters or military aircraft) from the United States. The AH-64E is the latest in the series, and according to the Table of Organization and Equipment of the U.S. military they are the main force for anti-tank and anti-armor purposes. This was a major military procurement that was seen as an important military weapon for Taiwan. The helicopter's flight helmet is also a key piece of equipment with a display/aiming system and a tracking system that can project the basic flight information and weapon fire control information of the Apache helicopters and infrared images from the pilot's night vision system. This information is projected onto the display system on the right side of the helmet for pilots to read. The system is also connected to gun systems that are integrated with the pilot's vision to greatly increase combat efficiency (source: <http://www.mdc>).

idv.tw/mdc/army/AH64.htm). Therefore, both the helicopters and the helmets are key pieces of military equipment of the armed forces that require proper maintenance to ensure their functions.

However, on March 29, 2015 shortly after the Republic of China Armed Forces completed the receipt of Apache helicopters in October 2014, Lieutenant Colonel Lao Nai-cheng of the Second Combat Team of the 601st Brigade of the Army Aviation (hereinafter referred to as 601st Brigade) violated the law by leading a group of 26

people, including an entertainer surname Lee to view the Apache helicopters in the brigade. Lee and the other visitors not only sat in the cockpit, but also put on the latest interactive flight helmet to pose for photos. They uploaded the photos to Facebook for thousands to see and ignited a controversy. This news spread on media outlets for several days. The media also discovered that earlier on February 22, 2015, Lieutenant Colonel Lao Nai-cheng had also brought a group of relatives and friends to visit.



Figure 5-11

Photo of the Apache helicopter (source: Website of the Presidential Office).

Moreover, during his leave on October 31, 2014, Lao brought a flight helmet to a private Halloween costume party. Major General Chien Tsung-yuan, commander of the 601st Brigade, was also found to have allowed his nephew to board an Apache helicopter for photos on February 20, 2015, during a family reception at the base. This also resulted in a public outcry. Considering the importance and uniqueness of the Apache helicopters to our nation's defense capabilities, the military aircraft protection and military discipline issues of the 601st Brigade demanded further examination, and the Control Yuan promptly filed an investigation following the incident.

After three months of an intense investigation, the Control Yuan impeached Brigade Commander Chien Tsung-yuan, Lao Nai-cheng and Tao Kuo-chen of the 601st Brigade for violations. In addition, targeting the administrative violations of the 601st Brigade, including loose access control, failure in hanger control, and failure to implement safekeeping and inventory of the flight helmets in accordance with regulations, the Control Yuan also proposed corrective measures to the Ministry of Defense. The Control Yuan continued to supervise the armed force in order to ensure that it completed the following improvements:

- A. Complete the amendments to implementation measures on access control and visitor control, and guidance plans for security duty. Based on their respective tasks and characteristics, units at all levels are required to follow restrictions on what areas are defined as open to or restricted for visitors, and where photography is allowed.
- B. Complete the amendment and promulgation of regulations on military supplies and military equipment management. Clearly regulate the control (management) methods for equipment storage, inventory, and transportation to off-base destinations.
- C. Complete the formulation and promulgation of management regulations on the issuance of personal flight equipment for flight personnel. In addition to implementing equipment control, return, registration and inventory regulations, require that advance plans for off-base missions, triplicate copies of approval for taking military objects off base, and the flight mission order be submitted for approval.



Adopting a point-to-point approach, establish a double audit mechanism with the nearest aviation unit to control the movement of equipment.

A solid national defense is the ultimate line of defense to ensure national security. It is also the foundation on which the people can live and work in peace and contentment. Taiwan has long been under strong military threat from the Communist Party of China. The people of Taiwan therefore expect and demand the national armed forces to protect the country even more so than people from

other countries. As such, when costly military aircraft are not responsibly maintained by military personnel who use equipment for personal reasons, it is natural to expect public disappointment and indignation. The Apache Case is an important event in the military discipline of Armed Forces. The Control Yuan hopes that the Armed Forces will heed this lesson and not allow such incidents to happen again.

Section 4 Judicial Justice

I. Chiang Kuo-ching suspected homicide case, found wrongly accused and exonerated by the efforts of successive Control Yuan terms

Term: 2-6

The Mid-Autumn Festival is a day for family reunions. However, Chiang Kuo-ching's family could never be reunited again after the Mid-Autumn Festival in 1986. It was not due to natural causes

such as illness, death, or accidents, but because a son in military service was put to death by the public authority of the state. Certainly, if a person commits a heinous crime, no argument against the exercise of public authority is possible. However, even though another suspect surnamed Hsu had confessed to the crime, the state still insisted on executing Chiang Kuo-ching. Such a mindset is questionable and inevitably aroused a great deal of controversy.



Figure 5-12

On-site inspection of Air Force Command, October 2009.

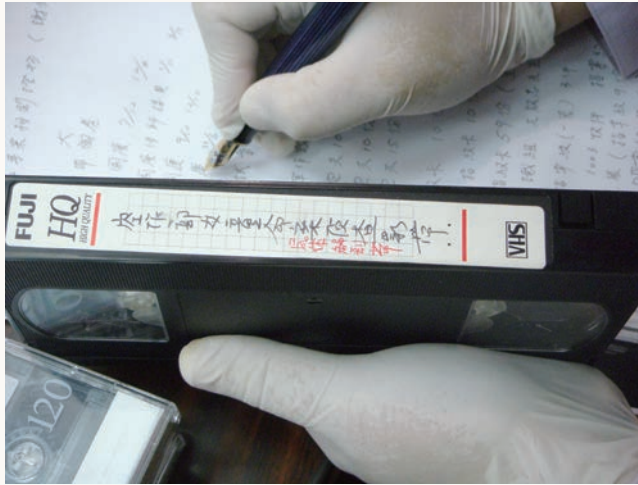


Figure 5-13

Seizing and sealing relevant evidence from Air Force Command, October 2009.

Kuo-ching, whose name means "National Day" in Mandarin, was born on the jubilant National Day of October 10, and was ironically executed on the eve of Air Force Day, August 13. After graduating from high school, Chiang Kuo-ching was called into military service in 1995 and served in the Air Force. He served in the 629th Tier of the Flying Tiger Voluntary Group and was expected to be discharged in February of 1997. However, on September 12, 1996, a young girl surnamed Hsieh was raped and murdered (briefly known as the Case 0912) in the Air Force Combat Command. Following the incident, the counterintelligence arm of the political office of the Air Force Command Headquarters used illegal means to obtain a confession from Chiang Kuo-ching. On

August 13, 1997, he was executed at the age of 21, calling into question the process that led to his execution.

Investigation of this case was initiated by the second-term Control Yuan in 1998 and handed over to the third-term Control Yuan members. The investigation passed on to the fourth-term Control Yuan members, who released the investigative report on May 12, 2010. The investigation found the following major violations: (1) The investigation and handling of Case 0912 involved forced confession and illegal means of evidence collection; (2) Before the final verdict was handed down in Case 0912, the involvement of suspect Hsu was ignored and Chiang Kuo-ching was executed; (3) The original confirmed verdict of the Ministry of Defense

in Case 0912 was based on a flawed and arbitrary confession that lacked evidence; (4) The defendant's confession was inconsistent with the facts of the case. The confession's descriptions of key events was completely inaccurate, and contradicted objective evidence available at the time the crime was committed; (5) The original confirmed verdict used irrelevant evidence as the basis for determining the verdict, and used Object 11-1, which had been confirmed as contaminated and lacking admissibility, as the only material evidence in Case 0912. In June of 2010, these obvious judicial violations prompted the Supreme Prosecutors Office to direct the jurisdictional Prosecutors Office to reopen the investigation. Thereafter, on January 29, 2011, the suspect Hsu was arrested and taken into custody, and on May 24, the case was wrapped up and the indictment handed down. Hsu was found guilty in the first instance, and Chiang Kuo-ching's family received state compensation.

This case would not have been reversed without the devotion of the father, Chiang Chih-an. After Chiang Kuo-ching was sentenced to death, his father never ceased to fight for justice. Control Yuan Member Chang Te-ming empathized with the father's love for his son. Upon meeting Mr. Chiang, Member Chang said, "Although I hadn't seen the files, with this father's firm belief in his son, I couldn't help but believe that there was

a possibility of misjudgment." Therefore, the Control Yuan's 2003 Committee on Judicial and Prison Administration Meeting passed a resolution to re-examine the case.

In 2003, the Control Yuan provided investigators with an investigation license and assigned them to go to the Air Force Command Headquarters to seal relevant documents and evidentiary items, and obtain documents from various agencies. During the investigation, it was found that the suspect surnamed Hsu from the same base had previously been taken into custody at Taichung Prison for the sexual assault of two women in Taichung. Hence Hsu was immediately interviewed. At the end of 2004, the investigation report on the 1996 rape and murder of the young girl Hsieh at the Air Force Combat Command was completed. The entire case was flawed to the core, making it necessary to re-open the case. Since the Control Yuan's third term had ended, the case was handed over to the investigators to continue the research and analysis until August 1, 2008 when the fourth-term Control Yuan members took office and re-established the investigation and formulated the investigation report.

The investigation methods adopted by the Control Yuan and the difficulty of this case were exceptional. In addition to analyzing the evidence on file, co-investigators also visited the military prison

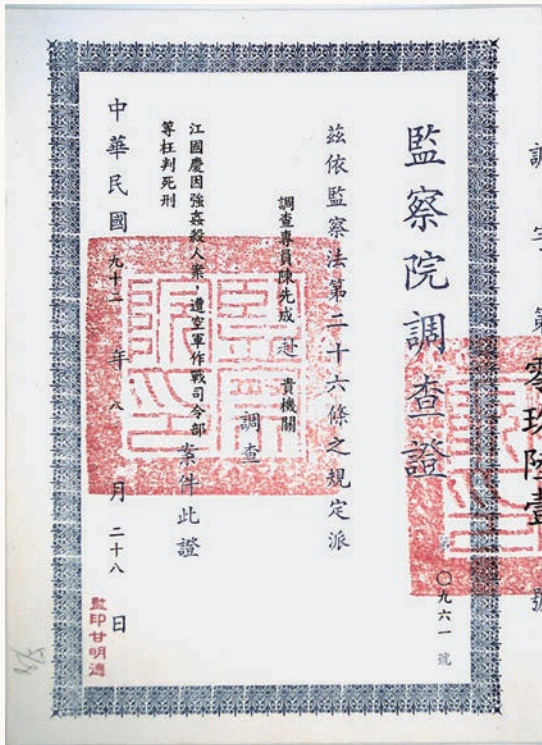


Figure 5-14

An investigation license issued on August 28, 2003.

in Tainan multiple times to inquire the matter and psychologically evaluate the suspect Hsu to ensure proper handling of the case.

Although this wrong was righted, it was the merest beginning of justice for Chiang Kuo-ching and his family. The people were still infinitely saddened by the mistakes of the state, and there is no way to recover a young life that has been taken away. In the investigation report, the Control Yuan concluded with a quote from the book *Collected Cases of Injustice Rectified* by Song

Ci, "The trial of criminal cases is no more important than the trial of death penalty cases. The trial of death penalty cases is no more important than the investigation of the initial case, and the investigation of the initial case is no more important than inspection.... Should there be any inaccuracy, injustice would remain with the deceased as well as the living. A wrongful death sentence without justice may claim one or more additional lives, which would in turn result in feuds and revenges, prolonging the tragedy."

II. Admonishing judicial officials to protect human rights in the civil administration of justice

Term: 5

The duty of prosecutors to prosecute crimes on behalf of the country is a symbol of fairness and justice. They should be proper in conduct and be committed to protecting human rights. Their mission is to maintain social order, achieve fairness and justice, promote public interests, and improve the development of the judicial system. They are entrusted by the country to be the guardians of the rule of law and the representatives of public welfare. They hold considerable public trust as the backbone of the exercise of power. However, if the scale of justice is tilted, they will also cause great harm to the people.

During his term as a prosecutor at the Kaohsiung District Prosecutors Office (hereinafter referred to as the Kaohsiung Prosecutors Office) and the Tainan District Prosecutors Office, Yan Han-wen was involved as a joint principal offender in attempted murder, fraudulent business registration, spying and recording, theft, and illegal postern of modified guns and ammunition. He also used his position as a prosecutor to illegally access the personal data of parties in court cases and lobbied illicitly in vehicular accident cases that were not assigned to him. He also held shares in cram schools to gain improper benefits. Furthermore, he frequented night clubs in

the accompany of female escorts and had extramarital affairs. As a result, he seriously damaged the reputation of prosecutors and severely undermined the public's trust in justice.

Investigation by the Control Yuan found that as early as 1999, the Kaohsiung Prosecutor's Office had reported in Yan Han-wen's personnel evaluation how he had obstructed welfare and had placed him under disciplinary monitoring over the years. However, only one of the cases came under criminal investigation, and all were closed and signed off on when no criminal evidence was found. Most of the ethics cases were not actively investigated. Moreover, from 1990 to the end of 2011, Yan Han-wen was awarded Class A performance 13 times in 22 year-end performance evaluations, indicating an inability to do anything about his behavior or complete unawareness regarding his misconduct and criminal actions. The Kaohsiung City Police Department had failed to fulfill its responsibility in supervising the police personnel in the sub-bureaus under its jurisdiction and had failed to implement the lobbyist report and registration mechanism stipulated by the law.

Prosecutors are entrusted by the state to be the guardian of the rule of law and the representatives of public welfare. Instead of dedicating himself to protecting human rights and the ensure fairness and justice as a prosecutor, Yan Han-wen violated public

trust by not keeping private matters from his public duties and by violating various laws and regulations. Wanting to benefit from the Jinshan Temple, he colluded with the funeral service industry and mobsters. In an attempt to absolve himself of culpability, he secretly directed a series of illegal actions without any regard for his vocation to protect human rights and maintain social order. His actions not only caused great physical and psychological harm, fear and suffering to victims, but also severely damaged the image of prosecutors as guardians of the rule of law and representatives of public welfare and the society's trust in judicial personnel, thereby greatly harming judicial reputation.

To ensure an upright judicial ethics and protect the rights and interests of the people, the Control Yuan impeached Yan Han-wen in accordance with the law in January 2016 and referred him to the Judicial Yuan for trial. In addition, the Control Yuan also promptly served corrective measures to the Kaohsiung

Prosecutors Office and the Kaohsiung City Government Police Department in February of the same year, requesting these agencies to review and improve their performance. Thereafter, Yan Han-wen's disciplinary case was tried by the Disciplinary Chamber of the Judiciary, and on May 8, 2017, he was sentenced to be "removed from his post as prosecutor and disqualified from appointment as a public official," which are the most severe disciplinary sanctions stipulated by the Judges Act. And thus, the Control Yuan fulfills its duty to weed out unfit prosecutors.

III. Expanding the investigation of the Shih Mu-chin case to urge confronting judicial malfeasance

Term: 5-6

On September 12, 2019, the media revealed that Shih Mu-chin, Chair of the Public Functionary Disciplinary Sanction Commission, was suspected of illicitly



Figure 5-15

The Control Yuan impeachment case on the front page of the United Daily News on August 15, 2020.

providing legal opinion to his friend Weng Mao-chung on a lawsuit. The fifth-term Control Yuan members established a case on the 18th of the same month and assigned investigating officers to assist the Control Yuan members with investigation. On the 23rd of the same month, the Judicial Yuan court delivered evidence of violations by Shih Mu-chin with relevant names erased.

However, after comparison, it was apparent that the dining and golfing partners of Weng Mao-chung were all senior judicial officials. On October 8, 2019, Control Yuan Member Lin Ya-feng, former Director of the Personnel Department of the Judicial Yuan, sent a letter to request an appointment with Director Shen of the Civil Service Ethics Office of the Judicial Yuan for complete information. The Control Yuan members then provided co-investigators with an investigation license and assigned them to the Taiwan Taipei District Prosecutors Office (hereinafter referred to as the Taipei Prosecutors Office) to review the 2014 Tazi No. 6578 and the 2017 Tazi No. 267 investigation file and evidence

materials. However, perhaps because of concerns about hierarchy and the number of people involved, the Civil Service Ethics Office initially did not provide the requested materials.

Nevertheless, using the names of the persons under investigation along with the scope of investigation determined by the Control Yuan, the investigators were able to provide the Control Yuan with the content of the seized materials photocopied by the Taipei Prosecutors Office. Although the failure to comply with the order constituted an obstruction of the justice, the relevant information was able to provide a basis for follow-up investigations. In order to maintain confidentiality during the investigation, the Control Yuan did not provide the names of suspected judicial officials under investigation to the investigating agency. Instead, it obtained a general picture of the situation by investigating the information of relevant surrounding personnel. Therefore, when a dossier and evidence on Chu Ching-en and the materials on company



Figure 5-16

Reading relevant investigation files and evidence at prosecutorial agencies, November 2019.

Vice President Wu appeared before the investigation team, it confirmed that Weng Mao-chung, the wealthy Chair of Chia Her Group, had used money to lobby judicial prosecutors and investigators in order to obtain favorable judgments in judicial proceedings. Moreover, the investigation team also found unfathomable wrongdoings that left no room for concessions and that could not be dealt with by merely referring part of the case to the Judicial Yuan. There was no choice but to fully expand the investigation without restrictions even if it implicated Control Yuan members and senior members of judicial organs. To maintain the reputation of the Control Yuan and preserve fairness and justice, interviews were conducted to clarify the truth.

On June 9, 2020, the investigation team decided to file for impeachment. On that day, there were four votes in favor of the proposal and seven votes against the proposal. Thus, the case was not established. Subsequently, three attempts to convene a meeting failed for lack of a quorum. The investigation members were under tremendous pressure as their term of office drew near and they feared that the case might never see the light of day. Hence, they invited re-elected Control Yuan members to join the investigation. The case was reopened on August 14 of the same year, and the sixth-term Control Yuan Meeting unanimously voted to impeach Shih Mu-chin. On September 9 of the same year, the Control Yuan Committee on Judicial and

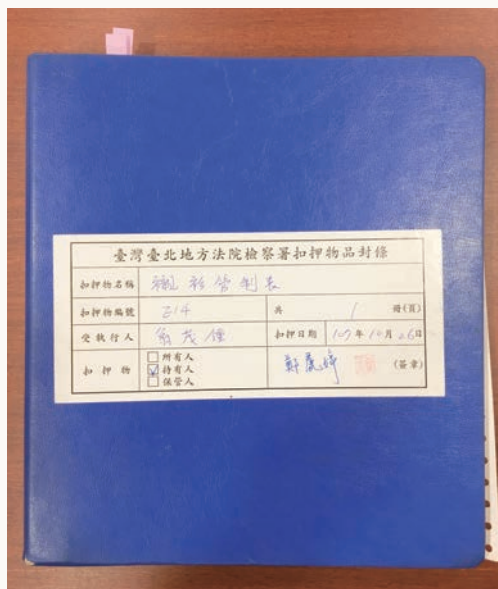


Figure 5-17

This "Shirt Control Form" held by Weng Mao-chung's secretary is among the exhibits seized by the prosecutor in October 2018. It shows a record of gift recipient, date and other information.

Prison Administration Affairs approved and released the full text of the investigation report.

The investigation report pointed out that: (1) The Weng Mao-chung case did not only involve Shih Mu-chin. The then Chief Prosecutor Fang of the Tainan District Prosecutors Office, Tribunal Directors Lin and Wu of the Supreme Court, Judges Yan, Hua and Hsieh, Chief Prosecutor Lo of the Taipei District Prosecutors Office, Director Chin of the Taipei City Field Office Backup Team, and high ranking Officer Lin of the National Police Agency of the Ministry of the Interior were also found in violation of the

Civil Servant Work Act and the ethics rules specific to their respective duties; (2) Shi Muchin had long-standing improper liaison with Weng Mao-chung, the party involved in the lawsuit. Shi had also bought shares from RF-Link Systems Inc. and the LandMark Optoelectronics Corporation, which were under the management of Weng Mao-chung, thus violating ethics standards. The resolution required the Executive Yuan and the Judicial Yuan to conduct a review and make improvements, and investigate and handle their respective judicial personnel in accordance with the law. Although the Judicial Yuan and the Ministry of Justice reported the results of the investigation in a letter dated January 18, 2021, the screening and transfer criteria proposed by the Judicial Yuan and the Ministry of Justice met widespread criticism from the public and from jurisdictional public officials. Consequently, late in the night of January 20, Judicial Yuan President Hsu Tzong-li and the Minister of Justice Tsai Ching-hsiang publicly announced a comprehensive investigation.

On February 9, 2021, the Judicial Yuan sent six people, including former President Lin of the Supreme Administrative Court, to the Control Yuan for investigation. On the 19th of the same month, the Ministry of Justice Personnel Review Committee, the Judicial Yuan and the Executive Yuan expanded investigation reports were reviewed and approved by the Control Yuan at the end of April of the same year.

IV. Retrial to redress grievances in the Hsu Tzu-chiang kidnapping and murder case

Term: 2-5

This case took place in 1995. A real estate broker, Huang, was kidnapped for ransom, then killed. The suspect was also surnamed Huang. After being caught, he confessed to committing the crime with Chen and Hsu Tzu-chiang. Huang then fled to Thailand to escape arrest but was killed shortly thereafter. In 2000, the three other co-defendants were sentenced to death. After the Control Yuan accepted the report, it made a preliminary discovery that the trial judge relied only on the confessions of the other co-defendants, and in the absence of any other specific corroborating evidence, Hsu Tzu-chiang was sentenced to death. Moreover, evidence that supported Hsu Tzu-chiang's alibi was not deliberated, therefore seriously affecting the accuracy of the criminal judgments and further undermining the credibility of the judiciary. Hence the Control Yuan decided to open an investigation.

After carefully reviewing all of the transcripts and the written verdict in the case dossier and interviewing all persons relevant to the case, the Control Yuan completed the investigation report on May 29, 2000, and put forward seven conclusions: (1) The confessions of the defendants Huang and Chen were arbitrary, and the authenticity of their confessions remain questionable, and

the arbitrariness and of the case casts doubts; (2) The verdict in the case was based on the fact that the defendant Hsu Tzu-chiang rented a sedan from a car rental company on the afternoon of September 21, 1995. Accordingly, the defendant Hsu Tzu-chiang was determined to have participated in the crime. Such reasoning violated both the rules of experience and the rules of logic; (3) In handing down the verdict in this case, Hsu Tzu-chiang's alibi that he was not present at the crime and therefore did not participate in the abduction on September 1, 1995 was rejected without investigating the evidence, thus violating the rules of evidence; (4) In this case, the court did not call for the witnesses for the defendant Hsu Tzu-chiang, and evidence that should have been investigated prior to the trial date was not investigated, therefore violating the rules of investigation; (5) The verdict in this case determined that in his communications and actions, the defendant Huang had played a part in the criminal intent to commit kidnapping for ransom right from the beginning. Such determination violated the rules of experience and the rules of logic. In addition, evidence that should have been investigated prior to the trial date were not investigated, therefore violating the rules of investigation; (6) The verdict in this case failed to carefully investigate defenses that were favorable to the defendant Chen, thus violating the law by making judgment without a clear rationale; and (7) In this case, the defendant

Huang was forced to confess under duress during the investigation. The prosecutor failed to immediately investigate the relevant evidence in detail to clarify the facts and protect the basic rights of the defendant and failed to make recommendations to the Chief Prosecutor of the Supreme Prosecutors Office to file for extraordinary appeal.

Thereafter, on July 2, 2012 and on October 21, 2015, the Control Yuan respectively filed to open investigation on the matter that "Hsu Tzu-chiang, after having appointed his counsel, was requested to confess before the defense date by illicitly assigning a public defender" and the matter of "serious forensic errors in the miscarriage of justice in the Hsu Tzu-chiang Case." After persistent follow-up and the exercise of its supervisory power by the Control Yuan, the Chief Prosecutor filed four extraordinary appeals. The case was sent back to the Taiwan High Court for re-trial for the ninth time by the Supreme Court. On September 1, 2015, the Taiwan High Court pronounced Hsu Tzu-chiang not guilty. Then on October 13, 2016, after the Supreme Court rejected the prosecution's appeal, the verdict was finalized.

Imprisoned at the age of 26, Hsu Tzu-chiang was released at the age of 46. After 21 years, he was finally exonerated. In the course of events, he had been sentenced to death seven times and tried by more than 70 judges. Hsu Tzu-chiang's ordeal from unjust imprisonment catalyzed the development of Taiwan Alliance to End the Death Penalty.

For this reason, the Judicial Yuan also issued the Judicial Yuan Interpretation No. 582 on July 2004. The former urges people to pursue the abolition of the death penalty while the latter declares that the testimonies of co-defendants in criminal cases cannot be used as evidence without cross-examination.

V. Repeated appeals for remedy in the Su Ping-Kun bank robbery case

Term: 1-3

At about 2:20 a.m. on March 23, 1986, two masked criminals broke in from the fifth floor rooftop of a building on No. XX, X Street, Hsinchu City. Using iron shears, they cut through the iron bars of the XX Jewelry Store on No. 69 next door. After breaking and entering, they went down the stairs to the first floor to hunt for a kitchen knife, and encountered the shop owner and his wife. The knife wielding burglars slashed the shop owner on the head with the kitchen knives, then broke the jewelry cases and snatched 87 pieces of jewelry, totaling 32.79 taels in weight (about 16.4 grams). After robbing the store, they tied up the shop owner and his wife, opened the metallic door on the right, and departed. The shop owner filed a police report for investigation. After the case was investigated and prosecuted by the Hsinchu District Prosecutors, the Taiwan High Court sentenced one of the defendants, Su Ping-kun to 15 years of imprisonment. The verdict was final after the Supreme Court

rejected the appeal. The verdict was based on the event where, after Kuo and Su Ping-kun had broken into the jewelry store with iron shears and encountered the shop owner and his wife, Su Ping-kun threatened them with words such as "Do not move or make any sound or else you'll die." Frightened, the shop owner had exclaimed "I have nothing in my house," whereupon Kuo hacked him on the back of his head with a kitchen knife. He then tied up the shop owner and his wife with nylon ropes, and proceeded to break the glass cases, seized bracelets, necklaces, and other gold accessories, and escaped.

After receiving a petition from Su Ping-kun in 1987, the Control Yuan established an investigation to determine whether there was forced confession in the police interrogation, and whether the content of Kuo's confession was consistent with the facts of the robbery and attempted murder in the jewelry store.

Moreover, Kuo and Su's appearance and features were obviously different from that of the jewelry store robbers, and there were questions as to whether jewelry seized as evidence were those robbed from the jewelry store. With no physical evidence, determining that Su Ping-kun committed the crime was a stretch, and the case required careful review. The Control Yuan provided its investigative opinion to the Judicial Yuan and the Ministry of Justice respectively to implement relief in accordance with the law.

In 1997, the Control Yuan filed another investigation based on new doubts, and pointed out that: (1) The original verdict was based on the information of the police investigation. However, the police were rushed and careless in their search for evidence, resulting in many errors; (2) The original verdict was based on Kuo's confession, and it was extremely obvious that the confession was inconsistent with the facts; (3) The original verdict violated the provisions of Article 2, Article 156, Article 163, and Article 379 Subparagraph 10 of the Code of Criminal Procedure; and (4) The Supreme Court's decision to dismiss the extraordinary appeal violated the provisions of the Judicial Yuan Interpretation of the Grand Justices. Hence the Control Yuan issued a letter to the Ministry of Justice to request that the Supreme Prosecutors Office examine the case and file an extraordinary appeal.

The Supreme Prosecutors Office filed an extraordinary appeal for the case, but it was rejected by the Supreme Court. In 2000, the Control Yuan filed another case investigation based on new evidence and pointed out that: (1) The arbitrariness of the confession of co-defendant Kuo could not be determined, and therefore violated the exclusionary rule governing self-incrimination; (2) The victim's identification of the defendant was not definite and corroborative evidence was lacking. Thus, accepting the identification was in violation of the corroborative

rules of self-incrimination; (3) None of the other corroborative evidence in this case directly connected Su Ping-kun to the case. Thus, his involvement in the case was questionable; and (4) The admissibility of the police transcript should be based on the premise that the content of the confession is consistent with the facts. The investigative report was then submitted to the Presidential Office, the Executive Yuan, and the Ministry of Justice as a part of a request for pardon.

In 2000, Su Ping-kun received a Presidential pardon, which exempted him from criminal punishment. However, to determine whether there were any violations by personnel in relevant units during the injustice compensation or investigation process, the Control Yuan filed an investigation in 2001 and pointed out that: (1) With regard to the police, they had illegally detained and searched the persons identified by the victim, and the process was sloppy. In addition, the investigation of the stolen property was not handled in accordance with the law; (2) With regard to the prosecutorial agencies, the police violated regulations when executing custody, search, report review and verification. The response to the defendant's allegation that the police obtained confession through force could not be verified. The victims' uncertain identification of the suspects was not investigated and rashly adopted as criminal evidence. There was also inadequate command and supervision

of police procedures for investigating stolen property; (3) With regard to the courts, there were holes in the Hsinchu District Court's defense against defendant Kuo's allegation of forced confession. The Taiwan High Court was obviously flawed in its failure to investigate the admissibility of the confessions, and failed to fulfill its investigative duty when defending against the allegation of forced confession; and (4) With regard to compensation for unjust imprisonment, this case in fact involved damage of a "special nature." To balance the enforcement of public power and human rights protection, and restore the rights of those whose rights had been violated, there should be legal relief channels for obtaining appropriate compensation. The Control Yuan provided its investigative opinion to the National Police Agency of the Ministry of the Interior recommending corrective measures, requesting review by the National Police Agency of the Ministry of the Interior and the Ministry of Justice. In addition, it issued a letter to the Judicial Yuan requesting examination and handling.

This case started out with multiple written requests by the Control Yuan to the Chief Prosecutor to file extraordinary appeals. Although all the appeals were rejected by the Supreme Court, the Control Yuan did not give up seeking redress. After President Chen Shui-bian took office in 2000, private organizations petitioned for

Presidential pardon on behalf of Su Ping-kun. They included the investigation reports of the Control Yuan as supporting evidence in favor of the pardon. Su Ping-kun was subsequently pardoned by the President and exempted from criminal punishment.

However, the Presidential pardon still failed to meet the requirements for compensation for injustice. It was not until 17 years later, when Su Ping-kun petitioned for a retrial in 2017, that he was finally found not guilty by the Taiwan High Court and received a maximum compensation of NT\$5,000 for each day of injustice.

VI. Investigating the implementation of polygraph tests and urging people to respect judicial human rights

Term: 5

The Control Yuan conducted a general investigation on polygraph tests in judicial cases and issued its investigation report in 2017. In the following year, it published the book, *Chaos in Polygraph Tests and the Loss of Human Rights*. To ensure the rights of the people to litigate in accordance with Article 16 of the Constitution, it urges the judicial, administrative, legislative and social sectors to pay attention to the problem of miscarriages of justice caused by relying on polygraph tests.

Flawed polygraph tests may have caused many miscarriages of justice over the years. According to the court testimonies

of polygraph examiners from the Justice Investigation Bureau of the Ministry of Justice in 2007, the bureau conducts about 3,000 polygraph tests a year at the request of judges or prosecutors, indicating that polygraph testing is widely utilized by the judicial authorities. Over the years, judicial rulings such as Supreme Court judgments have emphasized that polygraph test results should not be used as the sole evidence for convictions. However, polygraph examiners from judiciary police agencies told the Control Yuan that in the presence of definite evidence in a case, the judge or prosecutor would not have requested a polygraph test for the case. Therefore, in the absence of physical evidence such as weapons and surveillance video, the results of polygraph tests requested by prosecutors and judges play the role of key evidence in judicial cases, and become the primary evidence for judges when convicting the defendant.

However, in the words of polygraph examiners of the Ministry of Justice who are regarded as authorities and experts in polygraph testing, "if there is no evidence or if the case is solved, there would be no way to inspect the results of polygraph tests;" and "polygraph tests are conducted by different examiners and it is absolutely impossible for polygraph tests to be the same. Polygraphs conducted at different time points in an investigation and trial will also be different. So how could this be a key piece of evidence?"

Among many major cases that had used polygraph tests, the Chiang Kuo-ching case, the Lu homicide case and the Taoyuan Air Force Base ammunition depot theft case stood out the most. In these three cases, miscarriage of justice was later proven and the defendants acquitted.

These cases showed that when polygraph tests are used for testimony, the polygraph test results should not be adopted by the court as evidence of criminal facts. However, for many years, polygraph test results were accepted as key evidence in judicial cases.

Based on the complaints of the Taiwan Innocence Project and the Judicial Reform Foundation, the Control Yuan conducted investigations accordingly. It found that various judicial and police agencies adopt different polygraph test procedures, resulting in different polygraph test results. The inconsistencies in the test results could be due to different examiners, different topics, and different procedures. Yet, flawed polygraph tests were widely accepted by prosecutors and judges in judicial cases, and formed the basis for convictions. For example, in the Lu homicide case, Lu was given three polygraph tests. The first test was conducted in 2000 when the Investigation Bureau received an order from the prosecutor, and the result showed that Lu had lied. The second test, conducted by the Taipei City Police Department during the same period by order of the prosecutor, indicated that

Lu had not lied. The third test, conducted in 2003 by the Ministry of the Interior's Criminal Investigation Bureau of the National Police Administration by order of the judge after the prosecutor had filed charges, showed that Lu had not lied.

Among the three polygraph results, the first determined that Lu lied while the latter two determined that Lu did not lie. In such situations, what conclusion should be drawn? The judge of the first instance ruled Lu not guilty on the grounds that the first polygraph procedure of the Investigation Bureau was flawed. After the prosecutor filed an appeal, the Taiwan High Court also ruled that the entire case had no evidence, and the polygraph test could not be used as the only evidence for a guilty verdict. Therefore, the verdict was not guilty. However, the prosecutor filed another appeal, and repeatedly filed for retrial during the trial process. Both the courts of the retrials and verdicts adopted the claim in the prosecutor's indictment that Lu had developed an "immunity to the polygraph test" because of his experience in the test. As such, only the first test result that was unfavorable to Lu was adopted, and the latter two results indicating that Lu had not lied were excluded and not adopted. As a result, Lu was sentenced to 13 years of imprisonment for homicide. After serving his prison sentence, Lu requested retrial. DNA was re-analyzed and a non-match was confirmed, reversing the verdict to not

guilty. From the judgment process of this homicide case, it is not difficult to understand why miscarriages of justice repeatedly occurred due to polygraph tests.

Lu was very fortunate; in practice, such cases are rarely vindicated. It is difficult to imagine the number of miscarriages of justice caused by the thousands of judicial cases using polygraph tests in one year. For one example, the Control Yuan investigated a case where a township chief surnamed Li was sentenced for accepting project kickbacks. Having inspected the polygraph test video, the Control Yuan found that because the township chief Li was suddenly detained and held incommunicado for several days, suffering several days of no sleep, loss of appetite and diarrhea, and was physically and mentally exhausted, he was an unsuitable candidate for a polygraph test. After the polygraph examiner had completed the test, he told the other investigators, "The township chief surnamed Li is not in a good physical condition! His eyes are very bloodshot... I would be nervous if something happens..."

It is evident that the polygraph procedure used is inconsistent with the previous Supreme Court decision that polygraphs should comply with procedural norms. Even more inconceivable was that during the test, the examiner frequently adjusted the knobs on the lie detector, thus violating the basic principles of such testing, affecting the subject's response curve and the



Figure 5-18

A Control Yuan member inspecting the new polygraph equipment at the Criminal Investigation Police Office, June 2016.

determination of whether the subject lied. In another robbery case investigated by the Control Yuan, the same polygraph examiner manually charted a graph of the subject's reaction because the nozzle on the needle of the lie detector had clogged or the ink had dried up, thus revealing a total lack of awareness of data collection protocol. The Control Yuan invited experts to conduct a peer review, which found that the testing process of this polygraph examiner contained numerous common flaws, including the interval between questions being too short; the pretest meeting being too short;

not conducting a familiarization test; the wordings of the questions were often changed; questions required correct or incorrect, yes or no responses; the questions were asked too rapidly; galvanic skin response (GSR) reaction was too high; control question items were not negative statements; and the criteria for determining a lie were vague, thus violating the procedural norms for polygraph testing.

In fact, miscarriage of justice is not a single event, but a manifestation of a series of systematic errors. There are similarities among the various cases of miscarriage of justice. For instance, polygraph tests must rely on the examiner to perform the test and judge the result according to his or her expertise. If the examiner caters to the direction of the investigation and deliberately ignores some of the subject's "non-lie" reactions during the test, or the examiner fails to comply with the standard operating procedure of polygraph testing by violating currently recognized and prevalent effective scientific testing techniques, the result of the testing might be rendered invalid, which would easily lead to miscarriage of justice. Clearly this issue deserves more attention from all walks of life.

The Innocence Project was launched by human rights organization in the United States in 1992. As of April 2015, it had successfully overturned past wrongful verdicts through DNA analysis and other examination technologies. It has achieved

redress for 329 victims of unjust verdicts. In addition to promoting the project across the United States, there have been similar cases of overturning wrongful verdicts in other countries. In 2005, the Congress of the United States authorized the United States National Academy of Sciences to set up a special investigative team to conduct forensic scientific research. Its report, *Strengthening Forensic Science in the United States: A Path Forward*, submitted to the Senate in 2009, pointed out that most forensic technologies are not based on solid scientific foundations. For example, microscopic hair analysis, bite mark comparison, fingerprint analysis, bullet test, tool trace analysis and other technologies all contain similar flaws. The development of traditional forensic technology is only intended to solve cases and not as primary evidence at trial. These technologies are mainly derived from individual cases, differ greatly in methods and expertise, and have not received precise scientific verification. Once an error occurs, innocent people are often wrongly convicted and become scapegoats while the true culprit remains at large.

In 2012, the US Department of Justice and the FBI investigated FBI hair comparison cases in the 20 years prior to 2000. From among the 21,000 cases, cases in which forensic personnel had reported a match to the court were reviewed. In 2015, the FBI admitted to the public that based on the review of cases

of confirmed verdicts in which the FBI had submitted "microscopic hair analysis reports" and testimonies to the court, more than 90% of the cases prior to 2000 were found to be erroneous. Evidently, in the early days, wrongful judgments made by the U.S. courts based on judicial expertise were not the exception but rather than the rule.^{1,2}

The Control Yuan conducted a general investigation on polygraph tests and issued its investigation report on January 11, 2017. Thereafter, although the Executive Yuan had reviewed and integrated the polygraph procedures of various judicial and police agencies, government agencies should still establish a fair and objective external review and evaluation mechanism to effectively increase the accuracy of polygraph testing. Moreover, polygraph testing is a judgment of the subject's physiological and psychological reactions, during which the subject is in no position to remain silent. Therefore, the Supreme Court ruled that polygraph testing is an infringement on individual rights, which is no better than violating the right of the defendant to remain silent. In an investigation or a trial process, when prosecutors or judges request polygraph tests in accordance with the provisions of Article 208 of the Code of Criminal Procedure on requesting expert examination, the defendants or criminal suspects are nevertheless giving their consent under the duress of criminal prosecution, which is an obvious lack of

freely given consent. Therefore, it may constitute a violation of the minimum standards governing self-incrimination in criminal procedure, as stipulated in Article 14 Paragraph 3 Subparagraph 7 of the United Nations' International Covenant on Civil and Political Rights. It may also violate people's rights to legal proceedings guaranteed by Article 16 of the Constitution. There is also concern about violating the protection of individual rights and human dignity that nations of laws now respect. Therefore, the Control Yuan's recommendation to prohibit the use of polygraph tests as evidence in judicial cases elicited a response from the 2017 National Conference on Judicial Reform. On April 8 and April 18 of 2017 respectively, Group One passed the following resolutions: "Regarding the standard procedure for polygraph tests and the question of its admissibility as evidence, the items in the aforementioned resolution should be reviewed by both the Forensic Science Committee and in accordance with the rules of evidence. Before the establishment of the Forensic Science Committee and the formulation of the rules of evidence, polygraph testing and its admissibility as evidence should be carefully considered,"

and "Polygraph tests shall not be permitted on vulnerable victims or defendants." The Executive Yuan held multiple public hearings, responded positively and proposed amendments to the relevant provisions of the Code of Criminal Procedure.

Furthermore, the Control Yuan had sent a written request to the Executive Yuan to re-examine cases of polygraph tests conducted by the Investigation Bureau of the Ministry of Justice to determine whether there were any flaws in the procedures or interpretation of the test results. If there is any critical evidence that warrants application for retrial, the parties involved should be provided with channels for redress in accordance with the law in order to improve judicial credibility. In response, the Ministry of Justice issued a letter on June 13, 2017 to prosecutorial organs to formulate the key points for reviewing cases with guilty verdicts. In addition, it established the Review Committee for Convicted Cases in the Taiwan High Prosecutors Office to provide redress channels for unjust cases. As of the end of March 2021, the Control Yuan had sent at least 2 cases to the Committee for handling, and assigned Control Yuan Members to present the cases.

1 Press Release. "FBI Testimony on Microscopic Hair Analysis Contained Errors in at Least 90 Percent of Cases in Ongoing Review." FBI News, United States Federal Bureau of Investigation, April 20, 2015. <https://reurl.cc/82XVo4>

2 *Chaos in Polygraph Tests and the Loss of Human Rights*, p. 362–71. Taipei: Control Yuan, 2018. Original title: 測謊之亂 人權之失—監察院測謊鑑定違失調查報告 ISBN: 9789860561562

Section 5 Prison Administration Reform

I. Death of a juvenile in probation education and urging the restructure of juvenile reform schools

Term: 5

A youth, surnamed Mai, was born while his mother was incarcerated. Initially, he lived with his mother in prison. When he was about 2 months old, his mother had him placed in a residential institution for his care. When Mai was about 2 or 3 years old, his grandmother learned of his birth and brought him home to live with her. In June 2011, the youth stole cash and phone cards

from his classmates, and was sentenced by the Taiwan Juvenile Court of the New Taipei District Court to be placed in the Taoyuan Juvenile Reform School of the Agency of Corrections, Ministry of Justice (hereinafter the Taoyuan Juvenile Reform School) for correctional education. During Mai's incarceration, he underwent a total of 96 medical treatments. On February 4, 2013, Mai was sent to the isolation and confinement quarters of the Sansheng Garden Dormitory of the Taoyuan Juvenile Reform School to recuperate from pain in his right shoulder. However, on the following day (the 5th),



Figure 5-19

Control Yuan members visit Mai's grandmother at her home on August 7, 2015.

he died of sepsis caused by suppuration of organs in the chest and abdominal cavities. Autopsy by the coroner found that in addition to the redness and swelling on the outside of his body, there were also pus and infection in his chest and abdominal cavities, and determined that Mai died from "other causes." So what caused Mai's death? Was he improperly disciplined prior to his death? After more than a year of investigation by the Taiwan Taoyuan District Prosecutors Office, there were still no answers. The prosecutor in charge signed an administrative closure of the case. The Taoyuan Juvenile Reform School not only failed to clarify the cause of Mai's death, but informed his family that "the teenager died from self-inflicted injuries caused by scratching." Moreover, the school determined that there was no administrative negligence or other liability on the part of relevant personnel. However, during the process, personnel were suspected of concealing evidence and colluding on their testimony.

When the case was reported by the media, it caused a public outcry. The public was widely concerned about the issue of human rights for juvenile offenders. Therefore, the Legislative Yuan canceled and froze the budget of the Taoyuan Juvenile Reform School for basic administrative work and related business such as the handling of correctional education and follow-up counseling. It also requested that the Agency

of Corrections of the Ministry of Justice review and amend complaint channels management, disciplinary procedures, and preventive measures of juvenile reform schools and submit a report to the Judiciary and Organic Laws and Statutes Committee of the Legislative Yuan before funds could be released. Since the juvenile reform schools were using a prison-management approach to implement correctional education, there were questions as to whether the Agency of Corrections failed to fulfill its supervisory responsibilities in how reform schools are managed. These issues warranted in-depth study and thus the Control Yuan filed for investigation.

Investigation by the Control Yuan found that the Taoyuan Juvenile Reform School failed to send Mai for medical treatment, resulting in his death. The school was also suspected of concealing evidence and colluding on their testimony. In addition, the Control Yuan also discovered that on many occasions, the Changhua Juvenile Reform School punished its students for major offenses by shackling them on their hands and ankles to outdoor clothes drying racks and in hallways, and used physical training as a form of punishment. Some students were put under excessively long periods of confinement that were tantamount to abuse. Therefore, the Control Yuan impeached the former Dean Lin Chiu-lan, former Chief Chen Li-chung of the

Discipline Section, and Chief Hou Hui-mei of the Sanitation and Health Section of the Taoyuan Juvenile Reform School, and Dean Chang I-peng of the Changhua Juvenile Reform School. On December 11, 2015, the then Public Functionary Disciplinary Sanction Commission passed the following resolution to "demote and reassign the post of Chen Li-chung by two levels, demote and reassign the posts of Lin Chiu-lan and Chang I-peng by one level, and penalized Hou Hui-mei with two demerits." The resolution was implemented on December 12, 2015. Moreover, based on the investigative findings of the Control Yuan, the Ministry of Justice passed a resolution and handed out 17 orders for disciplinary action.

Furthermore, the Control Yuan also filed separate corrective measures against the Executive Yuan and the two juvenile reform schools (Taoyuan Juvenile Reform School and Changhua Juvenile Reform School), requiring them to discuss and improve measures to strengthen the management and handling mechanisms for reform education, student life, and medical care; simplify the procedures for external medical care; cultivate in disciplinary staff the passion and proper value toward the management and care of the students; establish classes that cater to special needs; strengthen tertiary preventive measures against bullying; facilitate communication channels for student feedback; and strengthen the mechanisms

for both vertical and lateral supervision; and improve the management of student health information. The Executive Yuan also completed the amendments to relevant laws and regulations (amending the Juvenile Justice Act, formulating the Act Governing the Supervision of Education in Juvenile Correction Schools, amending the Act Governing the Establishment of Correctional Education Steering Committee in Juvenile Correction Schools, and formulating the Student Transfer, Guidance, and Service Act) to strengthen youth guidance and protection capabilities.

In addition, Article 83 of The Act of the Establishment of Juvenile Reformatory Schools and Enforcement of Education was promulgated and enacted in April 1998. It stipulates that "Once this Act takes effect, the Ministry of Justice may complete the establishment of Reformatory Schools with regard to the present juvenile reformatory schools and juvenile prisons within six (6) years in stages." The Executive Yuan also found the Ministry of Justice acted inappropriately and in violation of the provisions of The Convention on the Rights of Children and the provisions of The Act of the Establishment of Juvenile Reformatory Schools and Enforcement of Education in its restructuring of juvenile reform schools by failing to create an environment that balances students' welfare and needs with their illegal behaviors.

After eight investigations and corrective measures by the fourth-term Control Yuan members and six investigations by the fifth-term Control Yuan members, and the Control Yuan's visits to the previous Ministers of Justice of the Executive Yuan to request restructuring the two juvenile reform schools into juvenile correction schools, the Control Yuan received no positive response. It was not until January 11, 2019, after a visit to Minister of Justice Tsai Ching-hsiang on the eve of the reorganization of the cabinet that this issue finally gained traction. As a result of the perseverance of the Control Yuan members of this case, the two juvenile reform schools were finally restructured into the Chengjheng High School Taoyuan Branch and Changhua Branch, respectively. The schools were inaugurated on July 31, 2019. From that time forward, nearly 1,100 correctional education students have been able to receive regular school education and uninterrupted learning. Their rights and interests in education are thus protected and judicial human rights for children and youths can be guaranteed.

Adolescents are fluid in their temperament. In addition to personal factors leading them to criminal behavior, they may also be influenced by other factors such as social environment, school education, and family. Sentencing juveniles to a juvenile correctional institution for reformatory education is the last judiciary resort. Not all students

receiving reformatory education have committed crimes. Some are at-risk juveniles (formerly known as criminal juveniles or juvenile delinquents. To avoid labeling and to align with the intent of the Juvenile Justice Act amended and promulgated in June 2019, the terms were changed to at-risk juveniles). Nearly 70% of at-risk juveniles are from dysfunctional families. They bear the consequences of and suffer from the poor institutional designs of the adult world. The case of Mai from the Taoyuan Juvenile Reform School and the case of inappropriate disciplinary actions taken by the Changhua Juvenile Reform School against students who had violated regulations are truly a tragedy for their families, the country, and society. Therefore, upholding the value that no person is higher or lower than any other, and that human rights knows no social standing, the Control Yuan remains dedicated to defending the human rights of juveniles placed in reformatory education; and it is on this basis that the Control Yuan continues advancing human rights protection in Taiwan.

II. Investigating prison warden bribery and rectifying the discipline of correction agencies

Term: 5

The American movie *The Shawshank Redemption* tells the story of banker Andy Dufresne, who is sentenced to life

in Shawshank State Penitentiary for the murders of his wife and her lover. During his time in the Shawshank State Penitentiary, he befriends a fellow prisoner, contraband smuggler Ellis "Red" Redding. At the same time, using his financial expertise, he engages in money laundering and tax evasion together with the warden and other prison guards. The plot portrays how the warden at Shawshank State Penitentiary took a cut of the money laundering and other illegal activities. The impressive portrayal won the film 7 Oscar nominations. Prisons have an active function in correcting crimes.

Prison officials play a supervisory role in helping the inmates reform and improve, and are therefore expected to behave ethically and be dedicated to their duties. However, some correctional personnel have caved in to temptation and accepted cash and other improper benefits from the relatives and friends of the inmates. They used their power to help smuggle contraband into prison, improperly increased the number of visits, and provided certain inmates with special privileges. These resulted in the largest collective bribery case in Taiwan's history of prison administration in November 2014. In addition to severely damaging the reputation of correctional agencies, it also highlighted the lack of management, the corruption and the lack of discipline in some prisons. As a result, the people of Taiwan have lost confidence in the administration of the

country's prisons, and domestic media have ridiculed it as the Taiwanese version of the *The Shawshank Redemption*.

The Control Yuan acts to strengthen and enforce government ethics. After establishing and investigating the prison bribery case, the Control Yuan found that warden Wu Tsai-wei of the Yilan Prison (like the other prisons mentioned below, belonging to the Ministry of Justice's Agency of Corrections), former warden Su Ching-chun of Green Island Prison, and eight other prison administration officials were involved in major ethics breaches such accepting lobbying, accepting invitations to wine and dine, accepting gifts, and passing messages or contraband between inmates and their relatives and friends. Among them, former warden Su Ching-chun of Green Island Prison served as the deputy warden of Taipei Prison before being transferred to the Green Island Prison. At that time, the CEO of the Dong X Group, surnamed Wang, began his incarceration in Taipei Prison on November 1, 2013. Wang directed his executive assistant, surnamed Hu, to regularly deliver bribes and illegitimate benefits to prison officials such as Su Ching-chun. In addition to cooperating with and approving the frequent applications filed by related persons for special visits to Wang, Su Ching-chun also violated job regulations by instructing the rehabilitation counselor of the prison to take Wang on a tour of Educational Block Six to see if Wang would be

interested in working there. Su clearly knew that Wang would be able to obtain Dong X Group's documents via special visitors or by receiving documents and processing documents in Educational Block Six, but chose not to stop him. On the contrary, he permitted Wang to review and approve those documents while working in Educational Block Six. At the request of Wang's executive assistant Hu, Su smuggled important Dong X Group business documents into the prison for Wang to review and sign. Such actions by prison officials have seriously undermined correctional discipline and violated the provisions of the Civil Servants Services Act and the Ethics Guidelines for Civil Servants. Hence the Control Yuan filed for impeachment and corrective measures against the Agency of Corrections and its subordinates, Taipei Prison and Yilan Prison.

In its corrective measures document, the Control Yuan specifically pointed out that Taipei Prison and Yilan Prison failed to handle special visitations in accordance with the law. This has resulted in approval of special visitations without proper grounds, failure to register applications for visitation, and taking advantage of special visitations to smuggle documents that had not been inspected, thus violating prison administration regulations. After persistent follow-up on improvement, the Agency of Corrections has reviewed and revised its methods for handling various types of visitations and issued letters to its

various correctional agencies to require compliance.

At the same time, it has improved the transparency and fairness of the visitation interview system. According to the statistics of the various correctional agencies, there were 4,230 special visits in 2014 and 1,657 special visits in 2015, which is a decrease of 2,573 special visits. In terms of strengthening anti-corruption measures in controlled areas, the Taipei Prison has added a supervisory staff review mechanism to prevent duty staff from neglecting careful inspection due to concern about peer relationships with their colleagues. In addition, logbooks have been set up for monitoring. The Taichung Prison has reviewed and planned to propose measures such as job regulation education, work material control, and security inspection skills. The Agency of Corrections of the Ministry of Justice has also formulated measures to enhance surprise inspections of controlled areas. A security inspection supervision and assessment team was formed to conduct surprise inspections on a quarterly basis. Each quarter, surprise inspections will be conducted at 2 or more corrective agencies. After each inspection, the inspected agency is required to formulate a review report for thoroughly improving any deficiencies identified, in order to strengthen anti-corruption efforts.

III. Attention to defendants being detained and held incommunicado and strengthening the protection of human rights in prison

Term: 5

Basic human rights and judicial redress for prison inmates were extremely restricted in the past. In the mind of the average person, prison is a place where criminals are held for atonement and repentance. It is also a closed world with its own sub-cultures and rampant with crime. However, with the democratic transformation of Taiwan's society and the rule of law taking root, people have gradually begun to understand that prisoners are also members of society. Except for being restricted and deprived of freedom, they still have basic human rights and human dignity.

In 2017, the Control Yuan conducted field inspections of various prisons, and found widespread use of solitary confinement of inmates in the observation wards and violation wards because of their mental abnormality, emotional instability, illness or violation of regulations (the inmates were shackled or restrained even when in isolation). In addition, over-crowding in prisons also constitutes a serious human rights violation. Defendants detained and held incommunicado were kept in solitary confinement for a long time in small cells, and forbidden any contact with relatives and friends. They were not allowed to read newspapers and magazines, watch TV or listen to the radio. They were only allowed 30 minutes of activities a day in the hallway. The lack of work and educational activities caused



Figure 5-20 and Figure 5-21

Surveillance camera images of shackled inmates in isolation wards, June 2017.

tremendous psychological stress, resulting in many of the inmates needing long-term prescription drugs to sleep. Therefore, the Control Yuan filed numerous investigation reports to request that the government confront the issue and make improvements.

After the investigation by the Control Yuan, the Ministry of Justice proposed a prison reform policy; took stock of existing land resources; promoted phased plans for prison expansion, relocation, and reconstruction; continued to improve fire protection, security facilities, and equipment on the premises of correctional facilities; and abolished outdated prison rules in order to allow defendants to subscribe to newspapers, watch TV and listen to the radio. The Executive Yuan also agreed to increase the budget for personnel to alleviate staffing issues.

IV. Urging increases to the prison labor wage to ensure basic treatment of inmates

Term: 5

Although prisons provide three free meals daily for the inmates, they still need money for day-to-day expenses. Hygiene products such as new underwear, toothbrush, toothpaste, towels, soap, shampoo, toilet paper, dish soap, laundry soap, stationery, outside medical treatment and many other things require out-of-pocket money. With frugal living, basic monthly expenses are about NT\$500-1,000; those who smoke, drink, or need batteries for their electrical appliances need NT\$1,000 or more.

Article 1 of the Law of Execution in Prison stipulates: "Punitive sentences and detentions have to be implemented in a way



Figure 5-22 and Figure 5-23

Surveillance camera footage of incommunicado wards, June 2017 and August 2017.

that assists inmates to reform and adapt to social life." Therefore, a person who has been deprived of liberty should still be treated with humanity and respect for the inherent dignity of the individual. The basic purpose in the treatment of inmates stipulated by the penitentiary system should be oriented toward their reform and re-adaptation to social life. This has been clearly stipulated in the beginning section of Article 10 Paragraph 1 and Paragraph 3 of The International Covenant on Civil and Political Rights, which our country has adopted, as mentioned in previous passages. The General Comment No. 21 of the Covenant also states, "... respect for the dignity of such persons must be guaranteed under the same conditions as for that of free persons. Persons deprived of their liberty enjoy all the rights set forth in the Covenant, subject to the restrictions that are unavoidable in a closed environment."

The Judicial Yuan Interpretation No. 756, which states, "Except for persons whose liberty is restricted and whose restriction also deprive other rights of theirs (such as freedom of residence and movement), persons during imprisonment shall enjoy the same constitutional rights as that of free persons, and shall be no different in principle" also holds the same intent.

On the afternoon of February 11, 2015, six inmates from the Kaohsiung Prison, Agency of Corrections of the Ministry of Justice (hereinafter Kaohsiung Prison) who

were sentenced to life imprisonment, 34 years of imprisonment, and 25 years of imprisonment respectively for robbery and drug related crimes attempted escape under the pretext of requiring medical care. When the attempt failed, they snatched guns and held several people as hostages, including the warden, and publicly made their demands to the media. They claimed that the monthly labor wage in prison was too low to provide for the daily essential needs of prison life, such as underwear, saying: "Now with one sentence for each crime, some of us will be imprisoned for 40 years, 50 years, or until we die. Shouldn't we be allowed to be self-sufficient? NT\$200 for a month's worth of labor is not even enough for a set of underwear. We have to rely on our families. We live without dignity, and so we must drag our families into it. We have no way out except to kill ourselves or fight to the death." Early the following morning, the six prisoners committed mass suicide.

In its investigation report, the Control Yuan indicated that more than 90% of prison inmates can barely make ends meet with their NT\$200 monthly wage. If they do not have sufficient deposits or do not have relatives and friends to support them, they must scrape by on this meager sum. This violates Article 15 of the Constitution which stipulates that the state should protect individual survival rights; Article 155 which stipulates that the state should provide



Figure 5-24

Control Yuan members on an inspection of Kaohsiung Prison on March 30, 2015.

appropriate assistance and relief to those unable to support themselves; and Article 10 of the International Covenant on Civil and Political Rights which stipulates that inmates should be treated with humanity and dignity. Such violations are one of the key reasons for the revolt and attempted escape of the six inmates from Kaohsiung Prison.

Furthermore, less than 10% of inmates participate in self-employed operations where the average monthly income per capita for such operations is many times higher than the wages earned by inmates participating in commissioned operations. Such income often exceeds NT\$1,000, and the highest on record is more than NT\$10,000 per person per month in the Pingtung

Prison. There are large wage differences among prisoners, leading to grievances. Such discrepancy is inconsistent with Rule 76 of the United Nations Standard Minimum Rules for the Treatment of Prisoners which stipulates that correctional agencies should establish a fair remuneration system for prisoners.

After the corrective measures filed by the Control Yuan in 2016 and 2019, the Ministry of Justice proposed a draft amendment to Article 37 of the Prison Act to increase the ratio of labor payments to prison inmates from 37.5% of the overall operating surplus to 60%. The Legislative Yuan passed the amendment on the third reading and it was enacted on July 15, 2020.

In addition, to protect labor rights and interests, it is also clearly stipulated that the inmates must give consent for overtime hours, and overtime wages should be paid. If inmates suffer work-related injury, illness, serious injury, disability or death due to their work or vocational training, they should be compensated in accordance with the intent of the interpretation of Judicial Yuan Interpretation No. 756 and the relevant provisions of the International Bill of Human Rights on the protection of prisoners' labor rights.

Lastly, prosecutors often garnish inmates' wages, leaving only NT\$1,000 for living expenses. Taking into account the medical and other expenses of the inmates, the Agency of Corrections of the Ministry of

Justice responded actively and positively to the corrective measures of the Control Yuan. It issued a letter on June 4, 2018 to revise the monthly living expense budget of inmates to NT\$3,000 and increase the discretionary latitude based on the review of individual applications by inmates. In regard to prosecutors leaving inmates in the Yilan Prison with only NT\$1,000 for prison living expenses, the Taiwan High Court issued the 2018 Kang-Zi-No. 1111 to reverse and remand the punishment in accordance with the intent of the 2016 Control Yuan corrective measures and the letter issued by the Agency of Corrections of the Ministry of Justice on June 4, 2018. This reversal and remand allows inmates to serve their prison sentence while being guaranteed a life of dignity.



Section 6 Social Welfare, Education and Labor Rights

I. Investigating cases of sexual assault against deaf students and promoting a safe campus environment

Term: 4-5

The movie *The Silent Forest* is an adaptation of a real events in Taiwan. It tells the story of deaf students being unfairly treated and bullied without recourse. The story begins at a school for the deaf where the children are playing a secret game. As the plot unveils, shocking truths are gradually revealed to the audience. The goal of the movie is to call on society to treat people with disabilities equally and to empathize with their situation. The events inspiring the movie happened in

the Affiliated Hearing Impaired School of National University of Tainan (hereinafter the Tainan School for the Hearing Impaired). Between 2004 and January 15, 2012, there were 164 suspected incidents of sexual assault and sexual harassment, of which 157 were suspected incidents of campus sexual assault and sexual harassment. These incidents severely affected the learning and personal safety of students with disabilities, and severely undermined the public's trust in educators.

Students in the Tainan School for the Hearing Impaired are children and adolescents with physical or mental disabilities. Most come from families with poor financial or functional capabilities.



Figure 5-25 and Figure 5-26

Improvements to campus spaces after the incidents in the Tainan School for the Hearing Impaired in 2011.

Already disadvantaged in multiple ways, their personal safety and educational rights require extra attention and protection.

Administrators and educators in the Tainan School for the Hearing Impaired should have upheld the Educational Fundamental Act to provide students with a safe and positive educational environment. Moreover, they should have fulfilled their duties in accordance with the standards of the Teachers' Act by prioritizing the protection of students' rights to receive education and abiding strictly to the duties of a teacher. They should have enforced the provisions of the Regulations on the Prevention of Sexual Assault, Sexual Harassment, and Sexual Bullying on Campus and other measures for preventing wrongdoing in order to ensure the protection of the human rights of children and adolescents under their care. After investigation, the Control Yuan filed to impeach 16 school administrators from the school and officials from the Ministry of Education including former principals Lin Hsi-chen and Chou Chih-yueh. In addition, 31 disciplinary actions were imposed on the Tainan School for the Hearing Impaired, twelve were imposed on the Ministry of Education, and five were imposed on the Tainan City Government.

Investigation by the Control Yuan found that the Tainan School for the Hearing Impaired failed to establish a safe

campus in accordance with the law. Under the supervision of the Control Yuan, the Ministry of Education has allocated funding subsidies and provided supervision over the years to assist the school with completing various improvements in campus safety and environmental spaces; reviewing and amending relevant regulations, committees and procedures for gender equality on campus; and strengthening counseling and education for victimized students. As a result, related cases have been decreasing year by year. In addition, the school has introduced external professional resources to assist students with rehabilitation and counseling. On October 28, 2016, the school was awarded the 5th Women and Children Protection Network: Commitment to Victim and Action Excellence Award organized by the Taiwan Coalition Against Violence and subsidized by the Ministry of Health and Welfare.

Given that more than 90 students had been victimized in this case, the Tainan School for the Hearing Impaired assisted the parents of the victims with filing suits and compensation claims against civil servants for serious dereliction of duty, and also initiated claims on behalf of children against civil servants for dereliction of duty in accordance with the State Compensation Law. The total amount of compensation reached NT\$3.9 million. The suits were filed against more than ten people from the school, including

the former principals Huang Tuan-jung, Lin Hsi-chen and Chou Chih-yueh of the school; former director of counseling Huang Ching-huang; former director of academic affairs Tsai Yu-chen; and former director of student affairs Chang Mu-shen.

The Control Yuan also ordered corrective measures for the Ministry of Education and the Ministry of Health and Welfare in regard to this case, prompting the Ministry of Education to amend and promulgate Article 4 of the Regulations on the Prevention of Sexual Assault, Sexual Harassment, and Sexual Bullying on Campus. Provisions were added to stipulate that the usage of campus grounds and facilities must take into account the different needs of students with physical and mental disabilities, or language and cultural differences, and that such safety plans and their instructions must be provided to meet their needs. The scope of these considerations should include on-campus dormitories, bathroom facilities and school buses. The Ministry of Education also monitored campus sexual assault, sexual harassment, and sexual bullying on a case-by-case basis, and revised teacher training courses. The Ministry of Health and Welfare revised the indicators for opening and closing sexual assault cases. Case management procedures for cases involving child protection were incorporated into the Domestic Violence, Sexual Assault and Child Protection Information System, and through

this system, social workers are reminded of the timeline for child protection cases. Municipal and other local governments were requested to strengthen their routine inspection and control measures. In addition, beginning May 1, 2013, records of the cases handled by the local governments are spot-checked, evaluated, and included in the annual social welfare performance evaluation. Additionally, the implementation of control mechanisms by local governments are supervised.

Premier Su Tseng-chang of the Executive Yuan said at the Ministry of Education's Education Dedication Award and Excellent Senior Teachers Recognition Ceremony in 2006, "No matter how poor the child, education cannot be deprived; no matter the hardship, let not the children suffer." Our nation's Implementation Act of the Convention on the Rights of the Child and the Act to Implement the Convention on the Rights of Persons with Disabilities were respectively promulgated on June 4, 2014 and August 20 of the same year, and enacted respectively on November 20, 2014 and December 3 of the same year, demonstrating Taiwan's determination to safeguard the human rights of children and adolescents with disabilities. The Control Yuan will continue to urge educational agencies to comply with the implementations of these provisions so that these children can safely go to school and learn in a friendly campus

environment, thereby protecting their right to an education.

II. Continuing to track and alleviate the plight of truant and drop-out students

Term: 3-6

"The Temple (*Gongmiao*) is the center of a family. The relatives of the children are mostly alumni of the same school. Of the seven members, only one graduated. The oldest sister in the family is given the responsibility of taking care of the young children, and the younger brothers must go out to work and earn money. The traditional belief is that responsibility for the family overrides going to school. Education is not valued, nor does it have actual binding force" (rewritten from the 2010 local government symposium).

Our country's K-12 education emphasizes universal education, and the completion rate for compulsory education has reached more than 97-98%. In 2019, the average chance of further education among junior high school graduates even reached as high as 106.70%. Yet throughout the country, there remains a group of children who have become long-term absentees from the classroom.

The Control Yuan has long been concerned about compulsory education. In 2001, 2009 and 2012, it investigated issues related to public elementary and junior high school dropouts and provided feedback. For example, the Ministry of Education's dropout prevention measures and implementation were found to be inadequate and ineffective. The repeat truancy rate was increasing and deteriorating, so prevention and counseling



Figure 5-27

Visiting the Wu Wei Wu Experimental Education site in Hualien County in May 2019.

for repeated truancy had to be improved. In addition, due to inadequate staffing and funding in the drug abuse prevention centers of local governments, staff were limited to telephone calls, letters and home visits as means of guidance, making it difficult to achieve therapeutic and corrective impact. In addition, the 2014 investigation report of the Control Yuan pointed out that K-12 education was hurriedly launched, leading to a great deal of chaos. Therefore, it urged the Ministry of Education to continue to make improvements, including arranging schooling schedules, defining recent target enrollment rates, and enhancing guidance measures for junior high school graduates who enter the job market without pursuing further schooling.

The purpose of the final three years of national basic education (ending with 9th grade) is to lay a foundation for academic research or professional and technical knowledge. It is a turning point in determining suitable future paths for junior high school students. In 2020, the Control Yuan investigated the problems of unemployed young people who had dropped out of school or graduated from junior high school without pursuing further schooling. Its on-site forums and investigative results showed that since its implementation, K-12 education had not included enrollment in senior high school or vocational school in its Compulsory Education Act. Moreover,

in each year, nearly 20,000 students failed to complete K-12 education due to family, financial, or personal factors, which clearly violates the overall spirit of K-12 education. After the investigation and subsequent follow-up, the Ministry of Education revised the law, expanding guidance targets and increasing the number of counselors each year to meet the required personnel quota.

Furthermore, the Control Yuan's investigation pointed out that among dropout causes in the 2018 academic year, individual factors accounted for 61.4% of the total; of these, 53.40% indicated that school was inconsistent with their personal aptitudes and there was a lack of flexibility for transfers. The three Experimental Education Acts, formally enacted by the Legislative Yuan, have facilitated the active construction of a robustly diverse educational environment.

In 2019, the Control Yuan members for this case conducted an on-site inspection of experimental education organizations such as Wu Wei House in Hualien County and the Bulaubulau Aboriginal Village in Yilan County. These non-governmental education organizations demonstrate the energy and supplementary functions of education outside of the standard K-12 system. In 2020, in addition to the investigation and research report issued at that time, the Control Yuan also investigated truant and drop-out cases across the nation. It provided the findings



Figure 5-28

Visiting The Root Vocational School in Bulabulau Aboriginal Village, Yilan County, July 2019.

as reference for research and development or for expanding measures on alternative education in order to actively protect the right to education. The Ministry of Education is currently handling relevant pilot projects, and the Control Yuan is continuing to follow-up on the improvements of overall issues related to this case.

The No Child Left Behind Act (NCLB) of the United States was promulgated on January 8, 2002. It emphasizes educational performance and educational fairness. In 2015, the Every Student Success Act (ESSA) was proposed to continue the reform in order to allow all children to participate in education on an equal footing, and thereby achieve their life goals. People are the entity

in the right to an education; education is an investment of national talents; and the pool of talent is an important development resource for national competitiveness; and national education is the foundation for the development of all stages of education. All countries around the world are committed to improving the quality of education at all levels. In particular, the government is duty-bound to influence the development of all parties and build strong national competitiveness through national educational measures. The Control Yuan will continue to supervise and follow up on the improvement of education, and strive to bring back every missing student.



Figure 5-29

The Miaoli County Gongguan Township Farmers' Association prepare farmer insurance and elderly farmer allowance for inspection on August 2, 2012.

III. Conserving national resources by exposing fake farmers who abuse and erode the Farmer Insurance system

Term: 4-5

Taiwan is founded on agriculture, and agriculture is the foundation of the country. Elderly farmers who have been working hard for many years have contributed greatly to the development of our country's economy. They not only labor quietly in exchange for food and clothing for their families; they also have a close emotional bond with the land of Taiwan. However, the serious outflow of rural population has resulted in the abandonment of elderly farmers still laboring away. Often receiving little income and lacking the security of the pension system, they truly

need the state to provide proper care, especially for economically disadvantaged elderly farmers. The government should strengthen measures to protect their income in their old age so that they can live a life of basic dignity.

In order to take care of the economic needs of disadvantaged elderly farmers, the government began issuing allowances to them in 1995. However, fake farmers infiltrating the Farmer Insurance system have created deep feelings of unfairness. These fake farmers enrolled in the Farmer Insurance system to enjoy the benefits and receive elderly farmer allowances. These fraudulent Farmer Insurance holders are not only a huge financial burden on the Farmer Insurance, they also erode the country's social welfare

resources and seriously damage the rights and interests of legitimate farmers who truly need the care of the state. Hence, the Control Yuan launched an investigation.

With continuous follow-up by the Control Yuan, the Ministry of the Interior has amended the provisions of Article 5 of the Farmer Health Insurance Act so that, as of February 1, 2013, those who have received the old-age benefits of other related social insurance are not allowed to enroll in the Farmer Insurance system. This has effectively blocked people from other occupations enrolling in the Farmer Insurance system upon retirement. The Control Yuan then urged the Council of Agriculture of the Executive Yuan and the Ministry of the Interior to jointly sign and promulgate the amendment to the Act Governing the Qualification Criteria and Eligibility Review for Farmer Health Insurance Application by Farmers Engaged in Agricultural Work on November 7, 2013. Mechanisms for field inspection for each new Farmer Insurance application and for inspection by government departments were also added. Thereafter, the number of new Farmer Insurance applicants dropped by almost half, from nearly 50,000 in 2012 to about 23,000 in 2013. More importantly, investigations by the Control Yuan have led to the amendment of the Provisional Act Governing the Welfare Allowance for Elderly Farmers, which was approved on

July 16, 2014. The amendment extended the requirement for receiving elderly farmer allowance from six months of enrollment in the Farmer Insurance system to 15 years of enrollment. According to the Council's estimates, in 15 years after the implementation of the amendment, disbursement of elderly farmer allowance will be reduced by a total of NT\$46.3 billion, effectively preventing fake farmers from eroding the resources of the Farmer Insurance system (Source: Council of Agriculture website news <https://www.coa.gov.tw>, retrieved January 11, 2016).

Furthermore, to ensure that those insured by the Farmer Insurance system are actually engaged in farming, the Ministry of the Interior once again amended and approved Article 5 of the Farmer Health Insurance Act on December 30, 2015, adding "engaged in agricultural work" as one of the eligibility criteria for members of the Farmers' Association to enroll a person in the Farmer Insurance system. In addition, the Council of Agriculture and the Ministry of the Interior are also actively reviewing eligibility for Farmer Insurance. As of the end of November 2020, more than 170,000 people had been withdrawn from the insurance following the review, thus saving the country more than NT\$61.9 billion.

The Control Yuan pays close attention to the national economy and the livelihood

of the people to ensure long-term stability for the country so that people can live and work in peace and contentment. It will not tolerate any policy loopholes and abuses that erode national resources. The Control Yuan's investigation of fake farmers to urge administrative agencies to amend laws and regulations, strengthen qualification review, and carry out inspections to effectively prevent fake farmers from enrolling in Farmer Insurance, thus saving public funds is a perfect example. In the future, the Control Yuan will continue to defend just allocation so that the good intent of the government's policies can be truly applied to the elderly farmers who have labored hard in agricultural work. It will promote welfare and abolish the harmful to truly protect the rights and interests of real farmers.

IV. Keeping attention on child abuse cases and urging agencies to improve

Term: 4-6

"Children are the future masters of a country." Every country around the world regards the protection of children's physical and mental health as a major national policy, and our country is no exception. The Child Care Law and the Youth Welfare Act were enacted in 1973 and 1989, respectively. In 2003, the two acts were merged to become the Children and Youth Welfare Act. In 2011, the Children and Youth Welfare Act

underwent major amendments to become the Protection of Children and Youth Welfare and Rights Act in order to construct a more complete service system to protect children.

The law is advancing, but are all children actually being protected?

Unfortunately, heartbreaking cases of child abuse are still reported from time to time, and the abuses have become increasingly cruel. According to statistics from the Ministry of Health and Welfare, despite the low birth rate in Taiwan, abuse climbed from 7,837 cases in 2004 to a peak of 19,174 cases in 2012. Even more distressing is that up to 90% of child abuse deaths were preschool children under the age of six, and most were caused by their parents or partner living with them. These battered children have no ability to protect themselves and they have no ability to seek help from outside. Moreover, they are often the most vulnerable to serious injuries but remain the most hidden because they live in the private realm of family life. They are killed before they even have a chance to grow up.

In addition, the United Nations' Convention on the Rights of Children emphasizes that children should grow up in a family environment so that their personality can develop fully and harmoniously.

Therefore, in addition to actively helping rehabilitate families with child abuse issues, in cases of abused children who cannot return to their own families for the time

being, priority should be given to placing them in an alternative care situation that has a family-like environment. Yet nearly 60% of children in protective custody are placed in institutions, and 40% of them have been placed there for more than two years, making the road back home even further out of reach.

The Control Yuan has long been focusing on child protection. Since the Control Yuan's fourth term, its members have investigated many major child abuse cases.

They have also conducted two comprehensive investigations of systems and also proposed corrective measures and impeachment against government agencies and officials found to be in violation of the law and dereliction of their duties. The most common types of violations were: oversight of the early warning mechanism for child abuse risk and ineffective community notification, leading to difficulty in detecting the abuse of young children; inadequate social work competency and serious failure of the supervision mechanism, resulting in mistakes in the safety assessment and protection plan for abused children; sectionalism and lack of integration among agencies, each concerned only with its own tasks, resulting in children who have been identified for care still unable to escape the tragedy of abuse and death; the severity of abuse inflicted by parents highlights a lack of parenting education; the number

of new foster families is shrinking, foster parents are getting older, and placement rate with relatives is less than 2%, exacerbating the problem of insufficient family-type placement resources and the lack of family treatment resources makes it difficult to achieve results in the restoration of family functions in child abuse cases. These problems continue to occur, making it difficult to effectively prevent the recurrence of child abuse incidents and impossible to ensure that abused children have access to family-type placement care, or even return to their original family.

In addition, child protective service social workers are the frontline guardians of child protection, but they have long been overworked and underpaid. In response to the sudden death of a social worker at the Taitung County Government in February of 2011, the Modern Women's Foundation gathered 28 non-governmental organizations to file a complaint with the Control Yuan. The complaint attracted the attention of Control Yuan members, who launched an investigation. The investigation found that the labor force for child protective services at that time only reached 40% of ideal capacity. The subsequent fifth term of the Control Yuan continued with further investigation and pointed out that child protective services not only lacked social workers, the existing workers were also working in a harsh environment with high caseloads, high

pressure, and high risk, and an environment that "lacks supervision, cooperation, and resources." Therefore, it was no wonder that the social workers often felt frustrated, or that their turnover rate was high.

Since the basic problems had been identified, actions had to be taken in order to secure the cornerstone of protection. Through persistent follow-up by the Control Yuan, government agencies had actively proposed improvements, including strengthening active monitoring for vulnerable children under the age of six; strengthening the professional qualifications and training of social workers; implementing strict notification, investigation and evaluation procedures; implementing examination and supervision systems; improving the quality of family treatment services; strengthening educational promotion and parenting education; implementing a stronger cross-network cooperation plan; urging the local government to rationally adjust the fees for foster care and placement with relatives; strengthening front-end prevention work and increasing resource options for out-of-home placement by amending the laws; and completing inter-ministerial and inter-departmental data links so that families in need of assistance can be discovered through Big Data. In addition, the number of government and out-sourced social workers in child protective services has grown from 468 in June 2011 to a total of 908 in 2019,

and salary and benefits have also improved.

Children are the most important future human capital of a country. Each child is indispensable, and every child is precious. The Control Yuan remains committed to child protection and will supervise the government to prevent the lives of children from being threatened so that the future masters of the country can live and grow up happily without fear.

V. Investigating the abuse and death of foreign fishermen and urging improvements in labor rights

Term: 5-6

"The captain stalked me and beat me. It's abuse!" Before his death, Supriyanto, an Indonesian crew member, had complained that he was beaten and abused. The labor contract that he signed was also unreasonable and unjust. He wrote concerning the contract, "My monthly salary shall be US\$350. Because the ship has already sailed, the salary will be paid only when the ship docks, which is about once every six months, one year or two years. US\$900 will be deducted from my salary as a security deposit. If the contract is not fulfilled or if the company terminates the contract, the security deposit will not be refunded. I always agree to cooperate with my work arrangement by the ship's company, including being assigned to help on other ships." Supriyanto left port in May of 2015.

After his unfortunate death in August, his family received four months of his salary, which was equivalent to US\$1,400. In August of 2016, the ship owner settled with his family with NT\$100,000.

Supriyanto died in a foreign land, and his salaryplus compensation was worth NT\$145,300.

Supriyanto was originally a bus driver in Indonesia. To earn more income, he went to work in Taiwan on the Kaohsiung-registered Fu Tsz Chiun No. 35 fishing boat in May of 2015. He dreamed of changing his destiny, but in less than four months, he died from suspected abuse. Another Indonesian fisherman on the same boat also fell into the sea and disappeared. The case was reported extensively by the international media, which aroused high international concern. Taiwan's deep sea fishing vessels operate in three oceans around the world, with more than 2,000 operating vessels, making it one of the world's six largest deep sea fishing countries. Working on fishing boats is an occupation that is characterized by the 4Ds: Dirty, Dangerous, Difficult and Distant. Coupled with factors such as the low birth rate, few nationals are willing to work on fishing vessels, and foreign fishermen have become an indispensable source of fishery labor in Taiwan. What happened in the Supriyanto case, and what was the cause of his death? Are the relevant competent authorities respecting the labor rights and interests of

foreign fishermen hired overseas? To answer these questions, the Control Yuan filed for investigation.

Supriyanto died on August 25, 2015. Taiwan's Pingtung District Prosecutors Office determined that the deceased slipped and fell from a high spot on the ship while drying clothes, resulting in knee injuries and wound infections, and finally died of septic shock. His death was ruled "accidental." Investigation by the Control Yuan found that, because the interpreter could not understand Central Javanese, the prosecutorial agency had ignored Supriyanto's complaints about being beaten and abused prior to his death. It also did not take into account that the captain has a legal obligation to protect the fishermen under him. Therefore, the actual cause and time of death of the fisherman; whether his death was related to his beating, abuse and delayed medical attention; whether his death was due to criminal negligence on the part of the operators; whether there was any suspicion of enslavement; the hasty administrative signature to close the case showed obvious dereliction of duty in the course of the investigation and failure to protect the rights of the deceased. Hence the case warranted further investigation. In November of 2016, after investigation by the Control Yuan, the Pingtung District Prosecutors Office reopened the investigation into the death of Supriyanto. The Judicial Yuan has also improved the



Figure 5-30

The victimized fisherman, who was a former bus driver, before his death in 2015 (August 19, 2016, Indonesia BBC report).

judiciary problem of lack of adequate interpreters and amended the regulations for contracting court interpreters. It instructed relevant agencies to establish all levels of language certifications to strengthen the professionalism of interpreters, and establish a pool of judicial interpreters to expand the capacity of their professional human resources.

The Control Yuan's investigation pointed out that the competent authority, which is the Executive Yuan's Council of Agriculture and its subordinate Fisheries Agency had neglected their inspection and management responsibilities concerning foreign fishermen hired overseas. They were derelict in their duties by failing to review the practice of allowing foreign fishermen who lack experience to work on board without training, and failed to carefully examine the labor conditions, counseling and management countermeasures for foreign fishermen. Hence, the Control Yuan served corrective measures to the Council

of Agriculture. Subsequently, the Council of Agriculture began formulating relevant regulations, and promulgated the Act for Distant Water Fisheries and amendments to the Fisheries Act on July 20, 2016. On January 20, 2017, it promulgated and enacted the Regulations on the Authorization and Management of Overseas Employment of Foreign Crew members. The regulations included intermediary agencies into the management provisions; clearly guarantee that the minimum monthly salary of foreign fishermen shall be no less than US\$450; increase physical and medical protection for foreign fishermen, increase the benefits for general death and medical insurance; increase general indemnity insurance compensation from NT\$500,000 to NT\$1 million; and stipulate that the amount of rest between the work shifts of foreign fishermen should not be less than ten hours per day, and their monthly rest period should not be less than four days in order to improve the working conditions of the fishermen. In

addition, shipowners, intermediary agencies and foreign fishermen should sign a three-party contract. The signing must be recorded on video and audio to ensure the rights and obligations of each party.

Since the second half of 2017, the Fisheries Agency has conducted surveys with questionnaires translated into Indonesian, Filipino, Vietnamese and other relevant national languages to survey the labor conditions of foreign fishermen. The Fisheries Agency has also recruited additional staff to assist with inspecting whether operators and intermediaries have indeed complied with the provisions of the Regulations on the Authorization and Management of Overseas Employment of Foreign Crew Members and protected the rights and interests of foreign fishermen hired overseas. In addition, the investigation by the Control Yuan facilitated coordination between the Indonesia Economic and Trade Office in Taipei and the Indonesian government to prioritize promoting basic safety training qualification for Indonesian fishermen to prevent similar incidents from reoccurring.

The Control Yuan will continue to urge the Executive Yuan and relevant agencies to address the basic labor rights and management issues of foreign fishermen hired abroad, and implement the concept of building a country based on human rights.

VI. Ensuring labor rights in factory closures and upgrading the priority of creditor's rights for laborers

Term: 4-5

The Labor Standards Act regulates the labor retirement system. Its purpose is to stabilize the labor-employer relationship and enable laborers to maintain their livelihood after retirement. The Labor Standards Act stipulates that employers should allocate a portion of their salary to their pension fund on a monthly basis. The purpose is to separate the financial source of pension funds from corporate finances to prevent mutual influence or misappropriation, and ensure that employee rights to pension benefits can be fully protected (for the purpose and reasons, please see Judicial Yuan Interpretation No. 578).

However, between 2012 and 2014, two major labor protests, the National Factory Shutdown and the Hualong Case, attracted public attention and concern over the inaction of administrative agencies, resulting in serious distrust in the government.

The National Factory Shutdown case was due to the fact that in August of 1996, companies such as Hilfolks Limited, Fuchang Textile, Oriental Knitting, Yaoyuan Electronics and other companies had closed down their factories one after another. They owed severance pay and pensions, leading to sit-in protests by 1,105 workers. On July 10,

1997, former Council of Labor Affairs of the Executive Yuan (restructured as the Ministry of Labor on February 17, 2014) formulated and promulgated the Implementation Measures Governing Employment Promotion Loan for Worker Unemployment Due to Factory Closure.

The Measures issued emergency relief in the form of loans to laborers in the amount equivalent to their employer's arrears of pension and severance pay. With the 15-year statute of limitations expiring in 2012, the former Council of Labor Affairs filed a lawsuit to recover loans from the workers. The workers countered that the government had paid their employer's arrears through subrogation and therefore should not seek compensation from the laborers.

However, the former Council of Labor Affairs insisted on filing for recovery, triggering labor groups to protest fiercely with sit-ins and coffins. The Hualong Case was triggered by the fact that Hualong, a major textile factory, was besieged by financial difficulties and poor management. Since 2000, a large number of employees had retired or resigned. The company had been closing its plants, and owed pension and severance pay to 1,058 workers. In October 2012, 300 retired workers formed a self-help association. They went to the Miaoli County Government, the former Council of Labor Affairs, the Presidential

Office and other agencies to petition for government assistance in recovering their pension and severance payments. After the long battle, they discovered that when the Taiwan Taoyuan District Court auctioned off Hualong's factory in Dayuan in August of 2014, the Taiwan Taoyuan District Court had given priority to financial institutions in the compensation, while Hualong employees received an average of only about NT\$2,200 per person.

Upon investigating the two cases, the Control Yuan found that for a long time, business organizations had not complied with the law by failing to allocate labor pension funds. Central and local labor authorities had also been negligent in their inspections and disciplinary actions, thus seriously violating labor rights and interests. Hence, in June of 2013 and June of 2014, the Control Yuan served corrective measures to the former Council of Labor Affairs and the Miaoli County Government, respectively. Thereafter, the Ministry of Labor reviewed and formulated a special inspection plan to require local governments to comprehensively review the allocation of pension funds under the old system. As a result, the opening rate for pension accounts increased from 68.20% at the end of December, 2013 to 99.86% at the end of June, 2015, which is a significant increase of nearly 32%.

In the subrogation payment dispute in the National Factory Shutdown case, the Control Yuan investigation report pointed out that the true intent of the former Council of Labor Affairs in signing the contract required clarification. It urged the Council to not interpret the contract strictly by the letter of the terms, but to carefully judge it according to the true intention at the time of signing. It also requested that the Council improve the legal system to protect labor wages, severance pay and pension rights. After evaluation by the Ministry of Labor, the lawsuit was withdrawn on March 10, 2014. In the Hualong Case, the laborers were concerned about the arrears; the Control Yuan urged the competent authorities to implement remedial measures.

After inter-ministerial discussions and negotiation between the Ministry of Labor, the Ministry of Finance and the Financial Supervisory Commission, they urged creditor financial institutions to practice their corporate social responsibilities. Hence the financial institutions donated 20% of the funds they recovered, which translated into a total of NT\$426.3 million as a financial source for pension and severance payment for the retired Hualong workers.

With the Control Yuan's corrective measures and long-term follow-up of agencies to ensure improvement, the two major labor protests finally came to a close. The Ministry of Labor also proposed

a draft amendment to Article 28 of the Labor Standards Act. The amendment was approved by the Legislative Yuan on January 20, 2015 on the third reading. To protect the creditor rights of laborers, the new provision stipulates that the creditor rights of the workers shall be equal to the top priority creditor rights of those with mortgage rights.

VII. Clarifying the occupational compensation in the electrocution and death of the Chu-Kuang Express train engineer

Term: 4

A Chu-Kuang Express train driver, surnamed Li, of the Taiwan Railways Administration of the Ministry of Transportation and Communications, was electrocuted and killed when he stepped out of the locomotive washing facility in the Qidu Marshalling Yard before getting off work on October 2, 2008. The former Northern Region Inspection Office of the Council of Labor Affairs, Executive Yuan, determined that it was a non-occupational accident. The death certificate issued by the examiner listed the cause of death as cardiogenic shock and the means of death as psychogenic shock, hence concluding that Li died of natural cause or illness.

Li's family disputed the conclusion and repeatedly petitioned to the relevant agencies, but to no avail. Legislators then referred them to the Control Yuan for investigation. The Control Yuan investigation

found that the former Northern Region Inspection Office was hasty in its decision, and filed a corrective measure on October 6, 2010.

The Control Yuan's investigation into the wrongful death of Li found that the former Northern Region Inspection Office failed to carry out major occupational accident inspections after the incident. Although numerous relevant persons gave testimony that they had felt the electrical currents, it did not conduct on-site investigation to determine whether there was any leakage of electricity. The following day, it hastily ruled that, based on the coroner's report, Li's death was not an occupational incident. Moreover, it submitted the error-filled Preliminary Disaster Inspection Report to the prosecutor for handling. The inspection office should have determined whether there was any leakage of electricity but failed to do so, and was therefore derelict in its duty.

Considering that the statute of limitations for claiming state compensation is only two years, the Control Yuan recommended in October of 2010 that the family file a state compensation lawsuit based on the facts discovered by the Control Yuan's investigation.

After corrective measures proposed by the Control Yuan, the former Northern Region Inspection Office revised the non-occupation accident ruling to occupational accident and completed an occupational accident report.

However, the Taiwan Railway Administration refused to compensate, and the family was helpless. In the first instance of the Taiwan Taipei District Court (2010 Chongguo No. 56) on May 9, 2012, the court ruled that the Taiwan Railways Administration should pay a compensation of more than NT\$8.6 million. The Taiwan Railways Administration objected, arguing the fact that Li's failure to lower the pantograph of the locomotive in question should mitigate or exempt it from liability for damage and negligence. It appealed to the court of second instance, the Taiwan High Court. In its ruling on October 29, 2013 (2012 Zhongshang Guozi No. 11), the Taiwan High Court determined that Li was electrocuted due to the compounded facts that the electricity leak was on the north end of the aforementioned washing facility where the return current rail was not grounded; the pantograph was not lowered; and the ground of the E2 locomotive washing platform was wet. As a result, when Li stepped out of the locomotive and touched the iron chain or stainless steel column of the locomotive washing platform with his hand, he was electrocuted and fell between the locomotive and the locomotive washing platform, forming a continuous loop for the current and eventually dying of cardiac shock. However, the locomotive in question was in operational mode during the emergency rescue process. When the prosecutor inspected the scene of the accident during

the criminal investigation, Li's driver's cap and keys were on the seat next to the driver's seat of the locomotive. Based on witness testimony, the prosecutor determined that Li had not yet completed the incoming section inspection procedure for the locomotive in question when the electrocution occurred. If Li had neglected to lower the pantograph in the aforementioned inspection procedures and signed off his shift, would he have left his cap and keys on the seat next to the driver's seat of the locomotive in question and kept the locomotive in operational mode? Based on these arguments, the court dismissed the defense of the Taiwan Railways Administration.

Taking into account that the Taiwan Railways Administration had already provided a job position for Li's family during the case, the Taiwan High Court ordered Taiwan

Railways Administration to compensate the family an amount of about NT\$3.79 million. In addition to the job position that the Taiwan Railways Administration had provided for the family, the family also received a total of about NT\$7 million in occupational disaster compensation, state compensation, condolence compensation for occupational death and related insurance claims, and pension in accordance with the law.

Investigations, four years of persistent verification and follow-up, and assistance by the Control Yuan eventually helped the family obtain their due compensation and redress, and letters of gratitude to those who helped investigate the case were received. The Control Yuan is pleased with the outcome of this case. Although it was belated justice, the grievances of the family were finally addressed.



Section 7 Fiscal Discipline and Property Rights

I. Urging the comprehensive unfreezing of dormant accounts and calculation of interest to ensure depositors' rights and interests

Term: 4

The Control Yuan received complaints from members of the public that their deposit accounts had been transferred to a dormant account by banks. In addition to deposits without interest, the depositors were required to return to the original branch where their accounts were set up if they wished to close the accounts. In addition, the procedure was complicated and quite inconvenient. In order to protect the rights and interests of depositors, the Control Yuan filed to investigate the case.

The investigation found that, as of June 2013, financial institutions in Taiwan had more than 49.8 million dormant accounts with total deposits amounting up to NT\$61.3 billion. In addition to suspending interest calculations for dormant accounts, financial institutions also suspended some or all transactions for those accounts, thus harming the rights of the people. Furthermore, financial institutions vary in their practices regarding the transfer of deposits into dormant accounts, the reactivation of dormant accounts, and the procedures

for closing the accounts. Moreover, these practices were not clearly disclosed in the account agreement, which often resulted in inconvenience and problems for people. Some financial institutions even charged account management fees for dormant accounts, which was unreasonable and resulted in many disputes.

After the investigation, the Control Yuan issued an investigation report urging the Financial Supervisory Commission to regulate financial institutions to ensure that

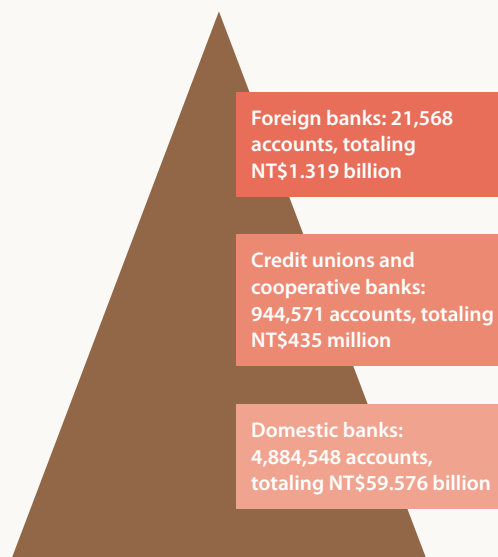


Figure 5-31

The number of dormant accounts and deposit amounts in financial institutions throughout Taiwan in 2013.

they fully disclose the conditions, restrictions, account closure and reactivation procedures pertaining to the transfer of deposit accounts into dormant accounts so that depositors can fully understand the relevant matters. Financial institutions must also proactively notify depositors before transferring their accounts into dormant accounts.

In addition, the Commission should actively inspect whether the financial institutions have implemented such requirements. Furthermore, it should also discuss the formulation of consistent norms and practices so that depositors can truly understand their rights and obligations, thus preventing disputes arising from the inability to meet the needs of depositors after their accounts have been transferred to dormant accounts by their financial institution. More importantly, in addition to urging the Commission to expeditiously develop a simplified and convenient method for closing and reactivating dormant accounts, the Control Yuan also urged the Commission to effectively reduce incidences of dormant accounts and strengthen public education to help people better manage their personal accounts and safeguard their own rights and interests.

According to statistics, the Post Office claims the most dormant accounts in Taiwan, totaling 6.24 million accounts and NT\$7.9 billion in deposits. After the Control Yuan urged the Financial Supervisory Commission

to make improvements, amendments to the Postal Remittances and Savings Act were approved on January 29, 2014. In the amendments, the provision in Article 17 stipulating that interest payment will stop accruing on accounts with no transaction activity for more than five years or in which applications for other purposes was deleted. Since the end of March 2014, all domestic financial institutions with dormant accounts have voluntarily restored the dormant accounts in their computer system to regular accounts, benefiting nearly 50 million depositors. Once accounts are unfrozen, they begin to accrue interest. If all dormant accounts across the country resume interest, the total interest accrued will be as high as NT\$27.76 million.

Moreover, in the past, people often neglected their accounts because the procedures for closing and reactivating accounts that had been transferred to dormant accounts were very complicated and inconvenient. Investigation by the Control Yuan had facilitated the Financial Supervisory Commission to formulate simple and convenient procedures for closing dormant accounts, and, on April 24, 2014, it issued a letter to the Bankers Association to order the implementation of the procedures. After the improvement, it became more convenient for people to close their accounts. Accounts can be closed via postal mail instead of returning to the original bank for

processing, and no account management fees are charged. Therefore, people can take advantage of the new system to manage their accounts and close accounts that have not been used for a long time, thereby effectively managing their personal finances and avoiding idle deposits.

The Control Yuan cares about people and corrects inappropriate policies to ensure that their rights are not infringed. Therefore, in the future, it will continue to exercise its supervisory power and target important financial matters to benefit the national economy and people's livelihoods, thereby defending financial justice. It will actively supervise the government to reform administrative abuses and improve administrative conduct to safeguard the basic rights and interests of the people.

II. Correcting fictitious income and expense abuse to urge local debt reduction

Term: 4-6

After the country implemented local autonomy, local governments often wantonly promoted non-critical or non-essential constructions during their terms in office in order to demonstrate their political achievements and pursue reelection, such as in the case of useless buildings. Or, to earn the favor of their constituents, local chiefs often provide social welfare in excess of the fiscal capacity of the local government

or the standardized amount of the central government. They may also create various schemes to indiscriminately establish non-statutory social welfare. The aforementioned actions require large sums of money that exceeds local fiscal capacity. In order to create the illusion of balance of income and expenditure, these local governments used fictitious, unrealizable revenues in their budgeting. However, they still need a huge amount of actual cash to support their expenditures, so they recklessly borrow and squander public debt. All of the abovementioned actions are typical schemes for quick success and quick profit that keep our children and grandchildren in debt.

The abovementioned actions may win the temporary favor of the trusting public, but they leave behind endless fiscal problems for local governments. The Control Yuan had noticed this problem and filed an investigation at the end of 2011. It found that seven local governments had illicitly listed false income. It also discovered that the long-term and short-term public debt of Yilan County and Miaoli County, and the long-term public debt of Hsinchu City had exceeded the maximum limit set by the Public Debt Act. However, the Ministry of Finance had neglected to supervise the debt ceiling.

Therefore, in 2013, the Control Yuan filed a corrective measure against the Ministry of Finance demanding that local governments be monitored for improvement.

With persistent follow-up by the Control Yuan, the amount of long-term debt unpaid by the Hsinchu City Government was NT\$8.51 billion as of June 2015, and the debt ratio was 42.45%; the outstanding balance for its short-term debt was NT\$3.742 billion, and the debt ratio was 19.99%, thereby falling within the maximum limit set by the Public Debt Act. At the same time, its debts had also fallen below the early warning standards for debts (up to 90% of the debt limit for long-term debts), indicating significant improvement in its debt situation.

For Yilan County, as of the end of November 2010, its outstanding balance for long-term debt was NT\$11.413 billion, accounting for 43.16% of its total annual expenditure. It had also fallen below the legal debt limit. The outstanding balance of its short-term debt was NT\$9.014 billion, accounting for 37.48% of its total annual expenditure. The actual outstanding balance of long-term and short-term debts totaled NT\$20.427 billion. Compared to January 2011, when its debt started to exceed the limit (NT\$24.69 billion), it had reduced its debt by NT\$4.263 billion. Moreover, the Yilan Country Government had also revised its debt repayment plan under the supervision of the Ministry of Finance and the Control Yuan. It expects to reduce its short-term debt ahead of schedule and meet the debt limit set by the Public Debt Act by the end of 2027.

The debt situation was most serious in Miaoli County. Although the County Magistrate knew that the fiscal situation in the county had deteriorated significantly by 2006, he continued to request that his chief accountant and financial officers illicitly declare false income, expand expenditures, and incur huge revenue and expenditure deficits, then extravagantly and extremely expand the public debt. He even made use of loopholes in the Public Debt Act to smooth over the debt limit. In the end, the county government nearly went bankrupt. In addition to being unable to pay vendors for construction, it was almost unable to pay the salaries of civil servants. This seriously damaged the government's credibility. In 2016, the Control Yuan established an impeachment case and referred it to the disciplinary agency for disciplinary action, thereby compelling all local governments to confront the problem of fiscal integrity, curtail fiscal abuse and budgetary floatation. In addition, under the supervision of the Control Yuan, Miaoli County has reformulated a feasible debt repayment plan. Compared to the NT\$39.469 billion when its debt first exceeded the limit in January 2012, it has reduced its public debt by NT\$ 1.948 billion as of the end of 2020 (based on the highest debt level of NT\$41.045 billion in October of 2012; debt reduction has reached NT\$3.524 billion), and its debt situation is continuing to improve.

The Control Yuan will urge the government to fulfill its responsibility of good governance. It will continue to supervise the debt reduction efforts of Yilan County and Miaoli County. It will help the public keep a close watch on their wallet to deter local governments from "quick success and quick gain" behavior that creates and leaves behind debts for the next generation.

III. Accelerating the settlement of disputes over structured notes to safeguard investment rights

Term: 4

Between 2000 and 2001, many people had a great deal of capital on their hands. However, due to relatively limited investment channels, the investment environment for foreign structured notes emerged. In addition, the tax exemption of income for domestic natural persons investing in foreign securities (including structured notes) enabled the domestic investment of foreign structured notes to flourish. However, due to their high complexity, it is difficult for ordinary investors to fully understand the characteristics and risks of structured products.

Domestic institutions operating foreign structured notes business include the banking, securities, and insurance industries. Among them, banks use specific money trusts to invest in foreign securities. However, in its special reviews between 2006 and

2008, the Financial Supervisory Commission discovered that the banks had failed to fully disclose the exchange risk of the structured notes, nor did they assess the investment risk attributes of their customers before agreeing to their purchase of foreign financial products with higher investment risk. Their financial advisors lacked sufficient professional qualification for wealth management. Customers complained that, when selling structured notes, the financial advisors would talk about fixed deposits having lower interest rates than structured notes or about structured notes having downside protection against huge losses, and other marketing jargon that could easily mislead customers. Moreover, they engaged in inappropriate actions such as recommending that customers dissolve their fixed deposit contracts to purchase structured notes, making future disputes unavoidable.

After the subprime mortgage crisis broke out in the United States in June 2007, the international financial tsunami gradually spread and the global financial market deteriorated rapidly.

By the end of August 2008, about 50,000 people in Taiwan had invested in the structured bonds issued or guaranteed by the Lehman Brothers Holdings in the United States, and the investment balance was about NT\$42.3 billion. After Lehman Brothers Holdings filed for bankruptcy protection on September 15, 2008, disputes

over structured notes erupted. Although the Financial Supervisory Commission had issued a mechanism for reviewing and handling structured notes dispute on October 3, 2008, by the end of that year, only eight cases out of a total of accepted 8,518 review cases were reconciled. The processing speed was slow, and public grievances intensified.

Even before Lehman Brothers filed for bankruptcy protection, the Control Yuan was already concerned about the issue of structured notes and initiated an investigation on September 12, 2008. Subsequently, the Chinese Taipei Consumers' Foundation, the Taipei City Council, legislators and many other investors successively petitioned the Control Yuan with complaints. During the investigation, the Financial Supervisory Commission was supervising the Bankers Association to formulate regulations for financial advisor qualifications and training, and review and disciplinary actions for improper sales procedure. After completing the investigation, the Control Yuan served a corrective measure to the Financial Supervisory Commission on January 20, 2009. It also issued a letter to the Financial Supervisory Commission and the Central Bank requesting review and improvement. Subsequently, the Central Bank abolished the use of various regulations governing financial institutions in the types and scope of non-discretionary money trust investments in foreign securities. To ensure that trust

industries have legal basis for their business in non-discretionary money trust investments in foreign securities, the Financial Supervisory Commission promulgated transitional provisions to govern trust enterprises in the use of trust assets in their non-discretionary money trust investments in foreign securities.

On July 23, 2009, it also formulated and promulgated the Regulations Governing Offshore Structured Products and integrated relevant management and review regulations for offshore structured products to assist related businesses with compliance and strengthen the protection of domestic investors. On February 4, 2010, it also amended and promulgated the Regulations Governing the Scope of Business, Restrictions on Transfer of Beneficiary Rights, Risk Disclosure, Marketing, and Conclusion of Contract by Trust Enterprises. It also strengthened regulations governing trust enterprises in their investment or wealth management planning for trustees for non-discretionary money trust investments.

Furthermore, as of September 23, 2011, the Bankers Association had accepted 25,214 reviews and settled 22,495 cases. Excluding cases that have been withdrawn or determined not eligible for compensation, the settlement rate has reached 94.70%. To date, all the reviews have been closed (reference: <https://www.ba.org.tw/Notice/Detail/1659>).

Through the investigation and follow-up of the structured note cases, the Control Yuan has completed the settlement of structured notes disputes, integrated the management regulations for offshore structured products, and formulated additional regulations for wealth management and financial product sales personnel. In the future, the Control Yuan will continue to monitor the international financial situation and changes in the domestic financial market, and exercise financial supervision to protect the rights and interests of the people.

IV. Investigating the Chinese Yuan TRF fraud and strengthening investor protection

Term: 4-5

What does the figure "NT\$73.254 billion" represent? If this amount is converted to capital, it will become the 48th largest company in the country (reference: Company Registration and Inquiry Center <https://www.findcompany.com.tw/rank>, data as of February 22, 2021). Yet this is the loss incurred by small- and medium-sized enterprises from Target Redemption Forward (hereinafter referred to as TRF) investments. TRF is a complex derivative financial product characterized by high leverage, high risk, extreme complexity, and high professionalism. For investors, the profit is limited but the loss may be infinitely large. Its contract comprises several professional

financial agreements such as the general agreements of banks and the agreement of the International Swaps and Derivatives Association (ISDA). Although they are risk hedging in nature, statistics from March 2014 to the end of June 2017 showed that due to improper sales by financial institutions, the cumulative net loss of expired contracts was as high as NT\$73.254 billion. Many small- and medium-sized enterprises incurred losses of tens and hundreds of millions of NT dollars from operating such a commodity, which seriously affected their subsequent operations or even resulted in their bankruptcy, causing great harm to the domestic economy.

Investigation by the Control Yuan found that the sales of the Chinese Yuan TRF were fraught with controversies. Although the Financial Supervisory Commission had conducted multiple financial inspections and issued inspection opinions to urge financial institutions to implement improvements, financial institutions continued to fail to comply with laws and regulations. Violations occurred repeatedly, seriously affecting the rights and interests of investors, causing investors to question the effectiveness of financial institutions' supervision and damaging the authority of the government.

Therefore, the Control Yuan filed an investigation report to serve corrective measures to the Financial Supervisory Commission, requesting that it fulfill its

responsibilities as a financial supervision authority and effectively supervise financial institutions to strengthen internal audit functions, implement internal control systems, and improve the business operations of financial institutions. Moreover, in the past, when financial institutions failed to establish or implement internal control and internal audit systems, the Financial Supervisory Commission only imposed a one-time fine.

There was a limit on the fine amount, which caused the public to question whether that fine amount was too low and disproportionate to the bank's profit, and thus ineffective as a deterrent. At the same time, the Control Yuan requested that the Financial Supervisory Commission consider imposing different disciplinary actions on financial institutions according to factors such as the type of violation, when the violation occurred, the frequency of violation, and the magnitude of harm to consumers to reasonably reflect the responsibilities that financial institutions should bear.

The Control Yuan continued to follow up on the subsequent handling of the case, and urged the Financial Supervisory Commission to continue to strengthen the internal control system and internal audit functions of banks through financial inspections. To strengthen the effectiveness of its financial inspections,

the Commission should also adopt a risk-based differentiated inspection mechanism. In addition, in order to correct banking operation violations, it should strengthen the internal operating procedures and internal control systems of banking enterprises, and amend and promulgate provisions to govern banks' internal operating system and procedures for derivative financial product in order to further strengthen the internal control mechanism of the banks' businesses in derivative financial products. The Control Yuan also urged the Financial Supervisory Commission to amend the upper limit of fines in Article 129 of the Banking Act, and increase the maximum fine from NT\$10 million to NT\$50 million.

Moreover, to improve the efficiency of financial supervision and effectively correct bank violations and protect the rights and interests of investors, the Financial Supervisory Commission amended Article 61-1 of the Banking Act to include supervision measures that the competent authority may adopt, such as ordering a bank to set aside a certain amount of monetary reserve. These actions are intended to urge banks to effectively handle customer disputes such as financial consumption disputes in order to ensure the stable operation of financial institutions and sound market development.

V. Keeping a close eye on power purchase costs and urging contract amendments to save public expenditures

Term: 4

Fluctuation in the price of electricity affects the operating costs of industrial and commercial enterprises. It also directly affects people's wallets, giving rise to concerns. Reasonable electricity expense can be expected and is acceptable to the public. However, if the state-owned enterprise Taiwan Power Company (hereinafter referred to as Taipower) fails to fulfill its responsibilities, unreasonable power purchase expenditures will be passed on to enterprises and individual consumers or fall on the national treasury, and will inevitably cause dissatisfaction and doubt from all sectors of society. In July of 2011, the National Audit Office issued a letter to the Control Yuan to inspect Taipower's handling of cogeneration power and power purchases from independent power producers. It also issued another letter to the Control Yuan in January and March of 2012 respectively to report follow-up situations, including the impact on Taipower of a sharp increase in international fuel prices. Taipower had incurred losses for several consecutive years since 2006, and the actual percent reserve margin of its power system was above its

target value. However, Taipower continued to purchase co-generation power and power from independent power producers at prices higher than its self-generated cost, further exacerbating its losses. In addition, after leaving their posts, senior executives of Taipower became the chairs or general managers of independent power producers or cogeneration companies.

In April of 2012, the Control Yuan established an investigation case and quickly completed the investigation report in June of the same year. The investigation found that the relevant competent authorities and Taipower were derelict in their duties, resulting in Taipower's unnecessary power purchase expenditures and increasing its losses, thereby constituting a significant violation.

According to the investigation, the purchase rate of surplus cogeneration power set by the Bureau of Energy of the Ministry of Economic Affairs varies greatly. Depending on the season and time period, the difference ranges from about 2.44 to 3.84 times. Therefore, some co-generation companies increase power generation during peak and half-peak hours with higher electricity prices and sell the electricity to Taipower while reducing power generation or even shutting down generation during off-peak hours and buying cheap power from Taipower. Taipower

is clearly aware that this "sell high, use low" operation mode of co-generation companies will inevitably result in losses for Taipower. Yet for a long time, it allowed the problem to continue without seeking resolution. In 2007, when Taipower met with independent power producers to negotiate the fuel cost adjustment mechanism, it conformed to their requests for profitable adjustments in fuel costs and exchange rates. For example, from 1999 to 2011, the total amount of exchange rate adjustment paid to independent power producers reached more than NT\$17 billion. However, no consensus was reached for interest rate adjustments that were not conducive to the independent power producers. As a result, Taipower increased power purchase expenditures from 2007 to 2011, and according to the estimate of the Taiwan Institute of Economic Research, the figure could be as high as NT\$5.9 billion. Thus, the Ministry of Economic Affairs and Taipower had obviously failed to fulfill their management responsibilities.

To ensure clean governance and prevent corruption, the Control Yuan not only impeached the chairman and general manager of Taipower, it also served corrective measures to request improvements in the face of the various violations. With the persistent review of the Control Yuan, Taipower finally completed revising its contracts with nine independent power producers in August of 2013. Its

annual electricity purchase expenditure is expected to decrease by NT\$1.54 billion, and expenditure is expected to decrease by as much as NT\$24.9 billion during the contract period.

VI. Tracking embedded marketing and maintaining budgetary discipline for freedom of the press

Term: 3-5

The Control Yuan is dedicated to investigating government agencies that violate the freedom of speech guaranteed by Article 11 of the Constitution.

In a society under the rule of law, the speech and opinions of any person must be protected. Therefore, the unhindered and proper use of news media is the cornerstone of freedom of speech. Article 11 of the Constitution stipulates that "The people shall have freedom of speech, teaching, writing and publication." Judicial Yuan Interpretations No. 509, No. 613, No. 678 and No. 689 have over the years interpreted the intent of the Constitution to protect freedom of speech. The intent lies in self-realization, communication of opinions, pursuit of truth, satisfying the people's right to know, and further forming a consensus to supervise all levels of government and political or social activities so as to maintain the normal development of a democratic and pluralistic society.

Therefore, the news media is regarded as an independent fourth estate outside the separation of legislative, judicial and administrative powers of a modern democratic country under the rule of law. It supplements the people's ability to supervise the government and plays a key role and function in monitoring abuse of power and corruption in the government. Therefore, it is an indispensable part of constitutionalism.

The interpretations of the Grand Justices further explained the necessity of actively legislating to protect the independence of the diverse development of the news media. It explained that "In view of this function of the media, the meaning of the freedom of communication guaranteed by the Constitution is not only to passively prevent infringement by the public power of the state, but also to be more active in the legislative obligations entrusted to legislators. Through the design of various organizations, procedures and substantive norms, communications monopolies can be prevented to ensure that the diverse opinions of society can be expressed and disseminated through communication media platforms, thereby forming a free field for public discussions" (Judicial Yuan Interpretation No. 613).

The protection of the independence of the news media is more clearly stated in the rulings of the U.S. Supreme Court:

"The debate on public issues should be uninhibited, robust and wide-open, and it may well include vehement, caustic and sometimes unpleasantly sharp attacks on government and public officials." (Source: *New York Times Co. v. Sullivan*, 1964.)

A democratic country under the rule of law should not only ensure that freedom of speech, including freedom of the press, is not violated, it should also actively establish a neutral, objective and credible mechanism for professional independent news media to effectively supervise government agencies and improve the foundation of democracy.

Therefore, if government agencies use public budgets for anonymous "embedded marketing" in radio, television, newspapers or other media to promote policies or individual heads of agencies, it will not only mislead the public into thinking that they are news commentaries, but news media will also become the voice of government agencies, thereby not only eroding the credibility of the press, but also, in serious cases, even destroying the independent nature of news media in monitoring agencies as well as public and private organizations.

The Control Yuan investigated the implementation of the "Strengthen Policy Promotion" and "Overall Governance Dissemination" projects by the Executive Yuan and the Government Information Office in 2007. The investigation found that the

ratios of related advertising and embedded marketing were as high as 82% and 43%, respectively, which violated the Executive Yuan's May 1, 2003 order that all agencies shall not engage in procuring "embedded marketing" in news media. Hence on February 10, 2010, the Control Yuan filed a corrective measure case.

Subsequent investigations found that central government ministries and county and city governments had used official budgets to embed marketing in Taiwan's news media in the form of news reports by "reporter so-and-so" or by an anonymous reporter, and that Chinese government agencies had done likewise. Such embedded marketing through the news was very frequent and almost unregulated. On November 11, 2010, the Control Yuan once again served corrective measures to the Executive Yuan, the Government Information Office, the National Communications Commission, the Mainland Affairs Council, and the Directorate General of Budget, Accounting and Statistics to request review and establishment of regulations to govern the purchase of news media for "embedded marketing" in order to ensure the foundation of the freedom of the press and democracy.

Over the years, Freedom House, a U.S. non-governmental organization, has surveyed democracy and freedom in various

countries around the world. In 2008, our country was ranked 32nd in the world, but slid down to 46th in 2010. The main reason was the increasing problem of news-based embedded marketing by government agencies as well as the public and private sectors.

In December of 2010, legislators promptly proposed an amendment to Article 62-1 of the Budget Act and passed the amendment on the third reading on January 12, 2011. On January 26 of the same year, the amendment was promulgated, requiring that in government budgetary preparations for policy promotions, the publicity must be clearly labeled as advertisements, and the names of the undertaking or sponsoring agency or unit must be revealed. Publicity cannot be implemented in the form of embedded marketing to avoid violating the principle of administrative neutrality or infringing on the people's freedom of speech and the freedom of the news media. On January 16, 2011, the Executive Yuan also issued instructions for the implementation of policy promotion plans. It required that the publicity planning and implementation of all levels of government agencies must strictly distinguish the boundary between advertising and news, and must not engage in embedded marketing for political purposes.

However, compliance with the provisions of Article 62-1 of the Budget Act by government agencies at all levels was not universal. Responding to complaints received from the Taiwan Media Watch and other media-monitoring organizations, the Control Yuan re-investigated embedded marketing violations in the policy promotions of government agencies. It then issued an investigation report requesting that the Executive Yuan establish a monitoring mechanism and that the National Audit Office implement external audits.

At the end of 2018, the news media reported that, since 2017, the Hualien County Government had released a total of 25 procurement projects for "Collecting and Establishing a Database for Print Media Publicity" and negotiated and signed contracts with local reporters. Each tender ranged from NT\$140,000 to more than NT\$280,000, and none of the bids were announced online in accordance with regulations. Investigation by the Control Yuan found that such procurement cases are equivalent to buying off journalists with public budget, turning the news media into the voice of government agencies or their individual heads. It damages the Constitutional protection of freedom of speech, the independence of the news media, and the objectiveness and impartiality

of the news media. It is more serious than the violation of Article 62-1 of the Budget Act, which prohibits government agencies and organizations from engaging in embedded marketing in the news media. Hence, the Control Yuan filed to impeach the three county government officials responsible for the undertaking. The Public Functionary Disciplinary Sanction Commission imposed disciplinary actions to reduce their respective monthly salary by 10% for one year, and issued demerits plus a fine of NT\$100,000 each.

The Control Yuan also proposed corrective measures against the Hualien County Government on July 4, 2019, and referred the case to the Executive Yuan to strictly supervise its improvement. The Control Yuan also requested that the Executive Yuan issue a general order to all levels of agencies and organizations across the country as a warning against such illegal procurement.

Section 8 Health Rights and Environmental Rights

I. Investigating the out-of-control SARS epidemic and urging the reconstruction of the disease prevention and control system

Term: 3

With the advancement of medicine, the threat of many infectious diseases to humans has been greatly reduced or even disappeared. However, emerging infectious diseases are always waiting for opportunities. They strike when humans lack vigilance in epidemic prevention, then spread, finally resulting in pandemics. The Severe Acute Respiratory Syndrome (SARS) was first reported in Guangdong, China at the end of 2002. Hong Kong and Singapore were successively affected by SARS in early 2003. However, prior to March and April of that year, there were only sporadic imported cases in Taiwan. Government agencies were proud of their "three zeros" (zero death, zero community infection, and zero imported cases), and people were unaware that the SARS virus had already seeped through the door of the country. Due to the lack of vigilance, many cases of infection broke out in a certain municipal hospital on April 23, 2003 and the hospital was locked down on April 24. There were also suspected cases in nearby private hospitals and a public

housing complex. The outward spread of the epidemic caused the public to panic, and the epidemic continued to spin out of control.

As the SARS epidemic continued to heat up, causing the rapid lockdown of the municipal hospital, local quarantine measures remained inadequate. Within a short time, more than 1,000 patients, family members and medical staff were locked down inside the hospital, and the purpose of recalling medical staff back into the hospital was unclear. The procedures were sloppy and confusing. While orders were issued, there were no detailed supporting measures.

Consequently, there were no proper arrangements for food, accommodation and family care for those quarantined inside the hospital. Moreover, the medical staff caring for the patients lacked sufficient epidemic prevention equipment, and zoning and hierarchical control were not implemented, thus increasing the threat of cross-infection in the hospital. On top of caring for patients under the condition of inadequate food and accommodation conditions, the medical staff were also working overtime and were physically and mentally exhausted.

Furthermore, they were unsure if they would live to see another day, giving rise to protests and chaos.

As the epidemic spread, false information also spread through society, increasing fear but doing nothing to help curb the epidemic. The media showed scenes of people stealing supplies, hoarding masks and trying folk remedies. A person coughing in public would often attract the horrified looks of everyone in the vicinity. In addition to that particular municipal hospital, there was also cluster infection in the emergency room of another hospital, but patients in that hospital could not be transferred out. When some patients sought to transfer out to other counties or cities, the local chiefs of those counties or cities led the public to block their roads and block their hospitals from receiving confirmed cases of SARS.

Critically ill patients infected with SARS on outlying islands were also denied transfer to Taiwan's main island for medical treatment. In addition to the patient transfer problem, some people returning to Taiwan from China had uncertain health conditions and requested quarantine, but their requests were rejected. They had to camp out on the street and were later identified as SARS cases.

Some returning from abroad were required to quarantine at home, but they had no appropriate isolation facility and were therefore stranded at the airport. The fear of SARS caused social disorder, and the government failed in its contingency response.

The allocation of epidemic prevention supplies also encountered serious problems. Necessary epidemic prevention supplies such as masks and protective clothing needed by front-line medical staff were lacking. While SARS prevention masks were hard to come by, tens of millions of masks were awaiting customs clearance at the Chiang Kai Shek International Airport and Keelung, Taichung and Kaohsiung harbors, and masks that were requisitioned were unfairly distributed.

Investigation by the Control Yuan found that the former Department of Health of the Executive Yuan and its subordinate Bureau of Disease Control failed to actively implement epidemic prevention in the initial stage. The mechanism for allocating hospital beds failed, private medical resources were not well utilized, the lockdown of the municipal hospital was not well planned, its supporting facilities were inadequate, and its command system was slack and unreliable. Nevertheless, this incident prompted the country to rebuild its infectious disease prevention and control system. Once a central epidemic command center is established, it can quickly integrate central and local resources, integrate the epidemic prevention capabilities of relevant ministries, strengthen epidemic monitoring, implement health education and effectively use the media to provide correct epidemic prevention information, prevent panic, strengthen the concept of joint epidemic

prevention efforts, and requisition private epidemic prevention supplies in a timely manner for fair distribution so that every person in the country can receive appropriate protection.

II. Keeping focus on the working conditions of medical personnel and improving the quality of the medical environment

Term: 4-5

For many years, the accessibility of our country's health insurance system and medical services have gained high recognition around the world. In 2000, it was ranked second in world by The Economist in the United Kingdom. In 2005, Nobel Prize winner Paul Krugman also said he believed that the success of Taiwan is a worthy example for the United States. In addition to providing high-quality medical care, our country's successful prevention of the spread of COVID-19 during the global pandemic in 2020, thereby giving the people the rare privilege of leading normal lives, is also a great achievement in medical care and public health. Such achievements are the results of the selfless dedication of medical staff who put the welfare of patients before their own and care for people's health with their expertise.

Medical care is the ambition of people to take care of others. The quality of

medical care is reliant on the allocation of medical personnel.

Only the reasonable allocation of human resources can ensure people's medical treatment rights and safeguard the labor rights of medical personnel. In particular, public hospitals are meant to be examples of creating good working conditions and ensuring that medical staff are not overworked so as to ensure the safety of patients. However, a survey conducted by the Control Yuan from 2008 to 2014 found that medical personnel were overloaded in their work, often with one person shouldering the tasks of two people. Moreover, public hospitals had not increased their medical personnel quota allocation for a long time. Instead, they often adopted the practice of supplementing their staff with contract medical personnel for lower salaries and less benefits. Particularly after the implementation of the five-day work week system and the reduction of working hours, more medical personnel are required to reasonably schedule shifts and fill the roster.

However, public hospitals had not expanded their inadequate quota, which exacerbated the human resource shortage. On average, there was a 10% shortage of personnel. Some public hospitals even only had one nurse on the night shift to care for 63 patients. In a vicious cycle, the workload of remaining medical staff continued to increase, leading to accelerating turnover.

The notoriety of such "sweatshop hospitals" exploiting medical staff spread like wildfire. However, after persistent concern for medical personnel and investigations by the Control Yuan, hundreds of contracted medical personnel were formally recruited, working conditions improved, and work rights became fully protected in just six months. Some hospitals adjusted the minimum hourly wage of contracted medical personnel from NT\$160 to NT\$170, and added a "Salary Schedule and Certification Bonus for Nurse Practitioner" so that licensed nurse practitioners could receive additional bonuses, better salaries and benefits.

Between 2008 and 2020, the fourth-term and fifth-term Control Yuan members not only ensured that the competent authorities built a good medical environment, they also continued to pay attention to health insurance frauds such as inappropriate surgical removal of ovaries and inappropriate hysterectomies in order to fraudulently claim the cancer benefits of commercial insurance carriers or to receive kickbacks from vendors. A high level of trust is involved in a doctor-patient relationship. Therefore, integrity is indispensable to the character of physicians. Any medical actions taken by doctors on the life, body and health of their patients should be patient-centered and medically necessary. However, investigations by the Control Yuan revealed that the superintendent and department directors of certain Ministry of Health and Welfare (hereinafter referred to

MOHW) affiliated hospitals and the Ministry of Education's national university affiliated hospitals had accepted unjust benefits from successful bidders of medical equipment procurements. They were clearly aware that medical equipment companies have long-term tender and contractual relationships with the hospitals for medical equipment, and should therefore strictly abide by their duties. However, after handling the various medical equipment procurement projects, they accepted cash from the vendors. Should the purchased medical equipment not be purchased for the actual needs of patients but for deriving benefits from the purchase, then talk about the well-being of patients would be reduced to empty words. Such corruption can seriously damage the image of MOHW and MOE hospitals as well as the image of civil servants. Therefore, although the Control Yuan is aware that cultivating doctors is not easy and should be cherished, it still reluctantly impeached 24 doctors over three separate occasions.

After the incident, the Ministry of Health and Welfare established a "Physical Examination Committee" to conduct overall inspection of MOHW hospitals, conducted a major reform of management and procurement procedures, and amended regulations to limit the terms of office of superintendents and vice superintendents to stop the problem of "forever" superintendents.

Only by effectively improving the working conditions and workplace

environment of medical staff across the country can the quality of medical care improve. The Control Yuan will remain vigilant and investigate, in the hope of providing strong support and backing for medical staff.

III. Continuing to investigate food safety issues to protect people's dietary health

Term: 4-6

Eating is something that everyone has to do each day. Whether eating is regarded as a routine part of daily living or a relaxing and enjoyable activity, food hygiene and safety have become people's greatest concern. Looking back on the domestic food safety incidents that have broken out in recent years since 2008, there had been incidents involving imported melamine milk powder, industry oil fried fast food, plasticizer contamination, toxic starch, plumped meat in non-staple military food, gutter oil, post-dated expiration dates, adulterated ground black pepper, sea cucumbers presoaked in glacial acetic acid for industrial use, and adulterated oil. These incidents are surely to cause panic and anxiety, and are still vividly remembered today.

In the 13 years since the members of the fourth-term Control Yuan took office on August 1, 2008 until the members of the sixth term Control Yuan took office on February 28, 2021, there have been 71 investigations

and 43 corrective measures related to food safety, demonstrating that the Control Yuan takes the problem of food safety seriously. Among the numerous food safety incidents, the ones with the greatest impact were the three cases of "adulterated oil" that broke out successively between 2013 and 2014. At that time, unscrupulous businesses were illegally adding copper chlorophyll (a dyeing agent) to edible oils and fraudulently labeling and selling them as "100% extra virgin olive oil." Investigation also revealed that even GMP-certified products were on the list of products under investigation. Companies such as Cheng-I and Ting Hsin Oil and Fat Industrial Company used feed oil mixed with edible lard to make Wei Lih sesame oil and a variety of other oil products sold nationwide. In addition, unscrupulous merchants collected gutter oil and waste leather oil, then processed and sold it to Chang Guann Company to make Chuan Tong lard, which was sold nationwide. These inferior oil products containing toxins and heavy metals flowed downstream to restaurants and diners. The series of shady inside stories of cooking oil wreaked havoc on the people's confidence in food safety and completely destroyed their trust in the government.

At that time, the Control Yuan initiated an investigation and eventually proposed corrective measures for various management failures. These failures included competent authorities not having a mechanism for

controlling the upstream and downstream flow of oil products, failure to verify routine inspections, the lack of regulations to govern industrial practices, the lack of credibility in the GMP certification, overly lenient penalties for unscrupulous businesses, and the lack of ability and authority to deal with major food safety crises. After the adulterated oil incidents and corrective measures by the Control Yuan, the Ministry of Health and Welfare and its subordinate Food and Drug Administration made important changes such as initiating an oil safety plan to strengthen inspection; revising the Act Governing Food Safety and Sanitation to include a three-tier food quality control system; requiring businesses to establish and keep records of raw materials, semi-finished products and finished products used in their products and establish a tracking systems for registering source and flow; increasing

the penalty and criminal responsibility of illegal businesses; and abolishing the GMP certification system which in fact acted as both player and referee.

In addition to the safety of edible oil products, the Control Yuan also actively investigated other major food safety incidents and written complaints. The key issues in the corrective cases included the mixing of industrial-grade raw materials into the food processing chain; incomplete regulatory standards for heavy metals, pesticides and sanitation; lax inspection at border controls; the lack of a mechanism for public reporting; local health bureaus encountering difficulties with carrying out inspections; and agricultural, environmental and health authorities passing the buck to each other. In response to these problems, the Control Yuan continued to urge the competent authorities to thoroughly address



Figure 5-32 and Figure 5-33

The Control Yuan fourth- and fifth-term members visiting Taiwan Food and Drug Administration in August 2010 and June 2020, respectively, to determine food safety management problems.

food safety problems. Since 2013, the Act Governing Food Safety and Sanitation had undergone about 10 amendments. The biggest changes were strengthening the self-management responsibility of the industry, increasing the penalty and criminal responsibility of the industry, clearly stipulating that the competent authorities may establish a food safety protection fund, adding provisions on whistleblowers, and establishing the Office of Food Safety under the Executive Yuan. Based on observations of food hygiene and safety management systems and their intensity in recent years, significant improvements have indeed been made!

IV. Thoroughly investigating the overlapping of mines with water source protection areas to safeguard environmental rights

Term: 5

Water is a basic component of the human body. It allows the body to grow and maintain cell vitality. It is essential to human life. Generally, adults need to consume about 30 to 35 c.c. of water per kilogram of body weight per day. Insufficient water intake will affect body functions. In severe cases, it is life-threatening. This shows the importance and necessity of potable water for human health. To ensure that the public has sufficient and high-quality drinking water, the local and central environmental protection authorities may, in accordance with the authorization of

Article 5 of the Drinking Water Management Act, draft, designate, and announce the scope of drinking water source quality protection areas in the upper reaches of important rivers or other appropriate locations. Except for those necessary to the livelihood of the residents and with the approval of the competent authorities, all activities that pollute drinking water sources, such as prospecting and mining in protected areas, are strictly prohibited.

Director and cinematographer Chi Po-lin, renowned among the generation of aerial photography masters, had long devoted himself to the conservation of Taiwan's land, rivers and the abovementioned protected areas. He revealed the many mining activities hidden in the forests of the island that are destructive to the national land and environment. Unfortunately, on June 10, 2017, he was killed in a helicopter crash while filming. His death once again ignited public opinion on the Asia Cement Corporation Extension Case and aroused the attention of the Control Yuan. On the basis that mining has resulted in the inappropriate development of state land, the Control Yuan filed to respectively investigate whether the extension of mining rights, forest conservation and drinking water source quality protection areas in existing mining areas were consistent with relevant regulations on ecology and the environment, state land protection, and public interest. It also responded to societal expectations



Figure 5-34

Control Yuan members conduct on-site inspections of mining sites that overlap protected zones, July 2017.

in a timely manner. The Control Yuan members separately visited several mines and drinking water source quality protection areas to conduct on-site investigations. They discovered that the Bureau of Mines of the Ministry of Economic Affairs had ignored the provisions of the Drinking Water Management Act and failed to report to the environmental protection agencies in the respective jurisdictions as required by law.

During 2006, they also permitted an operator surnamed Kao and others to operate mines in many drinking water source quality protection areas, when they should have rejected the extension of mining rights in accordance with the law. Furthermore, even though environmental protection agencies had repeatedly notified the Bureau of Mines that the mines were located in

protected areas, the Bureau continued to approve the extension of mining rights for many operators such as Huang from 2007 to 2012, blatantly disregarding the law and ignoring the safety of public drinking water. It was an obvious violation of the law. Hence, the Control Yuan served corrective measures to the Ministry of Economic Affairs and urged it to supervise its subordinate agencies and make improvements.

After persistent follow-up by the Control Yuan, the Ministry of Economic Affairs imposed disciplinary actions on executive personnel found in dereliction of duty by the Control Yuan investigations. It penalized the former director of the Bureau of Mines and 12 others with one demerit and 1-2 admonitions, respectively. In addition, it also urged the Bureau of Mines to review and

adopt the following improvement measures: (1) For mines that overlap protected areas, reject their applications for mining extension rights in accordance with Article 31 of the Mining Act, or abolish their mining rights in accordance with Article 38 of the same Act; (2) The Bureau had reviewed the provisions of Article 27 and Article 31 of the Mining Act and implemented the provisions accordingly.

In addition to actually inspecting the various restricted and prohibited areas, it also inspected and reviewed the approval and rejection of mining land applications for the establishment, extension or addition of mining rights (or scope of mining area). It also referred the outcome to a local environmental protection agency within the respective jurisdictions in a timely manner to facilitate management and supervision in accordance with the relevant provisions of the Drinking Water Management Act, and strengthened horizontal communication and contact mechanism; (3) Added the provision that "the plans for maintaining the mining environment shall be certified by professional environmental engineers" to the amendment draft of the Mining Act. In addition, a provision was added to stipulate that the competent authority may invite experts and scholars to participate in the review of documents such as prospecting and mining concept drawings to strengthen the professionalism of the review; and (4)

Amended and promulgated the Regulations Governing the Implementation of Mine Safety Supervision and Inspection in accordance with Article 34 of the Mining Safety Act. In addition, it issued a letter to all competent authorities to assign personnel to jointly implement mine supervision and inspection to achieve joint enforcement of the law and comprehensive investigations.

Furthermore, the Environmental Protection Administration of the Executive Yuan also issued a separate letter outlining the key points in drinking water management and control plans. It also included a drinking water evaluation function into the drinking water management information system to urge local governments to strengthen inspection and control so as to ensure the safety and quality of drinking water sources.

Urging government agencies at all levels to conserve the ecological environment of domestic rivers has always been a focus in the Control Yuan's exercise of its authority. The Control Yuan will continue to pay attention to and supervise the government's various environmental protection policies in the future so that all businesses will include environmental protection as a priority in their philosophy of sustainable operation. Only by governing in accordance with the law can our country be prosperous and be a blessing to its people.

Section 9 Public Safety

I. Investigating the Lincoln Mansions collapse and urging a comprehensive inventory of old constructions

Term: 2

On August 18, 1997, Typhoon Winnie swept across northern Taiwan with a large amount of heavy rain. The skies opened in the early morning, and in an instant, the soil and water conservation retaining facilities (including retaining walls, grill beams and anchors) located on the northwestern slope of the Lincoln Mansions Residential complex in Xizhi Township of former Taipei

County collapsed. Together with a large mass of rocks, the debris slammed into the Lincoln Mansions, which was situated two to six meters from the slope. The beams on the first and second floor of the building fractured, destroying 80 apartments. As many as 28 people were crushed to death or buried alive, and more than 50 people suffered minor or serious injuries. The tragedy sent shock waves throughout the country. Dozens of families had lost their loved ones, and their dreams were shattered. Some of the affected households had just moved in less than a year after the



Figure 5-35

The disaster site in August 1997 (Source: Geological Hazard Investigation Report No. 1-Special Issue on Taiwan's Landslide Disasters (1); Central Geological Survey, Ministry of Economic Affairs, June 2000, pp.77-84).

building was completed, and for a long time after the disaster, they had to endure calls from banks for mortgage payments. Their situation was truly desperate. The day after the catastrophe (the 19th), the Control Yuan quickly initiated an investigation to determine administrative responsibility.

According to the survey results of professional organizations, the tragedy occurred because of the failure of the owner to actually perform the relevant geological and drilling surveys during the survey of the development site. The configuration of the building did not properly take into account topography and geological conditions. The building was constructed on a dip slope, which required large-scale excavation of the toe of the slope and created unfavorable engineering conditions. The design also failed to consider the other potential unfavorable factors of being located on a dip slope.

Human factors had obviously played a greater part in the disaster than natural factors. To clarify the relevant administrative responsibilities, the Control Yuan reviewed the documents and consulted with the relevant personnel. Accordingly, it determined that although there was negligence in the site survey, planning and design, and some technical issues involved, the former Taipei County Government's Public Works Department, Agriculture

Department and Land Administration Department failed to perform their duties in field survey and review for miscellaneous permits and permit changes, miscellaneous user permits, land use changes, and construction permits and building use permits; failed to supervise operators in making corrections and improvements; and disregarded the safety risk of building on slopes, thereby constituting dereliction of its duties.

In the Ministry of the Interior's handling of the amendment of Article 25 of the Hillside Development and Construction Control Act and the Council of Agriculture of the Executive Yuan's handling of the Hillside Development and Construction Control Act promulgated on July 7, 1983, they failed to obtain water and soil conservation qualification certification for the land grading in the development project, thereby constituting dereliction of their duties. The Control Yuan impeached a total of four directors of the former Taipei County Government's Public Works Department and Agriculture Department for dereliction of duty at the time of the incident. It also served corrective measures to the former Taipei County Government, the Taiwan Provincial Government, the Ministry of the Interior, and the Council of Agriculture of the Executive Yuan for dereliction of duty.

Since the Lincoln Mansions was a construction project prior to the promulgation of the Hillside Development and Construction Control Act, it did not conduct an environmental impact assessment or submit the relevant soil and water conservation plans. It only provided the Water and Soil Conservation Qualification Certificate to obtain C-Construction, then directly applied for a construction permit in what is called the "Old C Building" projects. After the investigation by the Control Yuan, the Ministry of the Interior began to pay attention to the safety of hillside constructions and actively investigated all "Old C Building" projects, listed them under monitoring control and proposed review and improvement measures. In addition, to strengthen the control of hillside development, protect the life and property of residents in hillside residential areas, and effectively prevent disasters, the Ministry of the Interior issued a plan for implementing a residential safety and disaster prevention system on September 8, 1997.

Although the hillside construction tragedy had awakened government and public attention to the safety of hillside construction, it cannot recover the 28 precious lives and the happiness of dozens of families. Their grief should be a wake-up for civil servants. A man of honor is called

upon to "reach the breadth and greatness and penetrate deep into the meticulous and subtle." Details are often the key to success or failure. Therefore, when handling official duties, civil servants must be cautious and diligent. They should grasp the general direction but not lose sight of the details to prevent a slight oversight from becoming an irreparable catastrophe.

II. Tracking down the cause of the Nanfang'ao Bridge collapse and catalyzing Yuan-level bridge regulations

Term: 5

Can you imagine a bridge made of structural steel collapsing for no apparent reason on a sunny day? At 9:30 a.m. on October 1, 2019, the collapse of the Nanfang'ao Bridge in Yilan County shocked the entire nation. A tanker driving on the bridge fell into the harbor and three fishing boats under the bridge also sank in the channel from the impact of the collapsed bridge, resulting in six deaths and 19 minor and serious injuries. If it weren't for the collapse of the bridge, the public would have remained unaware that from the beginning, there was no governing authority over this bridge.



Figure 5-36

The collapsed Nanfang'ao Bridge in October 2019 (Source: The Taiwan Transportation Safety Board Investigation Report on the 2020/11/25 Accident).

The Nanfang'ao Bridge was constructed in 1994. The Taiwan Provincial Government had allocated funds for the expansion of the channel entrance and exit at the request of fishermen in Su'ao. It was commissioned by the Yilan County Government, designed and supervised by Moh and Associates, Inc., and built by Liyong Constructions. The project was completed in December of 1998 and handed over to the Su'ao Branch Port of the former Keelung Port Authority of the Ministry of Transportation and Communications (On March 1, 2012, the Su'ao Branch Port was restructured

to become the Suao Port Branch Office of the Port of Keelung, Taiwan International Ports Corporation, Ltd.). The main bridge structure of the Nanfang'ao Bridge spanned 140 meters in length and was 15 meters wide. The single arch rib was located in the center of the bridge deck. Inverted Y-shaped arch columns were adopted at both ends to transmit the strength of the upper cable of the single arch to the supports on both sides of the cap beam through the arch columns. Therefore, the structure is a double-forked single-arch bridge. The form of the bridge was novel,

and there were only two such bridges in the world at the time.

Investigation by the Control Yuan found that the Nanfang'ao Bridge was an auxiliary facility on Kuangang Road in Su'ao Township. However, from the central government to the local government, Kuangang Road and its auxiliary Nanfang'ao Bridge were controversial, and no one was willing to undertake authority over it. The Taiwan International Ports Corporation, Ltd (hereinafter referred to as the TIPC) regarded Kuangang Road as a public access road outside the control zone of the Su'ao Port and not a "special road" for commercial ports, and therefore should not be under the management of the TIPC. The Ministry of Transportation and Communications asserted that such "village roads" that are not part of the highway system should be under the jurisdiction of the local government, and their inspection and maintenance operations should be handled by the Yilan County Government.

The Yilan County Government believed that it was only entrusted to carry out the construction of the Nanfang'ao Bridge and from beginning to end, the statutory authority for the bridge should belong to the former Keelung Port Authority. The Maritime Port Bureau of the Ministry of Transportation and Communications, which

was the property management agency of the Nanfang'ao Bridge, believed that since it had entrusted administrative authority to the TIPC to maintain the public facilities of the international commercial port (including the Nanfang'ao Bridge) on March 1, 2012, the inspection and maintenance of the bridge should be handled by the TIPC. The TIPC asserted that since the Port Bureau did not list the Nanfang'ao Bridge as a gratuitous utility, the Port Bureau remained the management agency of the Nanfang'ao Bridge.

The Ministry of Transportation and Communications, the Port Bureau, the TIPC, and the Yilan County Government kept passing the buck to each other, and the farce left everyone speechless. After the bridge collapsed, there was still no agency responsible for the supervision and maintenance of Kuangang Road. It was precisely due to this lack of clarity regarding its management agency from the time of its completion until its collapse that the Nanfang'ao Bridge had never been included into the Enforcement Rules Governing the Supervision, Assessment and Evaluation of Bridge Maintenance and Management Operations in the Taiwan Region.

According to the Taiwan Transportation Safety Board Investigation Report on the 2020/11/25 Accident, the main cause of

the bridge collapse was the corrosion of the steel cables and anchor heads. The internal deterioration of these components is not readily detectable by external visual inspection. Prior to the incident, the regulations of the Ministry of Transportation and Communications only focused on the inspection and reinforcement of general bridges. For special bridges such as the Nanfang'ao Bridge, there was a lack of regulations and guidelines. Moreover, the qualifications and training guidelines for highway bridge inspection personnel of the Ministry of Transportation and Communications did not include special bridges. Therefore, it was uncertain that its trained personnel would have had the competency to handle the inspection of such bridges.

Both the Port Bureau and the TIPC were subordinate agencies of the Ministry of Transportation and Communications. In the beginning of the bridge collapse saga, the Ministry of Transportation and Communications had used the Highway Act to restrict competent authorities from accessing the land. After the investigation by the Control Yuan, it changed its claim and admitted that "bridges that are not part of the highway system" should also be included into its management. On January 3, 2020, it amended and promulgated three ministerial level regulations, namely

the Highway Maintenance Regulations; the Highway Bridge Inspection and Reinforcement Regulations; and the Highway Bridge Design Regulations, and listed special bridges into the scope of their application. On July 21, 2020, the Executive Yuan approved Yuan-level regulations for the maintenance and management of bridges to significantly strengthen the safety of the nation's bridges.

III. Tracking down the cause of the Weiguan Apartment Complex collapse and urging the implementation of earthquake resistance inspections

Term: 5

Taiwan is situated on the Circum-Pacific Seismic Belt and experiences frequent earthquakes. On February 6, 2016, a magnitude 6.6 earthquake hit the Kaohsiung Meinong area, triggering the collapse of the Weiguan Apartment Complex in Tainan. One hundred and fifteen people were killed and 104 people were injured, devastating hundreds of families. The Control Yuan filed to investigate the case.

Investigations by the Control Yuan found that human factors contributing to the collapse of the Weiguan Apartment Complex included violations such as fraudulent construction inspections, cutting corners, a pop-up construction company,

borrowed technician license, and failure to perform structural safety calculations when changing the design. At that time, construction laws were completely unable to remedy the abovementioned illegal conduct that were threats to the safety of the residents. In its random inspection of relevant company registration information of the Ministry of Economic Affairs, the Control Yuan found that the same person who was in charge of the building had also established or invested in as many as 24 construction companies that were still in operation, and up to ten companies that were no longer in operation, totaling 34 construction-related companies. That individual had a history of suspending and re-activating his business permit, and whenever there was disciplinary action or dispute, the individual would change the name of the company or establish a new company to continue operating as usual.

Moreover, under the legal mechanism at that time, the government had no control over the number of projects or the number of proposals that each construction company could have each year. The Construction and Planning Agency of the Ministry of the Interior should conduct investigations to prevent such incidents such as the Weiguan Apartment Complex collapse from happening again.

A strong earthquake in Hualien on February 6, 2018 resulted in the collapse of many buildings in Hualien City and serious casualties.

The Control Yuan once again investigated the earthquake resistance of buildings across the country. The investigation found that the Construction and Planning Agency did not have sufficient information on existing buildings. There are at least 1.45 million buildings for public use in the country, and more than 460,000 of them are already 30 years old or older. However, many of the abovementioned statistics are missing, and the Construction and Planning Agency was unable to monitor them or successfully promote relevant disaster prevention policies. Local governments were excessively passive and slow in implementing quick earthquake-resistance screening for building permits. Thus, the earthquake resistance of old buildings remained in question. The Construction and Planning Agency also lacked specific measures for assessing and strengthening the earthquake-resistant safety of private buildings for public use, thus making it difficult to ensure their safety. For areas that are highly susceptible to soil liquefaction, the safety inspections of existing buildings and relevant disaster preparedness capabilities should be strengthened.

Moreover, they should be compliance with Article 53 of the Housing Act and General Comment No. 4 of the International Covenant on Economic, Social and Cultural Rights to ensure that people are not subject to "building hazards."

After persistent follow-up by the Control Yuan, the Executive Yuan required that major public buildings (such as office buildings, school buildings, hospitals, and hydropower plants) built before December 31, 1999 and buildings for public use (such as community centers, libraries, bus stations, and retail markets) to undergo seismic evaluation and reinforcement. As of the end of 2019, governments at all levels had completed at least 29,948 preliminary structural assessments, 15,706 detailed structural assessments, and 7,571 building reinforcements.

The Executive Yuan will continue to track the assessment and reinforcement of buildings listed for monitoring.

Regarding private buildings for public use, the Ministry of the Interior amended and promulgated the Regulations for Inspecting and Reporting Buildings' Public Security on February 21, 2018. The Regulations clearly stipulate regular inspections and declarations, and comprehensive implementation of earthquake-resistance assessment and inspection of private

buildings. Private buildings for public use that were constructed with construction permits issued before December 31, 1999, such as private schools, hospitals, hotels, social welfare institutions, movie theaters, shopping malls and retail stores, and with a floor area of 1,000 square meters or more are required to undergo earthquake resistance inspection and be included according to the regulations on Inspecting and Reporting Buildings' Public Security. On July 1, 2019 after the implementation, local governments had completed re-inspection and listed buildings for monitoring, and will be supervised and evaluated by the Ministry of the Interior. In addition, as of the end of 2019, a total of 22,944 quick earthquake resistance screenings of buildings with nine or more floors had been completed. Based on the quick screening results, a preliminary earthquake resistance evaluation and monitoring lists was formulated. In 2020, quick earthquake resistance screening of existing buildings with six or more floors built before December 31, 1999 had been completed, totaling 10,000 quick-screenings. Therefore, buildings that are structurally incapable of withstanding earthquakes have been discovered as early as possible to protect people from the risks of building hazards.

IV. Thoroughly inspecting dangerous school buildings to ensure that schoolchildren are protected from building hazards

Term: 4-5

Taiwan is located in the Circum-Pacific Seismic Belt and experiences frequent earthquakes. According to the statistics of the Central Weather Bureau of the Ministry of Transportation and Communications, there are about 1,000 detectable earthquakes every year, averaging 2.7 detectable earthquakes every day. The strong earthquake in Hualien on February 6, 2018 caused the collapse of many buildings in Hualien City, resulting in casualties and injuries. If you were a parent, would you place the safety of your children in the hands of the government and feel safe about them being in a school classroom in the event of another strong earthquake? In 2014, the fourth-term Control Yuan members investigated elementary schools and junior high schools whose buildings did not have user permits. It found that more than 16,000 schoolchildren across the country were attending classes in school buildings that did not have user permits and had been identified as "recommended for demolition but not demolished" in structural safety assessments. The Ministry of Education failed to effectively supervise the reissuance or cancellation of building use permits for various elementary and junior high schools under the administration of the

local government, allowing buildings that violate the relevant provisions of the Building Act to affect the public safety of campuses. In addition, plans for the demolition and reinforcement of elementary and junior high school buildings lacked comprehensive consideration and priority. Teachers and students were even placed in school buildings with poor earthquake resistance for their classes. Moreover the number of "buildings" and the number of "cases" controlled by the Ministry of Education and local governments showed discrepancies. In some construction permits, a "case" may include several "buildings," thus bringing into question the accuracy of the data. Therefore in 2014, corrective measures were served to the Ministry of Education. After many years of persistent follow-up by the Control Yuan, the Ministry of Education remained slow to improve and was unable to satisfy people's expectations.

In 2017, the fifth-term Control Yuan members re-investigated the building safety of public and private elementary and junior high schools across the country. The investigation found that, according to the K-12 Education Administration of the Ministry of Education, about 110,000 elementary and junior high school students were attending classes in school buildings that were still waiting to be reinforced, and about 20,000 students were attending classes in school buildings that were still

waiting to be demolished, totaling more than 140,000 students in school buildings with safety issues. In addition, the K-12 Education Administration lacked sufficient information on the earthquake resistance and safety of private elementary and junior high schools. It should have fulfilled its responsibilities in supervising the owners and operators of private elementary and junior high schools in the safety maintenance of school buildings and the safety of their construction. Most of the earthquake resistance improvement projects in school buildings were carried out by educators with no engineering background, which not only added stress and difficulties for the educators, but could potentially trap them in legal liabilities in the event of a disaster.

After more than six years of persistent follow-up by the Control Yuan, the Ministry of Education initially claimed the lack of improvement funds and difficulties in arranging temporary classes for schoolchildren. The speed of reinforcement or demolition and reconstruction of school buildings was very slow. Through constant supervision and communication by the Control Yuan, the Executive Yuan approved a total of NT\$26.16 billion for earthquake resistance, facilities and equipment improvement plans (from 2017 to 2019) for public elementary and junior high schools. Since 2017, 1,702 buildings had been reinforced, and 246 buildings had been

demolished and reconstructed. As of the first half of 2020, of school buildings that were being used without user permits, at least 188 had been reinforced and have reached one or above in their seismic coefficient, thus posing no safety concerns. Classes were continued in the remaining 24 school buildings (including 22 buildings waiting to be demolished, one waiting to be reinforced, and one in the process of being reinforced), with the Ministry of Education continuing to track the monitoring progress. In addition, reinforcement projects have been completed on a total of 5,194 school buildings in public elementary and secondary schools, and 296 buildings are awaiting completion. Once all the projects are completed, school buildings will reach the required earthquake resistance standard (CDR of one or above).

For earthquake resistance assessment and reinforcement mechanisms and actions in private schools, the Ministry of Education has adopted criteria for the handling of general Executive Yuan grants by the local government. In addition, the Construction and Planning Agency of the Ministry of the Interior had also revised Article 3 of the Regulations for Inspecting and Reporting Buildings' Public Security to include private schools into the scope of public building safety inspection and reporting, and earthquake resistance assessment and inspection.

The Control Yuan hopes that, after the competent authorities have implemented the abovementioned improvement measures at its urging, parents can know that their children are protected from building hazards and will no longer have to worry about the safety of their children in school when the next earthquake strikes.

V. Investigating the landslide on the No. 3 National Freeway and urging overall inspection of slopes along all national freeways

Term: 4

On August 18, 1997, Typhoon Winnie brought heavy rain to Taiwan, causing the stratum of the dip slope around the Lincoln

Mansions in Xizhi Township of the former Taipei County to slide and slam into the retaining walls. Buildings in the community were destroyed by landslides, killing 28 people. At 2:30 pm on April 25, 2010, there was no report of significant rainfall or earthquake along the 3.1-kilometer mark of the southbound Keelung-Qidu section of the No. 3 National Freeway (also known as the second freeway). However, without warning, a major landslide occurred, instantly burying three cars and killing four people. The slope on the site of this incident and the slope in the Lincoln Mansions incident were both dip slopes that had been stabilized with ground anchor structural designs.



Figure 5-37

Landslide on the Northern Second Freeway, April 2010 (Source: Freeway Bureau, MOTC).

The investigation found that the Central Geological Survey of the Ministry of Economic Affairs had previously submitted the Manual for Geological Database of Urban and Surrounding Slope Region Environments to the former Taiwan Area National Expressway Engineering Bureau of the Ministry of Transportation and Communications and other agencies in June of 2008. However, as a result of inadequate horizontal communication among the various agencies, the former Expressway and Freeway Bureau of the Ministry of Transportation and Communications (hereinafter referred to as the former Expressway Highway and Freeway Bureau, which merged with the National Expressway Engineering Bureau on February 12, 2018 to form the Freeway Bureau of the Ministry of Transportation and Communications) remained unaware that the area where the landslide occurred had already been marked as a "high-threat area for rockslides" until the incident occurred. The failure to fully convey major public safety information resulted in missed opportunities for review and improvement, and was the key cause in the failure to prevent the disaster. In addition, the former Expressway and Freeway Bureau did not abide by the regulations of the highway maintenance manual, and failed to implement inspections of the slope of the collapsed section of the road.

Furthermore, without due consideration, it had stopped the use of landslide detectors. Consequently, from the beginning of 1998, when the project was completed, until the landslide incident, it was impossible to detect whether the prestressed ground anchors used in the original design to stabilize the slope had gradually lost their strength or whether the tendons had corroded, let alone implementing reinforcements and repairs. According to investigations, of the 572 ground anchors installed along the road section of the incident by the National Expressway Engineering Bureau at the beginning of 1998 to prevent the dip slope from sliding, only 58 remained on the slope at the time of the landslide, indicating a damage rate of as high as 90%.

The Control Yuan completed its investigation report in April of 2011. In addition to proposing corrective measures to the Ministry of Transportation and Communications and punishing those found derelict in their duties, it also requested that the Executive Yuan supervise the Ministry of Transportation and Communications on inspecting slopes in other road sections of the national freeways for potential landslides and ensure that it actually conducts inspections and makes improvements.

After the Control Yuan persistently followed up on the maintenance and improvement of slopes along the national freeways, the Ministry of Transportation and

Communications not only conducted general inspections of slopes along national freeways, installed slope monitoring systems and maintained and reinforced slopes after the incident, it also developed and constructed a whole life-cycle management system for maintaining slopes along national freeways. The relevant projects were completed in August 2013, and included slope inspections, slope monitoring, ground anchor inspection, slope assessment and reinforcement design, and reinforcement projects, totaling more than NT\$1.9 billion in expenditures.

The Control Yuan will continue to supervise the Ministry of Transportation and Communications and its subordinate agencies to ensure the inspection and maintenance of slopes along national freeways so as to prevent similar tragedies from happening again.

VI. Correcting the Taiwan Railways Administration on multiple failures in the Puyuma derailment case

Term: 5

At 4:50 p.m. on October 21, 2018, Puyuma Train 6432 of the Taiwan Railways Administration of the Ministry of Transportation and Communications suffered a serious derailment, overturning at Xinma Station along the Yilan-Su'ao section. There were 366 passengers on board the train. According to statistics, as of the early morning of the 22nd, a total of 18 people were confirmed dead and

more than 200 injured. Among the deceased, the most tragic was a family of eight that was traveling north to attend a wedding, a young teacher who had left behind elderly parents to suffer the grief of burying their child, and a little 6-year-old boy surnamed Hsieh who went into a coma from severe head trauma. How are the survivors going to face the long future ahead? How is the little slugger from Taitung going to return to his passion in baseball? What about the many broken dreams? The derailment also disrupted railway transportation between Yilan and Hualien and Taitung in eastern Taiwan. Was the cause of the Puyuma crash due to problems with the rails and carriages? Was it due to excessive speed? Or was the Taiwan Railways Administration understaffed, resulting in inadequate maintenance of the tracks? Also, when the Taiwan Railways Administration purchased the Puyuma train in 2010, there were also some concerns about its high failure rate, and whether the disaster could therefore be due to train operation failure. In addition, the Taiwan Railways Administration had reported a total of seven derailment accidents in the past three years. Whatever the main cause of this serious accident was, the people's trust in railway safety was severely shaken.

The investigation by the Control Yuan indicated that failure in a single aspect of railway safety during operation would not have resulted in the accident. As long as

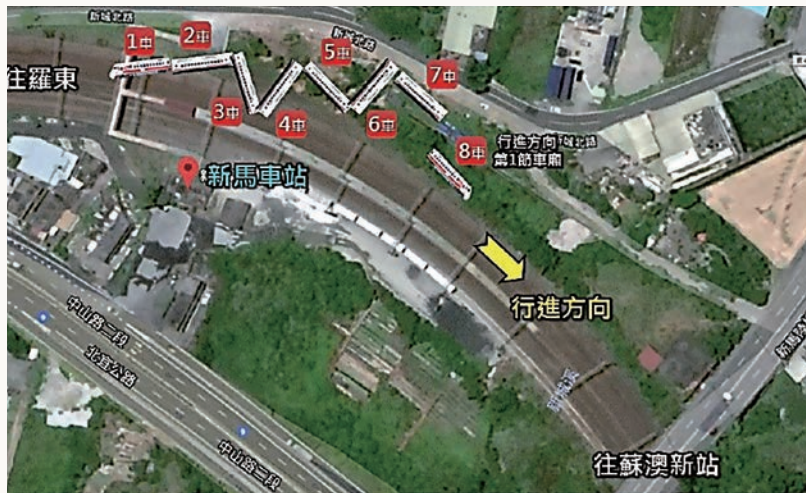


Figure 5-38

A schematic diagram of the overturned position of the train cars in the Puyuma accident on October 21, 2018 (Source: The Executive Yuan Administrative Investigation Committee Investigation Report on the 10/21 Railway Accident).

the problem or abnormality was promptly and effectively handled, the accident would have been preventable. However, if multiple protective mechanisms failed at the same time, such as failure in organization and management, equipment failure, incomplete operating procedures, personnel negligence during operation, tragedy would strike when the train entered the 306-meter radius curve in front of Xinma Station.

In regard to individual violations, some were subjected to judicial prosecution. In addition, the Control Yuan also impeached the then Director-general Lu Chieh-shen, Deputy Chief Engineer Liu Tsan-huang, and assigning Station Director Wu Jung-chin of the Taiwan Railways Administration. On June 22, 2020, the former Public Functionary

Disciplinary Sanction Commission imposed the following sanctions: Lu Chieh-shen and Wu Jung-chin were each demoted by one level and re-assigned, and Liu Tsan-huang was suspended for six months. The sanctions were referred to the Ministry of Transportation and Communications for implementation on the 24th of the same month. In addition, the Control Yuan proposed corrective measures to the Ministry of Transportation and Communications and its subordinate Taiwan Railways Administration for dereliction in supervision and management, demanding improvement by a specified time. The Control Yuan will continue to supervise the implementation of various safety regulations, and hopes to restore public trust in railway safety.

Section 10 Anti-Corruption and Clean Government

I. Stiff penalties for deliberate concealment and unusual increases in property

Term: 4-5

During his term of office as the Secretary-General of the Legislative Yuan, Lin Hsi-shan took advantage of his decision-making influence in the system procurement projects of the Information Technology Department of the Legislative Yuan. From 2012 to 2015, he helped Farnet Technologies Co., Ltd. win bids for procurement projects and collected

NT\$39.5 million in kickbacks from the company's person in charge, surnamed Li. During the period of the kickbacks, he saw an increase of NT\$243.78 million in unexplained property, thus violating the provisions of the Anti-Corruption Act against breach of duty by accepting bribes and committing criminal offense by having unexplained sources of property. The Control Yuan also investigated the property declaration data of Lin Hsi-shan during the period when he was involved in acts of corruption.

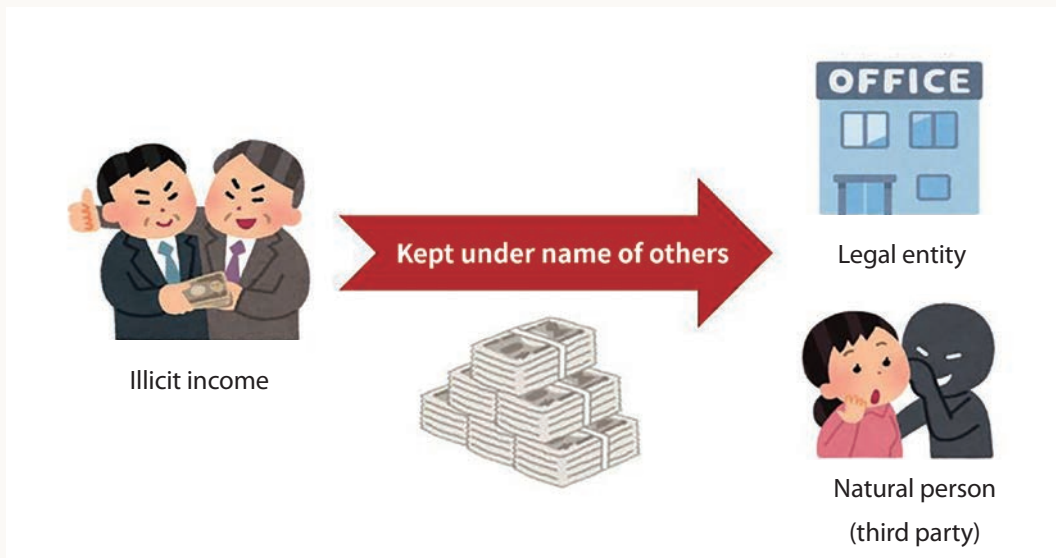


Figure 5-39

A schematic diagram of typical property concealment.

After inquiring with relevant third parties, property-related agencies (institutions) and organizations, and referencing criminal investigation records and criminal court verdicts, the Control Yuan discovered that Lin Hsi-shan owned property under the names of figurehead accounts, relatives, friends and Legislative Yuan assistants, and failed to truthfully declare property. In accordance with Article 12 Paragraph 1 of the Act on Property-Declaration by Public Servants, it was determined that he had intentionally concealed property in order to avoid truthful declaration. Among these concealments, he had eleven undeclared assets kept under the name of others (figurehead accounts), three shares of stocks and one business investment in 2012, totaling NT\$18,702,516, and was fined NT\$1.9 million. In 2013, he had eleven undeclared assets kept under the names of others, eight shares of stocks and one business investment, totaling NT\$33,028,845, and was fined NT\$3.4 million. In 2014, he had eleven undeclared assets kept under the name of others, 13 shares of stocks and one business investment, totaling NT\$97,101,805, and was fined NT\$4 million. In 2015, he had eleven undeclared assets kept under the name of others, twelve shares of stocks and one business investment, totaling NT\$98,321,578, and was fined NT\$1.34 million.

In addition, his total asset increases between 2013 and 2014, and between 2014 and 2015 exceeded once as much as the sum total of his income and that of his spouse and minor children in 2014 and 2015, respectively. The Control Yuan issued a letter requiring Lin Hsi-shan to submit an explanation of his violations of the law within a specified time. Although he submitted a reply, he did not clarify the source of his increased property, and offered only partial explanation of the source, which was verified by the Control Yuan to be false. Therefore, the Control Yuan determined that, given his inability to provide a reasonable explanation, he was in violation of Article 12 Paragraph 2 of the Act on Property-Declaration by Public Servants and imposed fines of NT\$3 million and NT\$2.325 million, respectively.

II. First case of sentencing for refusal to declare property after the enactment of the Financial Application Law

Term: 5

In accordance with the provisions of the Act on Property-Declaration by Public Servants, those serving on boards of directors or supervisory boards of private legal entities on behalf of the government or public shares are subject to property declaration. Those who fail to declare within the stipulated deadline for no valid

reason will be fined NT\$60,000 or more to a maximum of NT\$1.2 million. Those who continue to fail to declare within the specified deadline after being subjected to disciplinary action will be sentenced to an imprisonment of not more than one year, criminal detention, or a fine of NT\$100,000 or more to a maximum of NT\$500,000.

Associate Professor Rau Hsiu-hua from National Chengchi University was appointed by the Ministry of Finance to serve as a director of the public shares of the Bank of Taiwan. In accordance with the law, Rau must declare her property every year. However, in 2013, Rau refused to declare her property to the Control Yuan. The Control Yuan issued a letter for her to declare within a specific time and imposed a fine of NT\$380,000. Although Rau paid the fine, she continued to refuse to declare her property within the deadline. In November of 2014, the Control Yuan referred the undeclared portion of her 2013 declaration to the Taiwan Taipei District Prosecutors Office for investigation. The prosecutor gave Rau the benefit of doubt that she might have neglected or forgotten to declare. In addition, given that in the Act on Property-Declaration by Public Servants, "the offense of failure to declare by the deadline" is a misdemeanor punishable by imprisonment for less than one year, criminal detention, or a fine of NT\$100,000 or more to a maximum of NT\$ 500,000, the prosecutor decided

not to prosecute. On September 25, 2015, Rau completed her regular 2013 property declaration. At the end of 2014, however, Rau once again refused to declare her regular 2014 property information. The Control Yuan once again issued a letter for her to declare within a specified time limit and imposed a fine of NT\$155,000. However, Rau still refused to declare her property in accordance with the deadline. In June of 2015, the Control Yuan once again referred the undeclared part of Rau's 2014 regular property declaration to the judicial office, and after a second investigation, the abovementioned prosecutors office prosecuted her in accordance with the law.

In regard to her reason for not declaring, Rau claimed that she "didn't remember," "didn't know" and "forgot" throughout the investigation and trial. In hearing her entire case, the Taiwan Taipei District Court judge believed that given Rau's excellent academic qualifications and familiarity with the consequences of not fulfilling her property declaration obligations and breaching her duty, her constant claims of "didn't remember," "didn't know" and "forgot" were nothing more than an attempt to shirk a lawsuit. At the same time, Rau was an appointed civil servant who is subject to property declaration, yet she failed to comply with the property declaration obligation stipulated by the country. The Control Yuan

repeatedly urged her to make declarations through arbitration documents and notification letters, but she still refused to do so. After being found in violation, she showed no remorse in her attitude, hence leniency would be inappropriate. However, considering that she had no record of previous conviction, she was imposed a light sentence of three months of imprisonment or a fine of NT\$90,000, with an opportunity to appeal. Rau subsequently abandoned the appeal, re-filed her regular 2014 property declaration, and paid the fines.

This is the first case of a public official being sentenced for unwillingness to declare property since the Act on Property-Declaration by Public Servants was enacted.

III. Mayor punished for misusing his power to profit stakeholders

Term: 4

To correct the malfeasance of "nepotism and keeping favors only for family and friends," and prevent the suspicion of such conduct among public officials from affecting public trust in governance of the government, the Act on Recusal of Public Servants Due to Conflicts of Interest (below, the ARPSDCI) clearly stipulates that in the course of executing their duties, if public officials become aware of a conflict of interest, they should voluntarily recuse themselves. In addition, they must not use their authority for their own interests

or the interests of related stakeholders. In particular, local magistrates are duty bound to benefit the people. If their authority is used to benefit personal stakeholders, it will not only undermine people's expectations, it will also violate the provisions of the ARPSDCI.

During his term in office, former Mayor Chiu Chui-yi of Zhonghe City, Taipei County, decided to auction off the municipal land on which the Anle Market is located. When the auction was announced in July of 2008, only one woman, surnamed Yang, participated in the bidding. She offered the price of NT\$170.28 million and won the bid (the reserve price was about NT\$170.23 million).

After Yang obtained ownership of the land in August of the same year, she immediately transferred the land to Meilien Development Co., Ltd. in December of the same year. The company then planned and developed the land jointly with the adjacent lands.

Investigation by the Control Yuan discovered that Yang, who won the bid for the municipal land, was only a figurehead. The actual investor was Meilien Development, and the manager of the company is the son of Mayor Chiu. In accordance with the ARPSDCI, Meilien Development is Mayor Chiu's stakeholder. In other words, the result of the municipal land auction was essentially in the hands of Mayor Chiu's stakeholder.

The Control Yuan further found that prior to the auction of the municipal land, Meilien Development and the son, daughter and son-in-law of Mayor Chiu had already purchased the surrounding adjacent lands, causing any unspecified third party who purchased the municipal land to lose the benefits of comprehensive development. Mayor Chiu holds the decision-making power to dispose of municipal land. His decision to auction off the municipal land enabled Yang, a figurehead dispatched by Meilien Development, to successfully win the bid. The Control Yuan estimated that Meilien Development could make a profit of more than NT\$82.22 million on the municipal land alone. In addition, the value of the surrounding adjacent lands held by Meilien Development and other stakeholders of Mayor Chiu also increased

in value through the joint development and gained considerable property benefits.

As a local magistrate, Mayor Chiu should take the well-being of the people as his responsibility. Instead, he used his power to bid for the public market land to allow the municipal land to fall into the hands of his stakeholders. Thus he had violated the provision that "a public servant shall not seek interests for himself/herself or for his/her stakeholders by manipulating his/her official power, opportunities or any method under his/her official duty." Given the severity of his violation and the huge benefits involved, the Control Yuan imposed the maximum fine of NT\$5 million in accordance with Article 14 of the same Act, and the Supreme Administrative Court maintained the sanction in its final verdict.



Figure 5-40

On June 17, 2015, SET News Channel reports on the legal violations of incumbent City Mayor Chiu Chui-yi.

IV. Implementing political donation measures to prevent foreign forces from interfering with domestic politics

Term: 4-5

Under the wave of globalization, it is necessary to strictly prevent foreign forces from penetrating the country so as to ensure national security and social stability. The Control Yuan ensures compliance with the Political Donations Act, which comprehensively prohibits candidates, political parties and political groups from accepting political donations from foreign, Mainland Chinese, Hong Kong and Macau nationals or residents so as to prevent indirect manipulation or influence on domestic political and economic environment.

Investigation by the Control Yuan found that during his term as the head of the Whampoa Military Academy Alumni Association, Lo Wen-shan received political donations of NT\$300,000 and NT\$400,000 from Trade Union Enterprise Co., Ltd. on February 21, 2012 and October 15 of the same year, respectively. The representatives in the positions of chair, board of directors and supervisory board of the company were foreign legal entities holding 100% of the company's shares. After the Association accepted the donations, it failed to turn over the revenue to the treasury in

accordance with the law. On July 4, 2014, the Control Yuan referred the case to the local prosecutors office for investigation.

During the criminal investigation, the Control Yuan received a letter from a whistleblower alleging that Hong Kong resident Hsu Chi-ming and others had also donated to the Whampoa Military Academy Alumni Association. The report was also referred to the prosecutor's office for handling. After the indictment by the prosecutor, the Taipei District Court found that Lo Wen-shan was clearly aware that Hsu Chi-ming and Ho Yi were residents of Hong Kong. Yet on May 30, 2008; March 10, 2010; November 4, 2010; and August 9, 2012, he accepted their donations totaling HK\$2,137,500 (equivalent to NT\$8.385 million at the exchange rate during that time). This Act expressly prohibits political donations from Mainland China, Hong Kong and Macao residents, and money remitted under the name of Hong Kong residents should have been turned over to the treasury according to the procedure of political donations. Otherwise, residents from Mainland China, Hong Kong and Macao would be able to circumvent laws and regulations by making anonymous donations, designating special accounts, making quid pro quo contributions, or even joining the membership of a political group in our country. The Taipei District

Court ruled that Lo Wen-shan had illicitly collected political donations from Hong Kong residents and deposited the funds into private accounts, thus violating the Political Donations Act as well as being guilty of business embezzlement. As such, he should have been sentenced to two years and six months of imprisonment, deprived of his civil rights for two years, had the NT\$8.385 million of criminal proceeds of the Whampoa Military Academy Alumni Association confiscated, had Lo Wen-shan's NT\$13,110 in criminal proceeds confiscated, and possibly be ordered to pay the equivalent value of the amount. However, the Taiwan High Court revised the sentence to two years of imprisonment. The prosecutor appealed the case, but the appeal has been turned down by the Supreme Court, and the verdict is final.

In order to protect the core values of a democratic country under the rule of law, the Control Yuan strives to prevent illicit infiltration and destruction by foreign forces so as to maintain a stable democratic political and economic environment. Recently, the Control Yuan has organized more diversified publicity videos to deepen legal education among the general public.



Yushan (Jade Mountain): Taiwan's tallest mountain at 3,952 meters.

Managing Editors: Uang Lin-ling, Tsai Chih-yu, Hung Chun-ting, Wang Yu-fei, Lee Lin, and Feng Yu-hsuan
Copy editor: Ko Min-ching and Yu Kuei-hua

CHAPTER

6

International Supervision Affairs

Developing International Friendships

Introducing the Control Yuan, R.O.C. (Taiwan) to the World

Preface

Section 1 The Road to Internationalization

Section 2 Participation in the International
Ombudsman Community

Preface

The modern supervision system originated in 1809 in Sweden. It gradually developed after the 1960s and reached its peak in the 1990s. Most countries around the world have established a supervision system today, and the independent exercise of supervisory power has become a global trend. Nevertheless, the term used for these supervision systems' differs by region and depending on historical, cultural, or political system development. In general, Northern European and American countries use the term *Ombudsman*; Latin American and Spanish-speaking countries use the term *Defensor del Pueblo*, and French-speaking countries use the term *Médiateur*.

There are also differences in such positions' scope of authority and supervisory

level. For example, Sweden, Norway, Denmark, and New Zealand appoint governmental ombudsmen, while Australia and Canada appoint regional (per-state or province) ombudsmen. Other than that, there are also ombudsmen appointed for specific matters or to protect specific rights, such as Norwegian Parliamentary Ombudsman for the Armed Forces and Australian Inspector-General of Taxation and Taxation Ombudsman.

Although there may be differences in ombudsman systems and names, the independence of the ombudsmen, and their abilities to remain free from interference by political parties or forces, to oversee the government's integrity, and to promote good governance, are all considered the most basic





requirements of an ombudsman's mandate; only then can they ensure that the people's rights are treated fairly.

As the highest supervisory authority of the country, the Control Yuan exercises supervision powers and functions such as receiving people's written complaints, impeachment, censure, corrective measures, and investigation according to the law. In response to globalization, international exchanges are becoming more prevalent and normalized. The Control Yuan has taken advantage of this opportunity to establish friendships with international supervisory agencies, and to actively participate in events held by relevant international organizations.

Furthermore, the Control Yuan has taken the initiative to share the experience of exercising Taiwan's supervisory power and our achievements in human rights protection, allowing the world to learn about Taiwan's unique supervisory system and increasing international support in a broad way.

This chapter is divided into two main parts: "The Road to Internationalization" and "Participation in the International Ombudsman Community." Broader perspectives are presented through the chronological warp of "1993-1996: Exploration," "1996-2002: Breaking Through Diplomatic Barriers," and "2002-present: Continued Progress." This chapter then explores the topical weft of "Expanding International Participation," "Deepening Exchanges and Cooperation," "Hosting International Supervisory Conferences," "Signing Bilateral Collaboration Agreements and Memorandum of Understanding," "Strengthening International Publicity" and "Participating in Exchanges and Training Programs and Workshops with International Supervisory Institutions." By doing so, this chapter presents the deeper weave of the Control Yuan's engagement in international exchanges and cooperation.

Section 1 The Road to Internationalization

I. 1993-1996: Exploration

A. Origin of the Control Yuan's International Supervision Affairs

The Control Yuan's second-term members took office in 1993. In recognition of the importance of international supervisory exchanges, in June of the same year, Control Yuan Member Huang Yueh-chin visited ombudsman offices in the Netherlands and other Western European countries. He also visited the International Ombudsman Institute (below, the "IOI") headquarters in

Alberta, Canada, to which he submitted an application for membership.

After receiving the Control Yuan's application, Harley Johnson (the then-IOI Secretary General and Ombudsman of Alberta, Canada) and Timothy Christian (the then-IOI Treasurer) accepted the Control Yuan's invitation to visit Taiwan in April 1994. After learning of the Control Yuan's powers and functions, they not only gave the Control Yuan a very positive affirmation, but also made a recommendation to the IOI Board of Directors that the Control Yuan be

International Ombudsman Institute (IOI)

Founded in 1978, the IOI is a global non-governmental organization. It was originally based in Alberta, Canada, then moved to Vienna, Austria in 2009. The IOI aims to promote the concepts of supervision and human rights, improve supervisory concepts and systems, focus on information and experience exchanges between ombudsmen in various countries, and serve as a bridge by which ombudsman institutions around the world can communicate.

The IOI is led by a Board of Directors, which are elected by the regional members. The core of the IOI is the Executive Committee, which is in charge of the committee and conference affairs, with members including the President, 1st Vice President, 2nd Vice President, Treasurer, and Secretary General. The current IOI President is Chris Field, the Ombudsman of Western Australia.

Currently, the IOI has approximately 200 members consisting of national and regional supervisory or human rights organizations. English, French, and Spanish are the IOI's official languages. The IOI is divided into six regional chapters, namely Africa; Asia; Australasia & Pacific; the Caribbean & Latin America; Europe; and North America. Through these regional chapters, the IOI strengthens regional cooperation and communication.



Figure 6-1

September 21, 1994 – President Lee Teng-hui (entering guest, middle), accompanied by President of the Control Yuan Chen Lu-an (entering guest, first from left), arrives at the conference venue.



Figure 6-2

September 21, 1994 - President Lee Teng-hui delivers a speech at the opening ceremony of the "International Conference on the Ombudsman Concept."

allowed to join the IOI. After several months of review, the IOI approved the Control Yuan's membership under the name "The Control Yuan, R.O.C." in August 1994. At that point, the Control Yuan officially became a voting member in IOI Asian region, which opened the door to Taiwan's participation in international affairs.

To demonstrate the importance the Control Yuan placed on participation in international affairs, after returning from his trip, Control Yuan Member Huang Yueh-chin not only actively arranged for the IOI Executive Secretary and Treasurer visit to Taiwan, but also organized an international IOI conference on "The Ombudsman Concept."

After frequent communications with agencies from abroad and with assistance from the Ministry of Foreign Affairs, along with other Executive Yuan agencies, the

Control Yuan invited delegates from 23 countries, including Argentina, Australia, Austria, Belgium, Canada, Denmark, Finland, India, Japan, the Netherlands, New Zealand, Papua New Guinea, Puerto Rico, the Philippines, Russia, Cyprus, the Solomon Islands, South Africa, the United Kingdom, the United States, Yugoslavia, and Zambia, to attend the IOI International Conference in Taiwan. The conference was held by the Control Yuan from September 19 to 24, 1994. About 160 domestic and international participants attended the conference. This was the first time that so many ombudsmen had gathered in Taipei to exchange views on supervision systems. Not only did the conference yield bountiful results, but it also won support and recognition from the IOI and ombudsmen worldwide, thus laying a solid foundation for the Control Yuan's involvement in international affairs.

B. Establishment of the International Affairs Committee

In order to strengthen experience exchanges and cooperation with the IOI and other supervisory institutions around the world, the Establishment Guidelines for the Control Yuan International Affairs Committee were approved in the 26th Control Yuan member discussion held on January 9, 1995, and the International Affairs Committee was established.

According to the Establishment Guidelines for the Control Yuan International Affairs Committee, the International Affairs Committee is composed of five Control Yuan members appointed by the Control Yuan president, plus the secretary general; the convener is elected by the members from among themselves for a term of one year. The term of office of the second and third International Affairs members was from February 1 of each year to January 31 of the following year; from the fourth term onward, the term of office has been from August 1 of each year to July 31 of the following year.

The main tasks of the International Affairs Committee are as follows:

1. Promote the ideas and achievements of Taiwan's supervision system.
2. Support and participate in international studies on the duties of ombudsman institutions.
3. Participate in training programs for international ombudsmen, staff, and related personnel.

4. Collect and archive information research data on ombudsman institutions around the world.
5. Participate in the exchange of information and experience within the international ombudsman community.
6. Organize and participate in international conferences.

The International Affairs Committee operates as follows:

1. Convene International Affairs Committee meetings.
2. Invite and receive foreign guests.
3. Participate in international conferences and Conduct inspection of Taiwan overseas offices.
4. Conduct staff experience exchanges with foreign Ombudsman and human rights institutions.
5. Compile and publish (and translate) publications related to international ombudsman affairs.
6. Liaise with international Ombudsman institutions.

Immediately after the International Affairs Committee was established, a delegation was formed to attend the 6th IOI World Conference held in Buenos Aires, the capital of Argentina, from October 20 to 24, 1996. Held once every four years, the IOI World Conference is an important conference where members from all over the world gather to exchange ideas and vote on important issues. The 6th IOI World Conference was also the first international Ombudsman



Figure 6-3

October 24, 1996 – Control Yuan Members Yin Chang-fu (left) and Chen Chin-li (right) attend the 6th IOI World Conference.



Figure 6-4

October 28, 1996 - Paraguayan President Juan Carlos Wasmosy (center, with white pocket square) meets with Member Huang Yueh-chin (second from left).

conference attended by the International Affairs Committee. After the conference, the delegation continued on to visit supervision agencies in Argentina, Brazil, Chile, Paraguay, Mexico, and other countries, taking the opportunity to facilitate exchanges and strengthen relationships between Taiwan and the countries in Central and South America.

However, outside the venue of that IOI World Conference, the Control Yuan also encountered an incident in which China sent delegates to interfere. At that time, China indicated to the IOI that its delegates would

join the Conference upon the approval of its application for IOI membership. However, the IOI Board of Directors rejected China's application for not meeting the two major requirements for membership (namely, independent exercising of authority, and handling people's complaints). Although China's application to join the IOI was unsuccessful, this incident raised the curtain on the transfer of the Control Yuan's membership from the IOI Asian region to the IOI Australasian and Pacific Ombudsman Region (APOR).

II. 1996-2002: Breaking Through Diplomatic Barriers

A. Membership transfer from IOI Asian region to IOI Australasian and Pacific Ombudsman Region

1. Paving the way for the membership transfer

The Control Yuan's IOI membership was originally affiliated with the Asian region. In accordance with the IOI's regional chapters and By-laws, the Control Yuan should be eligible to participate in events held by the IOI Asian region and fulfil its rights and obligations as a member. However, in actuality, in the first few years of joining the IOI, the Control Yuan was subject to political interference in that region. This posed challenges to the Control Yuan's participation in conferences and events.

Despite these obstacles, the Control Yuan did not give up on international participation easily. Fortunately, thanks to Control Yuan Member Huang Yueh-chin's visit to the former IOI headquarters in 1993 and being the host of the IOI International Conference the following year, the Control Yuan became acquainted with many key international leaders in the ombudsman community; the Control Yuan also gained recognition from them on the importance placed on the ombudsman system, as well as the system's strength.

With the conviction to turn obstacles into motivation, the efforts of the International Affairs Committee, and suggestions from IOI Executive Secretary Daniel Jacoby, the Control Yuan decided to take the expedient step of transferring membership from the Asian region to the



Figure 6-5

September 10, 1999 – Control Yuan Members Li Shen-i (first from left), Lu Hsi-mu (second from left), Chao Jung-yao (third from left), and Chang Fu-mei (fourth from left) attend the 18th APOR Conference.



Figure 6-6

August 2000 - South African Public Protector Selby Baqwa and his wife (left) talk with Member Chao Jung-yao (second from right) and Secretary General Tu Shan-liang (first from right).

Australasian and Pacific Ombudsman Region (or APOR). This was intended to overcome the political obstacles encountered. Also, the Control Yuan gradually adjusted its modes of participation in international conferences.

In 1999, the Control Yuan attended the 18th APOR Conference as an observer. The delegation included Control Yuan Members Chao Jung-yao, Lu Hsi-mu, Li Shen-i, and Chang Fu-mei. Member Chao Jung-yao delivered a speech to the conference, in which he introduced Taiwan's supervision system and its authority; actively sought support and recognition from APOR members for Taiwan's participation in international ombudsman events; strengthened mutual friendship; and declared Taiwan's determination to

participate in international ombudsman events.

In 2000, the IOI held its 7th World Conference in Durban, South Africa. Prior to the conference, the Control Yuan invited then-IOI President Brian Elwood and his wife, as well as the conference organizer, South African Public Protector Selby Baqwa and his wife, to visit Taiwan. These visits helped to strengthen interaction between Taiwan and the IOI Executive Committee (the core of IOI's operation); promoted the IOI's understanding of the Control Yuan, and Taiwan's democratic development and current political and economic status; and reaffirmed Taiwan's determination to participate in the Conference.



Figure 6-7

October 2000 – Delegates with Nobel Peace Prize winner Nelson Mandela (seated, front row, fourth from right) at the 7th IOI World Conference.

2. Successful transfer of membership to the APOR

The Control Yuan decided to leave the IOI Asian region, where its participation in international events had been hampered. In 1999, the Control Yuan attended the 18th APOR Conference as an observer; there, the Control Yuan established a good relationship with APOR members and received their support for transferring Control Yuan membership. On July 18, 2001, third-term

Control Yuan President Fredrick Chien wrote to Daniel Jacoby, IOI Executive Secretary, to formally request a transfer of Control Yuan IOI membership from the Asian region to the APOR.

According to the IOI's By-laws, when the Executive Committee receives an application for membership transfer, it will take into consideration the opinions of members from the applicant's original region, as well as members of the new region, when making

the decision. In the 19th APOR Conference held in 2001 for all regional members, the Control Yuan's application for membership transfer was included in the agenda. During the meeting, where the Control Yuan delegation again attended as an observer, the Control Yuan delegation reinforced communications with APOR members and key IOI officials. Finally, the Control Yuan membership transfer agenda was successfully approved at the APOR member meeting. Subsequently, the IOI Executive Committee consulted with the IOI Asian

region members and received no objections. At the end of October 2001, the Control Yuan's application for membership transfer was officially approved by the IOI Board of Directors.

The membership transfer marked an important milestone in the Control Yuan's international affairs development. Since then, the Control Yuan has maintained close relationships with APOR members, and has actively participated in related events and affairs.



Figure 6-8

July 3, 2001 – Control Yuan Members Lu Hsi-mu (second from left, second row), Li Shen-i (fourth from left, second row), and Chao Jung-yao (second from left, fourth row) attend the 19th APOR Conference.

IOI Australasian and Pacific Ombudsman Region (APOR)

The APOR is one of the IOI's six regional chapters, and is the one to which the Control Yuan's IOI membership belongs. The regional members mainly consist of Australian state ombudsman offices (a total of nine, including the Commonwealth Ombudsman and the Australian Inspector-General of Taxation and Taxation Ombudsman), as well as 18 other current members, including supervision institutions from Hong Kong, New Zealand, the Cook Islands, Papua New Guinea, Samoa, the Solomon Islands, Vanuatu, and Tonga.

The current APOR President is Peter Boshier, Chief Ombudsman of New Zealand. There are also two Directors: Chris Field, Western Australian Ombudsman (and also IOI President); and Deborah Glass, Victorian Ombudsman (from Australia).

The APOR holds a regional conference every one to two years. The Control Yuan hosted the 26th APOR Conference in 2011, and the 31st APOR Conference and International Seminar on Human Rights in 2019. The Control Yuan has actively participated in APOR conferences and events, and has attended 14 conferences to date since 2001.

IOI President Marten Oosting, Secretary General Daniel Jacoby, and the 19th APOR Conference Organizer Fred Albietz, the Queensland Ombudsman of Australia, have been actively supporting the case regarding Taiwan's membership transfer to the APOR. Ombudsman Fred Albietz, as the APOR Vice President, strove to assist the Control Yuan get the support of regional members for



Figure 6-9

May 13, 1999 – President Marten Oosting and his wife in Indigenous costumes.

the approval of this case during the APOR Conference, and is a rare and commendable friend of the Control Yuan. Thus, in 1999 and 2001, the Control Yuan invited President Marten Oosting and Ombudsman Mr. and Mrs. Fred Albietz to visit Taiwan respectively. Additionally, President Fredrick Chien awarded them with a Control Yuan First-class Medal to express gratitude.

B. Developing regional exchanges in Latin America

1. Signing the first collaboration agreement with a foreign ombudsman institution

In addition to fulfilling its obligations as an IOI member and actively participating in related events, the Control Yuan also closely monitors events in key IOI member states. In October 1998, Jorge Luis Maiorano, the National Defensor del Pueblo of Argentina, took over as IOI President. Since Latin America has long been an important region for Taiwan's diplomatic relations, the establishment of interaction with the national offices of public defenders in Spanish-speaking countries has become another area in which the Control Yuan can expand its international activity.

From June 14 to 18, 1999, President Maiorano visited Taiwan at the invitation of the Control Yuan, thus officially initiating relationships between the Control Yuan and Defensor del Pueblo national offices



Figure 6-10

October 10, 2001 – Fred Albietz, Queensland Ombudsman (of Australia), and his wife attend Taiwan's National Day ceremony.

in Spanish-speaking countries. President Maiorano was very active in strengthening bilateral exchanges between ombudsman institutions. During his visit to Taiwan, he signed the "Agreement Between the Control Yuan of the Republic of China and the Defensor del Pueblo de la Nación Argentina on Interinstitutional Collaboration and Technical Collaboration." This was the first collaboration agreement that the Control Yuan signed with a foreign ombudsman institution.

The signing of this collaboration agreement not only strengthened the ties and exchange of experience between the two national supervision authorities, but also contributed to maintaining the Control Yuan's membership in the IOI. The collaboration agreement stipulates that "in order to establish tight bonds of cooperation in technical aspects concerning their competence, and in this way to contribute in the defense and protection of human

rights and all other rights and interests of individuals, taking into consideration common interests and mutual respects, and helping for the democratic stability of the people, the two countries express their strong wish to consolidate this relationship." The signing ceremony attracted a lot of media attention. Following this first signing, the Control Yuan has signed bilateral collaboration agreements or memoranda of understanding with many other countries in Latin America.



Figure 6-11

June 15, 1999 - IOI President and Defensor del Pueblo of Argentina, Jorge Luis Maiorano (second from left), signs a bilateral collaboration agreement with Control Yuan President Fredrick Chien (second from right).

2. Participate in the FIO Annual Conference for the first time

In September 1999, at the invitation of the National Human Rights Commission of Honduras, the Control Yuan attended the 4th Annual Conference of the Federación Iberoamericana del Ombudsman (below, "FIO") for the first time as an observer. During the conference, the Control Yuan delegation again met with Jorge Luis Maiorano, IOI

President and Defensor del Pueblo of Argentina. Maiorano had just visited Taiwan in June the same year, and friendly interactions continued this visit. It is evident that inviting VIPs to visit Taiwan is indeed conducive to building international relations and friendships, and that the Control Yuan has successfully expanded its participation in the new arena of Spanish-speaking ombudsman organizations.

Federación Iberoamericana del Ombudsman (FIO)

The Federación Iberoamericana del Ombudsman ("Ibero-American Federation of Ombudsmen"), or FIO, was initiated in 1994 by Dr. Fernando Álvares de Miranda, former Defensor del Pueblo of Spain. The main members of the FIO are public defenders in Spanish-speaking countries. The FIO was established with the purpose of protecting the people against abuses of power by governments, respecting and protecting fundamental human rights, and strengthening the rule of law. In particular, issues with regard to media, migrants, population, women, and children are the focus of discussion at the annual conference each year.

Currently, FIO has 103 members, consisting of national and local public defender (Defensor del Pueblo) offices. 22 members are national public defender offices from Spanish-speaking countries, including Spain, Mexico, Guatemala, Honduras, and Paraguay; another 85 members are provincial, state, and autonomous public defender offices from Argentina, Spain, Mexico, and Uruguay.

In terms of organization and operation, the FIO is led by a General Assembly, a Board of Directors, an Executive Committee, and a Secretariat. The General Assembly constitutes the highest authority and core of leadership of the FIO; the General Assembly is composed of public defenders at the national, provincial, state, and autonomous region levels. Each member has equal rights to speak and vote in the General Assembly.

III. 2002-present: Continued Progress

Taiwan's special international status and diplomatic situation makes it relatively difficult to implement international work. Therefore, it is easier for the international community to open its arms to the Control Yuan when the topic is pragmatically exchanging views on supervision affairs. This in turn expands our supervision and diplomatic tasks, and maintains our friendly relations with key international figures.

The budget allocated to international affairs has been very limited for 20 or more years, but with the support and prudent use of funds by successive Control Yuan

presidents and members, International Affairs Committee members, and with a pragmatic approach, continuous efforts, an attitude of mutual exchange and open communication, the Control Yuan has been able to promote international affairs. This has gradually expanded and enhanced participation in the international ombudsman community. Through bilateral and multilateral exchanges and visits, the Control Yuan has not only expanded regional cooperation and mutual trust, but also enhanced relationships with many international friends, thereby broadening the scope of Taiwan's international ombudsman activities.



Figure 6-12

September 25, 1999 – Control Yuan Members Lin Chu-liang (first from right), Chao Jung-yao (second from right), and Ma Yi-kung (second from left) attend the 4th FIO Annual Conference with Jorge Luis Maiorano (center), Defensor del Pueblo of Argentina.

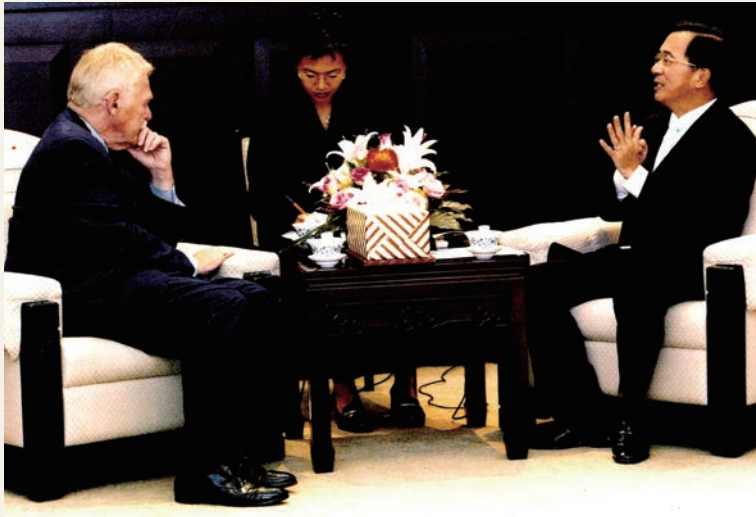


Figure 6-13

September 2002 - President Chen Shui-bian (right) meets with Clare Lewis (left), IOI Executive Secretary and Ombudsman of Ontario, Canada.



Figure 6-14

December 9, 2008 – IOI President and Ombudsman of the US state of Iowa, William P. Angrick II, and his wife, visit Taiwan; here, a photo taken in the Control Yuan atrium.

Milestones



1994

- *August*
Joined the International Ombudsman Institute (IOI) under the name of "The Control Yuan, R.O.C."
- *September 19–24*
IOI International Conference on the Ombudsman Concept held (Taipei, R.O.C.).

1995

- *January 9*
Control Yuan International Affairs Committee established.

1996

- *October 20–24*
Participated in the 6th IOI World Conference (Buenos Aires, Argentina).

1999

- *May 8–14*
IOI President and National Ombudsman of the Netherlands, Marten Oosting, visited Taiwan at the invitation of the Control Yuan.
- *June 14–18*
IOI President and National Defensor del Pueblo of Argentina, Jorge Luis Maiorano, visited Taiwan at the invitation of the Control Yuan.

2000

- *July 7–14*
IOI President and Chief Ombudsman of New Zealand, Brian Elwood, visited Taiwan at the invitation of the Control Yuan.
- *October 30–November 2*
Participated in the 7th IOI World Conference (Durban, South Africa).



2001

- **October**

The Control Yuan's IOI membership was transferred from the Asian region to the Australasian and Pacific Ombudsman Region (APOR).

- **November 3–8**

IOI Secretary General and Ombudsman of Quebec, Canada, Daniel Jacoby, visited Taiwan at the invitation of the Control Yuan.

2002

- **September 9–13**

IOI Secretary General and Ombudsman of Ontario, Canada, Clare Lewis, visited Taiwan at the invitation of the Control Yuan.

2004

- **September 7–10**

Participated in the 8th IOI World Conference (Quebec, Canada).

2008

- **December 8–12**

IOI President and Ombudsman of the US state of Iowa, William P. Angrick II, visited Taiwan at the invitation of the Control Yuan.

2009

- **June 8–11**

Participated in the 9th IOI World Conference and Swedish Parliamentary Ombudsman 200th Anniversary Celebration (Stockholm, Sweden).

2011

- **March 23–26**

Organized the 26th APOR Conference (Taipei, R.O.C.).



2012

- *November 12–16*

Participated in the 10th IOI World Conference (Wellington, New Zealand).

2015

- *January 31–February 6*

Control Yuan delegation made an official visit to IOI headquarters and the Office of the Ombudsman, Thailand.

- *April 2*

IOI Secretary General and Austrian Ombudsman, Günther Kräuter, visited Taiwan at the invitation of the Control Yuan.

- *October 27–30*

Diane Welborn, IOI 1st Vice President and Ombudsman of the US state of Ohio, visited Taiwan with her husband, at the invitation of the Control Yuan.

2016

- *May 15–20*

John Walters, IOI President and Namibian Ombudsman, and his wife visited Taiwan at the invitation of the Control Yuan.

- *November 14–18*

Participated in the 11th IOI World Conference (Bangkok, Thailand).

2017

- *April 10–14*

Iris Miriam Ruiz Class, President of the Federación Iberoamericana del Ombudsman ("Ibero-American Federation of Ombudsmen," FIO) and Ombudsman of Puerto Rico in the US, visited Taiwan at the invitation of the Control Yuan.



2018

- **June 23–29**

Visited IOI headquarters and Ireland's Office of the Ombudsman.

- **August 13–17**

IOI 2nd Vice President and Western Australian Ombudsman, Chris Field, and APOR President and Chief Ombudsman of New Zealand, Peter Boshier, visited Taiwan at the invitation of the Control Yuan.

2019

- **September 25–27**

Organized the 31st APOR Conference and International Seminar on Human Rights (Taipei, R.O.C.).

IOI Secretary General and Austrian Ombudsman, Werner Amon, visited Taiwan at the invitation of the Control Yuan.

FIO Secretary General Carmen Comas-Mata Mira visited Taiwan at the invitation of the Control Yuan.

2020

- **November 4–5**

Participated in the 32nd APOR Conference (Video Conference).

2021

- **February 26**

Control Yuan President Chen Chu had a video conference call with Peter Boshier, APOR President and Chief Ombudsman of New Zealand.

- **April 30**

Participated in the 33rd APOR Conference via videoconferencing.

- **May 25**

Participated in the 12th IOI World Conference via videoconferencing.

Section 2 Participation in the International Ombudsman Community

I. Expanding International Participation

The Control Yuan has spared no effort in promoting international affairs. Over the past 20 years, with a limited budget, the Control Yuan has participated in more than 50 international conferences or training seminars, such as the International Ombudsman Institute (IOI) World Conference, the Australasian and Pacific

Ombudsman Region (APOR) Conference, the Annual Conference of the Federación Iberoamericana del Ombudsman ("Ibero-American Federation of Ombudsmen," FIO), the United States Ombudsman Association (USOA) Annual Conference, the Council of Canadian Administrative Tribunals (CCAT) Annual Symposium, and the International Symposium of the Ombudsman for Wallonia and the French Community of Belgium.



Figure 6-15

June 20, 2004 – The Control Yuan participates in the 3rd CCAT Annual Symposium in Toronto, Canada, with Taiwan's flag (fourth from right) hanging alongside other national flags.

The Council of Canadian Administrative Tribunals (CCAT) is an independent organization established in 1984 by people in Canadian political, judicial, and academic circles. It aims to promote development of administrative justice, in order to strengthen ties between Canadian administrative tribunals and their members, thus enhancing the role of administrative justice in people's lives, and responding to the government on issues related to administrative tribunals and members thereof.

Figure 6-16

November 27, 2009 – Control Yuan Members Hung Chao-nan (second from left) and Ger Yung-kuang (first from right) pay an official visit to Ombudsman for the European Union P. Nikiforos Diamandouros (second from right).



In 2009, the Control Yuan was invited by the Ombudsman for Wallonia and the French Community of Belgium to participate in its 15th anniversary celebration in Namur. This trip expanded the Control Yuan's relationship with the ombudsman offices in French-speaking countries. Subsequently, the delegation also paid an official visit to P. Nikiforos Diamandouros, Ombudsman for the European Union, in Strasbourg, France, where they exchanged views on issues regarding supervision authority, functions, and investigation procedures.



Figure 6-17

February 2, 2015 – Control Yuan Member Bau Tzong-ho (second from left) makes an official visit to IOI headquarters in Vienna, Austria.

Furthermore, to make attendance at international conferences more efficient, the Control Yuan has also planned official visits to key supervision institutions overseas such as IOI headquarters, the Ombudsman for the European Union Office in Belgium, the Office of the Ombudsman of Ireland, the Auckland branch office of the New Zealand Human Rights Commission, the Petitions Committee of the Landtag of Hesse, and the Hessian Court of Audit, as well as Taiwan's offices abroad. By doing so, the Control Yuan gains a better understanding of foreign affairs promotion, in order to better exercise the powers of supervision.



Figure 6-18

February 26, 2021 – Control Yuan President Chen Chu holds a video conference call with APOR President Peter Boshier (left to right: Control Yuan Members Lai Ting-ming, Fan Sun-lu and Lin Sheng-fong; President Chen Chu; and Control Yuan Members Kao Yung-cheng and Chi Hui-jung).

In 2021, the world has remained affected by the COVID-19. Nonetheless, the Control Yuan has still strived to break through obstacles from the outbreak and geographical barriers, in order to maintain international exchanges. For example, on February 26, 2021, Control Yuan President Chen Chu held a video conference call discussion with Peter Boshier, APOR President and Chief Ombudsman of New Zealand. During the call, they exchanged views on the establishment of the National Human Rights Commission, and their achievements and experiences in supervision affairs. Also, Control Yuan President Chen Chu thanked President Boshier for his long-term support,

and expressed good wishes for his next visit to Taiwan, when the outbreak subsides.

A. Attendance at seven IOI World Conferences

The Control Yuan actively participates in IOI World Conferences and regional conferences via its status as an IOI voting member. Since joining in 1994, the Control Yuan has attended seven IOI World Conferences. The detailed information for these conferences, including the year, conference name, and host country, is listed in the table below. By interacting with ombudsmen around the world, the Control Yuan is able to learn from the strengths of the

IOI member countries' ombudsman systems and use them as references for Taiwan's supervision system, as well as to build strong friendships with the international community and enhance Taiwan's international visibility.

By delivering speeches on specific topics and sharing investigations in international settings, the Control Yuan helps the world learn more about Taiwan's efforts and

contributions in protecting human rights and promoting good governance. In addition, the Control Yuan takes advantage of these conferences to interact with the IOI Executive Committee, regional presidents, and ombudsmen from other countries, and to invite them to visit Taiwan, in order to continuously promote experience exchanges with other countries' ombudsman institutions.

Table 6-1 IOI World Conferences attended by the Control Yuan

Year	Conference Name	Host Country
1996	6th IOI World Conference	Argentina
2000	7th IOI World Conference	South Africa
2004	8th IOI World Conference	Canada
2009	9th IOI World Conference and Swedish Parliamentary Ombudsman 200th Anniversary Celebration	Sweden
2012	10th IOI World Conference	New Zealand
2016	11th IOI World Conference	Thailand
2021	12th IOI World Conference (Video Conference)	Ireland



Figure 6-19

June 9, 2009 - The 9th IOI World Conference is held in Stockholm, Sweden on the occasion of the Swedish Parliamentary Ombudsman's 200th Anniversary Celebration.

B. Attendance at 14 APOR Conferences

APOR holds a regional conference every one to two years. These conferences are hosted by members (usually by ombudsmen of the separate Australian states and New Zealand) on a rotating basis, or in conjunction with other regional ombudsman conferences (e.g., the Australian and New Zealand Ombudsman Association, ANZOA) or with the IOI World Conference.

In response to the trend of international supervision affairs developing rapidly in the 21st century, the Control Yuan shows its support by actively assigning delegations to attend international conferences organized by APOR members. For example, when Australia's Commonwealth Ombudsman celebrated its 40th anniversary in 2017,

Control Yuan President Chang Po-ya was invited to attend the forum.

Another example of this is participation in the 32nd APOR Conference. Held from November 4 to 5, 2020, it was held in a video conference call format, in which International Affairs Committee members, including Convener Lin Sheng-fong; Control Yuan Members Chi Hui-jung, Fan Sun-lu, and Lai Ming-ting; and Secretary General Judy, Fu-meei JU, exchanged views and discussed issues related to supervision and human rights with ombudsmen from Australia, New Zealand, and the greater Asia-Pacific region. Control Yuan Member Chi Hui-jung was invited to deliver a speech on "The Ombudsman and Their Role in Protecting Women's Rights in the Aftermath



Figure 6-20

May 25, 2021- The Control Yuan is present at the 12th IOI World Conference videoconference, at which the new IOI President Chris Field (on screen) explains to members the reforms the IOI has promoted in recent years.

of COVID-19;" during this speech, she shared with all the members about women's rights issues that have occurred during the outbreak, as well as the current situation and experiences in Taiwan. Meanwhile, the

members also exchanged views on dilemmas and challenges they have faced while exercising supervisory powers during the pandemic.



Figure 6-21

November 4, 2002 - Members Lu Hsi-mu (second from left) and Chao Jung-yao (third from left) represent the Control Yuan in attending the APOR Conference. This is the first time the Control Yuan attended an APOR Conference as a full member.



Figure 6-22

April 5, 2017 – Control Yuan President Chang Po-ya (second from right) and Control Yuan Member Chen Hsiao-hung (first from left) attend the 40th Anniversary Forum of Australia's Commonwealth Ombudsman.



Figure 6-23

November 4, 2020 – Control Yuan Members (from left to right) Fan Sun-lu, Chi Hui-jung, Lin Sheng-fong, and Lai Ting-ming, and Secretary General Judy, Fu-meei JU attend the 32nd APOR Conference (via video conferencing).

C. Attendance at 19 FIO Annual Conferences

The FIO holds a conference every year, which is hosted by FIO members on a rotating basis. Since 1999, the Control Yuan has attended the FIO Annual Conference as an observer, for a total of 19 conferences attended so far. By attending the FIO Annual Conference, the Control Yuan is able to expand the scope of its international ombudsman activities in the Latin American region, and to exchange experiences and increase cooperation.

The FIO has four thematic network task force groups that discuss annual tasks and important human rights issues in the region, such as the right to housing, gender-based

violence, migration and human trafficking, women’s rights, human rights protection mechanisms, and relationships between human rights protection and ombudsmen. All task force group meetings are closed-door sessions, which are usually attended only by delegates from the member countries, along with experts and scholars from relevant international human rights organizations. Observers are mostly not allowed to attend.

Since most of the human rights protection mechanisms in the Latin American region are modeled on the Spanish Defensor del Pueblo system, in 2009, Philip of Spain (then-Crown Prince, now King Philip VI) made a special trip to attend the 14th Annual FIO Conference held in Madrid, Spain. During



Figure 6-24

October 28, 2009 – Control Yuan Members Chao Jung-yao (second from right) and Li Pen-nan (second from left) attend the 14th FIO Annual Conference with then-Crown Prince Philip of Spain (now King Philip VI).

the Conference, he stated that ombudsmen play a crucial role in the protection of human rights and the defense of freedom. He also emphasized that the establishment of human rights protection institutions is a symbol of a robust democratic country, and can promote social peace and coexistence.

It is worth mentioning that in 2018, the FIO Executive Committee suggested that the bilateral relationship between the FIO and the Control Yuan could be further strengthened since the Control Yuan had

been involved for many years. Later, at the 24th FIO Annual Conference held in Brazil in 2019, the Control Yuan was invited as an observer for the first time to attend the FIO network task force's closed-door meeting and to share investigation cases with the participants. Furthermore, the FIO officially recorded the attendance of the Control Yuan delegates in the conference minutes, which marked a major breakthrough for the Control Yuan after having attended the FIO Annual Conference for more than 20 years.

D. Attendance at international human rights conferences

The Control Yuan continues to work toward strengthening interaction with national human rights institutions in the Asia-Pacific region. At the invitation of the Asia Pacific Forum of National Human Rights Institutions (APF), the Control Yuan attended the 6th International Congress on "HIV/AIDS and Human Rights: The Role of National Human Rights Institutions in the Asia Pacific" in Melbourne, Australia from October 7 to 8, 2001. Also, in February 2004, the Control Yuan attended the 8th APF Annual Conference on "Regulations and Anti-terrorism Measures" held in Kathmandu, Nepal.

In the Conference's concluding statement, the Control Yuan's official delegation was included as one of the governmental delegations and was announced at the conference. This was also later posted on the APF website, following the conference.

Since the inauguration of the sixth-term Control Yuan president and members, as well as the establishment and official operation of the National Human Rights Commission (the "NHRC"), the Control Yuan has been actively expanding exchanges with other national human rights institutions. On April 20, 2021, the NHRC held a discussion with the United Kingdom's Equality and Human Rights Commission (the "EHRC") on a video conference call. Control Yuan

President and NHRC Chairperson Chen Chu expressed her gratitude for the exchange of valuable experiences, and extended a formal invitation to the EHRC to attend the International Conference on Human Rights to be held in November 2021. EHRC Acting Executive Director Alastair Pringle also responded positively and expressed good wishes for the visit in November. In addition, the new representative of the British Office Taipei, John Dennis, and Head of Political Affairs, Mark Fletcher, also attended the video conference after paying an official visit to President Chen Chu.

II. Deepening Exchanges and Cooperation

The Control Yuan actively promotes international affairs. In addition to attending international and regional conferences on ombudsman issues, the Control Yuan also extends invitations to key figures in the international ombudsman community field every year to visit Taiwan. The Control Yuan does this in the hope to promote understanding of Taiwan's current situation, and to establish sound communication channels and good friendships. Additionally, the Control Yuan also shares experience and achievements in the exercise of supervision power through specialized topical speeches and seminars, to strengthen relations with foreign countries and enhance Taiwan's visibility internationally. As a result, the



Figure 6-25

April 20, 2021 – British Office Taipei Representative John Dennis pays an official visit to Control Yuan President and National Human Rights Commission Chairperson Chen Chu.



Figure 6-26

April 20, 2021 – The Control Yuan National Human Rights Commission holds a discussion with the EHRC via video conference call.

Control Yuan has invited over 50 important foreign guests to visit Taiwan so far.

A. Inviting key IOI and APOR members

Since the Control Yuan joined the IOI in 1994, many IOI representatives and associates have visited Taiwan, including six IOI Presidents (Marten Oosting, National Ombudsman of the Netherlands; Jorge Luis Maiorano, National Defensor del Pueblo of Argentina; Brian Elwood, Chief Ombudsman of New Zealand; William P. Angrick II,

Ombudsman of the state of Iowa in the US; Beverley Wakem, Chief Ombudsman of New Zealand; and John Walters, Ombudsman of Namibia); two IOI Vice Presidents (Diane Welborn, Ombudsman of state of Ohio in the US; Chris Field, Ombudsman of Western Australia); and five IOI Executive Secretaries (Daniel Jacoby, Ombudsman of the province of Quebec Canada; Clare Lewis, Ombudsman of Ontario, Canada; and Peter Kostelka, Günther Kräuter, and Werner Amon, Ombudsmen of Austria).

During his term of office as IOI President, Marten Oosting was committed to protecting Taiwan's IOI membership and rights. After he left office, he continued to serve as the National Ombudsman of the Netherlands and supported the Control Yuan in the international arena. In May 1999, the Control Yuan invited Mr. and Mrs. Oosting to visit Taiwan. By giving international ombudsman opportunities to visit Taiwan's government agencies and experience Taiwan's customs and traditions, this first key invitation since the establishment of the Control Yuan International Affairs Committee, and other invitations that followed, are intended to help visiting guests understand the current situation and development of Taiwan's

supervision system, culture, politics, and economy.

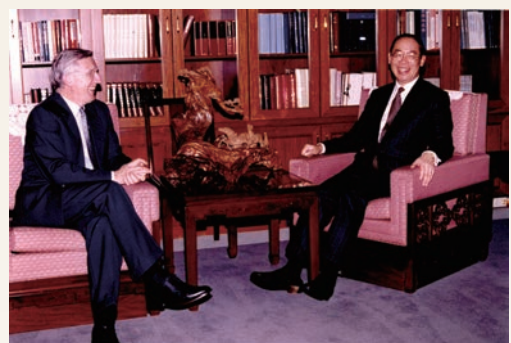


Figure 6-27

May 10, 1999 – IOI President and National Ombudsman of the Netherlands, Marten Oosting (left), pays an official visit to Control Yuan President Fredrick Chien (right).

To maintain good relations with the IOI, the Control Yuan invited the new IOI President and Chief Ombudsman of New Zealand Brian Elwood and his wife to visit Taiwan in 2000. President Elwood was instrumental in the successful participation of the Control Yuan in the 7th IOI World Conference held in South Africa in October 2000. At the Control Yuan plenary meeting, he also delivered a speech on the origins and development of the international ombudsman system.



Figure 6-28
July 9, 2000 – IOI President and Chief Ombudsman of New Zealand Brian Elwood and his wife experience Taiwan's tea culture.

In 2015, Diane Welborn, IOI 1st Vice President and Ombudsman of the state of Ohio in the US, visited Taiwan with her husband. She delivered a speech on the various projects promoted by the IOI, along with the challenges it faced. Vice President Welborn stated that the Control Yuan was a crucial IOI member, responsible for promoting good government practices through the powers of corrective measures, impeachment, audit, and the Act on Property-Declaration by Public Servants, the Act on Recusal of Public Servants Due to Conflicts of Interest, the Political Donations Act, and the Lobbying Act. She also states that its constitutional powers and organizational design make the Control Yuan the most substantial, and give it the highest

level of authority, among all IOI members, and that other countries could learn from the Control Yuan's model.



Figure 6-29
August 19, 2015 - IOI 1st Vice President and Ohio Ombudsman of the US, Diane Welborn, experiences night market culture in Taiwan with her husband.



Figure 6-30

May 19, 2016 - IOI President and Namibian Ombudsman John Walters and his wife visit Taroko National Park in Hualien.

At the invitation of the Control Yuan, IOI President and Namibian Ombudsman John Walters and his wife visited Taiwan in May 2016. During the visit, he signed a "Memorandum of Understanding Between the Control Yuan of the Republic of China and the Namibian Ombudsman Office" and delivered a speech on "The Development and Challenges Faced by Ombudsman Mechanisms in Africa." Additionally, he expressed his hope that there would be more opportunities for bilateral exchanges in the future, and that both sides would work together to promote the improvement of ombudsman, human rights, and anti-corruption work.

B. Inviting Key FIO members

To maintain friendship with the ombudsmen, Defensor del Pueblo, and human rights-protecting prosecutors of the Latin American region, the Control Yuan has invited a number of key FIO figures – the FIO President, the Defensor del Pueblo of the annual conference host country, the Secretary General, etc. – to visit Taiwan.

Examples have included Manuel Paez, Paraguayan Defensor del Pueblo; Raúl Plascencia, President of Mexico's Comisión Nacional de Derechos Humanos (CNDH, National Human Rights Commission) President; Mirtha Guianze of Uruguay's National Human Rights Institution and Ombudsman office; Iris Miriam Ruiz Class, Ombudsman of Puerto Rico; and Carmen Comas-Mata Mira, FIO Secretary General.

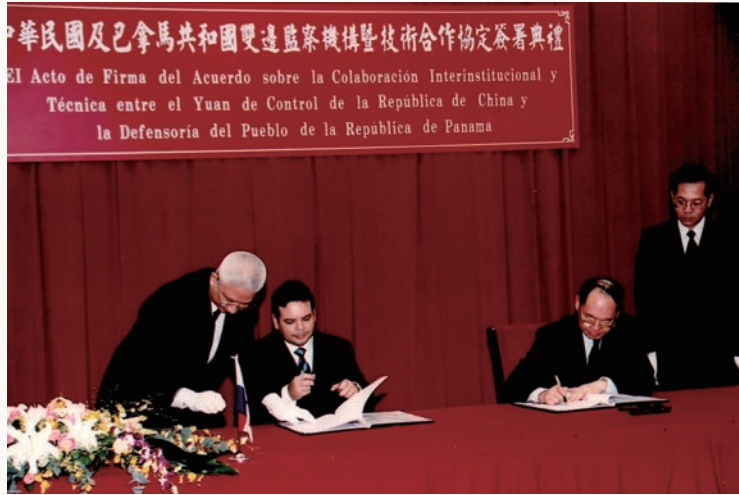


Figure 6-31

October 8, 2003 – Control Yuan President Fredrick Chien (second from right) and Panamanian Defensor del Pueblo Tejada Espino (second from left) sign a bilateral collaboration agreement.

In 2003, the Panamanian Defensor del Pueblo, Tejada Espino, was invited to visit Taiwan. To facilitate mutual exchange between the ombudsman institutions of both countries, on behalf of the Control Yuan, Control Yuan President Fredrick Chien and Panama's Office of the Defensor del Pueblo signed the "Agreement Between the Control Yuan of the Republic of China and the Republic of Panama Defensor del Pueblo on Interinstitutional Collaboration and Technical Collaboration;" this was the second such collaboration agreement signed by the Control Yuan after Argentina. In the same year, the Control Yuan was invited to attend the 8th FIO Annual Conference as an observer.



Figure 6-32

September, 2004 – Ecuadorian Defensor del Pueblo, Claudio Mueckay (left) visits the Museum of Indigenous Peoples in Wulai.



Figure 6-33

May 22, 2007 – Paraguayan Defensor del Pueblo, Manuel Paez (right) and Secretary General Tu Shan-liang (left).

Manuel Paez, the first Defensor del Pueblo of Paraguay, has been a good friend to the Control Yuan. In 2005, the 10th FIO Annual Conference was held in the capital of Paraguay, where Paraguayan delegates and the Control Yuan signed the "Agreement Between the Control Yuan of the Republic of China and the Republic of Paraguay Defensor del Pueblo on Interinstitutional Collaboration and Technical Collaboration."



Figure 6-34

April 10, 2013 – Nicaraguan Human Rights Ombudsman Omar Cabezas and his wife enjoy traditional Peking Opera at TaipeiEYE.

2013 marked the 20th year of the Control Yuan's efforts in developing international affairs; through the continuing support of Control Yuan presidents and members, Taiwan's supervision system has gained greater recognition on the international stage. Nicaraguan Human Rights Ombudsman Omar Cabezas has always been friendly to Taiwan and has actively supported

the Control Yuan's participation in international conferences. To strengthen bilateral relations, the Control Yuan invited Ombudsman Cabezas in 2013 to visit Taiwan, where he signed the "Agreement Between the Control Yuan of the Republic of China and the Human Rights Ombudsman Office Nicaragua on Interinstitutional Collaboration and Technical Collaboration" with Control Yuan President Wang Chien-hsuan. After Argentina, Panama, and Paraguay, Nicaragua is the fourth country to sign a collaboration agreement with the Control Yuan.



Figure 6-35

May 13, 2014 – Control Yuan President Wang Chien-hsuan (second from left) and Control Yuan Member Chao Jung-yao (first from left) accompany FIO President and Mexican Comisión Nacional de Derechos Humanos (CNDH, National Human Rights Commission) President Raúl Plascencia (third from left) in meeting with ROC President Ma Ying-jeou (center) at the Office of the President.

Mexican Comisión Nacional de Derechos Humanos (CNDH, National Human Rights Commission) President and FIO President Raúl Plascencia and his wife visited Taiwan in 2014 at the invitation of the Control Yuan. In addition to delivering a speech at the Control Yuan plenary meeting, Mr. Plascencia was awarded a Control Yuan First-class Medal by Control Yuan President Wang Chien-hsuan, in recognition of his contribution to the promotion of human rights, and in the hope of developing closer collaboration.



Figure 6-36

April 12, 2017 - FIO President and Ombudsman of Puerto Rico Iris Miriam Ruiz Class (right), and Deputy Ombudsman Rolando José Melendez Aponte (left) visit the National Palace Museum.

C. Welcoming international human rights organizations and experts

The Control Yuan invited Rosslyn Noonan (former New Zealand Human Rights Commissioner), a special envoy of the Asia Pacific Forum of National Human Rights Institutions (APF), and Phillip Wardle, legal and policy expert, to come to the Control Yuan and deliver a speech on "International

Experiences in Establishing National Human Rights Institutions" on February 10, 2020. The speeches were informative; Control Yuan employees were deeply moved by what they gained.

On April 13, 2021, the new Australian Office Taipei representative, Jenny Bloomfield, paid an official visit to Control Yuan President Chen Chu. The president thanked the Australian Office Taipei for its messages of condolences and donations following the Taroko Express derailment incident. President Chen also mentioned that Australia had spared no effort in improving human rights, and there was much that Taiwan could learn from this work. In addition to extending congratulations on the establishment of the National Human Rights Commission, Representative Bloomfield also affirmed that Taiwan has handled indigenous peoples' issues well, and



Figure 6-37
February 10, 2020 – APF Special Envoy Rosslyn Noonan delivers a speech in the Control Yuan’s briefing room.



Figure 6-38
April 13, 2021 – Australian Office Taipei representative Jenny Bloomfield (third from left) pays an official visit to Control Yuan President Chen Chu (center).

has attached importance to the status and rights of women. Taiwan and Australia have a long history of exchanges in economics, trade, education, and other affairs; further, they are in similar situations and share similar concerns regarding human rights issues for indigenous peoples and women. Both sides expressed hopes for further exchanges and cooperation in the future.

D. Welcoming important foreign guests invited by government agencies

In addition to inviting important guests to visit Taiwan, in consideration that the government is a single and unified entity,

the Control Yuan also receives Taiwan-based representatives from various countries. To date, the Control Yuan has welcomed more than 100 groups of guests or delegations invited by government agencies such as the National Audit Office, the Ministry of Foreign Affairs, and the Ministry of National Defense. Sharing experiences and achievements in exercising supervision authority with the guests from all over the world benefits the Control Yuan in terms of international exchanges and interactions, thus establishing good friendships with key international figures, and contributing to the development of Taiwan's international foreign affairs.



Figure 6-39

September 20, 2011 – Control Yuan Vice President Chen Chin-li (sixth from left, front row), Deputy Secretary General Hsu Hai-chuan (fifth from left, front row) with participants of the 2nd International Audit Skill Exchange and Training Workshop.

To promote exchanges with auditing bodies from different countries, and to implement the Government Auditing Technical Collaboration Agreements signed with Central and South American and Caribbean states, the National Audit Office has cooperated with the Ministry of Foreign Affairs to hold International Audit Skills Exchange and Training Workshops every two years since 2009. Auditing personnel from Spanish-speaking countries are invited to Taiwan to exchange their experiences, as well as to promote technical collaboration and enhance the value and effectiveness of auditing work. As the power to audit is an integral part of supervisory power, a visit to the Control Yuan is especially arranged for representatives from international auditing bodies, as well as a discussion session to exchange of views with the Control Yuan President and Vice President.

National Defense University organizes an annual National Development Course. Senior leaders from Central and South America and the Caribbean region are selected to attend the training course, in the hope of enhancing military and political exchanges with middle- and high-ranking generals, government officials, and elites. Many course participants have later taken up positions of responsibility after returning to their home countries. Examples include Baron Vaqa and Sprent Dabwido, Presidents of Nauru; Stephenson King, Prime Minister of Saint Lucia; Lucio Gutiérrez, President of Ecuador; and Luis Castiglioni, Vice President of Paraguay. By visiting the Control Yuan, senior leaders from different countries come to understand the Control Yuan's achievements in overseeing government administration.



Figure 6-40

May 28, 2019 – Participants in the National Defense University's 14th Foreign Allies National Development Course make an official visit to the Control Yuan.

III. Hosting International Conferences

Organizing, running crisis simulations, planning the agenda, and confirming contacts for an international conference requires a wealth of experience and extensive preparation. When the Control Yuan has hosted international conferences, not only has this enhanced awareness of supervisory powers in the hope of facilitating good governance and human rights protection, but the Control Yuan has also received letters of gratitude from foreign guests after the conferences. This demonstrates the success of the Control Yuan's efforts in promoting international ombudsman affairs, and the recognition the Control Yuan has received from international conference participants.

A. IOI International Conference on the Ombudsman Concept, 1994

From September 19 to 24, 1994, the Control Yuan hosted the IOI International Conference on the Ombudsman Concept in Taipei, which was the first international conference the Control Yuan hosted after joining IOI as a voting member. Key IOI officials attended the conference at the invitation of the Control Yuan. Some names included President and Chief Ombudsman of New Zealand, John Robertson; Vice President and National Ombudsman of the Netherlands, Marten Oosting; Executive Director Harley Johnson; Treasurer Timothy Christian; IOI Annual Report Publications Officer and University of Alberta Professor, Linda Reif; and the ombudsmen of various countries, such as Danish Parliamentary Ombudsman Hans Gammeltoft Hansen; Finnish Parliamentary Ombudsman Pirkko Koskinen; and Quebec Ombudsman and later-IOI Secretary General Daniel Jacoby.



Figure 6-41

September 1994 – Delegates attending the "International Conference on the Ombudsman Concept" hosted by the Control Yuan visit the National Palace Museum.



Figure 6-42

March 23, 2011 – Control Yuan Members Chao Jung-yao (fifth from right, front row) and Ger Yung-kuang (fourth from right, front row), along with delegates, attend the 26th APOR Conference hosted by the Control Yuan.

B. 26th APOR Conference, 2011

From March 23 to 26, 2011, the Control Yuan hosted the 26th APOR Conference in Taipei; this was the first APOR Conference held in Taiwan since the Control Yuan joined the IOI. This conference also coincided with the centennial of the Republic of China, giving the conference even deeper meaning. The conference was attended by a total of 53 foreign important guests, including the IOI president and secretary general, as well as vice presidents of the Australasian-Pacific, Europe, and North America regions. In addition, Taiwan-based diplomatic envoys from the Asia-Pacific region also attended the

conference, for a total of over 200 domestic and foreign guests from 20 countries.

Just before the conference, Japan was hit by a severe earthquake, tsunami, and radiation leak incident, which caused many foreign guests to doubt whether they would attend the conference as planned. Aiming to clarify the concerns of foreign guests and to ensure their safety, the Control Yuan compiled relevant information officially released by Taiwan's Atomic Energy Council and immediately sent it to the foreign guests by email prior to the conference. Consequently, the annual conference was held as planned and reached its successful completion.

C. 31st APOR Conference, 2019

Following the 30th APOR Conference in 2018, IOI 2nd Vice President Chris Field and APOR President Peter Boshier jointly wrote to invite the Control Yuan to host the 31st APOR Conference. This was the second APOR Conference hosted by the Control Yuan after the 26th APOR Conference, which shows the recognition given the Control Yuan by the IOI Executive Committee and APOR members.

The 31st APOR Conference and Human Rights Seminar in 2019 was attended by regional member delegates, important ombudsmen, and leaders such as Werner

Amon, IOI Secretary General and Austrian Ombudsman; Elisabeth Rynning, Chief Parliamentary Ombudsman of the Swedish Parliamentary Ombudsman Office; and Carmen Comas-Mata Mira, FIO Secretary General and Head of International Relations of the Spanish Ombudsman Office. During the conference, achievements in supervision work were presented and human rights protection experiences were also shared. In addition, Taiwan's domestic human rights-related agencies and non-governmental organizations attended the conference.



Figure 6-43

March 24, 2011 – Control Yuan President Wang Chien-hsuan delivers a speech at the opening ceremony of the 26th APOR Conference hosted by the Control Yuan.



Figure 6-44

September 25, 2019 – Control Yuan President Chang Po-ya (fifth from left, front row) and Control Yuan Members Bau Tzong-ho (fourth from right, front row) and Chen Hsiao-hung (first at right, front row) with delegates to the 31st APOR Conference hosted by the Control Yuan.



Figure 6-45

September 27, 2019 – 31st APOR Conference delegates visit the Lin Family Mansion and Garden.

IV. Signing Bilateral Collaboration Agreements and Memoranda of Understanding

Over the past 20 years, the Control Yuan has made good use of every opportunity

to visit other countries and receive foreign guests in Taiwan. The Control Yuan has signed bilateral collaboration agreements and memoranda of understanding with ombudsman and Defensor del Pueblo offices

in Paraguay, Nicaragua, Guatemala, Uruguay, Belize, Namibia, and Puerto Rico of the US, as well as the FIO. In doing so, it helps to enhance bilateral exchanges and cooperation in various areas such as documented information, supervision or human rights experiences, conference organization, and training programs.

In particular, the collaboration agreement signed between the Control Yuan and the FIO is also the first collaboration agreement that

the Control Yuan has signed with a regional alliance. In 2020, the world was hit hard by the COVID-19 outbreak. Nevertheless, with the assistance from Department of Latin American and Caribbean Affairs, Ministry of Foreign Affairs, and representative offices, the Control Yuan completed the signing procedures remotely, which has effectively enhanced regional exchanges and cooperation.

Table 6-2 Collaboration agreements and memoranda of understanding signed over the years

Year	Name
1999	1. Agreement Between the Control Yuan of the Republic of China and the Defensor del Pueblo de la Nación Argentina on Interinstitutional Collaboration and Technical Collaboration
2003	2. Agreement Between the Control Yuan of the Republic of China and the Republic of Panama Defensor del Pueblo on Interinstitutional Collaboration and Technical Collaboration
2005	3. Agreement Between the Control Yuan of the Republic of China and the Republic of Paraguay Defensor del Pueblo on Interinstitutional Collaboration and Technical Collaboration
2012	4. Letter of Intent for Agreement Between the Control Yuan of the Republic of China and the Human Rights Ombudsman Office Nicaragua on Interinstitutional Collaboration and Technical Collaboration
2013	5. Agreement Between the Control Yuan of the Republic of China and the Human Rights Ombudsman Office Nicaragua on Interinstitutional Collaboration and Technical Collaboration
2014	6. Letter of Intent for Agreement Between the Control Yuan of the Republic of China and the Human Rights Ombudsman Office Guatemala on Interinstitutional Collaboration and Technical Collaboration
2015	7. Memorandum of Understanding Between the Control Yuan of the Republic of China and the Uruguay National Human Rights Institution and Ombudsman Office
2015	8. Agreement Between the Control Yuan of the Republic of China and the Office of the Ombudsman of Belize
2016	9. Collaboration Agreement Between the Control Yuan of the Republic of China and the Médiateur of Burkina Faso
2016	10. Memorandum of Understanding Between the Control Yuan of the Republic of China and the Office of the Ombudsman of Namibia
2017	11. Collaboration Agreement Between the Control Yuan of the Republic of China and the Office of the Ombudsman of Puerto Rico
2020	12. Collaboration Agreement Between the Control Yuan of the Republic of China and the Federación Iberoamericana del Ombudsman

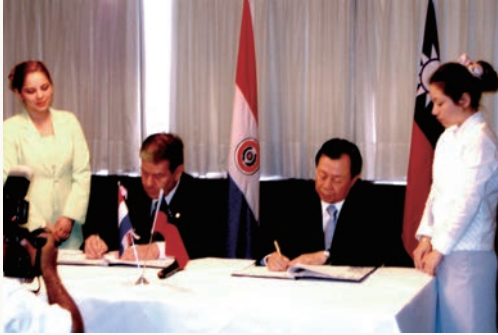


Figure 6-46

November 15, 2005 - The Control Yuan participates in the 10th FIO Annual Conference, held in Paraguay; here, Secretary General Tu Shan-liang (second from right) and Paraguayan Defensor del Pueblo Manuel Paez (second from left) sign the "Agreement Between the Control Yuan of the Republic of China and the Republic of Paraguay Defensor del Pueblo on Interinstitutional Collaboration and Technical Collaboration."



Figure 6-47

April 19, 2013 - Nicaraguan Human Rights Ombudsman Omar Cabezas (second from left), visits Taiwan; here, he signs the "Agreement Between the Control Yuan of the Republic of China and the Human Rights Ombudsman Office Nicaragua on Interinstitutional Collaboration and Technical Collaboration" with President Wang Chien-hsuan (second from right).



Figure 6-48

November 12, 2015 – Control Yuan President Chang Po-ya (right) and Belizean Ombudsman Lionel Arzu (left) sign the "Agreement Between the Control Yuan of the Republic of China and the Office of the Ombudsman of Belize."

V. Strengthening International Publicity

A. Compiling publications

The Control Yuan aims to promote national awareness and understanding of international ombudsman systems and their trends; to promote international understanding of the Control Yuan's achievements in overseeing administration of government and protecting human rights; and to strengthen exchanges with ombudsman and human rights institutions in other countries. In pursuit of these goals, the Control Yuan crosses language barriers and actively translates monographs on

international ombudsman systems. This also fulfills the goal set forth in the IOI 2016-2020 Strategic Plan that encourages publication and communication of such monographs.

The Control Yuan regularly publishes the Work Summary and Conference Reports of International Affairs (every three years) and English and Spanish versions of the Annual Report of the Control Yuan (annually). Altogether, thirty publications have been issued (with the 2020 English and Spanish versions of the Annual Report of the Control Yuan published in May, 2021).

In addition, the Control Yuan also collects, translates, compares, and studies publications from other ombudsman offices worldwide, and publishes ombudsman monographs in a timely manner to enhance the promotion

and dissemination of international supervision and human rights systems. To date, 32 international monographs have been published by the Control Yuan, and over 60 pieces of international ombudsman literature have been published. These publications are distributed to domestic government agencies, universities, and libraries, and sent to ombudsman and human rights institutions in different countries for reference; in addition, the publications are also available on the Control Yuan's website. In this way, nearly 1.2 billion Chinese-speaking people around the world can gain a better understanding of international ombudsmanship, and the Control Yuan can more effectively expand international awareness.



Figure 6-49

Control Yuan international affairs-related publications.

Table 6-3 Publications translated by the Control Yuan

Year	Publication Name
2000	1. The Danish Ombudsman
	2. The Parliamentary Ombudsman of Finland
	3. The 4th Latin American Ombudsman Annual Conference
	4. The Swedish Parliamentary Ombudsmen
	5. Twenty Years of the Commonwealth Ombudsman, 1977-1997
2001	6. The Ombudsman in New Zealand
	7. Selected Papers from the 7th International Ombudsman Institute Conference
2002	8. Strengthening Ombudsman and Human Rights Institutions in Commonwealth Small and Island States: The Caribbean Experience
	9. The Ombudsman: Defender of the People and Republican Institutions
2003	10. An Introduction to the Canadian Ombudsman
	11. Ombudsman (Defensor del Pueblo) of Spain
	12. Ombudsman in the United Kingdom and Ireland
	13. Train-the-Trainer Manual – IOI Conducting Effective Investigations Workshop
2004	14. A Comparative Study of the Ombudsman's Offices in the Andean Region
2005	15. An Introduction to the European Ombudsman
	16. The Ombudsman (Defensor del Pueblo) of Panama
2006	17. The Swedish Parliamentary Ombudsmen (Second Edition)
	18. A Comparative Study of the Ombudsman in Paraguay and Spain
2007	19. The Defender of Rights (Défenseure des droits) of France
	20. The Parliamentary Ombudsman of Finland (Second Edition)
2008	21. The Ombudsman, Good Governance and the International Human Rights System
2009	22. The State Comptroller and Ombudsman of Israel
	23. Managing Unreasonable Complainant Conduct Practice Manual
2010	24. Handbook of World Ombudsman
2011	25. The European Ombudsman - Origins, Establishment, Evolution
2012	26. Handbook of World Ombudsman (Second Edition)
2013	27. Managing Unreasonable Complainant Conduct Practice Manual (Second Edition)
	28. 20 Years of Excellence in International Interactions: Commemorative Album of Control Yuan International Affairs

Year	Publication Name
2017	29. An Overview of Worldwide Ombudsman Institutions
2019	30. A Mission for Justice – The International Ombudsman Institute 1978-2018
2020	31. International Affairs of the Fifth-term Control Yuan: Achievements and Prospects
2021	32. Research Handbook on the Ombudsman



Figure 6-50

English and Spanish versions of the Annual Report of the Control Yuan are published on a regular basis.

B. Contributing articles to the IOI Newsletter and the Waka Tangata (APOR E-news)

Since 2017, the Control Yuan has compiled and translated (into English and Spanish) important information on achievements by the Control Yuan (such as Control Yuan affairs, conference information, international exchange, investigation

and research reports, and central or local government inspections by Control Yuan members). This information is submitted to the IOI Newsletter and Waka Tangata (APOR E-news), thus making the Control Yuan's work and activities better understood by other ombudsman offices.

The IOI Newsletter, including important information on international ombudsman affairs in English, Spanish, and French, is

published every Friday. The Control Yuan's International Affairs Committee regularly submits articles on the Control Yuan's functions and powers to the IOI Newsletter. To date, 45 English articles and 34 Spanish articles have been published. These efforts effectively strengthen awareness, and enhance the Control Yuan's international visibility. The Waka Tangata (APOR E-news), which started in 2018, is published semi-annually; to date, the Control Yuan has contributed six articles to this newsletter.

VI. Participating in Exchanges and Training Programs and Workshops with Other Ombudsman Offices

In order to enhance experience exchanges between its staff and foreign ombudsman and human rights institutions, the Control Yuan hosted the "Staff Experience Exchange and Training Program for the Control Yuan and Foreign Ombudsman and Human Rights Institutions" (conducted in Spanish) in 2011, and the "Staff Experience Exchange and Training Program between



TAIWÁN | Yuan de Control celebra exposición con motivo de su 90 aniversario

El Yuan de Control (YC) cumple su 90 aniversario en 2021. Desde el 29 de enero hasta el 30 de abril se celebra «Defensa de la justicia, exposición especial con motivo del 90 aniversario del Yuan de Control». Durante la ceremonia de apertura, Chen Chu, presidenta del YC, señaló que esta exposición no solo mira hacia el pasado, sino que también mira hacia el futuro.



Figure 6-51

A Spanish-language news report, "The Control Yuan's 90th anniversary theme exhibition: Actively promoting digital transformation," as published on the IOI website.



Figure 6-52

August 15, 2011 – Participants of the "Staff Experience Exchange and Training Program for the Control Yuan and Foreign Ombudsman and Human Rights Institutions."

the Control Yuan and Asia-Pacific Countries' Ombudsman and Human Rights Institutions" (conducted in English) in 2012. Participants from a variety of countries were invited to attend the programs in Taiwan; there, they learned how the Control Yuan operates while exercising supervisory powers, and exchanged views on ombudsman systems, human right protection, and auditing work.

The Control Yuan also actively sends staff to attend exchange and training programs and workshops organized by other ombudsman organizations and institutions. Examples include the IOI "Sharpening Your Teeth" training program; the IOI "Administrative Investigation for Ombudsmen: International Experience Exchange" workshop; the International

Seminar and 2nd IOI/AOA Joint Training Workshop; and the IOI International Forum and International Training Workshop for Asian Ombudsman.

In addition to all that, the Control Yuan also makes the most of every opportunity for interaction and visits. The Control Yuan actively conducts experience exchange seminars with delegates from many countries, such as the Office of the Ombudsman of Thailand; the Office of the Ombudsman of Victoria, Australia; the Health Insurance Review and Assessment Service (HIRA, Korea) of South Korea; and the Office of the Ombudsman of New Zealand. By doing so, the Control Yuan maintains interactions and friendships between agencies.



Figure 6-53

May 7, 2012 - Control Yuan Members Chao Jung-yao (center, front row), Sheree Ma (second from right, second row), Teresa Yin (third from right, second row), with participants of the staff experience exchange and training program.

Staff Experience Exchange and Training Program for the Control Yuan and Foreign Ombudsman and Human Rights Institutions (Spanish language), 2011

The Control Yuan has organized staff experience exchange programs since 2004. The participants of 2011's Program came from El Salvador, Argentina, Mexico, Peru, and other countries. These participants all came from backgrounds related to human rights protection, and thus a seminar to discuss these issues was specially included. During the seminar, Control Yuan staff explained in detail the effectiveness of the Control Yuan's work on human rights protection; the foreign participants also shared the efforts of their respective Defensor del Pueblo/Ombudsman

offices in human rights protection. During the 3-day seminar, the participants visited the Department of Supervisory Operations, the Department of Supervisory Investigation, the Department of Property-Declaration by Public Servants, and the National Audit Office to gain a better understanding of how Taiwan's supervision systems operate.

Staff Experience Exchange and Training Program between the Control Yuan and Asia-Pacific Countries' Ombudsman and Human Rights Institutions (English language), 2012

In 2012, the Control Yuan held an experience exchange program with staff from ombudsman and human rights institutions

in the Asia-Pacific region, with altogether 6 participants from Thailand, the Philippines, Indonesia, Malaysia, Nauru, and the Marshall Islands. It is worth mentioning that Baron Divavesi Waqa (third from right, front row), a member of the Parliament of Nauru, was elected president of the country in the following year and he visited the Control Yuan again as president.

Experience exchange seminar between the Control Yuan and South Korea's Health Insurance Review and Assessment Service, 2019

South Korea's Health Insurance Review and Assessment Service (HIRA, Korea)

made an official visit to the Control Yuan in 2019 to discuss issues such as government integrity and corruption in health insurance and health care systems. Control Yuan staff explained to the guests that in addition to monitoring whether the public hospital medical staff receive improper benefits, the Control Yuan also conducts investigations on the health insurance system; and because of these investigation results, the health insurance system and relevant laws have been amended and improved in recent years. This seminar was very enlightening and beneficial; both learned important aspects of the other's working experiences.

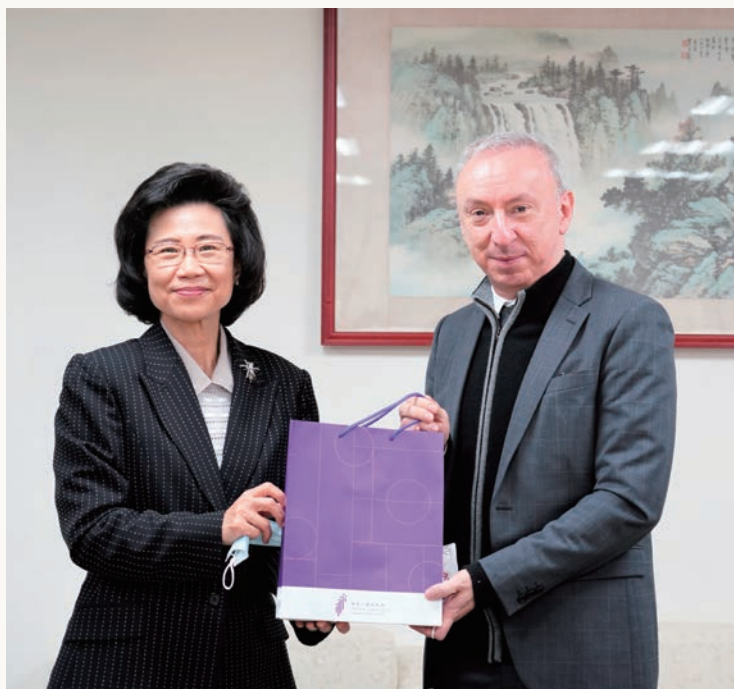


Figure 6-54

Director of the French Office in Taipei Jean-François Casabonne-Masonnave visits the Control Yuan; December 28, 2021



Managing editors: Wei Chia-sheng, Chien Li-yun, Wu Yu-hsiang, Wu Hung-chieh,
Chen Mei-ju, and Lin Yi-min; Copy editors: Chang Li-ya and Huang Chin-hsing

CHAPTER

7

People, Stories, and Activities

Anecdotes and Sidelights

Preface

Section 1 Past Profiles

Section 2 Control Yuan Activities

Section 3 Cultural and Recreational Activities

Section 4 Clubs and Activities

Section 5 Current Partners



Preface

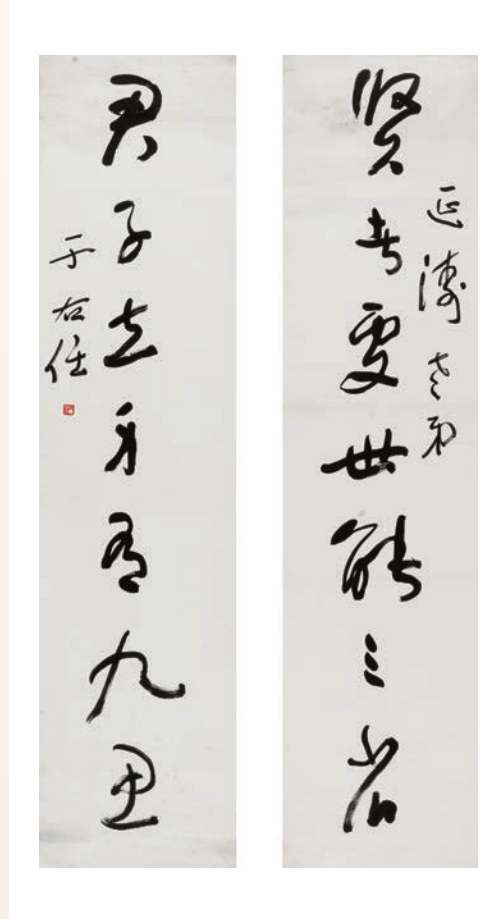
The Control Yuan was established in 1931 and relocated to Taiwan in 1949; in the blink of an eye, more than 70 years have gone by. What the successive members and colleagues have left behind during this period will never fail to fascinate future generations. Traces of the years constitute the history that records the process of change in different contexts. Therefore, we present here different activities, people, and cultural articles related to the Control Yuan through profiles, essays, and photos.

This chapter is divided into five sections: Section 1, Past Profiles; Section 2, Control Yuan Activities; Section 3, Cultural and Recreational Activities; Section 4, Clubs and Activities, and Section 5, Current Partners. The Past Profiles Section consists of articles written by current colleagues reminiscing about the moral practices of successive Control Yuan members, as well as the interesting yet unknown life details shared by the children of retired colleagues who contributed to the Control Yuan. These touching stories aim to express warm memories of them and express our gratitude for their dedication to the Control Yuan. These people include first-term Control Yuan President Yu You-ren and Members Liu Yian-tao and Chen Han-chen; and second-, third-,

and fourth-term Control Yuan Members Chang Te-ming, Ku Den-mei, Chiang Peng-chien, and Sheree Ma. Apart from that, Chang Chi-hsiang, a retired staff member who followed President Yu You-ren to Taiwan, was a witness to the Control Yuan's journey from mainland China to Taiwan. Additionally, it has been nearly 10 years since the introduction of the volunteer system in the Control Yuan; these volunteers have become the Control Yuan's best and most indispensable partners. Their graciousness, sacrifice, and willingness to help others are highly appreciated.

In the Control Yuan Activities section, the flashback method is adopted to record the major activities of the Control Yuan, including the Control Yuan's 90th Anniversary Special Exhibition and the Control Yuan's 90th Anniversary Academic Seminar in 2021; Human Rights in Taiwan - Upgrade in 2020; the National Heritage Control Yuan Centennial Themed Exhibition in 2015; the Seminar on the 20th Anniversary of the Implementation of the Act on Property-Declaration by Public Servants and the Republic of China Centennial Supervisory Archive Exhibition in 2013; a series of seminars on human rights protection work since 2009; and the 1st Academic Seminar on Supervisory Legal System in 2008. The

Control Yuan has also organized a variety of cultural and recreational activities over the years, including Lunar New Year gatherings, year-end banquets, the Central Government Interagency Sports Competition, and environmental education courses. As for club activities, in addition to the Sunny Choir, the Rock 'n Troll band, and the Caring Club (which often organize intellectual activities and performances), as well as the Happy Run Club, the Hiking Club, the Basketball Club and the Health Regimen Club (which emphasize health and exercise), are also flourishing. It shows that Control Yuan colleagues can be both dynamic and energetic, leaving behind plenty of good memories. In the last section of this chapter, photos of the current members and group photos of colleagues from different departments are presented. It is hoped that this record of Control Yuan department and staff activities over the years will serve as a witness to history on the 90th anniversary of the Control Yuan – not only to look back and record that history, but also in the hope that the Control Yuan will continue in the future to be just as dynamic.



"Sage & Gentleman," seven-character couplet in cursive script / Liu Yian-tao Cultural & Educational Foundation

Section 1 Past Profiles

I. Member Liu Yian-tao and President Yu You-ren: A friendship of writing brush and inkstone

By Liu Pin-pin, daughter of Member Liu Yian-tao

In 1947, Member Liu Yian-tao returned to Henan Province to run for first-term Control Yuan membership in accordance with the wishes of President Yu You-ren. In 1949, Liu came to Taiwan, to which the Control Yuan had relocated. He and his wife lived with Yu in a building near the entrance of a Japanese-style apartment complex on Qingtian Street in Taipei. From time to time, they dined together. In their spare time, they continued to study the standard cursive script and poetry that they had been working on together for more than 15 years. It often went until late into the night, showing that they never tired of doing it. This situation lasted until 1951, when Liu held his first exhibition and moved to a house in Zhonghe Township (now Yonghe District, New Taipei City) with the proceeds from his paintings. Yu Chung-ling (Yu's third son) once mentioned that the two had a strong bond, and that Liu was not as excited as others would have been about moving to a new house, but rather found it

difficult to tell Yu. It was because he thought that he would not be able to spend as much time with Yu as he had before if he moved away. Unexpectedly, Yu encouraged him to set up his own home and move to Zhonghe, taking into account that Liu needed more space to do his painting.

Perhaps due to the exhaustion caused by organizing the exhibition and the relocation, the fatigue that accumulated during the period led to the recurrence of Liu's old illness. The medical technology at that time was not so advanced, so he had to recuperate in bed, which made it difficult to take care of own appearance. Therefore, he was left with a short beard. According to a fortune teller, Liu would suffer a calamity when he was 50 as he had a short chin. With these words in mind, his wife suggested keeping his beard, as the beard would be a perfect complement. However, Liu was resistant to growing a beard, because he used to dress in suits; so his wife persuaded him with the fact that Yu's beard was praised by many. After hearing this, Liu considered the suggestion and eventually acceded. This is the story of why Liu grew his beard; he had no intention to imitate Yu, as some had thought.



Figure 7-1

Control Yuan President Yu You-ren (center), Chang Dai-chien (right) and Member Liu Yian-tao (left) in June 1964.



Figure 7-2

August 1960 – Control Yuan President Yu You-ren (center) and others; the little girl is author Liu Pin-pin.

II. There would be no Judicial Yuan Interpretation No. 175 without the "Impartial and Incorruptible Censor": Member Chen Han-chen

By Liu Wen-shih

40 years ago, a Control Yuan member defied party and political pressure. He insisted on "crossing the line," seeking a constitutional interpretation from the grand justice on whether the Judicial Yuan had the right to propose and present statutory bills. This eventually led to Judicial Yuan Interpretation No. 175, which states that "it is responsibility of the... Judicial Yuan... to respectively propose and present statutory bills to the Legislative Yuan with regards to matters within its authority."

The member who did this was Chen Han-chen, then 84 years old and known as an impartial and incorruptible censor. I would like to recount the ups and downs of this period.

The Constitution explicitly states that the Examination Yuan shall propose and present statutory bills on matters within its authority, but there is no explicit provision stated for the Control Yuan and the Judicial Yuan. The advocate argued that neither Yuan had the right to introduce statutory bills to the Legislative Yuan, based upon the legal maxim of *expressio unius est exclusio alterius* ("the expression of one thing is the exclusion of another"). In 1951, the Judicial Yuan wrote

to the Legislative Yuan for the ratification of the Draft Amendment of Public Functionaries Discipline Act. However, the Legislative Yuan's Organic Laws and Statutes Committee refused to review it, on the grounds that the Judicial Yuan did not have the right to propose laws.

Until 1952, Interpretation No.3 had explicitly stated that "the Control Yuan may introduce statutory bills to the Legislative Yuan." However, the Judicial Yuan was not mentioned, so the Judicial Yuan had to entrust the Executive Yuan to introduce any statutory law on its behalf. This was



Figure 7-3

Photo of Member Chen Han-chen (left) with Chang Dai-chien (source: Member Chen Han-chen's granddaughter, Chang Yi-wen).

considered by legal circles to have seriously undermined judicial independence.

In view of this, on June 11, 1981, Chen proposed that the Control Yuan plenary meeting seek a constitutional interpretation from the grand justices. There were 53 countersigners, which was far more than half of the 74 members at that time. The proposal should have passed smoothly, yet a fierce debate arose at the meeting due to the intervention of "relevant departments," which eventually caused the countersigners to change sides. Members including Ma Kung-chun and Wu Ta-yu agreed that the Judicial Yuan should introduce the statutory bills itself, or the bills should be coordinated by the party and government first. The idea induced a tense atmosphere when Chen insisted that the Control Yuan act according to its conscience and not be interfered with. In view of the situation, the chair, Control Yuan President Yu Chun-hsien, rapped the gavel and announced that discussion was closed. He ruled that the matter should be referred to the Judiciary Committee for study. This merely paused this dispute that threatened to get worse.

On July 24, the Judiciary Committee decided to appoint five members, including Huang Tsun-chiu and Yu Ching, to set up a task force, with an aim of collecting specific legal evidence and conducting a study. However, after several months, there was still no follow-up. On September 11, Chen

reintroduced the proposal, and the Control Yuan plenary meeting passed a resolution requesting that the Judiciary Committee promptly review the matter.

After another month, there was still no news about the matter. On October 13, Chen brought up the matter again. Still, members' opinions differed, but an interesting metaphor occurred. "I am inducing labor for the Judicial Yuan's right to propose statutory bills, and I hope this baby will be born smoothly," said Chen. Not to be outdone, Member Huang Tsun-chiu said, "The labor induced by the Control Yuan is for an illegitimate child. It is important to be clear whether the Control Yuan or the Judicial Yuan should propose the matter." Chen added, "As long as the child is born, it's no matter if it is a legitimate or illegitimate child." This view was supported by Member Wang Chueh-jung, who said, "From a doctor's point of view and from a humanitarian standpoint, since the baby has been conceived, it should be allowed to be born naturally." In the end, the plenary meeting only passed a resolution approving the matter for verification, and the Control Yuan members' opinions were used as a reference for the Judiciary Committee's task force.

On November 5, Chen again brought up the matter during the time to report on other matters. Then, Member Wang Shu-lin raised a procedural issue to stop Chen's speech, which caused both sides to bang the table

and scold each other. President Yu rapped the gavel again, and the situation was calmed down only when the members separately mediated with one another.

In the meantime, the Judiciary Committee wrote to the Judicial Yuan, which replied in January 1982, stating, "It seems that there is doubt whether the Judicial Yuan can introduce statutory bills. This is yet to be clarified by the Council of Grand Justices in accordance with the petition submitted by the relevant authorities." The Council of Grand Justices still had no intention of submitting a petition on its own. On the 19th of the same month, the Judiciary Committee discussed the case; Chen gave the interpretation that the so-called "relevant authorities" of the Judicial Yuan must be referring to the Control Yuan. Thus, he appealed to the Committee to handle the case without delay. The Judiciary Committee resolved to submit the five-member task force's opinions to the Control Yuan plenary meeting for handling.

On March 9, the case was included in the Control Yuan plenary meeting's agenda for discussion, but members including Wu Ta-yu still insisted on opposing it. Their words became harsh and almost ignited a dispute. Member Chen stressed that, so long as he was alive, the case must be delivered by the Control Yuan. Near noon, the chair took Member Chang I-chung's

procedural opinion and ruled to end discussion. He ordered the case to be further discussed at the next meeting.

On March 11, when the Control Yuan plenary meeting was reconvened, the ill-tempered debate continued. More than ten members, including Liu Yian-tao and Huang Tsun-chiu, repeatedly spoke in opposition, but Member Wu Ta-yu, who was originally the most vehement opposer, abstained from speaking. After two hours of tedious debate, the proposal that had been delayed for nine months was finally approved by the resolution.

On May 25, the Council of Grand Justices issued Judicial Yuan Interpretation No. 175, which settled these unresolved constitutional system issues that had lasted for decades. This ushered in a new era in which statutory bills are proposed independently, without having to rely on other authorities for advice.

The fair and upright Chen was not afraid of the authorities. When he was already 95 years old, yet hadn't retired, he also filed a motion to open an impeachment case against the Ligu Group for an import exchange malpractice settlement. The motion was approved by 12 votes to impeach 45 provincial banking officials, which set an unprecedented record for the number of impeached persons in supervisory history. It marked the perfect end to the 44-year supervisory career of this impartial,



Figure 7-4
Member Chen Han-chen

incorruptible censor.

It is customary to liken Control Yuan members to censors. Comparing the past with the present, many distinguished censors' achievements are recorded in the archives. I had a chance to study the operations of the constitutional system with Chen when I was conducting constitutional research. Hence, I compile here on this part of the story. Doing so is a response respond to the criticisms from all walks of life about the unconstitutionality of the Control Yuan in seeking constitutional interpretations; and it is also in order to recall this long-standing example of a man, with awe-inspiring righteousness, who devoted himself to questioning unjustified authority.

III. From the national health to redressing a miscarriage of justice: Member Chang Te-ming

By Lo Li-lun and Chen Mei-yan

During his term of office as a second- and the third-term Control Yuan member, Chang Te-ming was most proud of the "Antibiotic Misuse Affecting National Health" case, in which he completed a joint investigation with Members Lin Chu-lang and Huang Chin-chen, as well as the "Care of Redress for the Chiang Kuo-ching's Miscarriage-of-justice" that was unresolved at the time.

A. Sweetness and bitterness: Effective investigation in the "Antibiotic Misuse Case"

Before 2001, the concept of antibiotic use was generally lacking in Taiwan, which caused the anti-inflammatory drugs to be either used in excessive doses or with patients stopping on their own. Improper use of antibiotics causes bacteria to develop drug resistance, and makes it difficult to treat diseases that could have been cured otherwise. After filing the case, Chang first invited Academician Monto Ho of the National Health Research Institutes, who had been studying antibiotic misuse issues in Taiwan for a long time, to the Control Yuan for consultation. Ho was invited over



Figure 7-5

Member Chang Te-ming is awarded a first-class supervisory certificate of merit, January 11, 2005.

to exchange opinions on the difficulties encountered in his clinical research and practical work. Unexpectedly, he dropped his briefcase on the floor as soon as he entered. Crossing his arms over his chest, he said with a straight face, "What do you want to know, fellow members?" As it happened, his father was Ambassador Ho Feng-shan, who was known as the Schindler of the East, but had been impeached by the Control Yuan. Therefore, he had an extremely bad impression of the Control Yuan. After the three members sincerely expressed their intention to file the case and explained that the Control Yuan's powers would definitely facilitate the administrative agencies to take positive actions in reducing the misuse of antibiotics, he gradually became less

aloof. With more than two hours of heated discussion, he left the Control Yuan with a sense of excitement, and later wrote a letter expressing his enthusiasm and joy. After that, when receiving the investigation report and the corrective measure proposal of the case, he could not wait to call Chang to say, "This is the most important piece of literature in the Republic of China!" Additionally, when he asked Chang what he had majored in, Chang replied, "I majored in law (faxue)!" Then, Ho said excitedly, "So you majored in chemistry (huaxue)! No wonder!"

The case was proposed with corrective measures. With the long-term effort that the Control Yuan had put in tracking the progress of improvement for both the Executive Yuan's Department of Health and Council of Agriculture, the level of antibiotic misuse and bacteria resistance to antibiotics improved significantly. Former Vice President Chen Chien-jen, the then-Minister of the Department of Health, and the former director general of the Taiwan Centers for Disease Control, Su Ih-jen, even jokingly said that they would confer a national health badge upon the three members. Today, the concept of proper use of antibiotics has gradually become a valuable part of the nation's health education.

This is a case in which the Control Yuan exercised its constitutional authority to enable the professional research results to widely benefit both the country and the

people, and has a positive and far-reaching impact. In addition, according to Chang, it was also one of the most meaningful incidents in his 12-year career as a Control Yuan member.

B. Turning the tide: The driving force behind the "Redress for Chiang Kuo-ching's Miscarriage-of-justice" case

In addition, Chang's efforts and dedication in handling the complaint of Chiang Chih-an regarding the unjust case against his son Chiang Kuo-ching were also the key to the redress for the Chiang Case. Chiang Kuo-ching was sentenced to death for rape and murder by a military court and was executed in August 1997. Chiang's father filed a written complaint, which was investigated by the Control Yuan. In February of 1999, the investigation report was finalized stating that there was no direct evidence to prove the defendant's guilt except for his confession, and that the identification process and results were full of flaws. Although the Control Yuan wrote to transfer the case to the Ministry of Defense and requested that the Ministry seek judicial relief, the investigation still concluded that there were no grounds for a retrial or an extraordinary appeal.

Chiang's father was not satisfied with the reinvestigation results by the Ministry of Defense. Thus, he always came looking for Chang, armed with a thick pile of written complaints, on days Chang was on duty;

Chiang insisted on presenting the case to Chang in person, and even knelt before the staff when he got agitated. As the deadline for reinvestigation had passed in the Chiang Case, according to the Control Yuan's relevant provisions, the Complaint Receipt Center could do nothing but accept the written complaint from Chiang's father and file the cases together for reference. This situation went on for more than a year. Faced with Chiang's insistence, Chang Te-ming could no longer sit idly by. As a result, he applied for a self-initiated investigation in July of 2003. Chang wrote in his application, "In the face of Mr. Chiang Chih-an's persistent belief in his son's innocence and his expectations of the Control Yuan, it is difficult to treat this as an ordinary old case. In the remaining one and a half years of my term of office, I am willing to do my best to reinvestigate this case. Thus, I would like to make a formal request to the Control Yuan president to consider the above situation and grant me the right to a self-initiated investigation. Your help would be greatly appreciated." However, given that the reinvestigation was not in line with the provisions, the Control Yuan's Committee on Judicial and Prison Administration Affairs could only resolve: "It is recommended that Control Yuan Members Chang Te-ming and Ku Den-mei be appointed to take over the case."

After receiving the committee’s resolution to reinvestigate the case, the two members immediately retrieved the relevant case files from the agencies including the Ministry of Defense, the Criminal Investigation Bureau of the Ministry of the Interior’s National Police Agency, the Taipei City Police Department, and the Taiwan High Prosecutors Office Taichung Branch for review and analysis. Additionally, they interviewed relevant personnel and consulted with forensic medicine specialists at National Taiwan University Hospital, the head of the Polygraph Division of the Criminal Investigation Bureau, and others. New facts and evidence that could overturn the original verdict were found. They applied for a self-initiated investigation on the grounds that the then-military trial system was based on a speedy trial, and that the death penalty was carried out without regard to evidence in favor of the defendant, thus resulting in injustice. Eventually, they were granted permission to file a case. However, there was only one month left before the expiration of Chang’s term of office. Before leaving office, he encouraged the co-investigators to continue their efforts, and instructed them to make advance plans for crime scene reconstructions and forensic pathologist, polygraph, and biological evidence examinations. Furthermore, he paved the way for the subsequent investigation of the case by getting Control

Yuan President Fredrick Chien’s approval for the specified domestic and foreign professional organizations to be appointed, as well as professional consultation according to actual needs. On August 1, 2008, the investigation of the Chiang Case was taken over by the fourth-term Control Yuan members, including Ma Yi-kung, Shen Meichen, and Yang Mei-ling. The case was finally vindicated through the efforts of these three members and other co-investigators.

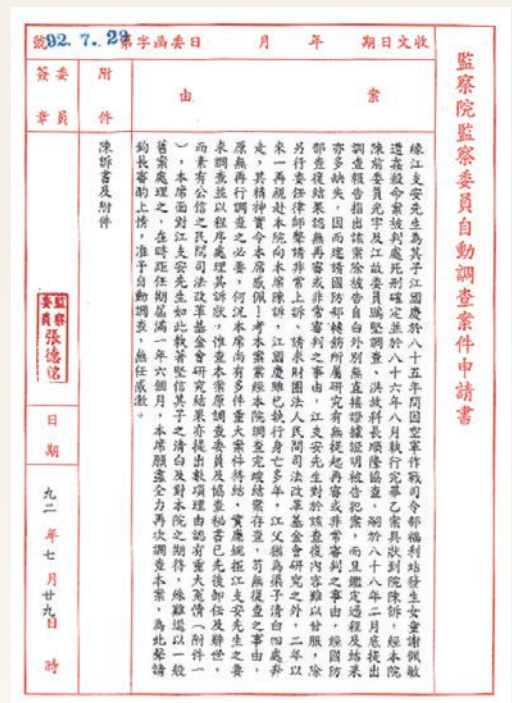


Figure 7-6
The written application for self-initiated investigation of Chiang Kuo-ching’s Case, July 29, 2003.

IV. A chivalrous woman with a blend of strength and gentleness: Member Ku Den-mei

By Huang Hui-i

A. A modern woman who is well educated and experienced in law and politics

As a Hakka woman from Miaoli, Member Ku Den-mei has embodied the Hakka spirit of perseverance, diligence, frugality, respect for the elderly, and an emphasis on education in her work, family, and dealings with others. She was a member of the Taiwan Provincial Government, the Taiwan Provincial Election Commission, the Ministry of the Interior's Rules Committee, the Political Party Registration Review Committee, the Academia Sinica Review Committee; a consultant of the Executive Yuan; the president of the International Federation of Women Lawyers of the Republic of China; a professor of the Department of Political Science at National Taiwan University, and a member of the Control Yuan. After retiring, she served as a director and the chairman of the Board of the Legal Aid Foundation and is currently the chairperson of the Arbitrator Ethics Committee of the Chinese Arbitration Association, Taipei. She cares about people around her like a mother and a mentor. I have worked with Ku for six years and learned a great deal about how to treat people and



Figure 7-7

Group photo of third-term Control Yuan Members (right to left) Ku Den-mei, Chang Fu-mei, and Ma Yi-kung, May 18, 2000.

appreciate her warmth. Whenever a loved one was hospitalized, she would thank and bring a small gift to the nursing staff when they were discharged, making people feel honored to serve her and eager to serve her again.

When she was studying in the College of Law at National Taiwan University, Ku excelled in international law. Professor Chang Chien-han encouraged her to change her major to administrative law, which was the least popular field at the time, but it made her the first woman in Taiwan to specialize in administrative law. In 1999, President Lee Teng-hui nominated Professor Ku, who taught in the Department of Political Science at National Taiwan University, as a third-term Control Yuan member. It was rare to have

three female nominees for the role of Control Yuan member at a time, namely Members Chang Fu-mei, Ku Den-mei, and Ma Yi-kung. When being reviewed at the Legislative Yuan, Ku made it clear that she would only serve for one term and had no desire to cling to power. Being upright and having integrity are the two essences of serving as a Control Yuan member, which is why this impressive woman could gain such respect and admiration from others.

B. The fearless, chivalrous woman who considers only right and wrong

Ku adheres to principles and only does what is appropriate. During her tenure as a Control Yuan member, she investigated many major cases, such as the Typhoon stock speculation with judges' case, the procurement of the La Fayette-class frigate case, Mrs. Luo's case, the Minnan language test case, and the Chiang Kuo-ching case. Additionally, she successfully sought a constitutional interpretation from the Council of Grand Justices for the people's tax refund case, which led to Judicial Yuan Interpretation No. 566. The case enabled the complainer to claim back tax that was levied 10 years ago for illegal acts, as well as nearly one million dollars of interest. Toward the end of her tenure, she took over the case of Mrs. Luo (personal housekeeper to Wu Shu-chen, the then-President's wife), which caused her to

suffer many inappropriate attacks. Yet, she remained unshaken in her beliefs.

The investigation task force (Members Kang Ning-hsiang, Lin Chiou-shan, Chao Jung-yao, Ku Den-mei and Ma Yi-kung) for the procurement of the La Fayette-class frigate case was set up in May of 2000. Before the investigation, in addition to the occurrence of the Yin Ching-feng murder case, six people were killed in France during the investigation period. Yet, together with Member Ma Yi-kung, Ku still went to conduct the investigation in person at the Direction des Constructions Navales (DCNI) in France. Ma once jokingly told Ku, "Be careful not to be assassinated!" Ku replied without fear, "Our roles grant us such an authority, so we should do so to judge whether the case is right or wrong, or if there is any wrongdoing. That's all." The Task Force found the quotation process of the French side unusual and that the transaction amount was too high, which was very unreasonable. They deduced that there might be a hidden commission, and that obviously violated the "no-commission clause" stipulated in the contract. With her legal expertise, Ku found that the contract date of the procurement case was August 31, 1991, and that the statute of limitations for filing objections under the contract was only 10 years. However, it was already July of 2001, with only one month left. Due to the time constraints and with Ku's insistence, the Task Force issued a letter requesting that the



Figure 7-8

(From right to left) Member Ku Den-mei, Minister of Defense Wu Shih-wen, and Member Chang Fu-mei on the La Fayette-class frigate on October 26, 1999.

Navy Command Headquarters instantly file an arbitration case for breach of contract by the French side to stop the statute of limitations. In May of 2010, the International Chamber of Commerce's International Court of Arbitration ruled that the French company, Thales (the reorganized company of Thomson), had to repay Taiwan US\$875 million (about NT\$25 billion) in commissions and liquidated damages for violating the no-commission clause of the procurement contract. According to the news report, on October 26, 2020, Auditor General Chen Jui-min said at the Legislative Yuan that the Ministry of Defense had recovered NT\$25.2 billion in commission compensation for the La Fayette-

class frigate case, which was in violation of the no-commission clause, and the amount had been deposited into the National Treasure. In this case, Ku is to be credited.

After meeting with Chiang Kuo-ching's father, Chiang Chih-an, Ku told Member Ma Yi-kung, "This is a miscarriage of justice. I have never seen a father who cried so hard." Consequently, Members Chang Teming and Ku Den-mei applied for a self-initiated investigation and relaunched the investigation of the case. Although she did not continue the investigation after she had left office, she constantly paid attention to it and provided legal assistance. On May 14, 2010, the Ministry of Defense's High

Military Court reinstated the trial, and Chiang Kuo-ching was acquitted. It shows that the chivalrous woman who has a tough appearance actually has a soft heart.

Her husband, former president of the Judicial Yuan, Rai Hao-min, was Ku's senior at law school. They share the same ambitions, and love and support each other.

For him, Ku applied for the Japanese government scholarship examination, and went to Japan for three years after the scholarship was granted. Finally, she received a master's degree from Tokyo University. President Rai encouraged her to accept the nomination as a Control Yuan member and filled out the form for her overnight. They worked together hand in hand. As her husband was nominated by President Ma Ying-jeou as the president of the Judicial Yuan, she was asked whether she was a supporter of the pan-blue or pan-green coalitions, to which she replied, "There is only black and white ("right and wrong") in my eyes, not blue and green." Ku, who is warm and considerate, has always been a firm believer in her own principles. She did only appropriate things, exercised her supervisory power without fear, and distinguished between right and wrong during her six-year term of office. It is no wonder that she is described by the book titled *Bravo! Female Legal Professionals and Their Lives*, which was published by the International Federation of Women Lawyers (FIDA), as a modern-day chivalrous woman who defends the weak.

V. Guardian of human rights and justice: Member Chiang Peng-chien

By Cheng Hsu-hao

With a carefree appearance yet calm and reserved, Chiang Peng-chien was polite, cordial, humorous, worldly, fearless of evil forces, and had an exemplary spirit of dedication that was beyond party affiliation. Chiang was a second- and third-term Control Yuan member. Additionally, he was also one of the very few people who had served as a political party chairman, and was then nominated by the President as a Control Yuan member, which is of great significance in the history of constitutional government.

Chiang, born in 1940, was a native of Taipei City and the first chairperson of the Democratic Progressive Party. This former practicing lawyer with an excellent knowledge of law served as the executive director of the Bar Association from 1982 to 1985 and from 1993 to 1996, as well as the defense lawyer for the Formosa Incident. In 1984, he participated in the founding of the Taiwan Association for Human Rights, for which he was elected the first president, and he was dedicated to human rights protection.

The provision that we are familiar with today that "members of the Control Yuan shall be beyond party affiliation and independently exercise their powers and discharge their responsibilities in accordance with the law" is explicitly stated in Article

7, Paragraph 5 of the amendment to the Constitution published on June 10, 2005. Nevertheless, in September of 1996, which was nine years prior to the publication of this provision, Chiang Peng-chien, as a Control Yuan member, was expected to be more stringent than the constitutional norm. Thus, he canceled his party membership to impartially handle many cases involving human rights and public interest with the spirit beyond party affiliation, such as the Lin family massacre case, the Pang Wan-ru murder case, the Chiang Kuo-ching case, the case of the Wugu landfill affecting flood control safety, the Hsu Tzu-chiang case, the case of the 1999 Jiji earthquake causing a doctors' home to collapse, the case of overflowing pornographic comic channels harming youth and children, the case of the murder of three members of Hsiao Chung-lieh's family, the case of the effectiveness of correctional education work in prisons, and the aviation safety case, making a total of 186 cases. He contributed significantly to the protection of human rights and the alleviation of public grievances.

In addition, Chiang interacted cordially with his colleagues, had a great sense of humor, and was accommodating in his dealings with issues. During his lunch break, he often participated in the activities of the Control Yuan Philosophy Club to share his professionalism, knowledge, experience, and book reviews with his colleagues. He encouraged them to keep learning, which



Figure 7-9
Member Chiang Peng-chien

has eventually become a trend. It has enabled the Control Yuan team to gain more insights and be more capable of supervising professionals and insiders with in-depth knowledge.

What was even more remarkable is that even though he unfortunately suffered from pancreatic cancer in October 1999, he continued to work effortlessly at the Control Yuan until his condition worsened on October 25, 2000. Until his death on December 15, 2000, he was still mindful of his public duties. He kept reviewing investigation reports and signed off opinions when he was hospitalized at National Taiwan University Hospital. Chiang was particularly admired for his dedication and professionalism for giving his all till his heart ceased to beat, along with his responsibility, fairness, and love for the people.

VI. Our Teacher Forever: Member Sheree Ma

By Huang Jen-yi and Hsieh Pei-jung

A. As cheerful as ever: Control Yuan Member Ma, but also Teacher Ma

"Ha ha ha ha....." Whenever we heard this cheerful laughter coming from the elevator, we knew that Member Sheree Ma had finished her meeting. Her cheerful personality never changed from when she was still at school until she served at the Control Yuan.

Having served as a professor in the Department of Accounting at National Chengchi University for a long time, Ma, who is diligent, honest, upright and determined, comes from a family of accountants. Both of her parents had long been engaged in accounting and auditing-related work for more than 40 years. In March of 2010, the Control Yuan held a foot-washing activity with the purpose of implementing the character education of parental respect, and Ma brought her mother to participate. It is interesting to note that Ma's father also attended, and he was the only father who participated in the event, which spiced up the scene.

Ma's work ethics can be seen in the poem given to her by her father, "Carrying a pair of scissors and a ruler in hand to go around; Keep yourself engaged every day



Figure 7-10
Member Sheree Ma

with thread and needles; Busy measuring the length of others; Whereas sparing no time to measure your own length." It carried her father's expectation and also served as a warning. The filial Ma could not let him down, so she exercised her supervisory powers with great diligence and often buried herself in the investigation files. Whenever the security guards saw her going home from work, they would say, "Member Ma, it's already 11:00 at night and you are just now going home. It's been a long day for you!" Ma would always stop herself from rushing, turned around and shout, "I don't want to sleep here! By the way, call me Teacher!" Therefore, "Member Ma" became "Teacher Ma" in everyone's mind.

B. Being recognized by corrective agencies

To Ma, the corrective measure case regarding the unverified budget of the city and township offices was the most meaningful of all the cases she had investigated. The case was initiated by the Department of Supervisory Operation, and the documents were requested from the National Audit Office. Later, the Control Yuan members applied for a self-initiated investigation. Due to the large number of city and township offices involved, there were huge amounts of documents regarding budgeting and final accounts. Consequently, Ma and the co-investigators often had to work overtime to analyze in depth the piles of information and identify malpractices with painstaking examination. After 10 months of effort, right before the end of the fourth-term Control Yuan members' tenure, the investigation report and corrective measure proposal were submitted, with corrective measures targeting the Yunlin County Government and its affiliated Huwei Township Office, Erlun Township Office, Lunbei Township Office, Tuku Township Office, and Taixi Township Office; and the Chiayi County Government and its affiliated Taibao City Office, Puzi City Office, Shuishang Township Office, and Minxiong Township Office.

After the corrective measure case was passed, Ma stepped down from her duties

as a Control Yuan member and did not follow the case. Thus, the case was gradually forgotten by her. She never expected that, four years later in October of 2018, an article "The Journey of Turning Loss into a Profit for Huwei Township Office's Income and Expenditure" written by the chief of the Huwei Township Office's Accounting and Statistics Office was published in the Accounting and Statistics Monthly Journal, Issue 754. The writer of the article opined that the corrective measures proposed by the Control Yuan was like opening Pandora's box, as it uncovered the truth of the inflated budget and the image of false financial capacity created by the city and township offices. Due to factors such as an inflated revenue budget, inflated cash flow and non-statutory social welfare expenses, the Huwei Township Office ran into cash flow shortfalls. As a result, it was unable to regularly repay the interest of pension preferential interest deposits, which had been prepaid by the bank, thus its accumulated outstanding balance increased year by year. After imposing the corrective measures proposed by the Control Yuan, the Office stopped making inflated budgets and returned to the right track of keeping expenditures within the limits of revenue. Additionally, it has seen improvements in its financial situation over time. As a result, the Office's budget has had a surplus since 2014, and has turned the final accounts from deficit to surplus since

2016. The corrective measure case proposed by Ma prompted the city and township offices to improve their budgeting problems that had lasted for years and prevented its financial situation from deteriorating and ending up in bankruptcy. Furthermore, the case was initiated by the Control Yuan, and it was still able to receive recognition by the corrected authorities after some years, which demonstrates the effectiveness of the exercise of the Control Yuan's supervisory powers.

C. "Professional Skepticism"

In addition, Ma investigated the driver employment case of the Central Taiwan Science Park Administration. Initially, the Department of Supervisory Operation requested a document review from the Science Park Administration, and the information provided showed that three of the seven official vehicle drivers were women. With her years of experience, Ma found it odd and decided to investigate the case, given that it was uncommon at the time for a woman to work as a driver, whether in the government agencies or in the engineering sector. Yet, in this case, women made up nearly half of the overall drivers, which was quite unusual then. As expected, the investigation found that the Administration requested drivers from the vendors, but these workers were actually working as temporary staff to assist in construction bidding work. According to the

fact that the vendors were the bidders, but the bidding work of the agency was handed over to the factory staff, which involved a conflict of roles and material misstatement of interests, and thus corrective measures were proposed to the Central Taiwan Science Park Administration.

Ma completed many investigation cases in the Control Yuan by fully utilizing her expertise in accounting and auditing, which enabled her to uncover violations in seemingly ordinary, uneventful cases very often. When she was asked the secret to her success, Ma replied cheerfully, "Maintain an attitude of 'professional skepticism.'" (Note: In accordance with Article 23 of the Statements of Auditing Standards (SAS) No. 43 "The Auditor's Responsibility to Consider Fraud in an Audit of Financial Statements," professional skepticism is defined as an attitude of skepticism toward the evidence, which requires the auditor to question whether the information obtained and the evidence examined may contain material misstatements due to fraud.) This is the epitome of the philosophy of "Teacher Ma."

VII. Tying money to the waist as carrying a great responsibility : Senior Secretary Chang Chi-hsiang

By Senior Secretary Chang Chi-hsiang's daughter,
Chang Tsai-ling

After the victory in the Second Sino-Japanese War, the Nationalist Government

moved to Taiwan at the end of the Chinese Civil War. In order to preserve the funds for its restoration in Taiwan, the Control Yuan, which was initially situated in Nanjing, secretly sent the first batch of gold to the then clerk of the Control Yuan, Chang Chi-hsiang, and instructed him to transport it to Taiwan from mainland China.

Chang flew from Xinjin Airport in Sichuan Province to Hainan Island with the delegates and troops of the National Assembly of Shanxi Province in December of 1949, and then traveled to Taiwan by boat. He was entrusted by Control Yuan President Yu Youren personally with the secret mission of transporting the first batch of gold to Taiwan for the restoration of the Control Yuan. In order to avoid being noticed by others and to ensure the safe transportation of the gold, he tied the gold to his body, which was literary "tying myriads of strings of cash around the waist (a Chinese proverb, referring to a

wealthy person)." For the entire journey, he was too wary to take a shower or change his clothes, and later he developed severe eczema on the waist where he'd tied the gold. It even became an old ailment, bothering him for 60 years, and did not get better until he was over 90 years old. Nevertheless, he never complained about it, and regarded his dry, cracked and scarred skin from eczema as a badge of honor.

Chang's ancestors came from Shanxi province. He was born in 1917 into a landlord family. The military governor of Shanxi Province regarded spending money on education as the most virtuous thing in the world, and had the perception that one could save on everything but education. Therefore, he vigorously promoted national compulsory education, which allowed Chang to receive a new form of education in the early years of the Republic of China. He learned the Zhuyin Phonetic System (ㄅ



Figure 7-11
Xinjin Airport Out-of-danger Anniversary on December 15, 1950; Chang Chi-hsiang stands second from right in the second row.

父門口) and mathematics, and also served as an elementary school principal. When the Second Sino-Japanese War broke out in 1937, his father sent him to the Control Yuan in Nanjing to serve as an employee, clerk assistant, and clerk. After arriving in Taiwan, he served as an officer, section chief, and senior ombudsman. When he retired in 1985, he became the senior secretary and chief of the office.

After undergoing years of wartime together with the Control Yuan, Chang developed a feeling of camaraderie. Whenever he recalled the past incident of transporting the batch of gold to Taiwan, he felt honored that the chief officer entrusted him with the important task in such a turbulent time, and he was able to fulfill his mission faithfully, as well as that he continued to serve the Control Yuan after its relocation to Taiwan, dedicating his life to it. After his retirement, he visited the Control Yuan from time to time, and his favorite was the Control Yuan barbershop, where he would get a shiny pomade haircut for a refreshing look.

In 2018, Mr. Chang passed away at the age of 102. He had a deep connection with the Control Yuan throughout his life, so he was very pleased that his daughter, Chang Tsai-ling, was able to follow his footsteps by serving in the Control Yuan. Additionally, Control Yuan President Chang Po-ya paid her respects at the funeral home, which was a perfect ending to such a noteworthy life.

VIII. The best partners of the Control Yuan in serving the public : Volunteers

By Wang Tseng-hwa

Volunteering is a universal value and an indispensable part to help carry out public affairs. In order to fulfill its supervisory powers, the Control Yuan needs more professional and enthusiastic efforts in all aspects to enhance its overall image. Recently, the amount of people's complaints has been increasing year by year. To optimize the quality of public service and be customer-oriented, it has been humbly suggested to increase manpower to cope. On July 8, 2009, Control Yuan Secretary General Chen Fong-I instructed the Department of Supervisory Operation colleagues to study the feasibility of adding ranks of volunteer services.

After research and discussion, the Department of Supervisory Operation deemed it feasible. On September 1, 2010, 21 enthusiastic and professional volunteers joined the ranks to help handling people's complaints. Among them were retired principals, chief secretaries, social workers and psychologists, which has not only expanded the services provided by the Control Yuan, but also added new partners and forces to the rank. These volunteers assist in receiving people's complaints and advocating for various duties to appropriately alleviate public grievances.



Figure 7-12

Volunteers assist in handling complaint cases at the Complaint Receipt Center on November 4, 2016.

Other than that, to enhance the promotion of pro-people services, some of the manpower was adjusted in October of the same year to assist the service desk in serving the public. Also, the staffing of volunteers was reviewed regularly, and the need to recruit heritage docents was discussed. As of the end of 2020, there were 20 volunteers for the people's complaint receipt service, 11 volunteers for the pro-people service, and 10 volunteers for the heritage site guided tour service, totaling 41 people. The volunteer work is under the supervision of the Control Yuan's Complaint Receipt Center colleagues.

It has been 10 years since the Control Yuan launched its volunteer system. The volunteers are practically involved in the Control Yuan services with their enthusiasm and legal, medical, and public service experience. While giving guided heritage site tours and receiving people's complaints, they can not only assist in the advocacy of the Control Yuan authority and provide legal

advice, but are also able to timely address the grievances of the complainants' and handle their physical discomfort. Furthermore, they are able to assist with the relevant works in important events, such as the National Heritage Day, the Control Yuan anniversary-themed exhibition, the national heritage Control Yuan centennial-themed exhibition, the inauguration ceremony of the members, the opening ceremony of the Human Rights Day-themed exhibition, and the application for heritage site tours by various agencies or individuals. Overall, they carry out their duties well. It is hoped that the volunteer service of the Control Yuan can grow sustainably, and each volunteer can be proud of being a partner of the Control Yuan. They are also expected to enrich their service knowledge and skills in a timely manner, in order to improve service quality, protect human rights, and establish the image of a quality service team.

Section 2 Control Yuan Activities

I. Control Yuan 90th anniversary series event

In conjunction with the 90th anniversary of the Control Yuan, a series of Control Yuan 90th anniversary events, "The Legacy of Defending Justice for 90 Years," was held in 2021. Yet, due to the COVID-19 outbreak, not all of the successive members and people from all sectors were invited.

The series of events includes the opening ceremony of the Control Yuan anniversary-themed exhibition, the themed exhibition itself, the mini music show "Musical Feast," the sketching competition "Having Fun During Winter Vacation by Drawing the Control Yuan" for students, the charity flea market & sale, and the academic seminar on the practice and prospect of supervisory power. These events were held to present the

achievements of the exercise of supervisory power in defending justice over the years, to pass on the mission of promoting human rights protection, and to admire the people and history of the Control Yuan for all these 90 years.

A. Control Yuan anniversary celebration opening ceremony and themed exhibition

The opening ceremony of the Control Yuan anniversary-themed exhibition was held on the morning of January 29, when all Control Yuan members, the heads of the National Audit Office and Control Yuan colleagues were invited to join the celebration. Control Yuan President Chen Chu delivered a speech and sent a blessing to the Control Yuan, and members sang a cross-cultural and multilingual birthday song.

Figure 7-13

Group photo of the members at the "pop card insertion" ceremony to launch the opening ceremony of the Control Yuan anniversary celebration on January 29, 2021.



Then, they performed a "props card insertion" ceremony representing the four-stage evolution of the supervisory power. Finally, the organizing colleagues accompanied the president and members to visit the exhibition area to admire the presentation of the glorious history of the Control Yuan in the past 90 years.

The exhibits were diverse and informative, with three display areas. In the Time Trajectory area, many precious historical photos presenting the transition ceremony of the successive Control Yuan presidents were shown, including the inauguration ceremony of Control President Yu You-ren in 1931, the exercise of power to consent by Control Yuan President Li Ssu-tsung to Examination Yuan President Sun Fo in 1966, the inauguration ceremony of Yu Chun-hsien as the third president of the first-term Control Yuan members in 1973, the inauguration ceremony of Huang Tsun-chiou and Ma Kung-chun as the president and vice president in 1987, and the inauguration ceremony of Chen Lu-an as the president of the second-term Control Yuan members in 1993. These photos record the historical changes and successive partners of the Control Yuan over the past 90 years.

In the Supervisory Achievements area, the results of exercising supervisory powers in related cases of impeachment, censure, and proposing corrective measure over the past 90 years were presented. About 30 representative cases were selected, including the redress case for General Sun Li-jen's

alleged insurgency, the impeachment case of Executive Yuan Premier Yu Hung-chun, the case on the collapse of Lincoln Mansions, and the hospital lockdown case during SARS. In addition, through the exhibition, simple illustrations were used to promote



Figure 7-14

Entrance to the Supervisory Achievements exhibition area; January 29, 2021



Figure 7-15

Zhongzheng Junior High School String Orchestra arranges a string trio, quartet, and quintet to perform popular classical music; January 29, 2021



Figure 7-16

After their performance, young fans from the Chengde Elementary School Drum Club seize the chance to take pictures with their idol "Mrs. Tachibana," members and guests on February 2, 2021.

the Sunshine Acts and increase the public's understanding of the Acts.

In the Control Yuan Sketches area, the top three paintings from each category of the "Having Fun During Winter Vacation by Drawing the Control Yuan" competition, which was held by the Control Yuan in January of this year (2021), were displayed.

B. The wonderful "Musical Feast" with lingering echoes

In the afternoon, music reverberated in the quiet and quaint building of the

Control Yuan. The tunes were classical and majestic. They actually came from the five-day "Musical Feast" event held by the Control Yuan in celebration of its 90th anniversary. The event took place in the lobby or the square during lunch breaks from January 29, with an aim to bear witness to the Control Yuan's grace, joy and spirit of constant vigilance through music.

The five-day Musical Feast was unveiled by the Taipei Municipal Zhongzheng Junior High School String Orchestra, followed by the visually impaired saxophonist Kaputayang, the Taipei Municipal Chengde

Elementary School Drum Club, the Control Yuan Sunny Choir, and the Control Yuan Supervisory Investigation Group String Duet, which wrapped up the Control Yuan 90th anniversary celebration perfectly with music of different styles.

During the five-day Musical Feast event, two incidents stood out. The first occurred at the performance on the second day, by the visually impaired saxophonist, Kaputayang. He is a Pinuyumayan from the Puyuma tribe (aka the tribe winning the Golden Melody Awards) in Taitung. As Kabutayang is visually impaired, the organizer specially sought assistance from the Taiwan Foundation for the Blind to translate the certificate of appreciation into Braille for him. After the performance, Kaputayang initiatively took out the certificate of appreciation, and he read it out to the audience while touching the Braille contents. When his finger reached the words "Chen Chu," he said emotionally, "I'll take this certificate back home to Taitung and ask my mother to frame it for me." Although we could not see his expression behind his large sunglasses, we could feel from his sincere tone that he was full of joy and honor. It was then that everyone realized these seemingly minimal intentions could create such warm memories.

The second incident involved the young performers from the Taipei Municipal Chengde Elementary Drum Club on the third day of the event. After their performance,

these lively and lovely children were eager to take pictures with Control Yuan President Chen Chu. Apart from taking pictures together, the president also smilingly shook hands with each child. The little fans were so excited that they kept bragging to their parents, "I shook hands with Mrs. Tachibana!" (a character from the Japanese comedy cartoon *Atashin'chi*, to whom Chen Chu is often likened). The parents and children were all very impressed, and that winter vacation was filled with great memories.

After the musical event, the audience dispersed, but the Control Yuan members did not. The music performance of the Control Yuan anniversary celebration week was a success from start to finish, and it was a credit to the enthusiastic participation of the Control Yuan colleagues, as well as the public, who made everything even more exciting. Those five afternoons not only brought energy and good memories to the Control Yuan team, but also gave the performers a sense of accomplishment and surprise.

C. The intellectual sketching competition, "Having Fun During Winter Vacation by Drawing the Control Yuan"

Among the series of events held in celebration of the 90th anniversary of the Control Yuan was a sketching competition. It allowed students to enter the Control Yuan

to admire the beauty of this heritage site up close. Students from elementary schools, junior and senior high schools, vocational high schools, colleges and universities were invited to join the competition on January 30, 2021, which was a warm and sunny day. More than 100 of these students visited the Control Yuan building on that day and sat down at their preferred corner and started to sketch. With their paint brushes, they recorded the most beautiful view of the Control Yuan in their eyes. The best works of each category were interspersed with red and green lines and blocks of color, showing the contrast and harmony; or were sketched with a special angle of view, displaying their spatial imagination ability; or were filled with elegant colors, clean lines, and unique composition, presenting the beauty of the national heritage building in different styles. The judge, Yang Yung-fu (chairman of the Oil Painting Association of R.O.C.), said that



Figure 7-17
Sketching competition exhibition; February 26, 2021

sketching requires in-depth observation and repetitive practice in order to express fully in the works. From the sketches, he could see the efforts that each participant had contributed in their everyday life.

Right before the end of the Control Yuan 90th anniversary celebration, students were invited to visit and to admire the magnificence of the Control Yuan heritage building up close, where the different views of the Control Yuan as seen by the new generation of youth were recorded. Furthermore, the Control Yuan also invited famous artists such as Yang Yung-fu and Kuo Yu-chen, a judge of the Taiwan High Court, to exhibit their works in order to display the beauty of the heritage site.



Figure 7-18
"Traveling Back to Talk About Censorate" by Kuo Yu-chen, judge of the Taiwan High Court.



Figure 7-19

"The Time of Fall" by Yang Yung-fu, chairman of the Oil Painting Association of the R.O.C.



Figure 7-20

Art by Lai Tung, first-place winner in the 2021 "Having Fun During Winter Vacation by Drawing the Control Yuan" competition's upper-grade elementary and junior high school category.



Figure 7-21

Art by Kao Kuo-chih, first-place winner in the 2021 "Having Fun During Winter Vacation by Drawing the Control Yuan" competition's college and university category.



Figure 7-22

Art by Yen Po-yun, first-place winner in the 2021 "Having Fun During Winter Vacation by Drawing the Control Yuan" competition's senior high and vocational senior high school category.

D. "The Practice and Prospect of Supervisory Power," an academic seminar on the Control Yuan's 90th anniversary held on April 30, 2021

The year 2021 marked the 90th anniversary of the Control Yuan. Instructed by Control Yuan President Chen Chu, under the coordination and planning of Secretary General Judy, Fu-mei JU, the Department of Supervisory Investigation organized the academic seminar on the "Practice and Prospect of Supervisory Power." It was held in the hope to achieve the four major objectives of putting in order the official admonition, wiping out political corruption, protecting human rights, and alleviating public grievances, as well as promoting the development of the national human rights system. In her opening speech, President Chen Chu especially pointed out that the establishment of the National Human Rights Commission the previous year made the

functions of the Control Yuan more robust, and brought Taiwanese society closer to the concept of a human rights state. In the face of the rapid changes of the times, the Control Yuan has attempted to make the outside world fully understand the current supervisory system in Taiwan through dialogue with society, and to actively explore the new form of the supervisory system and its working guidelines in line with global trends and universal values.



Figure 7-23
President Chen Chu delivers a speech at the opening ceremony on April 30, 2021.



Figure 7-24
President Chen Chu greets former Member Ku Den-mei (third from right) and the former President Rai Hau-min (second from right).



Figure 7-25
Control Yuan President Chen Chu greets Chairperson Chang Fu-mei (second from right) and the former Judicial Yuan President Lai In-jaw (first from right).



Figure 7-26

Group photo of Control Yuan President Chen Chu and guests, April 30, 2021.



Figure 7-27

Chairs of the seminar sessions on April 30, 2021 (top left: Former Judicial Yuan President Lai In-jaw in Session 1; top right: Prof. Liao I-nan in Session 2; bottom left: Prof. Lee Hung-hsi in Session 3; bottom right: Chairperson Chang Fu-mei in Session 4).

The four topics of the academic seminar sessions were "Constitutional Government and Supervision," "Supervisory Power and the Due Process of Law," "Supervision and the Judiciary" and "The Past of the Supervisory Legal System and the Prospect of Human Rights." Distinguished people in the legal profession, namely the former president of

the Judicial Yuan, Lai In-jaw, the former Grand Justice Liao I-nan, Honorary Professor of the College of Law at National Taiwan University, Lee Hung-hsi, and the Chairperson of the Taiwan Friends Association and the third-session Control Yuan member, Chang Fu-mei, were invited to serve as the chairpersons of each seminar session, respectively.

Session 1 Constitutional Government and Supervision

Professor Chang Wen-chen, the dean of the School of Law at National Yang Ming Chiao Tung University, presented a paper on "Opportunities and Challenges for the Constitutional Transformation of the Control Yuan: Based on Human Rights." From the perspective of the separation of powers and checks and balances, Chang expressed the belief that impeachment of public servants for violations of law or dereliction of duty confuses political responsibility with legal responsibility. Therefore, the Control Yuan should adopt a human rights-oriented viewpoint and be fully transformed into a "human rights institution" to supervise public servants and public agencies for infringement of human rights. Panelist Chen Chun-sheng, a former grand justice, emphasized the theory of separation of powers and checks and balances, and that

there should be full cooperation among various authorities and no infringement on other core areas of authority. Panelist Nigel N.T. Li, a professor of the Graduate Institute of Law at Soochow University, said that the retention or abolition of supervisory power is a matter of institutional choice. Additionally, the disciplinary sanctions for public servants' violations of the law or dereliction of duty should be handled by the Judicial Yuan in accordance with Judicial Yuan Interpretation No. 396, and the issue of which authority should initiate disciplinary actions should be considered. Panelist Yeh Jiunn-rong, a chair professor of the College of Law at National Taiwan University, supported Chang's viewpoint and said that the existence of the Control Yuan was the result of five-power constitutional framework adopted by our country, but the interaction between



Figure 7-28

Chair, presenter and panelists in Session 1 (from left to right: Prof. Yeh Jiunn-rong, Prof. Chen Chun-sheng, former Judicial Yuan President Lai In-jaw, Prof. Chang Wen-chen, and Prof. Nigel N.T.L.)

the authorities under the Framework was too complicated and would cause difficulties in political operations. Seminar Chairperson Lai In-jaw, former president of the Judicial Yuan, said that the issue of the transformation of the Control Yuan into a human rights institution is a matter of

constitutional amendment, and that under the current constitutional system, there was no unconstitutionality in the exercise of the supervisory powers of impeachment, censure and proposing corrective measures by Control Yuan members.

Session 2 Supervisory Power and Due Process of Law

Professor Wu Chih-kuang from the School of Law at Fu Jen Catholic University presented a paper on "The Legal Nature of the Exercise of Supervisory Power and Due Process of Law." Wu stated that the exercise of supervisory power should comply with

the principle of the due process of law in order to protect human rights, which did not constitute an exception due to the exclusion clause for supervisory authorities stipulated in Article 3, paragraph 2, point 3 of the Administrative Procedure Act. In addition,

in exercising the powers of impeachment, censure, and proposing corrective measures, Control Yuan members should refer to Judicial Yuan Interpretation No. 585 and No. 633, giving the investigated person the right to be informed, the opportunity to present their opinions, and the rights to refuse to testify and to seek assistance from lawyers. Furthermore, Panelist Li Chen-shan, a former grand justice, said that the *Verfahrensgrundrecht* ("fundamental procedural rights") should be established to review each of the existing supervisory laws and regulations in order to implement human rights protection. Panelist Chen Ai-er, a professor of the College of Law at National Taiwan University, said that the proper legal procedures for the exercise of the supervisory power should be based on Judicial Yuan

Interpretation No. 585, and that much discussion was needed in legal hermeneutics; and the design of the procedure would be different since the identity of the investigated person was different. Panelist Lee Hwai-tzong, the professor of the School of Law at National Chung Hsing University, pointed out that the current exercise of supervisory power could play a preventive function beforehand; however, the legal regulation of the current supervisory system was considered incomplete in terms of private investigations. Seminar Chairperson Liao I-nan, a former grand justice, argued that when the people's rights were infringed due to the negligence of public authorities, the principle of due process of law should be applied when a complaint was filed, and they should be considered together.



Figure 7-29

Chair, presenter and panelists in Session 2 (from left to right: Prof. Lee Hwai-tzong, Prof. Li Chen-shan, Prof. Liao I-nan, Prof. Wu Chih-kuang, and Prof. Chen Ai-er)

Session 3 Supervision and the Judiciary

Professor Li Rong-geng of the Department of Law at National Taipei University presented "Humble Opinions on the Legal System Related to the Independent Review Committee for Wrongful Conviction Cases," and Professor Wang Shih-fan presented "Human Rights Supervision of the European Court of Human Rights on Investigations Using GPS Technology in Germany." Li said that the judicial relief system to determine misjudgments involved the separation of supervisory and judicial power, and even if the provisions of criminal retrial were amended to significantly relax the threshold for filing a motion for retrial, the success rate of judicial relief for retrial

would not improve; and that was not simply a matter of legal leniency, but of judicial practice and institutional limitations. Hence, he suggested the establishment of an independent review committee for wrongful conviction cases that should refer to that of the United Kingdom and the United States. Wang cited the case of the European Court of Human Rights regarding the police's use of GPS technology in investigating crimes to illustrate that Germany's technology crime-investigation provisions were in line with the relevant provisions of the European Convention on Human Rights. Panelist Lin Yu-hsiung, a professor of the College of Law at the National Taiwan University, not only



Figure 7-30

Chair, presenter, and panelists in Session 3 (from left to right: Former Member Lin Chu-lang, Prof. Wang Shih-fan, Prof. Lee Hung-hsi, Prof. Li Rong-geng, Prof. Lin Yu-hsiung, and former Member Lin Ya-feng)

agreed with Li's viewpoint, but also echoed Wang's paper by advocating that the National Human Rights Commission could refer to cases of the European Court of Human Rights to urge the improvement of the current legal system of investigation using technology. Panelist Lin Chu-lang, a Control Yuan member, based on the separation of supervisory and judicial power, specified that judicial cases made up the largest number of people's complaints, and there was a need to introduce an independent

review committee. Member Lin Ya-feng pointed out that supervision and justice work should cooperate with each other in order to protect human rights. Seminar Chairperson Lee Hung-hsi, an honorary professor of the College of Law at National Taiwan University, stated that when prosecutors and judges were proven to have violated the law and failed to perform their duties, the Control Yuan should impeach them and affix their responsibility.

Session 4 The Past of the Supervisory Legal System and the Prospect of Human Rights

Member Tsai Chung-yi presented "The Past of the Supervisory Legal System and the Prospect of Human Rights" and made a number of suggestions, including the principle that due legal process should be applied to supervisory investigations; the investigated persons should be provided with timely assistance by lawyers and to safeguard their right to silence; and Article 26 of the Control Act concerning the case's disclosure to the public should be amended. Finally, the problems encountered in the operation and reconciliation of traditional supervisory powers and the authority of the Human Rights Commission were covered. Panelist

Li Ful-dien, a former Control Yuan member, shared his experience as an investigation member and considered that the power of proposing corrective measures played a crucial role in curbing arbitrary exercises of administration and infringement of human rights. Based on her past experience as a member of the Legislative Yuan, Panelist Tien Chiu-chin, a Control Yuan member, disagreed with the idea that supervisory power should be transferred to the Legislative Yuan, and that the status of a National Human Rights Commission member as a Control Yuan member would help promote the human rights protection work implemented by



Figure 7-31

Chair, presenter, and panelists in Session 4 (from left to right: Prof. Liu Ching-yi, former Member Li Ful-dien, Chairperson Chang Fu-mei, Member Tsai Chung-yi, Member Liu Tien Chiu-chin, and Chief Executive Officer Huang Yibee)

the administrative agencies of the nation in terms of policy implementation and practical actions. Panelist Liu Ching-yi, a professor of the Graduate Institute of National Development at National Taiwan University, said that the Control Yuan's supervisory legal system should increase the completeness of procedural safeguards, and suggested that the interaction between the National Human Rights Commission and the Legislative Yuan could be based on the "The Belgrade Principles" formulated in 2012. Panelist Huang Yibee, the chief executive officer of the Covenants Watch, advocated that the National Human Rights

Commission should not adopt a mixed-style human rights system under the current system, but rather a division of labor-style human rights system, and that Human Rights Commission members should not serve as Control Yuan members at the same time to avoid any confusion of roles. Seminar Chairperson Chang Fu-mei, said that she did not understand the supervisory powers as she had worked abroad for a long time in the past. It was not until she became a Control Yuan member that she discovered that, through the exercise of impeachment, censure and proposing corrective measures, Control Yuan members can supervise



Figure 7-32

Group photo of academic seminar at the closing ceremony.

public servants and government agencies to administer in accordance with the law, thereby promoting government effectiveness and achieving organizational development.

At the closing ceremony, Member Chao Yung-ching, on behalf of the Control Yuan, thanked the guests for their enthusiastic participation. He further stated that the Control Yuan would be more open-minded in accepting the opinions of all sectors, and would do its best to incorporate the opinions received in the seminar in the shortest possible time, so as to establish a supervisory system that meets the needs of the people and lives up to the expectations of the nation.

The invited scholars and experts were all prominent figures, so the seminar was well received by participants. As many as 240 participants attended the seminar, which made it an exceptionally grand event. The seminar was made into a video after the event, and was uploaded to YouTube, as well as other video streaming platforms, with an aim of allowing more people to participate in the feast of knowledge. Additionally, to enhance the effectiveness of the seminar, expand the scope of academic promotion, and let the outside world better understand the issues related to the supervisory power and human rights protection, the published articles in the Control Yuan 90th anniversary academic seminar will be compiled into a book.



Figure 7-33

Group photo of Member Tsai Chung-yi (fifth from left, front row), former Member Sheree Ma (seventh from left, front row), and Secretary General Judy, Fu-mei JU (fourth from left, front row), with Department of Supervisory Investigation colleagues after the seminar.



Figure 7-34

Attendees of the press conference hold up The CY 90th Anniversary Special Issues; July 29, 2021

II. Human Rights in Taiwan - Upgrade

By Hsu Lang-chieh

December 10 is celebrated as Human Rights Day across the world. Control Yuan President Chen Chu, who is also the Chairperson of the Control Yuan National Human Rights Commission, and several Control Yuan members took the lead in unveiling the "National Human Rights Day Themed Exhibition" on December 4, 2020. The themed exhibition was divided into three areas. Chen was especially impressed by the "Walk Through the Darkness" filmed by the Control Yuan, which was premiered in the "Human Rights Screening Room" area. Furthermore, she stated that she was not the first person to suffer in the historical process

of Taiwan's fight for freedom and democracy, nor would she be the last, and expressed hope that future generations in Taiwan would not repeat the tragedy of the past.

On December 10, 2020, President Tsai Ing-wen was invited to attend the "Taiwan Human Rights Upgrade" event held by the Control Yuan. Accompanied by President Chen Chu, she learned Taiwanese sign language from the chairperson of the National Association of the Deaf R.O.C., Lin Che-ying, and together they said "Upgrade again, human rights in Taiwan." The President emphasized that human rights are a basic yet priority value, as well as a good way for Taiwan to go global and encourage international cooperation.



Figure 7-35

President Tsai Ing-wen (third from right), Control Yuan President Chen Chu (second from left), Deputy Chairperson Kao Yung-cheng (first from right), and Secretary General Judy, Fumei JU (first from left) learn Taiwanese sign language, which has become a national language, from Chairperson of the National Association of the Deaf R.O.C., Lin Che-ying (second from right); December 10, 2020



Figure 7-36

National Human Rights Commission logo launch ceremony, December 10, 2020. From left to right: Indigenous representative, Yavai Yatauyoungana; Human Rights Commission member, Wang Jung-chang; President Tsai Ing-wen; Control Yuan President Chen Chu; recent immigrant representative, Tran Thi Hoang Phuong; and political victim representative, Tsai Kuan-yu.

During the event, Chen Chu thanked various agencies, organizations, consultants, as well as predecessors and friends for their support and assistance in the fight for human rights, and so the Control Yuan was not alone on the journey. Additionally, she said that the Control Yuan had been dedicated to the protection of human rights, from the initial supervisory power of proposing corrective measures, censure, and impeachment to the current active promotion and protection of human rights by the National Human Rights Commission. All of these required more cooperation between government agencies, government and domestic and foreign organizations to combine the wisdom and strengths of all sectors, which was all an upgrade of the human rights work.

The event concluded with the unveiling of the Control Yuan National Human

Rights Commission logo by President Tsai, Control Yuan President Chen Chu, and representatives of five major ethnic groups. The design was conceived with five major ethnic groups and human rights in mind. In addition, the color purple representing suffering was chosen to highlight the Taiwanese people's insistence and pursuit of equality, freedom, diversity, justice and democracy. In addition to the indigenous peoples from New Taipei Municipal Jin-Shan High School being invited to perform songs and dances, the visually impaired music band, EyeMusic, was also invited to perform songs. The music was filled with moving melodies of art and human right concepts, in the hope that the Human Rights Commission will stand firm and unveil an even more glorious page for the history of human rights reform in Taiwan.

III. National Heritage Control Yuan Centennial Themed Exhibition

By Hsiao Wen-chun

The main building of the Control Yuan was inaugurated on April 24, 1915, and was the successor of the Taihoku-shū (Taipei Prefecture) Office Building, the highest administrative agency in Northern Taiwan during the period of Japanese rule. It is a historical Western-style building, solemn and elegant. After the war, the building was initially used as the office of the Taiwan Provincial Government, and then officially became the building of the Control Yuan in 1958. Moreover, it was declared a national heritage site in 1998, and has great artistic and humanistic value.

A. National Heritage Centennial-Themed Exhibition Opening Ceremony

Heritage is the evidence of history and important remnants of the lives of our predecessors. By getting to know our heritage, we are able to explore the wisdom and experience of our ancestors, which in turn will inspire our future. On April 24, 2015, the Control Yuan building marked 100 years since its inauguration, thus a series of celebratory events were planned under the theme of "A Century of Beauty, A Thousand Years of the Censorate" to invite the nation to witness the historical beauty of this cultural treasure.



Figure 7-37
Control Yuan President Chang Po-ya officiates at the opening of the National Heritage Control Yuan Centennial Themed Exhibition; April 24, 2015



Figure 7-38
"A Century of Beauty" exhibition; April 24, 2015

The National Heritage Control Yuan Centennial-Themed Exhibition, which was the main event of this series, was divided into the "Beauty of Heritage" and the "History of the Censorate." "The Beauty of Heritage" area utilized the heritage site itself as its exhibit. The historical background of the building, its construction history, and the use and maintenance of the Control Yuan after moving in were all displayed

through exhibition boards. Whereas, the "History of the Censorate" area presented the achievements of the exercise of supervisory powers (impeachment, censure, investigation, and proposing corrective measures), the Sunshine Acts, the duties of the Complaint Receipt Center, etc. Specific cases of investigation, actual cases of disciplinary sanctions, and statistical data were all included to explain the achievements of the exercise of the Control Yuan's authority to the visiting guests. By opening the doors to the public, the community would be able to admire the beauty of the heritage while exploring the historical footprints of the exercise of supervisory power.

B. Holding the "Conference on the International Day for Monuments and Sites 2015" and exchanging ideas

On April 25, 2015, the Control Yuan and the Ministry of Culture's Bureau of Cultural Heritage co-hosted the "Conference on the International Day for Monuments and Sites 2015." Experts and scholars from related fields, both domestic and abroad, were invited to share their experiences and exchange ideas from the perspectives of "Exploring the Public Architecture Works of Matsunosuke Moriyama," "Historical Changes in Taiwan's Heritage Buildings and Landscapes," and "Heritage in Transition" that was the theme of the conference of the International Council on Monuments and Sites (ICOMOS) in 2015. In addition, a



Figure 7-39

A volunteer gives explanations to members of the public visiting the "A Century of Beauty" exhibition; April 24, 2015

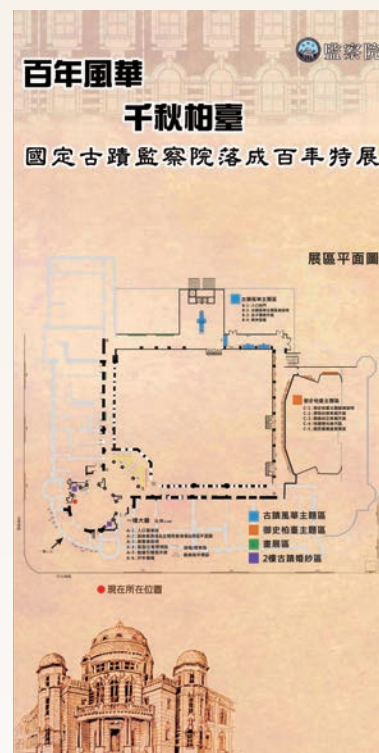


Figure 7-40

"A Century of Beauty" exhibition area floor plan; April 24, 2015



Figure 7-41

The Control Yuan and the Ministry of Culture's Bureau of Cultural Heritage co-hosted the Conference on the International Day for Monuments and Sites 2015, April 25, 2015. This group photo shows Control Yuan Vice President Paelabang Danapan (third from left, front row) and Jane Y.W. Chiang (second from left, front row) with attending scholars.

special arrangement to visit the national heritage site, the Control Yuan, was included to increase the prestige of the Control Yuan's heritage building research.

C. An outdoor closing concert under a starry sky

On May 30, 2015, the "Passing the Torch, Classic Reproduction Closing Concert" held under the starry sky on the Control Yuan's courtyard lawn was one of the month-long themed exhibition events. Former and current Control Yuan members, surrounding friends and neighbors, and groups of recent immigrants were invited to perform representative songs of Taiwan over the past 100 years. Through the instrumental performance and singing, the songs sung

by the people of Taiwan and the ancient heritage complemented each other, bridging the gap between the present and the past through memory. The performance added the perfect ending to the National Heritage Control Yuan Centennial-Themed Exhibition.



Figure 7-42

The Sunny Choir holds the "Passing the Torch, Classic Reproduction Closing Concert" on the Control Yuan's courtyard lawn; May 30, 2015

IV. Republic of China Centennial Supervisory Archive Exhibition

By Chen Jui-chou

To celebrate the 100th anniversary of the Republic of China's birth, the Executive Yuan encouraged all agencies to organize celebration activities, and to promote archive disclosure under the democratic trend of opening government data. The Control Yuan put this into practice by organizing an archive exhibition.

Supervisory archives are one of the footprints and records of the exercise of the Control Yuan's authority. The archive exhibition not only echoed the policy of Republic of China's centennial celebration, but also aimed to present the establishment trajectory of the supervisory system. In doing so, it helped the public understand the effectiveness of the Control Yuan's work, so as to achieve the purpose of promoting the supervisory works and communicating with the public.

The exhibition took place in the heritage building of the Control Yuan, with exhibits borrowed and obtained externally, including 12 imperial memorial replicas regarding the Qing dynasty censors on inspection tours to Taiwan from the National Palace Museum, precious historical archives from the Academia Historica and National Development Council's National Archives Administration, and precious news report

videos from the Public Television Service (PTS), the Chinese Television System (CTS), and Hakka TV. The exhibition was a breakthrough in the way it presented major



Figure 7-43

The simulated reproduction archive of the General Sun Li-jen case; April 9, 2011



Figure 7-44

(Left to right) National Palace Museum Director Chou Kung-shin, Examination Yuan President John Kuan, Control Yuan President Wang Chien-hsuan, Control Yuan Vice President Chen Chin-li, National Archives Administration Director-General Lin Chiu-yen, and Control Yuan Member Teresa Yin together activate a plasma ball to unveil the Supervisory Archive Exhibition; March 16, 2011

historical incidents with social concerns (e.g., General Sun Li-jen's case) in simulated reproductions. The public was able to view the archives on site, thereby achieving two-way interaction and satisfying readers' desire to explore history.

As the archives were all static materials, dynamic elements were specially included in the opening ceremony.

The lion dance team of Taipei Municipal Long Men Junior High School and a student from Taipei First Girls High School who was proficient in the violin were invited to perform in order to add vitality to the entire exhibition. The students' adorable and lively performance and elegant violin playing brought smiles to the faces of all the officials, guests, and colleagues. The exhibition attracted more than 5,000 visitors and successfully completed its historical mission.

V. The various seminars held before 2021

By Lin Ya-ling, Lin Ming-hui, and Cheng Chiao-yun

A. Seminar on the 20th Anniversary of the Act on Property-Declaration by Public Servants

Integrity is the core value of a government. A government that shows a lack of honesty and integrity in its administration will result in corruption in the governance of its officials, impropriety in admonitions to officials, and malpractice in its conduct. Consequently, the



Figure 7-45

A group photo of the participants with Control Yuan President Wang Chien-hsuan (fifth from left, front row) at the Seminar on the 20th Anniversary of the Act on Property-Declaration by Public Servants; July 2, 2013

people's trust in the government is bound to decline, and the country's ruling base and overall governance will be at risk. The governments of all countries are dedicated to the promotion and maintenance of anti-corruption and ethical norms, and issues such as combating corruption and strengthening transparency are emphasized. On October 31, 2003, the United Nations adopted "The United Nations Convention Against Corruption (UNCAC)," which provides a reference and basis for countries around the world to establish a legal framework against corruption. The promotion of anti-corruption has become a universal value. Anti-corruption is not only the responsibility of the government, but also an issue of concern to the private sector and the entire population. Thus, the collaboration of both the public and private sectors and civil society is needed to implement it in full.

The Act on Property-Declaration by Public Servants (hereinafter referred to as Property Declaration Act) was promulgated on July 2, 1993, and became effective on September 1 of the same year. The Act aimed to "straighten government ethics, and ensure the integrity of conduct of public servants," which requires public servants holding certain positions to declare their properties, as well as their spouses' and underage offspring's properties, for public inspection, so as to promote public trust in the integrity of government administration. This is the first part of the Sunshine Acts in the Republic of China, uncovering the path to anti-corruption in the nation. In order to review the effectiveness of the implementation of the Act, the Control Yuan, as one of the enforcement agencies of the Act, held the "Seminar on the 20th Anniversary of the Act on Property-Declaration by Public Servants" on July 2, 2013, the 20th anniversary of the promulgation of the Act. Experts from the academic and practical fields were invited to discuss the current status and future of the

property declaration system. The opinions and suggestions of all parties were used as a reference for subsequent amendments and implementation.

The four topics presented and discussed in the seminar were "Conflict of Interest and Declaration of Property," "The Scope and Limits of Administrative Investigation in Our Property Declaration System for Public Servants," "Exploring the Dilemma and Opportunities of the Property Declaration System for Public Servants from the Execution Perspective," and "The Relationship Between the Data Disclosure System and Privacy Protection of the Property Declaration System for Public Servants." Presenter Professor Chen In-chin pointed out that the function of public servants' property declaration should be to prevent conflict of interest and reduce illicit enrichment, and expressed hope that the Property Declaration Act could be recast in order to prevent conflict of interest. Presenter Associate Professor Chen Ai-er analyzed the scope and limits of the administrative



Figure 7-46

Seminar for the 20th Anniversary of the Act on Property-Declaration by Public Servants; July 2, 2013



Figure 7-47
Presenter, Associate Prof. Chen Ai-er (first from right), and Moderator, Member Hung Chao-nan(second from right).



Figure 7-50
Presenter, Prof. Chen In-chin (first from right), and Panelist, Control Yuan Administrative Appeal Review Committee Member Chang Kuei-mei (second from left; later served as a fifth-term Control Yuan member)



Figure 7-48
Presenter, Associate Prof. Hong Kuo-hsing (first from right); Moderator, Lee Ben-nan (second from right); and Panelist, Member Chen Yung-hsiang (second from left)



Figure 7-49
Presenter, Assistant Prof. Hu Po-yen (first from right); Moderator, Member Frank Wu (second from right); and Panelist, Member Li Ful-dien (first from left)

investigation authority from the perspective of property declaration reviewing, so that the Control Yuan could better hold legal limits and strengthen the reviewing authority's ability to find out the facts when conducting administrative investigations. Based on his practical experience in the Control Yuan Department of Property-Declaration by Public Servants, Presenter Associate Professor Hong Kuo-hsing, with his information expertise, suggested the transformation of the Control Yuan's duty procedures using information and communications technology (ICT). Presenter Assistant Professor Hu Po-yen explained the constitutionality of restricting the right to privacy from the perspective of its status in the Constitution, and then reviewed the current provisions and means of compulsory disclosure in the Property Declaration Act in the hope of striking the best balance between public

interest and personal privacy protection. Each of the presenters offered insightful opinions, and the participants spoke out enthusiastically, which resulted in lively and fruitful discussions. After the seminar, the relevant suggestions were compiled and sent to the Ministry of Justice for reference. Apart from that, the papers, the opinions of the moderators and panelists, as well as the related seminar materials, were compiled and published as the "Seminar Record of the 20th Anniversary of the Act on Property-Declaration by Public Servants."

B. Holding a series of seminars on human rights protection work

In accordance with the Regulations Governing the Establishment of the Control Yuan Committee on Human Rights Protection, the Control Yuan established the Committee on Human Rights Protection on May 19, 2000. The tasks of the Committee stipulated in the regulations are as follows: (1) Strengthening the exercise of control powers for development of the functions of human rights protection; (2) Matters related to the research, planning, organization and establishment of ministerial-level agencies for the protection of human rights under the Yuan. Since 2009, Taiwan has been promoting the enshrinement of international human rights conventions in Taiwanese law. Since then, the Control Yuan

has been able to exercise its investigative powers in accordance with international human rights conventions, in order to rectify deficiencies in the protection of human rights by government agencies at all levels. The statutory powers of the Committee on Human Rights Protection include "matters concerning promotion and supervision of the incorporation of international human rights conventions in domestic law," "liaison with domestic and international human rights organizations and collection of relevant information," and "deliberation on the promotion of human rights education." Based on the high external expectation of human rights protection and promotion, the Committee on Human Rights Protection had been holding a series of seminars on human rights protection work since 2009, in response to the institutional or systemic problems identified in the investigations of the Control Yuan. Representatives from all walks of life, including front-line professionals, scholars, and government agencies were invited to participate in the discussions. They identified practical problems by sharing their working experience, and their opinions served as a reference for the exercise of supervisory power to protect human rights. After the seminar, the collection of papers was compiled and published. The following is a brief description of the human rights work seminars held in the past:



Figure 7-51

Group photo of attendees at the 2nd Control Yuan Seminar on Human Rights Protection Work; July 10, 2009

1. On January 9, 2009, the 1st Control Yuan Seminar on Human Rights Protection Work was held to discuss issues such as consumer rights (including food hygiene and medical safety) and the basic human rights of immigrant spouses.
2. On July 10, 2009, the 2nd Control Yuan Seminar on Human Rights Protection Work was held to discuss judicial human rights issues, including the pre-trial statutory detention of defendants in felony cases and the right to request a jury trial in a reasonable time by litigants.
3. On January 8, 2010, the 3rd Control Yuan Seminar on Human Rights Protection Work was held to discuss the problems encountered in the protection of the education and economic rights of indigenous peoples, as well as their countermeasures.
4. On September 10, 2010, the 4th Control Yuan Seminar on Human Rights Protection Work was held to discuss the impact of globalization and the current situation of the three basic labor rights in Taiwan, as well as the protection of the human rights of dispatched and foreign workers.
5. On June 7, 2013, the 2013 Control Yuan Seminar on Women's Human Rights Protection Practice was held to discuss the current situation of women's rights protection in Taiwan. The women's rights policies and their effectiveness were explored in terms of judicial and medical systems, the social policy and policing systems, and the education and labor systems respectively. In addition, 12 members were assigned to investigate 13 important women's rights issues.
6. On July 31, 2015, the 2015 Control Yuan Seminar on the Protection of Indigenous Peoples' Land Rights was held to discuss the root causes of indigenous peoples' land problems, and the indigenous peoples' land policies and current implementation. Apart from that, solutions to indigenous peoples' land problems were also explored. Additionally, members were assigned to investigate two related issues.
7. On July 5, 2016, the 2016 Control Yuan Seminar on the Protection of the Right to Family Life of Children and Youths

in Mandatory Placement was held to discuss the rights of children and youths in mandatory placement to live with their families, and the social problems faced by children and youths due to poverty. The government's countermeasures were also explored. During the seminar, representatives of foreign non-governmental organizations exchanged their experiences between Taiwan and Switzerland, Belgium and Canada.

8. On September 29, 2017, the 2017 Control Yuan Seminar on Elderly Rights was held to discuss the economic security of the elderly, the rights of people with dementia, the integration of the long-term care service network, and the financial source and human resources supply of the long-term care system. Additionally, the chair of the Dementia Alliance International (DAI), Kate Swaffer and her husband shared their personal experiences and insights in caring for their family member with dementia.
9. On December 7, 2018, the 2018 Control Yuan Seminar on the Rights of Persons with Disabilities was held to discuss how persons with disabilities can obtain personal freedom and safety, equal and effective judicial protection, inclusive and quality education, and equal work rights. Additionally, the main contents of the Convention on the Rights of Persons with Disabilities (CRPD) for reasonable adjustments were also explored.



Figure 7-52

The Control Yuan's Seminar on the Protection of Indigenous Peoples' Land Rights is well received by participants from all walks of life; July 31, 2015



Figure 7-53

The Control Yuan Committee on Human Rights Protection holds the Seminar on the Protection of the Right to Family Life of Children and Youths in Mandatory Placement; July 5, 2016

C. The 1st Academic Seminar on the Supervisory Legal System held by the Control Yuan in 2008

During the period of inability to exercise powers (February 2005 to July 2008) of the Control Yuan, the Department of Supervisory Investigation held the 1st Academic Seminar on the Supervisory Legal System on May 9, 2008 in accordance with the instructions of Secretary General Tu Shan-liang: "June 5, 2008 is a key date that marks the 60th anniversary of the Control Yuan after the

enactment of the Constitution. Therefore, it is important to study the constitutional and legal issues and the shortcomings of the current practice. We should fully engage in a dialogue with the public to meet the people's expectations." The second president of the Control Yuan, Wang Tso-yung, was the guest of honor at the opening ceremony. He stated in his speech that disciplinary power should be returned to the Control Yuan, and that the various investigative acts of the Control Yuan should be backed up by the power of mandatory punishment, so that the investigation quality can be improved by making it more detailed and complete. In terms of the organizational aspect, a professional investigation institution should be established to take up the responsibility of putting in order official admonition and preventing corruption and malfeasance, in order to comply with the power granted by the Constitution, and to strive for a modernized constitutional state.

The seminar was divided into four sessions to discuss in depth the due process of law of supervisory investigation, the comparison of supervisory investigation with administrative investigation and congressional investigation in Japan, the boundary of supervisory investigation on administrative discretion and the comparison between the supervisory systems of Taiwan and Finland, and the direction of the Control Act amendment. The presenters were Chen Ai-er, Wu Yu-tsung, Nigel N.T. Li, Hung Wen-



Figure 7-54

Control Yuan President Wang Tso-jung delivers a speech at the opening of the 1st Academic Seminar on the Supervisory Legal System; May 9, 2008

ling, Lee Chien-liang, Chou Yang-sun, Huang Chin-chen and others, who also exchanged opinions with attendees. The seminar was enthusiastically attended by the second president of the Control Yuan, Wang Tso-yung; the third president of the Control Yuan, Fredrick Chien; members of the Control Yuan, Yin Chang-fu, Lee Shen-yi, Chao Jung-yao, Chang Fu-mei, Huang Chin-chen, Lu His-mu, Huang Wu-tzu, Chan I-chang, Lin Chiang-tsai, Huang Chao-heng, Li Yu-chi, Kuo Shih-chi, Chou Che-yu, Lin Chiou-shan, Shieh Mung-shiung; grand justices of the Judicial Yuan, Wu Geng and Liao I-nan; member of the Public Functionary Disciplinary Sanction Commission, Chin Ching-chang; vice chairperson of the National Communications Commission, Tzong-Der Liou; director general of the Ministry of Justice Investigation Bureau, Wang Kuang-yu; deputy director general of the National Immigration Agency, Tsai Chen-jung; experts and scholars including Professor Chen Chi-hua from

the Department of Public Administration and Policy at National Taipei University; Professor Dennis T.C. Tang, director of the Institutum Jurisprudentiae Academia Sinica; Professor Ge Yong-guang from the Department of Political Science at National Taiwan University; Professors Lee Chien-liang and Wang Jaw-perng from the College of Law at the National Taiwan University; Professor Sheree Ma from the Department of Accounting at National Chengchi University; and Professor Tuan Chung-min, the dean of

the School of Law at Shih Hsin University, together with the other 250 guests.

It was the first academic seminar on the supervisory legal system held since the establishment of the Control Yuan. It not only helped achieve the four major objectives of "putting in order the official admonition," "wiping out political corruption," "protecting human rights," and "alleviating public grievances," it also contributed to the depth and breadth of our constitutional theory and public law research.



Figure 7-55

Experts and scholars at the 1st Academic Seminar on the Supervisory Legal System Session 1; May 9, 2008



Figure 7-56

Experts and scholars at the 1st Academic Seminar on the Supervisory Legal System Session 3; May 9, 2008



Figure 7-57

Experts and scholars at the 1st Academic Seminar on the Supervisory Legal System Session 2; May 9, 2008



Figure 7-58

Experts and scholars at the 1st Academic Seminar on the Supervisory Legal System Session 4; May 9, 2008

Section 3 Cultural and Recreational Activities

I. Organizing a variety of cultural and recreational activities

By Hung Wei-ping

To enhance the friendship and communication between officers and colleagues, strengthen the connection between departments, and enhance team cohesion, the Control Yuan has been organizing various cultural and recreational activities with limited resources and the efforts of the entire staff, unleashing creativity and striving to revitalize and innovate the content of the activities.

In the early days, the Control Yuan organized outdoor team-building or

mountain-climbing activities to encourage colleagues to go outdoors to get close to nature and strengthen their physical fitness, and provide them with the opportunities to socialize with their family members and retirees. During the activities, prizes were awarded to the staff's children with outstanding academic performances as an encouragement.

Apart from that, the Control Yuan regularly holds birthday parties to establish bonds among colleagues and give blessings to the birthday person. The contents of these celebrations are designed and planned by the colleagues themselves. In addition to the performances presented by the colleagues,



Figure 7-59

Group photo of the team-building event held at Luodong Forestry Culture Park; November 18, 2011



Figure 7-60

Group photo of the team-building event held at Shifen Waterfall in Pingxi; May 18, 2012

there are also quizzes with prizes to promote the Control Yuan's duties. Activities are also held in conjunction with festivals or holidays, such as the Mother's Day event in May, or family day during the summer vacation. They were held to enhance interaction between the staff and their families, as well as to promote recognition of the Control Yuan work among staff members' families. Since 2021, the birthday celebration activities have been further integrated with environmental education. In doing so, members of the staff have gotten close to nature and enhanced their knowledge and skills of environmental education after their official duties, which in turn improves their physical and mental health, relationship, and cohesion.

Additionally, a year-end banquet is held at the end of each year to encourage colleagues for their hard work throughout

the year. Colleagues of all departments perform at the event, and members and officers are also invited to perform their talents or participate in the show. They sing and dance and have fun together, which brings the members, officials and colleagues closer, lets them get to know each other better, and strengthens their bonds and interactions.

As a new year comes round, all things begin again. In order to boost the staff's work spirit and morale, at the end of each Lunar New Year, the Control Yuan holds a Lunar New Year gathering. A lucky draw is held while staff members send their new year's greetings to each other. Officers and members provide prizes to express their wishes and encouragement to the staff and start a brand-new year in a joyful and festive atmosphere.



Figure 7-61

Birthday celebration for the second half of 2013 and family day activity; August 23, 2013



Figure 7-62

Member Wang Yu-ling performs a dance with colleagues at the year-end banquet; January 18, 2019



Figure 7-63

Member Lai Chen-chang plays the saxophone at the Lunar New Year gathering; February 17, 2021



Figure 7-64

Group photo of Control Yuan President Chen Chu (center) with sixth-term female Control Yuan members at the Control Yuan glass house reopening ceremony; January 5, 2021



Figure 7-65

Group photo of Control Yuan President Chen Chu (second from right, front row) with sixth-term male Control Yuan members at the Control Yuan glass house reopening ceremony; January 5, 2021



Figure 7-66

Group photo at Guandu Nature Park during H2 2021 environmental education; October 29, 2021



Figure 7-67

CY President Chen Chu (center) and Members bidding farewell to the previous lunar year together in the office of the Secretary-General; January 28, 2022

II. Participating in the Central Government Interagency Sports Competition

By Huang Chiung-chih

In order to enhance the vitality and morale of public servants, the then Central Personnel Administration of the Executive Yuan advocated proper leisure activities for the central government staff. As a result,

the Central Government Interagency Sports Competition was held almost every year between 1995 and 2016 (the name of the event varied slightly from year to year, and was organized by the Civil Service Housing and Welfare Committee in the early days), with the hope of improving their physical fitness, cultivating team spirit, and enhancing work efficiency.



Figure 7-68

The CY President, Members, and Department of Supervisory Operations staff performing in a Lunar New Year celebration; February 7, 2022



Figure 7-69

Group photo of Control Yuan colleagues winning the Spirit Award; April 19, 1999

The Control Yuan has been actively participating in the various games of the Central Government Interagency Sports Competition, and has achieved remarkable results over the years in various sports and fun contests.

In 1995, 1996, 1998 and 1999, they won the Spirit Award. The teamwork of all the colleagues not only won honor for the Control Yuan, but also fully demonstrated the Control Yuan's team spirit.

III. The literature and art style of Control Yuan members

By Wei Chia-sheng

The duties of Control Yuan members are similar to those of the ancient censors, who investigated wrongdoings, and censured and impeached the officials for their misconduct. As a result, people often have the impression that they are stern-faced and serious in speech and manner. In fact, this is only a



Figure 7-70
Resolution at the Plenary Meeting, by Member Chen Chin-li

serious attitude reflected by the members in carrying out their duties; they are actually easy-going and even funny in private. Among the members, there are many who are good at painting and calligraphy, such as the first Control Yuan President Yu You-ren (calligraphy), Acting President Chang Wei-han (calligraphy), Vice President Ma Kung-chun (calligraphy), and Member Liu Yian-tao (calligraphy and painting). Additionally, the second- and the third-term Control Yuan members also organized workshops to learn Western oil painting because of their common love for art. James Liu, an art teacher, was invited to teach them painting skills on Friday evenings at the Control Yuan after a busy workday.

The members who learned painting at that time included Control Yuan Vice President Chen Meng-ling, Vice President Chen Chin-li (who served as a Control Yuan member back then), Members Li Yu-



Figure 7-71
Landscape of Dabajian Mountain, by Member Chao Chang-ping

chi, Liao Chien-nan, and Chao Chang-ping, who showed amazing results after years of continuous study. They not only displayed their works in many exhibitions, some of the members have also held independent exhibitions. In 2003 and 2004, they were invited by the National Dr. Sun Yat-sen Memorial Hall to successively hold two joint exhibitions of Western-style paintings. It showed the diverse artistic interests of the members, who transformed their previous life and current work experiences into artistic creations.

Some of the most appreciated works include Landscape of Dabajian Mountain by Member Chao Chang-ping, Resolution at the Plenary Meeting and Proposal of Impeachment by Member Chen Chin-li, which record the exercise of the Control Yuan members' power. These lifelike paintings have been donated to the Control Yuan to enrich its art and cultural relics collection. Some

of the paintings even record in detail the work of the Control Yuan members at that time, and have become a precious historical testimony.

IV. Organizing outdoor environmental education experience activities to enhance knowledge and skills of environmental education

By Chen I-lin

In accordance with the Environmental Education Act, the Control Yuan used to conduct outdoor environmental education in the early years to promote environmental education and enhance environmental awareness, ethics and responsibility, thereby maintaining the ecological balance of the environment and respect for life. However, the activities were later changed to static training courses at the Control Yuan. After taking office, Control Yuan President Chen Chu instructed the organization of outdoor environmental education and experience courses to allow colleagues to get close to nature, enhance their knowledge and skills of environmental education, and improve their physical and mental health and cohesiveness while engaged in official duties. The Control Yuan held two environmental education sessions on March 5 and 12, 2021 respectively at the Feitsui Reservoir and the Bitan Scenic Area by upholding the principle of cost saving. The activities were enthusiastically attended by the colleagues.



Figure 7-72

Group photo of Members Liu Tien Chiu-chin (first from left), Lin Sheng-fong (second from left), Wang Li-jen (first from right), and Chen Chin-jun (second from right) with Commissioner Hsieh Cheng-daw (center) from the Taipei Feitsui Reservoir Administration.

The morning started with a visit to the Feitsui Reservoir, which is the lifeblood of the water supply in the Greater Taipei Area. The Taipei Feitsui Reservoir Administration gave a briefing and a tour of the dam model area and of the interactive video wall that uses VR. The tour was followed by a field trip to the Feitsui Reservoir, where colleagues gained a deeper understanding of the water sources, as well as its maintenance and the management of water resources and ecological conservation. In particular, there has been a shortage of water in reservoirs everywhere recently, and Taiwan recently faced its most severe drought in over 70 years. The southern and central regions started to restrict water usage, while the Greater Taipei Area relies on the Feitsui Reservoir's abundance water supply. The area does not need to worry about the lack of water and has learned to cherish water

resources. In the afternoon, they went to the Bitan Scenic Area to visit the aquamarine-colored waterfront, the Xindian Old Street, and the Bitan Suspension Bridge, a heritage site declared by the City. Additionally, they climbed Hemei Mountain, which is known as the "Little Red Cliff." The colleagues expressed

their appreciation for the outdoor experience to improve their understanding of the natural environment and resource conservation, and to implement environmental education training through actions. They look forward to the next experience course.



Figure 7-73

Group photo of attendees at environmental education session 1; March 5, 2021



Figure 7-74

Group photo of attendees at environmental education session 2; March 12, 2021

Section 4 Clubs and Activities

I. Splendiferous music – the Rock’n Troll Band

By Liu Chien-cheng

There are very few bands formed by government agencies. Yet, there is a unique band in the Control Yuan, with 10 members from each of its five departments (the Department of Supervisory Operation, Department of Supervisory Investigation, Department of Property-Declaration by Public Servants, Department of the Secretariat, and the Department of Coordination and Planning). The band consists of five lead vocalists and five instrumentalists.

The English name of the band is "Rock’n Troll," and is called "控樂團" in Chinese. The band is formed by the Control Yuan’s music "addicts (Chinese: control, 控)" who love rock’n roll. The word "troll" in the group’s name means to sing in turn, as it sounds similar to the word "control" in the "Control Yuan," hence it is named "Rock’n Troll." The word "control" is related to the powers exercised by the Control Yuan, which is "控制" in Chinese, and the people "complain" (Chinese: 控訴) to the Control Yuan against the government authorities for violations of the law or dereliction of duty.

The band was formed in the middle of 2019. During their lunch break, the members



Figure 7-75

November 4, 2020, the Rock’n Troll performs at a birthday party where Member Upay Radiw Kanasaw (first from left) and Deputy Secretary General Liu Wen-shih (second from left) dance together.

practice at an external music studio at their own expense once a week. For the diverse characteristics of the lead vocalists, each with their own expertise, the repertoire spans Chinese, English, Taiwanese, and Cantonese songs. Additionally, the band can also present songs with multiple lead vocalists and male/female duets. At the beginning, the instrumentalists and the vocalists underwent a trial period. After a few months of efforts, they are able to perform smoothly together.

The band’s debut performance was at the 2019 Q4 birthday party held by the Control Yuan. The unconventional rock’n roll and dynamic atmosphere was different from the static celebrations in the past, and was unanimously recognized and appreciated by

the officials and colleagues. Right after that, the band's performance at the 2019 year-end banquet made it a feast for the eyes and ears. Since then, Rock 'n Troll has participated in the 2020 birthday parties held by the Control Yuan for four quarters, as well as the Lunar New Year Gathering in 2021. Consequently, it has become an important and indispensable performance team of the Control Yuan.

The band members share out the work and cooperate with one another to produce beautiful music. It is the greatest reward of the band to let the Control Yuan colleagues enjoy the music and relax their bodies and minds after their busy work.

II. The heavenly voice - The Sunny Choir

By Yang Hua-hsuan

Although the Control Yuan is a constitutional body that puts in order the official admonition and exposes and reveals conspiracy and secrets, it is still full of humanistic sentiments in addition to its authority. The Control Yuan Sunny Choir has been established for more than 10 years. In the early days, the choir was formed by a group of singing enthusiasts who only aimed at cultivating their body and mind and meeting friends through singing. However, under the



Figure 7-76

The Sunny Choir concert at Nanhai Theater; April 24, 2021

guidance of a professional conductor from the Department of Music at National Taiwan Normal University, the singing skills and quality of the choir continued to improve. The idea of a concert performance was therefore born out of a growing understanding of cooperation.

Encouraged by fourth Control Yuan President Wang Chien-hsuan and Secretary General Chen Fong-i, the Sunny Choir invited the choirs of the National Audit Office, the Judicial Yuan, and the National Science Council to hold a joint charity concert of central government agencies. Together with the Control Yuan Caring Club, they invited various disadvantaged groups and elders in nursing homes to enjoy the musical feast.

In addition to the exchange between the choirs, the event also served the purpose of charity. Since then, more and more central organizations are proud to be able to perform in the joint concert. As a result, it has become an important annual event for the Sunny Choir.

Since its establishment more than 10 years ago, the Sunny Choir has upheld "sending warmth with love" and "meeting friends with songs" as the core values of its development. It often performs songs at various nursing homes and orphanages together with the Control Yuan Caring Club. The members are enthusiastic about public service and spare no effort in performing their tasks, leading to a more harmonious relationship. In addition, the choir also sings regularly in conjunction with various internal and external arts and cultural

events of the Control Yuan to spread the beautiful sound of joy.

The Control Yuan established the National Human Rights Commission in 2020. To demonstrate the mission of protecting human rights, the Sunny Choir decided to change the mode of its annual concert. The Northern District Rare Disorders Heavenly Melody Chorus Girls Group of the Taiwan Foundation for Rare Disorders was invited to perform together at Nanhai Theatre on April 24, 2021, with the aim of expressing care for Taiwan and its people, and to let the general public gain a better understanding of the Control Yuan. Moreover, the voice of the patients can be spread in love through music events, which allows the concern of the community to be gradually nurtured and extended.

III. Joyfully Running - The Happy Running Club

By Mao Chao-kang

The Happy Running Family Club (hereinafter referred to as the Happy Running Club) was established through the efforts of second-session Control Yuan Member Liao Chien-nan in order to promote proper leisure activities among colleagues. The idea of forming a running club came about on September 16, 2003 and was established on October 1 of the same year, with Member Lin Chiou-shan as the honorary chairman. Under the leadership of the first chairman, Wang Hsin-



Figure 7-77
Mt. Jade one-day hike; July 30, 2007

hsien, the number of club members reached as many as 107. The club members actively participated in various large races in the first year of its establishment, such as the Linkou Arena Jogging event on October 25, the Yuen Tung Temple Road Running on November 29, and the Hyundai Taipei International Marathon on December 22. On February 28, 2004, the Taipei National University of the Arts organized the Kuan Du Flower Arts Festival and Jogging Event. The club members were encouraged to participate in the weekly jogging event organized by the Zhonghe Jiebao Jogging Club. In the same year, they also participated in the Super Supau Race on May 16, the Hualien Ocean Road Running on May 9, the Jiuqiong Lake event on July 3, the Bali Left Bank event

Figure 7-78
Rotary International Anti-Drug Run; December 23, 2018



on July 23, and the relay race of the Presidential Cup on September 11. Not only had they built close relationships and rapport with one another, they also accumulated the strength to complete the Mt. Jade one-day hike on July 30, 2007. This is considered the initial stage to improve the cardiovascular fitness and aerobic capacity of the members of the Happy Running Club.

The second stage of transformation was during the 10 years since the fourth-session Control Yuan members took office in 2008. The members participated in the Jin Shi International Marathon, the Tamsui River Left Bank event, the Taipei Freeway Marathon, the Tucheng High Riverbank event, the Sanchong Marathon, the Gold City Tung Tree Cup

Marathon, the Mercuries Food Chain Cup Road Run, the Taroko Gorge International Marathon, and other events. In addition to long-distance running, they also set foot in beautiful places, including events such as the Mt. Jade one-day hike, ultramarathon, cycling around Taiwan, triathlons, relay swimming, swimming across Sun Moon Lake, and swimming in Waimushan Beach, which left them with great memories.

Since 2018, the members have entered a brand-new third stage. Under the guidance of Club President Mao Chao-kang, they started to study running posture, stride frequency, stride length, and heart rate. In addition to accumulating their running volume, the members also place more emphasis on running technique and running economy, improving their mental toughness to prepare for full marathons. Apart from that, Happy Running Club has built up friendships with other sports groups through running and has maintained friendly relations with many famous long-distance runners. So far, about a dozen members have completed a full marathon, and many members are able to run a half marathon within 100 minutes, a full marathon within 4 hours, or even within 3.5 hours. Despite this, the club still keeps its original intention. Whatever the pace — for a four-minute mile, five-minute mile, six-minute, or seven — the Happy Running Club encourages everyone to go out and enjoy fun of exercise while implementing self-practice to pursue self-confidence, concentration, excellence, and fearlessness.

IV. Taichi Dowing - The Health Regimen Club

By Huang Feng-ting

The Health Regimen Club was established on March 2, 2000, with the purpose of seeking better health through club activities by focusing on health regimens and exercise habits. The club not only consists of the Control Yuan working partners and their family members; staff members of nearby government agencies are also welcome to join the practice after their work time or during their lunch break. In order to take care of the health regimen and basic self-defense needs of the members of different age groups, the founding director of the Taiwan Images of Taichi Cultural Association, Chen Chin-hwa, was hired as the instructor on May 22, 2002. He mainly teaches "Taichi Dowing," Taichi, and Taichi Broadsword, Sword and Fan. The primary mission is to loosen the stiff joints of a group of "shrunk-neck and hunchbacked freaks" caused by heavy workloads. Since then, the members have been following Chen to slowly release their tension joint by joint with the "Taichi Dowing" form by form. The members have been led into the world of Taichi martial arts based on this health regimen.

"Taichi Dowing" is based on the principle of Taichi, which leads the Qi or Energy flow in the body and stretches body parts to gain flexibility. Through the twisting of limbs, the

relaxation inside and outside the body flows from the nervous system into the meridians, then deep into the internal organs, and eventually relaxes the entire body layer by layer.

In doing so, it calms the body and builds peace in the mind. In other words, it revives the innate Qi through flexibility, smoothness, and slowness both inside and outside the body. The essences of the Taichi Dowing are "opening 'gates' to let the Qi reach the joints," "strengthening the tendons and bones," and "unclogging the veins and arteries."

The health of members has improved through the Taichi practice, and the common gains are the release of work pressure, improved sleep quality, increased work efficiency, and better quality of life. That

explains why the members all look refreshed and glowing after the classes.

The "Taichi Dowing" fulfils the needs of health maintenance. However, to strengthen the flexibility of the body, to tally between ontology and function, and to be able to defend themselves, Chen also teaches Taichi, such as the "16 Forms of Taichi" and the "Cheng Man-ching Taichi 37 Forms." The boxing theory and technique help members distinguish reality from virtuality by using intent without actual force. All of this training in accordance with nature relaxes the body into a flexible and smooth condition and gradually cultivates internal energy. As the saying goes, "When one breathes undistractedly and brings it to the utmost degree of pliancy, they will become as tender



Figure 7-79
Performance at the Lunar New Year Gathering;
February 2, 2017

Figure 7-80

A "Kung Fu Panda" performance at the outstanding staff recognition and birthday celebration; August 15, 2012



as a baby." Thus, even if one cannot get the form or the energy, they can still experience the reality and virtuality of Taichi mentally. Furthermore, the "16 Forms of Taichi Sword," "Taichi Kung Fu Fan," "Yang-style Taichi Broadsword 36 Forms" and "Taichi Sword 32 Forms" are also taught. After acquiring the health maintenance skill of "Taichi Dowing," members use it as a basic technique to further learn Taichi, which makes a wonderful combination. As a journey of a thousand miles begins with the first step, we welcome all Control Yuan colleagues to join us and train together!

V. Making friends through basketball: The Basketball Club

By Chen Hung-chang

Few people know that there was a basketball court in the Control Yuan in the early days, but we all know that its Basketball Club is a skillful and great club.

The Central Government Interagency Sports Competition started to include basketball matches as early as in 1995 and the Control Yuan basketball team was hastily established by the Personnel Office colleagues. In the meantime, the original basketball court in the parking lot of Zhenjiang Street was demolished. Therefore, the first problem that it had to overcome after being established was to borrow a court for their training.

Looking back at the results of the first competition, the performance was lacked excitement and there were many mistakes. Those with a discerning eye could see the problem: The old members were weak; the young were inexperienced; the fat could not jump high; the thin could not handle collisions; and the remaining could not run fast. The only remarkable thing was that the team was full of spirit, and they never lagged behind in the game. Losing a game is not a big deal, but it is nice to win unexpected friendships, which is the best depiction of "meeting friends with basketballs."

The hard work of practicing basic skills and building a special bond with basketball led the Basketball Club into a glorious age. The members were always practicing dribbling the ball at waist height and between others' legs, rolling the ball around their body like circus jugglers, passing and catching the ball swiftly and accurately, and moving into the proper position, as well as set shots, jump shots, bank shots, and hook shots. Additionally, the members also unexpectedly acquired defensive skills from the Taipower Women's Basketball Team in a friendly game that was arranged to learn from each other.

The Basketball Club has participated in numerous basketball matches at the Central Government Interagency Sports Competition, and some members also brought their families along. Once, when



Figure 7-81

Control Yuan Basketball Club has a friendly game with Taipower Women's Basketball Team at Taipower's Wulai Training Center; August 19, 2017

the basketball court was having an intense match, the noise woke up a sleeping three-year-old child by the court. The sleepy child said, "Dad, I have to pee!" The scene made the whole court burst out laughing. Then, the teammates assisted the child to go to the restroom, which demonstrated a tacit understanding among the team and also became real-life parent-child education.

The Basketball Club experiences include moments that are full of tears, laughter, and sweat. In particular, the late employee who wore the No. 9 basketball jersey, Nieh Chih-cheng, always amazed the audience with the rhythm he led the team to do on offense and defense, which remains in our memory today. Let us keep fighting for our common goal and never give up, and keep pursuing the basketball dream that belongs to the Control Yuan!

VI. Inexhaustible vitality - The Mountain Climbing Club

By Chang I

The fourth president of the first-session Control Yuan, Huang Tsun-chiu, was a keen hiker. During his term of office, he encouraged his colleagues to establish the "Control Yuan Mountain Climbing Club," in order to echo the government's policy of promoting sports for all and promoting the physical and mental health of the staff members. The Articles of the Mountain Climbing Club were formulated on October 16, 1991, and the club has been in existence for nearly 30 years.

The Mountain Climbing Club was established with an aim to encourage colleagues to participate in health and leisure

activities. Over the past 30 years, 301 hiking activities were held. In the early years, the activities were well received as there was transportation provided by the Control Yuan. In recent years, colleagues are encouraged to travel to the locations by public transport. In doing so, they can not only get close to the mountains and forests, they also save energy and reduce carbon emissions, as well as to cultivate a caring attitude toward the environment.

The cadres of the Mountain Climbing Club are all volunteered Control Yuan colleagues who have led the group to visit the historic hiking trails in the Northern Taiwan. Additionally, they have organized family trips in the east such as the Mt. Taiping trip, the Mt. Liushishi trip to view the citron daylilies, and the Taroko Gorge trip to admire

its beauty. In addition, to meet the needs of the colleagues who love to challenge themselves by hiking the famous peaks in Taiwan, there were also trips organized to Mt. Jade, Mt. Sylvia, Mt. Nanhua of the Qilai South Peak, Mt. Nanhu, Chiaming Lake, Mt. Taimu, and the Mt. Hehuan Multi-Peak, where the photos of the Mountain Climbing Club's flag were taken.

The successive cadres have inherited the spirit of serving the colleagues, thus they do their utmost to organize every activity. The trips planned have been on routes of different lengths and difficulties. Hiking activities promote the physical and mental health of colleagues, friendship, coordination and cooperation in official duties, bringing positive benefits.



Figure 7-82

The Mountain Climbing Club conquers Mt. Jade's main peak; June 30, 2013

VII. Spread the love - The Caring Club

By Tsou Hsiao-han

The Caring Club was established on January 1, 1985, and has a history of 36 years. In the early days, the club mainly received regular donations from colleagues and provided assistance for social welfare organizations, with only a dozen members back then. After the fourth-term Control Yuan members took office, Control Yuan President Wang Chien-hsuan paid special attention to charity and support work, and hoped to spread love to all corners of society. Hence, the service activities of the Caring Club have increased significantly. Members often visit various disadvantaged groups, children and elderly nursing organizations

during their holidays. As of today, more than 100 colleagues and their families and friends support the Caring Club.

On November 28, 2008, the Articles of the Caring Club were approved by the General Meeting. Article 2 stipulates that the missions of the Caring Club are to uphold the spirit of social relief with sincerity, dedication and compassion, and to promote the work of care services by combining resources in order to promote social harmony and care. Article 3 defines the tasks of the Caring Club as follows: (1) To provide assistance, concern, or counseling for the elderly, orphans, and persons with disabilities in society; (2) To organize or participate in various charitable or care activities; (3) Be engaged in other social welfare and emergency relief activities that are in line with the missions of the Club.

In addition to providing social assistance and supporting the disadvantaged groups annually, the Caring Club organizes various charitable activities. These activities include the Love and Care Support, the 100th Anniversary of the Republic of China Family Day Activity, the Charity Flea Market & Sale Event, the Roll Up Your Sleeves Blood Donation Event, the Charity Music Concert, and public service activities organized with other departments of the Control Yuan. These activities are well recognized by the public.



Figure 7-83

Fourth-term Control Yuan President Wang Chien-hsuan participates in the 100th Anniversary of the Republic of China Family Day Activity; May 7, 2011



Figure 7-84

Fifth-term Control Yuan President Chang Po-ya makes a personal appearance at the 2019 Charity Flea Market & Sale Event; May 31, 2019



Figure 7-85

The Charity Flea Market & Sale Event on February 1, 2021. Sixth-term Control Yuan President Chen Chu donated the proceeds of the charity sale to the Taipei Parents Association of Autism.

Section 5 Current Partners



Figure 7-86
Control Yuan President Chen Chu



Figure 7-87
Vice president Lee Hung-chun

Control Yuan Members are listed by Chinese name stroke order



Figure 7-88
Member Wang Yu-ling



Figure 7-89
Member Wang Mei-yu



Figure 7-90
Member Wang Jung-chang



Figure 7-91
Member Wang Li-jen



Figure 7-92
Member Liu Tien Chiu-chin



Figure 7-93
Member Lin Wen-cheng



Figure 7-94
Member Lin Yu-jung



Figure 7-95
Member Lin Kuo-ming



Figure 7-96
Member Lin Sheng-fong



Figure 7-97
Member Chi Hui-jung



Figure 7-98
Member Fan Sun-lu



Figure 7-99
Member Shih Chin-fang



Figure 7-100
Member Kao Yung-cheng



Figure 7-101
Member Pu Chung-cheng



Figure 7-102
Member Chen Chin-jun



Figure 7-103
Member Kuo Wen-dong



Figure 7-104
Member Chang Chu-fang



Figure 7-105
Member Yeh Ta-hua



Figure 7-106
Member Yeh Yi-jin



Figure 7-107
Member Jao Yung-ching



Figure 7-108
Member Tsai Chung-yi



Figure 7-109
Member Lai Chen-chang



Figure 7-110
Member Lai Ting-ming



Figure 7-111
Member Hsiao Tzu-yu



Figure 7-112
Member Upay Radiw Kanasaw



Figure 7-113
Member Su Li-chiung



Figure 7-114
May 5, 2022 – Group photo
of Secretary General's
Office



Figure 7-115
May 6, 2022 – Group photo of Deputy Secretary General's Office



Figure 7-116

May 9, 2022 – Group photo of Control Yuan Members' Office secretaries



Figure 7-117

January 18, 2022 – Group photo of National Human Rights Commission (NHRC) staff



Figure 7-118

December 22, 2021 – Group photo of Department of Property-Declaration by Public Servants staff



Figure 7-119

March 23, 2021 – Group photo of Department of Secretariat staff



Figure 7-120

May 9, 2022 – Group photo of Department of Supervisory Operation staff



Figure 7-121

May 9, 2022 – Group photo of Department of Supervisory Operation staff



Figure 7-122

March 9, 2022 – Group photo of Department of Supervisory Investigation staff



Figure 7-123

May 9, 2022 – Group photo of investigation officials of Department of Supervisory Investigation



Figure 7-124

May 9, 2022 – Group photo of senior investigators of Department of Supervisory Investigation



Figure 7-125

May 9, 2022 – Group photo of investigators of Department of Supervisory Investigation



Figure 7-126

May 5, 2022 – Group photo of Department of Coordination and Planning staff



Figure 7-127

May 3, 2022 – Group photo of Committee on Domestic and Ethnic Affairs staff



Figure 7-128

May 4, 2022 – Group photo of Committee on Foreign and National Defense Affairs staff

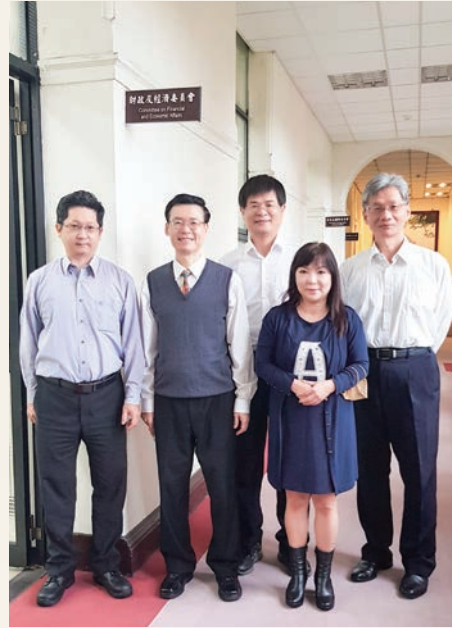


Figure 7-129

May 3, 2022 – Group photo of Committee on Financial and Economic Affairs staff



Figure 7-130

May 6, 2022 – Group photo of Committee on Transportation and Procurement Affairs staff



Figure 7-131
May 4, 2022 – Group photo of
Committee on Educational and
Cultural Affairs staff



Figure 7-132
May 3, 2022 – Group photo of
Committee on Judicial and Prison
Administration Affairs staff



Figure 7-133
January 28, 2022 – Group photo of
Committee on Social Welfare and
Environment Hygiene Affairs staff



Figure 7-134

May 3, 2022 – Group photo of Statutory Studies Committee and Administrative Appeal Review Committee staff

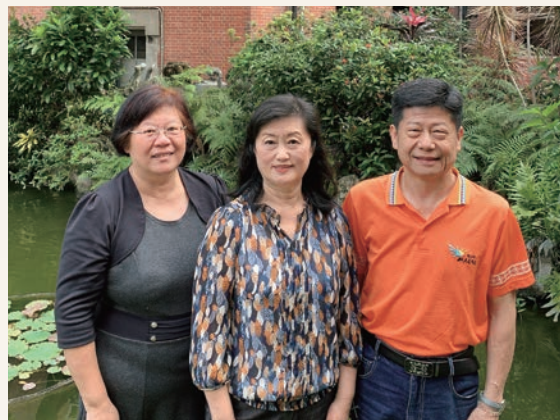


Figure 7-135

March 9, 2021 – Group photo of Statistics Office staff



Figure 7-136

March 18, 2021 – Group photo of Personnel Office staff



Figure 7-137
March 15, 2021 – Group photo of
Accounting Office staff



Figure 7-138
May 5, 2022 – Group photo of Ethics Office staff



Figure 7-139
January 26, 2022 – Group photo of
security staff



Figure 7-140

June 22, 2022 – CY buzzer competition on powers and duties – Group photo of cheerleading team.



Figure 7-141

June 22, 2022 – CY buzzer competition on powers and duties – Group photo of participants.



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CHAPTER

8

Heritage and Transformation

Guarding the present and looking to the future

Preface

Section 1 The People and the Control Yuan

Section 2 Professionalism and the Control Yuan

Section 3 Technology and the Control Yuan

Section 4 Transparency and the Control Yuan

Section 5 Sunshine and the Control Yuan

Section 6 Human Rights and the Control Yuan

Conclusion

Preface

The Control Yuan was established in 1931 and is now in its 90th year. The Control Yuan building's century of history bears witness to the evolution of the times, and has enriched the energy of the Control Yuan's supervisory powers. While carrying on the mission and experience of the times, the Control Yuan also embraces the spirit of advancing forward.

Since taking office, Control Yuan President Chen Chu has worked hard to innovate. The Control Yuan aims to strengthen government ethics, clarify governance, protect human rights, and alleviate the people's grievances by establishing diversified services and by strengthening communication and dialogue with the public. At the end of 2020, the Control Yuan launched a pilot system that accepts people's complaints via videoconference. Also, beginning January 1, 2021, impeachment cases are handled digitally through the use of the Disciplinary Case Online Transfer System, to refer cases to the Disciplinary Court for trial. The Control Yuan accepts an average of more than 15,000 people's complaints each year, of which more than 650 cases are from prison inmates. To implement the human rights conventions and ensure that the dignity of inmates is equally guaranteed, the Control Yuan accepted a complaint via

videoconference from an inmate on January 27, 2021, the first time a complaint had been taken in this way in the 73 years since the Control Act was established in 1948. This is also a pioneering case in Taiwan's history of prison administration. In March 2021, the Control Yuan also implemented the first live-streamed Political Donations Act education session to use cloud video conferencing technology, changing previous "on-site" educational meetings on the Sunshine Acts to "live streaming through video." By doing so, the Control Yuan breaks down barriers created by the pandemic to outlying islands and rural areas. In addition, the Control Yuan will further expand remote education session in 2022 to include election candidates for local public offices and the public.

Over the last nine months, the concerted efforts of all Control Yuan colleagues have enabled the Control Yuan to move towards digital transformation. Nevertheless, there is still much room for growth. To actively respond to the demands of the people, keep pace with the times, and implement human rights protection, the Control Yuan will remain vigilant and grow strong to become a Control Yuan that is of the people, professional, technological, transparent, clean, and concerned with human rights.

Section 1 The People and the Control Yuan

The people's written complaints are the main source for the exercise of supervisory power. To provide more convenient service for the public, channels for accepting written complaints have been increasingly diversified. Volunteers are recruited to assist in providing services, and Complaint Receipt Center environments are improved. With the acceptance of complaints via video conferencing for the first time, the people's petitions are no longer restricted by geography. In addition, the service has gradually expanded to include prison inmates. Furthermore, since the people are eager to know the progress and outcome of their petitions as soon as possible, the

Control Yuan has actively responded to public opinion by providing inquiry channels for their petitions. In the future, case progress will be available on the Control Yuan's official website, thus increasing public participation and interest in government administration.

I. Diverse, accessible, and friendly channels for submitting written complaints

The Control Yuan is highly committed to protecting the rights of the people and accepting petitions. In earlier days, due to limited information transmission medium, the people submitted their written complaints via postal mail or came in



Figure 8-1

Volunteers help process people's petitions.



Figure 8-2

January 2021 – Reception Room No. 1 in the Complaint Receipt Center, following renovations.

person to the Control Yuan to submit their petitions. Moreover, there was no fixed place for accepting the complaints, making it very inconvenient for petitioners seeking to submit their complaints to Control Yuan members.

As technology and information dissemination have advanced, the Control Yuan has continued to consider things from the people's point of view and review the channels for accepting complaints. In response to the increased number of complaints being submitted in person to the Control Yuan, a one-stop Complaint Receipt Center was established and staffed in July 1994 to provide a quality place for submitting complaints.

To improve administrative efficiency in handling people's complaints submitted at the Control Yuan and improve the quality of service provided, the Control Yuan began recruiting eager members of the community in September 2010 to serve as volunteers to help with receiving the people's complaints and explaining the services. So far, the implementation has been quite successful and well-received.

In response to the expansion of the Control Yuan's organizational functions, to improve service quality in accepting petitions, and to protect the petitioning rights of persons with disabilities, the space in the Complaint Receipt Center was re-configured in June 2020, and hardware and software equipment were purchased. As of March 2021, accessible hallways, updated ramps, accessible toilets, and stair handrails have been added to the renovated Complaint Receipt Center, to provide a friendly environment and thoughtful services for the disabled.

II. Video conferencing complaint submissions to overcome geographical barriers

It is a new technological age. In consideration that traditional channels for submitting complaints are no longer in line with the needs of the people, to listen to the voices of the people throughout the nation, and to improve efficiency in

handling complaints, the Control Yuan strives to innovate and provide more diverse, friendly, convenient, and accessible petition channels that meet the public's needs and expectations. In December 2020, the Control Yuan conducted trial video conferencing submission of complaints from Hualien and Penghu counties. From their offices in the Control Yuan, members accepted the people's complaints via online video conferencing. This new utilization of technology allowed the Control Yuan and the people to achieve "petitions without distance and communication without barriers."

Starting in January 2021, the Control Yuan has been officially accepting video conferencing submissions from different counties and cities each month, and

expects to conduct a total of 18 sessions throughout the year. As of August 2021, videoconferencing sessions have been conducted with Yunlin County, Hsinchu County, Hsinchu City, Taoyuan City, Kinmen County, Miaoli County, Taichung City, Lienchiang County, Kaoshiung City, Tainan City, and Yilan County. Moreover, to abide by human rights conventions, to actively protect prison inmates' human rights, and to ensure that they receive humane care and can have the same convenience as the public, the Control Yuan has further collaborated with the Ministry of Justice; on January 27, 2021, the first video conferencing complaints were accepted from prison inmates. Control Yuan members visited a correctional agency in the northern region in person. From there,



Figure 8-3

Control Yuan President Chen Chu attends the first videoconference petitions from the Hualien region; December 25, 2020

they connected online with inmates from Kaohsiung Prison to listen to their grievances and provide humanitarian care. By doing so, Control Yuan members set down a new page in history.

In the future, the Control Yuan will provide complaint submission via video conferencing on an ongoing basis to benefit inmates. The Control Yuan will also ensure that the transmission quality of the video conferencing submissions from prison inmates are consistent throughout the main island, on outlying islands, and in remote areas. In March 2021, the Control Yuan and the Ministry of Justice's Agency of Corrections discussed benchmark criteria for applications via video conferencing by inmates. In April, 2021, the Control Yuan discussed establishment of a dedicated network hotline with the Ministry of Justice, on which the two agencies reached preliminary consensus.

Receiving and handling the people's complaints is an important duty of the Control Yuan. The development of digital technology has transformed the traditional channels for submitting complaints, and allowed the Control Yuan to hear to the voice of the people at all times.

III. Integrating technology resources and expanding the scope of application

To maximize the effectiveness of public service resources, the Control Yuan

integrates existing resources. The Control Yuan makes full use of existing premises, equipment, and instruments of the National Audit Office's various local audit agencies. In addition, on the premise of complying with relevant confidentiality and personal information protections the Control Yuan is also discussing expanding application of video conferencing to enquiry interviews, consultations, seminars, agency briefings, on-site inspections, and other supervisory functions. In addition to eliminating inconvenience caused by the pandemic, weather, transportation, and involved parties being far away offshore or overseas, the expanded application of video conferencing can also enhance the efficiency with which the Control Yuan exercises its powers.

IV. Convenient and open government, responding to the people's right to know

Digitization enabling the public to access more information, and subsequently gain more understanding and cognizance – this is the goal of the Control Yuan's untiring efforts. Regardless whether the people's complaints are on paper, in e-mail, or submitted to Control Yuan members face-to-face, channels for inquiring about petition progress have been established.

To obtain information on the progress of their complaint's initial processing, investigation, and deliberation, petitioners

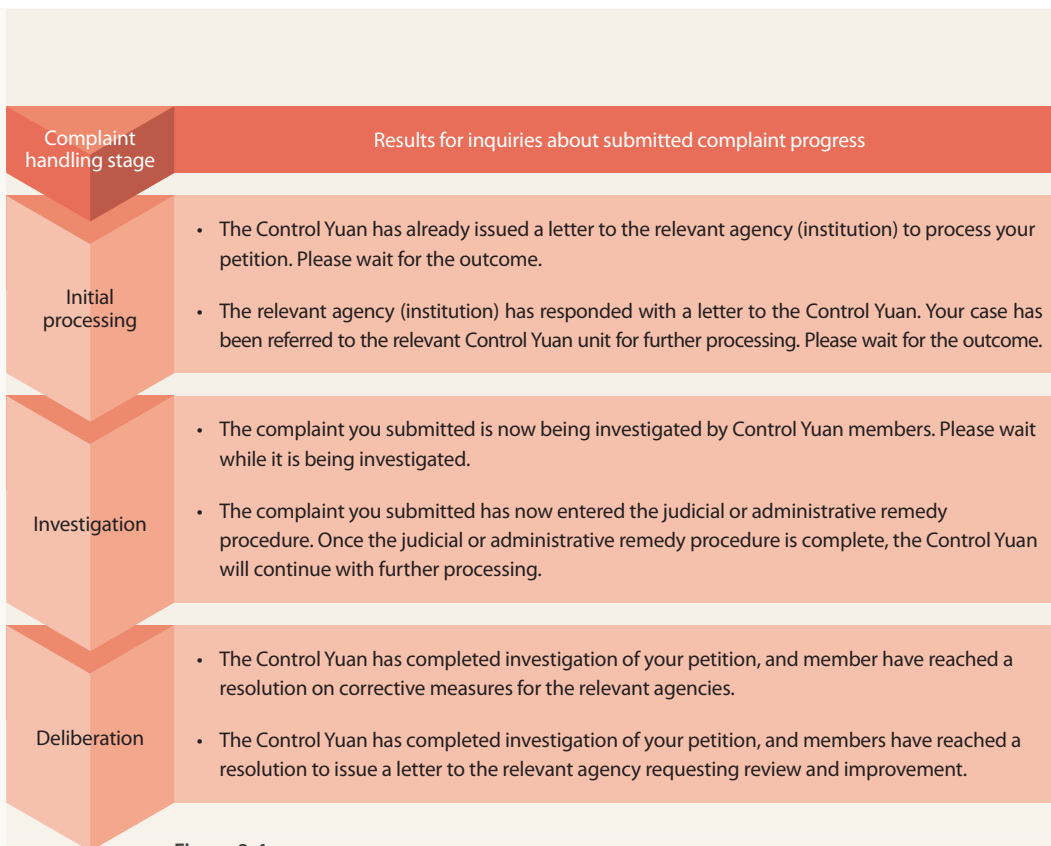


Figure 8-4

Results for inquiries about submitted complaint progress (example).



Figure 8-5

Reasons for ongoing processing of investigation and corrective measure cases (example).



About the Control Yuan	Control Yuan Members	National Human Rights Commission	Control Yuan Performance Inquiry	Public Information	Services for the Public	News and Announcements
October 14, 2020	109-Ssu-Cheng 0012	Control Yuan Member Lin Kuo-ming's proposal: Before and after the Prison Act and the Detention Act were amended, the Ministry of Justice's Agency of Corrections did not provide its various correctional agencies with briefings or seminars regarding business visits by attorneys, and did not determine the actual situations of such visits in its various correctional agencies. Consequently, the correctional agencies' practices are inconsistent with the provisions of Article 105 of the Code of Criminal Procedure and the instructions of the Agency of Corrections dated July 29, 2020. Therefore, a corrective measure is proposed in accordance with the law. ... Read full text.			Link	Case is closed; agency improvement status 

Figure 8-6

Screenshot of agency improvement status for a closed corrective measure case captured from the Control Yuan official website (example).

can inquire via the telephone to the Complaint Receipt Center or through the "Complaint Mailbox" portal in the "Services" area of the Control Yuan Website at any time.

To allow petitioners and the public to understand the progress of an investigation or corrective measure case, and understand why it may still be pending, the progress of cases and reasons for the pending status are disclosed on the Control Yuan website.

Regarding the investigations and corrective measures that have been deliberated and approved by the Control Yuan's various committees, since 2015, with corrective cases that have been approved for closure by the committees, the agency improvement status is disclosed on the Control Yuan website; and since April 2021, with investigations that have been approved

for closure by the committees, the agency improvement status is disclosed on the website.

Information disclosure is a defining feature of modern government. At present, the Control Yuan has established a query service system that provides a channel for inquiring about the progress of petition cases, thus protecting the people's right to know. In the future, the Control Yuan will further discuss the timing of disclosing the latest progress on Public Opinions Regarding Major Cases and on Cases Relevant to the National Economy and the People's Livelihoods on the Control Yuan website or inviting public opinion on issues. By doing so, the Control Yuan expands public participation and encourages societal concern.

Section 2 Professionalism and the Control Yuan

Society continues to change dramatically. The Control Yuan's specialized involvement in investigations has become increasingly complex, extensive, and diverse, covering a wide variety of levels and aspects in which the people's rights and obligations are involved. Therefore, it is of the utmost importance to build a more specialized, professional Control Yuan that can meet the needs of the times and respond to the people's expectations in a timely manner. During investigations, Control Yuan investigators are important partners and helpers to the Control Yuan members. Therefore, to upgrade and advance the Control Yuan's professional image, there is an urgent need to continuously recruit investigators with continuously expanding

scopes of expertise, in a systematic and planned manner, and to provide ongoing training that further improves their expertise, investigation capabilities, and case handling efficiency.

I. Expanding professional expertise and building specialized teams

The types of investigations handled by the Control Yuan are becoming increasingly specialized, diversified, complex, and internationalized. Example considerations include domestic enactment of international human rights conventions; the development of emerging human rights issues; enacting fairness and justice; implementing statements of opinion and oral arguments in disciplinary cases; and the increasing



Figure 8-7

A schematic diagram of levels of expertise within the Control Yuan.

global awareness of food safety, health, and environmental protection. For these reasons, the Control Yuan continues to recruit and expand in terms of professional expertise, to build professional and refined teams who can successfully adapt to the times and meet the challenges of continuously evolving investigation categories.

A. Recruiting elites from all sectors for professional co-investigation

Since the establishment of the Control Yuan's Department of Supervisory Investigation in 1998, the Control Yuan has successively included investigators with professional expertise in law, engineering, finance, economics, land administration, environmental protection, medicine, social welfare, education, national defense, police administration, electronic engineering, fire protection, information and communications, procurement, clean governance, politics, foreign affairs, agriculture, labor and other areas. By doing so, the Control Yuan has step by step created a specialized co-investigation system that can fully assist Control Yuan members with in-depth exploration of key issues, clarification of facts, and restoring the truth. The amendments to the Organic Law of the Control Yuan promulgated on January 8, 2020 added the position of Chief Investigator and the appointment of senior professional investigators into the official organization. After balancing each team's human resources and areas of expertise, cases are

assigned as before based on methods such as "rotational group assignment," "inter-group collaboration and professional complementarity," and "one-person coordination with full team assistance." These methods help gradually strengthen the team's ability to work together professionally and effectively to handle increasingly complex multidisciplinary cases.

B. Expanding technical certifications and strengthening professionalism

The Control Yuan encourages its investigators to obtain professional certifications. As of the end of August 2021, there are 12 certified lawyers, 2 certified public accountants, 5 social workers, 2 architects, 7 land administration agents, 3 realty appraisers, 1 environmental engineer, 1 food technologist, 1 medical technologist, 3 fire safety engineers, 1 electrical engineer, 1 refrigeration and air conditioning engineer, 1 civil engineer, 2 structural engineers, 1 geotechnical engineer, and 1 information security auditor. In addition, more than 30 investigators have professional certification in procurement, legal systems, information security, environment protection, labor safety, tourism, language certification, and athletics. In total, nearly 90% of the investigators have professional diplomas, certifications, and licenses. Compared to when the Control Yuan Department of Supervisory Investigation was first established, the number of those with certifications and licensing has grown many



Figure 8-8

Investigators undergoing basic training in the Python programming language; November 29, 2021



Figure 8-9

The Department of Supervisory Investigation invites Mr. Hong Wei-sheng to speak on the challenges and responses to the new system of public functionary discipline; December 13, 2021



Figure 8-10

The Department of Supervisory Investigation invites former CY member, Ms. Sheree Ma to give a talk on forensic accounting and fraud detection techniques & practical applications; January 26, 2022

times. The Control Yuan expects to continue strengthening its professional capabilities.

C. Precise analysis and prediction; strong professional quality

The Control Yuan stays in touch with the times and social changes, by collecting and analyzing past investigations to compile what distribution and professional status of human resources have been demonstrated in historical investigations. In addition, the Control Yuan predicts on a rolling basis what professional structures will be required for future investigations. This facilitates expansion of necessary areas of investigative professional expertise in a timely manner, while continuously strengthening the quality and quantity of Control Yuan human resources.

II. Strengthening personnel training and promoting professional advancement

International human rights continue to evolve and develop; at the same time, there are all manner of challenges and integrations to emerging government services. Facing this changing situation, the Control Yuan reinforces on-the-job training to effectively enhance investigators' perspectives and increase the breadth and depth of their expertise. The Control Yuan is thus developing professional investigator training programs, and continues to strengthen all-

round training so as to continuously enhance specialization and evolution.

A. Deepening the transmission of experience and promoting professional enhancement

In addition to continuously improving investigators' areas of expertise and logical argument abilities, it is also critical for the Control Yuan to continuously accumulate and pass on practical investigation experience. In addition to implementing the tradition of senior investigators mentoring new investigators and on-the-job learning for new investigators, the Control Yuan plans courses on legal practice, and major case studies and analysis, to effectively improve investigators' problem-solving abilities in general, systematic, institutional, and structural issues. The Control Yuan strives to ensure that investigators' areas of professional expertise



Figure 8-11

The Department of Supervisory Investigation and the Taiwan High Prosecutor's Office jointly organize a seminar on handling public petition judicial cases and review of guilty verdicts; September 23, 2021

and competencies grow and keep pace with the times.

B. Lectures by experts to broaden investigators' perspectives

From time to time, experts, scholars, and knowledgeable and experienced Control Yuan members and senior investigators in relevant fields are invited to lecture and share their professional practice and investigation experiences in different fields. These lectures help to expand investigators' perspectives of thought, horizons of observation, and dimensions of judgment, which in lends greater fullness to their investigative work and increases the quality of their investigations.

C. Onsite training to cultivate professional growth

From time to time, investigators visit institutions and organizations with similar attributes, such as criminal, prosecution, clean governance, and human rights agencies. Through observing these field practices, even Control Yuan investigators gain opportunities for further learning and growth. After each visit, an experience sharing session is conducted to help the participating investigators enhance their investigative skills in cases in different areas of expertise, and to acquire the skills that they need when participating in court activities.



Figure 8-12
Investigators visit a judicial agency in July 2012.



Figure 8-13
The Department of Supervisory Investigation conducts a visit to the headquarters of the Ministry of Justice Investigation Bureau and a training session at Zhanbao Villa—group photo of the officers and all the participants; February 16, 2022



Figure 8-14
The Department of Supervisory Investigation conducts a training session at the Ministry of Justice Investigation Bureau; February 16, 2022

D. Timely learning from outside agencies to improve investigation skills

The Control Yuan is in discussion with the National Audit Office to collaborate on a Joint Advanced Course for Control Yuan Investigation and Audit Specialization for 2022. Such continuous mutual brainstorming and feedback in professional expertise and experience will provide fertile ground for mutual honing and growth. In addition, the investigation and evidence collection methods used in prosecutorial, police, investigatory, clean governance, maritime patrol, national security, and other external agencies are adopted to strengthen investigators' skills and strengthen weaknesses, thus continuously improving investigation technologies and skills.

To impartially exercise supervisory powers; to allow fairness and justice to shine like the sun; to illuminate the dark corners of society – these are the most basic requirements that the people have of Control Yuan members. Control Yuan investigators are important partners and helpers to the Control Yuan members as they exercise their powers. Through the systematic, planned, and comprehensive improvement methods and training courses described above, investigators' areas of professional expertise and investigative efficiency are continuously improved. This helps investigators to enhance their abilities in a well-rounded way, making them well equipped to assist the Control



Figure 8-15

The Department of Supervisory Investigation and the National Audit Office jointly organize an on-the-job training program on technical skills—CY Member Wang Li-jen speaks at the opening ceremony; October 20, 2021



Figure 8-16

The Department of Supervisory Investigation and the National Audit Office jointly organize an on-the-job training program on technical skills—group photo at the opening ceremony; October 20, 2021

Yuan in uncovering truths and protecting human rights. The transformation of the Control Yuan into an ever-more professional, precise, and impartial institution is an important vision for the Control Yuan.

Section 3 Technology and the Control Yuan

Technology penetrates every part and aspect of daily living; as such, technology cannot be excluded from the Control Yuan's exercise of its various powers and services. Examples of the ways technology is seen in Control Yuan operations include the installation and application of software and hardware equipment in Control Yuan conference rooms; file storage, search, access, and archiving; records kept of

people's written complaints; transcripts of investigations; services conducted outside of the Control Yuan; and even emergencies when work has to be conducted remotely or from home. Technology has allowed for connection with the Control Yuan information system without restrictions of region or time. Particularly with such rapid changes in technology, as real and virtual environments have become intertwined



Figure 8-17

Major components of the technological Control Yuan.

and rapidly-changing, the Control Yuan is pursuing digital transformation and technological upgrading. By taking advantage of the latest technology, and through advance planning and configuration, the Control Yuan integrates all the various digital resources available so that the people can benefit from the increased effectiveness of its supervisory powers.

I. Upgrading the organizational environment and multiplying technological synergies

With the rapid development of technology and information, governments need to keep pace with the times, provide services that are convenient for the people, and actively build digital government. To improve administrative efficiency, the Control Yuan is combining technology and network streaming to construct a smart conferencing system in its conference rooms. A centralized control processor is adopted to integrate the equipment in the different conference rooms. Videos can be triggered when microphones in meetings are activated, and cameras can automatically track speakers. The operational status of the conference system can also be remotely monitored to improve conference room management efficiency. Moreover, video and audio signals in the conference

rooms are digitized to improve the quality of signal transmission and facilitate storage, post-production and streaming, thus taking advantage of technological synergies.

Recently, video conferencing has become a prevalent alternative for both inter-governmental communication and governmental communication with the public. In the future, the Control Yuan will explore establishing video and audio encoding (decoding) conference equipment that is compatible with cloud video conferencing system software. In addition, to livestream meetings to the outside, strengthen external interaction, and enhance transparency in meetings, the Control Yuan also has plans to build a live broadcast system.

The Control Yuan's main building is a 100-year-old national monument. It is physically connected to other old buildings, and their existing fire alarms and automated fire suppression systems were set up with different zones and at different times. To achieve centralized, real-time monitoring of the various fire protection systems' operational statuses, and to integrate the existing system types and interfaces into more comprehensive fire management operations, the Control Yuan is planning to build a smart fire management system, fire

alarm PA system, and dynamic evacuation guidance signals. The catwalk trace tube fire suppression system will be replaced with a water mist fire suppression system, thus resolving the issue of inadequate airtightness in the protection areas, increase the efficiency of automatic fire suppression and ensure the safety of the Control Yuan environment.

II. Making telecommuting a reality and strengthening official communication

The recent impact of COVID-19 has changed people's life and work patterns,

and government agencies have been brainstorming how to maintain normal operation of public affairs during the pandemic. Faced with this challenge, the Control Yuan has promptly consolidated its existing information software and hardware equipment, and purchased the additional resources needed to support video conferencing. In March 2021, the Control Yuan conducted video conferencing education and training and convened video conferencing meetings needed for Control Yuan services. By doing so, the Control Yuan's daily operations were able to continue



Figure 8-18

Control Yuan President Chen Chu (center) presides over the Control Yuan's plenary meeting for the first time via video conferencing; June 25, 2021

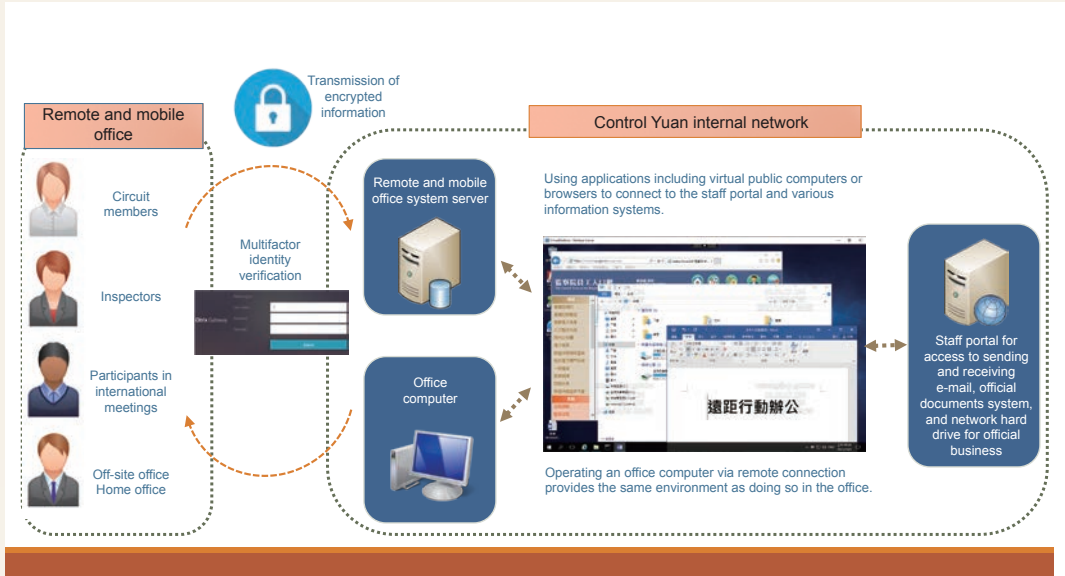


Figure 8-19
The chart of remote and mobile office.

successfully without disruptions. On June 25, 2021, the 12th plenary meeting of the sixth-term Control Yuan was the first meeting to be conducted via video conferencing. Control Yuan President Chen Chu, Control Yuan members, and other attendees participated in the Control Yuan Meeting from the Conference Room No. 1 and their respective offices via video conferencing. At the meeting, the Auditor General remotely explained amendments to some articles of the Organization Act of the National Audit Office; a consensus was reached regarding issues pertaining to the election of Control

Yuan committee conveners; and the Control Yuan members communicated and discussed important issues as usual. The meeting proceeded smoothly, achieving not only the usual discussions and business, but even increasing meeting efficiency.

Furthermore, organizational effectiveness is greatly improved when traditional operational methods are aided by technology. To provide a working environment for colleagues of the Control Yuan to implement their official duties during the pandemic, video conferencing need not be restricted to internal discussions and business. Telecommuting operations

such as "teleworking" and "working from home" have also grown rapidly. Nonetheless, in accordance with the provisions of the Cyber Security Management Act, when remote is allowed to an agency's core information communication system, user identity verifications and security checks must be strengthened, and the confidentiality and integrity of the data transmission process must be ensured. Given the prevalence and application of information communication products, as well as the public's increasing demands for rapid response from the public sector, government has undergone major transformation in its work patterns and is urgently striving to improve abilities to mobilize and handle public affairs.

To strengthen its service response efficiency, the Control Yuan is planning to build a remote mobile office system, and to strengthen remote login identity verification and information transmission security mechanisms, to allow Control Yuan members to be assigned for inspections, final inspections, and testing, and to attend international conferences. Moreover, in the event of an emergency or disaster when members must work remotely or from home, they can connect to Control Yuan systems, access official network drives, send and receive official emails, and handle other such

tasks. Via these means, the synergy of "agility in official services, no latency in operations" can be achieved and fully utilize the value-added benefits of technology.

III. Digital certificates and documents to achieve carbon reduction

In accordance with both the Archives Act and the Political Archives Act, the Control Yuan has recently begun transferring and archiving physical and digital images of national files. Important investigations,



Figure 8-20
How digital files are preserved.

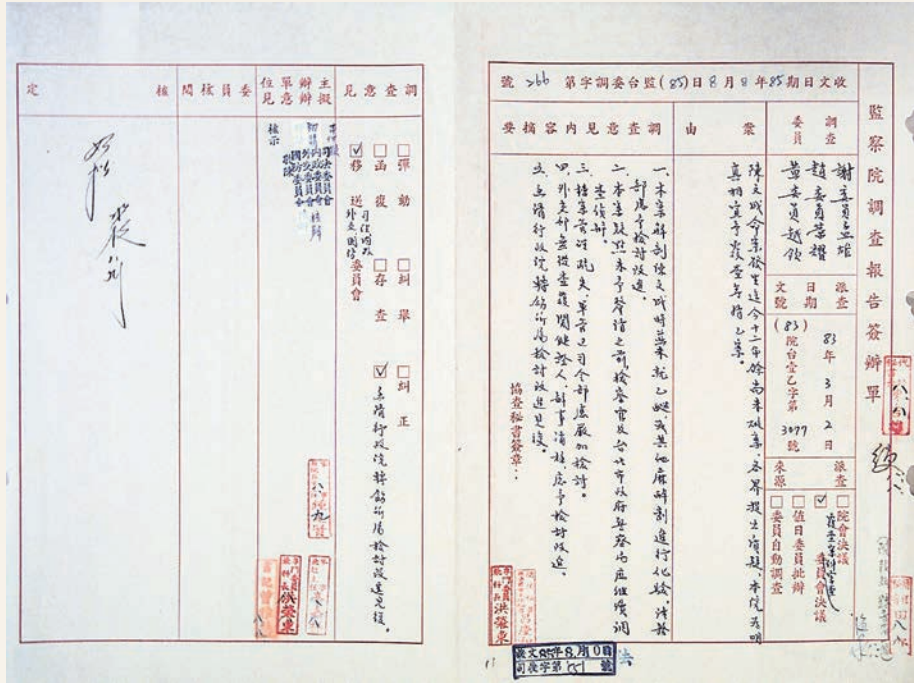


Figure 8-21
Digital image of an investigation case file.

political files, and human rights protection cases of the Control Yuan over the years are being sorted and archived, to record in detail the country's development path and bring history and circumstances back into the light. The files will be made open for use in the future, thus meeting the public's right to participate and know.

To align with the current development of digital storage technology and imaging

equipment, and to increase the scope of file digitization, in the future, the Control Yuan will simultaneously carry out digital scanning of new and old files. Current and historical impeachment cases, censure cases, corrective measure cases, investigations, and other permanent files will be imaged to reduce the need for paper files and the human resources required for physical access to files, thereby facilitating circulation and application of the

files while also reducing paper consumption. Taking advantage of information technology, a professional knowledge base is being established. This will enable users to quickly query and read files, thereby improving administrative efficiency and achieving the vision of carbon reduction.

IV. Improving transcript production and investigation quality

Most existing hardware equipment and spatial arrangements in the Control Yuan conference rooms are inadequate for investigating committee members and interviewees to simultaneously view computer screen images of interview transcripts. To effectively improve transparency and efficiency of questioning sessions, and to strengthen mutual trust between interviewees and investigators, plans to increase the speed at which investigators can produce transcripts are being made. Also, in line with the Judicial Yuan's spirit of being a "technological court," all relevant Control Yuan conference rooms will be fully equipped with retractable display screens, projection screens, and auxiliary equipment and devices.

Speech recognition technology also continues to innovate and develop apace.

Once this has become more mature, reliable, and prevalent, the Control Yuan will explore and evaluate actual outcomes from the Judicial Yuan Chinese speech recognition application project; the Control Yuan will give consideration to using the speech recognition technology as an auxiliary tool in Control Yuan investigations, for recording statements, enquiries, interviews, and other important meeting records. Such utilization will not only streamline human resources required in investigations, but also improve the quality of investigative work.

V. Building a case database to improve investigative efficiency

The Control Yuan conducts big data analysis on past investigations; by doing so, the Control Yuan is able to consolidate and compile types of violations in historical investigations, investigative experience, evidence collection techniques, case handling methods, blind spots, and keys to case breakthroughs. Subsequently, the establishment of a Control Yuan case database is being explored to provide investigators with ready references in their investigations, thus effectively improving investigative effectiveness.

Section 4 Transparency and the Control Yuan

After investigating government agencies' work and facilities, Control Yuan members may serve corrective measures to urge changes after the measures are given examination and approval by the relevant committees, and thereafter follow-up on the implementation of the corrective measures. If public servants are believed to have violated the law or are found derelict in their duties, Control Yuan members may file for impeachment or censure in order to curb lawlessness and correct political conduct. In response to the requirements of democracy, conformity to public opinion, and the safeguarding of human rights, discussions are being held regarding how to move review processes for future cases toward being even more open and transparent.

I. Implementing corrections and strengthening supervision

The Constitution stipulates that "the Control Yuan may, taking into account the work of the Executive Yuan and its various Ministries and Commissions, set up a certain number of committees to investigate their activities with a view to ascertaining whether or not they are guilty of violation of law or neglect of duty... The Control Yuan may, on the basis of the investigations and resolutions of its committees, propose

corrective measures and forward them to the Executive Yuan and the Ministries and Commissions concerned, directing their attention to effecting improvements." In light of this, the Control Yuan's standing committees have many important tasks, including the review of corrective measure cases, the administrative tracking of reviews,

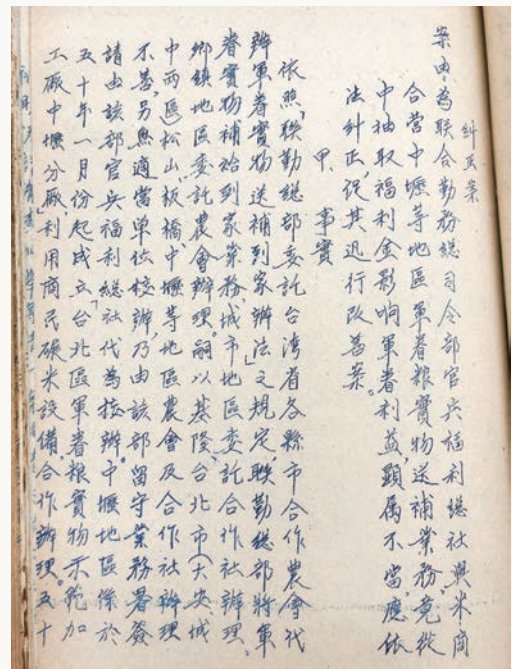


Figure 8-22

On June 11, 1962, the 170th Meeting of the first-term Committee on National Defense passed the proposal by Member Yang I-ta to file a corrective measure case against the Joint Logistics Command Headquarters for inappropriate ration measures for military dependents.

and tracking how effective improvements, monitoring, and supervision have been.

In accordance with the provisions of Articles 20 and 20-1 of the Enforcement Rules of the Control Act, if there are circumstances such as apathy, shirking of responsibility, procrastination, or inadequacy in the improvement and handling of corrective measures by an administrative agency, the relevant committees may pass a resolution to issue a written inquiry or notify the competent authority's personnel to report in person to the Control Yuan for inquiry. If there is still no real improvement after the questioning, or if investigation finds re-occurrence of identical or similar incidents following improvements, an impeachment may be filed against the competent authority's officials in accordance with the law, thus increasing the effectiveness of review and improvement measures.

The Control Yuan has also listed improvement in corrective measure cases as a key task within inspection of agencies. As part of its annual Executive Yuan inspection, the Control Yuan issues statistical data on the status of improvements made by corrected agencies and corrections implemented by different ministries. If necessary, the Control Yuan also assigns members to inspection meetings to speak on improvement statuses in individual corrective measure cases, and to urge the Premier of the Executive Yuan and the heads of its subordinate ministries

to pay attention to improvements. In addition, to monitor the implementation of improvements, Control Yuan standing committees may also send a request to the original investigating member, or assign another member, to conduct an onsite agency inspection, thus ensuring that the agencies are actively making the required improvements.

To achieve comprehensive supervision, after the relevant committees have passed resolutions to close a corrective measure case, the corrected agency's improvement status will be posted on the official Control Yuan website for viewing by all sectors of society. In cases concerning national economy and the people's livelihoods, in addition to proposing corrective measures and requiring improvements by government agencies, the Control Yuan also releases news briefings and holds press conferences in a timely manner. By doing this, the Control Yuan works with the public in jointly supervising government actions, and give full play to the functions of Control Yuan supervisory powers.

To meet service needs, strengthen organizational functions, and supervise the work of the Executive Yuan and its subordinate ministries and committees, the Organic Act of the Control Yuan Committees was amended and approved on its third reading in the Legislative Yuan on April 27, 2021, and promulgated by Presidential

decree on May 12 of the same year. While no changes were made to the Control Yuan's organizational structure or number of posts, adjustments were made in line with the Legislative Yuan's committee structure, in order to achieve the division of powers and responsibilities.

II. Openness and transparency in censure and impeachment deliberation

As the Constitution states, "when the Control Yuan deems a public functionary in the Central Government or in a local government guilty of neglect of duty or violation of law, it may propose corrective measures or institute an impeachment." In accordance with the provisions of Articles 8 and 19 of the Control Act, Control Yuan members may file a case only upon deliberation and approval by the Control Yuan, whereupon an impeachment or censure case review committee will be established.

With early review committees, given the major impact that a censure or impeachment investigation can have on the reputation of a civil servant and the stress that therefore is placed on review committee members during voting, voting was conducted by secret ballot; only established cases and their textual content were announced. This method remained unchanged until June 29, 2018.

As democratic government has become more and more a reality, the people's demand for openness in government information has gradually increased. In response to public opinion and consideration of systemic reform, a progressive plan was adopted. On June 29, 2018, the Enforcement Rules of the Control Act were amended and promulgated. Under these new amendments, a compromise was reached: Influential cases that are of great concern to society use voting via registered ballots; otherwise, in principle, the Control Yuan adopts secret ballots. Published content remains limited to the text of officially opened impeachment or censure cases. However, for registered ballots, the list of members voting for and against the case and the number of votes are announced.

Beginning July 2018, the speech content of deliberation meetings for censure and impeachment cases, as well as entire meeting proceedings, could be fully presented through sound, voiceprint, and video data. If committee members disagree on the revised content of the censure or impeachment after the deliberation meeting, they can now review meeting proceedings through audio and video records, and thus clarify the facts, improve the efficiency of deliberations, and increase the credibility of deliberation outcomes. Now, digital audio and video recording equipment has been installed; audio and video recordings of

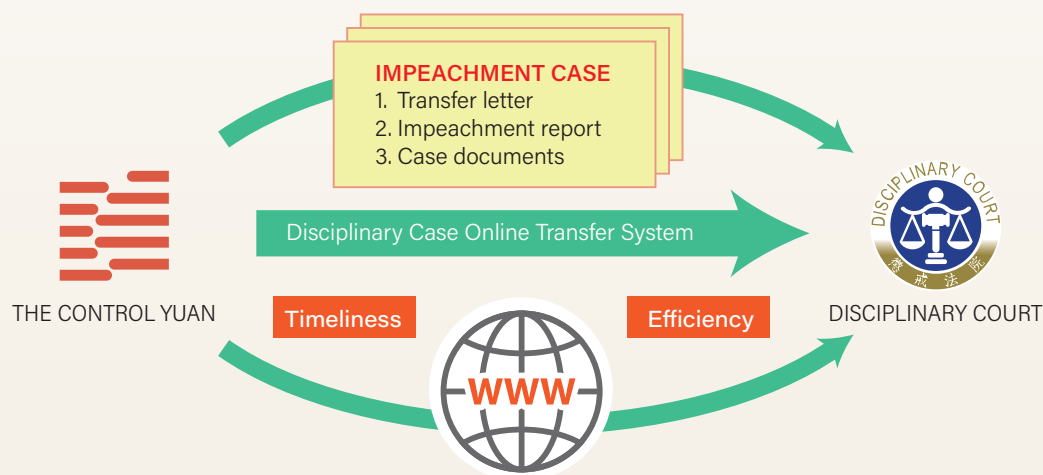


Figure 8-23

Online disciplinary case transfers.

full deliberation meeting proceedings are available for censure and impeachment cases; and data backup servers have been installed to store audio and video files. With all these improvements, the risk of data loss or damage has been effectively reduced, so that important supervisory authority files can be properly preserved.

Better democratic ideas never cease to arise. Not only are the people's demands urgent, but the Control Yuan must also reflect and respond to public opinion. On June 19, 2019, Article 13 and Paragraph 2 of Article 8 of the Control Act were amended and promulgated. Under these amendments, censure and impeachment case review committees fully adopted open

ballots for their resolutions, with votes for both established and unestablished cases announced. Announcement content now includes a list of members voting for and against the case and the final tally of votes; the text of opened censure and impeachment cases; the deliberation resolution statement; and, with unopened cases, the decisions from prior deliberation meetings. As of August 2021, 59 cases have been passed, and two cases not passed, with the deliberations and results of both established and unestablished impeachment cases fully announced.

In January 2021, digital technology was adopted to speed up the delivery of documents and facilitate litigation. The

Control Yuan and the Judicial Yuan also reached consensus to jointly promote the online transfer of disciplinary cases. Once an impeachment case is passed after deliberation, with the exception of confidential documents, electronic files of the transfer letter, impeachment text, and other relevant documents and materials are transferred to the Disciplinary Court via the Disciplinary Case Online Transfer System. Through the system's response and query functions, the Control Yuan can also track case status in real time. This is a significant indicator of how far efficiency, resource sharing, and digitization of litigation procedures have improved. As of August 2021, seven cases have been transferred online. Of these, one case has reached judgement in the Disciplinary Court; the process from transfer to verdict took only slightly more than a month. Compared with previous disciplinary cases, which often lasted for years, this is a clear improvement in efficiency.

Continuing discussion with the Judicial Yuan will be held to extend the transfer system to intermediate procedures such as defense and supplementary evidence so that efficiency can be further improved.

III. Procedural protections that keep step with the times

In response to increasing awareness of people's rights, the legal system for the

discipline of civil servants has changed from trial by collegiate bench to trial by court. Through trial by court, the person subject to discipline is granted full procedural protections, in compliance with the current trend toward protection of litigation rights. In order to bring the disciplinary system's operations back to the essence of judicial function, disciplinary agencies were restructured to form the Disciplinary Court. This Court is divided into the Disciplinary Chamber and the Disciplinary Chamber of the Judiciary, dedicated to hearing disciplinary cases regarding civil servants and judicial officials.

In response to changing the handling of disciplinary cases to direct trial and defense system, and to protect the rights of the parties involved, the Control Yuan is actively examining and discussing how to strengthen the protection of human rights in the future in a way that complies with the legal system while not affecting procedural implementation. For example, in the investigation process, upon the approval of the investigation committee, the involved party may be accompanied by a lawyer to state their opinions; or during the deliberation process of a censure or impeachment meeting, the involved party may be permitted to present their opinions, thereby complying with due legal procedures and achieving human rights protection.

Section 5 Sunshine and the Control Yuan

The Control Yuan is the enforcement authority of the Sunshine Acts. The Control Yuan has always actively promoted innovative measures in its services and regulations, and diligently promoted a robust legal system. To provide education on laws and regulations, the Control Yuan takes advantage of digital technology to achieve remote video publicity. This increases the public's familiarity with the Acts; saves administrative resources; and forwards optimization of network systems and use of diverse smart technology to achieve convenient services. To effectively implement the Sunshine Acts, the Control Yuan relies on having a robust legal system. In the process of amending the laws and regulations, the Control Yuan puts forward specific and timely recommendations that are then adopted by competent authorities. By doing so, the Control Yuan and other governmental bodies jointly make the spirit of Sunshine Act openness, transparency, citizen-based supervision, and effective legal enforcement a reality.

I. Using digital technology to strengthen the depth of investigation and education

Major amendments have been made to the Act on Recusal of Public Servants Due to Conflicts of Interest and to the Political Donations Act; and people subject to the

Sunshine Acts are distributed throughout the nation. As such, the digital transformation of education has been promoted since 2018, in order to extend the reach of education and break through the limitations of traditional fixed-point, fixed-time, text-based promotion. The Control Yuan has recorded numerous e-learning videos and practice courses for the Sunshine Acts; these are uploaded both to the Control Yuan website's Sunshine Acts webpage and to YouTube, where they provide internet audiovisual learning channels unlimited by time and space restrictions.



Figure 8-24
Secretary General Judy, Fu-mei JU (second from right) and Director Chen Mei-yan preside over a press conference on January 21, 2021 regarding the "Sunshine Acts Come Alive" online education sessions.

A. Reaching out with digitized education to break time and space limitations

The Control Yuan is dedicated to the governance concepts of digital transformation and innovative services. By utilizing mobile communication technologies that have advanced so rapidly in recent years, since December 2020, the Control Yuan has planned to build dedicated spaces and facilities for promoting the Sunshine Acts via video education, and for conducting promotion through interactive livestream and fixed-point remote video. Attendees can connect to the video network and participate in the meetings using their cell phones, tablets, or desktop computers, and the public can register for the events online. The Control Yuan conducted the first "Live Online Video" education session on March 19, 2021, in which points of note for individual political donations were introduced, thus helping remind the public to avoid breaking the law. 87 members of the public participated, and response was enthusiastic. In addition, to help for-profit organizations and private groups avoid breaking the law in their political donations, a second online session was conducted on March 29, 2021. 105 people participated in that session; questions and interactions were animated. The real-time video satisfaction questionnaire survey and in-class quizzes also showed excellent results. Beginning May 2021, the Control Yuan has conducted Interactive Video Education



Figure 8-25
A group photo of the Property Declaration Department's live video education team; March 19, 2021



Figure 8-26
Production and broadcast underway for a Control Yuan political donation video education session; March 19, 2021

sessions regarding the Act on Recusal of Public Servants due to Conflict of Interest for public institutes of higher education and public entities across the country. After each

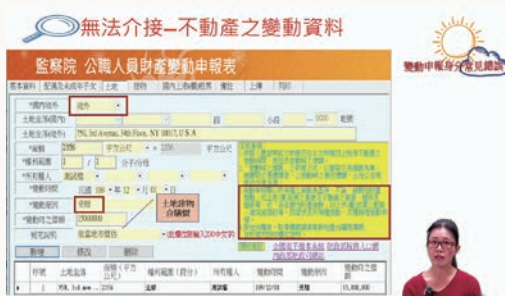


Figure 8-27

An interactive video briefing on the Act on Property-Declaration by Public Servants; November 16, 2021

session, online questionnaires have been sent out to review and improve the effectiveness of promotion. In the future, online promotion and education will be gradually expanded to the other laws within the Sunshine Acts, thus breaking through time and space limitations to extend the reach of education and make it easier for the public to understand the Sunshine Acts.

B. Optimizing the online reporting system and improving service convenience

To keep pace with technological development and align with the goal of informatization policies, an online declaration system has been put in place. Since 2010, online property declarations and political donation accounting statements have existed alongside the original paper declarations via postal mail. Since then, the convenience and accuracy of declarations

have increased greatly, and the efficiency of administrative operations such as declaration acceptance, review, and disclosure have also increased. To improve the function of government services, the Control Yuan established an enquiry platform in 2009 to list individuals restricted from making political donations. The platform interfaced with data from dozens of agencies to provide a one-stop verification service and a friendly declaration environment. In 2015, the Control Yuan promoted an "authorized interface" service for property declarations. This makes property declaration as convenient as online tax declaration, and thus creates a win-win for both declarers and the handling authority.

What does the future hold for the Control Yuan's implementation of property declaration? In addition to continued promotion and increasing utilization of authorized interfacing, the Control Yuan will also optimize and integrate the digitized environment for online property declaration; strengthen accuracy verification of interfaced data; and build a safe, convenient, friendly online declaration environment. The Control Yuan's administrative efficiency will also be improved, in areas such as integrating system architecture and resource sharing; providing operating system- and browser-agnostic services; and simplifying Control Yuan follow-up operations such as review, manual file creation, verification, announcement, and archiving. In these ways, the Control Yuan

will provide the best possible experience and achieve the goal of convenient e-government services.

To align with democratic development in recent years, and to expand public participation in open and transparent mechanisms, the existing declaration system and user interface for political donation accounting statements will be further optimized and their operational procedures simplified. Political donation case management systems will also be integrated. Through the use of information

network technology and safety certification mechanisms, interfaces with review mechanism data regarding individuals restricted from making political donations will be strengthened, to deepen the political donation review system’s comparative logic. In this way, the review platform will ensure truthful, useful disclosure of income and expenditure details from political donation accounting statements; and thus comprehensive value-added disclosure of political donation information will be provided.



Figure 8-28
Property declaration systems.

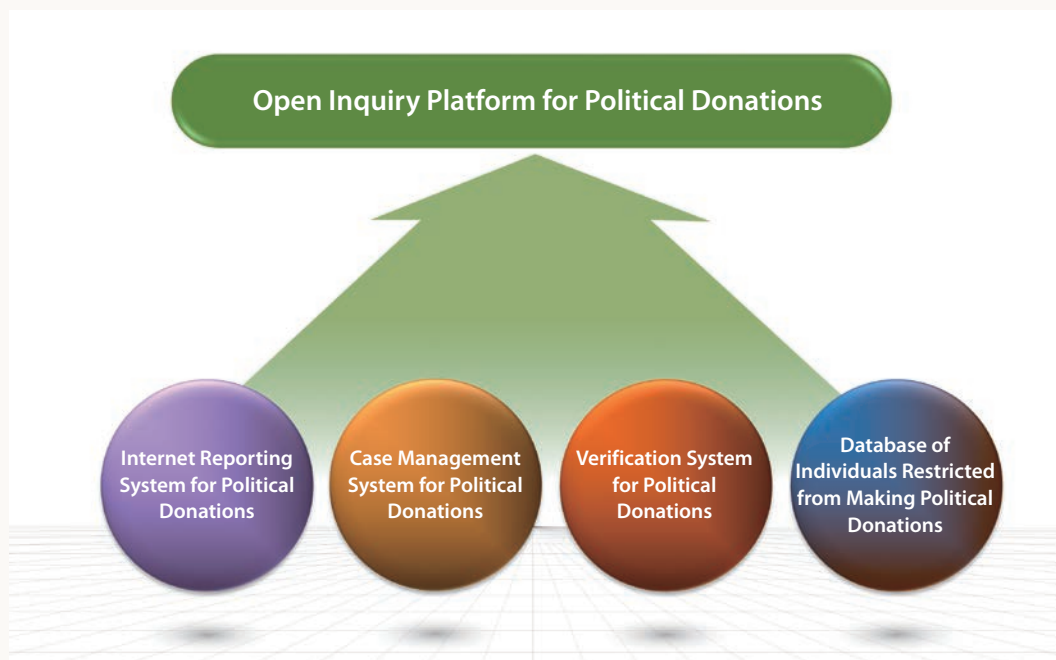


Figure 8-29

The political donation declaration system.

C. Using technology for effective review to multiply inspection synergies

Utilization of the authorized interface increases year after each year, meaning that the accuracy of property declarations has also improved. The focus of inspection cases has gradually progressed from merely whether there are any false declarations, to comparing annual increases and decreases. Using the verification platform, property declaration information is interfaced with information from relevant agencies & organizations, to automatically compare property increases/decreases between

consecutive years. This way, lists of suspicious increases/decreases are produced for further verification. Using these interfaced systems strengthens investigation into sources of property increase and funding flows, helping to subsequently uncover whether declarers have violated any financial declaration laws. In the future, the Control Yuan will continue to strengthen the use of technology and improve inspection techniques.

By comparing and inspecting annual assets, undeclared assets that are difficult to uncover or which have been deliberately concealed can be uncovered. This makes up

for issues with only inspecting assets as of date of declaration; and this simultaneously helps the Control Yuan to proactively refer illegal acts involving judicial, taxation, or business registration violations to the relevant competent authorities.

Utilization of online political donation declarations has also been increasing by the year. It is now possible to effectively integrate and use systems for verifying individuals restricted from making political donations, online declarations, and donation verifications. This effective integration and use mean that the information systems' generated political donation audit working papers and lists of excess donations create increased efficiency for audits. In the future, the Control Yuan will coordinate implementation of the public disclosure system for political donations to include new types of inspections (such as audits for special accounts that are set up without permission), and will improve administrative investigation and inquiry methods to uncover facts and implement appropriate disciplinary action.

D. Building a disclosure platform; achieving openness and transparency

To implement the Sunshine Acts and achieve the goal of open and transparent legislation, following amendments of the Political Donations Act in June 2018 that made accounting statement disclosure

fully online, the Open Inquiry Platform for Political Donations was launched on August 14, 2019. The platform allows the public to check online for political donation income and expenditure details. This thus eliminates past inconveniences in having to go to the Control Yuan in person to apply for enquiry. In addition, following the 2018 amendments to the Act on Recusal of Public Servants Due to Conflicts of Interest, in order to provide further services, the System for Reporting Public Servant Recusal Due to Conflicts of Interest and for Disclosing Identity and Relationship Subsidy Transactions was established in December 2019. Through this system, all agencies and organizations across the country can centrally disclose identities and relationships in public officials' and stakeholders' subsidy transaction activities. The information is available for public inquiry, thus meeting the Sunshine Acts' spirit of openness, transparency, and citizen supervision. In the future, the Control Yuan will continue to gather user opinions, and review and optimize platform functions to provide more thoughtful, convenient, and friendly data query services.

II. Actively amending laws to effectively implement the Sunshine Acts

Based on the Control Yuan's position as the enforcement agency of the Sunshine Acts, if it encounters questions regarding

applicability, timeliness, inadequacy, or loopholes in laws during the course of its duties, the Control Yuan promptly writes to the competent authorities to request explanation and provide specific recommendations regarding how to amend the law. In the future, the Control Yuan will continue to urge competent authorities to amend the laws, so that legal stipulations can be successfully implemented and are consistent with the public's needs. When disciplinary action is required for violations of the Sunshine Acts, the Control Yuan analyzes the specific case according to the offender's identity/status and the type of violation. The Control Yuan also conducts seminars from time to time, to provide reference for future investigation review; and the Control Yuan compiles case examples to support legal education and help those educated know what to be wary of. This helps reduce occurrence of violations, achieves the benefits of Sunshine Act implementation, and accomplishes the goal of education and promotion: "First, prevent; and punish only second."

A. Accumulating experience and improving effectiveness in enforcing the property declaration law

Since the Act on Property-Declaration by Public Servants was amended in 2007, it has undergone several minor revisions. However, review and revision recommendations

have continued to be submitted by outside parties. In 2018, the Executive Yuan held a law amendment meeting. The Control Yuan is the only agency that handles declaration of trusts and identity status changes of persons subject to declaration; as such, and with its longstanding execution of related services, the Control Yuan proposed amendments in line with experience. One example proposal was changing the requirement that "those serving on the board of directors or supervisory board of private legal entities on behalf of the government or public shares" to a more limited restriction that property declarations include only "the board chair and the board of directors." The Control Yuan also proposed other suggestions, such as expressly stipulating that property information interfaced through the Public Servant Property Declaration and Audit Platform be provided as reference for those declaring their property; deleting the mandatory property trust system and instead adopting a change notification system; and changing "annual salary income" in the comparison standards for consecutive years to "annual individual consolidated income." These recommendations were accepted and incorporated into the amendments. In the future, the Control Yuan will continue to implement services related to the property declaration law; accumulate experience; provide amendment suggestions; deepen property declaration law and anti-corruption

functions; and work toward the goal of correcting political conduct.

B. Urging legal amendments and reinforcing the recusal system

The Control Yuan is the enforcement agency for the Act on Recusal of Public Servants Due to Conflicts of Interest. To ensure that the recusal system aligns with actual needs, the Control Yuan has proposed numerous recommendations. For example, the Control Yuan recommended that those with considerable substantive influence, such as deputy chiefs of staff in government agencies at all levels, should be included within the scope of public officials in the Act on Recusal of Public Servants Due to Conflicts of Interest. The Control Yuan also provided recommendations such as including public officials' agents within the scope of the Act on Recusal of Public Servants Due to Conflicts of Interest, during their period of agency; expressly setting a minimum threshold above which transactions are prohibited, to avoid people being fined for violating the law on the smallest pretext; appropriately revising statutory fine minimums, to avoid excessively stiff fines that are inconsistent with and disproportionate to the severity of violations; and adding relevant agencies, groups, and individuals to collaborate on the investigation duties, to make the formulation and implementation of the Act on Recusal of Public Servants Due to

Conflicts of Interest more comprehensive and smooth. Another issue the Control Yuan has addressed is the chaos created by different organizations' independent, inconsistent definitions of "those serving on the board of directors of private legal entities on behalf of the government or public shares," which result from vague criteria being set for such definitions. To solve this issue, the Control Yuan recommended that the definition be based on board of directors and supervisory board election mechanisms, rather than based on professional or job titles; by reshaping the definition in this way, different organizations can all have objective, clear, consistent identification standards to reference.

These recommendations proposed by the Control Yuan were accepted. They were separately incorporated into the amendments to the Act on Recusal of Public Servants Due to Conflicts of Interest (promulgated on June 13, 2018) and the amendments to the Enforcement Rules of the Act on Recusal of Public Servants Due to Conflicts of Interest (promulgated on August 1, 2019). In the future, when the Control Yuan encounters issues in the course of exercising its duties, the Control Yuan will continue to request that the competent authorities discuss or amend the law, so as to improve the recusal system and effectively prevent transfers of unjust enrichment.

C. Participating in legal amendments to eliminate obstacles to the Political Donations Act

The Control Yuan is the only agency in the country that executes the Political Donations Act. During the course of audits, the Control Yuan has encountered cases where the penalty was out of proportion to the offense, and so the Control Yuan took the initiative to reduce the fines. The Control Yuan also took the initiative to communicate with various agencies and share information regarding individuals who are restricted from making political donations. The Control Yuan established the Internet Reporting System for Political Donations to provide online verification functions for candidates and political parties. The Control Yuan also proposed amendments to the law to extend the recovery and payment deadlines until the filing deadline. Moreover, to align with amendments regarding full disclosure of political donation accounting statements, the Control Yuan has established the Open Inquiry Platform for Political Donations, which screens out private information. As of August 14, 2019, the platform is available to the public, so that they can comprehensively access, monitor, and evaluate political party and election candidate information, with no time or space restrictions.

As democratic rule becomes more and more stable, the Control Yuan has found deficiencies or obstructions during

the course of implementing the Political Donations Act. For example, if the key members of for-profit enterprise are foreign-funded companies, it is difficult to verify their identities and implement sanctions against those who fail to disclose relationships when their expenditures go to donation recipients. Hence, the Control Yuan continues to urge amendments to the law and propose suggestions from actual practice. Thus, the Political Donations Act can ensure fairness and justice in political activities, and help achieve the legislative purposes of robust democratic development.

D. Recommending legal amendments to improve lobbying and anti-fraud mechanisms

The Lobbying Act was implemented on August 8, 2008, but as of February 2021, only 447 lobbying registrations have been received by central and local agencies. Thus, the effectiveness of the Act's implementation needs improvement; many sectors of society have raised frequent criticisms regarding this. In light of this, the competent authority (here, the Ministry of the Interior) drafted amendments in 2020 to expand the definition of lobbyists, to strengthen regulations against prohibited actions, and to add penalty regulations for illegal lobbying by foreign nationals and Mainland China, Hong Kong, and Macao nationals. The purpose was to prevent foreign forces



from interfering with Taiwan's promotion of democracy and other goals. The competent authority also planned to simplify lobbying registrations, to increase the willingness to register. The Control Yuan has expressed timely recommendations for amending the law. For example, the Control Yuan recommended that assistants employed by legislators and key staff members of agency heads be included within the scope of lobbied parties; the Control Yuan also recommended that existing regulations defining township/town/city councilors, and directors and deputy directors in township/town/city offices, as the main recipients of lobbying be retained. These recommendations have been adopted by the competent authority. In the future, the competent authority will work together with the Control Yuan to further improve lobbying mechanisms, with the goal of making the lobbying process more open and transparent, to prevent the transfer of unjust enrichment as intended by the Lobbying Act, and to ensure the legislative purpose of democratic participation in politics.

Section 6 Human Rights and the Control Yuan

Although the main purpose of the Control Yuan is to rectify officials' behavior, the exercise of Control Yuan powers also promotes protection of the people's rights and interests. In 2000, the Control Yuan established the Committee on Human Rights Protection. In keeping with the development of domestic human rights and international trends, to meet the expectations of all sectors of society, and aligning with the United Nations' Paris Principles, the Control Yuan and successive Presidents, human rights scholars and experts, and domestic human rights groups worked long and hard; finally, the National Human

Rights Commission (NHRC) was inaugurated on August 1, 2020.

Protecting human rights requires persistent effort. The Control Yuan established the NHRC to thoroughly demonstrate its determination in protecting human rights, and to push Taiwan closer to the ideal nation of human rights. To promote the protection and facilitation of all human rights, the NHRC has vowed to form the conscience of the nation, to construct a system for protecting human rights, and to use human rights promotion and education to give the people a deep awareness of human rights concepts.

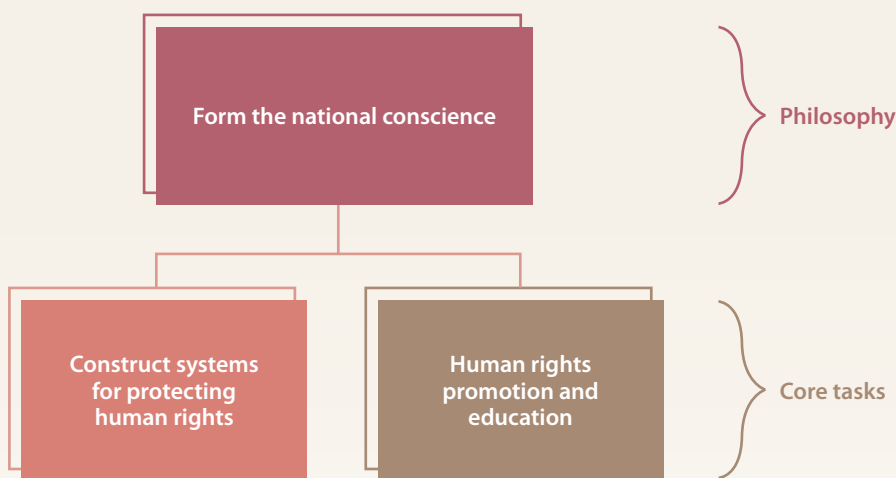


Figure 8-30

The philosophy and core tasks of the National Human Rights Commission.

I. Ensuring human dignity and forming the national conscience

The Control Yuan established the NHRC and began its operations after conducting more than 20 years of studies and discussions between the government and all sectors of society. Article 2 of the Organic Act of the Control Yuan National Human Rights Commission (below, the "Organic Act") includes nine subsections on the NHRC's exercise of power. Subsection 1 states that the NHRC shall "investigate incidents involving torture, human rights violations, or various forms of discrimination... and to handle them and provide remedy according to the law." The other subsections state that the NHRC shall also support active

involvement in human rights affairs. These affairs include the development of human rights policies, "assisting government agencies in the signing or ratification of international human rights instruments and their incorporation," and "cooperating with domestic institutions and civic groups, international[organizations, national human rights institutes, and non-governmental organizations to promote the protection of human rights." Corresponding budgets are urgently needed human rights affairs, in order to effectively perform functions such as overall supervision, implementation, and promotion of national human rights organizations. To perform its functions and powers, the NHRC formulated the "2021 Strategic Plan" as described in Chapter Four. The plan outlines four major tasks: Laying the foundation for the promotion and protection of human rights; promoting international exchanges and cooperation; independently maintaining the human rights mandate; and continuing to promote cross-disciplinary human rights education. There are also six major strategies: Processing and relief; policy research and analysis; providing independent evaluation opinions; public-private exchanges and cooperation; international integration; and helping human rights education to take root.



Figure 8-31

Letter of appreciation from Taiwan's Parents Association for the Visually Impaired to the Control Yuan for its education on human rights.



Figure 8-32

NHRC Chairperson Chen Chu (first from left) and NHRC members visit the Seamen and Fishermen's Service Center; November 27, 2020

II. Eliminating gaps in discrimination and achieving human rights protection

In accordance with Article 2 of the Organic Act, the National Human Rights Commission may make recommendations on national human rights policies, make special reports on the status of national human rights, and review the government's current administrative policies in order to address existing human rights gaps. To exercise its functions and powers, the NHRC will continue to promote domestic ratification of international human rights instruments, and systematically build a human rights review mechanism for forward-looking human rights policy research. The

Commission will also propose related laws and policy recommendations, to increase the government's attention to human rights.

A. Exploring major human rights incidents and improving human rights promotion

In 2021, major human rights incidents involving foreign fishermen, migrant workers raising the next generation far from home, and sexual abuse of children and adolescents have been examined. Through research, investigation, and reporting, the NHRC has comprehensively reviewed the nation's commitment to its international human rights obligations. The NHRC has proposed laws and policies that will accordingly

and effectively deter and prevent human rights violations. By facilitating the exercise of professional duty in protecting the disadvantaged, the NHRC helps promote human rights protection.

The NHRC is also empowered to prepare independent evaluation opinions on the national human rights convention reports submitted by government agencies. In December 2020, the NHRC issued independent evaluation opinions on the national reports on the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

The NHRC is also independently review national reports on rights conventions that have been ratified domestically. Examples of such national reports include the Second National Report on the Convention on the Rights of Persons with Disabilities (CRPD) and the Second National Report on the Convention on the Rights of Children (CRC); regarding these, the NHRC is expecting to publish its independent review opinion of the Second National Report on the CRPD in 2021. In addition to diligently monitoring human rights and collaborating with the government on carrying out human rights policy duties, the NHRC also compiles its independent review opinions into foreign languages, easy to read versions, audiobooks,

sign language, and Braille versions as required to meet diverse needs.

B. Conducting systematic research and putting human rights conventions into practice locally

Based on domestic enactment of the various conventions, government agencies are under obligation to eliminate gaps between the current state of human rights and what those international conventions require. In the future, in accordance with Subsections 1, 6, and 7 within Article 2 of the Organic Act, the NHRC will reference foreign practices from systematic inquiries; conduct systematic investigations and research; and eliminate gaps in environmental conditions. Using the concept of cooperative human rights protections, the NHRC will form social consensus to encourage relevant agencies and institutions to spontaneously make improvements on structural human rights issues. The NHRC aims to fulfill its functions of uncovering problems, caring for the disadvantaged, preventing infringement, improving the status of human rights, enhancing human rights protections, and promoting social equity.

Human dignity is the core of human rights. Article 7 of the International Covenant on Civil and Political Rights stipulates that



Figure 8-33

NHRC Chairperson Chen Chu (center) and NHRC members visit the Kaohsiung City Government's Home for the Disabled; November 27, 2020

"No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." Regardless of situation or place, every person has the right to be free from torture and other cruel, inhuman, or degrading treatment or punishment; only then can the sacredness of life be ensured, and the integrity of the individual's body and mind and fundamental freedoms be protected. In accordance with relevant regulations, the NHRC will conduct inspection visits to prevent torture and other

abuses, and will assist relevant agencies and institutions in improving their current human rights situations.

In the future, in accordance with the provisions of Subsection 4, Article 2 of the Organic Act, the NHRC will continue to review the process of domestic enactment of the nine core human rights conventions. The NHRC will also assist government agencies in ratifying international human rights instruments, to promote Taiwan's compliance with international human rights standards.

C. Utilizing digital information and video conferencing to strengthen the effectiveness of human rights protections

In doing its work, the Control Yuan takes advantage of digital and video conferencing methods to strengthen and implement human rights protection. For transnational human rights visits, systematic research, and exchanges, when there is a need to conduct interviews with overseas migrant workers, fishers, and new immigrants, using video conferencing allows contact that was impractical or impossible before. This new technology allows contacting those overseas whose human rights have been violated. For example, through video conferencing, face-to-face conversations with foreign migrant workers and fishers who have been deported to their home countries can be conducted to understand the situations they experienced in Taiwan. Conducting interviews this way thus reduces compromises to authenticity that would otherwise result from obstacles presented by time and space. Moreover, connections can be made simultaneously with the relevant agencies, helping to address human rights issues in a timely manner. Collaboration can thus be established to construct a transnational human rights protection mechanism, creating a multiplicative effect from the benefits of reinforced handling of human rights issues.

III. Strengthening advocacy & cooperation to increase awareness of human rights

The NHRC promotes diversified teaching materials that incorporate international conventions and information gained through investigation. The results of investigations are compiled into easy-to-understand human rights case examples and teaching materials, thus helping to promote human rights concepts and increase human rights awareness.

A. Diversified multi-Yuan collaboration to build human rights awareness

On October 27, 2020, the NHRC and the National Academy of Civil Service held the Conference on Cooperative Promotion of Human Rights Education for Public Servants. November 24 of that same year, the NHRC also co-organized the 2020 Basic Training for Personnel Newly Passing the Civil Servant Senior and Junior Examinations: Viewing Public Service Situations in Terms of Human Rights Issues Sharing Session. On November 23, 2020, the NHRC visited the Ministry of Education's National Academy for Educational Research to understand how human rights education is promoted there. And on December 17, 2020, the NHRC visited the Directorate-General of Personnel Administration's Civil Service Development Institute to exchange experiences and suggestions for future collaboration in

developing human rights curricula and case example teaching plans.

B. Establishing a social dialogue mechanism; promoting human rights protection through public-private cooperation

In the future, the NHRC will continue to organize a variety of educational promotions such as practical workshops and symposiums to increase the people's awareness of human rights. The NHRC will collaborate with human

rights groups to actively understand and resolve human rights issues, and to gain the public's support and trust. The NHRC will also organize mechanisms for dialogue with topic-based groups, experts, and scholars involved with children, women, elderly, indigenous peoples, new immigrants, labor, convention advocacy, and general issues. By doing so, the NHRC will get involved at a grassroots level to jointly promote human rights protections.



Figure 8-34

NHRC Chairperson Chen Chu attends the Conference on Cooperative Promotion of Human Rights Education for Public Servants, jointly organized with the National Academy of Civil Service; October 27, 2020

At the same time, the NHRC will continue to strengthen accessibility for its website, and will continue to enrich the content in the Chinese and English versions. The NHRC will include content such as human rights issues, online human rights education, major human rights project reports, and annual national human rights reports in multiple languages, in order to strengthen the promotion and dissemination of human rights concepts. In 2021, the NHRC's website will be completely revised and relaunched, aiming to achieve the highest level of accessibility standards.

C. Strengthening international exchanges; enhancing international human rights development visibility

The Control Yuan strengthens mutual visits and exchanges with foreign human rights organizations, national human rights institutions, and human rights scholars and experts; organizes training and education collaboration programs to jointly promote human rights protection and international human rights initiatives; and enhances the nation's international visibility in human rights development. For example, Control Yuan personnel met with Catherine Nettleton, representative of the British Office Taipei, on October 5, 2020 to express the desire for more human rights cooperation

opportunities with British institutions. On November 11, 2020, Control Yuan personnel convened a video conference with Kieren Fitzpatrick, Secretariat Director of the Asia Pacific Forum of National Human Rights Institutions (APF) and others; in the meeting, they exchanged views on human rights issues, operations, and national inquiries, and strengthened consensus on APF experience exchange and training. In the future, the Control Yuan will continue to make reference to other countries' human rights protection practices and evaluate the effectiveness of Taiwan's human rights practices. The Control Yuan will strengthen domestic social communication, exchanges, and cooperation with different agencies and human rights organizations, and will promote putting international human rights conventions into practice.

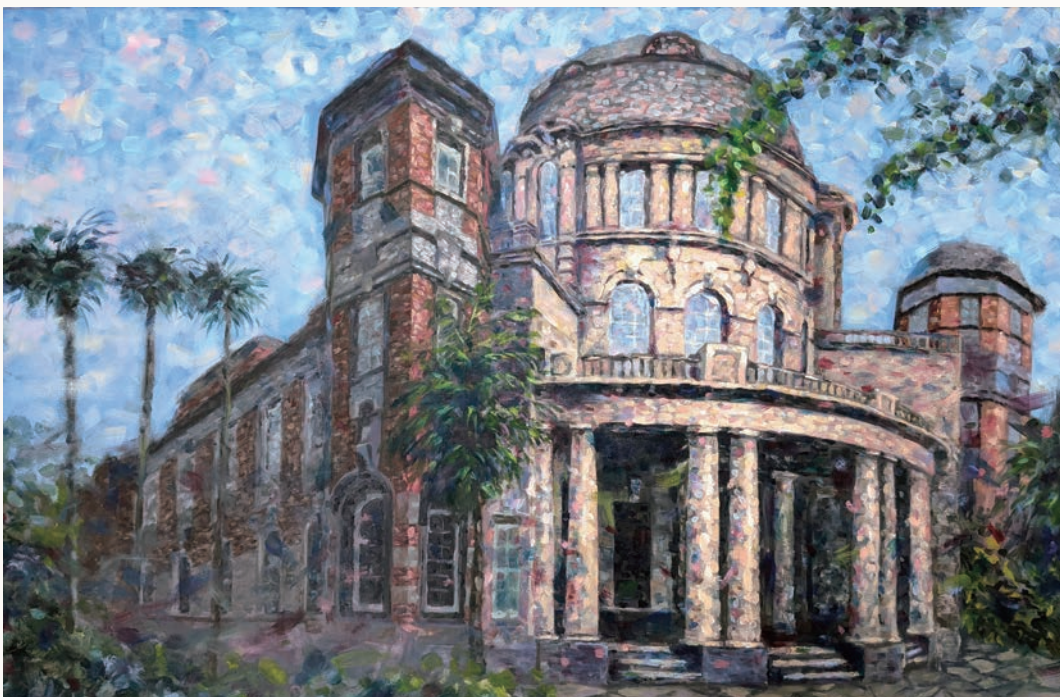
In the future, in accordance with universal concepts of human rights, the Control Yuan will continue to present of Taiwan's actual achievements in human rights protection; expand Taiwan's participation in international human rights organizations; and seek to become an observer in international human rights organizations. By doing so, the Control Yuan will keep pace with the world in jointly promoting human rights.

Conclusion

With the development of constitutionalism, the Control Yuan has transformed from a democratically-elected organization to a supervisory organization. The Control Yuan transcends party affiliation to independently exercise its powers in accordance with the law. The Control Yuan supervises the government to ensure good governance; and further, it relieves people's suffering and protects human rights. For decades, the Control Yuan has dedicated itself to fulfilling its duties and has earned the deep trust of the people.

The Control Yuan has a history of more than 90 years, carrying a heritage of excellent institutional systems. Control Yuan members

have proven to be upright and honorable, and cultivated a unique tempering of culture and traditions. In response to the needs of the times, the Control Yuan has shouldered the important missions of promoting clean politics and of the National Human Rights Commission. The Control Yuan is also determined to innovate, move forward prudently, and consistently uphold the attitude of "The only way to go far is to start, step by step; an enormous ocean only grows by gathering every brook and stream." Listening to the people's opinions, the Control Yuan looks forward to the future and is committed to fulfilling the duties that the people have entrusted to it.



Postscript

Looking into the Distant Past Expecting in the Near Future

The Control Yuan is the government's highest supervisory agency. On February 2, 1931, Mr. Yu You-ren was sworn in as President of the Control Yuan's first term. In 1958, the Control Yuan moved to its current site. Through the years of changes and reform, the Control Yuan has gradually broadened its duties from exercising its power to impeach, censure and correct, to ensuring property declarations by civil servants, avoidance of conflicts of interest, and matters pertaining to political donations and lobbying. To carry out its many operations, the Control Yuan has established the Departments of Supervisory Operations, Supervisory Investigation, Property-Declaration by Public Servants, Secretariat, and Coordination and Planning, as well as seven standing committees. On August 1, 2020, the Control Yuan also established the National Human Rights Commission. With 90 years of tempering, every term's Control Yuan members become well experienced in strength and wisdom. Every Control Yuan member has been loyal, diligent, and dedicated in their responsibilities, and exercises their powers in accordance with the Constitution and laws, thus creating a legacy of supervisory authority and the development of human rights for Taiwan.

February of this year (2021) marks the 90th anniversary of the Control Yuan, and a year of great significance. Control Yuan President Chen Chu has particularly instructed that planning and organization of anniversary celebration activities must adhere to anti-pandemic principles, and that the compilation of this Control Yuan 90th Anniversary Special Issue be focused on tracing the Control Yuan's history and innovations, all while adhering to objective assessment and evidence-based analysis.

History provides us with a mirror to learn from; it helps us identify the signs marking a society's rise or fall. This Special Issue not only enables us to review what has gone before, but is also intended to play a positive and meaningful role in assisting the government in exercising supervisory powers. Based on the functions of its supervisory power, the Control Yuan not only supervises and corrects the integrity of the government, but also assists the government with governance. Chapters Three and Five analyze and explain the evolution of the Control Yuan's supervisory powers. By doing so, these chapters illustrate several factors: How the different standing committees' number and types of written requests for improvement and corrective measure investigations have risen and fallen over the years; how the different committees' organization and division of labor over the years have been adjusted, to allow broader awareness of violations and dereliction in the government; and how the focus of

the people's concerns and complaints during various periods have shifted. Such information provides government agencies with insights for the future and helps prevent lapses. In addition, statistical analysis of what types of violations have occurred in historical impeachment cases, and of impeached persons' job titles, also serves as motivation for civil servants to be upright in their duties and helps keep them wary of potential pitfalls.

In addition, the process of compiling this Special Issue provides the Control Yuan with a reference for planning future work focuses and resource allocation. The compilation process also prompts the Control Yuan to reflect on how, in an era where technology is moving forward by leaps and bounds, to make adjustments that match professional investigatory needs, and how to improve the Control Yuan's software and hardware facilities in ways that will meet the needs of the times.

Documents on the establishment of the Control Yuan in the early years of the Republic of China are vast and complex. Fortunately, with team effort from the entire Control Yuan, labor was divided, and a special static exhibition was unveiled on January 29, 2021 during the kickoff ceremony for the Control Yuan's 90th anniversary celebration. Celebration events included music gatherings, a Control Yuan-themed drawing competition, charity sales, and academic conferences. The publication of the Control Yuan 90th Anniversary Special Issue draws a perfect conclusion to these celebrations.

In December 2020, plans for the Control Yuan 90th Anniversary Special Issue were announced. Many considerations went into the organization of this volume. The Control Yuan occupies a unique position within this nation's constitutional system, as the "highest supervisory organ of the State," empowered to exercise powers of investigation, "impeachment, censure and auditing;" and the "Control Yuan may, on the basis of the investigations and resolutions of its standing committees, propose corrective measures."

However, when the Control Yuan was formally established in 1931, the Constitution had not yet taken effect. When the Constitution was promulgated in 1947, the Control Yuan was designated as an indirectly-elected parliament. Later, when the Constitution underwent amendments in 1992, 1997, and 2000, the basis of the Control Yuan's functions and powers

were transformed. The Control Yuan is also allowed to establish separate committees; the provisions governing such committees were first promulgated in Article 3 of the Organic Law of the Control Yuan, on March 31, 1947, after the Constitution had taken effect. Over the years, these Control Yuan committees have undergone multiple adjustments in terms of division of labor to meet actual business needs and strengthen organizational functions. But changes have not only happened with regard to the Control Yuan's unique structure and powers; the Control Yuan building itself, which was completed in April 1915, is also a precious century-old national monument in Taiwan that has undergone many redecorations and restorations over the years to maintain its artistic style. In light of the Control Yuan's many unique characteristics, the editorial design of this Special Issue spans four key areas: 1. Major historical facts about the Control Yuan; 2. the evolution of the Control Yuan's organizational structure and building; 3. the exercise and evolution of the Control Yuan's powers, with a summary of major cases; and 4. heritage and transformation.

The editorial team wished to distinguish this Special Issue from compilations of factual records, the *Control Yuan Gazette*, the annual *Corrective Measure and Impeachment Case Compilations*, and other documents regularly published by the Control Yuan; as such, the editorial team decided to focus on aspects not so often covered in those documents. These include a focus on the Control Yuan's historical development; the Control Yuan building (a century-old historical monument); how the Control Yuan's heritage and experience are carried down; major achievements in supervisory and anti-corruption cases; and innovations and vision for adapting to the times. Through these different dimensions, the outside world can get to know the Control Yuan in greater depth and from different perspectives. More specific chapter content:

Chapter One – The Organization and Members of the Control Yuan introduces the organizational history of the Control Yuan and its members. This chapter describes the Control Yuan's institutional history, from the period of the Nationalist Government to the Constitution. There is also a description of how and how many Control Yuan members are selected, and a brief introduction to former Control Yuan presidents. The section on experience and heritage includes a special message from former Control Yuan President Chen Lu-an. Former Control Yuan Presidents Fredrick Chien and Chang Po-ya, and Members Chao Chang-ping, Chao Jung-yao, Chai Tsung-chuan, Wu Feng-shan, and Huang Huang-hsiung also share their experiences and reflections from their time in office, as well as their hopes for the exercise of supervisory powers by the Control Yuan.

Chapter Two – The Control Yuan Building: Beauty Both Ancient and Modern describes how the century-old Control Yuan building has evolved, from the Japanese occupation period to its subsequent expansion. The chapter introduces the building's architectural style and features, as well as how office space has been allocated since the Control Yuan has moved in. Once worn by the passage of time, through years of restoration, the Control Yuan building has now been restored to beauty and elegance.

Chapter Three – The Exercise and Evolution of the Control Yuan's Powers documents the specifics and evolution of the Control Yuan's supervisory powers. Areas described include accepting the people's written complaints, investigation, corrective measures, impeachment, censure, circuit supervision, invigilation, and anti-corruption. In Section 9 of the chapter, the number and types of cases exercised by previous Control Yuan members are presented in statistical charts, which are of great reference value. In addition, the Control Yuan's requests to the Judicial Yuan's Council of Grand Justices for constitutional interpretations over the past several decades are compiled and presented at the end of the chapter. These interpretations not only pertain to the constitutional system, but have also frequently involved human rights protections, and have profound impacts on the country and the people.

Chapter Four – Protection and Promotion of Human Rights: The protection and promotion of human rights is the current international trend, and a focus of domestic social concern. This chapter describes the process of how the government and all sectors of society first advocated for, and then successfully established, the National Human Rights Commission (NHRC). This chapter also documents the NHRC's achievements since it was established, future work goals, and promotion strategies.

Chapter Five – Major Anti-Corruption Cases and Supervision Cases and Their Results: This chapter is divided into the sections Requests for Constitutional Interpretation; Land Justice; National Defense and Diplomacy; Judicial Justice; Prison Administration Reform; Social Welfare Education and Labor Rights; Fiscal Discipline and Property Rights; The Right to Health and Environmental Rights; Public Safety; and Integrity and Anti-Corruption Competency. Major cases are selected to illustrate specific achievements in the exercise of supervisory powers.

Chapter Six – International Supervision Affairs introduces the origin of the Control Yuan's International Affairs Committee and the Control Yuan's gaining membership in the International Ombudsman Institute (IOI) in 1994 as "The Control Yuan, R.O.C." The Control Yuan has done its utmost to perform its responsibilities and duties as an IOI member for 27 years, and has participated in international exchanges.

Chapter Seven – People, Stories, and Activities: In the first section, current and retired colleagues of the Control Yuan were invited to share some of their delightful anecdotes about former Control Yuan President Yu You-ren and other first- to fourth- term Control Yuan members and staff. Events over the years such as exhibitions, academic conferences, and human rights conferences are also documented. In addition, a kaleidoscope of important cultural, recreational and club activities from the past is also presented. The wonderful collection of precious photos presented in this chapter forms a collective memory for the Control Yuan; thanks to each of them for providing these photos. Please forgive any exclusions or omissions. This chapter also presents photos of the Control Yuan's current president, members, and staff, and archives times that Control Yuan civil service colleagues have spent together.

Chapter Eight – Heritage and Transformation: With the evolution of democratic constitutionalism, the Control Yuan has transformed from a democratically-elected agency to a professional supervisory agency. Exercising independent powers, the Control Yuan undertakes the responsibility of promoting clean government and protecting human rights. In addition to relaunching the *Control Yuan Newsletter* October 1, 2020 to introduce Control Yuan services and activities using simple and concise text, the Control Yuan will continue to make refinements in diverse areas, aligning with democratic trends and national development. The Control Yuan does all of this in order to become a *people's, professional, technological, transparent, and human rights* institution.

The editing process of this Control Yuan 90th Anniversary Special Issue began with convening meetings to plan the content structure. Various directors oversaw and worked with staff, as well as counselors and research commissioners, as managing editors to write and compile the articles. They also worked as copy editors to do peer review and provide suggestions. After repeated discussions and revisions, the draft was submitted to the four members of the executive editing team for review. It took more than four months before the manuscript was finalized, then published in the most economical way possible.

During the editing period, our colleagues worked hard as a team. There were more than 20 editing meetings, with a total of 123 participants. In addition to their busy official duties, Control Yuan

colleagues collected valuable information from various sources, wrote and revised drafts, and provided administrative assistance. It was only through all these efforts that this Special Issue was completed. This is a rare and precious work. I apologize for not being able to credit each and every individual by name; space only allows listing the managing editors and copy editors at the end of this book. However, I would like to mention Director Su Jui-hui, Director Chang Li-ya, Investigation Officer Yang Chang-hsien, Senior Secretary Chang Wen-hsien, Section Chief Chang Jung-jung, specialist Chen Cheng-l, and Administrative Assistants Chen Mei-ju and Chen Liang-chih, for the tremendous dedication they have shown; Director Wang Tseng-hwa, for active participation, and for working with Deputy Director Li Yun, Acting Chief Secretary Yang Hua-hsuan, Senior Secretary Chen Yuan-pin on the proofreading of the entire publication and to provide suggestions; and Director Uang Lin-ling for leading editorial team members including Deputy Director Tsai Chih-yu, Senior Executive Officer Hsiao Hsiao-chuan, Section Chief Hung Chun-ting, and Specialist Feng Yu-hsuan in coordinating communication, administration, editing, and printing. These colleagues have pursued perfection, carefully considered every word, and put in painstaking effort, and I would like to express my gratitude to them for working so very, very hard on this Special Issue.

The months and years rush by. On the eve of this Special Issue being published in May 2021, I look both backward to the past and forward to the future; events seem so far away, yet almost within grasp. This detailed and meticulous compilation of memories gives a deep sense of how heavy work is made light through the cooperation and unity of many. Indeed, with the collective wisdom of all, there is nothing we cannot attempt; with the strength of all, there is no feat we cannot accomplish. Teamwork will lead to eventual success; and so we make this our ambition. The making of this publication has been hectic, and I appreciate your forbearance if there are any omissions and errors. With much appreciation,



Judy, Fu-meei JU

Secretary General of the Control Yuan

May 2021



Managing editors: Chen Mei-yan, Chang Li-ya, Ko Min-ching, Lin Su-chun, Lin Ya-ling,
and Ho Tai-chun
Copy editors: Lin Ming-hui and Wang Hsien



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Appendix 1

Chronology of Major Events

I. Outline of Control Yuan History

Period of Military Government (1925 to 1927)

1925

07/17 The Nationalist Government formulated and promulgated the 13 articles of the Organic Law of the Control Yuan for the first time.

08/01 Preparations were made to organize and establish the Control Yuan, marking the beginning of the Nationalist Government experiment with supervisory power.

1927

11/05 The Nationalist Government revised and promulgated the Organic Law of the Control Yuan. However, due to the continuation of the Northern Expedition and military turmoil, the Control Yuan remained unorganized.

Period of Political Tutelage (1928 to 1947)

1928

04/27 The Auditing Yuan was formally established, with Yu You-ren as Auditing Yuan President.

10/20 The Nationalist Government formulated and promulgated the 23 articles of the Organic Law of the Control Yuan for the second time.

1931

02/02 The Control Yuan was formally established, and Yu You-ren was sworn in as Control Yuan President.

02/21 The Nationalist Government issued an order to abolish the Auditing Yuan, and in accordance with the law, reorganized it into the National Audit Office under the Control Yuan.

02/23 The first Control Yuan Meeting was convened.

03/02 The Control Yuan passed a resolution to approve the Control Yuan Meeting Regulations.

03/02 Ju Yu-li was sworn in as the Minister of the National Audit Office.

1936

- 04/14 The Nationalist Government amended and promulgated Article 6 of the Organic Law of the Control Yuan, adding provisions to stipulate the establishment of the Ombudsman Bureau and ombudsmen's terms of office.

1947

- 03/31 The Nationalist Government formulated and promulgated the Organic Law of the Control Yuan for the third time, this time with 15 articles. The Nationalist Government also formulated and promulgated the Control Yuan Member Election and Recall Act.
- 12/25 The Constitution of the Republic of China was enacted.

Period of Constitutional Government (1948 to 1991)

1948

- 05/01 The Nationalist Government decreed that the Organic Law of the Control Yuan, which was established in 1948 in accordance with Constitution, would take effect on the day that the first Meeting of the Control Yuan was convened.
- 06/04 The Control Yuan of the Nationalist Government period ended as of this day.
- 06/05 The first-term Control Yuan members elected in accordance with the Constitution gathered in Nanjing, the capital. The Constitutional Control Yuan was established, and the Organic Law of the Control Yuan was implemented on the same day.
- 06/08 In the second preparatory meeting of the Control Yuan, the Control Yuan approved the regulations governing the selection of the Control Yuan president and vice president from among the Control Yuan members, the voting method, and the procedures for electoral affairs.
- 06/09 In the third preparatory meeting of the Control Yuan, Yu You-ren was elected with 118 votes as the first Control Yuan president following enactment of the Constitution.
- 06/12 In the sixth preparatory meeting of the Control Yuan, Liu Che was elected as the first Control Yuan vice president following enactment of the Constitution.
- 06/15 The 2nd Meeting of the first-term Control Yuan (likewise hereafter) approved the Control Yuan Meeting Regulations.
- 06/21 The 6th Meeting of the Control Yuan approved the Regulations Governing the Exercise of Control Yuan Consent Power.
- 06/24 The 9th Meeting of the Control Yuan exercised its power of consent. The national President nominated Wang Chung-hui as Judicial Yuan president and Shih Chih-chuan as Judicial Yuan vice president, and Chang Po-ling and Chia Ching-te as president and vice president, respectively, of the Examination Yuan. In accordance with the law, the Control Yuan then communicated its approval of the nominees to the President.

- 06/26 The 11th Meeting of the Control Yuan approved the establishment of district administrative offices for Control Yuan members.
- 07/14 The 18th Meeting of the Control Yuan exercised its power of consent on the President's nomination of 17 grand justices. In accordance with the law, the Control Yuan then communicated the results of its votes to the President. The President nominated other candidates to replace those who were not approved.
- 07/15 The 19th Meeting of the Control Yuan exercised its power of consent on the President's nomination of 19 Examination Yuan members. In accordance with the law, the Control Yuan then communicated the results of its votes to the President. The President nominated other candidates to replace those who were not approved.
- 07/20 The 22nd Meeting of the Control Yuan approved the Regulations Governing Control Yuan Examination of Impeachment Cases, the Regulations for Receiving People's Written Complaints by the Control Yuan and its Members, Regulations Governing the Use of Control License by Control Yuan Members, Regulations Governing the Use of Investigation License by Control Yuan Members, and the Regulations Governing Control Yuan Examination of Censure Cases.
- 07/21 The 23rd Meeting of the Control Yuan approved the Regulations and Procedures Governing Circuit Supervision of Districts by Control Yuan Members.
- 07/27 The 26th Meeting of the Control Yuan approved the Regulations Governing the Election of Control Yuan Members.
- 07/28 The Organic Act of the Control Yuan Committees was formulated and promulgated. The Organic Act of the Control Yuan Member Bureau was formulated and promulgated to establish administrative offices of Control Yuan members across the nation.
- 07/30 The 28th Meeting of the Control Yuan approved the Regulations Governing the Committees of the Administrative Offices of Control Yuan Members and the Implementation Measures Governing the Administrative Offices of Control Yuan Members.
- 08/10 In the 27th Meeting of the Control Yuan on July 29, the first-term committee conveners were separately elected by the members of the respective committees, and the committees were formally established on August 10. (In accordance with the Organic Act of the Control Yuan Committees, ten committees were established: the Committee on Domestic Affairs and Land Administration, the Committee on Foreign and Overseas Chinese Affairs, the Committee on National Defense, the Committee on Agriculture and Food Administration, the Committee on Economic Resources, Agriculture, Forestry and Water Resources Affairs, the Committee on Education Affairs, the Transportation Committee, the Committee on Judicial Affairs, the Committee on Social Welfare and Health, and the Mongolian and Tibetan Affairs Committee).

09/07 The 30th Meeting of the Control Yuan approved the Regulations Governing Control Yuan Administrative Affairs and the General Implementation Rules Governing Control Yuan Committees.

1949

06/11 The Organic Act of the Control Yuan Member Bureau was amended, adding one district and dividing the country into 17 supervision districts. The Presidential Decree amended and promulgated Article 2 of the Organic Act of the Control Yuan Committees to form nine committees: the Committee on Domestic Affairs, the Committee on Foreign and Overseas Chinese Affairs, the Committee on National Defense, the Committee on Financial Affairs, the Committee on Economic Affairs, the Committee on Education, the Transportation Committee, the Committee on Judicial Affairs, and the Mongolian and Tibetan Affairs Committee.

1950

08/10 The Transportation Committee convened a meeting and requested that Minister of Transportation and Communications He Chung-han present a "Transportation Status Overview" report at the Control Yuan.

10/20 The Committee on Financial Affairs convened a meeting and requested that Minister of Finance Yen Chia-kan present a report on the "meeting details of the International Monetary Fund and the 3rd Annual Meeting of the Board of Directors of the International Bank for Reconstruction and Development, and current fiscal and economic issues."

10/26 The Control Yuan assigned Control Yuan members on an invigilation assignment.

1951

04/05 The 124th Meeting of the Control Yuan approved June 5, 1951 as Control Yuan Post-Constitutional Opening Anniversary Day.

04/20 The Committee on Financial Affairs requested that Minister of Finance Yen Chia-kan and Chairman of Bank of Taiwan Hsu Po-yuan present a report on "recent government financial and economic policies and implementation status."

04/26 The Committee on Foreign and Overseas Chinese Affairs convened a meeting and requested that Minister of Foreign Affairs George Yeh present a report on "the current diplomatic situation and peace treaties with Japan."

06/ The administrative offices of Control Yuan members in different districts were abolished, and the administrative offices in Fujian and Taiwan were abolished at the end of June and handed over to the Control Yuan, thus ending all administrative offices since then.

10/23 The Committee on Financial Affairs convened a meeting and requested that Minister of Finance Yen Chia-kan present a report on "the government's recent fiscal measures."

11/21 The 171st Meeting of the Control Yuan approved the Regulations for Control Yuan Audit Reports on Central Government Annual Budgets.

1952

02/16 The Committee on Foreign and Overseas Chinese Affairs convened a meeting and requested that Minister of Foreign Affairs George Yeh present a report on "the implementation status of peace treaties with Japan."

05/26 The General Regulations Governing the Establishment of the Control Yuan Statutory Study Regulatory Committee were approved.

06/14 The Committee on Foreign and Overseas Chinese Affairs convened a meeting and requested that Overseas Community Affairs Council Minister Cheng Yen-fen present a report on "the status of overseas Chinese affairs."

07/11 The Committee on Foreign and Overseas Chinese Affairs convened a meeting and requested that Minister of Foreign Affairs George Yeh present a report on "the status of foreign affairs." The Committee on Economic Affairs convened a meeting and requested that Minister of Economic Affairs Chang Tzu-kai present a report on "economic measures."

09/13 The Committee on Education convened a meeting and requested that Minister of Education Cheng Tien-fong present a report on "the current state of education in free China."

10/05 The Committee on Foreign and Overseas Chinese Affairs convened a meeting and requested that Minister of Foreign Affairs George Yeh present a report on "the status of foreign affairs."

12/12 The Committee on National Defense convened a meeting and requested that Minister of National Defense Kuo Chi-chiao present a report on "the current status of military affairs."

1953

01/19 The Committee on Foreign and Overseas Chinese Affairs convened a meeting and requested that Minister of Foreign Affairs George Yeh present a report on the "process of appearing in the United Nations General Assembly."

02/04 The Committee on Financial Affairs and the Committee on Economic Affairs convened a meeting and requested that Economic Stabilization Board Chairman Yen Chia-kan, Minister of Finance Hsu Po-yuan, and Minister of Economic Affairs Chiang Piao present a report on "price issues."

03/12 The Committee on Economic Affairs convened a meeting and requested that Minister of Economic Affairs Chang Tzu-kai present a report on "economic measures."

04/16 The Committee on Foreign and Overseas Chinese Affairs convened a meeting and requested that Minister of Foreign Affairs George Yeh present a report on "recent international situations."

05/23 The Committee on Foreign and Overseas Chinese Affairs convened a meeting and requested that Minister of Foreign Affairs George Yeh present a report on "recent international trends."

- 05/27 The Presidential Decree amended Articles 2, 3, 4, 6, and 7 of the Organic Act of the Control Yuan Committees to establish 10 committees in the Control Yuan, namely the Committee on Domestic Affairs, the Committee on Foreign Affairs, the Committee on National Defense, the Committee on Financial Affairs, the Committee on Economic Affairs, the Committee on Education, the Transportation Committee, the Committee on Judicial Affairs, and the Committee on Border Administration, and the Committee on Overseas Chinese Administration.
- 08/11 The 276th Meeting of the Control Yuan approved the Regulations Governing the Election of Control Yuan Committee Conveners.
- 11/03 The Committee on Foreign Affairs and the Committee on Overseas Chinese Administration convened a meeting and requested that Minister of Foreign Affairs George Yeh and Director Cheng Yen-fen of the Overseas Community Affairs Council present a report on "negotiation in cases of unlawful non-governmental detention of overseas Chinese."

1954

- 04/17 The Secretariat Review Office was established. The Committee on National Defense convened a meeting and requested that Minister of National Defense Kuo Chi-chiao present a report on "recent military progress and the enlisting of Anti-Communist Heroes."
- 05/20 The Committee on Financial Affairs convened a meeting and requested that Minister of Finance Yen Chia-kan and the Director of the Taiwan Provincial Government Department of Finance Hsu Po-yuan present a report on "recent financial situation."
- 09/14 The Committee on Financial Affairs convened a meeting and requested that Minister of Finance Hsu Po-yuan present a report on "annual financial status."
- 10/12 The Committee on National Defense convened a meeting and requested that Minister of National Defense Yu Ta-wei present a report on "front line situations in Kinmen, Dachen, and Matsu."
- 12/29 The Committee on Financial Affairs convened a meeting and requested that Minister of Finance Hsu Po-yuan and Minister of Economic Affairs Yin Chung-jung present a report on "foreign exchange and trade issues."

1955

- 01/11 The Committee on Financial Affairs convened a meeting and requested that Yen Chia-kan, Chairman of the Economic Stabilization Board, and Chen Han-ping, Director-General of the Taiwan Province Department of Finance, present a report on "foreign exchange and trade issues."
- 03/19 The Committee on Financial Affairs convened a meeting and requested that Minister of Finance Hsu Po-yuan and Minister of Economic Affairs Yin Chung-jung present a report on "price issues."
- 05/17 The Committee on National Defense and the Committee on Foreign Affairs convened a meeting and requested that Minister of National Defense George Yeh and the Deputy Minister of National Defense Huang Chen-chiu present a report on "Sino-America Mutual Defense."

- 08/11 The Committee on National Defense and the Committee on Financial Affairs convened a meeting and requested that Chair Yu Hung-chun of the Executive Yuan's Council for US Aid present a report on the "US aid situation."
- 08/12 The Committee on Foreign Affairs convened a meeting and requested that Minister of National Defense George Yeh present a report on "recent international situations."

1956

- 05/16 The Committee on Economic Affairs convened a meeting and requested that Minister of Economic Affairs Chiang Piao present a report on "electricity price adjustment issue."
- 05/29 The Committee on Financial Affairs convened a meeting and requested that Minister of Finance Hsu Po-yuan and Minister of Economic Affairs Yin Chung-jung present a report on "current fiscal measures."
- 06/08 The Committee on National Defense convened a meeting and requested that Minister of National Defense Yu Ta-wei present a report on "military issues in the Kinmen and Matsu region."
- 08/07 The Committees on Financial Affairs and Economic Affairs convened a meeting and requested that Chair Hsu Po-yuan of the Executive Yuan's Foreign Exchange and Trade Review Commission present a report on "the status of foreign exchange and trade measures."
- 08/14 The 446th Meeting of the Control Yuan approved the Interim Measures for the Circuit Supervision of the Control Yuan.
- 11/23 The Committee on Financial Affairs and the Committee on Economic Affairs convened a meeting and requested that Minister of Finance Hsu Po-yuan, Minister of Economic Affairs Chiang Piao, and Controller Pang Sung-chou of the Executive Yuan's Directorate General of Budget, Accounting and Statistics present a report on "prices and remuneration to government employees and teachers in the current year."

1958

- 03/20 The Committee on Foreign Affairs a convened a meeting and requested that Deputy Minister of Foreign Affairs Shen Chang-huan present a report on "the issue of trade agreement between Japan and the Communists."
- 04/08 The Committee on Overseas Chinese Affairs a convened a meeting and requested that Minister of the Overseas Community Affairs Council Cheng Yen-fen present a report on "the Indonesian government's attempts to prohibit reasonable activities of overseas Chinese."
- 05/05 The Committee on Foreign Affairs convened a meeting and requested that Minister of Foreign Affairs George Yeh present a report on "trade agreements between Japan and the Communists" and "the visit to Vietnam."

- 09/18 The Committee on National Defense convened a meeting and requested that Deputy Minister of National Defense Ma Chi-chuang present a report on "military measures in the Kinmen and Matsu region."
- 09/24 The Committee on Foreign Affairs convened a meeting and requested that Minister of Foreign Affairs Huang Shao-ku present a report on "the issue of Kinmen and Matsu."
- 10/29 The Committee on Foreign Affairs convened a meeting and requested that Ambassador to Jordan Chen Chih-ping present a report on "the political situation in the Middle East."
- 11/13 The Committee on Foreign Affairs and the Committee on Overseas Chinese Affairs convened a meeting and requested that Overseas Community Affairs Council Minister Chen Ching-wen and the Deputy Minister of Foreign Affairs Shen Chang-huan present a report on "anti-Chinese sentiment in Indonesia."
- 11/28 The Committee on Financial Affairs and the Committee on Economic Affairs convened a meeting and requested that Minister of Finance Yang Chi-tseng and the Chair of the Bank of Taiwan Chang Tzu-kai present a report on "the implementation of corrective measures in the case against Ingalls Taiwan Shipbuilding and Dockyard Company."
- 12/22 The Committee on Financial Affairs and the Committee on Economic Affairs convened a meeting, at which they requested that Minister of Finance Yen Chia-kan, Minister of Economic Affairs Yang Chi-tseng, and Chair of the Foreign Exchange and Trade Review Commission Yin Chung-jung present a report on "the government's reform measures for implementing a single exchange rate for foreign exchange trade in its comprehensive reform plans."

1959

- 02/18 The Committee on Financial Affairs convened a meeting and requested that Minister of Finance Yen Chia-kan and Director-General of the Taiwan Province Department of Finance Chen Han-ping present a report on "the investigation opinions of the Investigation and Research Team on tax issues."
- 04/01 The Committee on Border Administration, the Committee on Foreign Affairs, and the Committee on National Defense convened a meeting and requested that Mongolian and Tibetan Affairs Commission Head Commissioner Li Yung-hsin present a report on "anti-riot issues in Tibet."
- 05/13 The Committee on Education convened a meeting and requested that Minister of Education Mei Yi-chi present a report on "relevant educational facilities."
- 07/14 The Committee on Overseas Chinese Affairs convened a meeting and requested that Minister of the Overseas Community Affairs Council Chen Ching-wen present a report on "issues on overseas Chinese students, overseas Chinese capital, and the resettlement of returning overseas Chinese."
- 10/07 The Committee on Foreign Affairs convened a meeting and requested that Minister of Foreign Affairs Huang Shao-ku present a report on "the Khrushche talks (in the US)."

- 10/08 The Committees on Domestic Affairs, National Defense, Financial Affairs, Economic Affairs, Education, Transportation, and Judicial Affairs, and each local circuit inspection agency selected one member to form the Taiwan Provincial Research and Investigation Team for relief and reconstruction work following the Floods of 1959.
- 11/17 The Committee on Foreign Affairs and the Committee on Overseas Chinese Affairs convened a meeting and requested that Minister of Foreign Affairs Huang Shao and the Minister of the Overseas Community Affairs Council Chen Ching-wen present a report on "the China-Philippines negotiations on the repatriation of overseas Chinese."

1960

- 07/12 The Committee on Foreign Affairs convened a meeting and requested that Minister of Foreign Affairs Shen Chang-huan present a report on "the current international situation."
- 09/02 The Committee on Domestic Affairs convened a meeting and requested that Minister of the Interior Lien Chen-Tung present a report on "domestic facilities situation."
- 09/10 The Committee on Financial Affairs convened a meeting and requested that Minister of Finance Yen Chia-kan present a report on "the situation of the defalcation of public funds by employees of the Central Trust of China, the Bank of Communications, and the Bank of Taiwan, and the management and supervision of financial institutions by the financial authorities."
- 09/25 The Committee on Financial Affairs and the Committee on Foreign Affairs Committee convened a meeting and requested that Minister of Foreign Affairs Shen Chang-huan present a report on "how the relationship between the Republic of China and Cuba has evolved following the Cuban coup d'état, and preparations for the aftermath of severance in the diplomatic relations between Cuba and the Republic of China."
- 10/15 The Committee on Foreign Affairs Committee convened a meeting and requested that Minister of Foreign Affairs Shen Chang-huan present a report on "the United Nations General Assembly situation and current international situations."
- 11/19 The Committee on Foreign Affairs Committee convened a meeting and requested that Minister of Foreign Affairs Shen Chang-huan present a report on "international trends."

1961

- 03/15 The Committee on Foreign Affairs convened a meeting and requested that Director General Shen Chi of the Executive Yuan's Government Information Office of the present a report on "the situation in Africa."
- 04/18 The Committee on Domestic Affairs convened a meeting and requested that Taipei City Mayor Huang Chi-jui present a report on "the business management and improvement in the livestock market in Taipei City."

- 07/12 The Committee on Finance Affairs convened a meeting and requested that Minister of Finance Yen Chia-kan present a report on "current important measures on financial administration."
- 08/08 The Committee on Foreign Affairs and the Committee on Overseas Chinese Affairs convened a meeting and requested that Minister of the Overseas Community Affairs Council Chou Shu-kai present a report on "overseas Chinese Affairs in Vietnam and Korea."
- 08/18 The Committee on Domestic Affairs convened a meeting and requested that Minister of the Interior Lien Chen-tung present a report on "management of urban planning facilities and western pharmaceuticals in Taiwan Province."

1962

- 03/17 The Committee on Domestic Affairs and the Committee on National Defense convened a meeting and requested that Minister of the Interior Lien Chen-tung and Vice Chair Chao Chu-yu of the Executive Yuan's Vocational Assistance Commission for Retired Servicemen present a report on "the living situation and management of retired officers and soldiers."
- 03/30 The Committee on Foreign Affairs convened a meeting and requested that Minister of the Foreign Affairs Shen Chang-huan present a report on "recent developments in Taiwan's diplomatic relations with the US and Japan."
- 08/10 The Committees on Domestic Affairs, Education, and Judicial Affairs convened a meeting and requested that the Minister of the Interior, the Minister of Education, the Director of the Ministry of Judicial Administration, Garrison Command, and the Director of the Police Administration present a report on "the situation in homicide prevention and diversion facilities."

1963

- 02/08 The Committee on Foreign Affairs convened a meeting and requested that Minister of the Foreign Affairs Shen Chang-huan present a report on "diplomatic situations in the current year."
- 06/11 The Committee on Foreign Affairs and the Committee on Overseas Chinese Affairs convened a meeting and requested that Minister of the Overseas Community Affairs Council Kao Hsin and the Deputy Minister of Foreign Affairs Hsu Shao-chang present a report on "anti-Chinese incidents in Indonesia, the UK Saint Helena incident, and the Filipinization incidents."
- 07/10 The Committee on Financial Affairs convened a meeting and requested that Minister of Finance Yen Chia-kan present a report on "the supervision of insurance industry and the problem of industries and businesses closing down."
- 08/13 The Committee on National Defense and the Committee on Financial Affairs convened a meeting and requested that Minister of National Defense present a report on "the situation in army, navy and air force benefits and related issues."
- 09/17 The Committee on Foreign Affairs convened a meeting and requested that Minister of Foreign Affairs Shen Chang-huan present a report on "Japan's trade negotiations with the Communists."

1964

- 01/10 The Committee on Foreign Affairs convened a meeting and requested that Minister of Foreign Affairs Shen Chang-huan present a report on "the negotiation process in the Chou Hung-ching Incident and recent Sino-Japanese diplomatic relations."
- 05/29 The Committee on Domestic Affairs convened a meeting and requested that Minister of the Interior Lien Chen-tung and the Director of the Taiwan Provincial Government Department of Health Hsu Tzu-chiu present a report on "the situation in domestic and sanitation facilities."
- 07/10 The Committee on Foreign Affairs convened a meeting and requested that Minister of Foreign Affairs Shen Chang-huan present a report on "the current diplomatic relations with Japan, the situation in Vietnam, and the current crisis in Laos."
- 08/04 The Committee on Finance Affairs and the Committee on Economic Affairs convened a meeting and requested that Hsu Po-yuan, the CEO of the Central Bank and also Chair of the Executive Yuan's Foreign Exchange and Trade Review Commission, present a report on "the suspension of US aid in the next summer and its impact on the Republic of China's financial and foreign exchange, and countermeasures."
- 08/06 The Committee on Finance Affairs and the Committee on Economic Affairs convened a meeting and requested that Chair Yen Chia-kan and Vice Chair Li Kwoh-ting of the Executive Yuan's Council for International Economic Cooperation and Development present a report on "the suspension of US aid in the next summer and its impact on the Republic of China's economic development, and countermeasures."
- 08/12 The Committee on Finance Affairs and the Committee on Economic Affairs convened a meeting and requested that Minister of Economic Affairs Yang Chi-tseng present a report on "the suspension of US aid in the next summer and its impact on the Republic of China's general economic development, and countermeasures."
- 08/14 The Committee on Financial Affairs and the Committee on Economic Affairs convened a meeting and requested that Minister of Finance Chen Ching-yu present a report on "the suspension of US aid in the next summer and its impact on the Republic of China's financial affairs, and countermeasures."
- 10/22 The Committee on Foreign Affairs convened a meeting and requested that Minister of Foreign Affairs Shen Chang-huan present a report on "recent international trends."
- 11/10 President Yu You-ren of the Control Yuan passed away from illness, and the Vice President Li Ssu-tung took over as Acting President.

- 11/16 President Yu You-ren of the Control Yuan passed away and the 11th Meeting of the Funeral Committee passed the resolution to amend the public memorial and elegiac address for deceased members. The premier of the Executive Yuan and the presidents of the Legislative Yuan, Judicial Yuan and Examination Yuan were invited to perform the draping of the national flag; and requests were submitted to the President to grant a state funeral, allow the biography and achievements of the late Control Yuan President to be displayed in the Academia Historica, and pen the epitaph for the tombstone.
- 11/17 Early in the morning, the body of late Control Yuan President Yu You-ren was laid in state in the municipal funeral parlor in Minquan East Road in Taipei City. A public service was conducted. President Chiang Kai-shek and the First Lady arrived at 10 o'clock in the morning to pay their respects.

1965

- 05/18 The Transportation Committee convened a meeting and requested that Minister of Transportation and Communications Shen I present a report on "the current preparation status for the organization and establishment of the Navigation Development Center Business Bureau."
- 05/19 The Committee on Financial Affairs and the Committee on Economic Affairs convened a meeting and requested that Minister of Finance Chen Ching-yu and Minister of Economic Affairs Li Kwoh-ting present a report on "issues pertaining to the use of unspent US aid funds from previous years, the balance of Taiwan dollars in the Public Law 480 Program and the allocation situation."
- 07/17 The late Control Yuan President Yu You-ren was buried in Balaka, Datun Mountain.
- 08/17 Li Ssu-tsung was inaugurated as president of the Control Yuan.

1966

- 01/14 The Committee on Economic Affairs convened a meeting and requested that Chair Hsu Po-yuan of the Foreign Exchange and Trade Review Commission, and the convener Chiang Yen-shih and executive secretary Tan Yu-tso of the Banana Production and Marketing Guidance Team present a report on "improvement and policy issues on banana production and export guidance."
- 02/11 The Committee on Economic Affairs convened a meeting and requested that Minister of Economic Affairs Li Kwoh-ting present a report on "issues related to economic measures in Taiwan in the current year."
- 04/12 The Committee on Education convened a meeting and requested that Minister of Education Yen Chen-hsing present a report on "issues pertaining to current education implementation status and voluntary education, development of science education, the management of private schools, and strengthening the implementation of moral education and sports education."

- 06/15 The Committee on Financial Affairs convened a meeting and requested that Minister of Finance Chen Ching-yu present a report on "financial issues in the current year."
- 07/29 The Committee on National Defense convened a meeting and requested that Minister of National Defense Chiang Ching-kuo present a report on "national defense measures and the communist situation in the Mainland."
- 07/30 The Committee on Economic Affairs convened a meeting and requested that Secretary-General Tao Sheng-yang of the Council for International Economic Cooperation and Development and Executive Secretary Teng Hsien-jen of the Zengwen Reservoir Construction Committee present a report on "the construction of the Zengwen Reservoir, the Sino-Japanese relations on financial loan, and the selection of Japanese public companies for technical services."
- 11/10 The General Organizational Rules for the Control Yuan Committee on Statutory Studies were amended, changing membership from being independently determined by Control Yuan members to having 11 members elected by the Control Yuan Meeting.

1967

- 03/20 The Committee on Overseas Chinese Affairs convened a meeting and requested that Minister of the Overseas Community Affairs Council Kao Hsin present a report on "the current situation of overseas Chinese in Macau, Myanmar, and Indonesia and the government's countermeasures."
- 06/10 The Committee on Foreign Affairs and the Committee on Overseas Chinese Affairs convened a meeting and requested that Minister of Foreign Affairs Wei Tao-ming present a report on "overseas Chinese situation in Indonesia and the result of our negotiation efforts."
- 06/13 The Committee on Foreign Affairs and the Committee on Overseas Chinese Affairs convened a meeting and requested that Minister of the Overseas Community Affairs Council Kao Hsin present a report on "the government's arrival/departure and investment procedures for people from Hong Kong, Kowloon, and other regions coming to Taiwan, and the current inspection situation for overseas Chinese in South Pacific, Australia, and New Zealand."
- 06/17 The Secretariat established an internal inspection office and a public relations office.
- 07/10 The Committee on Foreign Affairs convened a meeting and requested that Director-General James Wei of the Executive Yuan's Government Information Office present a report on the "international publicity situation."

1968

- 01/16 The Committee on Education convened a meeting and requested that Minister of Education Yen Chen-hsing present a report on "the preparation status for extending compulsory national education, and explaining the improvement of the college entrance examination and policies for studying abroad."

- 01/17 The Committee on Financial Affairs convened a meeting and requested that Minister of Finance Yu Kuo-hwa present a report on "current important financial measures."
- 01/26 The Committee on Foreign Affairs convened a meeting and requested that Minister of Foreign Affairs Wei Tao-ming present a report on "current international trends."
- 07/26 The Committee on Judicial Affairs convened a meeting and requested that Director Cha Liang-chien of the Ministry of Judicial Administration and Deputy Commander-in-chief Wang Chieh of the Garrison Command present a report on relevant issues.

1969

- 03/03 The Transportation Committee convened a meeting and requested that Minister of Transportation and Communications Sun Yun-suan and relevant units present a report on "transportation administration issues such as improving aviation safety after a domestic civil aviation disaster" and accept questioning.
- 05/21 The Committee on Overseas Chinese Affairs convened a meeting and requested that Minister of the Overseas Community Affairs Council Kao Hsin present a report on "the cause and effect of ethnic riots in Malaysia and our government's situation and attitude."
- 11/11 The 1126th Meeting of the Control Yuan passed the resolution to align with the implementation of job position classification by amending the Organic Law of the Control Yuan and the Organic Act of the Control Yuan Committees, and submitted the amendments to the Legislative Yuan to complete the legislative procedures.

1970

- 02/16 The Committee on Education convened a meeting and requested that Minister of Education Chung Chiao-kuang present a report on "the intention and process for proposing the revision of newly promulgated regulations for studying abroad, the list of recognized universities in the United States, and the length of service required of teacher college graduates."
- 03/06 The Committee on Financial Affairs convened a meeting and requested that Chair Liu Ta-chung of the Executive Yuan's Tax Reform Commission present a report on "the progress of the tax reform."
- 08/01 The Committee on Financial Affairs convened a meeting and requested that Minister of Finance Li Kwoh-ting present a report on "how to adapt the fiscal, taxation and finance measures and the measures that are necessary for encouraging economic development."
- 09/04 The Committee on Foreign Affairs convened a meeting and requested that Minister of Foreign Affairs Wei Tao-ming present a report on "the Diaoyu Islands issues."
- 09/26 The Committee on Finance Affairs and the Committee on Domestic Affairs convened a meeting and requested that Civil Service Minister Shih Chueh present a report on "addressing the large

number of patients in Civil Servant and School Staff Insurance Outpatient Centers in Taipei City, and a review on the overall increase in equipment and personnel to facilitate patient diagnosis and treatment of patients."

- 12/29 The Committee on Economic Affairs convened a meeting and requested that Minister of Economic Affairs Sun Yun-suan present a report on "the government's purchase price for urea and liquid ammonia manufactured by Mobil China company and the purchase of foreign equity of the company, and whether the prices had been too high."

1971

- 02/16 The Committees on Domestic Affairs, Financial Affairs, and Economic Affairs convened a meeting and requested that Executive Yuan Minister without Portfolio Tung Wen-chi present a report on "the development plans for the Linkou Special Zone."
- 11/09 The Committee on Foreign Affairs convened a meeting and requested that Minister of Foreign Affairs Chou Shu-kai present a report on "the Republic of China's withdrawal from the United Nations and future diplomatic measures."
- 11/27 The Committee on Economic Affairs convened a meeting and requested that Minister of Economic Affairs Sun Yun-suan present a report on "the various government measures to open up imports, the issue of permitting the import of cotton yarn, the details of the plan to establish a large steel plant, and the use of the state-owned enterprise welfare funds."

1972

- 01/28 The Transportation Committee convened a meeting and requested that Minister of Transportation and Communications Chang Chi-cheng and Director Hu Mei-huang of the Taiwan Provincial Freeway Engineering Bureau present a report on "traffic policies" and "the reasons for the North-South freeway project, overview of the construction, financial planning, economic benefits, and the status of the constructions."
- 05/15 Control Yuan President Li Ssu-tung passed away from illness, and Vice President Chang Wei-han stepped in as acting president.
- 08/23 The Transportation Committee convened a meeting and requested that Minister of Transportation and Communications Henry Kao present a report on "the focus of future transportation and communications policies," and that Director Wang Shu-peng of the Directorate General of Posts present a report "the Universal Postal Union excluding the Republic of China in favor of the communist regime, and the impact and response measures following the ROC's loss of membership."

1973

- 01/26 The Committee on Economic Affairs convened a meeting and requested that Minister of Economic Affairs Sun Yun-suan present a report on "recent price changes and measures taken by the government" and "Taipower's bid to procure the third and fourth units for the nuclear power plant."
- 03/19 Yu Chun-hsien took office as president of the Control Yuan.
- 05/02 The Committee on Economic Affairs convened a meeting and requested that Minister of Economic Affairs Sun Yun-suan present a report on "the implementation status of the operation plans of the various subordinate agencies of the Ministry of Economic Affairs in 1972."

1974

- 02/08 The Committee on Financial Affairs convened a meeting and requested that Minister of Finance Li Kwoh-ting and the Political Deputy Minister Tu Chun-heng present a report on "the supply and demand in food production."
- 02/16 The Committee on Economic Affairs convened a meeting and requested that Minister of Economic Affairs Sun Yun-suan present a report on "current price issues, energy supply, industrial production, and foreign trade status."
- 05/25 The Committee on Foreign Affairs convened a meeting and requested that Director-General Fredrick Chien of the Executive Yuan's Government Information Office present a report on "international publicity."
- 08/23 The Committee on National Defense convened a meeting and requested that Minister of National Defense Kao Kuei-yuan present a report on "military preparations in Taiwan, Penghu, Kinmen, and Matsu, and the dynamics of communist military forces."
- 09/07 The Committee on Domestic Affairs convened a meeting and requested that Minister of the Interior Lin Chin-sheng present a report on "public safety issues in Taiwan Province" and that the Chief of the Provincial Criminal Police Corps present a report on "the overview of crime investigation and prevention by the police in the Taiwan region."

1975

- 04/25 The Committee on Overseas Chinese Affairs convened a meeting and requested that Minister of the Overseas Community Affairs Council Mao Sung-nien present a report on "overseas Chinese affairs in Southeast Asia."
- 06/10 The Committee on Domestic Affairs convened a meeting and requested that Minister Wang Chin-mao of the Executive Yuan's Department of Health present a report on "the situation of the harmful effects of thalidomide on Taiwan's children."

- 06/18 The Committee on Domestic Affairs convened a meeting and requested that Minister of the Interior Lin Chin-sheng present a report on "the government's public housing constructions and plans for continued construction."
- 08/12 The 1407th Meeting of the Control Yuan passed a resolution to approve the compilation of Control Yuan documents from before the enactment of the Constitution.
- 09/17 The Committee on Domestic Affairs convened a meeting and requested that Director Chen Kuei-hua of the The Executive Yuan's Central Personnel Administration present a report on issues such as "personnel administration and job classification of the Administration."
- 10/18 The Committee on Domestic Affairs convened a meeting and requested that Minister of the Interior Lin Chin-sheng present a report on "the harmful impact of electronic gambling machines on the mind and body of young people, its serious disruption on social order, and government measures."
- 10/22 The Committee on Overseas Chinese Affairs convened a meeting and requested that Minister of the Overseas Chinese Affairs Commission Mao Sung-nien present a report on "the situation of overseas Chinese in America and the Indochinese Peninsula after the reversal."

1976

- 05/21 The Transportation Committee convened a meeting and requested that Minister of Transportation and Communications Henry Kao present a report on "the progress of various transportation constructions and the development and management of the aviation industry."
- 07/09 The Committee on Foreign Affairs convened a meeting and requested that Minister of Foreign Affairs Shen Chang-huan present a report on "the recent international situations and Taiwan's diplomatic measures."

1977

- 01/25 The Committee on Economic Affairs convened a meeting and requested that Minister of Economic Affairs Sun Yun-suan and the directors of its various units present a report on "current domestic and international economic conditions, foreign trade conditions, petrochemical industry-related cooperation and China Steel's operational issues."
- 05/19 The Committee on Foreign Affairs convened a meeting and requested that Deputy Minister of Foreign Affairs Fredrick Chien present a report on "recent Sino-US diplomatic relations and visiting the United States to host consular meetings."
- 08/19 The Committee on Foreign Affairs convened a meeting and requested that Minister of Foreign Affairs Shen Chang-huan present a report on "recent Sino-US relations and relationship between Taiwan and the Association of Southeast Asian Nations and possible development, and Japan's relational trend toward Taiwan."

- 09/09 The Committee on Financial Affairs convened a meeting and requested that Minister of Finance Fei Hua present a report on "the Ministry of Finance's interpretation on issues pertaining to tax laws."

1978

- 02/23 The Committee on Domestic Affairs convened a meeting and requested that Minister Wang Chin-mao of the Executive Yuan's Department of Health present a report on "problems related to food sanitation."
- 03/09 The Committee on Domestic Affairs convened a meeting and requested that Director Chen Kuei-hua of the The Executive Yuan's Central Personnel Administration present a report on "the issues of pension benefits for public servants."
- 03/28 The Committee on Financial Affairs convened a meeting and requested that Minister of Finance Fei Hua present a report on "recent cases of fraud by employees of financial institutions" and Vice President Robert Chien of the Central Bank present a report on "the inspection of financial businesses."
- 06/05 The Control Yuan held the "Conference for the 30th Anniversary of the First-term Constitutional Control Yuan." As conference chair, Control Yuan President Yu Chun-hsien delivered a speech.
- 08/17 The Committee on National Defense convened a meeting and requested that Taiwan Garrison Command present a report on "the general status of gangster disciplinary procedures."

1979

- 06/26 The Committee on Judicial Affairs convened a meeting and requested that Minister Lee Yuan-tsu of the Ministry of Judicial Administration present a report on "innovative measures for judicial administration and improving the conduct of judicial personnel."

1980

- 05/23 The Committee on Domestic Affairs and the Committee on Education convened a meeting and requested that Director-General James Soong of the Executive Yuan's Government Information Office present a report on "the issue of prohibiting the screening of Mandarin films in leftist theaters in Hong Kong and Kowloon."
- 06/02 The Transportation Committee convened a meeting and requested that Minister of Transportation and Communications Lin Chin-sheng present a report on "handling status of illegal tourist bus operations and contracted taxi cases."
- 06/21 The Transportation Committee convened a meeting and requested that Minister of Transportation and Communications Lin Chin-sheng present a report on "the coming doubling of freeway toll and complaints from the public, the impact on the livelihood of the people, the urgent need to discuss countermeasures, and addressing the livelihood of the people."

07/09 The Committee on Financial Affairs convened a meeting and requested that Minister of Finance Chang Chi-cheng present a report on "the handling of opinions towards the audit report of the central government's 1979 final accounts."

1981

03/04 The Committees on Domestic Affairs convened a meeting and requested that Minister Wang Chin-mao of the Executive Yuan's Department of Health present a report on "approving the import of hepatitis B vaccine for use in Taiwan, the statutory and scientific basis of its use, and its effectiveness."

04/08 The Committee on Economic Affairs convened a meeting and requested that Minister of Economic Affairs Chang Kuang-shih present a report on "issues concerning quotas for exporting garments, footwear and canned food."

05/04 The Committee on Domestic Affairs convened a meeting and requested that Minister of the Interior Chiu Chuang-huan present a report on "the legislative significance of disability laws, and the issues and impact on the measures in disability welfare work after the implementation rules were approved on May 1, 1981."

05/22 The Committee on Judicial Affairs convened a meeting and requested that Minister of Justice Lee Yuan-tsu and Minister Chen Kuei-hua of the The Executive Yuan's Central Personnel Administration present a report on "relevant state compensation laws."

05/23 The Committee on Economic Affairs convened a meeting and requested that Minister of Economic Affairs Chang Kuang-shih present a report on "flood control plans and the development of dual flood channels in the Taipei region."

05/25 The Committee on Border Administration convened a meeting and requested that Mongolian and Tibetan Affairs Commission Head Commissioner Tsui Chui-yen present a report on "the situation of Mongolian, Tibetan and other frontier youths receiving education in Taiwan."

06/22 The Committee on Financial Affairs convened a meeting and requested that CEO of the Central Bank Yu Kuo-hwa present a report on "the current financial situation and interest rate policies, and the current situation in this study on adjusting bank interest rates."

1982

04/23 The Committees on Domestic Affairs convened a meeting and requested that Minister of the Interior Lin Yang-kang present a report on "issues on police remuneration and police morale, the banning of video games, fire prevention in high-rise buildings, and illegal basement usage."

05/12 The Committee on Financial Affairs convened a meeting and requested that Minister of Finance Hsu Li-teh present a report on "the handling of bad debts in banks."

- 05/21 The Committee on Economic Affairs convened a meeting and requested that Minister of Economic Affairs Chao Yao-tung present a report on "rectifying state-owned enterprises and measures to assist in solving the difficulties of industrial and commercial capital turnover."
- 06/22 The Committee on Border Administration convened a meeting and requested that Mongolian and Tibetan Affairs Commission Head Commissioner Hsueh Jen-yang present a report on "recent communist situation in Mongolian and Tibetan areas."
- 10/27 The Committee on Financial Affairs convened a meeting and requested that Minister of Finance Hsu Li-teh and the CEO of the Central Bank Yu Kuo-hwa present a report on "the situation of illegal business operation by the Yaxin company."

1983

- 02/07 The Committees on Domestic Affairs, National Defense, and Judicial Affairs convened a meeting and requested that Minister of Defense Sung Chang-chih and Garrison Command Commander Chen Shou-shan present a report on "social order issues."
- 05/06 The Committee on Judicial Affairs Justice convened a meeting and requested that Secretary-General Fan Kuei-shu of the Judicial Yuan and Minister of Justice Lee Yuan-tsu present a report on "judicial trials and the case of felons escaping from the Taichung Detention Center."
- 07/21 The Committees on Financial Affairs and the Committee on National Defense convened a meeting and requested that Auditor General Chang Tao-ming of the National Audit Office present a report on "the status of the various audits of national defense operations in 1983."
- 08/17 The Committee on Economic Affairs convened a meeting and requested that Chao Yao-tung (Minister of Economic Affairs, and Chair of the State-owned Enterprise Commission) present a report on "the incompetent implementation of budgets and poor operating performance by subordinate Ministry of Economic Affairs units listed in the 1982 Central Government's General Final Accounts Review Report."
- The Committee on Border Affairs convened an extraordinary meeting and requested that Overseas Community Affairs Council Minister Mao Sung-nien present a report on "counseling for overseas Chinese organizations, counseling for overseas Chinese cultural and education undertakings, counseling for overseas Chinese economic undertakings, and counseling for overseas Chinese students to the country for further studies."

1984

- 04/13 The Committee on Foreign Affairs convened an extraordinary meeting and requested that Minister of Foreign Affairs Chu Fu-sung present a report on "the negotiation and handling of Taiwan's withdrawal from the FIBA Asia Championship, and the defecting of Anti-Communist Heroes Cho Chang-jen and 6 others to Korea in search of freedom."

- 05/01 The Transportation Committee convened an extraordinary meeting and requested that Minister of Transportation and Communications Lien Chan present a report on "the increase in railway and freeway freight rates."
- 08/31 The Committee on Domestic Affairs, the Committee on National Defense, and the Committee on Judicial Affairs convened a meeting and requested that Minister of the Interior Wu Po-hsiung to lead a report with National Police Agency Director-General Lo Chang of the on "current issues in social order."

1985

- 01/18 The Committee on Border Affairs requested that Minister of the Overseas Community Affairs Council Tung Shun-fan present a report on "the status of Mongolian and Tibetan affairs and work behind enemy lines."
- 01/29 The Committee on Economic Affairs convened a meeting and requested that Minister of Economic Affairs Hsu Li-teh, the Chair of the Atomic Energy Council Yen Chen-hsing, and Chair of Taipower Chen Lan-kao present a report on "issues concerning the construction of the fourth nuclear power plant by Taipower."
- 08/30 The Committee on Foreign Affairs convened a meeting and requested that Minister of Foreign Affairs Chu Fu-sung present a report on "the incident of communist torpedo carrier pilot Xiao Tien-jun defecting to freedom and Taiwan's relations with Central and South American countries."

1987

- 03/16 Huang Tsun-chiu took office as president of the Control Yuan.

1988

- 03/30 The Meeting of the Committee on National Defense passed the resolution to release the "investigation report on the relationship between General Sun Li-Jen and the conspiracy incident in Southern Taiwan."

1990

- 06/14 The Transportation Committee convened a meeting and requested that Minister of Transportation and Communications Clement Chang and Director General Chen Chia-ju of the Civil Aeronautics Administration present a report on "the management of light aircrafts and other issue."

1991

- 06/20 The Transportation Committee convened an extraordinary meeting and requested that Minister of Transportation and Communications Eugene Chen and Director General Chen Chia-ju of the Civil Aeronautics Administration present a report on "EVA Air laws and regulations."

From the 1992 Constitutional Amendments to Present

1992

- 11/04 In response to the announcement of amendments to the Constitution of the Republic of China, the role of the Control Yuan was re-oriented as a non-representative agency. The right of consent was removed. The Control Yuan's powers now focused on impeachment, censure, and audit, in accordance with the Organic Law of the Control Yuan.
- 11/13 In accordance with the amendments to the Constitution of the Republic of China stating that the number of Control Yuan Committee members shall be 29, revisions were made to the Organic Act of the Control Yuan Committees.

1993

- 02/01 Chen Lu-an took office as president of the Control Yuan.
- 03/11 The 3rd Meeting of the Control Yuan's second-term approved the Regulations Governing the Establishment of the Control Yuan Committee on Consultation.
- 03/15 The Regulations Governing the Establishment of the Control Yuan Committee on Consultation were promulgated and enacted.
- 03/25 The General Regulations Governing the Establishment of the Control Yuan Statutory Study Regulatory Committee were revised to become the Regulations Governing the Establishment of the Control Yuan Committee on Statutory Studies.
- 04/13 The 4th Meeting of the Control Yuan's second-term approved the Regulations Governing Meeting Implementation by Control Yuan Committee Conveners and the amendments to the General Implementation Rules Governing Control Yuan Committees.
The Secretariat Office was renamed the Administrative Office; the Internal Inspection Office was renamed the Research Office, and an Information Management Office was added to the Secretariat.
- 05/31 The Transportation Committee convened a meeting and requested that Minister of Transportation and Communications Liu Chao-shiuan and Director Ou Chin-der of the Taiwan Area National Expressway Engineering Bureau present a report on "contract price negotiation for the construction of the Pinglin Tunnel on the National Freeway 5" and accept questioning.
- 07/23 The Committee on Economic Affairs convened a meeting and requested that Chair Sun Ming-hsien of the Executive Yuan's Council of Agriculture present a report on "how we should respond to the US government's retaliation against Taiwan on the grounds that Taiwan has failed to ban the sale of rhino horns."

The Committee on Economic Affairs convened a meeting and requested that Ministry of Economic Affairs Chiang Pin-kung and CEO Lo Chi of China Shipbuilding Corporation present a report on "the poor operating performance of China Shipbuilding Corporation, and failures in the construction of the Kuang Hua I naval vessel and the ship Chia Hsin, which have yet to be effectively resolved."

- 08/01 In response to the promulgation and enactment of the Act on Property-Declaration by Public Servants on September 1, 1993, the Control Yuan instituted the Department of Property-Declaration by Public Servants as a task group, in order, prior to the amendment of the Organic Law of the Control Yuan, to implement such duties.
- 08/11 The Committees on Financial Affairs requested that Director Chen Keng-chin of the The Executive Yuan's Central Personnel Administration, Director Liu Chin-piao of the National Property Administration, and Director Lin Chieng-hsiung of the National Treasury Administration of the Ministry of Finance present a report on "the central, provincial and municipal government handling of the occupation of public real estate."
- 08/20 The Executive Yuan, the Examination Yuan and the Control Yuan convened to formulate and promulgate the Enforcement Rules of the Act on Property-Declaration by Public Servants and the Regulations Governing Review and Inspection of Materials of Property-Declaration by Public Servants, which were enacted as of September 1, 1993.
- 09/01 The Control Yuan formed the Investigation Group for Disciplinary Action Cases in Public Servant Property Declarations.
- 09/27 Promulgated the Organic Regulations of the Petitions and Appeals Committee of the Control Yuan and its Subordinate Agencies.
- 10/10 Released the first issue of Special Issue of Public Servant Property-Declaration Materials and made it available for public reading at the Control Yuan.
- 10/30 Formulated and promulgated the Control Yuan Implementation Regulations Governing Enquiry of Materials of Property-Declaration by Public Servants and the Control Yuan Implementation Regulations Governing the Handling Petitions Cases in Property-Declaration by Public Servants.

1994

- 04/12 The 16th Meeting of the second-term Control Yuan approved the formulation of the Regulations Governing the Handling of Corrective Measures by the Control Yuan.
- 04/16 Convened the first "Meeting to Coordinate Central Agency Cooperation with Control Yuan Duties" to strengthen connection and communication with various central agencies.
- 07/15 The Committee on Economic Affairs convened a meeting and requested that Minister of Economic Affairs Chiang Pin-kung and the executives of the Taiwan Machinery Company present a report on "the poor operating performance of Taiwan Machinery Company."

- 07/21 The Committee on Economic Affairs convened a meeting and requested that Chair Hsu I-yun of the Executive Yuan's Atomic Energy Council present a report on "the control and handling of radiation sources."
- 07/28 The Control Yuan established a "Complaint Reception Center."
- 10/13 The Transportation Committee convened a meeting and requested that Minister of Transportation and Communications Liu Chao-shiuan present a report on "the indiscriminate and incompetent implementation of special budgets for major transportation constructions, resulting in a serious waste of resources" and accept questioning.
- 12/03 The 24th Meeting of the Control Yuan's second-term approved amendments to certain provisions in the Regulations Governing Meeting Implementation by Control Yuan Committee Conveners; and the Control Yuan President proposed that Control Yuan Member Huang Yueh-chin convene an "International Affairs Committee" and entrusted the Secretariat to plan the Control Yuan Museum.

1995

- 01/17 The Transportation Committee convened a meeting and requested that Minister of Transportation and Communications Liu Chao-shiuan present a report on "major violations and mistakes in the annual works and facilities of government agencies" and accepted questioning.
- 05/15 The Committee on Economic Affairs convened a meeting and requested that Secretary General Chao Shou-po of the Executive Yuan, Minister of Economic Affairs Chiang Pin-kung, and the directors of other relevant units explain "issues such as water resources planning and solutions."
- 07/25 The Committee on Financial Affairs convened a meeting and requested that Auditor General Su Chen-ping of the National Audit Office present a report on "the disputes over fairness and other issues arising from the division of fiscal revenue and expenditure, and central government subsidy to local governments" and accept questioning.
- 08/28 The Committee on Domestic Affairs convened a meeting and requested that Minister of the Interior Huang Kun-huei and other chiefs of staff accept questioning on "subsidiary provisions for the overall development of the city by means of rezoning when changing urban plans."
- 09/23 The resignation of Control Yuan President Chen Lu-an was accepted and Vice President Cheng Shuei-chih stepped in as acting president.

1996

- 04/19 The Committee on Domestic Affairs, the Committee on Economic Affairs, the Committee on Education, the Transportation Committee, and the Committee on Judicial Affairs convened a joint meeting and requested that Minister Chen Yu of the Executive Yuan's Public Construction Commission and Minister of Justice Ma Ying-jeou accept questioning on "the problem of mafia involvement in public project bidding and bid rigging."

- 06/18 The Transportation Committee convened a meeting and requested that Minister of Transportation and Communications Tsai Chao-yang, Acting Director General Chang Kuo-cheng of the Civil Aeronautics Administration, and Chief Secretary Liu Li-chun of the Lienchiang County Government present a report on "the current status of sea and air transport between Taiwan and Matsu and plans for improvement" and accept questioning.
- 09/01 Wang Tso-jung took office as president of the Control Yuan.
- 11/08 The Transportation Committee convened a meeting and requested Secretary General Chao Shou-po of the Executive Yuan, Minister of Transportation and Communications Tsai Chao-yang, and the Political Deputy Minister of Finance Yen Ching-chang present a report on "The Civil Aviation Administration's purchase of aircraft and leasing them to China Airlines at an ultra-low interest rate" and accept questioning.
- 12/10 The 50th Meeting of the Control Yuan's second-term approved the method and procedure for exercising the power to question.

1997

- 03/01 The Control Yuan Committee on Property-Declaration by Public Servants and the Control Yuan Committee on Consultation were established.
- 03/18 The Committee on of Domestic Affairs convened a meeting and requested that the Executive Yuan's Department of Health explain the "Kinmen County Government's agreement to extend the time limit for some publicly-funded medical students and doctors training in Taiwan before they are required to return to Kinmen" and accept questioning.
- 05/20 The Transportation Committee convened a meeting and requested Minister of Transportation and Communications Tsai Chao-yang and Director General Tsai Duei of the Civil Aviation Administration present a report on "the poor efficiency and lack of due diligence in the handling of the Kaohsiung International Airport's expansion project" and accept questioning.
- 06/20 The Committee on National Defense convened a meeting and requested that Minister of National Defense Chiang Chung-ling present a report on "the audit opinions of the 1995 central government's final accounts review report, namely, that, using the reasoning of supporting private enterprise and developing the aerospace industry, the Aeronautical Engineering Development Center of National Chung-Shan Institute of Science & Technology procured engine forgings at bids 41.11% higher than those proffered by foreign firms, and thus added to uneconomical outlays of government expenses," and accept question.

- 08/11 The Committee on National Defense convened a meeting and requested that Minister of National Defense Chiang Chung-ling and the directors of its relevant units present a report on "the reasons for the frequent accidents in the Republic of China Armed Forces in recent years, their handling, and future preventive measures" and accept questioning.
- 09/03 The Committee on Financial Affairs and the Committee on Domestic Affairs convened a joint meeting and requested that Chair Peng Tso-kwei of the Executive Yuan's Council of Agriculture explain "the plans for the development of the Guanxi Machinery Technology Park, and the violations of the Environmental Impact Assessment Act and the Slope Land Conservation And Utilization Act" and accept questioning.
- 12/16 The Transportation Committee convened a meeting and requested Minister of Transportation and Communications Tsai Chao-yang and Director Liao Ching-lung of the Bureau of High-Speed Rail present a report on "the BOT contract negotiation with Taiwan's high-speed rail contractors and other related issues" and accept questioning.

1998

- 01/07 Amended the Organic Law of the Control Yuan to restructure the position of Chief Secretary into Deputy Secretary-general; added the Department of Supervisory Operations, the Department of Supervisory Investigation, the Department of Property-Declaration by Public Servants, and the Information Management Office; reduced the Department of Accounting to the Accounting Office; and merged the original Administrative Office and Research Office into the General Planning Office; and established the Ethics Office.
- Amended the Organic Act of the Control Yuan Committees to merge the original 10 standing committees into 7 committees. The names of the various standing committees were changed into the Committee on Domestic and Ethnic Affairs, the Committee on Foreign and Overseas Chinese Affairs, the Committee on National Defense and Intelligence Affairs, the Committee on Financial and Economic Affairs, the Committee on Educational and Cultural Affairs, the Committee on Transportation and Procurement Affairs, and the Committee on Judicial and Prison Administration Affairs. In addition, the Control Yuan could also set up special committees within the Control Yuan as necessary to meet business needs.
- 02/26 The Committee on Transportation and Procurement Affairs convened a meeting and requested that Minister of Transportation and Communications Tsai Chao-yang present a report on "the crash of the China Airline flight enroute from Indonesia to Chiang Kai-Shek International Airport, which resulted in massive casualties" and accept questioning.

- 03/27 The Committee on National Defense and Intelligence Affairs requested that Minister of National Defense Chiang Chung-ling and relevant project staff explain "the procurement of the La Fayette-class frigates and the Dassault Mirage 2000-5 supersonic attack aircrafts" and accept questioning.
- 09/07 The Committee on Transportation and Procurement Affairs convened a meeting and requested that Secretary General Chang Yu-hern of the Executive Yuan and Chair Ou Chin-der of the Public Construction Commission present a report on "the significantly low implementation rate of government public projects and the impact on economic growth" and accept questioning.

1999

- 02/01 Fredrick Chien took office as president of the Control Yuan.
- 03/11 The Committee on Educational and Cultural Affairs convened a meeting and requested that Huang Chen-tai, Minister of the Executive Yuan's National Science Council, explain "the incompleteness of ground receiving equipment for the extremely high frequency communication experiment after the launch of ROCSAT-1, resulting in the inability to execute the current mission" and accept questioning.
- 07/15 The Committee on Financial and Economic Affairs convened a meeting and requested that Minister of Finance Paul Chiu and the directors of its relevant business units explain the "the financial fraud case in the Donggang Credit Union" and accept questioning.
- 08/17 The Committee on Transportation and Procurement convened a meeting and requested that Minister of Transportation and Communications Lin Fong-cheng for special explanation on "rewarding private participation in transportation construction" and accept questioning.
- 09/11 The Committee on Domestic and Ethnic Minorities Affairs convened a meeting and requested that Vice Premier Liu Chao-shiuan of the Executive Yuan present a special report on "the upcoming anniversary of the 921 Earthquake on September 21, 1999 and the government's reconstruction work in disaster areas, especially the subsequent sustainable development for review by the Control Yuan" and accept questioning.
- 09/14 The 8th Meeting of the Third Term Control Yuan approved the revision of the name from Interim Measures Governing Circuit Supervision by the Control Yuan to Implementation Regulations Governing Circuit.
- 10/08 The Committee on Financial and Economic Affairs and the Committee on Educational and Cultural Affairs convened a joint meeting and requested that Minister of the Environmental Protection Administration Tsai Hsun-hsiung and Chairman Hu Chin-piau of the Executive Yuan's Atomic Energy Council explain "Taipower's construction of the fourth nuclear plant" and accept questioning.
- 10/20 The Committee on Educational and Cultural Affairs convened a meeting and requested that Minister of the Education Yang Chao-hsiang present a special report on "education reform."

- 11/16 The Committee on Transportation and Procurement Affairs convened a meeting and requested that Minister Tsai Chao-yang and the chiefs of staff of the Executive Yuan's Public Construction Commission explain "matters pertaining to the quality of public works and current engineering specifications" and accept questioning.
- 12/21 The Committee on Transportation and Procurement Affairs, the Committee on Domestic and Ethnic Affairs, and the Committee on Financial and Economic Affairs convened a joint meeting and requested that Minister of the Transportation and Communications Lin Fong-cheng explain "the effectiveness of the implementation of measures regulating gravel truck management " and accept questioning.
- 12/31 The Committee on Financial and Economic Affairs and convened a meeting and requested that Minister of Finance Paul Chiu explain "whether there is any violations and misconduct on the part of public servants in the processing and handling of Chung-hsing Bill accounts" and accept questioning.

2000

- 02/15 The Regulations Governing the Establishment of the Control Yuan Committee on Human Rights Protection was promulgated.
- 04/08 The Committee on Educational and Cultural Affairs convened a meeting and requested that Minister Wu Wan-lan and Vice Minister Jao Chi-ming of the Ministry of Examination present a report on "the procedure for handling national examinations."
- 06/19 The Committee on Financial and Economic Affairs and convened a meeting and requested that Minister of the Environmental Protection Administration Tsai Hsun-hsiung explain "the issue of Formosa Plastics Corporation exporting mercury sludge to Cambodia" and accept questioning.
- 07/18 The Committee on Transportation and Procurement Affairs convened a joint meeting and requested that Minister of the Transportation and Communications Yeh Chu-lan, Director Chang Yu-herh of the Civil Aeronautics Administration, and Chief Executive Officer Kay Yong of the Aviation Safety Council to specially explain "improvements in flight safety" and accept questioning.
- 08/16 The Committee on Domestic and Ethnic Affairs convened a meeting and requested that Minister of the Interior Chang Po-ya and relevant personnel explain "the failure of municipal and county (city) governments to enforce the demolition of illegal constructions" and accept questioning.
- 09/11 The Committee on Domestic and Ethnic Affairs convened a joint seven-committee meeting with the other standing committees and requested that Vice Premier Chang Chun-hsiung of the Executive Yuan present a special report on "the effectiveness of the government's 921 Earthquake relief and reconstruction work in the past year" and accept questioning.

2001

- 03/21 The Committee on Domestic and Ethnic Affairs convened a meeting and requested that Minister of the Interior Chang Po-ya and relevant personnel explain "the failure of municipal and county (city) governments to enforce the demolition of illegal constructions" and accept questioning.
- 04/17 The Committee on Financial and Economic Affairs and the Committee on Educational and Cultural Affairs convened a joint meeting and requested that Chairman Hu Chin-piau of the Executive Yuan's Atomic Energy Council explain "The Atomic Energy Council's inappropriate handling of the licensing and review procedure for Taipower's construction of the fourth nuclear power plant" and accept questioning.
- 09/05 The Committee on Financial and Economic Affairs convened a meeting and requested that Minister of Economic Affairs Lin Hsin-I explain "Taiwan Water Corporation's handling of the Chengcing Lake Reservoir aeration project to improve water quality" and accept questioning.
- 11/13 The Committee on Educational and Cultural Affairs convened a meeting and requested that Minister of Education Ovid Tzeng explain "international academic exchanges and mutual recognition of academic qualifications; guidance situation for problems faced by domestic students going on overseas study tour" and accept questioning.

2002

- 05/16 The Committee on Educational and Cultural Affairs convened a meeting and requested that Minister of Education Huang Jong-tsun present a special report on "the implementation of diverse admission paths and corresponding measures" and accept questioning.
- 05/21 The Committee on Financial and Economic Affairs and the Committee on Educational and Cultural Affairs convened a joint meeting and requested that Command Officer of the "Central Emergency Operation Center for Drought," Minister Without Portfolio Kuo Yao-chi present a special report on "drought contingency response and countermeasures" and "whether our power policies and decision-making systems are sound" and accept questioning.
- 07/08 The Committee on Financial and Economic Affairs a convened a meeting and requested that the heads of the Executive Yuan's Department of Health and Council of Agriculture, the Ministry of Economic Affairs Bureau of Standards, Metrology and Inspection, and the Bureau of National Health Insurance present a special report on "the long-term and common abuse of antibiotic drugs in Taiwan" and accept questioning.
- 08/07 The Committee on Financial and Economic Affairs a convened a meeting and requested that Ministers Without Portfolio from the Executive Yuan explain "the huge losses incurred by China Shipbuilding Corporation, its inefficient operations and management, and lack of competitiveness" and accept questioning.

- 11/01 The "Control Yuan 2-D Barcodes System for Property-Declaration by Public Servants" was launched and used in parallel with paper declaration.
- 11/15 The Control Yuan Committee on Property Declaration by Public Servants was renamed the Control Yuan Committee on Anti-Corruption.
- 11/19 The Committee on Financial and Economic Affairs and the Committee on Domestic and Ethnic Affairs convened a joint meeting and requested that Minister Fan Chen-tsung of the Executive Yuan's Council of Agriculture explain "Taiwan's participation in the WTO to become a full member country, and disclose relevant information and government countermeasures" and accept questioning.

2003

- 02/21 The Regulations for Control Yuan Handling of Public Servant Recusals Due to Conflicts of Interest were promulgated.
- 02/26 The Committee on Transportation and Procurement Affairs convened a meeting and requested that Minister of the Transportation and Communications Lin Ling-san and its unit chiefs present themselves at the Control Yuan to report on "derelictions in the Chiang Kai-shek International Airport MRT construction and other transportation constructions" and accept questioning.
- 04/11 The Committee on Educational and Cultural Affairs convened a meeting and requested that Minister Huang Jong-tsun and the chiefs of business units of the Ministry of Education present a report on "the implementation status of education reform in Taiwan and relevant corresponding measures" and accept questioning.
- 05/15 The Committee on Educational and Cultural Affairs convened a meeting and requested that former Minister of Education Kuo Wei-fan to make a presentation on "insights on educational reform" at the Control Yuan and accept questioning.
- 06/12 The Committee on Educational and Cultural Affairs convened a meeting and requested that former Minister of Education Ovid Tzeng to make a presentation on "insights on educational reform" at the Control Yuan and accept questioning.
- 07/10 The Committee on Educational and Cultural Affairs convened a meeting and requested that former Minister of Education Yang Chao-hsiang to make a presentation on "insights on educational reform" at the Control Yuan and accept questioning.
- 08/14 The Committee on Educational and Cultural Affairs convened a meeting and requested that former Minister of Education Wu Jinto make a presentation on "insights on educational reform" at the Control Yuan and accept questioning.

08/26 The Committee on Transportation and Procurement Affairs, the Committee on Financial and Economic Affairs, and the Committee on Educational and Cultural Affairs convened a joint meeting and requested that Minister of the Executive Yuan's Council for Economic Planning and Development to specially explain "the formulation of the Taiwan Traveler Card policy, its implementation, and review of gains and losses" and accept questioning.

2004

03/31 The opening ceremony and tea reception for the Control Yuan Exhibition Area was held. Control Yuan President Fredrick Chien, Control Yuan Vice President Cheng Meng-lin, former Control Yuan President Wang Tso-yung, Minister Chen Yu-hsiu of the Executive Yuan's Council for Cultural Affairs, and Member of the Legislative Yuan Huang Chao-shun co-hosted the ribbon-cutting ceremony.

04/15 The Committee on Educational and Cultural Affairs convened a meeting and requested that Minister of Education Huang Jong-tsun to explain "the Ministry of Education's involvement in the disputes of the board of directors of a private school, and the long-pending open cases involving Chin-Min Institute of Technology, Yung Ping Vocational High School, and Taipei Medical University" and accept questioning.

09/23 The Political Donation Audit Act was formulated and promulgated.

12/31 A political donations management system that uses an information system was established to manage political donation matters.

2005

02/01 The fourth term Control Yuan members did not take office until July 31, 2008.

05/12 The first issue of the *Political Donations Accounting Report* was published.

08/19 The 2-D barcode reporting system for political donations accounting reports was launched, and CDs were provided for declaring political donations.

2008

05/09 The Control Yuan's First Academic Seminar on the Supervisory Legal System was held.

08/01 Wang Chien-hsuan took office as president of the Control Yuan.

09/18 The Fine Standards for Overdue Political Donation Accounting Reports were formulated and promulgated.

2009

01/06 The Review Regulations for Political Donation Accounting Reports and the Review Fee Regulations for Political Donation Accounting Reports were formulated and promulgated, and enacted on February 13, 2009.

- 01/09 The 1st Control Yuan Seminar on Human Rights Protection Work was conducted.
- 04/08 The Committee on Financial and Economic Affairs and the Committee on Domestic and Ethnic Affairs convened a joint meeting and requested that Minister of Economic Affairs Yiin Chii-ming present a special report on "whether the two sides of the Strait will sign the Cross-Straits Economic Cooperation Framework Agreement (ECFA)" and accept questioning.
- 04/21 The Committee on Domestic and Ethnic Affairs, the Committee on Financial and Economic Affairs, and the Committee on Educational and Cultural Affairs convened a joint meeting and requested that various ministries and departments of the Executive Yuan and the Kinmen County Government accept questioning on "the government's vague positioning in its implementation of the Mini Three Links policy towards the Mainland over the last four years, resulting in the failure to achieve planning goals and poor performance outcome."
- 04/30 Released the inaugural issue of the Control Yuan Newsletter.
- 05/07 The Committee on Financial and Economic Affairs, the Committee on Domestic and Ethnic Affairs, and the Committee on Educational and Cultural Affairs convened a joint meeting and requested that Chair Chen Tain-jy of the Executive Yuan's Council for Economic Planning and Development present a special report on "how to promote employment-related measures in response to the rising unemployment rate" and accept questioning.
- 07/08 The Committee on Financial and Economic Affairs and the Committee on Educational and Cultural Affairs convened a joint meeting and requested that Executive Yuan Minister Without Portfolio Ovid Tzeng to specially explain "the progress of the Hsinchu Biomedical Science Park implemented by the Executive Yuan's Council for Economic Planning and Development and the National Science Council" and accept questioning.
- 07/10 Held the 2nd Control Yuan Seminar on Human Rights Protection Work.
- 07/22 Established the Data Integration Platform for Individuals Restricted from Making Political Donations, which interfaces and integrates with various agencies on the information of restricted individuals. On December 1 of the same year, the platform was made available for verification use by political parties, political organizations, and election candidates.
- 08/31 The Committee on Financial and Economic Affairs, the Committee on Domestic and Ethnic Affairs, and the Committee on Transportation and Procurement Affairs convened a joint meeting and requested that Minister Chen Wu-hsiung of the Executive Yuan's Council of Agriculture specially explain "the Council of Agriculture's Forestry Bureau handling of the OT and BOT cases in the Alishan Forest Railway and Alishan National Forest Recreation Area constructions" and accept questioning.

- 10/30 Launched the use of EPOST for regular property declaration notifications and the use of cellphone messages for property declaration reminders.
- 11/18 The Control Yuan Penalty and Fine Standards for Public Servant Property Declarations was formulated and promulgated.
- 12/01 The Sunshine Act theme website of the Control Yuan was officially launched, providing a channel for the Control Yuan to provide information and promote the Sunshine Acts.
- 12/23 Established a government corruption investigation team; investigations under the Sunshine Acts adopted a two-stage investigation system.

2010

- 01/08 Held the 3rd Control Yuan Seminar on Human Rights Protection Work.
- 05/13 The Committee on Educational and Cultural Affairs convened a meeting and requested that Minister of Education the Executive Wu Ching-ji present a special report on "educational issues as a result of declining birth rate."
- 05/15 The Property Declaration and Audit Platform was launched and is interfaced with relevant competent authorities (agencies) for investigating property information.
- 05/28 The first special "Government Ethics" issue of the Control Yuan Gazette was revised and published to include information on the Sunshine Acts.
- 06/09 The Committee on Judicial and Prison Administration Affairs and the Committee on Domestic and Ethnic Affairs convened a joint meeting and requested that Minister of Justice Tseng Yung-fu explain the follow-up handling of "whether prosecutors directing judicial police in the investigation of crimes constitutes any violation, and whether the Ministry of Justice is fulfilling its duty in supervising its subordinate agencies" and accept questioning.
- 07/23 Political Donations Network Reporting System was launched online to provide political parties, political organizations, and election candidates with online functions such as account registration, receipt issuance, verification and declaration.
- 08/09 An information security management system that complied with the CNS/ISO27001 information security standards was introduced. The Control Yuan established a Committee on Cyber Security Management for promoting cyber security policies. Under the Committee, an Information Security Implementation Team and an Information Security Audit Team were set up.
- 09/01 Volunteers were recruited for the Complaint Reception Center to assist with the acceptance of complaints from the people.
- 09/10 Held the 4th Control Yuan Seminar on Human Rights Protection Work.

- 10/13 The Committee on Transportation and Procurement Affairs and the Committee on Financial and Economic Affairs convened a joint meeting and requested that Minister Fan Liang-shiow of the Executive Yuan's Public Construction Commission accept questioning on "the high-speed rail financing case."
- The Committee on Transportation and Procurement Affairs and the Committee on Judicial and Prison Administration Affairs convened a joint meeting and requested that Minister Fan Liang-shiow of the Executive Yuan's Public Construction Commission accept questioning on "the huge purchase of the High-speed Rail Class C preferred stocks by the China Aviation Development Foundation."
- 10/19 Participated in the Information Security Management System (ISMS) certification for the first time and passed the CNS 27001:2007 and ISO/IEC 27001:2005 international security standards dual certification.
- 12/01 Launched the Control Yuan Online System for Property-Declaration by Public Servants, which is implemented in parallel with paper declarations.
- 12/16 The Committee on Educational and Cultural Affairs convened a meeting and requested that Minister of Education Wu Ching-ji present a special report on "examining the sharp decline in the performance of Taiwanese students in PISA assessment and countermeasures."

2011

- 01/01 The new version of the official document online sign-off management system was officially implemented.
- 03/16 Opening ceremony of the Control Yuan document exhibition and charity concert to celebrate the 100th Anniversary of the Founding of the Republic of China (the exhibition ran from March 16 to April 15).
- 08/10 The Committee on Judicial and Prison Administration Affairs and the Committee on Domestic and Ethnic Affairs convened a joint meeting and requested that Minister of Justice Tseng Yung-fu explain the follow-up handling of "whether prosecutors directing judicial police in the investigation of crimes constitutes any violation, and whether the Ministry of Justice is fulfilling its duty in supervising its subordinate agencies" and accept questioning.
- 09/17 The Control Yuan Building historic monument exhibition to celebrate the 100th Anniversary of the Founding of the Republic of China. Exhibitions included exhibitions on the area for accepting the people's complaints, publicity on the duties of the Control Yuan, the family play area and the coffee break area (the exhibition ran from September 17 to 18). A humanities and calligraphy exhibition was also held at the same time (the exhibition ran from September 17 to 30).

- 10/12 The Committee on Judicial and Prison Administration Affairs convened a meeting and requested that Minister of Justice Tseng Yung-fu explain the follow-up handling of the "failure of the Ministry of Justice to fully supervise its subordinate prosecutorial agencies to ensure that cases are handled in accordance with Article 58 of the Code of Criminal Procedure, which resulted in repeated disputes and infringement of the people's litigation rights" and accept questioning.
- 10/27 The Committee on National Defense and Intelligence Affairs convened a meeting and requested that Minister of Defense Kao Hua-chu explain "the frequent transfer of high-ranking officers in the colonel rank or above in the National Armed Forces, and controversies over the personnel promotion system" and accept questioning.
- 11/15 The Committee on Financial and Economic Affairs convened a meeting and requested that Minister of Finance Lee Sush-der and Minister Shih Su-mei of the Directorate General of Budget, Accounting and Statistics explain "the poor quality of information disclosure of government debt in Taiwan" and accept questioning.
- 12/15 The Committee on Educational and Cultural Affairs convened a meeting and requested that Minister Louis Lee of the Executive Yuan's National Science Council explain the subsidizing of China's public information automatic retrieval and integration system database, and accept questioning.

2012

- 02/08 The Committee on Financial and Economic Affairs and the Committee on Foreign and Overseas Chinese Affairs convened a joint meeting and requested that Executive Yuan Minister Without Portfolio Chang Jin-fu explain "whether the government has fulfilled its due diligence in promoting energy security policies" and accept questioning.
- 03/07 The Committee on Financial and Economic Affairs, the Committee on Domestic and Ethnic Affairs, the Committee on National Defense and Intelligence Affairs, the Committee on Educational and Cultural Affairs, and the Committee on Transportation and Procurement Affairs convened a joint meeting and requested that Executive Yuan Minister Without Portfolio Chang San-cheng explain "the failure to effectively integrate medical resources in the Penghu area" and accept questioning.
- 04/12 The Committee on Educational and Cultural Affairs convened a meeting and requested that Director Philip Yang of the Executive Yuan's Government Information Office explain "the composition of the board of directors, organization and management, and operating performance of government supported public media such as the Central News Agency, and their many failures and dereliction" and accept questioning.

- 05/08 Public application to read property declaration materials at the Control Yuan was changed from paper reading to computer reading.
- 06/14 The Committee on Educational and Cultural Affairs convened a meeting and requested that Minister of Education Chiang Wei-ling explain "the problem of insufficient enrollment faced by some colleges and universities, and the failure of some national colleges and universities to effectively develop their second campuses and leaving the land to idle" and accept questioning.
- 07/17 The Committee on Financial and Economic Affairs and the Committee on Educational and Cultural Affairs convened a joint meeting and requested that Minister of the Executive Yuan's Department of Health Chiu Wen-ta and Administrative Deputy Minister Chen Te-hua of the Ministry of Education explain "the failure of the Department of Health to fully achieve the use of Chinese in medical records according to schedule" and accept questioning.
- The Committee on Financial and Economic Affairs, the Committee on Domestic and Ethnic Affairs, the Committee on Educational and Cultural Affairs, and the Committee on Transportation and Procurement Affairs convened a joint meeting and requested that Executive Yuan Minister Without Portfolio Kuan Chung-ming explain "inappropriate industrial policies" and accept questioning.
- 08/14 The Committee on Transportation and Procurement Affairs and the Committee on Financial and Economic Affairs convened a joint meeting and requested that Minister of Transportation and Communications Mao Chi-kuo explain the follow-up handling of the case in which "despite the knowledge that financing activities for the high-speed rail is not going well, it failed to urge original shareholders to fulfill their commitment to the government's zero capital contribution, and instead permitted quasi-public enterprises to inject high-speed rail funds and financing guarantees, thereby increasing the government's financial risks" and accept questioning.
- The Committee on Transportation and Procurement Affairs and the Committee on Judicial and Prison Administration Affairs convened a joint meeting and requested that Minister of Transportation and Communications Mao Chi-kuo explain the follow-up handling of "the huge purchase of the High-speed Rail Class C preferred stocks by the China Aviation Development Foundation, which is in violation of the articles of the Foundation" and accept questioning.
- 09/07 The Control Yuan Official Document and File Archives System was approved by the system verification of the National Archives Administration of the National Development Council.
- 10/18 The Committee on National Defense and Intelligence Affairs convened a meeting and requested that Minister of National Defense Kao Hua-chu and its relevant chiefs of units explain "the frequent transfer of high-ranking officers in the colonel rank or above in the National Armed Forces, and controversies over the personnel promotion system" and accept questioning.

The Committee on National Defense and Intelligence Affairs convened a meeting and requested that Minister of National Defense Kao Hua-chu and its relevant chiefs of units explain the delays and losses in the "relocation of the Ministry of National Defense from the previous Bo'ai Building" and accept questioning. In addition, relevant personnel from the Executive Yuan's Veterans Affairs Council, the Executive Yuan's Public Construction Commission, and RPTI International Ltd. were also requested to attend the meeting.

- 11/14 The Committee on Judicial and Prison Administration Affairs and the Committee on National Defense and Intelligence Affairs convened a joint meeting and requested that Minister of Justice Tseng Yung-fu explain the follow-up handling of "the lack of supporting mechanisms in the objectives of anti-drug, drug prevention and drug rehabilitation strategies resulting in the increase in the number of offenders, the number of crimes, the recidivism rate, and the inability to effectively curb drug crimes" and accept questioning.
- 12/05 The Committee on Financial and Economic Affairs convened a meeting and requested that Executive Yuan Minister Without Portfolio Chang San-cheng explain "the lack of human resources and funding for food safety and sanitation operations" and accept questioning.

2013

- 01/15 The Committee on Financial and Economic Affairs convened a meeting and requested that Executive Yuan together with Minister of Economic Affairs Shih Yen-hsiang explain "Taipower's lax calculation of performance bonuses," and the content of its bonus mechanisms and policies, and accept questioning.
- 03/14 The Committee on Educational and Cultural Affairs convened a meeting and requested that Minister of Education Chiang Wei-ling present a special report on "the implementation status of the K-12 Education."
- 04/10 The Committee on Judicial and Prison Administration Affairs convened a meeting and requested that Minister of Justice Tseng Yung-fu explain the follow-up handling of "the issue of frequent requests by prosecutors to seek specific sentences during prosecution, which violates the principle of reciprocal status between prosecution and defense and departs from the spirit of presumption of innocence in the Code of Criminal Procedure, resulting in vulnerability to social prejudice and pressure on judges during trial, and therefore inappropriate" and accept questioning.
- 04/11 Held the 135-year-old birthday commemoration of the late Control Yuan President Yu You-ren and the unveiling ceremony of his restored statue. Control Yuan President Wang Chien-hsuan led the fourth term Control Yuan members and staff representatives to lay flowers on the Yangmingshan grave of the late Control Yuan President Yu You-ren.

- 04/16 The Committee on Financial and Economic Affairs and the Committee on Domestic and Ethnic Affairs convened a joint meeting and requested that Executive Yuan together with the Ministry of Finance explain "the illegal occupation of state-owned land by religious groups to build temples and churches, their attempt to legalize their occupation, and the handling of the situation by the competent authorities" and accept questioning.
- 06/07 Held the Control Yuan 2013 Women's Human Rights Protection and Service Conference.
- 06/18 The Ministry of Justice regularly sends a list of persons prosecuted for corruption and property declaration involvement to the Control Yuan for constructing a corruption prevention network, which diversified the sources of property declaration cases and strengthened the audit of property declaration information of persons involved in corruption.
- 07/02 Held the 20th Anniversary Conference for the Enactment of the Act on Property-Declaration by Public Servants. Experts and scholars were invited to conduct 4 seminars on practical issues faced by the property declaration system. The seminar records were compiled and published after the conference.
- 12/12 The Committee on Educational and Cultural Affairs convened a meeting and requested that Minister of Education Chiang Wei-ling explain the follow-up handling of "delays in the development of second campuses of national colleges and universities such as the National Ilan University, the sloppiness in the original approval process by the Ministry of Education, and suspected dereliction in the supervision and control mechanism" and accept questioning.

2014

- 02/17 The Committee on Judicial and Prison Administration Affairs convened a meeting and requested that Minister of Justice Luo Ying-shay explain the follow-up handling of "the issue of frequent requests by prosecutors to seek specific sentences during prosecution, which violates the principle of reciprocal status between prosecution and defense and departs from the spirit of presumption of innocence in the Code of Criminal Procedure, resulting in vulnerability to social prejudice and pressure on judges during trial, and therefore inappropriate" and accept questioning.
- 07/22 The Committee on Educational and Cultural Affairs convened a meeting and requested that Minister of Science and Technology Chang San-cheng explain the "fraud in the high-speed rail damping project in the Southern Taiwan Science Park of the Ministry of Science and Technology" and accept questioning.
- 08/01 Chang Po-ya took office as president of the Control Yuan.

2015

- 04/24 Held the "A Century of Beauty, A Thousand Years of the Censorate" exhibition opening ceremony to celebrate the 100th Anniversary of the Control Yuan national monument (exhibition ran from April 24 to May 31).
- 07/31 Held the Control Yuan Conference on the Protection of Indigenous Peoples' Land Rights.
- 11/01 Comprehensively promoted the Public Servants Internet Authorized Interface for Property Information services to provide regular filers with access to online declaration of property.

2016

- 07/05 Held the Control Yuan Conference on the Protection of Family Rights for Children and Youth in Compulsory Placement.

2017

- 09/29 Held the Control Yuan Conference on Elderly Persons' Human Rights.

2018

- 06/07 The Committee on Domestic and Ethnic Affairs, the Committee on Foreign and Overseas Chinese Affairs, the Committee on National Defense and Intelligence Affairs, and the Committee on Financial and Economic Affairs convened a joint meeting and requested that Executive Yuan and the National Immigration Agency of the Ministry of the Interior accept questioning on "the government's longstanding failure to implement investigation of foreign workers whose whereabouts are unknown in accordance with the law, thereby affecting public order and potentially endangering national security."
- 06/29 Adopted secret ballot for censure and impeachment cases in general; and registered ballot for cases that attracted social attention.
- 09/13 The Committee on Educational and Cultural Affairs convened a meeting and requested that Minister of Education Yeh Jiunn-rong explain and accept questioning on the Ministry's letter of interpretation that illegally expanded the scope and qualifications of "equivalent professors." This resulted in the president-elect of National Yang-Ming University becoming the first associate professor to become the president of a national university, thus surpassing the legislative intent of the parent Act Governing the Appointment of Educators by directly stipulating the Enforcement Rules of this decree without legislative basis.
- 12/07 Held the Control Yuan Conference on Disabled Persons' Rights.

2019

- 01/02 Fully updated the web pages of the official website of the Control Yuan and its Sunshine Acts homepage. The sites use a responsive web design (RWD) and also comply with the AA conformance level of the Accessible Web Development Guidelines 2.0
- 01/17 The Control Yuan Gender Equality Group Establishment Guidelines came into effect.
- 01/30 Control Yuan President Chang Po-ya and curator Liao Hsing-tien held the "Treasures of Yu You-ren's Calligraphy Return to the Control Yuan" handover ceremony at the Control Yuan where each piece of Yu You-ren calligraphy collection archived for exhibition at the National Museum of History under a loan contract with the Control Yuan was returned.
- 03/06 The Control Yuan's 1st Gender Equality Group was established.
- 05/09 The Committee on Domestic and Ethnic Affairs, the Committee on Financial and Economic Affairs, and the Committee on Educational and Cultural Affairs convened a joint meeting and requested that Minister of Health and Welfare Chen Shih-chung accept questioning on "concerns about the health effects of the high radiation value of the 'Healthy Reduced Sodium Salt' produced by Taiyen Biotech Co., Ltd on the people."
- 06/19 Resolution was passed to fully adopt registered ballots for censure and impeachment review meetings.
- 08/14 The Political Donations Public Disclosure Platform was officially launched online, making accounting reports and itemized income and expenditure reports for political donations fully available online for the public to inspect and download the files.
- 10/03 The Committee on Domestic and Ethnic Affairs convened a meeting and requested that Minister of Health and Welfare Chen Shih-chung accept questioning on "the lack of regulation on levulinic acid content, the lax standard for total nitrogen content, and the lack of stringent control on the limit for 3-Monochloro-1, 2-Propanediol (3-MCPD) content in the production of soy sauce, and the lack of monitoring for 4-Methylimidazole in commercially available soy sauce, resulting in concerns about product quality control loophole."
- 12/19 Control Yuan President Chang Po-ya approved the establishment the National Human Rights Commission Preparatory Committee to discuss issues such as changes in the powers of the Control Yuan, applicability of laws and regulations, and secretarial tasks.
- 12/23 The Control Yuan's Recusal of Public Servants due to Conflict of Interest Notification System and Recusal of Public Servants due to Conflict of Interest Notification System, and the Identity and Relationship Disclosure System and Inquiry Platform for Subsidy Transactions were launched.

2020

01/08 The Organic Act of the Control Yuan National Human Rights Commission was formulated and promulgated.

Revised Articles within the Organic Law of the Control Yuan were promulgated, with the establishment of the National Human Rights Commission added to Article 3. Article 3-1, regarding the qualifications of committee members, was also revised. The Department of Coordination and Planning and the Information Office were integrated into the Department of Coordination and Planning.

The Organic Law of the Control Yuan and the Organic Act of the Control Yuan Committees were amended and promulgated to establish 7 committees, namely the Committee on Domestic and Ethnic Affairs, the Committee on Foreign and Overseas Chinese Affairs, the Committee on National Defense and Intelligence Affairs, the Committee on Financial and Economic Affairs, the Committee on Educational and Cultural Affairs, the Committee on Transportation and Procurement Affairs, and the Committee on Judicial and Prison Administration Affairs.

The Committee on Financial and Economic Affairs, the Committee on Educational and Cultural Affairs, and the Committee on Judicial and Prison Administration Affairs convened a joint meeting and requested that Chairperson Huang Mei-ying of the Fair Trade Commission explain "whether the Commission's litigation settlement with the US company Qualcomm Inc. is in violation of the principle of prohibition of improper connection" and accept questioning.

05/01 The Organic Act of the Control Yuan National Human Rights Commission came into effect.

07/21 The Committee on Domestic and Ethnic Affairs convened a meeting and requested that convener of the "Executive Yuan Investigation Committee for Investigating the Facts Regarding Asia Cement Corporation's Lease of Indigenous Land on Xincheng Mountain for Mining Ground" and Minister Icyang Parod of the Council of Indigenous Peoples explain improvements in the situation of "Asia Cement Corporation application to lease land on the mountain reservation areas of Fushi and Xiulin, and the significant impact on the living and property rights of the indigenous people" and accept questioning.

07/31 The Control Yuan Committee on Human Rights Protection ceased operation.

08/01 Chen Chu took office as president of the Control Yuan.

The National Human Rights Commission was officially inaugurated on the first convening day of the Control Yuan's members, forming a new milestone for Taiwan in promoting and securing human rights. The establishment of the Commission embodies the implementation of human rights as a core value for the country.

10/01 Published the first issue of the Control Yuan Newsletter.

- 11/05 The Committee on Domestic and Ethnic Affairs and the Committee on Financial and Economic Affairs convened a meeting and requested that Minister of Health and Welfare Chen Shih-chung explain improvement situation in the "the failure of the Ministry of Health and Welfare to address the increasing awareness of labor rights and the changing trend in labor relations" and accept questioning.
- 11/24 The National Human Rights Commission and the Examination Yuan jointly organized the 2020 Basic Training for Personnel Newly Passing the Civil Servant Senior and Junior Examinations: Viewing Public Service Situations in Terms of Human Rights Issues Sharing Session.
- 12/10 The National Human Rights Commission held the "Taiwan Human Rights Upgrade" event. President Tsai Ing-wen was invited to attend the exhibition and delivered a speech; together with representatives from all sectors of society, she unveiled the National Human Rights Commission's distinctive logo design. The Commission also delivered its independent evaluation opinion on the national reports regarding two conventions on the same day.
- 12/25 Conducted the first pilot remote video conferencing acceptance of the people's complaints from Hualien County.

2021

- 01/01 Released the first issue of the English-language *Control Yuan Newsletter*.
- 01/17 Renovation of the Complaint Reception Center was completed to provide a friendly environment.
- 01/20 Video conferencing acceptance of the people's complaints was officially launched, and the first session for accepting complaints was conducted (Yunlin County).
- 01/21 Held a press conference for the "Sunshine Acts Come Alive" pilot video promotion.
- 01/27 Conducted the first acceptance of complaints from inmates in 73 years through video conferencing.
- 01/29 Held the "Legacy of Defending Justice for 90 Years" series of Control Yuan 90th anniversary events (ran from January 29 to April 30).
- 02/02 The 90th Anniversary of the Control Yuan.
An amendment to the Regulations Governing the Establishment of the Control Yuan Human Rights Protection Task Force on was approved. The responsibilities of the Task Force include the writing and preparation of national reports for the participation of various competent authorities in international human rights conventions. The amendments took effect on February 18.
- 03/09 The 9th meeting of the Control Yuan's sixth term passed the revised drafts of the Article 2 and Article 11 of the Organic Act of the Control Yuan. In the draft, the Committee on Foreign and Overseas Chinese Affairs and the Committee on National Defense and Intelligence Affairs were merged into the Committee on National Defense and Intelligence Affairs. A new committee, the Committee on Social Welfare and Environment Hygiene Affairs, was established.

- 03/19 The first "Sunshine Acts Come Alive" promotional conference was conducted to educate the public on individual political donations.
- 04/27 Revisions to Articles 2 and 11 of the Organic Law of the Control Yuan Committees were approved by the Legislative Yuan in the third reading.
- 04/28 The Examination Invigilation Act was abolished. From this point on, the Control Yuan no longer handles invigilation services.
- 04/30 "The Control Yuan 90th Anniversary Academic Conference on the Practice of Supervisory Power and Vision" was held.
- 05/12 The amendments to Article 2 and Article 11 of the Organic Act of the Control Yuan Committees were promulgated by the President. The Control Yuan now has seven Committees: Domestic and Ethnic Affairs; Foreign and National Defense Affairs; Social Welfare and Environment Hygiene Affairs; Financial and Economic Affairs; Educational and Cultural Affairs; Transportation and Procurement Affairs; and Judicial and Prison Administration Affairs. This Committee organization took effect as of August 1.
- 05/26 This Control Yuan 90th Anniversary Special Issue was published. Due to the Level 3 COVID-19 pandemic alert, the press conference for the Special Issue's release was postponed to July 29.
- 08/02 Held a press conference and achievement presentation to celebrate the first anniversary of the National Human Rights Commission.
- 11/29 International Human Rights Day 2021 commemorations celebrated the theme of "Taiwan Human Rights Plus," with a press conference held to launch a series of activities.

2022

- 05/30 Lee Hung-chun took office as Vice President of the Control Yuan.

II. International Exchanges

1993

- 06/ Control Yuan Member Huang Yueh-chin visited the ombudsman offices of the Netherlands and other Western European countries and the International Ombudsman Institute (IOI) Headquarters in Alberta, Canada to study their ombudsman system, conduct interviews, and apply for membership with the IOI.

1994

- 08/ The Control Yuan joined the International Ombudsman Institute under the name of The Control Yuan of the Republic of China.

09/19~09/24 Organized the International Ombudsman Institute International Conference on the Ombudsman Concept (Taipei, Republic of China).

1995

01/09 The Control Yuan International Affairs Committee was established.

1996

10/20~10/24 Attended the 6th International Ombudsman Institute World Conference (Buenos Aires, Argentina).

1997

03/25~03/26 Attended the 2nd Asian Ombudsman Association Annual Conference (Seoul, South Korea).

1998

11/26~11/28 Attended the 50th Anniversary Conference of the Universal Declaration of Human Rights (Edmonton, Canada).

1999

06/23~07/08 Did site-visits to study North European ombudsman systems.

09/06~09/08 Attended the 15th Annual Conference of the International Law Enforcement Auditors Association (Sydney, Australia).

09/10~09/13 Attended the 18th Annual Conference of the Australasian and Pacific Ombudsman Region (Tasmania, Australia).

09/27~09/29 Attended the 4th Annual Conference of the Ibero-American Federation of Ombudsmen (Tegucigalpa, Honduras).

2000

10/30~11/02 Attended the 7th International Ombudsman Institute World Conference (Durban, South Africa).

11/27~12/10 Did site-visits to study South American ombudsman systems.

2001

06/17~06/20 Attended the Second International Administrative Justice Conference of the Council of Canadian Administrative Tribunals (Quebec, Canada).

07/30~08/03 Attended the 19th Annual Conference of the Australasian and Pacific Ombudsman Region (Brisbane, Australia).

10/ The Control Yuan transferred its membership in the International Ombudsman Institution from the Asian region to the Australasian and Pacific region.

- 10/07~10/08 The Control Yuan assigned personnel to participate in the Sixth International Congress on AIDS in Asia and the Pacific (Melbourne, Australia).
- 10/17~10/21 Did site-visits to study the Japanese ombudsman system.
- 12/05~12/08 Attended the 6th Annual Ibero-American Federation of Ombudsmen Conference (San Juan, Puerto Rico).

2002

- 10/17 Attended the American Bar Association international conference on "Establishment of the US Ombudsman System" (Washington, USA).
- 11/04~11/06 Attended the 20th Annual Conference of the Australasian and Pacific Ombudsman Region (Sydney, Australia).
- 11/18~11/20 Attended the 7th Annual Ibero-American Federation of Ombudsmen Conference (Lisbon, Portugal).
- 12/16~12/21 Visited Thailand and Malaysia to study their human rights commissions organizations.

2003

- 07/25~08/05 Visited Canada to meet the new board members of the International Ombudsman Institute.
- 08/31~09/02 Attended the 21st Annual Conference of the Australasian and Pacific Ombudsman Region (Madang Town, Papua New Guinea).
- 11/18~11/21 Attended the 8th Annual Ibero-American Federation of Ombudsmen Conference (Panama City, Panama).

2004

- 02/16~02/18 Attended the 8th Annual Conference of The Asia Pacific Forum of National Human Rights Institutions (APF) (Kathmandu, Nepal).
- 06/19~06/24 Attended the Third International Administrative Justice Conference of the Council of Canadian Administrative Tribunals (Toronto, Canada).
- 09/07~09/10 Attended the 8th International Ombudsman Institute World Conference (Quebec, Canada).
- 10/11~10/22 Conducted exchanges and symposiums between the Control Yuan and staff from foreign supervisory and human rights institutions.
- 11/08~11/11 Attended the 9th Annual Ibero-American Federation of Ombudsmen Conference (Quito, Ecuador).

2005

- 11/14~11/17 Attended the 10th Annual Ibero-American Federation of Ombudsmen Conference (Asunción, Paraguay).

11/28~11/30 Attended the 4th Conference of the Association of Ombudsmen and Mediators of La Francophonie (Paris, France).

2006

04/26~04/28 Attended the 23rd Annual Conference of the Australasian and Pacific Ombudsman Region (Perth, Australia).

11/24~12/09 Attended the 11th Annual Ibero-American Federation of Ombudsmen Conference (Buenos Aires, Argentina).

2007

11/20~11/23 Attended the 12th Annual Ibero-American Federation of Ombudsmen Conference (Lima, Peru).

2008

03/26~03/28 Attended the 24th Annual Conference of the Australasian and Pacific Ombudsman Region (Melbourne, Australia).

06/25~06/27 Attended the 24th Annual Conference of the Council of Canadian Administrative Tribunals (Ottawa, Canada).

11/19~11/21 Attended the 13th Annual Ibero-American Federation of Ombudsmen Conference and the 7th Annual Conference of the Network of National Institutions for the Promotion and Protection of Human Rights in the Americas (RINDHCA) in Mérida, Mexico.

2009

06/08~06/11 Attended the 9th International Ombudsman Institute World Conference and the 200th Anniversary Conference of the Swedish Parliamentary Ombudsman (Stockholm, Sweden).

10/27~10/19 Attended the 14th Annual Conference of the Ibero-American Union of Ombudsmen (Madrid, Spain).

11/23~11/25 Attended the International Symposium of the International Ombudsman Institute of the Walloon Region and 15th Anniversary Conference (Namur, Belgium).

2010

03/18~03/19 Assigned the 25th Annual Conference of the Australasian and Pacific Ombudsman Region (Canberra, Australia).

08/23~08/25 Conducted exchanges and symposiums between the Control Yuan and staff from foreign supervisory and human rights institutions (in Spanish).

- 09/23~10/05 Visited Canada and the United States to study the human rights agencies of other countries such as the Court of Human Rights, the Human Rights Commission, the Freedom House, and the Office of the United Nations High Commissioner for Human Rights.
- 10/05~10/08 Attended the United States Ombudsman Association 31st Annual Conference in Dayton, Ohio, US.
- 10/26~10/28 Attended the 15th Annual Ibero-American Federation of Ombudsmen Conference (Cartagena, Colombia).
- 11/14~11/17 Assigned personnel participate in the "Sharpening Your Teeth" training program of the International Ombudsman Institute (Vienna, Austria).

2011

- 03/23~03/26 Held the 26th Annual Conference of the Australasian and Pacific Ombudsman Region (Taipei, Republic of China).
- 06/05~06/08 Assigned personnel participate in the "Sharpening Your Teeth" training program of the International Ombudsman Institute (Vienna, Austria).
- 08/15~08/17 Conducted exchanges and symposiums between the Control Yuan and staff from foreign supervisory and human rights institutions. (in Spanish).
- 09/06~09/08 Attended the 16th Annual Meeting and First Biennial Conference of the Asia Pacific Forum of National Human Rights Institutions (APF) (Bangkok, Thailand).
- 09/28~10/02 Did site-visits of the supervisory and human rights agencies of South Korea.
- 10/26~10/28 Attend the 32nd Annual Conference of the United States Ombudsmen Association (Jacksonville, Florida, USA).
- 11/23~11/25 Attended the 16th Annual Ibero-American Federation of Ombudsmen Conference (Buenos Aires, Argentina).

2012

- 05/07~05/09 Conducted exchanges and symposiums between the Control Yuan and staff from foreign supervisory and human rights institutions (in English).
- 08/11~08/13 Conducted exchanges and symposiums between the Control Yuan and staff from foreign supervisory and human rights institutions (in Spanish).
- 10/24~10/27 Attended the 17th Annual Ibero-American Federation of Ombudsmen Conference (San Jose, Costa Rica).
- 11/12~11/16 Attended the 10th International Ombudsman Institute World Conference (Wellington, New Zealand).
- 11/26~11/30 Sent a delegation to visit agencies such as the Ombudsman Republik Indonesia and the Malaysian National Human Rights Commission.

2013

- 04/03~04/06 Assigned personnel to participate in the workshops of the International Ombudsman Institute (Bangkok, Thailand).
- 06/24~06/26 Conducted exchanges and symposiums between the Control Yuan and staff from foreign supervisory and human rights institutions (in English).
- 07/22~07/24 Conducted exchanges and symposiums between the Control Yuan and staff from foreign supervisory and human rights institutions (in Spanish).
- 09/30~10/01 Attended the 18th Annual Meeting and Biennial Conference of the Asia Pacific Forum of National Human Rights Institutions (APF) (Doha, Qatar).
- 11/04~11/07 Attended the 18th Annual Ibero-American Federation of Ombudsmen Conference (San Juan, Puerto Rico).

2014

- 06/16~06/17 Assigned personnel to participate in the International Ombudsman Institute's working conference on long-term strategies for communication and publishing (Vienna, Austria).
- 04/02~04/03 Attended the 28th Annual Conference of the Australasian and Pacific Ombudsman Region (Adelaide, Australia).
- 10/01~10/04 Attended the 19th Annual Ibero-American Federation of Ombudsmen Conference (Mexico City, Mexico).
- 11/24~11/28 Control Yuan Vice President Paelabang Danapan led a delegation to visit the National Human Rights Commission of Mongolia.
- 12/06~12/12 Visited Australia for exchange and interview on supervision.

2015

- 01/31~02/06 Visited Austria and Thailand for exchange and interview on supervision.
- 08/25~08/30 Attended the 20th Annual Meeting and Biennial Conference of the Asia Pacific Forum of National Human Rights Institutions (APF) (Ulaanbaatar, Mongolia).
- 11/09~11/11 Attended the 20th Annual Ibero-American Federation of Ombudsmen Conference (Montevideo, Uruguay).

2016

- 05/03~05/06 Attended the membership conference of the International Ombudsman Institute Australasian and Pacific Ombudsman Region and the Australian and New Zealand Ombudsman Association conference (Melbourne, Australia).
- 09/20~09/25 Visited international humanitarian organizations in Vatican City and Italy.

- 11/14~11/18 Attended the 11th International Ombudsman Institute World Conference (Bangkok, Thailand).
- 11/22~11/24 Attended the 21st Annual Ibero-American Federation of Ombudsmen Conference (Canary Islands, Spain).
- 11/28~12/02 Control Yuan President Chang Po-ya led a delegation to visit the National Human Rights Commission and the Ombudsman of the Republic of Indonesia to exchange opinions on the development of human rights protection in the Asia-Pacific region.

2017

- 04/02~04/07 Attended the 40th Anniversary Celebration and Forum of the Commonwealth Ombudsman (Canberra, Australia).
- 11/25~12/02 Attended the 29th Annual Conference of the Australasian and Pacific Ombudsman Region (Perth, Australia).
- 11/28~12/02 Attended the 22nd Annual Meeting and Biennial Conference of the Asia Pacific Forum of National Human Rights Institutions (APF) (Bangkok, Thailand).

2018

- 06/23~06/29 Visited the headquarters of the International Ombudsman Institute and the Office of the Ombudsman in Ireland.
- 11/15~11/23 Attended the 23rd Annual Ibero-American Federation of Ombudsmen Conference (Andorra la Vella, Andorra).
- 11/24~12/01 Attended the 30th Annual Conference of the Australasian and Pacific Ombudsman Region (Auckland, New Zealand).

2019

- 09/04~09/07 Attended the 2019 Biennial International Symposium of the Asia Pacific Forum of National Human Rights Institutions (APF) (Seoul, South Korea).
- 09/25~09/27 Hosted the 31st Annual Conference of the Australasian and Pacific Ombudsman Region and international conference on human rights work (Taipei, Republic of China).
- 11/23~12/05 Attended the 24th Annual Ibero-American Federation of Ombudsmen Conference (Rio de Janeiro, Brazil).

2020

- 11/04~11/05 Attended the 32nd Annual Conference of the Australasian and Pacific Ombudsman Region (video conference).
- 11/11 The National Human Rights Commission convened an online video conferencing with "The Asia Pacific Forum of National Human Rights Institutions (APF)."

2021

- 02/26 Control Yuan President Chen Chu conducted a video conferencing with Peter Boshier, Regional President of the Australasia and Pacific Region of the IOI and Chief Ombudsman of New Zealand.
- 04/20 The National Human Rights Commission convened a video conferencing with the British Equality and Human Rights Commission for the first time.
- 04/30 Attended the 33rd Annual Conference of the Australasian and Pacific Ombudsman Region (video conference).
- 05/25 Attended the 12th International Ombudsman Institute World Conference via videoconferencing.
- 06/23 Conducted the 2021 Forum on International Practice of OPCAT-NPM & Human Rights of Fishermen via streaming video.
- 11/23~11/24 Held the "2021 International Conference on Human Rights Development."

III. Visits by Foreign Dignitaries

1994

- 04/ Secretary General Harley Johnson and Chief Financial Officer Timothy Christian of the International Ombudsman Institute were invited to visit Taiwan.

1999

- 05/08~05/14 Marten Oosting, President of the International Ombudsman Institute and also National Ombudsman of the Netherlands, was invited to visit Taiwan.
- 06/14~06/18 Jorge Maiorano, President of the International Ombudsman Institute and Defensor del Pueblo of Argentina, was invited visit to Taiwan.

2000

- 07/07~07/14 Brian Elwood, President of the International Ombudsman Institute and also Chief Ombudsman of New Zealand, was invited to visit Taiwan.
- 08/06~08/11 Selby Baqwa, Public Protector of South Africa, was invited to visit Taiwan.

2001

- 01/07~01/10 Claes Eks10/08~10/12 Fred Albietz, Queensland Ombudsman (Australia) was invited to visit Taiwan.
- 11/01~11/04 Ron McLeod, Vice Chair of the Australasian and Pacific Ombudsman Region and also Commonwealth Ombudsman, was invited to visit Taiwan.

11/03~11/08 Daniel Jacoby, Secretary General of the International Ombudsman Institute and also Ombudsman of Quebec, Canada, was invited to visit Taiwan.

2002

03/11~03/12 A delegation from the Japan's National Federation of Administrative Counsellors' Associations visited the Control Yuan.

09/09~09/13 Clare Lewis, the Secretary General of the International Ombudsman Institute and also ombudsman of Ontario, Canada, was invited to visit Taiwan.

12/01~12/08 Peter Kostelka, Ombudsman of the Austrian Ombudsman Board, was invited to visit Taiwan.

2003

10/07~10/12 Juan Tejada, Defensor del Pueblo of Panama, was invited to visit Taiwan.

12/08~12/11 Chief Ombudsman Ila Geno and judicial official Nemo Yalo of Papua New Guinea were invited to visit Taiwan.

2004

09/19~09/24 Claudio Mueckay, Defensor del Pueblo of Ecuador, was invited to visit Taiwan.

2005

10/12 Ombudsman Antonius Sujata, Deputy Ombudsman RM Surachman, and Assistant Ombudsman Budhi Masthuri of Indonesia visited the Control Yuan.

2007

05/21~05/26 Manuel Paez, Defensor del Pueblo of Paraguay, was invited to visit Taiwan.

6/25 A delegation from the Macao 21st Century Legal Studies Association visited the Control Yuan.

11/05 Attila Peterfalvi, Ombudsman for Data Protection and Information Freedom in Hungary, visited the Control Yuan.

12/04 Marianne von der Esch, Head of International Division of the Swedish Parliamentary Ombudsmen, visited the Control Yuan.

2008

06/06 Niti Wirudchawang, Director of the First Bureau of the Investigation Office of the Ombudsman in Thailand, visited the Control Yuan.

08/19 Hernán Contreras, President of El Salvador's Court of Auditors, visited the Control Yuan.

10/28 Goran Lambertz, the Chancellor of Justice in Sweden, visited the Control Yuan.

12/08~12/12 William P. Angrick II, President of the International Ombudsman Institute and also Ombudsman of Iowa, United States, was invited to visit Taiwan.

2009

- 02/09~02/13 Mats Melin, the Chief Parliamentary Ombudsman of Sweden, was invited visit to Taiwan.
- 05/13 Representatives from 14 countries in the "Second East Asian Human Rights Forum" international conference visited the Control Yuan.
- 09/14 Professor Jerome Cohen from the US New York University School of Law visited the Control Yuan.
- 10/07 Guatemala Vice President Rafael Espada visited the Control Yuan.
- 10/14 Members of the National Development Senior Leadership Course from the Ministry of Defense's National Defense University visited the Control Yuan.

2010

- 05/27 Members of the National Development Refresher Course from the Ministry of Defense's National Defense University visited the Control Yuan.
- 09/14 Former judge H.E. Judge Stefan Trechsel at the International Criminal Court for the former Yugoslavia visited the Control Yuan and delivered a lecture on "The Application of International Human Rights Law."
- 10/08 Members of the National Development Senior International Leadership Course from the Ministry of Defense's National Defense University visited the Control Yuan.
- 11/08 Chief Auditor Carlos Polit and Deputy Auditor General Pablo Celi de la Torre of Ecuador visited the Control Yuan.
- 11/17 Sergio Morales, Attorney General for Human Rights in Guatemala, visited the Control Yuan.
- 12/02 Canadian human rights experts Professor William W. Black and Ms. Magda J. Seydegart visited the Control Yuan and participated in a forum.
- 12/07 Representatives Patricia Bullrich and Mario Fiad of the Committee on Foreign Affairs of Argentina's Chamber of Deputies visited the Control Yuan.
- 12/23 Commissioner Timothy Tong Hin-ming of Hong Kong's Independent Commission Against Corruption visited the Control Yuan.

2011

- 03/15 Professor Kimiyoshi Toyama, Director of the Japan Institute of Ombudsman Research, visited the Control Yuan.
- 05/23 Ginoconda Torrez, Comptroller General of Panama, visited the Control Yuan.
- 05/24 Members of the National Development Refresher Course from the Ministry of Defense's National Defense University visited the Control Yuan.
- 09/20 The 2nd International Auditors Workshop Delegation visited the Control Yuan.

- 10/12 Members of the Senior International Leadership Course from the Ministry of Defense's National Defense University visited the Control Yuan.
- 11/15 Jorge Bogran, President of the Honduras Superior Court of Audit, and Judge Deysi Oseguera visited the Control Yuan.
- 12/12 Senior researchers from the US Council on Foreign Relations and Professor Jerome Cohen from New York University School of Law visited the Control Yuan.

2012

- 04/20 Lee Wan Soo, Ombudsman of South Chungcheong Province, South Korea, visited the Control Yuan.
- 05/14 Dato Abu Kassim Mohamed, Chief Commissioner of the Malaysian Anti-Corruption Commission led a delegation on a visit to the Control Yuan.
- 05/29 Members of the National Development Refresher Course from the Ministry of Defense's National Defense University visited the Control Yuan.
- 06/06 Benjamin Zymer, Minister of Brazil's Federal Court of Accounts, visited the Control Yuan.
- 06/13 A delegation from the Korean Anti-Corruption and Civil Rights Commission visited the Control Yuan.
- 10/07~10/11 A delegation led by Patria Portugal, Panama's Defensor del Pueblo, was invited to visit Taiwan.
- 10/17 Members of the Senior International Leadership Course from the Ministry of Defense's National Defense University visited the Control Yuan.
- 10/30 Judges, prosecutors, and lawyers from the Supreme Court of Justice, Prosecutor General's Office, Province High Court, Province Courts, and District Court of Austria visited the Control Yuan.
- 11/30 French judge Emmanuelle Wachenheim visited the Control Yuan.
- 12/10 Marcos Sanchez, President of the Court of Audit of El Salvador, visited the Control Yuan.

2013

- 01/09 Nigerian Senator Umaru Dahiru led a delegation on a visit to the Control Yuan.
- 03/12 Mate Szabo, the Ombudsman for Fundamental Rights in Hungary, visited the Control Yuan. Hiromichi Fujita, former head of the Japanese Association of Law and Political Science, visited the Control Yuan.
- 04/06~04/11 Omar Cabezas, Nicaraguan Human Rights Ombudsman, was invited to visit Taiwan.
- 05/02 The 3rd International Auditors Workshop Delegation visited the Control Yuan.
- 05/13 Members of the National Development Refresher Course from the Ministry of Defense's National Defense University visited the Control Yuan.

09/09 Miguel Mejia, President of the Honduras Superior Court of Accounts, visited the Control Yuan.

09/17 Colin Neave, Commonwealth Ombudsman, visited the Control Yuan.

2014

08/26 Roberto Molina, President of the Constitutional Court of Guatemala, and his wife visited the Control Yuan.

10/13 Members of the Senior International Leadership Course from the Ministry of Defense's National Defense University visited the Control Yuan.

10/14 Chair Eduardo Sadous of the Asian Affairs Committee of the Argentine Council of International Relations (CARI) and Counsellor Member Carola Ramon-Berjo of CARI visited the Control Yuan.

2015

01/12 Chong-min Park, President of the College of Public Policy of Korea University led a delegate of scholars on a visit to the Control Yuan.

04/02 Günther Kräuter, Secretary General of the International Ombudsman Institute and also Ombudsman of Austria, was invited to visit Taiwan.

04/22 Michael George Peyrefitte, the Speaker of the Belize House of Representatives, visited the Control Yuan.

04/30 The 2015 International Auditors Workshop Delegation of the National Audit Office visited the Control Yuan.

05/07 Members of the National Development Refresher Course from the Ministry of Defense's National Defense University visited the Control Yuan.

05/12 Madam Oyunchimeg Purev, Member of the National Human Rights Commission of Mongolia, visited the Control Yuan to sign a memorandum of human rights cooperation and delivered a speech.

05/18 Lorena Cùellar Cisneros, Senator of the Mexican Congress of the Union, visited the Control Yuan.

06/09 Mate Szabo, former Commissioner in Hungary, visited the Control Yuan and delivered a speech on human rights issues.

06/29~07/03 Mirtha Guianze, Public Defender of the National Human Rights Institution and also Ombudsman of Uruguay, was invited to visit Taiwan.

07/14 Luis Sanchez Jimenez, Vice Speaker of the Mexican Senate, visited the Control Yuan.

07/16 Jean-Claude Piris, Member of the EU Council Audit Committee, visited the Control Yuan.

- 10/01 Elisa Carriô, Representative in the Chamber of Deputies of the Nation of Argentina, visited the Control Yuan.
- 10/07 Josué Felipe Baquix, Chief Justice of Guatemala's Supreme Court, and his wife visited the Control Yuan.
- 10/14 Members of the Senior International Leadership Course from the Ministry of Defense's National Defense University visited the Control Yuan.
- 10/27~10/30 Diane Welborn, the First Vice President of the International Ombudsman Institute and also Ombudsman of Ohio State, USA, and her husband were invited to visit Taiwan.
- 12/18 Edmundo Javier Bolaños Aguilar, Vice Speaker of the Mexican Congress of the Union and his wife visited the Control Yuan.

2016

- 03/06~03/10 Alima D. Traore, Mediator of Burkina Faso Institution of the Mediator, was invited to visit Taiwan.
- 03/21 Pablo del Rosario, Vice President of the Dominican Court of Auditors, visited the Control Yuan.
- 03/22~03/24 Siracha Vongsarayankura, Chief Ombudsman of the Thai Ombudsman Office, was invited to visit Taiwan.
- 04/18 Luis Angel Montenegro, Auditor-General of Nicaragua and his wife visited the Control Yuan.
- 04/25 Rigoberto Chang Castillo, Political Advisor to the Presidential Palace and Coordinator for the National Council for Social Dialogue of Honduras and his wife visited the Control Yuan.
- 05/15~05/20 John Walters, President of the International Ombudsman Institute and also the Ombudsman of Namibia, and his wife were invited to visit Taiwan.
- 08/09 Carlos Polit, Chief Auditor of the General Audit Office of the Republic of Ecuador, and his wife visited the Control Yuan.
- 08/23 Hannelore Dietzschold of the Christian Democratic Union of Germany and eleven members of the German Bundestag visited the Control Yuan.
- 10/11 Members of the Senior International Leadership Course from the Ministry of Defense's National Defense University visited the Control Yuan.
- 11/10 José Antonio de Monte Cristo, President of the Audit Court of the Democratic Republic of Sao Tome and Principe, visited the Control Yuan.
- 12/05 Professor Kimiyoshi Toyama from Japan's Rikkyo University visited the Control Yuan.
- 12/14 Yang Chang-soo, representative of the Korean Mission in Taipei, visited the Control Yuan.

2017

- 01/11 Byambadorj Jamsran, Chair of the National Human Rights Commission of Mongolia, visited the Control Yuan.
- 01/24 Dr. Sima Samar, Chair of the Afghanistan Independent Human Rights Commission, visited the Control Yuan and discussed the establishment of the National Human Rights Commission.
- 03/07 Kim Sung-joon, Director of the Department of Research of the South Korea Research Ombudsman Institute, visited the Control Yuan.
- 03/24 Imdadun Rahmat, Chair of the Indonesian National Commission on Human Rights, visited the Control Yuan.
- 04/11 Iris Miriam Ruiz Class, Chair of the Ibero-American Federation of Ombudsmen and also Ombudsman of Puerto Rico was invited to visit Taiwan.
- 04/12 Kim Yong-hee, Secretary General of the Association of World Election Bodies, visited the Control Yuan.
- 04/25 The 2017 International Auditors Workshop Delegation visited the Control Yuan.
- 05/03 Members of the National Development Refresher Course from the Ministry of Defense's National Defense University visited the Control Yuan.
- 06/06 Madeleine Majorenko, Director of the European Economic and Trade Office visited the Control Yuan.
- 07/06 Professor Seirei Satani from Japan and the Lions Club visited the Control Yuan.
- 07/26 José Enrique Garcia, Auditor General of Paraguay, visited the Control Yuan. Madam Rosslyn Noonan, former Commissioner of New Zealand Human Rights Commission, led a delegation representing the Asia Pacific Forum of National Human Rights Institutions (APF) on a visit to the Control Yuan to assess the feasibility of the Control Yuan establishing a National Human Rights Commission.
- 08/28 José Juan Pineda Varela, President of the Honduras Superior Court of Accounts, and his wife visited the Control Yuan.
- Glenn Rees, Chair of the Alzheimer's Disease International (ADI), visited the Control Yuan.
- 09/28 Kate Swaffer, Chair of the Dementia Alliance International (DAI), and her husband visited the Control Yuan.
- 10/11 Andy Daniel, Speaker of the Parliament and Leonne Theodore-John, Speaker of the House of Assembly of Saint Lucia visited the Control Yuan.
- 10/16 Jantsan Navaanpe-renlei, Vice Chairman of Mongolian Constitutional Court together with his wife, and Chief Justice Lkhagvaa Togooch visited the Control Yuan.

- 10/24 Annette Kennedy, President of the International Council of Nurses, visited the Control Yuan.
- 10/30 Representative Luis Fernando Torres, Third Secretary of the National Assembly of Ecuador, visited the Control Yuan.
- 12/07 Lundendorj Nanzad-dorj, President of the Judicial General Council of Mongolia together with his wife, and Sainkhishig Jambaldorj of the Judicial Management Office of the Council, visited the Control Yuan.

2018

- 02/09 A delegation of apostolic nuncios from Latin American missions visited the Control Yuan.
- 03/30 Minister Nam In-soon of the Gender Equality and Family Committee of the National Assembly of the Republic of Korea, and members of the National Assembly In Jae-keun, Kwon Mi-hyuk and Jung Choun-sook visited the Control Yuan.
- 04/23 Carlos Enrique Mencos Morales, Comptroller General of the General Audit Office of Guatemala, visited the Control Yuan.
- 05/08 Members of the National Development Refresher Course from the Ministry of Defense's National Defense University visited the Control Yuan.
- 05/11 Senior government officials and scholars from US health and welfare agencies visited the Control Yuan.
- 06/08 Deborah Glass, Ombudsman of Victoria, Australia, visited the Control Yuan.
- 08/13~08/17 Chris Field (Second Vice President of the International Ombudsman Institute and Ombudsman of Western Australia) and Peter Boshier (Regional President of the Australasian and Pacific Ombudsman Region and Chief Ombudsman of New Zealand) were invited to visit Taiwan.
- 09/27 Members of the Senior International Leadership Course from the Ministry of Defense's National Defense University visited the Control Yuan.
- 10/09 Carlos Hernan Rodríguez Becerra, Defensor del Pueblo of Colombia, and his wife visited the Control Yuan.
- 10/23 Ricardo Rodríguez, President of the Honduras Superior Court of Accounts, and his wife visited the Control Yuan.
- 10/24 Legislators from the National Assembly of Ecuador visited the Control Yuan.
- 10/29~11/02 Lionel Arzu, Ombudsman of Belize, was invited to visit Taiwan.
- 11/14 Enkhbayar Nambaryn, former President of Mongolia, visited the Control Yuan.
- 11/21 Laura Villalba, a Paraguayan election affairs expert in the United States, visited the Control Yuan.

2019

- 03/12 Representatives from various countries in the "2019 International Auditors Workshop Delegation" visited the Control Yuan.
- 04/15 Roy Pineda Castro, President of the Honduras Superior Court of Auditors, and his wife visited the Control Yuan.
- 04/17 Graciela Camaño, member of the Argentinian Parliament, visited the Control Yuan.
- 04/26 Madeleine Majoren, Head of the European Economic and Trade Office, met Control Yuan President Chang Po-ya to discuss the establishment of the National Human Rights Commission.
- 05/28 Members of the National Development Refresher Course from the Ministry of Defense's National Defense University visited the Control Yuan.
- 06/14 Judith Monroe, President of the US Centers for Disease Control and Prevention Foundation, visited the Control Yuan.
- 06/26 Kang Young-hoon, representative of the Korean Mission in Taipei, visited the Control Yuan.
- 08/19 Carmen Elena Rivas Landaverde, President of the Court of Audit of El Salvador, visited the Control Yuan.
- 08/21 Cesar Fausto Solorzano Sarria, First Vice President of Congress of Ecuador, visited the Control Yuan.
- 09/25~09/27 Werner Amon, Secretary General of the International Ombudsman Institute and Ombudsman of Austria, was invited to visit Taiwan.
Carmen Comas-Mata Mira, Secretary General of the Ibero-American Federation of Ombudsmen, was invited to visit Taiwan.
Elisabeth Rynning, Chief Parliamentary Ombudsman of Sweden, was invited to visit Taiwan.
Deborah Glass, Ombudsman of Victoria, Australia, was invited to visit Taiwan and delivered a speech.
- 10/07 Tatang Budie Utama Razak, Executive Secretary of the Indonesian Manpower Placement and Protection Agency, visited the Control Yuan.
- 10/08 Members of the Senior International Leadership Course from the Ministry of Defense's National Defense University visited the Control Yuan.
- 11/14 A delegation from Korea's Health Insurance Review & Assessment Service visited the Control Yuan.

2020

- 02/10 Rosslyn Noonan (former Commissioner of the New Zealand Human Rights Commission) and Phillip Wardle (legal expert from the Asia Pacific Forum (APF)) visited the Control Yuan for a discussion.
- 02/20 Msgr. Arnaldo Catalan, Chargé d'affaires of the Apostolic Nunciature to China, visited the Control Yuan.
- 07/30 Willy Alberto Gomez Tirado, Ambassador of Guatemala to Taiwan, visited the Control Yuan.
- 10/05 Catherine Nettleton, Representative of the British Office Taipei, visited the Control Yuan.
- 12/21 Jean-François Casabonne-Masonnave, Director of the French Office in Taipei, visited the Control Yuan.

2021

- 01/13 Brent Christensen, Director of the American Institute in Taiwan, visited the Control Yuan.
- 03/05 Jordan Reeves, Executive Director of the Canadian Trade Office in Taipei, visited the Control Yuan.
- 04/13 Jenny Bloomfield, new Representative of the Australian Office in Taipei, visited the Control Yuan.
- 04/20 John Dennis, Representative of the British Office Taipei, visited the Control Yuan.
- 07/28 Teddy Surachmat, Deputy Representative of the Indonesian Economic and Trade Office to Taipei, visited the Control Yuan.
- 11/03 Sandra Oudkirk, AIT Taipei Office Director, visited the Control Yuan.
- 11/15 John Dennis, British Office Representative, visited the Control Yuan.
- 12/28 Jean-François Casabonne-Masonnave, French Office in Taipei Director, visited the Control Yuan.

Appendix 2

Control Yuan Members and Secretaries-General in Different Terms (listed by Chinese name stroke order)

Presidents and Vice Presidents of the First Term Control Yuan

Title	Name	Term	Note
President	Yu You-ren	From June 9, 1948 to November 10, 1964	
President	Li Ssu-tsung	From August 17, 1965 to May 14, 1972	
President	Yu Chun-hsien	From March 19, 1973 to March 15, 1987	
President	Huang Tsun-chiu	From March 16, 1987 to January 31, 1993	
Vice President	Liu Zhe	From June 12, 1948 to January 6, 1954	
Vice President	Liang Shang-tung	From August 18, 1954 to July 11, 1957	
Vice President	Li Ssu-tsung	From April 12, 1958 to August 16, 1965	Acting President from November 11, 1964 to August 16, 1965
Vice President	Chang Wei-han	From November 2, 1965 to March 18, 1973	Acting President from May 15, 1972 to March 18, 1973
Vice President	Chou Pai-lien	From March 19, 1973 to March 23, 1981	
Vice President	Huang Tsun-chiu	From March 24, 1981 to March 11, 1987	
Vice President	Ma Kung-chun	From March 12, 1987 to December 29, 1991	
Vice President	Lin Rong-san	From February 20, 1992 to January 31, 1993	

First Term Control Yuan Members

Control Yuan Members who retreated to Taiwan (104 people)				
According to the Interpretation No. 261 of the Judicial Yuan, the term of office for first session Central Representatives before regular re-elections were held ended on December 31, 1991.				
Member Ting Chun-sheng	Member Ting Wei-fen	Member Ting Shu-jung	Member Yu You-ren	Member Yu Te-chun
Member Yu Chen-chou	Member Mao I-heng	Member Wang-hsuan	Member Wang Wen-kuang	Member Wang Chu-chi
Member Wang Chen-hua	Member Wang Kuan-wu	Member Wang Shu-lin	Member Wang Tsan-pin	Member Chiu Nien-tai
Member Tien Yu-pu	Member Chu Tsung-liang	Member He Chi-chou	Member Yu Chun-hsien	Member Wu Ta-yu
Member Sung Ying	Member Li Tuan	Member Li Pu-wei	Member Li Cheng-le	Member Li Chi-tsai
Member Li Ssu-tsung	Member Li Meng-piao	Member Ku Feng-hsian	Member Chu Cheng	Member Chi Ta-peng
Member Chin Yueh-kuang	Member Chin Wei-hsi	Member Hou Tien-min	Member Hou Chun	Member Tuan Ke-chang
Member Hu Fu-hsien	Member Sun Yu-lin	Member Sun Shih-an	Member Chai Feng	Member Yuan Ching-hui
Member Hao Yu-lin	Member Ma Kung-chun	Member Ma Ching-jui	Member Kao Teng-ting	Member Tsui Shu-yen
Member Tsui Chen-hua	Member Kang Yu-shu	Member Chang I-chung	Member Chang Chih-kuang	Member Chang Ting-hua
Member Chang Hsiu-lan	Member Chang Ping-chih	Member Chang Chien-chung	Member Chang Kuo-chu	Member Chang Wei-chen
Member Chang Wei-han	Member Chang Ai-chen	Member Tsao Cheng-te	Member Tsao Hao-sen	Member Tsao Chi-wen
Member Tsao Te-hsuan	Member Liang Shang-tung	Member Mei Kung-jen	Member Pi Tung-yuan	Member Tao Pai-chuan
Member Kuo Yu-kai	Member Kuo Hsueh-li	Member Chen Ta-jung	Member Chen Chiang-shan	Member Chen Chi-ming
Member Chen En-yuan	Member Chen Fang-hsien	Member Chen Lan-feng	Member Chen Kuei-hsien	Member Chen Ta-yuan
Member Chen Chao-ying	Member Chen Ching-hua	Member Chen Han-chen	Member Fu Yao-chin	Member Huang Yuan-hsuan
Member Huang Pao-shih	Member Huang Chueh	Member Yang Tsung-pei	Member Yang I-ta	Member Yang Chun-hsien
Member Yeh Shi-hsiu	Member Tsou Lu	Member Hsiung Tsai-wei	Member Chao Kuang-chen	Member Chao Shou-yu
Member Chao Chi-hsun	Member Liu Chu-chuan	Member Liu Yung-chi	Member Liu Hsing-chih	Member Liu Yen-tao
Member Liu Zhe	Member Liu Yao-hsi	Member Mo Erh-ken	Member Tsai Hsiao-i	Member Teng Hui-fang
Member Hsiao I-shan	Member Heng Chuan	Member Chien Yung-ho	Member Feng Ching-fu	

First Term Control Yuan Members

By-election

(In accordance with the Measures for Additional and Supplemental Selection of Central Government Civil Servants in Free Areas during the Period of Mobilization, 2 additional members were elected in Taipei City in December 1969).
According to Judicial Interpretation No. 261, the term of office for first session Central Representatives before re-election was regularly held ended on December 31, 1991.

Member
Chou Pai-lien

Member
Tsai Chang-lin

First election to increase the number of members

(In accordance with the Measures for Increased Quota of the Central Government's Elected Representatives in Free Areas during the Period of Mobilization, 15 additional members were elected in February 1973).
Term of office: March 1, 1973 to January 31, 1981.

Member
Li Tsun-ching

Member
Li Heng-lien

Member
Shen Jung

Member
Shen Tsung-lin

Member
Chou Tsai-yuan

Member
Lin Liang-yun

Member
Lin Tsai Su-nu

Member
Chen Tso-mu

Member
Chen Lieh-fu

Member
Chuang Chun-ti

Member
Huang Kuang-ping

Member
Huang Tsun-chiu

Member
Huang Yao-chin

Member
Yang Yu-tzu

Member
Chen Yung-fu

Second election to increase the number of members

(In accordance with the Measures for Central Government Elected Representative Quotas in Free Areas during the Period of Mobilization, 32 additional members were elected in December 1980).
Term of office: February 1, 1981 to January 31, 1987.

Member
Yu Ching

Member
Wang Chueh-jung

Member
Chu An-hsiung

Member
Li Tsun-ching

Member
Li Ping-sheng

Member
Li Hai-tien

Member
Chou Che-yu

Member
Lin Meng-kuei

Member
Lin Liang-yun

Member
Lin Chun-tzu

Member
Lin Rong-san

Member
Shih Chung-hsiang

Member
Hung Chun-te

Member
Ma Ching-wu

Member
Chang Ta-yung

Member
Chang Wen-hsien

Member
Chang Tun-hua

Member
Liang Jui-ying

Member
Mei Pei-te

Member
Hsu Wen-cheng

Member
Hsu Ping-nan

Member
Kuo Wu He-chiao

Member
Chen Shi-ying

Member
Chen Hua-chuan

Member
Chen Jui-ching

Member
Fu Wang Shun-hsueh

Member
Tseng Chi

Member
Huang Kuang-ping

Member
Huang Tsun-chiu

Member
Chao Chun-hsiao

Member
Hsieh Kun-shan

Member
Yen No

First Term Control Yuan Members

Third election to increase the number of members				
(In accordance with the Measures for Central Government Elected Representative Quotas in Free Areas during the Period of Mobilization, 32 additional members were elected in January 1987). Term of office: February 1, 1987 to January 31, 1993.				
Member Wang Yu-chen	Member Wang Jui-wu	Member Chu An-hsiung	Member Li Shao-kuang	Member Li Shih-I
Member Tu Chun-sun	Member Ku Chia-hua	Member Lin Yu-kun	Member Li Meng-kuei	Member Lin Chun-tzu
Member Lin Rong-san	Member Shih Chung-hsiang	Member Ke Ming-mou	Member Hung Chun-te	Member Chang Wen-hsien
Member Liang Ping-shu	Member Liang Hsien-Chi	Member Mei Pei-te	Member Hsu Ping-nan	Member Chen Wen-sheng
Member Chen Heng-sheng	Member Chen Che-fang	Member Chen Hsi-chang	Member Huang Kuang-ping	Member Huang Tsun-chiu
Member Yuan Kuang-yang	Member Chao Chun-hsiao	Member Hsieh Kun-shan	Member Hsieh Hsu-ying	Member Chung Jung-chi
Member Lo Wen-fu	Member Ku Kung-kai			

Second Term Control Yuan Members

Term of office: February 1, 1993 to January 31, 1999.				
President Chen Lu-an Resigned on September 23, 1995	President Wang Tso-yung Took office on September 1, 1996	Vice President Cheng Shuei-chih Acting President from September 23, 1995 to August 31, 1996	Member Chiang Peng-chien Took office on September 1, 1996	Member Wu Shui-yun
Member Li Shen-i	Member Lin Meng-kuei	Member Lin Chiou-shan	Member Ke Ming-mou	Member Hu Kai-cheng
Member Yin Chang-fu	Member Kang Ning-hsiang	Member Chang Te-ming	Member Liang Shang-yung	Member Hsu Hsin-chih
Member Chen Kuang-yu	Member Chen Meng-ling	Member Chen Chin-li	Member Fu Mei-hua Took office on May 1, 1993	Member Huang Yueh-chin Took office on May 1, 1993
Member Huang Chao-heng	Member Huang Chen-yueh	Member Yeh Yao-peng Took office on September 1, 1996	Member Chai Tsung-chuan	Member Chao Chang-ping
Member Chao Jung-yao	Member Hsieh Meng-hsiung	Member Hsieh Kun-shan	Member Lo Wen-fu	Member Tsai Ching-chu Took office on May 1, 1993. Relieved of duty on July 7, 1997
Member Wang Ching-feng Took office on May 1, 1993; resigned on October 23, 1995	Member Chen Chin-te Resigned on May 19, 1995			

Third Term Control Yuan Members

Term of office: February 1, 1999 to January 31, 2005.				
President Fredrick Chien	Vice President Chen Meng-ling	Member Yin Shi-hao	Member Chiang Peng-chien	Member Lu Hsi-mu
Member Li Yu-Chi	Member Li Shen-i	Member Lin Chiou-shan	Member Lin Shi-chih	Member Lin Chiang-tsai
Member Lin Chu-lang	Member Ke Ming-mou	Member Ma I-kung	Member Kang Ning-hsiang Resigned on June 1, 2001	Member Chang Fu-mei Resigned on May 20, 2000
Member Chang Te-ming	Member Kuo Shi-chi	Member Chen Chin-li	Member Huang Shou-kao	Member Huang Wu-tzu
Member Huang Chin-chen	Member Huang Huang-hsiung	Member Chan I-chang	Member Liao Chien-nan	Member Chao Chang-ping
Member Chao Jung-yao	Member Ku Teng-mei	Member Hsieh Ching-huei		

From February 1, 2005 to July 31, 2008, the fourth term
Control Yuan members had not yet taken office.

Fourth Term Control Yuan Members

Term of office: August 1, 2008 to July 31, 2014.				
President Wang Chien-hsuan	Vice President Chen Chien-li Took office on December 1, 2008	Member Teresa Yin Took office on December 3, 2008	Member Shen Mei-chen	Member Li Ping-nan
Member Li Ful-dien	Member Tu Shan-liang	Member Wu Feng-shan	Member Yu Teng-fang	Member Lin Chu-lang
Member Chou Yang-shan	Member Hung Chao-nan	Member Hung Te-hsuan	Member Ma I-kung	Member Sheree Ma
Member Gao Fehng-shian	Member Chen Yung-hsiang Took office on December 1, 2008	Member Chen Chien-min	Member Cheng Jen-hung	Member Huang Wu-tzu
Member Huang Huang-hsiung	Member Ger Yung-kuang	Member Yang Mei-ling	Member Yeh Yao-peng Took office on December 1, 2008	Member Chao Chang-ping
Member Chao Jung-yao	Member Liu Yu-shan	Member Liu Hsing-shan	Member Chien Lin Hui-chun	

Fifth Term Control Yuan Members

Term of office: August 1, 2014 to July 31, 2020.				
President Chang Po-ya	Vice President Paelabang Danapan	Member Teresa Yin	Member Fang Wan-fu	Member Wang Yu-ling Took office on January 22, 2018.
Member Wang Mei-yu	Member Chang Kuei-mei	Member Bau Tzong-ho	Member Liu Tien Chiu-chin Took office on January 24, 2018.	Member Walis Pering Took office on January 24, 2018.
Member Chiang Ming-tsang	Member Jane Y. W. Chiang	Member Lee Yueh-te	Member Lin Sheng-feng Took office on January 24, 2018.	Member Lin Ya-feng
Member Kao Yung-cheng Took office on January 22, 2018.	Member Gao Fehng-shian	Member Chen Hsiao-hung	Member Chen Shih-meng Took office on January 29, 2018. Resigned on February 1, 2020.	Member Chen Ching-tsai
Member Chang Jen-hsiang	Member Chang Wu-shou Took office on January 22, 2018.	Member Yang Fang-ling Took office on January 22, 2018.	Member Yang Fang-wan Took office on January 29, 2018.	Member Yang Mei-ling
Member Chao Yung-ching Took office on January 22, 2018.	Member Liu Te-hsun	Member Tsai Pei-tsun	Member Tsai Chung-yi Took office on January 22, 2018.	

Sixth Term Control Yuan Members

Term of office: August 1, 2020 to July 31, 2026.				
President and Chair of the National Human Rights Commission Chen Chu	Vice president Lee Hung-chun Took office on May 30, 2022.	Member Wang Yu-ling	Member Wang Mei-yu	Member Wang Jung-chang
Member Wang Li-jen	Member Liu Tien Chiu-chin	Member Lin Wen-cheng	Member Lin Yu-jung	Member Lin Kuo-ming
Member Lin Sheng-fong	Member Chi Hui-jung	Member Fan Sun-lu	Member Shih Chin-fang	Member Kao Yung-cheng
Member Pu Chung-cheng	Member Chen Chin-jun	Member Kuo Wen-dong	Member Chang Chu-fang	Member Yeh Ta-hua
Member Yeh Yi-jin	Member Jao Yung-ching	Member Tsai Chung-yi	Member Lai Chen-chang	Member Lai Ting-ming
Member Hsiao Tzu-yu	Member Upay Radiw Kanasaw	Member Su Li-chiung		

Secretaries-General of the Control Yuan

Term	Name	Term in Office
First Term	Yang Pu-sheng	From February 1931 to August 1932
First Term	Wang Lu-i	From August 1932 to October 1937
First Term	Wu Han-tao	From April 1938 to August 1940
First Term	Cheng Cangbo	From September 1940 to October 1945
First Term	Li Chung-shih	From October 1945 to April 1950
First Term	Yang Liang-kung	From September 1950 to September 1954
First Term	Li Shih-ying	From September 27, 1954 to December 27, 1955
First Term	Chang Mu-han	From December 28, 1955 to January 30, 1961
First Term	Liu Kai-chung	From January 31, 1961 to July 17, 1962
First Term	I-shuo	From August 13, 1962 to November 13, 1984
First Term	Chu Ping-lin	From December 8, 1984 to July 24, 1989
First Term	Kao Yang-chih	From July 27, 1989 to February 3, 1993
Second Term	Chen Fen-i	From February 4, 1993 to September 22, 1995
Second Term	Chen Chi-hisung (Acting Secretary General)	From September 23, 1995 to August 31, 1996
Second Term	Wu Hung-hsien	From September 1, 1996 to January 31, 1999
Third Term	Tu Shan-liang	From February 1, 1999 to July 31, 2008
Fourth Term	Chen Feng-i	From August 1, 2008 to July 31, 2014
Fifth Term	Fu Meng-jung	From August 1, 2014 to July 31, 2020
Sixth Term	Judy, Fu-meei JU	Took office on September 1, 2020

Appendix 3.1

Renovation of Taihoku-shū (Taipei Prefecture) Office Building During the Period of Japanese Rule

Date	Action taken	Amount (Unit: Japanese Yen ¥)	Information Source
April 1912 (Year 45 of the Meiji era)	Reconstruction plan for the Taihoku-chō (Taipei Prefecture) Office Building passed council review	Budget: 400,000	"Reconstruction of the Taihoku-chō (Taipei Prefecture) Office Building," <i>Taiwan Nichi-nichi Shinpō (Taiwan Daily News)</i> , April 10, 1912.
September 1912 (Year 1 of Taishō era)	The design plan for the Taihoku-chō Office Building was commissioned to the Civil Engineering Bureau		"New Building Plans," <i>Taiwan Nichi-nichi Shinpō (Taiwan Daily News)</i> , September 29, 1912.
January 1913 (Year 2 of Taishō era)	Earth fill work on the Taihoku-chō Office Building began		"Construction on the Taihoku-chō (Taipei Prefecture) Office Building," <i>Taiwan Nichi-nichi Shinpō (Taiwan Daily News)</i> , January 14, 1913.
April 24, 1915 (Year 4 of Taishō era)	Turnover ceremony held for the new Taihoku-chō Office Building		Ogata Musashi, editor and compiler, <i>Chronology of Taiwan</i> . Taipei, 1925.
1919 (Year 8 of Taishō era)	Additional construction to the Taihoku-chō Office Building could be for the current "Office of the Fisheries Agency"	Design amount: 129,999	Government-General of Taiwan, compiler, <i>Taiwan Governor-General Office's Achievement Report (41), Taishō Year 8</i> . Cheng Wen Publishing Company: Taipei, 1985.
September 1920 (Year 9 of Taishō era)	Reorganization of the area, opening ceremony of Taihoku-shū (Taipei Prefecture) Office Building. The building housed the Shichisei District Office and the Taihoku City Hall where their entrances were located on the side of the building		"Opening Ceremony for Office Building," September 2, 1920; "City Hall Building," September 2, 1920; and "City Hall and Building," September 7, 1920; <i>Taiwan Nichi-nichi Shinpō (Taiwan Daily News)</i> .
	Building extension for the Taxation Section was completed; renovations on the conference rooms continued		"Transfer to Prefecture Taxation Section," <i>Taiwan Nichi-nichi Shinpō (Taiwan Daily News)</i> , November 15, 1920.

Date	Action taken	Amount (Unit: Japanese Yen ¥)	Information Source
1921 (Year 10 of Taishō era)	Repair cost for other wind and flood damages to the Taihoku-shū Office Building	Balance from the previous: 207,268 Expenditure amount: 196,006 Balance: 11,262	
1923 (Year 12 of Taishō era)	New construction for parking garage in the Taihoku-shū Office Building	1,950	Taihoku-shū Administration, compiler, <i>Taihoku-shū Administration Overview and Business Summary</i> (1). Taihoku, Taiwan: 1923.
	Taihoku-shū Office Building repairs and maintenance	2,800	
	Fresh coat of paint for the Taihoku-shū Office Building	2,680	
1927 (Year 2 of the Shōwa era)	Various repairs and maintenance in the Taihoku-shū Office Building	2,829	Taihoku-shū Administration, compiler, <i>Taihoku-shū Administration Overview and Business Summary</i> (2). Taihoku, Taiwan: 1928.
	Repair cost for damages to the Taihoku-shū Office Building	1,416	
	Termite extermination in the Taihoku-shū Office Building mid-level office buildings and official residences	1,318	
1928 (Year 3 of the Shōwa era)	Additions and other repairs to office building exterior night shift rooms	2,750	Taihoku-shū Administration, compiler, <i>Taihoku-shū Administration Overview and Business Summary</i> (3). Taihoku, Taiwan: 1929.
1930 (Year 5 of the Shōwa era)	Additions to exterior of Taihoku-shū Office Building	3,883	Taihoku-shū Administration, compiler, <i>Taihoku-shū Administration Overview and Business Summary</i> (4). Taihoku, Taiwan: 1932.
1932 (Year 7 of the Shōwa era)	Repair to damages in the Taihoku-shū Office Building	5,810	Taihoku-shū Administration, compiler, <i>Taihoku-shū Administration Overview and Business Summary</i> (6). Taihoku, Taiwan: 1932.
	Additions and repairs to the toilets in the Taihoku-shū Office Building	2,189	
1933 (Year 8 of the Shōwa era)	Additions and damage repairs in the parking garage of the Taihoku-shū Office Building	4,650	Taihoku-shū Administration, compiler, <i>Taihoku-shū Administration Overview and Business Summary</i> (7). Taihoku, Taiwan: 1934.
	Repairs to damages in the roofs and courtyards of the Prefecture Taxation Section building	2,991	

Date	Action taken	Amount (Unit: Japanese Yen ¥)	Information Source
1934 (Year 9 of the Shōwa era)	New construction to the connecting hallways of the Taxation Section	2,995	Taihoku-shū Administration, compiler, <i>Taihoku-shū Administration Overview and Business Summary</i> (8). Taihoku, Taiwan: 1935.
	Repairs to the roofs and other damages in the Taihoku-shū Office Building	1,154	
1935 (Year 10 of the Shōwa era)	Repair work to the outside storage room roof of the Taxation Section – 11-piece project	5,116	Taihoku-shū Administration, compiler, <i>Taihoku-shū Administration Overview and Business Summary</i> (9). Taihoku, Taiwan: 1936.
	Repairs to the roofs and other damages in the Taihoku-shū Office Building and official residences	8,548	
	Repairs to the porch and toilets in the foyer of the Taihoku-shū Office Building – 60 pieces of projects	21,700	
1936 (Year 11 of the Shōwa era)	Repairs in the clerical office of the Criminal Investigation Section of the Taihoku-shū Police Administration	1,430	Taihoku-shū Administration, compiler, <i>Taihoku-shū Administration Overview and Business Summary</i> (10). Taihoku, Taiwan: 1937.
	Repairs to the window frames and other damages in the Taihoku-shū Office Building	1,230	
1937 (Year 12 of the Shōwa era)	Renovation work in the offices of the Taihoku-shū Office Building	1,550	Taihoku-shū Administration, compiler, <i>Taihoku-shū Administration Overview and Business Summary</i> (11). Taihoku, Taiwan: 1938.
	Various repairs in the offices of the Taxation Section and office residences (as with above)	1,389	
	Repairs to damages in the Taihoku-shū Office Building and official residences	3,220	
	Additional constructions to the Foreign Affairs Section and other administrative offices in the Taihoku-shū Office Building	36,078	Taiwan Nichi-nichi Shinpō (Taiwan Daily News), July 24, 1937.
	Facility works for the Security Section and other administrative offices (as with above)	2,606	
	Additional building improvements to the Taihoku-shū Office Building		
1941 (Year 16 of the Shōwa era)	Stage 2 construction of the Taihoku-shū Office Building.		Taiwan Nichi-nichi Shinpō (Taiwan Daily News), November 23, 1941.

Appendix 3.2

Major Repairs During the Control Yuan Period (listed by Chinese name stroke order)

Date	Construction Project	Amount (Unit: NT\$1,000)	Note
June 1981 (Year 70 of the Republic of China)	Extension to the archive room and parking garage	6,850	Location of the existing Member Office Building; demolished in 1984
November 1984 (Year 73 of the Republic of China)	Construction of the Control Yuan conference building	28,000	
November 1989 (Year 78 of the Republic of China)	Carpet laid in public hallways on second floor	1,350	
March 1993 (Year 82 of the Republic of China)	Renovation project for Personnel Office on the first floor	2,150	Renovated Personnel Office, Consultation Office, Investigation Office, Public Relations Office, Foreign and Domestic Affairs Office
	Renovation projects for Standing Committee offices on the second floor	1,350	
June 1993 (Year 82 of the Republic of China)	Renovation projects for the Accounting Office, Group Three and Group Four Offices	1,662	
	Renovation projects for the Group Five Office, Reception Room, Mail Room, and Security Office	1,493	
	Renovation projects for infirmary and cafeteria	2,303	
	Renovation projects for public spaces	2,296	
	Renovation projects for the Department of Property-Declaration by Public Servants	1,317	
December 1993 (Year 82 of the Republic of China)	Constructions on new exterior walls and gate	2,380	

Date	Construction Project	Amount (Unit: NT\$1,000)	Note
May 1997 (Year 86 of the Republic of China)	Renovation projects for Complaint Receipt Center and Mail Room	1,590	
February 2000 (Year 89 of the Republic of China)	Reorganization and renovation projects for Control Yuan offices (2)	5,200	
October 2000 (Year 89 of the Republic of China)	Electrical power reconstruction projects	1,800	
	Control Yuan night landscape and lighting constructions	3,780	
November 2001 (Year 90 of the Republic of China)	Reorganization and renovation projects for Control Yuan offices (1)	4,800	
January 2003 (Year 92 of the Republic of China)	Renovation projects for the Exhibition Area	4,129	
August 2003 (Year 92 of the Republic of China)	Phase 1 of termite control in old brick and wood components of the Control Yuan National Monument	440	Part of the National Monument Control Yuan Termite-Proofing Project
June 2006 (Year 95 of the Republic of China)	Turnkey project for the repair of the timber frame and copper sheet of the roof	1,600	
December 2008 (Year 97 of the Republic of China)	Improvements to the fire partition on the first floor of the north wing of the old building	8,413	Phase One of the improvement projects to the fire partition on the old Control Yuan building
November 2009 (Year 98 of the Republic of China)	Improvements to the fire partition on the second floor of the west wing of the old building	8,879	Phase Two of the improvement projects to the fire partition on the old Control Yuan building
February 2011 (Year 100 of the Republic of China)	Improvements to the fire partition on the first floor of the west wing of the old building	8,413	Phase Three of the improvement projects to the fire partition on the old Control Yuan building
December 2012 (Year 101 of the Republic of China)	Water leak repair projects for the National Monument	1,145	
March 2016 (Year 105 of the Republic of China)	Seismic resistance improvement projects for the Control Yuan member offices	14,531	
December 2019 (Year 108 of the Republic of China)	Restoration projects such as stripping paint off roofs and exterior walls of the Control Yuan National Monument	90,647	

Sources: *Report on the Fire Partition Improvement Projects for the Second Floor of the Control Yuan National Monument Original Building West Wing*; and *Report on the Control Yuan National Monument Second-Floor Roof and Exterior Wall Paint Stripping and Restoration Project*.

Appendix 4

Annual Control Yuan Budgets and Financial Statements Over the Years

Term	Year	Budget	Statement Balance	The cumulative average of general consumer price index for each year in the Budget-CPI Table	The cumulative average of general consumer price index for each year in the Balance-CPI Table
1	1962	691	691	4,922	4,922
1	1963	1,046	1,046	7,290	7,289
1	1964	1,135	1,134	7,917	7,912
1	1965	1,245	1,245	8,691	8,690
1	1966	1,298	1,275	8,887	8,729
1	1967	1,493	1,483	9,890	9,821
1	1968	1,803	1,773	11,070	10,886
1	1969	1,967	1,942	11,495	11,348
1	1970	2,051	2,024	11,568	11,415
1	1971	2,180	2,077	11,959	11,398
1	1972	2,529	2,357	13,476	12,559
1	1973	2,584	2,559	12,722	12,599
1	1974	4,730	4,723	15,797	15,776
1	1975	5,959	5,874	18,913	18,643
1	1976	6,391	5,995	19,793	18,566
1	1977	4,905	4,748	14,196	13,740
1	1978	5,600	5,336	15,315	14,593
1	1979	6,876	6,456	17,136	16,088

Term	Year	Budget	Statement Balance	The cumulative average of general consumer price index for each year in the Budget-CPI Table	The cumulative average of general consumer price index for each year in the Balance-CPI Table
1	1980	7,855	7,544	16,449	15,797
1	1981	10,746	10,452	19,343	18,813
1	1982	15,514	14,656	27,118	25,619
1	1983	17,595	16,428	30,351	28,338
1	1984	28,021	27,391	48,337	47,249
1	1985	26,034	25,797	44,987	44,576
1	1986	24,818	24,153	42,588	41,446
1	1987	28,551	27,998	48,736	47,792
1	1988	25,853	25,341	43,588	42,725
1	1989	25,511	24,809	41,175	40,042
1	1990	36,976	29,050	57,313	45,028
1	1991	34,366	31,200	51,412	46,675
1	1992	52,482	38,348	75,154	54,914
2	1993	45,353	39,420	63,085	54,833
2	1994	38,653	37,472	51,641	50,063
2	1995	42,408	41,469	54,663	53,453
2	1996	44,075	42,002	55,137	52,545
2	1997	44,774	44,166	55,520	54,766
2	1998	47,782	46,503	58,246	56,687
3	1999	68,702	58,403	83,610	71,077
3	Second half of 1999 and all of 2000	102,689	97,650	123,432	117,375
3	2001	66,097	65,009	79,449	78,141
3	2002	69,490	68,624	83,666	82,623
3	2003	69,240	68,451	83,642	82,689

Term	Year	Budget	Statement Balance	The cumulative average of general consumer price index for each year in the Budget-CPI Table	The cumulative average of general consumer price index for each year in the Balance-CPI Table
3	2004	70,482	68,656	83,803	81,632
N/A	2005	70,513	58,642	81,936	68,142
N/A	2006	72,318	54,711	83,527	63,191
N/A	2007	70,932	52,439	80,437	59,466
4	2008	69,779	58,088	76,478	63,664
4	2009	75,092	71,314	82,977	78,802
4	2010	77,712	76,822	85,095	84,120
4	2011	77,933	76,586	84,168	82,713
4	2012	76,695	75,305	81,220	79,748
4	2013	72,047	71,050	75,722	74,674
5	2014	72,070	70,021	74,809	72,682
5	2015	72,027	69,615	74,980	72,469
5	2016	82,050	78,036	84,266	80,143
5	2017	76,131	73,962	77,729	75,516
5	2018	73,841	73,653	74,358	74,169
5	2019	78,953	78,824	79,111	78,981
6	2020	80,301	80,196	80,622	80,517
6	2021	94,117			-

1. This table is the budget and balance accounts from the calendar years from 1962 to 2021. It makes reference to the years and months published in the National Statistics of the Republic of China (Taiwan) as the basis for general consumer price index. Using the year 2020 as the base period, comparisons are made after stabilizing price levels by converting budget and balance calculation to 2020.
2. The National Human Rights Commission was established in 2020; therefore, a new business budget plan was established.
3. This table is provided by the Accounting Office of the Control Yuan.



Editorial Team (listed by Chinese name stroke order)

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Editorial Notes

1. The Chinese version of the Special Issue primarily provides dates using the Republic of China calendar. Chapter Two, which covers historical events from the period of Japanese occupation, therefore provides both Western and Japanese dating schemes. As Chapters Four, Five and Six are related to international human rights conventions and international ombudsman affairs, they use the Western calendar.
2. In this Special Issue, phrasing such as "as of now" or "at present" in the content and statistical data generally refers to information available as of March 31, 2021. Exceptions are specifically noted in the text.
3. The content of this Special Issue is related with the Control Yuan as the narrative subject; abbreviations such as "the Yuan" or "the CY" may be used in some contexts to facilitate reading.
4. In this Special Issue, the "National Human Rights Commission of the Control Yuan" is referred to more briefly as the "National Human Rights Commission" or "NHRC," with the terms used interchangeably to facilitate reading.
5. In principle, only those who have been in their professional positions for more than six months are included within the records.
6. The content in this Special Issue has been extensively collected, and drafted, then carefully proofread and compiled. Our apologies for any omissions and errors, and we welcome your feedback.





Table of Abbreviations

AOA	Asian Ombudsman Association
APF	Asia Pacific Forum of National Human Rights Institutions
APOR	Australasian and Pacific Ombudsman Region
CCAT	Council of Canadian Administrative Tribunals
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CIEEMG	Interministerial Commission for the Study of War Materials Exports
COVID-19	Coronavirus disease 2019
CRPD	Convention on the Rights of Persons with Disabilities
CRC	Convention on the Rights of Children
DAI	Dementia Alliance International
EHRC	Equality and Human Rights Commission



ESSA	Every Student Succeeds Act
FIO	Federación Iberoamericana del Ombudsman (Ibero-American Federation of Ombudsmen)
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICT	Information and Communications Technology
IOI	International Ombudsman Institute
NCLB	No Child Left Behind Act
NPM	National Preventive Mechanism
SARS	Severe Acute Respiratory Syndrome
TRF	Target Redemption Forward
UNCAC	United Nations Convention Against Corruption
USOA	United States Ombudsman Association

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