

消除對婦女一切形式歧視公約(CEDAW)第3次國家報告國際審查委員問題清單及政府機關回應

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 1 條及 第 2 條 Article 1&2	1	In 2014 when the 2 nd Report by Taiwan on the implementation of the CEDAW was reviewed, the Review Committee raised criticism that there was no general or constitutional definition of sex- and gender-based discrimination in the legislation. The only relevant constitutional provision is Art. 7 of the Constitution which contains a guarantee of equality before the law. What legislative measures is Taiwan planning to enact a comprehensive legislation covering all aspects of gender equality and prohibiting all forms of discrimination? The reports from alternative sources, which are indicating that basic political and civil rights of female protesters in demonstrations have been violated, seem to indicate an urgent need for such a legislative framework.	2014 年審視臺灣針對落實《消除對婦女一切形式歧視公約(以下簡稱 CEDAW)》情形所提出的第 2 次報告後，本審查委員會當時批評，臺灣的立法未對性與性別歧視有一般性或憲法層次之定義。唯一有關聯的條款是憲法第 7 條所稱保障人民在法律面前人人平等。目前臺灣規劃哪些立法措施去訂定一部涵蓋性別平等所有面向及禁止各種形式歧視的完整法律？從替代報告指出，示威活動中女性抗爭者的基本政治與公民權利遭到侵害，似乎讓訂定前述立法框架更顯急迫。

權責機關：性平處、法務部、內政部

中文回應 (Response in Chinese)

- 一、有關 CEDAW 第二次國家報告總結意見第 6 點次要求政府制定涵蓋性別平等各個領域的全面立法，內容包含實質平等與性別歧視之意涵，政府與民間應共負消除各個領域性別歧視，促進性別平等之義務與責任，政府應訂定前瞻且可行之性別平等施政方針、方案或計畫等。
- 二、依據 2017 年兩公約第二次國家報告國際審查會議結論性意見與建議第 19 點次：「委員會對於雖有反歧視條款散見於許多法律中，卻缺乏一部涵蓋所有脈絡下所有歧視理由的綜合性反歧視法，表達關切。」行政院人權保障推動小組邀集相關機關開會討論，規劃制定涵蓋各個領域歧視的反歧視法，歧視樣態包含直接歧視、間接歧視及系統性歧視，並禁止因不同性別、性傾向、種族、階級、年齡、身心障礙、文化等因素歧視他人。2018-2019 年進行制定綜合性反歧視法之委託研究案，作為立法參考。
- 三、有關我國是否應制定一部綜合性反歧視法乙節，法務部已依行政院人權保障推動小組第 32 次委員會議之決議，於 2018 年 3 月上

網公開招標「我國是否應制定綜合性反歧視法及立法建議」委託研究案，並於 2018 年 5 月決標予中央研究院（計畫主持人：廖福特研究員），該委託案預計於 2019 年 5 月完成。

四、另有關現行中央法規有無歧視規定及反歧視法規執行情形檢視計畫部分，法務部業以 2018 年 3 月 12 日院人權字第 10714500520 號函請各機關於 2018 年 5 月 31 日前回復，預計於 2018 年 7 月完成彙整並提出檢討清冊。

英文回應 (Response)

1. According to Point 6 of the conclusions and Recommendations of Taiwan's Second National Report on CEDAW, the government has to enact comprehensive legislation covering all areas of gender equality, including facto equality and the meaning of gender discrimination. The government and the folk shall eliminate gender discrimination in all areas and take responsibilities for promotion of gender equality. The government shall make advanced and feasible gender equality to implement policy, scheme or plans.
2. According to Review of the Second Reports of the Government of Taiwan on the Implementation of the International Human Rights Covenants, the Committee expresses its concern that while anti-discrimination clauses are scattered in several acts, there is no comprehensive anti-discrimination legislation covering all areas of discrimination in all contexts. The Human Rights Promotion Task Force under the Executive Yuan invited relevant ministries to discuss the plan of making anti-discrimination legislation covering discrimination in all areas, the forms of discrimination including direct discrimination, indirect discrimination, as well as systematic discrimination, and the ban against discrimination due to sex, sexual orientation, race, class, age, disability and culture. From 2018 to 2019, a Survey and Analysis of comprehensive anti-discrimination legislation will be completed and carried out for reference of legislation.
3. Regarding whether Taiwan should enact a comprehensive anti-discrimination law, the Ministry of Justice, following the resolution of the 32nd Executive Yuan Subcommittee on Human Rights Protection and Promotion, posted the above-mentioned research project to the online open bidding system in March, 2018. The Academia Sinica (Principal Investigator: Liao Ford) won the bidding in May, 2018. The research report is expected to be completed in May, 2019.
4. The Ministry of Justice has delivered official Letters (human rights No. 10714500520 dated March 12, 2018) to inform agencies, which shall reply by May 31, 2018, of their obligation to review the current competent laws and regulations relating to discrimination provisions and the implementation of anti-discrimination laws and regulations. The Ministry of Justice is scheduled to collect the response of each agency and submit the list of discrimination provisions in July 2018.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 1 條及 第 2 條 Article 1&2	2	Please explain how the Enforcement Act of the CEDAW Convention (2011), which incorporates the Convention into national law, operates in practice. Can an individual woman claim her rights in a Taiwanese Court based on an article of CEDAW according to this Act?	請說明 2011 年公布、將公約轉換成國內法的《消除對婦女一切形式歧視公約施行法》實際如何運作。個別女性是否能夠根據該施行法，向臺灣法院提出告訴主張依據 CEDAW 某條賦予她的權利？

權責機關：性平處、司法院、法務部

中文回應 (Response in Chinese)

- 一、依 CEDAW 施行法第 4 條規定，各級政府機關行使職權，應符合 CEDAW 有關性別人權保障之規定，消除性別歧視，並積極促進性別平等之實現。
- 二、依 CEDAW 施行法第 5 條規定，各級政府機關應確實依現行法規規定之業務職掌，負責籌劃、推動及執行公約規定事項，並實施考核。行政院針對所屬部會及各地方政府分別執行「行政院所屬機關推動性別平等業務輔導考核及獎勵作業」及「地方政府推動性別平等業務輔導獎勵作業」，每 2 年進行考核，獎勵推動性別平等政策優良機關。
- 三、CEDAW 施行法第 6 條規定，政府應依 CEDAW 規定，每四年提出國家報告，並邀請相關專家學者及民間團體代表審閱，政府應依審閱意見檢討、研擬後續施政。針對審查委員會所提出結論性意見及建議，成立落實 CEDAW 結論性意見及建議專案小組，邀請行政院性別平等會委員、民間團體及專家學者參與討論如何落實，並持續追蹤辦理情形。
- 四、依 CEDAW 施行法第 7 條規定，各級政府機關執行公約保障各項性別人權規定所需之經費，應依財政狀況，優先編列，逐步實施。行政院及所屬各部會全面推動修正性別預算之試辦作業，並擴大基金預算試辦範圍。試辦過程持續引導各部會於規劃政策及編製預算時將性別觀點融入預算作業。
- 五、依 CEDAW 施行法第 8 條規定，各級政府機關應於該法施行後 3 年內(2014 年)完成法令之制(訂)定、修正或廢止及行政措施之改進，以符合 CEDAW 規定。2011 年至 2017 年進行法規檢視如下：
 - (一) 依據 CEDAW 第 1 條至第 16 條及一般性建議第 1 號至第 28 號法規檢視：2011 年至 2014 年，各級政府機關檢視 3 萬 3,157 件法規及行政措施，確認不符合 CEDAW 之法規及行政措施共 228 件。截至 2017 年底，計 213 件修正完成，其餘尚在修法程序中。

(二) 依據一般性建議第 29 號至第 33 號法規檢視：2016 年至 2017 年，各級政府機關總計檢視完成 711 件法規及行政措施，確認不符合 CEDAW 之法規及行政措施共計 5 件。截至 2017 年底，計 4 件修正完成，1 件尚在修法程序中。

六、就個別女性是否能夠根據上開施行法，向檢察機關提出告訴並主張依據 CEDAW 某條賦予她的權利部分：就刑事告訴而言，若個別女性僅引據 CEDAW 之條文主張權利，而未涉及其他刑事處罰規定，自難無中生有將某一行為入罪化，以符罪刑法定原則。惟檢察官偵辦案件時，自應遵循、審酌 CEDAW 公約之規定、精神，避免性別、文化刻板印象及迷思於偵查過程發生，周延對被害人之人權保障。

英文回應 (Response)

1. According to Article 4 of Enforcement Act of CEDAW(the Enforcement Act), upon exercising its authority, all government units shall do so in accordance with all rules and regulations regarding protection to genders and human rights specified in the Convention(CEDAW), eliminate gender discrimination, and actively promote the realization of gender equality.
2. According to Article 5 of the Enforcement Act, all government units shall, in accordance with their duties and obligations under current laws and regulations, take the responsibility to plan, promote and enforce matters relevant to the Convention, and carry out assessment. The Department of Gender Equality under the Executive Yuan has introduced performance evaluations that take into account gender equality at the central government and local government levels, respectively, in an approach that combines both guidance and evaluation to embed a comprehensive set of gender equality measures into the central government and local governments.
3. According to Article 6 of the Enforcement Act, the government shall, in accordance to the Convention, establish a reporting system for eliminating all forms of discrimination against women, provide a national report every four years, and invite all relevant experts and representatives of non-government organizations to peruse such report. The government shall, based on the comments and suggestions so provided, review the current circumstances and draw up subsequent resolutions. Therefore, the government formed a task force to implement the conclusions and Recommendations of Taiwan's Second National Report on CEDAW, inviting members of the Gender Equality Committee of the Executive Yuan, non-governmental organizations, and specialists and scholars to discuss together how to implement, and continue to follow up.
4. According to Article 7 of the Enforcement Act, priority shall be given to funding any and all government unit's implementation of rules regarding protection to genders and human rights specified in the Convention in accordance with the then financial status of the government. All such funding shall be then carried out gradually. From 2014 to 2016, the Executive Yuan and its subordinate agencies implemented a three-

year Trial Implementation of the Revised Gender Budgeting System and expanded pilot range of fund budget. During pilot operation, continue to guide every department to integrate gender opinions into budget during planning policy and budget presentation.

5. According to Article 8 of the Enforcement Act, all government units shall review all rules, regulations and administrative measures administered by them in accordance with the Convention. Shall there be anything in conflict with the Convention, the relevant government unit shall complete the enactment of a new rule or regulation, amendment or abolishment of the old rule or regulation, and improvement of the administrative measure within three (3) years after this Enforcement Act comes into effect. The results of regulatory review are as follows:
 - (1) According to Article 1-6 of CEDAW and the CEDAW General Recommendations No. 1-28: from 2011 to 2014, all government units conducted review on 33157 regulations and administrative measures, and confirmed that 228 regulations and administrative measures were inconsistent with CEDAW standard. As of the end of 2017, 213 regulations and administrative measures had been amending, and others are in the procedures of law amendment.
 - (2) According to the CEDAW General Recommendations No. 29–33: from 2016 to 2017, all government units conducted review on 711 regulations and administrative measures, and confirmed that five regulations and administrative measures did not comply with CEDAW. In the end of 2017, four regulations had finished amending, and one regulation is still in the procedures of law amendment.
6. As for whether an woman can claim her rights in a Taiwanese Court based on an article of CEDAW according to the Enforcement Act, As far as criminal admonishment is concerned, if individual women claim her rights only in accordance with the provisions of CEDAW but do not involve other criminal punishment provisions, it is hard to criminalize an act to comply with the principle of a statutory crime. However, when the prosecutor investigates and handles a case, he or she should follow and review the provisions and spirit of CEDAW, avoiding gender, cultural stereotyped impressions and myth to occur during investigation process in hopes of protecting the human rights of victims.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 1 條及 第 2 條 Article 1&2	3	How has protection against intersectional and multiple forms of discrimination against women improved since 2014? For instance, how is it ensured that women with disabilities are not facing discrimination on the basis of both disability and gender?	2014 年以來，交叉性(intersectional)及多元型態女性歧視保護方面，有何進展？例如，如何確保身心障礙女性在身心障礙及性別方面不受歧視？

權責機關：性平處、衛福部、原民會、內政部、勞動部

中文回應 (Response in Chinese)

- 一、身心障礙女性因性別及身心障礙因素，在教育、就業與文化等方面常處於不利處境。為維護身心障礙女性各項權益，我國除身心障礙者權益保障法，相關法律措施如性別工作平等法、性別平等教育法、就業服務法、勞動基準法、特殊教育法、原住民基本法等也明確規定保障包含身心障礙女性群體在內的所有女性之權益。
- 二、衛生福利部 2017 年起逐步檢視政府調查統計有關障礙與性別相關數據，並已規劃逐年建置身心障礙女性相關統計資料、發展培力身心障礙女性機制、身心障礙女性相關服務方案，促進其社會參與。
- 三、行政院為統合原住民族政策，保障原住民族權益，辦理原住民族業務，特設原住民族委員會；原民會為政策統合機關，協調各部會共同合作推動原住民族權益保障業務。2014 年迄今，除配合行政院性平處推動性別主流化計畫、性別平等政策綱領相關措施，並參照 CEDAW 第 2 次國家報告總結意見與建議、民間團體替代報告，確保原住民族女性不受到交叉性型態歧視，如 2014 年至 2016 年女性擔任原民會簡任官比率由 7.69% 提升至 16.7%，創造女性參與公共事務機會，以消除對原住民族一切形式的不平等，縮短原漢之間生活差距。

英文回應 (Response)

1. Affected by physical and mental impairments, handicapped women are in an unfavorable situation in terms of education, employment and cultural access. In Taiwan, we seek to protect this group of women with the legislation of the Act for the Protection of the Handicapped and other laws for further protection, like the Act of Gender Equality in Employment, Gender Equity Education Act, Employment Service Act, Labor Standards Act, Special Education Act and Basic Law for the Aboriginal People, which explicitly state the protection of the rights of the social groups including those of handicapped women.
2. From 2017 onwards, the Ministry of Health and Welfare started to review the statistical data compiled by the government on the handicapped and gender and has set up the data bank for pooling up the related data, development of the mechanism for the empowerment of handicapped women, and planning for the services for handicapped women to encourage them in social participation incrementally.
3. To integrate the policies and protect the rights and interests of indigenous people, the Executive Yuan sets up a Council of Indigenous Peoples. This Council is a policy integration agency that coordinates the cooperation between all ministries to protect the rights and interests of indigenous people. Since 2014, in collaboration with Department of Gender Equality under Executive Yuan, we have promoted gender

mainstreaming programs and related gender equality policy initiatives. We have also reviewed CEDAW's second national report and civil society substitution reports to ensure that indigenous women are not facing intersectional discrimination. From 2014 to 2016, the proportion of women holding supervisors rose from 7.69% to 16.7%, it creates opportunities for women to participate in public affairs to eliminate all forms of inequality in the indigenous peoples and shorten the gap between indigenous peoples and non-indigenous peoples.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 1 條及 第 2 條 Article 1&2	4	Despite the number of references to CEDAW in Court cases, the numbers are still small compared with other human rights instruments. How are the judges trained to make sure that CEDAW is adequately applied in Courts?	儘管有法院判決援用 CEDAW，但和其他人權文書相比數量仍有限。法官是如何接受訓練，確保在法庭上妥當運用 CEDAW？

權責機關：司法院、法務部

中文回應 (Response in Chinese)

- 一、為提升我國司法人員性別平等意識，在司法(審判)程序與判斷具有性別平等觀點，法官學院已重新檢討性別課程，與專家、學者及民間團體共同合作，汲取各方專業及其他機關推動性別主流化成功經驗，以確保不同性別在司法均享有平等權利。
 - (一) 檢討授課方式，強調互動與交流
為能落實研習之成效，將減少單向授課之時數，研議請授課講座改採案例、主題研討式研討，增加與研習人員雙向互動時間，使研習人員和講座能進行深度的溝通與思辯，強化研習效果。
 - (二) 成立性別課程諮詢委員會及研擬推廣教材
法官學院已於 2018 年組成性別課程諮詢委員會，邀請專家、學者及民間團體，擔任委員進行課程規劃，除針對本學院課程規劃設計、開課情形及課程調整進行檢討，提供建言外，並研議規劃教案與教材，作為性別意識培力課程之基礎。
- 二、法務部司法官學院辦理司法官職前養成教育，為使司法官學員了解 CEDAW 之內涵及具備性別主流化意識，進而能在未來司法工作上，不論從事偵查、審判業務，均能平等保障兩性權益以消除性別歧視，落實 CEDAW 之妥當運用，法務部學院就司法官職前養成教育之課程中，規劃相關性別平等課程，總計 1 年有 13 堂，合計 43 小時之課程。此外，針對檢察官在職訓練部分，亦提供實體及數位課程供在職檢察官進修或開放部分在職法官使用，透過教育訓練及終身學習課程，厚植性別人權保障之觀念，協助司

法官充分了解各項性別平等權利，進而能在偵、審實務上妥當運用 CEDAW，以落實婦女權益保障。

- 三、法務部所屬各地方法院檢察署成立「婦幼保護專組」或指定專責檢察官，辦理家庭暴力、性侵害、性騷擾、兒童及少年性剝削防制條例等婦幼案件。為提升婦幼專組檢察官偵辦婦幼案件之專業知能以及增進性別平等之觀念，法務部每年例行舉辦「婦幼保護及性別平等研習會」，均安排「友善司法及性別平等」相關課程，以加強性別意識、反歧視、多元文化等訓練。
- 四、法務部並積極鼓勵所屬偵辦性別暴力案件之檢察官、檢察事務官及書記官參與性別主流化之相關課程，將性別平等意識導入上開專責人員之專業知識與調查知能中，達成辦理性別暴力案件時更具性別平等意識之具體目標。

英文回應 (Response)

1. In order to promote the gender equality awareness of judicial personnel in Taiwan, and consider judicial (trial) procedures and judgments in gender equality perspective, Judges Academy has reviewed gender curriculum and cooperated with experts, scholars, and non-governmental organizations to learn from all professionals and absorb successful experience from other institutions dedicated to promote gender mainstreaming to ensure that all genders have equal rights in the judiciary.
 - (1) Review the way of Teaching and Emphasize Interaction and Exchange
In order to achieve effectiveness of study, we will reduce the number of one-way lectures and propose lecturers adopt case study or seminars by topics so as to increase the time for two-way interaction with the participants, which enables participants to communicate and deliberate on issues with lecturers in depth and strengthens the effect of study.
 - (2) Establish a Gender Curriculum Advisory Committee and Develop Promotional Materials
Judges Academy has established a Gender Curriculum Advisory Committee in 2018, inviting experts, scholars and non-governmental organizations to serve as committee members to plan curriculum. In addition to reviewing and providing advice on curriculum planning, class implementation and curriculum adjustment, it also develop teaching plans and promotional materials as the basis of the gender awareness training curriculum.
2. The Academy for the Judiciary, Ministry of Justice (AJMJ), is responsible for the pre-job training of judicial officials in Taiwan. In order to enable the judicial officials to understand CEDAW, to put it in implementation and to have awareness of gender mainstreaming, courses in this respect include CEDAW introduction and implementation, gender mainstreaming. There are 13 related classes (43 hours) per year. In addition to pre-job training for judicial officials, AJMJ also provide related in-service training courses. These in-class courses and digital courses are intended for incumbent prosecutors, as well as judges are also welcomed. The goal of these courses is hoping the concept of gender protection

for human rights can be reinforced. Making judicial officials fully understand the gender equality and putting CEDAW in implementation appropriately, to implement the protection of women’s rights.

3. The subsidiary Public Prosecutor's Office of the Ministry of Justice (MOJ) has established the “women and child protection team” or designated special prosecutors to handle cases involving the prevention of domestic violence, sexual assault, sexual harassment, child and juvenile sexual exploitation, and other maternity and child cases. In order to boost the professional knowledge, skills, and gender awareness among judicial personnel pertaining to cases involving women and children, The MOJ has organized regular "Women's and Children's Protection and Gender Equality Seminars" each year and arranges " Approachable Justice and Gender Equality" related courses to strengthen gender awareness, anti-discrimination and multi-cultural training.
4. The MOJ has actively encouraged prosecutors, prosecutors’ assistant, and clerks who are involved in investigating gender-based violence cases to participate in the related courses on gender mainstreaming, and introduces gender equality awareness into the professional knowledge and investigations of special personnel, in order to reach the goal of having gender equality awareness when handling cases of gender violence.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
女性近用司法資源 Women’s Access to Justice	5	While acknowledging the various steps taken in response to the Recommendations given by the 2 nd Review Committee on women’s right of access to justice, as well as taking into consideration its Recommendations 10, 11, 12 and 17, please provide initial outcomes of those various measures. Is there any example available about gender statistics webpage? (paras. 2.7 and 15.22) Please share information on the responses provided on the questionnaire applied by Judges Academy. (para. 15.19)	本委員會認知到，繼第 2 次審查委員會針對女性近用司法資源提出總結意見與建議後，臺灣方面已進行若干步驟回應本會建言，並且也採納本會第 10、11、12 及 17 點總結意見與建議。請說明這些措施的初步成果，是否有相關性別統計網頁？(國家報告 2.7 及 15.22)；請分享法官學院採用問卷回覆內容 (國家報告 15.19)。

權責機關：法務部、司法院

中文回應 (Response in Chinese)

- 一、法務部就第 2 次審查委員會提出第 17 點總結意見與建議，法務部提出具體措施之初步成果：有關審查委員會建議，政府應進行檢察官與法官此類錯誤引用法律普及性之研究部分：法務部已於 2016 年完成「性侵害案件之無罪原因分析-以強制性交案件為中心」委託研究案，研究成果報告全文電子檔公開於 GRB 政府研究資訊系統，其無罪原因分析之實證研究成果，已納入法務部「2017 年度婦幼保護及性別平等研習會」課程，藉以精進檢察官偵辦性侵害案件之專業智能，研究團隊提出之政策建議亦已函請司法院、衛生福利部等相關單位，作為未來相關制度或法律修法時之參考，並請研究團隊於衛生福利部 2017 年「性侵害犯罪防治法 20 週年論壇」進行專題研討，加強與司法院、衛生福利部等相關單位之溝通與交流。
- 二、法務部性別統計網頁網址為：<http://www.rjtd.moj.gov.tw/RJSDWEB/common/SubMenu.aspx?menu=GENDER>
- 三、司法院網站已有建置「性別統計專區」，並定期發布員工人數、人才培訓、離婚事件、保護令核發、性侵害犯罪等相關案件之性別統計資料，供各界查詢參考。
- 四、法官學院自 2017 年起就辦理之「CEDAW 公約研習會」及「性別平權業務研習會」，於課後結束三個月後，傳送問卷請研習人員回覆，經統計回收之問卷顯示如下：
 - (一) 課程難易適中：41% 「非常同意」、59% 「同意」。
 - (二) 課程有助於瞭解性別平等的意義：25% 「非常同意」、75% 「同意」。
 - (三) 課程對於增進個人工作所需知能有助益：17% 「非常同意」、67% 「同意」、8% 「普通」。
 - (四) 在工作中可以運用本課程所學：17% 「非常同意」、58% 「同意」、25% 「普通」。
 - (五) 透過課程內容，瞭解直接歧視、間接歧視及暫行特別措施之內涵：33% 「非常同意」、67% 「同意」。

英文回應 (Response)

1. Regarding the Recommendations 17 given by the 2nd Review Committee on women's right of access to justice, initial outcomes of those various measures are stated as followed: The review committee suggested that the government should carry out the research regarding the misuse of the prevalence of law by prosecutors and judges: The MOJ had completed the commissioned research on the "Cause Analysis of Sexual Assault Cases - Focused on Cases of Mandatory intercourse" in year 2016. The full text of the research report was published in the GRB Government Research Information System. The results of the analysis of the reason for innocence have been incorporated into the "2017 Women and Children Protection and Gender Equality Seminar" seminar of the MOJ to enhance the prosecutor's investigation into sexual assault cases. The policy proposals put forward by the research team have also been sent to Judicial Yuan, health and welfare departments and other related organizations as a reference for future related systems or legal practices. Also, the research team was asked to perform workshop in

“The 20th Anniversary Forum of the Sexual Assault Crime Prevention Act in 2017” hold by the Ministry of Health and Welfare, in hopes of strengthening communication with related units such as the Judicial Yuan and the Ministry of Health and Welfare.

2. MOJ have gender statistics on our webpage. (Website: <http://www.rjtd.moj.gov.tw/RJSDWEB/common/SubMenu.aspx?menu=GENDER>)
3. Gender statistics on the number of employees, personnel training, divorce cases, civil protective orders, and sexual assault crimes are published on the website of the Judicial Yuan and updated regularly for the convenience of inquiry.
4. Judges Academy has been conducting the "CEDAW Convention Seminar" and "Gender Fair Services Seminar" since 2017. By sending questionnaires to the participants three months after the class, the statistics of the collected questionnaires are as follows:
 - (1) Courses are moderate difficulty: 41% "strongly agree" and 59% "agree."
 - (2) Courses help participants understand the meaning of gender equality: 25% "strongly agree" and 75% "agree."
 - (3) Courses enhance knowledge and skills that is beneficial to personal work: 17% "strongly agree", 67% "agree", and 8% "neutral".
 - (4) Apply what you learned from courses at work: 17% "strongly agree", 58% "agree" and 25% "neutral".
 - (5) Through course content, understand the implications of direct discrimination, indirect discrimination and temporary special measures: 33% “strongly agree” and 67% “agree”.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
女性近用司法資源 Women's Access to Justice	6	Please inform if the government conducted or is conducting any study on the impediments for women in fully accessing the courts and remedies, as requested by the 2 nd Review Committee in its Recommendation 12.	請說明政府是否遵照第 2 次審查委員會提出的第 12 點總結意見與建議所要求，已經執行或正在進行阻礙女性充分於法庭訴訟及獲得救濟之任何研究。

權責機關：司法院、法務部

中文回應 (Response in Chinese)

一、 提升對被邊緣化婦女的司法協助和法律權利資訊：

依法律扶助法規定，對於無資力或因其他原因，無法受到法律適當保護者，應對其提供必要之法律扶助。被邊緣化婦女若符合

法律扶助法相關規定，可向法律扶助基金會申請法律扶助；且司法院所屬各法院於單一窗口聯合服務中心均備置法律扶助資訊，供需要之民眾取閱，使其獲知法律權利資訊。

二、為有需要婦女提供高效能和獨立的法庭口譯：

- (一) 各法院審理案件如遇不通曉國語或無法以國語順暢表達意見之民眾，均主動徵詢或視需要為其選任通譯到庭協助傳譯，俾保障其訴訟權益，並無任何差別對待。司法院並已完成傳譯聲請書多語化事宜，製作英語、日語、越南語、印尼語及泰語等 5 種法院常用外國語之譯本，將可更便利有傳譯需求之民眾向法院提出聲請。
- (二) 為因應傳譯需求，司法院自 2006 年起即推行特約通譯制度，目前法院已建置包含手語、客語、原住民語等 21 種語言類別，共 234 名特約通譯備選人。又自 2013 年起委由法官學院辦理特約通譯備選人教育訓練，課程內容並已納入法庭傳譯技巧及實務演練、法律常識及多元文化與性別平等相關課程，以提升特約通譯專業素養。並於 2018 年度增設模擬通譯實習課程，透過模擬法院開庭流程及傳譯可能遭遇之狀況，解說並評析傳譯時應注意事項及相關倫理規範，使特約通譯備選人更能瞭解通譯倫理規範之意涵及傳譯技巧之具體運用。未來亦將隨時注意實務運作情形，適時調整課程之內容，提升特約通譯專業知能。

三、有關增加法官人數部分，因為有《中央政府機關總員額法》所規定司法機關員額總數之限制，致無法立即增加法官人數，惟司法院目前正與行政院人事行政總處洽商提高司法機關員額總數，期能增加法官人數，以促進審理案件之速度。

四、法務部已督導臺灣高等檢察署暨所屬地方檢察署落實為民服務工作改進要點，結合律師公會、法扶基金會提供女性民事訴訟代理，刑事訴訟辯護、法律諮詢與訴訟文書協助等服務。

英文回應 (Response)

1. Improving legal assistance and statutory rights and interest for women

In accordance with the Legal Aid Act, necessary legal aids are provided to people who are indigent or are unable to receive proper legal protections for other reasons. Women, who comply with the requirements provided in the Legal Act, may apply for legal aids to the Legal Aid Foundation. In addition, the single-window joint service center of all courts under Judicial Yuan provide legal aid information to people who require legal services and help them to acknowledge their rights and interests.

2. Providing efficient and independent court Interpreters

- (1) Where there are parties with no or limited Chinese proficiency, the court will select court interpreter for them actively or based on the demand to protect their litigation rights and interests. The aforementioned Application Form is in other five languages, including

English, Japanese, Vietnamese, Indonesian, and Thai. It is helpful for people with the demand of court interpreter to apply for one.

- (2) In response to the interpretation demand, Judicial Yuan initiated contracted court interpreter system in 2006. Currently we have 234 contracted court interpreters in 21 different languages, including sign language, Hakka, and indigenous language. The Judges Academy has been hosting educational trainings for contracted interpreters, and the trainings contain court interpretation skills and practice, basic legal knowledge, diverse culture and gender equality courses in order to improve the professionalism of interpreters. Simulated court interpretation courses were established in 2018, which allow interpreters to have better understanding of meanings of code of conducts for interpreters and the application of interpretation skills by describing and analyzing matters that shall pay attention to and the content of code of conduct through simulating the trial procedure and situations that interpreter may encounter. In the future, Judicial Yuan will pay attention to the practice and properly adjusts the courses, if necessary, to improve the professionalism of contracted court interpreters.
3. According to the Act Governing the Total Number of Personnel Headcounts of Central Government Agencies, which restricts the maximum personnel headcount of the Judicial Yuan and its subordinate agencies, the number of judges cannot be increased immediately. However, the maximum personnel headcount of the Judicial Yuan and its subordinate agencies is currently being negotiated between the Judicial Yuan and the Directorate-General of Personnel Administration, Executive Yuan. It is expected that the number of judges can be increased so that the cases can be disposed effectively and speedily.
4. The Ministry Of Justice has supervised the Taiwan High Prosecutors Office and its subordinate district prosecutor offices to carry out improvement tasks for the people's service work, and to combine with the Lawyer Society、the Legal Aid Foundation, provide female civil litigation agency, criminal procedure defense, legal advice and litigation documents assistance as well as other services.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
女性近用司法資源 Women's Access to Justice	7	On the annual CEDAW Seminar and Workshop on Gender Equality, as well as other courses organized, is there any topic dedicated for gender stereotyping, misconception of gender-based crimes, credibility and weight given to women's voices, and inflexible standards about appropriate behavior for a	年度舉辦的「CEDAW 研習會」、「性別平權業務研習會」及其他課程，是否有主題專門探討性別刻板印象、性別犯罪之迷思、給予女性發聲(證言)可信度及重視度，以及規範女性合適行為之僵化標準？(國家報告 15.18)

權責機關：司法院、法務部

中文回應 (Response in Chinese)

一、法官學院規劃之課程可分為初階及進階如下：

- (一) 初階課程：CEDAW、性別平等一般通論、多元文化與性別意識、性侵害犯罪防治法、兒少性剝削防制、職場性別平等與性騷擾防治、性別與日常生活、性別與溝通、原住民文化與多元價值等議題。
- (二) 進階課程：兩公約、CRC、CRPD、CEDAW 於我國法院實務適用之探討、談婚姻親子事件之處理、跨國婚姻實務問題座談、家暴被害人的創傷經驗及詢問技巧 (案例情境演練)、從個案探討法院裁判對外籍配偶生活及親子關係之影響、CEDAW 與兩公約在審判中之實踐、兒童性侵害鑑定的發展、兒童性侵害案件應用司法訪談標準程序、友善法庭的落實-與 NGO 成員的對話、性侵害犯罪案件審理實務等。

二、法務部所屬各地方法院檢察署成立「婦幼保護專組」或指定專責檢察官，辦理家庭暴力、性侵害、性騷擾、兒童及少年性剝削防制條例等婦幼案件。為提升婦幼專組檢察官偵辦婦幼案件之專業知能以及增進性別平等之觀念，法務部每年例行舉辦「婦幼保護及性別平等研習會」。

三、法務部於上開研習會均安排「友善司法及性別平等」相關課程，講授友善司法環境內涵、培養檢察官理解移工、婦女、兒童、心智障礙者等弱勢被害人之心身特質與處境，加強性別意識、反歧視、多元文化等之訓練，以避免性別、文化刻板印象及迷思於庭訊及偵查過程發生，周延對被害人之人權保障。本(2018)年度係邀請台灣防暴聯盟廖書雯秘書長擔任講師，聚焦從性別刻板印象談性別平等與友善司法之議題。

四、法務部並持續督導所屬檢察機關應由專組檢察官辦理人口販運案件，每年亦例行舉辦「人口販運實務研習會」。為使檢察官了解移工在台處境、國籍文化差異等，2016 年及 2017 年均安排「社工服務對於人口販運防制之效益及反思」等課程，以提升檢察官多元文化敏感度，加強涉及多元族群案件之偵辦技巧。

英文回應 (Response)

1. Curriculum planned by Judges Academy can be divided into preliminary and advanced levels as follows:

- (1) Elementary Courses: CEDAW, General Theory of Gender Equality, Multiculturalism and Gender Awareness, Sexual Assault Crime Prevention Act, Child and Youth Sexual Exploitation Prevention Act, Workplace Gender Equality and Prevention of Sexual Harassment, Gender and Daily Life, Sex and Communication, Indigenous Peoples Issues such as Culture and Multiple Values.
 - (2) Advanced Courses: Discussion on the Application of ICCPR&ICESCR, CRC, CRPD, and CEDAW in court practice, Handling of Marriage and Parent-Child Incidents, Symposium on Cross-Border Marriage Practices, Traumatic Experiences of Domestic Violence Victims, and Inquiry Skills (Case Scenario Practice), Exploring the Impact of Court Decisions on Foreign Spouse Life and Parent-Child Relationship, CEDAW and the practice of the two conventions in trials, Development of Child Sexual Abuse Appraisals, Application of Judicial Interviewing Standard Procedures for Child Sexual Abuse cases, and Implementation of Friendly Courts - NGO Members Dialogues, Sexual Assault Criminal Case Trial Practices, etc.
2. The subsidiary Public Prosecutor's Office of the MOJ has established a “maternity and child protection team” or designated special prosecutors to handle cases involving the prevention of domestic violence, sexual assault, sexual harassment, child and juvenile sexual exploitation, and other maternity and child cases. In order to enhance the professional knowledge of women’s and children’s cases in prosecutors’ and women’s cases and promote the awareness of gender equality, the MOJ routinely holds “Women and Children Protection and Gender Equality Seminars” every year.
 3. The MOJ has organized “Friendly Justice and Gender Equality” related courses at the upper seminars to teach prosecutors the connotation of friendly judicial ethics, cultivate the understanding of physical and mental traits and situations of vulnerable persons such as displaced workers, women, children, mentally-impaired persons ,and strengthening gender, training in awareness, anti-discrimination, and multiculturalism to avoid gender and cultural stereotypes and myths in court hearings and investigations, in order to protect human rights for victims. We had invited the Secretary-General of the Taiwan Anti-Riot Alliance Liao Shu-wen to serve as a lecturer, focusing on issues related to gender equality and friendly justice from a gender stereotype this year (2018).
 4. The MOJ continuously supervises the subsidiary Public Prosecutor's Office that cases of trafficking in human beings should be handled by specialty prosecutor group. And "Practice seminar on human trafficking." also should be organized routinely every year. In order to enable prosecutors to understand the differences in the status of workers' movements in Taiwan and cultural differences in nationality, etc., courses such as “Effectiveness and Rethinking of Social Worker Services on Prevention and Control of Human Trafficking” were organized in both year2016 and year2017, to enhance the multicultural sensitivity of prosecutors and strengthen the Investigative skills in multi-ethnic cases.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
女性近用司法資源 Women's Access to Justice	8	Please indicate what measures have been taken to raise awareness about the availability of justice mechanisms, procedures and remedies for women to claim their rights under CEDAW, particularly for women with disabilities and migrants? Are internet and other information and communication technologies (ICTs) being considered as a tool to improve women's access to justice at all levels?	請說明採行哪些措施以提升人們意識，了解到女性得以經由司法機制、程序與救濟主張 CEDAW 中的權利，尤其針對身心障礙女性與移民？網路及各類資訊傳播科技 (ICTs) 是用來改善女性在各層級獲得司法正義的一項工具嗎？

權責機關：法務部、司法院、內政部

中文回應 (Response in Chinese)

一、為保障身心障礙被告之訴訟權，刑事訴訟法有以下規定：

- (一) 第 27 條第 3 項：被告或犯罪嫌疑人因精神障礙或其他心智缺陷無法為完全之陳述者，應通知前項之人得為被告或犯罪嫌疑人選任辯護人。但不能通知者，不在此限。
- (二) 第 31 條第 1 項第 3 款：「有下列情形之一，於審判中未經選任辯護人者，審判長應指定公設辯護人或律師為被告辯護：三、被告因精神障礙或其他心智缺陷無法為完全之陳述者。」
- (三) 第 35 條第 3 項前段：被告或犯罪嫌疑人因精神障礙或其他心智缺陷無法為完全之陳述者，應有第一項得為輔佐人之人或其委任之人或主管機關、相關社福機構指派之社工人員或其他專業人員為輔佐人陪同在場。
- (四) 第 41 條第 2 項：前項筆錄應向受訊問人朗讀或令其閱覽，詢以記載有無錯誤。
- (五) 第 99 條：被告為聾或啞或語言不通者，得用通譯，並得以文字訊問或命以文字陳述。

二、被告若為新移民、外籍人士時，刑事訴訟法第 99 條亦有適用。

三、前揭規定並未依性別區分適用對象。

四、法務部已督導臺灣高等檢察署暨所屬地方檢察署落實為民服務工作改進要點，結合律師公會、法扶基金會提供女性民事訴訟代理，刑事訴訟辯護、法律諮詢與訴訟文書協助等服務。

五、司法院有提供多國語文訴訟文書中外譯本，公告於司法院網站，以協助新移民進行司法程序。又地方政府在各法院均設有駐法院

家庭暴力事件服務處、家事服務中心，來為婦幼、身心障礙者、新移民等提供服務。

- 六、司法院已於法院使用通譯作業規定第3點第2項明定，法院宜於傳喚或通知時，以附記文字或附加使用通譯聲請書之方式，告知民眾可向法院提出傳譯需求；又於第8點規定，法院單一窗口聯合服務中心及開庭報到處應備置使用通譯聲請書，俾利需要傳譯服務之當事人或關係人填寫。本院已完成上開聲請書多語化事宜，製作英語、日語、越南語、印尼語及泰語等5種法院常用外國語之譯本，將可更便利有傳譯需求之婦女向法院提出聲請。
- 七、依法律扶助法規定，對於無資力或因其他原因，無法受到法律適當保護者，應對其提供必要之法律扶助。符合前開規定之人，均可向法律扶助基金會申請法律扶助；且司法院所屬各法院於單一窗口聯合服務中心均備置法律扶助資訊，供需要之民眾取閱，使其經由司法機制、程序與救濟主張 CEDAW 中的權利。
- 八、人口販運被害人經救援後，第一線司法警察執法人員，或是陪同偵訊、安置保護民間團體服務人員會告知被害人在我國依法可以獲得協助措施與服務，包含心理輔導、必要醫療協助與經濟補助、尤其是通譯服務、法律協助、隔離訊問、社工人員陪同在場等司法資源，期能讓被害人避免因不熟悉當地司法機制而遭受陌生或不平等的對待。又被害人經安置於政府委辦或公設民營之民間機構後，機構服務人員均隨時透過電洽或邀請通譯人員給予被害人生活照顧、心理輔導、職業訓練等協助；被害人如有親自出庭應訊必要，亦皆由社工人員全程陪同。此外，內政部移民署針對受託辦理之民間團體服務人員，也要求應每年至少辦理一場次的性別議題與敏感度有關訓練，提升職能。
- 九、法務部為保障當事人訴訟權益，強化法律服務，臺灣高等檢察署暨所屬各地方檢察署均設有為民服務中心，提供各項民、刑事訴訟協助，如案件查詢、免費提供聲請書類、協助辦理訴訟聲請事項、訴訟程序指導、各式例稿提供、緊急資助等，並與法律扶助基金會各地分會合作，提供義務律師法律諮詢。
- 十、針對性侵害、性騷擾、家庭暴力、兒童及少年性剝削、人口販運等危害婦幼安全之犯罪類型，我國訂立專法落實婦幼保護工作，相關法律包括性侵害犯罪防治法、性騷擾防治法、家庭暴力防治法、兒童及少年性剝削防制條例、人口販運防制法等，已考量是類案件被害人弱勢情狀，規範被害人隱私保護、專家協助訊(詢)問、被害人信賴之相關人員陪同應訊權、庭外視訊隔離措施、傳聞法則之例外、婦幼保護從業人員之通報義務等程序保護事項，對弱勢族群提供友善司法措施。
- 十一、若為身心障礙者、新移民或外籍人士等女性，除前揭婦幼案件特別規定之相關程序保護事項，亦將依身心障礙者權利公約及刑事訴訟法等相關規定，提供必要之扶助，如被告、證人、鑑定人為聾啞人士或語言不通者，得用通譯，並得以文字訊問或命以文字陳述。再法務部訂有「檢察機關通譯倫理規範」及「檢察機關辦理刑事案件使用通譯應行注意事項」，明訂檢察官依前開注意事項第3點主動了解、詢問當事人或關係人有無傳譯之需求，並視個案需要選任通譯等，以加強是類女性近用司法資源。

英文回應 (Response)

1. In order to protect disabled defendants' right of instituting legal proceedings, the Code of Criminal Procedure stipulates as follows:
 - (1) Article 27 section 3: "In case an accused or a suspect is unable to make a complete statement due to unsound mind, the persons listed in the preceding section shall be notified of the same(i.e. retaining defense attorneys for the accused or suspect), provided that the said notification is not required if it can not be made practically."
 - (2) Article 31 section 1 item 3: "In cases...where the accused is unable to make a complete statement due to unsound mind, the presiding judge shall appoint a public defender or a lawyer to defend the accused if no defense attorney has been retained;..."
 - (3) Article 35 section 3: "In cases an accused or a suspect is unable to make a complete statement due to unsound mind, he shall be accompanied by one of the qualified assistant, under the first section of this article, or his authorized agent, or a social worker appointed by a governmental agency in charge thereof;..."
 - (4) Article 41 section 2: "The records specified in the preceding section shall be read aloud to the person examined or he shall be permitted to read them; he shall then be asked whether there are mistakes."
 - (5) Article 99: "If an accused is deaf or dumb, or not conversant with the language, an interpreter may be used; such accused may also be examined in writing or ordered to make a statement in writing."
2. In case that a defendant is a new immigrant or a foreigner, Article 99 can apply as well.
3. The all provisions mentioned above do not differentiate between defendants on the basis of gender.
4. The Ministry Of Justice has supervised the Taiwan High Prosecutors Office and its subordinate district prosecutor offices to carry out improvement tasks for the people's service work; together with the Lawyer Society and the Legal Aid Foundation providing female civil litigation agency, criminal procedure defense, legal advice and litigation documents assistance as well as other services.
5. Judicial Yuan has provided multilingual versions of litigation documents on the website, to assist immigrants to realize the judicial procedures. In addition, the local governments have set up the Family Case Service Center and Domestic Violence Cases Service Center in the Family Court, to serve women and children, the physically and mentally disabled and immigrants.
6. Where there are parties with no or limited Chinese proficiency, the court will select court interpreter for them actively or based on the demand to protect their litigation rights and interests. Paragraph 2, Article 3 of "Operational Regulations Governing the Use of Interpreters of Courts" provides that the court shall inform the parties that they may ask for the assistance of interpreters with annotations or the attached Interpreter Application Form at the time when the parties or interested parties are subpoenaed or notified. Article 8 of the same Operational Regulations provides that Single-Counter Consolidated Service Center at the court and the registration counter for trials shall keep the

Interpreter Application Form ready for the parties and interested parties who may require the interpretation service. The aforementioned Application Form is in other five languages, including English, Japanese, Vietnamese, Indonesian, and Thai. It is helpful for people with the demand of court interpreter to apply for one.

7. In accordance with the Legal Aid Act, necessary legal aids are provided to people who are indigent or are unable to receive proper legal protections for other reasons. Women, who comply with the requirements provided in the Legal Act, may apply for legal aids to the Legal Aid Foundation. In addition, the single-window joint service center of all courts under Judicial Yuan provide legal aid information to people who require legal services and help them to acknowledge their rights and interests protected by CEDAW.
8. Following any rescue action, the participating law enforcement personnel or the NGO workers to accompany the victim in an interrogation or to manage protective placement are to inform the victim of the assistance and services she/he is legally entitled to, including psychological counseling, fund or medical services as dictated by the situation, translation services, legal supports, a separate interrogation space from the offender(s) and the company of social worker(s) during investigation and/or trial. These are provided to shield the victim from any experience of being unhomey or unfairly treated in a justice system the victim might find herself/himself a stranger to. Once the victim is in a placement shelter, the shelter workers, with the help of on-site or over-the-phone interpreters, would offer assistance to the victim on matters of taking care of everyday living, psychological counseling, job training or the like. Should the victim need to appear in court, she/he will be accompanied by a social worker throughout the session. In addition, The National Immigration Agency requires the line worker of NGOs acting under the Agency's contract to routinely advance job competence by undergoing at least one training activity each year on gender related topics and sensitivity raising.
9. To protect litigation party's right and improve legal service, The Taiwan High Prosecutor Office's subordinate district prosecutor offices have set up People Service Center to provide civil litigation as well as criminal procedure lawsuit aid, such as case enquiries, providing free applying documents, assisting in the handling of lawsuit claims, litigation procedure guidance, provision of various types of documents, emergency funding, etc. Besides, People Service Center also combine with the Legal Aid Foundation to provide legal consultation by volunteer lawyer.
10. Our country has formulated special laws to implement maternity and child protection against sexual abuse, sexual harassment, domestic violence, sexual exploitation of children and adolescents, human trafficking, and other types of crimes that endanger women's and children's safety. Related laws include Sexual Assault Crime Prevention Act, Sexual Harassment Prevention Act, Domestic Violence Prevention Act, Child and Youth Sexual Exploitation Prevention Act, Human Trafficking Prevention Act, etc. We have considered the situation of victims,

regulated the protection of the privacy of victims, interrogation with the help of experts, and ask relevant persons who are trusted by the victims to accompany them. Procedural protection issues such as out-of-court video conferencing measures, exceptions to the hearsay laws, and the maternity protection duties of practitioners for women and children's protection, providing friendly and judicial measures to vulnerable groups.

11. In the case of women with physical and mental disabilities, new immigrants or foreigners, in addition to the relevant procedural safeguards specifically stipulated in the previous case of women and child, necessary assistance will also be provided in accordance with the relevant provisions of the Convention on the Rights of Persons with Disabilities and the Code of Criminal Procedure, if the accused, witness, expert witness are people with hearing or language impairment, an interpreter may be used; he or she may also be examined in writing or ordered to make a statement in writing. Ministry of Justice formulated “The Code of Conduct for Prosecuting Organs Interpreters” and “The Guidelines for Prosecuting Organs to Handle Criminal Cases When an Interpreter Is Needed”, according to point 3 of the above Guidelines, prosecutor should take the initiative to comprehend and inquire about whether an involved party has the need for interpreter, and appoint an interpreter in individual case depending on the need, in order to strengthen the use of judicial resources for women.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 3 條 Article 3	9	Please specify whether the term sex/gender as referred to in paragraph 3.1 of the Report is duly taking into account the definition given by the CEDAW Committee’s General Recommendation No. 28 on the Core Obligations of States Parties under Article 2 of CEDAW, in particular in the General Recommendation’s paragraph 5 on the meanings of sex and gender and paragraph 18 on intersectionality?	請具體說明國家報告 3.1 所稱的性/性別一詞，是否確切考量 CEDAW 委員會依據 CEDAW 第 2 條所做成的一般性建議第 28 號—有關國家之核心義務，尤其是一般性建議第 5 段所列的性與性別定義，以及第 18 段所列交叉性定義？

權責機關：性平處

中文回應 (Response in Chinese)

本條所指性/性別一詞，係參照第 28 號一般性建議第 5 段及第 18 段，除生理性別外，亦指社會意義上的身分，以及社會對生理差異所賦予的社會和文化涵義，造成男性在權力分配和行使權利時處於有利地位，婦女則處於不利地位；另第 18 段提及交叉歧視，以性和性別為由而對婦女的歧視，與其他影響婦女的因素息息相關，如：種族、族裔、宗教或信仰、健康狀況、年齡、階級、種姓、性取向和性別認同等。以性或性別為由的歧視，對此類婦女的影響程度或方式可能不同於對男性的影響。締約國必須從法律上承認該等交叉形式的歧視，以及對婦女的相關綜合負面影響，並禁止此類歧視。我國性別平等政策綱領、《性別工作平等法》及《性別平等教育法》等皆保障個人不因性別、性傾向及性別認同等受到歧視或偏見。

英文回應 (Response)

In the article, the term “gender/sex” refers to paragraph 5 and paragraph 18 of No. 28 general recommendation. Except for biological sex, it also refers to socially constructed identities, attributes and roles for women and men and society’s social and cultural meaning for these biological differences resulting in hierarchical relationships between women and men and in the distribution of power and rights favouring men and disadvantaging women. Intersectionality is a basic concept for understanding the scope of the general obligations of States parties contained in article 2. The discrimination of women based on sex and gender is inextricably linked with other factors that affect women, such as race, ethnicity, religion or belief, health, status, age, class, caste and sexual orientation and gender identity. Discrimination on the basis of sex or gender may affect women belonging to such groups to a different degree or in different ways to men. States parties must legally recognize such intersecting forms of discrimination and their compounded negative impact on the women concerned and prohibit them. The Gender Equality Policy Guidelines, Act of Gender Equality in Employment, and Gender Equity Education Act can ensure that the person cannot be discriminated or prejudiced due to gender, sexual orientation and gender identity.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 3 條 Article 3	10	Referring to paragraphs 3.8 to 3.10 of the Report, please give more information on the indicators on women’s human rights and on the measures taken to establish an independent national human rights institution to implement paragraphs 7 and 8 of the recommendations	參照報告 3.8 至 3.10，請提出更多資訊，說明女性人權指標及設立獨立國家人權機構之相關措施，以落實第 2 次審查委員會所提總結意見與建議第 7 及第 8 點內

	of the 2 nd Review Committee.	容。
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權責機關：法務部、監察院、性平處

中文回應 (Response in Chinese)

- 一、我國設立符合《巴黎原則》之國家人權機構議題，因事涉國家體制之變革，宜由總統作出政策方向決定。為預作準備，監察院已組成專案小組，就我國設立符合《巴黎原則》之國家人權機構之議題，持續進行研議，以利於總統作出政策決定後，適時提出監察院之對應方案及法律草案。
- 二、2016 年辦理「我國婦女人權指標建立與情境調查分析」研究，參考國際經驗及我國社會經濟文化脈絡，依 CEDAW 第 5 條至第 16 條內涵及我國性別平等政策綱領七大領域之分類，發展出包含各級選舉當選人、公職人員、各級學校教師及執業技師之性別統計等 33 項重要婦女人權指標。本研究發展之婦女人權指標，已提供各部會進行性別影響評估時，參考納入影響評估，並定期深入檢視各領域婦女人權之進展，促進政府部門監測及社會大眾瞭解婦女人權發展。

英文回應 (Response)

1. Establishing a Paris Principles-compliant National Human Rights Institution (NHRI) in Taiwan is an important issue concerning institutional change. The final decision shall be made by the President of the ROC. The Control Yuan has already set up a special task force in preparation for the aforementioned issue. Research and discussion are well underway so that a corresponding plan and relevant draft laws can be promptly put forward once the decision is made by the President of the ROC.
2. In 2016, conduct the research “The Establishment and Situational Analysis of Women’s Human Rights Indicators in the ROC”, and refer to international experiences and national society, economy and culture context (Para. 2.6). Based on Article 5~16 of CEDAW and Taiwan’s own Gender Equality Policy Guidelines, the research developed 33 critical indicators of women’s human rights in Taiwan, including gender statistics of elected candidates in all levels of election, government officials, teachers in all levels of schools and professional technicians. The finding of women's human rights research had provided to governments sectors to take into consideration during conducting Gender Impact Assessment. Furthermore, to hold regular review of women's human rights development in every area to promote government evaluation and allow the public to understand development of women's human rights.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 3 條 Article 3	11	In line with the Conclusions and Recommendations of the 2nd Review on “gender budgeting,” as well as paragraph 3.15 of the 3rd Report, please specify what methodology of gender budgeting has been undertaken (in line with the criteria of the 2030 Agenda and the Addis Ababa Action Agenda on financing for development). Please also provide information on the last five years’ flow of resources dedicated at national and local level to the gender mainstreaming policies (paras. 3.15 to 3.18), the monitoring criteria used and the impact (outcomes) of such policies.	參照第 2 次審查總結意見與建議提及的「性別預算」及第 3 次報告 3.15，請具體說明目前採行何種性別預算方法論（符合 2030 議程及阿迪斯阿貝巴為發展融資的行動議程）。並請提出過去五年來在國家與地方層級專屬性別主流政策的資源挹注情形 (3.15 至 3.18)、其監督標準及該類政策之影響(與成果)。

權責機關：性平處

中文回應 (Response in Chinese)

一、行政院暨所屬機關性別預算制度自 2009 年起推動，分為兩階段：

- (一) 第一階段：為引導各機關預算分配支持及回應重大計畫性別影響評估結果，爰以辦理性別影響評估且經核定之中長程個案計畫之整筆年度經費列計為性別預算。
- (二) 第二階段：2014 年起漸進試辦新性別預算制度，擴大適用性別平等業務範疇，逐年增加試辦機關數量及預算標的，2018 年係第 5 年試辦中，預計於 2019 年正式實施。新性別預算主要方法：
 1. 各機關先盤點與性別平等相關之業務。
 2. 各機關就性別平等相關業務設定性別目標，並規劃策略、方法及措施。
 3. 各機關針對相關策略、方法及措施所需之經費，編列對應之預算額度。

二、行政院試辦新性別預算制度大致符合聯合國永續發展目標 (SDGs) 之指標 5.c.1 內所定義之標準與阿迪斯阿貝巴行動議程：

- (一) 有相關指引：行政院制定性別預算編列原則及注意事項（包含編列步驟、估算方式、案例、表件）。
- (二) 配置適當預算：由各機關性別平等專案小組（含內部委員與專家學者）討論性別預算內容，確保促進性別平等之重要方案計畫獲得預算分配。

- (三) 有性別預算聲明：行政院主計總處每年公布之年度總預算編製作業手冊中，明定各機關擬編概算時應將性別平等相關政策及工作納入關照。
- (四) 預算分配須先進行性別影響評估：行政院規定重大計畫應先進行性別影響評估，預算之編列須回應評估結果並運用性別統計說明年度預期成果。
- (五) 預算支出有追蹤評估機制：性別預算屬政府預算，行政院對於各機關年度計畫，已建立執行進度追蹤與成果評估之機制。
- (六) 性別預算之編列與支出情形公開：行政院應立法院審查需求，配合提供相關資料。另行政院建置之計畫執行進度追蹤與成果公眾查閱平台。
- (七) 性別預算實施範圍：包括針對女性、以性別平等為主要目的、及非以性別平等為主要目的之工作。

三、性別主流化政策資源運用情形及成效

- (一) 行政院新性別預算制度係逐年擴大試辦範圍，每年檢討修正性別預算編列原則及注意事項，爰試辦期間之性別預算年度總額尚受制度發展中之不穩定性所影響。
- (二) 舉例說明行政院 2017 年至 2018 年重要性別平等政策之資源挹注情形：
 1. 減輕家庭照顧負擔方面：擴大幼兒教保公共化計畫 2017 年約編列新臺幣（以下同）4.99 億元，全國已增設公共化幼兒園計 300 班。長期照顧十年計畫 2.0 於 2017 年約編列 125 億元，長照服務涵蓋率達 11.9%。
 2. 提升女性經濟力方面：女性創業飛雁計畫 2017 年約編列 2,500 萬元，協助女性企業新設 84 家，資本額總計約 8,000 萬元。微型創業鳳凰利息補貼及創業協助 2017 年約編列 5,000 萬元，協助婦女完成創業人數約 1,111 人。
- (三) 另考量地方政府幅員、人口、特色、資源及發展程度不一，爰鼓勵其發展符合地方需求之性別預算制度。目前有 9 個地方政府建立性別預算制度，以臺北市政府為例，2017 年性別預算編列情形為：針對單一性別之工作預算約 4.8 億元、針對特定性別議題之工作預算約 23 億元、促進性別平等工作機會之工作預算約 436 億元、其他對促進性別平等有正面影響之工作預算約 188 億元。

四、推動性別主流化之成果監測機制：

- (一) 行政院所屬各機關均訂定機關推動性別主流化執行計畫，自訂關鍵績效指標，並提報性別主流化年度成果報告。
- (二) 行政院自 2015 年起針對行政院所屬各部會及地方政府分別每兩年辦理性別平等業務輔導考核，訂有量化指標，涵蓋各機關落實性別平等政策綱領、CEDAW、性別主流化等情形。公開表揚成績優良之機關，並對成績不佳之機關提供協助輔導，辦理交流分享會擴散成功經驗。

英文回應 (Response)

1. There are two stages for gender budgeting system from institutions of the Executive Yuan since 2009:
 - (1) First stage: in order to guide every agency budget allocation support and respond to gender impact assessment results of major plans, after being conducted gender impact assessment and approved, the entire annual budget of Executive Yuan subordinate agencies' medium-and long-term individual plans is counted as gender budget.
 - (2) Second stage: starting from 2014, we have conducted Trial Implementation of the Revised Gender Budgeting System, gradually expanded the scope of the application of gender equality business, and increase number of pilot agencies and budget types. In 2018, it is the trial implementation of the fifth year and is planned to be officially implemented in 2019. The main methods of new gender budget are as follows:
 - A. Each agency first review the business related to gender equality.
 - B. Agencies set gender goals for gender equality related business, and plan the strategies, methods and measures.
 - C. Agencies allocate budget for the strategies, methods and measures to achieve gender goals.
2. Trial Implementation of the Revised Gender Budgeting System by Executive Yuan conforms to indexes in the 5.c.1 of Sustainable Development Goals (SDGs) of UN and Addis Ababa Action Agenda:
 - (1) Relevant guidance: Executive Yuan makes gender budgeting principle and announcements (including procedure, estimation way, cases, and forms).
 - (2) Allocation of proper budget: gender equality task force of every agency (including internal official members, experts and scholars) discusses gender budgeting content to ensure important projects and plans of gender equality obtaining budget allocation.
 - (3) Gender budgeting statement: in the annual total budget manual published every year by Directorate-General of Budget of Executive Yuan, it is clearly stated that every agency shall consider gender equality policies and work during budgeting.
 - (4) Implementing gender impact assessment before budgeting: Executive Yuan stipulates that major plans firstly must be conducted gender impact assessment. Plans budget should respond to assessment results, and apply gender statistics to display annually expected results.
 - (5) Tracking evaluation mechanism for budget expenditure: gender budget belongs to government budget. For annual planning of each agency, Executive Yuan has established a mechanism to track progress and evaluate outcomes.
 - (6) Gender budgeting and expenditure public disclosure: Executive Yuan provides relevant data for request of Legislative Yuan. Executive Yuan also establishes a website for people to track plan progress and outcomes.
 - (7) Gender budgeting implementation range: including the works on women, gender equality as main purpose and non-gender equality as main purpose.

3. The resource use and outcomes of gender mainstreaming policies

- (1) The Trial Revised Gender Budgeting System expands implementation range by year, and the principles and announcements are annually reviewed and amended. During pilot implementation, there are still uncertainties on annual amount of gender budget.
- (2) From 2017 to 2018, resource allocation and outcomes for important gender equality policies by Executive Yuan are as follows:
 - A. Relief family care burden: the budget of Expanding Public Access to Early Childhood Care Programs in 2017 was about NT\$ 499 million, and 300 public kindergartens were added. 10-year Long-term Care Program 2.0, budgeting of 2017 was about NT\$ 12,500 million, the service coverage rate achieved 11.9%.
 - B. Economic empowerment for women: Women Entrepreneurship Flying-geese Program in 2017, budgeting was about NT\$ 25 million, assisted 84 start-ups of women-owned enterprises, and the total capital was about NT\$ 80 million. For Phoenix Micro Start-up Loan and Assistance Program, budgeting was about NT\$ 50 million in 2017, assisted 1,111 women to start-up entrepreneurship successfully.
- (3) Because the size, population, characteristics, resource, and development level of local governments are different, Executive Yuan encourages them to develop gender budgeting system based on local needs. At present, 9 local governments have established gender budgeting system. For example, gender budgeting in 2017 of Taipei City Government were as follows: working budget on specific gender was about NT\$ 480 million; working budget on special gender issues was about NT\$ 2.30 billion, working budget on promoting gender equality job opportunity was about NT\$ 43.6 billion, and working budget on other promoting positive effect of gender equality was about TWD 18.8 billion.

4. Outcome monitoring mechanism of gender mainstreaming policies:

- (1) All institutions of the Executive Yuan shall draw up a plan for agencies to promote gender mainstreaming, customize key performance indexes, and submit annual outcome report of gender mainstreaming.
- (2) Executive Yuan started gender equality business evaluation every two years for agencies and local governments. Executive Yuan sets quantitative evaluation indexes covering the implementation of gender equality policy, CEDAW and gender mainstreaming. Executive Yuan praises agencies and local governments in public for their good performance and provides assistances for who with poor performance and holds experiences sharing meeting to spread successful experiences.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 4 條 Article 4	12	The Report refers to the Implementation of the Plan for CEDAW Education, Training, and Performance Assessments which was formulated and promulgated in 2015 and indicates that “direct and indirect discrimination” and “temporary special measures” (TSM) are designated as the primary focus of this training (para. 2.7). Please provide information on the contents of training on TSM, specify the purpose for which such measures are addressed in training and clarify whether training corresponds to the interpretation of meaning and scope of TSM in the CEDAW Committee’s General Recommendation No. 25.	報告提及 2015 年訂定及公布的「CEDAW 教育訓練及成效評核實施計畫」，指出該訓練的主要焦點為「直接與間接歧視」與「暫行特別措施」(國家報告 2.7)。請提供資訊說明暫行特別措施的訓練內容，具體說明該等訓練措施的目的，並協助澄清該等訓練是否符合 CEDAW 委員會所做成的一般性建議第 25 號內容中「暫行特別措施」定義及範圍之詮釋。

權責機關：性平處

中文回應 (Response in Chinese)

- 一、有關暫行特別措施訓練內容，係參照第 25 號一般性建議，說明實質平等(第 8 段)、採取暫行特別措施消除對女性之多重歧視 (第 12 段、第 38 段)、暫行特別措施之定義和範圍 (第 22、24 段)、重要性、擬定暫行特別措施步驟及原則(第 36 段)、類型(第 22 段)及相關案例等。
- 二、為落實推動教育訓練，行政院性別平等處製作教育訓練教材，包括 CEDAW 教育訓練講義、直接歧視與間接歧視、暫行特別措施、第 29 至 33 號一般性建議講義，及 CEDAW 各條文講義等，函送各機關參考運用並上載於行政院性別平等會網站。
- 三、訓練內容亦提醒暫行特別措施之相關立法不應只針對政府官員，亦可擴及公私部門相關單位、私人組織或企業(第 31 段、第 32 段)；另暫行特別措施之成效及性別實質平等之實現情形，均應依第 9 號一般性建議以具體性別統計呈現並據以作為衡量標準。

英文回應 (Response)

1. For temporary special measures training, refer to general recommendation No. 25, explain substantive equality (paragraph 8), adopt temporary and special measures to eliminate discrimination against females (paragraph 12 and paragraph 38), definitions and range of temporary special

measures (paragraph 22 and paragraph 24), importance, and propose temporary and special measures and principles (paragraph 36), types (paragraph 22), and relevant cases.

2. In order to implement and promote education training, the Department of Gender Equality under Executive Yuan edited education training textbook, including CEDAW education training lectures, direct discrimination and indirect discrimination, TSM, general recommendation No.29~33, and CEDAW articles. Above materials were sent to all government institutions in order to apply, and uploaded to Gender Equality Committee website of the Executive Yuan.
3. The training courses reminds that relevant legislation of TSM shall not be restricted for only government officials, but broaden to relevant public and private sectors or enterprises (paragraph 31 and paragraph 32). For the evaluation of TSM and realization of de facto gender equality, it is necessary to provide specific gender statistics based on general recommendation No. 9 and take it as reference standards.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 4 條 Article 4	13	The Report indicates that prior to completion of the Anti-Discrimination Act, the Department of Gender Equality under the Executive Yuan will <i>inter alia</i> continue to encourage formulation of TSM by government ministries and agencies to further advance the cause of gender equality in Taiwan (para. 3.1). Please explain whether any additional TSM have been introduced since the adoption of the 3 rd Report, in particular TSM aimed at accelerating the equal participation of women belonging to disadvantaged groups, such as women with disabilities, low income women, women in agricultural and fishing villages, rural and indigenous women, older women and women survivors of gender-based violence, trafficking and exploitation of prostitution, in the political, public, economic, social, cultural, civil and any other field.	報告指出，在完成訂定反歧視法前，行政院性別平等處將持續鼓勵各部會制定「暫行特別措施」等作法，以推進臺灣的性別平等（國家報告 3.1）。請說明第 3 次報告採行後是否有新增之暫行特別措施，特別針對加速提升弱勢族群女性參與平等之暫行特別措施，例如針對身心障礙女性、低收入女性、農業與漁業女性、鄉村及原住民女性、高齡及性別暴力倖存女性、人口販運及性交易剝削，以及針對政治、公共領域、經濟、社會、文化、公民及其它領域。

權責機關：性平處、衛福部、內政部、勞動部、農委會、原民會

中文回應 (Response in Chinese)

- 一、身心障礙女性：衛生福利部 2018 年委託辦理「身心障礙者公民參與機制研究計畫」，藉由蒐集其他國家身心障礙者公民參與機制或策略，及運用焦點團體訪談法蒐集、彙整我國不同身心障礙類別、身心障礙婦女之意見；次以區域、障礙別、性別、年齡及文化背景作為分項分類，調查在公民參與時，不同樣態之需求與合宜方式之差異，並據以提出相關建議，以促進身心障礙婦女平等參與各領域。
- 二、低收入女性：衛生福利部鼓勵與督導地方政府提供產婦及嬰兒營養補助，目前已有 20 縣市提供。
- 三、農業與漁業女性：第 3 次報告採行後，針對農業及漁業女性無新增暫行特別措施。透過辦理農村婦女保障名額專班、農民團體各項訓練、農漁會人員訓練講習、出版性別平等宣導品及強化宣導效益等教育訓練，並為加速提升女性參與農業決策之機會，於 2016 年修正「農業推廣教育設施補助計畫研提及補助要點」做為暫行特別措施，優先補助選任人員女性比率較高之農會，以鼓勵農會重視女性參與。
- 四、鄉村及原住民族女性：針對制定暫行特別措施，為加速提升原住民族女性參與平等，原住民族委員會設置委員會委員族群比例至少各族群代表 1 人，其他相關所設置委員會之性別比例將從三分之一提高至 40% 為目標；另特別針對原住民族女性每 2 年辦理原住民族女性意見領袖人才培訓，以藉由原住民族性別平等議題相關培力課程，培育與儲備原住民族女性領導人才，直接參與政治、公共領域、經濟、社會、文化、公民及其它領域之公共事務平台。
- 五、高齡及性別暴力倖存女性：
 - (一) 衛生福利部針對老年婦女社會參與，已透過社區照顧關懷據點提供健康促進、關懷訪視、電話問安及共餐等服務，促進其社會參與。
 - (二) 婦女在家暴事件中，經常存在性別權力不對等的根本問題，為協助高齡及性別暴力倖存女性復原和自立，衛生福利部 107 年推動設置家庭暴力被害人中長期庇護家園，提供遭受親密關係暴力而離家的婦女中長期的安全處所，並結合就業自立方案，使婦女在非暴力的環境下自助互助並得以自主充權。
- 六、人口販運及性交易剝削：
 - (一) 為保護人口販運及遭受性剝削少女權益，2017 年 1 月 1 日施行之《兒童及少年性剝削防制條例》，針對遭受性剝削或疑似遭受性剝削之兒少，採多元處遇服務；2017 年 12 月 15 日立法院三讀通過修正第 30 條「輔導處遇及追蹤」，落實兒少性剝削被害人追蹤輔導及家庭處遇，本次修正預定自 2018 年 7 月 1 日施行。

(二) 我國對於人口販運被害人之權益及保障，均以被害人之最佳利益為優先考量，尤其特別注重婦女及兒童等弱勢族群之保護，無性別歧視情形，本質上即屬於暫時之特別保護措施，無另制定「暫行特別措施」之必要。

七、內政部請台灣主婦聯盟生活消費合作社，辦理「合作找幸福」推廣婦女認識及運用合作經濟，進而協助婦女籌組合作社。弱勢族群女性籌組勞動合作社，透過勞動合作社向外承攬工作，增進社員就業機會，獲得勞動報酬、減少中間剝削。另主管機關在考核合作社時，對於理、監事單一性別不少於三分之一性別比例之合作社，有酌予給分，鼓勵女性參與合作社營運及公共事務之機會。

八、勞動部：無新增之暫行特別措施。

英文回應 (Response)

1. Women with disabilities:

The Ministry of Health and Welfare commissioned for the development of the “Civic Participation Mechanism for the Handicapped Study Program” in 2018. Through the gathering of information on other countries in the areas of civic participation mechanism or strategies by the handicapped, and the use of interviews with targeted groups, the ministry collected the opinions from different types of impaired persons and the handicapped women, with the classification by region, type of impairment, gender, age, and cultural background. In the survey of civic participation, different patterns of needs and the variation in the solutions were found out. Relevant recommendations were also given to improve the equal status of handicapped women in all walks of social lives.

2. Low income women:

We encourage and supervise local governments to provide low-income households with puerperas and infants nutrition subsidy. Until now there are 20 counties providing this service.

3. Women in agricultural and fishing villages :

Since the third report has adopted, it has not added other new temporary special measures of female in agricultural and fishing villages.

Provides education and training through the Special Class for Rural Women Guarantees, Farmer Group Training, Farmers’ and Fishermen’s Association Training Classes, publication of gender equality awareness articles, and strengthening the effectiveness of publicity. To rapidly increase the number of opportunities available to women to participate at the decision-making level in the agricultural industry, the " Subsidy Directions for Agricultural Extension Education Facilities " was amended in 2016 as TSM, when determining recipients of government subsidies, priority is given to farmers' associations which have a higher ratio of female officers, so as to encourage farmers’ associations to place more emphasis on female participation.

4. Rural and indigenous women:

To accelerate female participation in policy making, we set up a Committees of Ethnic Group, each ethnic group at least designate one representative as a member of the committee And the proportion of female members of committees under different government agencies have raised from 1/3 to 40%. Through gender equality talent training for indigenous female opinion leaders program is held every two years, to increase women's participate in political, public field, economic, social, cultural, civil or other public affairs platforms.

5. Older women and women survivors of gender-based violence:

- (1) As for the elderly females, the Ministry of Health and Welfare encouraged their social participation through community care locations for providing them services such as health improvement, hearty visits, telephone conversation, and meals.
- (2) Power asymmetry has long been the fundamental issue in domestic violence events. In order to support and help the female victims of domestic violence recover, the Ministry of Health and Welfare prompted the establishment of mid-to long-term shelters for women who left home due to domestic violence, offering a non-violent environment for them to recharge.

6. Trafficking and exploitation of prostitution:

- (1) To protect the rights of teenaged girls who was trafficked and exploited for sex, “the Prevention of Sexual Exploitation of Child and Youth”, which took effect on January 1, 2017, provides multiple treatment services for children who are sexually exploited or suspected of being sexually exploited. On December 15, 2017, the Third Reading of the Legislative Yuan passed amendment of Article 30 “Counselling Treatment and Tracking” to implement counseling service and family treatment to the victims of sexual exploitation. This amendment is scheduled to be implemented on July 1, 2018.
- (2) This state’s practice with regard to the rights and benefits of human trafficking victims and the protection thereof, in its priority of consideration, sought to optimize the benefits for the victims. It gives particular weight to the protection of vulnerable groups such as women and children and operates free of sexual discrimination. The current practice already incorporates temporary special protection measures into it, rendering it unfound for the need of any separate set of TSM.

7. Ministry of the Interior have entrusted the Taiwanese Homemakers Union Consumption Cooperative to handle the “Cooperation for Happiness” project, which is aim to promote women recognize and use economic cooperation and assist women in organizing cooperatives. The Vulnerable women can organize labor cooperatives to increase job opportunities, obtain labor remuneration and reduce middle exploitation. When assessing cooperatives, the competent authority will give extra points if the directors or supervisors have more than one-third sex ratio. This mechanism encourages women to participate in cooperatives and public affairs.

8. Ministry of Labor: It has not added other new temporary special measures.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 4 條 Article 4	14	As indicated in the Report, the one-third gender rule has been unevenly satisfied (in some policy-making bodies the representation of women exceeded the one-third principle while in others it remained significantly below the target). Please indicate whether the appropriateness of the one-third rule has been reviewed, and whether the parity principle is considered as a positive and results-oriented alternative to the one-third target that is not in accordance with CEDAW regarding equal representation and participation of women and men.	報告稱三分之一性別比例原則並未均勻落實 (部分決策單位女性比例超出三分之一, 其它單位女性比例則顯著低於目標值)。請說明是否審查過三分之一比例原則的適當性, 以及是否認為兩性一比一平等原則比起三分之一比例原則是更佳、更成果導向的替代方案, 因三分之一比例原則並不符合 CEDAW 中女性與男性應有同等代表與參與之規定。

權責機關：性平處

中文回應 (Response in Chinese)

CEDAW 第 23 號一般性建議第 16 段指出, 研究顯示, 如果婦女參與的比例能達到 30% 至 35%, 就會對政治方式和決定內容產生實際的影響, 使政治生活充滿新的活力。我國為提升女性參與公共事務之機會, 於「性別平等政策綱領」明訂推動三分之一性別比例原則, 不僅促進女性在公務體系中的各個領域、層級的參與, 亦以縮小各權力階層的性別差距為努力方向, 同時引領私部門推動該原則, 此即為 CEDAW 第 4 條所提出, 為加速實現男女實質上的平等而採取的暫行特別措施。

另外, 行政院亦自 2005 年起逐步檢視與檢討各部會委員會委員、主管之政府捐助基金累計超過 50% 之財團法人及國營事業董、監事之性別比例, 並定期追蹤列管。在各機關的積極推動下, 目前公部門的性別比例差距已經逐漸縮小, 各機關在進用人才、提供進修機會及職務升等上, 多已將不同性別納入考量。

為持續促進女性參與, 2018 年行政院將「提升公私部門決策參與之性別平等」列為重要推動之性別平等議題, 除針對尚未達成三分之一性別比例者, 持續督導各部會落實推動之外, 並督促已達成三分之一性別比例者, 朝向持續提升決策階層女性比率努力, 由各

部會訂定關鍵績效指標及具體做法，期強化我國女性參與公共事務決策機會。

英文回應 (Response)

As stated in paragraph 16 of general recommendation No. 23 of CEDAW, the research demonstrates that if women's participation reaches 30 to 35 per cent, there is a real impact on political style and decisions, and political life is revitalized. In order to promote female participation in public matters, Taiwan government launch one-third gender rule in “Gender Equality Policy Guidelines”, which promote female participation in every area and level of public sectors, narrow gender gap of decision level and guide private sector to promote this rule. This echoes Article 4 of CEDAW: adopt temporary special measures aimed at accelerating de facto equality between men and women.

The Executive Yuan has reviewed and regularly follow-up the gender ratio of members of each committee among ministries, directors and supervisors serving on the boards of foundations managed by government ministries receiving more than 50% funding from the government, and directors and supervisors serving on the boards of state-owned enterprises. Under active promotion of every agency, gender gap of public sectors has been narrowed. Different gender has been considered for talents employment, providing education and promotion opportunities of all agencies.

To continue promoting female participation, , the Executive Yuan sets “Gender Equality in Decision-Making of Public and Private Sectors” as important issue in 2018. For those agencies with less than one-third gender ratio, continue to supervise every sector to reach it. For sectors which achieved one-third gender ratio, encourage them to improve female ratio of decision-making level. Each ministries set key performance indicators and specific methods to strengthen public affairs decision-making opportunities of national females.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 5 條 Article 5	15	The Report acknowledges the persistence of deep-rooted gender stereotypes in family and society and mentions that various measures have been taken to eliminate gender stereotyping in society, culture and customs (paras. 5.1 - 5.35). Particularly pervasive and persistent are stereotypes prescribing that women should be caregivers. Such gender role stereotypes structure the division between paid	報告認知到家庭與社會根深蒂固的性別刻板印象依然存在，提到已採取各項措施消除社會、文化與習俗中的性別刻板印象 (國家報告 5.1-5.35)。尤其是女主內的刻板印象普遍且持續存在。這類性別角色刻板印象在結構上劃分給薪與無給薪生產勞

	<p>productive labour and unpaid and domestic labour, assigning women primary responsibility for the latter (paras. 5.17 - 5.24), as well as the division within paid labour (paras. 5.9 - 5.13) and in educational choices of women and men (paras. 5.14 - 5.16). The traditional concept that men are superior to women affects also women's right of inheritance, since according to alternative sources of information in spite of equal inheritance rights real estates have been mostly inherited by men. This phenomenon may have pernicious effects on women's exercise of other human rights and fundamental freedoms under CEDAW. Please provide information whether there are any plans to develop a large scale, comprehensive and coordinated policy to change social and cultural patterns which have been central to the perpetuating and legitimating of women's legal and social subordination and assigning women and men distinct yet mutually reinforcing attributes, characteristics and roles in family and society.</p>	<p>動者及家務勞動者，將後者的主要責任歸於女性（國家報告 5.17-5.24），且在給薪勞動者之間（國家報告 5.9-5.13），以及女性與男性教育選擇上（國家報告 5.14-5.16）也做劃分。傳統觀念認為男性優於女性，也影響女性繼承權利，有替代報告指稱，儘管法律規定兩性擁有平等繼承權，實際上房地產多半由男性繼承。該現象可能有害於女性伸張 CEDAW 基本權利及其它人權。請提供資訊說明是否有其它規劃發展出大型、全面性且彼此協調的政策，以改變截至目前為止讓女性在法律及社會地位持續且合理化被列為從屬，以及分派給家庭與社會中男女彼此有別卻彼此強化的屬性、特質與角色的社會與文化慣行。</p>
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權責機關：性平處、文化部、內政部、教育部、法務部

中文回應 (Response in Chinese)

一、消除社會、文化與習俗中的性別刻板印象，性別平等政策綱領提出相關政策措施如下：

- (一) 「教育、文化與媒體篇」指出，應積極落實性別平等教育，並推動媒體自律，製播性別友善之廣電節目、專題報導等，且持續檢討宗教、傳統民俗之儀典與觀念，例如婚姻、喪葬、祭祀、繼承、年節習俗等範疇中具貶抑與歧視女性的部分，並積極鼓勵推展平權的性別文化，積極研發符合性別平等原則之文化、儀典等相關文宣與教材教法等。
- (二) 「人口、婚姻與家庭篇」提到，對於財產繼承權及子女姓氏之選擇，應加強性別平權觀念宣導，以消除傳統文化的性別歧視。宣導育兒及家務共同分擔，鼓勵男性參與家務與家庭照顧，使兩性在家務分擔上平等互惠。
- (三) 「環境、能源、科技篇」提到，為消除各領域的性別隔離，蒐集我國環境、能源、科技領域內，教育、就業、決策與受益人口之性別統計，擴建性別專業人才資料庫；在既有工程、環境、科技等人才資料庫內，充實女性學者專家比例。教育、媒體、勞

工等部門，確保在政策計畫設計和宣導過程，避免複製刻板印象。鼓勵環境、能源、科技領域企業進用女性，獎勵與表揚積極進用女性及推動工作與家庭平衡之企業，以吸引更多女性進入相關領域就業等。

為持續推動性別平等，業由行政院訂定五項性別平等重要議題，並由各部會落實推動，其中之一為「去除性別刻板印象與偏見」，於2019年至2022年辦理，以「消除基於男女任務定型所產生之偏見」、「使雙親瞭解教養子女為其共同責任」及「促進民眾對多元性別及多元家庭之認識與接受度」為三大目標，引導法務部、文化部、內政部、勞動部、衛生福利部、教育部及國家通訊傳播委員會等各機關，透過修法、結合政府與民間辦理宣導、學校及社會教育、檢討宗教禮俗性別歧視、媒體宣導與識讀等方式，消除男女任務定型之刻板印象及偏見。

二、文化部於2015、2016年透過宣導倡議性別平等概念相關方案，補助民間團體辦理性別平等宣導活動，如台北國際書展性別等專區等，協助重新定義性別角色；另文化部2018年至2022年，配合行政院性別平等處重要性別等議題三「去除性別刻板印象與偏見」，研訂相關策略，辦理重要民俗訪視行程，透過訪視委員推廣性平檢視內容，提供民俗保存團體參考，鼓勵推展平權之性別文化，並輔導鼓勵公民團體與學界觀察國內平面媒體之性別刻板與歧視現象。

三、家庭與社會中根深蒂固的傳統性別刻板印象涉及範圍甚廣，內政部透過殯葬管理研習班、研討會、禮儀師專業證照及推動殯葬政策及提升殯葬文化補助作業要點等事項提升國人性別平等意識，進而落實於喪禮習俗文化之改革中。內政部將持續就生命禮儀（婚禮、喪禮等）予以檢討，以提升女性在生命禮儀中的角色，落實性平等概念。

另為深化並加強宣導我國女性與男性在法律上擁有平等繼承財產權觀念，促使兩性確實於日常生活中能平等繼承不動產，就長期而言，應努力從破除現行家庭法制所殘存的父權意識型態、推行男女平等之婚喪祭祀儀節，並於中小學強化兩性平等教育等著手，以泯除傳統社會之男尊女卑、男性優於女性觀念；在短期部分，擬持續規劃將「財產繼承·性別平等」列為年度評核各直轄市、縣（市）政府辦理地政業務績效衡量指標之一，並列為辦理相關（舉如土地登記及地籍清理業務、公務人員高普考地政類科、測量製圖類科集中實務訓練等）教育訓練之課程內容，另外於相關出版品（如業務年報）併予宣導，期使民法規定子女不分男女皆可共同繼承父母財產規定，真正在社會生活中落實。

四、為促進性別地位之實質平等，消除性別歧視，維護人格尊嚴，厚植並建立性別平等之教育資源與環境，教育部訂頒性別平等教育法，並設置性別平等教育委員會，擬訂性別平等教育實施計畫，督導各單位落實執行。有關消除性別刻板印象之措施如下：

（一）國中小教育階段：

有關委員所提性別陳規定型觀念影響女性家務勞動分工及繼承權，在國民中小學階段性別平等教育之推動，乃協助學生認知社會文化的多樣性，破除性別偏見、歧視與刻板化印象。希望透過課程實踐，使性別平等教育的理念得以往下扎根，將性別平等教育的理念真正落實於日常課程實踐之中。

依據「國民中小學九年一貫課程綱要」，性別平等教育係作為重大議題融入課程中實施，國民中小學階段的「性別平等教育」整體課程綱要係以「性別的自我瞭解」、「性別的人我關係」、「性別的自我突破」作為三項核心能力，並以此建構各階段之能力指標。其中「性別的人我關係」主題軸下，涵蓋「性別角色」、「性別互動」及「家庭與婚姻」等主要概念，其中包含「性別角色的刻板化」、「互動模式」及「多元家庭型態」等次要概念，係以消除性別歧視與偏見，尊重社會多元化現象為學習目標。相關之能力指標說明如下：

- 2-1-1 辨識性別角色的刻板化印象。
- 2-2-3 分辨性別刻板的情緒表達方式。
- 2-3-1 瞭解家庭與學校中的分工，不應受性別的限制。
- 2-4-3 分析性別平等的分工方式對於個人發展的影響。。
- 2-4-7 釐清情感關係中的性別刻板模式。
- 2-4-13 釐清婚姻中的性別權力關係。

(二) 高級中等學校：

依現行普通高級中學課程綱要，「家庭教育」、「家庭價值與經營」已列入必修科目「家政」相關內容之核心能力。

1. 親職教育：現行普通高級中學課程綱要，必修科目「家政」相關內容之核心能力：5.培養尊重、關懷與愛的能力。相關課綱主題單元：「家人關係」：青少年與家人關係、家人互動的原則、家人溝通演練、家庭倫理之內涵、家庭倫理之實踐學習型家庭的意義與重要性、學習型家庭氣氛與環境的營造、學習型家庭重要活動規劃與參與（參考節數6節）。
2. 家庭價值與經營：現行普通高級中學課程綱要，必修科目「家政」有關家庭價值與經營相關之核心能力：1.積極參與家庭活動培養尊重、2.關懷與愛的能力。課綱主題單元有：家政與生活、家人關係、家庭衝突與韌性（參考節數6節）。

另家政學科中心已規劃辦理性別平等教育議題，融入家庭教育相關活動，以提升教師專業知能。

(三) 成人教育宣導：

1. 教育部業遵照行政院性別平等處訂定「性別平等重要議題」「(三) 去除性別刻板印象與偏見」規劃辦理家庭教育活動及宣導。
2. 在地方政府家庭教育中心、樂齡學習中心及社區大學之課程及活動中，辦理性別平等議題融入及宣導，2013 年至 2016 年每年平均辦理計 680 場次，女性參與者占 55%至 78%。

五、我國對於財產繼承權之法律規定無男女之差別，但依性別統計仍以男性繼承較多財產。為倡導男女皆有平等繼承權的觀念，法務部於 2014 年至 2016 年製作宣導品（參見國家報告專要文件 15.5 至 15.6）。

英文回應 (Response)

1. Eliminate sex stereotypes in society, culture and custom, and put forward following relevant policies and measures in Gender Equality Policy Guideline:

- (1) In the “education, culture and media chapter”, it is necessary to implement gender equality education, promote self-discipline of the media, make and broadcast gender friendly radio and television programs and special reports, continue to inspect concepts of religion, traditional custom, such as: depreciation and discriminate against women in marriage, burial, sacrifice, inheritance, and festival customs, actively promote and develop gender culture of equal rights, and actively research and develop culture of gender equality principle, and relevant culture advertisement and teaching materials of ceremony.
- (2) In the “population, marriage and family chapter”, for right of inheritance and selection of surnames of children, it is necessary to strengthen concept of gender equality to eliminate gender discrimination against traditional culture. It is necessary to advocate sharing of child rearing and housework, encourage males to participate in housework and family caring, and promote equality and mutual benefit for housework sharing of female and male.
- (3) In the chapter “ environment, energy and ICT”, in order to eliminate gender isolation of every sector, collect gender statistics of education, employment, decision and people in national environment, energy, and ICT areas, and expand professional talent database of gender; in existing database of talent related to engineering, environment, ICT, improve percentage of female experts and scholars. In the education, media and labor sector, ensure policy plan design and avoid copying of stereotype. Enterprises related to environment, energy and science and technology sectors are encouraged to select females. Give awards to and praise the enterprises which employ females and promote balance between work and family so as to attract employment for more females in relevant areas.

In order to promote gender equality, the Executive Yuan launches five important gender equality issues, and every department takes charge of implementation and promotion. One of five issues is to eliminate gender stereotypes and prejudice. From 2019 to 2022, in order to eliminate prejudice of female and male customization, understand joint responsibilities of children raising, and promote recognition and acceptance of the public for different gender and families, give guidance to legal ministry, culture ministry, interior ministry, labor ministry, ministry of health and welfare, education ministry, national communications commission to advocate school and society education via amending method, review religion custom gender discrimination, media advocacy and reading, and eliminate stereotypes and prejudice of female and male tasks.

2. In 2015 and 2016, Ministry of Culture, through its various gender equality initiatives, helped various civil groups (the special gender section in Taipei International Book Exhibition for example) convene activities to promote gender equality and redefine gender roles. In addition, from 2018 to 2022, ministry of culture will, based on Gender Equality Committee of the Executive Yuan’s 3rd issue “Elimination of gender

stereotypes and discriminations” formulate various relevant policies. The ministry will arrange visits to key cultural preservation groups, where the visiting committee members will promote gender equality review as well as a culture of gender equality. The committee will also encourage civil groups and the academia to observe the gender stereotypes and discriminations among the press in Taiwan.

3. Traditional gender stereotypes which cover a wide range of issues in family and society were deep-seated. Ministry of the interior promoted some funeral classes, seminars, funeral professional certifications and the subsidy rules for promoting funeral policies. Ministry of the interior will continue to review, the rite of passage (weddings, funerals, etc.) to improve the role of women in a rite of passage for fully implementing the concept of gender equality.

In order to deepen and strengthen the concept of male and female in ROC has equal inheritance of property rights in the law, urging both sexes to inherit real estate equally and certainly in daily life. In the long run, efforts should be made to remove the regulations about patriarchal consciousness remaining in the current society. Promote the equality of men and women at the wedding and funeral customs. Intensify gender equality, education in primary and secondary schools to eliminate the concept of male superiority rooted in the traditional society and culture. In the short-term, government would consecutively plan to list “property inheritance-Gender Equality” as one of the indicators of annual performance evaluation of land administration agencies in municipalities and counties (cities). It is also listed as the study of relevant education training courses (such as land registration and Cadastre clearance, Civil Service Examinations for Land Administration, and concentrate practical training for Surveying and cartography, etc.) In the meanwhile, the contents of gender equality are disseminated in related publications (such as the annual report of the land administration affairs). Looking forward to the regulations of the heirs irrespective of gender can inherit the parental property provided by the Civil Code could completely implement and practice in the society.

4. In order to promote substantive gender equality, eliminate gender discrimination, uphold human dignity, and improve and establish education resources and environment of gender equality. MOE prescribes Gender Equity Education Act, and establishing a gender equity education committee. To draft gender equity education projects, and supervise gender equity-related activities carried out.

(1) School education at the national primary and secondary levels

The gender stereotypes of the relevant committee members affect women's domestic work division of labor and inheritance rights. The promotion of gender equality education at the national primary and secondary levels helps students to recognize the diversity of social culture and eliminate gender bias, discrimination and stereotyped impressions. Through the curriculum practice, the concept of gender equality education will be rooted in the past and the concept of gender equality education will be truly implemented in the daily curriculum practice.

According to the “National 9-year Continuing Curriculum Outline for Elementary and Secondary Schools”, the Department of Gender

Equality Education is implemented as a major issue and integrated into the curriculum. The overall syllabus for “Gender Equality Education” at the National Elementary and Secondary School level is based on the “Self Awareness of Gender” and “Gender, People, and My Relationship” and "Self-breakthrough of gender" are three core competencies and are used to build capacity indicators for each stage. The main theme of "Gender, People, and My Relationship" covers the main concepts of "gender roles," "gender interaction," and "family and marriage." These include "the stereotyped gender roles," "interactive modes," and "diverse families." "Subjects" and other minor concepts are based on the elimination of gender discrimination and prejudice and respect for social diversity. The relevant capacity indicators are described as follows:

2-1-1 Recognize stereotyped impressions of gender roles.

2-2-3 Discrimination between gender stereotyped emotions.

2-3-1 Understand the division of labor between home and school and should not be restricted by gender.

2-4-3 Analysis of the impact of gender-divisional division of labor on personal development. .

2-4-7 Clarify gender stereotypes in emotional relationships.

2-4-13 Clarify the power of gender relationship in marriage.

(2) Senior high schools

The relevant contents of the Senior Secondary Curriculum Outline are as follows: According to the current syllabuses for senior high schools, “family education” and “family value and management” have been included in the core competencies of the compulsory subject “Home Economics”.

- A. Parental education: The core competencies of the current general high school syllabus and the compulsory subject “Home Economics” related content: 5. The ability to cultivate respect, caring and love. Relevant class outline theme unit: “Family Relationships”: Relationship between adolescents and family members, family interaction principles, family communication drills, connotation of family ethics, family ethics, practical learning family significance and importance, learning family atmosphere and environment create and participate in the planning and participation of learning-oriented family activities (refer to Section 6).
- B. Family Value and Management: The existing general high school syllabus, a compulsory subject “Home Economics” Core competencies related to family values and operations: 1. Actively participate in family activities to develop respect, 2 care and love. Classes and modules: Home Economics, Family Relationships, Family Conflict and Resilience (Ref. Section 6).

The Center for Home Economics has planned to address issues of gender equality education and integrate family education related activities to enhance teachers’ professional knowledge.

(3) Promotion of Adult Education

- A. The Ministry of Education has implemented family education activities and promotion in according to the "(3) Eliminate gender stereotypes and prejudices" of "Strategies and Practices on Important Issues of Gender Equality" announced by the Executive Yuan Gender Equality.
 - B. Courses and activities offered by local governments, active aging learning centers, and community colleges incorporate and advocate issues relating to gender equality; from 2013 to 2016, an average of 680 sessions were implemented per year, with females accounting for 55% to 78% of participants.
5. Laws and regulations on property succession rights in Taiwan do not differentiate between men and women, but gender statistics reveal that men continue to inherit the majority of property. To promote the concept that men and women have an equal right to inherit property, the Ministry of Justice produced a series of instructional materials, from 2014 to 2016 (paras. 15.5 - 15.6)

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 5 條 Article 5	16	Please provide updated information on formulation and adoption of active guidance to companies in the fields of broadcast media, print media, online media, online games, and advertising on the production of media programs that respect and promote gender equality, and any plan to reviewing and devising legislation to prompt creation and maintenance of media platforms which promote gender equality culture.	請提供最新相關資訊說明針對傳播媒體、平面媒體、線上媒體、線上遊戲及媒體節目製作廣告等公司，訂定及採行何種積極引導作為，令其尊重與推廣性別平等，以及是否有規劃審視現行法律及制定法律，促進推廣性別平等文化媒體平台之設立與維護。

權責機關：通傳會、文化部、經濟部

中文回應 (Response in Chinese)

為創建和維護促進兩性平等及安全的網路遊戲環境，2011 年起輔導民間團體成立「數位遊戲分級自律推動委員會」，提供遊戲業者分級諮詢服務，除每年進行 100 款市售遊戲軟體分級適切性查核外，並每周定期抽查遊戲廣告是否遵循分級標識之規定，若有不符

規定或涉及明顯性別歧視等情形，將透過自律機制通知並輔導廠商改善。2012 年實施《遊戲軟體分級管理辦法》，將突顯性特徵、性暗示或不當言語等性別歧視內容納入分級以維護遊戲平權觀念。此外，透過數位內容產業發展補助計畫，積極輔導研發具性別友善精神的網路遊戲。另，每年度至少安排 20 場以上針對民眾及兒少之宣導活動，宣導民眾健康遊戲及性別平等觀念。

為避免廣電媒體呈現內容出現性別歧視情形，通傳會透過廣電媒體自律、他律及法律三律共管，並輔以推動媒體識讀。

在廣電媒體自律部分，廣電事業每 3 年需進行評鑑，通傳會透過評鑑換照審查作業，要求業者建立自律規範機制，包括設立倫理委員會及推動節目編審制度等，定期開會自行檢視內容，並將檢討報告公開上網。另廣電公協會亦成立新聞及廣告自律委員會，遇有不妥內容均適時通知所屬會員啟動自律。

在公民參與他律部分，通傳會建立「傳播內容申訴網」，受理廣播電視內容申訴案，自 2016 年起申訴類型新增「涉及性別歧視」項目。

另外，通傳會訂有「廣電媒體製播涉及性別相關內容指導原則」，訂定 10 項禁止規範，包含不得洩漏性騷擾、性侵受害者以及受迫害兒少之身分資訊、不得恣意猜測或影射性侵害、不雅照之受害人身分等，且每年定期檢視並公布不符指導原則之案例。

在媒體識讀部分，通傳會訂有「補助辦理媒體識讀教育活動作業要點」，鼓勵廣播電視事業及相關民間機構辦理媒體識讀課程，將消除性別刻板印象及再現性別平等形象等議題納入媒體識讀活動，持續透過法規宣導及案例交流研討會，邀請性別平等議題專家、學者、公民團體代表，與廣播電視業者溝通製播內容涉及性別平權之議題。

此外，我國於 2013 年 8 月成立「iWIN 網路內容防護機構」，作為網路上有害兒少內容之單一申訴窗口，辦理兒少上網安全，防止兒童及少年接觸有害其身心發展之網際網路內容。

文化部不定期以行政指導方式，督促地方政府輔導平面媒體宣導媒體自律及注意性別意識。又文化部 2018 年委託辦理「平面媒體兒少新聞識讀推廣」案，彙集與性別議題相關之法規規範、新聞案例分析、媒體識讀教案、專文或研究報告，並刊登於該案專屬網站之性別平等專區；另補助辦理「傳播內容與性別呈現」主題座談會等宣導活動。

英文回應 (Response)

To build and maintain an overall gender-friendly online game-playing environment, the Industrial Development Bureau (IDB) gives guidance to civil society to organized “Digital Game Rating Committee (DGRC)”. DGRC provide consulting service to help online-game companies rating their games accurately. DGRC examine and appraise the rating for over 100 online-games per year, they also spot check the online-game advertisement on online media every week to make sure the rating labels have been clearly displayed on such advertisement, if the advertisement have disobey the regulation or have any gender discrimination, DGRC will inform and provide guidance to the game-companies to

improve their advertising strategy. In 2012, IDB amended and promulgated the “Game Software Rating Management Regulations”, the new regulations include a new rating provision for any content relate to Sexual discrimination, for example, showing sexual characteristics, have any sexual innuendo or has inappropriate language etc.

In addition, IDB encourage game developer to develop the games based on gender-friendly concept through the project named “Digital Content Industry Development and Assistance Project”. IDB also hosts at least 20 advocacy events and rallies per year to propagate healthy game-playing habits and the cogitation of gender equality.

Through a three-way disciplinary method—self-regulation by broadcast media, heteronomy, and law—along with the promotion of media literacy, the NCC ensures that content portraying gender discrimination is banned from broadcast media.

For broadcast media to execute self-regulation, radio and television companies are subject to assessment once every three years. In order to comply with the NCC's requirements for license renewal examinations, companies need to establish self-regulatory mechanisms, including formation of an ethics committee and launching a system for reviewing and editing program content. Regular meetings are convened to review different content, and review reports are posted publicly online. Additionally, broadcaster associations have also established self-regulatory committees for news and advertisements, in charge of timely notifying its members to carry out self-regulatory measures in the case of improper content being shown.

As for the citizens' participation in heteronomy, an "Online Broadcasting Complaint System" was set up by the NCC to handle any complaints received on the grounds of offensive radio or television content. From 2016, "content related to gender discrimination" was added as a one of the types of complaints.

Furthermore, the "Guidelines Governing the Production and Broadcasting of Radio or TV Programs Involving Gender Issues" were established by the NCC, setting up 10 prohibitions, including a ban on divulging the identity of any victim of sexual harassment, sexual assault or any children who have had harm inflicted upon them; and any speculation or insinuation concerning the identity of a victim of sexual assault or of a person victimized by indecent photographs. Reviews were conducted on a regular basis every year, and announcements were made concerning any entity which violated the said Guidelines.

Concerning media literacy, "Operational Principles of Subsidies for Media Literacy-related Educational Events" were set up by the NCC to encourage radio and television companies, and any other relevant private institutions, to hold media literacy-related activities, ideally incorporating topics supporting the elimination of gender stereotypes and reinforcement of the concept of gender equality. Efforts will continue to be made, through conferences sharing the latest information on laws and regulations, as well as the sharing of case studies; and inviting experts, scholars

and representatives of civic groups who are knowledgeable about gender equality issues to inform with radio and television companies on contents produced that might involve gender equality issues.

Besides, the "Institute of Watch Internet Network" (iWIN) was established in Taiwan on August of 2013, to serve as a platform handling complaints for online content that is harmful to children. iWIN also concerns itself with the Internet safety for children and teenagers, striving to prevent them from being exposed to inappropriate online content, potentially harmful to their physical and mental well-being and development.

Ministry of culture will, from time to time, provide administrative guidance and urge local governments to remind the press about gender awareness. In 2018, ministry of culture has commissioned a project to promote media literacy in children and youths' news. The project will compile gender-related regulations, news cases studies, media literacy lesson plans, articles or research reports and share such information on the gender equality section of the project website. Ministry of culture has also subsidized promotional activities with the theme of "communication and gender presentation".

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
對女性與女童之暴力 Violence against women and girls	17	While acknowledging the various steps taken in response to the Recommendations by the 2 nd Review Committee on violence against women and girls, how does the government explain the increase of the numbers of domestic violence cases reported since 2013? (paras. 2.13 - 2.14)	本委員會認知到，繼第 2 次審查委員會針對女性與女童暴力所做成之總結意見與建議，臺灣已採行若干步驟回應。既然如此，政府如何解釋 2013 年以後家暴案例增加之情形？（國家報告 2.13-2.14）

權責機關：衛福部

中文回應 (Response in Chinese)

根據衛生福利部 2016 年針對臺灣地區 18-74 歲婦女進行調查，過去 1 年曾遭受親密關係暴力者占 9.81%，以 2016 年臺灣地區 18-74 歲女性人口數為 908 萬 3,837 人推估，遭受親密關係暴力人數為 89 萬 1,124 人，然各直轄市、縣(市)政府 2016 年受理親密關係暴力被害人通報約 5 萬餘人，顯示多數婦女遭受親密暴力仍有可能選擇隱忍或求助於親友等非正式資源，因而有必要持續加強宣導，近

年來家暴通報數逐年增加應與政府及民間持續加強暴力零容忍宣導，鼓勵及支持受害者求助有關。

英文回應 (Response)

According to a survey conducted by the Ministry of Health and Welfare in 2016 targeting 18-to-74-year-old women in Taiwan, among 9,038,837 of the female population in Taiwan in 2016, 9.81% of those had been suffering from intimate partner violence in the past one year, estimated to be 891,124. However, in 2016, municipalities and counties/cities reported only about 50,000 victims of intimate partner violence. This showed that most women who suffered from intimate partner violence might still choose to tolerate or seek help from such informal resources as relatives and friends. It is thus necessary to continue to increase the promotion to the public. In recent years, the growing number of domestic violence reports is attributed to the fact that the government and non-official institutes continually promote the zero-violence tolerance and encourage and support to assist victims.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
對女性與女童 之暴力 Violence against women and girls	18	Please inform if the government plans to increase the domestic violence and sexual assault prevention fund? (para. 2.20) Also, regarding domestic violence programs and other programs tailored to the needs of immigrants, is there any assessment on the effectiveness of these measures? (paras. 2.24 - 2.25)	請說明政府是否有規劃提高資助家暴與性侵害防治基金？(國家報告 2.20) 另外，關於家暴計畫及針對移民者需求所訂定的計畫，是否曾衡量該等措施的有效程度？(國家報告 2.24-2.25)

權責機關：衛福部、內政部

中文回應 (Response in Chinese)

- 一、衛生福利部依據《家庭暴力防治法》規定於 2015 年成立家庭暴力及性侵害防治基金，經費來源主要係由政府預算撥充，每年約 2 億 3 千萬餘元，為擴大該基金收入來源，立法委員於 2016 年提案修正《家庭暴力防治法》第 6 條規定，於基金來源增列「菸品健康捐分配之收入」、及「犯本法之罪所科之罰金」，目前修正草案已在立法院完成一讀。
- 二、為精進遭受家暴之新移民保護扶助服務，衛生福利部於 2017 年委託學者辦理「新住民家暴被害人服務模式」初探計畫，預計於 2018

年結案，屆時將參考該研究建議以衡量服務措施之成效。

三、為協助姻婚移民來臺適應臺灣社會，並保障其權益，新住民發展基金補助中央政府或地方政府辦理新住民人身安全保護計畫，對於接受補助之計畫，依新住民發展計畫評核實施計畫辦理年度補助案件實地評核。

英文回應 (Response)

1. The Ministry of Health and Welfare established a Domestic Violence and Sexual Assault Fund in 2015 according to the Domestic Violence Prevention Act. Funds were mainly allocated by the government budget, estimated to be more than 230 million dollars each year. In order to increase the income of the funds, in 2016, the legislators proposed an amendment to Article 6 where the sources included the income of health donations for tobacco products and the penalties for crimes committed under this Act. The draft amendment has been completed the first reading in the Legislative Yuan.
2. In order to improve the service of the protection and support for new immigrants who suffered from domestic violence, the Ministry of Health and Welfare commissioned scholars to launch a preliminary project of the “New Resident Domestic Violence Victim Service Model” in 2017. It is expected to be closed in 2018 and will be used to measure the effectiveness of service in accordance with the research recommendation.
3. To help the New Immigrants adapt themselves to the society, the Central Government and Local Government conduct the Personal Safety Protection Program, which have been subsidized under the New Immigrant Development Fund by National Immigration Agency (NIA).NIA will give feedback to the Central Government and Local Government after annual evaluations according to the New Immigrant Evaluation Plan.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
對女性與女童 之暴力 Violence against women and girls	19	Please provide information on geographic distribution of violence referral centers, as well as adequate shelters for women and their children and other family members, including LGBTI survivors of violence.	請提供資訊說明暴力通報中心，以及給女性、孩童及其他家庭成員庇護的適當場所 (包含多元性別(LBTI)暴力受害者)地理分布。

權責機關：衛福部

中文回應 (Response in Chinese)

- 一、依據《家庭暴力防治法》第 8 條規定，直轄市、縣（市）主管機關應整合所屬警政、教育、衛生、社政、民政、戶政、勞工、新聞等機關、單位業務及人力，設立家庭暴力防治中心，並協調司法、移民相關機關，辦理下列事項：（一）提供二十四小時電話專線服務；（二）提供被害人二十四小時緊急救援、協助診療、驗傷、採證及緊急安置；（三）提供或轉介被害人經濟扶助、法律服務、就學服務、住宅輔導，並以階段性、支持性及多元性提供職業訓練與就業服務；（四）提供被害人及其未成年子女短、中、長期庇護安置；（五）提供或轉介被害人、經評估有需要之目睹家庭暴力兒童及少年或家庭成員身心治療、諮商、社會與心理評估及處置；（六）轉介加害人處遇及追蹤輔導；（七）追蹤及管理轉介服務案件；（八）推廣家庭暴力防治教育、訓練及宣導；（九）辦理危險評估，並召開跨機構網絡會議；（十）其他家庭暴力防治有關之事項。目前全臺灣 22 個直轄市、縣（市）政府皆已設置家庭暴力防治中心。
- 二、依據 2016 年衛生福利部的調查，全臺灣共有 26 家家庭暴力被害人庇護處所，其中台北市、新北市、桃園市、雲林縣、台南市、高雄市、屏東縣等 7 縣市，轄內各設有 2 處庇護所，金門縣、連江縣與新竹縣轄內雖無庇護所設置，但新竹縣以方案委託方式，委託位在新竹市的庇護所；金門縣及連江縣因案件少，雖未設立庇護處所，但可以安置於旅館方式；或公設安置處所滿足婦幼個案安置需求。

英文回應 (Response)

1. According to Article 8 of the Domestic Violence Prevention Act, the competent authorities of municipalities and counties (cities) shall integrate the police, education, health, social affairs, civil affairs, household registration affairs, labor, and news agencies to set up Prevention Centers and coordinate with judicial and immigration related agencies to handle the following issues: (1) providing 24-hour hotline service; (2) providing victims with 24-hour emergency rescue, assistance in diagnosis and treatment, injury inspection, certification and emergency resettlement; (3) providing or referring victims' financial assistance, legal services, attending school services, and residential counseling, and providing vocational training and employment services in a phased, supportive and pluralistic manner; (4) providing victims and their minor children a short time; Middle and long-term sheltered resettlement; (5) providing or referring physical and psychological treatment, consultation, social and psychological assessment and disposition to children, juveniles and family members; (6) referring injurers to treatments, counseling and tracking; (7) tracking and managing referral cases; (8) promoting family violence prevention education and training; (9) conducting risk assessments and holding inter-agency conferences; (10) handling other matters relating to the prevention of domestic

violence. At present, all 22 counties (cities) in Taiwan, municipalities included, have set up domestic violence prevention centers.

- According to a survey conducted by the Ministry of Health and Welfare in 2016, there are 26 shelters for domestic violence victims in Taiwan. Taipei City, New Taipei City, Taoyuan City, Yunlin County, Tainan City, Kaohsiung City and Pingtung County each possess two shelters respectively. Even though there are no shelters in Hsinchu County, Jinmen, and Lianjiang County because of the relatively few cases, Jinmen and Lianjiang County provides sanctuary by appointing hotels or public accommodations for women and children in need of placements while Hsinchu County has entrusted the project to Hsinchu City to provide shelter.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
對女性與女童 之暴力 Violence against women and girls	20	Please provide detailed information and statistics on violence against elderly women and on the protective measures provided for victims of sexual assaults involving military personnel, foreign workers and homeless women.	請提供詳細資訊及統計數據，說明年長女性遭受暴力情形，以及針對性侵害受害者有哪些保護措施，包含軍方人員、外籍工作者與無居所女性。

權責機關：衛福部、國防部、勞動部

中文回應 (Response in Chinese)

- 依據衛生福利部 2017 年統計，65 歲以上女性遭受家暴及性侵害人數共 5,638 人，其中親密關係暴力案件 1,633 人，其他家庭成員暴力案件 723 人，直系血親卑親屬虐待尊親屬案件 3,255 人，性侵害案件 27 人。進一步分析暴力類型，以肢體暴力最多，其次依序是精神暴力、經濟暴力、性暴力。
- 為防治性侵害犯罪及保護被害人權益，衛生福利部制定《性侵害犯罪防治法》，依該法規定，各直轄市、縣（市）政府家庭暴力暨（及）性侵害防治中心受理性侵害案件後，應依職權指派社工人員協助驗傷診療、陪同報案偵訊、心理輔導治療、緊急安置、法律扶助等保護扶助措施，而軍方人員、外籍工作者與無居所女性被害人亦適用我國相關服務流程及措施。另為強化外籍勞工性侵害案件之相關業務單位聯繫與分工，衛生福利部業於 98 年與勞動部合作訂頒「加強外勞性侵害案件通報機制及相關單位業務聯繫與分工處理原則」，以保障外籍勞工人身安全及相關權益。

- 三、為建立預防職場暴力機制，2013 年修正公布之《職業安全衛生法》第 6 條第 2 項第 3 款規定，已課予雇主為預防勞工執行職務因他人行為遭受身體或精神不法侵害，應妥為規劃及採取必要之安全衛生措施，勞動部並於 2014 年公告「執行職務遭受不法侵害預防指引」提供事業單位實施相關預防作為之參考。有關外籍勞工遭受性侵害案件相關保護措施：(1)提供「1955 勞工諮詢保護專線」（24 小時、雙語）申訴管道；(2)協助安置保護、轉換雇主並提供法律扶助、心理諮詢及經濟補助；(3)強化地方政府訪查機制、暢通申訴管道及強化相關宣導措施。
- 四、國軍自 2005 年起配合實務案例、多次滾動修頒「國軍人員性騷擾處理及性侵害預防實施規定」，各單位凡接受申訴案件，24 小時內均應立即提供當事人輔導或醫療，並於 7 日內組成申訴會調查；另透過電視教學(莒光園地)、報章雜誌(青年日報)、自製性騷擾防治文宣、影片等多元方式宣導，使性騷擾防治工作更臻完善，經統計 2017 年性騷擾案件共計 45 件，其中成立 30 件。

英文回應 (Response)

1. According to the statistics of the Ministry of Health and Welfare in 2017, 5,638 women aged over 65 years have been suffering from domestic violence and sexual assault, including 1,633 cases of intimate partner violence, 723 cases of family violence, 3,255 cases of family abuse, and 27 cases of sexual assault. The types of violence were further analyzed with most cases of physical violence, followed by mental violence, economic violence, and sexual violence.
2. In order to prevent sexual assault and protect the rights and interests of victims, the Ministry of Health and Welfare has regulated the Prevention and Control of Sexual Assault Crimes. According to the law, after the family violence and sexual assault prevention centers (hereinafter referred to as prevention and control centers) of the municipal and county/city governments accept sexual assault cases, social workers shall be assigned to provide protection assistance measures, including the assistance of the treatment and the injury examinations, reporting, psychological counseling, emergency settlement, and legal assistance. Military personnel, foreign workers, and female victims without shelters are also applicable to our country's related service processes and measures. In addition, the Ministry of Health and Welfare, in cooperation with the Ministry of Labor in 2009, strengthened the connection and the collaboration of different labor-related divisions in case of the foreign worker's sexual assault through regulating a new law "Strengthen the notification mechanism for the infringement of foreign labor cases and the related unit business contact and division of labor treatment principles".
3. In order to establish a mechanism to prevent workplace violence, Article 6.2(3) of the Occupational Safety and Health Act, amended and announced in 2013, stipulates that employers should plan and take necessary measures in regards to occupational safety and health, preventing workers from wrongful physical or mental harm caused by the actions of others during the execution of job duties. Ministry of Labor also

announced in 2014 the "Guidelines for the Prevention of Wrongful Harm during the Execution of Job Duties" to provide business entities with reference for implementation of preventive measures. Related protection measures regarding foreign workers' sexual abuse cases : (1)Complaint channel: Set up a "1955 Labor Advisory Protection Special Line" (free of charge), providing 24-hour and bilingual services.(2)Assist in resettlement and protection, change employers and provide legal assistance, psychological counseling and financial assistance.(3)Strengthen local government visits, unblock grievance channels, and strengthen relevant advocacy measures.

4. National Military has been cooperating with practice cases since 2005, and has repeatedly rolled up the "Provisions on Sexual Harassment and Sexual Assault Prevention of the National Military Staff. All units should immediately provide counseling or medical services to the parties within 24 hours, and from a complaints investigation within 7 days; and through TV teaching (Chu-Kuang Field) and newspaper magazine (Youth Daily News),Self-prevention of sexual harassment prevention ,propaganda ,video ,and other multiple forms of advocacy ,so that the prevention and treatment of sexual harassment is more perfect ,the statistics of sexual harassment in 2017 were 45 cases ,and 30 cases were confirmed.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 6 條 Article 6	21	Data in the Report indicate that from 2013 to 2016, protective placement were arranged for 772 women victims of cross-border trafficking, and that during this period a total of 486 temporary stay permits and 564 work permits were granted to women victims of trafficking in human beings (paras. 6.2 - 6.3). Please explain the gap between these data and provide updated information on draft amendments to the Human Trafficking Prevention Act referred to in paragraphs 6.10 - 6.12 of the Report.	報告指出 2013 年至 2016 年 772 名跨國人口販運受害女性獲得安置保護；同一期間，發放 486 張臨時停留許可，及 564 張工作許可給人口販運受害女性（國家報告 6.2-6.3）。請說明數據落差的原因，並且針對報告 6.10-6.12 提及的《人口販運防制法》修正草案，提出最新相關資訊。

權責機關：內政部

中文回應 (Response in Chinese)

人口販運被害人接受安置保護後，將考量被害人在臺身分、案件偵辦情形及維護最佳利益等因素給予協助，如被害人原已有合法居留身分、工作權或可早日返鄉等，即不必申請臨時停留許可或工作許可，以致數據落差。以 2017 年內政部移民署新增安置人數為例，共有 38 名跨國人口販運受害女性獲得安置保護(含原已有合法停留身分 30 人、非法停留身分 8 人)，發放 38 張臨時停留許可，及 36 張工作許可(2 人無意願工作早日返鄉)。

有關《人口販運防制法》修正草案，為使條文內容更為精進，擬朝優化被害人權益及保護、精進執法人員訓練等方向賡續研議，並適時參採納入各界意見，以為周延。

英文回應 (Response)

Once under protective placement, the assistance to provide to the victims are determined by their immigration status, progress of the investigation and what is the in a victims’ best interests under the circumstances. Victims with valid resident status or work permits and victims pending removal back to their own country at its soonest do not need to be issued any temporary stay permits or work permits. The above reason accounts for the discrepancy in the statistics. In the case of trafficking victims receiving protective placement through the National Immigration Agency in 2017, a total of 38 female cross-border trafficking victims (30 with a valid stay permit and 8 without any stay permit) received protective placement. 38 temporary stay permits and 36 work permits were issued to the above 38 victims (2 of them did not wish to seek employment in this country therefor received early removal and return to their origin country).

The present work on the draft amendment to the Human Trafficking Prevention Act looks toward offering, among others, better protection of rights and interests for the victim and enhanced training for the law enforcement personnel.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 6 條 Article 6	22	The Report mentions the creation of high-tech crime units within police departments of each local government (para. 6.22) and indicates that the Principles and Procedures for Social Welfare Authorities Handling Web Content that Violates the Relevant Laws and Regulations on Children and Youth were issued in 2014. (para.	報告提到要在各地方政府警察局內成立科技犯罪偵查隊 (國家報告 6.22)，同時表示 2014 年已公告社會福利主管機關處理違反兒童少年相關法律與法規之原則與程序。(6.23) 考量到利用資通訊進行高科

	<p>6.23) Given that with high-tech crimes advances made in ICT the risk of women of becoming victims of online crimes, such as revenge porn (the distribution of sexually explicit images or video of individuals without their consent), is increasing, please provide data on this form of violence against women and information on actions taken to address it.</p>	<p>技犯罪日新月異，女性成為線上犯罪受害者的風險，如復仇式色情恐嚇(未經當事人允許而散布與性有關的圖片或影片)不斷增加，請提供資料說明該類針對女性的暴力行為，以及說明採取何種行動因應。</p>
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權責機關：內政部、衛福部

中文回應 (Response in Chinese)

為防止兒少及婦女遭引誘、脅迫拍攝私密照片，並即時制止圖片、影片等持續散布，內政部警政署除積極查緝散布兒少、婦女身體私密影像等猥褻資訊案件外，亦將與各相關部會持續透過各種管道向兒少、婦女及社會大眾加強宣導，使其知悉如何避免成為加害人或被害人，保護身體自主權。

另依 2015 年 2 月 4 日總統公布之《兒童及少年性剝削防制條例》第 2 條第 1 項第 3 款已明訂「拍攝、製造兒童或少年為性交或猥褻行為之圖畫、照片、影片、影帶、光碟、電子訊號或其他物品。」為性剝削行為樣態之一，該條例自 2017 年 1 月 1 日施行後已提供 415 位兒少被害人相關保護服務，其中女性為 337 人。

而對於透過網際網路散布兒少性剝削影像之不法行為，以及相關網際網路業者應配合刪除兒少性剝削影像紀錄之義務，其相關規定如下：

- 一、網際網路平臺提供者、網際網路應用服務提供者及電信事業知悉或透過網路內容防護機構、其他機關、主管機關而知有本條例之犯罪嫌疑情事，應先行移除該資訊，並通知司法及警察機關調查，相關業者如有違反前開規定，由目的事業主管機關處予罰鍰，並命其限期改善，屆期未改善者，得按次處罰。
- 二、拍攝、製造、散布、播送或販賣兒少為性交或猥褻行為之影像、電子訊號或其他物品，或以廣播、電視、電信、網際網路或其他方法散布、播送或刊登足以引誘、媒介、暗示或其他使兒少有遭受性剝削之虞之訊息等犯罪情事，可對行為人論處有期徒刑、併科罰金之刑事責任。
- 三、宣傳品、出版品、廣播、電視、網際網路或其他媒體，為他人散布、傳送、刊登或張貼足以引誘、媒介、暗示或其他使兒童或少年有遭受性剝削之虞之訊息者，由各目的事業主管機關裁處罰鍰。各目的事業主管機關對於違反規定之媒體，應發布新聞並公開之。

英文回應 (Response)

In order to prevent children and women from being tempted or coerced to take or to be taken private photographs and videos, and to prevent the continued spread of private photographs and videos, National Police Agency (NPA), Ministry of the Interior will actively investigate and deal with cases about disseminating women and children's private photographs and videos. In addition, NPA will cooperate with related government departments to strengthen awareness of children and women through various channels about how to avoid becoming infringers or victims of private photographs and videos and how to protect their bodies' autonomy.

According to Subsection 3, Paragraph 1, Article 3, of the "Child and Juvenile Sexual Exploitation Prevention Regulations" promulgated by the President on February 4, 2015, it has been clearly stated that "taking and making pictures, photos, videos, tapes, CDs, electrical signals and other items of children or teenagers engaging in sexual intercourse or molestation" as a form of sexual exploitation. The regulation has provided care services to 415 children and juveniles since January 1, 2017, with 337 cases of female victim.

Regarding the illegal acts of spreading sexual exploitation images through the Internet and the obligations of the related Internet companies to delete child pornographic images, the relevant regulations are as follows:

1. Once the internet platform provider, networker service provider, and telecommunication business have knowledge of a criminal suspect of this regulation through the online content protection agencies, competent authorities, and other agencies, they should first remove the information, and inform the judicial and police agencies of investigations. If the relevant industry violates the above-mentioned regulations, the competent authority shall impose a penalty and order it to improve within a time limit. If it fails to improve during the period, it may be subject to a disparate penalty.
2. Filming, producing, distributing, broadcasting, or trafficking images, electronic signals, or other items about sexual intercourse or molestation of children and juveniles, or broadcasting them via radio, television, telecommunications, internet, or other methods to distribute messages to seduce, imply, or other criminal activities that make children and juveniles subject to sexual exploitation, can be criminalized for imprisonment and fines.
3. Media which distribute, send, or post message on promotional materials, publications, radio, television, internet or other media that are sufficient to induce, suggest, or expose children and juveniles to sexual exploitation, shall be fined by their competent authorities and be make public for violating the regulations.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 6 條 Article 6	23	The Report is silent about current situation of women in prostitution and exploitation of prostitution of women. Please provide information on the implementation of the Social Order Maintenance Act, which was revised in 2011 to allow prostitution within designated areas. Please also provide data on women in prostitution and explain how violations of the Criminal Code prohibition of the third parties to encourage, accommodate or broker sexual transactions have been dealt with. Please also inform whether there are any measures available or envisaged to help women who want to leave prostitution, such as provision of adequate medical, psychological and legal support, as well as rehabilitation and reintegration programs.	報告對性交易及性剝削女性情形隻字未提。2011 年修正之社會秩序維護法允許在指定區域性交易，請提供資訊說明執行情形。並請提供從事性交易女性之數據，說明針對違反刑法所禁止之第三方慫恿、順從或從事性仲介之行為，迄今如何處置。也請說明是否有其他既存或規劃的措施可以幫助想脫離性交易服務的女性，例如提供適當醫療、心理與法律支援，以及復原與回歸社會之計畫。

權責機關：衛福部、內政部、勞動部、法務部

中文回應 (Response in Chinese)

- 一、有關《社會秩序維護法》修法:2011 年 11 月 6 日修正之《社會秩序維護法》第 91 條之 1 規定，地方政府得因地制宜制定自治條例，規劃得從事性交易之區域及其管理。中央充分尊重地方政府的意向和決定，惟因地方政府皆以民風淳樸、多數民意反對或未獲地方共識為理由，尚無設置性交易專區。在修正前，業已合法存在之性交易場所（原妓女戶）及性交易服務者，為維護其權益，得於原地址繼續營業，截至 2018 年 4 月止，仍有 6 家 21 人；另為保障其人權，只要有意願轉業，政府會積極提供轉業輔導及相關社會福利與救助，使其無需再以性交易為謀生手段。另為避免兒少及婦女遭引誘、媒介從事性交或猥褻行為，我國警政署積極查緝媒介性交易案件，並於查獲後建請檢察官聲請羈押，避免被害人再次受害。
- 二、《刑法》禁止第三方慫恿、順從或從事性仲介之行為之處置，說明如下：《中華民國刑法》(下稱《刑法》)第 231 條規定：「(第一項) 意圖使男女與他人為性交或猥褻之行為，而引誘、容留或媒介以營利者，處五年以下有期徒刑，得併科十萬元以下罰金。以詐術犯之者，亦同。(第二項) 公務員包庇他人犯前項之罪者，依前項之規定加重其刑至二分之一。」關於慫恿或從事性仲介之行為，

依《刑法》第231條規定處以刑罰。

三、脫離性交易之措施

- (一)有關人口販運性交易及性剝削成年受害女性，政府除提供安置服務，並於安置期間提供人身安全保護(含保護安置)、醫療協助、法律協助、心理諮商、諮詢服務、陪同接受詢(訊)問及經濟補助等服務；受害者如同時為性侵害受害者或符合特殊境遇身分，並可申請相關補助。
- (二)協助欲脫離性交易服務的女性參加職業訓練，勞動部辦理多元就業導向之職業訓練，促進就業。若欲脫離性交易服務之女性符合特定對象身分規定，則可免負擔訓練費用及申請職業訓練生活津貼，並有參訓身分資格佐證資料予以加密之協助。
- (三)針對有意願脫離性交易工作擬尋求一般性工作者，由社政單位依其就業需求轉介至勞動部公立就業服務機構，勞動部提供相關就業協助：(1)由專業就業服務人員提供專人一案到底客製化就業服務，並尊重求職人的隱私權。(2)依據個案情形，運用多元就業促進工具，降低就業障礙，協助儘速就業。
- (四)對涉性交易判決入監女性有意脫離性交易者，我們提供在監輔導、出監前輔導及更生保護工作，在不同階段提供社會資源相關資訊，協助復歸社會。
- (五)另針對兒童，依2017年1月1日施行之《兒童及少年性剝削防制條例》，各直轄市、縣(市)主管機關應提供遭受性剝削兒少安置及追蹤輔導，並提供兒少家長親職教育及家庭處遇，以維護兒少身心健全發展權益。

英文回應 (Response)

1. About Social Order Maintenance Act : According to Article 91-1 of Social Order Maintenance Act amended on Nov. 6th, 2011, local governments may enact self-government ordinances governing the establishment and management of sex districts. The central government fully respects the decisions made by local governments. However, most of local governments oppose to set up sexual trade districts due to the fact that most Taiwanese are conservative and against this policy and local governments don't reach a consensus about this policy, neither. The sex venues (originally called brothel), established prior to the passage of the amendment of Social Order Maintenance on Nov. 6, 2011, can continuously run their business at the same places in bid to protect their rights. Until April 2018, there are still 21 people of six sex venues have continued their sexual trades. However, for protecting their human rights, the government will actively provide these sex workers with Between-Job-Transfer guidance, related social welfare and social assistance if they want to do other jobs. As a result, they will not need to make a living as a sex worker. But, in case children, youths, and females are seduced to do works about sex or obscene, the National Police Agency has proactively cracked down on prostitution and has advised prosecutors to detain pimps and madams of brothels

to prevent victims from being exploited again.

2. About how violations of the Criminal Code prohibition of the third parties to encourage, accommodate or broker sexual transactions have been dealt with : By the article 231, a person who for purpose of making a male or female to have sexual intercourse or make an obscene act with a third person induces, accepts, or arranges them to gain shall be sentenced to imprisonment of not more than five years and, in addition thereto, a fine of not more than one hundred thousand yuan may be imposed. A person who commits the crime through fraudulence is subject to the same punishment. A public official who harbors a person who commits an offense specified in the preceding paragraph shall be subject to the punishment prescribed for the offense in the preceding paragraph by increasing the punishment up to one half.
3. About measures to help women who want to leave prostitution :
 - (1) In the area of human trafficking, sex trade and sexual deprivation of the adult females, the government provided accommodation for them and also offered personal safety (including security devices), medical assistance, legal assistance, psychological counselling, consultation service, and keeping them company in the interview and economic assistance. If the victims are also victims of sexual assault or under special circumstances, they could apply for related aids.
 - (2) Vocational training: In order to assist women who wish to break away from prostitution to participate in vocational training, the Ministry of Labor handles vocational training in diverse ways. If the woman who wishes to break away from prostitution meets Special Targeted Groups, she may be exempt from the training expenses and apply for Training Allowance, and assistance in the certification of the training qualification data.
 - (3) Employment Service: for those who are willing to leave the prostitution in order to seek jobs in general, the social affairs unit will refer them to public employment service institutions of the Ministry according to their employment needs. The employment assistance provided by the Ministry of Labor is as follows: (1) The professional employment service staff provides a customized, one-stop service and respects the job seekers' right to privacy. (2) Based on the circumstances of the individual case, multiple employment promotion tools are used to reduce employment barriers and assist in promoting employment as soon as possible.
 - (4) For the female in prison, who intends to leave the sex trade, we provide effective counselling, pre-departure counselling and After-care Service services in different stages to keep the inmate informed of the social resources available to her and prepare her to better reintegrate into the society.
 - (5) For children, according to the "Child and Youth Sexual Exploitation Prevention Act" implemented since January 1, 2017, the authorities of municipalities, counties/cities should provide the placement and the follow-up counselling of children who have been sexually

exploited, and provide parenting education for children's parents and family treatment in the protection of children's physical and mental health development rights.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 7 條 Article 7	24	The information in the Report on achieving equality of women and men in political and public life and economic decision-making indicates that progress with respect to women's participation in political and public leadership and decision-making has been uneven. Please provide information on measures envisaged to effectively address underrepresentation of women in political representative positions at lower levels, women's underrepresentation at the levels of political executives and deputy chiefs employed in the Executive Yuan and its subordinate agencies and women's underrepresentation among directors of state-owned enterprises that meet the one-third gender rule. Please also provide data on women's representation at the highest level of leadership of justice system, of educational, cultural and health care institutions.	關於促進男女在政治及公共生活與經濟決策平等，報告所提之資料顯示女性在政治、公共領導與決策上參與比例不一。請說明哪些措施可改善女性參與比例仍低的情形，包含：基層民意代表、行政院及所屬機關政務首長與政務副首長、以及國營事業董事，即使符合三分之一性別比例原則，但女性參與度仍較低。也請提供司法體系、教育、文化與醫療機構最高領導階層的女性比例資料。

權責機關：性平處、司法院、衛福部、人事總處、經濟部、金管會、教育部、文化部、內政部

中文回應 (Response in Chinese)

- 一、我國推動之重要性別平等議題-「提升公私部門決策參與之性別平等」，為達成公部門任一性別不少於三分之一、持續提升公部門性別較少者參與比率，以及提升私部門女性參與決策比例等目標，設定「提升公部門決策參與機制中任一性別不少於三分之一之達成比率；已達成者持續提升性別比例」、「完成訂修法規、措施或訂定其他暫行特別措施，逐步提升私部門女性參與決策比例」與「提升女性內閣人數」等關鍵績效指標，同時研擬推動「精進性別比例追蹤機制」、「納入性別平等業務輔導考核機制」、「強化女性公共

治理人才培訓、交流及資料庫建置」、「訂定暫行特別措施或研議修正相關規定」及「辦理相關研究、研議私部門性別統計資訊公開」等措施，督促公部門(內閣、委員會、政府捐助財團法人及國營事業董監事)，並鼓勵私部門(社會團體、農漁會理監事，及上市【櫃】公司董監事)提升性別較少者參與比率。前開性別平等議題執行情形納入行政院所屬各部會性別平等推動計畫(2019 至 2122 年)追蹤檢討辦理情形。

- 二、有關基層民意代表部分，我國性別平等政策綱領揭示，將婦女保障名額改為性別比例原則，以北京行動綱領所設定之 30% 為中程目標，未來則以達成 40% 性別比例原則為最終目標。另依據地方制度法第 33 條規定，各選舉區選出之議員(代表)名額達 4 人者，應有婦女當選名額 1 人，內政部業於 2017 年 9 月 18 日召開「地方民意代表婦女保障名額制度檢討公聽會」，其中，就有關婦女保障名額修正為單一性別比例保障名額，並提高保障額度問題進行討論，以作為未來地方制度法第 33 條修正草案之參考。
- 三、行政院對於政務人員之進用，未來行政院人事行政總處將配合政務人員派任作業，適時提出相關建議。
- 四、有關提升國營事業女性董事部分，經濟部將建立女性董監事人選資料庫，並增加女性董監事人選之推薦；請有權推派公股代表之政府機關儘量遴選女性同仁擔任董監事；請國營事業工會推派勞工董事時，儘量符合政府任一性別比例不少於三分之一政策目標。未來金融監督管理委員會關於國營機構董事人選出缺或屆期改聘時，在資歷相當情形下將優先考量女性。
- 五、關於司法體系、文化與醫療機構最高領導階層的女性比例，詳如下表：

	男		女		總計	
	人數	%	人數	%	人數	%
司法院所屬機關首長	29	78.38	8	21.62	37	100.00
文化部領導階層(部長、政務次長及常務次長)	2	50.00	2	50.00	4	100.00
衛生福利部及所屬領導階層	61	74.39	21	25.61	82	100.00
衛生福利部轄下所屬醫療機構院長	22	88.00	3	12.00	25	100.00

- 六、有關教育領域最高領導階層的女性比例，為改善高等教育階段女性校長比率偏低現象，教育部人事處於 2009 年 9 月研編「性別友善—校長遴選提問原則」，強化校長遴選委員會口試評選人員性別平等之意識、規劃訂定提問原則，促進遴選委員與口試評選者具有性別平等認知，於同年 12 月函送國立大專校院，提供遴選委員參考使用；並於 2011 年修訂《大學法》第 9 條第 4 項，規定各校校長遴選委員會之組成，任一性別委員應占委員總數三分之一以上。有關各級學校女性校長人數統計，請參見專要文件表 10-3。

英文回應 (Response)

1. In order to complete the targets that each gender of public sector is not less than one-third, the government promote the important gender equality issue “Gender Equality in Decision-Making of Public and Private Sectors” and continue to improve fewer gender participate in public sector and improve female participation in decision-making ratio of private sector. Key performance indicators as set as below: “each gender in decision-making participation mechanism of public sectors shall not be less than one-third; those who meet the one-third gender rule should continue to improve”, “complete amending regulations and measures or preparation for TSM, and gradually improve female participation in decision-making percentage of private sectors”, and “improve number of female cabinets”. To promote participation rate of underrepresented gender, several measures is planned including: “promote gender percentage tracking mechanism”, “integrate into gender equality performance evaluation mechanism”, “strengthen training, exchanges and database establishment of female human resource in public governance”, “set up TSM or relevant regulations amendment”, and “commission study on disclose gender statistics of private sectors”. Furthermore, monitor public sectors (cabinet, committee, directors and supervisors serving on the boards of government-established foundation and state-owned enterprises), and encourage private sectors (social group, supervisor and director of farmers and fishermen associations, and supervisor and director of TWSE/TPEX listed company). The implementation of above measures is incorporated into Gender Equality Promotion Program (2019~2022) among each ministries under the Executive Yuan for evaluating and follow-up.
2. Regarding political positions at lower levels, Gender Equality Policy Guidelines indicates that guaranteed female quota is changed to the gender ratio principle. For intermediate objective of 30% in the Beijing Declaration & Platform for Action, take 40% of gender percentage as final goal. According to article 33 of Local Government Act “In the event there are a total of four representatives to be elected by an electoral district, there should be one female among the elected”. On September 18, 2017, Ministry of the Interior held the “public hearing of the guaranteed female quota system in local political positions”. In the hearing, deliberate on the reserved-seats for women as single gender percentage quota and raise the guaranteed female quota, which can be taken as reference of future amendment of Article 33 of Local Government Act.
3. In addition, for recruitment of political appointees in Executive Yuan, Directorate-General of Personnel Administration will provide suggestions timely during the process of assigning political appointees in the future.
4. Regarding improving female directors serving on the boards of state-owned enterprises, Ministry of Economic Affairs will establish a database of female directors and supervisors, and increase the number of recommended female directors and supervisors. Ask the

government agencies that are entitled to assign public shares representatives to do their best to select women colleagues as directors or supervisors. When the labor union of state-owned enterprises assigns the labor directors, asking them to try to meet the government's policy goal of not less than “one-third gender rule”. In order to fulfill gender equality in the government and state-owned enterprise, the Financial Supervisory Commission (FSC) will give female candidates favorable consideration over male ones when they are both qualified for the posts if there is board vacancy or reappointment in the FSC supervised state-owned or controlled institutions.

5. The proportion of women in the leadership of the judicial system, culture and medical institutions is described as follows :

	male		Female		Total	
	Number	%	Number	%	Number	%
Heads of the institutions affiliated of Judicial Yuan	29	78.38	8	21.62	37	100.00
Highest leadership of Ministry of Culture (Minister, Political Deputy Minister, Administrative Deputy Minister)	2	50.00	2	50.00	4	100.00
Heads and deputy heads of the Ministry of Health and Welfare	61	74.39	21	25.61	82	100.00
Superintendents of the affiliate hospitals of the Ministry of Health and Welfare	22	88.00	3	12.00	25	100.00

6. Regarding the proportion of women in the highest leadership level in the education sector, in order to improve the low ratio of female principals in higher education, the Department of Personnel of MOE has compiled the “Gender Friendly – The Guideline for Interviewing Principles” in September 2009 to strengthen gender equality awareness among the Principle Selection Committee. By designing these interviewing principles, gender equality awareness can be fostered among the selection committee members and the interviewers. In December of the same year, the guideline was sent to various national institutions for selection committee’s reference. Moreover, in 2011, Article 9.4 of the University Act was amended, which stipulates that the representatives of either sex shall take up one-third or more of all numbers of the Principle Selection Committee. Statistics on the Number of Female Principals at all school levels, please refer to Table 10-3 of Convention-Specific Document.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 7 條 Article 7	25	Please explain whether the government is planning to reduce the amount of electoral deposits or to introduce a mixed system involving both petitions and electoral deposits, so that women may have better opportunities to pursue political careers.	請說明政府是否規劃降低競選保證金門檻，或引進包含連署(petition)與保證金的混和制，讓女性擁有更好機會追求政治生涯。

權責機關：內政部、中選會

中文回應 (Response in Chinese)

有關是否規劃降低總統、副總統選舉候選人競選保證金，依《總統副總統選舉罷免法》第 31 條規定，登記為總統、副總統候選人時，各組應繳納保證金新臺幣 1,500 萬元，上開數額是否調整將涉及修法。至公職人員選舉候選人保證金，依《公職人員選舉罷免法》第 32 條規定，其數額由選舉委員會先期公告。查歷屆公職人員選舉保證金數額之訂定，均由主管選舉委員會委員會議決定，以最近選舉為例，直轄市長選舉候選人登記保證金為新臺幣 200 萬，立法委員、直轄市議員及縣（市）長為 20 萬元，縣（市）議員、鄉（鎮、市）長及原住民區長為 12 萬元，鄉（鎮、市）民代表、原住民區民代表及村（里）長為 5 萬元，上開保證金額度尚屬適中，其所占候選人整體競選經費支出比率甚低，尚不致形成參選障礙。

而有關是否引進包含連署與保證金的混合制部分，我國實施地方自治之初，各種地方公職人員選舉即採行公民簽署推選制度，惟曠日費時且查核不易，爰於歷次修法中分別廢除簽署制度。另內政部曾於 2012 年 8 月 16 日召開公聽會，與會人員意見不一，倘採連署與保證金制度並行，以現行各種地方公職人員選舉採合併舉行，候選人數近 2 萬人，連署制度不僅選務機關查核費時費事，候選人進行連署活動亦須支出相關經費，且對選舉活動秩序恐造成不利影響，仍應審慎研酌。

英文回應 (Response)

Regarding whether or not the government is planning to reduce the deposits for Presidential and Vice Presidential election candidates, according to Article 31 of the Presidential and Vice Presidential Election and Recall Act, when being registered as the candidates for President and Vice President, each group of candidates shall pay the deposit of NT\$15,000,000. Whether the amount is adjusted involves the amendment of the aforementioned law. The deposit for candidates for public office shall be made in accordance with the provisions of Article 32 of the Public Officers Election and Recall Act, the amount of which will be publicized by the Election Commission in advance. Determining the amount of deposits for

candidates for public office has historically been decided by the election commission with competent authority. Taking the recent election as an example, the deposits for the candidates for the offices of a municipal mayors are NT\$2,000,000. Members of the Legislative Yuan, municipal councilors, and county (city) councilors are NT\$200,000. County (city) councilors, chiefs of townships (cities), and chiefs of indigenous districts, are NT\$120,000. Representatives of township (city) congresses, representatives of indigenous districts congresses, and chiefs of villages (boroughs) are NT\$50,000. The deposits are moderate, and serves as a low percentage of a candidate’s total campaign budget. In consideration of these facts, the deposit should not pose a significant obstacle to a candidate’s election.

Whether or not to introduce a mixed system consisting of petitions and deposits. At the start of local self-government in Taiwan, various elections for local public office adopted the system of citizen signing and selection. However, as this process is time consuming and difficult to verify, we terminated the petition signing system. The Ministry of the Interior had previously held a public hearing on August 16, 2012. The participants disagreed on the grounds of many reasons. If the petition and deposit systems are concurrently implemented, the current number of candidates for local public office will be close to 20,000. The system of petitioning, will not only require verification at the expense of the electoral authorities’ time, but will also require additional expense by the candidates in securing the signatures for petitions. The adverse effects on the electoral activities should be carefully considered.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 8 條 Article 8	26	Given that over the 20 years since the elimination of quota restrictions on women in the diplomatic special examination, the proportion of women entering the foreign service has been increasing (para. 8.2), please explain the reasons for the very low proportion of women serving as heads of overseas missions and provide information on measures taken or envisaged to address this issue.	既然外交特考已經超過 20 年來不對女性錄取人數設限，女性從事外交工作比例不斷增加(國家報告 8.2)，請說明為何擔任駐外代表處首長的女性人數比例極低，並提供資訊說明已採取哪些措施，或規劃之措施。

權責機關：外交部

中文回應 (Response in Chinese)

有關擔任駐外代表處首長的女性人數比例偏低，並提供資訊說明已採取哪些措施，或規劃之措施，說明如次：

一、外交部女性主管比例偏低原因：因 1995 年以前外交特考限制女性名額，進用女性同仁人數較少，以致外交部目前女性外領同仁低於男性，亦導致現有女性高階主管比例偏低。

二、外交部所採取之措施：

(一) 取消外交特考性別限制:自 1996 年取消性別限制後，新進人員女性比例已逐年提高，女性同仁及科長層級女性主管人數比例亦逐年增加。近年甚有女性多於男性之情形。在女性同仁人數穩定成長之下，目前外交部國內女性職員比例約為 49.77%、國外約為 33.60%；另科長層級女性主管現有 59 位（男性 49 位），女性科長人數佔全體科長之 54.63%，顯見女性科長層級人數顯著提升。

(二) 持續拔擢優秀女性同仁，以培養高階單位主管人才。外交部辦理各項職務陞遷案皆依循相關規定，並在候選人條件相當之情形下，優先拔擢優秀女性同仁，以培養女性高階單位主管。

三、綜上，外交部近年簡任女性職員比例穩定成長，另統計 1996 年以後進部人員晉升簡任人員之女性比例已達 39.7%，且逐年提高，顯示推動性別主流化著有成效。在外交部持續積極辦理並精進女性同仁晉陞各項職務，女性科長層級主管及簡任人員人數逐年增加之趨勢下，未來國內、外女性高階單位主管比例必然逐步提升。

英文回應 (Response)

The following are the reasons for the lower rate of women serving as heads of overseas missions and the measures taken or planned to address this issue.

1. The reasons for the lower rate of women serving as heads of overseas missions. The proportion of women serving as heads of overseas missions remains relatively low. This is due to the fact that during and prior to 1995, the number of female enrollment is restricted for the Special Civil Service Exam for consular and diplomatic personnel, resulting in fewer number of women being recruited and lack of female supervisors.

2. The measures taken or planned to address this issue.

(1) Unrestricted the female enrollment policy for the Special Civil Service Exam for consular and diplomatic personnel. Since opening up the female enrollment to attend exam in 1996, however, the proportion of female in general and section chiefs has increased year by year. In recent years, female employees have even begun outnumbering male. With steadily growing numbers, the proportion of home base female employees is about 49.77%, and 33.60% overseas post. Moreover, the number of female supervisors, as section chiefs, is 59

(male is 49). Female section chiefs have accounted for 54.63% of all sections chiefs, the number of female colleagues has been promoted across all sections in the Ministry.

(2) The Ministry has continuously promoting outstanding female employees to managerial level. The promotion guidelines in the Ministry of Foreign Affairs (MOFA) are based on rules, with fair treatments of each candidates, the government select female employees with excellent performances for high managerial positions.

3. In conclusion, in recent years the proportion of female senior secretary has increased steadily. Moreover, the female senior secretary who joined MOFA after 1996 consists of 39.7%, and the ratio has increased over the years which suggests MOFA has successfully implemented the Gender Mainstreaming Policy. As MOFA continues efforts on the promotions of female staffs and the number of female who are above the rank of section chiefs and senior secretary has increased, the ratio of senior officers in home office or overseas post will increase gradually in the future.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 9 條 Article 9	27	Regarding the new immigrants' residency rights and right to family reunion, a draft amendment to the Immigration Act was presented to the Executive Yuan in 2016 with the intention of providing more protections. (para. 9.3) Please provide updated information whether the Immigration Act was actually revised as intended, and what positive effects it would bring to women immigrants.	《入出國及移民法》草案 2016 年送至行政院，對於新住民居住權與家庭團圓權提供更充分保障。(國家報告 9.3) 請提供最新資訊說明《入出國及移民法》是否確實如當初規劃進行修訂，又給女性新住民帶來何種正面影響。

權責機關：內政部

中文回應 (Response in Chinese)

為進一步保障外籍配偶離婚後在臺居留權益及家庭團聚權，《入出國及移民法》部分條文修正草案放寬其居留限制，重點如下：

一、放寬外國人於離婚後具有在臺灣地區已設有戶籍未成年親生子女之撫育事實或會面交往，其居留原因消失，得准予繼續居留。其親生子女已成年後，亦得准予繼續居留。

二、放寬外國人曾為我國人之配偶，且曾在我國合法居留，其取得在臺灣地區已設有戶籍未成年親生子女權利義務之行使或負擔、對其有撫育事實或會面交往者，得於在我國合法停留期間，向移民署重新申請居留。

三、外國人為臺灣地區設有戶籍國民之配偶，因遭受家庭暴力離婚且未再婚，得准予繼續居留。

本條文修正草案已於 2016 年 8 月 15 日函報行政院審查，尚未送請立法院審議。另依行政院秘書長 2018 年 1 月 11 日函示，未來移民政策與入出境管理將脫鉤處理並單獨立法，爰後續將朝上述重點方向賡續研議。

英文回應 (Response)

In order to further protect the right of foreign spouses to stay in Taiwan after their divorce, their rights to residency and family reunification, draft amendments to some provisions of the Immigration Act will relax their restrictions on residence. The key points are as follows:

1. Relax the restrictions of foreigners who have divorced or meeting right with their under-age children who have been registered in the Taiwan area after their divorce. The reasons for their stay eliminated and they may be allowed to continue to stay. When their biological children have grown up to 20 years old, they can also be allowed to continue to stay.
2. Relax the restrictions of aliens who were once the spouses of Taiwanese, who stayed in state legally. They obtained the exercise or burden of having established the rights and obligations of the under-aged children of the registered minors in the Taiwan region. During the period of legal stay in our country, we re-apply to the National Immigration Agency for residence.
3. Aliens who are spouses of registered citizens in the Taiwan area may be permitted to continue to stay while they have been divorced and have not remarried.

The draft amendment to the Immigration Act was presented to the Executive Yuan on August 15th, 2016, and it has not been presented to the Legislative Yuan. Under the instruction of the Secretary-general of the Executive Yuan on January 11th, 2018, the draft amendment to Act looks toward decoupling immigration policy from entry and exit management policy and offering better protection of immigrants' residency rights and right to family reunion.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 9 條 Article 9	28	According to an alternative report, the marriage immigrants who have been living with the Taiwanese national veterans in government housing are faced with the risk of being evicted upon their husbands' death and the expiration of the limited 11 year residency period. Please provide information and data on the situation of housing of marriage immigrants who are dependent on their husbands and what measures are in place to protect their equality in housing rights and security of tenure.	依據替代報告，和臺灣榮民居住在公共(國民)住宅的新住民配偶，在丈夫過世後以及 11 年居住上限屆滿時將面臨被驅離的風險。請提供資訊與數據說明生活依靠丈夫的新住民配偶住居情形，以及哪些措施保障其居住平等權與住居所有權。

權責機關：內政部、退輔會

中文回應 (Response in Chinese)

依國軍退除役官兵部分供給制安置就養作業規定第 5 點：「榮民、榮眷符合前點規定，申請自費安養、養護者，應檢附國民身分證影本、最近三個月內之戶籍資料...向戶籍所在地或居住地之榮民服務處、榮家提出申請。」經查居住於榮家之榮民，其中有大陸籍配偶者 652 人、外籍配偶者 20 人。

另依自建自購住宅貸款利息及租金補貼辦法第 10 條第 6 項及修繕住宅貸款利息及簡易修繕住宅費用補貼辦法第 7 條第 6 項規定，「家庭成員為外籍人士、大陸地區人民、香港或澳門居民者，除應檢附出入國(境)紀錄等相關證明文件外，並應檢附外僑居留證(外籍人士)、依親居留證或長期居留證(大陸地區人民)、臺灣地區居留證或臺灣地區居留入出境證(香港或澳門居民)。」若申請人檢附上述文件，新住民得視為家庭成員，申請人之家庭成員人數 2 人或以上者，評點可加計權重 1 至 3 分，使其有優先獲得補貼的機會。

英文回應 (Response)

According to Point 5 of Veterans Affairs Council (VAC) Regulations on the Placement of Veterans Home-cared at Partial Government expense, “Veterans or dependents of veterans who meets the requirements of the foregoing point, intending to file applications for placement in Veterans Homes or home-cared in Veterans Homes at partial government expense, could submit the application with a photocopy of national identity card and household registration data within the last three months to the Veterans Service Offices or Veterans Homes in their registered permanent

residence or residence area.” For those veterans who live in Veterans Homes, there are 652 spouses of theirs are from Mainland China; 20 spouses are from the other foreign countries.

According to Paragraph 6, Article 10 of the Regulations of Housing Subsidies for Rent and Loan Interest for Self-construction and Self-purchase Act and Paragraph 6, Article 7 of the Regulations of Housing Subsidies for Repair Loan and Easy Repair Expenses Act “Family members are foreigners, people of the Mainland China area, Hong Kong and Macao residents” In addition to the relevant documents such as certificate of entry and exit dates, the Alien Resident Certificate (for foreigners), the dependent resident certificate or long-term residence permit (for people of the Mainland China area), Resident certificate for the Taiwan area or entry and exit permits in Taiwan area (for Hong Kong and Macao residents) should also be attached.” If the applicant attaches the above documents, the marriage immigrants can be regarded as a family member .The number of family members of the applicant is 2 or more, the application score may be added 1 to 3 points so that the applicant has the priority to receive subsidies.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 10 條 Article 10	29	Despite efforts by the government, there is still a high degree of gender segregation in the areas of study, with the high percentage of female students in education field and low in areas such as engineering, manufacturing and construction. (paras. 10.3 - 10.4) What are the government’s measures, including temporary special measures, to counter the traditional choice of disciplines by the male and female students?	儘管政府持續努力，學科領域仍呈現高度性別隔離；教育領域有高比例的女學生，但工程、製造與營造領域女學生比例偏低(10.3-10.4 項)。政府推出哪些措施，包含暫行特別措施，以因應傳統上男女學生傾向選擇的科系類型？

權責機關：教育部、科技部

中文回應 (Response in Chinese)

- 一、教育部持續辦理高中學校科學教育巡訪活動，並擴展至一般高中男女學生參與；邀請臺灣女科學家得主巡迴訪問。
- 二、提供多元學習機會，透過課程研習，使學生在全人化的教育理念中獲得充分發展，以培養積極進取的人生態度與終身學習的習慣。
- 三、強化學生領導知能訓練，以協助學校學生事務之推展，並培育青年領導人才及建立人才資料庫。

- 四、自 2014 學年度起配合十二年國民基本教育適性揚才之理念，引導學生瞭解自我的性向與興趣，及社會職場和就業結構的基本型態。
- 五、依據《大學法》第 24 條規定，大學招生應本以公平、公正、公開原則辦理。且我國自 2002 學年度起，實施「大學多元入學方案」即為讓不同性向之學生選擇適合入學之管道，發揮自我潛能，達成「適性揚才」之目的。因此，各大學之招生簡章並未限制報考性別或引導性別選填校系，以持續宣導多元適性之精神。
- 六、技專校院生源來自高級中等學校專業群(職業)科，查教育部統計處之資料，以日間部開設專業群(職業)科 2017 學年度為例，畢業生學生男女生比率分別為 51% 及 49%，惟就讀農林漁牧及工業類之畢業生男女生比率分別為 85% 及 15%，就讀服務類之畢業生男女生比率分別為 35% 及 65%，顯示就讀之男女比率懸殊，爰未來應從現行國民教育階段生涯輔導，協助學生適性入學。
- 七、為促進性別平等觀念，教育部業定期於相關校長或教務長等會議上配合教育部性別平等教育委員會規劃宣導性別平等教育，以鼓勵各校推動性別議題課程，或融入相關研習或研討會等活動，而部分學校除校內原有於通識教育課程中開設性別平等教育相關課程外，亦透過不同方式加以宣導，讓學生理解過去女性在理工領域的相關成就，成為一種典範轉移，並兼具激勵作用。
- 八、科技部自 2007 年起補助「性別與科技專題計畫」以促進科技領域性別平等，並自 2014 年起補助「女性科技人才培育計畫」。再於 2018 年實施「鼓勵女性從事科研專案計畫」，引導因不同階段挑戰而中斷研究之女性重回科學及技術研究，以作為符合 CEDAW 精神之暫行特別措施。

英文回應 (Response)

1. The Ministry of Education (MOE) continued to conduct high school science education visits and extended to participate in general high school boys and girls; we invited Taiwan women scientists to visit on a tour.
2. To provide diverse learning opportunities and to enable students to fully develop their educational philosophy in a fully humanized way through curriculum learning so as to cultivate a positive attitude toward life and a lifelong learning habit.
3. Strengthen students' leadership training to assist in the promotion of school student affairs, cultivate young leaders and establish a talent database.
4. Starting from 2014, free tuition is progressively offered at vocational high schools. In conjunction with the talent development philosophy of the 12-year Compulsory Education policy, the students will be enlightened to understand their aptitude and interests, as well as the basic form of social workplace and employment structures.
5. According to Article 24 of the University Act, student recruitment by a university shall be transacted independently or jointly with other universities following the principles of equity, justice and openness. In 2002, the "College Multiple Entrance Program" was established, with

the goal of cultivating talent and fostering key competence development in subject areas. With multiple admissions channels, high school students have the opportunity to select a path based on their interests, abilities and aptitude to enter higher education. In order to promote the spirit of diversity, the admissions guideline of the universities never restrict applicants to apply for gender or guide applicants to select for gender.

6. The higher technical and vocational schools' student come from technical colleges. The information of the Statistics Department of the MOE shows the proportion of male and female students graduated from technical college day-school is 51% and 49% respectively in the 106 academic year. The proportion of male and female students graduated from agriculture, forestry, fishery, animal husbandry and industry was 85% and 15% respectively. The percentage of students studying in the field of service was 35% and 65% respectively. This shows that the proportion of men and women attending studies is very different. Career counseling during the education stage help students adapt to school by encouraging junior high school students to choose the correct technical and vocational education school based on their interests, aptitude and abilities.
7. In order to foster the concept of gender equality, the Ministry of Education (MOE) regularly promotes gender equality education in conjunction with the Committee for Gender Equity Education at president or dean level meetings in order to encourage schools to promote curricula related to gender. Alternatively, related seminars or studies are also incorporated. For some schools, which exist the courses about general knowledge and gender equality, have different ways to promote students in senior high school to appreciate the women' achievements in the industry of science and technology over the years. In turn, this will act as a paradigm, which also serves as a motivation.
8. The Ministry of Science and Technology (MOST) has since 2007 been granting research on promoting gender equity in STEM (Gender and ST Research Projects, approximately NT\$30,000,000/yr) and on fostering future female scientists (Cultivating Female Talents Program, approximately NT\$8,000,000/yr). In 2018, a temporary special measure (approximately NT\$90,000,000) has been implemented, to guide female scientists, who discontinued their previous researches due to various reasons, back to the field of science and technological research.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 10 條 Article 10	30	In preparation of the 12-year basic education to be realized in 2019, what is the current status of the curriculum guidelines for gender	因應 2019 將實施的 12 年國教，目前各教育層級的性別平等課程綱領狀況如何？

	<p>equality at all levels of education? How does the Gender Equity Education Act play in the curriculum guidelines and directives for the teachers? How is the government planning to provide a balanced education on sexual and reproductive health and rights, respecting rights of all groups with diverse forms of family and sexual orientation and gender identity?</p>	<p>《性別平等教育法》在教師的課程綱領與指令中，扮演何種角色？針對性教育與生殖健康教育及權利、尊重各種族群多元家庭形式以及性傾向與性別認同的權利，政府如何規劃提供平衡的教育？</p>
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權責機關：教育部

中文回應 (Response in Chinese)

「性別平等教育」係為十二年國民基本教育課程綱要議題之一，依《性別平等教育法》做為修訂基礎，包含三大學習目標、九大學習主題，提供學校及教師依據校本課程或學生特質進行課程設計與教學。此外，為使各領域課程綱要之課程設計能適切融入相關議題，亦研擬十二年國民基本教育「議題融入說明手冊」及相關領域課程手冊「議題融入之示例說明」，供各級教師教學及教科書編輯審定之參考。

依據《性別平等教育法》第 18 條「學校教材之編寫、審查及選用，應符合性別平等教育原則；教材內容應平衡反映不同性別之歷史貢獻及生活經驗，並呈現多元之性別觀點。」暨施行細則第 14 條「為執行本法第十八條規定，高級中等以下學校教材之編寫、審查及選用，應由有性別平等意識之教師參與；教材內容並應破除性別偏見及尊卑觀念，呈現性別平等及多元之價值。」為避免教科書出現不符合性別平等教育精神的文本，並積極引導教科書編輯者性別平等意識的提升，而確保性別平等教育課程綱要內涵能轉化為具體之教學材料。國家教育研究院提出中小學教科書性別平等教育——性別偏見檢視指標，使教科書編輯者可依據檢視指標自我評核，針對性別刻板印象、性別偏差失衡、性別經驗隱藏、性別用語偏頗等概念內涵的文本加以修正；對於教科書欠缺的性別平等教育概念內容，亦可加以增補。

依據教育部於 2014 年 11 月 28 日發布之十二年國民基本教育課程綱要規定，課程設計應適切融入性別平等議題，必要時由學校於校訂課程中進行規劃。

配合十二年國教推動，教育部國教署將持續強化性別平等教育議題新課程之推動，研發、推廣性別平等教育議題融入各學習領域之教學示例。透過整合性別平等教育議題課程與教學之精神內涵、實施現況與教師需求，有系統性、階段性地探究素養導向教學，結合全球性別平等教育議題以充實教師相關教育新知。並持續協助性別平等教育議題新課程之傳達與轉化，及進行素養導向性別平等教育議題課程與教學示例之研究發展，以確保各領域融入性別平等教育議題之實質內涵，協助國中小學生認知社會文化的多樣性，破除性別

偏見、歧視與刻板化印象。

一、措施/計畫之目標：

訂定「十二年國民基本教育健康與體育領域課程綱」，並自 108 學年度逐年實施。

二、執行策略及方法：

(一) 普通型高級中等學校健康與體育領域課程綱要包含個人衛生與性教育主題納入課程。

(二) 依《總綱》「實施要點」規定，各領域課程設計應適切融入性別平等、人權等議題，培養現代國民與世界公民之關鍵內涵，增加課程與教學的豐富性與時代性。

依據十二年國民基本教育課程綱要課程設計應適切融入性別平等、原住民族教育等議題，必要時由學校於校訂課程中進行規劃。

英文回應 (Response)

Gender equality education, promulgated and revised in compliance with the Gender Equity Education Act, is an issue addressed in the Curriculum Guidelines of 12-Year Basic Education. Gender equality education contains three major goals of learning and nine major themes of learning that serve as a guideline for schools and teachers to design their courses. However, when designing courses, schools and teachers must also take into account students' learning abilities and school-based curriculum development. To allow education issues to be well incorporated into the courses, *Instruction Manual for Incorporating Education Issues into Courses* and *Examples of How to Incorporate Education Issues into Courses* will be published to serve as a reference for teachers when designing their courses and compiling materials to be used.

According to the Gender Equity Education Act Article 18:” The compilation, composition, review and selection of course materials shall comply with the principles of gender equity education. The content of teaching materials shall present fairly on the historical contributions, life experiences of both sexes, and diverse gender perspectives.” And the Enforcement Rules for the Gender Equity Education Act Article 14:” To implement regulations prescribed in Article 18 of the Act, the participation of teachers with gender equity consciousness is required in the compilation, writing, evaluation and selection of teaching materials at the primary and secondary school levels. The materials shall also be free from gender prejudice and the idea of male superiority in order to make the values of gender equality and diversity explicit.” To avoid texts in textbooks that do not conform the principles of gender equality education, and improving textbook publishers' consciousness of gender equality, to ensure that the awareness of gender equality in 12-year Basic Education Curriculum Guidelines could be transfer to teaching materials specifically. National Academy for Educational Research has constructed the criteria of gender bias in national education textbooks, textbook publishers can follow the criteria and check that does their publications have the conception about gender stereotypes, gender bias, gender imbalance

and gender invisibility, furthermore complements the concept of gender equity consciousness.

According to the Outline of the 12-year National Basic Education Curriculum issued by the Ministry on November 28, 103, curriculum design should be appropriately integrated into the issue of gender equality. Schools should plan for the curriculum when necessary.

In line with the promotion of the State Council for the past 12 years, the MOE will continue to strengthen the promotion of the new curriculum on education of gender equality with research development and promotion of gender equality incorporated into teaching examples in various learning areas. By integrating the spiritual connotation of curriculum and teaching of gender equality education, the current status of implementation, and the needs of teachers, it systematically and periodically explores literacy-oriented teaching and incorporates global issues of gender equality in education to enrich teacher-related education. MOE will continue to assist in the communication and transformation of the new curriculum on gender equality education issues, and conduct research and development on literacy-oriented courses of gender equality teaching examples to ensure that all areas integrate the substantive connotations of gender equality and support the junior school students recognizing social diversity, in order to eliminate gender bias, discrimination and stereotype.

1. Objectives of measures/projects :

The "Teaching Outline for Health and Physical Education in the National Basic Education for Twelve Years" was established and implemented annually from the 108 academic year.

2. Implementation Strategies and Methods :

- (1) The syllabus for health and physical education in general and senior high schools includes the subject of personal hygiene and sexual education.
- (2) According to the "general outline" of the "Implementation Essentials", curriculum design in various fields should be appropriately integrated into such issues regarding gender equality and human rights, and the key connotations of modern citizens and citizens around the world should be cultivated to increase the richness and timeliness of curriculum and teaching.

According to the curriculum design of the 12-year national basic education syllabus, topics such as gender equality and aboriginal education should be appropriately incorporated, and schools should plan for the curriculum when necessary.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 10 條 Article 10	31	The Report says that “the Educational Fundamental Act guarantees people’s equal opportunities to receive an education, and extends special protections to indigenous peoples, people with disabilities, and other disadvantaged groups based on their level of autonomy and other specific conditions.”(p. 62 on Article 10) However, the Common Core Document, in Tables 8, 9 and 10, does not provide any information on the general situation of education of indigenous women or women with disabilities, nor the CEDAW Specific Report. Please provide statistics on literacy, enrollment and dropout rates at all levels of education disaggregated by sex, disability and indigenous background, and information on measures to provide equal education to women of all groups.	報告指出：「《教育基本法》確保人民接受教育的機會一律平等，並依據原住民、身心障礙人士，以及其他弱勢族群的自主性及特殊性，給予特別保障」（國家報告第 10 條前言）。然而共同核心文件的表 8、9、10 並未提供任何資訊說明原住民女性教育或身心障礙女性教育的整體情形；CEDAW 特別報告亦未提及。請按性別、身心障礙與原住民等不同背景，分別提供各教育層級的識字率、就學率及輟學率等統計；並請說明提供不同背景女性平等教育之措施。

權責機關：教育部

中文回應 (Response in Chinese)

有關表 8「國民中小學淨在學率」係呈現國民小學及國民中學階段之淨在學率，此表格係依據教育部統計處所訂標準進行在學率之提供，僅按性別呈現，未就身心障礙和原住民背景進行在學率之分析調查。表 10 以識字率係由內政部提供之統計資料。預計於 2019 年底邀集相關專家學者及行政部門單位內政部、教育部(學務特教司、統計處、國教署等)，研議呈現身心障礙學生淨在學率和識字率之統計方式。

2016 學年度中輟學生總數為 3,446 人，其中男生 1,928 人(55.95%)，女生 1,518 人(44.05%)。而原住民共 504 人(14.63%)。

2016 學年各教育階段身心障礙類學生性別統計概況：

	男	%	女	%	總計
學前	11,958	71.1%	4,865	28.9%	16,823

國小	28,169	68.9%	12,725	31.1%	40,894
國中	18,230	68.1%	8,542	31.9%	26,772
高中職	16,921	67.5%	8,132	32.5%	25,053
大專	8,501	65.0%	4,582	35.0%	13,083
總計	83,779	68.3%	38,846	31.7%	122,625

目前已有身心障礙學生性別統計資料，但是有關女性身心障礙學生之受教情形是否與男性相當，尚無分析資料。預計於 2019 年底，邀請專家學者、身心障礙者及團體，研議分析該等統計數據，呈現身心障礙學生在不同性別上之接受教育情形。

英文回應 (Response)

Table 8 “Net enrollment rate for national primary and secondary schools” presents the net enrolment ratio for the National Primary and National Secondary Schools. This form is based on the standards set by the Statistics Department of the Ministry of Education, and is provided only by gender. Disability and Aboriginal backgrounds conduct an analysis of school attendance. Table 10 – Literacy Rate was calculated and provided by the Ministry of the Interior. The related experts, scholars and authorities such as the Ministry of the Interior and Ministry of Education (Department of Student Affairs and Special Education, K-12 Education Administration and Department of Statistics) are expected to be invited before the end of 2019 to study and develop a method that can indicate the Net Enrolment Rate and Literacy Rate of disabled students.

The total number of dropout students in the 105 middle school year was 3,446, of which 1,928 (55.95%) were boys and 1,518 (44.05%) were girls. 504 people of Aboriginal people (14.63%).

Gender statistics of students with disabilities studying in various educational levels in school year 2016

	male	%	Female	%	Total
Preschools	11,958	71.1%	4,865	28.9%	16,823
Elementary schools	28,169	68.9%	12,725	31.1%	40,894
Junior high schools	18,230	68.1%	8,542	31.9%	26,772
Senior high (vocational) schools	16,921	67.5%	8,132	32.5%	25,053
Universities/colleges	8,501	65.0%	4,582	35.0%	13,083
Total	83,779	68.3%	38,846	31.7%	122,625

The gender statistics of disabled students are available currently, but the statistical data about whether the circumstances of receiving education by female disabled students is similar to those of the male disabled students have not been collected and analyzed. Before the end of 2019, the related experts, scholars, disabled persons and organizations are expected to be invited to study and analyze these statistics to indicate the circumstances of receiving education by different genders of disabled students.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 11 條 Article 11	32	In the efforts to improve equality on the Taiwanese labour market, it is a step forward that the Ministry of Labour did conduct a study on the Issue regarding Equal Pay for Work of Equal Value. The reported outcome of this study seems to be rather alarming. There is no consistent definition in Taiwan on the basic concepts of equal work, equal value and equal pay. Are there any clear policies in place to improve the situation and will the Taiwanese government demand real action for equal pay in the work places? The Report refers very generally to awareness raising efforts, although the women's labour force participation is very low.	在改善臺灣勞動市場方面，勞動部辦理一項同工/同值同酬的研究，可說是一大進展，研究結論反倒讓人驚心。臺灣目前沒有同工、同值，及同酬的一致定義。目前是否有清楚的政策改善報告所提之現況，政府是否會採取行動，要求所有工作場所必須遵照同工同酬原則？該報告很概括地提到增強這方面意識的措施，但女性勞動力參與度甚低。

權責機關：勞動部

中文回應 (Response in Chinese)

- 一、查《勞動基準法》第 25 條規定：「雇主對勞工不得因性別而有差別之待遇。工作相同、效率相同者，給付同等之工資。」該法業有禁止因性別因素而產生工資差別待遇之相關規定；《性別工作平等法》亦規定，雇主對受僱者薪資之給付，不得因性別或性傾向而有差別待遇；其工作或價值相同者，應給付同等薪資。
- 二、為宣導性別平等意識，勞動部每年與各地方政府合作辦理「職場平權暨性騷擾防治研習會」；近 10 年來，我國兩性平均薪資差距亦已由 2007 年之 18.2% 下降至 2017 年 14.0%，亦即女性需增加工作天數由 67 天減少至 52 天，兩性平均薪資差距縮小 4.2 個百分點及減少 15 個工作天數。

英文回應 (Response)

1. In accordance with Article 25 of Labor Standards Act, an employer shall under no condition discriminate between the sexes in the payment of wages. Employers shall receive equal wages for equal work of equal efficiency. Therefore, Labor Standards Act has stipulated employers shall not discriminate against employees because of their gender in the case of paying wages. In accordance with the Act of Gender Equality in Employment, employers shall not discriminate against employees because of their gender or sexual orientation in the case of paying wages. Employees shall receive equal pay for equal work or equal value.
2. To further increase awareness of gender equality, the Ministry of Labor coordinates with local governments each year to hold 26 sessions of the "Seminar on Equal Rights in the Workplace and Sexual Harassment Prevention". In the past 10 years, the wage gap has decreased from 18.2% in 2007 to 14% in 2017, the number of days for women to increase work was reduced from 67 days to 52 days, and the gender average wage gap has decreased 4.2% and reduction of 15 working days.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 11 條 Article 11	33	There is a high child care deficit for small children, which explains that most women with children below the age of two years take care of them at home. Is the government planning to improve the subsidy systems that were set up in 2008 (and 2012) and also improve the supply of child care for women with small children? How does Taiwan fulfil Article 11, paragraph 2.b of CEDAW, which requires the State to make sure that women can access maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances? What is the situation in this regard for women working in the informal sector?	針對幼童的托育照顧不足，可以解釋為何多數育有 2 歲以下小孩的女性在家照顧子女。政府是否規劃改善 2008 年(及 2012 年)設立的津貼補助體系，並改善育有幼童女性托育照顧服務不足之現況？臺灣如何滿足 CEDAW 第 11 條第 2.b 項之規定，該規定要求國家應確保女性得請帶薪育嬰假，或能獲得相當的社會福利，而不失去原有工作、年資或社會津貼？在非正式部門工作的女性這類情形又是如何？

權責機關：勞動部、衛福部

中文回應 (Response in Chinese)

- 一、依《性別工作平等法》及《勞動基準法》規定，女工分娩前後，應使其停止工作並給予產假。另《性別工作平等法》規定，受僱者任職滿 6 個月後，於每一子女滿 3 歲前，於不超過 2 年之期限內，得申請育嬰留職停薪。
- 二、依《性別工作平等法》規定，受僱者為產假之請求時，雇主不得拒絕或視為缺勤而影響其全勤獎金、考績或為其他不利之處分。違反者，依同法第 38 條規定，處新臺幣 2 萬元以上 30 萬元以下罰鍰，且應公布其姓名或名稱、負責人姓名，並限期令其改善；屆期未改善者，應按次處罰；《勞動基準法》亦規定，違反該法第 50 條規定者，處新臺幣 9 萬元以上 45 萬元以下罰鍰。
- 三、政府已著手調整自 2008 年以來的補助措施，規劃 2018 年 8 月起推動公共及準公共化托育服務，除布建社區公共托育家園，擴大公共托育服務量能外，透過政府向居家式托育(保母)、私立托嬰中心、幼兒園等簽訂購買服務契約方式，協助家長支付部分費用，以減輕家庭經濟負擔並增加送托意願。另針對選擇自行家內照顧之家戶，在所得稅率未達 20% 下，逐年擴大發放每月 2,500 元育兒津貼，以協助家庭照顧 0 至 4 歲幼兒。

英文回應 (Response)

1. In accordance with Act of Gender Equality in Employment, and Labor Standard Act, a female worker shall be granted maternity leave before and after childbirth for a combined period. Additionally, employees may apply for parental leave without pay before any of their children reach the age of three years old according to Act of Gender Equality in Employment.
2. In accordance with Act of Gender Equality in Employment, employers may not refuse employees' requests for the maternity leave, and may not consider such leave to be absence from work and consequently fail to provide full attendance bonuses, give the employee an unfavorable performance review, or take other adverse action. Employers who refuse employees' requests for the maternity leave shall be fined no less than NT\$20,000 but not exceeding NT\$300,000. For those who commit any of the conducts referred to in the preceding paragraph, their names or titles and the persons-in-charge shall be put on public notice, and they shall be ordered to improve within a specified period. For those who have not improved within the specified period, they shall be fined and punished consecutively for each violation after the aforementioned period expires. Besides, in accordance with Labor Standard Act, employer who violate Articles 50 shall be subject to fines between NT\$90,000 and NT\$450,000.
3. The Government is in the process of tidying up the subsidy measures since 2008, and planned the launch the public and quasi-public education service in August 2018. Further to the establishment of community nursery home for expanding the service of public nursery service, the

government also seeks to share the financial burden of the parents through service purchase agreements with day care nursery (baby sitter), private nursery center, and kindergartens. This will help the families to mitigate their economic burden and encourage them to send their young children for the service. For families preferred home care for their young children, monthly subsidy amounted to NT\$2,500 will be granted for those under income tax rate of less than 20% so as to help them to take care of the children under the age of 4 at home.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 11 條 Article 11	34	The legal position of domestic female workers in the labour market has been a long lasting concern and in 2014 the 2 nd Review Committee asked for full compliance with the International Convention on the Rights of All Migrant Workers and Members of their Families and the ILO Convention concerning Decent Work for Domestic Workers (ILO 189, 2011). We learn that there are ongoing plans for a new Domestic Workers Protection Act. What is the concrete plan for a final adoption of this Act, does it fully comply with the standard set out in the ILO Convention and what is the treatment of domestic female workers who become pregnant?	長期以來，女性家事勞工在勞動市場上的法律定位一直是關切焦點，2014 年第 2 次審查委員會要求完全遵照移工與其家庭成員權利國際公約，與國際勞工組織家事勞動者有尊嚴工作公約 (ILO 189, 2011)。我們得知目前有訂定新的「家事勞工保障法」相關規劃。該法的具體計畫及最終施行是什麼？是否完全遵照 ILO 公約提及的標準？以及女性家事勞工懷孕後如何被對待？

權責機關：勞動部

中文回應 (Response in Chinese)

- 一、為保障家庭看護工及家庭幫傭之勞動條件權益，勞動部將配合長期照顧政策之推行，併同兼顧勞雇雙方權益衡平及實務可行，刻正研議相關法制。
- 二、家事服務工作者雖未納入《勞動基準法》範圍，但《就業服務法》已規定外籍勞工來臺前應與雇主簽訂書面勞動契約，以保障其勞動權益。
- 三、《性別工作平等法》適用於所有受僱者，該法所定產假等規定，家事勞工亦有其適用。

英文回應 (Response)

1. To protect the rights and interests of in-home caregivers and domestic helpers and improve their terms of employment, the Ministry of Labor will also consider with the government's long-term care policies to strike the balance between the rights and interests of employers and employees and the feasibility of implementation, for adopting relevant protection measures or legislations.
2. Although domestic female workers are not included in the Labor Standards Law, the Employment Service Law has stipulated that foreign workers should sign a written labor contract with the employer prior to their arrival to protect their labor rights.
3. Act of Gender Equality in Employment applies to all employed persons. The law stipulates maternity leave and other requirements that domestic female also applicable to.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 11 條 Article 11	35	The situation for domestic workers seems to reflect the weak position of disadvantaged groups of women in the labour market more generally. What kind of positive measures are in place or planned in order to improve the situation for these groups in the labour market?	家事勞工的現況似乎反映出整體上女性弱勢族群在勞動市場上處於不利地位。有哪些正向措施已經實施，或正在規劃，以改善這些族群在勞動市場的現況？

權責機關：勞動部

中文回應 (Response in Chinese)

- 一、為保障家庭看護工及家庭幫傭之勞動條件權益，勞動部將配合長期照顧政策之推行，併同兼顧勞雇雙方權益衡平及實務可行，刻正研議相關法制。
- 二、家事服務工作者雖未納入《勞動基準法》範圍，但《就業服務法》已規定外籍勞工來臺前應與雇主簽訂書面勞動契約，以保障其勞動權益。

英文回應 (Response)

1. To protect the rights and interests of in-home caregivers and domestic helpers and improve their terms of employment, the Ministry of Labor will also consider with the government's long-term care policies to strike the balance between the rights and interests of employers and employees and the feasibility of implementation, for adopting relevant protection measures or legislations.
2. Although domestic female workers are not included in the Labor Standards Law, the Employment Service Law has stipulated that foreign workers should sign a written labor contract with the employer prior to their arrival to protect their labor rights.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 12 條 Article 12	36	In response to the Recommendations by the 2 nd Review Committee on the expansion of the right to health, various steps were taken, which is acknowledged. Regarding the draft Women's Health Policy and the related budget described in the Report, please provide updated information whether the Policy was adopted at the end of 2017 as planned and the needed budget was appropriated by the relevant authorities as envisaged. (para. 12.18)	回應第 2 次審查委員會提出總結意見與建議擴充健康權後，本會認知到有關單位已採取各項步驟措施。報告中說明「婦女健康政策」草案及相關預算，請提供最新資訊說明該政策是否如原先規劃已於 2017 年年底核定，以及如規劃般相關單位已配合編列所需預算。(國家報告 12.18)

權責機關：衛福部

中文回應 (Response in Chinese)

於 2017 年底已完成婦女健康政策，共分為四篇 (十五章)，包括前言、健康促進篇、生殖健康篇、疾病及照護篇。前言有建構性別主流化的健康政策和健康的生活型態與環境。健康促進篇包含促進心理健康、健康體能、飲食健康、建立健康正確體型意識。生殖健康篇：促進性健康、經期健康和維護生育健康權益。疾病及照護篇：促進女性照顧者的身心健康、維護女性的職場健康權益、降低重要慢性疾病對女性健康的威脅、降低癌症對女性健康的威脅、消弭暴力對於女性身心的影響等。分別研訂各議題之目標、策略與行動。衛福部於 2018 年 4 月 17 日核定本健康政策，並已請各相關單位就涉及之行動策略配置相關預算。

英文回應 (Response)

Women's health policy in accordance with the planning was completed at the end of 2017; it is divided into four articles (15 chapters). The

policy document includes preface, health promotion, reproductive health and disease and care articles. Preface article contains establishing gender mainstreaming health policies and healthy lifestyles and environment. Health promotion article includes Improving and maintaining women’s mental health, enhancing women’s health and physical fitness, dietary health, and establishing a healthy and positive body awareness. Reproductive health article contains enhancing women’s sexual health, menstrual health, and protecting and maintaining women’s reproductive health right. Disease and care article includes enhancing female caregivers’ physical and mental health, protecting women’s occupational health right, lowering the threat of major chronic diseases to women’s health, lowering the threat of cancer to women’s health, eliminating the impact of violence on women’s physical and mental health. The women's health policy document, separately elaborates the objectives, strategies and actions of the various topics. Ministry of Health and Welfare approved the policy on April 17, 2018. The relevant units have been requested to allocate the relevant budget for the action strategy involved.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 12 條 Article 12	37	Please provide data about forced abortion and sterilization for women with disabilities, as well as information about abortion cases when the fetuses are suspected to be abnormal. Do all health centers provide clarification, counseling services, and financial support for women considering abortion? (para. 12.24)	請提供數據說明身心障礙女性受強迫墮胎與結紮情形，以及懷疑胚胎異常時所為的墮胎情形。醫療院所是否提供考慮墮胎的女性相關解說、諮商服務與經濟協助？(國家報告 12.24)

權責機關：衛福部

中文回應 (Response in Chinese)

一、我國《憲法》第 15 條明定人民的生存權應予以保障。《刑法》第 288 條至第 292 條定有墮胎罪，以保護胎兒的生命權。如為符合《優生保健法》第 9 條規定之要件，因醫學理由可能影響胎兒或孕婦身心健康情形，得依其自願施行人工流產；如為符合同法第 10 條規定之要件，因本人或其配偶或其配偶之四等親以內之血親患有遺傳性等疾病，或懷孕、分娩有危及母體健康之虞者，得依其自願施行結紮手術，另若屬未成年、受監護輔助宣告之人，應得法定代理或輔助人之同意，始得施行人工流產或結紮手術，故並無強迫身心障礙者墮胎與結紮之情事，亦無相關數據提供。

- 二、我國現行法律並無授權進行懷孕及人工流產通報或登記之相關規定，爰無身心障礙者因胚胎異常中止妊娠相關資料。
- 三、依「優生保健措施減免或補助費用辦法」，衛福部國民健康署辦理特殊群體生育調節補助服務，民眾若符合減免資格(如本人或其配偶、子女患有精神疾病、有礙優生疾病、領有身心障礙手冊或為列案低收入戶)，女性結紮每案減免新臺幣一萬元。男性結紮，每案減免新臺幣二千五百元。倘經醫師認定患者施行結紮手術，需全身麻醉時，每案另行減免新臺幣三千五百元。查 106 年共補助身心障礙者輸卵管結紮手術 56 人、輸精管結紮 11 人。
- 四、查《醫師法》第 12-1 條及《病人自主權利法》第 5 條已明定：醫療機構或醫師應告知病人本人病情；又查《醫療法》第 63 條規定，醫療機構實施手術，應向病人或其法定代理人、配偶、親屬或關係人說明手術原因、手術成功率或可能發生之併發症及危險，並經其同意，簽具手術同意書及麻醉同意書，始得為之。爰欲施人工流產者，依前開規定，醫療機構或醫師應盡告知義務，以其所判斷之適當時機及方式，告知本人病情、治療方針、處置、用藥、預後情形及可能之不良反應等相關事項。

英文回應 (Response)

1. Article 15 of the “Constitution of the Republic of China (Taiwan)” clearly stipulates the right of existence shall be guaranteed to the people. Furthermore, Article 288 to 292 of the “Criminal Code of the Republic of China” deems abortion as a criminal offense to protect the right of the fetus to exist. Under Article 9 of the “Genetic Health Act”, an induced abortion may be conducted for a pregnant woman if by medical consideration, pregnancy or delivery may cause life threatening risk or is detrimental to her physical and mental health, subject to her own accord. Also, under Article 10 of the “Genetic Health Act”, she/he or her/his spouse and anyone within the fourth degree of kin relative of herself/himself or her/his spouse acquires a genetic disease detrimental to reproductive health, or pregnancy or delivery is endangering the mother’s health, a request a for surgical ligation can be made subject to her or his own accord. Induced abortion or surgical ligation to a minor or people under guardianship or assistance shall be subject to his or her statutory agent's or assistant's consent. There is no such case and data on forcing people with physical or mental disabilities to undergo induced abortion or surgical ligation.
2. The current laws of our country do not have any relevant regulations that authorize the notification and registration of pregnancy and abortion. Thus, the number of people with physical or mental disabilities undergoing induced abortion due to fetal abnormality is not available.
3. According to “Regulation for Reduction, Exemption or Subsidization of the Fees of Genetic Health Measures”, Health Promotion Administration, Ministry of Health and Welfare provides fertility regulation subsidy services to special groups. People who meet the qualification (herself/himself or spouse or children has mental illness, genetic disease, with disability card or low-income household certificate) can receive ligation surgery with a subsidy of NT 10,000 for each women and NT 2,500 for each man. If the physician determines that the

ligation surgery should be performed under general anesthesia, an additional subsidy of NT 3,500 is provided for each case. In 2017, a total of 56 tubal ligation surgery and 11 vasectomy cases were subsidized.

4. Article 12-1 of the “Physicians Act” and Article 5 of the “Patient Right to Autonomy Act”: clearly stipulates the medical institution or physician shall inform the patient of the status of the disease. Furthermore, according to article 63 of the “Medical Care Act”, medical care institutions shall explain to the patient or as stipulated in the law his/her legal agent, spouse, kin, or related person, about the reason of surgery, surgery success rate, possible complications and risks; and must obtain his/her consent and signature on the letter of consent before commencing the procedure. When a woman seeks induced abortion, the medical institution or physician must inform the patient of the diagnosis of his or her disease, treatment policy, proposed procedures, medications, prognosis, possible negative reactions, and other related issues at the appropriate time and in an appropriate manner as judged by the medical institution or physician.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 12 條 Article 12	38	How is the government monitoring the performance of counselors and teachers, as well as students assessments regarding sexuality education provided in schools and universities, including prevention of sexually transmitted diseases? (paras. 12.40 - 12.44)	針對諮商輔導人員與老師在各級學校實施性教育的情形，以及學生在性教育的評量上，政府監督情形如何？包含性傳染病之防治。（國家報告 12.40-12.44）

權責機關：衛福部、教育部

中文回應 (Response in Chinese)

- 一、衛生福利部透過教育部推動健康促進學校計畫共同推動性教育，業將性教育(含愛滋病防治)列為必選議題，迄 2017 年 12 月底，全國高中職以下學校全面推動健康促進學校計畫，另有 158 所大專院校推動健康促進學校。配合教育部推動之「校園性教育實施計畫」，提供有關性傳染病防治的輔助教材予教育部，以建立有效完整的校園性教育。
- 二、教育部針對大專校院實施性教育情形：
 - (一) 為有效整合國內性教育相關資源，推展標本兼治的性教育（包含性的生理、心理、社會及心靈四個層面），教育部於 2013 年訂定「校園性教育（含愛滋病防治）實施計畫」，於大專校院持續落實執行計畫，以增進教師性教育相關課程教學成效，提

高學生處理性議題等相關問題之生活技能，並引導學校及教師推展校園性教育，培養學生正確性態度與價值觀。並將性教育(含愛滋病防治)納入教育部每年補助大專校院健康促進學校計畫必選議題推動。

(二) 培訓性教育種子師資。

(三) 完成性教育(含愛滋病防治)工作指引及教學參考教材，及設計相關主題海報、教案簡報、學習單及摺疊卡等教材。

(四) 2018年衛福部補助民間團體與大專院校，結合教育部進行校園愛滋防治衛教宣導、大專院校愛滋友善環境營造、創意宣導及愛滋病防治教育訓練。

(五) 依據衛生福利部疾病管制署資料，2017年年輕族群(15-24歲)感染愛滋新增人數及占全國新增人數比率較2016年皆降低。

(六) 評核機制：

1. 每年申請補助健康促進學校計畫經費時，依上年度執行成效審核結果給予經費補助；如學校成效待改進，則函文請學校限期改善。

2. 每2年聘請專家學者進行學校衛生書面輔導，並將審查結果之意見供學校改善參據。

3. 持續依據衛生福利部疾病管制署資料掌握年輕族群感染愛滋新增人數之情形。

三、教育部針對高級中等以下學校實施性教育情形說明如下：

(一) 未來規劃2018年8月31日前協同重點縣市(嘉義縣、彰化縣、桃園市、基隆市)就性教育(含愛滋病防治)教學與宣導進行相關輔導訪視。

(二) 編訂學校性教育(含愛滋病防治)工作指引及教學教材：委請財團法人杏陵醫學基金會以及台灣性教育學會於2017年11月25日完成「學校性教育(含愛滋病防治)工作指引」。

(三) 持續辦理性教育(含愛滋病防治)研習會：預計於2018年8月31日前辦理3場次「愛滋病防治種子教師專業成長研習」。

(四) 研訂性教育指標，訂定性教育(含愛滋病防治)認知自我評量表：委請財團法人杏陵基金醫學會編製「學生性教育(含愛滋病防治)自我評量表」問卷，約每六年進行一次全國調查，了解學生學習性教育(含愛滋防治)情形。下次預於2019年度施測。

英文回應 (Response)

1. To make an effort for adolescent sexual health promotion in Taiwan, the Ministry of Health and Welfare has continued to combine efforts with the Ministry of Education (MOE) to promote Health Promoting School Program. Sex education (including AIDS prevention) is one of the key topics promoted. Until December 2017, a total of 3,871 below senior high schools had been promoted Health Promoting School Program, as well as 158 colleges and universities had participated.

2. For Schools at the College /Universities level :
 - (1) Starting from 2013, the MOE initiated the “School Campus Sexuality Education (including HIV/AIDS Prevention) Project”, which integrated campus work related to broader sexuality education and HIV/AIDS prevention from health promotion perspective in schools, aiming to promote sexuality education in school, enhancing teachers’ efficacy in teaching sexuality education, building positive attitudes and responsibilities on sex for college students to have abilities to deal with problems of sex.
 - (2) Training the Seed teachers.
 - (3) Accomplished a guidebook, the Guideline of School Sexuality Education, and various teaching materials, including posters, lesson plans, PowerPoints, flyers, booklets, etc.
 - (4) In 2018, Taiwan Centers for Disease Control (CDC) subsidized non-governmental organizations, colleges, and universities in a joint promotion of HIV/AIDS awareness on campus with MOE, creating an HIV/AIDS-friendly school environment, producing innovative outreach programs, and providing HIV/AIDS prevention training programs.
 - (5) New HIV infections of the 15-24 age group had decreased from last year, according to CDC.
 - (6) Assessment and Evaluation:
 - A. The MOE’s Health Promotion School fund is funded based on the outcomes and effects of school health work of the applying college/university. Schools which had done well in past year will get better fund. Schools which had done poorly in past year will be asked for improvement.
 - B. Every two years, the MOE invites school health experts to examine the implement outcomes and effects of school health work for each college/university, and gives advices to ask for improvement.
 - C. The MOE has been working with CDC to observe and monitor new HIV infection cases of young population.
3. For Schools at the Elementary, junior high ,and/or senior secondary level :
 - (1) Pre-planned by August 31, 2018 in collaboration with key counties and cities (Chiayi County, Changhua County, Taoyuan City, Keelung City) on sexual education (including AIDS prevention) teaching and counseling related guidance visits.
 - (2) Prepare school work guidelines and teaching materials for sex education (including AIDS prevention and control) : The committee invited the foundation's legal foundation, the Xingling Medical Foundation, and the Taiwan Sex Education Association to compile the “Guideline for School Sex Education (including AIDS Prevention and Treatment)”, which was completed on November 25, 2017.
 - (3) Continuing Education for Sex Education (including AIDS Prevention) Seminar : Prepare 3 sessions of "Aids Prevention and

Professional Development of AIDS Seed Teachers" before August 31, 2018.

- (4) Develop sex education indicators and formulate sex education (including AIDS prevention and control) cognitive self-assessment scale : Yuan Ling Foundation Medical Association is commissioned for compiling a "Self-Assessment Questionnaire on Sex Education (including AIDS Prevention) for Students" and conduct a nationwide survey every six years to know about students' understanding of sex education (including AIDS prevention). The next survey will hold in 2019.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 12 條 Article 12	39	Please share information about the geographic distribution of health centers, including the 23 rural community service centers, as well as statistical information about types of specialty care provided in each one (frequency of services, number of patients served, frequency and reason for service suspension, availability of prenatal care, access to medical equipment for childbirth, and preparation to attend women with disabilities and women belonging to other disadvantaged and marginalized groups). (para. 14.34)	請提供資訊說明健康中心的地理分布，包含 23 所農村社區服務中心，以及提供各間特殊照護類型的統計資料 (服務頻率、病患數、服務暫停頻率與原因、是否提供產前照護、生產醫療器具可近性，以及照料身心障礙女性、弱勢女性、邊緣族群女性之準備程度)。(國家報告 14.34)

權責機關：農委會

中文回應 (Response in Chinese)

偏遠農村地區設置 23 處農村社區服務中心，包含：五股區農會、龜山區農會、大園區農會、芎林鄉農會、外埔區農會、烏日區農會、大肚區農會、龍井區農會、臺中地區農會、竹塘鄉農會、二水鄉農會、線西鄉農會、伸港鄉農會、大埤鄉農會、荊桐鄉農會、元長鄉農會、臺西鄉農會、四湖鄉農會、後壁區農會、將軍區農會、仁德區農會、龍崎區農會、池上鄉農會等。輔導農會於照顧資源較缺乏地區辦理，培育在地人擔任志工，提供在地服務農村社區高齡者，落實在地健康老化精神。

農村社區服務中心辦理工作項目主要包括：(1)結合醫院、安養照護中心等機構建立支援服務資訊網，提供照護諮詢、關懷及轉介等服務；(2)志工定期電話問安高齡者、獨居與孤獨高齡農民；(3)現場訪視獨居與孤獨高齡農民。

2016 年運用全國設置之 23 處農村社區服務中心，培訓志工人數 704 人，女性 656 人(占 93.18%)，為農村社區民眾量血壓體重 23,913 人次、提供保健事項諮詢 9,735 人次、陪同高齡者聊天與心理諮詢 13,681 人次、電話問安 8,252 人次、到宅問安 1,304 人次、陪同就醫 55 人次、帶領團康活動 2,007 次、家事幫忙 31 人次、送餐服務 126 人次、宣導長照相關資訊 3,505 人次、獨居者訪視 187 人次，促進農村活躍老化。

農村社區服務中心係依據農會平日上班時間提供服務，假日未開放；有關服務頻度部分，因為農村社區服務中心係依據設置之地點提供服務，除每日固定電話問安及送餐服務外，其餘均依照民眾實際需求，前來服務中心申請時進行服務。

英文回應 (Response)

To set up 23 rural community service centers in remote rural areas, including: Wugu District Farmers Association(FA), Guishan District FA, Dayuan District FA, Qiongliu Township FA, Waipu District FA, Wuji District FA, Dadu District FA, Longjing District FA, Taichung Area FA, Zhutang Township FA, Ershui Township FA, Xianxi Township FA, Shengang Township FA, Dapi Township FA, Citong Township FA, Yuanchang Township FA, Taixi Township FA, Sihu Township FA, Houbi District FA, Jiangjun District FA, Rende District FA, Longqi District FA and Chishang Township FA. Counselling farmers' associations to handle areas with relatively deficient resources for care, cultivate locals to serve as volunteers, provide services to rural residents in rural areas, and implement the healthy spirit in the aging region.

The work of the rural community service centers mainly including: (1) Connect hospital, caring center, etc. for establishing supportive service information website, provide consultation, caring and medical referral services; (2) Volunteers regularly call elderly people, people living alone and lonely elderly farmers; (3) Pay a visit to lonely people and farmers lonely and order.

In 2016, there were 23 rural community service centers. There were 704 volunteers trained, 656 women (accounting for 93.18%), 23,913 rural community residents were served for blood pressure and weight, 9,735 consultations for providing health care, and accompanied by the older chatting. The number of the older companied and provided with psychological consultation was 13,681, 8,252 telephone caring calls, 1,304 visits to homes, 55 visits to accompany them to the medical, 2,007 times with leading group activities, 31 visits for family help, 126 visits for sending food service, and 3,505 advocacies of long-term care information. The resident visited 187 people and promoted active aging in rural areas.

The rural community service centers is based on the service of the Farmers' Association weekdays and the holidays are not open. Regarding the frequency of service, because rural community service centers provide services based on the locations set, apart from the daily telephone greetings and the delivery of meals for the elderly, other services are provided only when the people come to the service center to apply for services.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 13 條 Article 13	40	<p>In reference to the information in paragraphs 13.1- 13.30 of the Report, please specify whether temporary special measures have been provided, according to the criteria issued in the CEDAW Committee's General Recommendation No. 25 (Article 4, paragraph 1, of the Convention) to accelerate the equal participation of women in the political, economic, social, cultural, civil or any other field. Under CEDAW, the application of these measures should be seen as a necessary strategy by States parties directed towards the achievement of de facto or substantive equality of women with men in particular for women exposed to multiple and intersecting forms of discrimination. Therefore more information are needed in particular for analysing whether temporary special measures (such as poverty alleviation measures focusing on the needs of women) have been taken by the government to exercise the due diligence towards the high rate of women applying for the emergency financial assistance. (para. 13.11)</p>	<p>參照報告 13.1-13.30，請具體說明目前是否已有符合 CEDAW 委員會一般性建議第 25 號(CEDAW 第 4 條第 1 項)所列標準之暫行特別措施，加速促進女性在政治、經濟、社會、文化、公民或任何其他領域之平等參與。根據 CEDAW，該類措施為國家邁向男女實質平等的必要策略，尤其是受到多重與交叉歧視的女性。請提供更多資訊，來分析政府是否已實施暫行特別措施(例如女性所需的脫離貧窮措施)，尤其緊急生活扶助申請者以女性為多數，有何因應措施(國家報告 13.11)。</p>

權責機關：衛福部、原民會、農委會、金管會、經濟部、教育部、文化部

中文回應 (Response in Chinese)

我國已有下列措施，以促進女性參與：

- 一、為協助女性企業成長與發展，經濟部中小企業處推動「女性創業飛雁計畫」，依據女性創業特質，針對不同階段、不同需求之創業女性，提供客製化及整合性服務措施，提供資金籌措、網絡建置、創業論壇等服務。
- 二、為加速提升女性參與農業決策之機會，可參照國家報告 14.9。另有關老農津貼制度化調整機制，已明訂每 4 年參照消費者物價指數成長率調整，該項調整與性別參與無涉，只要年滿 65 歲且符合老農津貼資格之農民無論男女均得請領，且 2017 年 12 月領

取老農津貼之女性占 58%，故無提供暫行特別措施之必要。

三、促進女性青年參與：

- (一) 教育部辦理相關工讀見習計畫，參與性別比例，女性約為 7 成，男性約為 3 成，實際上女性參與比例已高於男性。
- (二) 推動 U-start 計畫，提供青年學生一個實踐夢想的創業場域，參與本計畫創業團隊成員每年皆維持約 1：1 之性別比例，未來將持續辦理本計畫，強化創業團隊與外部女性創業資源之連結，以提供女性團隊成員適切資源。
- (三) 教育部推動青年社區參與行動計畫，培養青年投入在地發展，為社區帶來新的改變。2017 年參與本計畫的團隊成員女性比例約為 63%，未來將持續辦理本計畫，強化團隊與在地女性青年行動團隊之資源連結，以提供女性團隊成員適切資源。
- (四) 為促進性別平等意識，辦理 Young 飛全球行動計畫培訓營，並安排性別平等課程，加速促進女性在政治、經濟、社會、文化、公民之平等參與，2018 年參與本計畫的女性比例約為 68%，以強化女性性別平等知能。

四、對交叉歧視的女性，雖無明確的暫行特別措施，但提供下列措施：

- (一) 為協助低收入戶及中低收入戶家庭脫貧自立，衛福部補助並督導直轄市、縣(市)政府辦理脫離貧窮措施相關方案，2017 年總計 1 萬 5,303 人參與脫貧措施，其中女性 9,117 位 (59.6%)；男性 6,186 名(40.4%)。
- (二) 現行「特殊境遇家庭扶助條例」提供經濟弱勢且生活遭逢離婚、喪偶等重大變故之婦女緊急生活扶助、子女生活津貼、子女教育補助、傷病醫療補助、兒童托育津貼、法律訴訟補助及創業貸款補助。本條例因扶助對象如配偶死亡、離婚或受暴之婦女較易陷入經濟弱勢；又未婚懷孕婦女或單親獨自扶養子女者仍以女性較多，為落實扶助目的，各地方政府於核准扶助後，均派員訪視其生活情形，協助連結相關資源。(國家報告 13.11)
- (三) 保障身心障礙女學生受教權：針對特殊教育學生鑑定、入學、申請學雜費補助等，皆無性別之限制，已保障身心障礙學生之受教權益。輔導全國性團體辦理適合身心障礙者之體育活動，推動身心障礙女性積極參與，使其能充分享受運動。
- (四) 協助弱勢學生就學，2018 年度廣續辦理各類學生學雜費減免，本措施係依各減免身分別減免不同額度之學雜費，非因性別差異而減免不同額度學雜費。

英文回應 (Response)

We have supplied some measures for accelerating the equal participation of women:

1. In order to assist the growth and development of female entrepreneurship, based on the characteristics of female entrepreneurship, SMEA launched “Women Entrepreneurship Flying-Goose Program” provides customized and integrated service including fundraising, technology application, and entrepreneurial forums etc. for entrepreneurs at different stages and with special needs..

2. To rapidly increase the number of opportunities available to women for participating at the decision-making level in the agricultural industry (para.14.9) .And regarding the institutional adjustment mechanism of the Old Farmer Allowance, it has been specified to refer to the consumer price index growth rate adjustment every four years. This adjustment has nothing to do with gender participation. As long as the farmers are 65 years old and meet the Old Farmer Allowance qualification, Regardless of whether men and women can claim allowances, and as of December 2017, women who receive the old farmer allowance account for 58%, so there is no need to provide temporary special measures.
3. Accelerate the equal participation of the female youth
 - (1) The gender ratio of the work-study or internship programs launched by Ministry of Education, women are about 70% and men are about 30%. In fact, the rate of women participation is higher than men.
 - (2) The MOE launched the U-start Program. It was designed to establish an innovative entrepreneurial mechanism to assist college students to bring their entrepreneurial dreams to life. The gender ratio of the team members participating in the U-start program has been approximately 1:1 each year since it began. The U-start program will continue with much effort on strengthening links between U-start teams and female entrepreneurs and resources, to provide female members with access to a wider range of appropriate resources.
 - (3) The MOE launched “Youth Participation in Community Program”. It’s designed to foster in young people a sense of concern for local issues, and to help revitalize and develop communities. The percentage of the female who participated in the program in 2016 was 63%. The Youth Participation in Community Program will be carried out continually, and will put more effort in the sources linking between youth teams and local female communities to support female members in getting a wider range of appropriate resources.
 - (4) In order to raise the awareness of gender equality, we held the Youth Global Action workshop and arrange the course relating to gender equality to accelerate the equal participation of women in the political, economic, social, cultural or civil field. The percentage of the female who participated in the workshop in 2017 was 68%, and hopefully to raise gender awareness of the female.
4. For women exposed to multiple and intersecting forms of discrimination, though we don’t have specific temporary special measures, we’ve provided some measures as below:
 - (1) To assist low-income or middle-to-low income households actively achieving the ability to be independent, we subsidize and supervise local governments to develop a plan for freeing them from poverty. In 2017, there are 15,303 people participated in these projects, include 9,117 female (59.6%) and 6,186 male (40.4%).

- (2) The “Act of Assistance for Family in Hardship” currently in effect provides support for the women who are economically vulnerable and lived single for their daily expenses, subsidy for their children in livelihood and education, medical care, nursery service, legal assistance and starting new business. If the subject of assistance under this law encountered the decease of spouse, divorce, or victims of family violence that they became economically vulnerable, or women or pre-marriage pregnancy or single parents who have to raise their children are indeed the main targets of support under this law. Upon approval for support, respective local governments shall dispatch their staff to visit these women and assist them to access to related resources.(para13.11)
- (3) Special education student: MOE has no gender restrictions on special education student identification, admission, and application for tuition subsidies. It has protected the rights and interests of students with disabilities. MOE assist national organizations in programming sports activities suitable for persons with disabilities, promoting the participation of women with disabilities so that they can fully enjoy sports.
- (4) Tuition and fees remission: In order to reduce the financial burden on parents and in educating their children and assist disadvantaged students in their studies, in 2007, they continued to apply for various student tuition and fees remission to reduce the cost. This measure is based on reductions and exemptions of the tuition fees for different amounts. There is no difference tuition and fees remission in different gender.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 13 條 Article 13	41	Referring to the information given on the economic empowerment of women (paras. 13.15 - 13.18), and considering the high number of women-led small and micro enterprises, please specify the measures taken to guarantee that these micro and small business can survive the first five years and provide data on the survival rate.	參照女性經濟賦權提供的資訊(國家報告 13.15-13.18)，加上有為數甚多小型與微型企業由女性經營，請具體說明確保這些微型與小型企業能撐過前五年的相關措施，並提供存活率數據。

權責機關：經濟部、金管會、勞動部

中文回應 (Response in Chinese)

女性中小企業經營年數 5 年以內的家數，占全部女性中小企業家數的 31%，經營年數 5 年以上的家數占全部女性中小企業家數的

69%。為協助微型企業成長與發展，經濟部中小企業處提供微型企業諮詢、診斷、知識交流、資源媒合、經營管理及拓展商機等輔導與支援服務，協助降低微型企業經營風險及成本，使其營運穩定並茁壯成長。推動項目包括：

- 一、提供線上即時諮詢與協處服務；
- 二、陪伴式輔導與群聚輔導；
- 三、辦理職能提升學習活動；
- 四、推展商機合作。

我國為協助發展微型企業，提供創業課程及諮詢輔導服務，提升創業知能，排除創業障礙，並辦理「微型創業鳳凰貸款」，由政府提供免擔保人暨擔保品之低利貸款利息補貼，解決創業初期資金不足的問題。本計畫之受益對象，在上課人數、諮詢輔導人數、貸款人數等皆以女性居多（占 65% 以上）。2007 年至 2017 年間女性獲貸者停歇業比率約 33.7%，存活率約 66.3%。

如目的事業主管機關對於女性企業訂有相關專案優惠貸款措施者，金管會可請金融機構配合評估辦理。

英文回應 (Response)

In terms of longevity, 31 percent of female-owned SMEs had been in existence within 5 years; 69 percent of female-owned SMEs had been in existence for 5 years or more. In order to assist the growth and development of micro enterprises, SMEA provide micro enterprises consultation, diagnosis, resource matching, business opportunities and other counseling and support services to help them reduce operational risks, cut costs, and seize growth opportunities. The project provides the following supporting and assistance for micro enterprises :

1. Online business consulting services
2. One-on-one and cluster counseling.
3. Promoting target career training for owners of micro-enterprises.
4. Exploring business opportunities and facilitating cooperation.

To assist the development of microenterprises, we provide business startup courses and consultation services to enhance entrepreneurial knowledge and lower startup barriers. Additionally, to solve initial funding problems, we rolled out the “Phoenix Micro Start-Up Loan” program in which one could apply for guarantor and collateral free that also subsidizes interest. In our programs, the majority of the people attending classes, receiving consultation services and loans are women (accounted for more than 65%). From 2007 to 2017, roughly 66.3% of female-run micro enterprises in our programs survived while 33.7% closed.

When competent authorities offer the measures of favorable loans for businesses whose owners are female, the Financial Supervisory

Commission (FSC) could help coordinate financial institutions to evaluate and provide relevant assistant.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 13 條 Article 13	42	In paragraphs 13.21 - 13.22 of the Report, information is provided on the mortgage loan approval in terms of Indigenous Youth Entrepreneurship Loans and Indigenous Microfinance Loans under Indigenous Integrated Development Fund and the percentage of women receiving such loans. However, such statistics seem to lack a specific gender analysis of the applicants and the analysis of the usage of the loan. Please provide more information on the number of women applying, the percentage of denial and the number of Indigenous women who arrive to clear off the debts through the help of Consumer Debt Clean up Regulation.	報告 13.21-13.22 提到原住民族綜合發展基金下的原住民青年創業貸款及原住民微型金融貸款之貸款審查，以及女性獲得貸款之比例。但該統計數據似乎缺少具體針對申請人做性別分析，以及貸款運用之分析。請提供更多資訊，包含女性申請人數、拒貸比例以及受惠於「消費者債務清理條例」得以償還債務的原住民女性人數。

權責機關：原民會、司法院

中文回應 (Response in Chinese)

一、經統計，原住民青年創業貸款女性總申請件數為 132 件，核貸件數計 116 件，不核准件數計 16 件，不核貸比例為 12.12%。另原住民微型經濟活動貸款女性總申請件數為 8,685 件，核貸件數計 7,256 件，不核准件數計 1,429 件，不核貸比例為 16.45%。

項目	女性申請件數 (A)	女性貸款核准件數 (B)	女性貸款不核准件數 (C)	女性拒貸比例 (D=C/A)
青年創業貸款	132	116	16	12.12%
微型經濟活動貸款	8,685	7,256	1,429	16.45%

二、受惠於「消費者債務清理條例」得以償還債務之原住民，據原民會目前統計有 5 名，女性共有 3 名，佔整體比例為 60%。司法院

無相關統計資料可提供。

英文回應 (Response)

1. According to statistics, the total number of female applicants for Indigenous Youth Entrepreneurship Loans is 132 cases, the number of approved applications is 116, the number of non-approved cases is 16, and the unapproved ratio is 12.12%. In addition, the total number of female applicants for Indigenous Microfinance Loans is 8,685, the number of approved applications is 7,256, the number of non-approved cases is 1,429, and the unapproved ratio is 16.45%.

Items	Total number of female applicants (A)	Approved applications (B)	Non-approved cases (C)	Unapproved ratio (D=C/A)
Indigenous Youth Entrepreneurship Loan	132	116	16	12.12%
Microfinance Loan	8,685	7,256	1,429	16.45%

2. The number of indigenous peoples who arrive to clear off the debts through the Consumer Debt Clean Up Regulation is currently 5 people, among those are 3 women which accounts for 60% of the total. Judicial Yuan has no relevant statistics available.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 14 條 Article 14	43	In the Report the data on rural women's participation (paras. 14.1 - 14.11 and 14.17 - 14.33) clearly demonstrate that the one-third principle, as requested by the 2nd Review Committee, has not been met. Please specify whether the government has conducted specific analysis on the impact of the measures taken to enhance the equal participation of women in the management of rural and fisheries activities. Please give more information on the training programs for rural women other than the "home economics" classes which seem	報告所列之鄉村女性參與數據 (國家報告 14.1-14.11 及 14.17-14.33) 明白顯示第 2 次審查委員會所要求落實的三分之一性別比例原則並未落實。請具體說明政府是否具體分析提升鄉村與漁業活動女性平等參與措施之影響。請提供更多資訊說明鄉村女性的訓練計劃, 除了「家政經濟」課程以外, 因為這類課程似乎維繫/或強化

	to maintain and/or strengthen rather than overcome gender stereotypes in rural areas. Please also inform if the Government has taken consideration of the implementation of the CEDAW Committee's General Recommendation No. 34 on Rural Women.	鄉村的性別刻板印象，而非改善。另外請說明政府是否考慮落實 CEDAW 委員會第 34 號有關鄉村女性之一般性建議。
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權責機關：農委會

中文回應 (Response in Chinese)

農田水利會組織通則已於 2018 年 1 月 31 日修正，停止農田水利會會長、會務委員選舉，政府規劃於 2020 年將農田水利會改制為公務機關。

關於農會會員代表女性保障名額一節，因農會為人民團體之私法人，相關法規需依循《人民團體法》(由內政部主政)之規範，倘《人民團體法》有明定選任人員女性保障名額則得以依循參照，且相關議題須農會共識後檢討，以納入未來修法參考，農委會並已將「農會會員代表女性保障名額設置之研究計畫」列入 2018 年規劃。

輔導農會辦理農村家政班性別意識培力相關研習課程，搭配在地農業資源，以健康養生推廣教育、營養保健、因應氣候變遷、宣導防災因應措施、利用技藝傳承及親職教育等研習課程，逐步調整課程內容，並積極鼓勵夫妻或祖孫三代親子共同參與，期破除性別刻板化及男女任務定型觀念。

有關 CEDAW 委員會第 34 號有關鄉村女性之一般性建議，已透過辦理農村婦女保障名額專班、農民團體各項訓練、農漁會人員訓練講習、出版性別平等宣導品及強化宣導效益等措施，持續提升農村女性在相關部門與層級的實質參與，保護農村婦女免於遭受土地商品化的負面後果、扶持小規模農業與小農婦女等，以加速實現農村婦女的實質平等。

辦理農村再生培根計畫，鼓勵農村內不分種族、年齡之女性參與培根課程，藉由課程引導，讓農村女性能參與社區議題之討論，進而增進決策及治理之機會，2017 年農村女性參與培根計畫人數為 3,587 人，女性約占 52%。

英文回應 (Response)

The Act of Irrigation Association Organization was amended on Jan. 31, 2018 to cancel the election of chairman and board members of irrigation associations. Meanwhile, the government plan to reform the irrigation association into government public organizations in 2020. Therefore, the board of the irrigation association will no longer exist.

Regarding the case of Farmers' Associations member representatives in guaranteeing women's quota, since the Farmers' Associations belongs

to a private legal entity of a people's organization, relevant regulations must follow the “People's Community Law” (by the Ministry of the Interior). If the "Population of the People's Association" has decided that the number of qualified personnel for the protection of females will be determined, it will be able to refer to the regulations. Moreover, related issues must be reviewed after obtaining the consensus of the Farmers’ Associations so as to incorporate future amendments to the law. The Council of Agriculture (COA) has included the "Farmers’ Associations Member's Plan for the Establishment of Women's Safeguarded Places" in the 2018 plan.

Counseling Farmers’ Associations to handle home-class gender awareness training related courses, matching local agricultural resources, promoting health education, nutrition and health care, responding to climate change, publicizing disaster prevention response measures, using skills inheritance and parenting education. Then gradually adjust the curriculum content, and actively encourage the joint participation of three generations of parents and grandchildren, and hope to get rid of gender stereotyping and stereotyped concepts of men and women.

Concerning the CEDAW Committee's general recommendation No. 34, has passed measures such as special rural women's guarantee places, training of farmers' groups, seminars for farmers' associations, publication of gender equality awareness articles, and intensified advocacy. Continuously increase the participation of rural women in relevant departments and levels, protect rural women from the negative consequences of land commodification, support small-scale agriculture and smallholder women, and accelerate the real equality of rural women.

We encourage woman in rural communities participate in the Manpower Training Plan of Rural Regeneration. Guiding by the plan, woman can discuss the affairs of rural communities, further elevate the opportunity of decision-making and management. In 2017, the number of woman who join the Manpower Training Plan of Rural Regeneration is 3587, approximately 52% of total participant.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 14 條 Article 14	44	Please provide more information and data on the indigenous women’s participation in community and Government’s decision-making mechanism, specifying the different Indigenous Nations/communities and traditional decision-making mechanism in rural areas and urban areas (paras. 14.12 -14.16) in order to review and evaluate the real opportunities which are offered to indigenous women and girls.	請提供更多資訊與數據說明原住民女性在社區與政府決策機制的參與情形，具體說明各個鄉村與都會的原住民族/部落情形，及其原住民傳統決策機制（國家報告 14.12-14.16），以利檢視、評估提供給原住民女性與女孩的實際機會。

權責機關：原民會

中文回應 (Response in Chinese)

- 一、原民會於 2017 年底通函原住民族地區 55 個鄉(鎮、市、區)公所調查「原住民族部落會議基礎資訊」顯示，截至 2017 年 10 月底
前，目前已設置部落會議且選有部落會議主席部落數，共計 324 個，其中部落會議主席由女性擔任者，計有 30 個(約占 9.2%)。
- 二、原民會僱用 90 名原住民就業服務專員，提供專業化、在地可近性之整合性就業服務，專員於全國各縣市駐點，進行族人就業媒合、
職涯諮詢、徵才活動、勞工服務、資源開發與連結等走動式、陪伴式服務，進而參與社區中及部落之決策機制，提供專業意見，
2017 年度 90 名原住民就業服務專員中有 66 名女性(女性比例為 73.3%)、24 名男性(男性比例為 26.7%)。
- 三、原民會為推展原住民長期照顧業務，設有「原住民族長期照顧服務推動小組」，聘任共 16 名熟稔原住民族長照政策之專家學者、
及民間長照服務單位代表擔任委員，其中原住民女性計 6 人。
- 四、為廣納各原住民族意見，依據原鄉及都會地區平衡及性別比例等原則，2016 年原民會聘任專任族群委員共 16 名，女性委員比率為
31.3%。

英文回應 (Response)

1. At the end of 2017, Council of Indigenous Peoples (CIP) sent a circular letter to 55 indigenous townships to inquire “Indigenous Tribal
Council basic information”. According to the statistics before the end of October in 2017, there were 324 tribal communities had established
their Tribal Council with chairperson; among the chairpersons, there were 30 Tribal Council chairwomen which accounted for 9.2 % of total
chairpersons.
2. CIP employs 90 Aboriginal Employment Service commissioners to provide professional, in the integration of employment services, the
commissioners in all counties and cities in the country, to carry out ethnic employment media, career counselling, recruitment activities,
labor services, resource development and links, such as walking,
companionship services, and then participate in community and tribal decision-making mechanism, provide professional advice.
Of the 90 Aboriginal Employment Service commissioners in 2017, 66 women (73.3% Female) and 24 males (male ratio 26.7%).
3. CIP set up a certain group to promote long-term care policies developing in indigenous areas. The said group members contain 16 specialists
in long-term care policies for indigenous people and representatives in NGO offering long-term care services for indigenous people,
including 6 indigenous women.

4. For the purpose of collecting more diverse feedback from indigenous groups, a total of 16 ethnic committee members were appointed to CIP in 2016, among whom 31.3% were women, in accordance with various principles such as balanced development between rural and urban areas and ensuring equitable gender distribution ratios.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 14 條 Article 14	45	The Report is silent on the incidence of gender based violence against women in rural areas (paras. 14.34 - 14.43), as indicated in targets 5.2 and 5.3 of the Sustainable Development Goal 5 of the 2030 Agenda for Sustainable Development. Please give more information on data, as for instance, the ratio of the proportion of women aged 15–49 subjected to physical violence by an intimate partner in the last 12 months in rural areas to urban ones, which would allow evaluation of the implementation of CEDAW article 14 for women living in rural areas.	報告對鄉村地區女性的性別暴力事件隻字未提 (國家報告 14.34-14.43)，但這是 2030 年永續發展議程第 5 項永續發展目標中第 5.2 及 5.3 目標所要求的指標。請提供更多數據，像是 15 至 49 歲女性過去 12 個月遭受親密伴侶肢體暴力的鄉村都會比例，幫助檢視 CEDAW 第 14 條居住鄉村地區女性的落實情形。

權責機關：衛福部

中文回應 (Response in Chinese)

依衛生福利部於 2016 年進行臺灣婦女遭受親密關係暴力統計資料調查，抽樣訪問臺灣地區 18-74 歲婦女共 1,510 位，受訪者中，367 人表示曾經遭受親密關係暴力。調查結果顯示，在過去一年遭受親密關係暴力之盛行率為 9.81%，終生盛行率則為 24.45%，而過去一年遭受親密關係伴侶施暴的受訪者中，有 3.66% 是第一次發生。進一步分析社會人口特性，大多數居住在北北基宜區 (145 人，39.7%)，其次分別是來自桃竹苗區 (76 人，20.8%)，中彰投區 (72 人，19.7%)，雲嘉南區 (31 人，8.4%)，高屏澎區 (29 人，7.9%) 以及少數來自花東區 (13 人，3.5%)。另居住區之城鄉發展程度，以新興市鎮居多 (115 人，31.5%)，其次是工商市區 (96 人，26.1%)、都會核心區 (78 人，21.4%)，低度發展鄉鎮 (41 人，11.2%)，最低的是傳統產業市鎮 (36 人，9.6%)。另依據 2016 年 113 保護專線話務量分析，113 保護專線於受理民眾來電諮詢後，共計通報 2 萬 5,106 件案件至各直轄市、縣 (市) 家庭暴力及性侵害

防治中心，以提供後續服務。進一步分析通報至各地方政府案件之數據，大多來自北北基區（7,885 件，31.4%），其次分別來自中彰投區（4,966 件，19.8%）、桃竹苗區（4,238 件，16.9%）、高屏區（3,587 件，14.3%）、雲嘉南區（3,125 件，12.4%），以及少數來自宜花東區（1,191 件，4.7%）、金馬澎地區（114 件，0.5%）。

英文回應 (Response)

According to the survey conducted by the Ministry of Health and Welfare in 2016, women in Taiwan who suffered from intimate partner violence accounted for 367 among 1,510 in the women population aged 18-74. The statistics regarding interviewees abused by their intimate partners over the last year suggest a 9.81 percent of prevalence rate and a 24.45 percentage of lifetime prevalence rate, and for 3.66 percent of the interviewees, the abuse was unprecedented. To further analyze the socio-demographic characteristics, the majority lived in Beiyi District (145 persons, 39.7%), followed by the Taozhu Miao District (76 people, 20.8%), the Zhongchang Area (72 persons, 19.7%), Yunnan District (31 people, 8.4%), Gaoping District (29 people, 7.9%), and a few from Huadong District (13 people, 3.5%). The degree of urban-rural development in the residential areas was another indicator to analyze: the majority to be emerging cities (115 people, 31.5%), followed by industrial and commercial areas (96 people, 26.1%), urban core areas (78 persons, 21.4%), low-grade townships (41 people, 11.2%), and the lowest – the traditional industry towns (36, 9.6%). In addition, based on the analysis of 113 protection line traffic in 2016, 113 protection lines sent a total of 25,106 cases to the municipalities and counties (cities) for domestic violence and sexual assault prevention centers to provide follow-up services. Further analysis of data reported to local government cases was mostly from the Greater Taipei Area, which accounts for 7,885 cases(31.4%), followed by Taichung, Changhua, and Nantou district, 4,966 cases (19.8%); Taoyuan, Hsinchu, and Miaoli district, 4,238 cases (16.9%); Kaohsiung and Pingtung district, 3,587 cases (14.3%); Yunlin, Chiayi, and Tainan district, 3,125 cases (12.4%), and fewer cases from Yilan, Hualien, and Taitung district, 1,191 cases (4.7%); Kinmen, Mazu, and Penghu district, 114 cases (0.5%).

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 15 條 Article 15	46	Regarding women's right in property inheritance, please explain whether the government measures, such as placing instructional materials at various locations and providing the sample Petition	女性繼承權方面，請說明像是在各個地點擺放教材及提供拋棄繼承訴願範本這類政府措施，是否帶來正面效果（國家報告

	Letter for Waiver of Inheritance, brought any positive effects. (paras. 15.6 - 15.7)	15.6-15.7)
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權責機關：法務部、司法院

中文回應 (Response in Chinese)

- 一、為倡導男女皆有平等繼承權的觀念，法務部於2014年至2016年製作宣導品（參見國家報告專要文件15.5至15.6）。此外，宣導資料之電子檔亦置於法務部網站，供機關團體下載參考，以加強民眾對平等繼承概念的認知。有關女性繼承權法律宣導之正面效果，目前仍有待進一步評估觀察。
- 二、司法院網站所提供之拋棄繼承聲請狀等書狀參考範例及說明書，已有關於女性與男性擁有平等繼承權之說明，並有發函通知各法院得於其法院網頁建置連結司法院網站資訊或將紙本置於訴訟輔導科，以利女性能更了解自己的權利。

英文回應 (Response)

1. To promote the concept that men and women have an equal right to inherit property, the Ministry of Justice produced a series of instructional materials, from 2014 to 2016 (paras. 15.5 - 15.6). In addition, the instructional materials are also placed on the website of the Ministry of Justice for reference by agencies and organizations to enhance public understanding of the concept of equal inheritance. The positive effects of instructional materials of women’s right in property inheritance remain to be further assessed.
2. There are samples of the motion of inheritance waiver and related prospectus on the Judicial Yuan website, which explain that women and men have equal right to inheritance. Besides, Judicial Yuan has sent official letters to all courts to create hyperlinks on their websites to the Judicial Yuan website, or to provide hard copies in the Service Centers of the Courts to assist women know better their rights.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 15 條 Article 15	47	It is unimaginable that “consensual sexual intercourse takes place with a victim aged seven years and older but under the age of 14.” (para. 15.24) What is the legal age set for statutory rape in Taiwan’s	本委員會對「7歲以上但小於14歲合意性交受害者」感到不可置信（國家報告15.24）。臺灣《刑法》中強暴罪的法定年齡

		Criminal Code?	是幾歲？
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權責機關：法務部、司法院

中文回應 (Response in Chinese)

1. 《刑法》第 221 條第 1 項規定：「對於男女以強暴、脅迫、恐嚇、催眠術或其他違反其意願之方法而為性交者，處三年以上十年以下有期徒刑」、第 222 條第 1 項第 2 款規定：「對未滿十四歲之男女犯第 221 條之罪者，處七年以上有期徒刑」、第 227 條第 1 項規定：「對於未滿十四歲之男女為性交者，處三年以上十年以下有期徒刑」。關於《刑法》第 221 條所稱之「其他違反其意願之方法」，於被害人未滿 14 歲之情形，參照聯合國「兒童權利公約」第 19 條第 1 項之意旨，以及「公民與政治權利國際公約」第 24 條第 1 項、「經濟社會文化權利國際公約」第 10 條第 3 項等規定，自應由保護該未滿 14 歲之被害人角度解釋「違反其意願之方法」之意涵，不必拘泥於行為人必須有實行具體之違反被害人意願之方法行為。如行為人未違反 7 歲以上未滿 14 歲之被害人意願而為性交，應論以《刑法》第 227 條第 1 項之對於未滿 14 歲之男女為性交罪。如行為人違反 7 歲以上未滿 14 歲之被害人意願而為性交，或被害人係未滿 7 歲者，則基於對未滿 14 歲男女之保護，應認已妨害被害人「性自主決定」之意思自由，均屬「違反被害人意願之方法」而為，應論以《刑法》第 222 條第 1 項第 2 款之加重違反意願性交罪。
2. 按最高法院 99 年度第 7 次刑事庭會議決議認為「倘被害人係 7 歲以上未滿 14 歲者，行為人與被害人合意而為性交，行為人應論以《刑法》第 227 條第 1 項對於未滿 14 歲之男女為性交罪。若行為人對 7 歲以上未滿 14 歲的被害人非合意而為性交，或被害人係未滿 7 歲者，行為人均應論以《刑法》第 222 條第 1 項第 2 款加重違反意願性交罪」，以落實對未滿 14 歲的被害人性自主權的保障。

英文回應 (Response)

1. According to Article 221 section1 of Criminal Code of the Republic of China: A person who by threats, violence, intimidation, inducing hypnosis, or other means against the will of a male or female and who has sexual intercourse with such person shall be sentenced to imprisonment for not less than three years but not more than ten years.
According to Article 222 section 1 item 2 of Criminal Code of the Republic of China: A person who commits an offense specified in the preceding article under one of the following circumstances shall be sentenced to imprisonment for not less than seven years: 2.Offense against a male or a female under the age of fourteen.
According to Article 227 section 1 of Criminal Code of the Republic of China: A person who has sexual intercourse with a male or female under

the age of fourteen shall be sentenced to imprisonment for not less than three years but not more than ten years.

Regarding Article 221 section1 of Criminal Code of the Republic of China: “other means against the will of a male or female”, in reference to Article 19 section1 of the Convention on the Rights of the Child, Article 24 section1 of the International Covenant on Civil and Political Rights and Article 10 section 3 of the International Covenant on Economic Social and Cultural Rights, since the meaning of "method of violating their will" should be explained from the perspective of protecting the victim who is under the age of 14, it is not necessary to rigidly adhere to the method of the perpetrator who must carry out a specific violation of the wishes of the victim. If the perpetrator does not violate the will of a victim aged over 7 but under 14, he or she shall be guilty of the crime of sexual intercourse with men and women under the age of 14 in Article 227, section 1 of the Criminal Code. In order to protect victim under the age of 14, if the perpetrator violates the will of a victim aged over 7 but under 14 and have sexual intercourse, or if the victim is under the age of 7, such violation should be deemed to hinder the “sexual autonomy decision” of the victim and fall into the scope of “other means against the will of a male or female”, which should be punished by Article 222 section 1 item 2 of Criminal Code.

2. According to the resolution of the 7th Criminal Division Conference 2010 of the Supreme Court, if A has consensual sex with B aged 7 or above and below 14 years, A will be convicted of the crime of having sex with one aged below 14 years(the Criminal Law art.227.1); on the other hand, if A has sex against the will of B aged 7 or above and below 14 years, or if A has sex with B aged below 7 years, A will be convicted of the crime of aggravated sexual assault against the victim’s will(the Criminal Law art.222.1.(2)). Consequently, the sexual autonomy of the victims aged below 14 years is able to be guaranteed.

條文 Article	編號 No.	問題內容 (原文) Question	中文參考翻譯 Question in Chinese
第 16 條 Article 16	48	The Report mentions that the legal regulations governing the minimum age of marriage and engagement have not yet been put in line with CEDAW (pp. 154 - 155). Please provide information whether the meaning and scope of obligations to prevent and eliminate child and/or forced marriage (a marriage where at least one of the parties is under 18 years of age), as interpreted in the Joint	報告提到結婚與訂婚最低年齡的相關法律，仍未與 CEDAW 規定一致(國家報告 16.4)。請提供資訊說明，有關單位是否確切將 CEDAW 第 31 號以及兒童權利委員會有害作法第 18 項聯合一般性建議，針對防範與消除童婚及/或強迫婚姻界定的

	<p>General Recommendation No. 31 of the CEDAW Committee and General Comment No. 18 of the Committee on the Rights of the Child on harmful practices, is being dully considered in deliberation on amending the Civil Code. Please, also provide any updated information on efforts made to set the minimum age of marriage at 18 years for both, woman and man, which accords to women equality with men before the law.</p>	<p>定義與義務範圍，納入民法修正考量。並請提供最新資訊說明將男女結婚最低年齡訂在 18 歲的相關努力，以符合法律面前男女平等。</p>
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權責機關：法務部

中文回應 (Response in Chinese)

立法院司法及法制委員會 2016 年 12 月 26 日審查有關同性婚姻合法化之民法修正草案，初審通過民法第 973 條：「未滿 17 歲者，不得訂定婚約。」及第 980 條：「未滿 18 歲者，不得結婚。」等條文，並通過提案，同日初審通過之條文，在 2017 年啟動朝野協商之前，如有任何其他版本之法律提案，亦將併案協商。嗣司法院大法官於 2017 年 5 月 24 日公布釋字第 748 號解釋，指出現行民法親屬編婚姻章之規定，未使相同性別之二人，得為經營共同生活之目的，成立具有親密性及排他性之永久結合關係，具有規範不足之立法瑕疵，有關機關應於 2 年內予以補充（參見國家報告專要文件 16.10 至 16.11）。綜上，有關民法第 973 條及第 980 條規定修正事宜，法務部將配合同性婚姻法制研議情形，併同辦理。

英文回應 (Response)

On December 26, 2016, the Judiciary and Organic Laws and Statutes Committee of the Legislative Yuan reviewed and approved a draft amendment to the Civil Code concerning same-sex marriage. The amendment to Article 973 reads "No person under the age of seventeen may enter into a marriage contract." The amendment to Article 980 reads "No person under the age of 18 may marry." Any other versions submitted before the provisions of the proposed amendment, which passed the initial reading, go to negotiations between the ruling and opposition parties in 2017 will also be considered in those negotiations. Later, on May 24, 2017, the Justice of the Judicial Yuan (the Constitutional Court) issued the J.Y. interpretation No. 748 which indicated that current regulations provided under the chapter on marriage under the part on family of the "Civil Code" do not allow two persons of the same sex to create a permanent union of intimate and exclusive nature for the purpose of living a common life. In response to this legislative flaw of such underinclusiveness, the authorities concerned shall amend or enact the law as appropriate within 2 years

(paras. 16.10 - 16.11). In conclusion, the Ministry of Justice will deal with the amendments to articles 973 and 980 of the Civil Code and the legalization of same-sex marriage.