

Implementation of the Convention on the  
Elimination of All Forms of  
Discrimination against Women

Third Report Submitted under  
Article 18 of the Convention

Republic of China (Taiwan)

**Convention-specific Document**

December 2017



## Table of Contents

Article 1 .....	1
Definitions of Discrimination .....	1
Article 2 .....	2
Laws Relating to Eliminating Discrimination.....	2
Government Mechanisms and Remediation Measures to Eliminate Discrimination in the Public and Private Sectors.....	3
Prevention of Gender-Based Violence.....	6
Article 3 .....	17
Laws to Protect the Human Rights and Fundamental Freedoms of Women ...	17
Government Mechanisms to Promote and Safeguard the Rights of Women... 18	
Promoting Gender Mainstreaming Policies and the Gender Equality Policy Guidelines .....	20
Article 4 .....	23
Temporary Special Measures .....	23
Special Maternity Protection Measures .....	24
Article 5 .....	25
Elimination of Gender Stereotyping in Society, Culture, and Customs .....	25
Reducing Gender Segregation in Education and Specified Occupations .....	27
Sharing the Responsibility of Household Duties Equally Between Men and Women .....	29
Promoting Media and Communications Regulations to Prevent Gender Discrimination in the Media.....	31
Article 6 .....	35
Preventing Human Trafficking .....	35
Putting a Stop to Sexual Exploitation and the Trafficking of Women and Girls .....	39
Article 7 .....	44
Gender Equality in Political Participation .....	44
Gender Equality in Policy-making and the Civil Service .....	44
Equal Participation in Nongovernmental Organizations and Associations Concerned with Public and Political Life .....	49
Article 8 .....	51
The Equal Right of Women to Serve as Foreign Service Officers or Be Posted Overseas .....	51
Equal Participation of Women as Government Representatives in International	

Conferences and International Organizations .....	53
Article 9 .....	55
Respect for the Equality and Self-determination of Naturalized Citizens .....	55
Dependent Visas for New Immigrants .....	58
Outreach and Counseling for New Immigrants .....	59
Article 10 .....	62
Implementation of Substantively Equal Educational Opportunities .....	62
Encouraging Female Participation in Education and Research Professions .....	64
Promoting Women’s Participation in Sports and Physical Education .....	68
Promotion of Female Adult Education .....	69
Providing Family Education and Birth Control Education .....	70
Promotion of Education and Advocacy Initiatives to Eliminate Discrimination .....	71
Education on Diverse Gender Identities .....	73
Article 11 .....	75
State of Women’s Participation in the Labor Force .....	75
Elimination of Employment Discrimination .....	82
Measures for Promoting Balance between Family and Work .....	87
Safeguarding Women’s Occupational Safety and Health .....	91
Protecting the Employment Rights of Female Migrant Workers .....	92
Article 12 .....	95
Eliminating Health Discrimination and Ensuring Women’s Right to Health .....	95
Protecting Women’s Reproductive Health and Sexual Health Rights .....	99
Provision of Healthcare Services to Elderly Women .....	107
Article 13 .....	111
Women’s Right to Family Benefits .....	111
The Right of Women to Receive Bank Loans, Mortgages, and Other Forms of Credit Financing .....	117
The Right to Participate in Recreational Activities, Sports, and Cultural Life .....	120
Protecting the Rights of Women with Disabilities .....	123
Article 14 .....	126
Awareness of Equal Rights, and Participation in Decision-making and Community Activities .....	126
Livelihood, Property, and Economic Opportunity .....	131
Health and Educational Programs .....	136
Disaster Prevention and Rescue in Rural Areas .....	139
Article 15 .....	141

Guaranteeing Equal Protection Under the Law for Men and Women .....	141
Legal Aid for Disadvantaged Women .....	143
Achieving Gender Equality in the Judicial System.....	146
Article 16.....	154
Marriage Equality .....	154
Equal Parental Rights.....	159
Women’s Right to Reproductive Autonomy .....	162
Matrimonial Property Regimes .....	163
The Right of Transgender Persons to Register Personal Status.....	163

## List of Tables

[Table 2-1] Numbers of Reports of Domestic Violence by Category .....	6
[Table 4-1] Notable Achievements of the Conventional Industry Technology Development Program .....	23
[Table 5-1] Statistical Data Concerning Occupational Categories .....	28
[Table 7-1] Gender Ratios of Qualifiers of the Special Exams for Investigation, National Intelligence, Police, and General Law Enforcement.....	47
[Table 7-2] Central Government-affiliated Commissions, Boards of Foundations Managed by Government Ministries and Departments that Receive more than 50% Cumulative Funding from the Government, and Boards of State-owned Enterprises that Meet the One-third Gender Rule.....	48
[Table 10-1] Proportion of Female Cadets at Police Academies.....	64
[Table 10-2] Female Teachers at All School Levels .....	65
[Table 10-3] Female Chief Administrators at All School Levels .....	65
[Table 10-4] Applications and Approvals for the Projects for Gender and Science Research Project.....	66
[Table 10-5] Community Colleges and Students Nationwide .....	70
[Table 10-6] Victims of Sexual Harassment and Sexual Bullying Incidents on School Campuses .....	71
[Table 11-1] Labor Force Participation Rate by Age and Gender, 2013–2016 .....	76
[Table 11-2] Unemployment Rate of Men and Women by Age, from 2013–2016 .....	77
[Table 11-3] Reasons for Nonparticipation in the Labor Force, 2013–2016 .....	78
[Table 11-4] Employment Structure by Occupation .....	79
[Table 11-5] Percentage of Women Serving as Legislators, Senior Officials, and Managers .....	79
[Table 13-1] Insured Women Paying into the National Pension System.....	112
[Table 13-2] Numbers of Persons Approved to Receive National Pension Payments, including Gender Distribution (as of December 2016) .....	112
[Table 13-3] Approved Payouts of Benefits under the National Pension System per Person/Month (as of December 2016).....	113
[Table 13-4] Subsidies for Unemployed Parents with Children Under the Age of two, 2013–2016 .....	115
[Table 13-5] Gender Ratio of Household Applications Received and Approved under the	

Regulations Governing Subsidies for House Rental, Repair, and Construction .....	116
[Table 13-6] Household Approvals Issued to Women under the Regulations Governing Subsidies for House Rental, Repair, and Construction, 2013–2016.....	116
[Table 13-7] Overview of SME Lending.....	117
[Table 13-8] Overview of Micro-business Loans .....	118
[Table 13-9] Loans for Agricultural Production and Marketing Groups, 2013-2016 ...	119
[Table 13-10] Subsidies Provided to Local Governments for Establishing Senior Citizens Learning Centers and Status of Learner Participation .....	121
[Table 13-11] Subsidies Provided to Universities and Colleges to Implement Senior Citizens’ Life Long Learning Universities and Status of Learner Participation .....	122
[Table 15-1] Number and Proportion of Women Serving in the Judicial System .....	146
[Table 16-1] Married Population under the Age of 18, by Gender.....	156
[Table 16-2] Guardianship of Underage Children in Divorce Cases.....	161

## List of Figures

[Figure 11-1] Statistics on Pension Contribution Brackets under the New Labor Pension System, 2015.....	86
[Figure 12-1] Sex Ratio at Birth.....	100
Appendix 1:	
Review of Taiwan’s Second Report on the Implementation of CEDAW .....	165
Appendix 2:	
Table of Actions Taken in Response to Conclusions and Recommendations of Taiwan’s Second Report on CEDAW .....	178
Appendix 3:	
Overview of Significant Laws, Regulations, Policies, and Measures on Gender Equality in Taiwan.....	191

## **Article 1**

In the Republic of China (Taiwan), “discrimination against women” is defined in accordance with the provisions and general recommendations set forth under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). In 2011, Taiwan formally incorporated the terms of CEDAW into domestic law by formulating and promulgating the Enforcement Act of the Convention on the Elimination of All Forms of Discrimination Against Women (the CEDAW Enforcement Act), which serves as a basis for government authorities to eliminate gender-based discrimination and achieve gender equality.

### **Definitions of Discrimination**

- 1.1 “Direct discrimination” includes any instance where differences in sex or gender are clearly used as a reason for treating someone differently.
- 1.2 “Indirect discrimination” refers to where a law, policy, program, or measure appears on its surface to be free of any discrimination, when in fact it results in discrimination against women when enforced. This can happen when measures that appear to be neutral do not take into account existing inequalities between men and women. In addition, it is possible that not fully coming to terms with structural and historical forms of discrimination, as well as overlooking inequalities that exist between relationships and rights of men and women, could further exacerbate indirect discrimination.
- 1.3 “Intersectional discrimination” refers to any circumstance where sex or gender is used as a reason to discriminate against women, as well as other closely related factors which impact women, including race, health condition, age, sexual orientation, and gender identity, including discrimination against people such as new immigrants, indigenous persons, single parents, women with disabilities, elderly women, and LGBTI individuals.

## **Article 2**

The Constitution of the Republic of China (Taiwan) clearly stipulates gender equality and the obligation of the State to eliminate discrimination based on gender. Revisions to relevant laws are also made to strengthen measures and penalties relating to prohibiting discrimination. Remediation channels are provided to women who have been the victim of discrimination in the public and private sectors. In terms of efforts to prevent gender-based violence, Taiwan is continually working to revise laws and launch programs intended to prevent all forms of gender-based violence—including intimate partner violence, sexual assault, and sexual harassment—as well as bolstering professional knowledge and capabilities pertaining to prevention efforts among relevant personnel.

### **Laws Relating to Eliminating Discrimination**

- 2.1 The Gender Equity Education Act, Act of Gender Equality in Employment, Employment Service Act, Act for Worker Protection of Mass Redundancy, and Sexual Harassment Prevention Act extend protections that prevent women from being subjected to discrimination and sexual harassment in various areas such as educational settings and the workplace. Specific information concerning the content of the aforesaid legal provisions can be found in Articles 2.3–2.5 of the convention-specific document of Taiwan’s Second National Report on CEDAW.
- 2.2 In 2013, an amendment was made to Article 25 of the Gender Equity Education Act to explicitly define recourse for punishing offenders who commit sexual assault, sexual harassment, or sexual bullying in a school, namely the process for issuing warnings, demerits, dismissal, suspension, denial of future employment, or other appropriate means of punishment. The Ministry of Education Administrative Directions for Violations and Fines Regarding Gender Equity Education Act were implemented in 2013. For the period 2013 to 2016, the central government issued penalties for 17 violations, and local governments issued fines related to 16 violations within their respective jurisdictions. Moreover, the regulations set forth under Article 14 of the Teachers’ Act have been amended on multiple occasions to ensure that teachers who are unqualified to render services in a school setting are dismissed accordingly.

- 2.3 In 2014, the Act of Gender Equality in Employment was amended to increase the severity of penalties on employers found to have violated regulations. In addition, new provisions were added which require the name of an employer, individual, entity, or the responsible person found to have violated the law to be publicly announced, and a deadline is given for improvements to be made. Violators that fail to rectify their conduct within the allotted time may be fined for each consecutive violation. In 2015, there were 95 cases where the names of employers, individuals, or the responsible persons were made public as a result of such violations; in 2016, there were 80 such cases. For further information concerning the elimination of employment gender discrimination, please refer to Articles 11.16–11.19.

### **Government Mechanisms and Remediation Measures to Eliminate Discrimination in the Public and Private Sectors**

#### Regulatory Review

- 2.4 From 2012 to 2014, a thorough review of national laws and regulations was conducted under the Striving Towards Gender Equality: Action Plan for Implementing CEDAW program, and relevant authorities continued to follow up on a total of 228 laws and regulations that were found to not comply with the CEDAW standards and the General Recommendations. As of August 2017, a total of 212 legislative amendments had already been enacted. Some 16 amendments have yet to be completed, including seven laws and self-governing ordinances (e.g., the Civil Code, Criminal Code, and Genetic Health Act), six legal orders and self-governing rules, and one administrative measure, all of which are still going through the review and drafting process. Draft amendments to legislation including the Statute of Favors for Military Servicemen & Their Dependents and the Act for Ancestor Worship Guild have been submitted to the Legislative Yuan for deliberation.
- 2.5 In September of 2016, the Regulatory Review Program for CEDAW General Recommendations No. 29–33 was formulated and announced. The stated purpose of the program was to conduct a review on a recurrent basis of laws, regulations, and legal orders currently in force that were issued by ministries and

departments of the central government as well as those of local governments to ensure compliance with the intent of the general recommendations issued by the United Nations in recent years. As of July 2017, reviews were conducted on a total of 43 relevant laws and self-governing ordinances; 85 cases involving legal orders and self-governing rules; and 583 cases involving administrative measures. As a result of the reviews, a total of five cases of noncompliance were discovered; prior to the end of 2017, the Secondary Review Panel will have completed its deliberation on the results, and the status of each relevant authority will continue to be tracked to ensure that improvements are made.<sup>1</sup>

- 2.6 The Establishment and Situational Analysis of Women’s Human Rights Indicators in the Republic of China was commissioned for implementation in August of 2016. Based on the CEDAW principles and Taiwan’s own Gender Equality Policy Guidelines, the program entailed the development of 33 critical indicators of women’s rights to conduct an initial investigative analysis on the current state of women’s rights in Taiwan. Going forward, these newly developed indicators will be utilized to assess the progress of women’s rights in different areas and will be incorporated into a Gender Impact Assessment Table for relevant legislation and provided to each relevant ministry and department as a reference for drafting legislative amendments.

#### Education and Training

- 2.7 In 2015, the Implementation Plan for CEDAW Education, Training, and Performance Assessments was formulated and promulgated to serve as a basis for overseeing and providing guidance to various government ministries, departments, and local governments as a basis for expanding the implementation of CEDAW education and training. In particular, “direct and indirect discrimination” and “temporary special measures” are designated as the primary focus of training. It is estimated that at least 50% of civil servants at the central government and local government levels will receive training from 2017 to 2019 (training includes classroom and e-learning courses for a minimum of three hours

---

<sup>1</sup> Articles 2.5 and 2.6 are in response to Point 7 of the Conclusions and Recommendations of Taiwan’s Second National Report on CEDAW.

of training per person). Upon its completion in 2019, an assessment will be conducted to analyze the efficacy of the training program.<sup>2</sup>

- 2.8 For more information concerning CEDAW-related education and training for judicial personnel and the numbers of cases in which a court cited CEDAW as a basis for making a ruling, please refer to Articles 15.17–15.22.
- 2.9 To fully strengthen its supervisory role to safeguard women’s rights, the Control Yuan held six awareness-raising sessions of CEDAW education and advocacy from 2013 to 2016 on issues encompassing women’s right to work, gender discrimination and substantive equality, efforts to eradicate gender stereotypes, the laws governing gender equality, and legal protections for women and children.
- 2.10 The Civil Service Protection and Training Commission is tasked with training personnel who recently passed the civil service examination or who received an official promotion. It also provides mid- and long-term development training for senior civil servants. A series of courses including Human Rights Issues and Development (including the International Bill of Human Rights, Convention on the Rights of Persons with Disabilities, and CEDAW) and Gender Mainstreaming have been formulated and included in the Commission’s training programs.

#### Channels for Complaints and Remediation Measures

- 2.11 The Executive Yuan’s Gender Equality Complaint Mailbox is used to handle various types of gender discrimination complaints. From 2013 to 2016, 369 complaints were received, of which more than 70% were submitted by women. Among the complaints, 188 were categorized under Other, accounting for the majority of all complaints received. The reason for the large number of complaints was due to a public outcry over the content of the television program *News Tornado* in 2014, which was implicated in gender discrimination and complaints of objectifying women. This was followed by complaints regarding gender discrimination in the workplace (90 cases), and discrimination in gender equity education (61 cases).

---

<sup>2</sup> Article 2.7 is in response to Point 10 of the Conclusions and Recommendations of Taiwan’s Second National Report on CEDAW.

2.12 From 2013 to 2016, administrative courts handled 26 cases concerning pregnancy discrimination, four cases of parental leave discrimination, three cases of sexual harassment, three cases of gender discrimination, three cases of sexual assault, and one case of employment discrimination. Among these, women initiated 35 cases, and winning verdicts were awarded by courts in 29 cases. Five cases were initiated by men, among which winning verdicts were awarded by courts in four cases, and one case resulted in a ruling against the plaintiff. In addition, 15 cases cited regulations set forth under Article 7 of the Constitution of the Republic of China (Taiwan) which formed part of the reasoning for the final judgments and views issued by judges.

### Prevention of Gender-Based Violence

#### Number of Reported Cases and Prevalence of Intimate Partner Violence

2.13 During the period from 2013 to 2016, an average of more than 110,000 cases of domestic violence were reported each year, and women accounted for 72% of the victims of these cases. About 50% of violence occurred in an intimate relationship (including marriage, divorce, and domestic partnerships), and more than 87% of victims of these cases were female (Table 2-1).

**[Table 2-1] Numbers of Reports of Domestic Violence by Category**

Unit: cases; %

Year	Domestic Violence Victims in Married/Divorced/Domestic Partner Relationships(%)	Child Protection(%)	Elder Abuse (%)	Other(%)	Total
2013	60,916 (46.6)	40,597 (31.0)	3,624 (2.9)	25,692 (19.6)	130,829
2014	60,816 (53.1)	22,140 (19.3)	3,375 (2.9)	28,278 (24.7)	114,609
2015	61,947 (53.1)	21,360 (18.3)	5,971 (5.1)	27,464 (23.5)	116,742
2016	64,978 (55.3)	16,198 (13.8)	7,046 (6.0)	29,328 (24.9)	117,550

Source: Ministry of Health and Welfare

Note: Prior to and including 2014, the number of cases of elder abuse hovered around just over 3,000 cases per year. Beginning in 2015, however, the number suddenly surged to upwards of 6,000 to 7,000 cases per year; the reason for this sudden upward tick is likely due to an adjustment that was made to how statistical data is categorized. (In 2015, the category of “elder abuse” was expanded to include a statistical item titled “Elder lineal relatives by blood (aged 65 and older) abused by younger

lineal relatives by blood (including by marriage).” Incidents falling under this category were previously categorized under “Other,” so their current categorization is decidedly more appropriate for statistical purposes).

2.14 An exploratory study conducted in 2015 concerning intimate partner violence perpetrated on women aged 18 to 74 revealed that one out of every four women was a victim of domestic violence committed by an intimate partner (i.e., a lifetime prevalence of 26%). One-tenth of respondents indicated that they had suffered violence from their partner within the most recent year (i.e., an annual prevalence of 10.3%); the most common types of violence reported were psychological violence (21%), physical violence (9.8%), economic violence (9.6%), sexual violence (7.2%), and stalking and harassment (5.2%). The results of a study conducted in 2016 revealed that the annual prevalence of intimate partner violence perpetrated against women aged 18–74 in Taiwan was 9.8% while the lifetime prevalence was 24.5%, with psychological violence (20.1%) and physical violence (8.6%) accounting for the most common forms of violence, followed by economic violence (6.8%) and sexual violence (4.23%).<sup>3</sup> The escalation in both the numbers and proportions of reported cases of intimate partner violence is likely due to increased awareness among the general public to seek assistance when needed as well as greater implementation of reporting procedures by relevant units, which have exposed instances of intimate partner violence that previously went unreported.

2.15 From 2013 to 2016, the prevalence of female foreigners who were victims of intimate partner violence<sup>4</sup> declined on an annual basis from 1.2%, 1.07%, and 0.94% to 0.8%; among women from mainland China, the prevalence of intimate partner violence declined over the same period from 0.6%, 0.52%, and 0.44% to 0.4%, respectively.

2.16 From 2013 to 2015, the percentage of indigenous women who fell victim to intimate partner violence remained at 1.3% each year; meanwhile, the annual percentages of

---

<sup>3</sup> Articles 2.14 and 2.17–2.27 are in response to Point 18 of the Conclusions and Recommendations of Taiwan’s Second National Report on CEDAW.

<sup>4</sup> The indicated rate of sexual assault for the current period = the number of reported victims in the defined target population / total number of persons in the defined target population.

females with disabilities who fell victim to domestic violence from 2013 to 2016 were 0.85%, 0.81%, 0.85%, and 0.85%, respectively. Among victims of domestic violence in families with a disabled family member, the most common type of disability was mental impairment, accounting for about 30% of such cases, followed by physical impairment (17%) and intellectual impairment (13%).

- 2.17 Implementation of the Program for Establishing Measurable Indicators for Gender-Based Violence Prevention began in 2014, allowing the creation of measurable indicators to determine the effectiveness of gender-based violence prevention efforts that encompass social welfare, healthcare, police, educational, and judicial agencies. The program was also used to develop a set of indicators for measuring the severity of gender-based violence (including a questionnaire to determine the prevalence/incidence of intimate partner violence in Taiwan and a questionnaire to identify generally held attitudes and beliefs on the subject). Nationwide statistical evaluations are conducted on a regular basis to collect empirical data and statistical data that allows the efficacy of gender-based violence prevention efforts in Taiwan to be evaluated on a regular basis.
- 2.18 In 2016, the Survey on Publicly held Attitudes and Beliefs About Violence Against Women in Taiwan was conducted with persons in Taiwan over the age of 18 serving as the primary respondents. The results of the survey revealed a relatively higher degree of approval of “discipline rendered by men” and “justifiable gender-based violence” as well as greater tolerance overall for gender-based violence among males, persons aged 18–19 years old, persons over the age of 56 years old, persons with a low level of educational attainment, unemployed persons, low-income individuals, and married persons in Taiwan.

#### Efforts to Prevent Intimate Partner Violence

- 2.19 To prevent threats of violence arising from abusive relationships and to protect children who witness acts of domestic violence, the “Domestic Violence Prevention Act” was amended in 2015 to further incorporate the terms “harassment,” “control,” “threat,” and “economic actions” into the definition of domestic violence. The scope of protections was also expanded to include children who witness acts of domestic violence and victims of intimate partner

violence 16 years of age or older in a noncohabiting intimate relationship; various measures designed to protect victims have also been further reinforced. For example, the term of restraining orders has been extended to a period of two years and can be extended an unlimited number of times. Moreover, during the course of an investigation, personnel may be assigned to escort a victim to and from questioning sessions, and other measures have been formulated to better protect the privacy of victims. Furthermore, immigration authorities are now included in the prevention network, thereby strengthening protections for victims of domestic violence in a transnational marriage. In 2016, there were 1,761 reports or referrals of intimate partner violence involving a person aged 16 or older in a noncohabiting intimate relationship.

2.20 The Domestic Violence Prevention Act was amended in 2015 to set up a domestic violence and sexual assault prevention fund. As of 2016, the prevention fund budget exceeded NT\$240 million; these funds are used to subsidize local governments to increase the number of social workers hired, improve treatment options for victims and offenders, and implement a three-tier prevention strategy aimed at stopping acts of violence from occurring. Moreover, funds from social benefits, social subsidies, and lottery rebates are utilized to help local governments work together with private organizations to promote various types of domestic violence prevention efforts, including protective services, judicial assistance, direct services for victims, domestic violence prevention targeting indigenous groups, employment counseling, and guidance programs for children who have witnessed domestic violence. In all, the program supports 182 programs with government funding in excess of NT\$100 million.

2.21 To strengthen cooperation between domestic violence prevention networks, a new legal requirement was introduced in 2015 for local governments to implement a Safety and Protection Network against Domestic Violence. The program encourages local governments to coordinate with various agencies under their jurisdiction including police, social welfare, health, education, and labor affairs agencies to convene cross-institutional network meetings each month. More than 500 such meetings are held annually, with assessments on as

many as 90% of domestic violence cases determined to be high-risk or have a risk of fatality.

- 2.22 To provide open and effective channels for obtaining assistance to persons who have a speech and/or language impairment, beginning in January of 2015, the 24-hour 113 protection hotline was expanded to offer toll-free SMS (text-messaging) services for obtaining assistance, offer help to victims with speech and language impairment through text messages, thus allowing victims with a speech/language impairment to receive relevant services in a timely manner.
- 2.23 To increase the quality of treatment services provided to domestic violence offenders, the Regulations regarding Domestic Violence Offenders Treatment Programs were amended in 2016 and the Awareness Educational Assistance, Parenting Educational Assistance, and Treatment Guidelines for Domestic Violence Offenders and Standards for Personnel Qualifications and Training Courses for Awareness Educational Assistance and Parenting Educational Assistance Provided to Domestic Violence Offenders were issued.
- 2.24 In cases where domestic violence offenders are willing to voluntarily undergo, subsidies are made available to local governments and private organizations to provide Awareness Educational Assistance and other assistance in the form of preventive services and programs tailored to individuals as well as group sessions. From 2013 to 2016, an average of 22 such programs were funded annually. Meanwhile, from 2013 to 2016, the Male-Care Hotline—a free hotline support service for males—fielded an average of 20,269 phone calls per year. The hotline provides free consultations concerning legal advice, emotional venting and support, and other forms of personal support, as well as referral and counseling services where deemed necessary to help prevent the occurrence of domestic violence incidents.
- 2.25 In 2016, representatives from various local governments and private organizations gathered to deliberate on the creation of service models and cooperative mechanisms to address the needs of new immigrants who fall victim to domestic violence. The development of localized service models for victims of domestic violence who are new immigrants was heavily encouraged, including

using integrated resources to provide services locally which incorporate domestic violence prevention services into diverse forms of one-stop treatment service programs for families specifically tailored to the needs of new immigrants. Twelve programs were subsequently funded.

2.26 In 2016, the Survey of Statistics of Women Falling Victim to Violence in an Intimate Relationship in Taiwan revealed that women over the age of 18 who were interviewed are sometimes unable to escape the cycle of domestic violence due to financial constraints. Therefore, to help victimized women lead an independent life free of threats or acts of violence, efforts will continue to be made to provide guidance to local governments on the development of diverse protective services and at-home services as well as combine the resources of labor affairs agencies and private organizations to launch employment assistance programs for women.

2.27 In 2016, the average amount of time required to process a restraining order was 25.27 days for temporary restraining orders and 48.87 days for ordinary restraining orders<sup>5</sup>. In addition, as a result of offender treatment programs, an average of 3,244 restraining orders were approved by the court system each year from 2013 to 2016. When a court is requested to issue a civil restraining order, the case is fast-tracked to ensure that a decision can be made in a timely manner, and emergency restraining orders must be approved within four hours in accordance with regulations. However, the majority of temporary or ordinary restraining orders are requested by victims on their own accord. Compared to the circumstances of emergency restraining orders in which official agencies such as police departments have often already carried out an initial investigation and gathered ample evidence, the speed at which a temporary or ordinary restraining order can be processed may be affected when further investigation is required, where authorities are waiting on an applicant to provide certain documentary

---

<sup>5</sup> Statistics on the number of days required to handle cases are calculated starting from the day on which a court is assigned to hear a case. Therefore, unless a suit is temporarily delayed due to an individual not submitting (including via post) the necessary paperwork until after working hours or on a holiday or weekend, the date of assignment is ordinarily the same as the day on which the paperwork was filed. In 2012, the average number of days needed to approve cases of temporary restraining orders and ordinary restraining orders were 15.58 days and 49.93 days, respectively.

evidence, or where such information or evidence is not received. To improve communication with courts to ensure cases are handled in a timelier manner, a roundtable discussion was held in April 2017 to discuss topics relating to restraining orders.

- 2.28 In 2013, the Online Library for Gender Violence Prevention: Resource Network for Stopping Gender Violence was launched—the first platform of its kind in Asia. The online resource network features a multimedia section and e-learning section that includes a range of content covering domestic and international issues relating to child protection, domestic violence, sexual violence, sexual harassment, sexual violence against young people, and human trafficking. *Taiwan Against Gender-based Violence* is an online periodical launched in 2014 to provide the most up-to-date information on how to stop gender-based violence. As of 2016, 14 issues have been published.

#### Number of Sexual Assault Cases Reported

- 2.29 From 2013 to 2016, the numbers of reported sexual assaults were 13,928, 14,215, 13,415, and 10,610, respectively, and the numbers of victims were 10,901, 11,086, 10,454, and 8,141 persons, respectively, revealing a relatively steady trend both in terms of the numbers of cases reported and the total numbers of victims each year; this is in marked contrast to the 10% year-on-year growth in the number of reported cases in the previous decade. Based on an analysis of data collected on the number of victims, 73% of reported cases of sexual assault were committed by a person whom the victim knew; an average of about 7,395 persons fell victim to sexual assault each year, with intimate relationships including spouses (including former spouses), unmarried couples, boyfriends or girlfriends (including ex-boyfriends/ex-girlfriends) accounting for the greatest percentage (27%) of such cases; this was followed by friends (18%), teachers and classmates (12%), relatives (11%), and work colleagues (5%). From 2013 to 2016, female victims accounted for 80% to 85% of all reported cases of sexual assault; an average of 0.07% of all females were victims of sexual assault;<sup>6</sup> among females

---

<sup>6</sup> The indicated rate of sexual assault for the current period = the number of reported victims in the defined target population / total number of persons in the defined target population.

under the age of 18, an average of 0.26% were victims of sexual assault.

2.30 From 2013 to 2016, an average of 0.013% of persons from mainland China (including persons from Hong Kong and Macao) were reported to be victims of sexual assault, while an average of 0.026% of foreigners fell victim to sexual assault; in both cases, these populations revealed a relatively lower rate of victimization as compared to the victimization rate for the general population of nonindigenous persons who are citizens of the ROC, which is 0.03%.

2.31 From 2013 to 2016, the number of reported cases of indigenous people who fell victim to sexual assault were 765, 758, 751, and 610, respectively, for a cumulative 2,875 cases. An average of about 0.13% of indigenous people fell victim to sexual assault; the rate of sexual assault committed against indigenous people is therefore about 4.3 times higher compared to the population of nonindigenous citizens. In terms of how gender is reflected in the data, 2,316 (82%) of the cases involved women. The majority of cases of sexual assault perpetrated on indigenous people involved underage children and youth (about 83%), wherein the relationship of the perpetrator to the victim was most frequently an intimate partner (32%), followed by a friend (17%) or relative (14%). In the future, efforts will continue to be made to expand the availability of resources to indigenous groups, improve cooperation with indigenous family service centers, provide consultations, referrals, translation and interpreting services, and implement other relevant measures. Moreover, sexual assault prevention measures will continue to be promoted in regions populated by indigenous groups, understanding of the concept of respect for physical autonomy will be reinforced, and the 113 Protection Hotline will continue to provide services to encourage victims to seek out the help they need. The public is also urged to report incidents that occur in their neighborhoods.

2.32 Persons with disabilities (including those suspected of having disabilities) accounted for approximately 9% of all reported victims of sexual assault, of whom women accounted for 82% to 90%; an average of 0.18% of females with disabilities were victims of sexual assault, and an average of 1.76% of females with disabilities under the age of 18 were victims of sexual assault. In other words,

females with disabilities were 2.6 times more likely to fall victim to violence than the general female population, and females with disabilities under the age of 18 were 6.8 times more likely to fall victim to violence than the general population of their peers. Prevention-related coursework and teaching materials will continue to be developed for specified individuals and groups, including children and youth as well as persons with disabilities. In addition, a three-tier prevention strategy will be used to prevent sexual assault, including strengthening prevention initiatives at schools with on-campus housing, improving placement measures for children and persons with disabilities, and enhancing sexual assault prevention and educational efforts at juvenile facilities.

#### Efforts to Prevent Sexual Assault

- 2.33 The Sexual Assault Crime Prevention Act, last amended in 2015, stipulates that a professional should be available to help victims who are children or persons with intellectual disabilities during the judicial inquiry process; statements or actions which imply sexual discrimination against a victim during a trial are prohibited during judicial court proceedings; and the privacy and identity of victims of sexual assault must be protected. The amended Act also provides additional regulations governing severity levels and classifications of reports.
- 2.34 In 2015 to 2016, the Promotional Plan for Establishing a Resource Center for Managing Sexual Assault Cases Among Males and Persons with Intellectual Disabilities was implemented to provide more robust treatment service strategies for handling individual cases of sexual assault involving males and persons with intellectual disabilities.
- 2.35 In 2015, subsidies were provided to local governments to implement the Competition to Promote Education for the Prevention of Sexual Assault, which encourages local governments and private organizations to utilize promotional materials to increase awareness of measures to prevent sexual assault; more than 1.22 million individuals were reached through the program. In addition, local governments have joined private organizations to get involved in local communities to implement the Education and Advocacy Program on the Prevention of Sexual Assault; from 2013 to 2016, more than 400,000 individuals

were reached through the program.

### Sexual Harassment

- 2.36 For information concerning prevention of sexual harassment in schools, please refer to Articles 10.35, 10.37–10.39; for information concerning prevention of sexual harassment in nongovernment workplaces, please refer to Articles 11.22–11.24.
- 2.37 The Sexual Harassment Prevention Act applies to incidents of sexual harassment which do not occur in a school or private workplace; the numbers and outcomes of reports of sexual harassment made in accordance with law within relevant government agencies and units for each year during the period from 2013 to 2016 are as follows: 494 reports in 2013 (of which 349 cases were corroborated, 87 cases were dismissed, and 58 cases were filed under “other”); 549 reports in 2014 (of which 384 cases were corroborated, 70 cases were dismissed, and 95 cases were filed under “other”); 651 reports in 2015 (of which 430 cases were corroborated, 95 cases were dismissed, and 126 cases were filed under “other”); and 680 reports in 2016 (of which 519 cases were corroborated, 125 cases were dismissed, and 36 cases were filed under “other”). The majority of cases in each year were handled through investigations conducted by police authorities, accounting for 80% of all cases.
- 2.38 From 2013 to 2016, among investigations conducted on sexual harassment complaints, females accounted for 98.7% to 94.8% of victims. “Stranger” accounted for the majority of incidents (approximately 60%–70%), followed by “friend” (nearly 10%). The majority of incidents took place in a “public space” (approximately 40%–50% of incidents), followed by “via technological devices (i.e., the Internet, text messages, or other means)” (nearly 20%).
- 2.39 In 2013, the Professional Development Program for Implementing Sexual Harassment Prevention Efforts was implemented; the Sexual Harassment Assessment Form was developed; and the Practical Manual for Sexual Harassment Cases was published. In addition, obstacles to implementing the three laws on sexual harassment (Sexual Harassment Prevention Act, Act of Gender Equality in Employment, Gender Equity Education Act) were identified

and strategic solutions were developed while region-specific education and training was implemented which included police, social welfare, labor affairs, and educational agencies; about 220 people participated in the training. In 2014, the Enhanced Services Plan for Sexual Harassment Prevention was implemented, and the aforementioned assessment form and the Manual continued to be utilized as supporting tools; four professional training sessions were held in which 400 personnel participated from social welfare, police, educational, labor affairs, and healthcare agencies.

- 2.40 From 2014 to 2015, numerous sessions of Discussion Meetings on One-Stop Reporting Services for Three Laws on Sexual Harassment were convened and a resolution was reached concerning the handling of cases suspected of involving a violation of Article 25 of the Sexual Harassment Prevention Act, namely, that police authorities serve as the sole authority for handling reports, conducting investigations, and transferring cases for prosecution. Resolutions were also reached concerning the handling of administrative complaints that fall under each of the respective complaint channels specified by the three laws on sexual harassment. Moreover, procedures and time frames were formulated concerning the three aforementioned laws—the Act of Gender Equality in Employment, Gender Equity Education Act, and the Sexual Harassment Prevention Act—including the creation of a mechanism for receiving and consolidating complaints and transferring them to the competent jurisdictional authorities. The Standard Operating Procedures for Transferring Complaints Received from the General Public Sexual Harassment to the Competent Jurisdictional Authorities were also formulated, which are followed and implemented by local governments and relevant ministries and departments.

### **Article 3**

Relevant laws and regulations were formulated and promulgated, including the Gender Equality Policy Guidelines, Act of Gender Equality in Employment, and Gender Equity Education Act, to ensure that persons of different genders receive equal opportunities and development in all fields. In addition, the central government and all local governments have established mechanisms with the stated intention of achieving gender equality.

### **Laws to Protect the Human Rights and Fundamental Freedoms of Women**

3.1 On September 6, 2017, a resolution was reached by an interagency review committee concerning the international review panel's Concluding Observations and Recommendations for Taiwan's *Second National Report on ICCPR/ICESCR* which called for the Human Rights Promotion Task Force under the Executive Yuan to convene a meeting with the competent authorities to discuss various issues including the necessity of formulating an Anti-Discrimination Act; taking an inventory of relevant laws and regulations; and the assignment of related duties. Accordingly, the content and spirit of the Basic Law on Gender Equality (draft) were incorporated into the meeting agenda. During subsequent meetings held on November 6 and 27, 2017, it was resolved that the Human Rights Promotion Task Force would first commission a study to determine the appropriateness of formulating a comprehensive planning proposal for the Anti-Discrimination Act. Prior to completion of the Anti-Discrimination Act, the Department of Gender Equality under the Executive Yuan will continue to push for and oversee implementation of the Gender Equality Policy Guidelines, gender impact assessments, gender statistics, gender budgeting, formulation of temporary special measures, and other tasks by government ministries and agencies to further advance the cause of gender equality in Taiwan.<sup>7</sup>

3.2 For more information concerning laws related to women's rights, please refer to Appendix 3: Overview of Significant Laws, Regulations, Policies, and Measures

---

<sup>7</sup> Article 3.1 is in response to Point 6 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

on Gender Equality in Taiwan.

### **Government Mechanisms to Promote and Safeguard the Rights of Women**

- 3.3 For information concerning the operating mechanisms of the Gender Equality Committee of the Executive Yuan, please refer to Article 3.5 of the convention-specific document of Taiwan's Second National Report on CEDAW.
- 3.4 The operating budget of the Department of Gender Equality under the Executive Yuan is included in the annual budget of the Executive Yuan (headquarters). Based on actual operational requirements, the budgeted amounts for the years from 2013 to 2016 were NT\$18.15 million, NT\$16.44 million, and NT\$15.47 million, respectively, demonstrating an average decline of 5.1%, which performed better than other government agencies with a 10% reduction of their basic operating cost..<sup>8</sup>
- 3.5 In recent years, the central government has continued to reduce their number of personnel. However, to meet the various needs arising from the establishment of the Department of Gender Equality by the Executive Yuan in 2012, the Executive Yuan approved the hiring of an additional 37 new staff members and reassigned three staff members from other agencies, underscoring the importance that the Executive Yuan places on gender equality efforts.
- 3.6 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.
- 3.7 The Gender Equality Committee of the Legislative Yuan was established in 2016 and is chaired by its President; the Judicial Yuan Human Rights and Gender Equality Commission was established in 2012 and is chaired by its Secretary-General; the Gender Equality Committee of the Examination Yuan was established in 2012 and is chaired by its President; and in 2013, the Control Yuan

---

<sup>8</sup> Articles 3.4–3.6 are in response to Point 9 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

set up a Gender Equality Task Force under its Human Rights Protection Committee which is chaired by the Vice President. In principle, each of the aforementioned committees convene a meeting once every one to four months to advance the promotion of gender equality efforts by their respective subordinate agencies.

- 3.8 With regard to reports on investigations conducted and completed between 2013 and 2016 by the Control Yuan, there were 10 cases involving violations of women's human rights. In particular, sexual harassment cases (accounting for 60% of the total) represented the largest category of violations. As a result of crimes or offenses committed, or in cases of dereliction of duty, the Control Yuan proposed corrective measures to the government agencies-in-charge (six cases) and two impeachment orders to public officials (two individuals), or required the violations to be addressed within an allotted time. Based on the investigation results and views issued by the Control Yuan, each government agency conducted reviews, made revisions, and mitigated shortcomings in management practices. Thereafter, the Control Yuan exercised its powers by continuing to follow up on the subsequent status of improvements to ensure full compliance.
- 3.9 The Control Yuan is the national ombudsman institution under ROC's five-power constitutional system and is regarded as a form of national human rights institution (NHRI) according to the organizational requirements enumerated by the United Nations. In 2015, the Control Yuan deliberated on reinforcing its statutory duties and expanding its power to fully comply with the Paris Principles. As of December 2015, the Organic Law of Control Yuan National Human Rights Commission(draft) is formulated, which was then submitted to the Presidential Office Human Rights Consultative Committee for deliberation in its July 2016 meeting for possible consolidation with the NHRI Research and Planning Task Force. During the meeting, it was resolved that Taiwan should seek to establish a human rights commission or national human rights institution as soon as possible which conforms to the Paris Principles. The extent to which the Human Rights Consultative Committee supports various programs, from the top down, is a function of the Office of the President and the Control Yuan, respectively,

that a wholly independent NHRI may be established.<sup>9</sup>

- 3.10 A total of 22 local governments in Taiwan have each established a Committee of Women’s Rights Promotion (hereinafter “local CWRPs”) or a Gender Equality Committee (hereinafter “local GECs”) which are chaired by their respective local head of government. Members of each committee include heads of departments and offices, representatives from private organizations, as well as experts and scholars. The committees are tasked with promoting women’s rights and gender equality. In addition, the local governments of Taipei City, Taoyuan City, Chiayi County, and Chiayi City have already established dedicated agencies charged with implementing gender equality policies.
- 3.11 In addition to continuing to oversee the implementation of the gender mainstreaming policy by local governments, local CWRPs and GECs are also responding to gender issues that have emerged in recent years by creating groundbreaking policies to incorporate gender perspectives into policy formulation. For example: The household registration system for Taipei City provides an annotation service for specifying a same-sex partner and also allows same-sex partnership certificates to be approved. New Taipei City elected to use the penguin as an animal to symbolize gender equality, and as a result, images of penguins are often incorporated into gender equality programs; Taichung City implemented the Life Is Good in Taichung: General Exam on Gender Equality, which helps instill the notion of gender equality into the everyday lives of the general public in an engaging and lively manner.

### **Promoting Gender Mainstreaming Policies and the Gender Equality Policy Guidelines**

- 3.12 In 2013, the third phase of the Gender Mainstreaming Action Plan for Executive Yuan Subordinate Agencies (2014–2017) was issued to help Executive Yuan agencies make use of various tools to promote gender mainstreaming and incorporate gender perspectives into the scope of management practices.<sup>10</sup>

---

<sup>9</sup> Article 3.9 is in response to Point 8 of the Conclusions and Recommendations of Taiwan’s Second National Report on CEDAW.

<sup>10</sup> Article 3.12 is in response to Point 9 of the Conclusions and Recommendations of Taiwan’s Second

- 3.13 The Database of Key Statistics on Gender Equality was established in 2015 to provide all sectors a means for accessing and reviewing important gender statistics data from government agencies via a single web interface. As of the end of 2016, more than 500 current important statistical indicators had been compiled.
- 3.14 In 2016, the Operation Guidelines for Ministry of Science and Technology Research Project Grants were amended to stipulate additional rules concerning research projects that involve a clinical trial, applicants are required to carry out gender analysis and incorporate a gender analysis checklist. The amended legislation will serve to further enhance gender sensitivity and prevent discrimination based on gender.
- 3.15 From 2014 to 2016, the Executive Yuan and its subordinate agencies implemented a three-year Trial Implementation of the Revised Gender Budgeting System for the purpose of promoting and actively responding to the needs of each gender in an official capacity and enabling corresponding funds to be allocated accordingly.
- 3.16 From 2013 to 2016, the Executive Yuan Department of Gender Equality participated in 775 major mid- and long-term programs and conducted gender impact assessments of 161 legislative bills.
- 3.17 To achieve gender mainstreaming in the public sector, cultivate gender sensitivity among civil servants, and incorporate gender perspectives when planning or reviewing policies and laws, amendments are considered and made to the Training Program for Civil Servants on Gender Mainstreaming as needed in accordance with national gender equality policies. To this end, an amendment was made to the Content Classification of Basic and Advanced Courses on Gender Mainstreaming (a table appended to the Training Program for Civil Servants on Gender Mainstreaming) in 2015 that then came into force beginning in 2016.
- 3.18 In response to recommendations raised by various sectors regarding important issues pertaining to gender equality, an amended version of the Gender Equality Policy Guidelines was issued in 2017 to address issues such as expanding

publicly available childcare, long-term care services, and guaranteeing the rights of diverse gender identities. (Please refer to Articles 3.13–3.16 of the convention-specific document of Taiwan’s Second National Report on CEDAW for the full formulation and content of the Gender Equality Policy Guidelines).

## Article 4

To achieve substantive equality for women, various temporary special measures are adopted such as the one-third gender rule and providing specialized entrepreneurial guidance to women. Moreover, maternity protection measures are in place that take into account the physiological differences between men and women.

### Temporary Special Measures

- 4.1 For information concerning the Constitution of the Republic of China (Taiwan) and other laws that involve regulations pertaining to the guaranteed female quota system, please refer to Articles 4.1–4.2 of the convention-specific document of Taiwan’s Second National Report on CEDAW.
- 4.2 Information concerning relevant measures used to implement the one-third gender rule can be found under Articles 7.6, 7.11, 7.13–7.16, and 7.21.
- 4.3 Beginning in 2013, to encourage more female responsible persons to get involved in R&D subsidy projects, a new criterion was incorporated into the Review Items of the application requirements for the Conventional Industry Technology Development Program that gives priority consideration to an applicant company if its responsible person is female. Beginning in 2015, for the purpose of achieving the one-third gender rule, when submitting a list of recommended candidates to serve as review committee members, at least one-third must be female. Notable achievements of the program are presented in Table 4-1.

**[Table 4-1] Notable Achievements of the Conventional Industry Technology Development Program**

Unit: cases; persons; %

Year	No. of subsidies awarded	Number of subsidies to companies with female responsible persons (%)	Number of review committee members	Number of female review committee members (%)
2013	303	70 (23.1)	324	26 (8.0)
2014	270	51 (18.9)	295	21 (7.1)
2015	249	46 (18.5)	246	63 (25.6)
2016	266	59 (22.2)	306	75 (24.5)

Source: Ministry of Economic Affairs

## **Special Maternity Protection Measures**

- 4.4 For more information concerning relevant regulations on maternity protection as provided under the Constitution of the Republic of China (Taiwan), Act of Gender Equality in Employment, and Labor Standards Act, please refer to Articles 4.11–4.14 of the convention-specific document of Taiwan’s Second National Report on CEDAW.
- 4.5 For information on measures to safeguard women’s employment safety and healthy employment, please refer to Articles 11.55–11.57; more information concerning protective measures for breastfeeding in public places can be found in 12.39.

## **Article 5**

Owing to the influence of traditional culture and customs in local society—which view men as superior to women and feature deep-seated gender stereotypes regarding the roles of males and females—women tend to face many obstacles in areas ranging from education pathways to career development options. The government is creating and revising guidance programs and measures, including lecture activities, promotional multimedia, and published materials to laud the accomplishments of female role models and reduce deep-seated gender stereotypes in traditional customs and culture. These also espouse the sharing of household duties and career and educational choices, as well as apply regulatory standards, advocacy efforts, and penalties to continue to strengthen media and communications that help raise overall understanding and acceptance of gender equality.

### **Elimination of Gender Stereotyping in Society, Culture, and Customs**

- 5.1 Taiwan’s traditional culture, which extends to festivals, customs, rituals, and other folk culture activities, often contains rigid gender roles and stereotypes that perpetuate the notion that men are more important than women, or stifle roles and opportunities for women to participate in cultural activities. In 2013, a Review of Gender Equality in National Folklore and Cultural Heritage was conducted, through which various gender issues related to culture and folklore were registered, and corresponding guidance and recommendations were provided.
- 5.2 In 2016, follow-up reviews and inquiries were conducted by local governments to examine various taboos and restrictions that hinder females from participating in certain folk events and activities such as the Mazu Pilgrimage, Wang Yeh rituals, Buddhist processions, and rituals and ceremonies of indigenous groups to develop recommendations for making policy improvements and adjustments. These would encourage greater female participation in decision-making mechanisms for traditional folk customs in the operations and folk heritage transmission of traditional art troupes, indigenous women’s tribal committees, and female youth associations. In doing so, various gender stereotypes which currently exist in the areas of traditional culture and folklore can be gradually

eliminated.

- 5.3 In 2016, a grant was made to sponsor the Important Folklore: Project for Publishing a Spatial and Temporal Chronicle of the Baishatun Mazu Procession to highlight changes and progress made in terms of the processes and roles played by females when participating in folk activities, as well as to implement the Educational Workshop on Intangible Cultural Asset Laws and Folklore Preservation and Maintenance, which entails working with persons involved in the preservation of folklore to promote the incorporation of notions of gender equality into folk events and activities.
- 5.4 To draw more attention to the push to eradicate the traditional valuing of men over women among people living in Hakka villages, beginning in 2013, notifications were issued for Hakka festivities programs to remind event organizers to take into account gender equality perspectives. Funding was also provided to encourage female participation and to strengthen gender equality cultural connotations during the 12 major Hakka festivals.

#### Promoting Gender Equality in Coming of Age Ceremonies and Marriage and Funeral Customs

- 5.5 In 2015, the Tainan City government and private organizations received a grant to implement the Seven Star Goddess—Coming of Age Ceremony, an important ritual that celebrates the entering into adulthood of young people, during the Qixi Festival. The event is organized in such a way as to incorporate the concept of gender equality and encourage the idea that boys and girls are equally welcome to take part in the coming of age ceremony.
- 5.6 In 2014, a special publication titled *Modern Wedding Customs* was issued, and in 2015 an abridged electronic version of the publication was compiled and released. The competent authorities in charge of household registration across the nation were requested to provide download links; the publication is also incorporated into wedding services companies as a reference guide when implementing relevant training courses. In 2015, an event titled Creative Video Competition on the Topic of Modern Wedding Customs was held with an aim to encourage the public to embrace core values on how citizens in the modern era

perceive the concept of newlyweds in marriage, gender equality, and democratic participation.

- 5.7 To further instill the concept of gender equality into funeral customs among local governments, from 2014 to 2016 programs held by various local governments, including a Workshop on Funeral Management Affairs and Seminar on Funeral Business Affairs, were instructed to incorporate the issue of gender equality as it relates to funerary customs into topics of discussion. In addition, the Action Plan for Assessing the Performance of Funerary Affairs Management was amended in 2016 to incorporate the criterion of whether local governments actively promote gender equality to funeral service providers under their respective jurisdiction as an assessment item as a way to further prompt local governments to enhance their promotional efforts on gender equality.
- 5.8 In 2016, a handbook titled *The Relationship Between Human Rights and Funerary Customs: Who Is Affected?* was published, and local governments and the National Funeral Service Industry Association were requested to promote it, including making the e-version of the publication available for download by the general public, so as to promote the notions of gender equality and human rights in funeral customs.

### **Reducing Gender Segregation in Education and Specified Occupations**

- 5.9 The number of female police officers increased from 4,245 women (6.8%) in 2013 to 5,405 women (8.8%) in 2016.
- 5.10 The number of female firefighters increased from 1,437 (10.8%) in 2013 to 1,667 (11.9%) in 2016; the number of women serving as branch heads or higher increased from 164 (9.2%) to 201 (10.9%).
- 5.11 The number of women serving in the military increased from more than 15,000 (accounting for approximately 11.5% of the volunteer population) in 2012 to more than 19,000 (accounting for approximately 13.5% of the volunteer population) in 2016; the proportion of women serving in a fighting division also increased from 8.5% in 2014 to 15.1% in 2016; with respect to the navy, to increase the proportion of female personnel stationed aboard ships, improvements to on-board living conditions for women were initiated in 2013

and more openings for women to serve aboard ships were announced; since then, the number of female sailors has increased from 169 in 2014 to 823 in 2016.

5.12 Beginning in 2012, a regulation for Special Civil Service Examination For Coast Guards that stipulated separate enrollment quotas for men and women may be adopted according to actual service requirements was rescinded; from 2013 to 2016, the number of women serving in the coast guard increased from 455 women (3.4%) to 1,040 women (7.7%).

5.13 Each year, education and training are provided to personnel in the field of employment services to help eliminate occupational gender stereotypes and implement career counseling services; in 2016, 38 education and training sessions were held involving 910 participants. In 2016, 44,077 persons underwent pre-service training, among whom 27,930 (63%) were women; statistical data concerning occupational categories is presented in Table 5-1.

**[Table 5-1] Statistical Data Concerning Occupational Categories**

Unit: persons; %

Occupational Category \ Gender	Industrial Sector (%)	Business Sector (%)	Agricultural Sector (%)	Medical, Nursing, and Domestic Work (%)	Arts (%)	Total (%)
Male	8,323 (76)	3,053 (33)	537 (40)	3,658 (18)	576 (21)	16,147 (37)
Female	2,595 (24)	6,107 (67)	794 (60)	16,315 (82)	2,119 (79)	27,930 (63)
Total	10,918	9,160	1,331	19,973	2,695	44,077

Source: Ministry of Labor

5.14 The proportions of female students studying natural sciences, engineering, and technology in colleges and universities in 2013, 2014, and 2015 were 21.1%, 21.4%, and 21.4%, respectively. A circuit tour of lectures on science-related topics at girls' high schools was launched beginning in the 2012 academic year. The lectures teach students how to conduct experiments related to International Mathematics or Science Olympiads, and female scientists are invited to serve as guest lecturers at girls' high schools to encourage more female students to get involved in scientific fields. During academic years 2013 to 2015, circuit tours were held at 26 schools involving about 3,120 female student participants. After the event was concluded in academic year 2015, valid survey questionnaires

completed by students revealed that about 48% of participants experienced a significant increase in interest to pursue scientific studies, while 97% of students who were originally inclined toward an academic career in the sciences reported that the event further solidified their aspirations to pursue scientific studies.<sup>11</sup>

- 5.15 The Science Activities and Publications for Female Talent Development in the Tech Industry program was launched to increase the number of women working in science-related fields and to provide more opportunities for women in rural areas or with disadvantaged backgrounds to gain exposure to science. From 2014 to 2016, grants totaling nearly NT\$25 million were made to sponsor 31 programs.
- 5.16 From 2013 to 2016, grants were provided to create various print-based and audiovisual materials to promote women's role models, including female scientists and female technical specialists, and illustrate the paths they took to achieve their careers. The promotional multimedia materials are used in courses at the senior high, junior high, and elementary school levels to influence students through a model-based educational learning approach.

### **Sharing the Responsibility of Household Duties Equally Between Men and Women**

- 5.17 To understand the current extent to which men and women share responsibility for household duties equally, the *2016 Report on Women's Marriage, Fertility and Employment*, gathered data for the first time ever on the amount of time husbands spent on unpaid work involving household duties. According to the results of the survey, married (or cohabited) women aged 15 years or older spent an average of 3.81 hours per day on unpaid work, among which 2.19 hours were spent on housework and 1.11 hours were spent on childcare; husbands spent an average of 1.13 hours on unpaid work per day, among which 0.62 hours were spent on housework and 0.33 hours were spent on childcare, which is significantly less than the amount of time spent by women. This shows that traditional gender roles still exert a major influence on how couples handle household duties. Based on the latest trends observed in recent years, the average amount of time spent per day by

---

<sup>11</sup> Articles 5.14–5.16 are in response to Point 21 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

married women aged 15 to 64 on unpaid household work fell from 4.22 hours in 2013 to 3.81 hours in 2016.

5.18 In 2014, the Family Education Act was amended to expand the scope of applicability from “men and women of marriageable age and underage pregnant girls” to include “the general public.” In addition, family education centers operated by local governments have been asked to make the sharing of household duties and child-rearing obligations between men and women major points of focus every year. The number of family education sessions increased from 370 sessions in 2013 to 1,083 sessions in 2016, and the number of male participants increased from 9,613 in 2013 to 21,874 in 2016.<sup>12</sup>

5.19 To promote the notion that both men and women have a responsibility toward assuming household duties and child-raising, public institutions and enterprises continue to be encouraged to hold family education programs for employees, and family education for farmers, as well as promote increased male participation in such events. In 2014, 288 sessions were held, involving a total of 26,869 participants; from 2015 to 2016, 68 sessions were held in the agricultural sector, involving a total of 5,576 participants.

5.20 To increase gender equality awareness among military personnel, every year such diverse channels as educational circuit tours, educational television programming (e.g., *Chu Kuang Garden*), and Youth Daily News are regularly utilized to communicate information on applicable laws and regulations. Activities such as prewedding preparatory lectures are also held every year to further strengthen guidance as to the importance of gender equality and the sharing of household duties.

5.21 Established in 2012, the Parenting Information Platform website includes educational materials that incorporate the notion of gender equality, striking a balance between the proportion of roles handled by men and women, and promoting the concept that males should meet their obligations for raising and caring for their children. The website amassed a total of 39,957 page views in 2013,

---

<sup>12</sup> Articles 5.18–5.24 are in response to Point 13 of the Conclusions and Recommendations of Taiwan’s Second National Report on CEDAW.

and 112,070 page views in 2016, with the proportion of male visitors increasing steadily from 14% to 16% during the same period.

5.22 From 2013 to 2016, short promotional films, radio programs, and posters continued to be created on an annual basis. Various avenues of communication, including television and radio, were used to promote the sharing of child-rearing and household duties between men and women, as well as the avoidance of occupational gender stereotyping and other concepts related to gender equality.

5.23 From 2013 to 2016, funding was provided to produce a radio program on gender equality called *Men and women's repartee: Taiwanese proverbs*, to set up a dedicated section on gender equality at the Taipei International Book Exhibition, and to hold the 22nd Women Make Waves Film Festival Taiwan. Events and programs such as these helped raise public awareness of the changing status of women's roles and reduce gender stereotypes.

5.24 To further advance the eradication of gender stereotypes, in 2016 the *Quarterly Journal on Gender Equality Education* and the *Easy Go—Gender Education* radio program covered topics concerning the role of men and father figures.

### **Promoting Media and Communications Regulations to Prevent Gender Discrimination in the Media**

5.25 Oversight is exercised over the content of broadcast media in accordance with the Radio and Television Act and the Satellite Broadcasting Act. The Guidelines for Broadcast of Gender-specific Contents were also amended in 2016 to include 10 prohibited items, including a ban on divulging the identity of any victim of sexual harassment or sexual assault, or of children who have been subject to abuse. In addition, radio and TV programs may not contain any speculation or insinuations concerning the identity of a victim of sexual assault, or the identity of a person victimized by indecent photographs. Reviews are conducted on a regular basis every year, and announcements are made concerning any entity that violates the guidelines. From 2013 to 2016, there were a total of 28 cases of violations of the guidelines by broadcast media companies; the relevant notes from these cases were

included in the assessment reference criteria for handling licensing renewals.<sup>13</sup>

5.26 Radio and television companies must be assessed once every three years. When conducting assessments for licensing renewals, broadcast media companies are asked to establish self-regulatory mechanisms, including the launching of relevant gender equality education and training, the establishment of ethics committees, and the launching of systems through which to review and edit program content. Various experts, scholars, and representatives from civic groups with concerns related to gender equality issues are invited to participate in the review process involved in the assessment of license renewals. This is done to ensure that radio and television companies implicated in cases involving gender issues have been thoroughly reviewed and that the status of improvements made by such companies is understood. In addition, the Regulations on Reviewing Applications for the Establishment or License Renewal of Radio and Television Businesses, which took effect in 2016, require employee education and training to provide gender equality courses, and that such courses be registered so that they can be reviewed. Radio and television companies that have workplace measures in place to encourage gender equality, and which produce programs that promote gender equality, are given a correspondingly higher rating during their assessment for having met incentive criteria.

5.27 With respect to ethics committees established by radio and television companies, as of 2016 a total of 10 companies operating domestic satellite, radio, and television news channels had established a self-regulatory (or ethics) news board. Moreover, beginning in 2017, the relevant companies have also been required to file regular reports about these self-regulatory measures in order to accommodate revisions made to Taiwan's three television and radio-related laws (the Radio and Television Act, the Cable Radio and Television Act, and the Satellite Broadcasting Act). Furthermore, the Association of Terrestrial Television Networks and the Satellite Television Broadcasting Association, both private institutions managed by radio and television companies, have also established self-regulatory news

---

<sup>13</sup> Articles 5.25–5.31 are in response to Point 14 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

panels, and regularly convene meetings to review self-regulatory actions taken to address complaints received from viewers or other major adverse incidents, and thus collectively exercise control over the conduct of member institutions.

5.28 The Broadcasting Content Complaints Website has been set up to handle complaints received for radio and television content. From 2013 to September 2016, 15,874 cases were processed. Moreover, in 2016, *involving gender discrimination* was added as a new type of complaint classification; a total of 563 such cases alleged involving gender discrimination have since been received.

5.29 In 2013, the relevant ministries and departments jointly established iWIN, a government watchdog tasked with monitoring web content. From 2014 to 2016, a total of 38,263 cases of inappropriate web content were reported by members of the general public. In addition, from 2014 to 2016, the competent authorities processed a total of 20 cases of violations of a provision in the Protection of Children and Youths Welfare and Rights Act that forbids reporting on or posting information sufficient to identify a child, resulting in a total of NT\$560,000 in penalties being levied.

5.30 From 2013 to 2016, seven cases of administrative sanction resulting in the levying of fines worth a total of NT\$693,000 were processed due to the broadcasting of gender-related radio and television content that had violated the privacy of victims.

5.31 Administrative guidance ensuring that print media outlets refrain from gender discrimination in their reporting is provided on an ad-hoc basis, while local governments are also subject to oversight to ensure they enforce compliance with existing laws and promote the adoption of self-regulatory measures. Since 2016, funding has also been provided to the National Press Council to establish a dedicated section for handling public complaints on matters concerning gender equality; in 2016, one complaint was handled.

5.32 In accordance with the regulations set forth under the Protection of Children and Youths Welfare and Rights Act, should an advertisement for an online game published on a game developer's web-based platform contain lewd or lascivious content involving children, the company in violation of the provision may be required to revise the content or remove the relevant advertisement altogether.

Each year, advisory conferences and private self-regulatory organizations request companies to adopt stronger self-regulatory measures, especially with regard to the production of advertisements for video games. Game studios and related marketing companies must avoid the use of sensationalized and lascivious depictions of women, and refrain from creating advertisements which objectify women. Efforts are also being made to cultivate more respectful attitudes among the gaming public, including their refusal to play games that contain gender-based discrimination.

#### Media Literacy and Advocacy

- 5.33 Issues pertaining to the elimination of gender stereotypes and the reinforcement of the concept of gender equality are incorporated into media literacy activities. Seminars continue to be held to provide the latest information on laws and regulations, and to discuss case studies, at which experts, scholars, and representatives of civic groups specializing in gender equality issues communicate with radio and television companies to ensure that content which touches upon gender equality issues continues to be produced. From 2014 to 2016, a total of 15 sessions were held, with the cases discussed being published online.
- 5.34 Experts on gender equality serve as consultants on the National Communications Commission's Consultation Council on Broadcasting Content.. In 2015, additional representatives from civil groups involved in gender communications were also invited to serve on the council, which examines TV and radio programs' advertisements and determines whether they contain content that involves gender stereotypes.
- 5.35 To encourage media companies to adopt news reporting methods that raise gender awareness, in 2016, News Catcher, a news website designed exclusively for children, focused especially on topics relating to gender equality by providing analyses of the latest news from a gender-based perspective, and encouraging ethical discourse in the media. In addition, 2016 also saw grants issued to implement various media literacy campaigns, including a special seminar on gender equality and Mass Media content.

## Article 6

The ROC government continues to make a concerted effort to combat crimes involving sexual exploitation. From 2010 to 2016, Taiwan was ranked as a Tier 1 country in the US State Department's annual *Trafficking in Persons Report*, underscoring our nation's commitment to the fight against human trafficking for seven consecutive years.<sup>14</sup>

### Preventing Human Trafficking

- 6.1 With regards to the performance of judicial police authorities in tracking down and prosecuting cases of human trafficking from 2013 to 2016, a total of 82 cases of sexual exploitation and 84 cases of labor exploitation were raised in 2013; and a total of 94 cases of sexual exploitation and 40 cases of labor exploitation were raised in 2016. Among those cases prosecuted by district prosecutors' offices, the majority of offenders were male. In 2013, a total of 334 offenders were prosecuted, among whom 110 (32.9%) were female; in 2014, a total of 184 offenders were prosecuted, among whom 44 (23.9%) were female; in 2015, a total of 148 offenders were prosecuted, among whom 45 (30.4%) were female; and in 2016, a total of 171 offenders were prosecuted, among whom 45 (26.3%) were female.
- 6.2 From 2013 to 2016, protective placements were arranged for a total of 1,006 victims of cross-border human trafficking, among whom 772 (76.7%) were female. Cases of sexual exploitation involved a total of 312 victims during the same period, among whom 307 (98.4%) were female (121 women in 2013, 86 women in 2014, 65 women in 2015, and 35 women in 2016; these figures demonstrate an overall downward trend in the number of victims). Cases of labor exploitation involved a total of 694 victims during the same period, among whom 465 (67%) were female (198 women in 2013, 154 women in 2014, 61 women in 2015, and 52 women in 2016; the figures reveal an overall downward trend in the number of victims).

---

<sup>14</sup> In 2000, the US passed the Trafficking Victims Protection Act. Subsequently, in 2004, the US State Department began conducting assessments and assigning ratings to countries based on the effectiveness of their commitment to fighting human trafficking. The results of the assessments are then compiled into the annual *Trafficking in Persons Report*. Nations are rated on how effectively their governments are combating human trafficking on a scale from Tier 1 (best), to Tier 2, Tier 2 Watchlist, and Tier 3 (worst).

- 6.3 Victims of human trafficking may apply for temporary stay permit and a work permit while an investigation and litigation is ongoing, allowing them to earn an income and thereby rebuild their lives. From 2013 to 2016, a total of 624 temporary stay permits were granted, of which 486 were issued to women; and a total of 704 work permits were granted during this time, of which 564 were issued to women.

#### Preventing Illegal Recruitment and the Exploitation of Foreign Migrant Workers

- 6.4 To prevent female foreign workers employed in Taiwan from falling victim to human trafficking and labor exploitation, the Employment Service Act clearly stipulates that it is illegal to recruit foreigners to work for others illegally. From 2013 to 2016, a total of 69 fines were levied due to foreign workers being recruited to work illegally. This matches the number of cases processed during the period covered by the previous *National Report*, revealing no change of status in terms of illegalities, and indicating that the rights and interests of female foreign workers continues to be upheld and protected.
- 6.5 Foreign workers must receive a referral through an overseas employment agency in order to work in Taiwan. Overseas employment agencies may collect a referral fee, which is subject to regulatory control in foreign workers' countries of origin. Previously, to prevent foreign workers from being subjected to labor exploitation or sexual exploitation as a result of debt burdens, Taiwanese authorities have communicated with foreign workers' countries of origin to recommend that the maximum fees collected by overseas agencies not exceed an amount equivalent to a single month's salary earned by a foreign worker in Taiwan. Meanwhile, ROC law also stipulates that domestic employment agencies are forbidden from collecting service fees in advance, and grants local governments powers to investigate fees. To safeguard the rights and interests of foreign workers and further improve the quality of employment agencies, the Ministry of Labor employs a system to assess agencies that awards quality service providers and penalizes incompetent ones; the grades awarded to agencies are divided into three levels: A, B, and C. If an agency is assigned a rating of C for two consecutive years, any subsequent application it files to establish a branch office or renew a

permit will not be granted. As of the end of 2016, a total of 1,497 employment agencies were operating in Taiwan, representing an increase of 445 agencies as compared to the 1,052 agencies that were operating at the end of 2012. From 2013 to 2016, a total of 44 agencies received a C rating for two consecutive years, representing an increase of 31 agencies as compared to the number of agencies that received a C rating for two consecutive years between 2010 and 2012. This shows that the assessment mechanism has had the benefit of eliminating agencies of inferior quality. Statistics that take gender awareness into account have also been gathered based on assessment data for the various types of occupations handled by agencies (including home caregivers, who account for the majority of female foreign workers). These statistics are used to facilitate subsequent policy analysis and further advance the rights and interests of female foreign workers.

- 6.6 To prevent the earnings of female foreign workers who are employed in Taiwan from being taken by agencies through the overcharging of workers for referral services, the Ministry of Labor formulated an Action Plan for Special Municipality, County, and City Governments Conducting Inspections of Private Employment Service Institutions Engaged in Overseas Manpower Agency. The plan strengthens inspections of employment agencies, and in particular the fees that they charge and their document preparation and backup procedures, ensuring quality management practices. From 2013 to 2016, a total of 21 fines were levied as a result of a foreign worker being overcharged. The inspection program was amended in 2015 to increase the number of inspections in line with an agency's assessment rating, while various other measures, such as the 1955 Foreign Worker 24HR Consultation Hotline for handling complaints, were also introduced. As a result, the total number of fines levied as a result of foreign workers being overcharged declined by 155 cases as compared to the period covered by the previous *National Report*.
- 6.7 Employers learn about the advantages of directly hiring for foreign laborers through such means as seminars, onsite lecture at factories, foreign laborer activities, and other employer and laborer-oriented advocacy materials. The

Direct Hiring Service Center also helps employers and foreign laborers complete pre-entry procedures, effectively reducing the financial burden on foreign laborers associated with the costs of relocating to Taiwan, and helping to prevent improper debt bondage. Home caregivers, most of whom are women, account for the majority of persons who receive employment through direct hiring services. As such, these measures effectively prevent women from falling into poverty, and, furthermore, help protect the rights and interests of female migrant workers. From 2009 to 2012, services were provided to 46,030 individual employers and 53,180 foreign laborers; and from 2013 to 2016, services were provided to 92,381 individual employers and 93,619 foreign laborers, demonstrating a significant expansion.

- 6.8 *A Reference Guide for Handling Cases of Human Trafficking* was issued in 2013 to provide administrative support to judges, and safeguard the rights and interests of human trafficking victims. An electronic version of the guide is publicly accessible for download on the Judicial Yuan's official website, making it easier and more convenient for personnel within the court system to obtain data from the reference guide. In addition, to boost the professional knowledge and skills of prosecutors who handle cases involving human trafficking, during 2015 and 2016 the *Guidebook for Handling Cases Involving Women and Children* used by prosecutors was revised to include an additional chapter specifically addressing cases of human trafficking.
- 6.9 To combat cross-border human trafficking, between 2013 and 2016 cooperative agreements or memorandums of understanding were signed with 13 nations on matters relating to immigration affairs and the prevention of human trafficking, underscoring the considerable advancements that Taiwan has made in the area of cross-border cooperation on immigration. Documents were signed with Honduras, Paraguay, and Vietnam in 2013; with Belize, Japan, Saint Christopher and Nevis, Solomon Islands, and the United States in 2014; with Guatemala, Nauru, and Swaziland in 2015; and with El Salvador and Panama in 2016.
- 6.10 Pursuant to Article 3 of the UN Convention Against Transnational Organized Crime: Protocol to Prevent, Suppress and Punish Trafficking in Persons,

Especially Women and Children, which stipulates that the consent of a victim of human trafficking to the intended exploitation is irrelevant to whether the exploitation constitutes human trafficking, a draft amendment was made to Article 2 of the Human Trafficking Prevention Act such that part of the definition of human trafficking was revised from “violating a person’s own free will” to “other similar means.”<sup>15</sup>

- 6.11 To strengthen preventive measures, a draft amendment to Article 9 of the Human Trafficking Prevention Act sets forth that personnel working at private job placement agencies have a duty to report it to the authority upon encountering any potential human trafficking case.
- 6.12 To better protect victims’ rights and interests, a draft amendment to the Human Trafficking Prevention Act adds a new provision stipulating that human trafficking victims are no longer required to be placed with an institutional placement shelter; additional measures also empower the government to provide mental health counseling, medical care, and other related support measures, and to accompany victims during investigations. Furthermore, the period for which victims may temporarily reside in Taiwan was replaced by a special residency permit from six months to one year. It is estimated that draft legislation will be submitted to the Executive Yuan for review by the end of 2017.

### **Putting a Stop to Sexual Exploitation and the Trafficking of Women and Girls**

- 6.13 From 2013 to 2016, a total of 1,412 offenders were convicted from among the cases handled by regional prosecutors’ offices and involving violations of the Child and Youth Sexual Exploitation Prevention Act.
- 6.14 From 2013 to 2016, police agencies helped rescue a total of 2,150 children caught up in sex trafficking incidents, of whom 1,994 (92.7%) were girls. After being rescued, children are questioned while in the presence of social workers, and sent to emergency shelters for their protection. Children determined by a court to not have been engaged in the sex trade are returned to their parents or legal guardians.

---

<sup>15</sup> Articles 6.10–6.12 are in response to Point 15 of the Conclusions and Recommendations of Taiwan’s Second National Report on CEDAW.

- 6.15 Among all human trafficking cases identified and pursued by judicial police authorities between 2013 and 2016, a total of 89 victims were ROC citizens aged 18 years or above;<sup>16</sup> among these victims, 30 underwent protective placement either through government social affairs department or nongovernmental organization; the remaining 59 persons were unwilling to receive placement and instead chose to return home. A total of 355 victims of sex trafficking were girls under the age of 18. In accordance with the relevant provisions set forth under the Child and Youth Sexual Exploitation Prevention Act, 339 of these victims were turned over to a government social affairs department for placement; 12 were placed in the custody of family; and four victims returned home of their own accord upon turning 18 years of age.
- 6.16 From 2013 to 2016, as a result of implementing the Program for the Protection of Women and Children and the Elimination of Sex Crimes, a total of 9,518 cases involving 38,309 offenders were identified that constituted an “offense against morality” as defined in the Criminal Code; 579 cases were identified involving violations of the Human Trafficking Prevention Act; and 4,669 cases involving 5,057 offenders were identified involving violations of the Child and Youth Sexual Exploitation Prevention Act.
- 6.17 The Dropout Student Management System of Ministry of Education is used to effectively exercise control over the number of students who drop out. By constructing a three-tier prevention strategy, ascertaining the reasons for dropping out and reducing associated risk factors, identifying vulnerable students who are in danger of dropping out as early as possible, engaging in timely intervention and counseling, reinforcing notification and measures for locating the whereabouts of dropout students, and providing assistance and counseling to students after they return to school, along with the option for enrollment in alternative education, the numbers of students who dropped out of school fell steadily from 818 persons (0.037%) during the academic year 2012 to 606 persons (0.031%) during the academic year 2015. In 2012, the proportions of

---

<sup>16</sup> The collection of gender statistics for victims of human trafficking who are ROC nationals and over the age of 18 began in June 2016.

girls dropping out at the junior high and elementary school levels were 48.9% and 43.0%, respectively; in 2016, the proportions of girls dropping out at the junior high and elementary school levels were 46.2% and 42.2%, respectively.

- 6.18 Various approaches are used to help locate missing persons, including the Missing Children Data Resource Center, a comprehensive network for locating missing children, as well as various cutting-edge forms of web-based and electronic media, such as e-newsletters, major web service interfaces, mobile apps, and other diverse channels. From 2002 to 2016, a total of 1,890 children were reported missing, among whom 1,202 (63.6%) were girls; and of those reported missing, a total of 1,628 children were found, of whom 1,078 were girls (66.2%).
- 6.19 In 2015, the Hotel Association of the Republic of China, the Hotel Manager Association, R.O.C., and the International Campaign to End Child Prostitution in Asian Tourism Taiwan launched a joint effort within Taiwan's hospitality industry to help stop sexual exploitation, signing a covenant on hospitality industry self-disciplinary measures which pledged to protect children and youths from the dangers of sexual exploitation, safeguard human rights, and facilitate corporate social responsibility. In 2016, mid- and high-level management training was provided to personnel in the hospitality industry in order to promote the covenant, which also stipulates that hospitality workers have a duty to file a report whenever they suspect a crime; a total of 400 persons participated in the training. Experts also provided lectures on the covenant to personnel working in the tourism industry, such as travel group leaders and tour guides, in order to heighten awareness of their duty to file a report whenever they suspect a crime; a total of 153 persons attended such events.
- 6.20 To prevent children and youths from becoming victims of sexual exploitation, and reflect the spirit of Article 34 of the United Nations Convention on the Rights of the Child and the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, an amendment was introduced to the Child and Youth Sexual Exploitation Prevention Act (originally the Child and Youth Sexual Transaction Prevention

Act) in 2015, coming into force in 2017. By expanding patterns of behavior to cover the exploitation of children or youths, including the use of children or youths in performances of a lewd or erotic nature or at hostess bars, the photographing of children or youths for use in products of a pornographic nature, and the downloading or dissemination of pornographic videos involving children or youths, the amended act expands the legal framework for determining what actions constitute the sexual exploitation of children and youths.<sup>17</sup>

6.21 As a result of amendments to the Child and Youth Sexual Exploitation Prevention Act, a professional assessment must take place to determine whether it is in a victim's best interests to undergo placement. Furthermore, additional provisions now stipulate that children may be directly turned over to the care of a parent or guardian. Relevant regulations concerning parents, guardians, and other caregivers have also been introduced, including compulsory parenting education, family treatment programs, a tracking system, and measures to protect the identities of children and youths. Furthermore, assistance is now provided to individuals subjected to placement orders to help them complete compulsory education, with access being provided to a wide range of technical courses.

#### Prevention and Investigation of Cybercrime

6.22 In consideration of advances made in ICT, as well as the evolution of the methods adopted by criminals, the police departments of each local government create the high-tech crime units in 2015. These police units are created through the combined use of resources from central government and local governments, so as to jointly establish a frontline force dedicated to preventing and combating high-tech crimes. As of the end of 2016, the high-tech crime units had been established in all police departments at local government level. In the future, these units will actively conduct investigations into various types of cases involving ICT, high-tech crimes, and cybercrime.<sup>18</sup>

6.23 The Principles and Procedures for Social Welfare Authorities Handling Web

---

<sup>17</sup> Articles 6.20 and 6.21 are in response to Point 15 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

<sup>18</sup> Article 6.22 is in response to Point 16 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

Content that Violates the Relevant Laws and Regulations on Children and Youths were issued in 2014, and underwent further revision in 2015 and 2016. The principles and procedures form a basis for handling inappropriate web content that could harm the physical or mental wellbeing of a child. In 2015 and 2016, authorities handled a total of six cases of cybercrimes involving the sex trade and sexual exploitation targeting girls and youths, resulting in a total of NT\$250,000 in fines being levied.

- 6.24 The Institute of Watch Internet Network (iWIN) was established in August 2013 to serve as a consolidated platform for handling complaints regarding online content that is harmful to children. iWIN also introduces basic Internet safety concepts to children to prevent them from being exposed to inappropriate web content that could harm their physical and mental wellbeing and development. From 2014 to 2016, iWIN handled a total of 36,480 complaints involving content of a pornographic or lewd nature. iWIN has also continued to become further involved in schools, and to work with relevant enterprises, organizations, and institutions in promoting concepts that touch upon online safety among children and youths, and on matters relating to filing reports. As of the end of 2016, efforts to promote online safety had been conducted with 10 enterprises and institutions, and 50 schools of all levels, while pages on iWIN's website covering related content had been viewed more than 13,000 times.
- 6.25 Local governments install filters at their education network centers to block inappropriate material, such as pornography, from reaching students. Each year, these filters are able to stop over 95% of attempts to access inappropriate material in networks at senior high schools and below. Furthermore, to prevent children and youths from being exposed to online content that could harm their physical and mental development while outside of the school environment, the Network Guardian Angels filtering software continues to be refined, and is available to download and install free of charge for personal computers and mobile devices, thus preventing access to inappropriate content. From 2013 to 2016, the number of downloads increased each year, from 4,000 downloads in 2013 to 110,000 downloads in 2016.

## **Article 7**

For the most part, Taiwan does not impose gender restrictions on people's right to run for election or participate in governmental policy-making, to take public office, or to participate in nongovernmental organizations and associations concerned with public and political life; however, due to the nature of the work relating to prison staff and guard personnel, gender restrictions remain for exams only for certain judicial personnel, including wardens, prison officers, and judicial police.

### **Gender Equality in Political Participation**

- 7.1 Existing election rules do not impose any restrictions on women's suffrage or their right to be elected. For more information concerning the system of safeguards in place to protect women, please refer to Articles 7.1–7.2 of the convention-specific document of Taiwan's Second National Report on CEDAW.
- 7.2 Following the 2016 legislative election, women accounted for 38.1% of elected legislators (compared to 33.6% in 2012, an increase of 4 percentage points). Following the 2014 special municipality mayoral election, women accounted for 16.7% of elected candidates, while the proportion of women elected to other local positions of leadership and public offices ranged from 6.3% (county/city mayors) to 35.5% (special municipality councilors). This demonstrates that women accounted for a smaller proportion of elected candidates at lower levels of office.

### **Gender Equality in Policy-making and the Civil Service**

- 7.3 In 2016, the proportion of female political executives and political deputy chiefs employed in the Executive Yuan and its subordinate agencies was 17.4%, increasing slightly from 15.9% in 2012.
- 7.4 In 2016, 10 of the Control Yuan's 18 members were women (55.6%); this represents a large increase as compared to 2012, when women accounted for only 24% of its members. The incumbent president of the Control Yuan is the first female to serve as a president of one of Taiwan's five government Yuan. In 2013, the Control Yuan amended the Regulations Governing the Establishment of the Control Yuan Committee on Human Rights Protection to incorporate a rule that requires each gender to account for at least one-third of the committee's members.

- 7.5 In 2016, eight of the Examination Committee's 19 members were women (42.1%); this represents an increase from the 30.4% in 2012, thus achieving the goal of ensuring that each gender should account for at least one-third of the committee's members.
- 7.6 To help ensure that at least one-third of Justices of the Constitutional Court are women, in 2016 the secretary-general of the Executive Yuan officially requested that the Office of the President increase the number of female candidates when nominating individuals to serve as Justices of the Constitutional Court. In 2016, four of the Judicial Yuan's 15 Justices of the Constitutional Court were women (26.7%); compared to 2013, when women accounted for 13.3% of Justices of the Constitutional Court, the proportion of women has grown by 13 percentage points.<sup>19</sup>
- 7.7 From 2013 to 2016, women accounted for between 55.1% and 57% of all court personnel other than judges working within the Judicial Yuan and its subordinate agencies. The proportion of female judges increased to between 45% and 49%.
- 7.8 Men and women are equally entitled to take national examinations and enter the civil service. From 2013 to 2016, women accounted for 60.4% to 59.1% of persons taking the national civil service exam, while the proportion of women accepted through the civil service exam ranged from 56.4% to 51.8%. At present, tests for wardens, prison officers, and judicial police officers are the only law enforcement exams that still impose gender restrictions, given that male and female inmates are detained separately, and that differing staffing levels are needed to manage them.<sup>20</sup> No gender restrictions exist in any other exams. Gender restrictions on exams for wardens, prison officers, and judicial police officers will be progressively eliminated by making reasonable adjustments to the number of inmates guarded by one officer, and by improving

---

<sup>19</sup> Articles 7.6–7.7 are in response to Point 19 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

<sup>20</sup> In 2016, the ratio between male and female inmates was 10.6:1; the ratio between men and women serving as clerks was 7.1:1; the ratio between men and women serving as prison officers was 7.7:1; the ratio between men and women serving as judicial police officers was 3.65:1; the ratio between male officers and male inmates was 1:13.8; the ratio between female prison officers and female inmates was 1:10.4.

the relevant facilities and equipment through further budget appropriations.

- 7.9 In consideration of the many restrictions in place on the frontline personnel who serve as prison guards, the ratio of guards to the inmate population in Taiwan currently stands at about 1:12. By phasing in plans to hire more guards, the ratio of guards to inmates will subsequently reach 1:6, which will allow hiring quotas based on gender ratio to be eliminated entirely.
- 7.10 In recent years, regulatory requirements stipulating enrollment quota restrictions for men and women on special civil servant exams have been successively rescinded, including the rescission of enrollment quota restrictions for male and female examinees on special exams for investigators, in 2006; special exams for national security intelligence officers, in 2008; and special exams for law enforcement personnel, and special exams for general law enforcement personnel, in 2011. As such, the trend in the proportion of men and women admitted has continued to move toward a more balanced ratio. There was, however, an increase in the enrollment quota for certain special exam categories for investigators in 2011 (including electronics, ICT, and military engineering); in light of gender disparities arising from educational factors, the ratio between men and women revealed a significant discrepancy of 5:1. Elsewhere, the ratio between men and women taking the national security intelligence officers special exams was about 3:1, which was subsequently reflected in the acceptance rates for men and women. Furthermore, since 2011, the law enforcement personnel special examinations for entry-level police officers has been divided into two categories of examinations: There is a special examination for enrollment to the ranks of police officer, which is open to police cadets and current police officers; and there is an examination for enrollment to the ranks of general law enforcement personnel, which is open to senior high school and college graduates. Given that there are restrictions on the ratio between men and women for enrollment in a police academy, males therefore accounted for a greater proportion of qualifiers admitted among those who have taken the special examination for enrollment to the ranks of police officer (Table 7-1).

**[Table 7-1] Gender Ratios of Qualifiers of the Special Exams for Investigation,  
National Intelligence, Police, and General Law Enforcement**

Unit: persons; %

Year	Special exams for investigators		Special exams for national security intelligence officers		Special exams for police officers		Special exams for general law enforcement personnel	
	Male (%)	Female (%)	Male (%)	Female (%)	Male (%)	Female (%)	Male (%)	Female (%)
2011	74 (83.2)	15 (16.8)	29 (65.9)	15 (34.1)	1,318 (87.8)	183 (12.2)	169 (55.6)	135 (44.4)
2012	95 (66.9)	47 (33.1)	18 (78.3)	5 (21.7)	1,321 (87.7)	185 (12.3)	410 (60.1)	272 (39.9)
2013	52 (64.4)	25 (35.6)	20 (61.4)	8 (38.6)	1,702 (86.6)	264 (13.4)	657 (58.2)	472 (41.8)
2014	47 (55.3)	38 (44.7)	17 (65.4)	9 (34.6)	2,244 (87.8)	313 (12.2)	1,183 (68.7)	540 (31.3)
2015	74 (67.9)	35 (32.1)	26 (76.5)	8 (23.5)	2,075 (87.4)	299 (12.6)	2,018 (68.6)	923 (31.4)
2016	66 (55.0)	54 (45.0)	20 (80.0)	5 (20.0)	2,221 (88.2)	298 (11.8)	2,234 (70.1)	952 (29.9)

Source: Examination Yuan

7.11 For the purpose of implementing gender equality, a concerted effort is being made to improve gender proportionality in terms of the proportion of commission members serving in commissions under the central government, as directors and supervisors of government-established foundations, and as directors and supervisors of state-owned enterprises. To this end, the Directorate-General of Personnel Administration has created a survey, and government ministries and departments are asked to file regular reports providing the latest data on gender proportionality. Furthermore, to address cases where the ratio is not satisfactory to the extent required by regulation, the competent authority is asked to conduct a full review and make improvements as required, and must provide an explanation for noncompliance, as well as an improvement plan.

7.12 In 2016, there were a total of 347,572 civil servants, of whom 42.1% were women (an increase of 2.2 percentage points compared to 2012). In 2016, a total of 26,186 persons served as civil servants ranked grade 9 and above at the

Executive Yuan and its affiliated ministries and departments, among whom women accounted for 39.9% (an increase of 4.7 percentage points compared to 2012). In 2016, women accounted for 31.8% of all senior civil servants (an increase of 4.6 percentage points compared to 2012).

7.13 The central government has been working to ensure that those serving on central government-affiliated commissions, directors and supervisors serving on the boards of foundations managed by government ministries and departments that receive more than 50% cumulative funding from the government, and directors and supervisors serving on the boards of state-owned enterprises meet the one-third gender rule. The status of this goal for the period from 2013 to 2016, expressed as a percentage, is presented in Table 7-2.

**[Table 7-2] Central Government-affiliated Commissions, Boards of Foundations Managed by Government Ministries and Departments that Receive more than 50% Cumulative Funding from the Government, and Boards of State-owned Enterprises that Meet the One-third Gender Rule**

Unit: %

Year	Percentage of central government-affiliated commissions meeting the one-third gender rule (%)	Percentage of boards of directors and supervisors of foundations which receive more than 50% cumulative funding from the government that meet the one-third gender rule		Percentage of boards of directors and supervisors of state-owned enterprises that meet the one-third gender rule	
		For directors (%)	For supervisors (%)	For directors (%)	For supervisors (%)
2013	94.5	38.7	69.7	0	70.0
2014	95.8	48.1	70.4	16.7	100.0
2015	94.2	56.0	70.2	25.0	62.5
2016	94.4	61.4	72.7	8.3	62.5

Source: Directorate-General of Personnel Administration, Executive Yuan

7.14 Owing to legal restrictions in place on the organizational charters of state-owned enterprises, and regulations set forth under the Administrative Law of State-Owned Enterprise, a certain percentage of board members must be union representatives. In addition, because democratic procedures of appointment and selection are practiced, and there is no forcible mandating of gender proportionality, there is greater variability with regards to conformity with the

one-third gender rule among the percentages of directors and supervisors of state-owned enterprises. As it currently stands, women account for a relatively low proportion of such board members; hence, directives are issued on a biannual basis to urge enterprises that have not yet achieved the one-third gender target to select, at a minimum, one additional woman when considering the appointment of new directors and supervisors. To more actively improve the compliance rate, the government also maintains a shortlist of female experts in different fields from industry, government, and academia to serve as potential board member candidates.

- 7.15 The 2016 Executive Yuan Incentive Program for Promoting Gender Equality among Special Municipality, County, and City Governments was set up to encourage local governments to make a more concerted effort to satisfy the one-third gender rule. Among 22 local governments in Taiwan, the commissions of 21 currently meet the one-third gender rule.

### **Equal Participation in Nongovernmental Organizations and Associations Concerned with Public and Political Life**

- 7.16 In 2016, 30.2% of the directors of nationwide social associations were female, and 35.8% of supervisors were female. The overall gender ratio of these associations' membership can be influenced by the wide range of types of civil associations, their different purposes, and the mission statements set forth in their respective charters, which may affect, in turn, the gender proportionality of their boards of directors and supervisors. To further promote gender equality, an organizational assessment mechanism was introduced in 2014, incentivizing associations' meeting the one-third gender rule with respect to the gender proportionality of their directors and supervisors. In 2016, a performance evaluation of social associations was conducted at the national level. The results of the evaluation showed that 39.2% of associations had satisfied gender proportionality conditions, markedly increasing as compared to 2015 (27.8%) and 2014 (30%), and revealing an across-the-board improvement. This, in turn, demonstrates that such associations are truly placing greater emphasis on the importance of gender proportionality with regards to the selection and

appointment of directors and supervisors.

- 7.17 For information concerning the members of farmers' and fishermen's associations, the elections of personnel and members of irrigation associations, the situation concerning female participation as union members, and the relevant measures being taken to promote female participation in agricultural policy-making, please refer to Articles 14.2–14.11.
- 7.18 As of the end of 2016, 33.2% of laborers were union members, among whom 1,661,816 members (49.6%) were female. The percentage of women undertaking executive roles in unions increased from 26% in 2012 to 30.5% in 2016.
- 7.19 Among labor unions overseen by the Ministry of Economic Affairs, the proportion of women serving as supervisors increased from between 0%–3% in 2012 to between 2.8%–27.8% in 2016. In the future, women will continue to be encouraged to actively participate in labor union affairs, as well as elections for executive board membership.
- 7.20 From 2013 to 2016, the proportion of women serving as board directors at public companies (including companies listed on the TWSE, TPEX, and Emerging Stock Board) was 11.8%, 12.5%, 12.6%, and 13.1%, respectively, demonstrating a slight annual increase. From 2013 to 2016, the proportion of women serving as supervisors at public companies (including companies listed on the TWSE, TPEX, and Emerging Stock Board) was 22.6%, 23.0%, 23.2%, and 24.3%, respectively, also revealing a slight annual increase.
- 7.21 To raise women's participation in corporate decision-making, the government has been encouraging private businesses to adopt the one-third gender rule when appointing directors and supervisors. In 2016, evaluation standards for the National Quality Award were amended to incorporate a new criterion: The total proportion of board chairpersons, directors, and supervisors must consist of not less than one-third of each gender.

## **Article 8**

Women in Taiwan have an equal opportunity to serve as government representatives and to participate in international organizations. This is especially evident with respect to matters relating to overseas community affairs, and education, for which more than 50% of roles are held by women. Gradual advancements have also continued to be made by women in numerous other fields over the years.

### **The Equal Right of Women to Serve as Foreign Service Officers or Be Posted Overseas**

8.1 Restrictions on enrollment quotas for women taking the foreign service officer examinations were lifted in 1996; the exams no longer have any gender-related restrictions in place. From 2013 to 2016, the rate of admission among women taking the examinations remained steady at about 50%, demonstrating that Taiwan provides women with an equal opportunity to serve as foreign service officers. Compared to the period covered by the previous *National Report*, the number of senior female foreign service officers increased from 57 persons (12.6%) to 80 persons (16.1%) in 2016, a growth rate of 27.7%, showing that women are able to actively participate in relevant work, that their performance has been excellent, and that the proportion of women receiving promotions is steadily growing.

8.2 For each of the years from 2013 to 2016, the number of women who served as heads of overseas missions (including ambassadors, permanent representatives, and consuls-general) were 11 persons, 10 persons, seven persons, and 12 persons, respectively. Currently, 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 foreign service officer examinations had restrictions in place concerning enrollment quotas for females, resulting in fewer women being hired. However, the proportion of women entering the foreign service has increased year by year since the lifting restriction of female enrollment quota for the foreign service officer test in 1996. In recent years, women have even begun outnumbering men in some instances, which is reflected by the fact that in 2016, women accounted for a slightly higher proportion of middle managers at the

Ministry of Foreign Affairs as compared to men. Based on this trend of an increasing proportion of women among middle management positions, the number of female heads of overseas missions under the Ministry of Foreign Affairs will inevitably continue to rise.

- 8.3 From 2013 to 2016, the number of overseas community affairs personnel stationed overseas remained steady at between 50 and 53 persons; the number of women in such positions steadily increased from 15 in 2013 (30%), and as of 2016 had expanded to a total of 25 persons (48.1%); in 2016, five women (33%) were stationed overseas in the role of senior civil servant, and 20 women (54.1%) were stationed overseas in the role of junior civil servant; compared to the period covered by the previous *National Report*, this represents an increase of 16.7% and 22.5%, respectively.
- 8.4 In accordance with operational needs prevailing in 2014 and 2016, the acceptance rate for women who sat for the special exam for The Ministry of Economic Affairs commercial affairs personnel stationed overseas was 40.9% and 42.9%, respectively. From 2013 to 2016, the proportion of women stationed overseas in the role of senior civil servant increased from 14.4% to 15.8%; in addition, the total proportion of women stationed overseas as junior civil servants increased from 34.4% to 42%.
- 8.5 The proportion of female personnel stationed overseas by educational agencies increased from 55.6% in 2012 to 57.1% in 2016; over 40% of these female personnel were senior civil servants.
- 8.6 In 2016, nearly 40% of Ministry of Science and Technology personnel stationed overseas were women, and the proportion of senior civil servants who were female exceeded 20%.
- 8.7 Women accounted for seven personnel dispatched overseas on an annual basis by the agricultural competent authority from 2013 to 2016. In 2013, among the seven senior and junior civil servants, one woman was present in each role, for a total of two women (28.6%); from 2014 to 2016, only one woman served as a junior civil servant (14.3%). Whenever a vacancy becomes available for personnel to be dispatched overseas, an announcement is made; in recent years,

however, women have not applied for such positions, resulting in an overall decrease in the proportion of female personnel stationed overseas.

### **Equal Participation of Women as Government Representatives in International Conferences and International Organizations**

- 8.8 For many years, Taiwan has actively participated in the Asia-Pacific Economic Cooperation (APEC) forum, which is an important international forum. From 2013 to 2016, the proportion of female delegates stood at about 40%, and at present, the deputy coordinator of APEC Capacity Building Network (CBN) of the Human Resources Development Working Group (HRDWG) as well as the co-chairperson of the MSME & Entrepreneurship Working Group of APEC Business Advisory Council (ABAC), and other similar positions are all held by female representatives from Taiwan. Moreover, in order to promote women's active participation in economic activity in the APEC region, Taiwan and the US jointly announced their intention to establish the APEC Women and the Economy Sub-Fund during the 2016 APEC Economic Leaders' Meeting, underscoring Taiwan's commitment to helping women play a stronger role in participating in economic activity in the APEC region.
- 8.9 For each of the years from 2013 to 2016, among the delegates who attended the APEC Economic Leaders' Meeting, the proportions of women were 40%, 47%, 44%, and 34%, respectively.
- 8.10 To increase the number of ROC nationals employed at the Asian Development Bank, representatives from the ADB have visited Taiwan to hold recruiting events and conduct preliminary interviews. As of October 2016, four ROC nationals had been employed at the ADB, of whom two were women (50%). Currently, three women from Taiwan have been dispatched to serve at the European Bank for Reconstruction and Development, with another two women serving in management-level roles.
- 8.11 From 2013 to 2016, about 50% of all delegation members from Taiwan who participated in the World Health Assembly each year were women.
- 8.12 From 2013 to 2016, women accounted for over 33% of representatives who attended international sports conferences, which represents an increase over the

period covered by the previous *National Report* (31%). Furthermore, in recent years, the proportion of women attending international sports conferences as representatives of the Chinese Taipei Olympic Committee has reached or exceeded one-third.

- 8.13 To increase women's participation in sports and athletic affairs, the Ministry of Education assesses whether sports and athletic organizations (at the level of board of directors and supervisors) and committee members meet the one-third gender rule. This criterion is included, for example, in the Olympic and Asian Games' Sports Association Review and Evaluation Plan so as to ensure that women's participation in sports and athletic organizations and other international organizations continues to be promoted.
- 8.14 In 2015, the Executive Yuan established the Gender Equality Information Exchange website, providing information on international conferences that have focused on gender equality issues to serve as an overall reference for those involved in assessing and then planning improvements to women's participation in international endeavors. As of 2016, the website had recorded 20,712 page views.

## **Article 9**

To ensure that women and their children enjoy equal protection under the law, and possess the same rights as men with regard to acquiring, changing, or retaining nationality, certain regulatory restrictions set forth under the Nationality Act concerning naturalization have been relaxed, while various benefits and services pertaining to living assistance, education, employment, and reproductive health care are provided to new immigrants and their children, and stateless children and youths.

### **Respect for the Equality and Self-determination of Naturalized Citizens**

9.1 To protect the rights and interests of naturalized citizens (including new immigrants), and to prevent situations wherein such persons give up their original citizenship but are unable to become naturalized citizens, and thereby fall into the dilemma of being stateless persons, an amendment to the Nationality Act was promulgated in 2016 which permits foreigners to undergo the naturalization process before having to present a certificate confirming the loss of their original nationality. From 2013 to 2016, a total of 16,265 people became naturalized citizens of Taiwan, among whom 15,481 (over 95%) were female. The majority of naturalized citizens came from Southeast Asian countries, with 11,904 persons from Vietnam alone accounting for over 73% of all people becoming naturalized citizens during this period. A total of 136 applications for naturalization were denied due to a failure to meet applicable naturalization requirements under the Nationality Act, among which 105 were for women, accounting for more than 77% of all rejected applications. The majority of rejected applications (75) were from persons of Vietnamese nationality, accounting for more than 71% of all women whose naturalization applications were denied. Of the total number of people whose naturalization applications were rejected, 82 were able to reapply and gain approval to become naturalized citizens; among these cases, 60 were for women, accounting for over 73% of all approvals. In cases where an application for naturalization is denied, the Ministry of the Interior issues a detailed explanation to each applicant and points out that applications for naturalization may be resubmitted so long as the applicant is able to meet certain criteria.

9.2 In 2016, an amendment to the Nationality Act was promulgated rescinding the

requirement for new immigrants to present proof of financial competency when applying for naturalization. Where the former spouse of an ROC national remains unmarried after a divorce due to domestic violence, or remains unmarried after the death of the spouse, and where certain conditions are met,<sup>21</sup> the lawful residency period during which time an application for naturalization may be filed was reduced from five years to three years. In addition, to avoid situations where individuals give up their original nationality but are unable to complete the naturalization process, and thus become stateless persons, an amendment was made permitting foreigners to first undergo the naturalization process and then present a certificate of loss of nationality within one year thereafter. In addition, prior to being amended, the Nationality Act required foreigners applying for naturalization to present documents proving “good character” in the sense of having to demonstrably confirm behavior of an upstanding nature. After the passage of the amendment, the standards required under the act are relatively less restrictive, and now only require applicants to satisfy the condition of having not engaged in “illicit or illegal behavior” in the sense of having no record of such behavior. As regards to individuals who have committed a minor crime, such individuals also maintain the right to apply to become a naturalized citizen after the relevant punishment has been levied. Under the terms of this legislative amendment, gender is not taken into account when determining the eligibility of an applicant; however, since women account for the vast majority of persons applying to become naturalized citizens, the amended provisions will be conducive to further safeguarding the rights and interests of women in the future. In addition, legislation is currently pending under the provisionally titled Regulations for Assessment Criteria of Good Moral Character based on the regulations set forth under Article 3 of the Nationality Act;

---

<sup>21</sup> Key issues addressed in the legislation include: A foreigner or stateless person may apply for naturalization if the individual was married to an ROC national, and filed for divorce due to domestic violence and has not since remarried; or if their spouse has died, and they have not remarried and can demonstrate they remain in contact with the family members of their deceased spouse. Those who had been married to an ROC national for at least two years prior to his or her death; or those supporting children of ROC nationality who are legally incompetent or have limited legal competence, and exercise rights and obligations on behalf of such children, and meet and interact in person with them, are exempted from the aforementioned requirement concerning contact with family members.

it is estimated that the new regulations will be promulgated by the end of 2017 after the legislative process has been duly completed.<sup>22</sup>

9.3 To further extend protections to new immigrants' residency rights and right to family reunion, a draft amendment to the Immigration Act has been formulated permitting foreigners who have undergone a divorce to apply their rights and obligations to raise and have contact with minors holding registered permanent residence in the Taiwan Area; or, where the spouse of an ROC national obtains a divorce due to domestic violence and remains unmarried, to continue to reside in the country even if he or she would otherwise no longer have the grounds to do so. The draft legislation was submitted to the Executive Yuan for deliberation on August 15, 2016. Given that women account for the vast majority of new immigrants in Taiwan, the passage of the draft amendment will be conducive to further protecting the rights and interests of new female immigrants.

9.4 With the removal of regulations from the guidance on Directions Governing the Joint Review of Tibetan Spouses with Indian Travel Documents of ROC Nationals Applying for Residency stipulating that in order to apply for residency, a person's marriage must have been in effect for a certain period of time, or that he or she must be raising a biological child who has household registration in Taiwan, Tibetan spouses may now apply for a residency permit in Taiwan according to the same process as new immigrants. Moreover, the Operating Regulations for the Joint Review of Applications for the Residency of the Underage Children of those Holding an Indian Travel Permit Whose Parents are Permitted to Reside in the Taiwan Area and who are Naturalized Citizens of the Republic of China in Accordance with the Regulations Provided under Paragraph 4, Article 16 of the Immigration Act were promulgated on March 3, 2017.

#### Measures to Protect the Rights and Interests of Children and Youths without Household Registration and Nationality

9.5 In accordance with the regulations set forth under Article 22 of The Protection

---

<sup>22</sup> Articles 9.2 and 9.3 are in response to Point 20 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

of Children and Youths Welfare and Rights Act, any child or youth without household registration or nationality shall be entitled and guaranteed their rights to receive schooling, an upbringing, medical care, and social welfare services from the competent authorities in charge of household registration, immigration authorities, and local governments, on a case-by-case basis.

- 9.6 As of the end of 2016, the Ministry of Health and Welfare had requested that local government departments (or offices) of social welfare provide assistance to 123 children and youths without nationality, of whom 56 were female. The majority of the biological mothers of such children and youths were foreign workers, while a smaller number were new immigrants; the identity of the remaining biological mothers was unknown. The government, where deemed necessary, provides institutional placement and foster care services, living assistance, and subsidies for child care and medical care, and also convenes interagency liaison meetings to deliberate on potential solutions for safeguarding the rights and interests of such children and youths.
- 9.7 The Ministry of the Interior has implemented a special program concerning the issuance of alien resident certificates to stateless children and youths in accordance with the regulations set forth under Article 3 of the Enforcement Rules of the Nationality Act, with local governments providing assistance to offer adoption matchmaking services that enable such children and youths to become naturalized citizens of their adopted parents' country. As of 2016, the Ministry of the Interior had handled a total of 11 cases under this special program, of which six cases involved girls.

### **Dependent Visas for New Immigrants**

- 9.8 From 2013 to 2016, women continued to account for the majority of cases of spouses from mainland China applying for entry into Taiwan; however, there has been a noticeable downward trend over the years, from 11,015 cases (92.5%) in 2013, to 9,676 cases (91.4%) in 2014, 8,683 cases (90%) in 2015, and 7,724 cases (89.2%) in 2016.
- 9.9 Following the "Dependent Visa Interview and Guidance Program for Foreign Spouses on Pre-Immigration Preparation" was conducted in 2005, numbers of

dependent visas issued to spouses from Southeast Asia grew during the period from 2013 to 2016, with women accounting for 3,850 cases in 2013 (91%), 4,503 cases in 2014 (90.2%), 5,102 cases in 2015 (90.9%), and 5,175 cases in 2016 (90.3%).

- 9.10 In 2016, the criteria for dependent visas was relaxed by allowing the requirement for a visa interview to be waived under certain conditions. In cases which the foreign fiancé/ fiancée of an ROC national previously studied at a college or university in Taiwan, and after graduation is granted a work permit and an Alien Resident Certificate with a period more than one year, or he/she holds an alien permanent residency certificate from a country listed under Taiwan's visa-waiver program, the requirement for an interview is waived in order to further streamline the process allowing new immigrants from Southeast Asia to obtain dependent visas.

### **Outreach and Counseling for New Immigrants**

- 9.11 As of 2016, there were a total of about 520,000 new immigrants in Taiwan, among whom about 470,000 (92%) were female. Among these new immigrants, female spouses from mainland China, Hong Kong and Macao regions accounted for about 320,000 persons, and other female foreign spouses accounted for about 150,000 persons.
- 9.12 In 2013, a Survey on Foreign and Mainland Chinese Spouses' Living Conditions was commissioned in order to identify the difficulties that new immigrants face while living in Taiwan. According to the results of the survey, 68.1% of new immigrants indicated that they do not experience hardship as a result of living in Taiwan. For immigrants who reported encountering hardships, the primary factors were, in order, attributable to *financial difficulties* (15.4%), *difficulty finding employment* (7.4%), *education or communication issues with [their] children* (5.4%), and *rights and interests while residing in Taiwan* (5.1%).
- 9.13 The Foreign Spouse Assistance Fund was established in 2005 to provide more comprehensive care services to new immigrants. In 2016, the fund's name was changed to the New Immigrant Development Fund; it continues to maintain an annual operating scale of NT\$1 billion per year, enabling government at all levels

to work with private organizations in implementing a range of care and guidance services for new immigrants.

- 9.14 In 2014, the Foreign Spouses Consulting Hotline and the Foreigners' Consulting Services Hotline were consolidated and merged into a single Information for Foreigners hotline, which provides foreigners and new immigrants in Taiwan with dedicated consultation services.
- 9.15 For more information concerning assistance provided to new immigrants to learn Mandarin and the implementation of family education activities, please refer to Article 9.21 of the convention-specific document of Taiwan's Second National Report on CEDAW.
- 9.16 In 2014, the Regulations Regarding the Assessment and Recognition of Foreign Academic Credentials for Institutions of Higher Education were amended to ease restrictions on universities in a way that allows them to make decisions autonomously concerning the means of verifying foreign academic credentials and the extent to which document checks may be simplified, based on their actual operating conditions. This has effectively reduced the amount of time needed to verify and recognize academic credentials, and has benefitted new immigrants by making the admissions process easier and more accessible. Restrictions pertaining to the recognition of academic credentials obtained through distance learning from senior high schools have also been relaxed accordingly. Academic credentials obtained from 155 universities and 191 junior colleges in mainland China are currently recognized.
- 9.17 The native languages of new immigrants have already been incorporated into the 12-year national curriculum, and since 2016, training has been provided to new immigrants to become language instructors. This approach to foreign language education facilitates greater understanding of new immigrants' cultures and countries of origin.
- 9.18 As of 2016, an interpreter database held the details of 1,742 interpreters, among whom 91.2% were women.
- 9.19 A Digital Information Literacy Education Program for New Immigrants was promoted from 2013 to 2015 to help provide instruction on basic computer use

and other information technology skills. To help make life more convenient for new immigrants, the program also offered courses on the use of communications software and social media. A total of 34,188 people received training through the program, with women accounting for about 82.1% of participants. Phone calls to individual participants after class were arranged, aiming to assist participants to solve difficulty in learning. A New Immigrants Digital Learning Website has also been established to provide digital online learning modules and access to e-books; as of 2016, the site had 5,916 student members and had received a total of 778,579 page views.

- 9.20 To improve new immigrants' social participation and construct a comprehensive community-based service delivery network, local governments are encouraged to assist nongovernmental organizations in managing community service sites for new immigrants and providing casual social networking events and group activities, so that their service centers offer new residents and their families contact windows for consultations, services, and referrals. From 2013 to 2016, 85 service locations were set up by nongovernmental organizations using government subsidies.
- 9.21 For information concerning the prevention of gender-based violence against new immigrants, please refer to Article 2.25; for information concerning family education programs for new immigrants, please refer to Article 10.31; for information concerning employment for new immigrants, please refer to Articles 11.34 and 11.35; for information concerning reproductive health services for new immigrants, please refer to Articles 10.32 and 12.27; and for information concerning divorce proceedings involving foreign marriages, please refer to Article 16.17.

## **Article 10**

The Educational Fundamental Act guarantees people's equal opportunity 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. The essence of the Convention to Eliminate All Forms of Discrimination Against Women, which places an emphasis on equality, has been incorporated into law. The Gender Equity Education Act has also been established and implemented.

### **Implementation of Substantively Equal Educational Opportunities**

#### Preschool, Elementary, and Junior High School Education

10.1 To protect the right of children to receive education, subsidies have continued to be provided to local governments for the purpose of establishing additional preschools (classes) affiliated to schools. From 2013 to 2016, 483 new classes were established, attended by an additional 12,530 children. Among schoolchildren attending preschool in 2012, 47.3% were girls, which was consistent with the general population of girls of the same age (47.8%). In 2016, girls accounted for 47.7% of schoolchildren attending preschool, which was consistent with the general population of girls of the same age (46.7%).

10.2 For more information concerning junior high and elementary school education, please refer to Article 10.2 of the convention-specific document of Taiwan's Second National Report on CEDAW.

#### Higher Education

10.3 During the academic years 2012 to 2015, women continued to account for more than 50% of all university graduates. In particular, the proportion of women who have graduated from master's and PhD programs has slightly increased since the period covered in the previous *National Report*. The percentage of female graduates of master's degree programs has increased from 42.4% to 43.9%, and the percentage of female graduates of PhD programs has increased from 29.1% to 31.7%. In terms of area of study, the proportion of females graduating from programs in education, and in engineering, manufacturing, and construction has continued to gradually increase each year; the percentage of female graduates

in the field of education has increased from 66.1% to 69.7%, while the percentage of female graduates in the field of engineering, manufacturing, and construction increased from 14.0% to 15.1%.

#### Special Education

- 10.4 During the academic years 2012 to 2015, the proportion of female graduates with disabilities was slightly lower, by about 4 percentage points, for the preschool phase of education (32.1%) compared to the senior high school and lower-level school phases (36.1%).<sup>23</sup>
- 10.5 Textbooks on *Gender Equality Education for People with Disabilities* and *Sex Education for People with Disabilities* were compiled in 2014 and published online in 2016; related educational workshops for teachers were also implemented, including two units which focused on gender diversity issues.
- 10.6 The Single Parent Empowerment Program was commissioned to provide tuition and miscellaneous schooling expenses and temporary child care subsidies to disadvantaged single parents pursuing university and high school or vocational studies, as well as provide related counseling and referral services to disadvantaged single-parent families. Among single mothers who applied for the subsidies, most were studying at a college or university. From 2013 to 2016, the proportions of subsidies provided to single mothers for each calendar year were 95%, 96%, 95%, and 95%, respectively; the proportions of subsidies issued to single mothers as a proportion of the total outlay of funding for each calendar year were 95%, 97%, 96%, and 97%, respectively.

#### Military and Police Education

- 10.7 All police departments will consider their recruiting demands for police officers to determine the gender-based proportion for the enrollment. This consideration also meets the requirement specified in the proviso of the Article 7 of the “Act of Gender Equality in Employment” The admissions rules for police academies for the academic years from 2013 to 2016 excluded any differential treatment

---

<sup>23</sup> Statistics are presented based on the academic year system used in Taiwan. The academic years referred to correspond to the following periods: academic year 2012, August 2012 to July 2013; academic year 2013, August 2013 to July 2014; academic year 2014, August 2014 to July 2015; academic year 2015, August 2015 to July 2016.

based on gender or sexual orientation. All police departments will consider their recruiting demands for police officers to determine the gender-based proportion for the enrollment. This consideration also meets the requirement specified in the proviso to Article 7 of the Act of Gender Equality in Employment (Table 10-1).

**[Table 10-1] Proportion of Female Cadets at Police Academies**

Unit: %

Academic year	Taiwan Police College	Central Police University
2013	10.0	16.7
2014	10.0	19.5
2015	10.1	19.7
2016	10.0	20.9

Source: Ministry of the Interior

10.8 Beginning in 2009, military academies in Taiwan steadily increased the enrollment of female cadets; the proportion of women has increased slightly each year, with the number of women graduates from the academic years 2013 to 2016 having increased from 12.1% to 13.7%.

### **Encouraging Female Participation in Education and Research Professions**

#### Gender Distribution of Educators

10.9 During the academic years 2012 to 2015, the proportion of female teachers at university and junior college levels (Table 10-2) increased.

10.10 Women account for a smaller proportion of teachers at higher levels of education, although in recent years the proportion of women has steadily continued to increase. To promote equal development in terms of leadership among the teaching faculty in various academic areas, executive meetings are held to urge universities to give priority to hiring a candidate whose gender is underrepresented among the teaching faculty at the time of consideration, provided that candidates otherwise hold the same qualifications.

10.11 During the academic years 2012 to 2015, there was a slight increase in the proportion of female school principals at the senior high school level and among

female presidents at higher education institutions (Table 10-3).

**[Table 10-2] Female Teachers at All School Levels**

Unit: persons; %

Academic year	Preschools		Elementary schools		Junior high schools		High schools		Vocational high schools		Special education schools		Universities		Colleges		Junior colleges	
	F (%)	Total persons	F (%)	Total persons	F (%)	Total persons	F (%)	Total persons	F (%)	Total persons	F (%)	Total persons	F (%)	Total persons	F (%)	Total persons	F (%)	Total persons
2012	44,450 (98.8)	45,004	67,840 (69.6)	97,466	35,398 (68.2)	51,872	22,590 (60.8)	37,159	8,620 (52.1)	16,557	1,328 (72.7)	1,827	14,673 (33.0)	44,444	1,534 (38.6)	8,736	1,194 (68.7)	1,738
2013	44,701 (98.7)	45,296	68,258 (70.1)	97,436	35,888 (68.4)	52,451	23,029 (60.9)	37,842	8,902 (52.2)	17,045	1,298 (71.6)	1,813	15,045 (33.5)	44,973	1,268 (38.3)	7,769	1,183 (68.0)	1,741
2014	44,748 (98.7)	45,341	69,497 (70.5)	98,580	35,776 (68.6)	52,154	Senior high Schools		1,305 (72.0)	1,811	15,148 (33.6)	45,057	1,017 (40.1)	6,318	1,214 (68.8)	1,795		
							F (%)	Total persons										
							32,245 (57.9)	55,699										
2015	45,564 (99.1)	46,169	68,896 (70.8)	97,374	34,683 (68.8)	50,394	32,016 (57.9)	55,340	1,316 (72.6)	1,811	15,361 (34.1)	45,029	763 (37.6)	5,196	1,144 (69.8)	1,638		

Source: Ministry of Education

**[Table 10-3] Female Chief Administrators at All School Levels**

Unit: persons; %

Academic year	Elementary schools		Junior high schools		High schools		Vocational high schools		Special education schools		Universities		Colleges		Junior colleges	
	F (%)	Total persons	F (%)	Total persons	F (%)	Total persons	F (%)	Total persons	F (%)	Total persons	F (%)	Total persons	F (%)	Total persons	F (%)	Total persons
2012	789 (29.7)	2,657	238 (32.2)	740	88 (25.9)	340	17 (11.0)	155	5 (33.3)	15	8 (6.7)	120	1 (3.6)	28	1 (7.1)	14
2013	797 (30.1)	2,650	242 (32.8)	738	85 (24.7)	344	20 (12.9)	155	6 (40.0)	15	8 (6.6)	122	0 (0)	25	1 (7.1)	14
2014	787 (29.8)	2,644	254 (34.4)	738	Senior high schools		7 (38.9)	18	7 (5.7)	124	0 (0)	21	2 (14.3)	14		
					F (%)	Total persons										
					98 (19.5)	503										
2015	793 (30.1)	2,633	245 (33.4)	733	102 (20.2)	506	7 (38.9)	18	9 (7.1)	126	3 (15.8)	19	3 (23.1)	13		

Source: Ministry of Education

## Women's Participation in Research Professions

10.12 From 2013 to 2016, the proportion of female research personnel participating in research projects continued to increase for four consecutive years, from 23.3% to 24.2%, and the number of approved cases increased from 22.5% to 23.6%; in addition, the proportion of approved funding for projects in which women were represented increased from 17.4% to 19.0%.

10.13 A Projects for Gender and Science Research program was launched to further develop research involving gender issues. From 2013 to 2016, a total of 157 projects were conducted, among which 75.8% of participating researchers were women. In terms of the actual number of research project applications, approved cases, rates of approval, and funding approval rates, female researchers surpassed their male counterparts in all respects. In terms of the average amount of funding received, female researchers received slightly higher amounts during the period from 2015 to 2016 (Table 10-4).

**[Table 10-4] Applications and Approvals for the Projects for Gender and Science Research Project**

Unit: cases; %

Year	No. of applications		No. of cases approved		Case approval rate		Funding approval rate		Average funding amount	
	F (%)	Total no. of cases	F (%)	Total no. of cases	F (%)	M (%)	F (%)	M (%)	F (NT\$10,000)	M (NT\$10,000)
2013	97 (69.3)	140	28 (73.7)	38	28.9	23.3	22.1	18.9	57.0	66.0
2014	82 (68.3)	120	23 (63.9)	36	28.0	34.2	26.1	28.6	67.5	70.1
2015	90 (69.2)	130	36 (85.7)	42	40.0	15.0	37.1	11.1	62.9	58.0
2016	80 (63.0)	127	32 (78.0)	41	40.0	19.1	28.1	10.9	54.9	50.3

Source: Ministry of Science and Technology

10.14 Persons who receive maternity or parental leave can apply to extend the deadline for submitting study results. From 2013 to 2016, a total of 2,057 applications for maternity or parental leave were submitted that included documentary evidence, of which women accounted for 2,030 applications (98.7%). In 2016 alone, a total of 574 applications for maternity leave or parental leave were submitted that included documentary evidence, of which women accounted for 568 applications

(490 applications were for maternity leave, accounting for 85.4%; and 78 applications were for parental leave, accounting for 13.6%); and of which the remaining six applications were made by men (comprising six applications for parental leave, accounting for 1%).

#### Protection of Pregnant Students' Rights to Receive Education

10.15 Amendments to the Directions Governing the Safeguarding of Pregnant Students' Right to Continue Receiving Education and the Provision of Counseling and Assistance were promulgated in 2015. The guidelines require schools to provide various forms of assistance to pregnant students or students who are raising a child to assist them in completing their schoolwork; to provide psychological counseling and guidance; to offer diverse, suitable forms of education that help students gain self-confidence; to provide family support in the form of parenting courses and financial assistance; and to allow for the adoption of flexible curriculum scheduling, while also taking into account the relevant regulations concerning student status, score tests and assessments.<sup>24</sup>

10.16 The numbers of junior high and elementary school students who dropped out of school due to pregnancy or having given birth are as follows: four in the academic year 2012, seven in the academic year 2013, seven in the academic year 2014, and eight in the academic year 2015.

10.17 The numbers of students who dropped out of high school due to pregnancy during the academic years 2012, 2013, 2014, and 2015 were 82, 40, 63, and 34, respectively. The proportion of pregnant students at all levels of school who continued their education was 68.8% in the academic year 2012, 74.6% in the academic year 2013, 70.7% in the academic year 2014, and 78.1% in the academic year 2015. The government will continue to collect statistics on the rate of students who continue their education, and schools will be subject to oversight to ensure that the right of pregnant students to receive education is upheld in accordance with the law.

---

<sup>24</sup> Articles 10.15–10.20 are in response to Point 24 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

- 10.18 Paragraph 4 of Article 26 of the University Act stipulates the following: “A student pursuing a bachelor degree or above may request for prolonging the studying term on account of pregnancy, childbirth, or childcare for the toddler under three years old.” All institutions have been instructed to incorporate the relevant regulations pertaining to pregnant students’ right to education into their respective constitutions or administrative bylaws or rules.
- 10.19 Male and female students are able to apply for parental leave in accordance with the provisions set forth under the Regulations Regarding the Assessments of Student Performance and Achievements at High School and the Regulations Regarding Achievements of Continuation High School Students.
- 10.20 In 2016, protections extended to students who need to extend their terms due to pregnancy, childbirth, or raising a child under the age of three were added to the regulations for requesting a leave of absence for a total of 275 public and private senior high schools (excluding those in the cities of Taipei, Kaohsiung, New Taipei City, and Taichung).

### **Promoting Women’s Participation in Sports and Physical Education**

- 10.21 With regard to the proportion of students participating in school sports teams at schools of all levels during the academic years from 2012 to 2015, the number of male participants increased by 13.3%, while the number of female participants increased by 19.3%, indicating that an increasing number of female students are participating in school sports teams.
- 10.22 With regard to the proportion of students participating in sports clubs at schools of all levels during the academic years from 2012 to 2015, the number of male participants increased by 3.8%, while the number of female participants increased by 11.2%, indicating that an increasing number of female students are participating in sports clubs.
- 10.23 Female students at schools of all levels are required to undergo a minimum of one physical fitness test during each academic year, with schools being expected to upload the test results to the Ministry of Education’s physical fitness website before the end of the relevant academic year. In 2014, among students in senior high school and below, 56.3% of boys and 58.7% of girls achieved the 25th

percentile or higher on all four test criteria; as compared to the performance of students in 2013, the proportion of boys improved by 2.3%, and the proportion of girls improved by 3.1%. In 2014, among students in senior high school and below, 59.5% of boys and 66.4% of girls had a normal body mass index; as compared to the BMI results of students in 2013, the proportion of boys improved by 11.8%, and the proportion of girls improved by 9.7%. The above data reveal that the physical health of students in Taiwan is continuing to steadily improve.

10.24 Various categories of school sports and competitions divide students into male and female teams, which encourages female students to participate. The Chinese Taipei Amateur Softball Association holds an annual girls' softball championship during each academic year. In the academic year 2015, a total of eight teams at the senior high school level, 19 teams at the junior high school level, and 16 teams at the elementary school level participated, for a total of 43 participating teams. Volleyball, basketball, and soccer leagues also organize tournaments for girls.

10.25 To increase gender equality awareness among physical education teachers, an additional course, Practical Applications of Gender Equality in Physical Education, was incorporated into the Practical Training for Physical Education Teachers at All School Levels program in 2014.

### **Promotion of Female Adult Education**

10.26 For information concerning the national literacy rate of Taiwan, please refer to Point 24 of the Common Core Document.

10.27 To enrich the basic knowledge of citizens who dropped out of school early (among whom female senior citizens account for the majority of persons who are illiterate), as well as improve the listening, speaking, reading, writing, and mathematical skills of new immigrants (among whom 89.5% are women), supplementary compulsory schools have been established affiliated with elementary schools. Some 80% to 90% of students are female. In addition, local governments are subsidized to establish adult basic education courses, for which more than 90% of students are women, of whom more than 90% are also female new immigrants.

10.28 Lifelong learning programs promote education for citizens in accordance with the Lifelong Learning Act. By 2015, guidance had been provided to local governments to set up 81 community learning centers (also called community colleges), increasing to 83 colleges as of 2016. The proportion of female attendees at such institutions also increased from 70.3% in 2013 to 73.6% in 2016 (Table 10-5).

**[Table 10-5] Community Colleges and Students Nationwide**

Unit: schools; persons: %

Year	Number of community colleges nationwide	Participants			
		No. of male participants	Percentage of male participants (%)	No. of female participants	Percentage of female participants (%)
2013	81	96,884	29.7	228,899	70.3
2014	81	103,068	30.3	237,514	69.7
2015	81	107,199	29.0	262,779	71.0
2016	83	107,156	26.4	298,405	73.6

Source: Ministry of Education

10.29 Courses and activities offered by family education centers, senior citizen active learning centers, and community learning centers set by local governments 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.

### **Providing Family Education and Birth Control Education**

10.30 For more information concerning relevant regulations provided under the Family Education Act, please refer to Article 10.47 of the convention-specific document of Taiwan’s Second National Report on CEDAW.

10.31 In view of the increasing numbers of families involving transnational marriages, as well as the fact that more than 90% of new immigrants are women, funding is provided to local governments to implement family education activities for new immigrants and to provide opportunities to new female immigrants to participate in family education programs.

10.32 A translation of updated editions of the *Maternal Health Handbook* and the *Child Health Handbook*—available in English, Indonesian, Khmer, Thai, and

Vietnamese—was completed in 2016. It is estimated that new editions of the handbooks will be printed in 2017 to further provide new immigrant women with information concerning reproductive and preventive health care.

10.33 Maternal health care services and guidance are implemented in accordance with the regulations set forth under the Genetic Health Act. Advice on birth control is provided on the Health Promotion Administration website and in the *Maternal Health Handbook*. Subsidies are available to disadvantaged groups to cover the costs associated with various forms of birth control, such as the insertion of an intrauterine device, vasectomies, tubal ligations, and medically-induced abortions.

### **Promotion of Education and Advocacy Initiatives to Eliminate Discrimination**

10.34 In 2012, the United Nations designated October 11 as the International Day of the Girl Child. In 2013, Taiwan responded by implementing various events and competitions designed to promote increased awareness of the rights and interests of girls.

10.35 Statistical data concerning the victims of sexual harassment and sexual bullying incidents on school campuses was gathered through surveys conducted from 2013 to 2015 (Table 10-6).<sup>25</sup>

**[Table 10-6] Victims of Sexual Harassment and Sexual Bullying Incidents on School Campuses**

Unit: persons; %

Year	Sexual harassment on campus		Sexual bullying on campus	
	F (%)	Total persons	F (%)	Total persons
2013	1,550 (77.9)	1,991	5 (20.8)	24
2014	1,568 (78.0)	2,010	16 (29.6)	54
2015	1,531 (80.8)	1,896	10 (26.3)	38

Source: Ministry of Education

Note: As the Gender Equity Education Act has regulations in place governing investigation time limits, data on cases for 2016 is as yet unavailable.

<sup>25</sup> Articles 10.35–10.41 are in response to Point 23 of the Conclusions and Recommendations of Taiwan’s Second National Report on CEDAW.

- 10.36 The decline in the number of suspected sexual assault cases reported in accordance with law, from 1,666 cases in 2013 to 1,585 cases in 2016, is likely due to the continued push by schools to implement gender equality education and to actively improve students' knowledge of how to protect themselves.
- 10.37 A professional training has been provided to investigators regarding sexual assault, harassment, and bullying on campus, and a pool of investigators database has been established. As of 2016, a total of 1,823 persons had completed the training program.
- 10.38 To improve students' knowledge of how to protect themselves from incidents of sexual harassment, sexual assault, and sexual bullying on school campuses, a *Guide to Preventing Sexual Harassment, Sexual Assault, and Sexual Bullying at School: Student Participation in Athletic Programs (Junior High School Edition)* and *Ending Gender Bullying: A Guide to Preventing Sexual Bullying at School* were published and provided to schools in 2016.
- 10.39 Amendments to the Regulations for Religious Groups to Apply for a Foreigner to Study Religious Doctrine in Taiwan were promulgated on June 4, 2016, to strengthen prevention mechanisms for sexual bullying and sexual harassment with respect to foreigners who come to Taiwan to conduct religious studies. Religious groups and institutions tasked with compiling educational doctrine must establish a dedicated contact number for submitting sexual harassment complaints, while documents covering sexual harassment prevention measures must also be provided when a foreigner submits an application to study in Taiwan. Since the guidelines were amended and promulgated, a total of 389 foreigners have applied for entry into Taiwan to conduct religious studies, of whom 255 were women (66%).
- 10.40 Preservice development, in-service training, talent development, and gender equality education groups are all used to improve the quality of the gender equality education provided by educators. To provide further practical training to students who are on a teaching career track, Operation Directions Governing Ministry of Education Subsidies for In-Service Training of Teachers in Elementary School, Junior & Senior High Schools, and Preschools were

promulgated in 2013, incorporating gender education into preservice educational courses for faculty at the high school level and below. Amendments to the Guidelines for Ministry of Education-subsidized In-service Training for Senior Secondary School or Lower and Preschool Teachers were promulgated in 2014. Gender equality education has been listed as a top priority for subsidized in-service training for teachers since 2010.

10.41 To promote gender equality awareness among the general public, a special radio program was launched in 2004 and guest columns were added to newspapers in 2015, advocating gender equality through discussions on a range of topics on a weekly basis.

### **Education on Diverse Gender Identities**

10.42 Starting in 2014, a press release concerning the International Day against Homophobia, Transphobia, and Biphobia has been issued on May 17 each year to call attention to schools' responsibility to prevent sexual bullying on their campuses and to foster inclusiveness for students with different gender temperaments, sexual orientations, and gender identities.<sup>26</sup>

10.43 Gender Equality Education Film Promotion Program, launched in 2015, provided educational workshops for teachers and sought curriculum proposals regarding 45 videos on gender equality education. Among the videos, four dealt with gender diversity issues. A film appreciation workshop will be held in 2017.

10.44 Indicators for determining gender bias in secondary and elementary school textbooks were formulated in 2015, and provided to the publishers of secondary and elementary school textbooks, as well as provided to review panels for junior high / elementary school textbooks and senior high school textbooks for use as a reference. A program subsidizing the implementation of emotional education courses and other relevant educational activities at universities and colleges was held from 2013 to 2016, providing funding for a total of 90 cases, among which 35 cases involved diversity and gender issues.

---

<sup>26</sup> Articles 10.42–10.46 are in response to Point 22 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

10.45 In 2015, a digital course was produced to address diverse gender identity traits and the prevention of sexual bullying (including the concepts and connotations of gender, gender temperaments and stereotypes, and sexual bullying), and published online for teachers to access and study. A total of 1,726 persons took the course in 2015, and 1,540 persons took the course in 2016.

10.46 To help the general public gain a better understanding of gender equality education in schools, active communication have been established with persons responsible for compiling curriculums guidelines, members of textbook accreditation committee, and textbook editors to build consensus and ensure that the editing and accreditation process incorporating gender equality education issues into textbooks is more transparent and widely understood. The review process will continue to be strengthened to ensure the age appropriateness, adequacy, and accuracy of the content of educational materials for each phase of education.

## **Article 11**

The Act of Gender Equality in Employment, which entered into force in 2002, guarantees the right to equality in employment and to equal pay for men and women, and prohibits such rights from being discriminated against based on gender. The participation rate of women in the labor force has continued to gradually increase and, in turn, the gender pay gap has steadily contracted. To help make it easier for middle-aged and elderly women to find jobs, a new category of *reemployment for displaced women* (that is, women returning to the job market) was added to the Employment Service Act in 2015. To eliminate restrictions on the rights of women to work, a protective clause that had stipulated that “ordinary female workers are prohibited from performing dangerous or harmful work” was removed from the Occupational Safety and Health Act in 2013. Furthermore, the total number of foreign workers in Taiwan has already surpassed 620,000 people, of whom 57% are women, with home caregivers accounting for the majority of jobs held by female foreign workers.

### **State of Women’s Participation in the Labor Force**

11.1 In 2016, 5.186 million women were in the labor force in Taiwan, accounting for 44.2% of all workers. The labor participation rate among women had reached 50.8% (the labor participation rate among males was 67.1%), which is a slight increase compared to 50.5% in 2013 (as compared to 66.7% for males). The labor participation rate was highest among women aged 25–29 years old, at 90.4%, and revealed a gradual decline with age. In 2015, the average age of first marriage among women was 30 years old (32 years old in the case of men), while the average age of women at first childbirth was about 31 years old; consequently, it can be inferred by analysis that numerous women within this age group leave the workplace due to factors such as marriage and childrearing, causing a downward trend in the labor participation rate among women aged 30–34 years old. However, as compared to 2013, with the exception of the decline observed among women aged 15–24 years old and 65 years and older, the labor participation rate of women in all other age groups increased in 2016, with women in the 50–54 age group in particular accounting for the largest proportional increase, at 4.5 percentage points (see Table 11-1).

**[Table 11-1] Labor Force Participation Rate by Age and Gender, 2013–2016**

Unit: %

Year	Total	Aged	Aged 65										
		15–19 years	20–24 years	25–29 years	30–34 years	35–39 years	40–44 years	45–49 years	50–54 years	55–59 years	60–64 years	years and older	
Male	2013	66.7	8.4	51.5	94.8	94.6	94.1	94.6	91.3	82.3	68.6	48.6	12.8
	2014	66.8	8.9	51.0	94.6	96.1	93.4	94.3	91.0	83.5	69.4	49.4	13.3
	2015	66.9	9.6	52.2	94.8	96.8	93.0	94.5	91.7	83.9	70.6	49.3	13.6
	2016	67.1	10.2	55.6	94.1	97.5	93.6	94.2	91.7	84.2	70.6	50.7	13.7
Female	2013	50.5	7.8	53.9	90.3	79.1	74.6	73.8	68.0	54.5	38.4	19.1	4.4
	2014	50.6	7.0	51.7	88.8	80.6	74.5	75.0	69.6	56.1	40.0	22.6	4.6
	2015	50.7	7.0	52.1	90.2	82.3	75.1	75.6	70.4	57.2	40.2	23.1	4.6
	2016	50.8	6.9	51.5	90.4	83.1	76.2	76.5	71.9	59.0	41.4	22.9	4.3

Source: Manpower Survey, Directorate General of Budget, Accounting and Statistics, Executive Yuan.

11.2 In 2016, the unemployment rate was 3.6% among women and 4.2% among men, a decline of 0.2 and 0.3 percentage points since 2013, respectively. The unemployment rate among men and women has continued to show a downward trend, and women have consistently had a lower rate of unemployment compared to men. When broken down by age group, both men and women in the 20–24-year-old bracket had the highest rate of unemployment, which is predominantly due to the fact that young people are usually entering the workforce for the first time in their lives, and often have difficulty navigating unfamiliar territory when it comes to seeking employment; this is further evidenced by the fact that the unemployment rate follows a downward trend that corresponds to aging, with a given population’s rate of unemployment declining as it ages. Among persons aged 30 and older, the average unemployment rate was no higher than 4.2%, and among men and women aged 65 years and older, the unemployment rate was only 0.1% and 0.3%, respectively (see Table 11-2).

**[Table 11-2] Unemployment Rate of Men and Women by Age, from 2013–2016**

Unit: %

Year	Total	Aged	Aged 65										
		15–19 years	20–24 years	25–29 years	30–34 years	35–39 years	40–44 years	45–49 years	50–54 years	55–59 years	60–64 years	years and older	
Male	2013	4.5	8.6	14.1	8	4.9	3.9	3	3.3	2.7	2.5	1.6	0.2
	2014	4.3	9.6	13.7	7.4	4.7	3.6	3.1	3.1	2.7	2.4	1.4	0.1
	2015	4.1	8.2	13.2	6.9	4.4	3.6	3.2	3	2.3	2.1	1.2	0.1
	2016	4.2	8.8	12.3	7.5	4.2	3.9	3.1	3.2	2.6	2.2	1.9	0.1
Female	2013	3.8	10.8	13.4	6.3	3.4	2.7	1.9	1.7	1.7	1.6	0.6	0.1
	2014	3.6	7.6	12.8	6.3	3.3	2.9	2	1.4	1.3	1.5	0.9	0.03
	2015	3.4	9.2	12	6.2	3.5	2.6	1.4	1.6	1.7	1.2	1.2	0.2
	2016	3.6	9.2	12.9	6	3.3	2.9	2.1	1.7	1.5	1.5	1.1	0.3

Source: Manpower Survey, Directorate General of Budget, Accounting and Statistics, Executive Yuan

11.3 In 2014, the unemployment rate among persons with disabilities was 11% (10.5% for women and 11.2% for men), revealing a relatively even rate of unemployment rate between both sexes. The unemployment rate of persons with disabilities was 3.9% higher compared to the overall labor force, with both sexes exceeding the overall rate by 7 percentage points. Among persons with disabilities who wish to find employment but are unable to do so, the top three reasons cited by women were *not being suited to the nature of the work*, *insufficient work-related skills*, and *age-related restrictions*.

11.4 In 2016, 5.022 million women were not in the labor force (accounting for about 61% of the nonworking population); the primary reasons for nonparticipation in the labor force were *housekeeping* (49.8%) followed by *old age and/or disabled* (23.5%). There were no significant changes noted in the types of reasons given as compared to the situation in 2013 (see Table 11-3). In addition, according to the 2016 Manpower Utilization Survey of the Executive Yuan’s Directorate-General of Budget, Accounting and Statistics, among females aged 15–64 years old who were unwilling to seek employment and were not in the workforce, the primary reasons given for being unwilling to seek employment were *handling household duties* (32.8%) followed by *attending school or rebrushing to take entrance exams* (30.2%)

and family is economically stable and does not require further income (10.7%). Other reasons included need to take care of child/children under the age of 12 (9.6%), need to take care of family member(s) over the age of 65 (3.4%), and need to take care of disabled family member(s) (0.9%).

11.5 In addition to being impacted by salary and wages, number of hours worked, benefits, and other factors and labor conditions, a person's choice of occupation is also affected by numerous factors such as their level of knowledge, aptitude, and personal inclinations. Data indicated the occupational distribution of men and women employed in 2016, service and sales workers accounted for the greatest proportion of jobs held by women (23.6%), whereas craft and machine operation related workers accounted for the greatest proportion of jobs held by men (42.4%). Owing to the increased level of educational attainment achieved by women in recent years, women are increasingly pursuing occupations that involve a higher degree of knowledge and skill. In 2016, the proportions of women working as professionals or as technicians and associate professionals increased 1.4 and 1.2 percentage points, respectively, compared to 2013, while the numbers of women working as craft and machine operation related workers declined by 1.4 percentage points compared to 2013, thereby expanding the discrepancy between men and women employed as craft and machine operation related workers, with men accounting for 25.4 more percentage points in this occupation than women (see Table 11-4).

**[Table 11-3] Reasons for Nonparticipation in the Labor Force, 2013–2016**

Unit: %

Year		Total	Intend and be available to work but not seeking	Attending school or rebrushing to take entrance exams	Housekeeping	Old age & disabled	Other
Male	2013	100.0	2.9	33.6	1.0	38.6	23.9
	2014	100.0	2.6	32.4	1.2	39.9	23.9
	2015	100.0	2.8	31.8	1.4	40.2	23.8
	2016	100.0	2.8	31.5	1.5	40.5	23.7
Female	2013	100.0	1.2	21.3	48.4	24.4	4.7
	2014	100.0	1.2	21.2	49.3	23.3	5.0
	2015	100.0	1.2	20.9	49.5	23.4	5.0
	2016	100.0	1.2	20.5	49.8	23.5	5.1

Source: Manpower Survey, Directorate General of Budget, Accounting and Statistics, Executive Yuan

**[Table 11-4] Employment Structure by Occupation**

Unit: %; percentage points

Occupation	Male			Female		
	2013	2016	Percentage point change, 2016 vs. 2013	2013	2016	Percentage point change, 2016 vs. 2013
Total	100.0	100.0	-	100.0	100.0	-
Legislators, senior officials, and managers	5.0	4.5	-0.5	2.1	2.1	-0.0
Professionals	10.3	10.2	-0.1	13.6	15.0	1.4
Technicians and associate professionals	17.1	16.4	-0.7	18.9	20.1	1.2
Clerical support workers	4.2	4.3	0.1	20.1	19.7	-0.4
Service and sales workers	16.0	16.3	0.4	24.3	23.6	-0.7
Skilled agricultural, forestry and fishery workers	5.9	5.9	0.0	2.7	2.6	-0.1
Craft and machine operation related workers	41.6	42.4	0.8	18.4	17.0	-1.4

Source: Manpower Survey, Directorate General of Budget, Accounting and Statistics, Executive Yuan

Note: The above statistics are compiled according to the revised edition of the *Standard Occupational Classification System of the Republic of China (6th Edition)*.

11.6 The proportion of women serving as legislators, senior officials, and managers can be used to examine the extent of their participation in the political process, as well as their influence in policy-making. In Taiwan, the proportion of women working as legislators, senior officials, and managers has gradually increased over the years, from 25.0% in 2013 to 26.8% in 2016, a growth of 1.8 percentage points. Compare with that of major countries, this is lower than the US (43.8%) and Sweden (39.2%), but higher than Japan (12.9%) and Republic of Korea (9.7%) (see Table 11-5).

**[Table 11-5] Percentage of Women Serving as Legislators, Senior Officials, and Managers**

Unit: %

	Republic of China	Republic of Korea	Singapore	Japan	US	France	Germany	Italy	UK	Netherlands	Belgium	Sweden	Switzerland	Norway	Iceland
2013	25.0	11.4	33.7	11.2	43.4	36.0	28.9	26.9	34.0	24.6	31.3	35.6	32.7	32.8	36.8
2014	25.4	11.1	33.9	11.3	43.7	32.7	29.0	26.6	35.3	25.4	31.7	37.0	33.8	35.4	35.3
2015	25.3	10.5	34.0	12.4	43.6	31.7	29.3	26.6	35.4	26.0	32.6	39.8	35.3	36.0	41.2
2016	26.8	9.7	35.2	12.9	43.8	32.9	29.3	27.6	36.0	25.4	32.6	39.2	35.5	37.6	35.0

Source: International labor statistics compiled by the Ministry of Labor.

- 11.7 In 2016, 625,847 persons participated in skills certification programs encompassing a wide range of occupations, with women accounting for 270,134 (43.2%) of total participants. Various promotional methods have been adopted continuing to encourage women to participate in skills certification programs and competitive activities, including organizing keynote speeches by national-level skill competition champions, setting up a Facebook fan page, and holding cinematography competitions for the creation of related promotional videos.
- 11.8 In 2016, the percentages of women who were employers or were self-employed were 1.8% and 6.6%, respectively, less than for their male counterparts (5.7% and 15.8%). The percentages of women employed by the government and private employers were 11.4% and 72.2%, respectively, both of which exceeded men (7.2% and 68.5%). Unpaid family workers, on the other hand, accounted for 8% of women, which was also greater than that of males (2.8%).
- 11.9 A research report analyzing policies designed to increase women's participation in the labor force was published in 2015. In response to the findings of the report, the relevant ministries and departments drafted numerous policy proposals, including a *White Paper on Female Labor Policy*, a *White Paper on Labor Policy in an Aging Society*, a *Population Policy White Paper*, and a national development plan, all designed to boost the labor participation rate of women and middle-aged and elderly persons by eliminating age-based discrimination, improving occupational training programs for women, helping women establish new companies, and introducing measures for promoting friendly workplaces and comprehensive childcare programs that allow citizens to strike a balance between their family and work duties. In the future, efforts will be made to strengthen the implementation of these policies, promote the drafting of legislation specifically aimed at addressing the employment conditions of middle-aged and elderly persons, and further enhance measures designed to help women get jobs.<sup>27</sup>

#### Women Returning to the Job Market

- 11.10 In 2015, the Employment Service Act was amended to add women returning to the

---

<sup>27</sup> Articles 11.9–11.12 are in response to Point 25 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

job market as a specific target for promoting employment. In addition to providing job seeker registration, employment counseling, job referrals, accompanied interviews, and employer coordination services, the government also offers temporary work subsidies, career coaching, and retooling subsidies designed to help women find work.

11.11 In 2015, 27,331 women returned to the job market to seek employment, 18,369 of whom were successfully referred to a job (a job placement rate of 67.2%). In 2016, 43,118 women sought reemployment, 34,100 of whom were successfully referred to a job (a job placement rate of 79.1%).

11.12 In 2015, 56,780 middle-aged and elderly women were successfully referred to a job (a job placement rate of 56.3%); and in 2016, 87,350 middle-aged and elderly women were successfully referred to a job (a job placement rate of 72.7%).

#### Atypical Employment

11.13 In 2016, with respect to the numbers of women engaged in part-time work as a proportion of the total female workforce by age group, women aged 25–64 outnumbered their male counterparts, with 8.33% of women aged 65 years and older holding a part-time job (6.1% in the case of men); 5.5% of women aged 45–64 years old (2.1% in the case of men), 2.8% of women aged 25–44 years old (1.2% in the case of men), and 15.3% of women aged 15–24 years old (17.8% in the case of men). The largest gap between men and women, 3.44 percentage points, was observed in the 45–64-year-old age group. This reveals that, in comparison to middle-aged and elderly men, a higher proportion of middle-aged and elderly women were engaged in part-time work.

11.14 In 2016, with respect to the numbers of women engaged in temporary or dispatched work (that is, contract work) as a proportion of the total female workforce by age group, women outnumbered men in the 45–64 age group; 7.56% of women aged 65 years and older (2.2% in the case of men), 6% of women aged 45–64 years old (4.9% in the case of men), 3.2% of women aged 25–44 years old (4.1% in the case of men), and 17.8% of women aged 15–24 years old (as compared to 24.5% of men) engaged in such work.

11.15 To provide a sound legal framework for protecting workers engaged in dispatched

labor (that is, contract workers), a panel of experts and scholars was convened in 2017 to deliberate on related issues. Information pertaining to dispatched workers' situation in Taiwan continues to be gathered for the purpose of conducting relevant policy assessments. Discussions are also being held on various legislative issues, including disagreements between employers and employees, and restrictions and rules on the use of dispatched workers. It is anticipated that a draft of the provisionally titled Dispatched Workers Protection Act will be completed by the end of 2017.

## **Elimination of Employment Discrimination**

### Employment Discrimination

11.16 Gender discrimination cases comprised the largest category of employment discrimination complaints in 2016, followed by cases involving age discrimination and disability discrimination. In 2016, a total of 440 complaints were handled in accordance with the Act of Gender Equality in Employment, among which 218 complaints involved gender discrimination, accounting for 49.5% of all complaints received. A total of 37 complaints involving gender discrimination were corroborated, resulting in a total of NT\$8.93 million in administrative fines being levied, and accounting for 68.7% of all administrative penalties (NT\$13 million) handled during 2016. In addition to administrative sanctions, the name of an employer, individual, entity, or legal representative found to have violated the law must be publicly announced, and violators that fail to rectify their conduct within the allotted time may be fined for each consecutive violation.

11.17 In 2015, the majority of businesses hired both men and women for all types of occupations when recruiting new employees. Jobs which had the highest hiring rates for both men and women included management positions, which was the highest at 82.8%, followed by clerical positions, which accounted for 81.3%. Meanwhile, when hiring for hazardous and physically demanding jobs, the proportion of businesses which only hired men (30.9%) was higher than businesses which only hired women (0.3%). On the other hand, when hiring for clerical positions, the proportion of businesses which only hired women (11%) was higher than that of men (1.3%).

11.18 The Regulations for Providing Legal Aid in Lawsuits Concerning Gender Equality in Employment, which were amended in 2014, permit jobseekers and employees to petition the competent authority to provide legal assistance in cases where regulations intended to protect employees as set forth under the Act of Gender Equality in Employment have been violated by a (potential) employer and the (jobseeker) employee files a lawsuit to seek redress in a court of law.

11.19 Monitoring Criteria and Operating Guidelines for the Act of Gender Equality in Employment were issued in 2015. Some 7,074 regulatory inspections were then conducted in 2016 to strengthen the implementation of relevant regulations provided under the Act of Gender Equality in Employment, as a result of which three cases of companies violating the provision requiring employers not to reject a request for menstrual leave or paternity leave, or to treat such an applicant unfairly, and seven cases of companies violating their duty to prevent sexual harassment, were encountered. As compared to 2015, this represented an increase of 5,353 inspections, and one additional case of a company having been found to have violated the provision requiring employers not to reject a request for menstrual leave or paternity leave, or to treat such an applicant unfairly.

11.20 For more information concerning efforts to eliminate gender-based occupational segregation for certain occupations, please refer to Articles 5.9–5.13.

11.21 For more information concerning the rescission of enrollment quota restrictions for men and women for certain national examinations, please refer to Articles 7.8–7.10.

#### Sexual Harassment in the Workplace

11.22 From 2014 to 2016, the number of complaints concerning gender equality in employment increased; with regard to measures involving gender discrimination, sexual harassment prevention, and measure promoting equality in employment, 194 cases, 127 cases, and 68 cases were handled in 2014, respectively; and 218 cases, 146 cases, and 119 cases were handled in 2016, respectively.

11.23 To further increase awareness of gender equality, the Ministry of Labor coordinates with local governments to hold 26 sessions of a seminar on equal rights and sexual harassment prevention in the workplace every year.

11.24 According to the 2016 Survey on Equality in Employment and Management, about

54.7% of companies with 30 or more employees had established a committee for handling complaints, while 45.3% had not.

#### Gender Pay Gap

11.25 In 2016, the average monthly total earnings of women employed in the Industrial and Service sector was NT\$44,168; women worked an average of 166.9 hours per month for an average earnings of NT\$265/hour. Meanwhile, the average monthly total earnings for men was NT\$52,824, for an average of 171.7 hours worked per month and an average earnings of NT\$308/hour. The average hourly earnings of women was 86% of the earnings earned by men, a difference of 14% (down from 16.6% in 2012), revealing that the gender pay gap has steadily contracted over the years.<sup>28</sup>

11.26 When analyzed by industry, the gender pay gap in 2016 was observed to be the largest in the Human Health Activities, at a 46.2% difference, followed by the Arts, Entertainment, and Recreation (a 33.8% difference) and the Manufacturing (a 26.1% difference). On the other hand, women commanded higher average salaries and wages than men in the Support Services Activities, Water Supply and Remediation Activities, and Real Estate Activities. When analyzed by occupational type, jobs providing a primary source of monthly income which had the smallest gender pay gap were Legislators, Senior Officials, and Managers (a 13.4% difference), followed by Technicians and Associate Professionals (a 14.3% difference). A relatively higher gap of 26.5% was identified for Craft and Machine Operation Related Workers. When analyzed by age group, a decrease in the pay gap for jobs providing a primary source of monthly income was correlated with age, with younger workers experiencing less of a gap; among 15–24-year-olds, the pay gap between men and women was 0.9%; among 25–44-year-olds, 13.1%; among 45–64-year-olds, 19.8%; and highest among persons aged 65 years and older, at 31%.

11.27 In 2015, the average monthly income earned by indigenous women in a primary job was NT\$24,835, representing 73.9% of the average income earned by all women

---

<sup>28</sup> Articles 11.25–11.29 are in response to Point 26 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

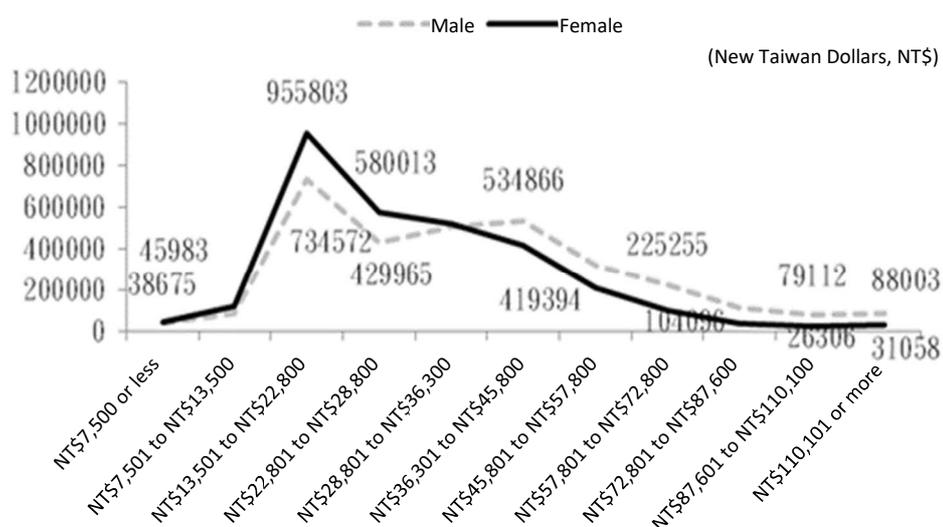
(NT\$33,596). Indigenous women earned, on average, 80.0% of that earned by indigenous men (NT\$31,046).

11.28 In 2014, the monthly income earned by employed women with disabilities in the primary job was NT\$21,570, which was 66.0% of the average income (NT\$32,671) earned by employed women. In addition, when comparing income by gender among employed persons with disabilities, women were found to earn 83.2% of what men earned (NT\$25,914).

11.29 The *Study on the Issue of Equal Pay for Equal Work* was commissioned by the Ministry of Labor to be conducted between 2015 and 2016. According to the results of the study, the disparities in the labor participation rate and in the actual numbers of employed men and women have gradually contracted over the past 20 years. Nevertheless, there are still many hurdles to achieving equal pay for equal work in certain areas. For instance, there are no consistent definitions of the terms *equal work*, *equal value*, and *equal pay*. Other factors include salary nondisclosure clauses, a lack of common standards among enterprises for comparing salaries and wages, increased company workloads, interference in normal labor market operations, reduction of competitiveness of Taiwan's enterprises, and reduced investment in Taiwan. In the future, more effort will be made to increase awareness of relevant policies to ensure that employees and businesses have a better grasp of laws and regulations on equal pay for equal work.

#### Labor Pension Benefits

11.30 An overview of contributions made to the labor pension fund in 2015, as demarcated by salary bracket, is provided in Figure 11-1. Among men, the average contribution was NT\$40,007, while that of women was NT\$32,095, about 80% less than that of men. Women outnumbered men in pension contribution brackets less than NT\$36,300, whereas men outnumbered women in pension contribution brackets of NT\$36,301 or more, suggesting that the gender pay gap could be responsible for the gender pension contribution discrepancy. Therefore, the government will continue to launch relevant measures and policies so as to help rectify the gender pay gap.



Source: Ministry of Labor

**[Figure 11-1] Statistics on Pension Contribution Brackets under the New Labor Pension System, 2015**

11.31 Measures for guaranteeing pensions in Taiwan include old-age pension benefit payments as stipulated under the Labor Insurance Act as well as the labor pension into which employers make payments as stipulated by the Labor Standards Act (old pension system) or the Labor Pension Act (new pension system). Men typically receive larger average lump-sum payments under the old retirement system as compared to women. Under this system, in 2015 men received an average lump-sum payment of NT\$1,473,559 per person, while women received an average lump-sum payment of NT\$872,628 per person (about 59% of that for men). Under the new retirement system, men received an average lump sum payment of NT\$131,976 per person, while women received an average lump sum payment of NT\$84,128 per person (about 64% of the amount received by men). As of the end of 2015, the average age of pension claim recipients under the old pension system was 59 years old for men and 57 years old for women. The average age of pension claim recipients under the new pension system was 62.8 years for men and 62.3 years for women.

#### Promoting Employment

11.32 Between 2013 and 2016, the Employment Program for Indigenous Peoples helped

a total of 74,377 indigenous persons gain employment, of whom 47,117 (63.3%) were women.

11.33 In 2016, a total of 445 people were employed to provide care to 5,926 local tribal elders. Women accounted for 292 (66%) of the caregivers, showing that the program created job opportunities for women.

11.34 The government published easy-to-understand handbooks on job-placement services and resources in Chinese, English, Thai, Indonesian, and Vietnamese. The Ministry of Foreign Affairs, National Immigration Agency, as well as local government agencies and civil organizations that provide services to new immigrants, helped distribute the handbooks to new immigrants.

11.35 The government is continuing to review measures designed to help new immigrants (women in particular) find employment, make greater use of promotional channels, cultivate friendly workplaces, and encourage companies to employ new immigrants. In 2016, a total of 8,582 new immigrants received job placement assistance (compared to 6,908 people in 2015). The majority (approximately 54%) of new immigrants work in the service industry.

## **Measures for Promoting Balance between Family and Work**

### **Current Status and Needs Concerning Marriage and Child-raising**

11.36 According to the *2016 Report on Women's Marriage, Fertility, and Employment*, married women aged 15-64 years old who were unable to continue working due to marriage, childbirth, or pregnancy primarily cited such reasons as preparing to give birth (or having become pregnant) (57%) and taking care of children (68.4%), respectively.

11.37 The primary caregivers for children under the age of three years old include parents (47.3%), paternal and/or maternal grandparents (39.3%), and babysitters (10.2%). Care provided by parents was still considered the most ideal form of childcare (78.8%).

11.38 Private kindergartens or daycare centers were the most common type of primary childcare provider for children aged 3-6 years old, at 39.2%, followed by care provided by parents (24.5%), and public kindergartens or daycare centers (16.8%). The most ideal forms of childcare were care provided by parents (34%), public

kindergartens or daycare centers (31.1%), and private kindergartens or daycare centers (24.3%).

#### Child-rearing Resources

11.39 As for government allowances and other forms of subsidies for childcare services to children aged 0–2 years old, the Childcare Subsidy for Employed Parents with Qualified Childcare Providers, which was set up by the government in 2008, along with the Allowances for Unemployed Parents with Children Under the Age of Two, which was set up in 2012, both provide monthly subsidies ranging from between NT\$2,000 to NT\$5,000 to families raising a child. In 2016, the programs covered roughly 84.2% of families nationwide raising a child under the age of two years old, providing more than NT\$6,679,570,000 in subsidies to 347,413 recipients.

11.40 Beginning in 2011, a tuition-waiver program was launched to ensure that all five-year-olds have access to free education. The nationwide enrollment rate of five-year-olds was 96.3% in 2016, an increase of 1.6% compared to 94.7% in 2012.

11.41 To better meet the childcare needs for infants aged 0–2 years old, services are available at one's home or dedicated institutions, with parents selecting their preferred form of childcare. The system for registering the family childcare service was enacted in December 2014. As of the end of 2016, service registration certificates were issued to 24,259 people, 31.1% more compared to 2012 (18,505 people). A total of 23,611 infants received such care at home, while 808 daycare centers across Taiwan provided care to 15,317 infants, accounting for 9.4% of all external childcare services rendered nationwide to infants under two years of age.<sup>29</sup>

11.42 The Comprehensive Child-Rearing Environment Program (2016–2018) was launched to strengthen cooperation among families, local communities, employers, and government institutions. The program uses a three-pronged strategy to popularize public day care services for preschool-age children, balance between work and family, and support family in fertility and childrearing. It aims to deliver fairly priced, high-quality, and easily accessible childcare services, foster work environments conducive to child-rearing, promote women's employment, and

---

<sup>29</sup> Articles 11.41–11.43 are in response to Point 25 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

provide economic support to families raising children. This comprehensive approach helps parents bring up their children.

11.43 The Program for Expanding Public Access to Early Childhood Care Programs (2017 to 2020) aims to establish an additional 1,000 classes at public kindergarten-fee levels to satisfy the diverse needs of parents with respect to affordable childcare services. The program's primary goal is to encourage the erection of nonprofit kindergartens and secondary goal is the establishment of new public kindergartens. The quality of childcare services impacts the willingness of women to hold a job when raising a child. The ratio of public- to private-fee level classes will be increased from 3:7 in 2016 to 4:6 by 2020, enabling an additional 30,000 children to receive high-quality, affordable childcare services. This will reduce the burden of child-rearing on families, make couples more willing to have children, and help more women enter the job market.

#### Parental Leave without Pay and Childcare Leave Subsidies

11.44 The Act of Gender Equality in Employment was amended in 2014 to loosen certain restrictions. For instance, it now permits employees who have been employed six months or longer to submit a request to their employer for parental leave without pay. It has also enabled employees to apply for parental leave without pay if they are in the process of adopting a child. In 2015, the Employment Insurance Act was also amended to loosen certain restrictions, such as by permitting insured persons to apply for parental leave allowance when in the process of adopting a child.

11.45 In 2016, of the first-time applicants for subsidized parental leave without pay, 70,746 (82.6%) were women; of the civil servants and teachers who applied for subsidized parental leave without pay, 5,486 (90.9%) were women; and of the total number of military personnel who applied for subsidized parental leave without pay, 414 (69%) were women.

#### Friendly Workplace

11.46 In accordance with the Act of Gender Equality in Employment, workers in Taiwan are entitled to receive up to eight weeks of paid maternity leave. From 2013 to 2016, relevant regulations were formulated or amended, including menstrual leave (female workers are entitled to three days of menstrual leave at half regular wage,

not counted toward days off for sick leave), paternity leave (five days), prenatal checkups (five days), and time for breastfeeding or pumping (1 hour per day).

11.47 In 2015, the Labor Standards Act was amended so that employers may adjust the start and end work times by up to one hour for workers who need to care for family members, provided that their total daily working hours remain the same.

11.48 In an interpretation made in 2016, the Ministry of Labor stated that Article 1123 of the Civil Code on determining who constitutes a household member (i.e., family member) may also be used to determine who constitutes a family member under the Act of Gender Equality in Employment in the case of family care leave. Therefore, the right to request family care leave was expanded to include all employees. In 2015, an average of 4.2 days off were requested by men for family care leave, while women requested an average of 4.5 days off.

11.49 In 2016, Article 23 of the Act of Gender Equality in Employment was amended to expand the scope of applicability of employers required to provide breastfeeding(breast milk collection) rooms, childcare facilities, or other suitable childcare measures by changing the requirement from employers with more than 250 employees to employers with more than 100.

11.50 According to the 2015 Survey on Equality in Employment and Management, of companies with 250 or more employees, 84.2% have set up breastfeeding(breast milk collection) rooms, and 81.5% provide childcare facilities or suitable childcare measures (compared to 76.7% in 2012).

11.51 The criteria for receiving government subsidies for childcare measures were relaxed in 2016. Employers that provide childcare allowances to employees for placing their children in childcare centers may receive a maximum government subsidy of NT\$600,000 per annum. As of 2016, a total of 1,913 business had received more than NT\$160,820,000 in subsidies to help cover expenditures for the establishment of breastfeeding (breast milk collection) rooms, childcare facilities, or other childcare related measures.

11.52 To help enterprises nurture a more worker-friendly environment, the government has created Employee Assistance Programs and Work-Life Balance workshops. From 2013 to 2016, a total of 92 classes were held and attended by 7,885 company

representatives. In addition, on-site enterprise coaching was provided to 212 companies, and a Work-Life Balance website was created to provide standard operating procedures and the latest information to enterprises.

11.53 The Work-Life Balance Awards, first introduced in 2014, recognize enterprises that outperform legal requirements in three areas—work, family, and health—through the adoption of creative measures to foster work-life balance. The following measures won awards: paid family care leave, 12-week paid maternity leave, company-funded daycare programs, and an NT\$5,000 monthly child-rearing subsidy to an employee until the child reaches the age of four years old.

11.54 A new system for the National Quality Award was approved in 2016, adding the creation of gender equality work environment as a key review item to the newly amended assessment criteria. Meanwhile, the review item “actively fostering a friendly workplace environment” also became an assessment criteria for leadership and operation strategy when selecting companies to be nominated for the Taiwan Mittelstand Award. Plans are also being made to publish reports in print media and/or electronic media to highlight the good deeds of enterprises winning the award.

### **Safeguarding Women’s Occupational Safety and Health**

11.55 In 2013, the Labor Safety and Health Act was revised and renamed the Occupational Safety and Health Act. The provision forbidding women from performing dangerous or harmful duties was removed, while special provisions were incorporated to protect the health of women who are pregnant or have given birth within less than one year.

11.56 In 2014, the government formulated the Regulations Governing the Implementation of Maternal Health Protection for Female Workers, which came into effect in 2015. In 2016, the Workplace Guidelines for Maternal Health Protection were announced. Shortly after they entered into force, promotional and guidance efforts were carried out to urge business owners to implement the guidelines. Enhanced labor inspections were conducted in the following year. During inspections in 2015 and 2016, a total of 26 and 88 businesses, respectively, were found to have violated regulations pertaining to maternal health protection under the Occupational Safety

and Health Act. Thus, educational workshops on maternal health protection will continue to be offered, and the inspection and investigation skills of labor inspectors will be further enhanced.

11.57 In 2014, the Seafarer Act was amended by removing prohibitions on female seafarers working at night and on pregnant female seafarers engaging in work aboard a ship. The new regulations put into place require an employer to provide necessary night safety protection measures and, in the case of a female seafarer who is pregnant or gave birth within eight weeks, provide necessary maternal health protection measures as per advice given by a doctor after examining the female seafarer.

11.58 Currently, each state has its own approach toward women working at night. In 2016, the Survey and Analysis of Standards and Actual Conditions of Women Working Night-time Jobs in Taiwan was commissioned. It provided insights into the current conditions and rules and regulations pertaining to the issue of women working night-time jobs in other countries so as to help Taiwan strike a suitable balance between gender equality and the working rights of women.

### **Protecting the Employment Rights of Female Migrant Workers**

11.59 At the end of 2016, Taiwan had 625,000 foreign workers, including 350,000 (56.1%) women. In terms of specific industry categories, 387,000 foreign workers worked in the productive industries, including 115,000 (29.7%) women. Foreign workers in the social welfare sector comprised 237,000 persons, including 236,000 (99.3%) women. Meanwhile, the 25-34 year age group accounted for the majority of such workers. Most female foreign workers were employed in the category human health, social work, and other services (67.2%), with the majority (93.3%) working as family nursing caregivers.

11.60 The Regulations Governing Management of the Health Examination of Employed Aliens were amended in 2007 and 2016. This rescinded regulations that mandated a pregnancy examination be completed within three days after entering the country, as well as a pregnancy examination prior to entering the country.

11.61 From 2013 to 2016, the 1955 Counseling and Protection Hotline for Foreign Workers handled a total of 661,156 consultations and 92,313 complaints. A total of

200,000 consultations were made in 2013, while about 160,000 to 180,000 consultations were given each year from 2014 to 2016. The number of complaints averaged about 20,000 cases per year, revealing that the number of consultations has leveled off and the number of complaints has remained steady. Women accounted for a higher proportion of persons receiving consultation and making complaints as compared to men (from 2013 to 2016, women accounted for about 59% of consultations and about 56% of complaints). Complaints received through the 1955 Counseling and Protection Hotline for Foreign Workers are immediately referred to the respective local government through an electronic reporting system in order to initiate an official investigation. Reminders are subsequently generated 20 days, 30 days, and 60 days after a complaint has been received to ensure that cases are processed in a timely manner. In addition, with regard to salary and wage complaints, employers found by a local government to have not paid an employee's full salary or wage may be ordered to pay the outstanding wages within a certain timeframe or be subject to administrative sanctions and/or fines in accordance with related regulations. Furthermore, the employer's permits to recruit and hire foreigners may be revoked, either in whole or in part, in accordance with the law. In addition, video and radio public service announcements are produced each year to promote the rights and interests of foreign workers. In addition, 10-minute lectures are available to foreign workers entering the country at care service stations located inside the Taiwan Taoyuan International Airport and Kaohsiung International Airport. These efforts have helped foreign workers get a better understanding of Taiwan's current laws and regulations, as well as their legal rights.

11.62 To protect the rights and interests of domestic caregivers and helpers and improve their work conditions, the Domestic Workers Protection Act was drafted. It contains provisions that cover such issues as daily breaks, regular days off each week, special leave, requests for leave of absence, minimum wage, wage payment principles, termination of labor contracts, insurance, and complaint channels. It aims to protect the rights and interests of domestic workers. The draft legislation complements the government's long-term care policies by protecting the rights and interests of both employers and employees and through its practicable provision. Meanwhile, other

relevant legal approaches are currently being examined.<sup>30</sup>

11.63 As the legislative process to enact the Domestic Workers Protection Act has yet to be completed, certain protective measures have been put into place to safeguard the fundamental human rights and terms of employment of foreign domestic caregivers. Such measures include requiring foreign workers to sign wage/salary affidavits and having these affidavits notarized by their government before they enter Taiwan. These are to serve as evidence in the event of later investigations. Foreign workers must also sign a labor contract that covers such employment rights and obligations as their salary/wage, number of work hours, rest time, holidays/days off, and overtime pay. No future change or modification to the contract may breach the terms of the original affidavit so as to be unfavorable to the worker. Except for expenditures or other obligations to be borne by foreign workers in accordance with the law, no deductions may be made from their salary and wages, which must be paid in full otherwise. Within three days of the arrival of a foreign worker in Taiwan, the employer must notify the local government authority to carry out an inspection to confirm whether adequate arrangements for the accommodation and other needs of the foreign worker have been made. In July 2016, the Ministry of Labor started requiring employers hiring a foreign worker for the first time as a domestic caregiver or helper to first complete the employers' orientation program. This is to ensure that employers are aware of relevant domestic laws and regulations and protect the rights and interests of such foreign workers.

---

<sup>30</sup> Articles 11.62–11.63 are in response to Point 27 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

## **Article 12**

The National Health Insurance Act, which entered into effect in 1995, has been providing subsidies to make prenatal screenings free. Local governments also provide nutrition subsidies to low-income households with women who are pregnant or have infants, achieving a coverage rate of 90.9%. Regarding healthcare for elderly women, the 10-year Long-term Care Program 2.0 was passed in 2016 to provide support services and care services to disabled senior citizens.

### **Eliminating Health Discrimination and Ensuring Women's Right to Health**

12.1 As of the end of 2016, the National Health Insurance enrollment rate was 99.7%, up from 99.6% in 2013. The enrollment rate among women increased from 99.7% in 2013 to 99.8% in 2016, demonstrating that women's right to health in Taiwan is well protected. In addition, as of the end of 2016, women accounted for 50.5% of the total number of persons enrolled in National Health Insurance, with 36.8% of them being classified as a dependent.

12.2 In accordance with the Regulations on the National Health Insurance Premium Subsidization for Persons with Disabilities, persons with disabilities receive subsidies to help cover the cost of their health insurance fees. From 2013 to 2016, a total of 439,123; 443,335; 449,229; and 453,806 disabled women received subsidies, respectively, under the National Health Insurance program.

12.3 In 2016, steps to decouple outstanding premiums and the right to medical care were implemented as a part of the National Health Insurance program. These measures reactivated all health insurance cards previously frozen due to unpaid NHI premiums. Thus, people just need to complete the insurance subscription procedures to receive medical attention. A total of 15,540 women have directly benefited from this program.

#### **Illness and Health Status**

12.4 In 2016, the standardized mortality rate for women (321.2 out of 100,000 persons) fell by 4.2% compared with 2012, which is approximately 60% of the mortality rate of men. For statistics concerning the main causes of death in Taiwan, please refer to Point 35 of the Common Core Document.

12.5 Screening rates for breast cancer, colon cancer, oral cancer, and cervical cancer

reached more than 39%, 40%, 53%, and 70%, respectively, according to a telephone survey. From 2009 to 2016, the actual screening rate above failed to reach initial government targets. However, their screening rates did continue to increase—from 11%, 10%, and 28% in 2009 to 39.3%, 40.4%, and 55% in 2016, respectively. During this time, the screening rate for cervical cancer remained steady at over 70%. According to results gathered through the Behavioral Risk Factor Surveillance System, the main reasons for people opting to not undergo screening included feeling that the state of their health did not require it, being too busy, and being asymptomatic.

- 12.6 According to data reported by NHI contracted medical care institutions, a total of 2,640,000 persons sought treatment for mental disorders in 2015, including 1,482,000 (56.1%) women.
- 12.7 In 2016, suicide was overall the 12th leading cause of death: 11th for men and 12th for women. Over the years, the suicide rate of men has been nearly double that of women.
- 12.8 Since the amendment of the Tobacco Hazards Prevention Act in 2009, the percentages of men and women who smoke have declined. According to surveys taken from 2008 to 2016, smoking rates have fallen: from 4.9% to 3.8% for all women; from 9.1% to 5.2% for female high school and vocational high school students; and from 4.9% to 2.1% for female junior high school students. The second-hand smoke exposure rate of women in nonsmoking areas has dropped from 20.1% to 5.4%
- 12.9 The Nutrition and Health Survey in Taiwan (conducted once every four years) recorded obesity rates of women from 2013 to 2016 by age bracket. The obesity rate was 24.2% for women 45–54 years old, the highest rate; 23.1% for women 55–64 years old, the second highest rate; and 11.1% for women 25–34 years old, the third highest rate. The Healthy Weight Management Program, which was launched in 2016, provides information on diet, nutrition, and obesity prevention. In addition to encouraging the general public to form weight loss groups, the program created a telephone hotline to offer free consultation services. The hotline received a total of 5,763 calls, 67% by women.

## Current Status of the Medical Workforce

- 12.10 In 2016, 18.9% of Western medicine physicians in Taiwan were women (compared to 16.8% in 2012), while women accounted for 29.5% of traditional Chinese medicine physicians (compared to 27.7% in 2012). In addition, 98.0% of nursing personnel were women (compared to 98.6% in 2012).
- 12.11 In order to increase gender awareness among healthcare professionals, the Medical Personnel Practice Registration and Continuing Education Regulations require gender issues to be incorporated into their continuing education classes. In 2016, a total of 79% of practicing healthcare professionals took courses on gender issues (compared to 74.1% in 2012), with more than 84% of physicians taking such courses. In addition, 80% of nursing and maternity assistance personnel took courses on gender issues in 2016.
- 12.12 The Nursing Reform Program was launched in 2012 with the aim to improve the working conditions and reduce the workload of nurses. In 2016, there were 158,318 nursing practitioners in the country, an increase of 21,903 people. The overall turnover rate of nurses declined from 13.1% in 2012 to 9.9% in 2016. The overall vacancy rate also declined from 7.2% in 2012 to 6% in 2016. In addition, beginning in 2015, the average daily caregiver-patient ratio was officially incorporated as a criterion for hospital accreditation, requiring that medical centers reach an overall ratio of 1:9 or lower. In addition, the ratio for daytime shifts has to be 1:7 or lower, whereas that of regional hospitals has to be 1:12 or lower, and that of regional hospitals has to be 1:15 or lower. In 2016, all of the 151 hospitals evaluated for their average daily caregiver-patient ratio were found to be in compliance.
- 12.13 The National Health Insurance Administration now utilizes a network mechanism to determine nurse-to-patient ratios. Hospitals are required to file a monthly report in the system on their Virtual Private Network nurse-to-patient ratio. In 2017, the possibility of incorporating this mechanism into the continuous manpower monitoring mechanism being planned by the Taiwan Joint Commission on Hospital Accreditation to assess all types of healthcare professionals at hospitals will be studied, and the accuracy of data on nurse-to-patient ratios provided by hospitals will be checked.

## Friendly Healthcare Environment and Services

- 12.14 Specialized medical knowledge, medical care space and procedures related to women have been integrated so as to establish integrated women's outpatient clinics, thereby fostering a healthcare environment friendlier toward women. As of the end of 2016, 40% of hospitals nationwide had set up such services, including 19 medical centers, and 92.3% of public hospitals had completed implementation.<sup>31</sup>
- 12.15 In order to foster a healthcare environment friendlier toward women, menopause education and training courses were provided to healthcare professionals nationwide in 2016. Training and continuing education were also provided to personnel of the menopause consultation hotline as well as community menopause counselors.
- 12.16 Health departments of local governments have made mental health consultation services available at community mental health centers. From 2013 to 2016, these centers provided such services to an average of 21,340 people each year, a growth of 19.5%. The male-to-female ratio of people using these services was 0.48. In addition, since 2015, health departments of local governments have helped organize women's mental health promotion events for both ROC citizens and new immigrants.
- 12.17 The National Health Insurance Administration compiled statistics on postpartum depression cases in 2015 and 2016. In 2015, there were 76 outpatient cases and 26 inpatient cases; in 2016, there were 37 outpatient cases and five inpatient cases. Mental health education resources were produced in 2016 for pregnant women, mothers of newborns, and their family members. These aimed to help them adjust psychologically and better handle stress, and took the form of handouts, short videos, and six health education videos. In addition, a professional institute received funding to carry out six care education and training classes on the physical and mental wellbeing of pregnant women and mothers of newborns. A total of 549 people participated in the classes.
- 12.18 Deliberations on the draft Women's Health Policy were completed in 2016. The

---

<sup>31</sup> Articles 12.14–12.21 are in response to Point 28 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

draft covers such issues as mental health, young women's health, and healthcare services for disadvantaged groups and marginalized women. The government will continue to gather viewpoints and recommendations from relevant experts, government authorities, and civil organizations to ensure that the women's health policy action plans formed from the policy are comprehensive. As for the related budget, the policy is expected to be approved at the end of 2017. Afterwards, the relevant authorities will be requested to cooperate with the needed budget appropriations.

12.19 Currently, 16 of the 22 local governments (73%) have established LGBT health community centers. The centers provide health lectures, interactive online services, screening and testing services, medical referrals, and telephone consultation services. In 2016, on average about 3,000 people received on-site services at the centers per month. In addition, a toll-free consultation hotline was established, providing health consultation services to an average of 250 people per month.

12.20 The Regulations Governing Medical Expenses Entailed by the Medical and Rehabilitation Needs of Disabled Persons and Subsidies for Medical Equipment, which were implemented in 2012, provide subsidies for medical equipment used by disabled persons. At the end of 2016, approximately NT\$282.8 million in funding had been provided to 40,874 persons, 32% of whom were women.

12.21 For more information concerning access to women's health services in rural townships, please refer to Articles 14.34–14.37. For more information concerning measures to ensure access to healthcare resources by women living in rural townships, please refer to Articles 14.38–14.43. For information concerning reproductive health services for new immigrants, please refer to Articles 10.32 and 12.27.

## **Protecting Women's Reproductive Health and Sexual Health Rights**

### **Fertility Rate and Sex Ratio at Birth**

12.22 From 2013 to 2016, Taiwan's fertility rate was between 1.065 to 1.17 persons. The age of women's first marriage has been increasing steadily, reaching an average age of 30 years old in 2016. The average age of a mother at the birth of her first child is now 30.7 years old.

12.23 In Taiwan, the sex ratio of boys to girls at birth declined from 1.090 in 2010 to 1.069 in 2014 (the lowest in 28 years). It increased slightly in 2015 to 1.083 before falling again to 1.076 in 2016, as illustrated in Figure 12-1.



Source: Ministry of the Interior

**[Figure 12-1] Sex Ratio at Birth**

12.24 Through cross-ministerial cooperation, a comprehensive set of laws and regulations has been put into place to prohibit physicians from performing gender prediction tests and sex-selective abortions. In addition, steps have been taken to strengthen oversight of diagnostic reagents and examination protocols at the source. Local health departments also provide guidance to healthcare facilities on child delivery and prenatal screening services, while checking for violations and prohibiting gender selection and sex-selective abortion services that are not medically necessary. More educational courses and training for healthcare professionals, as well as public service announcements for the general public, will be produced so as to further reduce the sex ratio at birth. Taiwan will continue to try to reduce the sex ratio at birth to 1.068 by 2020 as part of its Sustainable Development Goals.

#### Prenatal Screening and Subsidies

12.25 Prenatal examinations taking a more holistic approach are now available to pregnant women. As of early 2016, a total of 1,877,683 people had utilized this service, with as many as 2,000,000 people expected to benefit from the service by year's end. In 2016, prenatal genetic diagnostic examination fee waiver was received by 51,536 cases and the subsidy amounted over NT\$ 270 million, amongst which 44,773 pregnant women aged 34 or older. A total of 1,452 cases with congenital abnormality was diagnosed through this screening and the follow-up rate for abnormality cases was 97.7%.

12.26 Under the National Health Insurance (NHI) Program, pregnant women can receive ten prenatal screening tests and one ultrasound exam free of charge. If additional tests are deemed necessary by a doctor, NHI will also pay for related expenses. The utilization rate for these services was 94.8% in 2016. In addition, an NT\$500 subsidy is provided to help cover Group B streptococcus screening. In 2016, a total of 182,032 screenings were provided, resulting in a screening rate of 87.3%.

12.27 In 2012, the number of subsidized prenatal checkups provided to new immigrants not covered by National Health Insurance increased from 5 to 10. From 2013 to 2016, an average of more than 10,000 cases were approved for subsidization each year. In 2016, a total of 12,522 cases were approved.<sup>32</sup>

12.28 In 2012, a holistic healthcare center for expectant mothers was established. Various channels, including a nationwide toll-free hotline for expectant mothers, a mobile phone app, and a Health Promotion Administration website, have been created to provide maternity-related information to expectant mothers. Prenatal and postnatal healthcare consultation services have also been provided to pregnant women, mothers of newborns, and their families. These have served as an avenue for listening to, caring for, and supporting women, as well as providing referrals and other services. From 2013 to 2016, consultation services were provided through more than 72,000 phone calls, and the website was accessed more than 6,682,000 times.

12.29 The Public Assistance Act requires local governments to provide, in consideration of actual needs and available financial resources, nutrition subsidies to new mothers and infants in local low-income or middle-income households. In 2016, the subsidies reached a coverage of 90.9%, 13.6 percentage points over 2012.

#### Reproductive Health and Environment

12.30 For information on the mortality rate and primary cause of death of pregnant women, please refer to Point 32 of the Common Core Document.

12.31 In 2016, the crude death rate for female infants was 372.1 per hundred thousand, and that for female children aged 1-4 was 17.6 per hundred thousand. Compared

---

<sup>32</sup> Article 12.27 is in response to Point 28 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

with 2012, the crude death rate for female infants rose, while that for female children aged 1–4 fell. To better understand the causes of preventable death and introduce intervention measures, the Pilot Program for Reviewing and Analyzing the Causes of Death of Children in Taiwan was commissioned for implementation in 2015. In addition, a mechanism for reviewing the causes of death of children was established to help plan prevention and intervention measures and serve as a reference in policy formulation. Meanwhile, subsidies will continue to be provided for prenatal genetic diagnostics testing, examinations for hereditary diseases, and Group B streptococcus screening for pregnant women and newborns. A range of new measures were introduced in 2017, including the High risk pregnancy health management pilot project and the Follow-up Care Pilot Program for Premature Babies with Extremely Low Birthweight, with the aim to reduce the infant mortality rate.

- 12.32 To better meet the emergency medical care needs of maternity and newborns, the item Quality of Care for High Risk Pregnancy and Newborns (Including Premature Babies) was added to the emergency medical care capacity assessment for hospitals handling moderate-severity and severe emergency situations. This has increased the nation's ability to provide adequate emergency pediatric and obstetric related care.
- 12.33 At the beginning of 2012, the government set up the Trial Program to Encourage Medical Organizations to Settle Disputes Over Childbirth Accidents to help mitigate childbirth risks to mothers. As of the end of 2016, a total of 464 related applications were reviewed, resulting in the provision of more than NT\$360 million in relief aid. The Childbirth Accident Emergency Relief Act came into force in 2016. As of the end of 2016, a total of 24 related applications had been reviewed, resulting in the disbursement of NT\$15.9 million in relief aid.
- 12.34 In 2013, there were a total of 2,177 OB/GYN physicians in Taiwan, with an average age of 54 years old. In 2016, this number increased to 2,469 OB/GYN physicians, with an average age of 55 years old. In 2001, the Physician Placement and Management Program was launched to formulate training quotas for physicians in each branch of medicine. In particular, the placement rate for obstetric and gynecological (OB/GYN) resident physicians was increased from 76% in 2013 to

100% in 2016.

- 12.35 The 2015 Annual Statistics on Reported Births only has categories regarding birth: location and attending medical professionals. Only 276 babies were listed as being born at home. In addition, 126 babies were delivered by a midwife (0.1% of all deliveries), whereas the rest (99.9%) were delivered by a physician.
- 12.36 The Multiple-choice, Friendly, and Gentle Birth Hospital Pilot Project was initially launched in 2014. In 2016, a trial run of gentle childbirth measures was conducted for 525 mothers at Taoyuan General Hospital, accounting for 75% of all births delivered at the aforesaid hospital. Of the mothers, 11 were indigenous persons, 37 were new immigrants, and three were disabled. The average satisfaction rate among new mothers and their family members reached 90%, while the average satisfaction rate for the education and training level of maternity assistants reached 96%. In 2017, deliberations will take place on such issues as the establishment of combined care work procedures for OB/GYN physicians and maternity assistants, maternity assistant guidelines, and related educational and training guidelines.
- 12.37 In 2013, the Standards for Classification and Establishment of Nursing Institutions were amended to cover the total number of nursing and care service personnel, as well as ratio of service personnel to residents, for all time schedules. Provisions were also added on neonatal care personnel, as well as their basic allocation and relevant qualifications. In 2017, the Regulations for Accreditation of Nursing Institutions were amended and promulgated. From 2014 to 2016, a total of 489 general nursing institutions were assessed, with 95.3% earning accreditation; a total of 191 postpartum care nursing institutions were assessed, with 92.7% earning accreditation.
- 12.38 To meet the healthcare needs of pregnant women and mothers of newborns, a High-risk Pregnancy Health Management Pilot Project was implemented in 2017. It linked together the local health departments of New Taipei City, Chiayi County, Hualien County, and Taitung County, along with hospitals and health clinics under their respective jurisdictions. The program provides prenatal and postnatal care and follow-up services from the beginning of pregnancy until six weeks after birth, including health education and referrals, to high-risk women. Such women possess

high-risk health factors (e.g., current user of tobacco, alcohol, betel nut; multiple births, history of premature birth(s), gestational hypertension, or gestational diabetes) and socioeconomic risk factors (e.g., under 20 years old, low-income or middle-income household, or educational level of high school drop-out or below).

12.39 In 2016, 2,024 breastfeeding rooms were set up in accordance with law across the country, reaching a 100% setup rate. Various local governments voluntarily set up 918 breastfeeding. Breastfeeding rooms have been set up in the carriages of high speed rail (HSR) trains as well as express trains. To date, there are 187 breastfeeding-friendly hospitals and clinics, which are responsible for handling 79.9% of all births. The percentage of exclusively breastfed infants under the age of six months has risen to 44.8%, thereby steadily approaching the WHO global target for 2025 of 50%.

#### Sexual Health

12.40 In 2016, the percentage of female students in the 13-15 age group who reported having engaged in sexual behavior (5.3%) was higher than that of 2014 (5.0%). Also, the proportion of respondents who used contraception during their most recent sexual behavior (77.7%) was lower than in 2014 (80.8%). The pregnancy rate (0.08%) and medically-induced abortion rate (0.04%) for this age group were lower than those in 2014. To help prevent such unplanned pregnancies, more sex education and related services will be provided through diverse channels. This approach aims to promote a healthy and solid understanding of sex education, contraception, and safe sex.<sup>33</sup>

12.41 Of all reported cases of syphilis, gonorrhea, and HIV/AIDS, women constituted 17%, 7%, and 3%, respectively, of the cases in 2016, and 22%, 7%, and 2%, respectively, of the cases in 2013.

12.42 To assist colleges and universities with their sex education, a sex education counseling and consultation hotline was created for college and university students. From 2013 to 2016, women accounted for 38.8% of all persons who called the hotline. Sex education has also been incorporated into the curriculums of junior high and elementary schools. A Sex Education Teaching Resource Website was created,

---

<sup>33</sup> Articles 12.40–12.44 are in response to Point 28 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

and a dedicated sex education hotline for young people was set up to provide consultation services. From 2013 to 2015, female youth accounted for 7.9% of all callers (1,392 male and 110 female). In addition, the hotline will be further promoted through relevant websites and educational seminars.

12.43 The Sexual Health e-learning Website for Adolescents was established to provide information and materials on sex education, pregnancy, and contraception. As of the end of 2016, the site had totaled 89,970 hits. Teenager friendly physician/outpatient services have been established by 80 hospitals and clinics to provide consultation and treatment regarding reproductive health (including contraception). As of November 2016, such services had been provided to about 17,000 persons (51.4% female). Joint efforts have also taken place, with the Ministry of Education holding on-campus awareness lectures and lectures on parenting at Health Promoting Schools. This helps promote healthy and appropriate relationships and attitudes toward sex. In 2016, 19,311 participants attended a total of 87 sessions (57 on-campus lectures and 30 lectures on parenting). One capacity building seminar on sex education for youths in rural communities, attended by 80 people, was also held in Hualien County.

12.44 In 2016, a set of instructional materials entitled *Stop, Look, Listen: Sperm and Egg Donation* was produced and provided to the Ministry of Education for use in highlighting the risks, rights, and obligations associated with donating sperm or eggs during publicity campaigns at colleges and universities.

#### Teenage Pregnancy Support Services

12.45 A national teenage pregnancy counseling hotline and a teenage pregnancy support website were established in 2007 to provide convenient and timely counseling services to young people in need.<sup>34</sup> From 2013 to 2016, 3,586 people received services through the consultation hotline, while the website received about 190,000 page views, and provided online consultation services to 1,498 people.

12.46 In 2015, the Procedures for Providing Services to Pregnant Minors were amended to strengthen cooperation between government authorities and achieve greater

---

<sup>34</sup> Articles 12.45–12.46 are in response to Point 24 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

integration of resources. In addition to one-stop case management services provided by local governments, civil organizations have also implemented a Treatment and Support Program for Pregnant Teens and their Parents, thereby ensuring that a comprehensive support system is in place for teens who become pregnant. From 2015 to 2016, various services ranging from financial subsidies, childcare services or adoption referrals, placement, school reenrollment, employment, and health and wellness services were provided to 4,224 people (among whom 4,151 were female and 73 were male). From 2013 to 2016, a total of 7,641 unmarried pregnant women (including minors) received family hardship assistance.

#### Measures for Preventing the Spread of HIV/AIDS and Protecting the Rights and Interests of Patients

12.47 From 2010, based on recommendations made by the WHO, as well as insight gained from the experiences of other countries, guidance was provided to civil organizations, while health departments were encouraged to establish, operate, and maintain community health service centers. To date, these service centers have already been set up at 22 locations across Taiwan. Since 2016, service center representatives have convened discussions every two to three months to exchange thoughts on STD prevention and other relevant health issues, thereby boosting opportunities for communicating information to local communities as to the prevention of HIV/AIDS and other sexually transmitted diseases.

12.48 HIV/AIDS prevention education has also been incorporated into elementary and junior high school curriculums. In addition, the Ministry of Health and Welfare's Centers for Disease Control coordinates with various government ministries and departments on promotional activities relating to HIV/AIDS prevention, and coordinates with civil organizations, educational units, and county and city government health departments on diverse on-campus HIV/AIDS prevention efforts aimed at young people, providing important information that addresses knowledge, attitudes, and behavior toward HIV/AIDS prevention from as early an age as possible. In 2016, 179,066 participants attended a total of 1,859 sessions.

12.49 To prevent vertical infection between mothers and infants, pregnant women are tested for HIV, and mothers and newborns who have not been screened for HIV

receive a rapid screening service and medical care at the time of birth. The HIV screening rate reached 99% among pregnant women in 2016, and resulted in the discovery of seven cases of infection, in which cases the appropriate measures were taken to ensure that no infants were born with HIV.

12.50 In 2015, the HIV Infection Control and Patient Rights Protection Act was amended to rescind a provision that had previously stipulated restrictions on “the entry, visitation, and residency of foreign nationals infected with the human immunodeficiency virus.” Current regulations for handling the entry, visitation, and residency of foreign nationals no longer require mandatory HIV testing or other relevant restrictions.<sup>35</sup>

### **Provision of Healthcare Services to Elderly Women**

#### **Health Status of Elderly Women**

12.51 The number of women in Taiwan aged 65 years and older has increased steadily, accounting for 11.8% of all women in 2012; this percentage exceeds that of men (10.5%); by 2016, elderly women accounted for 14.2% of all women, which remained higher than the corresponding figure for men (12.2%). In 2012, about 47% of elderly women were married, while 77.2% of elderly men were married. In 2016, the figures were 47% for women and 77.3% for men.

12.52 The average life expectancy of women in Taiwan has continued to increase over the years, with women living longer than men by an average of six years. In 2015, the average life expectancy of women was 83.6 years, which was higher than men (77 years); compared to 2014, life expectancy increased by 0.4 years and 0.3 years among women and men, respectively. In 2015, the average healthy life expectancy was also higher among women as compared to men (the average healthy life expectancy was 73.7 years for women, and 69 years for men), while the average term of ill health for women, at 9.9 years, was higher than for men (8 years), indicating that although women have a relatively longer average life expectancy, they also experience a relatively longer period of infirmity, on average, as compared

---

<sup>35</sup> Article 12.50 is in response to Point 29 of the Conclusions and Recommendations of Taiwan’s Second National Report on CEDAW.

to men.

12.53 The five leading causes of death among elderly women in 2016 were cancer, heart disease, pneumonia, diabetes, and cerebrovascular diseases. Chronic diseases, such as hypertension, hyperlipidemia, kidney disease, and osteoporosis, were among the most common health problems encountered by citizens during the aging process.

12.54 According to the National Health Interview Survey, the prevalence of falls among women aged 65 and older declined from 25.8% (16.2% for men) in 2005 to 20.6% (14.2% for men) in 2009, and to 17.3% (15.3% for men) in 2013. In all years for which data are available, however, women had a higher prevalence of falls than men.

12.55 In 2013, a higher proportion of women aged 65 years and older (74.6%) had *insufficient physical activity*, as defined by the WHO, as compared to men (68.5%).

#### Health Promotion among the Elderly

12.56 An age-friendly city program was launched in 2011. By 2013, all of Taiwan's local governments had entered the program and were running age-friendly cities. Taiwan has the highest coverage of such cities in the world.

12.57 Meanwhile, the Age-friendly Healthcare Institution Recognition system was also launched in 2011. The system focuses on management policies, communication services, care processes, and the incorporation of universal design principles into the planning of the built environment. As of 2016, a total of 310 Taiwanese institutions had been recognized through the program, distributed throughout six main regions, in accordance with the National Health Insurance regional classification system, as follows: 54 institutions in the Taipei area (including Kinmen and Lienchiang Counties), 50 in the northern region, 55 in the central region, 79 in the southern region, 49 in the Kaohsiung-Pingtung area (including Penghu County), and 23 in the eastern region.

12.58 A health promotion program for the elderly was launched in 2009 to promote physical and mental wellbeing among the elderly. By linking together local community organizations within the health care system to offer a range of services spanning health promotion efforts, visitations, telephone reassurance calls, and nutritional information, the program has established a frontline preventative care

system. In 2016, 2,379 community care centers carried out health promotion activities reaching more than 220,000 elderly persons.

12.59 Nongovernmental organizations continue to be subsidized to manage Evergreen Senior Citizens Centers and conduct elderly welfare activities, providing diverse learning channels, and increasing social participation and opportunities for self-actualization. The government continues to advocate dynamic approaches to life and active aging lifestyles, and is encouraging groups of elderly persons from all townships, cities, and districts to participate in health promotion competitions. It is hoped that these efforts will increase social participation and regular exercise among the elderly, as well as increase the number of women who engage in exercise. In 2016, more than 100,000 elderly persons from among such groups participated in health promotion competitions, with elderly women accounting for approximately 70% of participants.

#### Long-term Care Services

12.60 Based on data collected from the Survey on National Long-term Care Needs and the assessment for population projections for 2016-2061, it is estimated that the total population of persons with disabilities stood at about 772,000 in 2016, with a disability rate of 16.1% among elderly persons. The disabled population is expected to have rapidly increased to 1.19 million persons by 2031.

12.61 To provide services that adequately meet the needs of disabled senior citizens, the government has launched a long-term care plan. In 2016, women accounted for 57.1% of all persons receiving long-term care services and 53.3% of all recipients of respite care services. Family caregivers are predominantly women, and female spouses comprise the largest category of caregivers (33.9%).

12.62 The Long-term Care Services Act, which was promulgated in 2015 and came into force in June 2017, clearly stipulates that “in providing long-term care services, there shall be no discrimination that differentiates based on the gender, sexual orientation, gender identity, marriage, age, physical or mental disabilities, illness, social class, race, religious belief, nationality or place of residence of the persons receiving the services.”

12.63 The 10-year Long-term Care Plan 2.0 was approved in December 2016 in response

to the increased need for long-term care caused by Taiwan's aging population, expanding the types of services available and the eligibility of those who can receive services, and providing an innovative and diverse range of services. It is estimated that more than 738,000 people have already benefited from the program, among whom approximately 367,000 were women.

12.64 In 2017, to establish management and service models for caregivers service centers in indigenous areas, outlying islands and other regions lacking medical resources, greater numbers of care management service center branches were established in such locations.

12.65 To strengthen localized personnel training in remote rural areas, and to help cultivate local care managers and long-term care professionals, training was provided to 1,513 persons from 2011 to 2016 (including 283 care managers and 1,230 long-term care professionals). In 2014, an inventory was taken to determine the availability of long-term care resources. A total of 131 regions were classified as lacking long-term care resources, including various indigenous areas, outlying islands, and other remote rural townships. As a result, 47 new centers had been established in regions lacking long-term care resources by the end of 2016.

## **Article 13**

Men and women are both able to receive family allowances, and have the right to apply for loans from a bank and receive other forms of credit financing. The government has launched various forms of social insurance and allowances; women account for between 40% and 80% of the recipients of these various types of allowances. Certain resources are also made available to women and disadvantaged groups to assist them in applying for loans and entrepreneurial financing. Furthermore, Taiwanese women of all age groups have demonstrated a higher rate of participation in social and cultural activities, as well as involvement in volunteer services, as compared to their male counterparts.

### **Women's Right to Family Benefits**

13.1 In Taiwan, about 50.6% of the female population is engaged full-time in caring for young children, studying in educational institutions, or attending to the management of their homes. About 38.6% of these women have no income, and financial matters are what concern them most in life. In 2016, elderly women, women with disabilities, and women from low-income households accounted for 53.9%, 43.4%, and 47.6% of the first category.

13.2 In Taiwan, allowances and assistance are required by law to be used as living expenses for the recipients of such benefits. Any misappropriation will result in the withdrawal of the relevant benefits. Women who have successfully applied for allowances and assistance receive funds through a direct deposit into their bank accounts.

13.3 Beginning in 2011, to extend care for the disadvantaged while taking into account social equity, systematic adjustment mechanisms were established for the social welfare allowances<sup>36</sup> and the welfare allowances for elderly farmer that require payments to be adjusted quadrennially based on the growth rate of the Consumer Price Index. The CPI rose by 3.65% from 2011 to 2015. As a result, these allowances and payments were raised in accordance with the law on January 1<sup>st</sup>, 2016.

---

<sup>36</sup> The following types of benefits were affected: the living allowance for individuals with disabilities, the living allowance for medium- to low-income senior citizens, assistance for children and juveniles from low- and middle-income families, the national pension scheme, aboriginal benefits, the living allowance for low-income families, the living allowance for children in low-income families, and the living allowance supporting school attendance by children in low-income families.

## National Pension

13.4 For more information concerning the basic protections afforded to unemployed women, domestic workers, and unpaid workers under Taiwan's national pension system, please refer to Articles 13.2 and 13.2.1 of the convention-specific document for Taiwan's Second National Report on CEDAW. Pension payments provided under the national pension range from between NT\$3,662 to NT\$4,119 per person per month. From 2013 to December 2016, insured women accounted for over 50% of all pension payments received (see Tables 13-1 to 13-3).

**[Table 13-1] Insured Women Paying into the National Pension System**

Unit: persons; %

Year	2013	2014	2015	2016
Number of insured women (%)	1,914,491 (52.1)	1,862,666 (52.0)	1,818,509 (51.8)	1,770,412 (51.7)
Number of women paying premiums (contribution rate)	1,063,002 (55.5)	1,020,293 (54.8)	968,366 (53.3)	923,717 (52.2)
Number of men paying premiums (contribution rate)	757,359 (43.0)	728,760 (42.3)	693,215 (41.0)	664,133 (40.1)

Source: Ministry of Health and Welfare

Note: The number of insured persons is calculated as of December each year; the number of individuals contributing to the pension plan is calculated based on the status of premiums paid and collected by insured persons as of December each year (the premium period is calculated to the closing date of the payment deadline at the end of February of the following year).

**[Table 13-2] Numbers of Persons Approved to Receive National Pension Payments, including Gender Distribution (as of December 2016)**

Unit: persons; %

Item	Number of women	Female proportion (%)	Number of men	Male proportion (%)
Old-age pension payments	435,718	55.1	355,304	44.9
Disability pension payments	2,624	41.1	3,759	58.9
Old-age basic guaranteed pension	411,268	63.1	240,919	36.9
Disability basic guaranteed pension	10,275	48.6	10,857	51.4
Indigenous people payments	23,149	60.8	14,940	39.2

Source: Ministry of Health and Welfare

**[Table 13-3] Approved Payouts of Benefits under the National Pension System per Person/Month (as of December 2016)**

Unit: New Taiwan Dollars, NT\$

Item	Female	Male	Average	Sex ratio (women = 100)
Old-age pension payments	3,868	3,705	3,795	95.8
Disability pension payments	4,119	3,662	3,850	88.9
Survivor's pension payments	3,938	3,965	3,958	100.7

Source: Ministry of Health and Welfare

13.5 In light of the fact that indigenous peoples in Taiwan generally have a lower life expectancy as compared to the general population, a monthly payment of NT\$3,628 is provided to elderly indigenous persons between the age of 55 and 65; from 2013 to 2016, 60% of recipients of these aboriginal benefits were women.

13.6 In 2015, the National Pension Act was amended to allow insured woman giving birth to a child (including premature births) to apply to receive up to two months of the insured amount, increasing from one month. As of December 2016, a total of 21,668 persons had been approved to receive the payments benefits.

13.7 To provide financial security to homemakers (including men) in their old age, an insured person and his or her spouse are jointly responsible for unpaid premiums and interest. A fine of between NT\$3,000 to NT\$15,000 is imposed on any insured person's spouse who is jointly responsible for paying a premium in the event that he or she fails to fulfill this financial responsibility. Efforts to publicize this continue to be increased via a diverse range of channels, and in 2012 the government began to prioritize the issuance of reminders and fines to the spouses of insured persons who have the financial wherewithal to pay. As of the end of December 2016, 84.9% of the 1,000 cases of insurance premium collections that had been raised had either been settled in full, or payments in installments had been arranged.

**Farmer Health Insurance and Elderly Farmers' Welfare Allowance**

13.8 As of the end of 2016, more than 620,000 women were participating in the Farmer Health Insurance program (accounting for 50.3% of all insured persons); cash payouts include maternity benefits, disability benefits, and funeral allowances. In addition, farmers who have reached the age of 65 years old and comply with

eligibility requirements receive a monthly elderly farmers' welfare allowance amounting to NT\$7,256 per person. As of December 2016, women accounted for 58% of recipients.

#### Welfare Subsidies

13.9 In 2016, women accounted for 42.1% of heads of households nationwide. There were a total of 145,176 low-income households, comprising 331,776 persons, among whom 47.6% were female. Some 38.8% of the heads of households of such families were women. Living support for low-income households includes family living assistance services, education subsidy, job placement guidance and services, and funeral subsidy.

13.10 Living allowances for individuals with disabilities are provided to persons with disabilities based on their economic status and severity of disability, with monthly payments ranging from NT\$3,628 to NT\$8,499. In 2016, 351,195 people received allowances (with women accounting for 39% of recipients). For comparison, women constituted 43% of all persons with disabilities in 2016.

13.11 Assistance for families in hardship entails the provision of emergency financial assistance to women and families who encounter major life-altering events such as divorce or the death of a spouse, living allowances for children, educational subsidies for children, medical subsidies, childcare subsidies, litigation subsidies, and subsidies for business startup loans. From 2013 to 2016, statistical data on the gender of applicants revealed that females accounted for the majority of recipients of assistance, accounting for 87.8%, 86.6%, 83.0%, and 83.4%, respectively, during each year. In 2016, 106,723 women received assistance through the program, with *death of a spouse* accounting for the largest number of applications for assistance (8,038 applicants), followed by *single parent* (3,683 applicants) and *unmarried pregnant woman* (2,096 applicants).

13.12 A special care allowance for senior citizens from mid- to low-income households provides economic assistance to families taking care of a severely disabled senior citizen. A subsidy of NT\$5,000 per month is issued to family caregivers (who must not be engaged in full-time work and must be the actual caregiver of the person who is disabled). During the fourth quarter of 2016, a total of 9,448 applicants received

subsidies through the program (with women accounting for 65% of recipients).

13.13 To help reduce the economic burden of child-rearing on families that are unable to work owing to a need to look after their children, a monthly child-rearing subsidy ranging from NT\$2,500 to NT\$5,000 per month is provided to families based on their financial status. In 2016, a total of more than 280,000 persons applied to receive a subsidy, among whom 64.2% were women (Table 13-4).

**[Table 13-4] Subsidies for Unemployed Parents with Children Under the Age of two, 2013–2016**

Unit: persons; %; NT\$

Year	Number of applicants			Gender ratio of applicants (%)		Total subsidies paid (NT\$)
	Total	Female	Male	Female	Male	
2013	271,291	163,918	107,373	60.4	39.6	5,255,001,697
2014	275,024	169,211	105,813	61.5	38.5	5,110,139,314
2015	269,978	170,078	99,900	63.0	37.0	5,045,091,349
2016	281,667	180,803	100,864	64.2	35.8	5,193,371,012

Source: Ministry of Health and Welfare

Note: Eligibility for receiving this subsidy is limited to children aged 2 and under. An applicant can be either parent, the father or mother of a single-parent family, a guardian, or another caregiver; hence, the applicant may not necessarily be the actual recipient of the subsidy.

13.14 Regulations Governing Subsidies for House Rental, Repair, and Construction are in place to help middle and low-income families realize better living standards. Housing subsidies, provided based on urban-rural discrepancies, include personal housing loans and loans for renovation. Participation in the program is open to the public and is entirely voluntary. From 2013 to 2016, female applicants accounted for more than 50% of households applying and being approved through the program (Table 13-5). Applicants who have been victims of domestic violence have an additional 3 points added to their application score to ensure to prioritize their receipt of a subsidy. Data on the numbers of households where a woman whose application for a housing subsidy was approved and who was classified as a member of a disadvantaged group (including victims of domestic violence) is provided in Table 13-6.

**[Table 13-5] Gender Ratio of Household Applications Received and Approved under the Regulations Governing Subsidies for House Rental, Repair, and Construction**

Unit: Number of households; %

Year	Subsidies for home loan interest				Subsidies for renovation loan interest				Rental subsidies			
	Number of household applications received		Number of household applications approved		Number of household applications received		Number of household applications approved		Number of household applications received		Number of household applications approved	
	From women	Female (%)										
2013	3,119	50.1	1,967	51.3	847	53.1	399	55.4	38,671	58.4	13,893	55.7
2014	3,990	51.3	2,805	52.5	834	52.5	406	52.5	35,193	57.7	13,810	55.3
2015	3,817	52.3	2,781	53.3	668	55.8	334	55.6	33,960	57.8	29,499	58.4
2016	3,470	51.4	2,500	52.4	731	54.8	344	54.1	38,075	58.0	33,898	58.1

Source: Ministry of the Interior

**[Table 13-6] Household Approvals Issued to Women under the Regulations Governing Subsidies for House Rental, Repair, and Construction, 2013–2016**

Unit: Number of households

Identity classification	Subsidies for home loan interest	Subsidies for renovation loan interest	Rental subsidies
Total	10,323	1,590	114,557
Persons with disabilities	872	257	23,656
Indigenous people	237	56	10,009
Aged 65 years and older	105	140	7,588
Low-income households	344	92	22,936
Victims of a major disaster	3	10	22
Victims of domestic violence	30	2	546
Families in hardship	113	12	2,794
Other	478	66	13,462
General applications	8,141	955	33,544

Source: Ministry of the Interior

Note: The *other* designation includes persons raising three or more minor children, persons living under placement, persons who are unable to return home after having been entrusted to the care of family

or friends who are under the age of 25, persons with HIV/AIDS, homeless persons, and other persons as determined by the central competent authorities.

## The Right of Women to Receive Bank Loans, Mortgages, and Other Forms of Credit Financing

13.15 To protect women's right to obtain credit for business purposes, the government has allocated a budget to subsidize interest payments and to provide low-interest loans. Some banks have also launched personal loan programs specifically designed for women. From 2013 to 2016, an average of about 2.46 million women applied for and received a loan from a bank each year (accounting for about 45.2% of loan recipients), with an average of about NT\$4.35 trillion lent each year (accounting for about 45.2% of total loans outstanding). In the event that a female borrower is treated unreasonably during the process of applying for a loan from a bank, she may file a complaint with the Financial Supervisory Commission through a dedicated hotline.

13.16 As of the end of 2015, there were 508,701 women-led enterprises, among which 98.8% were small or medium enterprises (SMEs), accounting for 36.6% of all SMEs in Taiwan. To help women get involved in entrepreneurial activities and increase their economic ability, the government employs SME financing guidance, and provides credit guarantees to SMEs with insufficient collateral. In 2016, 92,621 credit guarantees were provided to companies with female entrepreneurs amounting to NT\$310.1 billion in loans, at an average loan amount of NT\$3.34 million per case (Table 13-7).

**[Table 13-7] Overview of SME Lending**

Unit: Number of enterprises; number of cases; %; NT\$

Year	Number of women-led SMEs (%)	Small and Medium Enterprise Credit Guarantee Fund			
		Number of cases guaranteed for women (%)	Amount and proportion provided to women (NT\$100,000,000)	Average loan amount (NT\$10,000)	
				Female	Male
2013	483,253 (36.6%)	97,134 (25.0%)	2,970 (22.8%)	305.8	345.3
2014	490,688 (36.6%)	100,053 (25.1%)	3,293 (23.3%)	329.1	363.8
2015	502,470 (36.6%)	96,548 (25.6%)	3,134 (23.6%)	324.6	361.3
2016	-	92,621 (25.7%)	3,101 (24.2%)	334.8	362.3

Source: *White Paper on Small and Medium Enterprises in Taiwan*; Small and Medium Enterprise Credit

Guarantee Fund.

Note: In this table, “women” (and by inference, “men”) refers to whether the person-in-charge of an enterprise is registered as a woman or a man. The various data and values presented in this table do not include certain other legal representatives of companies and organizations, such as legal persons or foreign nationals, for which gender-specific data is unavailable.

13.17 To encourage banks to support the loan applications of women-led enterprises, records of approved loans to SMEs owned by women are incorporated into evaluation criteria used to determine whether a bank may be permitted to establish additional branch offices during reviews conducted by the relevant government agency.

13.18 The Micro-Business Startup Phoenix Program entails the provision of low-interest loans by the government, including reimbursements for interest payments, as well as exemptions from requiring a guarantor or collateral. The program also provides courses on entrepreneurship, and consultation and coaching services. In 2016, the program’s start-up loan guidelines were amended to loosen restrictions on the eligibility requirements for loan applications. As a result of the changes, participation in the government’s digital entrepreneurship courses can be used as proof of course participation when applying for a loan, thereby increasing the chances of women receiving loans. From 2013 to 2016, 29,781 women participated in entrepreneurship courses; 4,012 women successfully created a start-up as a result of the courses; and 1,274 women received a loan, with total loans amounting to more than NT\$719.4 million, creating 10,151 new job opportunities for women. Women accounted for the majority of beneficiaries through this program.

**[Table 13-8] Overview of Micro-business Loans**

Unit: persons; %; NT\$

Year	Number of borrowers (%)		Loan amount approved (NT\$10,000)		Average loan per person (NT\$10,000)	
	Female (%)	Male (%)	For women	For men	For women	For men
2013	330 (74.2)	115 (25.8)	17,258.7	6,400	52.3	55.7
2014	349 (75.7)	112 (24.3)	19,096.5	7,197	54.7	64.3
2015	289 (75.3)	95 (24.7)	17,170	6,301	59.4	66.3
2016	306(75.9)	97(24.1)	18,415	6,357	60.2	65.5
Total	1,274(75.3)	419(24.7)	71,940.2	26,255	56.7	63

Source: Ministry of Labor

13.19 Loans for farmers on agricultural production, management improvement and marketing provide farmers and fishermen aged 18-65 years old and working in the agriculture, forestry, fishing, and animal husbandry sectors with the funding they require. From 2013 to 2016, women accounted for 26.1% of all approved loan recipients; compared to the 27.3% proportion of women working in the agriculture, forestry, fishing, and animal husbandry sectors in recent years, the proportion of loans issued to women is reasonable. The average loan per person was about NT\$769,000 for women and about NT\$773,000 for men (Table 13-9).

**[Table 13-9] Loans for Agricultural Production and Marketing Groups, 2013-2016**

Unit: persons; %; NT\$

Gender	Number of persons (%)	Loan amount in NT\$ (%)	Average approved loan amount (NT\$1,000)
Female	1,771 (26.1)	1,361,498 (26.0)	769
Male	5,011 (73.9)	3,873,769 (74.0)	773

Source: Bureau of Agricultural Finance, Council of Agriculture

13.20 A Compositing Loan for Farmhouse provides the funds that farmers and fishermen need to help raise a family, make necessary purchases, pay for education, and implement other such living improvements. From 2013 to 2016, about 150,000 persons were approved to receive a loan, among whom women accounted for 39%, which is greater than the proportion of women who have worked in the agriculture, forestry, fishing, and animal husbandry sectors in recent years (27.3%). The average loan amount issued to women was NT\$280,000 per person, which is on a par with the amount issued to men.

13.21 The Comprehensive Development Fund for Indigenous Peoples was established to provide commercial and industrial loans, start-up business loans for young people, and loans to indigenous people for microeconomic activities. Between 2013 and 2016, women accounted for 49% of all persons granted loans through the program. With respect to commercial and industrial loans, and start-up business loans for young people, the average amount provided to women (more than NT\$1,246,000) was slightly lower than for males (more than NT\$1,289,000), while the average amount of funds disbursed to indigenous women for microeconomic activities

(more than NT\$191,000) was slightly lower than the average amount provided to their male counterparts (more than NT\$193,000).

13.22 To ensure that the Comprehensive Development Fund for Indigenous Peoples has the greatest possible impact in terms of the loans it provides, and offers sufficient care and guidance in local indigenous communities, the program was expanded among a number of local governments throughout 2016, with an additional 30 financial advisors of indigenous ethnicity being hired to provide financial advice and visit borrowers. Some 49% of persons receiving financial guidance and associated services under the program were women.

### **The Right to Participate in Recreational Activities, Sports, and Cultural Life**

#### **Social Participation**

13.23 In 2015, the governments of Changhua County and Pingtung County boosted local social participation among women by establishing Dream Houses, which provide locally distinctive opportunities for women's empowerment and organization.

13.24 As of 2016, 35,288 volunteer groups had been registered for a total membership of 772,634 volunteers (among whom 71.2% were women).

13.25 From 2013 to 2016, more than 100,000 people participated in activities held by subsidized youth volunteer groups, among whom 55.3% were women; moreover, 52.9% of young volunteer service record booklets were issued to women.

13.26 From 2013 to 2016, women accounted for 74.3% of those receiving overseas youth volunteer training. In 2016, 889 young people provided overseas volunteering services and volunteer work at overseas Chinese schools, among whom 68.5% were women.

13.27 The Youth Travel in Taiwan program was launched to help more young people become acquainted with the local stories of various regions. From 2013 to 2016, a total of 16,588 (57.7%) participants in the program were female.

13.28 The government has launched an action plan to encourage young people to become involved in their local communities and public affairs. From 2013 to 2016, a total of 134 teams received subsidies through the program, resulting in a total of 704 young people getting involved in community services, among whom 57.4% were women.

13.29 Local governments have received funding to set up senior citizens learning centers that are designed to help citizens aged 55 years and older lead more fulfilling lifestyles. The content of courses offered through the centers includes core courses, including those involving spiritual growth and interpersonal relations; ad-hoc courses arranged by individual center, which combine local resources and characteristics with participants' interests and needs, including those involving cultural heritage, art education, and theater training and performances; and courses involving services and social contributions, such as those involving senior citizen learning groups, volunteer recruitment and training, and festival activities. From 2013 to 2016, there was a significant increase in the proportion of women participants (Table 13-10).

13.30 The Senior Citizens' Active Life Long Learning Universities was created to provide elderly people with a wider range of high-quality learning channels. Colleges and universities are actively encouraged to share their wealth of educational resources with the elderly people in their communities by holding 18-week-long school semester courses (comprised of a fall and spring semester), enabling those aged 55 years and older to get involved in on-campus learning activities alongside younger university students. The activities and courses are mainly focused on healthy leisure activities, unique school offerings, and the latest lifestyle trends. From 2013 to 2016, the proportion of female participants increased significantly (Table 13-11).

**[Table 13-10] Subsidies Provided to Local Governments for Establishing Senior Citizens Learning Centers and Status of Learner Participation**

Unit: centers; persons; %

Year	Number of centers	Number of townships, cities, and districts	Participating learners (%)		
			Total	Male (%)	Female (%)
2013	271	265	1,683,261	504,979(30.0)	1,178,282(70.0)
2014	306	301	1,775,532	452,045(25.5)	1,323,487(74.5)
2015	310	313	1,954,268	489,771(25.1)	1,464,497(74.9)
2016	336	339	2,138,368	511,725(23.9)	1,626,643(76.1)

Source: Ministry of Education

**[Table 13-11] Subsidies Provided to Universities and Colleges to Implement Senior Citizens' Life Long Learning Universities and Status of Learner Participation**

Unit: institutions; course hours; persons; %

Year	Number of institutions	Total course hours	Number of learners (%)		
			Total	Male (%)	Female (%)
2013	100	21,600	3,480	975(28.0)	2,505(72.0)
2014	100	21,600	3,500	980(28.0)	2,520(72.0)
2015	103	22,248	3,650	986(27.0)	2,664(73.0)
2016	107	23,112	3,903	976(25.0)	2,927(75.0)

Source: Ministry of Education

### Leisure Activities

13.31 According to the 2015 Survey on Women's Living Conditions, 85.8% of all women regularly engage in leisure activities, with *physical fitness* in particular accounting for the largest group of activities performed (58%), revealing an increase compared to the results of the 2011 survey (39%); this was followed by *recreational activities* (43%) and *consumer activities* (15%), underscoring how women are steadily placing greater emphasis on leading healthy lifestyles.

### Sports and Exercise

13.32 Based on the results of a survey on the state of sports and exercise conducted in 2016, the proportion of females aged 13 years and older who exercise on a regular basis (defined as at least three times per week for 30 minutes at a time and at an intensity that results in sweating and heavier breathing) increased from 27% in 2013 to 29.2% in 2016. Instructional exercise courses for women are also held to encourage women to participate in sports and other forms of exercise. From 2013 to 2016, more than 300 sessions were held for more than 10,000 participants.

13.33 To recognize women's sporting accomplishments, 11 different sports programs created specifically for female athletes were launched in 2016, and subsidies were created to cover the costs of women's participation in training programs and tournaments. Overall, nearly NT\$40 million in funding was provided, enabling 2,190 women to participate in sports training and tournaments.

### Cultural Participation

13.34 Subsidies are provided to individuals and civic organizations to hold arts and

cultural activities, encouraging women to participate in related educational activities and helping artistic works become better known to the public. In 2015, women accounted for a higher proportion of participants, as compared to men, for activities involving cultural heritage (57%), reading (53%), museums (63%), and cultural affairs volunteering (76%). From 2013 to 2016, women aged 55–64 years old accounted for approximately 30% of all cultural affairs volunteers.

13.35 To preserve historical material relating to women and increase awareness of women’s issues, various printed materials were published from 2014 to 2016, including the comic book *A Young Girl from Sinckan*, and special publications titled *A Chronicle of Taiwanese Women (History/Life)* and *Taiwan Chronicles: Images of Women in Taiwan*. A related website continues to be maintained.

### **Protecting the Rights of Women with Disabilities**

13.36 In 2016, there were 1,170,199 persons with disabilities in Taiwan, accounting for 5.0% of the total population. Among them, a total of 507,399 were female (accounting for 43.4% of the total population of persons with disabilities, and 4.3% of the total female population).

13.37 To safeguard the rights and interests of persons with disabilities, in addition to having enacted the People with Disabilities Rights Protection Act, Taiwan promulgated the Act to Implement the Convention on the Rights of Persons with Disabilities (hereinafter the “CRPD Implementation Act”) on August 20, 2014. Coming into effect on December 3, 2014, the act ensures that government agencies at all levels work, in accordance with the law, to jointly implement a range of measures designed to protect the rights and interests of persons with disabilities.

13.38 The Ministry of Health and Welfare regularly gathers and publishes statistics concerning persons with disabilities that cover gender statistics by age group, category of disability, severity of disability, information on indigenous persons, and regional classifications by municipality, county, township, and district, allowing the current situation of women with disabilities to be comprehensively assessed. A survey is conducted once every five years to understand the living conditions and needs of persons with disabilities, and was last conducted in 2016; this 2016 Survey on the Living Conditions and Needs of Persons with Disabilities will be published

in June 2018. To better meet the actual needs of persons with disabilities, opinions and viewpoints from different sectors of society were collected via the Internet during the course of formulating the questionnaire, and relevant experts and scholars and welfare organizations that deal with individuals with disabilities were invited to discuss the questions and sampling methods used in the survey. In addition to covering issues relating to the daily care, healthcare, schooling, employment, and other daily needs of persons with disabilities, additional survey items pertaining to politics, social participation, and self-determination were incorporated into the content of the survey. In the future, a gender analysis will also be carried out with respect to information included in the survey, including Point 32 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW pertaining to issues raised by committee members regarding disabled women. The overall situation faced by women with disabilities will be assessed in order to plan and establish appropriate services from a comprehensive policy perspective.<sup>37</sup>

13.39 The *Annual Statistical Report on Special Education* includes gender statistics on students with disabilities at colleges and universities, and graduates. After being admitted to school, support services (including learning guidance for schoolwork, living assistance, and relevant learning assistance devices and facilities) are provided to students through an individualized support program. A transition meeting is held prior to graduation, and postgraduation transition services are provided as follow-up support and guidance for six months. A postgraduation employment survey for disabled graduates was commissioned in 2017, and will capture statistics on gender. For more information concerning special education, please refer to Articles 10.4 and 10.5.

13.40 To uphold the rights and interests of persons with disabilities with respect to social participation in accordance with the People with Disabilities Rights Protection Act, scenic areas, recreational sites, and educational facilities provide free or half-priced admission to persons with disabilities. Government funding is also provided to

---

<sup>37</sup>Articles 13.38–13.39 are in response to Point 32 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

institutions or organizations to hold charitable events for persons with disabilities. During the fourth quarter of 2016, more than 200,000 people benefited from such events, with women accounting for 47.6% of participants. During the same period, women with disabilities accounted for 43.4% of the total population of persons with disabilities.

13.41 For more information concerning gender-based violence prevention for persons with disabilities, please refer to Articles 2.16, 2.22, and 2.32-2.34; for information concerning the circumstances surrounding labor participation for persons with disabilities, please refer to Articles 11.3, 11.16, and 11.28; for information concerning the right to health of persons with disabilities, please refer to Articles 12.2 and 12.20; and for information concerning circumstances involving persons with disabilities with respect to the national pension and other government financial support, please refer to Tables 13-2 and 13-3, and Article 13.10.

## **Article 14**

Various policies are implemented to increase the role played by women in decision-making in rural townships and villages and improve their economic status, health, right to education, and social protections. These include programs that promote participation and decision-making among women in rural townships, production and marketing and technical training programs, and assistance on forming cooperatives. Various other measures and basic infrastructure for both health and wellness services and education are also being introduced in rural areas to increase the quality of life among people in rural townships and women in agricultural areas.

### **Awareness of Equal Rights, and Participation in Decision-making and Community Activities**

#### Persons Employed in the Agricultural Sector

14.1 In 2016, a total of 557,000 persons were employed in the agricultural sector in Taiwan, among whom 152,000 (27.3%) were women. Gender data on agricultural land ownership indicates that 31.1% of land zoned for agricultural use is owned by women.

#### Farmers Associations

14.2 At present, farmers' groups do not impose gender-based restrictions with respect to membership. However, the Farmers Association Act and the bylaws and regulations pertaining to its implementation, farmers associations restrict their membership to one person per household, because a majority of farming families are relatively small scale and family-based. The head of a household is often primary agricultural producer. Membership is also limited to help lessen the financial burdens on farmers and their families, including membership fees, business expenses, and promotional costs, and helps to streamline associations' management processes. Furthermore, it is appropriate to limit membership to one person per household to ensure that the financial systems prevailing in villages remain balanced and to avoid situations where family members in the same household could have multiple loans or an excessive concentration of loans. The Farmers Association Act also specifies that all family members from a household with a member in an association are afforded access to the services of their association,

and hence the rights and interests of farmers are not adversely impacted. Traditionally, relatively more men have tended to work outdoors and hence represent their family in these associations. As such, women have relatively fewer opportunities to participate, and comparatively few women apply to join farmers associations. In the future, more efforts will be made to promote awareness of relevant regulations among female farmers to encourage women to join farmers associations. From 2013 to 2016, the proportion of women among the membership of farmers' associations increased from 32.4% to 32.5%.<sup>38</sup>

- 14.3 From 2009 to 2016, the proportion of women elected to serve as members of farmers associations increased slightly at all levels: The percentage of female member representatives increased from 4.2% to 5.6%, while the percentage of women serving as board directors and supervisors increased from 1.9% to 2.7%, and the percentage of women serving as executives increased from 15.2% to 19.2%.

#### Fishermen's Associations

- 14.4 From 2009 to 2016, the proportion of women among the membership of fishermen's associations increased from 47.7% to 49.7%, revealing that greater numbers of women are participating in work related to the fishing industry. However, most women in fishing villages are relegated to helping their husbands handle marketing, sales, and processing fishing products, which is secondary to the role of men, who are able to directly engage in the fishing or fish-farming process, and who serve in fishermen's associations at the decision-making level. To increase the willingness of women in fishing villages to get involved at the decision-making level, various programs (such as home economics classes) offered through fishermen's associations provide promotional measures and gender awareness training courses that encourage women to get involved in public affairs and community activities. This is ultimately generating more opportunities for women to get involved at the decision-making level.

- 14.5 From 2009 to 2016, the proportion of women serving as elected members of fishermen's associations at all levels increased slightly: The percentage of female

---

<sup>38</sup> Articles 14.2–14.10 are in response to Point 30 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

member representatives increased from 7.6% to 9.1%, while the percentage of women serving as board directors and supervisors increased from 3.4% to 5%, and the percentage of women serving as executives increased from 22.5% to 30%. Although the proportion of women serving as elected members of fishermen's associations has not yet satisfied the one-third gender rule, there is a trend among associations toward hiring female executives (30%) to handle the overall coordination, planning, and decision-making affairs of fishermen's associations, showing that women in fishing villages are successfully participating in public affairs and are being recognized for their skills. With continued guidance, the overall proportion of women serving as elected members of fishermen's associations will hopefully continue to increase at an effective pace.

#### Irrigation Associations

14.6 Members of irrigation associations are required to be owners or lessees of arable land. Traditionally, land is inherited by men, and therefore the members of irrigation associations are predominantly male. In addition, most rural area still hold the belief that men should work outside, and that women should focus on household affairs. The majority of women being expected to shoulder the burden of household chores, cooking, and child care, result in fewer female members aspiring to seek office in committees and associations. From 2013 to 2016, the percentage of female members of irrigation associations increased from 26.4% to 27.6%. The percentage of women serving as committee members had also increased, from 3.6% to 4.3%.

#### Promoting Participation by Women in Agricultural Decision-making Processes

14.7 The Manpower Training Plan for Rural Rejuvenation was launched in 2004 to strengthen the human resources of rural communities, and enhance the connectivity with rural industry to improve the economy. Training courses on empowerment were provided, while discussion about participation in local community and public affairs was encouraged among the residents of agricultural villages, with feedback concerning their needs and opinions being amassed. These efforts provided more opportunities for women to participate in decision-making and governance in their communities. 14,919 women participated in 2015, accounting for 42.2% of participants.

- 14.8 To prevent rules set forth under the Farmers Association Act concerning membership qualifications from hindering women's opportunities to participate in farmers associations, a draft amendment was formulated in 2014; however, the proposed changes did not receive the support of farmers associations. With reelections for positions in farmers associations being held in 2017, efforts to amend the act have been postponed. After the reelections are concluded in 2017, the relevant agencies, scholars, and experts will be invited to convene two seminars to consider potential adjustments and corresponding plans.
- 14.9 To rapidly increase the number of opportunities available to women for participating at the decision-making level in the agricultural industry, the Subsidy Directions for Agricultural Extension Education Facilities were amended in 2016 to ensure that, when determining the recipients of government subsidies, priority is given to farmers associations that have a higher ratio of female officers, thus encouraging farmers associations to place more emphasis on women's participation. In 2016, a total of 30 farmers associations received subsidies, and seven farmers associations received subsidies as a result of these regulations (accounting for 23.3% of recipients). Fishery Production and Marketing Extension Project was also amended in 2016 to ensure that, when determining the recipients of government subsidies, priority is given to fishermen's production and marketing groups for which 50% or more of their total members are women. In 2016, a total of 29 production and marketing groups received subsidies, among which 31% of group leaders were women. It is hoped that the use of subsidies as an incentive to cover costs will rapidly increase the proportion of women participating at the decision-making levels of farmers and fishermen's associations.
- 14.10 To increase women's willingness to participate at the decision-making levels of irrigation associations, associations' efforts to address gender equality have been monitored during inspections since 2017.
- 14.11 The Census on Agriculture, Forestry, Fishery and Animal Husbandry Sectors conducted in 2015 included a new census component called *decision-maker of the household* to identify a more diverse range of participation among women in agricultural work and related decision-making processes. The results of the survey,

which are set to be published in December 2017, will also be used as a reference to formulate policies pertaining to equal rights within the agricultural industry.

#### Indigenous Women's Participation in Decision-making

14.12 To achieve higher self-autonomy among indigenous groups, six district chiefs of indigenous districts of special municipalities were directly elected for the first time in 2014. Women accounted for 5% of the candidates (19 men; one woman), but no women were elected (six men, zero women). Some 50 representatives of indigenous districts of special municipalities were also elected, among whom women accounted for 22% of the candidates (73 men, 21 women), and 24% of successfully elected candidates (38 men, 12 women).<sup>39</sup> Efforts have been made to establish tribal meetings within each indigenous community, and tribes have undergone organizational restructuring to create more opportunities for indigenous women to participate in public affairs and further improve their status. The government is also preparing to launch policies that allow indigenous communities to become incorporated as legal entities. This will provide indigenous communities with a stronger legal foundation, and protect indigenous women's right to participate in public affairs in turn.

14.13 From 2013 to 2016, the proportion of female senior civil servants serving at the Council of Indigenous Peoples increased from 7.7% to 16.7%.

14.14 For the purpose of collecting a more diverse range of feedback from indigenous groups, and in the interests of striking a balance between indigenous communities and metropolitan areas and achieving more equitable gender distribution ratios, 16 committee members of indigenous ethnicity were appointed to the Council of Indigenous Peoples in 2016, of whom 31.3% were women.

14.15 Once every two years, an opinion leaders' training program is held for indigenous women. Training courses and workshops covering the type of gender equality issues faced by indigenous groups are held to empower and cultivate a body of female indigenous leaders, and give women a platform for participating in public affairs. From 2014 to 2016, 92 opinion leaders were trained through the program.

---

<sup>39</sup> Articles 14.12–14.16 are in response to Point 31 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

14.16 To formulate the Four-year Economic Development Plan for Indigenous Peoples (2018–2021), four seminars were held in various regions in 2016, attended by 308 persons, among whom 34% were women. Relevant recommendations collected through the seminars were then used as a reference during the plan’s subsequent development.

## **Livelihood, Property, and Economic Opportunity**

### Knowledge-based Training and Technical Training

14.17 In 2016, there were 74,109 members of home economics classes offered by farmers associations nationwide, with women accounting for 97.9% of total membership. Some 86% of members of fishermen’s associations’ home economics classes were women. The joint participation of married couples and multigenerational family members has been encouraged to eradicate the stereotype that only women participate in these associations’ home economics classes. Gender awareness training has also been incorporated into home economics classes to eradicate stereotypical beliefs about male and female roles. Other training components cover a diverse range of subjects, including advice on how to develop part-time work opportunities, revitalization activities for fishing villages and communities, the principle of zero tolerance for sexual violence, gender awareness training, and foreign language programs.<sup>40</sup>

14.18 Home economics extension educational programs organized through farmers and fishermen’s associations in villages provide local women with guidance on increasing their incomes. Training covers the development of farm-to-table cuisine (including organizations promoting leisure agriculture, bed-and-breakfasts, and similar businesses), the processing of regional agricultural products, handicraft production, ecotourism. The programs enhance the livelihoods of women in rural villages by empowering them to improve the know-how and skills required to make marketable products. In 2016, 137 sessions of home economics courses Tianmama were held, with women accounting for 76.4% of participants.

---

<sup>40</sup> Articles 14.17–14.24 are in response to Point 30 of the Conclusions and Recommendations of Taiwan’s Second National Report on CEDAW.

14.19 To help more young people get involved in the agricultural sector, specialized training was provided to a total of 320 young farmers from 2013 to 2016, with young women accounting for 12.5% of trainees. Guidance was also provided to 16 farmers associations to help them establish young farmers associations. This has fostered an environment conducive to mutual cooperation and provided opportunities to pass on valuable agricultural production and marketing practices, know-how, and experience to the next generation of farmers. In 2016, 2,338 young farmers participated in the associations, among whom 20% were young women. A New Farmers Development Program was also launched in 2016, aiming to foster an environment that will encourage young people to work in the agricultural industry, and spur innovation and the revitalization of rural villages in turn. It is estimated that the program will train more than 18,000 new farmers over a six-year period. A target has been set for women to comprise one-third of participants, and not less than one-fifth.

14.20 To promote agricultural production and marketing, and enable participants to cultivate specialized skill sets, classes suited to women in rural villages have been created and offered through an associated Farmers' Academy, and steps have been taken to ensure that women are given priority to participate in the program, enabling women to access more training opportunities in the field of agriculture. A trial run of the program was conducted for classes in selected locations starting in 2017.

Training, Employment, and Entrepreneurial Opportunities for Women with Indigenous, Hakka, and Rural Backgrounds

14.21 The Indigenous Skills Research Center provides entrepreneurial training courses on organic and traditional forms of agriculture, specialty catering, and other topics as a way to create more opportunities for indigenous persons to return to their hometowns and start new businesses. Between 2013 and 2016, subsidies were provided to local governments to organize vocational training for indigenous people. A total of 4,119 persons participated in this training, with women accounting for 66.3% of all participants.

14.22 To enable more indigenous persons to pursue innovative and entrepreneurial endeavors, the Indigenous Entrepreneurial Incubation Center Project was

implemented from 2011 to 2013. In 2014, the project became the Indigenous Peoples Entrepreneurial Guidance Program, providing training on entrepreneurial knowledge and skills to indigenous persons in a way that revitalizes their traditional knowledge, wisdom, and distinctive cultural traits, and boosting the quality of guidance available through the efforts of specialized consulting and guidance teams. From 2014 to 2016, guidance was provided to 357 persons; the proportion of guidance provided to women during each reporting period was 42.0%, 40.7%, and 51.2%, respectively.

14.23 To boost the development of Hakka cultural industries, funding was provided to sponsor various industry events and programs involving Hakka culture and traditions from 2013 to 2016. Various programs were organized for women to participate in workshops and educational courses, including business consulting for industries with Hakka characteristics, talent development (involving the use of the Hakka language for tour guiding, product descriptions, and Hakka-language services), and observational and research programs. In 2016, 3,129 persons (among whom 56.8% were women) received developmental training through the program. This represented an increase of 1,536 persons compared to 2015, during which time 1,593 persons participated (among whom 54.1% were women), and an increase of 2.7% in the proportion of female participants.

14.24 From 2013 to 2016, the government worked with civil organizations to implement the Multi-Promotion Program in rural areas, helping a total of 7,643 people find employment, among whom 5,393 (72.3%) were women, accounting for the majority of participants.

#### Encouraging Women to Participate in Production and Marketing Groups

14.25 In 2016, NT\$15.58 million in funding was provided to encourage the residents of fishing villages to set up production and marketing groups, with some 271 new groups being organized. The proportion of female members of such groups increased from 3.7% in 2014 to 20.2% in 2016.

14.26 Some 409 livestock and poultry production and marketing groups were also established in 2016, for a total of 6,989 members. The proportion of female members increased from 8.1% in 2013 to 8.7% in 2016, while 3.7% of group leaders

were women. In 2016, NT\$2.65 million in educational subsidies was provided to organize educational activities involving livestock and poultry farming techniques, and to promote awareness of the latest know-how and technologies, thereby facilitating the more vigorous development of these industries.

#### Programs to Help Women Set Up Cooperatives

14.27 The Constitution of the Republic of China stipulates that “cooperative enterprises shall receive encouragement and assistance from the State,” enabling their members to resolve problems relating to production, distribution, and their own subsistence through mutual assistance and cooperation. In 2015, the Cooperatives Act was amended to relax restrictions on rules governing the registration process for cooperatives, enabling all types of cooperatives to engage in one or multiple types of business activities. Subject to permission by the competent authority, a cooperative (with the exception of insurance cooperatives) may now render its services to nonmembers. This change was introduced to accommodate the trend toward more relaxed regulatory policies, and to better conform to the needs of cooperatives.<sup>41</sup>

14.28 Worker cooperatives established in accordance with the Cooperatives Act, defined as labor organizations whose establishment has been lawfully permitted by the competent authority in accordance with the provisions set forth under subparagraph 4 of paragraph 1 of Article 8 of the Value-added and Non-value-added Business Tax Act, and which handle social welfare services in accordance with the Protection of Children and Youths Welfare and Rights Act, may be exempted from business tax, thereby fostering an environment which is conducive to the development of cooperatives.

14.29 To promote the development of cooperatives in the Hualien-Taitung region, the National Development Council commissioned guidance programs on improving the performance and integrity of new and existing cooperatives in 2015. A total of 93 forums, outreach courses, and other relevant workshops on cooperatives were held, for which 59% of participants were women.

---

<sup>41</sup> Articles 14.27–14.33 are in response to Point 30 of the Conclusions and Recommendations of Taiwan’s Second National Report on CEDAW.

- 14.30 The Indigenous Cooperatives Guidance Program provides indigenous people with various levels of guidance on establishing cooperatives. Lectures and courses are also provided to those running existing cooperatives. By helping to increase the rate of employment among indigenous women, this program improves their overall living conditions and economic interests. From 2014 to 2016, onsite guidance was provided each year to 30, 35, and 20 indigenous cooperatives, respectively (a total of 85 cooperatives), with women accounting for about 32.5% of the total membership of participating cooperatives.
- 14.31 To encourage more women to participate in cooperatives and credit unions and increase their financial independence, the government commissioned the Homemakers Union Consumers Co-op to hold a seminar advocating the benefits of cooperatives. Assistance has also been provided to women's groups that have expressed an interest in forming cooperatives through introductory education, counseling, and guidance on the establishment of cooperatives; leadership classes on the management of cooperatives were also held, while cooperatives with a proven track record were also asked to share their knowledge and best practices. A pilot banking program was also launched to help indigenous persons, new immigrants, mid- and low-income households, single parents, and other economically disadvantaged groups obtain access to financing and associated channels with dignity, improving their quality of life. From 2013 to 2016, guidance was provided to 225 households.
- 14.32 Credit unions provide their members with microlending services. As of 2016, 340 credit unions were registered in Taiwan, with women accounting for 53.5% of all members (a growth of 0.4% compared to 2012). Such unions had issued approximately NT\$9.33 billion in loans.
- 14.33 Agricultural cooperatives provide sales channels, joint marketing activities, and guidance on fruit and vegetable processing techniques, as well as organize marketing events designed to boost sales of local agricultural products. In 2016, 1,342 agricultural cooperatives were registered in Taiwan, with women accounting for 17.5% of all members, and with the total value of co-op shares amounting to more than NT\$3.57 billion. Worker cooperatives provide their members with a

range of employment opportunities. In 2016, 337 worker cooperatives were registered in Taiwan, with women accounting for 44.2% of all members (a growth of 0.1% compared to 2012).

## **Health and Educational Programs**

### **Healthcare Services for Women in Rural Townships and Villages**

14.34 Twenty-three rural community service centers have been established in various villages, providing women with a range of services that encourage active and healthy aging, including preventive healthcare consultations, mental health counseling services, telephone reassurance calls, home visits, accompanied doctor's appointments, general household services, meal delivery services, and visits for persons with disabilities.<sup>42</sup>

14.35 To help indigenous communities lacking in financial and other resources, funding was provided to 12 local governments in 2015 to set up 109 cultural daycare centers. Resources from among church groups and key tribal associations were incorporated to provide elderly persons with group-based care services two to three times per week. The scope of services entailed telephone reassurance calls, home visits, consultation and referral services, group meals, and meal delivery services, thereby creating a preventive system of interconnected care services. In 2015, 4,305 elderly persons received services through the program, with women accounting for 70% of recipients.

14.36 To promote understanding of and draw attention to health and safety issues that affect indigenous peoples, the Indigenous Community Culture and Health Care Program was launched in 2015. Some 121 stations have been set up to date, with 68% of the program's beneficiaries being elderly women.

14.37 Funding is allocated to local government authorities to provide various health services and medical care to indigenous women, including comprehensive prenatal and postnatal care, reproductive health guidance, infant and child-related health care information, and consultations and referrals. For each of the years from 2013

---

<sup>42</sup> Articles 14.34–14.42 are in response to Point 28 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

to 2016, the annual coverage rates for reproductive health guidance, consultations, and checkups were 88%, 90%, 90.5%, and 100%, respectively.

#### Guaranteeing Access to Healthcare for Women Living in Rural Townships and Villages

14.38 A comprehensive network of medical care has been created to ensure that people living in rural townships and agricultural communities are able to obtain high quality health services in their local area; as of 2016, regional-level hospitals or above have been established in all areas with the exception of the tertiary medical regions of Dawu and Chenggong, which are located in Taitung County.

14.39 To increase the quality of medical care available to indigenous groups in rural townships and persons living on outlying islands, the Healthcare Information System had been installed at 70 health centers by the end of 2016, while the Picture Archiving and Communication System had been installed at 40 health centers. The adoption rate of the HIS stood at 97.2%.

14.40 To expand and upgrade medical facilities and equipment in indigenous peoples' regions, from 2012 to 2016, the government provided subsidies to public health centers to rebuild or expand four centers, and renovate 15 centers, as well as acquire an additional 759 items of medical equipment and instruments.

14.41 Taxpayer-funded subsidies are allocated to help train local medical practitioners among indigenous groups and those living on outlying islands, reducing gaps in basic and specialized medical coverage, increasing the quality of the medical care available. As of 2016, 949 persons had received various types of medical training, comprising 511 instances of training in Western medicine, and 438 instances of other professional healthcare training. Nine other persons were trained in obstetrics and gynecology.

14.42 National Health Insurance Integrated Delivery System was implemented to provide localized medical services, including the intermittent provision of medical services at a rotating circuit of fixed locations, preventive healthcare, outpatient clinical services, and 24-hour onsite clinical services that extend coverage to include nights and weekends. The format for providing medical services to residents in mountainous areas and off-shore islands was also reconfigured to provide basic health care services.

14.43 To ensure that rural areas have access to comprehensive long-term care services, a care management center branches program to provide expanded services to indigenous peoples' regions, outlying islands, and regions lacking medical resources was launched under the 10-year Long-term Care Program 2.0, with local care managers and medical professionals being cultivated within rural areas to ensure the sufficient local availability of long-term human resources, and thereby promote the diversified and balanced development of long-term care resources. From 2016 to 2019, a planned roll-out of the program will include the establishment of 131 service locations, including 55 service locations in indigenous peoples' regions.

#### Educational Resources in Rural Townships and Villages

14.44 To better meet indigenous peoples' regions' child care needs, local governments receive subsidies to establish additional public preschools. In areas where preschools are not yet widely available and where difficulties have arisen in finding suitable locations and personnel due to topographic restrictions, a community-cooperative model may be utilized to provide child care services instead, thereby enabling individual tribal community to handle child care according to their own values and needs. From 2014 to 2016, community-cooperative preschools that had already completed their registration procedures were provided with subsidies to cover their operating costs, protecting the right of women to seek employment and the right of children to receive an education. A total of 54 women were employed as child care service personnel, benefiting a total of 377 schoolchildren.

14.45 To provide indigenous persons with a stronger social safety net, and to promote their right to knowledge and access to information, local governments have been given subsidies to establish indigenous people family service centers . Subsidies were provided to establish 55 centers in 2015, and 58 centers in 2016, providing consultation, case management, and referral services, and developing different types of community outreach programs (including those which promote tribal community welfare, education on personal safety and rights, social work, and parenting skills among indigenous families).

14.46 In 2016, the Council of Indigenous Peoples began organizing special classes at

tribal community library information stations to teach indigenous women how to use digital technologies. Indigenous tribal community colleges were also established to provide programs on indigenous languages, business management, social education, human rights education, gender education, and health promotion and care. In 2016, 73.9% of students completing one of the colleges' programs were female.

14.47 The government provides scholarships and financial assistance to help the children of farmers and fishermen successfully attend senior high schools, vocational schools, and colleges or universities. A total of NT\$4,529,436,000 in funding was disbursed through these programs from 2013 to 2016, providing assistance to 571,332 children of farmers and fishermen, of whom girls and young women accounted for 332,195 (58.1%) of recipients.

### **Disaster Prevention and Rescue in Rural Areas**

14.48 Global warming and climate change means that natural disasters and extreme weather conditions will become increasingly prevalent. Therefore, disaster prevention and rescue plans expressly call for the priority evacuation of the elderly, infants and young children, pregnant women, women in postnatal care, people with disabilities, and other disadvantaged people. The plans also call for an annual survey to be conducted to identify people who require special assistance during disasters, and those living in areas prone to mudslides. If and when disasters strike, those persons listed will then be able to be evacuated to safety in a timely manner. Since 2014, the National Fire Agency under the Ministry of the Interior began to record gender statistics when calculating the numbers of casualties caused by natural disasters. As of 2016, a total of 2,616 persons were injured or died as a result of a natural disaster, among whom 45.8% were female (28 persons in 2014, 39.3% of which were female, 855 persons in 2015, of which 45.2% were female, and 1,733 persons in 2016, of which 46.2% were female). Compared to males, a relatively smaller proportion of disaster victims were female, demonstrating that an increase in risk vulnerability did not correlate with gender.

14.49 To effectively respond to the flood season and typhoon season, the Ministry of Health and Welfare convenes an annual flood prevention meeting, and holds

disaster prevention and rescue drills and work assessments, so as to provide guidance to local governments on how to shelter and provide appropriate care to disadvantaged groups, such as by giving special consideration to the needs of senior citizens and persons with disabilities, and the provision of special facilities and daily necessities to meet the needs of disadvantaged groups, accounting for age, gender, and physical and mental disabilities.

14.50 To increase disaster preparedness among the general public and strengthen the disaster prevention capabilities of people living in potential debris flow torrents affected areas, resources from both the private and government organizations are used to hold debris flow specialists training on mudslide disaster prevention. In 2013, 300 persons received training, 13% of whom were women. In 2016, 359 persons received training, 18.4% of whom were women, revealing that an increasing proportion of women are receiving training each year, thereby increasing the readiness and disaster response capabilities of women.

## **Article 15**

The Constitution of the Republic of China (Taiwan) clearly stipulates that its citizens are equal under of the law regardless of gender, and the law explicitly grants protections that ensure women and men both enjoy the same legal status, freedom to enter into contracts, freedom of movement, and the right to choose their residence and domicile. To ensure that women have adequate access to judicial resources, judicial assistance is provided to disadvantaged women, including legal assistance and interpreting services, and the proportion of women serving as judicial personnel is gradually being increased. In addition, various training courses on cases involving women and children and gender equality issues are being provided on a regular basis to boost gender awareness and executive capabilities of judicial personnel, while also further safeguarding the legal rights and interests of women.

### **Guaranteeing Equal Protection Under the Law for Men and Women**

- 15.1 For more information concerning protections in Taiwan to ensure that women hold an equal right in court and are treated fairly with respect to judicial proceedings, sentencing in criminal cases, the right to be served legal notices and litigation documents without being influenced by place of domicile or relocation, and other relevant regulations, please refer to Articles 15.20, 15.21, 15.22, and 15.23 of the convention-specific document of Taiwan's Second National Report on CEDAW.
- 15.2 For more information on regulations pertaining to freedom of movement, please refer to Articles 15.40 and 15.41 of the convention-specific document of Taiwan's Second National Report on CEDAW.

#### **Equal Access to Property Rights**

- 15.3 For more information concerning regulations in Taiwan pertaining to equality of men and women with respect to legal rights, legal status, and regulations on property rights, please refer to Articles 15.1–15.12 of the convention-specific document of Taiwan's Second National Report on CEDAW.
- 15.4 Laws and regulations in Taiwan regarding taxes levied on property transferred as a gift do not differentiate between men and women. However, statistical data from the Ministry of Finance show that a smaller proportion of women are gifted property as compared to men. According to statistics from the Ministry of Finance, cases of

the property being gifted from 2013 to 2015, female ROC citizens accounted for 38.2%, 38.1%, and 39.2% of the recipients, respectively, revealing a slightly upward trend.

- 15.5 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. Gender-based statistics on petitions for waivers of inheritance filed with individual district courts in Taiwan show that from 2013 to 2016, women accounted for 55.4%, 55.4%, 55.4%, and 55.3% (January to November of 2016) of such petitioners, respectively. In other words, the ratio of women filing an inheritance waiver continues to be higher than compared to men. One explanation is that a portion of ROC citizens still hold the traditional belief that property should be passed on to males, not females.
- 15.6 To promote the concept that men and women have an equal right to inherit property, and to provide the general public with an appropriate means for obtaining relevant information, the Ministry of Justice produced a series of instructional materials, from 2014 to 2016, that were placed at various locations, including the premises of relevant central and local government agencies, the Legal Aid Foundation, and judicial protection sites.
- 15.7 In addition, the following explanation was added to the sample Petition Letter for Waiver of Inheritance, a standardized form provided to the general public by the Judicial Yuan for filing petitions for waivers of inheritance, so as to better uphold equal inheritance rights: "Women possess the same statutory inheritance rights as males, and are not obliged to file a petition for a waiver of inheritance."

#### Achieving Equality in Taxation Policy Irrespective of Marital Status

- 15.8 The Income Tax Act originally required married couples to calculate their tax payable jointly for nonsalary income, which may have increased their tax burden. In 2014, amendments to the Income Tax Act were passed, rescinding the above mandatory regulation. Subsequently, the methods for calculating household income tax payable were divided into three options: Married couples may file all forms of income separately; they may file all forms of income jointly; or they may file their salary income separately, with all remaining forms of income filed jointly. As a

result, additional tax burdens that may have been present as a result of marital status have been eliminated, and a more equality-based taxation policy has been achieved.

#### Inheritance Rights of Successors of Ancestor Worship Guilds

15.9 Ancestor worship guilds were specifically established for the purpose of handling various matters related to the tradition of ancestor worship. In the past, ancestor worship guilds only permitted male descendants to be a successor and carry on this tradition. However, in accordance with the regulations provided under Article 5 of the Act for Ancestor Worship Guild, which took effect on July 1, 2008, the successors responsible for worship can be joint worshiper, which means there are no longer any gender-based restrictions, so the successor of an ancestor worship guild can now be a man or woman. As regards the regulations provided under Article 4 of the Act concerning successors who had already met eligibility requirements prior to the provisions taking effect, Interpretation No. 728 of the Judicial Yuan stipulates that, in consideration of the spirit of Articles 2 and 5 of CEDAW, and with respect to ancestor worship guilds that were formed prior to enforcement of the Act for Ancestor Worship Guild, the relevant authorities shall comply with prevailing conditions when formulating the system for designating a successor and further comply with the intent of the Additional Articles of the Constitution of the Republic of China, which obligate the state to actively extend protections to women. And in consideration of ensuring the stable rule of law, relevant regulations must be reviewed and amended as needed depending on the circumstances associated with social changes, as well as adjustments to the nature and purpose of ancestor worship guilds. Consequently, the Ministry of the Interior proposed a draft amendment to Article 4 of the Act for Ancestor Worship Guild, and in 2016 the Executive Yuan submitted the draft to the Legislative Yuan for deliberation. In addition, regulations pertaining to equal inheritance rights are emphasized by the Ministry of the Interior in its education and training on relevant affairs, which are held on a regular basis each year.

#### **Legal Aid for Disadvantaged Women**

15.10 In accordance with the regulations stipulated under the Legal Aid Act, legal assistance is provided where needed to persons who have limited resources or for

other reasons. Legal assistance in the form of information available through the Judicial Yuan's single-counter joint service center is available to the general public for all levels of courts under the purview of the Judicial Yuan. During the period from 2013 to 2015, women accounted for 45.6%, 47.9%, and 48.5% of all applications for legal assistance, respectively. Likewise, women accounted for 44.9%, 48.9%, and 49.3% of all approved applications for assistance. The ratio between women and men as regards the number of applications and approvals for assistance is roughly equal.<sup>43</sup>

15.11 Since 2013, various branches of the Legal Aid Foundation have worked to provide legal consultation services relating to family members on behalf of local district courts at court-based family cases service centers. Moreover, in August 2015, the foundation began implementing a case assignment system for attorneys specializing in family matters on a trial basis, and pursued efforts to provide enhanced education and training to attorneys on topics relating to family assistance, so as to increase the quality of care in cases involving family matters, and to protect the rights and interests of those from disadvantaged groups in society who become involved in lawsuits. From 2014 to 2016, national-level court-based family cases service centers provided services to 50,715 people, 76,959 people, and 88,563 people in their respective locales.

15.12 Since 2014, local governments began making budget approximations for funding the establishment of court-based family cases service centers. The Judicial Yuan has also made corresponding budget appropriations to handle cases through subsidies (or donations). Currently, a total of 21 local district courts across the nation tasked with handling domestic matters, including the Taiwan Kaohsiung Juvenile and Family Court, have established Court-based Domestic Relations Service Centers to provide a range of corresponding services ranging from social welfare services, law enforcement protection,<sup>44</sup> legal assistance, job placement, and other forms of social

---

<sup>43</sup> Articles 15.10–15.15 are in response to Point 12 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

<sup>44</sup> Law enforcement protection provided by Court-based Family Cases Service Centers refers to the ability to, when necessary and upon request, have police authorities send an officer to provide assistance or escort a party to safety. At present, all such service centers are able to provide this protection.

resources and support. In addition, local governments have also established women's welfare service centers and regional or single parent family service centers to provide relevant legal consultation services.

15.13 In accordance with the Cross-strait Joint Crime-Fighting and Judicial Mutual Assistance Agreement and the Agreement between the Taipei Economic and Cultural Office in Vietnam and the Vietnam Economic and Cultural Office in Taipei on Judicial Assistance in Civil Matters, the Straits Exchange Foundation and the Ministry of Justice can provide assistance in the serving of documents involving litigation in mainland China and Vietnam, so as to prevent situations where one party is unable to receive litigation documents due to living outside the country, and to protect the rights of access to the court of new immigrants who become involved in lawsuits.

15.14 To more effectively protect the legal rights and interests of foreign nationals, indigenous persons, persons with hearing, verbal, and communication difficulties, as well as persons with limited or no Chinese language ability, the government introduced a contracted interpreter system in 2006.<sup>45</sup> Currently, the program supports 18 different languages, and includes a total of 229 contracted courtroom interpreters. In the event that interpretation services are required during court procedures, an interpreter will be assigned to that court to provide linguistic assistance to relevant parties involved in the litigation. Since 2013, the Judicial Yuan has commissioned the Judges Academy to implement education and training courses for contracted interpreters. The courses are aimed at increasing the overall level of professionalism of contracted interpreters, and the quality of courtroom interpretation, with course content ranging from courtroom interpretation skills and hands-on training, to common legal knowledge, as well as courses on diversity and gender equality. In addition, the use of contracted interpreters by foreign nationals has increased for administrative litigation involving detention applications that the

---

<sup>45</sup>Currently, contracted interpreters have been retained for 18 languages including sign language, Hakka Chinese, Cantonese, various indigenous languages (including those of the Amis, Bunun, Paiwan, Tsou, Truku, and Seediq peoples), English, Japanese, French, German, Spanish, Portuguese, Southeast Asian languages, (including Thai, Vietnamese, Indonesian, Malaysian, and Filipino). In the future, more interpreters will be hired.

courts began handling in 2015, underscoring the positive impact of these helpful services.

## Achieving Gender Equality in the Judicial System

### Increasing the Proportion of Women Serving as Judicial Personnel

15.15 From 2013 to 2016, the proportion of women among newly licensed attorneys increased from 45.3% to 52.1%. The proportion of female prosecutors increased from 35.1% to 36.8%. The proportion of women serving as a division-chief judge at various levels of the court system increased from 29.2% to 39.4%. With regard to Point 12 of the Conclusions and Recommendations of Taiwan's previous National Report on CEDAW, in which it was recommended that the total number of judges be increased, this will happen subject to compliance with the regulations set forth under the Act Governing the Total Number of Personnel Headcounts of Central Government Agencies, and provided that pertinent budgetary constraints are overcome by utilizing the judicial personnel examination system, among other channels, to increase the number of persons serving as judges. In addition, a comprehensive review of the judicial branch's staffing requirements at each court level will continue to be held each year. Courts found to have a significant shortfall in the number of judges on staff are given priority to receive new personnel assignments to ensure the courts are staffed with an adequate number of judges. Furthermore, from 2013 to 2016, the ratio of female judges increased from 45.0% to 50.9% (see Table 15-1).

**[Table 15-1] Number and Proportion of Women Serving in the Judicial System**

Unit: persons; %

Year	Certified Lawyers		Prosecutors		Judges		Division-chief judges	
	Number of People	%	Number of People	%	Number of People	%	Number of People	%
2013	346	45.3	489	35.1	918	45.0	90	29.2
2014	349	44.3	499	36.7	944	45.3	104	32.7
2015	373	46.7	513	36.9	962	46.6	105	34.5
2016	367	52.1	509	36.8	901	50.9	124	39.4

Source: Ministry of Justice, Judicial Yuan.

15.16 Between 2013 and 2016, the secretary-general and deputy secretary-general of the Judicial Yuan, and chiefs and deputy chiefs of the Civil Department, Criminal Department, Department of Administrative Litigation and Discipline, Juvenile and Family Department, Department of Judicial Administration, and Department of Clerks for the Justices of the Constitutional Court, were comprised of a total of 14 persons, of whom seven (50%) were women.

#### Increasing Gender Awareness among Judicial Personnel

15.17 Beginning in 2008, the Academy for the Judiciary under the Ministry of Justice began providing relevant preservice training courses on gender equality (including CEDAW) for trainees studying to become judicial officials (judges and prosecutors), prosecutors investigators, probation officers, court clerks, and other relevant judicial personnel. Since 2014, in-service training classes have been held for prosecutors (with a number of classes also open to division-chief judges, or judges) and on-the-job training, as well as relevant courses on gender equality and related issues, are also held for relevant judicial personnel. In addition, beginning in September 2016, topics related to gender equality (including CEDAW-related topics pertaining to women and children's issues) began to be incorporated into the digital classroom online learning system on the Academy for the Judiciary website. These courses are specifically designed to enable current prosecutors, judges, and judicial trainees to undergo instruction through an online learning platform.<sup>46</sup>

15.18 In addition to holding annual CEDAW Seminar and Workshop on Gender Equality, the Judges Academy has also organized a variety of more advanced courses on gender equality since 2013. Topics include: effectively incorporating the concepts of CEDAW, the ICCPR, and the ICESCR when handling family matters; exploring CEDAW and gender mainstreaming; case studies on the application of CEDAW by foreign courts; incorporating the frameworks of CEDAW, the ICCPR, the ICESCR, and the CRC into the juvenile court system; and social justice and the protection of minorities—a discourse on CEDAW and measures for protecting the rights and interests of new immigrants.

---

<sup>46</sup> Articles 15.17–15.19 are in response to Point 10 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

- 15.19 To gain a better understanding of the efficacy of training courses offered on CEDAW, the Judges Academy provides a questionnaire at the conclusion of each course to solicit opinions from trainees on course content, method of instruction, and other aspects of the training. In addition, three months after the conclusion of the courses, a second questionnaire is issued to ascertain whether the trainees apply the CEDAW training into their work, the results of which are then used as a reference for revising the courses.
- 15.20 To boost professional knowledge, skills, and gender awareness among judicial personnel involved in cases pertaining to women and children, various types of workshops and educational courses are provided, and judges serving in court tribunals receive a minimum of 12 hours of specialized training each year. From 2013 to 2016, workshops and educational courses on sexual assault and other cases involving women and children, covering both theory and practice, as well as specialized training courses on handling questioning and consultations in cases of sexual assault against children and persons with intellectual disabilities, were held for judicial personnel—including judges and prosecutors investigators—so as to further refine the capabilities and knowledge of judicial personnel in terms of specialized questioning and consultation methods.
- 15.21 In 2015, the Judicial Yuan compiled and published a guidebook on the issuance of civil protection orders by courts as a reference for judicial personnel handling cases involving women and children. The guidebook incorporates explanations and procedures adopted by courts for handling relevant cases, and also provides clarification and guidance on implementing CEDAW with respect to acts of violence against women and children. From 2015 to 2016, the Ministry of Justice also worked on compiling a guidebook for handling cases involving women and children to further refine the capabilities and knowledge of prosecutors in this area. Meanwhile, the National Police Agency of Ministry of the Interior revised the police handbook on protecting the safety of women and children in 2016 to provide guidelines for law enforcement personnel when handling relevant cases, thereby boosting knowledge of reporting processes and operating guidelines among the personnel concerned.

15.22 According to Article 80 of the Constitution of the Republic of China (Taiwan), judges must be above partisanship and, in accordance with law, conduct trials independently, free from any interference. The Judicial Yuan has collected relevant gender statistics on judgments and rulings, set up a gender statistics webpage, and established a searchable database of cases in which courts cited CEDAW as a basis for its ruling. After the database has accumulated a certain number of court precedents, the rulings will be further incorporated as items of consideration in the Judicial Yuan's annual report. In addition, relevant courses and informational materials have also been incorporated into certain aspects of training and in-service training for judges, in hope of facilitating more citation of the provisions of CEDAW in judicial rulings, so as to achieve gender equality. From 2015 to the end of 2016, there were a total of 10 cases in which courts cited CEDAW as the basis for a ruling. A breakdown of the types of cases is provided as follows: one civil case (confirming the lack of right to succession); four criminal cases (two involving offenses against sexual autonomy, and two violating the Act Governing Relations between the People of the Taiwan Area and the Mainland Area); one domestic case (divorce); one juvenile case (offense against sexual autonomy); and three cases of administrative litigation (two cases involving the Status Act for Indigenous Peoples, and the other the Act of Gender Equality in Employment).<sup>47</sup>

#### Prosecution and Sentencing of Offenses Against Sexual Autonomy

15.23 With regard to Point 17 of the Conclusions and Recommendations of Taiwan's previous National Report on CEDAW, which brought to attention a case of sexual assault perpetrated against a six-year-old girl, the presiding prosecutor charged the offender with the crime of aggravated forced sexual intercourse as set forth under Article 222 of the Criminal Code, and sought a sentence of 10 years imprisonment. However, the court of first instance moved to reduce the charge to a criminal offense involving sexual misconduct with a girl under the age of 14 in accordance with Article 227 of the Criminal Code. This ruling was then appealed by the public prosecutor, and the court of second instance overruled the original judgment,

---

<sup>47</sup> Article 15.22 is in response to Point 11 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

charging the offender with aggravated forced sexual intercourse. In this particular case, it is evident that the prosecutor did not file mistaken criminal charges. Moreover, if a ruling by a court is in contravention of the law, prosecutors reserve the right to activate certain review mechanisms and appeal to a higher court, as well as to file an extraordinary appeal to seek redress from a faulty ruling issued by a judge owing to a misattribution of applicable laws.<sup>48</sup>

15.24 At present, the Supreme Court has issued the following decision with regard to the factual basis for establishing the intent of a child involved in a case of sexual assault: Where consensual sexual intercourse takes place with a victim aged seven years and older but under the age of 14, the act shall constitute a criminal offense involving sexual misconduct with a minor under the age of 14 in accordance with the provisions set forth under the Criminal Code. Where nonconsensual sexual intercourse takes place with a victim aged seven years and older but under the age of 14, or where sexual intercourse takes place with a victim under the age of seven years old, the act shall constitute a gross violation of criminal sexual misconduct against the will of the victim in accordance with the provisions set forth under the Criminal Code.

15.25 In 2016, a study commissioned by the Ministry of Justice to analyze the reasons for verdicts of not guilty in cases of sexual assault and forced sexual encounters was completed. The full text of the report was made publicly available in electronic format and posted on the Government Research Bulletin (GRB). The results of the empirical research have already been incorporated into a 2017 course run by the Ministry of Justice on the protection of women and children and gender equality, which aims to further refine the capabilities of prosecutors handling sexual assault cases. Policy recommendations proposed by the research team have also been submitted for consideration to relevant agencies, including the Judicial Yuan and Ministry of Health and Welfare, to serve as a future reference for amending the relevant systems or laws. In 2017, the research team was also requested to chair a special discussion during the Ministry of Health and Welfare's Sexual Assault

---

<sup>48</sup> Articles 15.23–15.31 are in response to Point 17 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

Crime Prevention Act 20th anniversary forum, thereby fostering better communication and coordination between the Judicial Yuan, the Ministry of Health and Welfare, and other relevant government agencies.

15.26 In 2015, the Judicial Yuan completed an analysis report on sentencing practices for offenses against sexual autonomy, collecting a total of 12,740 pronouncements in cases involving offenses against sexual autonomy, analyzing the applicable circumstances of various sentencing factors (including Article 59 of the Criminal Code), and the impact on sentencing practice before and after the initiation of the sentencing information system. The report indicated a high degree of correlation between the pronouncement of probation and the citing of Article 59 of the Criminal Code for commutation of sentences in cases of forced sexual intercourse, aggravated forced sexual intercourse, aggravated forced obscene acts, and sexual intercourse with a person under the age of 14.

15.27 To ensure that determining the length of an offender's sentence duly complies with social equity and justice, in 2015 the Judicial Yuan convened focus groups comprised of judges, prosecutors, defense lawyers, scholars, victim protection groups and relevant public interest groups to examine various sentencing factors indicated by judges in determining the length of sentences in actual judgement and the relative weight assigned to each factor. On June 29 that year, sentencing trend recommendation for offenses against sexual autonomy were established. The promotion of sentencing trend recommendation helps ensure that judges are able to determine a more appropriate length of sentence in cases involving offenses against sexual autonomy.

15.28 In 2016, after the promulgation of amendments to the Sexual Assault Crime Prevention Act in 2015, the Judicial Yuan amended a number of the guidelines for handling court cases involving sexual assault. Additional regulations were drafted relating to the use of expert witnesses so as to facilitate corroboration of the facts by allowing judges to seek the opinions of expert witnesses, enabling victims to be protected in due course, as well as ensuring that victims receive immediate assistance and that the protections for sexual assault victims are adequately enforced during judicial proceedings. In addition, on December 30, 2016, other provisions

were formulated and incorporated into Point 17 of the aforementioned guidelines to fulfill the requirements of Article 15-1 of the Sexual Assault Crime Prevention Act and facilitate the enforcement of relevant regulations pertaining to professionals engaged in legal consultation and questioning in cases of sexual assault that involve a victim who is a child or person with intellectual disabilities. These actions safeguard the rights and interests of child victims, as well as persons with intellectual disabilities.

15.29 Mechanisms in Taiwan for ensuring the accountability of judges are divided into internal supervisory measures (self-disciplinary measures for judges and supervision of duties for court presidents) and external supervisory measures (evaluations of judges, impeachment orders from the Control Yuan, and disciplinary actions by the Court of the Judiciary). If a judge is found to have violated any provision stipulated under the Judges Act or similar regulation, or where an intentional act or act of gross negligence results in significant misconduct and egregious obstruction or equivocation in a case such that the rights and interests of the people are severely infringed upon, redress may be sought by calling on the Judicial Yuan, the court in which the judge in question is serving, or the high court that falls under its area of jurisdiction, the Judicial Evaluation Committee, and/or the Control Yuan to investigate the matter. In the event that the results of such an investigation find that disciplinary action is not warranted, self-disciplinary measures may be taken, or the case may be transferred to the Judicial Evaluation Committee or respective individual with supervisory authority, and thereafter the individual with supervisory authority shall make a final decision with respect to the disciplinary action taken regarding the relevant supervisory duties. Where disciplinary action is deemed necessary, the case is handed over to the Control Yuan for review, and after an impeachment order has been issued, the case is transferred to the Court of the Judiciary for a hearing. Based on the specific circumstances of the disciplinary sanctions to be meted out, and where concrete facts are sufficient for the Court of the Judiciary to determine that an individual is no longer fit to be a judge, the level of punishment shall be dismissal or removal from office. To date, however, no such cases have been recorded as a result of this mechanism.

15.30 In the event that, during the course of enforcing the law, a prosecutor in Taiwan is found to have engaged in practices or conduct that constitute gender discrimination against a party to a case, an order in the form of a cautionary order or warning, or other administrative supervisory disposition, may be issued to the prosecutor in accordance with the regulations set forth under Article 95 of the Judges Act. In addition, in the case of an egregious violation, the prosecutor may be subjected to disciplinary sanctions in accordance with paragraph 4 of Article 89 of the same Act. Furthermore, the circumstances of the infraction shall be taken into account when conducting a performance evaluation, and a prosecutor may receive an evaluation rating of unsatisfactory in accordance with the stipulations of Article 7 of the Regulations on Evaluation of the Performance of Prosecutors.

15.31 In accordance with the provisions of the Judges Act, relevant evaluation and disciplinary procedures are in place for judges and prosecutors. However, legal opinions with respect to applicable laws may not be claimed as grounds for evaluating individual cases.

## **Article 16**

Numerous amendments to the Civil Code and other relevant laws and regulations ensure men and women enjoy equal rights with respect to marriage and family affairs. However, there is still a discrepancy between men and women in terms of regulations governing the minimum age of marriage and engagement. Currently, a related draft amendment to the Civil Code proposed by the Legislative Yuan is being reviewed. With respect to transnational marriage, Taiwan has signed various international agreements to protect the rights and interests of children born through such. The government also actively communicates with different sectors of society, and holds deliberations on potential legal amendments that would provide legal protections for different types of alternative families and diverse gender identities that currently exist in society.

### **Marriage Equality**

16.1 For more information concerning equal marriage rights in Taiwan, please refer to Articles 16.1–16.4, and 16.55–16.57 of the convention-specific document of Taiwan's Second National Report on CEDAW. For more information concerning the equal right to dissolve a marriage, please refer to Articles 16.37–16.40 of the convention-specific document of the same.

#### Name Changes at Marriage

16.2 The Civil Code stipulates that, in principle, a husband and wife should keep their respective surnames and not change them as a result of marriage. Due to the influence of traditional beliefs, however, a small number of spouses continue to affix their spouse's surname to their own. Household registration data show that the prefixing of a surname between husband and wife still prevails, primarily with the wife carrying the husband's surname. The ratio of wives carrying their husband's surname as compared to the total number of married couples, however, declined from 0.3% in 2011 to 0.2% in 2015.

#### Age of Marriage

16.3 Minors under the age of 20 years old wishing to become engaged or get married are required to first obtain the consent of their legal guardian.

16.4 The Civil Code stipulates that a male who has not reached his 17th year and a female who has not reached her 15th year may not make an agreement to marry. A male

who has not yet reached the age of 18 and a woman who has not yet reached the age of 16 may not enter into a marriage. On December 26, 2016, the Judiciary and Organic Laws and Statutes Committee of the Legislative Yuan conducted a joint review of draft amendments to the Civil Code submitted by legislators aimed at addressing inconsistencies in regulations governing marriage between a man and woman, and conflicting statutory age limits on marriage engagements, resulting in an amendment to Article 973 of the Civil Code that passed the first legislative reading. The amendment reads "No person under the age of seventeen may enter into a marriage contract." Meanwhile, a review of the legality of the amendment to Article 980, which reads "No person under the age of 18 may marry," has not yet been completed.<sup>49</sup>

- 16.5 Under Taiwan's marriage registration system, if a person who initiates an application for marriage registration does so before reaching the minimum age of consent required by the Civil Code, the household registration authority may still allow the minor to register the marriage under special circumstances (such as having obtained consent of legal guardian, or where the minor is confirmed to be pregnant or to have given birth). Subsequently, in accordance with Articles 989 and 990 of the Civil Code, the minor's legal guardian may approach the court to annul the marriage if any dispute arises between the registered parties. However, marriage annulment may not be requested after six months of knowledge of any pertinent matter, after one year of marriage, or after the wife becomes pregnant.
- 16.6 Household registration statistics show that, from 2013 to 2016, the proportion of married persons under the age of 18 steadily decreased (see Table 16-1 for further details).

---

<sup>49</sup> Article 16.4 is in response to Point 35 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

**[Table 16-1] Married Population under the Age of 18, by Gender**

Unit: Couples; persons; %

Year	Number of married couples	Male						Female					
		Total		-15	15	16	17	Total		-15	15	16	17
		Total number of persons	%					Total number of persons	%				
2013	147,527	96	0.1	2	3	23	68	628	0.4	9	44	191	384
2014	149,513	86	0.1	2	2	23	59	644	0.4	6	40	205	393
2015	154,024	17	0.0	0	1	5	11	573	0.4	0	4	187	382
2016	148,349	16	0.0	0	0	3	13	510	0.3	0	4	185	321

Source: Ministry of the Interior (The table shows the percentage of married persons under the age of 18 out of the total number of married persons of the same gender in each year.)

Note: Statistics based on dates of occurrence.

#### Current Status of Efforts to Regulate Same-Sex Relationships

16.7 In 2015, the Ministry of Justice put forward policy recommendations for the regulation of same-sex marriage, which included adopting a two-stage approach to phasing in measures to protect the rights and interests of same-sex couples. The first stage entailed guaranteeing the rights and interests of same-sex partners by ensuring that current laws and regulations are fully enforced. The second comprises consultations held by the Ministry of Justice on establishing a legal framework for recognizing and regulating same-sex relationships.<sup>50</sup>

16.8 The first stage was carried out in 2016, when the Department of Gender Equality under the Executive Yuan helped to convene the competent regulatory authorities with a view to obtaining clarification and provide instruction on existing laws and regulations that affect the rights and interests of same-sex partners. Based on an interpretation made by the Ministry of Justice in 2016, the definition and scope of a family member, as set forth in the Civil Code, permits same-sex partners to be recognized as such accordingly. Later that year, the Ministry of Labor issued a letter of clarification confirming that the stipulations of the Civil Code permit same-sex

<sup>50</sup> Articles 16.7–16.13 are in response to Point 33 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

partners to apply for family care leave as a family member. Also, during the same year, the Judicial Yuan issued a directive to courts at all levels stating that, in the event that a same-sex partner files a motion in court to execute his or her rights as a family member, and the person in question complies with the definition of such as provided for in the Civil Code, the court is required to hear the case and duly recognize the motion in accordance with its legal authority. The Ministry of Health and Welfare issued a directive that same year to the health departments of local governments clarifying that the rights of a related party, as provided for under Articles 63 and 64 of the Medical Care Act as well as the protocol used by healthcare institutions for obtaining informed consent from patients for surgical procedures and anesthesia, are applicable to same-sex partners, such as the ability to sign an operation consent form.

16.9 In 2016, the Ministry of Justice commissioned the translation of legislation from other parts of the world that addresses the issues of same-sex marriage and same-sex partners, such as rulings by the European Court of Human Rights on the rights of homosexuals. Personnel were also dispatched to study the implementation of legal frameworks for same-sex partners and same-sex marriage adopted in France and Germany. In the same year, a study on the social impacts of, and legislative recommendations regarding, laws covering same-sex partners was commissioned, and four civil conferences held respectively in Taichung, Hualien, Kaohsiung, and Taipei to encourage social dialogue between people of different ages, genders, and social backgrounds through deliberative democracy. The research team also drafted specific provisions for laws covering same-sex partners in Taiwan.

16.10 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. 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.

16.11 To dispel doubts over whether the provision under Chapter II Marriage of Part IV Family of the Civil Code, which stipulates that "two members of the same sex may

not enter into legally sanctioned marital relations," contravenes the ROC Constitution, the Taipei City government and Mr. Chia-wei Chi lodged a request for a constitutional interpretation in 2015. On May 24, 2017, the Justices of the Constitutional Court issued Interpretation Shi-Zi No. 748, indicating that the current provisions of the Civil Code do not allow two people of the same sex to create a permanent union of an intimate and exclusive nature for the purpose of living a common life. In response to this legislative flaw of such underinclusiveness, it was deemed that the relevant authorities should amend or enact the law as appropriate within two years. The Office of the President has since requested that the Executive Yuan complete a specific legislative proposal as soon as possible based on the conclusion of the constitutional interpretation, and submit it to the Legislative Yuan for deliberation.

16.12 To protect the rights and interests of same-sex partners prior to the passage of a law to officially regulate same-sex marriage, various local governments began introducing procedures in 2015 that permit the registration of same-sex partners, including allowing them to be registered in the household registration system, though it bears noting that this does not have a legally binding effect. A same-sex partnership certificate can, however, be issued by the household registration authority, and the certificate constitutes one method of proof that may be recognized *ex officio* by an authority requiring such proof. Prior to the issuance of Interpretation Shi-Zi No. 748 by the Judicial Yuan on May 24, 2017, 11 local governments had already begun permitting the registration of same-sex partners. Subsequently, in the wake of the formation of a legislative task force on same-sex marriage, the Ministry of the Interior requested local governments that had not yet implemented procedures for registering same-sex partners to formulate processes for handling such requests. At present, a total of 18 local governments throughout Taiwan have now completed and introduced the new procedures.

16.13 To collect statistics on de facto civil unions, the Directorate-General of Budget, Accounting, and Statistics plans that, contingent on the planned schedule for conducting the population and housing census,<sup>51</sup> it will hold consultations on the

---

<sup>51</sup> According to the regulations set forth under the Statistics Act, the Basic National Census and Survey

design of relevant survey questions and methods for conducting interviews and gathering data. Thereafter, an experimental survey will be conducted in October 2019 to assess the feasibility of generating statistics pertaining to unregistered civil unions and alternative families.

### **Equal Parental Rights**

16.14 For more information concerning regulations in Taiwan governing parental rights, please refer to Articles 16.11–16.21 of the convention-specific document of Taiwan's Second National Report on CEDAW.

#### **Surnames for Children**

16.15 In the past, the Civil Code required children to take the surname of their father. However, after an amendment was passed in 2007, the surname of a child can now be determined by the parents. Household registration data show that the ratio of children who take their mother's surname continues to be low. The ratios of children who took their father's surname remained above 95% between 2013 and 2016, while 1.6%, 1.8%, 1.9%, and 2.1% of children took their mother's surname in each year of the same period, respectively.

#### **Parental Rights Over Children in the Wake of Divorce**

16.16 In 2013, amendments to paragraph 2 of Article 1055-1 of the Civil Code were promulgated, requiring courts to take into consideration all relevant factors and award parental rights in a way that is in the best interests of the children. When giving this consideration, in addition to relying on reports made by social workers and domestic affairs investigators, a court may also base its decision on findings of a police agency, tax authority, financial institution, school, and any government agency, group, or party that is deemed relevant to the case.

16.17 As regards divorce lawsuits involving foreign marriages, the Family Act provides a framework for courts to issue legal orders to prohibit the taking of underage children out of the country or from a specified place. In addition, in cases where

---

is to be carried out once every 10 years for the purpose of collecting population and housing census information. In addition, to better conform to the systems adopted by certain other countries—in which a census is conducted each time a year in the Gregorian calendar ends with a zero—the next population and housing census in Taiwan will be conducted in the year 2020.

litigation occurs between an ROC national and a Vietnamese spouse due to a divorce or parental rights over a minor, and where a child is brought to Vietnam to live with the mother, it is not an infrequent occurrence that the Vietnamese spouse subsequently fails to appear in court. Moreover, because courts in Taiwan may have difficulty determining the living conditions of children residing in the territory of Vietnam, under circumstances where only one party is able to produce evidence—namely, the plaintiff (i.e., a spouse who is an ROC national)—it often results in an unfavorable court ruling against the Vietnamese mother. To counteract the lack of a system for visitation by social workers in the Vietnamese court system, the Judicial Yuan retained experts in social work and new immigrant groups to hold a meeting to deliberate on the issue. In November 2016, four versions of an overseas child custody incident testimonial form were created (for children, parents, primary caregivers, and schools) and made available in both Chinese and Vietnamese. The purpose of the forms is to help presiding judges to request Vietnamese courts to provide assistance, based on the Agreement Between the Republic of China (Taiwan) and Vietnam on Judicial Assistance in Civil Matters, on matters relating to visitations of relevant persons, and to serve as reference for making rulings. This helps to safeguard the best interests of underage children, and represents a substantive effort toward achieving gender equality.

16.18 Statistics concerning judgments made by local courts on divorces involving the exercise of rights or assumption of duties toward children reveal the following: From 2013 to 2016, court judgments involving custody battles over children in which a judge ruled in favor of the mother made up 57.9%, 59.3%, 60.8%, and 64.4% of the total, respectively, showing that litigation results in a higher proportion of women being awarded custody over their children in the wake of a divorce as compared to men.

16.19 According to household registration statistics, fathers continue to have a higher rate of custody over their underage children after a divorce. On the whole, however, the proportion of cases where only one parent retains custody over their children has gradually declined in recent years, and the proportion of parents who jointly share responsibility over the custody of their children has continued to increase year by

year (see Table 16-2 for details).

**[Table 16-2] Guardianship of Underage Children in Divorce Cases**

Unit: Persons; %

Year	Number of underage children				
	Total	Father (%)	Mother (%)	Parents (%)	Other
2013	61,456	27,323 (44.5)	23,517 (38.3)	10,616 (17.3)	...
2014	59,618	26,042 (43.7)	22,322 (37.4)	11,254 (18.9)	...
2015	59,056	25,470 (43.1)	21,866 (37.0)	11,720 (19.9)	...
2016	59,937	25,080 (41.84)	22,833 (38.09)	12,024 (20.06)	...

Source: Ministry of the Interior

Note: Statistics based on dates of occurrence.

#### Adoption of Children and Juveniles

16.20 While single persons and homosexuals may adopt a child in Taiwan, according to regulations stipulated by the Protection of Children and Youths Welfare and Rights Act, which went into effect in 2012, adoptions must be completed through an adoption agency unless done by close relatives or through a marriage to one of the parents. In addition, the regulations set forth under the Permit and Management Regulations for Children and Youth Adoption Service Providers prohibit adoption agencies from subjecting adopters to any form of discrimination with respect to eligibility requirements.

16.21 During the course of the adoption matchmaking process, aside from the needs of the child and evaluating the suitability of potential adopters, agencies must also take into consideration the needs and wants of the people giving up their child for adoption, as well as the adopter. In practice, due to the relatively conservative beliefs held by most of the general public, many people who give up children for adoption hope that they can grow up in an environment with two parents. As a result, single adopter often encounter difficulties during the adoption matchmaking process, including having to wait longer before a suitable match can be made.

16.22 In 2015, for the purpose of engendering a more friendly adoption environment, services provided to single persons (including homosexuals) wishing to adopt a child became one of the assessment criteria used to evaluate the performance of

adoption matchmaking service providers. Furthermore, from 2015 to 2016, various materials specifically tailored to single and homosexual adopters were created, including an adopter service form, adoption handbook, and parent education and preparation courses (including teaching materials). Professional training courses were also held for personnel working in adoption agencies to promote greater understanding and awareness of diverse gender identities and cultures. Moreover, statistics on adoption matchmaking services continue to be reviewed and revised so as to help adoption institutions actively promote a healthy understanding of the adoption process, and create more opportunities for single people to adopt.

16.23 According to the prevailing provisions of the Civil Code, a person in a same-sex relationship is still prohibited from adopting the child of his or her partner, and from engaging in a joint adoption with his or her partner. At present, such a person may only engage in a single-parent adoption. From 2013 to 2016, adoption matchmaking service providers helped a total of 16 single persons (including those who identify as homosexual) complete the adoption process.

### **Women's Right to Reproductive Autonomy**

16.24 The Genetic Health Act first came into force on January 1, 1985. Since then, due to the fact that the term *eugenics* carries implicit discriminatory connotations, and society has new expectations and demands concerning certain sections of the original provisions of the Act, efforts have been made to amend it since 2000. This includes a draft amendment that adds provisions concerning genetic disease prevention and control services, as well as the inclusion of rules for drug-induced methods of abortion and revised regulations concerning induced medically-induced abortions. However, due to the controversial nature of abortion, the content of the draft amendment remains in dispute. To take into account CEDAW, while respecting the right to physical autonomy of women and protecting the right to life of the fetus, various data and approaches from other countries have been collected and studied, and recommendations from experts and stakeholder organizations in Taiwan have been solicited to thoroughly reexamine the implications of the legal provisions of the amendment. Meanwhile, efforts continue to be made to coordinate with relevant special interest groups to ensure that a consensus will be reached.

## **Matrimonial Property Regimes**

16.25 For more information concerning laws and regulations governing the matrimonial property regimes in Taiwan, please refer to Articles 16.50–16.53 of the convention-specific document of Taiwan's Second National Report on CEDAW.

16.26 With the aim of deliberating amendments to the Civil Code with respect to matrimonial property regimes, so as to ensure the right to even distribution of matrimonial property, in 2014 the Ministry of Justice incorporated the existing value of deferred compensation, pension, and payment contributions incurred in marriage (such as life insurance policies) into relevant mechanisms for allocating matrimonial property, and called for recommendations from the competent authorities on the issue of occupational pensions and retirement pensions. The relevant government agencies have various points of contention over this issue, which have yet to be settled, both in terms of the institution itself and its implementation—in particular, whether implicated parties will be able to retire in the future and receive their occupational and retirement pensions without encountering any problems. Meanwhile, because the calculation of pensions may involve a person's level of seniority at work, salary or pay grade, income replacement ratio, and other unpredictable factors, an accurate pension amount cannot be established until after the pension has been fully reviewed and/or approved. Moreover, the numerous methods currently in use in various occupational domains for calculating occupational pensions and retirement pensions do not employ a consistent set of standards. Hence, until a consistent set of standards has been established, difficulties will continue to be present in terms of implementation. Therefore, with respect to revising relevant regulations of the Civil Code to ensure the equitable distribution of matrimonial property, the feasibility of any such amendments shall not be deliberated on until a consistent set of standards in various occupational domains has been established for occupational and retirement pensions.

## **The Right of Transgender Persons to Register Personal Status**

16.27 Regarding the number of persons legally changing their registered gender, statistics from the Ministry of the Interior show that, from 1998 to 2012, 442 persons changed

their gender, and from 2013 to 2016, 224 persons changed their gender, a total of 666 persons since 1998.<sup>52</sup>

16.28 To apply for a change in registered gender in Taiwan, certificates of diagnosis from two psychiatrists must be issued in addition to the completion of irreversible gender reassignment surgery.

16.29 In cases where people apply to change their registered gender without having their reproductive organs removed, since this matter involves standards for determining gender identity, which in turn involves institutions being tasked with making such a determination, the Ministry of the Interior formulated a recommendation report in 2015 and subsequently provided a supplemental explanation in 2016. However, due to differences of opinion between relevant ministries and agencies, a conclusion has yet to be reached and negotiations remain ongoing.

16.30 To protect the rights and interests of intersex and transgender persons, and maintain confidentiality, discussions will take place prior to the end of 2017 on the option to include a third gender into relevant laws and regulations, measures, and documents pertaining to personal identity that involve gender.

---

<sup>52</sup> 16.27 and 16.30 are in response to Point 34 of the Conclusions and Recommendations of Taiwan's Second National Report on CEDAW.

## **Appendix 1:**

### **Review of Taiwan's Second Report on the Implementation of CEDAW Conclusions and Recommendations of the Review Committee**

**26 June 2014**

#### **A. INTRODUCTION**

1. The government of Taiwan voluntarily signed the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 2007, and in 2009 produced its first CEDAW report. The report was reviewed in March 2009 by three international experts. On 8 June 2011, the Enforcement Act of CEDAW was promulgated and became effective on 1 January 2012. In 2013, the second report on CEDAW was drafted and finalized, which involved 32 government institutions under the Executive Yuan, Legislative Yuan, Judicial Yuan, Examination Yuan and Control Yuan.

2. With the intention of holding the second CEDAW Review, the government of Taiwan invited five international experts to function as members of the Review Committee. They were: Ms. Violet Awori (Kenya), Ms. Rea Abada Chiongson (Philippines), Ms. Mary Shanthi Dairiam (Malaysia), Ms. Denise Scotto (USA), and Ms. Heisoo Shin, Chairperson (Republic of Korea), who participated in their personal capacity. The five experts examined the second CEDAW report of Taiwan and provided a list of issues and questions on 23 May 2014, to which the government of Taiwan provided replies on 10 June 2014. The experts also received 30 NGO reports on various issues.

3. The government of Taiwan hosted the "CEDAW Review and Presentation of the ROC (Taiwan) CEDAW Second National Report," which was held on 23-26 June 2014 at the Howard Civil Service International House in Taipei. The constructive dialogue with the government delegation was held on 24 June 2014. The Review Committee was extremely pleased with the extensive participation of more than 200 government officials from all five Yuans and other agencies.

4. The Review Committee was also impressed with the active participation of approximately 100 NGO representatives, who were involved in all processes of the Review.

5. While appreciating the efforts shown by the government during this process, the Review Committee would like to emphasize that the government of Taiwan must show

its further commitment to CEDAW through the full implementation of these conclusions and recommendations. In addition, constructive engagement and cooperation with civil society and NGOs are critical to the successful implementation of CEDAW.

## **B. CONCLUSIONS AND RECOMMENDATIONS**

### *Comprehensive Law on Gender Equality*

6. The Review Committee is concerned that despite the guarantee of equality for all people in article 7 of the Constitution of Taiwan, there is no legal definition of discrimination against women. It is also concerned that there is no law addressing multiple and intersecting forms of discrimination against women, including indigenous women, rural women, migrant women, women with disabilities, and lesbians, bisexuals, transsexuals and intersex persons (LBTI).

**The Review Committee reiterates the recommendation of the International Group of Independent Experts on ICCPR and ICESCR issued in Taipei on 1 March 2013, that the government enact comprehensive legislation covering all fields of gender equality, with a view to:**

- (i) including the definition of discrimination in accordance with article 1 of CEDAW;**
- (ii) addressing multiple and intersecting forms of discrimination;**
- (iii) mandating the implementation of gender mainstreaming and gender budgeting;**
- (iv) systematically adopting temporary special measures to accelerate de facto equality of women;**
- (v) allocating sufficient human and financial resources for the effective implementation of the law;**
- (vi) systematically collecting and analyzing data disaggregated by sex and other relevant criteria; and**
- (vii) conducting gender impact assessments and monitoring trends over time, progress made, and results achieved.**

**The Review Committee recommends that a time frame be set for its drafting and adoption, and that members of civil society are included in the drafting team.**

### *Repeal of Discriminatory Laws and Provisions*

7. While the Review Committee appreciates that 33,157 laws, regulations and measures have been reviewed and discriminatory provisions repealed between 2012-2014 using a check list of indicators, it is concerned that given such a large number of laws, this exercise needs to be periodically revisited in light of women's realities and CEDAW Committee's evolving jurisprudence.

**The Review Committee recommends that situational analysis on women's human rights be done at regular intervals, the checklist of indicators be revised accordingly, and further in-depth reviews of laws, regulations and measures be undertaken.**

#### *National Human Rights Institution*

8. **The Review Committee reiterates the recommendations from the first CEDAW review in 2009 and the International Group of Independent Experts on ICCPR and ICESCR to establish an independent national human rights institution in accordance with the Paris Principles. The Review Committee recommends that a specific time frame be set for the establishment of this institution and for the development of a national action plan for the promotion and protection of human rights.**

#### *National Machinery on Women and Gender Mainstreaming*

9. While the Review Committee recognizes the government's establishment of the Gender Equality Committee under the Office of the Prime Minister, and the Department of Gender Equality of the Executive Yuan as the national machinery on women, as well as many CEDAW training programs conducted for government officials, there is no assessment of gender mainstreaming efforts into the work of ministries and local governments. The Review Committee is concerned that the budget of the Department of Gender Equality is mainly for the salaries of the staff while the budget for the implementation of the Gender Equality Act is insufficient.

**The Review Committee recommends that the government assess the extent and effectiveness of its efforts to mainstream gender equality into all ministries and local governments. The Review Committee also recommends that the Department of Gender Equality be provided with sufficient human and financial resources to carry out the necessary work in realizing legal and substantive gender equality.**

#### *CEDAW Training and Impact Assessment*

10. While acknowledging the numerous trainings conducted for the Judicial and Executive Yuan on CEDAW, the Review Committee is concerned that there is no impact assessment of such trainings, including whether those trained are applying CEDAW in their work, in particular as a framework for the drafting of laws, policies and court decisions.

**The Review Committee recommends that the government conduct an impact assessment of training courses, and future trainings on CEDAW for the Judicial and the Executive Yuan be modified accordingly.**

11. The Review Committee is concerned that there is no systematic registration of court cases disaggregated by sex or other categories, hindering any assessment of judges' application of CEDAW in their decisions.

**The Review Committee recommends that:**

- (i) court cases be systematically registered, disaggregated by sex and other categories;**
- (ii) court decisions be analyzed for their compliance with CEDAW and other international human rights standards; and**
- (iii) court decisions be used to assess the impact of CEDAW and human rights training.**

#### *Access to Justice*

12. The Review Committee is concerned that women have difficulty accessing the courts and receiving justice. It received alternative information that this is due in part to the shortage of judges, resulting in the delay in hearing court cases and obtaining court orders. Other challenges include cost, distance and language barriers.

**The Review Committee recommends that the government conduct a study of all the impediments for women to access the courts and remedies. This includes setting a reasonable time frame for increasing the number of judges, improving legal aid and legal rights information for marginalized women, and providing effective and independent court interpreters for women in need.**

#### *Gender Roles and Stereotyping*

13. The Review Committee is concerned about the deeply entrenched traditional gender stereotypes within the family and society that continue to portray women and girls as

inferior to men and as objects of male sexual desire.

**The Review Committee recommends that the government devise a comprehensive awareness raising program and education using a multi-media approach to addressing gender stereotypes within the family and society. It also recommends highlighting women's achievements, men's equal sharing of family responsibilities, and increasing efforts to engage men and boys in redefining masculinity.**

#### *Role of the Media*

14. The Review Committee is concerned about media disclosure of the identity of victims of gender-based violence. The Review Committee is also concerned that journalists and news outlets are not governed by any law that protects the privacy of women victims of gender-based violence.

**The Review Committee recommends that the government monitor compliance with the Guidelines for Broadcasters of Gender-Specific Contents as amended in 2012 and other relevant laws, collect data on sanctions imposed, and provide the information in the next report. It also recommends that the government create a Media Ethics Committee to monitor compliance with privacy laws.**

#### *Trafficking and Exploitation of Women*

15. While commending the government's efforts to combat trafficking in women, the Review Committee is concerned that the proposed draft amendments to the Prevention of Human Trafficking Law is not in compliance with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention on Transnational Organized Crime.

**The Review Committee recommends that the government draft amendments be revised in accordance with the Protocol. It also suggests that views of civil society and experts on trafficking in women be reflected.**

16. The Review Committee expresses its concern on the failure to prevent, investigate and prosecute cybercrimes related to trafficking and exploitation of prostitution.

**The Review Committee urges the government to establish a permanent, dedicated unit within the National Police Department to prevent and investigate these cybercrimes. It also recommends that this information be shared across other investigatory and command units as well as with the Department of Gender Equality, with safeguards to protect the human rights of those involved.**

### ***Violence against Women and Girls***

17. Although there have been many training programs on CEDAW or gender equality for judges, the Review Committee is gravely concerned that in a case involving a six-year old, the judges wrongfully deliberated the issue of consent when this did not arise in a statutory rape case.

**The Review Committee strongly recommends that the government undertake a study on the prevalence of this kind of wrongful application of the law by prosecutors and judges. It also urges the government to impose disciplinary sanctions on erring prosecutors and judges.**

18. The Review Committee expresses its concern on the persistence and high prevalence of domestic violence, in particular against marriage immigrants, and the insufficient protection provided to victims of violence. It is also concerned that protection orders to protect victims of such violence from perpetrators are not issued promptly.

**The Review Committee recommends that the government:**

- (i) fully implement the Domestic Violence Protection Act;**
- (ii) allocate specific resources for combatting domestic violence;**
- (iii) conduct an assessment on the current status of domestic violence, effectiveness of policy measures, challenges and ways to overcome them, and proposed future action, and**
- (iv) ensure that protection orders are timely issued as provided by the law.**

### ***Political and Public Life***

19. While commending the ‘one-third principle’ on women’s representation and recognizing the increased representation of women at the Central Level, the Review Committee is concerned that the proportion of the women in the Judicial Yuan, in particular in the Constitutional Court and serving as Grand Justice, is comparatively low.

**The Review Committee recommends that the government intensify its efforts to increase the number of women in the Judicial Yuan, especially in the Constitutional Court and serving as Grand Justice, including the creation of a database of qualified female candidates.**

### *Nationality of Marriage Immigrants*

20. The Review Committee is concerned that the conditions for marriage immigrants to acquire citizenship in Taiwan do not adequately protect their right to nationality. A marriage immigrant woman, unless from China, Hong Kong or Macao, is required to give up her original nationality when she applies for naturalization. If she is divorced before naturalization, or if she does not pass the naturalization test, her residence certificate will be cancelled and she will be required to leave Taiwan within a short period of time. This will result in her being stateless. Her children, if not recognized by her husband, will also become stateless. The Review Committee is also concerned that even after naturalization, her citizenship can be revoked if she incurs a criminal record within five years of marriage. The Review Committee is further concerned that although the financial conditions for naturalization are somewhat relaxed, the rules are not evenly applied by the local governments.

**The Review Committee urges the government to amend the Nationality Act so that marriage immigrants are not required to give up their original nationality until the acquisition of Taiwanese nationality. The Review Committee also recommends that wives be allowed to stay in Taiwan, with work permits and necessary social security measures, in cases of a husband's death or disappearance or divorce due to a husband's fault such as domestic violence. When a criminal record is incurred by the marriage immigrant, the Review Committee further recommends that her Taiwanese citizenship not be revoked after naturalization, unless the record is based on fraudulent marriage. The Review Committee additionally requests uniform application of the relaxed financial conditions throughout Taiwan.**

### *Education and Training*

21. While noting the range of measures, the Review Committee expresses concern on the persistence of gender segregation in the field of higher education, which is reflective of stereotypical educational choices and impacts on employment opportunities for women.

**The Review Committee recommends that the government strengthen measures to eliminate gender stereotypes and structural barriers that deter girls and boys from enrollment in non-traditional educational disciplines, including increasing awareness against gender stereotypes in one's choice of study; providing improved education and career advice service providers; and adopting temporary special measures to accelerate participation of women in science and engineering fields, setting clear targets and a time frame for the improvement of this situation without**

**delay.**

22. The Review Committee is concerned about the lack of progress in the development of teaching materials at all levels on sexual orientation and gender identities, as recommended by the International Group of Independent Experts on ICCPR and ICESCR. The Review Committee is also concerned that there is no periodic monitoring and review system in place to ensure that existing gender equality indicators and textbook review principles are in compliance with CEDAW and the Gender Equity Education Act.

**The Review Committee recommends that the government:**

- (i) develop more awareness campaigns and teaching materials on gender diversity for all levels in consultation with gender equality experts in government, academia and civil society groups as well as with the LGBTI community;**
- (ii) ensure that regular and adequate training for all teachers, professors, coaches, school administrators and gender equity education committee members be given periodically on these teaching materials;**
- (iii) ensure implementation of the Gender Equity Education Act by requiring schools to undertake targeted measures for the protection and promotion of the rights of students who are marginalized or discriminated on account of sexual orientation or gender identities; and**
- (iv) establish a periodic and inclusive review and monitoring mechanism to verify the effective implementation and impact of the gender equality education indicators and textbook review principles.**

23. The Review Committee is concerned about the reports of sexual bullying and sexual harassment at all education levels and in training settings, especially those committed by teachers, professors and school administrators. It is equally concerned about the lack of preventive measures and detailed information on sexual bullying and sexual harassment.

**The Review Committee recommends that the government:**

- (i) initiate rigorous data collection on prevalence and incidence of sexual bullying and sexual harassment at all education levels and training settings, and whether these impact disproportionately on particular groups of women and girls; and**

- (ii) **set up pro-active preventive and support services for victims of sexual bullying and sexual harassment at all educational levels and in training settings.**

24. Although measures are in place to encourage girls to return to school during or after pregnancy, there are limited services to address challenges, financial, social, and psychological, faced by them in their dual roles as mothers and students and the stigma they encounter.

**The Review Committee urges the government to provide necessary support services for girls returning to school during or after pregnancy, including accessible and affordable childcare services, psychological counseling, confidence-building and parenting classes, financial assistance, opportunities for home-based schooling or flexible schedules, and peer and support groups. The availability of these support services should be publicized.**

*Employment and Economic Opportunities*

25. Considering the high level of education of women, the Review Committee expresses concern that there is a big gap in women and men's labor force participation, reaching as high as 33% in certain age groups. It is also concerned that the percentage of women in the total number of persons not economically active amounts to more than 60% in 2012. The Review Committee notes that women's primary responsibility in the family is one of the main reasons for their low participation.

**The Review Committee urges the government to increase women's labor force participation through the provision of accessible and affordable childcare services and temporary special measures with specific targets and time frame. It also recommends that the government undertake a comprehensive study to develop policies to increase women's labor force participation.**

26. Although the wage gap has decreased from 18.1% in 2009 to 16.6% in 2012, the Review Committee expresses its concern over its persistence.

**The Review Committee urges the government to collect comparative information on wages by gender, skill level, sector, occupation, age and ethnicity, and develop concrete measures with specific targets and enforcement mechanisms to address the wage gap and other barriers to ensure that women enjoy equal pay for work of equal value.**

27. While noting the efforts to improve conditions of female migrant workers, including the setting up of a foreign workers hotline in 2009, and the submission of the draft Domestic Workers Protection Act to the Executive Yuan, the Review Committee expresses its concern over the lack of legal protection for the rights of domestic workers, who are mostly female and among the most vulnerable of migrant workers.

**The Review Committee recommends that the government provide legal protection to domestic and migrant workers, including through the adoption of a comprehensive law on domestic workers in compliance with CEDAW, its Committee's General Recommendation No. 26 on women migrant workers, the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, and the ILO Convention concerning Decent Work for Domestic Workers. The Review Committee also urges the implementation of the recommendation of the International Group of Independent Experts on ICCPR and ICESCR on migrant workers and their labor conditions.**

### ***Right to Health***

28. While the Review Committee commends the government for the adoption of a Women's Health Policy in 2008, it is concerned that there is no action plan and budgetary allocations for the implementation of this policy. It is also concerned that although the health insurance coverage is extensive, there is inadequate access to health services by rural women and other vulnerable groups, which may be due in part to the poor quality of services in the rural areas.

**The Review Committee recommends that:**

- (i) an action plan for the Women's Health Policy be drawn up and budgetary allocations be made;**
- (ii) the action plan view health not simply as the absence of disease but as being in a state of good health and include short and long term actions for access to health services for rural women and other vulnerable and marginalized groups, including migrant women and women with disabilities;**
- (iii) mental health programs be given due importance in addressing gendered concerns such as social determinants of women's mental health as well as biological determinants such as postpartum depression; and**
- (iv) the Women's Health Policy include a strong component on adolescent health, such as prevention of early pregnancy, reduction**

**in abortions, plus availability of reproductive and sexual health information and services for teenagers and young unmarried adults.**

***Women with HIV/AIDS***

29. The Review Committee is concerned that the government has a restrictive policy relating to HIV-positive aliens, most of whom are women, including mandatory HIV testing and the requirement that all HIV-positive aliens, including spouses of nationals of Taiwan, leave the country. The Review Committee confirms that these restrictive policies are in clear contravention of the approaches endorsed by WHO and UNAIDS and constitute violations of various human rights, in particular the rights to health, privacy, freedom of movement, equality and non-discrimination.

**The Review Committee recommends that the government abolish the mandatory HIV testing requirement and lift the respective restrictions on the entry, stay and residence of women living with HIV/AIDS.**

***Rural Women***

30. The Review Committee is deeply concerned that rural women are not invited to participate in the elaboration and implementation of the national or local rural development plans. It is also concerned that the percentage of women in the decision-making positions of the Farmers' Association, Fishermen's Association and Irrigation Association are very low, and there are no women's committees to represent rural women's interests. It is also concerned that the capacity building programs of the Farmers' Associations and the Fishermen's Associations are home economic classes, with almost all of the participants being women, which reinforces the gender stereotypes.

**The Review Committee recommends that the government include women in the elaboration and implementation of rural development plans, both national and local. It also recommends that the 'one-third principle' be applied to the decision-making positions of the Farmers', Fishermen's and Irrigation Associations. It additionally urges the government to undertake capacity building and educational programs for rural women providing them information and skills on modern ways of production, sales, marketing, and financial management. The Review Committee further recommends that the government allocate funds for projects identified by rural women, including forming their own cooperatives.**

***Indigenous Women***

31. While commending the appointment of women officials to the Council on Indigenous Peoples during the recent months, the Review Committee is concerned about the low level of representation of indigenous women serving in decision-making positions. It is further concerned about indigenous women's limited participation in the design, formulation, implementation and evaluation of economic and employment programs for indigenous communities.

**The Review Committee recommends that the government apply temporary special measures including the 'one third principle' to increase indigenous women's representation. It also recommends that the government collect data relating to the participation of indigenous women in local public elections and local public affairs. It further recommends that the government assess the effectiveness of its existing measures for indigenous women and periodically consult with indigenous women on economic and employment programs for indigenous communities.**

#### *Women with Disabilities*

32. The Review Committee confirms the multiple forms of discrimination experienced by women with disabilities, especially those with intellectual disabilities, who suffer multiple forms of discrimination. It is concerned that there is no comprehensive data on women with disabilities disaggregated by age, types of disability, ethnicity, rural or urban and other relevant criteria to fully assess their situation.

**The Review Committee recommends that the government collect data on women with disabilities disaggregated by all relevant criteria and develop a comprehensive policy and action plan based on the information collected.**

#### *Marriage and Family Relations*

33. The Review Committee is concerned at the lack of legal recognition of the diversity of families in the country and that only heterosexual marriages are recognized but not same sex unions or cohabiting partnerships. The Review Committee is also concerned about the lack of statistical data on unregistered unions.

**The Review Committee recommends that the government amend the Civil Code to recognize the diversity of families in the country. It also recommends that steps be taken to collect and collate data on unregistered unions and provide the information in the next report.**

34. The Review Committee is concerned about the provisions of the 2008 Executive Order regulating the process of gender change and requiring inter alia, the surgical removal of reproductive organs before qualifying for registration. It is further concerned at the lack of statistical data on transgender persons and at the pace of legislative reform.

**The Review Committee recommends that the Government adopt the views of the Ministry of Health and Welfare meeting on 9 December 2013 where it was recognized that “gender identity is a basic human right and that it is not necessary to force or require extirpation of reproductive organs as individual inclination should be respected”. It further recommends that steps be taken to abolish the discriminatory provision of the above executive order.**

35. The Review Committee is concerned that although the Executive Yuan reviewed and approved draft amendments that set the minimum engagement age at 17 and marriage age at 18 for both men and women, the Legislative Yuan decided not to deliberate on them.

**The Review Committee urges that the government sets the minimum age for marriage at 18 for both men and women.**

## Appendix 2:

### Table of Actions Taken in Response to Conclusions and Recommendations of Taiwan's Second Report on CEDAW

No.	Resolution	Relevant Articles in Taiwan's 3rd National Report
6	<p>The Review Committee is concerned that despite the guarantee of equality for all people in article 7 of the Constitution of Taiwan, there is no legal definition of discrimination against women. It is also concerned that there is no law addressing multiple and intersecting forms of discrimination against women, including indigenous women, rural women, migrant women, women with disabilities, and lesbians, bisexuals, transsexuals and intersex persons (LBTI).</p> <p>The Review Committee reiterates the recommendation of the International Group of Independent Experts on ICCPR and ICESCR issued in Taipei on 1 March 2013, that the government enact comprehensive legislation covering all fields of gender equality, with a view to:</p> <ul style="list-style-type: none"> <li>(i) including the definition of discrimination in accordance with article 1 of CEDAW;</li> <li>(ii) addressing multiple and intersecting forms of discrimination;</li> <li>(iii) mandating the implementation of gender mainstreaming and gender budgeting;</li> <li>(iv) systematically adopting temporary special measures to accelerate de facto equality of women;</li> <li>(v) allocating sufficient human and financial resources for the effective implementation of the law;</li> <li>(vi) systematically collecting and analyzing data disaggregated by sex and other relevant criteria; and</li> <li>(vii) conducting gender impact assessments and monitoring trends over time, progress made, and results achieved.</li> </ul> <p>The Review Committee recommends that a time frame be set for its drafting and adoption, and that members of civil society are included in the drafting team.</p>	Article 3 3.1
7	While the Review Committee appreciates that 33,157 laws,	Article 2

No.	Resolution	Relevant Articles in Taiwan's 3rd National Report
	<p>regulations and measures have been reviewed and discriminatory provisions repealed between 2012-2014 using a check list of indicators, it is concerned that given such a large number of laws, this exercise needs to be periodically revisited in light of women's realities and CEDAW Committee's evolving jurisprudence.</p> <p>The Review Committee recommends that situational analysis on women's human rights be done at regular intervals, the checklist of indicators be revised accordingly, and further in-depth reviews of laws, regulations and measures be undertaken.</p>	2.5 and 2.6
8	<p>The Review Committee reiterates the recommendations from the first CEDAW review in 2009 and the International Group of Independent Experts on ICCPR and ICESCR to establish an independent national human rights institution in accordance with the Paris Principles. The Review Committee recommends that a specific time frame be set for the establishment of this institution and for the development of a national action plan for the promotion and protection of human rights.</p>	Article 3 3.9
9	<p>While the Review Committee recognizes the government's establishment of the Gender Equality Committee under the Office of the Prime Minister, and the Department of Gender Equality of the Executive Yuan as the national machinery on women, as well as many CEDAW training programs conducted for government officials, there is no assessment of gender mainstreaming efforts into the work of ministries and local governments. The Review Committee is concerned that the budget of the Department of Gender Equality is mainly for the salaries of the staff while the budget for the implementation of the Gender Equality Act is insufficient.</p> <p>The Review Committee recommends that the government assess the extent and effectiveness of its efforts to mainstream gender equality into all ministries and local governments. The Review Committee also recommends that the Department of Gender Equality be provided with sufficient human and financial resources to carry out the necessary work in realizing legal and substantive gender equality.</p>	Article 3 3.4 to 3.6; 3.12

No.	Resolution	Relevant Articles in Taiwan's 3rd National Report
10	<p>While acknowledging the numerous trainings conducted for the Judicial and Executive Yuan on CEDAW, the Review Committee is concerned that there is no impact assessment of such trainings, including whether those trained are applying CEDAW in their work, in particular as a framework for the drafting of laws, policies and court decisions.</p> <p>The Review Committee recommends that the government conduct an impact assessment of training courses, and future trainings on CEDAW for the Judicial and the Executive Yuan be modified accordingly.</p>	<p>Article 2 2.7 Article 15 15.17 to 15.19</p>
11	<p>The Review Committee is concerned that there is no systematic registration of court cases disaggregated by sex or other categories, hindering any assessment of judges' application of CEDAW in their decisions.</p> <p>The Review Committee recommends that:</p> <ul style="list-style-type: none"> <li>(i) court cases be systematically registered, disaggregated by sex and other categories;</li> <li>(ii) court decisions be analyzed for their compliance with CEDAW and other international human rights standards; and</li> <li>(iii) court decisions be used to assess the impact of CEDAW and human rights training.</li> </ul>	<p>Article 15 15.22</p>
12	<p>The Review Committee is concerned that women have difficulty accessing the courts and receiving justice. It received alternative information that this is due in part to the shortage of judges, resulting in the delay in hearing court cases and obtaining court orders. Other challenges include cost, distance and language barriers.</p> <p>The Review Committee recommends that the government conduct a study of all the impediments for women to access the courts and remedies. This includes setting a reasonable time frame for increasing the number of judges, improving legal aid and legal rights information for marginalized women, and providing effective and independent court interpreters for women in need.</p>	<p>Article 15 15.10 to 15.15</p>
13	<p>The Review Committee is concerned about the deeply entrenched</p>	<p>Article 5</p>

No.	Resolution	Relevant Articles in Taiwan's 3rd National Report
	<p>traditional gender stereotypes within the family and society that continue to portray women and girls as inferior to men and as objects of male sexual desire.</p> <p>The Review Committee recommends that the government devise a comprehensive awareness raising program and education using a multi-media approach to addressing gender stereotypes within the family and society. It also recommends highlighting women's achievements, men's equal sharing of family responsibilities, and increasing efforts to engage men and boys in redefining masculinity.</p>	5.18 to 5.24
14	<p>The Review Committee is concerned about media disclosure of the identity of victims of gender-based violence. The Review Committee is also concerned that journalists and news outlets are not governed by any law that protects the privacy of women victims of gender-based violence.</p> <p>The Review Committee recommends that the government monitor compliance with the Guidelines for Broadcasters of Gender-Specific Contents as amended in 2012 and other relevant laws, collect data on sanctions imposed, and provide the information in the next report. It also recommends that the government create a Media Ethics Committee to monitor compliance with privacy laws.</p>	Article 5 5.25 and 5.31
15	<p>While commending the government's efforts to combat trafficking in women, the Review Committee is concerned that the proposed draft amendments to the Prevention of Human Trafficking Law is not in compliance with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention on Transnational Organized Crime.</p> <p>The Review Committee recommends that the government draft amendments be revised in accordance with the Protocol. It also suggests that views of civil society and experts on trafficking in women be reflected.</p>	Article 6 6.10 to 6.12; 6.20 and 6.21
16	The Review Committee expresses its concern on the failure to prevent, investigate and prosecute cybercrimes related to trafficking	Article 6 6.22

No.	Resolution	Relevant Articles in Taiwan's 3rd National Report
	<p>and exploitation of prostitution.</p> <p>The Review Committee urges the government to establish a permanent, dedicated unit within the National Police Department to prevent and investigate these cybercrimes. It also recommends that this information be shared across other investigatory and command units as well as with the Department of Gender Equality, with safeguards to protect the human rights of those involved.</p>	
17	<p>Although there have been many training programs on CEDAW or gender equality for judges, the Review Committee is gravely concerned that in a case involving a six-year old, the judges wrongfully deliberated the issue of consent when this did not arise in a statutory rape case.</p> <p>The Review Committee strongly recommends that the government undertake a study on the prevalence of this kind of wrongful application of the law by prosecutors and judges. It also urges the government to impose disciplinary sanctions on erring prosecutors and judges.</p>	Article 15 15.23 to 15.31
18	<p>The Review Committee expresses its concern on the persistence and high prevalence of domestic violence, in particular against marriage immigrants, and the insufficient protection provided to victims of violence. It is also concerned that protection orders to protect victims of such violence from perpetrators are not issued promptly.</p> <p>The Review Committee recommends that the government:</p> <ul style="list-style-type: none"> <li>(i) fully implement the Domestic Violence Protection Act;</li> <li>(ii) allocate specific resources for combatting domestic violence;</li> <li>(iii) conduct an assessment on the current status of domestic violence, effectiveness of policy measures, challenges and ways to overcome them, and proposed future action, and</li> <li>(iv) ensure that protection orders are timely issued as provided by the law.</li> </ul>	Article 2 2.14; 2.17 to 2.27
19	While commending the 'one-third principle' on women's representation and recognizing the increased representation of	Article 7 7.6 and 7.7

No.	Resolution	Relevant Articles in Taiwan's 3rd National Report
	<p>women at the Central Level, the Review Committee is concerned that the proportion of the women in the Judicial Yuan, in particular in the Constitutional Court and serving as Grand Justice, is comparatively low.</p> <p>The Review Committee recommends that the government intensify its efforts to increase the number of women in the Judicial Yuan, especially in the Constitutional Court and serving as Grand Justice, including the creation of a database of qualified female candidates.</p>	
20	<p>The Review Committee is concerned that the conditions for marriage immigrants to acquire citizenship in Taiwan do not adequately protect their right to nationality. A marriage immigrant woman, unless from China, Hong Kong or Macao, is required to give up her original nationality when she applies for naturalization. If she is divorced before naturalization, or if she does not pass the naturalization test, her residence certificate will be cancelled and she will be required to leave Taiwan within a short period of time. This will result in her being stateless. Her children, if not recognized by her husband, will also become stateless. The Review Committee is also concerned that even after naturalization, her citizenship can be revoked if she incurs a criminal record within five years of marriage. The Review Committee is further concerned that although the financial conditions for naturalization are somewhat relaxed, the rules are not evenly applied by the local governments.</p> <p>The Review Committee urges the government to amend the Nationality Act so that marriage immigrants are not required to give up their original nationality until the acquisition of Taiwanese nationality. The Review Committee also recommends that wives be allowed to stay in Taiwan, with work permits and necessary social security measures, in cases of a husband's death or disappearance or divorce due to a husband's fault such as domestic violence. When a criminal record is incurred by the marriage immigrant, the Review Committee further recommends that her Taiwanese citizenship not be revoked after naturalization, unless the record is based on fraudulent marriage. The Review Committee additionally requests</p>	Article 9 9.2 and 9.3

No.	Resolution	Relevant Articles in Taiwan's 3rd National Report
	uniform application of the relaxed financial conditions throughout Taiwan.	
21	<p>While noting the range of measures, the Review Committee expresses concern on the persistence of gender segregation in the field of higher education, which is reflective of stereotypical educational choices and impacts on employment opportunities for women.</p> <p>The Review Committee recommends that the government strengthen measures to eliminate gender stereotypes and structural barriers that deter girls and boys from enrollment in non-traditional educational disciplines, including increasing awareness against gender stereotypes in one's choice of study; providing improved education and career advice service providers; and adopting temporary special measures to accelerate participation of women in science and engineering fields, setting clear targets and a time frame for the improvement of this situation without delay.</p>	Article 5 5.14 to 5.16
22	<p>The Review Committee is concerned about the lack of progress in the development of teaching materials at all levels on sexual orientation and gender identities, as recommended by the International Group of Independent Experts on ICCPR and ICESCR. The Review Committee is also concerned that there is no periodic monitoring and review system in place to ensure that existing gender equality indicators and textbook review principles are in compliance with CEDAW and the Gender Equity Education Act.</p> <p>The Review Committee recommends that the government:</p> <ul style="list-style-type: none"> <li>(i) develop more awareness campaigns and teaching materials on gender diversity for all levels in consultation with gender equality experts in government, academia and civil society groups as well as with the LGBTI community;</li> <li>(ii) ensure that regular and adequate training for all teachers, professors, coaches, school administrators and gender equity education committee members be given periodically on these teaching materials;</li> <li>(iii) ensure implementation of the Gender Equity Education Act by</li> </ul>	Article 10 10.42 to 10.46

No.	Resolution	Relevant Articles in Taiwan's 3rd National Report
	<p>requiring schools to undertake targeted measures for the protection and promotion of the rights of students who are marginalized or discriminated on account of sexual orientation or gender identities; and</p> <p>(iv) establish a periodic and inclusive review and monitoring mechanism to verify the effective implementation and impact of the gender equality education indicators and textbook review principles.</p>	
23	<p>The Review Committee is concerned about the reports of sexual bullying and sexual harassment at all education levels and in training settings, especially those committed by teachers, professors and school administrators. It is equally concerned about the lack of preventive measures and detailed information on sexual bullying and sexual harassment.</p> <p>The Review Committee recommends that the government:</p> <p>(i) initiate rigorous data collection on prevalence and incidence of sexual bullying and sexual harassment at all education levels and training settings, and whether these impact disproportionately on particular groups of women and girls; and</p> <p>(ii) set up pro-active preventive and support services for victims of sexual bullying and sexual harassment at all educational levels and in training settings.</p>	Article 10 10.35 to 10.41
24	<p>Although measures are in place to encourage girls to return to school during or after pregnancy, there are limited services to address challenges, financial, social, and psychological, faced by them in their dual roles as mothers and students and the stigma they encounter.</p> <p>The Review Committee urges the government to provide necessary support services for girls returning to school during or after pregnancy, including accessible and affordable childcare services, psychological counseling, confidence-building and parenting classes, financial assistance, opportunities for home-based schooling or flexible schedules, and peer and support groups. The availability of these support services should be publicized.</p>	Article 10 10.15 to 10.20 Article 12 12.45 to 12.46

No.	Resolution	Relevant Articles in Taiwan's 3rd National Report
25	<p>Considering the high level of education of women, the Review Committee expresses concern that there is a big gap in women and men's labor force participation, reaching as high as 33% in certain age groups. It is also concerned that the percentage of women in the total number of persons not economically active amounts to more than 60% in 2012. The Review Committee notes that women's primary responsibility in the family is one of the main reasons for their low participation.</p> <p>The Review Committee urges the government to increase women's labor force participation through the provision of accessible and affordable childcare services and temporary special measures with specific targets and time frame. It also recommends that the government undertake a comprehensive study to develop policies to increase women's labor force participation.</p>	Article 11 11.9 to 11.12; 11.41 and 11.43
26	<p>Although the wage gap has decreased from 18.1% in 2009 to 16.6% in 2012, the Review Committee expresses its concern over its persistence.</p> <p>The Review Committee urges the government to collect comparative information on wages by gender, skill level, sector, occupation, age and ethnicity, and develop concrete measures with specific targets and enforcement mechanisms to address the wage gap and other barriers to ensure that women enjoy equal pay for work of equal value.</p>	Article 11 11.25 and 11.29
27	<p>While noting the efforts to improve conditions of female migrant workers, including the setting up of a foreign workers hotline in 2009, and the submission of the draft Domestic Workers Protection Act to the Executive Yuan, the Review Committee expresses its concern over the lack of legal protection for the rights of domestic workers, who are mostly female and among the most vulnerable of migrant workers.</p> <p>The Review Committee recommends that the government provide legal protection to domestic and migrant workers, including through the adoption of a comprehensive law on domestic workers in</p>	Article 11 11.62 and 11.63

No.	Resolution	Relevant Articles in Taiwan's 3rd National Report
	<p>compliance with CEDAW, its Committee's General Recommendation No. 26 on women migrant workers, the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, and the ILO Convention concerning Decent Work for Domestic Workers. The Review Committee also urges the implementation of the recommendation of the International Group of Independent Experts on ICCPR and ICESCR on migrant workers and their labor conditions.</p>	
28	<p>While the Review Committee commends the government for the adoption of a Women's Health Policy in 2008, it is concerned that there is no action plan and budgetary allocations for the implementation of this policy. It is also concerned that although the health insurance coverage is extensive, there is inadequate access to health services by rural women and other vulnerable groups, which may be due in part to the poor quality of services in the rural areas.</p> <p>The Review Committee recommends that:</p> <ul style="list-style-type: none"> <li>(i) an action plan for the Women's Health Policy be drawn up and budgetary allocations be made;</li> <li>(ii) the action plan view health not simply as the absence of disease but as being in a state of good health and include short and long term actions for access to health services for rural women and other vulnerable and marginalized groups, including migrant women and women with disabilities;</li> <li>(iii) mental health programs be given due importance in addressing gendered concerns such as social determinants of women's mental health as well as biological determinants such as postpartum depression; and</li> <li>(iv) the Women's Health Policy include a strong component on adolescent health, such as prevention of early pregnancy, reduction in abortions, plus availability of reproductive and sexual health information and services for teenagers and young unmarried adults.</li> </ul>	<p>Article 12 12.14 to 12.21; 12.27; 12.40 to 12.44; and 14.34 to 14.42</p>
29	<p>The Review Committee is concerned that the government has a</p>	<p>Article 12</p>

No.	Resolution	Relevant Articles in Taiwan's 3rd National Report
	<p>restrictive policy relating to HIV-positive aliens, most of whom are women, including mandatory HIV testing and the requirement that all HIV-positive aliens, including spouses of nationals of Taiwan, leave the country. The Review Committee confirms that these restrictive policies are in clear contravention of the approaches endorsed by WHO and UNAIDS and constitute violations of various human rights, in particular the rights to health, privacy, freedom of movement, equality and non-discrimination.</p> <p>The Review Committee recommends that the government abolish the mandatory HIV testing requirement and lift the respective restrictions on the entry, stay and residence of women living with HIV/AIDS.</p>	12.50
30	<p>The Review Committee is deeply concerned that rural women are not invited to participate in the elaboration and implementation of the national or local rural development plans. It is also concerned that the percentage of women in the decision-making positions of the Farmers' Association, Fishermen's Association and Irrigation Association are very low, and there are no women's committees to represent rural women's interests. It is also concerned that the capacity building programs of the Farmers' Associations and the Fishermen's Associations are home economic classes, with almost all of the participants being women, which reinforces the gender stereotypes.</p> <p>The Review Committee recommends that the government include women in the elaboration and implementation of rural development plans, both national and local. It also recommends that the 'one-third principle' be applied to the decision-making positions of the Farmers', Fishermen's and Irrigation Associations. It additionally urges the government to undertake capacity building and educational programs for rural women providing them information and skills on modern ways of production, sales, marketing, and financial management. The Review Committee further recommends that the government allocate funds for projects identified by rural women, including forming their own cooperatives.</p>	Article 14 14.2 to 14.10; 14.17 to 14.24; 14.27 to 14.33

No.	Resolution	Relevant Articles in Taiwan's 3rd National Report
31	<p>While commending the appointment of women officials to the Council on Indigenous Peoples during the recent months, the Review Committee is concerned about the low level of representation of indigenous women serving in decision-making positions. It is further concerned about indigenous women's limited participation in the design, formulation, implementation and evaluation of economic and employment programs for indigenous communities.</p> <p>The Review Committee recommends that the government apply temporary special measures including the 'one third principle' to increase indigenous women's representation. It also recommends that the government collect data relating to the participation of indigenous women in local public elections and local public affairs. It further recommends that the government assess the effectiveness of its existing measures for indigenous women and periodically consult with indigenous women on economic and employment programs for indigenous communities.</p>	<p>Article 14 14.12 to 14.16</p>
32	<p>The Review Committee confirms the multiple forms of discrimination experienced by women with disabilities, especially those with intellectual disabilities, who suffer multiple forms of discrimination. It is concerned that there is no comprehensive data on women with disabilities disaggregated by age, types of disability, ethnicity, rural or urban and other relevant criteria to fully assess their situation.</p> <p>The Review Committee recommends that the government collect data on women with disabilities disaggregated by all relevant criteria and develop a comprehensive policy and action plan based on the information collected.</p>	<p>Article 13 13.38 and 13.39</p>
33	<p>The Review Committee is concerned at the lack of legal recognition of the diversity of families in the country and that only heterosexual marriages are recognized but not same sex unions or cohabiting partnerships. The Review Committee is also concerned about the lack of statistical data on unregistered unions.</p> <p>The Review Committee recommends that the government amend the</p>	<p>Article 16 16.7 to 16.13</p>

No.	Resolution	Relevant Articles in Taiwan's 3rd National Report
	Civil Code to recognize the diversity of families in the country. It also recommends that steps be taken to collect and collate data on unregistered unions and provide the information in the next report.	
34	<p>The Review Committee is concerned about the provisions of the 2008 Executive Order regulating the process of gender change and requiring inter alia, the surgical removal of reproductive organs before qualifying for registration. It is further concerned at the lack of statistical data on transgender persons and at the pace of legislative reform.</p> <p>The Review Committee recommends that the Government adopt the views of the Ministry of Health and Welfare meeting on 9 December 2013 where it was recognized that “gender identity is a basic human right and that it is not necessary to force or require extirpation of reproductive organs as individual inclination should be respected”. It further recommends that steps be taken to abolish the discriminatory provision of the above executive order.</p>	Article 16 16.27 to 16.30
35	<p>The Review Committee is concerned that although the Executive Yuan reviewed and approved draft amendments that set the minimum engagement age at 17 and marriage age at 18 for both men and women, the Legislative Yuan decided not to deliberate on them.</p> <p>The Review Committee urges that the government sets the minimum age for marriage at 18 for both men and women.</p>	Article 16 16.4

### Appendix 3:

## Overview of Significant Laws, Regulations, Policies, and Measures on Gender Equality in Taiwan

Significant Laws, Regulations, Policies, and Measures on Gender Equality	Summary
Constitution of the Republic of China (Taiwan) (female political participation, gender equality)	In terms of legislation related to women’s rights in Taiwan, women’s right to political participation was granted as early as 1947, when the Constitution was established. It was expressly provided in the Constitution that a certain number of seats must be reserved for women in the election of various people’s representatives. After martial law was lifted, the power of women’s organizations in Taiwan developed significantly and even had a strong influence on the trend of legislative change, including the addition in 1991 of Article 10 of the Additional Articles of the Constitution of the Republic of China, which stipulates that the State shall protect the dignity of women, safeguard their personal safety, eliminate sexual discrimination, and advance substantive gender equality. When the Constitution was amended in 2005, the electoral system for legislators was changed to a single district, two vote system. It was also stipulated that at least one half of the seats in multi-member electoral districts must be made up of women. By including provisions to allow women to participate in politics and enshrining these rights into the Constitution, the influence of women in parliament has increased, as evidenced by the fact that the percentage of seats held by women rose from 19.1% in 1998 to more than 30% by 2008.
Sexual Assault Crime Prevention Act	To help prevent sexual assault crimes from occurring and to better protect the rights and interests of victims, Taiwan announced the Sexual Assault Crime Prevention Act in 1997, which primarily covers the following: 1. Centers for the Prevention of Sexual Assault established by local governments, and all levels of junior high and elementary schools, are required to provide at least four hours of preventive education on the issue of sexual assault each academic year; 2. A system for requiring incidents to be reported; 3. Establishment of a nationwide offender database; 4. Measures for protecting

Significant Laws, Regulations, Policies, and Measures on Gender Equality	Summary
	the privacy of victims; 5. Compulsory implementation of physical and psychological treatment, and guidance education for perpetrators of sexual assault crimes; 6. Victims may submit an application to the competent authority to have various costs reimbursed, including medical fees, psychological counseling fees, legal fees, attorney's fees, and other fees.
Domestic Violence Prevention Act	In 1998, the government of Taiwan passed the Domestic Violence Prevention Act, making it the first piece of legislation to be enacted in Asia that exclusively addresses the prevention of domestic violence. The content of the Act primarily covers regulations on civil protection orders, criminal procedures for domestic violence offenses, visitations and meetings between domestic violence offenders and underage children, domestic violence prevention and treatment, and the formulation of relevant penalty provisions. To date, the Act has been amended a total of five times. In 2015, it was expanded to extend protections to children who witness acts of domestic violence, as well as to partners in a noncohabiting intimate relationship. In addition, the term of ordinary protection orders has been extended, restrictions limiting the number of times a protection order may be extended have been rescinded, and other measures have been formulated to better protect the privacy of victims.
Act of Gender Equality in Employment	To protect gender equality in the workplace and fulfill certain aims stated in the Constitution of the Republic of China (Taiwan), including eliminating discrimination based on gender and promoting substantive equality of gender status, the government formulated the Act of Gender Equality in Employment in 2002. In addition to covering the prohibition of gender-based discrimination, prevention and correction of sexual harassment, and measures for promoting equality in employment, the Act provides remediation measures, procedures for filing complaints, and relevant penalties.
Gender Equity	The government of Taiwan formulated the Gender Equity Education Act in

Significant Laws, Regulations, Policies, and Measures on Gender Equality	Summary
Education Act	2004 with an aim to promote substantive gender equality, eliminate discrimination based on gender, and improve and establish educational resources and environment characterized by gender equality. The content of the Act covers the learning environment and resources; curriculum, teaching materials, and instruction; prevention and handling of sexual assault, sexual harassment, and sexual bullying on campuses; requesting investigations, requesting relief aid, and penalty provisions. These regulations govern student admissions at schools, study permits, education, activities, evaluations, rewards, and penalties, and benefits and services, and prohibit schools from discriminating against students based on their gender, gender identity traits, gender identity, or sexual orientation.
Sexual Harassment Prevention Act	To prevent sexual harassment, and protect the rights and interests of victims, the government began enforcing the Sexual Harassment Prevention Act in 2006. The scope of the Act primarily covers the following: definitions of what constitutes sexual harassment, duty to prevent sexual harassment, complaints and investigation procedures, mediation procedures, and penalty provisions.
Human Trafficking Prevention Act	To combat human trafficking, and protect the rights and interests of victims, the government promulgated and began enforcing the Human Trafficking Prevention Act in 2009. The Act mainly covers the following: definitions of human trafficking, prevention and identification, measures for protecting victims, and punitive actions and penalty provisions for offenders.
Public Breastfeeding Act	To protect the right of women to breastfeed in public and provide a barrier-free environment for women who wish to breastfeed their children, the government formulated the Act Governing Breastfeeding in Public Places in 2010. The scope of the Act primarily covers the following: No one may forbid, eject, or interfere with a woman breastfeeding her child in public. Rooms for breastfeeding or pumping should be set up at certain places and clearly marked. Local competent authorities at the municipal, county, and

Significant Laws, Regulations, Policies, and Measures on Gender Equality	Summary
	city government level are obligated to examine or spot check breastfeeding rooms and facilities in buildings in public spaces within their jurisdiction, and relevant provisions have been formulated to allow fines to be issued in cases of noncompliance.
Gender Equality Policy Guidelines	In 2011, the Executive Yuan issued the Gender Equality Policy Guidelines to serve as a reference for formulating gender equality policies. The guidelines address seven core issues, namely Equal Rights, Decision Making, and Influence; Employment, Economics, and Welfare; Education, Culture, and Media; Personal Safety and Legal Protections; Health and Healthcare; Demographics, Marriage, and Family; and Environment, Energy, and ICT. The guidelines are formulated to illustrate the concepts of gender equality and instruct relevant government agencies to incorporate the tenets of gender equality into their administrative duties.
Enforcement Act of Convention on the Elimination of All Forms of Discrimination Against Women	To ensure that CEDAW is binding within the Republic of China (Taiwan), the Enforcement Act of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW Enforcement Act) was promulgated in 2011, thereby ensuring that Taiwan effectively promotes gender equality rights and better conforms to international norms. The Act requires government agencies at all levels to adopt legislative or administrative measures to eliminate discrimination based on gender and actively promote gender equality. All levels of the government must comply with the regulations set forth in the Convention concerning protections of gender equality rights during the course of performing their duties as well as duly plan, prepare, launch, and execute all matters relating to the provisions set forth under the Convention. In addition, in accordance with the provisions of CEDAW, the government of Taiwan issues a National Report on CEDAW once every four years, and invites scholars, experts, and representatives of civil organizations to review the report. The funding required by government agencies at all levels to implement the various measures specified by the

Significant Laws, Regulations, Policies, and Measures on Gender Equality	Summary
	<p>Convention to protect gender rights shall be allocated as a priority if the country's fiscal situation permits it. To comply with the provisions of the CEDAW Enforcement Act, government agencies at all levels shall enact, amend, or repeal relevant laws within three years following the promulgation of the Act, as well as make improvements to relevant administrative measures.</p>
Action Plan for Enhancement of Girls' Rights	<p>In 2012, the United Nations passed a resolution designating October 11 as the first International Day of the Girl Child in an effort to encourage countries around the world to highlight and address the needs and challenges girls face, while promoting girls' empowerment. To support this action, the government also officially designated October 11 as Taiwan's Girls' Day, and in 2013 announced the Action Plan to Improve the Rights of Girls, which sets forth 14 policy directions and 75 strategic implementation targets aimed at safeguarding and promoting the rights and interests of girls, prompting the various government ministries and departments to actively implement important matters to promote the physical and mental wellbeing of girls in terms of education, personal safety, and rectification of traditional customs, and monitoring the presence of gender stereotypes and discrimination in the media.</p>
Child and Youth Sexual Exploitation Prevention Act	<p>To prevent all forms of sexual exploitation of children and youth, the government amended the Child and Youth Sexual Transaction Prevention Act in 2015, including redefining certain terms, such as changing the phrase "sexual transaction," as contained in the original title, to "sexual exploitation." The provisions of the amended Act clearly stipulate that any of the following falls under the definition of sexual exploitation of a child or youth: causing a child or youth to engage in sexual intercourse or obscene acts in exchange for monetary or other considerations; using a child or youth to engage in sexual intercourse or obscene acts for others to watch; filming a child or youth engaging in sexual intercourse or obscene acts, or producing</p>

Significant Laws, Regulations, Policies, and Measures on Gender Equality	Summary
	<p>pictures, photographs, films, videotapes, compact disks, electronic signals or other objects that show a child or youth engaging in sexual intercourse or obscene acts; and using a child or youth as a host/hostess in a bar or club, or for such services as tour escorts or singing or dancing companions involving sexual activities. The content of the aforesaid law primarily involves the following: determining whether a victim must undergo a professional evaluation prior to placement; requiring schools at the senior high school level and below to offer preventive education courses or other similar instructional measures; tasking local competent authorities at the county and city level with providing follow-up support and guidance to victims and their guardians or caregivers; requiring internet platform providers (IPPs), internet access and application service providers (ASPs), telecommunication businesses, or similar entities that become aware of any circumstances involving sexual exploitation to cooperate by removing inappropriate web content and formulating corresponding penalties.</p>