

2023

Annual Report of the Control Yuan

Taiwan, R.O.C.



Preface

With powers endowed by the Constitution of the R.O.C. and its additional articles, the Control Yuan (CY) exercises powers of impeachment, censure, correction, investigation, and audit, as well as receiving people's complaints and conducting circuit supervision at local and central authorities. With changes in social trends and diversification of public issues, the powers and functions of the highest supervisory body do not only lie in preventing corruption and ensuring clean politics, but also in playing an active role in overseeing the government, facilitating good governance, and safeguarding human rights.

With the joint efforts of CY members and staff, the CY's work performance in 2023 can be summarized as follows: 16,418 complaints were received; 273 investigation reports were issued; 20 impeachment cases were approved, resulting in the impeachment of 36 officials; 2 censure cases were approved, leading to the censure of 2 officials; 98 cases proposing corrective measures were initiated, with 143 improvement letters sent; 39 supervisory visits were conducted at central authorities and 32 at local authorities; 11,361 property declarations by public servants were processed; 1,608 recusal cases reported by various government agencies from the previous year were received, and 1,806 political donation accounting reports were handled.

To enhance the efficiency of addressing complaints and better serve the public, the CY has implemented a video conferencing complaints system and an online reservation service for individuals to schedule appointments prior to submitting complaints in person at the CY. These initiatives have



not only decreased on-site waiting times but also guaranteed equal access to justice for all members of the public. Regarding the Sunshine Acts, the CY has implemented several enhancements and optimizations to promote transparency and technological convenience, including upgrades to the “Online Property Declaration System for Public Servants” and the “Political Donations Declaration Online System.”

Human rights have always lain at the core of universal values acknowledged by the global community. With the vision of being the “conscience of the nation, champion of the disadvantaged,” the National Human Rights Commission (NHRC) has spared no effort in promoting 4 major strategies and 21 issues. These include optimizing the National Human Rights Commission, monitoring and improving the protection of disadvantaged groups, enhancing human rights education, and actively participating in the international human rights network. Through initiatives such as establishing an oversight system for the implementation of the Committee on the Rights of Persons with Disabilities (CRPD), promoting the incorporation of the Convention Against Torture (CAT) and its Optional Protocol into domestic law, and the NHRC’s first participation in the Taiwan LGBT+ Pride Parade and the 28th Asia Pacific Forum Annual General Meeting and Biennial Conference, the NHRC has been actively engaging in human rights affairs and pushing relentlessly for social equality and freedom.

In promoting exchanges with global ombudsman institutions, the CY participated in the APOR 2023 Conference in Australia and the 27th FIO Conference in Colombia. The CY also had the honor of hosting esteemed

foreign dignitaries, including IOI President Chris Field, FIO President and Dominican Republic Ombudsman Pablo Ulloa, among others, thereby deepening diplomatic relations and international exchanges. To enhance public understanding of ombudsman and human rights systems worldwide, the CY obtained authorization from the foreign press to translate renowned scholar Dr. Linda C. Reif's book *Ombudsman Institutions, Good Governance, and the International Human Rights System* into Chinese and publish it.

As the CY bids farewell to another year of hard work and accomplishments, all members and staff will continue to uphold the good work and exercise its constitutional powers by addressing public grievances, ensuring government ethics, and defending human rights. The CY will not rest on its laurels but will dedicate further efforts to human rights work and social justice in the upcoming year.



President, Control Yuan
Chairperson, National Human Rights Commission
May 2024

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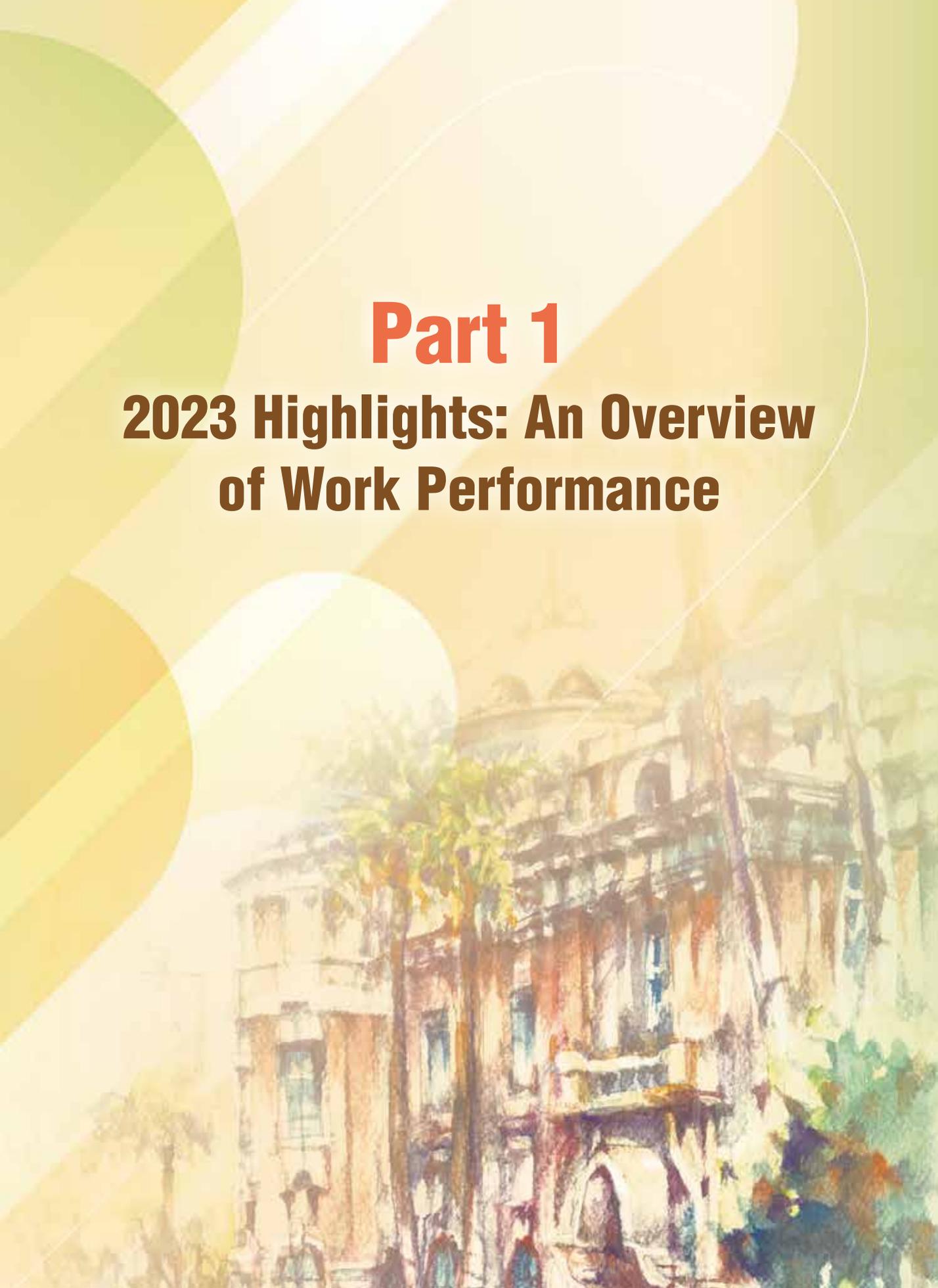
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Part 1

2023 Highlights: An Overview of Work Performance





2023 Highlights: An Overview of Work



16,418

**People's
complaints
received**

Judicial Affairs
38%
Domestic Affairs
24.5%



273

**Investigation
reports issued**

245 letters calling
for improvements
sent



20

**Impeachment
and**

2

**Censure
cases passed**

36 government
officials impeached
2 government
officials censured



Performance



98

**Corrective
measure
cases proposed**

143 letters sent
to related
government agencies



**Circuit
supervision**

Central
authorities

39 times

Local
authorities

32 times



Sunshine Laws

11,361

Property declarations
received

1,608

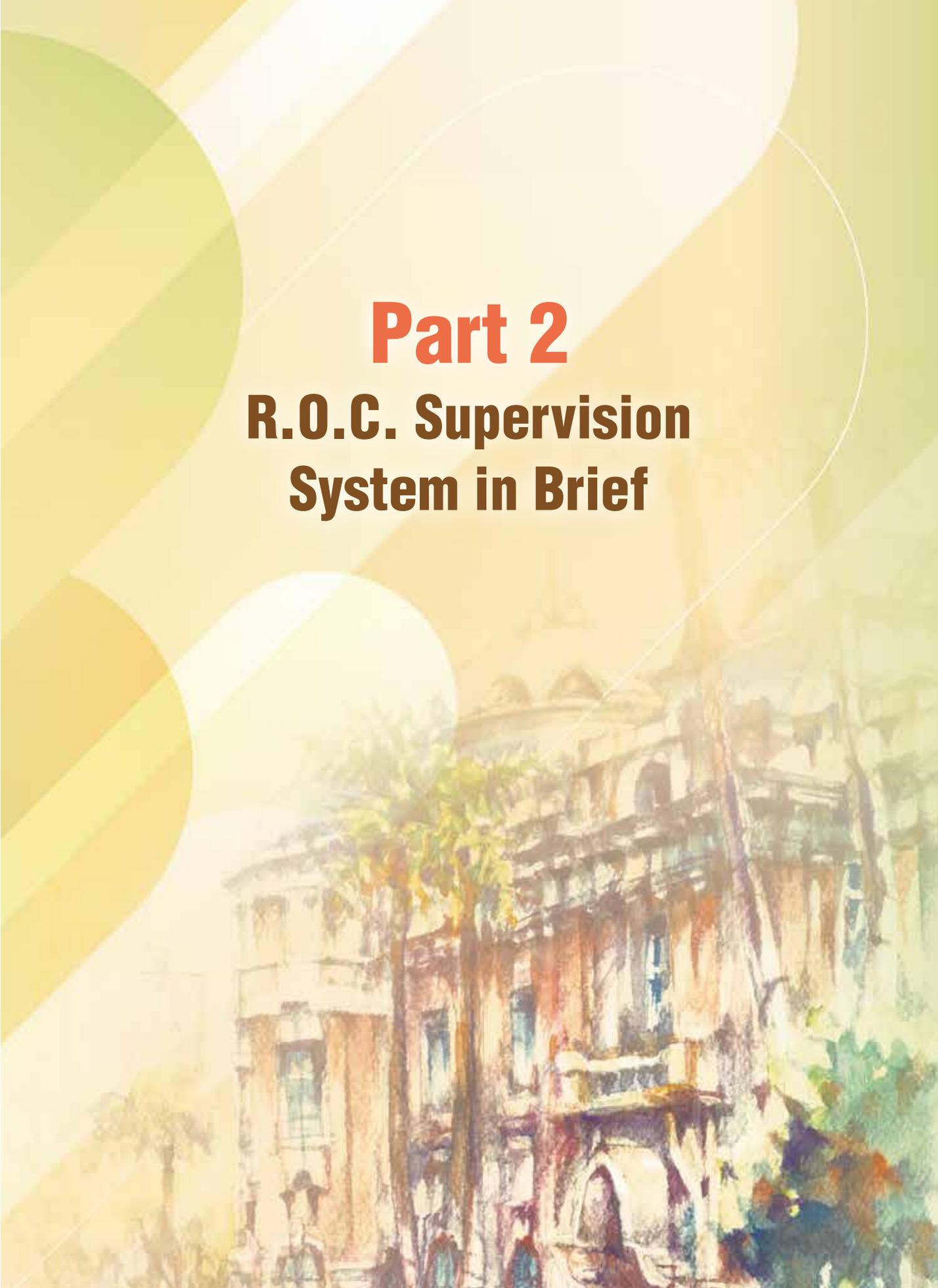
Recusal cases for
conflicts of
interests handled

311

Political donation
accounts approved

Part 2

R.O.C. Supervision System in Brief





Part 2

R.O.C. Supervision System in Brief

R.O.C. Supervision System in Brief

Historical Background

Our supervision system has a rich history spanning over 2000 years, designed to deter government officials from corrupt practices and misuse of authority. The establishment of the Control Yuan (CY) was inspired by Sun Yat-sen's vision of a five-branch constitutional government, blending the Western model of tripartite separation of powers with China's traditional systems of supervision and civil service examinations. Enacted in 1947, the Constitution of the Republic of China divides the central government into five branches: the Executive Yuan, Legislative Yuan, Judicial Yuan, Examination Yuan, and Control Yuan.

The CY was established on Feb. 2. The Auditing Yuan was renamed the National Audit Office and subordinated to the CY.



1931



1946

The R.O.C. Constitution was drafted, specifying a central government with five branches.

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The National Human Rights Commission was formally launched on the inauguration day of the members of the CY's sixth term, marking a new milestone for Taiwan in promoting and protecting human rights.



2020



2021

Renovation of the Complaint Receipt Center was completed to provide a friendly environment. It also conducted the first acceptance of complaints from inmates in 73 years through video conferencing.

With the fourth amendment of the Constitution in 2000, starting from the fourth term, 29 CY members shall still be nominated by the President but approved by the Legislative Yuan.



2000

Milestones of the Control Yuan



1948

The R.O.C. Constitution was enacted on Dec. 25, 1947. Following the enactment of the Constitution, the CY was officially established on June 5, 1948.



1992

In accordance with the second amendment to the Constitution in 1992, the number of CY members was set at 29. Members were no longer elected but shall be nominated by the President and approved by the National Assembly to serve a six-year term.



Part 2

R.O.C. Supervision System in Brief

Our Organization

When the second National Assembly met in May 1992, it approved the Amendment of the Constitution of the R.O.C., which provided that the CY shall have 29 members, including one President and one Vice President, serving a six-year term. They shall be nominated by the President of R.O.C. and appointed with the consent of the Legislative Yuan.

The CY also shoulders the responsibility of promoting and protecting human rights. In accordance with the Organic Act of the Control Yuan, the National Human Rights Commission (NHRC) was established on Aug. 1, 2020, consisting of 10 CY members, including the CY president who serves concurrently as the NHRC chairperson.

In addition to CY members, the CY has a workforce of nearly 500 employees, comprising five departments, four offices, the National Human Rights Commission, seven standing committees, four special committees, and four task forces*. A specially-appointed secretary general is in charge of managing the routine operations of the CY and supervising the staff under orders of the CY president. The current secretary general is Chun-yi Lee.

In order to ascertain violations of law or derelictions of duty, the CY has seven standing committees to look into the activities of the Executive Yuan, its ministries, and its commissions, with each CY member only able to serve concurrently on a maximum of three committees. These committees are:

* Task force “Budget Planning and Administration” was terminated in 2024, resulting in three task forces.

- ◆ Committee on Domestic and Ethnic Affairs
- ◆ Committee on Foreign and National Defense Affairs
- ◆ Committee on Social Welfare and Environment 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



President Chu Chen presides over the CY plenary meeting

Our Functions and Powers

According to related provisions in the Constitution, Amendments of the Constitution, and the Control Act, the CY is granted the functions and powers of impeachment, censure, and audit. It may also propose corrective



Part 2

R.O.C. Supervision System in Brief

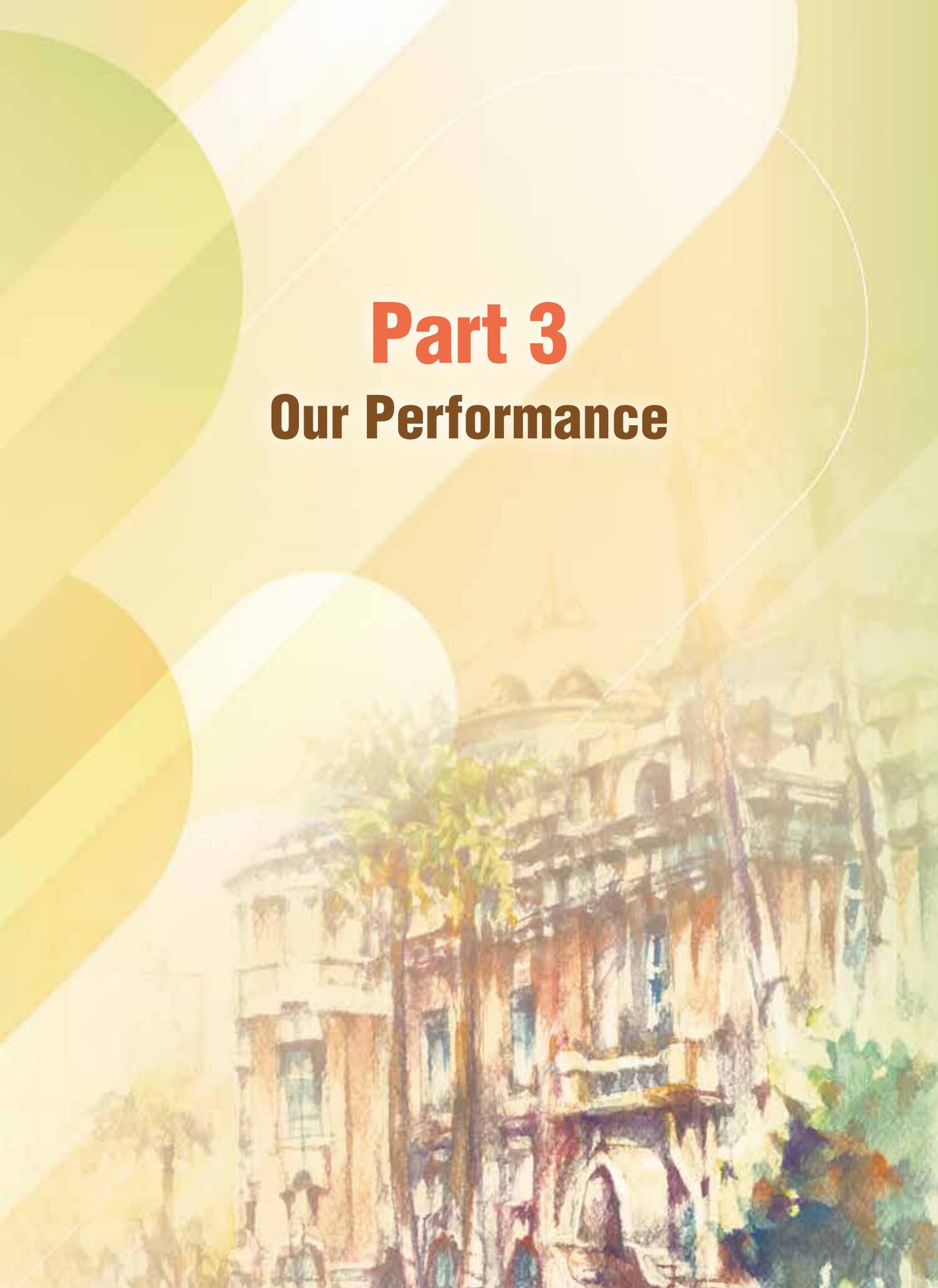
measures to government agencies for administrative improvement. To achieve the aforementioned missions, CY members may receive complaints from citizens, investigate, and organize circuit supervision at central or local authorities. The CY also handles reports, investigations, and declarations on properties of public servants, recusal of public servants due to conflicts of interest, political donations and lobbying cases.

An Overview of Control Yuan Functions and Powers



Part 3

Our Performance



Our Performance

Handling Complaints and Assuring Good Governance

Receipt of People's Complaints

The major basis for the investigations conducted by CY members comes from public complaints. According to Article 4 of the Control Act, “The Control Yuan and its members may receive written complaints from the public; the Control Yuan shall establish procedures in this regard.” If a citizen suspects a civil servant of misconduct or violation of the law or negligence in the work of the Executive Yuan and its subordinate agencies, they may submit complaints or report to the CY.

In 2023, the CY received 16,418 complaints from the public. Among these, those pertaining to judicial and prison administration affairs accounted for the largest share (38.0 %) with 6,242 cases, followed by domestic and ethnic affairs (24.5 %) with 4,020 cases, and educational and cultural affairs (9.0 %) with 1,484 cases.

Any person, whether a citizen or a foreigner, can file a complaint with the CY. This service is provided free of charge, with the aim of ensuring that everyone has access to justice. A CY member is assigned on a rotational basis to the Complaint Receipt Center each day, responsible for receiving and addressing complaints submitted by the public.

To enhance convenience and accessibility for the public, the CY also accepts complaints via video conferencing to better meet people's needs and expectations. This new service allows complainants from remote or inconvenient

areas, as well as the elderly, disabled, and mobility-impaired individuals, to file complaints without being hindered by distance or communication barriers. Additionally, in an effort to safeguard the human rights of inmates, the CY has expanded the use of video conferencing for complainants to include inmates, enabling them to lodge complaints through video cameras with CY members.

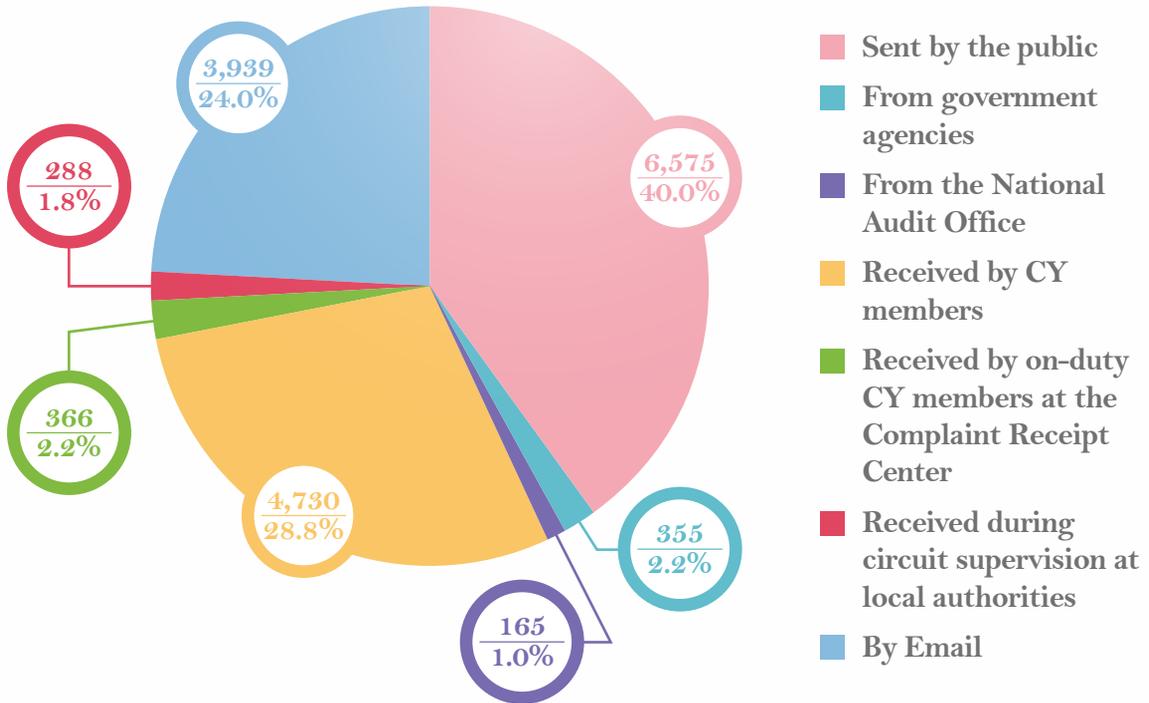
The CY also strives to create a welcoming environment for all complainants. To ensure the privacy of women and children, a reception room has been established for their exclusive use. For people with disabilities, a video amplifier is provided, and sign language interpretation services are available upon request. These services demonstrate the CY's commitment to being a friendly and accessible supervisory body.

How to Lodge a Complaint?

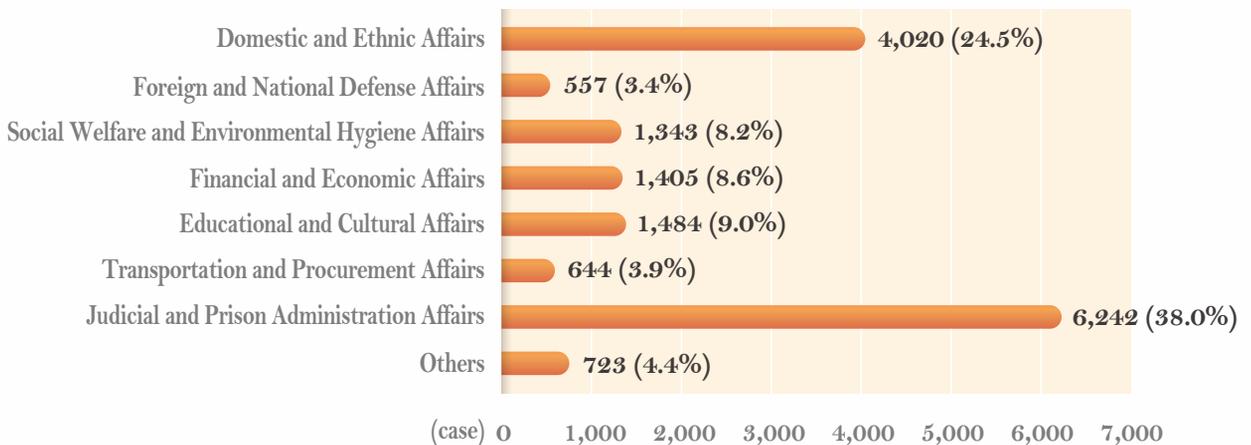


Part 3 Our Performance

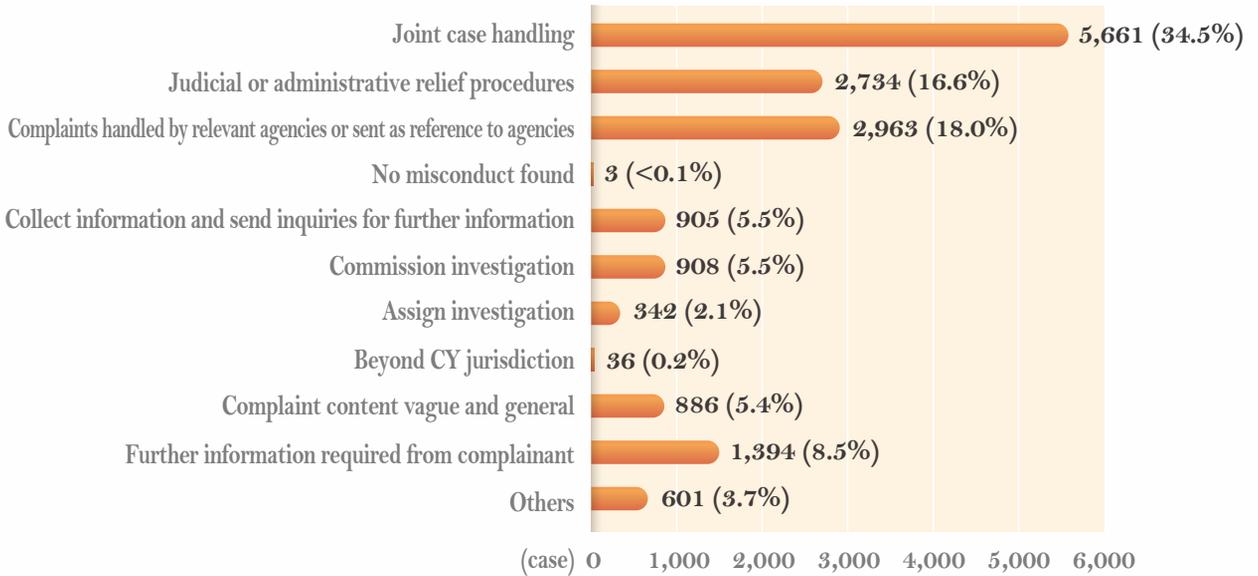
Sources of complaints received in 2023



Categories of Complaints Received in 2023



CY's Case Handling Response to People's Complaints



The on-duty CY member at the Complaint Receipt Center receives complaints from the public

Part 3

Our Performance



The on-duty CY member accepts complaints via video conferencing

Investigation

According to the Constitution and Amendments of the Constitution, the CY may exercise the powers of impeachment, censure, and audit, and propose corrective measures. The exercise of such functions and powers requires an investigation process, and cases can only be filed after facts are determined by investigations.

The exercise of the powers of investigation by members of the CY includes 3 types of investigations: self-initiated, commissioned, and assigned investigations. Members may apply for self-initiated investigations and the CY may, when necessary, commission related authorities for commissioned investigations. Assigned investigations are conducted to investigate complaints made by the people.

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CY members conduct on-site inspection regarding the removal of the Formosan rock macaques from the list of protected species



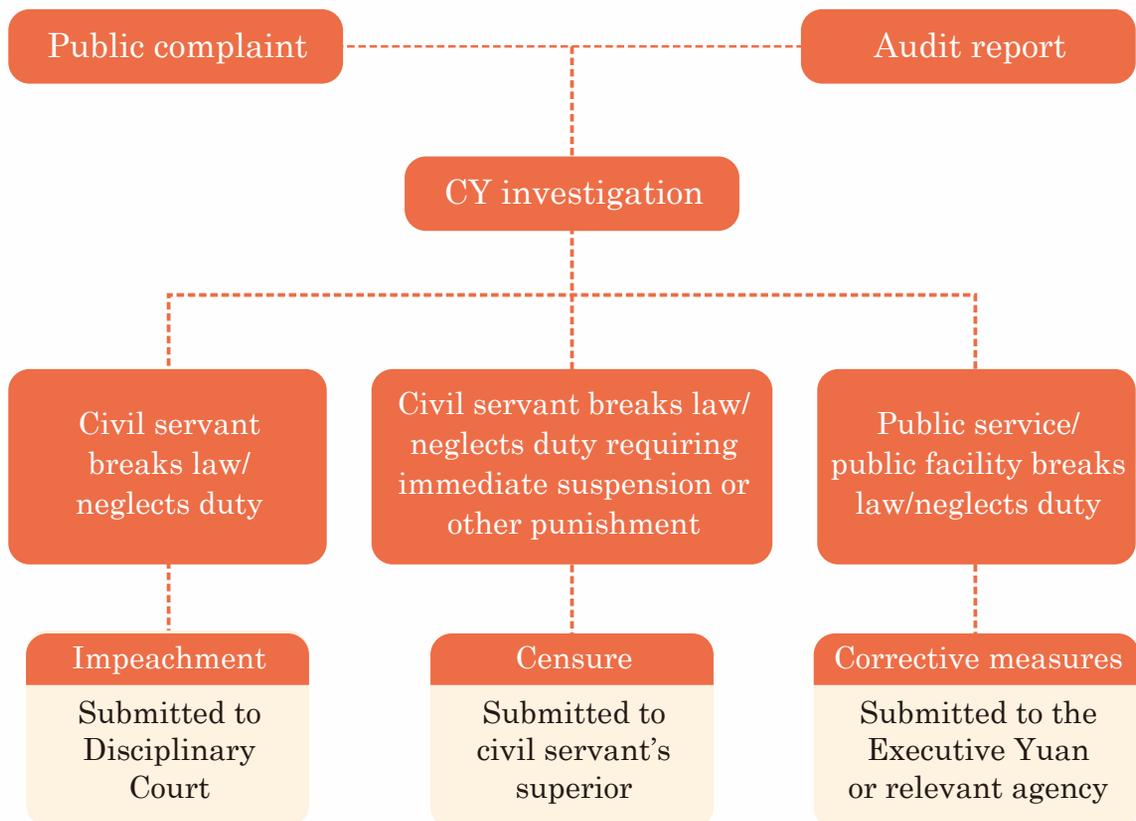
CY members conduct on-site inspection regarding the 303 blackout (occurring on March 3)

Part 3

Our Performance

In 2023, CY members investigated 317 cases (195 self-initiated, followed by 110 commissioned by committees, and 12 assigned by CY) and issued 273 investigation reports, with 267 cases passed by the seven standing committees. The investigations resulted in the passage of 20 impeachment cases, 2 censure cases, 98 corrective measure cases and 245 letters sent to government agencies calling for improvements.

The Exercise of Control Yuan Powers



Who Can We Investigate?



Impeachment and Censure

According to Article 6 of the Control Act, public servants of central and local government authorities are subject to impeachment if they are deemed to violate the law or neglect their duties. To impeach a public servant, at least 2 members of the CY must submit a proposal which must be reviewed by at least 9 members of the CY other than the proposing members. A vote by open ballot should be called; the impeachment case shall only be valid with a majority vote by the members. The impeached individual may be transferred to the Disciplinary Court once the impeachment case has been passed.

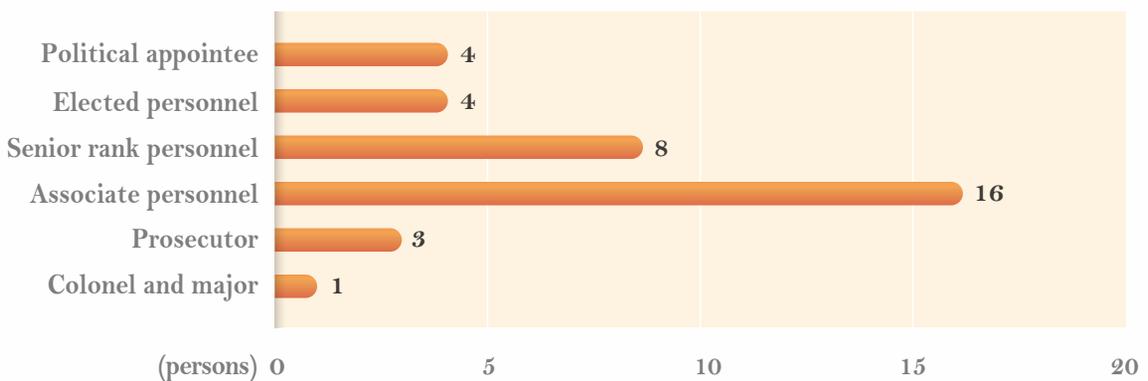
Part 3

Our Performance

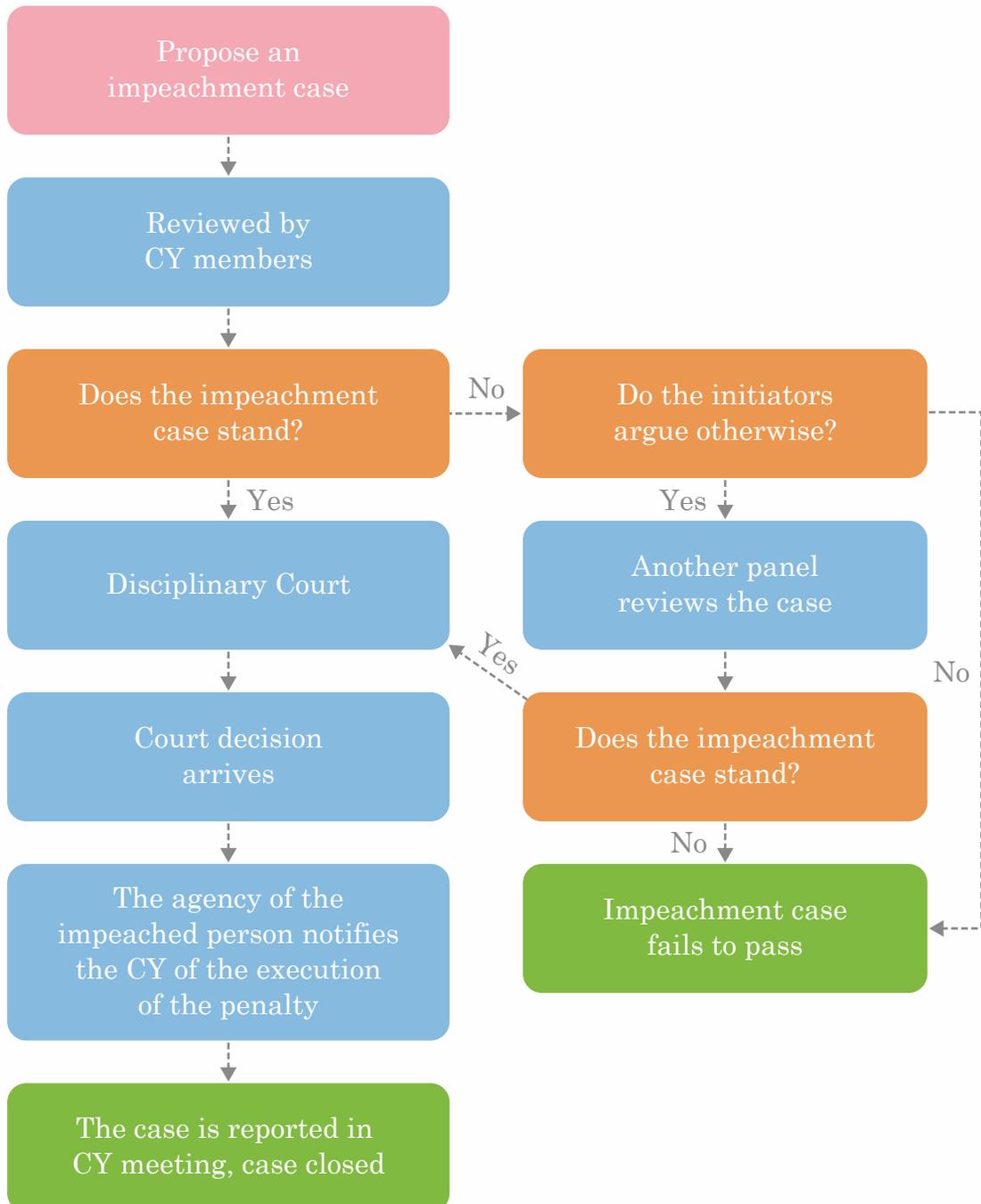
According to Article 19 of the Control Act, where the CY deems a public servant to violate the law or neglect duties, and believes that a suspension of duties or other immediate penalty is required, it may submit a censure proposal. A censure proposal shall require the review and approval of at least 3 members of the CY other than the proposing member before the CY transfers the case to the supervisor or senior officer of the censured individual for processing.

In 2023 the CY passed 20 impeachment cases and 2 censure cases, resulting in 36 government officials being impeached and 2 censured. Both censure and impeachment emphasize the importance of sanctions for derelict public servants.

Ranks of Officers Impeached in 2023

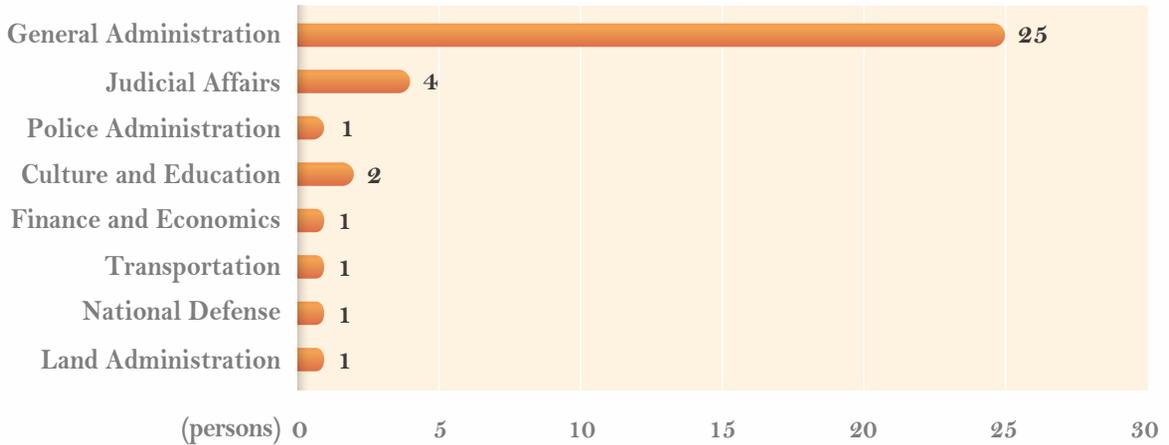


Impeachment case handling procedure



Part 3 Our Performance

Occupational Types of Officers Impeached in 2023



Differences between Impeachment and Censure

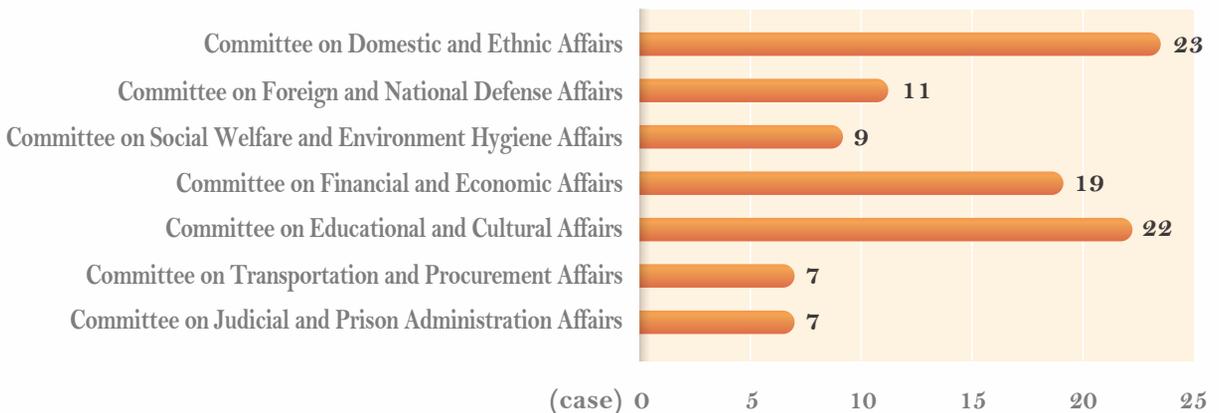
Impeachment	VS	Censure
Public servants	Who	Public servants
Violation of law dereliction of duty	Why	Violation of law dereliction of duty
The disposition of disciplinary sanction	Purpose	Suspension of duty or immediate punishment
At least 2 CY members	Quorum to Propose	At least 1 CY member
At least 9 CY members other than the initiators	Quorum to review	At least 3 CY members other than the initiators
Disciplinary Court under the Judicial Yuan	Penalty organs referred to	Superiors or supervisors at the higher level

Corrective Measures

According to Article 24 of the Control Act, the CY shall issue corrective measures to the Executive Yuan and its subordinate agencies. After investigating the work and facilities of the Executive Yuan and its subordinate agencies and the examination and approval of relevant committees, members of the CY may issue corrective measures to the Executive Yuan or related authorities for improvement.

In 2023, the CY proposed 98 corrective measure cases to Executive Yuan and its subordinate agencies and sent 143 letters calling for government agencies' improvements.

Corrective Measure Cases Proposed by Standing Committees in 2023



Part 3
Our Performance

**Closed Corrective Measure Cases in 2023 –
Actions Taken by Agencies**

Actions	Number of Cases
Improvements made	57
Improvements made and personnel punished or referred to disciplinary organs	9
Personnel punished or referred to disciplinary organs	-
Solution under discussion	-
Filing for judicial relief	-
No grounds for filing an extraordinary appeal found	-
No infraction or misconduct found	-
Others	-
Total	66



CY members host a press conference regarding a corrective measure case



CY members host a press conference regarding a corrective measure case

Procedure after Proposing Corrective Measure Cases



Circuit Supervision

According to Article 3 of the Control Act, members of the CY may conduct circuit supervision and inspection in different areas. This task is divided into circuit supervision of central and local governments. The circuit supervision at the central level is arranged by the standing committees related to their operations. Local circuit supervision shall be conducted in different groups, in charge of different districts divided by municipal or county governments.

The objectives of circuit supervision are as follows:

Circuit Supervision: Goals and objectives



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In 2023, the CY conducted 39 visits at central authorities and made approximately 865 recommendations. At local authorities, the CY conducted 32 visits and made approximately 587 recommendations, while also receiving 288 on-site complaints from the public.



Committee on Transportation and Procurement Affairs conducts circuit supervision visit to the Railway Bureau, Ministry of Transportation and Communications on March 16-17, 2023



Committee on Educational and Cultural Affairs conducts circuit supervision visit to Kaohsiung Music Center on Nov. 30-Dec. 1, 2023



Part 3

Our Performance



CY members conduct circuit supervision with focus on ecological restoration project at Hualien County on July 6-7, 2023



CY members conduct circuit supervision by inspecting the interior of the Keelung Tower on Dec. 11, 2023

Sunshine Acts

To ensure the government's integrity, promote clean governance and rectify official conduct to provide a truly honest political system free of corruption, a series of laws collectively known as the Sunshine Acts have been enacted to enforce these measures. The Sunshine Acts refer to the Act on Property-Declaration by Public Servants, Act on Recusal of Public Servants Due to Conflicts of Interest, Political Donations Act, and Lobbying Act.

Timeline of Sunshine Acts Anti Corruption





Part 3

Our Performance

The CY has established the Committee on Anti-Corruption to oversee and manage various issues related to government ethics, such as property declarations by public servants, recusals of public servants due to conflicts of interest, political donations and lobbying activities, which include acceptance of applications (reports), review, investigation, and imposition of penalty.

In 2023, the Committee handled a total of 571 cases, which included 499 cases of property declarations, 18 cases of public servants recusing themselves due to conflicts of interest, 2 cases of political donations, and 52 other cases.

Property Declarations by Public Servants

With the access to the declared information of public servants' properties, people can understand the ethics, integrity, and honesty of public servants, thereby increasing their trust in the government's administration. Public servants with declaration obligation shall report their properties to the CY within 3 months of taking office or within 2 months of leaving office. They shall annually make regular property declarations.

Properties to be declared by the public servants are as follows:

- (1) Real estate, vessels, cars, and aircraft
- (2) Cash, deposits, securities, jewelry, antiques, calligraphy and paintings, and other valuable property above certain values
- (3) Rightful claims to credit, debt, and investments pertaining to various ventures above certain values

The ownership of properties held by a public servant's spouse and underage offspring shall be jointly declared. If a public servant fails to declare properties

in a timely or truthful manner, the CY shall impose fines and publish his or her name, along with the reason of penalty, in newspapers or government gazettes.

In 2023, the CY received 11,361 property declarations and reviewed 13,006 on-record cases; investigated 498 cases; submitted 489 investigation reports; and imposed fines on 28 cases for noncompliance with the law. To ensure transparency, property declaration information was published in the government gazette over a total of 37 issues, featuring 4,196 cases.

Who should report assets to the CY?

- ROC President and Vice President
- Presidents and vice presidents of the five branches of government
- Senior advisors, policy consultants, and strategy consultants of the Office of the President
- Principals of public junior colleges and above, and subsidiary institutions of such schools
- Legislators and councilors
- Politically assigned officials
- Heads of government agencies at all levels at 12th rank and above
- Chief military officers at all levels above the rank of Major General
- Governors above village (town, city) level elected pursuant to the Public Officials Election and Recall Act
- Judges and prosecutors with basic salary at 6th level and above



If a public servant fails to declare properties in time or truthfully, the CY shall impose fines and have his or her name published.

Penalties Imposed on Public Servants for Noncompliance with Property Declaration Regulations in 2023

		Number of Cases	Amount (NT\$1,000)
Cases closed and fined		28	10,990
Cases closed		35	16,185
Cases not yet closed	Punishment determined		
	-Paid by installment	3	1,360
	-Under administrative execution	7	7,480
	-Others	6	1,095
	Punishment pending		
	-Under administrative appeal	1	180
	-Under administrative litigation	1	120
	-Others	12	7,420
	Subtotal		30

Conflicts of Interest

To promote clean governance and rectify official conduct, establishing standards for avoiding recusals of public servants due to conflicts of interest can efficiently eliminate corruption and the conveyance of unlawful interests. Any public servant found to be in violation of Act on Recusal of Public Servants Due to Conflicts of Interest shall be fined by the CY. Once the imposition of fines is confirmed, their name will be posted on the Internet, in government gazettes, or in newspapers.

In 2023, the CY reported a total of 1,608 recusal cases that were compiled and reported by various government agencies from the previous year. The

plurality of these cases, specifically 428 cases (26.62%), were reported by the central government.

The CY received a total of 47 public servant recusal cases, which comprised of 16 cases reported by the public, 21 cases by government ethics units, 1 case through voluntary investigation, and 9 corruption cases that were referred from the Ministry of Justice. Regarding the received cases, the CY conducted further investigation on 51 cases. As a result of these investigations, the CY issued 28 investigation reports and the Committee on Anti-Corruption imposed fines on 18 cases for noncompliance with the Act.

Penalties Imposed for Conflicts of Interest Cases in 2023

		Number of Cases	Amount (NT\$1,000)
Cases closed and fined		18	4,928.8
Cases closed		17	3,070
Cases not yet closed	Punishment determined		
	-Paid by installment	5	5,681.9
	-Under administrative execution	3	9,164
	-Others	1	340
	Punishment pending		
	-Under administrative appeal	1	400
	-Under administrative litigation	1	300
	-Others	9	2,786.4
Subtotal		20	18,672.3

Political Donations

The Political Donations Act is designated to regulate and manage political donations, to promote the political participation of citizens, to ensure the fairness and justness of political activities and to strengthen the development of democracy. Before accepting political donations, a political party, political association, or candidates for elections shall open a dedicated account in a financial institution. The account may not be changed or abolished without the consent of the CY. Those failing to comply with the law may face fines or prison sentences ranging from 1 to 5 years.

In 2023, the CY approved 311 political donation accounts, of which 303 were submitted by potential political candidates and 8 were submitted by political parties. The CY received 1,806 political donation accounting reports, investigated 8 cases, issued 2 investigation reports, and imposed fines on 3 cases for noncompliance with the Act.

In addition, the Act was amended in 2018 to establish the Political Donations Public Review Online System. The platform enables the public to review the ledger books (including income and expenditures of political parties, groups and candidates) without visiting the CY in person. In 2023, 2,328 political donation accounting reports were released to the public, resulting in 491,027 queries and 129,145 report downloads.



Declaration system
for political
donations



Case management
system for political
donations



Verification system
for political
donations



Database of individuals
restricted from making
political donations



Political Donations Declaration Online System

Penalties Imposed for Political Donation Cases in 2023

		Number of Cases	Amount (NT\$1,000)
Cases closed and fined		3	228
Cases closed		6	1,075
Cases not yet closed	Punishment determined		
	-Paid by installment	-	-
	-Under administrative execution	7	13,936
	-Others	21	5,828
	Punishment pending		
	-Under administrative appeal	-	-
	-Under administrative litigation	2	6,760
	-Others	2	178
	Subtotal		32

Audit

According to the Constitution and the Amendments of the Constitution, the powers of audit are part of the supervisory powers. The government auditing is exercised independently by the National Audit Office (NAO). It is responsible for auditing the finances of the central government and its subordinate agencies. The NAO shall set up audit divisions or offices in different counties and cities for auditing the finances of local governments and their subordinate agencies. Where auditors discover any violation of laws or dereliction of duties committed by personnel of an agency in terms of



Logo of the National Audit Office

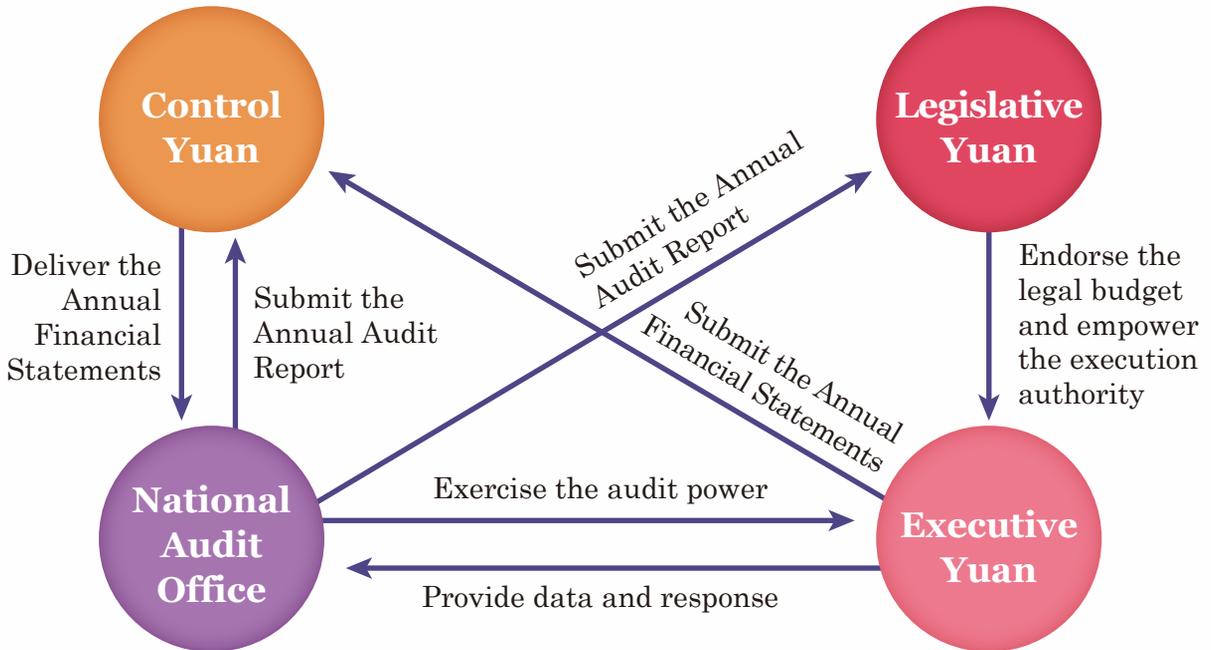
financial operations, they shall report to the auditing authority and notify the senior officers of the agency to handle the violation. The auditing authority may also report the violation to the CY and request processing in accordance with the law.

The NAO shall have an Auditor General, who shall be nominated and appointed by the President of R.O.C., with the consent of the Legislative Yuan. The incumbent Auditor General is Jui-min Chen.

The NAO and its subsidiaries conduct various audit work to perform audit functions. When auditors discover that government agencies or their staff conceal, refuse, postpone, violate laws, or discard their duties, audit agencies should report those conditions to the CY for handling in accordance with the Audit Act.



Government Accountability System



In 2023, 165 cases were reported by the NAO to the CY for review. In addition, 23 NAO cases were provided for the CY to exercise the power of control (e.g. as reference for CY corrective measure/censure/impeachment cases)

Cases Handled by the NAO and Reported to the CY in 2023

Total	Disposition					
	Investigated	Forwarded to other agencies to investigate	Merged with other cases	CY deemed NAO as having handled the case properly, and saved on record	Save for future reference	Others
165	7	6	19	130	-	3

*Unit: Number of Cases

CY Reviewing the 2022 Audit Report on the Final Financial Report of the Central Government in 2023

	CY handling			
Total	Investigated	Forwarded to other agencies to investigate	Save for future reference	Others
765	34	36	310	385

*Unit: Number of Cases

CY Reviewing the 2022 Audit Report on the Final Financial Report of the Local Government in 2023

	CY handling			
Total	Investigated	Forwarded to other agencies to investigate	Save for future reference	Others
1,739	8	27	1,670	34

*Unit: Number of Cases

Human Rights Works

With the joint efforts of civil groups and the government, the National Human Rights Commission (NHRC) was officially launched on August 1, 2020. In celebration of its 3rd anniversary, the NHRC has officially announced its 2023-2026 medium-term strategic plans by outlining 4 major strategies and 21 issues as its goals.

Strategy 1: Optimize the National Human Rights Commission

Issue 1 Refine the operation mechanism of the National Human Rights Commission

- a. Establish NHRC's guiding principles on handling human rights complaint
 - According to the Organic Act of the Control Yuan National Human Rights Commission, the NHRC has the right to conduct investigations into incidents concerning torture, human rights violations, and discrimination. It has established guiding principles on handling human rights complaint since March 28, 2023.
- b. Establish an advisory board on international affairs
 - The NHRC has established an advisory board to provide suggestions and advice on participating in international affairs.

Issue 2 Establish a monitoring mechanism for the implementation of Convention on the Rights of Persons with Disabilities (CRPD) and children rights

- a. Establish an oversight system for the implementation of the Convention on the Rights of Persons with Disabilities (CRPD)
 - This task involves monitoring the human rights index of persons with disabilities, investigating and handling complaints from persons with disabilities, and promoting comprehensive participation and monitoring by persons with disabilities.
- b. Establish a child rights monitoring mechanism
 - The NHRC has adopted the United Nations Children's Fund's Sustainable Development Goals and the Committee on the Rights of the Child (CRC) as a reference for evaluating whether the Executive Yuan has met international human rights conventions in its proposal of 6 major human rights indicators.

Issue 3 Enhance participation in the Global Alliance of National Human Rights Institutions (GANHRI) evaluation system

The GANHRI uses the Paris Principles to evaluate national human rights institutions, and the NHRC invited distinguished guests to conduct a review to determine whether it has met GANHRI's standards.

Issue 4 Strengthen the works on national human rights affairs and monitor the implementation of international human rights conventions

Oversee the implementation of the National Human Rights Action Plan and international human rights conventions

Issue 5 Establish a participation channel for civil groups

The NHRC held forums, conferences, and interviews on topics surrounding the abolishment of death penalties, independent review of international conventions, etc., and conducted 98 exchanges with NGO groups in 2023.

Issue 6 Strengthen human rights complaint channels

The NHRC has listed cases concerning torture, human rights violations, and discrimination as priorities for investigation. It has also translated human rights complaint documents into English, Thai, and Indonesian and purchased a sign language translation system to cater to the needs of foreigners and hearing-impaired people.

Strategy 2: Monitor and improve protection of the human rights of vulnerable groups

Issue 1 Promote the incorporation of Convention Against Torture (CAT) and its Optional Protocol into domestic law



Part 3

Our Performance

- a. Launch a trial run program for National Preventive Mechanisms (NPM) against torture
 - In order to promote the incorporation of CAT and its Optional Protocol into domestic law, the NHRC launched a trial run program for NPM against torture and carried out 8 visits and interviews. The final report was published online in September 2023.
- b. Conduct educational training workshops for National Preventive Mechanisms by inviting EU and French experts as keynote speakers
 - The NHRC invited former UN Special Rapporteur Dainius Pūras and former chair of the United Nations Committee Against Torture, Jens Modvig, to give keynote speeches at forums.
- c. Commissioned research on the United Nations Convention Against Torture (UNCAT), forms of torture, and international case studies
- d. Commissioned research on the establishment of a NPM against torture
 - The establishment of a national preventive mechanism against torture is still in debate as it needs to comply with domestic law and the government system while meeting the standards outlined in the UNCAT and its Optional Protocol.

Issue 2 Discuss forced eviction victims' right to an adequate standard of housing

- The NHRC held two forums and invited home and overseas scholars to give talks on the adequate standard of housing, banning forced eviction, land use, city planning, and the protection of vulnerable groups.

Issue 3 Promote the gradual abolition of the death penalty

- To advocate for the abolition of the death penalty, the NHRC established a working group to promote the abolition of death penalties in accordance

with the Paris Principles and the abolition guidebook published by Ensemble Contre la Peine de Mort (ECPM).

- To raise public awareness of wrongful convictions, the NHRC partnered with the Taiwan Innocence Project to host the 2023 Taiwan Innocence Film Festival and present 15 screenings of films addressing wrongful convictions and the death penalty.

Issue 4 Promote equal access to justice

- To facilitate the government's implementation of the International Covenant on Civil and Political Rights and defend the rights of disadvantaged defendants in trials, the NHRC has commissioned evidence-based research on the compulsory counsel system in 2023.

Issue 5 Improve the employment and economic security of women with caring responsibilities

- The NHRC launched a working group and held forums with the Foundation for Women's Rights Promotion and Development, exchanging profound opinions with women groups regarding the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

Issue 6 Monitor the protection of the human rights of people with psychosocial disabilities

- The NHRC launched a working group, held 10 meetings and forums, published a feature article in Commonwealth Magazine on Dec. 13, 2023, and curated a digital exhibition with the goal of eliminating social discrimination.

Issue 7 Supervise migrant workers' human rights

- a. How migrant workers raise children in a foreign country case
 - To gain a deeper understanding of pregnant migrant workers' jobs, healthcare, changes in employment, as well as the social welfare and education resources available to children after birth, the NHRC has conducted on-site visits, surveys, and interviews since 2021 and published the final report in July 2023.
- b. Migrant fishers case
 - The NHRC collaborated with the Human Rights Organization of Foreign Fishermen (OMFR) to organize a series of activities on the topic "Action and Dialogue with Stakeholders on Human Rights Issues of Foreign Fishermen," including 3 symposiums and in-depth interviews with 10 stakeholders.
- c. Migrant domestic workers case
 - To address the systematic issue of domestic workers' labor rights lacking judicial enforcement, the NHRC commissioned research on the review of the development and human rights protection of migrant social welfare workers in accordance with international human rights conventions.

Issue 8 Promote ethnic mainstreaming and monitor the collective rights of indigenous groups

- To gain a deeper understanding of the government's ethnic mainstreaming policy, the NHRC invited the Minister of the Hakka Affairs Council, Con-ziin Yiong, to give talks focusing on rights concerning indigenous groups, such as health rights, identity rights, and naming rights.

Issue 9 Discuss and research emerging human rights issues and their impacts

a. On climate change

- To promote environmental human rights and raise awareness of vulnerable groups affected by climate change, the NHRC created a series of animated short videos about the Aarhus Convention.

b. On digital human rights

- AI-generated content has seen a significant increase since 2022. In order to comprehend the impact of AI-generated content on human rights, the NHRC initiated commissioned research on the issue.

Strategy 3: Monitor and promote human rights education

Issue 1 Elevate the human rights awareness of civil servants, police officers, corrections officers, judicial officers, and military officers

a. Human rights education for youth

- According to the Plan of Action for the Fourth Phase of the World Program for Human Rights Education, the NHRC has focused on youth empowerment through human rights education by collaborating with different universities from August to November 2023. The program focused on topics related to new residents, migrants, refugees, and the CEDAW.

b. Indigenous human rights education

- In line with the Declaration on the Rights of Indigenous Peoples, the NHRC initiated an education program for indigenous peoples in partnership with different universities.

Part 3

Our Performance

Issue 2 Establish a human rights data center, monitor the pulse of international human right trends, and promote the application of human rights information

- a. The establishment of a human rights library
 - To keep track of human rights issues' development and increase research capacity, the NHRC purchased 365 books in both Spanish and Chinese languages.
- b. Publish and translate human rights books and texts
 - To increase the human rights database, the NHRC published 5 publications and translated 23 international human rights documents.

Issue 3 Prevalence of human rights education

- a. First participation in the Taiwan LGBT+ Pride Parade
 - The NHRC participated in the Taiwan LGBT+ Pride Parade for the first time in 2023 and invited former Vice-Chair of the UN Committee on Economic, Social and Cultural Rights Eibe Riedel and Deputy Mayor of Paris Jean-Luc Romero-Michel to join the colorful parade, which had more than 150,000 attendees.



The NHRC's first participation in the Taiwan LGBT+ Pride Parade

b. Taiwan-France exchange on LGBTQ+ issues

- To address the issue of sexual diversity, the NHRC has partnered with the French Office in Taipei to host the 2023 Taiwan LGBTQ+ International Human Rights Salon on Oct. 30, 2023. The event focused on topics such as discrimination, violence, sexual equality, transgender rights, and gender change registration.

c. Human Rights Day promotional campaign

i. Holding the 2023 Human Rights Poster Design Competition

The NHRC held the 2023 Human Rights Poster Design Competition and received overseas submissions from Finland, China, Hong Kong, and Macau.



NHRC members hold placards at the award ceremony for the 2023 Human Rights Poster Design Competition

ii. Holding the Human Rights Poster Special Exhibition

To celebrate the significant 75th anniversary of the Universal Declaration of Human Rights, the NHRC invited the public to visit the winning works in the 2023 Human Rights Poster Design Competition and reflect on a more ideal society.

Strategy 4: Active participation in international human rights network

Issue 1 Publish the first independent review to the national report of the Elimination of All Forms of Racial Discrimination (ICERD)

Issue 2 Participate actively in global human rights affairs and increase related talent pool

- a. Active dialogue with the global community and sharing Taiwan's democracy and human rights
 - Recording a statement video for the second Summit for Democracy
As the US launched the second Summit for Democracy on March 29, 2023, Chairperson Chu Chen was invited to record the National Statement on behalf of Taiwan.
- b. Participation in the 28th Asia Pacific Forum (APF) Annual General Meeting and Biennial Conference

From September 19 to 24, 2023, Chairperson Chu Chen led a delegation to India to participate in the conference, marking the first participation of the NHRC in the conference and setting a new milestone for Taiwan in the global community.



Chairperson Chu Chen (sixth left) leads a delegation to India to participate in the APF Conference

- c. Visit Canada for its National Human Rights Institution and exchange indigenous human rights issues
 - Chairperson Chu Chen led a delegation to Canada, engaging in discussions and exchanges with British Columbia and Canadian Confederation human rights institutions.
- d. Holding the Global Cooperation and Training Framework (GCTF) “International Workshop on Human Rights in the Digital Age” with the American Institute in Taiwan
 - The conference focused on the promotion of cyber freedom, crackdown on the abuse of technology, development of regulations, principles, and protection concerning artificial intelligence.

International Affairs

Globalization has made international exchange and cooperation more crucial and frequent than ever before. In its efforts to enhance Taiwan’s global presence and connect with ombudsman institutions in countries across the world, the CY joined the International Ombudsman Institute (IOI) since 1994 as a voting member. From 2001, the CY’s membership was placed under the Australasian Pacific Ombudsman Region (APOR). It has also served as an observer in the Iberoamerican Ombudsperson Federation (FIO) since 1999, fostering strong ties with Spanish and Portuguese-speaking ombudsman institutions.

As the world transitions into the post-pandemic era, CY members have actively engaged in ombudsman-related events and seized international exchange opportunities to demonstrate the performance and effectiveness of exercising the supervisory powers of the CY. The following highlights the CY’s achievements in 2023.

Part 3

Our Performance

Attending APOR 2023 Conference

CY Vice President Hung-chun Lee headed a delegation including members of the International Affairs Committee Li-jen Wang, Wen-cheng Lin, Li-chiung Su, and executive secretary Lin-ling Uang to the APOR 2023 conference and the Victorian Ombudsman 50th anniversary in Melbourne, Australia. These events took place from October 30 to November 1.

The conference, entitled “Through the Ombudsman Looking Glass: Now and Into The Future” was hosted by Victorian Ombudsman Deborah Glass OBE as Regional President and discussed current important supervisory and human rights issues. These included reflecting the ombudsman’s role during a crisis, public concern for government integrity, the delicate balance required in wielding coercive powers, and the impact of emerging technologies in ombudsman affairs.



CY delegation and APOR president, Deborah Glass (third right) pose for a photo on Oct. 30, 2023



CY Vice President Hung-chun Lee (sixth right) and APOR ombudsmen pose for a photo on Oct. 31, 2023

Attending the 27th FIO Conference

CY member Yu-jung Lin represented the CY at the 27th FIO Conference in Barranquilla, Colombia from October 3 to 5, 2023. Discussions at the conference covered various topics such as conflict prevention in Latin American society, challenges encountered by Latin American women, natural resource protection, and sustainable development. This marked the second meeting between the sixth-term CY members and Latin American ombudsmen.

To enhance the effectiveness of the visit and the exercise of supervisory rights, the delegation also conducted supervision at the Taipei Economic and Cultural Office in Los Angeles and the Taipei Commercial Office in Bogotá, Colombia. This initiative aimed to acquire a more comprehensive insight into Taiwan's foreign relations, trade activities, overseas compatriots affairs, cultural aspects, and other relevant endeavors in the United States and Colombia.

Part 3

Our Performance



CY member Yu-jung Lin (front row, second right) attends the “Immigrants and Human Trafficking Network” session in the 27th FIO conference

Receiving International Guests

The CY has consistently made significant efforts to engage in international affairs. To increase visibility of Taiwan’s supervisory system among international ombudsmen, the CY has extended invitations or hosted foreign guests over the years. This aims to strengthen relationships, foster effective communication, and exchange insights on the implementation of supervisory authority.

In 2023, CY had the honor of hosting esteemed foreign dignitaries, such as IOI President Chris Field and FIO President and Dominican Republic Ombudsman Pablo Ulloa.

I. President of the International Ombudsman Institute (IOI) Chris Field Visits Taiwan

Chris Field, President of the IOI and Western Australian Ombudsman, was honored with the First Grade Control Yuan Medal during his visit to the CY

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on July 24, 2023. He presented a speech titled “The Modern Institution of the Ombudsman and Good Governance, the Rule of Law and Human Rights,” which covered the historical significance of the ombudsman role, the mission of the IOI, and how contemporary ombudsman institutions contribute to the promotion of good governance and human rights. Additionally, he discussed the fundamental principles of ombudsman institutions, including the Venice Principles and United Nations resolutions.

In her comments, CY President Chu Chen highlighted that both CY and the Office of the Western Australian Ombudsman belong to the Australasian Pacific Ombudsman Region (APOR). She mentioned that she and Field had previously met in October at the APOR conference in New Zealand, making their reunion in Taiwan particularly meaningful. Field commended CY for its enduring support and proactive involvement in the IOI, emphasizing its commitment to promoting good governance and protecting human rights. He expressed that CY is a highly esteemed and valued member of the IOI.



CY President Chu Chen (front row, fourth right), IOI President Chris Field (front row, fifth right) and other participants pose for a photo

II. FIO President and Dominican Republic Ombudsman Pablo Ulloa Visits Taiwan

President of the FIO and Ombudsman of the Dominican Republic, Pablo Ulloa, along with his wife, visited the CY on October 18, 2023, to deliver a speech on the role and significance of public protectors in promoting national harmony and coordination. This visit marked the first official visit to Taiwan by an FIO president since 2017, signifying its importance. In his opening remarks, CY Vice President Hung-chun Lee highlighted that the FIO serves as the primary platform for the exchange of ideas among public protectors and national human rights commissions in Latin America. The CY has been an observer at FIO annual conference since 1999, having participated in a total of 23 meetings to date. In 2020, the CY and FIO signed a cooperation agreement remotely via mail. During their visit to Taiwan, President Ulloa also toured the International Cooperation and Development Fund, visited the Jingmei White Terror Memorial Park, and other notable locations.



CY Vice President Hung-chun Lee (front row, seventh left), FIO President Pablo Ulloa (front row, sixth left) and other participants pose for a photo

Publications and Newsletters

To enhance public awareness and comprehension of ombudsmanship, and to highlight the CY's functions, powers, and achievements to the global audience, the CY has proactively released newsletters and other publications in English and Spanish.

The CY releases an English newsletter biannually in January and July, having published 7 issues since January 2021. Furthermore, the annual report is issued in both English and Spanish every June, showcasing the organization's performance and selected investigation cases from the year. These publications encompass a range of topics such as the exercise of our powers, human rights engagements, and international affairs.

The CY consistently shares its latest news, activities, and significant investigation cases with the IOI Newsletter and APOR E-news, published weekly and biannually, respectively. In 2023, the CY's contributions to the IOI Newsletter (available in English, French, and Spanish) cover various topics. These include CY members conducting circuit supervision trips to the Penghu islands to enhance their understanding of local jail facilities, remote education, and health services.

The APOR E-news functions as an information-sharing platform for APOR members. The CY provided updates on its longstanding committee members conducting circuit supervision visits to Taipei Veterans General Hospital to inquire about the rehabilitation of patients with chronic mental disorders and to Yuli Hospital to assess the recovery of political victims.



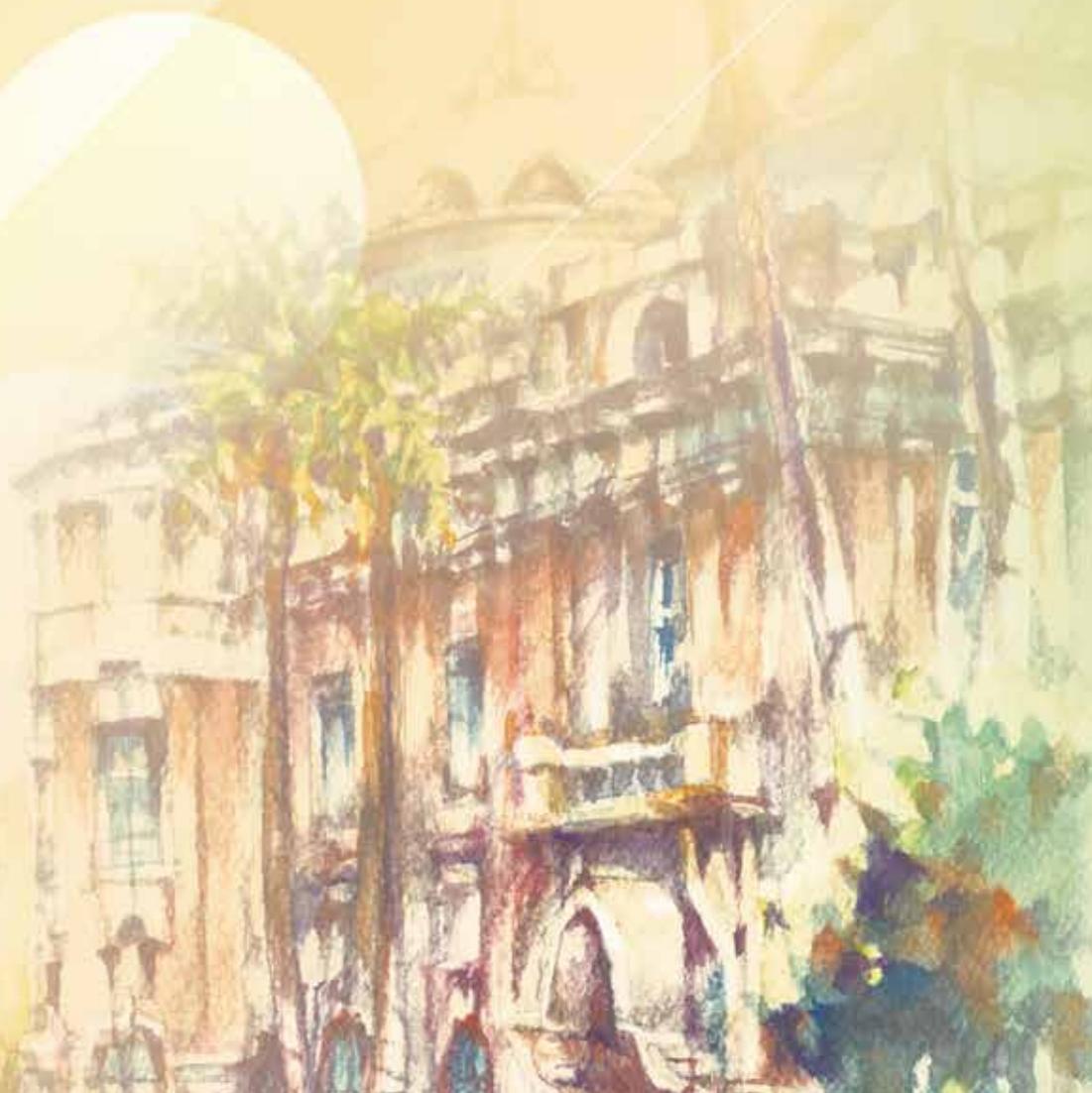
Part 3

Our Performance

The CY's International Affairs Committee has edited and published 33 foreign ombudsman handbooks to enhance public understanding of the international ombudsman system, broaden its horizons, and stay current with the latest developments in the field. To this end, the committee has chosen *Ombuds Institutions, Good Governance, and the International Human Rights System*, by Dr. Linda C. Reif of the University of Alberta, for translation into Chinese. This book delves into national human rights institutions, the human rights initiatives of traditional ombudsmen, and the intertwined evolution and interactions of human rights and ombudsman institutions. Given the original English text's extensive length of nearly 800 pages, the Chinese version of the book is slated for release in two volumes in March 2024.

Part 4

Case Summaries: Bringing our Powers to Bear





Part 4

Case Summaries: Bringing our Powers to Bear

Case Summaries: Bringing our Powers to Bear

Disciplinary Correction of Government Officials

Case 1: To Ensure Judicial Integrity, CY Impeaches Former Disciplinary Court Chief Justice for Sexual Harassment

Former Chief Justice of the Disciplinary Court, Po-tao Lee, was accused of abusing his power and authority by making sexual advances toward a woman, identified only as A, during a period from March 16 to April 17, 2023. The allegations include hugging, touching her arms and body, offering unsolicited compliments, and sending pictures, messages, and letters. The Judicial Yuan's Sexual Harassment Complaint Committee classified the complaint as a sexual harassment case, finding no grounds for an appeal of the preliminary evaluation. This decision highlights Lee's egregious misconduct and violation of his position. Compounding the issue, Lee displayed no remorse or repentance when the CY questioned him, attempting to justify his actions instead, which further tarnishes the dignity and reputation of the judiciary.

Whether Lee's conduct and verbal language constitute sexual harassment should be evaluated using the reasonable victim standard. The behavior exhibited by Lee has been deemed to objectively carry sexual connotations by the Judicial Yuan's Sexual Harassment Complaint Committee. Since the conduct has caused fear, discomfort, and nausea in A's subjective experience, Lee has been found guilty of committing sexual harassment.

As Lee served not only as a judge but also as the head of an institution that oversees the discipline of civil servants nationwide, he must be held to a higher and stricter standard. Following the investigation, the CY found him

guilty of “misconduct” as defined in Article 21, Paragraph 1, Section 2 of the Judges Act and of violating Article 18, Paragraph 1 of the Judges Act, as well as Article 5 of the Code of Conduct for Judges. Article 49, Paragraph 1 of the Judges Act mandates that judges found guilty of misconduct are to face disciplinary action. In response to the misconduct warranting discipline, the CY has impeached him, and the case has been referred to the Judiciary’s Disciplinary Chamber for adjudication. The CY aims to maintain judicial integrity and enforce discipline through this impeachment.

Case 2: Atomic Energy Council Sexual Harassment Case: CY Impeaches Minister and Urges Executive Yuan to Amend Legislations

Former minister of the Atomic Energy Council (now the Nuclear Safety Commission, NSC) Shou-shing Hsieh has been accused of sexual harassment and abuse of power. Following an investigation, the CY discovered that Hsieh, despite his leadership role and the expectation of upholding the highest standards of conduct and behavior, allegedly committed 4 major infractions: workplace bullying, sexism, inappropriate conduct and creating a hostile work environment as well as of having lunch with his secretary during the Covid-19 pandemic, which were violations of the Employment Service Act, the Gender Equality in Employment Act, and the Convention on the Elimination of All Forms of Discrimination Against Women. The CY has completed its review and voted unanimously to impeach Hsieh, marking him the first cabinet member to be removed from office due to allegations of sexual harassment and abuse of power. The case has been referred to the Disciplinary Court for further adjudication.



Part 4

Case Summaries: Bringing our Powers to Bear

In the investigation report, the CY has requested that the NSC overhaul its sexual harassment reporting system and revise its procedures for handling sexual harassment complaints and investigations. The Executive Yuan convened a meeting and informed all institutions, pressing them to develop guidelines in line with Article 13 of the Gender Equality in Employment Act. Additionally, it emphasized the need for a mechanism whereby, if office heads are accused of sexual harassment, the appeals and case management should be undertaken by the superior authority.

Additionally, the Executive Yuan has been proactively revising the Gender Equality in Employment Act to impose stricter administrative penalties on violators and increased compensation. In cases where offenders have committed sexual harassment by exploiting their power and status, or if they are the highest-ranking manager or employer at a workplace, victims will be entitled to seek punitive damages ranging from one to five times the amount of compensation. Should the offender be the head of an institution, a school principal, or a military officer with a rank of colonel or higher, local authorities are authorized to impose a monetary penalty ranging from NT\$10,000 to NT\$1 million, aiming to hold those in the highest positions accountable for their sexual harassment actions. Furthermore, to address the abuse of power in the workplace, the Executive Yuan's Directorate-General of Personnel Administration (DGPA) has proposed revisions of the institution's guidelines and improvements to the response mechanisms.

Safeguarding and Caring for the Rights of the Disadvantaged

Case 3: CY Investigation of Land Act Controversy Results in Safeguarding Disadvantaged Citizen's Property and Living Rights

In 1975, the incorporation of Article 34-1 into the Land Act introduced the “majority” rule, which superseded Article 819 of the Civil Code. Article 819 states that “The disposition of, the alteration of, and the creation of an encumbrance over a thing held in indivision shall only be made with the consent of all the co-owners.” This regulation was established to protect the rights of owners while promoting the efficient use of co-owned real estate property. However, the CY has identified that the application of Article 34-1 in the Land Act has led to controversies and conflicts, including coercion and the tyranny of the majority over the minority.

In this instance, the complainant owns a corner unit on the first floor of the Taiping Recreation Building in Taiping District, Taichung, which he operates as a shaved ice shop for his livelihood. However, the construction company, which is the sole owner of the second through fourth floors and the basement of the building, as well as a co-owner of the first floor, has exploited a loophole and flaw in Article 34-1 to undermine the complainant's property rights and has sold the building to a development corporation for NT\$449.031 million.

The complainant received only NT\$800,000 in compensation, an amount significantly lower than the original purchase price and the annual revenue, which severely infringed upon the complainant's property rights and the right to earn a living. According to another news report, the building in question



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Case Summaries: Bringing our Powers to Bear

was resold in April 2023, with the final sale price reaching NT\$680 million. In other words, the company realized a profit of NT\$2.3 million within three years, exacerbating the complainant's sense of loss. With the intervention and corrective measures of the CY, it has supported a citizen in a legal battle reminiscent of David versus Goliath, drawing public attention and debate. The CY also hosted a seminar on the case. Through its ongoing supervision, the CY has spurred the Ministry of the Interior to amend the enforcement conditions of Article 34-1, thereby safeguarding the procedures and rights of co-owners and preventing further instances of the tyranny of the majority.

Case 4: Improper Penalty of Autistic Passenger Results in CY Urging Taipei Metro to Review Guidelines and Safeguard Rights of Disadvantaged

In September 2022, an autistic man with the surname Yu was traveling on the Taipei Metro. He briefly pulled down his mask to touch his lips with his finger and then held onto the handrail. However, his actions were criticized by another passenger, a woman named Yang. She responded by spraying an unknown liquid on Yu's hands and face, which led to a physical altercation involving pushing and punching from Yu. After metro staff escorted Yu to the lobby, Yang sprayed the liquid into his eyes again. The Taipei Metro later determined that Yu had violated regulations by spitting phlegm and contaminating the environment, as outlined in Article 50, Section 1, Paragraph 9 of the Mass Rapid Transit Act, which prohibits "drinking, eating, chewing gum or betel nut; spitting phlegm or betel nut juice; and littering with cigarette butts, gum, food waste or other rubbish within the restricted areas of a mass rapid transit system." Consequently, Yu received a financial penalty.

However, the CY found that Yu did not spit phlegm or smear saliva on the

handrail, presenting a completely different version of the incident compared to the news report released by the Taipei Metro. The CY pointed out that the Taipei Metro infringed upon a citizen's rights by failing to investigate and ascertain the truth before issuing a penalty. Additionally, despite the presence of metro staff, they did not intervene when Yu's eyes were sprayed by Yang a second time, indicating that further training is necessary for the staff. As the Convention on the Rights of Persons with Disabilities has been incorporated into domestic law, the Taipei Metro should work to foster a more accessible assistance service system. Following the CY's investigation and follow-up, the Taipei Metro has not only rescinded its financial penalty and enhanced staff training to better identify and assist people with disabilities during their duties, but also revised its passenger service procedures. New support measures, management, and disciplinary actions for assisting people with disabilities have been implemented. The metro has also conducted on-site drills and promotions to ensure that people with disabilities can exercise their right to use public transportation equally.

Enhancing the Value of Human Rights

Case 5: Lin Family Homicide Case: CY Finds Six Major Contraventions During Authoritarian Period

The Lin family homicide case took place on Feb. 28, 1980, a day that marked the 33rd anniversary of the 228 Incident and the first public trial around the Formosa Incident. On the day of the incident, an unknown assailant broke into the Lin residence, stabbing Yi-hsiung Lin's mother A-mei Yu Lin and six-year-old twins Liang-chun Lin and Ting-chun Lin, who succumbed to their injuries. The eldest daughter, nine-year-old Judy Lin (later Judy Linton), was severely wounded after being stabbed multiple times but would be the



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sole survivor of the attack. The assailant remained in the residence for over 80 minutes. Although the government of the time set up an investigation team, the case remained unsolved despite the significant resources and manpower invested. The investigation was deliberately misled, and there were concerns about interference from the intelligence agency, leading to repeated dead ends and leaving the case unsolved to this day.

Then-members of the CY Peng-chien Chiang and Shen-yi Lee requested an investigation into the Lin family homicide case of 1996. The initial investigation encountered obstacles and was limited to examining the potential involvement of intelligence officers in the homicide. Despite 4 subsequent re-investigations by the Criminal Investigation Bureau and the Taiwan High Prosecutors Office, the case remained unsolved and was eventually shelved. In 2020, the Transitional Justice Commission discovered, based on declassified files from the National Security Bureau, that the intelligence agency had obstructed the police investigation by destroying and hiding key evidence. With this new information, current CY members Chung-yi Tsai and Sun-lu Fan continued the investigation. They found that the Criminal Investigation Bureau's "cloud-clearer" task force had made no progress because the intelligence agency had erased the wiretapped recordings from Lin's home, installed by the Taiwan Garrison Command. Additionally, the agency blocked the release of the suspected perpetrator's ID sketch and delayed the task force's efforts to obtain a check made by the suspect at the King's Piano Restaurant. These actions by the intelligence agency led to the repeated and unsuccessful investigations.

The CY has informed the Executive Yuan to oversee and follow up on the location of the tape and the alleged suspect's image. However, all intelligence agencies have denied having any new information. Subsequently, the CY

requested that the Criminal Investigation Bureau update the suspect's facial composite based on descriptions from the sole survivor and other witnesses, using modern technology. With the case still under investigation by the prosecutors, the CY has pressed the Ministry of Justice to release the suspect's facial composite to the public, encouraging citizens to provide any relevant information they may have.

The CY has urged the Executive Yuan and its subordinate intelligence agencies to implement modifications and an overhaul in accordance with the second investigation report issued by the CY. The CY will continue the investigation by examining the National Security Bureau's involvement with the criminal triad Bamboo Union and scrutinizing declassified files to uncover further clues. Additionally, among the fingerprints found at Lin's residence, one remains unmatched, prompting the CY to request that the Criminal Investigation Bureau conduct fingerprint matching tests using its state-of-the-art equipment.

Case 6: Cambodia Human Trafficking Scams: CY Urges Executive Yuan to Amend Regulations

Regarding the human trafficking scams in Cambodia, the CY has determined that these are not entirely new offenses; there have been previous instances of similar crimes. Since the National Police Agency (NPA) received its first report on March 23, 2022, it has deployed staff at airports to display warning signs, deterred citizens who have been misled from traveling, and directed officers at each police station to conduct thorough investigations. Between January 2021 and August 7, 2023, the NPA has received 733 reports and has successfully rescued 496 citizens overseas. The CY commended the national police force for its diligent efforts.



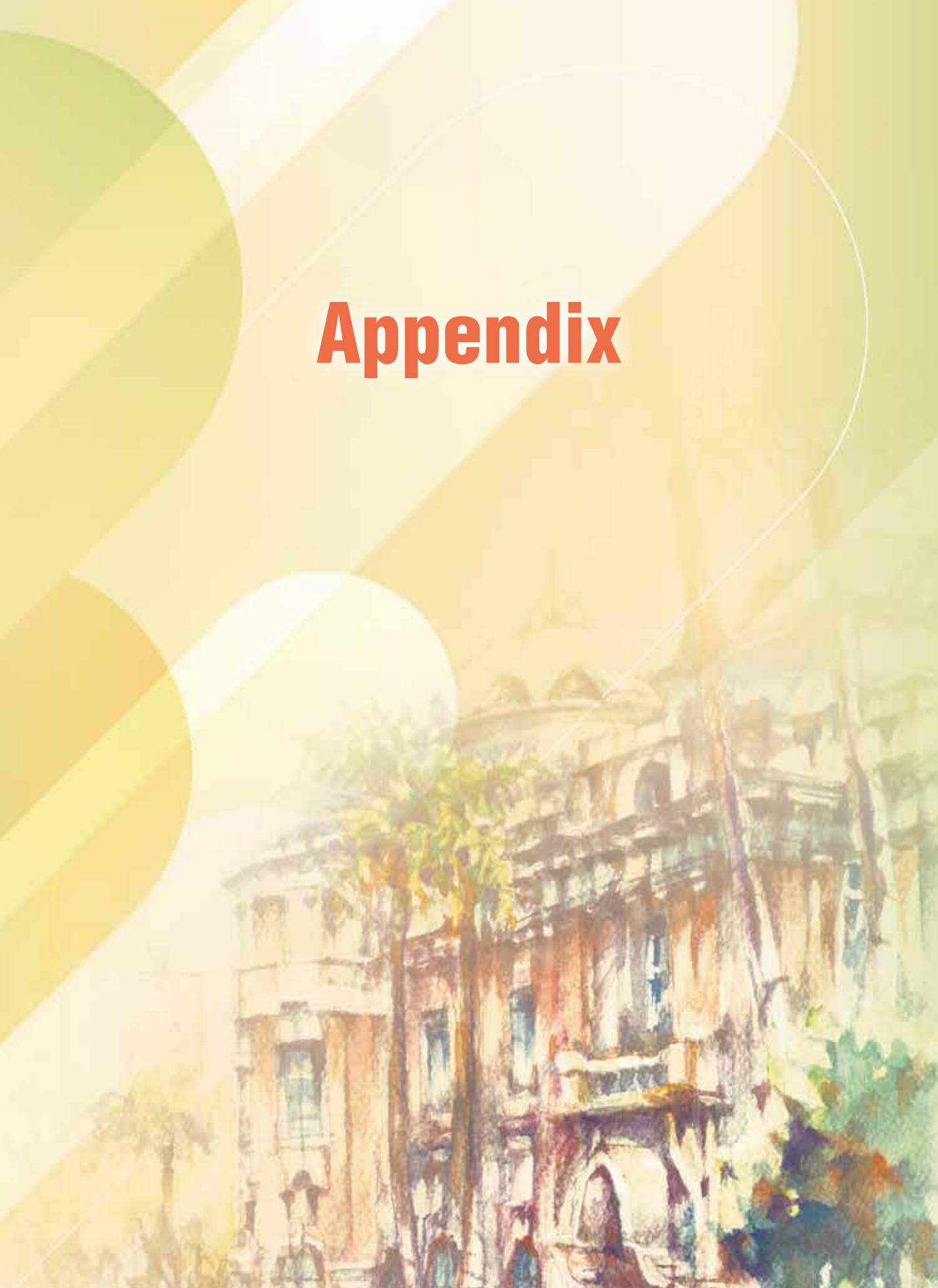
Part 4

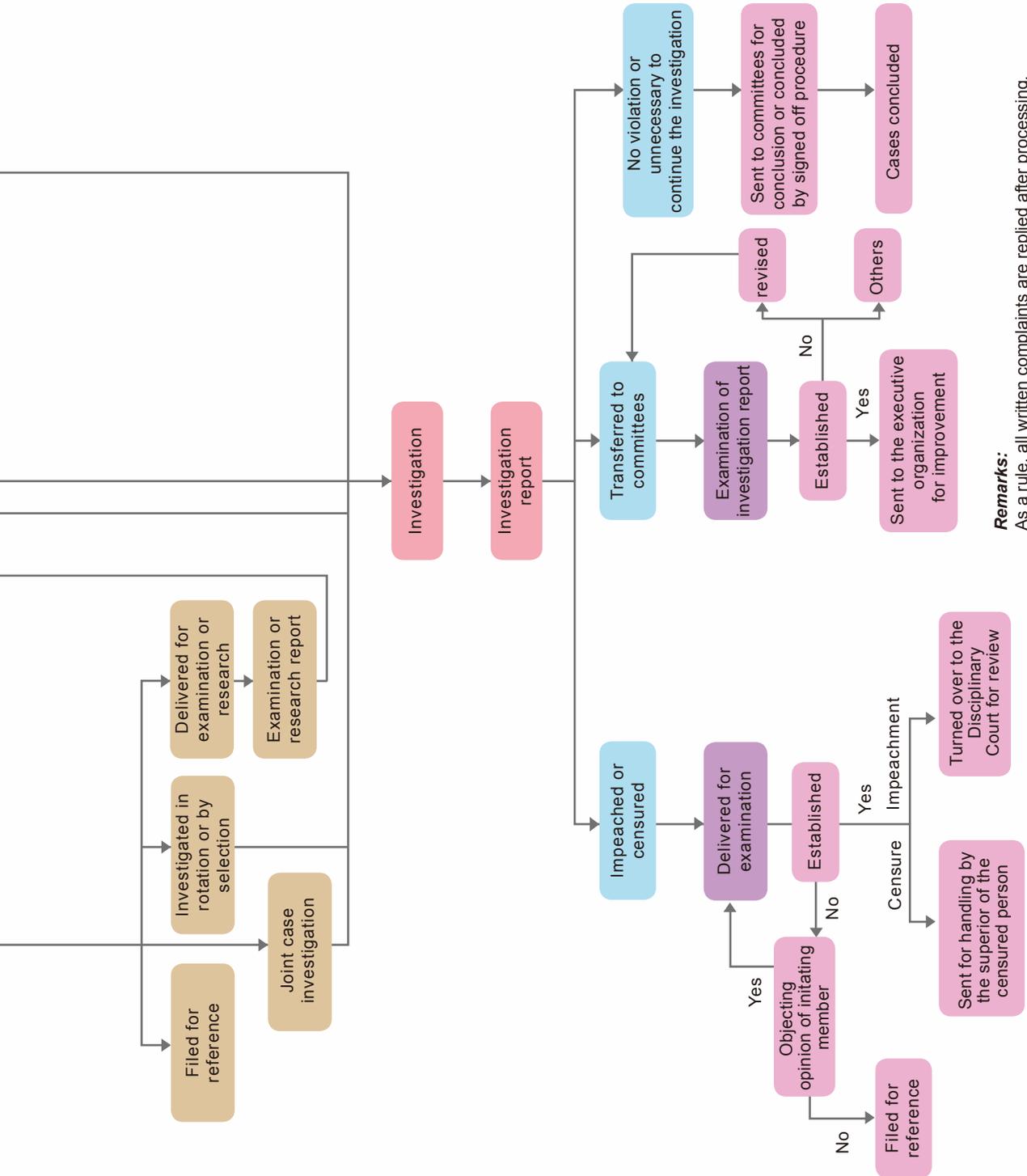
Case Summaries: Bringing our Powers to Bear

As cases of this nature often involve forced labor, organized crime, and human trafficking, the government has every responsibility to crack down on such crimes. During the CY's investigation, the Executive Yuan proposed amendments to the Human Trafficking Prevention Act, Organized Crime Prevention Act, and the Criminal Code. In addition to the investigation report, the CY has urged the Executive Yuan to make modifications and improvements in various areas. These include the flexible use of the overseas emergency assistance fund, the promotion of overseas police unit's ranking and an increase in manpower, timely assistance for repatriated citizens, the initiation of case research and analysis to propose preventive measures, the establishment of a dedicated unit with appropriate staffing, the strengthening of collaboration between public and private sectors, the creation of a mechanism to detect overseas recruitment scams, and the promotion of awareness regarding recruitment fraud.

Following the follow-up, the NPA has expanded its network of overseas correspondents in Turkey, Vietnam, and India. The Ministry of Labor, in collaboration with the Ministry of Foreign Affairs, is working to establish an overseas detection system to combat recruitment scams. This system aims to identify suspicious recruitment activities from companies and clients, provide hotlines and channels for reporting tips, and review and oversee job vacancies to eliminate illegal companies. The CY will continue to urge the Executive Yuan to enhance and integrate cross-sector collaboration and support systems to protect the lives and property of citizens abroad.

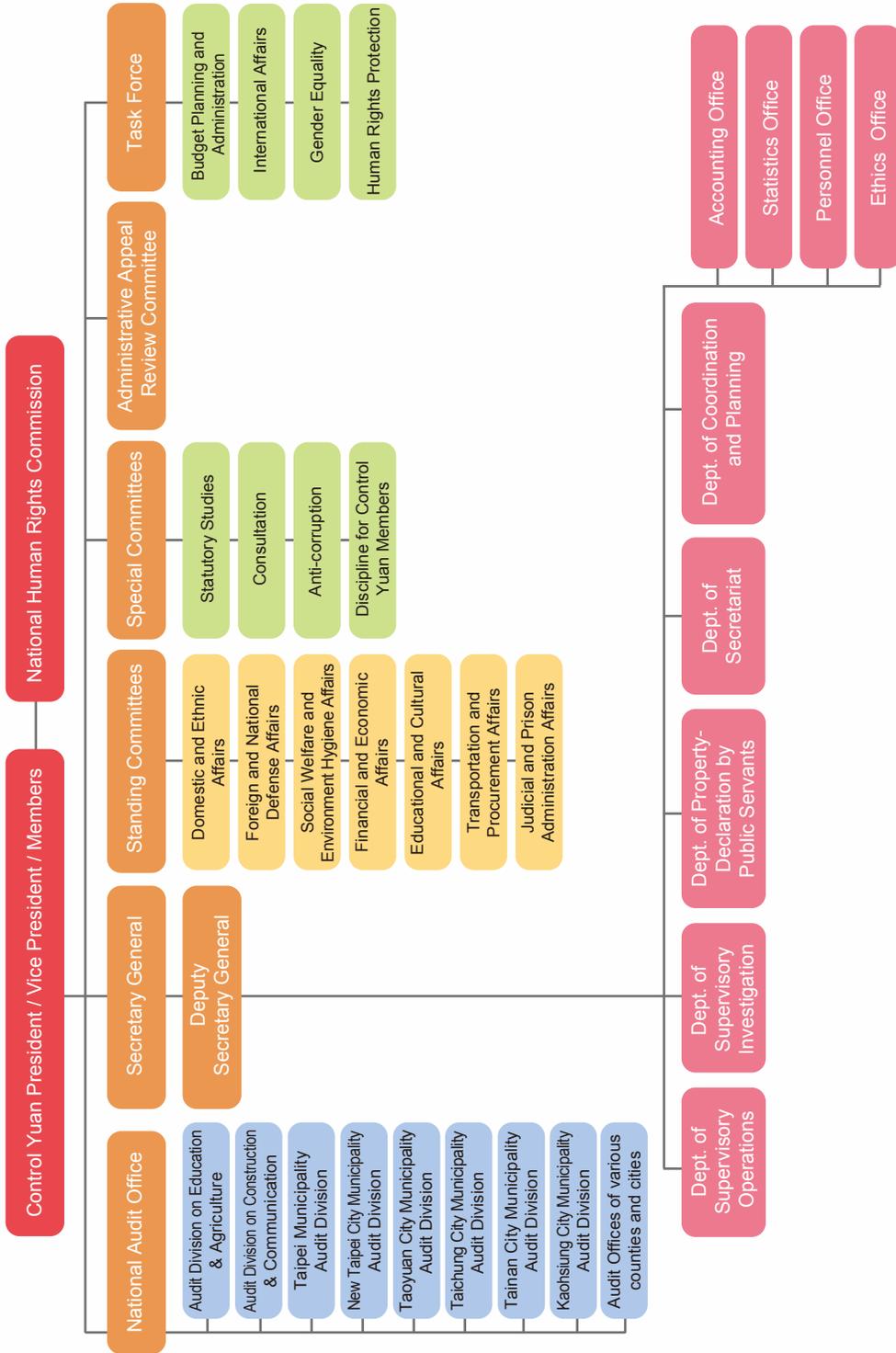
Appendix





Remarks:
As a rule, all written complaints are replied after processing.

Appendix 2: Organizational Chart of the CY





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