

TRANSITIONAL JUSTICE IN TAIWAN



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I. The History of Authoritarian Rule

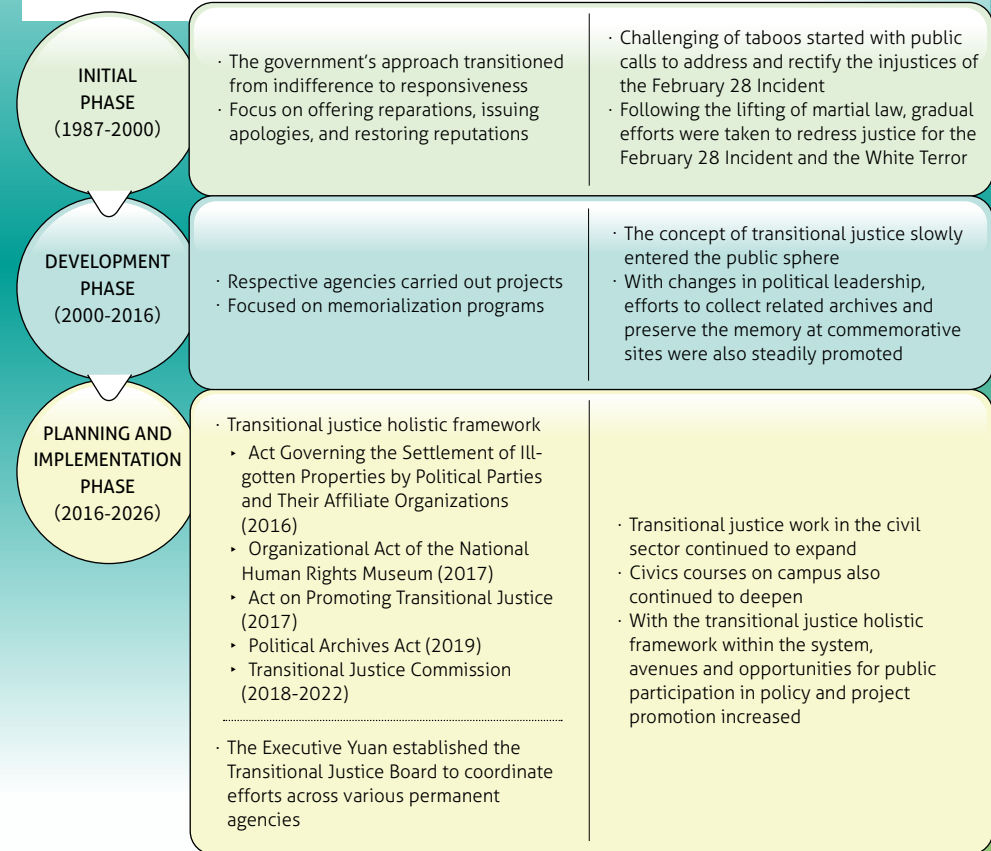
On August 15, 1945, World War II concluded, and with Japan's defeat and surrender, Taiwan was freed from Japanese rule and came under the control of the Republic of China (ROC) government. The ROC established the Office of the Chief Executive of Taiwan Province; however, 50 years of Japanese rule had created substantial differences in the political system and social culture between Taiwan and mainland China. After its establishment, political corruption and severe inflation driven by economic policies fueled public discontent. Long-standing public grievances erupted on February 27, 1947, after agents assaulted a civilian during a crackdown on illicit cigarettes. This triggered island-wide protests for political reform and civil rights, which the government suppressed with military force. The ensuing protests and purges lasted from February 28 to May 16, leading to severe casualties in what is now remembered as the 228 Incident.

In 1949, amidst the Chinese Civil War and the onset of the Cold War, Chiang Kai-shek led the ROC government in its retreat to Taiwan. To consolidate its political power, the ruling Kuomintang party (KMT) formed a party-state system. Under the banner of anti-communism, they implemented numerous laws restricting people's constitutional rights. Enacted on May 19, 1949, the Declaration of Martial Law in Taiwan Province signaled the start of the White Terror, in which many political victims endured severe violations of their lives, freedom, and property. It was not until the lifting of martial law on Taiwan proper in 1987, and subsequently in the Kinmen and Matsu regions in 1992, that the state of martial law was fully terminated across the nation.

Consequently, the era from 1945 to 1992 is designated as Taiwan's period of authoritarian rule. In 2024, in addition to the existing Peace Memorial Day on February 28, the Executive Yuan designated May 19 as White Terror Memorial Day to commemorate the historical scars caused by state violence.

II. The Progress of Transitional Justice

During the 1980s, calls for redress of past injustices from the February 28 Incident and the White Terror period intensified. For a long time, however, efforts focused primarily on monetary reparations, apologies, and commemorative events. It was not until 2016 that Taiwan's government began to systematically promote transitional justice. Efforts included enacting laws such as the Act Governing the Settlement of Ill-gotten Properties by Political Parties and Their Affiliate Organizations (the "Ill-gotten Party Assets Settlement Act") in 2016 and the Act on Promoting Transitional Justice (the "Transitional Justice Act") in 2017. Dedicated agencies, including the Ill-gotten Party Assets Settlement Committee and the mission-based Transitional Justice Commission (TJC), were established to oversee the planning and promotion of related initiatives.



III. Structure and Development of the Main Responsible Agencies

The Transitional Justice Commission (TJC) was established in 2018 pursuant to the Transitional Justice Act to plan and carry out the following tasks:

- (1) Make political archives accessible.
- (2) Remove authoritarian symbols and preserve sites of injustice.
- (3) Redress judicial and administrative injustices, restore historical truths, and promote societal reconciliation.
- (4) Settle and utilize ill-gotten party assets.
- (5) Other tasks related to transitional justice.

After four years of committed endeavors, the TJC dissolved in 2022 following the release of its mission conclusion report.

Within the current government framework, the Executive Yuan has established the Transitional Justice Board, convened by the Premier of the Executive Yuan. The Board is responsible for integrating, coordinating, and overseeing the tasks of various agencies as outlined in the mission conclusion report issued by the TJC and the amended Transitional Justice Act. The Executive Yuan has also established the Department of Human Rights and Transitional Justice as a supporting staff unit tasked with integrating, coordinating, and overseeing related matters.

At the ministerial level, transitional justice efforts are primarily managed by six ministries and agencies: the Ministry of Justice, Ministry of the Interior, Ministry of Culture, Ministry of Education, Ministry of Health and Welfare, and National Development Council. Furthermore, the Council of Indigenous Peoples is responsible for post-war transitional justice for indigenous peoples. Additionally, an independent agency, the Ill-gotten Party Assets Settlement Committee, is responsible for investigating, restituting, and transferring ill-gotten party assets to the state.



Transitional Justice Board



TJC's Mission Conclusion Report

OVERVIEW OF CROSS-AGENCY INITIATIVES

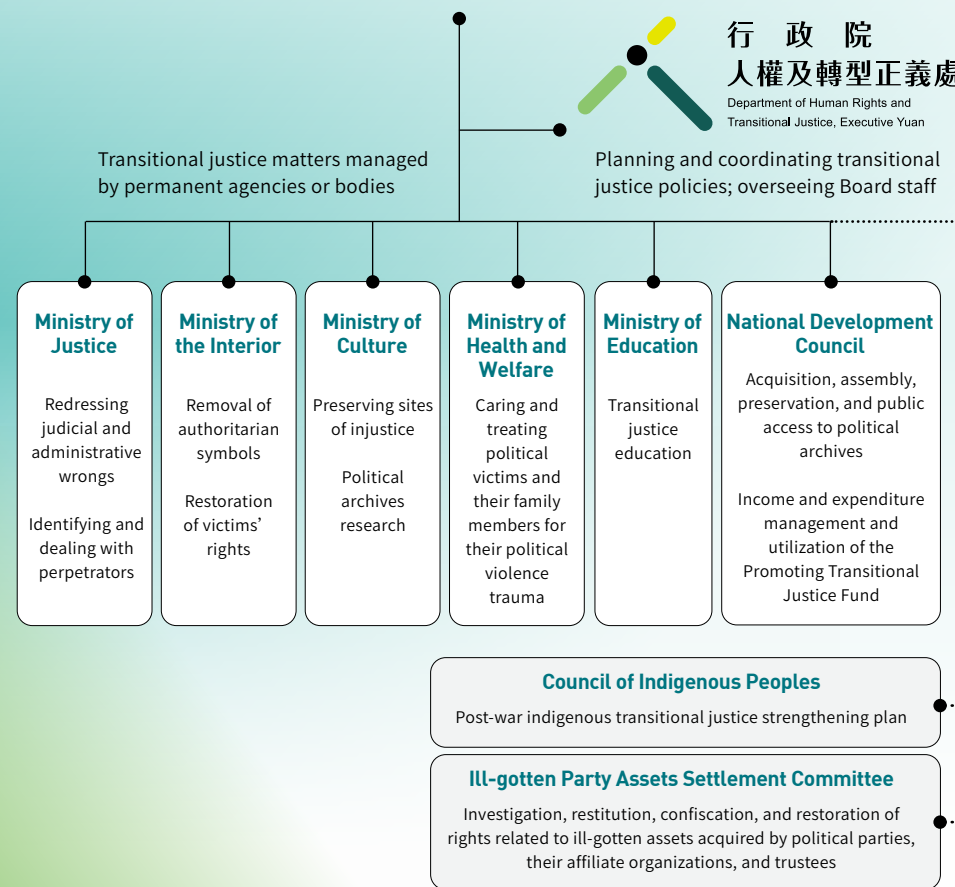
行政院
Executive Yuan



Transitional Justice Board

Convener: EY Premier

Committee members: EY Vice Premier, Secretary-General, ministers without portfolio, heads of relevant agencies (6-9 members), and 10-13 members from the civil sector.

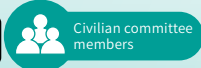


**OVERALL PROMOTION FRAMEWORK:
EXPANDING INSTITUTIONAL COOPERATION AND
DEEPENING COMMUNITY ENGAGEMENT**

行政院
Executive Yuan



Transitional Justice Board



Department of Human Rights and Transitional Justice

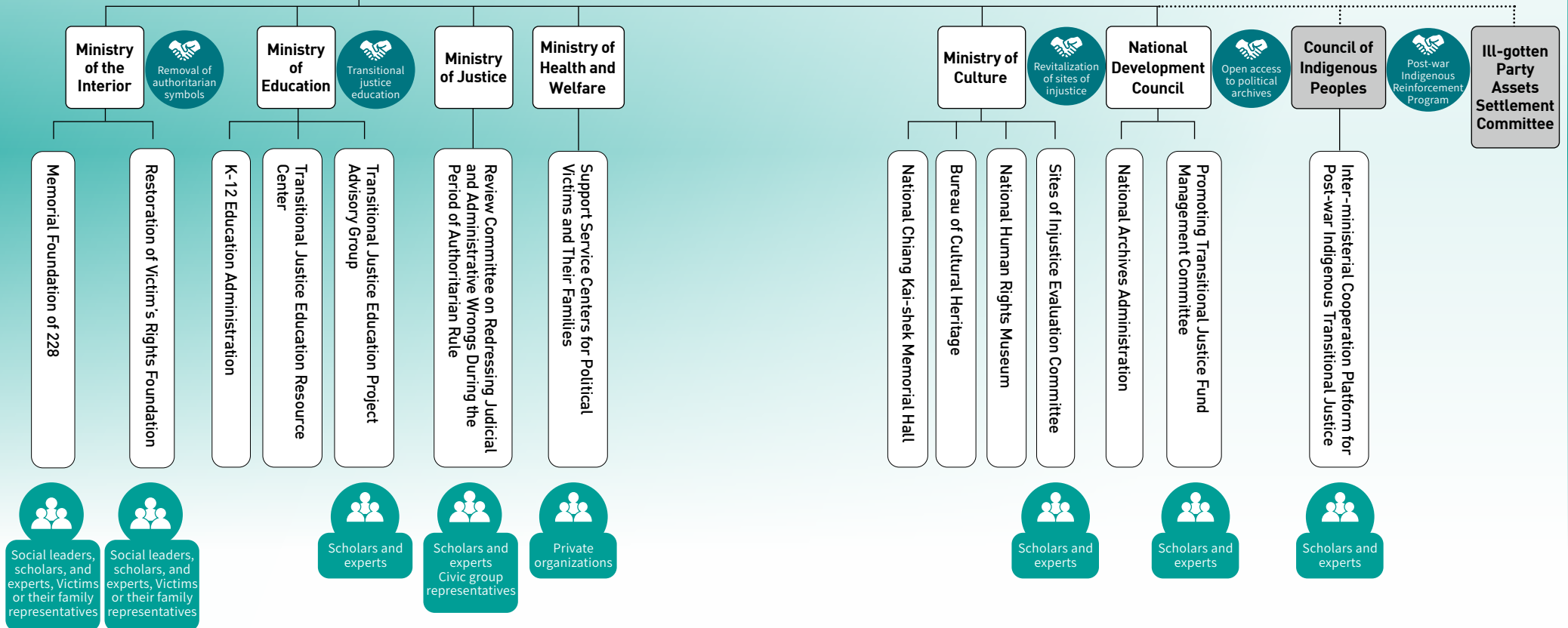
LEGEND



Engage participation from the civil sector



The transitional justice endeavor requires extensive cross-agency collaboration



IV. Advancing the Mission of Transitional Justice

According to the United Nations' 2023 Guidance Note of the Secretary-General: Transitional Justice: A Strategic Tool for People, Prevention and Peace, the key elements of transitional justice include consultations, truth seeking, criminal justice, reparation, and guarantees of non-recurrence.

Taiwan's promotion of transitional justice also aligns with the UN's recommended holistic approach, aiming to restore historical truth in society, heal victims' wounds, and reflect on the oppressive system and the significance of accountability. Given the multifaceted nature of transitional justice tasks, advancing them requires cross-agency coordination and collaboration.

(I) Restoring historical truth to the public

Acquisition and research of political archival records

Political archives from the period of authoritarian rule serve as the basis for uncovering historical truths. Following the enactment of the Political Archives Act in 2019, the National Archives Administration under the National Development Council has managed the acquisition, assembly, preservation, and public access of these archives, while the Ministry of Culture oversees their research, publication, exhibition, and educational promotion. With the establishment of the TJC, the government actively promoted the review and assessment of political archives held by political parties before transferring them back to state ownership. It also expanded the acquisition of agency-held political archives and facilitated their declassification. This made a substantial number of political archives from the authoritarian era accessible, supporting various sectors in gaining a deeper understanding and conducting research on significant issues from that period.



Taiwan Transitional Justice Database



Taiwan Human Rights Memory Bank

During the TJC's tenure, the Taiwan Transitional Justice Database was created using collected political archives. This database compiles records of trial processes, court decisions, and reparation details of individuals prosecuted in political cases, providing a valuable resource for uncovering historical truths and supporting further research. The Ministry of Culture has also launched the Taiwan Human Rights Memory Bank, which catalogs information on individuals, events, sites, artifacts, archival materials, and oral histories related to political cases during the period of authoritarian rule.

Review and approval of sites of injustice and their preservation

Sites of injustice are locations where human rights violations took place under authoritarian rule, and they carry historical significance and educational value for transitional justice. The TJC reviewed and approved 42 sites of injustice and identified an additional 64 potential sites. Following TJC's dissolution, the Ministry of Culture has assumed responsibility for reviewing, preserving, and revitalizing these sites. In September 2025, the Executive Yuan approved the Action Strategy for the Preservation of Sites of Injustice. This strategy aims to promote public awareness of these sites and provide managing agencies, institutions, and owners with clear guidelines for their preservation.

Standardized signage has been installed at these sites across Taiwan, with QR codes linking to the Historical Sites of Injustice Archive, enabling the public to learn about the historical event that took place at each location.



← Site of injustice signage:

It features a logo representing the site of injustice (top left), event classification (bottom left), date (top right), and location details (bottom right), along with descriptions of the events, victim testimonies, maps, and QR codes for further information.

The logo design depicts a human figure emerging from cracks, symbolizing the rise up from oppression.

This recognizable symbol allows the public to easily identify, search, and understand its significance, enhancing the impact of educational outreach.



Historical Sites of Injustice Archive

Promotion of Post-War Indigenous Transitional Justice under the Framework of the Act on Promoting Transitional Justice

To focus on addressing state injustices committed against Indigenous peoples for the purpose of consolidating authoritarian rule in violation of the liberal democratic constitutional order, including their investigation, policy formulation, and implementation of measures, the Executive Yuan approved the Post-war Indigenous Transitional Justice Strengthening Plan in 2025, with the Council of Indigenous Peoples serving as the lead agency.

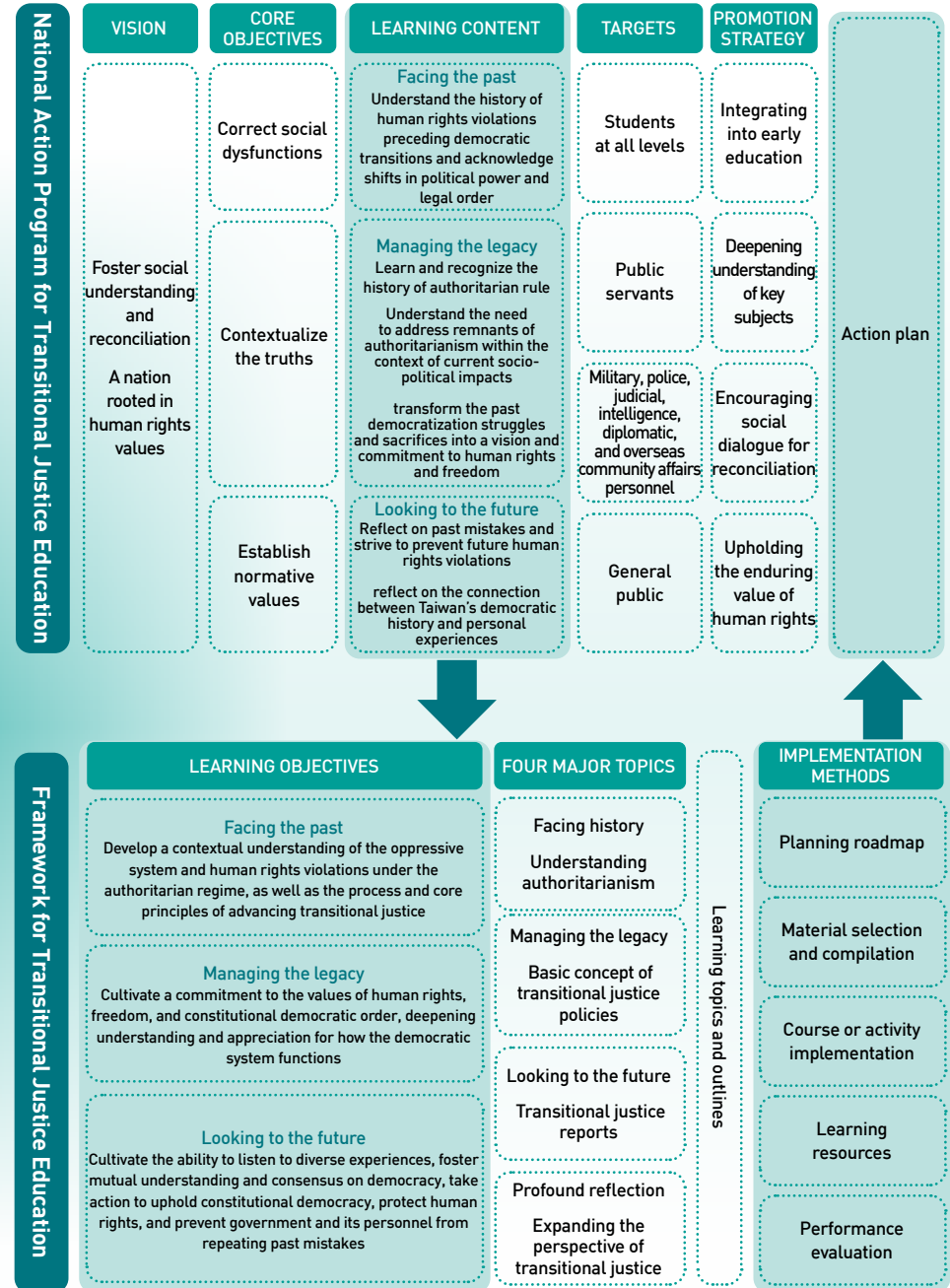
Drawing on the mission conclusion report of the Transitional Justice Commission, this plan is anchored in four main pillars: foundation work, operational integration, education and promotion, and truth investigation. It establishes a four-year roadmap (2025–2028) with specific annual tasks to effectively implement transitional justice for Indigenous peoples in the post-war era.

Transitional justice education and public outreach

In 2023, the Executive Yuan approved the National Action Program for Transitional Justice Education, overseen by the Ministry of Education. Its targets include schools at all levels, public servants, specific professionals, e.g., military, police, judicial, intelligence, diplomatic, and overseas community affairs personnel, and the general public. In addition, the Transitional Justice Education Learning Framework was formulated to serve as a guideline for government agencies and schools. By fostering understanding, reflection, and dialogue on the history of authoritarian rule, the values of human rights and the rule of law can be ingrained in society and woven into daily life. This process strengthens commitment to a free, democratic, and constitutional order, helping to prevent future infringements on human rights.

The Executive Yuan also released two special publications—*Memo for Public Servants of the Democratic Generation: A Transitional Justice Education Handbook* and *Compendium of Laws, Regulations, and Reference Materials on Transitional Justice*—and launched a podcast series called “Understanding Justice: Why We Need Human Rights and Transitional Justice”, as efforts in advancing transitional justice education in society through varied formats.

<p><i>Memo for Public Servants of the Democratic Generation: A Transitional Justice Education Handbook</i></p>	<p><i>Compendium of Laws, Regulations, and Reference Materials on Transitional Justice</i></p>	<p><i>Podcast: Understanding Justice: Why We Need Human Rights and Transitional Justice</i></p>
		
 <p>E-Book</p>	 <p>E-Book</p>	 <p>Podcast</p>



(II) Healing the wounds of the victims

Redressing state misconduct and restoring victims' rights

The TJC estimated that individuals involved in political cases during the authoritarian period may number over 20,000. In the past, while the government provided monetary compensation or reparation to political victims and their families, it did not acknowledge the wrongful actions of the state, nor did it vindicate the unjust judgments and administrative measures imposed on the victims. With the passing of the Transitional Justice Act and the 2022 legislation of the Act to Restore Victim's Rights Infringed by Illegal Acts of the State During the Period of Authoritarian Rule, it was finally made explicit that the crimes attributed to these political victims resulted from unlawful state actions. Consequently, the state should take the initiative to carry out the process of redress and annulment, restore their reputation, and offer them reparation.

The Ministry of Justice is tasked with redressing state injustices, broadening the focus from judicial injustices to include administrative injustices. Additionally, the Executive Yuan designated the Ministry of the Interior to establish the Restoration of Victim's Rights Infringed by Illegal Acts of the State During the Period of Authoritarian Rule Foundation in 2023 to oversee the reparation of rights related to state injustices, including issuing certificates of reputational rehabilitation, providing compensation, and facilitating property restitution.

Healing from the trauma of political violence

Political violence trauma refers to the profound harm and pain inflicted by political violence on individuals involved in political cases and their families across generations, impacting their personal psychology, family dynamics, and social relationships. During the period of authoritarian rule, the state's unlawful actions stripped certain individuals and their families of basic human rights. This not only led to the direct loss of freedom or life for victims but also subjected them to continuous government surveillance and restrictions. Their families likewise endured prolonged isolation, alienation, and stigmatization, making it challenging for them to form trusting relationships with others and with society as a whole, turning them into what has been described as "prisoners without walls."

To alleviate the suffering of victims and their families and ensure their quality of life and dignity, the Ministry of Health and Welfare is currently spearheading initiatives for healing political violence trauma. Adopting a family-centered approach with safe and trustworthy relationships at the core, the Ministry has established support service centers for political victims and their families. These centers provide resources for trauma counseling, assist with applications for the identification of state injustices and reparations, and facilitate connections to long-term care and social welfare resources. Additionally, the centers organize activities to foster a local, safe, and trustworthy environment and interpersonal networks.



Query of Publicly
Announced
Revocation Cases



Register and Statistics
of Reputational
Rehabilitation

(III) Reflecting on the oppressive system and accountability

Removal of authoritarian symbols

Under the past authoritarian regime, the government employed a widespread cult of personality to highlight the leader's uniqueness and reinforce the regime's legitimacy. For example, after Chiang Kai-shek's passing, statues were erected nationwide, and the Chiang Kai-shek Memorial Hall was constructed to project a sublime and eternal image of the authoritarian ruler. A key task of transitional justice is to remove authoritarian symbols in public spaces, explicitly rejecting the legitimacy of authoritarian rule and affirming constitutional order, freedom, and democracy as shared values in today's society.

V. Future Outlook

Settlement and utilization of ill-gotten party assets

Under the authoritarian regime, the ruling KMT and its affiliate organizations improperly transferred, occupied, and acquired state assets at low cost, compromising the rule of law and undermining the fairness of electoral democracy. In 2016, the Ill-gotten Party Assets Settlement Act was enacted, leading to the establishment of the Ill-gotten Party Assets Settlement Committee that same year. The committee is responsible for the investigation, restitution, confiscation, and restoration of rights related to ill-gotten party assets.

In accordance with the Act, any property held by political parties, their affiliate organizations, and trustees acquired since the end of the war on August 15, 1945 that does not originate from membership fees, political contributions, donation of campaign funds, government election expenses subsidies and its interests is presumed to be ill-gotten assets. The political party must transfer such assets to the state, local self-governing bodies, or original owners within the prescribed period of time.

With the ill-gotten party assets becoming state-owned, the Executive Yuan established the Promoting Transitional Justice Fund and designated the National Development Council as its managing authority. In 2025, the Executive Yuan promulgated the Strategic Plan for the Promoting Transitional Justice Fund to guide the effective utilization of resources. The fund supports transitional justice, human rights education, long-term care, social welfare policies, and transitional justice related cultural initiatives, addressing remnants of authoritarianism and fostering societal healing. This aligns with the principle of “taken from the people, given back to the people.”

Taiwan’s decades of authoritarian rule have left a deep and lasting impact on society. Promoting transitional justice is essential for healing historical wounds and embedding the values of freedom, democracy, and human rights into society.

A nation and society must commit to saying “never again” to repeating history. Protecting our hard-won democratic way of life requires us to fully acknowledge and reflect on the human rights violations caused by state violence during authoritarian rule. Only then can we begin to heal the lasting scars of that era.

Ascertaining the responsibility of participants in mechanisms of oppression

The enactment of the Transitional Justice Act marked the first time that ascertaining the responsibility of perpetrators and participants in mechanisms of oppression was recognized as a key issue to be pursued. This addresses the longstanding critique of Taiwan’s transitional justice efforts, which have been seen as focusing solely on victims while overlooking the accountability of perpetrators.

In its mission conclusion report, the TJC recommended drafting a bill for the “identification, disclosure, and handling of perpetrators.” The Ministry of Justice is now working on drafting such a bill and related policies.



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