

TAIWAN 2017 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of religious belief. Domestic service workers and caretakers are not covered under the labor standards law and are therefore not legally guaranteed a weekly rest day. Due to this exclusion, many domestic workers were not able to attend religious services. Authorities stated they viewed the domestic service workers' attendance of religious services as a religious freedom issue that is part of a broader labor issue. A Tibetan Buddhist organization reported monks were unable to obtain resident visas for religious work. Authorities said they did not grant resident visas because of general rules governing foreigners who use travel permits instead of passports, not because of the religious purpose of the monks' applications.

A Tibetan Buddhist group sued a local Buddhist organization that reportedly was Chinese-funded and harassing them. The Tibetan Buddhist group said the Supreme Court had heard the case but had yet to make a ruling on the case because of opposition from local Buddhists. Authorities said all court cases involving the Tibetan Buddhist group had been closed.

Staff of the American Institute in Taiwan (AIT) regularly met with authorities as part of its efforts to promote religious freedom and tolerance. AIT representatives consulted with government officials and lawmakers, including on the issues of Tibetan Buddhist practitioners and labor rights as they affect domestic service workers' ability to attend religious services. AIT representatives also met with religious leaders and representatives of faith-based social service organizations to promote religious tolerance.

Section I. Religious Demography

The U.S. government estimates the total population at 23.5 million (July 2017 estimate). Based on a comprehensive study conducted in 2005, the Religious Affairs Section of the Ministry of the Interior (MOI) estimates 35 percent of the population considers itself Buddhist and 33 percent Taoist. Although the MOI has not tracked population data on religious groups since the 2005 study, it states this estimate remains largely unchanged. While the majority of religious adherents categorize themselves as either Buddhist or Taoist, many adherents consider themselves both Buddhist and Taoist, and many others incorporate the religious practices of other faiths into their religious beliefs.

In addition to organized religious groups, many people also practice traditional Chinese folk religions, which include some aspects of shamanism, ancestor worship, and animism. Researchers and academics estimate as much as 80 percent of the population believes in some form of traditional folk religion. Such folk religions frequently overlap with an individual's belief in Buddhism, Taoism, Confucianism, or other traditional Chinese religions. Some practitioners of Buddhism, Taoism, and other traditional Chinese religions also practice Falun Gong, a self-described spiritual discipline. According to the leadership of the Falun Gong Society of Taiwan, unofficial estimates of Falun Gong practitioners number in the hundreds of thousands.

Religious groups that total less than 5 percent of the population include I Kuan Tao, Tien Ti Chiao (Heaven Emperor Religion), Tien Te Chiao (Heaven Virtue Religion), Li-ism, Hsuan Yuan Chiao (Yellow Emperor Religion), Tian Li Chiao (Tenrikyo), Universe Maitreya Emperor Religion, Hai Tze Tao, Zhonghua Sheng Chiao (Chinese Holy Religion), Da Yi Chiao (Great Changes Religion), Pre-cosmic Salvationism, Huang Chung Chiao (Yellow Middle Religion), Roman Catholicism, Islam, the Church of Scientology, the Bahai Faith, Jehovah's Witnesses, the Mahikari Religion, The Church of Jesus Christ of Latter-day Saints (Mormons), the Family Federation for World Peace and Unification (formerly the Unification Church), and the Presbyterian, True Jesus, Baptist, Lutheran, Seventh-day Adventist, and Episcopal Churches. According to recent statistics from the Ministry of Labor (MOL), the Council of Indigenous Peoples, and conversations with religious leaders, the majority of the indigenous population of 558,000 is Protestant or Roman Catholic. Followers of Judaism number an estimated 1,000 persons, approximately half of whom are foreign residents. An estimated 675,000 foreign workers, primarily from Southeast Asia, differ in religious adherence from the general population. The largest single group of foreign workers is from Indonesia, with a population of approximately 260,000 persons, who are largely Muslim. Workers from the Philippines – numbering approximately 150,000 persons – are predominately Roman Catholic.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution provides for the free exercise and equal treatment under the law of all religions, which “shall not be restricted by law” except as necessary for reasons

of protecting the freedoms of others, imminent danger, social order, or public welfare.

Religious organizations may voluntarily obtain an establishment permit from the MOI. The permit requires organizations to have real estate in at least seven administrative regions valued at 25 million new Taiwan dollars (NT\$) (\$843,000) or more and possess at least NT\$5 million (\$169,000) in cash. Alternatively, the organization may register if it possesses cash in excess of NT\$30 million (\$1.01 million). The organization may also apply for an establishment permit from local authorities to receive local benefits, which have lower requirements than the island-wide level.

Religious organizations representing more than 20 faiths have establishment permits from Taiwan authorities. The organization may register with the courts once the establishment permit is obtained. The organization must provide an organizational charter, list of assets, and other administrative documents in order to register. Registered religious organizations operate on an income tax-free basis, receive case-by-case exemptions from building taxes, and must submit annual reports on their financial operations. Nonregistered groups are not eligible for the tax advantages available to registered religious organizations.

Many individual places of worship choose not to register and instead operate as the personal property of their leaders. The Falun Gong's registration is as a sports organization and not as a religious organization.

Religious organizations are permitted to operate private schools. Compulsory religious instruction is not permitted in any Ministry of Education-accredited public or private elementary, middle, or high school. High schools accredited by the ministry may provide elective courses in religious studies, provided such courses do not promote certain religious beliefs over others.

Because of its unique status, Taiwan is not a party to the International Covenant on Civil and Political Rights, but it enacted a domestic law in 2009 to adhere voluntarily to the covenant.

Government Practices

Religious leaders continued to raise concerns that the law did not guarantee a day off for domestic workers and caregivers and thus limited their ability to attend religious services. This problem was particularly salient among the island's

249,600 foreign caregivers and household workers, predominately from Indonesia and the Philippines, who include a number of Muslims and Catholics wanting to attend religious services on a certain day of the week. Authorities stated they viewed the domestic service workers' attendance of religious services as a religious freedom issue that is part of a broader labor issue. The Migrant Empowerment Network in Taiwan held a mock referendum between September and December in support of foreign worker rights, including protecting domestic workers and caregivers under the Labor Standards Act.

MOI and city- and county-level authorities were responsible for accepting complaints from workers who believed their rights and interests were damaged for religious reasons. The MOI again said it did not receive any complaints of religious discrimination from workers.

The Tibet Religious Foundation reported Tibetan Buddhist monks were unable to obtain resident visas for religious work that they said were typically granted to other religious practitioners. These monks had to fly to Thailand every two months to renew their visas. The monks did not have passports and instead traveled using Indian Identity Certificates (IC), which are issued to Tibetans who reside in India but do not have Indian citizenship and reportedly were valid for travel to all countries. The foundation stated Taiwan authorities denied the religious visas for various reasons, including because the monks were considered stateless. Taiwan authorities said they issued temporary religious visas to IC holders. They said a comprehensive evaluation on a case-by-case basis, using rules established by multiple ministries, determined the validity period and the period of stay. The authorities said denials of religious residence visas to IC holders were based on general rules governing foreigners who use travel permits, not attributable to the religious purpose of the IC holders' applications.

Taichung City held its first Eid al-Fitr festival in July. The Chinese-Muslim Association said it was working with the MOI to find locations for establishing an Islamic cultural center.

Section III. Status of Societal Respect for Religious Freedom

The Tibet Religious Foundation reported harassment from a local Buddhist organization called the True Enlightenment Practitioners Association. The foundation said the organization received funding from China and spread the message that "Tibetan Buddhism is not real Buddhism," using publications and billboards. The foundation reported it had sued the organization for libel and that

the Supreme Court had delayed making a ruling due to pressure from local Buddhists, who viewed Tibetan Buddhism as encroaching upon local Buddhism. Taiwan authorities stated that all cases involving the Tibet Religious Foundation had been closed and that the Supreme Court could not hear libel cases.

Section IV. U.S. Government Policy and Engagement

AIT staff consulted with lawmakers, the Religious Affairs Section of the MOI Department of Civil Affairs, the Ministry of Foreign Affairs, and the MOL on the rights of Tibetan Buddhist practitioners and domestic service workers. AIT raised the issues of harassment of Tibetan Buddhist monks by other Buddhist religious groups, denial of religious visas, and time off for domestic service workers to attend religious services. AIT utilized social media channels to promote the value of religious freedom enshrined in the constitution and highlight the tenet that people should be able to follow their conscience in how they express their religious beliefs.

AIT representatives met with leaders of various religious faiths to listen to their observations on religious freedom in Taiwan. AIT representatives encouraged NGOs, religious leaders, and faith-based social service organizations to continue advocacy for interfaith equity.