

Post-disaster relocation delayed: An investigation into the right to life¹

August 1, 1996 saw the devastation of Typhoon Herb in central Taiwan. Government inspections led to a decision to relocate residents to a 4,003-square-foot designated stretch of land. The relocation plan involves the construction of soil and water conservation facilities (SWC), drainage, roads, pipelines and sewer treatment. Fifteen years since the three-year construction from September 1996 through January 1999, the project remained incomplete and the victims homeless. Control Yuan Members launched an investigation and exposed maladministration by Chiayi County Government and its subordinate Alishan Township Office.

While the law mandates all new land developments be preceded by environmental assessment, it exempts areas less than 1 hectare, and those with less than 100 households, or 500 residents. After knowing that the target area is a natural reserve for protecting the sources, quality and level of water, thereby requires a pre-construction environment assessment, Alishan Township Office halted the SWC construction without considering the aforementioned exemption provision. Such decision delayed the construction and left a number of people homeless and a 4-million-dollar land idle for many years. The investigation found that Alishan Township Office had carried out procurement without the necessary SWC approval, resulting in insufficient funding and hampered environmental assessment. Eventually the SWC project was rejected, terminating three procurement contracts that followed. Countless man-hours and millions of public funding have gone to waste. Local authority in Chiayi County is also at fault for neglecting its supervisory role to ensure that project and procurement schedule is carried out properly.

In response to Control Yuan's redress, the Alishan Township Office has requested the contract consultancy to revise the soil and water conservation plan before submitting it for review by a third party authorized by Chiayi County Government. Should the plan fail to pass muster, the Township Office will be notified to seek alternative approaches in order to prevent idle land. Chiayi County Government has listed the case among its agenda for regular meetings on the promotion of major public construction and notified Alishan Township to update on a regular basis.

¹ Case no. 1000800324