

The Fourth Review of Taiwan's CEDAW Implementation

Parallel Reply to List of Issues and Questions by the 2022 IRC

Organization(s) : Taiwan Psychosocial Suffering People's Association 臺灣精神受苦者群聚會

Name and Contact : Yun LEE, Email: voicesfromsuffering@gmail.com

Response Item/ article	1
Reply (Word limits: No more than 500 words)	<ul style="list-style-type: none">• The accounting measures for administering financial subsidies were centered around the household income level as the basis of calculation. Which made it difficult to allocate resources to women or persons with disabilities. Furthermore, the low subsidy limits have made it impossible for persons with disabilities or persons of sexual minorities unable to escape. In the past three years, the State has only enforced a subsidy of only NT\$1,500 for persons with disabilities for three months, but has also rendered it impossible to apply for other relief programs with higher amounts.• Ninety percent of homeless women in Taiwan are persons with psychosocial disabilities, with little to none shelters being willing to take them in.• The hostess industry has been completely shut down by the pandemic, with many workers with psychosocial disabilities, their economic plight was further deteriorated by the pandemic.• Under the pandemic, community psychosocial service providers were transferred into providing disease prevention services, without considering the needs and particularities of persons with psychosocial disabilities. Under the institutions and habits of Taiwan, the burden of care for persons with disabilities shifted to family members, with the

majority of them being female, or an equally impoverished person with less severe disabilities. The State had failed to provide long term care other than institutionalization for persons with psychosocial disabilities across the pandemic.

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Response Item/ article	5
Reply (Word limits: No more than 500 words)	<ul style="list-style-type: none">• The National Human Rights Commission only accepts complaints in the forms of in person, by post, email or by the website system. Persons with disabilities living in institutions cannot access these means of complaints to address cases of gender discrimination. The Commission also does not publicize statistics or conduct follow ups investigations of the cases.

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Response Item/ article	12
Reply (Word limits: No more than 500 words)	<ul style="list-style-type: none">• Municipal, county and city governments had included disadvantaged women in their respective gender equity counseling and reward programs, but this item was not mandatory, and only accounted for 1 point in an evaluation rubric of 100 points. This item can also be satisfied with the inclusion of only two disadvantaged women.• Social welfare policies such as independent living and long-term care for persons with disabilities mostly adopt top-down research of scholars, while lack participation of persons with disabilities. Many service approaches are not empirically sound and do not take gender differences into account.• The proportion of people with disabilities in the disabilities rights consult groups at all levels of government has been small, numbers of women with disabilities is small, and the number of persons with non conforming gender identities has not been recorded.

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Response Item/ article	13
Reply (Word limits: No more than 500 words)	<ul style="list-style-type: none">• The motherhood of women with disabilities is often stigmatized, with them being considered as “not good caregivers”. No relevant assistance, support and reasonable accommodation was provided, and households with parents with disabilities are often labeled as high-risk and put under the surveillance of the State. On the other hand, with most families in Taiwan being double income and the care for minors with disabilities are often tasked to female elders, no relevant demographic data and policy discussions were inferred.• The State had failed to consider vocational training needs of persons with disabilities, rendering it impossible for persons with disabilities to substantially participate in vocational training programs. For persons with psychosocial disabilities, the handling procedure often entails introduction to labor intensive occupations, disregarding the possibility of providing opportunities of high paying jobs. There are also no accommodations for women with disabilities, rendering women with disabilities disadvantaged in the job searching market.

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Response Item/ article	17
Reply (Word limits: No more than 500 words)	<ul style="list-style-type: none">• It is difficult for people with psychosocial disabilities to obtain a disability certificate in Taiwan, and the government has yet to conduct demographic research on non-holders who have substantial disabilities and relevant needs; there is no statistical analysis regarding gender non conforming persons with disabilities.• Since the limitations on their mobility and socializing, the violence endured by persons with disabilities was often obscured from inspections.

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Response Item/ article	26
Reply (Word limits: No more than 500 words)	<ul style="list-style-type: none">• The government has neglected the participation of DPOs in formulating policies, and have not properly consulted or invited DPOs to participate in discussions. Relevant consultations are nevertheless centered around scholars, with no comprehensive consultation regarding the opinion of persons with disabilities themselves. The selection mechanism for members of policy committees is opaque, and there is a lack of monitoring and exit mechanisms. In addition, information accessibility and relevant information accommodations are not provided for persons with disabilities, which increases the difficulty of participation by persons with disabilities.

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Response Item/ article	40
Reply (Word limits: No more than 500 words)	<ul style="list-style-type: none">• “Annex 1: Items, Recipients, Amount, Institution and Application of Genetic Health Measures” in Art.4 of the Regulations Governing the Expenses Reduction, Exemption or Subsidy of Genetic Health Measures, list those who have complications listed in Articles 10 to 12 of the Enforcement Rules of Genetic Health Act along with those who have mental illnesses, hold disabilities certificate(s), and those who were listed as low income and their spouses have intrauterine contraceptives. This is an apparent discrimination on disabilities identities; at the same time, resources are not devoted to sex education and assisted parenting. Combining the above two points, it affects the reproductive rights of persons with disabilities and their spouses.• Medical institutions do not have specific protection measures for the medical records of people with psychosocial disabilities. Once a person with non conforming gender identity was exposed by any medical personnel, all agents in the institution will be able to acquire such information due to the circulation of medical records. There have been many cases where a patient was treated differently on the ground of their gender expression, some cases also occurred where their identity was revealed to their family.

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Response Item/ article	49
Reply (Word limits: No more than 500 words)	<ul style="list-style-type: none">• According to the Legal Aid Act, legal aid assistance can only be obtained if one meets the scope of incapacity and related circumstances that do not need to be reviewed, which does not include survivors of domestic violence. There is a detailed standard table for the annual financial standard. The table calculates the monthly disposable income based on the total amount of family liquidated assets and realities. For a one person family, the total amount of support cannot exceed NT\$32,027, and the amount of partial support cannot exceed NT\$38,432.• The Legal Aid Foundation provides telephone legal consultation services, while limiting it to consultation. Substantial legal aid can only be obtained with the plaintiff present at local chapters, pass the review process, and in person application. The process, however, does not provide relevant accommodations for persons with disabilities or other disadvantaged groups. Such accommodation would include sign language interpretation, or spatial accommodations for persons with psychosocial disabilities.