

# Expert Commentary on CEDAW-Taiwan Initial Report

Recorded by Foundation for Women's rights Promotion and Development

Experts Articles	Schöpp-Schilling, Germany	Heisoo SHIN, Republic of Korea	Dr. Anamah Tan, Singapore
General	<p><u>General Remarks:</u></p> <ol style="list-style-type: none"> <li>1. positive attempt for initial report: according to articles;</li> <li>2. however, too descriptive, lack of data, lack of results, no reference to general recommendations except that violence against women is covered;</li> <li>3. info is sometimes repetitive, various sections under the articles are not structured consistently; overall review and amendment for more consistency would have been necessary (as under Article 5)</li> <li>4. NL model could have been helpful: legal and administrative measures, programs, cultural change.</li> </ol> <p><u>Specific Remarks:</u> General Introduction:</p> <ol style="list-style-type: none"> <li>1. information is important but not</li> </ol>	<ol style="list-style-type: none"> <li>1. The ratification of CEDAW by the Taiwanese Parliament and the will of the Executive Yuan to produce the initial report on CEDAW and holding this symposium are really commendable. The efforts should continue, with the participation of all organs of Taiwan, as well as with adequate budget allocation.</li> <li>2. The national machinery on gender equality, i.e. Women's Welfare Department of Social Affairs within the Ministry of the Interior, together with the Committee OF Women's Right's Promotion, is at a very low level. The Beijing Platform for Action, adopted in 1995, says that the national machinery should be as high as possible. (The Committee of Women's Rights Promotion is not the national machinery: your</li> </ol>	

	<p>sufficient; does not follow guidelines' request nor old requests for info in voluntary core report.</p> <p>2. structure under some of the articles is somewhat strange with sections of "mission" included or sections "background" and of "difficulties" and of other topics, but it is not always clear whether these missions are binding and who has the monitoring power and who is accountable.</p> <p>3. no information of demographics, i.e. composition of population, including migrant workers, foreign spouses, etc.</p> <p>4. no information on political and legal structures in Taiwan including human rights structures;</p> <p>5. no info on administrative structure of country, i.e. how many counties/cities there are and how many of those are under the jurisdiction of the central Government and how many are self-governed</p> <p>6. no information on economic structures:</p>	<p>national machinery is the social welfare department within the Ministry of the Interior.)</p> <p>3. There is lack of adequate sex-disaggregated data, by age, by origin, by region...etc; overall, in all areas covered by CEDAW Convention. In the next report, the statistical data can be attached as an annex attached to the main report.</p> <p>4. The consultation with NGOs with be held next time as well as to assure the draft will be circulated in women's NGOs and all civil societies for their comments.</p>	
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	<p>industry, agriculture, services and percentage of women and men in those sectors, also percentage of public v. private economic sector.</p> <p>7. no info on when CEDAW was ratified and through what act (parliamentary act?, presidential decree?) /was ratified in 01/07/.</p> <p>8. no info on legal standing of CEDAW or any other human rights treaties within legal system of Taiwan, i.e. part of law?, guiding principle? need for incorporation? if so, intent to do so and when?</p> <p>9. general factors on gender equality are important but should have come under Article 3; data given are difficult to compare because not all figures are given, i.e. life expectancy of males in absolute numbers;</p> <p>10. differentiation of female and male GDP is commendable: <i>Q: is gender budgeting being applied?</i></p> <p>11. establishment of national machinery in form of Committee of Women's Rights</p>		
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	<p>Promotion is commendable with high ministerial representation as well as social experts and NGOs; authoritative power of Committee vis-à-vis Government as binding is commendable; although unclear and therefore <i>Q: whether the successes in the increase of female participation in parliament, in female GDP, in women's representation in technical and professional jobs is the result of an application of TSM? Q: budget and secretariat staff of the Committee? How often does it meet? Are ministers present themselves or only subordinates? How are gender equality structures in the respective ministries? Do gender focal points exist? To whom is Committee accountable? to parliament? to the cabinet?</i></p>		
<p>Article 1</p>	<p><i>Q: Does the Constitution really talk about "gender"? Full text of Article 7 is needed. Q: Equal before what law? public law or also civil law regulation marriage and family</i></p>	<p>1. The definition of discrimination against women, as in Article 1 of CEDAW, needs to be incorporated into a national legislation. It should address both direct</p>	

<p><i>relations, economic and social law? Q: How often has Article 7 of the Constitution been invoked in Court and by whom? Does the Constitution or any other law contain the definition of discrimination as contained in CEDAW? Q: Is there an understanding in government and in the judiciary including legal academics of indirect discrimination? Have there been cases dealing with this violation? Have there been cases dealing with intersectional discrimination?</i></p> <ol style="list-style-type: none"> <li>1. <i>Does the Employment Services Act cover public and private sectors of employment and what categories of workers? only full-time workers? why does it cover only “nationals”? does the text really use the term “gender”? Is there awareness in the government of the different meanings of the terms “sex” and “gender”?</i></li> <li>2. Section of efforts in fulfilling the Convention does not belong under Article 1, either into introduction or under Articles 2 or 3.</li> </ol>	<p>and indirect discrimination. Although Taiwan has concluded the definition in your Constitution, that’s not enough. It needs separate legislation that would realize gender equality.</p> <ol style="list-style-type: none"> <li>2. The specific law can be contained in this session such as some general law that prohibits discrimination against women, for example, “Anti Sex Discrimination Act” or “Prohibition of Gender Discrimination and Relief Act” in Taiwan’s legislation.</li> <li>3. Make sure the status of CEDAW is bound and utilized within the national legal system and legally binding. The court should invoke CEDAW in its proceedings.</li> </ol>	
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	<p>3. <i>Q: what domestic legislation is being drafted to domesticate the Convention (p.5)?</i></p> <p>4. <i>Q: explain the status, role, mandate and tasks of the Private Sector CEDAW Promotion League? What private sector? economic sector or marriage and family relations?</i></p> <p>5. <i>Q: how did the Women's Committee on Women's Right Promotion of the Executive Yuan draft the report? who participated? was it approved in the Cabinet? discussed in the national parliament?</i></p>		
Article 2	<p><u>General:</u></p> <p>1. much information under this article belongs to national machinery under Article 3; overall picture of national machinery remains unclear also unclear how they are coordinated and who, ultimately, is accountable; also issues of terminology: as "equity" and "gender"; many aspects of Article 2 are not covered,</p>	<p>1. All legislation should be in line with the provisions of CEDAW and should be reviewed for possible discrimination. There should be clear responsibility in national machinery to oversee the misacting in legal amendment of discrimination laws.</p> <p>2. There should be the mechanism of legal redress in case of discrimination against</p>	

	<p>as courts and tribunals, access to justice, legal aid; accountability of private employers, organizations, and private individuals; existence of customs and customary law; amendment of penal law</p> <p>2. Women's Policy Guideline is unclear, <i>does it bind only the Committee or all of the Government?</i></p> <p>3. <i>What is the status of the proposed White Paper and what does it mean to create a "society of safety, equal respect and resource sharing"? Should it not be non-discrimination and formal and substantive equality?</i></p> <p>4. Mission Statement is to be commended, but is there an operational plan with targets, goals and timetables and is there political will at the top and support from grassroots women?</p> <p><u>Specific issues:</u></p> <p>1. again, terminology is "gender-based" discrimination; law amendments are commendable, however, <i>Q. was general</i></p>	<p>women. It should be reach the public as well as the private sectors. The government should consider to establish a national human rights institution to prevent women from waiting too long in the time-consuming and expensive court procedure.</p> <p>3. All forms of violence against women, including domestic violence and marital rape, should be punishable by law. The law enforcement officials—such as police, prosecutors and judges—should be able to handle violence against women with awareness and knowledge about CEDAW and women's rights.</p>	
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	<p><i>review of all legislation done? Follow-up questions on incorporation efforts of CEDAW? Time-frame for doing so? is CEDAW definition of discrimination contained in any of these laws?</i></p> <p>2. Employment Services Act: <i>Q: covers what sector?_also equal pay for work of comparable work?</i></p> <p>3. Article 2 information also gives more info on national machinery which should come under Article 3; however, apart from this, <i>Q: what is the role of the Advisory Panel on Gender Mainstreaming established by Office of the President in 2005? where is it located? who is on it and for how long? what is its relationship with the Committee of Women's Rights Promotion?</i></p> <p>4. establishment of ministerial and departmental task forces dedicated to gender equality is commendable, <i>but what percentage is still not covered? what is their mandate, authority? Q: have the governmental rules of procedure been changed in order to include gender</i></p>		
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	<p><i>mainstreaming and gender impact assessment? who monitors and who is accountable to whom?</i></p> <p>5. implementation plan for promotion of gender mainstreaming is commendable, <i>has it been implemented fully? what are the results? has there been training I all ministries for both male and female commissioners and other bureaucrats? to whom is the “Gender Equality Support Team” of 2007 accountable and what results can its work show?</i></p> <p>6. local governments’ efforts at establishing committee’s on women’s rights promotion is very commendable, however, <i>are all communities covered? what is mandate, authority, budget of these committees?</i></p> <p>7. legal and administrative/institutional action on violence against women is commendable, but <i>lack of results of work, lack of info on shelters, lack of info on numbers, prevention campaigns, training campaigns, etc.</i></p> <p>8. establishment of Employment</p>		
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	<p>Discrimination Evaluation Committee is commendable, but <i>for what economic sector? what is the relationship to labour courts? why does law cover only nationals? What is the extent of migrant workers in Taiwan and wherefrom? How are they covered?</i> see GR No. 27.</p> <p>9. establishment of Gender Equity Education Committee following the respective Act is commendable, but terminology is wrong; <i>Q: why “equity” and not “equality”?</i> role of these Committees vis-à-vis the general governmental administration is not clear? what mandate, budget, authority?</p> <p>10. <i>Q: why is the Committee on Gender equality in Examinations only Advisory? are the other committees also only advisory?</i></p> <p>11. <i>Q: Who founded and who funds the Taiwan women’s Center? Who runs it? Is it independent?</i></p>		
Article 3	<p><u>General:</u></p> <p>1. all the info on laws amended and passed</p>	<p>1. The national women’s policy is not clear. The “Women’s Policy Guideline” adopted</p>	<p>1. Complying with CEDAW Conventions Article 3, Taiwan government should</p>

	<p>is commendable but should have gone to section of Article 2, not all legislation mentioned is women-specific;</p> <p>2. more information on the specific tasks of the task forces of the Committee of Women's Rights Promotion is needed, <i>do they have operational plans? what is their budget? will their recommendations have to go through the Committee to become legally binding for the respective ministries? what are obstacles and difficulties they encounter? what are results? laws? policies? regulations? who implements recommendations and who monitors implementation? sanctions for non-implementation?</i></p>	<p>in January 2004 is vague and not focused. The impact of the Guidelines should be emphasized in the report.</p> <p>2. Gender mainstreaming is very important strategy for gender equality. How is the policy adopted by the Committee of Women's Rights Promotion, Executive Yuan and implemented by other ministries? The Committee should be well-empowered and be given enough resources for gender mainstreaming task and should well-engaged other ministries.</p> <p>3. In the report, the effectiveness of the establishment of the task force should be highlighted. The assessment or evaluation should be incorporated into the report as well.</p> <p>4. The minority women or vulnerable groups of women who might face multiple discrimination—for example, women with disabilities, older women, aboriginal women, migrant women, sexual minority women, should be included.</p>	<p>closely examine the existing discriminatory laws in political, economical social and cultural fields as well as others to assure there is no discrimination in there.</p>
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<p>Article 4</p>	<p><u>General:</u></p> <ol style="list-style-type: none"> <li>1. not clear whether Government understands the nature of Article 4 (1) and whether there is knowledge of GR No. 25.</li> <li>2. Mission statement also not clear in this respect.</li> <li>3. info under para. 4.1 could contain TSM but is not sufficiently detailed, <i>Q. what policies were taken to require the diversity of men and women (NOT GENDER) in employment? where quotas set for scholarships for girls and for what? (in committees subordinated to governments is unclear).</i></li> </ol> <p><u>Specific issues:</u></p> <ol style="list-style-type: none"> <li>1. <i>Q: does the Constitution allow for TSW in other areas than in politics?, are TSM permitted through any other law or regulation and if so in what areas?</i></li> <li>2. <i>Q. why is there no reference to other efforts at TSM as, for example, elaborated</i></li> </ol>	<ol style="list-style-type: none"> <li>1. Temporary Special Measures are necessary to correct the past discrimination. Temporary Special Measures should not be considered reverse discrimination. The general recommendation No. 25 of the CEDAW Committee should be taken into account to correctly understand why the Special Measurement is necessary.</li> <li>2. The Temporary Special Measures for women should be allowed by law. So Temporary Special Measures can be extended to women in areas it's needed.</li> </ol>	<ol style="list-style-type: none"> <li>1. Taiwan government should exercise the power and use it wisely to work on the de facto equality between genders. It's better to start with working on the special measure aiming at drawing imbalanced agenda.</li> </ol>
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	<i>under Article 7?</i>		
Article 5	<p><u>General:</u></p> <ol style="list-style-type: none"> <li>1. interesting structure of elaboration of article; i.e. background and current status; response policies and actions; difficulties; continuous orientation; ; recognition of cross-cutting nature of this article is to be commended, however also lends itself to repetition.</li> <li>2. structure of report should have followed NL model, then repetition would have been avoided.</li> <li>3. rather descriptive, sounds like operational plans but lacks elaboration of results of efforts.</li> <li>4. covers areas of art, media, workplace: general discrimination, gendered labour market, family system including ancestral worship, registration of marriage, sharing of parental responsibility, termination of domestic violence.</li> </ol>	<ol style="list-style-type: none"> <li>1. All the negative tradition, customs and practices that discriminate against women should be eliminated. The national public campaign can't just limited to traditional art . It should be extended to all areas. There should be some campaigns eliminating the negative image of women and promote positive image.</li> <li>2. Gender role stereotypes should be tackled. The particle plans need to be provided in the report to show how you tackle the issues.</li> <li>3. Regarding Violence against women, 3Ps are necessary: Prosecution (of the aggressor), Protection (of the victim) and Prevention (of violence). Te report should address this issues regarding the 3Ps. There is a good study by the UN Secretary-General, <i>Ending Violence against Women: From Words to Action</i> (<a href="http://www.un.org/womenwatch/daw">www.un.org/womenwatch/daw</a>) for your reference.</li> </ol>	<ol style="list-style-type: none"> <li>1. Taiwan government should, in some particular sectors which is needed to pay attention to, modify social and cultural patterns of conduct men and women.</li> </ol>

<p>Article 6</p>	<p><u>General:</u></p> <ol style="list-style-type: none"> <li>1. very good overview of legal, administrative measures, establishment of shelters, training of officials, bi- and multilateral co-operation.</li> <li>2. lack of data of how many foreign nationals actually work in Taiwan and in what sectors.</li> <li>3. not clear whether Taiwan ratified the Palermo Protocol.</li> <li>4. quite open regarding criticism as to what needs to be done.</li> <li>5. NGO involvement is commendable also in servicing.</li> </ol>	<ol style="list-style-type: none"> <li>1. Government should be able to provide the adequate system victims of trafficking in temporary shelters such as medical, legal, language and psychological assistance in the course of investigation.</li> <li>2. You should provide information and data on the situation of exploitation of prostitution of women and girls in Taiwan; and explain the law and policies on prostitution in the report next time.</li> </ol>	<ol style="list-style-type: none"> <li>1. The government should focus on both intensity and extensiveness of human trafficking issues because this issues is not only an internal one but external.</li> <li>2. Taiwan is doing well with Vietnam. However, the practice should be extended to the other part of the world as well.</li> </ol>
<p>Article 7</p>	<p><u>General:</u></p> <ol style="list-style-type: none"> <li>1. structure similar although not equal to Article 5 section, efforts to be commended.</li> <li>2. Article 134 of the Constitution: “number of women to be elected shall be fixed” is further elaborated by amended Article 4</li> </ol>	<ol style="list-style-type: none"> <li>1. Government should set a short-term and long-term goal of achievement to drive the increasing proportions of women in the parliament, local councils, and in the management level positions of the government. The quota for women in the local councils (1 woman out of 4 councilors designated by quota) is too low and should be raised up.</li> </ol>	<ol style="list-style-type: none"> <li>1. In this part, Taiwan has done well with 30% women participation in parliament. The target is 50% in terms of CEDAW Convention. So government should keep pushing.</li> </ol>

	<p>of the Constitution in 2005.</p> <p><u>Specific Issues:</u></p> <ol style="list-style-type: none"> <li>1. although I seem to understand that there is a 50% quota women make up only 30.09% in the national legislature <i>Q. reasons for this?</i></li> <li>2. <i>Q: research being done on women voting for women since such a high female voter turn out?</i></li> <li>3. <i>Q: Why smaller quota for local councillors and councils of aboriginals?</i> Lack of data of results.</li> <li>4. <i>Q: any guidelines, policies, for TSM in public administration? On what legal or regulatory basis are current efforts being undertaken? Are there plans for TSM with goals and timetables?</i></li> <li>5. <i>Q: have any review been done regarding restrictions of women's participation in certain sections of the public service as to height/weight or other requirements? (=indirect discrimination), can the restrictions mentioned under 7.7. be</i></li> </ol>	<ol style="list-style-type: none"> <li>2. There is no statistics provided regarding the judiciary. You need to provide relevant information and statistics as well as work on increase women proportion of judiciary.</li> <li>3. What is the situation of women in decision-making positions in the private sector—in business corporations and companies?</li> </ol>	
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	<p><i>lifted?</i></p> <p>6. <i>Q: what is being done to increase enrolment for examinations? what is being done to equalize pay and wages, although there have been increases, picture is not clear as to whether men and women are being paid equally, also for comparable work?</i></p> <p>7. <i>Q: why is there failure in reaching goals as elaborated under 7.7?</i></p> <p>8. <i>Elaborate on contents of White Paper for Gender Equality in National Examinations?</i></p> <p>9. <i>Q: what authority does the section “Prospective” carry? who monitors? any sanctions for high governmental officials if they do not fulfil plans?</i></p>		
Article 8	<p>1. positive picture.</p> <p>2. <i>Q: regulations for TSM for promotion?</i></p>	<p>1. Efforts of increasing women diplomats’ ration up to 40.9% are commendable. Regarding CEDAW, there should be full and equal representation of women. Taiwan should try harder to reach the same proportion between genders</p>	<p>1. Taiwan can learn how to utilize the international resource to better the CEDAW practice locally. The GFPN (Gender Focal Point Network) should be included in your agenda of all the proposal for the gender-related projects.</p>



		(50%:50%). I also look forward to that in ten years the young women entering the Ministry of Foreign Affairs can be seen more in higher levels.	The status of GFPN should be monitored and reported as well.
Article 9	1. in conformity with CEDAW.	1. There is no information regarding the process of obtaining citizenship for foreign wives. The information should contain the process of giving citizenship to foreign wives, how to help the victims of domestic violence, how to help those women who encounter difficulties in their lives in Taiwan, and how to assist the women who is expelled.	
Article 10	1. no discrimination in National Education Act permitted <i>Q: CEDAW definition of discrimination contained in Act? TSM explicitly permitted or even mandated in Act? Are National Education Act and Gender Equity Education Act the same? Why “Equity”? Give precise wording for “affirmatively provide assistance to students due to gender or sex</i>	1. Despite the general information provided in the report, however, there is lack of specific information regarding CEDAW, i.e. What are the images of men and women in stereotype roles depicted in school textbooks? How much % of women is in traditional roles and how much of them removed? Was there any review for gender stereotypes in more	1. The tracking of drop-out students, especially those who are pregnant, including their resumption and completion of their education are necessary provided. The analysis of the drop-outs regarding their demographics is needed. 2. For adult education, it also needs some statistics support to provide picture about

	<p><i>orientation". give examples of such affirmative action or permanent action.</i></p> <p>2. Data are not consistent in 10.1 and 10.2.</p> <p>3. <i>Q: What efforts to decrease discrepancy in master and doctoral programs? and in Police College?</i></p> <p>4. <i>Q: are curricula the same in female dominated high schools as in male dominated high schools? Can one choose what senior high school to attend?</i></p> <p>5. efforts for retraining in particular foreign spouses are commendable.</p> <p>6. 10.7; confusion about equality and equity!</p> <p>7. 10.8 Gender Equality Courses and Teaching Guidance and Advisory Task Force is commendable, <i>Q: are teachers being trained in their teacher training courses and later in in-service training? what are the results of such courses? changes in attitudes and behaviour and study selection? Who monitors?</i></p> <p>8. <i>Q: Explain why there is "barely anyone able to play the role of checking on the quality of teaching materials"? Is this not</i></p>	<p>concrete ways? Are boys and girls provided with the same curricula? What are the proportions of male and female college students in different disciplines? There should be changes made in specifically the major courses.</p> <p>2. According to the report, the "Gender Equality Education Courses and Teaching Guidance and Advisory Task Force" was established in Feb. 2008. But the work progress was not sufficiently described in the report. As well as for the "Senior High School Curriculum" defined that courses should include gender equality education. There is not enough information to show how has this been implemented at elementary and junior high school levels. There should be real efforts from the ministry of Education to mainstream incorporating the agenda of education from kindergarten level to the highest level of education system.</p> <p>3. The information addressing the drop-out rates for girl students and boy students is</p>	<p>the status of adult education.</p>
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	<p><i>the task of the educational ministry/ies? Is education decentralized?</i></p> <p>9. <i>Does sexual education include education on sexual orientation and assistance for those who need such assistance?</i></p> <p>10. <i>Q: why no data on drop-out rates due to early pregnancies?</i></p> <p>11. TSM under 10.11 are to be commended, however data in the table do not support the statement (<i>Q: why more men approved than applied?</i>)</p> <p>12. efforts at adult education are commendable.</p> <p>13. lack of data and numbers on foreign spouses, what is their educational status at their country of origin?</p> <p>14. lack of information whether new format of teaching (10.17) is successful.</p> <p>15. Community universities to be commended, <i>but why so few men?</i></p> <p>16. extent and numbers of drop-out students due to pregnancy not given, <i>Q: is "parental leave" really being taken by boys?</i></p>	<p>needed to be included in this report.</p> <p>4. The proportion of male/female teachers in education system from kindergarten to university level is missing. The teachers in management positions should be clearly described as well. The gender equality in management level is very important in terms of the imbalanced gender proportion around the world that indicates there are more male than female taking management positions in schools.</p>	
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	<p>17. discrepancy in male and female sport participation and in training of highly skilled athletes, <i>Q: are all sports open to women? Are TSM planned?</i></p>		
<p>Article 11</p>		<ol style="list-style-type: none"> <li>1. There is lack of information on the situation of the labor market and women in employment. You should look into the gender pay gap closely. (PS: There is a number showed 70% something in the report and it looks quite high to me. I doubt it's correct. You should look the figure in more detail to check it accuracy.) The situation of job segregation by sex is also needed in this report. Usually women are segregated in particular type of jobs at lower level. You should investigate vertical and horizontal segregation which causes big pay gap between women and men.</li> <li>2. The Gender Equality in Employment Act prohibits discrimination based on gender or sexual orientation. The number of violation cases that have been detected</li> </ol>	<ol style="list-style-type: none"> <li>1. After the Gender Equality in Employment Act, The details of number of prosecutions, numbers of victims, the sanctions applied to the accused employers and the process of how to deal with the sexual harassment need to be deliberately explained.</li> <li>2. The information on formal sector and informal sector is missing. Usually the percentage of women employees is higher than formal sector. It is necessary to provide sufficient information on this.</li> <li>3. There is lack of explanation on self-assessment template. The self-assessment system needs a good monitoring mechanism to measure the progress the correction in employees' and employers' behavior after the assessment is done.</li> </ol>

		<p>need to be included. And sanctions for the employers who violated this Act need to be given. The monitoring is very important when act on laws. You should put efforts on the implementation as equally as making laws.</p> <p>3. The protection of maternity is very important not only for population policy but also for gender equality. The <u>paid</u> maternity leave for most developed countries is more than 3 months, and the ILO standard is 14 weeks. Taiwan has one month and is progressing on extending it to 3 months. But it should be full-paid.</p> <p>4. In addition, parental leave for child rearing should be also compensated. The parental leave can be used by either mother or father, usually it is used primarily by the mother. (only 2% father applies for maternity leave.) To remedy this, some European countries introduced an additional leave exclusively for fathers, which contributed to the increase of father's taking the parental leave. May be</p>	<p>4. The employment of migrant worker is very insufficient. There are few aspects to check on including whether there is a law to protect migrant workers, the statistics of migrant workers, the segregation by sex and age, the labor sectors the migrant workers are in.</p>
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		<p>Taiwan can come up with some innovative and creative solution to encourage father to share the parental leave in the future.</p> <p>5. Regarding sexual harassment in workplace, There are few information needed including: prevention education mandatory for employers and employees; the status of how is the sexual harassment prevention in Gender Equality in Employment Act monitored; the procedures a woman can take if she is sexually harassed at her job; what compensation an harassed woman can get to remedy her lost.</p> <p>6. In this correct economic downturn, women are put in disadvantage position. For example, in Korea, already 100,000 women were file and we are expecting more negative impact on women's job losing than men. There should be extra efforts by the government to counter the negative impact upon women.</p>	
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Article 12		<ol style="list-style-type: none"> <li>1. Efforts in health are commendable. In terms of global trend, men are trying to quit while women start. It would be very interesting to know what is the situation of girl's and woman's smoking in Taiwan. The details in describing the increase or decrease of women's smoking trend is better to be mentioned.</li> <li>2. The three top causes of women's death in Taiwan is very important data for us to gain understanding about women in Taiwan. The policies to decrease the death of women is needed.</li> </ol>	<ol style="list-style-type: none"> <li>1. The father's parental leave was taken under unpaid condition. It looks there is very little effort invested in this area. It will be interesting to know why men are not considered to be given paid leave. Is it because men get more salary than women? If there is any specific study, it will better to know the result.</li> <li>2. Some of the issues related to that men take parental leave are worthwhile to study including paid leave, the length of the leave.</li> </ol>
Article 13		<ol style="list-style-type: none"> <li>1. Taiwan has devoted commendable efforts in ensuring the economical and social equality for both genders. Nevertheless, Taiwan should continuously concentrate on introducing more positive changes to eliminate discrimination.</li> <li>2. Internationally, men are given more substantial amount of loans whereas women receive microloans. Therefore, the emphasis should not be only about the</li> </ol>	<ol style="list-style-type: none"> <li>1. The eradication of women's poverty is an excellent idea and such project is something that Taiwan government should work on in the future. This article has brought attention to elderly women for the first time and the inclusion of elderly women is essential.</li> <li>2. Taiwan currently has the lowest fertility rate in the world, thus Taiwan government should pay more attention to this aspect</li> </ol>

		<p>number of women who receive loans but also the amount of money these women receive.</p>	<p>through out all the sectors.</p> <p>3. National Pension System 2008 has just been introduced lately; more information concerning this system can be included in Taiwan's next report. Housewives can now enter the National Pension System without depending on their husband. Nevertheless, the report should specify who pays for the insurance premium in such case.</p> <p>4. Phoenix program and Free and Young Program are wonderful ideas.</p>
<p>Article 14</p>		<p>1. Taiwan government has provided a lot of convenience in life to its people. Taiwan government should particularize in its report whether services offered in rural areas are comparable in quality to the ones offered in cities. Taiwan government should also specify whether these services are easily accessible and whether hospital or school is nearby to the people who need such amenity. Taiwan government can also shed light on whether schools in</p>	<p>1. Taiwan government has provided access to basic necessities, such as health care, education, transportation, running water, housing, and electricity for women both in cities and in rural areas.</p> <p>2. Taiwan government provides foreign spouses with health care programs. In its report, Taiwan government can include the number of foreign spouses living in the rural areas to deliver a more comprehensive account.</p>



		<p>rural areas offer teaching of the same quality as schools in urban areas do.</p>	<ol style="list-style-type: none"> <li>3. Taiwan government can include in its next report the number of population living in rural area and such figure should be disaggregated by sex and age.</li> <li>4. It's very considerate for Taiwan government to try to shorten the digital divide.</li> <li>5. Rural people can notice climate change by observing the change in their vegetation. Once they notice such change, they can retard the carbon footprint they produce. Taiwan government should try to collect information regarding the climate change in rural areas in order to conceptualize a plan to stop the global warming.</li> <li>6. It's great that Taiwan government is providing housekeeping training to rural women because housekeeping skills can be an alternative way to make money. Trainings that focus on developing one's gardening, baking, or cooking skill is pivotal for rural areas to develop their tourism.</li> <li>7. Elderly farmers can get 3,000 NT dollars</li> </ol>
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			<p>from social safety net from governmental subsidy. Nevertheless, Taiwan can include in its report the number of farmers, both men and women, who own their own land since land ownership can greatly strengthen one's ability to acquire a loan.</p> <p>8. Taiwan government provides training to the farmers to help them to develop a second skill which would help them to find job in fields other than agricultural sector. Yet Taiwan, which grows excellent fruits, can also focus more on promoting its agricultural products and try to export these produces to other countries.</p> <p>9. Taiwan can work on increasing the numbers of women participating in agricultural cooperatives from 20% to 30%, 35%, or even 50%.</p>
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<p>Article 15 &amp; 16</p>		<ol style="list-style-type: none"> <li>1. Republic of Korea has the same law as Taiwan does where the minimum age for marriage is 16 for girls and 18 for boys. Nonetheless, if a girl does get married when she is 16 or even younger, her status in the society and her education level will be seriously implicated. Therefore, there is a need for Taiwan government to raise the minimum age for marriage for girls to at least 18 years of age as soon as possible.</li> <li>2. Taiwan law currently stipulates that in the event of divorce, the matrimonial property will be divided equally between husband and wife. If in practice, such law is observed, then it is indeed a practice that is outstanding.</li> <li>3. Even though Taiwan government has devoted a great amount of efforts in areas concerning the wellbeing of foreign wives, violence and discrimination still exist and thus Taiwan government must accelerate its effort to ensure the</li> </ol>	<ol style="list-style-type: none"> <li>1. Civil Code 982, as of May 23<sup>rd</sup> 2008, dictates that a marriage is effective in writing with signatures of two witnesses and registration at the Household Administration Authority. Taiwan government should particularize who will be responsible for keeping all registrations in files and who will marry the couples in its report.</li> <li>2. The report should specify whether Taiwan only recognizes monogamy and whether the marriage is invalid without registration at the Household Administration Authority. In addition, the report can also clarify if cohabitating couples, by registering at the Household Administration Authority, will be deemed married.</li> <li>3. In case of divorce, there are two ways to resolve a marriage in Taiwan—by mutual consent and court ruling. The report should explicate if there is a third option for the couples to seek divorce.</li> <li>4. Taiwan government stipulates that the</li> </ol>
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		<p>eudaimonia of foreign wives.</p>	<p>minimum age for marriage is 16 for girls and 18 for boys. Such stipulation should be changed to 18 for both sexes to realize true gender equality.</p> <p>5. Couples can divorce through mutual consent. However, it is unclear whether couples can divorce based only on their mutual consent. Taiwan government should include in its report whether couples need to register with the government when divorcing.</p> <p>6. Taiwan government should also provide numbers reporting cases of divorce by mutual consent and the annual rate of divorce to reflect the change in divorce rate over the years.</p> <p>7. Since May 2008, Ministry of Justice has actively promoted the legal literacy on traditional marriage emphasizing facts such as that traditional marriage is not valid without registration. Nevertheless, Taiwan government can elucidate how this information dissemination is carried out in its report. Taiwan government can</p>
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			<p>also specify whether the disseminating effort has reached rural areas, so people living in the country side know just as much about the law regarding traditional marriage as their counterparts in cities do.</p> <p>8. There are three types of property regimes—statutory marital, common, and separate property regime. Taiwan government should define what residual property means in greater detail and specify when the statutory of property extinguishes.</p> <p>9. When parents do not agree on a legitimate child’s surname, this dispute is resolved by drawing a lot. Such way to settle the dispute seems a bit too simple.</p> <p>10. Taiwan government can include in its report the number of women working in the judicial hierarchy, such as the Supreme Court and courts at all levels.</p> <p>11. Taiwan government can also elaborate on the relationship between CEDAW convention and Taiwan’s court legal</p>
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			system.
Conclusion		<ol style="list-style-type: none"> <li>1. From today's conclusion, it is clear that Taiwan has decided to bring about more concrete changes in accordance to CEDAW convention.</li> <li>2. Even though CEDAW is newly ratified here in Taiwan, CEDAW should be widely disseminated to ensure that policy makers—governmental officials, personnel in judiciary system and parliament—law enforcement officials, health officials, teachers, women and men understand CEDAW.</li> <li>3. Taiwan should establish a sustainable</li> </ol>	<ol style="list-style-type: none"> <li>1. The sincerity observed in today's symposium, along with the promises the ministry has made, forebode positive changes in the future.</li> <li>2. NGO should join forces with the government and lead agency, such as Ministry of Foreign Affairs and Ministry of Interior, in disseminating information concerning today's meeting. The effort of disseminating information should also be extended to rural areas and in such cases the information should be rewritten using the local dialects of these areas.</li> </ol>

		<p>mechanism to ensure the continuous implementation of CEDAW at all levels, including national, regional and local levels.</p> <ol style="list-style-type: none"><li>4. A full implementation of CEDAW includes eliminating discriminations in political, social, cultural, and economic fields, as well as report in writing, wide dissemination, and education and training on CEDAW and gender equality. Therefore, the result of Taiwan's initial report and future NGO alternative reports should be publicized on government website so the civilians can have access to these reports.</li><li>5. Women's groups' active participation in the implementation of CEDAW is crucial, thus Taiwan government should seek a real partnership with the civil society when implementing CEDAW.</li><li>6. Even though Taiwan is not a member of the United Nations or a CEDAW state party, Taiwan's voluntary commitment to observe CEDAW should be widely</li></ol>	
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		<p>publicized internationally, both by NGO and Taiwan government.</p> <p>7. It would be wonderful if we can come back again, or other members of the CEDAW committee can come to Taiwan, to attend the second examination on the implementation of the CEDAW convention, which ideally should take place after four years. More male participation in the next symposium is mostly encouraged since men should also learn how to respect women's rights and gender equality.</p>	
Discussion		<p><i>Question:</i> Should government ratify a general law in response to CEDAW?</p> <p><i>Answer:</i></p> <p>1. Even though all countries address discrimination against sex, gender, religion, and ethnicity in their Constitutions, not all 185 CEDAW states party have laws combating discrimination. Nevertheless, many countries have laws,</p>	<p><i>Question:</i> Should government ratify a general law in response to CEDAW?</p> <p><i>Answer:</i></p> <p>1. Adding to Ms. Shin's suggestion, another alternative is to state in the Constitution that if a nation has concluded any convention or international treaty, such convention or treaty would automatically be enacted as a law. Furthermore, these</p>



		<p>be it one overall law or separate laws, eradicating discrimination.</p> <p>2. Currently, the trend is to consolidate the laws regarding discrimination against race, sex and disability into a unified one. The establishment of National Human Rights Institution is another phenomenon that has gained popularity internationally.</p> <p>3. The Republic of Korea has ratified the National Human Rights Commission Act and such act gives definition to discrimination against gender and other grounds. Nevertheless, such definition is not complete and in the last legislation the parliament attempted to introduce an overall anti-discrimination act. Such attempt failed due to opposition against certain content in that act which addresses discrimination against one's sexual orientation and other few matters.</p> <p>4. The complete definition explaining both direct and indirect discriminations and the definition of discrimination as embodied in CEDAW should be incorporated in</p>	<p>conventions and international treaties will always supersede and override all existing laws.</p>
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		separate legislations. In addition, a provision covering temporary special measures should be included in general laws.	
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