

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

Fourth Report Submitted under
Article 18 of the Convention

Republic of China (Taiwan)

Convention-specific Document

March 2022

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Article 1

In 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 codified the terms of CEDAW into domestic law by formulating and promulgating the Enforcement Act of Convention on the Elimination of All Forms of Discrimination against Women (CEDAW Enforcement Act), which serves as a basis for government authorities to eliminate gender-based discrimination and achieve gender equality.

Meaning and Application of the terms *Sex* and *Gender*

- 1.1 In 2020, members of the Gender Equality Committee under the Executive Yuan as well as experts and scholars attended a meeting to discuss the context of 性別 in the Chinese language, which includes both *sex* in a biological context and *gender* in a social context. Currently the Chinese term is used in administrative and judicial practice without any issues. For example, the scope of the Gender Equity Education Act and Act of Gender Equality in Employment and related interpretations already cover both sex and gender. There are also cases involving sexual orientation and gender identity in judicial practice (e.g., Taipei District Court Judgment No. 282 of 2018 and Taipei District Court Judgment No. 164 of 2012). Therefore, there is no need to amend the terms of the relevant regulations in Chinese, but there is a need to address inconsistencies in the English translation of the regulations.
- 1.2 The Department of Gender Equality, Executive Yuan, has formulated principles for the English translation of relevant regulations in accordance with the intent of CEDAW and General Recommendation No. 28. A comparison table of common Chinese and English terms for sex and gender in regulations has been made available online, and official letters were issued to all ministries and agencies in 2020 to review relevant regulations. Members of the gender equality task forces of various ministries and agencies, experts, and scholars with different opinions were invited to confirm the principles for English translations in 2021. In the future, the English translation of laws and regulations related to

sex and gender will be based on these principles of English translation and the comparison table¹.

¹ 1.1 and 1.2 are in response to Point 10.11 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

Article 2

The Constitution of the Republic of China (Taiwan) clearly stipulates the principle of gender equality and the obligation of the State to eliminate discrimination based on gender. Through the enactment of the Sexual Harassment Prevention Act, Domestic Violence Prevention Act, and Sexual Assault Crime Prevention Act², it seeks to strengthen antidiscrimination measures and related penalties, to ensure that the measures for the prevention of sexual harassment, sexual bullying, domestic violence, sexual assault, sexual exploitation, and emerging digital/cyber gender-based violence can be properly implemented.

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

Regulatory Review

- 2.1 Tracking was performed on 228 laws and regulations that do not comply with CEDAW and General Recommendations³. From 2017 to 2021, 9 amendments to Article 973 and Article 980 of the Civil Code and regulations on living allowances for middle- and low-income senior citizens were completed. A total of 217 amendments were completed as of 2021. There are 11 outstanding amendments, including 8 laws and self-governing ordinances, and 3 instructions and self-governing rules. Among them, the draft amendments to the Statute of Favors for Military Servicemen & Their Dependents and the Act for Ancestor Worship Guild have been sent to the Executive Yuan for review, while draft amendments to the Enforcement Law of the Criminal Code of the Republic of China and to abolish the Organic Statute of Reform Schools have been sent to the Legislative Yuan for deliberation⁴.
- 2.2 From 2016 to 2017, the "Regulatory Revision Program for General

² Please refer to Article 10 and Article 11 of the Gender Equity Education Act and Act of Gender Equality in Employment respectively for the relevant anti-discrimination measures and penalties.

³ From 2012 to 2014, under the "Giant Step in Gender Equality - CEDAW Implementation Program", 228 laws and regulations nationwide were reviewed and were found to be inconsistent with CEDAW and general recommendations.

⁴ 2.1 and 2.2 are in response to Points 20 and 21 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

Recommendations Under CEDAW No. 29 to No. 33" was conducted, and 5 laws and administrative measures were reviewed for non-compliance with the CEDAW. Amendment for 4 of the administrative measures was completed by 2021, while the 1 remaining law, the draft amendment of the Civil Code, has been sent to the Legislative Yuan for deliberation. The "Regulatory Revision Program for General Recommendations Under CEDAW No. 34 to No. 37" was issued in 2020.

Education and Training

- 2.3 From 2015 to 2019, a plan for CEDAW education, training, and performance assessments designated direct and indirect discrimination and temporary special measures as the primary focus of training, with the goal being that 50% or more of central and local government civil servants complete at least three hours of training. As of the end of 2019, 19 ministries and agencies and 16 local governments had reached their targets, and 33 ministries and agencies had already set up CEDAW teaching materials. A CEDAW education training and advocacy program was created in 2020 with a continued focus on direct, indirect, and cross-directional discrimination and temporary special measures as the primary focus of training. From 2020 to 2023, education and training are planned for central and local government civil servants, while the use of social media platforms and other channels will be enhanced to educate the general public, the media, and members of professional organizations (such as teachers' and parents' organizations, medical and social welfare organizations, the judiciary, and lawyers). In addition, an accessible web version, a sign language version, and an open format version of this National Report have been produced and made available online⁵.
- 2.4 Please refer to 15.13 to 15.18 for information on the education and training situation on CEDAW and gender equality for judicial and police officers.
- 2.5 From 2017 to 2020, the Control Yuan held 9 CEDAW educational and promotional sessions, with a total of 556 participants. The coverage rate for

⁵ 2.3 to 2.7 are in response to Points 14 and 15 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

training was 11%, 26%, 41%, and 67%, respectively, for each year, and topics included CEDAW investigation case studies, women's right to work, gender discrimination and substantive equality, elimination of gender stereotypes, the three laws covering gender equality, and legal protections for women and children.

- 2.6 From 2017 to 2020, the Examination Yuan conducted basic training, rank promotion training, and mid- and long-term development training for senior civil servants. (This was suspended in 2020 due to the pandemic.) All of these included courses related to gender mainstreaming and human rights issues (including international conventions such as CEDAW), with a 100% training coverage rate. The evaluations of the effectiveness of these trainings, whether on a 5- or an 11-point scale, were generally positive for the effectiveness of the training on gender equality and human rights protection.
- 2.7 The Legislative Yuan has included the issue of gender equality in its regular annual gender education and training programs, and has expanded training targets to include legislative assistants. In addition, it has conducted a number of gender equality promotions to expand the level of implementation and increase the coverage of training. From 2017 to 2020, 18 CEDAW education and promotion sessions were held to implement CEDAW awareness and the capacity to protect women's rights and promote gender equality.

Channels for Filing Complaints and Remediation Measures

- 2.8 Please refer to Articles 2.3.4 and 2.4 to 2.4.2 of the Convention-specific Document of Taiwan's Second National Report on CEDAW for complaints and remediation measures under the Act of Gender Equality in Employment, Gender Equity Education Act, and Sexual Harassment Prevention Act.
- 2.9 The Executive Yuan's Gender Equality Complaint Mailbox is used to handle gender discrimination complaints of all types. From 2017 to 2020, a total of 365 complaints were received, of which more than 50% were submitted by women. This is 20 percentage points lower than for the previous report, showing a trend of decreasing female complainants and increasing male complainants. The complaint categories included work, education, personal security, and sexual

orientation, gender identity, gender expression, and sex characteristics (SOGIESC). The highest number of complaints was 106 in the “other” category (most of the complaints were about sexual discrimination, gender stereotypes, and objectification of women in online media and social media platforms), followed by 86 in the “work” category. Compared to the previous National Report, the number of online sexual discrimination complaints is gradually increasing.

Promotion and Application of CEDAW

- 2.10 To help the general public cite CEDAW when dealing with administrative agencies, and based on the different needs of the agencies and the public, guidelines and case studies for the public to cite CEDAW to administrative agencies were prepared in versions for use by agencies as well as the general public. In September 2020, an official letter was issued to all agencies to use these guidelines for reference, to upload the guidelines to their complaint websites, and to include the guidelines in education, training, and promotion. The guidelines were also published on the website of the Executive Yuan’s Gender Equality Committee⁶.
- 2.11 The Judicial Yuan commissioned a research project to develop a manual on “CEDAW Capacity Building - Judges Citing CEDAW Reference”. In November 2020 and January 2021, Scholars and experts are invited to give lectures and participate in discussions on issues related to CEDAW gender equality for reference in the development of the manual.
- 2.12 A total of 43 court judgments from 2014 to 2020 cited CEDAW. From 2012 to 2020, there were 8 citations of CEDAW, including 2 indictments, 1 deferred prosecution, 1 supplement, and 4 appeals. The number of CEDAW citations for prosecution documents has been published in a gender mainstreaming/sexual harassment prevention and control section of the Ministry of Justice website.

Prevention of Gender Violence

Prevention of Intimate Partner Violence

⁶2.10 to 2.12 are in response to Point 6.7 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

2.13 During the period from 2017 to 2020, except for 2017 when there were more than 110,000 cases, an average of more than 120,000 cases of domestic violence were reported each year, and women accounted for 70% of the victims of these cases. Intimate partner (married, divorced, cohabitation) violence cases accounted for 50% of the cases, and 83% of the victims were female (Table 2-1). Compared with the previous National Report, the percentage of female victims remained the same, except for an increasing trend in the number of reported cases of domestic violence. In 2020, there were 860 victims of same-sex intimate partner violence, accounting for 1.6%. Of these, 37% of these victims were biological females and 63% were biological males.

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

Unit: Cases

| Year | Gender | Domestic Violence Victims in Married/Divorced/Domestic Partnership Relationships | Child and Youth Protection | Lineal descendants by blood or marriage abuse elder lineal relatives by blood or marriage | | Violence Among Other Family Members | Total |
|--------------|---------|--|----------------------------|---|----------------------------------|-------------------------------------|---------------|
| | | | | Victim aged 65 and above | Victim less than 65 years of age | | |
| 2017 to 2020 | Female | 216,913 (83%) | 35,110 | 18,988 | 23,493 | 57,184 | 351,688 (69%) |
| | Male | 42,746 | 41,570 | 11,436 | 13,186 | 44,035 | 152,973 |
| | Unknown | 1,745 | 454 | 200 | 321 | 629 | 3,349 |
| | Other | 16 | 0 | 2 | 1 | 8 | 27 |

Source: Ministry of Health and Welfare

Notes: 1. The number of intimate partner (married, divorced, cohabitation) violence cases (261,420 cases) accounts for 51% of all cases (508,037 cases) from 2017 to 2020.

2. “Unknown” means that the reporting officer was unable to obtain information about the gender of the opposite party. “Other” refers to different gender identities.

2.14 From 2017 to 2020, the rate of violence in intimate relationships⁷ was 0.4% for nonindigenous women who are citizens of Taiwan, and slightly higher for foreign women and women who are People’s Republic of China (PRC) nationals, but with a decreasing trend of 1.2% to 0.8% and 0.8% to 0.5%, respectively, compared to the previous National Report. The prevalence of violence against indigenous women ranged from 1.3% to 1.4%, slightly higher than nonindigenous women and higher than in the previous National Report. The rate

⁷The violence rate is the number of reported victims in the defined target population / total number of persons in the defined target population.

of violence against females with disabilities is the same as that of females without disabilities, at 0.4%. In terms of victim impairment, in 2020, 34% of victims were mental disabilities, followed by physical impairment (25%) and intellectual impairment (12%), among which 87%, 61%, and 93% were female.

- 2.15 From 2017 to 2020, 113 protection hotline offer toll-free SMS(text-messaging) services for 3,414 cases of victims with speech and language impairment, with 55% female, 25% male, and 20% gender unknown; by age, 65% were aged 18 to 65, 14% were 18 or under, and 21% were of unknown age. By region, New Taipei City accounted for 10%, followed by Taipei City at 7%, and Taoyuan City at 6%.
- 2.16 In 2020, there were 5,412 cases of victims over the age of 16 of non-cohabiting intimate partner violence were referred, an increase from 1,761 in 2016. Among the reported cases, the majority of victims were female, accounting for 84%, and the majority were heterosexual couples, accounting for 97%.
- 2.17 From 2017 to 2020, the police uncovered 5,393, 5,450, 5,512, and 5,957 victims of domestic violence leading to criminal cases for each respective year, with females accounting for 73% in average.
- 2.18 From 2017 to 2020, the number of prosecutions for domestic violence crimes concluded by each local prosecutor's office ranged from 2,163 to 2,790 per year, with 81-82% of the cases involving men and 18% of the cases involving women. The number of prosecutions for violations of protection orders in investigations concluded by each local prosecutor's office ranged from 2,057 to 2,201 per year, with 91-95% of the cases involving men and 5-9% of the cases involving women.
- 2.19 From 2017 to 2020, there were 4,083, 3,881, 3,913, and 4,168 defendants convicted of violating the Domestic Violence Prevention Act in district courts, and the distribution of their sentences is shown in Table 2-2.

[Table 2-2] District Court Cases of Violation of the Domestic Violence Prevention Act - By Results of Judgments and Rulings and Gender

Unit: Cases; Persons

| Year | No. of Cases Closed | Gender of Defendants | No. of Defendants | | | | | | | | | | |
|------|---------------------|----------------------|-------------------|-----------------------|---------------|-------------------|------------------|-----------------|--------------------|-----------|-------|------------|-------|
| | | | Total | Individuals Sentenced | | | | | | | | Not Guilty | Other |
| | | | | Total | Death Penalty | Life Imprisonment | Imprisonment | | | Detention | Fines | | |
| | | | | | | | One year or less | One to 10 years | More than 10 years | | | | |
| 2017 | 4,661 | Total | 5,040 | 4,083 | 1 | 7 | 987 | 290 | 15 | 2,656 | 127 | 137 | 820 |
| | | Male | 4,414 | 3,673 | 1 | 7 | 932 | 269 | 11 | 2,371 | 82 | 116 | 625 |
| | | Female | 626 | 410 | 0 | 0 | 55 | 21 | 4 | 285 | 45 | 21 | 195 |
| 2018 | 4,475 | Total | 4,879 | 3,881 | 2 | 15 | 924 | 297 | 12 | 2,501 | 130 | 143 | 855 |
| | | Male | 4,216 | 3,442 | 2 | 13 | 864 | 270 | 11 | 2,187 | 95 | 111 | 663 |
| | | Female | 663 | 439 | 0 | 2 | 60 | 27 | 1 | 314 | 35 | 32 | 192 |
| 2019 | 4,476 | Total | 4,868 | 3,913 | 1 | 11 | 911 | 273 | 16 | 2,569 | 132 | 137 | 818 |
| | | Male | 4,170 | 3,439 | 1 | 10 | 840 | 249 | 13 | 2,234 | 92 | 104 | 627 |
| | | Female | 698 | 474 | 0 | 1 | 71 | 24 | 3 | 335 | 40 | 33 | 191 |
| 2020 | 4,784 | Total | 5,152 | 4,168 | 2 | 8 | 909 | 285 | 20 | 2,770 | 174 | 133 | 851 |
| | | Male | 4,389 | 3,624 | 1 | 5 | 820 | 262 | 14 | 2,393 | 129 | 94 | 671 |
| | | Female | 763 | 544 | 1 | 3 | 89 | 23 | 6 | 377 | 45 | 39 | 180 |

Source: Judicial Yuan

Notes: 1. The information in this table concerns the conclusion of the first instance of a criminal case (including a retrial) in a district court, where the defendant is guilty of domestic violence or is in violation of a protection order.

2. When the results of judgments and rulings are fines, it refers to a sentence of a fine, and does not include other cases where a fine is imposed due to other results of judgments and rulings.

2.20 According to a study of public attitudes and views on violence against women conducted among people aged 18 and older, more than 97% of the general public would not allow violence against women, do not agree with men taking disciplinary action, and do not agree with making excuses for violence. However, when it comes to the perception of sexual assault against women, the misconception of victim-blaming still exists, and it is easy to rationalize the causes of males engaging in sexual assault. The Ministry of Health and Welfare is actively promoting a gender violence community primary prevention promotion program to help dispel myths and misconceptions about gender violence and sexual assault and to raise awareness and recognition of protection services among the general public. The cumulative participation rate in

communities was 26% from 2017 to 2020, and a victim-friendly living environment has been built. In addition, the nature and patterns of domestic violence have been included in a compulsory course for new social workers in protection service to enhance gender sensitivity to sexual violence incidents⁸.

- 2.21 A safety and protection network against domestic violence continues to be promoted. This requires frontline reporting personnel to conduct risk assessments and identify high-risk cases. From 2017 to 2020, the rate of implementing risk assessments for reported cases of intimate partner violence reached 90% or higher. The local governments hold monthly multi-agency risk assessment conference where professionals, such as police, social administration, health, education, justice, share information on high risk cases of domestic violence and abuse and put in place a risk management plan, which are held more than 500 times per year.
- 2.22 In 2019, a social safety online help platform was officially launched, integrating 7 types of protective incident notification forms into 3 types of notification forms, including the adult protection incident notification form, child protection incident notification form, and sexual assault incident notification form. Notifications are received and handled by a centralized dispatch window, with immediate dispatch for emergency incidents, while general incidents are categorized according to the risk level and demands of the case, thus enhancing the efficiency of notification.
- 2.23 From 2016 to 2017, a program to shelter and place victims of domestic violence was conducted, which supervised shelter services and developed guidelines for shelter works for the reference of shelter staff. In addition, in order to provide comprehensive services for victims with self-dependence requirements, 13 medium- and long-term shelters were set up in 11 counties and cities in 2020, providing shelter services for 109 families and 184 people (including 109 victims and 75 children), with an average stay of 6.9 months per family.. In practice, it was found that some shelters do not have comprehensive accessible facilities, have high turnover among their professional manpower, and have difficulty in

⁸ 2.20 and 2.22 are in response to Point 28.29 (c) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

recruitment. There will be continued efforts to strengthen the hardware facilities of the existing shelters, stabilize the professional manpower to enhance the quality of services, and develop diversified shelter resources and service solutions⁹.

2.24 Considering that intimate partner violence accounts for about 50% of domestic violence cases and that intimate partner violence is rooted in gender inequality, the draft amendment to some provisions of the Domestic Violence Prevention Act, which was submitted to the Executive Yuan for review in April 2020, adds the text “based on gender equality” in Paragraph 2 of Article 4. In addition, Paragraph 7 was added to Article 59 of the draft amendment, stipulating that the concept of gender equality shall be included in in-service education and training on domestic violence prevention and control. Furthermore, in order to respect the autonomy of adult victims, Article 50 of the draft amendment stipulates that except for those who are in immediate danger of domestic violence and those who are otherwise provided for by law, local authorities may provide services according to the wishes of adult victims in other cases¹⁰.

2.25 In 2020, the average amount of time required to process protection orders was 18.97 days (25.27 days in 2016) per case for temporary protection orders and 55.69 days (48.87 days in 2016) per case for ordinary protection orders. From 2017 to 2020, the average number of court rulings on the mandatory completion of an intervention program by offenders was 2,812 cases and 3,442 times per year.

Prevention of Sexual Assault

2.26 From 2017 to 2020, the numbers of reported sexual assault cases were 11,060, 11,458, 9,183, and 10,334 respectively, with 6,645, 6,918, 6,719, and 7,406 female victims, respectively, accounting for 79% to 82% of the total number of victims. The average sexual assault rate for females was 0.05%, and the average sexual assault rate for females aged 18 or under was 0.21%, which was not

⁹ 2.23 and 2.24 are in response to Point 28.29 (d) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

¹⁰ 2.24 is in response to Point 28.29 (a) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

significantly different from the previous National Report. About 72% of sexual assaults were committed by a person whom the victim knew, and 26% of the relationships were of friends. About 60% of the victims of sexual assault were minors aged 18 or under, and the younger the victim, the higher the proportion that the perpetrator was a person whom the victim knew. The Ministry of Health and Welfare has organized forums, cooperated with schools, and used multiple channels, such as television and radio, to strengthen the prevention and treatment of sexual assault among minors. The purpose is to teach children about protecting themselves, and to improve the public's sensitivity and concern about sexual assault cases. To address the issue of sexual assault within families, personnel from the police, healthcare, educational, and judicial networks have been brought together to provide diversified protection measures. Professionals and expert witnesses are also brought in to assist with inquiries during the judicial investigation stage to ensure that relevant judicial rights are enforced.

2.27 From 2017 to 2020, an average of 0.017% of PRC nationals (including persons from Hong Kong and Macau) were reported to be victims of sexual assault, while an average of 0.016% of foreign nationals fell victim to sexual assault. Both of these figures are lower than the rate of 0.03% for nonindigenous persons who are citizens of Taiwan, and there is no significant difference from the previous National Report. The number of migrant workers who were sexually assaulted from 2017 to 2020 was 56, 58, 65, and 62, respectively, with domestic caregivers being the most prevalent sector, with 31, 39, 32, and 34 victims, respectively. The 113 Protection Hotline and the 1955 Foreign Worker Consultation Hotline provide immediate consultation services for foreign workers, while the *Information for Foreign Workers Working in Taiwan* handbook also provides information on self-protection and help channels for foreign workers. The Ministry of Health and Welfare also issues official letters on a quarterly basis to the Ministry of Labor regarding the number of foreign worker sexual assault cases, and cooperates with the Ministry of Labor to promulgate principles to reinforce the foreign worker sexual assault notification mechanism and related division of labor issues. After opening cases concerning sexual assault on foreign

workers, a local government will assign social workers to provide protection and support measures such as injury examination and medical treatment, accompanying the victim during reporting and investigation, psychological counseling and therapy, and emergency placement.

2.28 From 2017 to 2020, the total number of reported cases of indigenous persons who fell victim to sexual assault was 2,748. An average of about 0.12% of indigenous persons fall victim to sexual assault; the rate of sexual assault committed against indigenous persons is about 3.7 times higher than the population of nonindigenous persons who are citizens of Taiwan, and there is no significant difference compared to the previous National Report. Due to the unfavorable living environment and resource information gap, the average rate of sexual assault in indigenous tribal communities is higher than that of nonindigenous people. To help indigenous communities create greater resources for sexual assault prevention and victim protection support, the Ministry of Health and Welfare has included the promotion of direct services for victims of sexual assault and child and youth sexual exploitation in indigenous community subsidies. From 2017 to 2020, the indigenous sexual assault prevention services provided victim protection and related services for more than 120,000 people. To strengthen the knowledge and skills of the public and private sectors in providing services for indigenous sexual assault cases, cultural sensitivity training is included in the training course for protection service social workers, with 2 training sessions and 48 trainees in 2020.

2.29 From 2017 to 2020, victims with disabilities accounted for 10.4% of the reported sexual assault cases, with women accounting for 78.3%. The average sexual assault victimization rate for women with disabilities was 0.13%, and the average sexual assault victimization rate for women with disabilities aged 18 or under was 1.2%, which is 2.6 times and 5.7 times higher than the average female victimization rate, respectively, showing a decreasing trend compared to the previous National Report (0.18% and 1.76%). A manual concerning sexual assault prevention for welfare institutions serving people with disabilities and a sexual safety screening form have been developed. In addition, a training

program on risk management for sexual assault prevention at welfare institutions serving people with disabilities was commissioned in 2019 to help 10 high-risk institutions use the aforementioned screening form and establish related prevention mechanisms..

- 2.30 In 2020, a total of 1,725 persons were prosecuted for sexual assault, of whom 1,711 were men. The number of confirmed convictions was 1,489, with 1,478 being males, a slight downward trend from 2017, when 1,848 prosecutions were made and 1,501 convictions were confirmed. From 2017 to 2020, the number of prosecutions for the crime of sexual intercourse or indecent assault by a person who takes advantage of his authority over another under Article 228 of the Criminal Code totaled 116, and the number of convictions was 72, of which 39 received sentences of imprisonment of 6 months or less.
- 2.31 The draft amendment to the Sexual Assault Crime Prevention Act was sent to the Executive Yuan for review in January 2018. Key points of the amendment are as follows: Amendments were added to the definition of victims and the duty to file a report of foreign labor intermediaries, and a mechanism for protection orders was established. The criminal penalty was increased for nonperformance of physical and psychological treatment and counseling education by offenders, and an additional stipulation was added that the offender must provide access to specific personnel for 10 years from the registration reporting period. Regulations and penalties were amended for media reporting or recording the victim's identity information.
- 2.32 From 2017 to 2020, the Judicial Yuan offered sexual assault prevention courses, such as "Gender Equality Series - Reversing Gender Stereotypes by Focusing on Sexual Assault Cases" and "Gender Equality Series - Gender Awareness to Sexual Exploitation from the Nth Room Case". In 2018 and 2019, courses such as "Exploring Sexual Intercourse with a Person in a Position of Authority from a Gender Equality Perspective" addressed the types of sexual crimes perpetrated by authority figures. In addition, to enhance judicial officers' understanding of sexual violence and sexual harassment, and to strengthen the protection and support for victims of these cases, the Judges Academy has held related courses.

The topics explored include "Media and Digital Gender Violence", "Reflections of Sexual Assault Trauma and Its Impact on the Behavior of Victims", and "Cross-Examination in Sexual Assault Cases", as well as workshop simulations to enhance judges' knowledge of sexual assault cases (please refer to 15.13 for the number of judges and the coverage rate of the related courses conducted by the Judges Academy)¹¹.

- 2.33 To enhance police officers' knowledge on issues and patterns of sexual violence, the Central Police University and Taiwan Police College continue to offer courses such as Gender Equality and the Handling of Sexual Assault and Domestic Violence and Law Enforcement Practice in Sexual Assault and Sexual Transaction Cases. In addition, a specialized classroom for women and children safety training has been set up to provide interactive teaching and case studies.
- 2.34 The Ministry of the Interior has developed women and children safety information teaching materials based on the information for prevention of sexual assault and sexual harassment acts (including analysis of clandestine photography locations and methods, dissemination of private sexual images, and response to exhibitionism). The teaching materials have been issued to all police agencies for reference and use, and advocacy specialists will visit school campuses to strengthen promotion. To improve the investigative skills of women and children's safety professionals, the Ministry of the Interior continues to implement a training program for related professionals first held in 2016 as it implements a professional certification system for women and children's safety professionals at different levels of police and government agencies (including basic and advanced).
- 2.35 From 2018 to 2020, the Ministry of Justice held a seminar on women and children's protection and gender equality every year, with prosecutors and prosecutorial investigators handling women and children's cases as the main targets of the training. In addition, the Ministry arranged such courses as Article 228 of the Criminal Code on the Use of Authority for Sexual Intercourse and

¹¹ 2.32 to 2.36 are in response to Point 28.29 (c) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

Indecent Assault in Practice and the "Relationship of Authority between the Infringer and the Victim and the Protection of the Victim" to enhance sensitivity to detecting sexual violence due to the abuse of power by a person in a position of authority.

- 2.36 To improve skills and professional knowledge with regard to specialized questioning and consultation methods for judicial officers, professional courses on the questioning and consultation of children or disabled victims of sexual assault have been held since 2017, and a nationwide seminar on child protection for prosecution agencies was held in 2020. Through the experience sharing of early diagnosis and injury diagnosis by the specialized medical team, prosecutors are given assistance to direct the police and incorporate the social services and medical teams for efficient and complete evidence collection and investigation. The *Guidebook for Handling Cases Involving Women and Children* was published by the Ministry of Justice in February 2017. In addition to printing paper copies of the manual, an online version has also been made available on the Ministry of Justice's one-stop website for prosecutors to search and use whenever necessary.
- 2.37 According to the Sexual Assault Crime Prevention Act, suspected sexual assault cases are to be reported to the domestic violence and sexual assault prevention center at the victim's location. Social workers will conduct interviews and investigations and respect the wishes of adult victims/survivors concerning services and counseling, sheltering, and other protective and support measures. More than 810,000 people received services from 2017 to 2019. From 2017 to 2020, the government subsidized private organizations to operate sexual assault trauma recovery centers; 396 cases were opened, of which 246 cases were closed¹².
- 2.38 A survey of intimate partner violence against women is conducted every 4 years. In addition, the Ministry of Health and Welfare disclosure relevant statistics and analysis data of domestic violence and sexual assault cases, including gender,

¹² 2.37 is in response to Point 28.29 (d) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

age, disabilities, ethnicity, relationship of victims and offenders, type of protective services, and amount of protective services, every half year¹³.

- 2.39 According to Article 5 of the Crime Victim Protection Act, compensation for crime victims can be separated into 3 categories: compensation to family members of deceased victims, compensation to seriously injured victims, and compensation to victims of sexual assaults. In 2020, 25 male and 284 female victims (91.9%) were granted compensation as victims of sexual assault upon application and approval, for a total of 309 cases and NT\$64,610,000 in compensation paid. Compared with 2017, the number of cases and the amount of compensation have been increasing year by year, with more females than males being recipients.

Prevention of Sexual Harassment

- 2.40 For information concerning the prevention of sexual harassment on school campuses and in the workplace, please refer to 10.41 to 10.48 and 11.12.
- 2.41 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 the law filed with relevant government agencies and units for each year during the period from 2017 to 2020 are as follows: 662 reports (of which 500 cases were corroborated); 765 reports (of which 546 cases were corroborated); 831 reports (of which 647 cases were corroborated); and 830 reports (of which 650 cases were corroborated). Among reported cases, 95.6% of victims were female; “stranger” accounted for the majority of incidents in terms of the victim-offender relationship (approximately 60%-70%). The majority of incidents took place in a public space (accounting for approximately 40%-50% of incidents). The majority of cases in each year were handled through investigations conducted by police authorities, accounting for 80% of all cases, which is similar to the data in the previous National Report.

Prevention of Digital/Cyber Gender-based Violence

- 2.42 harassment, sexually derogatory or hateful speech or behavior, sexual blackmail,

¹³ 2.38 and 2.39 are in response to Point 28.29 (e) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

doxxing, rape and death threats based on gender bias, recruitment and luring, unlawful invasion or theft of another person's information, and forgery or fraudulent use of identity. In addition, the Ministry of Justice has completed an inventory of laws and regulations associated with the above 10 items; related laws and regulations currently in force include: Criminal Code, Social Order Maintenance Act, Act of Gender Equality in Employment, and Human Trafficking Prevention Act. In addition, laws and regulations on the prevention of the nonconsensual distribution of personal information related to sex/gender are being amended, and related crimes are being added to the Criminal Code. The Ministry of Justice is also cooperating with the amendment of the Sexual Assault Crime Prevention Act to strengthen or add guidelines for the removal of personal sexual information and victim protection orders. Although the Sexual Assault Crime Prevention Act has not been amended yet, according to Articles 248-1 and 248-3 of the Code of Criminal Procedure, social workers may accompany the victim with the victim's consent. Prosecutors, prosecutorial investigators, and judicial police officers should also pay attention to the protection of victims' privacy. The Ministry of Justice issued official letters to all prosecution agencies in August 2021 to provide procedural protection for such victims according to the circumstances of each case. The Ministry of Justice is also considering amending Article 11-1 of the Communication Security and Surveillance Act to reflect the current state of judicial practice¹⁴.

- 2.43 The Executive Yuan has included the prevention of digital/cyber gender-based violence as one of the important gender equality issues to be addressed at the central government level from 2022 to 2025. Three objectives have been set: Objective 1: The relevant authorities will conduct a survey of and revise legal measures, and compile statistics on the removal or withdrawal rates of private images handled by the relevant authorities in order to understand the effectiveness of the process; Objective 2: The Ministry of Education and relevant ministries will collaborate to conduct education and promotion, develop teaching

¹⁴ 2.42 to 2.51 are in response to Point 28.29 (b) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

materials, and offer prevention and treatment promotion courses; and Objective 3: The Ministry of Health and Welfare and relevant ministries will conduct an investigation on the prevalence of gender-based violence, compile relevant statistical data, and analyze data for follow-up development of laws and measures, with the aim of integrating interministerial capabilities and making a concerted effort to eliminate digital/cyber gender-based violence.

- 2.44 To complete the legal system for the prevention of gender violence, the Stalking and Harassment Prevention Act was promulgated on December 1, 2021, specifying the prevention mechanism for police agencies and protection mechanism via the court order system. In addition, from 2017 to 2020, training was provided by all local government police departments for cybercrime investigators. A total of 392 detectives were trained, with 49 females (12.5%), and 129 cases of "cyberbullying" were investigated by various police agencies nationwide.
- 2.45 To prevent digital/cyber gender-based violence, the Executive Yuan proposed a draft amendment to some articles of the Criminal Code through interministerial cooperation in March 2022. A special chapter on crimes against sexual privacy and false sexual images was added to severely punish illegal acts such as the distribution of sexual images and severe falsification of sexual images. The Child and Youth Sexual Exploitation Prevention Act was also amended to increase criminal liability and protect children. In addition, the Sexual Assault Crime Prevention Act provides guidelines to regulate the treatment of and counseling measures for offenders. As concerns victim protection, the Sexual Assault Crime Prevention Act and Crime Victim Protection Act have been amended to provide for the immediate removal of unlawful sexual images by platform operators, implementation of protection orders for victims, and the imposition on the media of the responsibility to protect personal information and the privacy of victims, in order to improve the gender violence protection network.
- 2.46 The draft of the Digital Communications Services Act (the Act) refers to the draft of the European Union's Digital Services Act (DSA). The Act establishes links among the actions of competent authorities in handling illegal content on the

internet, with a core concept of promoting co-regulation. The Act also imposes necessary obligations on certain types of internet intermediaries, so as to strengthen platform accountability and information transparency, protect digital fundamental rights, and create a more secure and trustworthy digital environment.

2.47 With regards to the promotion of the prevention of digital/cyber gender-based violence, the Ministry of Education has planned a wide range of educational and promotion courses, organized special prevention and treatment programs, and developed related teaching courses and materials, such as "A Pluralistic and Inclusive Online World". The Ministry of Education also established the "Digital Literacy Education Promotion Association" for the overall planning and implementation, in order to plant the concept of prevention and treatment among the public. The "Digital Citizenship Challenge" interactive quiz game was developed, which includes issues related to cyberbullying, and teachers are encouraged to integrate this game into their curriculum. In addition, 27 cyberbullying-related seminars were held with local governments and schools, with a total of 1,942 attendees. In 2020, the "Prevention of Digital/Cyber Gender-Based Violence" campaign incorporated the spirit of the "#MeToo" movement, to promote "no condemnation of victims" and encourage the filing of legal applications for investigation or prosecution¹⁵.

2.48 Regarding the prevalence of online/cyber gender-based violence, the Ministry of Health and Welfare conducted a study on the definition, types, and descriptions of digital/cyber gender-based violence to promote relevant prevention and service measures.

Eliminating Gender-based Hate Speech

2.49 The aforementioned study includes "sexually derogatory or hateful speech or behavior" as one of the items of digital/cyber gender-based violence. The connotations include "hate speech that is derogatory, insulting, offensive, or threatening based on another person's gender, sexual orientation, or gender identity," "derogatory remarks or mockery of another person's behavior or

¹⁵ 2.47 is in response to Point 28.29 (c) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

experiences based on gender,” and “advocacy of gender-based violence.” In practice, depending on the circumstances of the case, an offender may be penalized for the crime of “public insult” under the Criminal Code’s Article 309, offenses of slander under Article 310, being a threat to security under Article 305, or being a threat to public safety under Article 151. For example, if red spray paint is used to write “a certain nationality is the devil” or “kill a certain nationality” around a campus, and the court finds the offender guilty of being a threat to public safety, a conviction will be rendered. However, hate speech against women might not constitute a crime. For example, the Taipei High Administrative Court ruled in Case No. 1278 of 2019 that video content including “verbal abuse of nursing staff as ‘a bunch of fallopian tubes, Taiwanese women gathering, dick ass, and hand jobs,’” which was posted on a social media platform, was related to sexual harassment, and the administrative appeal and decision of the original agency-in-charge was revoked. All competent authorities continue to promote education and awareness to improve the public’s correct understanding of gender issues.

- 2.50 In 2020, the Ministry of Culture invited experts and scholars to write articles addressing the current situation of sexual discrimination and ideology-based hate speech, to explore prevention and countermeasures, and to bring together relevant laws and regulations. Some 400 copies of publicity materials were printed and an e-book was produced for use in media education training and promotion.

(<http://mocfile.moc.gov.tw/mochistory/images/Yearbook/2020equality/index.html>)

- 2.51 The number of confirmed verbal bullying incidents arising from sexual bullying in school investigated from 2017 to 2020 was 63, which involved "hate speech", including derogatory, insulting, or offensive comments about sexual orientation.

Article 3

The National Human Rights Commission (NHRC) was established in 2020 to promote the advocacy and protection of human rights. International conventions, declarations, and sustainable development goals, as well as concern for the rights of the disadvantaged, were used as reference to amend the Gender Equality Policy Guidelines. In addition, five key gender equality issues were promoted from 2019 to 2022 to ensure gender equality and women's empowerment.

Laws to Protect the Human Rights and Fundamental Freedoms of Women

- 3.1 In 2019, a commissioned study on whether Taiwan should enact a comprehensive antidiscrimination act and related legislative proposals was completed. An evaluation of the development of a comprehensive equality act has been included as one of the action items in the national human rights action plan. A draft of the act is scheduled to be completed in 2024. During the drafting process, opinions will be collected from various sectors, including scholars, experts, and civil society organizations concerned with gender equality issues, and reviews of the law and a gender impact assessment will be carried out¹⁶.
- 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 on Gender Equality in Taiwan) in Taiwan's Third National Report on CEDAW.

Government Mechanisms to Promote and Safeguard the Rights of Women

- 3.3 To comply with the Paris Principles and protect citizens' rights, the Control Yuan established the National Human Rights Commission (NHRC) in August 2020¹⁷. For its statutory duties, please refer to Point 118 of the Core Document of Taiwan's Fourth National Report on CEDAW. For information concerning the operating mechanisms of the Gender Equality Committees of the five Yuans, please refer to Point 122 to 125 of the Core Document of Taiwan's Fourth National Report on CEDAW. The "Judicial Yuan Human Rights and Gender Equality Commission"

¹⁶ 3.1 is in response to Point 8.9 of the Concluding Observations and Recommendations on Taiwan's Third National Report.

¹⁷ 3.3 is in response to Point 12.13 of the Concluding Observations and Recommendations on Taiwan's Third National Report.

was reorganized as the "Judicial Yuan Human Rights and Child Protection and Gender Friendship Committee" in 2017, and established the president of the Judicial Yuan as the Committee's Chair in 2019. In 2019, the Control Yuan set up the Establishment Guidelines for the Control Yuan Task Force on Gender Equality, which is chaired by the Control Yuan President.

- 3.4 With regard to the investigation reports completed between 2017 and 2020 by the Control Yuan, there were 40 cases involving violations of women's human rights. In particular, violations of the rights to health cases (22.5%) accounted for the largest category of violations. As to the government agencies or personnel that violate the law or neglect their duty, the Control Yuan proposed a total of 12 correctional measures and passed 7 impeachment cases, and demanded improvement within the stipulated period of time. Based on the Control Yuan investigation findings, each government agency reviewed and improved on their shortcomings. Thereafter, the Control Yuan followed up on the improvements to ensure full compliance.
- 3.5 All 22 local governments nationwide have established women's rights promotion committees or gender equality committees, with local government heads serving as conveners. 2 more local governments have established special units for gender equality since the time period covered by the previous National Report, making a total of 6.
- 3.6 The operating budget for handling relevant affairs of the Gender Equality Committee is filed under the annual budget of the Executive Yuan (headquarters) under the subitem Gender Equality Efforts. The budgeted amounts for the years from 2017 to 2020 were NT\$15.031 million, NT\$14.298 million, NT\$18.685 million, and NT\$17.852 million respectively, demonstrating an average growth rate of 5.9%, compared to the average growth rate of 1.7% for the total central government budget during the same period. The actual needs of the Gender Equality Committee are considered on a priority basis¹⁸.
- 3.7 In addition to the Gender Equality Committee (35 staff members), Taiwan's

¹⁸ 3.6 to 3.7 are in response to Point 22.23 (a) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

gender equality workforce includes gender equality promotion staff at government ministries and local governments. There are about 81 such employees at ministries and 111 at local governments. The Gender Equality Committee is responsible for the planning, integration, and promotion of gender equality policies. If there is a need for additional manpower due to an increase in the matters handled, the Directorate-General of Personnel Administration of the Executive Yuan will coordinate with the related departments once manpower inventories have been completed.

Promoting Gender Equality Policy Guidelines and Equality and Mainstreaming Policies

- 3.8 International conventions, declarations, and sustainable development goals, as well as concern for the rights of the disadvantaged, were used as reference to amend the Gender Equality Policy Guidelines in 2021. These serve as the primary guidelines for gender equality policy in Taiwan. The new Gender Equality Policy Guidelines express in their preamble the impact of traditional gender roles, conventional work assignments, gender discrimination, and social structures on people in disadvantaged situations. They provide directions on establishing a gender-friendly environment that is inclusive and respectful of differences and protects the rights of people of different genders, with particular attention given to people in disadvantaged situations. The policy objectives and promotion strategies in the areas of labor, welfare, health/medical/care, environment, energy and technology, and participation in policymaking are clearly defined to focus on the needs of the disadvantaged and the implementation of their rights and interests¹⁹.
- 3.9 For the years 2019 to 2022, the Executive Yuan selected five important gender equality issues to address: promoting publicly available childcare under the Three-in-One Policy, enhancing women's economic power, removing gender stereotypes and prejudices, strengthening public support for the aging society, and promoting gender equality in public and private sector decision-making. These are to be included in the gender equality promotion programs of all ministries and agencies.

¹⁹ 3.8 to 3.14 are in response to Point 22.23 (b) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

The three-level meeting mechanism of the Executive Yuan's Gender Equality Committee is used to track and review the implementation of these issues in order to achieve related gender goals.

3.10 From 2014 to 2018, the Executive Yuan promoted a five-year trial implementation of the revised gender budgeting system. The system was formally introduced in 2019 for the government budget for 2020, and serves as a guide for agencies to promote businesses that actively respond to the needs of different genders and provide funding. Since 2020, a description of the gender budgeting situation of the Executive Yuan and its ministries and agencies has been posted on the website of the Executive Yuan's Gender Equality Committee. From 2021, the gender budget implementation of the preceding year is tracked and made public. The gender budget of each ministry and agency is submitted to the Gender Equality Task Force, which is composed of external experts, scholars, and organizations, for discussion and review²⁰.

3.11 From 2017 to 2020, the Gender Equality Committee of the Executive Yuan participated in a total of 823 major medium- and long-term programs and conducted gender impact assessments on 189 legislative bills. In 2020, a gender analysis reference manual on concepts and practices for gender impact assessment was published. Workshops were also conducted to train agencies to integrate gender perspectives into key government policies.

3.12 In 2018, the training program for civil servants on gender mainstreaming was revised to expand the target audience to include political appointees.

3.13 To assist civil servants in integrating gender equality issues into various operations, the Executive Yuan published 4 textbooks and 6 digital courses in a gender awareness advancement teaching manual series from 2017 to 2020. An official letter was issued to civil servants at both the central and local governments instructing them to learn from the manuals.

3.14 In December 2018, the Executive Yuan approved 18 goals²¹ and 143 targets for

²⁰ 3.10 is in response to Point 22.23 (c) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

²¹ In accordance with the resolution of the 29th meeting of the National Council for Sustainable Development of the Executive Yuan, apart from the 17 core goals corresponding to those of the United Nations, in consideration of our nation's conditions, "achieving the goal of a nuclear-free homeland by

the "Taiwan Sustainable Development Goals", while 336 corresponding indicators for the "Taiwan Sustainable Development Goals" were approved in July 2019. Among them, Goal 5 "Achieve gender equality and empower all women and girls" contains 6 targets and 13 corresponding indicators, while the remaining 8 goals have 53 corresponding indicators concerning gender equality. Of the 66 gender-related targets for 2020, 51 are on track.

3.15 The "Executive Yuan Gender Equity Training Evaluation and Incentive Program for Subordinate Agencies" in 2017 and 2019 and the "Local Government Gender Equality Guidance and Incentive Program" in 2018 and 2020 have set clear assessment targets. These include: gender equality promotion plan and Gender Equality Policy Guidelines, CEDAW, gender mainstreaming, and participation in policymaking. Experts and scholars with expertise in women's rights, gender equality research, or practical experience, as well as representatives from civil society organizations, were selected as assessment members to supervise the central and local governments in promoting gender equality through assessment once every two years. In addition, an award mechanism has been established to provide bonuses and administrative rewards and to publicly recognize organizations that win awards. Evaluation scores are also published on the Executive Yuan's Gender Equality Committee website²².

2025" has been adopted as the 18th core goal. The 18 core goals were formulated through citizen forums and public policy network participation platforms, through collecting opinions from various sectors and conducting expert consultations, and finally consolidating international trends, domestic needs, expert recommendations, and citizen opinions.

²² 3.15 is in response to Point 22.23 (c) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

Article 4

A CEDAW education training and advocacy program was established in 2020 to raise awareness of the use of temporary special measures by various agencies. To increase the proportion of women working as supervisors in colleges and universities, relevant indicators will be included in the measurement indicators of scholarship grants for national colleges and universities and private schools. Greater diversity on boards of directors will be promoted via the current code of corporate governance practices and the implementation status will be disclosed in annual company reports.

- 4.1 In November 2018, the Executive Yuan held a meeting to discuss the temporary special measures proposed in Points 24, 25, 26, 27, 32, and 33 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW, and invited all agencies to study and propose relevant temporary special measures.
- 4.2 To enhance public officials' understanding and use of temporary special measures, the Executive Yuan implemented a CEDAW educational training and evaluation program (2016-2019) and a CEDAW education training and advocacy program (2020-2023) in 2015 and 2020. Both of these include intersectionality and temporary special measures as key elements of training courses. This has improved the use of temporary special measures to achieve substantive equality through education and training²³.
- 4.3 In 2019, the Executive Yuan included promoting gender equality in public and private sector decision-making as one of the important issues of gender equality. The ministries and agencies were supervised to discuss relevant measures, amend relevant regulations, or establish temporary special measures for the committees to which they belong in the state-owned enterprises and foundations that received more than 50% funding or donations from the government. They were to achieve these targets within 2 terms. For those who have already have met the one-third gender ratio requirement, they are to move towards 40%. In 2020, the percentage

²³ 4.2 is in response to Point 24.25 (a) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

of committees under each department of the central government which met the one-third gender rule reached 88.5%, while the percentage of either gender reaching 40% was 65.5%. As regards foundations which received more than 50% cumulative funding from the government and the boards of directors and supervisors of state-owned enterprises which meet the one-third gender rule, 66.4% of boards of directors of foundations met the requirement as did 84.4% of boards of supervisors. The boards of directors of state-owned enterprises were 25% compliant, with 58.3% of boards of supervisor being so (Table 4-1)²⁴.

[Table 4-1] Percentages of Central Government Committees and Boards of Directors and Supervisors of Foundations Which Have Received More Than 50% Cumulative Funding from the Government, as well as State-owned Enterprises, Which Have Boards of Directors and Supervisors That Meet the One-Third Gender Rule

Unit: %

| Year | Central Government Committees | Government-sponsored Foundations with Government Contributions Exceeding 50% | | State-owned Enterprises | |
|------|-------------------------------|--|-------------|-------------------------|-------------|
| | | Directors | Supervisors | Directors | Supervisors |
| 2017 | 95.0 | 63.4 | 75.3 | 8.3 | 75.0 |
| 2018 | 86.7 | 65.5 | 78.4 | 8.3 | 50.0 |
| 2019 | 89.5 | 65.5 | 77.6 | 33.3 | 58.3 |
| 2020 | 88.5 | 66.4 | 84.4 | 25 | 58.3 |

Source: Gender Equality Committee, Executive Yuan

- Notes: 1. In 2018, the scope of tracking was expanded to level-three government agencies; instances where the number of supervisors was one are not reflected in these statistics.
2. In 2019, the audit committee was included in the calculation for supervisors.

4.4 The percentage of female professors increased from 20.8% in 2015 to 23.2% in 2020, with a yearly growth trend. In the "Teaching Practice Research Program", it was proposed to integrate programs into prioritizing the approval of applicants from disadvantaged genders in the field. If the applicants have similar scores, priority will be given to the minority genders in that field (or department) to actively promote gender balance in teacher promotion through subsidies in research resources²⁵.

²⁴ 4.3 is in response to Point 24.25 (c) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

²⁵ 4.4 to 4.14 are in response to Point 24.25 (b) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

- 4.5 The Ministry of Education invited local governments to discuss specific strategies (e.g., selection points and admissions quotas) to increase female participation as directors and principals at a national conference of school directors and administrators held September 29, 2020. Local governments were invited to compose their principal selection committees in accordance with a gender ratio.
- 4.6 The number and percentage of female first-rank administrative directors in academic years 2018 to 2020 were 643 (26.1%), 663 (27.5%), and 668 (27.7%) respectively, which shows that the percentage of female first-level administrators in schools has been increasing year by year. In 2021, a new section was added to measurement indicators for the national university and college scholarships and private school scholarships. This new text read, “The proportion of female first-level supervisors in the school must reach at least one-third of the total number of first-level supervisors, or the number of female first-level supervisors must increase by 1% or more compared to the previous year.” The 1% increase may be appropriately adjusted according to the situation at each school.
- 4.7 To encourage women to return to scientific research after temporarily leaving the field for childbirth or family care, and to reverse brain drain in the field of scientific research, a program to encourage women in science and technology research has been implemented since 2018. This program targets female researchers who have never applied for or have not implemented special ministry research projects in the past 3 years to engage in scientific research, ensuring they can return to their original capability to do R&D or even move beyond so that they can compete against researchers who are continuously engaged in research under Ministry of Science and Technology research grants, thereby spurring greater technological development in Taiwan. Approximately 500 to 600 applications are received every year, of which approximately 130 are approved²⁶.
- 4.8 In 2017, the "Guidelines for the Appointment of Directors and Supervisors and Other Important Positions in the Ministry of Economic Affairs and its Subsidiary Agencies" were amended, while the indicators for performance evaluation

²⁶ 4.7 is in response to Points 50.51 and 26.27 (a) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

operations and field audits have already incorporated the one-third gender requirement for the director and supervisor positions.

4.9 Since 2018, corporate governance assessment indicators under the implementation guidelines for the annual work evaluation of state-owned enterprises under the Ministry of Finance have included as an item earning an additional point for having at least one-third of each gender represented as directors and supervisors at the Ministry of Finance's state-owned enterprises.

4.10 In 2020, the proportion of female board directors at public companies (including companies listed on the Taiwan Stock Exchange (TWSE), Taipei Exchange (TPEX), and Emerging Stock Board) was 14.4%, an increase of 1.3 percentage points from 2016. In 2020, the proportion of female supervisors at public companies (including companies listed on the TWSE, TPEX, and Emerging Stock Board) was 26.3%, an increase of 2 percentage points from 2016²⁷.

4.11 In 2019, the TWSE amended the additional point requirement for the corporate governance evaluation indicator to read as follows: "add one point to the total score if each gender of the company's directors reaches at least one-third of the board of directors" and announced the application of the above indicator in 2020. Guidance to the TWSE will continue, in order to gradually increase the proportion of women serving as board directors at public companies in relation to the corporate governance evaluation indicators, to guide public companies to focus on gender equality, and to hold related promotion conferences. Furthermore, the importance of diversity in the board of directors will be included in the education and training course content for directors and supervisors.

4.12 To encourage public companies to attach importance to the professional and gender diversity of board members, so as to be in line with the international trend of attention to gender equality, the Financial Supervisory Commission's (FSC) "Corporate Governance 3.0 - Sustainable Development Roadmap" has planned to revise the criteria for items to be included in annual reports in 2021. It specifies the disclosure of the distribution of board members by gender, expertise and age,

²⁷ 4.9 to 4.12 are in response to Point 64.65 (d) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

as well as the specific management objectives and implementation of board diversity policies.

4.13 In a 2020 TWSE research report on the correlation between board diversity and the financial performance of public companies, the correlation between gender diversity on boards of directors (ratio of women on boards of directors) and the financial performance of Taiwanese companies was analyzed. It was found that the most significant effect on the financial performance of companies could be seen when the ratio of women on boards of directors was between 0.3 and 0.4 and within one year women's election to the board. To foster societal awareness of gender equality, this study also recommended that the participation of female directors be improved by means of appraisal, taking into account overseas experience. Also, the pool of female directors is being expanded by the committed nurturing of female talent, so that investors can understand the meaning and benefits of diversity and integration. The FSC will continue to encourage listed companies to further the participation of female directors, and will urge TWSE-listed companies to continue to hold reviews based on the results of the study and include this information as reference for reviewing corporate governance evaluation indicators as needed.

4.14 Please refer to Article 8 for the current status of female diplomat participation and related enhancement measures.

Article 5

Owing to the influence of traditional culture and customs in Taiwanese 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 educational pathways to career development options. The government is using various measures, including lectures, promotional multimedia, published materials, and portrayals of nontraditional images of women, to reduce deep-seated gender stereotypes in traditional customs and culture and espouse the sharing of household duties and career and educational choices, so as to continue to strengthen media and communications which help raise overall understanding and acceptance of gender equality.

5.1 Starting in 2019, the Executive Yuan has included “removing gender stereotypes and prejudices” as one of the important gender equality issues in its four-year policy cycle. The Executive Yuan will comprehensively and systematically promote the elimination of gender stereotypes in social culture and customs, reduce gender segregation in education and specific occupations, strengthen positive and nonstereotypical portrayals of women in media and advertisements, and promote media regulation to prevent gender discrimination. Please refer to 5.2 to 5.5, 5.6 to 5.18, and 5.20 to 5.26 for the results. To evaluate the effectiveness of the promotion, a telephone opinion survey on gender equality is conducted every two years. The 2020 survey found that the public’s perception of gender equality has improved, with the average score increasing from 73.5 in 2018 to 75.6, or an increase of 3%. Please refer to 16.26 for the results of the survey on the public’s acceptance of lesbian, gay, bisexual, transgender, intersex and others (LGBTQI+) families²⁸.

Elimination of Gender Stereotyping in Society, Culture, and Customs

5.2 From 2018 to 2020, guidance visits on major folk customs continued to be organized to strengthen dialogue and exchanges with folklore preservation

²⁸ 5.1 to 5.5, 5.6 to 5.18, and 5.20 to 5.26 are in response to Point 26.27 (a) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

groups, promote gender equality concepts and practices, and conduct regular gender equality reviews. In the past 2 years, women office bearers have become increasingly common in Mazu worship ceremonies, such as in the Dajia Mazu Pilgrimage, where an all-women flag-bearing team was present, and in the Baishatun Mazu Pilgrimage, where women took part by playing the drums and gongs and bearing the sedan chair.

- 5.3 From 2017 to 2020, subsidies were provided for projects on "the Amis Lidaw Tribe Shamans", "Compilation of a Handbook for Amis Lidaw Tribe Shamans' Annual Ritual Culture", and "A Preservation Record for Sikawasay's Encountering with the Spirits and Annual Rituals of the Amis Lidaw Tribe " to record the leading role of traditional indigenous tribal women in various rituals and ceremonies.
- 5.4 The view that traditional Hakka rituals and ceremonies and Hakka festivities should be gender-affirmative is still promoted. As of the end of 2020, at least 30 clans had implemented the interment of unmarried/divorced women into ancestral tombs or the installation of memorial tablets for unmarried/divorced women, or including the full names of daughters-in-law on ancestral tablets. In December 2020, the Hakka Affairs Council created a grant program to encourage civil organizations to promote gender equality.
- 5.5 In 2017 and 2019, local government performance evaluations concerning the managing of funerals and burials included the indicators "promoting the concept of gender equality in funerals" and the "implementation of gender equality awareness in the funeral services industry." To promote new concepts concerning funeral rites and ceremonies, as well as core values such as funeral autonomy, gender equality, and respect for diversity, a workshop on funeral management affairs, a seminar on funeral business affairs, and various funeral studies were organized from 2017 to 2020. Among the studies were ones addressing tradition and innovation in funeral documents and funeral autonomy vis-à-vis respect for gender. These addressed gender equality in funeral documents and LGBTQI+ funeral practices. In addition, teaching materials include a list of practices such as LGBTQI+ people's advance directives for the clothes they would like to wear

at their funeral, having undertakers and family members respect advance directives made by the deceased, having obituaries issued by partners, and removing the title of “mother/father” to simply show the name of the deceased. Courses on funerals and gender equality and professional education and training for undertakers’ etiquette were held from 2018 to 2020.

Reduce Gender Segregation in Education and Specified Occupations²⁹

- 5.6 The Regulations on the Promotion of Police Personnel stipulate that the composition of the Personnel Selection Committee of police agencies nationwide shall include not less than one-third of each gender and that at least one chief or deputy chief of the women and children protection brigade of each local police division shall be a woman. The number of female police officers increased from 6,224 (9.7%) in 2017 to 8,728 (12.3%) in 2020, an increase of 3.5 percentage points from 2016, showing a steady growth trend.
- 5.7 To encourage women to join the firefighting workforce, regular promotional videos are produced to help eliminate traditional gender stereotypes and gradually increase the proportion of women in the firefighting field. The number of female firefighters increased from 1,737 (11.9%) in 2017 to 1,920 (11.8%) in 2020; the number of women serving as captains or higher increased from 11.3% in 2017 to 12.3% in 2020, up 1.4 percentage points from 2016.
- 5.8 The number of women serving in the military increased from more than 20,000 (accounting for approximately 13.98% of the volunteer force) in 2017 to more than 22,000 (accounting for approximately 15.6% of the volunteer force) in 2020; the proportion of women serving as combat troops increased from 15.1% in 2017 to 18.9% in 2020. At present, excepting submariners, a profession not yet open to women due to hardware constraints, the other three military branches’ combat, combat support, and logistics units have already recruited female personnel, including artillery, armored, combat engineers, navy surface fleet, marines, and air force flight units; women are performing the same tasks as men. In addition to a yearly increase in the number of women in the armed services and serving

²⁹ 5.6 to 5.18 are in response to Point 50.51 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

in combat roles, the number of women in the senior military and noncommissioned officer cadres has increased from 2,393 in 2018 to 3,075 in 2020, which is a significant increase. There are many women in leadership positions who have achieved excellent results, effectively breaking gender stereotypes.

- 5.9 Since 2017, working and living spaces for female officers at coast guard bases and camps and on fleets are being improved. All service branches have been invited to promote on-campus recruitment, with a focus on encouraging different genders to participate in the coast guard. There were 1,489 female personnel in the coast guard in 2020 (12.8%), an increase of 5.1 percentage points from 2016.
- 5.10 The number of female practicing technicians increased from 217 (5.0%) in 2017 to 286 (6.6%) in 2020.
- 5.11 During the academic years 2017 to 2020, a science tour for girls, as part of which lectures on science-related topics were held at girls' high schools, took place at a total of 39 schools involving about 4,766 female student participants. According to valid questionnaires completed by students after the event during the 2018 school year, out of 204 female students who originally preferred the humanities, 78 students (38%) showed a significant willingness to change their preference to a scientific field after the event.
- 5.12 The "Science Activities and Publications for Female Talent Development in STEM" program was launched in order to provide subsidies to organize science activities and publications related to women in science and technology to promote women's participation in STEM fields. There are a wide range of promotion activities, including science camps and workshops, as well as the production and publication of e-newsletters, books, documentaries, and illustrated books. From 2017 to 2020, a total of 34 projects were subsidized, with nearly NT\$27 million in funding; 110 events were held, with a total of 9,987 participants, 5,765 of whom are women (57.7%).
- 5.13 In 2019, the percentage of female students in higher education enrolled in the natural sciences, mathematics and statistics, information and communication technologies, engineering, manufacturing, and construction was 24.1%, an

increase of 3.4 percentage points from 2016.

5.14 It was planned that in 2021, MOE encourage Universities and Colleges to set up scholarships to attract students of different genders to choose to study in non-traditional fields, targeting female students in science, technology, transportation, and medicine, or male students in caregiving, nursing, and childcare by providing MOE Subsidy, including the National University Performance-based Indicator Grants and MOE Subsidy Directions for Developes of Private Universities and Colleges of Technology. In addition, for departments with less than one-third of students of either gender, scholarships have been set up for students of minority genders. Through policy guidance, the balancing of gender equality is being actively implemented on campus and its effectiveness will continue to be tracked.

5.15 Between 2017 and 2020, there were 203,827 participants in prevocational training, with 132,687 (65%) being women. For job categories where the participation rate of women (men) is less than 20% (see Table 5-1), a rolling review of training categories is conducted every year, and the unemployed are assisted in clarifying their future career direction through the employment consultation process. If the aptitude of the participant is suitable for occupations in the industrial sector, they are encouraged to attend relevant training courses to reduce their gender stereotypes. In 2019, a total of 50 women (12%) were trained in plumbing/electrical work, an increase of 2 percentage points over the average of the last 3 years. In 2020, a total of 52 women (11%) were trained as electricians, an increase of 5.6 percentage points over the average of the last 3 years.

[Table 5-1] Number of Participants in Prevocational Training by Job Category (2017-2020)

Unit: Persons; %

| Year | Gender | Occupation | | | | | Total |
|-----------|--------|-------------------|-----------------|---------------------|-------------------------------------|------------|--------------|
| | | Industrial Sector | Business Sector | Agricultural Sector | Medical, Nursing, and Domestic Work | Arts | |
| 2017-2020 | Male | 36,461(73%) | 11,990(30%) | 2,006(43%) | 18,216(18%) | 2,467(28%) | 71,140(35%) |
| | Female | 13,244(27%) | 27,727(70%) | 2,649(57%) | 82,636(82%) | 6,431(72%) | 132,687(65%) |
| | Total | 49,705 | 39,717 | 4,655 | 100,852 | 8,898 | 203,827 |

Unit: Persons; %

| Year | Gender | Occupation | | | | | |
|------|--------|-------------------|-----------------|---------------------|-------------------------------------|------|-------|
| | | Industrial Sector | Business Sector | Agricultural Sector | Medical, Nursing, and Domestic Work | Arts | Total |

Source: Ministry of Labor

5.16 The number of female pilots increased from 168 (5.3%) in 2019 to 173 (5.6%) in 2020. The number of women licensed to drive large passenger vehicles increased from 377 (4.4%) in 2019 to 727 (8.2%) in 2020. The number of female seafarers on domestic ships increased from 169 (3.3%) in 2019 to 184 (3.4%) in 2020. Gender equality indicators were the scoring criteria of the operational excellence awards for passenger ships and small ships in 2019.

5.17 Continued to encourage units that have commissioned training for condominium management service staff to increase the number of female participants; 2,561 female participants (28.5%) participated in the training in 2020, an increase of 12 percentage points from 2019.

5.18 The Environmental Protection Administration has included “increasing the proportion of female participants in training” for additional points in the assessment of various training institutions for environmental protection personnel. In 2020, 26% of all training participants were women, up 1 percentage point from 2018.

Sharing the Responsibility for Household Duties Equally between Men and Women

5.19 In 2019, the average daily unpaid care time for women aged 15-64 with a spouse or cohabiting partner was 4.41 hours, including 2.22 hours on housework and 1.68 hours on caring for children under the age of 12. Women still spend 3 times as much unpaid care time as their spouse or cohabiting partner. Spouses or cohabiting partners spend 1.48 hours per day on unpaid care, including 0.73 hours on housework and 0.55 hours on caring for children under the age of 12, which is less than that by women³⁰. To help local governments strengthen the

³⁰The target population of the 2019 "Survey Report on the Living Condition of Women Aged 15-64"

promotion of values such as the division of household chores, this was included in the assessment of social welfare performance from 2017 to 2020. It serves to guide local governments to focus on breaking the traditional gender division of household chores, the rights of women with disabilities, and the rights of middle-aged and elderly women when handling women's welfare-related promotion.

Improve Positive and Nonstereotypical Portrayals of Women in Media and Advertisements³¹

- 5.20 In 2020, the Department of Gender Equality, Executive Yuan, negotiated with the Taiwan Advertisers' Association to strengthen the positive, nonstereotypical portrayal of women in the media and advertising. The association added the Agency & Advertiser of the Year - Innovative Spirit Award - Advocacy of Diversity and Inclusion to the Outstanding Contribution to Marketing and Communication Award in 2021 to incorporate gender equality.
- 5.21 The Ministry of Education organized a special exhibition for Girls Day 2020 to showcase winning entries of previous Girls Day competitions, designed interactive video games, and screened videos on breaking gender stereotypes. A radio program on gender education was produced from 2017 to 2020, featuring content that modified or removed patriarchal attitudes and gender stereotypes that discriminate against women, and encouraged girls and boys to pursue education and jobs in nontraditional fields.
- 5.22 Funding subsidies were provided for the publication of an e-newsletter by the Taiwan Women e-Press as a means of building a support network for women in science and technology from the perspective of the whole life cycle of women, so as to attract women to enter STEM fields and to establish a platform for sharing peer support strategies. The Taiwan Women e-Press includes

was women aged 15-64, which was different from the scope of the 2016 "Report on Women's Marriage, Fertility, and Employment" for women aged 15 years and older of the previous National Report. The 2019 survey was conducted during the summer vacation period, which was different from the fall school period in 2016, affecting the care time for school-age children. The difference in survey results was mainly affected by the difference in scope and time.

³¹ 5.20 to 5.26 are in response to Point 26.27 (b) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

introductions to and visual portrayals of women in various industries. Digital and audiovisual media and the promotion of female technology professionals through multiple presentation methods are used to support young women in choosing STEM fields. A total of 48 issues were published from 2017 to 2020 (<http://www.twepress.net/resources/>).

- 5.23 The concept of gender equality was promoted and gender stereotypes and prejudices were removed among army officers and soldiers through multimedia advocacy channels. From 2017 to 2020, 57 episodes of the *Chukuang Garden* program as well as 1,249 reports and editorials including “Female Pilots Join the CH-47SD Aircrew” in the *Youth Daily News* were produced or broadcast, while 1,951 social commentaries and advertisements such as “New Energy Brought by Female Artillery Soldiers Showing Professionalism and Self-confidence” were broadcast by radio stations. The number of positive, nonstereotypical portrayals of women in the media and advertisements has been increasing year by year.
- 5.24 In 2017 and 2020, local governments filmed female semi-trailer truck drivers and the only female ship’s pilot in Taiwan to document the experiences of women who broke through gender frameworks in the workplace and pursued self-actualization. This film was screened at schools and communities in conjunction with Taiwan Girls Day to help the public break gender stereotypes.
- 5.25 From 2017 to 2020, news literacy in print media for children was promoted, and a total of 41 case studies and essays were published in the “gender news” section of the children’s news website News Catcher to address gender stereotypes and gender discrimination in media reports. In addition, gender awareness promotion is included in human resources training courses, where gender experts discuss such issues as gender equality in the media with media practitioners. Online courses addressing media reporting and gender have been held and uploaded to YouTube for the public and media to view.
- 5.26 In 2020, 6 seminars on gender equality, new media paradigms were held to reverse the narrative of gender violence, and respect for diversity in CEDAW practice; 466 people attended the seminars, and 67.6% of them were women.

Introducing Media and Communications Regulations to Prevent Gender Discrimination in the Media

- 5.27 Between 2017 and 2020, local governments were officially requested to strengthen guidance for print media, while print media associations were urged to inform their members of the need to improve self-regulation and gender sensitivity to avoid stereotyping and discrimination.
- 5.28 The current Radio and Television Act and Satellite Broadcasting Act clearly stipulate that the content of radio and television shall not be harmful to public order and morals, the physical and mental health of children, the violation of the regulations on the classification of television programs, and the related penalties for violations. In accordance with the provisions of the penalties, the evaluation table is established as the basis for calculating the fines for administrative penalties, and the number of decisions (including warnings) must be included in the calculation of the evaluation table.

Article 6

Taiwan is committed to preventing human trafficking and sexual exploitation, and to providing victim protection assistance and taking preventive measures. According to the United States Department of State's *2020 Global Trafficking in Persons Report* released in June 2020, Taiwan has been ranked as a Tier-1 country in terms of prevention effectiveness for 11 consecutive years.

Prevention against Human Trafficking

- 6.1 From 2017 to 2020, 580 human trafficking cases were investigated by various judicial and police agencies, an increase of one case compared to the previous report; 1,254 victims were rescued, 984 of whom were women (78.5%). By type, they included 444 cases of sexual exploitation, with 809 victims, of whom 764 were women (94.4%); and 136 cases of labor exploitation, with 445 victims, of whom 220 were women (49.4%).
- 6.2 From 2017 to 2020, district prosecutor's offices handled human trafficking cases and investigated and prosecuted 614 people, nearly 70% of whom were men, and a total of 217 people were found guilty. Refer to Table 6-1 for year-by-year statistics and sentences.

[Table 6-1 Statistics on Human Trafficking Cases by District Prosecutor's Offices (2017-2020)]

Unit: Cases; Persons; %

| Item | Number of Detainees under Investigation | | Number of Individuals in Concluded Investigations | | Number of Confirmed Convicted Persons | | | | | | | | |
|------|---|----------|---|-----------|---------------------------------------|---|--------------------------------------|-----------------|-----------|-------|---|---|--|
| | Male (%) | Male (%) | Total | Male (%) | Individuals Sentenced | | | | | | | | |
| | | | | | 6 months or less | More than 6 months but less than 1 year | 1 year or more but less than 3 years | 3 years or more | Detention | Fines | | | |
| 2017 | 23 | 16(69.6) | 248 | 172(69.4) | 62 | 47(75.8) | 18 | 4 | 13 | 25 | 2 | - | |
| 2018 | 12 | 9(75.0) | 112 | 77(68.8) | 50 | 31(62.0) | 9 | 2 | 16 | 23 | - | - | |
| 2019 | 18 | 12(66.7) | 122 | 85(69.7) | 50 | 34(68.0) | 7 | 2 | 20 | 21 | - | - | |
| 2020 | 23 | 18(78.3) | 132 | 95(72.0) | 55 | 45(81.8) | 5 | 4 | 13 | 33 | - | - | |

Source: Department of Statistics, Ministry of Justice

Notes: 1. This table refers to those who engage in human trafficking and commit a crime under the Human Trafficking Prevention Act, Criminal Code, Labor Standards Act, Child and Youth Sexual Exploitation Prevention Act, or other related laws.

2. Prosecution includes the usual procedures for filing an indictment and claiming summary judgment.

Victim Protection

- 6.3 Among all human trafficking cases uncovered and prosecuted by judicial police between 2017 and 2020, a total of 53 victims were citizens of Taiwan aged 18 years or above; among the victims, 10 consented to being placed in a shelter by a social affairs department or nongovernmental organization; the remaining 43 persons were claimed by their families or returned home on their own. A total of 497 victims of sexual exploitation were girls under the age of 18. In accordance with the relevant regulations set forth under the Child and Youth Sexual Exploitation Prevention Act, 348 of these victims were referred to a social affairs department for placement, 138 returned home, and 11 were handled separately. According to Article 15 of the act, whether victims require placement is ascertained by local government authorities in consideration of the need for education, employment, adaptation to life, personal safety, and family protection and care functions. 3 months after placement, the competent authority shall perform an evaluation to see if it is necessary to offer placement continually and keep tracking if the placement comes to an end.
- 6.4 From 2017 to 2020, placement was arranged for a total of 528 new foreign victims of cross-border human trafficking, 478 fewer than in the previous National Report, with 354 female victims, or 70% of the total. Of these, 145 were victims of sexual exploitation, 93% of whom were women; 317 were victims of labor exploitation, 59% of whom were women. These figures all showed a downward trend.
- 6.5 Foreign victims of human trafficking are entitled to apply for temporary entry and work permits during the course of the investigation so that they may earn income and rebuild their lives. During the period from 2017 to 2020, a total of 330 temporary entry permits were granted, with women accounting for 73.3% of recipients; of 373 work permits issued, 67% were for women.

Interministerial Cooperation and Strengthening of Legal and Administrative Measures

- 6.6 Around 80% of human trafficking victims rescued in Taiwan are women (similar to the rate and trend of victims of human trafficking around the world). Prevention plans are formulated every two years on a rolling basis. In 2019, a

new action plan for preventing human trafficking was announced for 2019-2020, the focuses of which are: the Ministry of Labor expanding the direct recruitment of workers from other countries and providing one-stop dedicated services; the Judicial Yuan promulgating a reference table for judges to consider when handing down sentencing for crimes under Article 31 and Article 32 of the Human Trafficking Prevention Act; continuing research on the 2021-2022 anti-exploitation plan and planning to include measures to protect the rights and interests of foreign domestic workers.

- 6.7 In 2018, the Employment Service Act was amended to add Subparagraph 18 to Paragraph 1 of Article 40, prohibiting private employment service agencies and their employees from sexually assaulting or trafficking foreign nationals. From 2018 to 2020, no employment service agencies or practitioners were penalized for violating these provisions. Subparagraph 19 was added to Paragraph 1 of Article 40, stipulating that private employment service agencies and their employees should report within 24 hours of becoming aware of suspected sexual assault or human trafficking of foreigners by their employers, caretakers, or family members living with them. From 2018 to 2020, there was one case in which an employment service agency was penalized for failing to comply with the notification obligation.
- 6.8 To continue to promote the service at Direct Hiring Service Center and to save fees, such as agency fee, for foreigners coming to Taiwan. The service targets of Direct Hiring mostly domestic caregivers, of which majorly composes females. In November 2016, The amendment of Article 52 of the Employment Service Act had removed the requirement for foreigners to leave the country for 1 day after the expiration of their employment, resulting in the replacement of the Purpose of Direct Hiring Service Center of saving agency fees and shortening the employment gap for foreigners. The number of employers and foreigners who received service from 2017 to 2020 was 23,890 and 22,278 respectively, of which 20,109 were women, a decrease from the previous National Report (92,381 employers and 93,619 foreigners).
- 6.9 Please refer to Points 6.5 to 6.7 of the Convention-specific Document of

Taiwan's Third National Report on CEDAW for the evaluation system used by employment service agencies, regular review-visit programs, and related educational and promotional measures.

- 6.10 To combat cross-border human trafficking, cooperation with various countries continues to be strengthened. From 2017 to 2020, new agreements or memoranda of understanding (MOUs) on immigration and human trafficking prevention have been signed with 6 countries, including Palau, St. Vincent and the Grenadines, the Marshall Islands, Belgium, Australia, and the Philippines, while partnerships have been established with 22 governments.
- 6.11 Amendments to the Human Trafficking Prevention Act have been drafted to specify that the identification process of human trafficking victims should include assistance from social workers or relevant professionals and a reidentification mechanism; additional items include nonagency placement services for victims and suspected victims of human trafficking, and the scope and penalties of the obligation not to disclose, report, or record information about victims of human trafficking. The act also raises the criminal liability of human trafficking offenders. The draft amendments were sent to the Executive Yuan for review in December 2020.

Prohibition of Sexual Exploitation of Children and Youth

- 6.12 The Child and Youth Sexual Exploitation Prevention Act was amended in November 2017 and January 2018, with the following major amendments: emphasis on the status of child and juvenile victims, expansion of the scope of the responsible reporting person, improvement of cybercrime prevention procedures, enhancement of diversified treatment services for victims, an increase of administrative penalties for onlookers, and an increase in criminal liability. These amendments took effect in July 2018.
- 6.13 From 2017 to 2020, 5,246 cases were reported under the Child and Youth Sexual Exploitation Prevention Act, with a total of 5,022 victims, 4,112 of whom were female (82%). The most common types of cases were filming and production of children or youth engaging in sexual intercourse or obscene acts, accounting for 61% of cases; making children or youth engage in sexual intercourse or obscene

acts in exchange for monetary or other consideration, accounting for 19% of cases; using a child or youth as a host/hostess in a bar or club or for services, such as tour escorts and singing or dancing companions involving sexual activities, accounting for 17% of cases; and using children or youth for sexual intercourse or obscene acts for others to watch, accounting for 3% of cases.

- 6.14 The number of victims of child sexual exploitation cases uncovered by the police from 2017 to 2020 were 733, with 659 females (89.9%); 519, with 490 females (94.4%); 759, with 677 females (89.2%); 908, with 714 females (78.6%) for the respective year.
- 6.15 Amendment of the "Investigation of Sexual Offense Enhancement Program" was issued in December 2017 to implement measures related to child protection. The number of cases and suspects detected from 2018 to 2020 shows a yearly increases, with 722 cases and 848 persons in 2018; 788 cases and 996 persons in 2019; 852 cases and 1,061 persons in 2020³².
- 6.16 From 2017 to 2020, out of the cases handled by district courts involving violations of the Child and Youth Sexual Exploitation Prevention Act, a total of 1,243 offenders were convicted, a decrease of 169 from the amount noted in the previous National Report.

Promotion of Child and Youth Sexual Exploitation Prevention and Reinforcement of Child and Youth Audiovisual and Internet Safety

- 6.17 In 2018, a child and youth sexual exploitation prevention and control program was released, which includes measures to prevent the dissemination of sexually explicit images. In 2019, promotional resources and teaching case studies on child and youth sexual exploitation prevention and control regulations were developed for reference by schools nationwide.
- 6.18 The "Institute of Watch Internet Network" (iWIN) continues to serve as a consolidated platform to handle complaints on online content that is harmful to children, in order to prevent them from being exposed to inappropriate content on the web which can harm their physical and mental well-being and

³²The number of "child sexual exploitation investigation" cases has been revised to "reported to the prosecuting commander" since 2018, so the statistics are based on 2018.

development. From 2017 to 2020, 22,481 complaints were received, the categories include pornography, harmful children's content, violence, gore, horror, and private photos of children, with pornography being the most common category. Ongoing campus awareness promotions have been organized. From 2017 to 2020, a total of 27,461 people were reached through 100 sessions, which were mainly about Internet literacy, online dating, cyber bullying, fraud prevention, private photos of children, personal data protection, protection tools, and channels to seek help.

- 6.19 In November 2019, the Ministry of Education collaborated with Trend Micro to create the PC-cillin Parental Controls version 2.0 to prevent children from viewing inappropriate content when browsing the internet and to provide free parental controls and protection. From January to November 2020, the software was downloaded 98,739 times. Updates to an inappropriate website access filtering system and equipment in the educational network of each county and city were completed by November 2020. In addition to increasing the scope of protection, the system also effectively filters inappropriate websites (pornography, gambling, horror and gore, violence, medications, and drugs). The system helps prevent children from accessing online content that is harmful to their physical and mental development, and has shown a 100% success rate with blocking blacklisted sites.

Adult Sex Trade Career Transition Assistance

- 6.20 In accordance with Article 80 of the Social Order Maintenance Act, it is legal to engage in the sex trade within designated districts, while service providers and clients who engage in the sex trade outside designated districts are subject to fines. Any third party who lures, tolerates or solicits sex, is liable to imprisonment or a fine of up to NT\$100,000 in accordance with Article 231 of the Criminal Code. From 2017 to 2020, women who have been punished under Article 80 of the Social Order Maintenance Act were 1,769, 1,621, 1,406, and 1,063, respectively. Table 6-2 shows information on prosecutions and convictions under Article 231 of the Criminal Code from 2017 to 2020³³.

³³ 6.20 and 6.21 are in response to Point 30.31 (a) of the Concluding Observations and Recommendations

[Table 6-2] Statistics on Prosecutions by District Prosecutor’s Offices of Offenses against Article 231 of the Criminal Code (2017-2020)

Unit: Persons

| Item Year | Number of Concluded Suspect Investigations | | Number of Confirmed Convicted Persons | |
|--------------|--|------------|--|------------|
| | Total | Female (%) | Total | Female (%) |
| 2017 | 1,471 | 361(24.5) | 1,274 | 287(22.5) |
| 2018 | 1,178 | 262(22.2) | 1,206 | 298(24.7) |
| 2019 | 1,022 | 244(23.9) | 892 | 202(22.6) |
| 2020 | 960 | 241(25.1) | 789 | 188(23.8) |

Source: Department of Statistics, Ministry of Justice

- 6.21 To understand the public’s views on the decriminalization of the sex trade, a study on the relevance of Article 80 of the Social Order Maintenance Act to the spirit of CEDAW and on the amendment of said act was commissioned and implemented in 2020 and 2021. The study analyzed domestic and foreign literature on sex trade management and legislative examples in Scandinavian countries, and compared them with Article 80 of Taiwan’s Social Order Maintenance Act as a reference for subsequent amendments.
- 6.22 In November 2019, the Executive Yuan invited relevant ministries and agencies to hold a meeting to compile information on women in the sex trade. It resolved that ministries and agencies serving as competent authorities should establish and coordinate relevant statistics on women in the sex trade and should take stock of existing resources that can assist women in the sex trade to change careers. In 2020, the "Research Report on the Inventory of Assistance Resources and Policy Recommendations for Career Transition of the Sex Service Providers in Taiwan" was completed. In the first half of 2021, the compilation of information on women in the sex trade was completed and the relevant countermeasures will be formulated by the competent authorities³⁴.
- 6.23 Since 2020, the Ministry of Labor and the Ministry of the Interior have been working together on an anonymous service mechanism to assist women in the

on Taiwan's Third National Report.

³⁴ 6.22 to 6.24 are in response to Point 30.31 (b) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

sex trade to change jobs, and refer those who wish to work to Public Employment Service Institution for employment services.

- 6.24 If an adult female sex worker is in a difficult financial situation, she may apply for assistance in accordance with Subparagraph 7 of Paragraph 1 of Article 4 of the Act of Assistance for Family in Hardship. After assessment and approval by the social workers of the competent local authorities, the applicant will be provided with emergency livelihood assistance to help her overcome her financial difficulties.

Article 7

The Constitution of the Republic of China (Taiwan) stipulates that a quota for women in all kinds of elections shall be guaranteed and that no less than one-half of the candidates for political parties in the election of legislators from at-large and overseas compatriots shall be women. Meanwhile, the Local Government Systems Act requires that there must be at least 1 female elected as councilor (or representative) in special (Executive-Yuan-governed) municipalities, county (city) councilors, and township (city) council representatives where there are 4 seats available. The proportion of women in politics has been increasing year by year.

Gender Equality in Political Participation

7.1 In the 2020 legislative election, women accounted for 41.6% of elected legislators (Table 7-1), an increase of 3.5 percentage points from 2016. The percentage of women elected in the 2018 special municipal mayor elections was 16.7%, the same as in 2014; and women accounted for 37.5% of elected magistrates (mayors) of counties (cities) (Table 7-2), an increase of 31.2 percentage points from 2014. The percentages of women elected in local representative elections at all levels ranged from 24.9% to 35.8%, all of which were higher than the previous election, indicating that women's political participation continues to grow³⁵.

[Table 7-1] Number of Candidates and Elected Members of the Legislative Yuan by Gender

Unit: Persons

| Year | Election type | Candidate | | Elected Member | |
|------|---|-----------|--------|----------------|--------|
| | | Total | Female | Total | Female |
| 2020 | Total | 647 | 245 | 113 | 47 |
| | At-large and overseas compatriot Legislator elections | 216 | 109 | 34 | 19 |
| | Regional constituent legislator elections | 410 | 127 | 73 | 25 |
| | Indigenous legislator elections | 21 | 9 | 6 | 3 |

Source: Central Election Commission

³⁵ 7.1 to 7.21 are in response to Point 32.33 (a) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

[Table 7-2] Number of Candidates and Elected Persons for Special Municipal Mayors and Magistrates (Mayors) of Counties (Cities) by Gender

Unit: Persons

| Year | Election Type | Candidate | | Elected | |
|------|----------------------------------|-----------|--------|---------|--------|
| | | Total | Female | Total | Female |
| 2018 | Special municipal mayors | 25 | 3 | 6 | 1 |
| 2018 | County magistrates (city mayors) | 68 | 16 | 16 | 6 |

Source: Central Election Commission

7.2 In the 2018 election for the chiefs of villages (boroughs), women accounted for 16.7% of elected chiefs (Table 7-3), showing an upward trend from 14% in 2014.

[Table 7-3] Number of Candidates and Elected Persons for Chiefs of Villages (Boroughs) by Gender

Unit: Persons

| Year | Election Type | Candidate | | Elected | |
|------|-------------------------------|-----------|--------|---------|--------|
| | | Total | Female | Total | Female |
| 2018 | Chiefs of villages (boroughs) | 14,960 | 2,671 | 7,754 | 1,296 |

Source: Central Election Commission

7.3 To enhance women’s opportunities to participate in politics, the Ministry of the Interior has been actively counseling the major political parties. From 2018 onwards, prior to grant disbursal, political parties are requested to use grants for women’s training courses. In addition, the Ministry of the Interior has drafted an amendment to the Political Parties Act to add the requirement that political parties must allocate a certain percentage of their subsidies to women’s training. The draft amendment to the act was sent to the Executive Yuan for review in September 2020.

7.4 There is a proposal which has been put forward to enhance women's political participation opportunities and to promote reviews and modifications in Article 33 of the Local Government Act. The proposal is for each gender to be protected under this modification, and for the mandatory number of seats reserved for each gender; meanwhile, the number of the seats reserved shall include both men and

women for every 3 persons. However, since increasing the gender ratio would involve adjustments to elections, which would affect the suffrage rights of voters and candidates to participate in politics, the demarcation of election districts, and the development of local political environment, the effects would be broad and significant. No agreement has been reached so far. The Ministry of the Interior will continue to organize academic seminars and symposiums on issues related to gender equality in political participation and the protection of citizens' suffrage rights through subsidizing universities or academic research institutions, in order to build consensus among all sectors and to carefully conduct deliberations on these issues³⁶.

Gender Equality in Policy Making and Public Functions

7.5 The total number of Cabinet members was 41 in November 2020, of whom 3 were women (7.3%). In line with international trends, the Gender Equality Policy Guidelines specify continuing to "promote the gender parity rule". The Gender Equality Policy Guidelines were amended in 2021 to include the principle of promoting gender balance. Sustainable development goals in Taiwan include encouraging administrative agencies at all levels to promote women and appoint female directors and heads. The Executive Yuan's key gender equality issue—promoting gender equality in public and private sector decision-making (concerning the gender balance in the composition of members serving on committees under each central government ministry as well as directors and supervisors serving on the boards of foundations managed by ministries and agencies that receive more than 50% of their cumulative funding from the government, please refer to 4.3)—also includes the ratio of female cabinet members as an important indicator. From 2018 to 2020, the Executive Yuan held 3 Stepping Forward, Women's Power Exchange—Public-Private Sector Women's Talent Exchange Workshops to increase the number of women in public governance and spur their participation in public affairs and their access

³⁶ 7.4 is in response to Points 32.33 (b) and 24.25 (d) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

to decision-making levels³⁷.

- 7.6 A total of 22 local governments were encouraged to implement gender equality in decision making through the "Local Government Gender Equality Guidance and Incentive Program". By the end of 2019, 12 local governments had achieved more than 50% but less than 80% of the one-third gender ratio in their committees, while 9 had achieved 80% or more.
- 7.7 Of the 27 members of the 6th Control Yuan in 2020, 12 (44%) were women. The President of the 6th Control Yuan was a woman; she was the only female President of any of the five Yuans. In 2020, a total of nine members of the 13th Examination Yuan; of these, five (55.6%) were women, an increase from 42.1% in 2016.
- 7.8 From 2017 to 2020, four out of 15 justices on the Judicial Yuan were women (26.7%); the proportion of female judges increased from 48.8% to 50.8%; and women accounted for between 56.8% and 57.6% of all court personnel other than judges working at the Judicial Yuan. The Secretary-General and Deputy Secretary-General of the Judicial Yuan, and the heads and deputy heads of the Civil Department, Criminal Department, Department of Administrative Litigation and Discipline, Family and Juvenile Department, Department of Judicial Administration, and Clerk Department of the Constitutional Court comprised a total of 14 persons, while the number of female heads and deputy heads ranged from 7 to 9, for a ratio of 50% to 64.3%.
- 7.9 From 2017 to 2020, the proportion of female lawyers registered to practice increased from 35.9% to 37.1%; that of female prosecutors increased from 37% to 39.5%; the proportion of female head prosecutors increased from 29% to 34.4%; while that of female chief prosecutors increased from 10.34% to 24.1%. There were no female prosecutors general.
- 7.10 Men and women are equally entitled to take the national examinations and enter the civil service. From 2017 to 2020, women accounted for 58.5%-58.0% of persons taking the civil service exams, and the proportion of women accepted through the civil service exams ranged from 51.5%-50.1%. At present, exams for

³⁷ 7.5 is in response to Point 24.25 (c) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

wardens, prison officers, and judicial police are the only law enforcement exams that still impose gender restrictions, given that the Judicial Yuan and Ministry of Justice (hiring departments) consider the actual professional qualifications, as well as the different gender of inmates held and the level of force needed to contain them. Apart from that, no gender restrictions exist in any other exams.

- 7.11 To gradually achieve the goal of eliminating gender restrictions for wardens and prison officers, the "Gender Equality and Civil Service Workforce Assessment in Correctional Institutions - An Empirical Study of Gender Limitations in the Examination for Wardens and Prison Officers" was conducted in 2020. The study pointed out that 90% or more of the in-person guarding duties in correctional institutions are performed by a single person, and there is a severe shortage of front-line guarding manpower. If mixed-gender guards are fully adopted, the possible impacts include affecting on the right of privacy of the inmates, concerns about the personal safety of female guards, uneven workloads, the need to upgrade the existing infrastructure and facilities, and the difficulty of increasing manpower utilization. There should be a complete set of measures before adopting the policy of gender-neutral quotas in recruiting. In the future, it is planned to gradually abolish the gendered quotas by improving the reasonable ratio of prison staff to inmates, increasing the budget for technology monitoring, and increasing the availability of on-duty equipment and facilities.
- 7.12 To encourage woman bailiff to remain, furthermore gradually attaining the objectives of gender-equality, lifting restrictions for recruitment, the course in bailiff entrance examination is orientated to fare well a safe, comfortable atmosphere and terrific office environment, especially organized with the improvement of equipment, arrangement for space, establishment of gender-friendly workplace to enhance authentic gender-equality.
- 7.13 At end of 2020, there were a total of 366,494 civil servants nationwide, of whom 42.3% were women (an increase of 0.2 percentage points compared to 2017). At end of 2020, out of the ranking servant in administration agencies, there were a total of 29,820 civil servants at a Grade 9 junior rank(detail) or above, of whom 43.2% were women (an increase of 2.3 percentage points compared to 2017);

female personnel in senior rank(detail) was at 36.5% (an increase of 3.5 percentage points compared to 2017). At the end of 2020, 40.4% of all civil servants executives were women, an increase from 36.9% in 2017.

7.14 To improve the ability of new female immigrants to participate in public decision-making, 2 committees, the committee for the coordination of new immigrant affairs and the new immigrant development fund management council, were established with specific composition criteria. In 2020, the Executive Yuan's third committee for the coordination of new immigrant affairs had 31 members, 11 of whom were women (35.5%) and 10 of whom were civil society members. Among these were 6 new immigrant members, all of whom were women. In 2020, the third new immigrant development fund management council had 33 members; among them, 20 were women (60.6%). Some 21 were civil society members, including seven immigrants, all of whom were women³⁸
39.

7.15 Regarding the representation of indigenous women in decision-making positions, the percentage of female members on the Council of Indigenous Peoples in 2020 was 44%, and the percentage of women serving as appointed officials on the Council of Indigenous Peoples was 35.3%, an increase of 18.6 percentage points from 2016. In 2020, the percentage of female members on 21 out of 24 committees reached one-third of the elected members of each local indigenous peoples' council (department, bureau). Once every 2 years, an opinion leader training program is held for women from indigenous communities. From 2017 to 2020, 462 indigenous women leaders were trained. Efforts have been made to establish a tribal council within each tribal group, and the organizational structures of tribes have been changed to create more opportunities for

³⁸ As of 2020, there were a total of 565,299 new immigrants in Taiwan, among whom 514,118 (90.9%) were female. Among these new immigrants, female spouses from mainland China and the Hong Kong and Macao regions accounted for 342,372 persons, while female foreign spouses accounted for 171,746 persons. In the past decade, 96.6% of foreign spouses have obtained naturalized Taiwanese nationality, women accounted for 96.6 percent.

³⁹ 7.14 to 7.18 are in response to Point 32.33 (c) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

- indigenous women to participate in public affairs and further improve their status.
- 7.16 To ensure equal participation by senior women in senior citizen welfare-related measures and policy formulation, the Ministry of Health and Welfare established a senior citizen welfare promotion task force. For this, members of each gender must comprise at least one-third of all task force members. There are 27 task force members, 14 of whom are women (51.9%). 6 are senior citizens, of whom 2 are women.
- 7.17 To promote the participation of women with disabilities in decision-making positions, women with disabilities have been appointed as members of the committee for the promotion of the rights of persons with disabilities, the committee for the training and employment of persons with disabilities, the special education student identification and schooling guidance council, and the special education advisory council. To promote the active participation of women with disabilities in decision-making on legislation and policy, an amendment to Article 10 of the People with Disabilities Rights Protection Act was proposed to specify that the proportion of participants with disabilities should be increased in order to take into account a balance between the various types of disabilities. The committee for the promotion of the rights of persons with disabilities has recruited four women with disabilities as members.
- 7.18 For information concerning members of agricultural councils and fishermen's associations and the election of related personnel, women's participation in irrigation associations, the situation concerning female participation as union members, and relevant measures to promote female participation in agricultural decision-making, please refer to 14.2 to 14.7.

Equal Participation in Nongovernmental Organizations and Associations Concerned with the Public and Political Life of the Country

- 7.19 In 2020, 26.3% of directors of national-level social associations were women, an increase from 25.3% in 2016. In 2014, the Ministry of the Interior included gender indicators for directors (supervisors) in the evaluation mechanism for social and professional organizations to encourage organizations to implement gender equality and increase women's participation in decision-making. The

gender ratio of directors and supervisors of participating social organizations that met the one-third gender rule in the evaluation was 40% in 2020. In 2016, the Ministry of the Interior amended guidelines for evaluating the performance of commercial and industrial freelance professional organizations to include additional points for those who meet the one-third gender ratio for directors (supervisors). The gender ratio of directors and supervisors of participating social organizations that meet the one-third gender rule in the evaluation was 12.4% in 2020, an increase from 9.4% in 2017.

7.20 As of the end of 2020, Taiwan's labor union organization rate was 32.6%; 1,650,029 members (49%) were female. The percentage of women playing executive roles in unions increased from 31.7% in 2017 to 33.4% in 2020. The Ministry of Labor continues to provide gender awareness training for labor union members and officers every year. In 2020, the Ministry of Labor organized two education and training sessions for labor unions consisting mainly of women and two training sessions for female labor union officers and managers. In addition, the gender ratio of union directors and supervisors and regulations or measures to promote gender equality have been included as subsidized items for review in Ministry of Labor guidelines for subsidizing labor unions' education and training activities in 2020. A gender equality course has been included as one of the core courses under these guidelines, with the aim of effectively increasing women's willingness to participate in union affairs and to serve as union directors and supervisors⁴⁰.

7.21 Among workers' unions overseen by the Ministry of Economic Affairs, the proportion of women serving as supervisors increased to between 0%-40.7% in 2020, as compared to between 2.8%-27.8% in 2016, showing an upward trend. In the future, women will continue to be encouraged to participate in various union affairs and activities and executive board elections.

⁴⁰ 7.20 to 7.21 are in response to Point 24.25 (b) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

Article 8

Women in Taiwan have an equal opportunity to serve as diplomats, represent the government, and participate in international organizations, especially in such fields as diplomacy, education, and economics.

Women's Equal Right to Serve as Diplomatic Personnel or Personnel Stationed Overseas

8.1 Following the abolition of restrictions on the number of women admitted to the diplomatic special examination in 1996, the female admission rate reached 58% in 2020, an increase of 12.8% from 2016. The number of female senior officers increased from 80 women (16.1%) in 2016 to 104 women (21%) in 2020, showing that women are gradually taking on an important role in the diplomatic service.

8.2 In 2020, 14 women served as heads of overseas missions (including ambassadors, permanent representatives, and consuls general) (12.8%), a slight increase from 12 women (11.9%) in 2016.⁴¹ The current number of female heads of mission is slightly lower due to the fact that during and prior to 1995, the diplomatic special examination had restrictions in place concerning enrollment quotas for women, resulting in fewer numbers of women being hired. To promote gender equality, the Ministry of Foreign Affairs provides information on the proportion of female staff in service for executive officers' reference when handling the promotion of supervisory positions, and gives priority to the promotion of women to supervisory positions. The number of female females in middle managers supervisory positions in 2020 was 59 (52.7%), which is slightly higher than the ratio for men. In 2020, the promotion rate of nonsupervisory female junior and senior officers stationed overseas was 50% and 33.3% respectively, and 42.3% overall, compared

⁴¹ The current proportion of women in senior positions, such as female heads of office, is slightly lower due to the fact that during and prior to 1995, the diplomatic special examination had restrictions in place concerning enrollment quotas for women, resulting in fewer numbers of women being hired. Since the promotion of diplomatic positions is related to qualifications, there were no personnel who joined the Ministry of Foreign Affairs after 1995 (29th term) among the 110 heads of office as of December 31, 2016. In the current reporting period (2017-2020), the number of heads of office who passed the special diplomatic examination after 1995 has gradually increased. On December 31, 2020, there were 17 heads of office who had joined the Ministry of Foreign Affairs after 1995, including four women, reflecting the gender ratio at the time of admission to the examination (23.5%).

with 45.7% and 15.8% in 2016, and 35.2% overall, all showing an increasing trend.⁴² In recent years, the majority of female senior officers and female personnel stationed overseas have been in grades 10 to 11.

- 8.3 The number of Overseas Community Affairs Council R.O.C. (Taiwan) (OCAC) personnel stationed overseas was 51-57 in the period 2017 to 2020; the number of female personnel remained 24-25 during this period, accounting for approximately 44% to 47% of personnel. In 2020, there were 7 female senior officers (35%) and 18 female junior officers (48.6%) in the personnel stationed overseas, which shows an increase of 1.7% and a decrease of 5.5 %, respectively, compared to 2016.

Equal Participation of Women as Government Representatives in International Meetings and International Organizations

- 8.4 In 2020, among the delegation of members who attended the Asia-Pacific Economic Cooperation (APEC) Economic Leaders' Meeting, the proportion of women was 40%, up from 34% in 2016. Women from Taiwan have actively participated in APEC meetings at all levels. In 2020, 987 experts from industry, government, and academia attended APEC meetings, of which 510 (51.6%) were women, and 68.2% of attendees to the ministerial meetings were women. Overall, Taiwan's percentage of women attending APEC meetings is slightly higher than that of men, with an increasing trend compared to the 48% female attendance in 2017. From Taiwan, 3 women (21.4%) held key positions in APEC forums in 2020, 1 more than the 2 women in 2017. These include the Chair of the Agricultural Technical Cooperation Working Group (ATCWG), the Deputy Chair of the Maritime Experts Group (MEG) of the Transportation Working Group (TPTWG), and the Deputy Coordinator of the Capacity Building Network (CBN) of the Human Resources Development Working Group (HRDWG). Women representing Taiwan's government in international organizations and positions include: Permanent Representative of the World Organisation for Animal Health (WOAH), Director of the Food and Fertilizer Technology Center for Asia and the

⁴² 8.2 is in response to Point 24.25 (b) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

Pacific (FFTC), Member of the Moisture Committee of the International Seed Testing Association (ISTA), Member of the Asia-Pacific Council of the Country Code Names Supporting Organization (ccNSO) of the Internet Corporation for Assigned Names and Numbers (ICANN), Senior Seconded Advisor of the European Bank for Reconstruction and Development (EBRD), Asian Development Bank (ADB) seconded expert, and Egmont Group (EG) secondment Senior Officer. From 2017 to 2020, three women from Taiwan chaired the WTO's Committee on Trade in Civil Aircraft, the Working Party on GATS Rules, and the Committee on Trade-Related Investment Measures for a total of 6 times. In addition, 3 women from Taiwan served as key members of the WTO Pension Plan Management Board and the Working Group on the Selection of an External Auditor for a total of 5 times.

- 8.5 Taiwan has also appointed an Ambassador-at-Large for Women's Empowerment to promote women's empowerment and assist domestic women's NGOs to participate annually in the United Nations Commission on the Status of Women (CSW) and the NGO CSW Forum, as well as other international organizations, and thus expand Taiwan's international participation through women's influence.
- 8.6 From 2017 to 2019, women accounted for over 33% of representatives who attended international sports conferences, which is the same as the previous National Report. In 2020, due to the COVID-19 pandemic, many international conferences were postponed or canceled, therefore the conferences in 2020 are not included in the statistics. In recent years, the Sports Administration has encouraged the Chinese Taipei Olympic Committee to give priority to female delegates to attend international conferences and to provide relevant budget subsidies, in order to comply with Taiwan's national gender mainstreaming policy and in response to the "Olympic Agenda 2020". The percentage of female delegates of Chinese Taipei Olympic Committee attending international sports conferences has reached 43.5%, a significant increase compared to the previous National Report (33%).
- 8.7 In order to increase participation among women in sporting affairs, in 2016 and 2018, the Ministry of Education assessed whether designated sports

organizations⁴³ (i.e., the board of directors and supervisors of such organizations) and committee members met the one-third gender rule, which has also been included as an indicator in Taiwan's national plan for reviewing and assessing designated sports organizations. From 2017 to 2020 (each term is four years), the percentage of female members on the boards and committees of designated sports organizations was 23.1%. Starting in 2020, the letters of approval sent to designated sports organizations regarding grants will include a reminder of the one-third gender rule in terms of the composition of boards of directors and supervisors. With the Ministry of Education continuing to promote women's participation in sports organizations and campaign for international organizations, the percentage of women holding positions in international sports organizations' positions increased from 14.5% in 2017 to 16.1% in 2020.

⁴³ Designated sports organizations are divided into Asian Games- and Olympic-specific sports organizations; non-Asian Games- and non-Olympic-specific sports organizations; R.O.C. (Taiwan) college and university sports associations; and R.O.C. (Taiwan) senior high school sports associations.

Article 9

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. Measures have also been strengthened to protect the nationality and related rights of new immigrants, those not registered to a household in Taiwan, and stateless children and youth.

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 rescind their original citizenship but are unable to become naturalized citizens, and thereby fall into the plight of becoming a stateless person, an amendment to the Nationality Act was promulgated in 2016 that permits foreign nationals to first undergo the naturalization process before having to present a certificate of loss of nationality from their country of origin. A total of 16,176 persons became naturalized in R.O.C. (Taiwan) citizens from 2017 to 2020, with women accounting for 90.9%. Most such women were from Southeast Asian countries, with 71.1% from Vietnam. Of the total of 219 applicants for naturalization denied due to a failure to meet applicable naturalization requirements under the Nationality Act, 186 were women (84.9%). The majority of rejected applications (148) were from persons of Vietnamese nationality. Rejected applications included 104 cases failing to confirm the authenticity of a marriage, followed by 29 cases in which the applicant had a criminal record, and 21 cases in which the applicant had not reached the legal duration of residence. There were also 65 cases rejected for not having all the necessary documents, for which the applicant was being investigated by judicial authorities, or for which divorce proceedings were in progress. Out of the total number of people whose naturalization applications were rejected, 67 were able to reapply and gain approval, of whom 83.5% were women. Compared to the previous National Report, the majority of naturalized citizens are still women, and Vietnamese nationals remain the most numerous.
- 9.2 In October 2017, Regulations for the Assessment Criteria of No Illicit or Illegal Behavior were promulgated. The regulations specify the scope of “no bad

conduct” referred to in Article 3 of the Nationality Act, which states that a person who has behaved badly may be recognized as having rectified such conduct and apply for naturalization after a certain observation period. The observation period may be shortened if the person actively engages in activities pursuant to the public good and contributes to society. From 2017 to 2020, two women were denied naturalization for failing to meet the “no bad conduct” requirement.

Measures to Protect the Rights and Interests of Children without a Household Registration and Stateless Children⁴⁴

9.3 To assist in authenticating the identify of children born to foreign migrant workers, if neither the biological mother nor biological father can be identified or are stateless, the child may be identified as having R.O.C. (Taiwan) nationality in accordance with Article 2 of the Nationality Act. For abandoned children and youth who are not R.O.C. (Taiwan) nationals, if the biological father is unknown and the biological mother is a foreigner and her location is unknown or she has already left the country, applications for a stateless child or youth born in Taiwan are to be made in accordance with the prevailing schedule and procedures for applications for stateless children or youth born in Taiwan and the standard operating procedures for issuing Alien Resident Certificates for stateless children or youth born in Taiwan. From 2017 to 2020, 73 abandoned children and youth who were not R.O.C. (Taiwan) nationals (41.1% of whom were female) were issued Alien Resident Certificates, of whom 52 were temporarily identified as having the nationality of their biological mothers and 21 were stateless (of whom 16 have since become naturalized as nationals of Taiwan, 1 has been placed into custody by the court and their case has yet to be determined, and 4 have obtained the nationality of their biological parents and returned to that country or are residing in Taiwan).

9.4 Local governments and social service units work with stateless abandoned children and youth whose mothers are migrant workers. There were 74 cases as of the end of 2020, of which 44.6% involved girls. From 2017 to 2020, 1,243

⁴⁴9.3 to 9.5 are in response to Point 38.39 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

instances of social welfare services were provided according to the needs of stateless children and youth, with girls accounting for 47.6%. Among them, subsidies for placement costs (including subsidies from the Ministry of Labor's Employment Stabilization Fund) were provided to 887 people, including 370 girls (41.7%); subsidies for medical expenses were provided to 201 people, including 119 girls (59.2%); subsidies for the livelihood of disadvantaged children were provided to 70 people, including 22 girls (31.4%); and other subsidies were provided to 85 people, including 81 girls (95%).

- 9.5 To protect the right of stateless children and youth to attend school, a proposed amendment to the Primary and Junior High School Act adds that the regulations on matters related to the admission of stateless students to schools are to be determined by the central governing authority. In 2020, a total of 13 stateless children and youth attended primary and junior high schools administered by local governments, of whom 3 were female (23.1%). 12 students have since been enrolled, of whom 3 were female (25%); 1 student, a boy, was not enrolled.

New Immigrant Dependent Visa, Temporary Entry, and Residency Rights

- 9.6 In practice, most immigrant dependent visa are issued to Southeast Asian female spouse. The number and percentage of dependent visas issued to female foreign spouses from Southeast Asia decreased slightly in the past 4 years, with 6,671 (89.4%), 6,288 (87.8%), 6,442 (87.1%), and 3,020 (85.0%) visas issued respectively.
- 9.7 To protect the human rights of new immigrants and the right to family reunification, the Ministry of the Interior has drafted amendments to Article 23 and Article 31 of the Immigration Act to grant the right to continued residency or to reapply for residency to female immigrants who are divorced due to domestic violence and have not remarried, or who have minor biological children with registered permanent residence in Taiwan after the divorce. The draft was submitted to the Executive Yuan for review in October 2020. The Executive Yuan had held five review meetings as of the end of 2021. In addition, the Ministry of the Interior issued an official letter to local governments in September 2018 requesting that before the completion of the aforementioned

amendments, new immigrants who have undergone divorce and have exercised the rights and assumed the duties in regard to minor child who is registered permanent resident, they may contact the National Immigration Agency of the Ministry of the Interior for assistance in applying for residency⁴⁵.

- 9.8 To promote the rights and interests of female immigrants residing in Taiwan after divorce, a study on the residency and parental rights of divorced new immigrants in Taiwan was commissioned from 2020 to 2021 to serve as a reference for promoting the rights and interests of new immigrants.
- 9.9 In October 2019, Regulations Governing Dependent Residency and Long-Term Residency or Permanent Residency for People of the Mainland Area was amended ,prescribed that Mainland Chinese spouses granted dependent residency or long-term residency won't be revoked residency if they were not remarried after Taiwanese spouses' death. After the amendment of the Regulations in 2004, those who were permitted to reside in Taiwan on a dependent residency but had their residency revoked due to the death of the spouse may apply again for a dependents residency if they have not remarried. In addition, if the mainland Chinese spouse, who has been permitted to reside in Taiwan on a dependent residency or a long-term residency, has divorced his or her spousal residency partner, his or her residency will not be revoked if he or she remarries the original spouse residency partner within 30 days of the divorce, or has exercised the rights and assumed the duties in regard to minor child who is registered permanent resident, or has obtained a divorce judgment due to domestic violence and has minor biological children registered to a household in Taiwan.
- 9.10 From 2017 to 2020, women continued to account for the majority of cases of spouses from mainland China applying for dependent residency while also showing a decreasing trend of 6,540 (90.1%), 6,032 (89.6%), 5,580 (86.5%), and 2,257 (86.8%) cases in each respective year.
- 9.11 From 2019 to 2020, the Ministry of the Interior issued 110 Alien Resident

⁴⁵ 9.7 to 9.8 are in response to Point 34.35 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

Certificates for dependents residency to Taiwanese citizens' same-sex spouses who are foreign nationals with permission to reside in Taiwan, of whom 25 were women (22.7%).

Outreach and Counseling for New Immigrants

- 9.12 As of 2020, there were 564,296 new immigrants in Taiwan, of whom 513,487 (91%) were female. Among these new immigrants, 342,287 were from Mainland China and Hong Kong and Macao area, 171,200 were foreigners.
- 9.13 According to a 2018 survey on the living needs of new immigrants, 70.3% of new immigrants said they had encountered no problems living in Taiwan. Those who had had problems cited financial problems (16.3%), problems with living rights in Taiwan (7.6%), employment problems (5%), and health problems (4.1%). In order, housework and work requirements included general household chores (88.7%, 2.6 hours on average), working outside the home (61.5%, 8.6 hours on average), taking care of children under 12 (35.9%, 6.1 hours on average), taking care of the elderly aged 65 or above who need help with daily living (4.9%, 5.8 hours on average), taking care of family members aged 12 to 64 who need help with daily living (1.3%, 5.3 hours on average), and working at home (8.6%, 7.5 hours on average).
- 9.14 When identifying and managing veterans' surviving family members who are new immigrants, care visits are provided as needed for individuals who are in danger of being evicted from leased public housing (including social housing) after the expiration of their tenancy. They are linked to social welfare resources or referred to local governments and related organizations for assistance. Contact networks and notification mechanisms have also been established with local governments and related new immigrant organizations. From 2018 to 2020, there were 7 cases of women requiring assistance, of whom 2 were not in the country and have not yet returned to Taiwan. The remaining 5 received assistance, of whom 1 purchased another house, 3 represented low-income households and renewed their public housing lease, and 1 had a housing lease that had not yet

expired and was deemed to require no assistance after being visited⁴⁶.

- 9.15 In the past, the "New Immigrant Care Services Measures" integrated central and local government resources to provide welfare and support services for pre-naturalization new immigrants in special circumstances, as well as learning and education services for new immigrants and their children, according to the needs of new immigrant families. After conducting the "Living Needs Survey for New Immigrants" to understand the needs of new immigrants, the related mechanism was adjusted on a rolling basis. In 2020, the measures to strengthen the care services for new immigrants were optimized, including coordination for children and high care students and international transfer students, vulnerable family visitation services, and creation of a friendly workplace environment for new immigrants. The relevant information is regularly made available on the website of the National Immigration Agency, Ministry of the Interior, for public viewing.
- 9.16 To help new immigrants adapt to life in Taiwan as quickly as possible, an immigrant family education and law promotion program has been established to provide courses on laws and regulations related to new immigrant residency, family management, customs and culture, domestic violence prevention, and gender equality education. A total of 1,314 sessions were held between 2017 and 2020, with 31,289 participants, of whom 65.7% were women; 52.3% of sessions were attended by new immigrants and 47.7% by Taiwanese spouses and their families. Courses or classes to enhance women's decision-making and leadership skills were also added to strengthen the ability of female new immigrants to participate in public decision-making.
- 9.17 To assist foreigners with interpreter services, an interpreter database was revised and optimized in 2020 to cover eight types of services, including care and counseling, health and welfare, and police investigations. In addition, an app has been developed for the use of requesting units and interpreters who have applied to be listed in the database, and the app has been opened up so that individual interpreters can join the database. The new version of the database was launched

⁴⁶9.14 is in response to Points 36 and 37 of the Concluding Observations and Recommendations on Taiwan's Third National Report.

on July 1, 2020. As of the end of December, 880 interpreters were listed, of whom 95% were female, providing services in 20 languages, including Vietnamese, Indonesian, Thai, English, and Japanese. A total of 3,114 inquiries for interpreters had been made.

Article 10

The Educational Fundamental Act guarantees the equal opportunity to receive education among all people, and provides special protection to indigenous peoples, people with disabilities, and other disadvantaged groups. The establishment and implementation of the Gender Equity Education Act has also had a substantive impact on equality.

Implementation of Substantively Equal Educational Opportunities

10.1 In 2020, 47.8% of all preschool children were female and 48.4% of public preschool children were female. The ratio of schoolchildren attending preschool from the previous data is consistent with the general population of girls of the same age (48.2%).

10.2 The overall enrollment rate for junior high and elementary school reached 97% or higher from 2017 to 2020, with a gender gap of 2% or less. The enrollment rate for indigenous students in junior high and elementary school reached 97% or higher, with a gender gap of approximately 2%. The enrollment rate for new immigrant students in junior high and elementary school reached 99% or higher, with a gender gap of approximately 5%. The enrollment rate for students with disabilities in junior high and elementary school reached 97% or higher, with a gender gap of 2% or less.

10.3 For statistics on the enrollment and dropout rates of indigenous students and students who are the children of new immigrants⁴⁷, refer to Tables 10-1 and 10-2.

[Table 10-1] Enrollment Rate of Indigenous Students and Students Who Are Children of New Immigrants

Unit: Percentage

| Academic year | Education Level | Indigenous Students | | | New Immigrant Students | | |
|---------------|--------------------|---------------------|-------|--------|------------------------|-------|--------|
| | | Enrollment Rate | Male | Female | Enrollment Rate | Male | Female |
| 2017 | Elementary School | 95.8% | 51.7% | 48.3% | 99.8% | 52.7% | 47.3% |
| | Junior High School | 94.6% | 51.8% | 48.2% | 99.5% | 50.8% | 49.2% |
| | Senior | 82.3% | 53.5% | 46.5% | | | |

⁴⁷ 10.2 to 10.3 are in response to Point 42.43 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

| | | | | | | | |
|------|--------------------|-------|-------|-------|-------|-------|-------|
| | High School | | | | | | |
| 2018 | Elementary School | 96.5% | 51.6% | 48.6% | 99.9% | 52.6% | 47.4% |
| | Junior High School | 95.6% | 51.5% | 48.5% | 99.4% | 51.0% | 49.0% |
| | Senior High School | 81.2% | 54.5% | 45.5% | | 53.7% | 46.3% |
| 2019 | Elementary School | 98.9% | 51.5% | 48.6% | 99.9% | 52.5% | 47.5% |
| | Junior High School | 98.4% | 51.8% | 48.2% | 99.3% | 51.0% | 49.0% |
| | Senior High School | 95.1% | 51.6% | 48.4% | | 54.0% | 46.0% |
| 2020 | Elementary School | 99.1% | 51.3% | 48.7% | 99.9% | 52.3% | 47.7% |
| | Junior High School | 97.9% | 51.7% | 48.3% | 99.3% | 51.4% | 48.6% |
| | Senior High School | 95.1% | 54.4% | 45.6% | | 54.2% | 45.8% |

Source: Department of Statistics, Ministry of Education (number of students); Council of Indigenous Peoples (population)

Calculation method:

1. The enrollment rate is the overall rate of the school year - the number of dropouts in the school year.
2. Elementary school is ages 7-12, junior high school is ages 13-15, senior high school is ages 16-18.
3. As the student dropout notification system does not have statistics on new immigrant students in senior high school, the relevant data cannot be provided.
4. As the Ministry of Education's Department of Statistics does not have statistics on the number of male and female new immigrant students for the 2017 school year, the gender ratio cannot be provided.

[Table 10-2] Dropout Rate of Indigenous Students and New Immigrant Students by Gender

Unit: Persons; %

| Indigenous Student Dropout Rate by Gender | | | | | | | | | | | | | | | | |
|--|-------------------|----------|--------------------|-----------|-------------------|----------|--------------------|-----------|-------------------|----------|--------------------|-----------|-------------------|----------|--------------------|-----------|
| Academic Year | 2017 | | | | 2018 | | | | 2019 | | | | 2020 | | | |
| Education Level | Elementary School | | Junior High School | | Elementary School | | Junior High School | | Elementary School | | Junior High School | | Elementary School | | Junior High School | |
| Total Number of Dropouts | 63 | | 410 | | 83 | | 419 | | 67 | | 416 | | 44 | | 374 | |
| Dropout Rate | 0.2% | | 1.8% | | 0.2% | | 1.9% | | 0.2% | | 1.9% | | 0.1% | | 1.7% | |
| Number of Persons (Percentage) | Male | Female | Male | Female |
| | 40 (63%) | 23 (37%) | 213 (52%) | 197 (48%) | 51 (61%) | 32 (39%) | 231 (55%) | 188 (45%) | 34 (51%) | 33 (49%) | 223 (54%) | 193 (46%) | 24 (55%) | 20 (45%) | 211 (56%) | 163 (44%) |
| New Immigrant Students Dropout Rate by Gender | | | | | | | | | | | | | | | | |

| Academic year | 2017 | | | | 2018 | | | | 2019 | | | | 2020 | | | |
|--------------------------------|-------------------|-------------|--------------------|--------------|-------------------|-------------|--------------------|--------------|-------------------|------------|--------------------|--------------|-------------------|------------|--------------------|--------------|
| Education Level | Elementary School | | Junior High School | | Elementary School | | Junior High School | | Elementary School | | Junior High School | | Elementary School | | Junior High School | |
| Total Number of Dropouts | 52 | | 335 | | 32 | | 358 | | 35 | | 369 | | 26 | | 335 | |
| Dropout Rate | 0.2% | | 0.5% | | 0.03% | | 0.6% | | 0.04% | | 0.7% | | 0.03% | | 0.7% | |
| Number of Persons (Percentage) | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female |
| | 32 (62%) | 20 (38%) | 195 (58%) | 140 (42%) | 18 (56%) | 14 (44%) | 195 (54%) | 163 (46%) | 26 (74%) | 9 (26%) | 196 (53%) | 173 (47%) | 20 (77%) | 6 (23%) | 173 (52%) | 162 (48%) |

Notes:

1. Source: National Elementary and Secondary School Dropout Notification and Reenrollment System.
2. Dropout rate = number of dropouts in the school year / total number of students in the school year * 100.

10.4 In the senior secondary education level, the actual ratio of male to female enrollment in general senior high schools and comprehensive senior high schools is 1:0.9, with no significant difference. As for the vocational senior high school level, the ratio is 1:0.7, with fewer females enrolled in vocational senior high school than in general and comprehensive high schools.

Higher Education

10.5 During the academic years 2016 to 2019, women in higher education continued to account for 50% or more of all university graduates. In particular, the proportion of women who have graduated from master's degree 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 43.9% to 44.4%, and the percentage of female graduates of PhD programs has increased from 31.7% to 32.3%. In terms of areas of study, the proportion of women graduating from programs in the field of education has increased from 69.7% to 70.6%, while the percentage of women enrolled in engineering, manufacturing, and construction studies increased from 15.1% to 18.3%.

10.6 In the 2020 academic year, the percentage of women among indigenous students in higher education was 59.7%, which was 9.1 percentage points higher than the percentage of female students overall. In the 2019 academic year, the percentage

of women among new immigrant students in higher education was 56.9%, which was 6.3 percentage points higher than the percentage of female students overall.

Special Education

10.7 The enrollment rate of female students with disabilities in the 2020 academic year reached 90% or more in preprimary education to primary and junior high school levels, falling to 42.3% at the senior high school level; the dropout rate of female students with disabilities was 0.07% at the preprimary education level, and 4.2% at the senior high school level (Table 10-3). The Special Education Transmit Net investigates and analyzes gender statistics for students with disabilities and compiles such information into an *Annual Statistical Report on Special Education*. Its website is available at:

<https://www.set.edu.tw/actclass/fileshare/default.asp>⁴⁸.

[Table 10-3] Enrollment and Dropout Rates of Students with Disabilities

Unit: %

| Academic Year | | Enrollment Rate of Students with Disabilities | | | | | | | | Dropout Rate of Students with Disabilities | | | | | | | |
|---------------|---------|---|--------|-------------------|--------|--------------------|--------|--------------------|--------|--|--------|-------------------|--------|--------------------|--------|--------------------|--------|
| | | Preschool | | Elementary School | | Junior High School | | Senior High School | | Preschool | | Elementary School | | Junior High School | | Senior High School | |
| 2017 | Overall | 99.5 | | 99.9 | | 94.2 | | 41.2 | | 0.9 | | 0.01 | | 0.04 | | 6.6 | |
| | Gender | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female |
| | | 99.5 | 99.5 | 99.9 | 99.9 | 94.2 | 94.2 | 41.2 | 41.2 | 0.9 | 0.95 | 0.02 | 0.00 | 0.05 | 0.01 | 7.2 | 5.4 |
| 2018 | Overall | 99.5 | | 99.9 | | 94.2 | | 41.2 | | 0.7 | | 0.01 | | 0.03 | | 6.9 | |
| | Gender | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female |
| | | 99.5 | 99.5 | 99.9 | 99.9 | 94.2 | 94.2 | 41.2 | 41.2 | 0.7 | 0.90 | 0.02 | 0.00 | 0.04 | 0.01 | 7.3 | 6.0 |
| 2019 | Overall | 99.5 | | 99.9 | | 94.2 | | 41.2 | | 0.9 | | 0.00 | | 0.02 | | 7.2 | |
| | Gender | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female |
| | | 99.5 | 99.5 | 99.9 | 99.9 | 94.2 | 94.2 | 41.2 | 41.2 | 0.9 | 1.0 | 0.01 | 0.00 | 0.03 | 0.00 | 7.6 | 6.4 |
| 2020 | Overall | 99.5 | | 99.5 | | 99.9 | | 99.9 | | 0.05 | | 0.01 | | 0.02 | | 4.63 | |
| | Gender | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female |
| | | 97.9 | 97.9 | 98.6 | 98.9 | 97.4 | 97.0 | 45.3 | 42.3 | 0.05 | 0.07 | 0.01 | 0.02 | 0.03 | 0.01 | 4.9 | 4.2 |

Source: Special Education Transmit Net, Ministry of Education.

Notes: 1. The data for the academic year 2017 runs to May 28, 2018; the data for the academic year 2018 runs to May 28, 2019; the data for the academic year 2019 runs to May 28, 2020; and the data for the academic year 2020 runs to May 28, 2021.

⁴⁸ 10.7 to 10.11 are in response to Point 42.43 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

2. Dropout includes the number of students who dropped out, withdrew from school, and was suspended in the academic year. (There is no withdrawal system at preschools, elementary schools and junior high schools.)

10.8 Government draws up the reference principles for schools applying for employment of special education student assistants based on the needs of school learning and daily living of special education students. It serves as a source of reference for the unit with special education student assistant requirements, respecting the special education students' choice of assistant's gender.

10.9 Government provided students with disabilities with supportive measures and assistance, including assistive technology, assistants, accessible environment, scholarship and grants, the special learning materials and other services, to ensure the right of all students with disabilities to study.

10.10 In 2019, the "Guidelines for Subsidy Application to Improve Accessible Campus Environment" increased a subsidy item, "Adult Changing Tables", which gives priority to schools with women with disabilities to facilitate access to school activities for those women.

10.11 In 2017, a survey was conducted on the factors influencing the educational level and career development of people with disabilities. The survey, conducted among people aged 15 to 44 with disabilities, found that the female employment rate was 43.1%. Schools provide support services according to the Special Education Act and students' individual needs regardless of gender.

Military Education

10.12 Gender-based apportionment for the enrollment of men and women at police academies is conducted by the relevant employing institutions in accordance with the proviso to Article 7 of the Act of Gender Equality in Employment and by taking the nature of work after graduation into consideration, which makes a distinction between gender quotas in recruitment. The Central Police University only limits the number of quotas for each gender in the four-year undergraduate program. From 2017 to 2020, the ratio of female enrollment in this academic structure was close to the ratio of female admissions in other examinations without quotas in the same year, and has increased by 0.8 percentage points

compared to the ratio of female enrollment in 2016. The admission rate for Taiwan Police College remained the same (Table 10-4). For the admissions of indigenous people and children of new immigrants, there were 2 indigenous females in the Central Police University from 2017 to 2020, accounting for 0.3%, and no statistics for new immigrants. For the Taiwan Police College, there were 3 to 9 (0.1%) indigenous females and 4 to 12 (0.1% to 0.2%) female new immigrants. In the academic year 2017-2020, the percentage of female students graduating from police academies ranged from approximately 19% to 20.8%, and 9.8% to 10.1% for the Taiwan Police College.

[Table 10-4] Proportion of Female Cadets at Police Academies

Unit: %

| Academic Year | Central Police University | | | Taiwan Police College |
|---------------|---------------------------|----------------|-------|-----------------------|
| | Total | 4-Year Program | Other | |
| 2017 | 22.6 | 25.4 | 19.7 | 10.4 |
| 2018 | 23.4 | 27.3 | 20.4 | 10.1 |
| 2019 | 19.5 | 17.6 | 20.3 | 9.8 |
| 2020 | 21.7 | 23.3 | 20.3 | 10.1 |

Source: Ministry of the Interior

10.13 The recruitment rate of women in military academies from 2017 to 2020 increased from 109% in 2017 to 126% in 2020, showing an overall trend of improvement. The number of female students graduating as a proportion of total graduates increased from 15.5% in 2017 to 25.4% in 2020. According to gender-aggregated statistics for indigenous people, new immigrants, and people with disabilities in military academies, there were 275 indigenous cadets, of whom 70 were female students (25.5%) and 185 new immigrant cadets, of whom 35 were female students (18.9%). Since students in military academies need to meet certain physical requirements to conform with regular services, there were no students with disabilities.

Encouraging Women to Participate in Education and Research Professions

10.14 The percentage of female teachers by school level for the 2017-2020 academic

years was around 70% at the elementary level, 60% at the junior high school level, 50% at the senior high school level, and 30% at the higher education level. For the 2017-2020 academic years, the percentage of female principals in schools at the senior high school level and below showed a yearly increase, while the percentage in higher education institutions showed a yearly decrease (Table 10-5). Please refer to points 4.4 to 4.8 for the promotion of women's participation in decision-making in education and the promotion of female professors and principals.

[Table 10-5] Statistics on the Number of Female Teachers and Female Principals by School Level

Unit: Persons; %

| Female Teachers | | | | | | | | | | | | | | | |
|--------------------------|-----------|--------|-------|-------------------|--------|-------|--------------------|--------|-------|--------------------|--------|-------|--------------------|--------|-------|
| Year | Preschool | | | Elementary School | | | Junior High school | | | Senior High school | | | College/University | | |
| | Total | Female | Ratio | Total | Female | Ratio | Total | Female | Ratio | Total | Female | Ratio | Total | Female | Ratio |
| 2017 | 49,089 | 48,386 | 98.6 | 94,403 | 67,063 | 71.0 | 46,770 | 32,329 | 69.1 | 53,962 | 31,399 | 58.2 | 47,412 | 17,070 | 36.0 |
| 2018 | 51,297 | 50,526 | 98.5 | 95,670 | 68,256 | 71.4 | 46,452 | 32,086 | 69.0 | 52,963 | 30,790 | 58.1 | 46,794 | 16,958 | 36.2 |
| 2019 | 53,747 | 52,892 | 98.4 | 96,612 | 69,253 | 71.7 | 46,599 | 32,090 | 68.9 | 52,120 | 30,432 | 58.4 | 46,137 | 16,751 | 36.3 |
| 2020 | 56,771 | 55,838 | 98.4 | 97,039 | 69,661 | 71.8 | 46,486 | 32,034 | 68.9 | 51,289 | 30,042 | 58.6 | 45,811 | 16,687 | 36.4 |
| Female Principals | | | | | | | | | | | | | | | |
| Year | Preschool | | | Elementary School | | | Junior High school | | | Senior High school | | | College/University | | |
| | Total | Female | Ratio | Total | Female | Ratio | Total | Female | Ratio | Total | Female | Ratio | Total | Female | Ratio |
| 2017 | 4,216 | 3,989 | 94.6 | 2,631 | 810 | 30.8 | 732 | 243 | 33.2 | 511 | 107 | 20.9 | 157 | 17 | 10.8 |
| 2018 | 4,200 | 3,980 | 94.8 | 2,630 | 799 | 30.4 | 737 | 253 | 34.3 | 513 | 111 | 21.6 | 153 | 14 | 9.2 |
| 2019 | 4,271 | 4,048 | 94.8 | 2,631 | 817 | 31.1 | 739 | 252 | 34.1 | 513 | 117 | 22.8 | 152 | 15 | 9.9 |
| 2020 | 4,342 | 4,125 | 95.0 | 2,631 | 822 | 31.2 | 737 | 254 | 34.5 | 513 | 123 | 24.0 | 152 | 11 | 7.2 |

Source: Ministry of Education

Women Participating in the Research Professions

10.15 From 2017 to 2020, the proportion of female research personnel participating in research projects continued to increase for 4 consecutive years, rising from 25.3% to 27.2%. The number of approved cases increased from 24.9% to 27.1%; the ratio of male to female R&D human resources remained roughly 3:1 over the same period. In 2019, female R&D personnel (including researchers, technicians, and support staff) accounted for 25.3% of the national R&D

workforce, up 2,020 from the previous year, with a growth rate of 3.0% (Table 10-6)⁴⁹.

[Table 10-6] National R&D Workforce (Full-time Equivalent) by Gender

Unit: Person/Year

| Year | Nationwide | Female | Female Ratio (%) |
|------|------------|--------|------------------|
| 2016 | 250,495 | 62,561 | 25.0 |
| 2017 | 255,229 | 64,391 | 25.2 |
| 2018 | 262,307 | 66,570 | 25.4 |
| 2019 | 271,579 | 68,590 | 25.3 |

Source: National Science and Technology Statistics 2020

10.16 To encourage research on gender issues, 464 research projects on gender and science and technology were subsidized from 2017 to 2020, of which 63.8% were proposed by female researchers; of the 138 approved projects, 70.3% were proposed by female researchers.

10.17 In 2019, the Ministry of Science and Technology’s research project subsidy guidelines were amended to add that for principal investigators who are absent from scientific research due to childbirth or family care, the duration of the research or results phase is to be extended by 2 years for each birth, in order to encourage the continued implementation of such research projects.

Promoting Female Participation in Sports and Athletics

10.18 A *White Paper on Promoting Female Participation in Sports* was published in 2017 and covered four major themes: promoting women’s sports and leisure; creating sports-friendly spaces and environments; empowering women and sports participation; and expanding the visibility of women’s sports. It targeted different groups of women for sports participation programs, with the goal of increasing the percentage of the regular female sporting population regularly doing exercise to 1% and continuing to promote a variety of female sports, thereby increasing the willingness of women to participate in sports.

⁴⁹ 10.15 to 10.17 are in response to Point 50.51 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

- 10.19 The percentage of students participating in school sports teams at all levels in the 2016-2019 academic years was 10.5% for female students (the same as in 2016) and 17.9% for male students (a decrease of 0.1% from 2016). The percentage of students participating in sports clubs was 21.8% for female students (down 2% from 2016) and 35.4% for male students (down 2.2% from 2016). The reasons cited for not participating in sports clubs included: the student had already joined other sports programs or clubs outside of school; the student wanted to join but did not find a suitable sports club; and the student did not have time to join.
- 10.20 Students at schools of all levels are required to undergo a minimum of one physical fitness test during each academic year. From 2016 to 2019, among students in senior high school and below who reached the 25th percentile or higher in all four indicators, 63.3% were female students (0.9% increase) and 56.5% were male students (0.7% increase). The percentage of students with a normal body mass index was 65.4% for female students (2.0% increase) and 56.6% for male students (3.4% increase).
- 10.21 Various categories of school sports and competitions divide students into male teams and female teams, which encourages female participation. Softball leagues for female students at the elementary and secondary school levels were held for the 2016-2019 academic years, with 10 senior high school teams, 16 junior high school teams, and 23 primary school teams, for a total of 49 teams (13.9% growth). Volleyball, basketball, and soccer leagues also make efforts to hold women's tournaments.
- 10.22 The rules and regulations for transsexual and bisexual student athletes are based on the International Olympic Committee's rules and regulations, with testosterone levels being used as the testing standard. These have been incorporated into competition regulations for the National Middle School Athletic Games and National Intercollegiate Athletic Games.

Education on Sexual Health, Reproductive Health, and Related Rights

- 10.23 In January 2022, the National Academy for Educational Research added a supplementary note on sex education to the K-12 National Basic Education

Curriculum Framework's *Health and Physical Education Curriculum Handbook for National Elementary, Junior High, and General Senior High Schools*. The contents of a supplementary note on the meaning of and teaching practices for comprehensive sex education have been published online and forwarded to the relevant publishers as a reference in textbook editing, as well as to primary and secondary school curriculum and teaching promotion systems and schools at all levels for use as teacher skills enrichment materials⁵⁰.

10.24 To teach students to respect people of different sexual orientations and observe sexual/gender diversity, the Ministry of Education promotes sexual health education at all school levels based on the World Health Organization's six areas of health promotion at schools (1. school health policy; 2. school physical environment; 3. school social environment; 4. healthy life skills teaching and action; 5. community relations; and 6. health services). Higher education institutions are encouraged to offer related courses or integrate these topics into their curriculums and promotional activities. From 2017 to 2020, 521 higher education institutions offered 4,128 sex education-related courses (including HIV prevention and treatment), with 211,938 students attending such courses.

10.25 In response to the conflicting positions that various sectors of society hold regarding the content of sex education in textbooks, the National Academy for Educational Research established an advisory group on gender equality education in Elementary and secondary schools. The group examines textbooks that touch upon gender equality education in accordance with associated procedures for handling questions on gender equality education in textbooks, providing expert opinions in writing as part of this process. The opinions of the textbook review committees of public primary and secondary schools and the textbook review panels of senior high schools are also included, with feedback being provided to textbook publishers for editorial reference to ensure that the contents of textbooks remain appropriate.

10.26 The advisory group for the abovementioned issues includes gender equality

⁵⁰ 10.23 to 10.30 are in response to Point 44.45 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

scholars, experts, representatives of administrative agencies, current teachers, and representatives of parent groups. It is hoped that, with a balanced position and an expanded pool of gender expertise, the relevant stakeholders can eliminate conflict through diversified discussions. From 2017 to 2020, the advisory group held 16 meetings to clarify various concerns, suggestions, and consultation needs through multifaceted discussions. Educational learning resources will continue to be provided through various formats, such as editorial seminars and workshops, to build consensus as to the content of revised textbooks that deal with gender equality education.

10.27 The "Health 99—Education Resource" website has been set up to provide information and teaching materials on adolescent sexual health, contraception, and intimate relationships, incorporating issues from different groups. Accreditation for adolescent-friendly health care institutions has been implemented to create adolescent-friendly medical environments, with 5 medical institutions accredited as of the end of 2020. Reference materials on adolescent healthcare, healthy contraception, and the prevention of unintended teenage pregnancy have been produced, while 4 training sessions on the promotion of adolescent sexual health and the application of associated materials have been conducted, with a total of 405 participants.

10.28 The Central Police University set up the "Procedures for Creating a Gender Minority-Friendly Environment" in February 2020 to establish an assistance mechanism for gender minorities. In October 2018, the Taiwan Police College issued and implemented the "Taiwan Police College Guidelines for Prevention and Handling of Gender Equality Incidents" to create a gender-friendly campus environment.

10.29 To ensure all service members of the military have correct concepts towards gender equality, SOGIESC issues are included in the Ministry of National Defense's gender mainstreaming education and training curriculum. In addition, each military academy has developed SOGIESC issues (e.g. National Defense Medical Center - Sexual and Reproductive Health and Rights, etc.) in accordance with the "National Defense Basic College General Education

Curriculum Benchmark Sheet", which will be reviewed by the gender equality education committee and included as elective subjects in the student curriculum.

10.30 Taiwan's 4 juvenile correctional schools (campuses) have implemented the new curriculum in tandem with the K-12 Education Administration of the Ministry of Education. In addition, in accordance with a program to reform juvenile rehabilitation institutions into correctional schools, 81 contracted full-time substitute teachers are assigned to the 2 campuses to assist correctional schools (campuses) in deepening the effectiveness of the education provided. The current gender equality education curriculum at juvenile correctional schools is based on Article 17 of the Gender Equity Education Act. In addition to specific courses in health and care, citizenship and society, and gender and family, related courses are also integrated into other subjects.

Education for Pregnant Girls and Young Mothers

10.31 In 2021, guidelines on pregnant students' right to education and counseling assistance were amended and published to include a services referral list for individual cases. The purpose was to provide out-of-school financial assistance, childcare, and placement assistance for pregnant women and minors aged 20 or below, and to integrate resources related to counseling and assistance for pregnant students both inside and outside of school. Relevant measures include local governments being recommended to consider including the children of pregnant students for second-stage priority enrollment at public and nonprofit kindergartens in the 2021 school year; the inclusion of pregnant students in the school placement assistance mechanism of the Higher Education SPROUT Project and matching them with foundations or private organizations that are willing to provide scholarships for pregnant students and outstanding students with children; the inclusion of examination services for pregnant students in the guidelines of the technical and vocational education unified entrance exam, the general scholastic ability test and the comprehensive assessment program for junior high school students, so that assistance can be provided to pregnant students in and out of school; and the inclusion of the protection of students' right to education and counseling assistance for pregnant students in the

indicators for public and private college/university awards and subsidies⁵¹.

10.32 In the 2016-2018 academic years, 76, 63, and 79 students, respectively, dropped out of senior high school and below due to pregnancy. For the same years, 77.5%, 79.9%, and 80.8% of pregnant students continued their education at the senior high school level and below. Schools are subject to oversight to ensure that the right of pregnant students to receive education is upheld in accordance with the law.

10.33 In 2020, the Ministry of Education issued a circular requesting that schools at all levels incorporate pregnant students' leaves of absence and the flexible handling of grade assessments into school rules and regulations. No points are to be deducted for absences due to pregnancy or nursing care for students on approved personal (sick) leave or maternity leave. If the number of hours of absence exceeds one-third of the total number of hours taught in a semester, the grade for that subject may be handled flexibly by a make-up exam or other remedial measures depending on the needs and nature of the subject, with the grade of the make-up exam being calculated as the actual grade achieved on the exam. For the 2017-2020 academic years, 14 male students and 41 female students at the senior high school level or below applied for parental leave.

10.34 The Central Police University and Taiwan Police College provide breastfeeding rooms, breast milk freezing facilities, and psychological counseling and guidance services to protect pregnant women's right to education.

10.35 In addressing student pregnancies, all military academies follow the Ministry of Education's guidelines on pregnant students' right to education and counseling assistance. There was 1 case of a pregnant student from 2018 to 2020.

10.36 The 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. From 2017 to 2020, there were 3,165 calls to the counseling hotline, with 2,450 calls for information, 1,231 calls for psychological support, 1,071 calls for follow-up care, and 185 calls for

⁵¹ 10.31 to 10.39 are in response to Point 48.49 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

referrals; the support website was visited 440,000 times and provided online consultation services to 2,274 people.

10.37 According to procedures for providing pregnancy services to minors, professionals from social welfare agencies, schools, medical institutions, and household registration offices coming into contact with pregnant teenagers or teenage parents may refer them to local governments to provide integrated services after obtaining the consent of the person(s) concerned. Following amendments to the procedures in 2019, local governments also provide one-stop case management services as part of the implementation of a teenage pregnancy service and follow-up counseling program. From 2017 to 2020, various services ranging from financial subsidies, childcare services or adoption referrals, placement, school reenrollment, employment, and health and wellness services were provided for the benefit of 33,755 people, among whom 32,433 were female. If the individual in a case reaches the age of majority during the process, follow-up counseling may still be provided according to the needs of the individual, or assistance can be provided to link them to other resources. In 2020, 234 individuals aged 20 or older received services. From 2017 to 2020, a total of 7,904 unmarried pregnant women (including minors) received family hardship assistance.

10.38 In February 2021, statistics on teenage pregnancy and teenage mothers were compiled from social services, education, healthcare, and household registration units. In March 2021, a brief overview of the current services provided by each network referral social services unit was published on the Social and Family Affairs Administration website at <https://www.sfaa.gov.tw/SFAA/Pages/List.aspx?nodeid=1208>.

10.39 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 to provide related consultation and referral services to disadvantaged single-parent families. Among single-parent women who applied for the subsidies, most were studying at a college or university. In

2020, the proportion of subsidies provided to single mothers was 97%, an increase of 2 percentage points from 2016.

Prevention and Handling of Sexual Assault, Sexual Harassment, and Sexual Bullying on Campuses

10.40 The number of reported cases of suspected sexual assault on campus increased from 1,583 in 2017 to 2,800 in 2020⁵². According to the law, if a person becomes aware (hears) of a suspected incident, it must be reported. However, the number of incidents reported does not necessarily refer to the number of incidents that occurred. The increase in the number of reports may allow the number of potential criminal cases to be minimized. Whether or not the reported incident is investigated is subject to the availability of the victim. The victim or his or her legal representative is encouraged to apply for an investigation or to file a report through any person; alternatively, the school’s gender equality committee may decide to investigate the case on the basis of public interest.

10.41 The numbers of substantiated incidents of sexual assault, sexual harassment, and sexual bullying in schools in 2019 were 397, 1,644, and 63, respectively. Sexual harassment showed an upward trend compared to 1,242 incidents in 2016, while the other two categories saw no significant change as compared to 2016 (Table 10-7). Training for investigation professionals, as well as the establishment and appointment of a pool of investigation professionals, continues to be carried out in accordance with the relevant provisions. As of 2020, there were 1,606 professionals qualified to handle investigations.

[Table 10-7] Statistics Concerning Substantiated Cases and Victims of Sexual Assault, Sexual Harassment, and Sexual Bullying Incidents on School Campuses

Unit: Persons; %

| Year | Sexual Assault | | | Sexual Harassment | | | Sexual Bullying | | |
|------|--------------------|--------------------|---------------|--------------------|--------------------|---------------|--------------------|--------------------|---------------|
| | Number of Substant | Female Victims (%) | Total Persons | Number of Substant | Female Victims (%) | Total Persons | Number of Substant | Female Victims (%) | Total Persons |
| | | | | | | | | | |

⁵² 10.40 to 10.47 are in response to Point 46.47 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

| | iated Cases | | | iated Cases | | | iated Cases | | |
|------|----------------|-----------|-----|----------------|-------------|-------|----------------|----------|----|
| 2017 | 402 | 203(78.9) | 257 | 1521 | 1,570(80.2) | 1,957 | 35 | 16(37.2) | 43 |
| 2018 | 383 | 206(69.8) | 295 | 1529 | 1,695(79.7) | 2,126 | 41 | 6(12.8) | 47 |
| 2019 | 397 | 195(75.0) | 260 | 1644 | 1,781(76.8) | 2,320 | 63 | 8(21.6) | 37 |
| 2020 | 408 | 224(76.3) | 294 | 2034 | 2,162(76.1) | 2,845 | 63 | 33(40.7) | 81 |

Source: Ministry of Education

10.42 A school campus sexual assault, sexual harassment, and sexual bullying statistics and tracking management system established by the Ministry of Education provides statistics on the handling of incidents, the relationship between the parties involved, and gender and age. It is expected that from 2021, analyses of the results of reported incidents will be carried out annually.

10.43 Currently, written university/college campus evaluations include 4 major items: administrative organization and operation (30%); learning environment resources and teaching (30%); the prevention and treatment of sexual assault, sexual harassment, and sexual bullying on campus (22%); and campus cultural environment and community development (18%). The overall total score is 100 points. In 2020, 38 schools were evaluated; improvements are now pending at five schools.

10.44 To help improve students' knowledge of and ability to protect themselves from incidents of sexual harassment, sexual assault, and sexual bullying on school campuses, *STOP Robot*, an illustrated guide to preventing sexual harassment, sexual assault, and sexual bullying at elementary schools during student participation in athletics programs, was formulated in 2019 and provided to schools as a teaching resource.

10.45 In June 2020, regulations on the collection and handling of information on unsuitable educational personnel were amended and published.

10.46 The Ministry of Defense follows the "Military Preparatory School Guidelines for Handling Sexual Assault, Sexual Harassment, and Sexual Bullying on Campus" to handle related violations of gender equality, including preventative education and the promotion of associated measures and principles. In the past 3 years, there were 15 cases of sexual harassment in military schools (6 substantiated, 2 unsubstantiated, and 7 dismissed). None of the complaints were

filed by LGBTI students.

10.47 In 2020, specific measures for correctional facilities in preventing and handling sexual assault, sexual harassment, sexual bullying, and other bullying incidents against institutionalized persons were amended to include third party reporting, assistance relief procedures, burden of proof, and administrative review. Training courses are held regularly, with 384 participants receiving training from 2017 to 2020.

10.48 For the prevention of digital- and cyber-related gender-based violence, please refer to 2.42 to 2.48. For the promotion of child and youth sexual exploitation prevention and the reinforcement of child and youth audiovisual and internet safety, please refer to 6.17 to 6.19.

Gender Equity Education Act

10.49 In American English, *equity* in an educational context refers to measures such as resource redistribution and procedural corrections to achieve substantive equality. Both UNESCO and SDG 4 use *equity* to emphasize the importance of practical measures and their implementation.⁵³ The Gender Equity Education Act emphasizes such means and measures, and the purpose of the legislation is to achieve substantive gender equality, or *equity*. The education system and its practices should focus on fairness in methods and processes, and adopt measures to address differing needs to rectify and reduce existing disparities between different groups so that everyone can be free from the negative effects of unjust discrimination and can fully develop their individual potential. It is only by doing so that equality in education can be truly achieved. Therefore, *equity* has become a term used in the field of education to refer to the provision of special incentives and support measures for students from disadvantaged groups, helping them access various resources for learning in their individual contexts so that they are able to enjoy the same opportunities and the same treatment as ordinary students, so that they do not start out life at a disadvantage.

10.50 *Gender* as defined in the Gender Equity Education Act includes the biological

⁵³ 10.49 to 10.51 are in response to Point 40.41 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

sexes and genders referred to under the CEDAW framework in its area of concern, as well as the gender identities and sexual orientations of other identities and intersectional factors guaranteed by the International Bill of Human Rights. The act protects both women and men and clearly states that gender identity and gender specificity are based on the needs of all gender groups. In practice, the application of the act has never resulted in any confusion. The ultimate goal has always been the equality of all gender groups.

10.51 Gender equality is also the goal that education wants to achieve. In the field of education, the term *gender equity education* is used especially to refer to measures for redistributing and adjusting the teaching curriculum, environment, and mechanisms to promote equality of opportunity, resources, and rights for students of all gender identities, and emphasizes the importance of dynamics and processes rather than replacing gender equality. These seemingly unequal measures are the means through which to truly achieve substantive gender equality, which was the original legislative intent of the Gender Equity Education Act, and conform with common academic and practical language practices in the field of education. Moreover, the term *gender* in the Gender Equity Education Act directly covers gender diverse groups (LGBTQI+) without using other identities, which is more inclusive and forward-looking than the term used in international human rights treaties.

Article 11

The overall participation of women in the workforce continues to increase slowly, but begins to decline starting between the ages of 30 and 34, which is indicative of women leaving the workplace due to factors such as marriage and childcare. To ensure that women of childbearing age can take care of their families and work at the same time, public childcare services and parental leave without pay are being promoted. To increase the employment rate in the 45-65 age group, the Middle-aged and Elderly Employment Promotion Act was implemented in 2020 to increase the participation of middle-aged and elderly women in the workforce and promote their utilization as a pool of human resources.

Women's Labor Participation

11.1 In 2020, a total of 5.326 million women were in Taiwan's labor force, accounting for 44.5% of labor force. The labor force participation rate of females has reached 51.4% (67.2% for men), which is a slight increase compared to 50.9% in 2017 (as compared to 67.1% for males). The labor force participation rate was highest among women aged 25-29, at 90.5%, while revealing a gradually declining trend with age. Compared with 2017, the labor force participation rate for women in 2020 rose in all age groups except for a slight decline of 0.2 percentage points for the ages of 40 to 44, with the highest rise of 5.1 percentage points between the ages of 35 to 39 (Table 11-1).

[Table 11-1] Labor Force Participation Rate - by Gender and Age (2017-2020)

| Year | | Unit: % | | | | | | | | | | | |
|-------|------|---------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------------|
| | | Total | 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 | 65 years and over |
| Men | 2017 | 67.1 | 10.0 | 55.7 | 95.1 | 98.2 | 95.3 | 93.5 | 92.1 | 84.9 | 71.4 | 50.0 | 13.9 |
| | 2018 | 67.2 | 11.0 | 56.5 | 95.0 | 98.3 | 96.5 | 94.1 | 94.3 | 86.4 | 70.6 | 50.3 | 13.2 |
| | 2019 | 67.3 | 11.8 | 60.0 | 95.3 | 98.0 | 97.7 | 93.0 | 95.1 | 87.9 | 70.4 | 50.2 | 12.9 |
| | 2020 | 67.2 | 10.5 | 61.3 | 94.7 | 98.1 | 97.5 | 93.3 | 93.1 | 87.1 | 71.4 | 51.9 | 13.8 |
| Women | 2017 | 50.9 | 7.6 | 53.6 | 89.7 | 84.2 | 76.9 | 76.4 | 73.5 | 60.4 | 40.7 | 24.2 | 4.1 |
| | 2018 | 51.1 | 7.4 | 56.3 | 91.8 | 85.6 | 78.2 | 75.1 | 74.0 | 61.0 | 41.4 | 24.0 | 4.4 |
| | 2019 | 51.4 | 7.6 | 57.7 | 92.7 | 87.6 | 81.0 | 74.5 | 74.8 | 61.5 | 42.4 | 24.1 | 4.5 |
| | 2020 | 51.4 | 8.1 | 56.7 | 90.5 | 87.2 | 82.0 | 76.2 | 75.6 | 63.7 | 44.3 | 24.5 | 4.6 |

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

11.2 In 2020, the unemployment rate among women was 3.8% (3.9% for men), rose by 0.3 percentage points from 2017 (declined by 0.1 percentage points for men). When broken down by age group, both men and women in the 20-24 age bracket had the highest rate of unemployment, which is predominantly due to the fact that they are still learning and navigating unfamiliar territory when it comes to seeking employment. The unemployment rate declines with age growing up after that. The unemployment rate ~~with the rate~~ falling to 4% or below after age 30, and 0.5% for women (0.4% for men) aged 65 and over (Table 11-2).

[Table 11-2] Unemployment Rate - by Gender and Age (2017-2020)

Unit: %

| Year | | Total | 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 | 65 years and over |
|-------|------|-------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------------------|
| Men | 2017 | 4.0 | 8.5 | 12.0 | 7.2 | 4.0 | 3.7 | 3.3 | 2.8 | 2.4 | 2.0 | 1.9 | 0.1 |
| | 2018 | 3.9 | 9.5 | 11.6 | 7.3 | 3.8 | 3.7 | 2.8 | 2.7 | 2.2 | 1.8 | 2.2 | 0.1 |
| | 2019 | 3.9 | 7.4 | 12.1 | 7.1 | 3.5 | 3.3 | 3.3 | 2.4 | 2.3 | 2.0 | 2.0 | 0.4 |
| | 2020 | 3.9 | 5.7 | 12.0 | 6.4 | 3.7 | 3.2 | 3.2 | 2.6 | 2.9 | 2.5 | 2.4 | 0.4 |
| Women | 2017 | 3.5 | 9.2 | 12.8 | 6.0 | 3.0 | 2.7 | 1.9 | 1.6 | 1.6 | 1.1 | 1.4 | 0.1 |
| | 2018 | 3.5 | 6.8 | 12.3 | 5.4 | 3.0 | 3.0 | 2.3 | 1.6 | 1.8 | 1.5 | 1.6 | 0.1 |
| | 2019 | 3.6 | 12.3 | 12.4 | 6.1 | 3.0 | 3.1 | 2.2 | 1.5 | 1.6 | 1.1 | 2.4 | 0.2 |
| | 2020 | 3.8 | 11.6 | 12.1 | 6.6 | 3.6 | 3.0 | 2.4 | 2.2 | 1.6 | 1.4 | 2.3 | 0.5 |

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

11.3 In 2019, the labor force participation rate for persons aged 15 and above with disabilities was 20.7%, 14.7% for females (25.5% for males), compared to 2016, an increase of 0.3 percentage points in the overall labor force participation rate, an increase of 0.6 percentage points for females (0.2 percentage points for males). The unemployment rate for persons aged 15 and above with disabilities was 8.1%, 8.1% for women (8.2% for men), compared to 2016, a decline of 1.1 percentage points in the overall unemployment rate, a decline of 0.4 percentage points for

women (a decline of 1.3 percentage points for men).

- 11.4 In 2020, the labor force participation rate of indigenous people was 62.2%, 55.43% for females (70.2% for males), an increase of 2.85 percentage points in the overall labor force participation rate compared to 2016, an increase of 5.63 percentage points for females (a slight decrease of 0.22 percentage points for males). The unemployment rate for indigenous people was 3.98%, 3.82% for females (4.13% for males), and the overall unemployment rate decreased by 0.15 percentage points, 0.37 percentage points for females (a slight increase of 0.04 percentage points for males) compared to 2016.
- 11.5 In 2020, the total number of women not in the labor force was 5.034 million persons (accounting for about 60.9% of the total non-labor force population); the primary reasons for non-participation in the labor force were "housekeeping " (50.4%), followed by "old age and disable " (24.8%). There were no significant changes noted in the various types of reasons given as compared to the situation in 2017.
- 11.6 In 2020, the percentage of women employed in each occupation was highest at 77.8% for "clerical support workers", followed by 54.4% for "service and sales workers", 52.2% for "professionals", and the lowest at 23.6% for "craft and machine operation related workers". Compared to 2017, the percentage of women employed in each occupation decreased by 0.8 percentage points for "clerical support workers" and 0.3 percentage points for "service and sales workers", increased by 0.4 percentage points for "professionals", and decreased by 0.6 percentage points for "craft and machine operation related workers".
- 11.7 With respect to class of worker in 2020, the percentages of women who were employers and were own-account workers were 1.8% and 6.7%, respectively, both less than for men (5.6% and 15.4%). The percentages of women employed by the government and private sector stood at 11.2% and 72.9% respectively, while 7.4% were unpaid family workers (for men, 7.1% were employed by the government, 69.2% were employed by the private sector, and 2.8% were unpaid family workers). Compared to 2017, only the number of female workers employed by the private sector increased, by 0.7 percentage points, while the

number of female unpaid family workers decreased the most, by 0.6 percentage points.

11.8 Please see 13.9 to 13.19 for more information on women's entrepreneurship and related loans.

Atypical Employment

11.9 In 2020, women engaged in part-time work accounted for 4.9% of total female employment. This percentage was higher than the equivalent figure of 2.7% for men. Part-time work is most prevalent among both men and women between the ages of 15 to 24, but with the proportion of women (18.8%) exceeding that of men (14%) by 4.8 percentage points. The proportion of women in all other age groups was also larger than that of men, with the largest difference of 5.2 percentage points between men and women aged 65 and over (10.4% for women and 5.2% for men)⁵⁴.

11.10 In 2020, women engaged in temporary work and dispatched work accounted for 5% of total female employment, lower than the 6% for men, with women aged 15-24 and 65 and above accounting for a larger proportion than men. The gender gap stood at 1.3 percentage points between men and women aged 25 to 44 (4.1% for men and 2.8% for women) and a more significant 2.5 percentage points between men and women aged 65 and above (6.4% for women and 3.9% for men).

Elimination of Employment Discrimination

Employment Discrimination

11.11 During the period from 2017 to 2020, a total of 1,680 complaint cases were received under the Act of Gender Equality in Employment with regard to violations of gender discrimination by employers, prevention and correction of sexual harassment in the workplace, and measures for promoting equality in employment by employers. Of these cases, 722 (43%) were received for "gender discrimination", 157 of which were found to be substantiated, with NT\$36.23

⁵⁴ 11.9 and 11.10 are in response to Point 56.57 of the Concluding Observations and Recommendations on Taiwan's Third National Report.

million in fines imposed, and 152 employers were publicly notified of the violations. The reasons for unsubstantiated cases included the withdrawal of the complaint by the complainant, a lack of evidence of violations, a transfer of jurisdiction, and investigations showing that the complaints are not related to gender equality. If the employer or the complainant is not satisfied with the decisions made by the local competent authority, they may apply to the Committee on Gender Equality in Employment Committee of the Ministry of Labor for a review or file an administrative complaint. If the employer or the complainant is still not satisfied with the decision, the employer or the complainant may file an administrative complaint and take administrative lawsuit. Compared to the previous National Report (744 cases received, accounting for 49.8% of all complaints), the number of cases received decreased by 22 cases, accounting for a 6.8 percentage point decrease. According to the analysis, the majority of gender discrimination cases (67%) are still due to pregnancy, and efforts to raise awareness of the law among employers and the public will continue through multiple channels.

11.12 Among the previously mentioned complaints under the Act of Gender Equality in Employment, those in the "sexual harassment" category refer to employers' failure to establish or be openly displayed measures of prevention, correction, complaint and punishment of sexual harassment in the workplace, as well as employers' failure to take immediate corrective and remedial measures when they become aware of sexual harassment in the workplace. 628 Complaint cases were received (37.4% of all complaints, including 587 complaints from women and 2 complaints from people of LGBTQI+), 168 (10% of the total number of complaints) were substantiated. Compared to the previous National Report (532 cases received, accounting for 35.6% of all complaints), the number of cases received increased by 96, representing a 1.8 percentage point increase. A total of 136 cases (9.1% of all complaints) were substantiated. In its regulations for establishing prevention, correction, complaint, and punishment measures for sexual harassment in the workplace, the Ministry of Labor has stipulated that employers must provide education and training on the prevention and correction

of sexual harassment in the workplace. The ministry continues to raise employers' and the public's awareness of such measures through a variety of channels.

11.13 In 2020, to strengthen the implementation of relevant regulations provided under the Act of Gender Equality in Employment, a total of 7,250 regulatory inspections were conducted; in four cases, companies were found to have violated a provision requiring employers not to reject requests for menstrual leave or paternity leave, or not to treat such applicants unfairly; and in 1 case, a company was found to have violated a provision regarding discrimination against employees in terms of their retirement, redundancy, severance, or dismissal on the basis of gender or sexual orientation. As compared to 2016, this was an increase of 176 inspections, with one additional company being found to have violated the provision regarding menstrual leave or paternity leave.

11.14 A study on gender equality in the workplace commissioned by the Judicial Yuan in 2019 did not cite any stereotypes in rulings or situations where judicial officials had improperly applied the law, but did state that the courts' decisions have fallen short of the letter and the spirit of the Act of Gender Equality in Employment, such as the special provision reversing the burden of proof in Article 31 of the act, and the obligation to consider investigation reports, rulings and decisions rendered by the committees on gender equality in employment per Article 35. The differences in opinion between labor attorneys and court judges, labor attorneys' litigation strategies, and trends in past court decisions and their potential impact, as well as parties' understanding of the law during the formation of decisions by attorneys and judges, all affect the trends and outcomes of legal judgments. To address the aforementioned discrepancy in applying the Act of Gender Equality in Employment, the Judges Academy has been asked to arrange relevant courses to facilitate greater understanding of the act's mechanisms and philosophy⁵⁵.

Gender Pay Gap

11.15 In 2020, the average monthly total earnings of women employed in the Industry

⁵⁵ 11.14 is in response to Point 18.19 (a) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

and Services sector was NT\$48,807, with an average of 165.9 hours worked per month and hourly earnings of NT\$294; the average monthly total earnings of men employed in the Industry and Services sector was NT\$58,917, with an average of 170.7 hours worked per month and hourly earnings of NT\$345. The hourly earnings for women was 85.2% of that of men, and the gender pay gap (100 - female/male * 100) was 14.8%, a reduction from 14.9% in 2019⁵⁶.

11.16 The gender pay gap in 2020 was 42.1% (43.8% in 2019) for the Human Health and Social Work Activities, followed by 32.7% (34.8% in 2019) for the Arts, Entertainment, and Recreation, followed by Manufacturing at 25.9% (25.8% in 2019); on the other hand, women commanded higher hourly earnings than men in the Support Service Activities, Water Supply and Remediation Activities, and Real Estate Activities.

11.17 In 2020, the average monthly salary of employed indigenous women was NT\$27,371, which was 75.6% of all the employed women (NT\$36,223), higher than 2015 which was 73.9%. Comparing the salary between employed indigenous men and women, women earned 81.7% of men's salary (NT\$33,482), a slight increase from 79.9% in 2015.

11.18 In 2019, the average monthly regular salary income earned by female worker with disabilities was NT\$25,347, which was 69.7 % of the national average income for women (NT\$36,375), higher than 64.1 % in 2016. In addition, when comparing income by gender among persons with disabilities who are employed, women were found to have earned 85.6% of what men earned (NT\$29,628), higher than 78 % in 2016.

11.19 The Labor Standards Act and Act of Gender Equality in Employment have already established regulations with regards to equal pay for equal work. To implement the relevant laws and regulations, the " Research on formulating the Equal Pay for Equal Work Checklist for Enterprises and Public Institutions " was

⁵⁶The data results of 11.15 and 11.16 do not include industries such as agriculture, government agencies, schools at elementary school level and above, **activities of membership** organizations. The 2020 data have expanded the scope of industries, including "Scientific Research and Development", "Pre-primary Education", and "Social Work Activities". The relevant information is backdated to 2019. For the sake of consistency regarding the industries, 2019 is used as the benchmark for comparison.

commissioned in 2020 to conduct a preliminary study on the promotion of an equal pay for equal work checklist for business enterprises in Taiwan, and to assess the possibility of promoting the trial implementation of the checklist form in phases for business enterprises of specific sizes or industries⁵⁷.

11.20 Regarding earnings data collection, government units conduct a monthly employee earnings survey and an annual labor force utilization survey, the data from which is used to regularly collate and publish earnings data by gender, industry, occupation, skill level, and age.

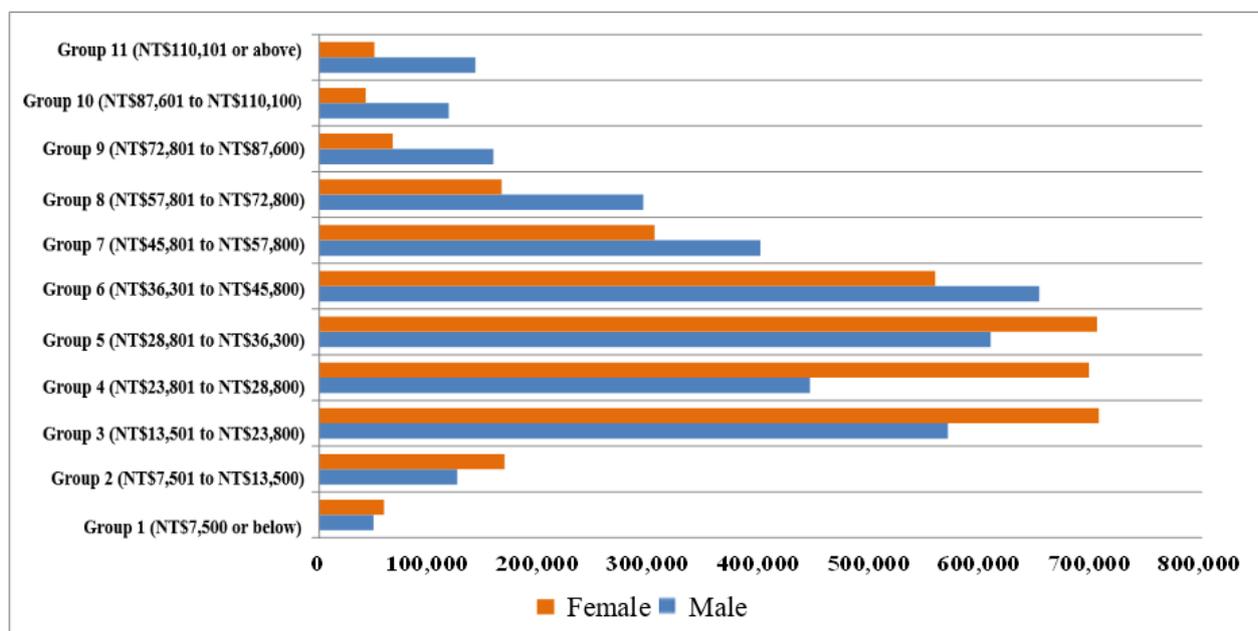
Pension Benefits for Laborers

11.21 Measures for guaranteeing retirement pensions in Taiwan include old age pension benefits as stipulated under the Labor Insurance Act, as well as labor pension, into which employers make payments in accordance with the regulations set forth under the Labor Standards Act (old pension system) or the Labor Pension Act (new pension system). Men receive larger average lump-sum payments than women. In 2020, under the old pension system, women received an average lump-sum payment of NT\$1,629,091 per person, which is 65.7% of the average of NT\$2,481,146 received by men. Under the new pension system, women received an average lump-sum payment of NT\$216,818 per person, which is 65.3% of the average of NT\$332,285 received by men. As of year-end 2020, the average age for claiming a pension among employees subject to the old pension system was 59 years; the average age for claiming a pension among employees subject to the new pension system was 64.0 years for women and 64.3 years for men.

11.22 As of the end of 2020, for contributions made to the labor pension fund as demarcated by salary bracket, the average contribution among women was NT\$35,964, which is 80.9% of the average contribution of NT\$44,470 among men. Women outnumbered men among the various pay brackets whose pension contributions were NT\$36,300 or less, whereas men outnumbered women among the various pay brackets whose contributions were NT\$36,301 or more

⁵⁷ 11.19 and 11.20 are in response to Points 50 and 51 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

(Figure 11-1). This suggests that the wage gap between men and women could be responsible for the discrepancy in their respective pension contributions. Therefore, in the future, the government will continue to launch relevant measures and policies designed to close the gender pay gap.



[Figure 11-1] Contributions Made to the Labor Pension Fund as Demarcated by Salary Bracket - By Gender (2020)

Source: Bureau of Labor Insurance, Ministry of Labor (2020 Annual Report on Labor Insurance Statistics, Table 72, page 292)

Promoting Employment

11.23 From 2017 to 2020, 99,752 Re-employment for displaced women received assistance for employment, and 76,288 people were successfully matched to jobs, with a job matching success rate⁵⁸ of 76.5%.

11.24 From 2017 to 2020, 487,050 middle-aged women received assistance for employment, and 334,360 people were successfully matched to jobs, with a job matching success rate of 68.7%.

11.25 A local employment program for indigenous youth was organized to provide incentives to employers and workers so that employers are encouraged to hire talented indigenous youth. From 2019 to 2020, a total of 273 people were funded,

⁵⁸ Job matching success rate = number of successful matches/number of job seekers

72% of them were women.

- 11.26 Public employment service agencies, the Taiwan Jobs website, and its customer service hotline (0800-777888) promote women's employment through the provision of one-stop employment services, employment information, and referral and matching services. Employment promotion tools (including employment bonuses, temporary worker subsidies, cross-district employment subsidies, and job shortage incentives) are used to remove barriers to employment. In 2020, public employment service agencies assisted a total of 523,832 job seekers, including 279,722 female job seekers (53.4%). Of 737,121 job seekers overall, 400,168 were female job seekers and there was a 69.9%⁵⁹ female job matching success rate.
- 11.27 The Middle-aged and Elderly Employment Promotion Act was promulgated in December 2019. It contains a special chapter prohibiting age discrimination, which forbids employers to impose differential treatments on middle-aged and elderly persons based on their age. The differential treatments refer to the direct or indirect unfavorable treatments of recruitment, screening test, employment, assignment, salary payment of wages, retirement, leave with severance pay, termination, and discharge, etc. Violators shall be fined at least-NT\$300,000 but no more than NT\$1.5 million.
- 11.28 New immigrants are allowed to work in Taiwan if they receive a permit to stay; in such cases, their labor rights are the same as those of Taiwanese nationals. From 2017 to 2020, 42,210 new immigrants (40,037 women, 94.9%) received assistance to find a job, of whom 30,753 (29,095 women, 94.6%) were successfully matched to jobs, with a job matching success rate of 72.9%.

Measures Related to the Impact of COVID-19

- 11.29 In response to the impact of the COVID-19 pandemic, an employment security program has been implemented since March 27, 2020, providing partial subsidies that make up the shortfall in the wages of workers whose working hours have been reduced or who are taking a break from work. In 2020, 42,339

⁵⁹ 11.26 is in response to Points 56 and 57 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

people, of whom 25,403 (60%) were women, received subsidies. People were also assisted to participate in jobs that served the public interest and were advertised at hourly rates by government departments. From April 13, 2020, to the end of 2020, 21,910 workers were assisted, of whom 14,635 were women (67%). In 2020, a total of 1,126,598 people, of whom 600,477 were women (53.3%), received work subsidies for self-employment or for those without a permanent employer.

- 11.30 For the manufacturing and technical service industries, which suffered as much as a 50% drop in business revenues, the program provided subsidies amounting to 40% of employees' regular salaries and a one-time payment of working capital to help affected industries maintain or enhance their competitiveness in response to the pandemic. Approximately 24% of such subsidized industry operators employed women in positions of responsibility. To subsidize employee training, on-the-job refresher courses were also offered to manufacturing and technical service industries through public associations and corporations, with a female participation rate of approximately 42%.

Measures Promoting Balance between Family and Work

Current Status and Needs Concerning Marriage and Pregnancy

- 11.31 According to a 2019 survey and report on the living conditions of women aged 15-64, the 3 main reasons for women in this age group to have left a job due to marriage in 2019 were, in order, preparing for childbirth (pregnancy) (39.9%), unsuitable workplace (33.0%), and taking care of household chores (14.0%). Married women who had left their jobs due to childbirth (pregnancy) accounted for 22.7%, among whom 59.9% went on to return to their jobs after an average period of approximately 4 years and 5 months.

Child-Rearing Resources

- 11.32 To reduce the burden on parents and provide young families with the greatest support for childcare, a strategic national plan to tackle low birthrates for 2018-2022 was approved in July 2018, with NT\$55 billion already invested by 2021. The four major components of the plan are comprehensive care from ages 0 to 5, family-friendly employment and workplace solutions, children's health rights

and protection, and childbirth-friendly-related support. These are helping address the parenting families' childcare issues and allowing young people to take care of both work and family needs⁶⁰.

11.33 Public childcare capacity has continued to be expanded to meet the demand for childcare for children aged 0 to 2. As of the end of 2020, 110 community-based public childcare centers and 154 privately contracted childcare centers have been established, providing care for 8,711 children under the age of 2, while the capacity of public childcare continues to increase year by year. A quasi-public mechanism for childcare has been in place since August 1, 2018, and as of the end of 2020, 75,442 children under the age of 2 had been provided with childcare subsidies ranging from NT\$6,000 to NT\$10,000 per month depending on the economic conditions of their families. The overall coverage of public and quasi-public childcare services for children under the age of 2 reached 25.1%, and out-of-home care (home-based care, public care centers, joint public-private childcare centers, and private childcare centers) accounted for 15.2% of children under the age of 2 nationwide, an increase of 5.8 percentage points from 2016. In addition, promotional videos and leaflets have been produced to promote childcare resources, and a childcare matching platform has been established to provide parents with information on the availability and willingness of home childcare workers to take care of twins (or higher multiple births), demonstrating the government's support for families with young children.

11.34 To address the education and care needs of children between the ages of 2 and 6, 3,000 additional classes at publicly accessible preschools (public and nonprofit) have been planned for 2017 to 2023, with 1,551 additional classes and 41,000 additional places having been made available as of 2020. The overall total supply of public facilities exceeded 220,000 places. A total of 1,262 private preschools have joined the quasi-public mechanism, providing more than 130,000 affordable school places. In 2020, the enrollment rate of 2-6-year-olds reached 71% (number of 2-6-year-olds attending school by school year / number

⁶⁰ 11.32 to 11.43 are in response to Points 52 and 53 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

of 2-6-year-olds in the school-age population), showing an increase of 11 percentage points from 2016.

Parental Leave Without Pay⁶¹ and Childcare Leave Subsidies⁶²

- 11.35 In 2018 and 2019, it was announced that for the application for parental leave without pay, the rules would be relaxed that parents are entitled to apply simultaneously if the employee is taking care of twins or 2 or more children under the age of 3.
- 11.36 In 2020, out of the total number of workers who applied to receive parental leave allowance and were approved for the first time, 62,470 (81.4%) were women, down slightly from 70,746 (82.6%) in 2016. In 2020, out of the total number of civil servants and teachers who applied to receive parental leave allowance, 4,852 (89.9%) were women, down slightly from 5,486 (90.9%) in 2016. In 2020, out of the number of military personnel who applied to receive parental leave allowance and were approved for the first time, 66% (604) were women, down slightly from 69% (414) in 2016. As the number of births decreased by an average of 4.5% per year from 2016 to 2019, the number of applicants for parental leave without pay also decreased each year.
- 11.37 Multiple birth subsidies are paid in increments based on the number of births. From 2017 to 2020, maternity benefits for multiple births covered by labor insurance were paid out in 2,518 cases, 2,657 cases, 2,739 cases, and 2,506 cases, respectively.

⁶¹ According to the Act of Gender Equality in Employment, employees who have been hired for more than 6 months are entitled to apply for parental leave without pay for raising children until the age of 3, subject to a maximum of 2 years. For employees who raise 2 or more children at the same time, the period of parental leave without pay will be calculated together, and the 2-year maximum shall apply to the youngest child. In accordance with the relevant provisions of the Family Act and the Protection of Children and Youth Welfare and Rights Act, an employee who lives with an adopted child may apply for parental leave without pay during the period of living together.

⁶² In accordance with the Employment Insurance Act, when the insured's total employment insurance period is at least 1 year, and before the child reaches the age of 3, the insured can apply for parental leave without pay in accordance with the provisions of the Act of Gender Equality in Employment, and may apply for parental leave allowance. The parental leave allowance is calculated at 60% of the insured's average monthly insured salary for the previous 6 months from the month of the parental leave without pay, and is paid monthly, at a maximum of 6 months for each child.

11.38 To strengthen the financial support during the period of parental leave without pay, and encourage parents to accompany their children growing up, in July 2021, the "Allowance Guidelines for Parental Leave Without Pay", "Subsidy Guidelines for Parental Leave Without Pay for Civil Servants and Teachers", and "Allowance and Subsidy Payment Guidelines for Parental Leave Without Pay for Military Personnel" were implemented, and the parental leave allowance was increased from 60% to 80% of the salary. In the same year, the "Regulations for Implementing Unpaid Parental Leave for Raising Children" were amended and announced to relax the application period for parental leave without pay to allow more flexibility.

Friendly Workplace

11.39 To promote gender equality in the workplace, employees are allowed to take menstrual leave (1 day per month; menstrual leave of less than 3 days per year is not included in the calculation of sick leave; the additional days are included in the calculation of sick leave), maternity leave (8 weeks), leave for pregnancy and recuperation (leave-taking and wage are in accordance with relevant laws and regulations), pregnancy checkup leave (7 days with full pay), pregnancy checkup accompaniment and paternity leave (7 days with full pay), parental leave without pay, time for feeding or breast milk collection (1 hour per day), reduced (or rescheduled) working hours, family care leave (up to 7 days per year, salary calculation according to the related statutes and administrative regulations governing leave with personal cause), and other measures to promote equality in employment. Surveys show that, from 2017 to 2010, the percentage of business enterprises agreeing to let employees apply for leave or providing the aforementioned measures for employees has increased in all categories, and most measures have reached 80% in 2020, with leave for pregnancy and recuperation, maternity leave, and family care leave reaching 90% or higher.

11.40 In Taiwan, maternity-related leave is regulated by several different items of legislation, including the maternity leave referred to in the Labor Standards Act; and the leave for pregnancy and recuperation, pregnancy checkup leave,

maternity leave, and parental leave without pay referred to in the Act of Gender Equality in Employment. Therefore, maternity leave regulations in Taiwan are in no way inferior to international regulations on maternity leave. In 2018, a study was commissioned on the safeguarding of maternity leave rights and interests in Taiwan. The study recommended amending legislation to standardize the legal system governing the protection of maternity leave rights and interests in Taiwan and establish a public system for paying out maternity leave. In Taiwan, the employer pays wages during maternity leave, which is different from the social insurance system in many countries (e.g., Japan, where social insurance provides two-thirds of the subsidy). In Taiwan, where the economy is dominated by small- and medium-sized enterprises, if maternity leave is to be extended, a consensus must be reached on such issues as the rights and interests of employees and employers, whether wages during maternity leave (i.e., economic maintenance) should be borne by a public system or by employers, and how to address shortfalls in human resources during periods of extended maternity leave.

- 11.41 In 2020, 79.8% of businesses with 100 or more employees had nursing rooms and 68.4% had childcare facilities or provided childcare measures, an increase of 1 percentage point and 5 percentage points respectively from 2017.
- 11.42 In 2020, a pilot scheme was launched for enterprises and institutions (agencies) to provide childcare services to employees' children. Initially, this has involved enterprises and institutions (agencies) taking stock of their employees' childcare needs and choosing home-based childcare, daycare centers, or childcare centers as their preferred approach. Employers then raise their own funding sources and apply for funding subsidies in accordance with relevant government regulations. To expand associated promotions and encourage employers to set up childcare facilities, funding subsidy methods were amended in 2018 to increase from NT\$2 million to NT\$3 million the maximum subsidies available to employers in establishing new childcare facilities. As of 2020, more than NT\$244.25 million in subsidies had been issued to a total of 3,776 businesses, enabling them to establish breastfeeding rooms, childcare facilities, or related measures.

11.43 In 2019, the 26th National Quality Award incorporated “encouraging men to participate in family care or advocating the division of household chores” and “flexible working hours and locations” into its judging process so as to guide candidates in creating gender-equal working environments.

Protection of the Employment Rights of Foreign Women Migrant Workers

11.44 In 2020, there were 709,123 migrant workers in Taiwan, of whom 382,028 (53.9%) were women. Most female migrant workers were employed in human health, social work, and other services (65.4%), of whom the majority (93.1%) worked as domestic caregivers.

11.45 From 2017 to 2020, the 1955 Labor Consultation and Complaint Hotline was consulted in 696,436 instances, with women accounting for 49.9%; a total of 97,245 complaints were filed, with women accounting for 53%. These figures are broadly the same as compared to the previous National Report. The content of the complaints can be divided into general complaints (95.4%) and urgent complaints (4.6%), with general complaints mainly related to labor contracts, wages, and working hours. Urgent complaints mainly concerned sexual harassment, sexual assault, and personal injury.

11.46 To protect the rights and interests of foreign domestic caregivers to go on leave and to take care of the burden of caring for the families of the disabled, the "Expanded Respite Care Service for Foreign Domestic Caregivers" was promoted in 2018 and the eligibility criteria was relaxed from December 1, 2020. If the care recipient of the employed foreign domestic caregiver is evaluated by the long-term care center to be in Level 2 to Level 8, the foreign domestic caregiver may apply for the respite care services and be given a respite care service subsidy during the foreign domestic caregiver's short-term leave. From December 2018 to 2020, a total of 12,968 people used the breather service and the service was used 136,005 times.

11.47 An employer who discriminates against or arbitrarily dismisses a migrant worker who is pregnant or who has given birth is in violation of the Act of Gender Equality in Employment and will be punished by law. The migrant worker is allowed to change employers. If a migrant worker terminates her

employment with her employer due to pregnancy, this may be considered circumstances not attributable to the worker under Article 59 of the Employment Service Act, and she may switch to a new employer or new work with the approval of the Ministry of Labor. If the migrant worker is unable to continue to provide labor services due to undergoing tocolysis, she may apply to the Ministry of Labor to suspend the process of changing employers by submitting documentary evidence, and then apply to change employers again once this reason no longer applies.

11.48 Improving the labor rights of domestic migrant workers affects the long-term care system in Taiwan and must take into account the burden on disadvantaged families and families caring for disabled persons. Since a domestic worker's workplace is mainly contained within a family environment, it is not easy to clarify working hours and rest time; this makes it difficult to reach consensus on the content of relevant regulations and the promotion of targeted legislation. To protect the rights and interests of domestic migrant workers, the Employment Service Act stipulates that migrant workers should sign a written labor contract with their employers before coming to Taiwan, and that, to protect their rights and interests regarding wages and leave, this contract should be verified by the relevant authorities in their country of origin. The Workforce Development Agency, Ministry of Labor, and the Ministry of Health and Welfare promote breather services to strengthen the rights and interests of domestic migrant workers regarding their leave, and have clarified in concrete terms the rights and obligations of both employees and employers. In addition, the Labor Occupational Accident Insurance and Protection Act, which was announced in April 2021, includes domestic migrant workers in its scope of application, thus strengthening their protection⁶³.

⁶³ 11.48 is in response to Points 54 and 55 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

Article 12

As of 2020, enrollment in the National Health Insurance system for women had reached 99.9%, with women accounting for 50.5% of the total number of insured persons, indicating that women's health rights are well protected in Taiwan. Integrated outpatient services for women and subsidies related to women's reproductive health continue to be promoted. Taiwan is the first country in Asia to legislate for the implementation of childbirth accident emergency relief, with the State assuming responsibility for childbirth risks. Such relief had been provided in 1,111 cases as of 2020.

Eliminating Health Discrimination and Ensuring that Women Realize their Right to Health

12.1 A women's health action plan was approved in 2018, with the results of each competent authority and information on annual workforce allocations and budgets gathered on a yearly basis. A total of 286.8 person-years of human resources were allocated in 2019, with a budget allocation of NT\$1.95 billion. The plan has 164 indicators for measurement/monitoring⁶⁴, with the results being tracked annually. The plan also focuses on the health promotion of physical and mental of women from indigenous, new immigrant, and disabled groups.

Illness and Health Status

12.2 For standardized statistics on mortality rates, causes of death, cancer, and smoking rates, please refer to the Right to Health Indicators in the Core Document of Taiwan's Fourth National Report on CEDAW.

12.3 In 2020, 2.89 million medical records of mental illness, of which 1.64 million (56.7%) were for women, higher than the 55.9% of consultations for women in 2017.

Current Status of the Medical Workforce

12.4 In 2020, 21.1% of all western medicine physicians in Taiwan were women (compared to 18.9% in 2016), while women accounted for 32.7% of Chinese medicine physicians (compared to 29.5% in 2016); in addition, 96.5% of nursing

⁶⁴ 12.1 is in response to Points 58 and 59 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

personnel were women (compared to 97.7% in 2016). The percentage of public hospital first-level supervisors who were women in July 2020: 37.9% in hospitals under the Ministry of Education, 26% in hospitals under the Veterans Affairs Council, 38.8% in hospitals under the Ministry of Health and Welfare, and 8.9% in hospitals under the Ministry of National Defense.

- 12.5 To raise gender awareness among medical personnel, the Regulations Governing Registration of Medical Personnel for Practice and Their Continuing Education stipulate that continuing education should include courses on gender issues. As of 2020, 84% of medical practitioners renewing a medical license had taken gender issues-related courses (79% in 2016).
- 12.6 To enhance nursing personnel's rights and job retention in the workplace, a number of strategies to improve their work environment are being promoted. Since 2017, the nursing workload has been improved through measures such as expanding the patient care ratio and linking it to inpatient hospitalization reimbursement, incorporating the patient care ratio into medical institution establishment standards, and completing the legal protections of the patient care ratio in 2019. In February 2018, an anonymous nursing whistleblower platform was set up to provide a channel for primary nursing personnel to anonymously report cases of workplace unfriendliness. As of the end of 2020, a total of 1,058 cases have been investigated by health and labor authorities and announced monthly, with a penalty rate of about 15%. From October 2020, more reporting items related to workplace bullying and sexual harassment have been added to address workplace difficulties and inequality. In 2020, there was a total of 180,153 nursing personnel in the country, an increase of 21,835 people over the number in 2016 (158,318). Among them, there were 173,832 (96.5%) female nursing personnel in 2020, an increase of 19,150 people from 154,682 (97.7%) in 2016. The total vacancy rate of hospital nursing personnel was 4.52% in 2019, which was also lower than the 5.96% in 2016. This shows that the implementation of the protection of workplace rights and interests has improved the effectiveness of nursing personnel engagement and retention.

Friendly Healthcare Environment and Services

12.7 Gender statistics were compiled regarding the utilization of preventive health services for adults (including indigenous people and people with disabilities) from 2017 to 2020 (Table 12-1).

[Table 12-1] Gender Statistics Regarding the Utilization of Preventive Health Services for Adults (Including Indigenous People and People with Disabilities) (2017 to 2020)

Unit: Persons; %

| Year | Nationwide | | | Indigenous peoples | | | People with disabilities | | |
|------|--------------------------------------|---------------------------|-----------------------------|------------------------|---------------------------|-----------------------------|--------------------------|---------------------------|-----------------------------|
| | Number of Users (per 10,000 persons) | Male Utilization Rate (%) | Female Utilization Rate (%) | Total Number of People | Male Utilization Rate (%) | Female Utilization Rate (%) | Total Number of People | Male Utilization Rate (%) | Female Utilization Rate (%) |
| 2017 | 188.1 | 27.0 | 33.0 | 45,131 | 40.7 | 48.2 | 140,512 | 25.0 | 25.7 |
| 2018 | 190.7 | 26.5 | 32.5 | 46,513 | 40.1 | 46.7 | 158,088 | 23.9 | 24.8 |
| 2019 | 199.5 | 27.0 | 32.9 | 49,689 | 41.8 | 48.1 | 164,651 | 24.3 | 25.1 |
| 2020 | 193.6 | 25.4 | 31.1 | 50,229 | 40.3 | 46.9 | 158,755 | 22.8 | 23.6 |

Source: Ministry of Health and Welfare

Notes:

- (1) Definition: Percentage of population aged 40 or older receiving preventive health services for adults.
- (2) Calculation formula: Number of people aged 40 or older receiving preventive health services for adults / (number of people aged 40 or older [(number of indigenous people aged 40-64 years old / 3) + (number of people aged 65 or older / 1)]) * 100.

12.8 Various psychological counseling services are provided by the health departments of local governments through community mental health centers. These centers served an average of 21,687 persons per year from 2017 to 2020, and the number of persons served represented 18.6% growth in 2020 compared with 2017. The average ratio of females to males is 2.23. Local health departments also provide mental health promotion services for people with disabilities and their family members, with an average of 4,528 visits per year from 2017 to 2020. The female to male ratio of people with disabilities served was 1.15 and the female to male ratio of their family members was 1.65⁶⁵.

12.9 To enhance healthcare accessibility for women with disabilities, 217 mammography facilities were surveyed in 2021. Among them, there were 205 medical institutions providing accessible and friendly mammography services

⁶⁵ 12.8 and 12.9 are in response to Points 62 and 63 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

(81 in northern Taiwan, 55 in central Taiwan, 60 in southern Taiwan, and 9 in eastern Taiwan and the outlying islands). There were also 6 mammogram vehicles in Taiwan with lifting equipment for wheelchair users to get on and off the vehicle with the assistance of staff to facilitate their examination. Medical institutions are encouraged to provide accessible and friendly screening services.

12.10 For more information concerning access to women's health services and access to health resources in rural townships, please refer to points 14.24 to 14.27.

Maintaining Women's Reproductive Health and Sexual Health Rights

Sex Ratio at Birth

12.11 For information concerning the total fertility rate, please refer to Point 11 of the Common Core Document of Taiwan's Fourth National Report on CEDAW; for information concerning the mortality rate and primary cause of death of pregnant women, please refer to Point 30 of the Common Core Document of Taiwan's Fourth National Report on CEDAW.

12.12 The sex ratio at birth in Taiwan has fluctuated in the past five years, with a low of 1.069 in 2018 rising to 1.080 in 2020, and with the sex ratio of first births ranging from 1.068 to 1.070. To continue to improve the sex ratio at birth, since 2020, local government health assessments have required that local governments develop birth-equality awareness enhancement plans that establish birth-equality advocacy models tailored to local conditions. In addition, to mold the general social environment and strengthen the concept of gender equality, gender equality will continue to be communicated to the general public through multiple channels.

Prenatal Screening and Subsidies

12.13 Prenatal checkups that utilize holistic care perspectives are now available to pregnant women. As of 2020, the average utilization rate of prenatal checkups stood at 96.1%, with 1,474,902 visits. In 2021, a total of more than NT\$174,327,000 in subsidies was approved to cover various maternity expenses, including a total of 34,954 cases for which fees were waived for prenatal genetic diagnostics examinations. There were a total of 30,953 cases of women aged 34 or older becoming pregnant, and 1,236 cases of abnormalities being discovered

as a result of screening programs. The individual follow-up rate for cases of anomalies was 99% (97.7% in 2016).

12.14 To prevent vertical infection between mothers and infants, pregnant women (including women with disabilities) 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 99.8% among pregnant women in 2020, resulting in the discovery of 4 cases of infection, following which appropriate measures were taken to ensure that no infants were born with HIV.

12.15 From 2017 to 2020, the average utilization rate of prenatal checkups for pregnant women with disabilities was 93.2-92.3% (the national average utilization rate of prenatal checkups was 95.8-96.1%). To ensure that appropriate maternity health services are provided to pregnant women with disabilities, maternity health consultations for such women have been included in healthcare assessment indices since 2020. Local government health departments provide maternity health consultation and care for pregnant women with disabilities, referring such women to government-associated social services platforms in a timely manner according to the social welfare requirements identified in individual cases⁶⁶.

12.16 The "Pregnancy Handbook for the People with Disabilities" was compiled, which includes notes and advisory material on pregnancy for the visually impaired, hearing impaired, intellectually impaired, mentally impaired, and mobility impaired, has been disseminated and promoted on the Health 99 website and the Health Promotion Administration's pregnancy care website. Local government health departments and related medical institutions have been instructed to use the handbook as a reference in providing reproductive health education to women with disabilities.

Reproductive Health and Environment

12.17 From 2018 to 2020, maternal mental health promotion materials were produced, and 560 seminars on "maternal mental health promotion and physical and mental

⁶⁶ 12.15 and 12.16 are in response to Points 62 and 63 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

health care for pregnant mothers", with 27,333 attendees. In 2020, there were 244 cases of postpartum depression, including 212 outpatient cases and 32 inpatient cases⁶⁷. Following the production of "Mental Health for Pregnant Women, and their Family Members" health education resources and "Daily Mental Health for Pregnant Women" video in 2017, the "Support & Care - No More Postpartum Depression" posters, "Mental Health for Pregnant Women and New Mothers" video series, "Women's Mental Health" online course series, and "The Joys and Challenges of Having Twins/Multiple Births", a mental health quick guide for pregnant women with multiple births, were produced in 2020 to strengthen the promotion efforts. For fathers-to-be, the "Have a Good Pregnancy: Happiness Strategy for Fathers-to-Be" health education brochure was produced, providing fathers-to-be with the opportunity to learn how to help their wives adjust physically and mentally, and to improve their mental health.

12.18 The government has established a relief system to help mitigate risks associated with childbirth faced by women. In 2016, the Childbirth Accident Emergency Relief Act was implemented, and in 2019, the Guidelines on Childbirth Accident Emergency Relief was amended to increase the payout for the death of pregnant women from a maximum of NT\$2 million to NT\$4 million; the payout for causing the extremely severe disability of a mother or newborn was increased from a maximum of NT\$1.5 million to NT\$3 million; the payout for causing a severe disability was increased from a maximum of NT\$1.3 million to NT\$2 million; and the payout for causing a moderate disability was increased from a maximum of NT\$1.1 million to NT\$1.5 million. As of the end of 2020, a total of 1,111 cases and NT\$650.4 million in payouts had been approved.

12.19 In 2016, there was a total of 2,460 obstetrics and gynecology (OB/GYN) physicians in Taiwan, with an average age of 54.4; this number has since increased to 2,628 OB/GYN physicians in 2020, with an average age of 55.9. In

⁶⁷ Reported cases retrieved were based on primary and secondary diagnosis codes matching F53 - "Psychiatric [mental] and behavioral disorders (disorders, conditions) related to the puerperium, not elsewhere classified", or O99.345 - "Psychiatric [mental] disorders and neurological disorders complicated by pregnancy, childbirth and puerperium".

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 reached 100% in 2016 and has remained at 100% until 2020. In addition, there are 140 obstetricians and gynecologists in indigenous and rural areas. From 2020 to 2023, the "Incentive Program for Medical Centers and Critical Access Hospitals to Support Emergency Medical Care Services in Outlying Islands and Medically Under-Resourced Areas" will provide 8 OB/GYN physicians per year.

12.20 The "National Health Insurance's pay-for-performance plan for full-course maternity care " was revised in 2019 with regard to the shared care practices of OB/GYN physicians and midwifery personnel. It focuses on raising the "quality improvement costs" according to the "number of registered midwifery personnel" to promote the participation of institutions, as well as encourage the midwifery personnel to join the shared care to improve the quality of maternity and child care, and share the workload of obstetricians and gynecologists.

12.21 In 2020, 14,332 total hysterectomies were performed, a decrease from 15,093 in 2019. In 2020 and 2019, 593 and 656 total hysterectomies were performed on women with disabilities, respectively. The top 3 primary diagnoses for total hysterectomy in 2020 were endometriosis of the uterus, uterine leiomyoma, and uterine intramural leiomyoma.

12.22 The cesarean section rate in Taiwan was 36.5% and 37.2% in 2019 and 2020, respectively, which is still higher than the average rate in OECD countries in 2017 (the average cesarean section rate in OECD countries was 28.1%). To enhance the health awareness of expecting parents, the "Pregnant Women's Health Handbook " and " Pregnant Women's Health Education Handbook " have been provided, while information on different birth options has also been provided for expecting parents to help them understand the various choices for birth environment and rights. In addition, in the second prenatal health care and health education provided during the third trimester, health education topics on birth preparation plans are provided, so that medical personnel can assess and

plan the appropriate mode of delivery based on the health status of the mother-to-be, for them not to choose a cesarean section without proper medical indications.

12.23 In 2020, in response to the COVID-19 pandemic, the accreditation of postnatal nursing homes was suspended in line with the hospital accreditation (postponed for one year). From 2017 to 2019, 58, 99, and 114 postnatal nursing homes were evaluated, with a pass rate of 86.2%, 83.9% and 88.6% respectively.

12.24 In 2020, breastfeeding (collecting) rooms were set up in accordance with law at 2,513 locations across the country, with a 100% completion rate; various local governments voluntarily set up breastfeeding (collecting) rooms at a total of 1,190 locations; breastfeeding (collecting) rooms have been set up in the carriages of high speed rail (HSR) trains as well as express trains. In 2020, there were 157 baby-friendly hospitals which deliver 73.2% of babies born in Taiwan—and the rate of infants under 6 months old fed exclusively breast milk rose to 46.2% in 2018 (44.8% in 2016).

Sexual Health

12.25 The 2018 Junior High School Student Health Behavior Survey Report showed that the percentage of teenage girls aged 13 to 15 who had sex was 6.2%, up from 5.3% in 2016; 61% for the most recent sexual intercourse with contraception, lower than the 77.7% in 2016. To help prevent unplanned pregnancies among teenage girls, sex education and related services are continuing to be provided to young people through diverse channels to promote the healthy and appropriate understanding of sex education, contraceptive measures, and safe sexual practices. Related teaching materials have also been compiled and training conducted for professional staff to enhance their capabilities.

12.26 The percentages of women reported to have syphilis, gonorrhea, or an HIV infection from 2017 to 2020 are shown below (Table 12-2).

[Table 12-2] Percentages of Women Reported to Have Syphilis, Gonorrhea, or an HIV Infection (2017 to 2020)

| Unit: % | | | | |
|----------|------|------|------|------|
| Year | 2017 | 2018 | 2019 | 2020 |
| Syphilis | 16 | 17 | 19 | 16 |

| | | | | |
|-----------|---|---|---|----|
| Gonorrhea | 8 | 7 | 7 | 10 |
| HIV | 3 | 2 | 3 | 2 |

Source: Ministry of Health and Welfare

12.27 The "Special Love for Special You" parent's manual on sexual health education for people with intellectual disabilities was developed to serve as a reference for parents, teachers, social workers, and medical personnel in education and training programs to enhance the sexual and reproductive health care knowledge of caregivers for people with intellectual disabilities⁶⁸.

12.28 For education on sexual health, reproductive health, and associated rights, please refer to points 10.23 to 10.30.

12.29 Under the current Genetic Health Act, a prerequisite for performing an abortion or vasectomy or tubal ligation is that the decision was made "at one's own free will". In the case of a person under guardianship or assisted declaration, the consent of a legal representative or assistant is required. It is also stipulated that physicians should provide appropriate consultation services before and after surgery to ensure the right of informed consent of the patient. According to current regulations, no one is allowed to perform forced abortions or vasectomies on others. The draft amendment to the Genetic Health Act, renamed as the Reproductive Health Act, is in progress, and the notice process of the bill has been carried out. The draft has deleted discriminatory terms such as obstructing eugenics, and that of physicians advising those with eugenics-obstructing diseases to perform vasectomy or tubal ligation surgery has been changed to the principle of patient autonomy. This is to avoid encouraging people with disabilities to undergo vasectomy or tubal ligation surgery⁶⁹. Please refer to 16.15 for the legal progress of the draft amendment to the Genetic Health Act.

12.30 The current abortion methods in Taiwan are mainly surgical procedures and the use of the RU486 medication. According to the statistics of "abortion cases reported by National Health Insurance contracted medical institutions",

⁶⁸ 12.27 is in response to Points 62 and 63 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

⁶⁹ 12.29 and 12.30 are in response to Points 60 and 61 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

approximately 30,000 abortions have been performed each year from 2018 to 2020. Also, according to the Food and Drug Administration's RU486 total dosage reporting information, more than 30,000 abortions performed by RU486 per year. Based on the above, there have been approximately 55,000 to 60,000 abortions per year in the past 3 years. As for vasectomy or tubal ligation surgery, since it is not covered by the National Health Insurance, the relevant statistics cannot be obtained from the National Health Insurance data. There is no law authorizing the establishment of a notification system for pregnancy, abortion, and vasectomy or tubal ligation in Taiwan. In addition, according to Article 6 of the Personal Data Protection Act, personal information such as medical history, medical treatment, and sex life are special personal information and cannot be collected, processed, or used. Therefore, it is not possible to obtain statistical information on self-funded abortion and vasectomy or tubal ligation through the above reporting mechanism, nor is it possible to obtain information related to age, region, nationality, mental health or disability classification of the cases. To ensure the safety of women undergoing abortions, it is required that the physician performing the abortion be a specialist in obstetrics and gynecology or registered in the department of obstetrics and gynecology, and the physician should provide appropriate consultation services before and after the procedure.

Provision of Health Promotion and Care Services to Elderly Women

Health Status of Elderly Women

12.31 The life expectancy at birth for females has increased year by year from 83.7 years in 2017 to 84.7 years in 2020, with an average of 6 years more than males each year, and the ratio of women aged 65 or older to the total female population increased from 14.9% to 17.3%, which is higher than that of men (from 12.8% to 14.8%).

12.32 In 2019, the average healthy life expectancy in Taiwan was higher among women as compared to men (the average healthy life expectancy was 74.8 years for women and 70.1 years for men); the average end-of-life term of poor health for women, at 9.4 years, was higher than that of men (7.6 years). This indicates that while women have a relatively longer average life expectancy, they also endure

a longer period of poor health at the end of their lives, due to major diseases and chronic illnesses, as compared to men.

12.33 In 2020, the overall average life expectancy of indigenous people was 73.66 years (78.06 years for women and 69.23 years for men). The difference between the average life expectancy of indigenous people and the national average was 7.66 years (8.88 years for men and 6.69 years for women), down from 8.17 years in 2017.

12.34 In 2017, a higher proportion of women aged 65 years and older (63.3%) were "physically inactive" (74.6% in 2013), as defined by the W.H.O., higher than that of men at 56.5% (68.5% in 2013).

Health Promotion Efforts Targeting Seniors

12.35 By the end of 2020, 645 health care facilities (207 hospitals, 358 health centers, 79 long-term care facilities, and 1 clinic) in Taiwan had been certified as senior-friendly and guided to provide care services in a senior-friendly manner..

12.36 The "Health Promotion Plan for Seniors" continues to be promoted. By linking together local community organizations within the healthcare system to offer a range of services spanning health promotion efforts, visitations, telephone greetings, and nutritional information, the program has established a frontline prevention care system. Local governments have provided guidance to private organizations to set up community care stations. As of the end of 2020, a total of 4,305 locations had been established nationwide. The number of seniors receiving services increased from 236,000 at the end of 2017 to 288,000 at the end of 2020, with women accounting for 60% or more of such recipients.

Long-term Care Services

12.37 In 2016, the "10 Year Long-term Care Plan 2.0" was approved, expanding the service items and service targets and providing innovative and diversified services. The number of people who received services through the Long-term Care Plan 2.0 from March 2020 to February 2021 reached 350,000, of which 57.1% were female care recipients. As for the respite care services, 56.5% of care recipients were women, and daughters were the most frequent female family caregivers in relation to their cases (34.2%).To speed up the development of

community care resources in the indigenous people's regions, 58 day care service centers and 59 adult foster homes have been established in 88 offshore and remote regions to provide services.

Article 13

Women have the same rights as men to receive family member allowances and have the right to apply for loans from a bank and receive other forms of credit financing. In addition, certain resources are made available to women and disadvantaged groups to help them apply to receive loans and entrepreneurial financing. Women in Taiwan 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

Financial Security for Women in Disadvantaged Situations

13.1 The purpose of the National Pension is to provide basic livelihood protection for unemployed persons, household workers, and unpaid laborers (all including women). To reduce the burden of premium payments on the disadvantaged persons, the National Pension premiums are based on the principle of payment capability, and the premium subsidy rate has been increased to 55% to 100% (40% subsidy for those with general status) for insured persons who are from low-income, middle-to-low-income, persons whose incomes fail to reach certain standards, and mentally/physically challenged insured persons. In addition, women between the ages of 55 and 64 who have aboriginal status and meet certain requirements will receive a monthly Aboriginal Pension Payments of NT\$3,772 per person. In 2020, the National Pension payments (including the pension for severe mentally/physically disability without capability to work) ranged from NT\$3,773 to NT\$5,053 per month per person on average (Table 13-1), including NT\$3,858 per month per person for the old age pension payments. According to the data in 2016 and 2020, the average amount of old-age pension payments received by female insured persons is higher than that received by male insured persons because their contribution rate is higher and they have accumulated more period of insurance.⁷⁰

⁷⁰ 13.1 is in response to Point 64.65 (c) of the Concluding Observations and Recommendations on Taiwan's Third National Report; 13.1 to 13.8 are in response to Point 64.65 (a) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

[Table 13-1] Approved Payouts of Benefits under the National Pension Scheme per Person/Month (as of December 2020)

Unit: NT\$

| Item | Female | Male | Average | Gender ratio (Male = 100) |
|--|------------------|------------------|------------------|------------------------------|
| Old Age Pension Payments | 3,978 [3,868] | 3,709 [3,705] | 3,858 [3,795] | 107.3 [104.4] |
| Mental/Physical Disability Pension Payments | 4,132 [4,119] | 3,632 [3,662] | 3,838 [3,850] | 113.8 [112.5] |
| Surviving Family Pension Payments | 4,119 [3,938] | 4,123 [3,965] | 4,122 [3,958] | 99.9 [99.3] |
| Mental/Physical Disability Basic Guaranteed Pension Payments | 5,037 [4,876] | 5,068 [4,874] | 5,053 [4,875] | 99.4 [100] |
| Aboriginal Pension Payments | 3,772 [3,634] | 3,774 [3,623] | 3,773 [3,630] | 99.9 [100.3] |

Source: Ministry of Health and Welfare, information in brackets are December 2016 data.

13.2 In 2020, women accounted for 43.4% of heads of households nationwide. There were a total of 146,342 low-income households, comprising 300,241 persons, among whom 46.2% were women, and 38.1% of the heads of households of such families were women. The percentage of female-headed households increased by 1.3 percentage points compared to 2016 (42.1%), and the percentage of female-headed household in low-income households decreased by 0.7 percentage points (38.8%). Living support for low-income households includes the family subsidies for living, the education subsidy, job-placement guidance and services, and funeral subsidy.

13.3 To ensure the basic financial security of the elderly, a monthly living allowance of NT\$3,879 or NT\$7,759 is provided to low- and mid- to low-income elderly who do not live in publicly funded accommodations, depending on their family's financial situation. In addition, since 2012, an institutionalized adjustment mechanism has been established to adjust the subsidy amount every four years according to the growth rate of the consumer price index to maintain the basic needs of the elderly and prevent them from living in hardship. As of December 2020, 173,011 people have received the allowance, with women accounting for

53%.

- 13.4 In response to the demand for long-term care services and the rising burden of family care due to Taiwan's ageing population, the Long-Term Care Services Act explicitly includes family caregivers in its targets and specifies the various support services to be implemented to protect their rights and interests. In addition, the 10-year Long-term Care Program 2.0 not only expanded the target population, but also increased the number of services, extending long-term care services to include preventive services designed to prevent and delay disability; and integrated services, including residential hospice care and residential medical care designed to provide multiple ongoing care services that support family, home, community, and residential care. Mid- to low-income families whose family members are taking care of severely disabled elderly persons can apply for a special care allowance from the local government. Some 8,465 people received the allowance, of whom 57.3% were women.
- 13.5 The living allowance for people with disabilities is NT\$3,772, NT\$5,065, or NT\$8,836 per month, depending on the degree of impairment and their financial situation. Low-income households may receive both the living allowance for people with disabilities and living assistance for low-income households (provided that the total monthly amount does not exceed the published basic wage). In 2020, 141,135 of recipients were women, or 39.5% of the total number of recipients. Compared to 2016, the number of women receiving the living allowance for people with disabilities increased by 3,829, or 0.5 percentage points. In addition to the abovementioned benefits, people with disabilities can also receive either a disability pension or the guaranteed disability pension, whichever is more beneficial. If a person is not eligible for the above benefits, local government social welfare centers will use case management mechanisms to provide a combination of relevant social welfare resources that ensure financial security.
- 13.6 To ensure the sustainable development of the National Pension Insurance and related subsidy system, National Pension Insurance payments are adjusted in accordance with the consumer price index to protect the purchasing power of the

recipients of pension benefits. The National Pension Insurance is actuarially calculated once every two years and the premium rates are reviewed and adjusted accordingly, with the government assuming ultimate paying responsibility. In addition, the consumer price index increased by 3.97% in 2019 compared to 2015, and the amount of living allowance and social welfare benefits for people with disabilities and the living allowance for the elderly with middle-to-low-income was increased on January 1, 2020 in accordance with the law⁷¹.

- 13.7 Assistance for families undergoing hardship entails the provision of emergency financial assistance to women and families encountering major, life-altering events such as divorce or the death of a spouse, and covers living allowances for children, educational subsidies for children, medical subsidies, childcare subsidies, litigation subsidies, and subsidies for business startup loans. In 2020, women accounted for 88.3% of recipients, an increase of 4.9 percentage points from 83.4% in 2016. Of these, “death of a spouse” accounted for the largest number of applications for assistance (8,430 applicants), followed by single mothers (4,437 applicants) and unmarried pregnant women (1,715 applicants).
- 13.8 Subsidies for the rental, repair, and construction of housing are designed to help middle- and low-income families attain more adequate living standards. Housing subsidies are provided based on urban-rural discrepancies and include personal housing loans as well as renovation loans. From 2017 to 2020, women accounted for 50% or more of households applying and being approved, the same as in 2016. An applicant who is a victim of domestic violence is given an additional 5 points to their application score to ensure they receive priority for receiving a subsidy. Female applicants for social housing from 2018 to 2020 accounted for 50% or more of all applications.

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

- 13.9 To protect women's right to obtain credit for business purposes, the government has allocated a budget to subsidize interest payments or sources of funds to provide

⁷¹ 13.6 is in response to Point 64.65 (b) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

so-called policy-oriented loans. Some banks have also launched personal loan programs specifically designed for women. Relevant information is updated quarterly by the Bankers Association of the Republic of China (BAROC) in the "Overview of Financial Measures by Banks (and their Foundations) to Assist Women in Employment or Entrepreneurship", which is available on the BAROC website (<http://www.ba.org.tw/消費者資訊/一般金融訊息>). From 2017 to 2020, the average number of cases in which women applied for and received a loan from a bank each year was about 3.43 million (accounting for about 46.1% of loan recipients), with an average of about NT\$7.7457 trillion lent out each year (accounting for about 43.3% of total loans outstanding)⁷².

13.10 For business startup loans for young people, from 2017 to 2020, an average of about 1,359 women applied for and received a loan from a bank each year (accounting for about 30.9% of loan recipients), with an average of about NT\$1.2 billion (29.9%) lent out each year.

13.11 Loan for Youths Establishing Agricultural Businesses provides young people aged 18-45 with the capital needed to engage in agricultural production and related agricultural products transportation and marketing, and e-commerce. From 2017 to 2020, a total of about 10,000 people were approved with loans, among whom women accounted for 19.3%, which is lower than the rate of all women (24.9%) working in agriculture, forestry, fishery, and animal husbandry (not age-graded) in recent years. The average loan amount per person was about NT\$1,147,000 for women, which was lower than that of about NT\$1,181,000 for men.

13.12 For the Youth Innovation Loan for Cultural and Creative Industries, from the launch in September 2020 to the end of 2020, about 118 women applied for and received a loan from a bank (accounting for about 33.6% of loan recipients), with about NT\$90 million (30.5%) in loan amount.

13.13 As of the end of 2020, there were 568,564 women-led enterprises, among which 99.5% were small or medium-sized enterprises (SMEs), accounting for 36.96%

⁷² 13.9 to 13.19 are in response to Point 65 (d) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

of all SMEs. To help women get involved in entrepreneurial activities and increase women's earning capabilities, the government utilizes SME financing guidance resources and provides credit guarantees to people who lack sufficient collateral financing. In 2020, a total of 78,050 credit guarantees were provided to companies with female representatives, amounting to a total of NT\$274.1 billion in loans, with an average loan amount of NT\$3.51 million per case. The slight increase in the female coverage rate in 2020 compared to 2017 shows that during the COVID-19 pandemic, the government's relief loans, which provided better guarantee conditions, were better able to help women in charge obtain the necessary funds to survive the pandemic.

13.14 To assist women-led microenterprises gain access to financing, Taiwan's Small & Medium Enterprise Credit Guarantee Fund incorporates the growth rate of insured financing for microenterprises legally represented by women into its evaluation criteria. The top two highest-rated financial institutions receive an additional quota of NT\$10 million in total guaranteed financing.

13.15 To encourage banks to support loans to women-led enterprises, the bank's performance in granting loans to SMEs owned by women is adopted as one of the review criteria of the FSC when a bank files an application with the FSC to establish additional branches. In recent years, the number of banks that received extra points for supporting women's enterprises to obtain capital accounted for 75% of the total number of applications in 2017 and reached 100% from 2018 to 2020.

13.16 From 2017 to 2020, a total of 22,270 women (64%) participated in entrepreneurship courses; 5,839 women (69%) successfully created a startup as a result of the courses; and 1,440 women (77%) received a loan, with total loans amounting to more than NT\$905 million (75%), creating a total of 14,140 new job opportunities for women (70%). Due to the increase in the participation rate of digital entrepreneurship courses during in recent years, the number of participants in the entrepreneurship courses in this period has slightly decreased compared to the last National Report, and the number of people assisted in starting their own businesses, the number of people who received loans, the

amounts of loans received, and the number of jobs created have all increased compared to the numbers in the last National Report. In 2018 and 2020, 15 female entrepreneurs (75%) were selected as Micro-Entrepreneurial Role Models in the “Micro Start-up Role Model Selection and Recognition” event.

13.17 Loan for Farmers Management Improvement and Agriculture Production and Marketing Groups and Members provides necessary capital to people between the ages of 18 and 65 who are engaged in production activities in agriculture, forestry, fishery and animal husbandry. From 2017 to 2020, a total of about 9,000 people were approved with loans, among whom women accounted for 24.3%, which is lower than the rate in previous National Report, but equivalent to the rate of women in the fields of agriculture, forestry, fishing, and animal husbandry sectors in recent years (24.9%); the average loan amount per person for women was about NT\$767,000, which was lower than the rate in previous National Report, but still higher than that of men (NT\$766,000).

13.18 Compositing loan for farmhouse provides funds needed by farmers as well as fishermen to help them raise their families, make necessary purchases, pay for education, and other activities intended to improve their lives. From 2017 to 2020, a total of about 147,000 people were approved with loans, among whom women accounted for 38.3%, which is lower than the rate in previous National Report, but higher than the rate of women in the fields of agriculture, forestry, fishing, and animal husbandry sectors in recent years (24.9%); the average loan amount per person for women was about NT\$345,000, which was higher than the rate in previous National Report, and also higher than that of men (NT\$340,000).

13.19 The Indigenous Comprehensive Development Fund has been established to provide Business Loan and Personal Loan for indigenous peoples. Between 2017 and 2020, women accounted for 49% of all persons granted loans through this program. The average loan amount per person was slightly lower for women at NT\$1.1 million (NT\$170,000 for Personal Loan) than for men at NT\$1.24 million (NT\$180,000 for Personal Loan). Compared to the previous National Report, the amount of credit received is decreasing for both men and women, but decreasing more for women.

The Right to Participate in Recreational Activities, Sports, and All Aspects of Cultural Life⁷³

13.20 Based on the results of a survey conducted in 2019, the proportion of women aged 13 years and older who exercise on a regular basis (defined as at least 3 times per week for 30 minutes at a time with an exercise intensity that results in breaking a sweat and heavy breathing) increased from 29.2% in 2016 to 30.7% in 2019.

13.21 From 2017 to 2020, the number of women in training for, and participating in, competitive sporting activities increased from 2,641 to 4,457, an increase of 68.8%, with related subsidies increasing from NT\$48.67 million to NT\$96.49 million, an increase of 98.3%.

13.22 Please refer to 10.19 to 10.22 for more information on women's participation in sports and physical education on campus.

13.23 In 2020, subsidies were provided to individuals and civil organizations to hold art and cultural activities so as to encourage and provide guidance to women to participate in educational activities related to art, with the gender balance amounting to NT\$12,061 thousand. From 2017 to 2020, women accounted for 55% of all participants in activities related to cultural heritage, 62% in reading activities, 54% in activities concerning overall community development, 60% in museum activities, and 77% in volunteering in cultural activities. The number of women aged 55 to 64 accounted for 29% of the total number of cultural volunteers on average

13.24 To collect and preserve historical records related to women and to increase the visibility of women's issues, "The Mission Correspondence of Hugh and Elizabeth Ritchie" and "Boys and Girls in School" were published in 2017 to 2020, respectively. The "Taiwan Women" website continues to be maintained.

Encouraging the Active Participation of Elderly Women in all Aspects of Political, Economic, Social, and Cultural Life

13.25 Subsidies continue to be provided to civil organizations to carry out various

⁷³ 13.20 to 13.31 are in response to Point 65 (a) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

activities relating to continuing education centers and charitable events for senior citizens, thus providing diverse learning channels and increasing opportunities for social participation. The government also continues to advocate a dynamic approach to life and active aging lifestyles and encourages groups of elderly persons from Taiwan's towns, cities, townships, 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.

13.26 Local governments continue to be subsidized to set up learning centers for senior citizens, targeting people aged 55 and older. In 2017, the issue advocacy in the core curriculum were changed to social participation curriculum, and the participation rate of female increased from 76.9% in 2017 to 78.4% in 2020, indicating that female senior citizens are more eager to participate in learning activities.

13.27 Please refer to 7.16 for more information about the Senior Citizen Welfare Promotion Task Force. Please refer to 11.27 for information regarding the promulgation of the Middle-aged and Elderly Employment Promotion Act, and 11.24 for the number of job seekers and employment referral rate of middle-aged and elderly women. Please refer to 12.31 to 12.37 for information about the health promotion and care services available to elderly women.

Protecting the Rights of Women with Disabilities

13.28 For information concerning the population, gender, and disability level of people with disabilities, please refer to Point 16 of the Common Core Document of Taiwan's Fourth National Report on CEDAW.

13.29 To understand the gender differences among people with disabilities in Taiwan, the results of the 2016 "Survey of the Living Conditions and Needs of Persons with Disabilities" were analyzed in terms of the characteristics, place of residence, living conditions, financial situation, health and medical care of people with disabilities. A comparative analysis was published on the Ministry of Health and Welfare's website.

13.30 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 entrance or half-priced concessionary discounts to persons with disabilities. In addition, government funding is provided to institutions or groups to hold various charitable events for persons with disabilities. In 2020, 354,257 people benefited from such events, including 176,775 women (49.9%).

13.31 For more information concerning gender violence prevention for persons with disabilities, please refer to 2.14, 2.15, 2.29, and 2.36; for information concerning the status of labor participation among persons with disabilities, please refer to 11.3 and 11.18; for the health rights of persons with disabilities, please refer to 12.7 to 12.9, 12.15 to 12.16, 12.21, 12.27, and 12.29 to 12.30; for information concerning participation in decision-making processes among persons with disabilities, please refer to 7.17; for more information concerning special education, please refer to 10.7 to 10.11.

Article 14

Various policies are implemented to increase the role played by women in decision-making in rural townships and villages and to improve their economic status, health, right to education, and social protections. This includes programs that promote participation and decision-making among women in rural townships, production and marketing and technical training programs, and various forms of assistance regarding the formation of cooperatives. In addition, measures and basic infrastructure for both health and wellness services and education are being introduced in rural areas in order to increase the quality of life among people in rural townships and women in agricultural areas⁷⁴.

Awareness of Equal Rights; Participation in Decision-making and Community Activities

Persons Employed in the Agricultural Sector

14.1 In 2019, a total of 559,000 persons were employed in the agricultural sector in Taiwan, of whom 139,000 were women (24.9%, a decrease of 2.4 percentage points compared to 2016). From 2017 to 2020, the percentage of women among people owning agricultural land in Taiwan increased from 31.5% to 32.6% year by year, mainly due to the increasing liberalization of education and gender equality concepts, and an improvement in women's economic and inheritance rights.

Promoting Participation by Women in Agricultural Decision-making Processes

14.2 There are no gender restrictions on membership in farmers' organizations. However, traditionally male representatives of the family join the organizations, thus limiting the opportunities for women to participate. Therefore, the number of women applying for membership in the farmers' associations is relatively low. To encourage female farmers to join farmers' associations, in addition to strengthening gender equality promotion education at various meetings, the proportion of female members has gradually increased from 32.5% in 2016 to 33.4% in 2020. A survey conducted in 2019 indicated that 178 farmers'

⁷⁴All the points under this Article are in response to Point 66.67 (c) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

associations (59.1%) proposed maintaining the status quo with regard to amending regulations limiting the number of farmers' association members to one per household⁷⁵.

14.3 Farmers' association officials are elected every four years. Rewards and incentives (through, e.g., regulations on the promotion of educational subsidies and additional points for special merit in the farmers' association performance evaluations), the planning of leadership courses, the promotion of women's participation in the decision-making level of farmers' associations, and encouragement for outstanding women to stand for election are implemented as part of this process. As of the end of 2020, the percentage of female leaders of agricultural affairs teams in farmers' associations had increased from 7.6% to 9.4%, the percentage of female member representatives had increased from 5.6% to 7.1%, the percentage of female directors had increased from 2.9% to 3.5%, the percentage of female supervisors had increased from 2.6% to 3.5%, and the percentage of female executives employed by farmers' associations had increased from 21.19% to 22.85%. Various measures will continue to be promoted to encourage women to participate in the public affairs of farmers' associations.

14.4 From 2017 to 2020, the total percentage of female members of fishermen's associations reached 50%, and the total percentage of elected female members of fishermen's associations at all levels increased from 8.0% to 9.2%, including an increase in member representatives from 9.1% to 11.1%, but with a reduction of directors/supervisors from 5.0% to 4.7%, and a reduction of the percentage of female executive officers employed by fishermen's associations from 30.0% to 22.5%. Various measures will continue to be promoted to encourage women to participate in the public affairs of fishermen's associations.

14.5 After the Irrigation Act came into effect in October 2020, elections for the chairperson and members of irrigation associations will no longer be held, and irrigation associations are to be transformed into official irrigation associations

⁷⁵ 14.2 to 14.13 are in response to Point 66.67 (a) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

and serve as public agencies. After the transformation of irrigation associations into public agencies, each agency will have 4 members at the decision-making level, 1 of whom will be a woman (25%). Each of the 17 agencies will establish an irrigation management office, with a total of 17 persons at decision-making levels, of whom one (6%) will be a woman.

- 14.6 Farmers' associations are encouraged to appoint female employees as supervisors and have them participate in key work involving agricultural promotion and agricultural development. In 2020, female employees accounted for 60.5%, an increase of 0.6 percentage points as compared to 2016; female supervisors accounted for 53.5%, an increase of 5.5 percentage points as compared to 2016; and female executives accounted for 21.7%, an increase of 6.5 percentage points as compared to 2015.
- 14.7 The "Subsidy Project Proposal and Subsidy Guidelines for Educational Facilities Used in Agricultural Promotions" gives priority to farmers' associations with a high proportion of female elected staff. As of the end of 2020, the project agreed to subsidize 120 farmers' associations to set up agricultural promotion and education facilities, of which 38 associations have female directors, accounting for 31.7%, and there were 657 female elected staff in the subsidized farmers' associations. The "Subsidy Program for Promoting Production and Marketing Teams in the Fishing Industry" gives priority to fishermen's production/marketing teams in which the team leader is a woman or 50% or more of the total members are women. From 2017 to 2020, 59 production/marketing teams in which the team leader was a woman or 50% or more of the total members were women applied for subsidies, and all 59 teams received subsidies. In 2019, the "Fishermen's Association Performance Evaluation Regulations" was amended to include the appointment of women as the executive of the fishermen's association, the number of elected female members reaching a certain ratio, and an increase in female fishermen's association members compared to the previous term as additional points of evaluation.
- 14.8 The 2015 "Census of Agriculture, Forestry, Fishery and Animal Husbandry" showed that among 720,000 farm managers of farm households which engaged

in agriculture 151,000 (20.9%, an increase of 1.9 percentage points compared to 2010) were women from farming households who participated in agricultural work and decision making⁷⁶.

14.9 Please refer to 7.15 for more information on promoting the participation of indigenous women.

Livelihood, Property and Economic Opportunities

Knowledge-based Training and Technical Training

14.10 To encourage young people to return to fishing villages and engage in fishing and aquaculture production and nurture a new generation of stakeholders in the fisheries industry, subsidies are provided for networking events for young people engaged in the fishing and aquaculture industry. Experienced fishermen and experts in various fields are invited to hold seminars to share the latest knowledge on domestic and international fishing and information about aquaculture, processing, marketing, and smart farming. In addition, the acquisition of production and processing equipment is subsidized to stabilize the business performance of young people returning to their hometowns. As of the end of 2020, a total of 27 young female fishermen had attended networking events⁷⁷.

14.11 A total of 109 e-learning courses available at the Farmers' Academy provide supplementary agricultural know-how according to students' needs. In 2020, planning for the integration of the platform was begun so as to realize the simultaneous implementation of distance learning and physical courses. The digital platform became available in 2021, allowing for a more diversified approach to agricultural education and training.

14.12 To encourage women in rural areas to learn agricultural skills and engage in self-improvement and to promote the economic development of rural areas, trial runs of special classes with designated quotas for women have been organized at the Farmers' Academy since 2017. In 2019, 141 women were enrolled (52.4%). In 2020, 230 women were enrolled in 8 classes with designated quotas, effectively

⁷⁶ The results of this survey were released in 2017.

⁷⁷ 14.10 to 14.33 are in response to Point 66.67 (b) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

enhancing the rights and interests of women in rural areas to receive training.

- 14.13 A development program for new farmers was launched with the aim of training 3,000 people per year. Related guidance measures have included selecting the top 100 young farmers as a learning benchmark, with a total of 589 such farmers being selected to date; establishing a local young farmer exchange platform, with 5,452 young farmers involved to date; setting up the Farmers' Academy; integrating the professional strengths of the Council of Agriculture's experimental improvement sites; providing a systematic program of introductory, beginner, intermediate, and advanced courses; organizing practical farm-based training through which to provide practical skills in farm production and management; organizing government-funded special agriculture classes; promoting a program to reward high school students for pursuing a career in agriculture; and establishing a young farmers' guidance platform through which to provide one-stop inquiry services, of whom new female farmers (including new immigrants) account for 25-30% of the total.
- 14.14 To promote the cultural and technical heritage and industrial development of indigenous people, the Indigenous Training Center provides Skill training courses on the cultural and creative industries, leisure industries, and agricultural industries for indigenous peoples. Between 2017 and 2020, participation of a total of 2,075 persons, and women account for 53.8% of all participants.
- 14.15 The "Taiwan Indigenous Peoples Entrepreneurial Guidance Program" provides training on entrepreneurial knowledge and skills to indigenous persons in a way that revitalizes their traditional knowledge, wisdom, and unique cultural traits. The Startup Program has provided value added incubator and mentoring services to entrepreneurs through its professional incubator system. From 2017 to 2020, the Startup Program has provided professional incubator services to 599 entrepreneurs, among them, women entrepreneurs accounted for 42.9% to 54.1% of all entrepreneurs.
- 14.16 Funding was provided to sponsor various industry events and programs involving Hakka culture and traditions. 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 2020, 1,258 people received various training, 729 of whom were female (57.9%). In addition, in accordance with the "Guidelines for Promoting the Qualification of Hakka Language Teachers", 3,079 Hakka language teachers were trained, and 2,401 were women (78% of them were female Hakka language teachers). These personnel can apply for subsidies to offer courses related to Hakka language and culture through the local government's local development service program or in conjunction with private organizations.

14.17 The "Multi-Employment Promotion Program" has been implemented in conjunction with civil organizations, which is an employment program for social welfare or local industry development researched and proposed by civil organizations. The goal of the Program is to cultivate the employability and self-confidence of the unemployed, fostering local industries and creating local employment opportunities for the unemployed. From 2017 to 2020, the Program assisted 8,284 people to find work, of which 6,194 (74%) were women, indicating that the program has helped to promote women's employment. The program has been implemented in rural areas, helping a total of 4,685 people find jobs, among whom 3,423 (73%) were women, accounting for the majority of participants.

Encouraging Women to Participate in Production and Marketing Classes

14.18 Funding is provided to encourage residents in fishing villages to set up production and marketing organizations. From 2017 to 2020, a total of NT\$46,362,000 has been provided, with 291 production and marketing classes organized for 4,073 participants. The number of female class members increased from 722 (19.2%) in 2017 to 800 (19.6%) in 2020, and the number of female team leaders increased from 29 (10.6%) to 38 (13.1%).

14.19 Meanwhile, 400 production and marketing classes were set up for the livestock and poultry industries, attended by a total of 5,621 people. The proportion of women participating in the classes increased from 9.5% in 2017 to 9.7% in 2020;

the proportion of female team leaders also increased from 3.7% in 2017 to 4.5% in 2020.

Programs to Help Women Set Up Cooperatives

14.20 Different levels of guidance are provided to indigenous persons on how to set up cooperatives through the "Business Guidance Program for Indigenous Cooperatives" from 2017 to 2020. Lectures and courses were also provided to cooperatives which have already been established. By increasing the employment rate of indigenous women, this program improves their overall living conditions and economic interests. From 2018 to 2020, the plan was assigned to the local governments. 7 local governments have applied to organize training, observation and learning activity. 250 tribal communities were supported, and 34.2% of the community members were women.

14.21 Credit unions provide microlending services to their members. As of 2020, there were a total of 335 credit unions registered in Taiwan, with a total loan outlay of more than NT\$9,830.16 million and women accounting for 54.2% of all members. From 2017 to 2020, women were provided with 65,929 loans (57.7%) worth NT\$10,229,966,084 (51.6%).

14.22 Agricultural cooperatives provide various forms of instructional guidance pertaining to sales channels, joint marketing, and fruit and vegetable processing. They also organize marketing events to help boost sales of local agricultural products. From January to June 2020, there were a total of 1,378 agricultural cooperatives registered in Taiwan, with women accounting for 23.9% of all members (up 6.4 percentage points compared to the same period in 2016). Worker cooperatives provide various employment opportunities to their members. From January to June 2020, there were a total of 383 worker cooperatives registered in Taiwan, with women accounting for 49.3% of all members (a growth of 5.1 percentage points compared to the same period in 2016). In addition, in line with the promotion of Taiwan's long-term care policy, the number of care service worker cooperatives with a majority of female members has increased, helping to increase women's participation in the labor force. The concept of gender equality continues to be integrated into cooperatives'

education programs so as to strengthen members' and committee members' gender awareness and professional capacity and increase women's participation and decision-making opportunities.

14.23 From 2018 to 2020, the Ministry of Economic Affairs invested a total of NT\$99,705,000 in the "Local Industry Subsidy Program" for rural areas, assisting a total of 106 women in rural areas to find employment. The "Small Business for Township Revitalization" (SBTR) program, which has been implemented since 2018, continues to utilize local components in innovating business models, driving the local economy, and creating employment opportunities for rural women and enhancing their employability.

Health and Education Proposals

Guaranteeing Healthcare Access for Women Living in Rural Areas and Agricultural Communities

14.24 In 2020, local governments were subsidized to set up 433 culture and health stations for tribal communities lacking long-term care resources. This effort trained 1,176 local community residents to serve as caregivers, of whom 1,105 were women (93.9%), and served 13,853 indigenous elders, of whom 9,143 were women (66%). Indigenous people from both indigenous areas and metropolitan indigenous communities are provided with professional care services that are accessible, consistent, and culturally sensitive.

14.25 The implementation results of the "Strategic Action Plan for Improving Health Inequities in Indigenous Areas" launched in 2018 to manage the health of high-risk pregnant women in indigenous areas and develop local medical personnel. As of 2020, 631 indigenous medical personnel (including 310 physicians, 75 dentists, 186 nursing staff, and 60 other medical personnel) had been trained, including 13 obstetricians and gynecologists (including those in training) and 155 midwives (nurses), with a retention rate of approximately 70%. The utilization rate of at least four prenatal checkups for high-risk pregnant women in the pilot project area had increased from 87.4% to 96.2%.

14.26 The Ministry of Health and Welfare's medical personnel training program for indigenous areas and outlying islands mainly trains government-funded medical

students originating from indigenous areas and outlying islands, with admission based on candidates' examination results and areas of interest, and with no gender restrictions. By 2020, 1,192 government-funded medical personnel (637 doctors practicing Western medicine, 133 dentists, and 422 other medical personnel) had been trained, increasing by 243 as compared to 2016.

14.27 To improve the quality of medical services in indigenous areas and on outlying islands, as well as increase the deployment of medical care resources, in 2020, the government provided subsidies for 76 equipment upgrades and 10 construction subsidies for health clinics (offices) in indigenous areas and on outlying islands; for 71 tribal community health improvement centers; and for transportation expenses for pregnant indigenous women in indigenous areas to visit medical institutions for maternity checkups and deliveries, with a total of 17,796 trips.

Education and Welfare Resources in Rural Townships and Agricultural Communities

14.28 In response to the demand for childcare in indigenous areas and in the spirit of tribal care, the Council of Indigenous Peoples has subsidized community-supported daycare centers that have already completed their registration procedures to cover operating costs, thereby protecting the right of women to seek employment as well as the right of children to receive education. As of the end of 2020, a total of eight community- (tribal-) supported daycare centers had been subsidized. From 2017 to 2020, a total of 48 female teachers and caregivers were employed, benefiting 716 children.

14.29 In order to provide indigenous peoples with a more robust social safety net, and to safeguard and promote their right to transparency and access to information, the Council of Indigenous Peoples has granted local government to set up 63 Indigenous Peoples Family Service Center as of the end of 2020. Social casework was rendered to 6,700 cases, of which 3,697 (55.2%) were for women.

14.30 In 2016, the Council of Indigenous Peoples began organizing special classes for women at tribal community library information stations to teach indigenous women how to use various types of computer technologies. Indigenous tribal community colleges were established to provide programs on indigenous

language learning, business sector operations and management, social education, human rights education, as well as health promotion and care. From 2017 to 2020, 72.1% of female students completed programs of their choice from these community colleges.

14.31 Funding guidelines for Ministry of Education subsidies to schools in rural areas and schools in nonmountainous nonurban areas were promulgated in 2019. Adding to the existing educational measures for schools in remote areas, a total of NT\$844,547,861 was granted to 505 schools in remote areas to improve facilities, equipment or teaching equipment, teaching materials, and teaching aids, as well as cover student attendance fees. In 2020, 508 schools received further subsidies of NT\$817,839,398, with the accumulated subsidies amounting to NT\$1,662,387,259.

14.32 The government provides financial assistance to help the children of farmers and fishermen attend and successfully complete high school, vocational school, and postsecondary education. From 2017 to 2020, a total of NT\$3,849,632,000 in funding was provided through these programs. Assistance was provided to 396,214 children of farmers and fishermen to help them attend high school, vocational school, college, and university, with women accounting for 227,045 (57.3%) of recipients.

14.33 The Ministry of Education's Digital Application Promotion Project in Rural Areas has expanded the use of information, communication, and lifestyle applications and learning for rural residents. The target beneficiaries are people in areas of Taiwan rated at levels 3 to 5 for slower digital development. They include middle-aged and elderly people, indigenous people, new immigrants, people with disabilities, low-income households, and other groups that need high levels of care. The project has been designed and planned to meet the digital learning needs of women in rural areas and to enhance the capacity of rural women to use digital applications through up-to-date learning material. From 2017 to 2020, a total of 12,029 women participated in 713 special classes for women, while the proportion of women among participants in Digital

Opportunity Center courses reached 73.1%⁷⁸.

Policies and Action Plans to Ensure Women's Participation in Disaster Risk Reduction and Climate Change

14.34 From 2017 to 2020, the percentage of female civil defense personnel increased from 3.9% to 5.1% and the percentage of female volunteer firefighters increased from 22.1% to 26%, while from 2018 to 2020, the percentage of female disaster prevention personnel increased from 31.8% to 38.4%, all showing an increasing trend year on year⁷⁹.

14.35 The "Basic Plan of Disaster Prevention and Protection (2018-2023)" was established to develop the guidelines and countermeasures for governing disaster reduction, preparedness, emergency response and recovery, which the "Sendai Framework for Disaster Risk Reduction 2015-2030" of the United Nations was used as a reference. In the Basic Plan specified clearly that local governments should take into account the special needs of women in disaster prevention and relief to enhance women's safety and security. In addition, a chapter of the Basic Plan was devoted to the "Study of Gender Equality Issues in Disaster Prevention and Relief Protection Plans" as the focus of the amendment of the "Operation of Disaster Prevention and Protection" and "Regional Plan of Disaster Prevention and Protection". In the disaster prevention and protection policy, it strengthens "the capacity building and decision-making participation of women in disaster prevention, protection and reconstruction", and "incorporating gender perspectives into the implementation guidelines for disaster prevention, risk assessment, disaster response, and post-disaster reconstruction". Among them, "strengthening the participation of women in rural communities and indigenous women" is also an important promotion point. The Basic Plan will be developed in accordance with administrative procedures, and women and their representative organizations will be consulted or invited to provide input to ensure that the special needs of women in disaster prevention and protection are

⁷⁸ 14.33 is in response to Point 66.67 (a) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

⁷⁹ 14.34 to 14.38 are in response to Point 68.69 of the Concluding Observations and Recommendations on Taiwan's Third National Report.

taken into account.

14.36 According to the Disaster Prevention and Protection Act, disaster prevention and relief plans, including surveys, assessments, and reviews of wind, earthquake (including soil liquefaction), and fire disasters are to be conducted every 2 years. Disability groups and women's groups are also to be invited to participate in such training. In addition, the Council of Agriculture, the Council of Indigenous Peoples, and local governments are expected to jointly discuss and strengthen the protection and safety of people with disabilities and rural and indigenous women in natural disasters.

14.37 In order to strengthen the ability of disasters self-prevention for local resident and to gain their knowledge of debris flow and large landslide disaster prevention, the government trains the debris flow volunteer specialists and gather local residents to establish disaster self-prevention communities. They are formed to help monitoring variety of rainfalls in the mountain areas, carrying notifications of warning messages and assist the local resident to evacuate from disaster. Training debris flow volunteer specialists, encouraging female village leaders to join in and praising them with contribution medals are what the government do now. The proportion of female debris flow volunteer specialists increased from 15% to 18.3% in 2017-2020.

14.38 In response to the high risk of natural disaster recurrence in indigenous areas, the Council of Indigenous Peoples has incorporated the impact of extreme climate events into its strategy for sustainable tribal development. From 2017 to 2020, 143 persons participated in disaster-related meetings, of whom 50 were women, for a rate of 35%.

Article 15

Article 7 of the Constitution of the Republic of China (Taiwan) stipulates that “all citizens of the Republic of China, irrespective of sex, religion, race, class, or party affiliation, shall be equal before the law.” In addition to the five prohibited grounds for discrimination mentioned in this Article, discrimination based on disabilities and sexual orientation are also prohibited grounds for discrimination (refer to Judicial Yuan Interpretation No. 694 and Interpretation No. 748). Article 10 of the Additional Articles of the Constitution of the Republic of China stipulates that “the State shall protect the dignity of women, safeguard their personal safety, eliminate sexual discrimination, and further substantive gender equality.” To ensure that women have adequate access to judicial resources, the government provides judicial assistance to disadvantaged women, including legal assistance and interpretation services, and strengthens the gender awareness and enforcement capacity of judicial officers to protect women’s judicial rights.

Equal Access to Property Rights

- 15.1 Laws and regulations in Taiwan regarding the rights of inheritance do not differentiate between men and women, but some people still hold on to the traditional concept that property should be passed on to sons and not to daughters. In 2020, the proportion of women disclaiming their right of inheritance to all people who disclaimed their rights was 55.5%, a slight decrease from 56.3% in 2017. The ratio of female recipients to all recipients in 2020 was 39.9%, a slight increase from 38.3% in 2017. The ratio of underage female recipients among all underage recipients was 34%, a slight increase from 31% in 2017.
- 15.2 To promote the concept of equal right of inheritance for both men and women, the Ministry of Justice has produced promotional materials for the public and placed them at relevant government offices and other locations for easy access. Local governments have also stepped up efforts to promote the concept. In addition, the following explanation was added to the 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: “Women possess the same statutory inheritance rights as men and are never required to file a petition for a

waiver of inheritance.”

Inheritance Rights of Successors of Ancestor Worship Guilds

15.3 Ancestor worship guilds have been specifically established for the purpose of handling various matters related to the tradition of ancestor worship. To maintain the equality of rights of inheritance of men and women, the Ministry of the Interior issued a draft amendment to some provisions of the Act for Ancestor Worship Guild. For ancestor worship guilds that, prior to the enforcement of the act, had no regulations concerning or whose regulations had placed no requirements on the qualifications of successors, an amendment was included so that successors shall not be restricted to men. In addition, it is specified that, in the event of succession of an ancestor worship guild, all immediate blood relatives, regardless of gender and surname, should be listed as successors to protect their identity and property rights. The draft was submitted to the Executive Yuan for review in March 2020. Regulations pertaining to equal inheritance rights are emphasized by the Ministry of the Interior and local governments in the education and training on relevant affairs, which are held on a regular basis each year. Relevant cases are also made available on the Ministry of the Interior’s global information website for the public. Since the Act for Ancestor Worship Guild set up legal persons for the ancestor worship guilds until 2020, there were 995 legal persons of ancestor worship guilds registered with county and city governments, along with 195,017 practitioners, of which 17,852 were women (9.2%).

Legal Aid for Disadvantaged Women

15.4 Under the Legal Aid Act, people without access to proper legal protection because of indigent or other reasons can apply to the Legal Aid Foundation for legal aid. In addition, you can find information about legal aid services at the One-stop Service Center in every courthouse. In 2020, females who apply for or receive legal aid account for 42.3% and 42.9% (or 24,592 cases) of the total applicants or recipients, remaining almost the same ratio since 2017⁸⁰.

⁸⁰ 15.4 to 15.5 are in response to Point 16.17 (b) of the Concluding Observations and Recommendations

- 15.5 Among the cases assisted by the Legal Aid Foundation in 2020, the percentages of female recipients were 50.6%, 30.6%, 64.4%, and 39.9% for civil cases, criminal cases, family cases, and administrative litigations, respectively. The granting of assistance is in accordance with the Legal Aid Act or related regulations, and there is no difference based on the gender of the applicant. The Judicial Yuan will continue to urge the Legal Aid Foundation to conduct regular educational training on gender-related issues for the assisting lawyers and their personnel, so that frontline personnel can be gender-sensitive when female applicants apply for legal assistance, ensuring the rights of women during legal proceedings.
- 15.6 In 2020, domestic relations service centers nationwide provided services to 83,812 cases (51,130 for women). Local governments have also budgeted for the establishment of court-based domestic relations service centers and have commissioned private organizations to set up court-based domestic relations service centers. These provide services, including counseling for litigants of family cases; referrals to social welfare resources; parenting education and counseling; escorts to courts; psychological guidance and counseling; and supervision of minor children's meetings and interactions⁸¹.
- 15.7 Article 14 of the regulations on one-stop service for the Association for Victims Support and the Legal Aid Foundation stipulates that branches of the two organizations should hold seminars or educational training in a timely manner so that cooperating lawyers can strengthen their understanding of victim protection issues and enhance their professional knowledge and gender sensitivity. This helps lawyers gain a more comprehensive understanding of protections for victims' rights and interests, as well as trauma-informed care for victims, thereby reducing secondary victimization in the legal process.
- 15.8 Since 2017, the Judicial Yuan has introduced video consultation services for court proceedings stage by stage, opening new service locations in remote areas. If you have any questions about court proceedings, you can go to the nearest service

on Taiwan's Third National Report.

⁸¹ 15.6 and 15.7 are in response to Point 16.17 (c) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

location at your county or city hall or the district office (mediation committee). The court proceeding counselors will answer you via video consultation. Since March 2020, the courts of first and second instance nationwide have been implementing video consultation services for court procedures, setting up 293 locations in all counties and cities. To date, we have served more than 6,200 people. And we will keep urging the Legal Aid Foundation to promote its legal aid services in certain regions⁸².

15.9 The increase in family judges' headcount and the actual working hours are related to the caseload fluctuation in types of proceedings in each court, the judges' headcount, and the number of retirees. Besides matters mentioned above, the allocation of judges should carefully assess factors like the number of newly-appointed judges and the headcount arrangement so that the litigant's right in each proceeding is equally well-protected. The assignment of family judges has always been an important policy initiative of the Judicial Yuan, which gives the family court an edge over other courts in recruiting judges. In fact, after the assignment of 3 judges in 2019 and one division-chief judge in 2020, the Taiwan Kaohsiung Juvenile and Family Court has reached the maximum personnel headcount for judges.

15.10 A higher percentage of new immigrants (foreign spouses) or family migrant workers in Taiwan are women. To fully protect their rights and interests, the Ministry of Justice has set up a YouTube video download area, offering the videos "Notes for Witnesses Appearing in Court" and "Questioning Process and Rights of Defendants after Entering Court" in different languages, including English, Thai, Indonesian, Vietnamese, Mandarin, Hakka, and Taiwanese, to facilitate the viewing of the videos. The videos are played on screens in the public area outside the investigation rooms of district prosecutor's offices, so that they can be viewed before trials. The production of English-language summons for criminal defendants and subpoenas for witnesses helps foreign defendants' understand the summons and their rights. In addition, when an investigation has

⁸² 15.8 and 15.9 are in response to Point 16.17 (a) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

been concluded, a letter of notification of the rights and interests of the foreign litigants in their native language, including the five languages most commonly used in such cases—English, Vietnamese, Indonesian, Thai, and Japanese—has been sent to all levels of prosecutor’s offices since July 2020⁸³. This helps foreign litigants understand the nature of the closing documents received from the prosecutor, how to exercise their rights, and the legally prescribed timeframe

15.11 To further protect the litigation right of foreign nationals, indigenous persons, persons with hearing, verbal, or communication impairments, and persons with limited Chinese proficiency, we implemented the "contracted interpreter system" in 2006. Since then, when the court needs interpretation, they can appoint interpreters for litigants or relative parties and assist in communication in trial proceedings. Regardless of the gender of litigants, whenever the court believes that the interpretation is needed, they can call for the help of interpreters to eliminate the language barrier in court proceedings, making judicial relief accessible to every person. Since 2013, to enhance the professionalism of interpreters and gender equality awareness, the Judicial Yuan has commissioned the Judges Academy to implement "Education and Training Courses for Contracted Interpreters." Content of the course ranges from courtroom interpretation skills and practice, common legal knowledge, and diversity and gender equality.

15.12 In accordance with the "Directions Governing Police Institutions’ Use of Interpreters", if the gender of the interpreter is specified by the interviewee due to his or her gender or the special nature of the case, the police should fully respect his or her request in the selection of an interpreter, in order to facilitate his or her access to justice and achieve substantive equality. In addition, before interpreting, police officers should inform the interpreter to abide by the ethics of interpretation and to carry out the interpretation work in a fair and neutral manner, and not to be biased due to gender or other factors. The National Police Agency, Ministry of the Interior, continues to require police agencies to

⁸³ 15.10 to 15.12 are in response to Point 16.17 (b) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

proactively inquire all parties involved if an interpreter is needed in order to reduce the language barriers faced by foreigners in legal proceedings.

Achieving Gender Equality in the Judicial System

Increasing Gender Awareness among Judicial Personnel

- 15.13 From 2017 to 2020, the courses (excluding training conducted by the courts) offered by the Judges Academy include "CEDAW and Gender Equality from a Case Perspective", "Handling Matrimonial and Parent-Child Matters from the Perspective of CEDAW, Multiculturalism, and Family Values (Including Indigenous People and New Immigrants)", and "Gender Awareness: From the Viewpoint of Capacity Building", with a wide range of topics. Since 2017, 283 judges received training, with a coverage rate of 13%; in 2018, 699 judges received training, with a coverage rate of 33%; in 2019, 792 judges received training, with a coverage rate of 37%; in 2020, 852 judges received training, with a coverage rate of 40%, showing an increasing trend year by year⁸⁴.
- 15.14 The Academy for the Judiciary, Ministry of Justice, has offered courses on gender mainstreaming and its implementation, ethics for judges, and ethics for prosecutors before the deployment of judicial officers. In recent years, the concept of "Trauma-Informed" has been promoted. The Ministry of Justice has invited NGO representatives to teach a course on "Trauma-Informed and Victim Protection". It also offers online courses such as "Protecting Victims of Sexual Exploitation on Leakage of Intimate Sexual Images from a Social Worker's Perspective" to enable (chief) prosecutors and prosecutor investigators to understand how to assist and protect such victims and to raise the gender awareness and sensitivity of prosecutors to gender issues. Each district prosecutor's office has a questionnaire survey mechanism. If a prosecutor performs his or her duties with gender bias, prejudice, or improper discrimination, and the violations are significant, the litigant may request the Prosecutor Evaluation Committee to conduct an evaluation of the case in accordance with

⁸⁴15.13 to 15.15 are in response to Point 18.19 (b) of the Concluding Observations and Recommendations on Taiwan's Third National Report; 15.13 to 15.20 are in response to Point 26.27 (a) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

the relevant provisions of the Judges Act.

- 15.15 To enhance the gender equality-related knowledge of active-duty police officers, in 2020, the National Police Agency, Ministry of the Interior and police agencies held 718 courses on gender issues in law enforcement and gender mainstreaming, with 58,387 participants (84.98% of the total of 68,705 participants).
- 15.16 For groups vulnerable to intersectional discrimination, the Judges Academy offers courses such as "Intercountry Marriage and Work Rights of New Immigrants, LGBTQI+ People", "Ethnicity, Class and Gender Issues—New Female Immigrants' Rights", and "Law in the Context of Indigenous Culture and Customs". In the future, courses will continue to be held to raise the awareness of personnel on various intersectional discrimination issues through diversified and multidirectional discussions, so that justice can serve as a shield for all disadvantaged people⁸⁵.
- 15.17 To foster a better understanding of the characteristics of indigenous people's lives and customs, annual workshops are held for prosecutors and prosecutor investigators on indigenous cases. To enhance judicial officers' awareness of intersectional discrimination, the lecture "The Effectiveness and Reflection of Social Work Services on the Prevention of Human Trafficking—From the Situation of Foreign Migrant Workers" was given in the courses on the prevention of human trafficking. The lecture "Constructing a Friendly Judicial Environment—Rules of Thumb or Gender Stereotypes?" was given in the courses on women and children protection and gender equality to facilitate the understanding and empathy of prosecutors and prosecutor investigators. The digital course "Gender Mainstreaming" was produced to help frontline judicial officers understand the meaning of intersectional discrimination and gender equality.
- 15.18 In October 2018, the "Advisory Committee on Police Education and Training Programs of the Ministry of the Interior" approved the "Model for Improving Police Questioning in Taiwan". With reference to the experience of advanced

⁸⁵ 15.16 to 15.18 are in response to Point 18.19 (c) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

countries such as the United Kingdom and the United States, intersectional discrimination analysis and evaluation on the "ability of the interviewee to understand and express himself/herself (especially minors, people who are intellectually disabled, indigenous people, and people who do not know a language used in Taiwan), the level of cooperation, and the attitude towards the police officer" are incorporated to provide necessary assistance to litigants in disadvantaged situations and to improve the overall quality of police questioning. The training courses have been incorporated by the Central Police University and the Taiwan Police College since 2019. Reviews are made and feedback is provided on a regular basis so that the questioning techniques of the police better ensure procedural justice.

- 15.19 In accordance with Interpretation No. 789 of the Judicial Yuan, the legislator, in order to reduce violations of the important interests of the victim regarding secondary injury, has made an exception to the law in sexual assault cases, recognizing that the victim's statement to the judicial police has evidentiary capacity. If the provision is sufficient to ensure that the extrajudicial statement is the last resort as evidence, and that the defendant shall be entitled to full protection of the right of defense with appropriate equitable compensation for any loss of the right of defense that the defendant may suffer as a result, then it is consistent with the intent of Article 8 of the Constitution of the Republic of China (Taiwan) on the principle of due process of law and Article 16 on the protection of the right of instituting legal proceedings. To understand the factors that influence prosecutors' decisions whether to prosecute in sexual assault cases, the Ministry of Justice conducted the "Analysis of Prosecution Documents in Sexual Assault Cases-An Empirical Study Focusing on the Investigation Results" and sampled 316 prosecutions for observation. The study found that the key to the prosecutors' decision of whether to prosecute lies in the availability of other supporting evidence, i.e., whether, in addition to the victim's accusation, there are other witnesses or physical evidence that can be used to support the case. This is in line with current judicial practice. There have been no cases found where the credibility of the testimony of parties and witnesses is considered less because

they are female. The study also suggests that the investigation of sexual assault cases should pay attention to the importance and influence of physical and personal evidence on investigation results, the difficulty of evidence collection in sexual assault cases, and the protection of victims in the judicial process. It is advisable to avoid stereotypes or biased language about the victims and to apply integrated judgments on situations that may be presented by victims' statements. In response to the recommendations of the research project, the Ministry of Justice will continue to enhance the sensitivity of prosecutors to gender issues in preservice and in-service training courses. Prosecutors are encouraged to complete the Professional Course on Interviewing (Questioning) Sexual Assault Victims Who Are Children or Mentally Disabled People, to employ appropriate methods of interviewing (questioning), and to write prosecution documents in a rigorous manner to avoid causing secondary victimization in the judicial process⁸⁶.

15.20 To ensure the credibility of the testimony of female litigants and witnesses, the "Directions Governing Implementation of Criminal Suspect Identification by Police Agencies" and education on "Model for Improving Police Questioning in Taiwan" continue to be implemented, with the entire identification process recorded in audio and video format. Before taking down statements, the ability of the interviewees to understand and express themselves will first be assessed, especially minors, people with intellectual disabilities, indigenous people, and people who do not know languages used in Taiwan. This helps protect the rights and interests of interviewees and prevent inappropriate judgments on their testimonies due to their gender or belonging to special groups.

Prosecution and Sentencing of Offenses against Sexual Autonomy⁸⁷

⁸⁶ 15.19 is in response to Point 18.19 (a) of the Concluding Observations and Recommendations on Taiwan's Third National Report; 15.19 and 15.20 are in response to Point 18.19 (d) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

⁸⁷ 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 7 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

15.21 To enhance the transparency, appropriateness, fairness, and predictability of sentencing, the Judicial Yuan established the Sentencing Information System in 2011. In cases of sexual offenses, the system automatically searches for the relevant verdict and provides the distribution of sentences within the maximum and minimum sentences of past verdicts that meet the criteria of the search, as well as a full picture of the types of sentences. It is open to the public for inquiries. To promote the incorporation of public opinions towards the law into court sentencing, in 2015 the "Sentencing Trend Recommendation System" was established by combining statistical science and sentencing information to provide sentencing trends of various crimes for judges' reference. It was launched in December 2018. In the section of sexual offenses, the system provides recommendation of sentencing trend for the following charges: the crime of forced sexual intercourse under Article 221, Paragraph 1, aggravated forced sexual intercourse under Article 222, Paragraph 1, and sexual intercourse with a minor under Article 227, Paragraphs 1 and 3 of the Criminal Code.

15.22 In light of recent public concern over the types of crimes such as the distribution of private and pornographic images, the Judicial Yuan has responded to public opinion on appropriate sentencing. In 2020, the "Focus Group Meeting on Sentencing for Dissemination of Private Sexual Images" was held, inviting judges, prosecutors, defense attorneys, academics, experts, and representatives of related organizations to discuss the development and impact of this type of cases, so that the sentencing debate and investigation can be enriched and the judges' sentencing reasons can be better justified.

Accountability Mechanism for Judicial Officials

15.23 To establish a gender-friendly judicial environment, Article 4 of the Code of Ethics for Judges stipulates that judges shall not engage in bias, discrimination, differential treatment, or other misconduct in performing their duties based on

set forth under the Criminal Code. Where non-consensual sexual intercourse takes place with a victim aged 7 years and older but under the age of 14, or where sexual intercourse takes place with a victim under the age of 7 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.

sex. If a judge violates the above provision, the supervisory authority of the judge may discipline the judge following Article 21, Paragraph 1 of the Judges Act. If the violation is significant enough for disciplinary actions, the judge may also be subject to disciplinary action imposed by the Disciplinary Chamber of the Judiciary. After the enforcement of the new Judges Act on July 17, 2020, as the court of the first instance, the Disciplinary Chamber of the Judiciary should review the disciplinary case for judges with a collegial panel formed by three professional judges and two expert lay judges. The mechanism of the expert lay judge is to introduce external pluralistic values into the Disciplinary Chamber of the Judiciary and enhance their credibility. For the Disciplinary Chamber of Judiciary of the Disciplinary Court, half of the judges in the first trial and one-third in the second on their 4th term list are women. Also, half of the expert lay judges on the 1st term list are women⁸⁸.

15.24 In the event that, during the course of enforcing the law, a prosecutor in Taiwan is found to have engaged in practices or conduct which constitute gender discrimination against a party to a case, an order in the form of a precautionary letter 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 Article 89, Paragraph 4 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 regulations set forth under Article 7 of the Regulations Governing the Duty Assessment of Prosecutors. In addition, Article 6 of the Code of Ethics for Public Prosecutors states that "in the performance of their duties...public prosecutors shall not engage in...prejudice, discrimination, or improper differential treatment on the basis of gender." The essence of CEDAW has also been incorporated into the Code.

⁸⁸ 15.23 to 15.26 are in response to Point 16.17 (d) of the Concluding Observations and Recommendations on Taiwan's Third National Report.

15.25 In the event that a lawyer in Taiwan commits an act of gender discrimination against a client in the course of practice, since lawyers are specialized professional and technical personnel in the private sector and are highly self-regulatory and autonomous, the relevant gender discrimination behavior shall be handled by the Bar Association in the spirit of self-regulation and autonomy. Article 68, Paragraph 2 of the Attorney Regulation Act provides that the Taiwan Bar Association shall establish a code of ethics for lawyers. Article 6 of the Code of Ethics for Lawyers provides that "Lawyers shall be careful in their speech and conduct to conform to the taste and dignity of the practice of law."; Article 8 provides that "A lawyer shall perform his or her duties on the basis of honesty, fairness, reason, and conscience."; Article 13 provides that "A lawyer shall not carry out business in a manner contrary to public order, good morals, or in a manner that would impair the dignity and reputation of a lawyer." If a lawyer engages in sexually discriminatory conduct against a client in the course of his or her practice, the client may invoke the above Code of Ethics for Lawyers to file a report with the relevant bar association, which will consider whether to carry out measures against the lawyer for violating the above bar ethics rules.

15.26 If a member of police personnel deviates from the relevant regulations of the CEDAW, he or she will be suspended, dismissed, or disciplined in accordance with the provisions of the Police Personnel Management Act, the Civil Service Discipline Act, and the Award and Punishment Standards for Police Personnel, depending on the circumstances. As of 2020, there were no such incidents among police personnel. The Ministry of the Interior will continue to ensure that police personnel implement the relevant regulations such as CEDAW.

Article 16

In the wake of numerous amendments to the Civil Code and other relevant legislation and regulations, the current laws and regulations ensure that men and women enjoy equal rights with respect to marriage and family affairs. In 2019, the Act for Implementation of J.Y. Interpretation No. 748 was enacted to enable two persons of the same sex to establish a permanent union of an intimate and exclusive nature for the committed purpose of managing a life together and to enter into marriage.

Marriage Equality

16.1 The Civil Code stipulates that, in principle, a husband and wife should keep their respective surnames and not change their names as a result of marriage. Due to the influence of traditional beliefs, however, a small number of people continue to affix the surname of their spouses' surnames onto their own. Of the total number of married women, the percentage of women who affix their husbands' surnames decreased from 0.3% in 2011 to 0.2% in 2020.

16.2 Household registration statistics show that, in 2020, there were 202 married women under the age of 18, accounting for 0.17% of the total number of marriages, showing a decreasing trend year by year.

16.3 In 2021, the Civil Code was amended to set the minimum age of marriage for both men and women at 18 years old, which will take effect on January 1, 2023⁸⁹.

Legalization of Same-sex Marriage

16.4 The Act for Implementation of J.Y. Interpretation No. 748 stipulates that two persons of the same sex who have reached the age of 18 may register for same-sex marriage with the household registration administration. It specifies that the parties may not have certain kinship or guardianship relationships, or have bigamous or concurrent marriages, and must register their identities with the household registration administration. However, after registration, neither of the parties become the relatives by marriage of the other party's blood relatives. The two parties will be obligated to cohabit and act as each other's agents for daily family affairs. Unless otherwise provided by law or contract, the parties must share the

⁸⁹ 16.2 to 16.10 are in response to Point 70.71 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

costs of family living according to their financial ability, household chores, or other matters. Same-sex spouses have a duty to support each other and serve as each other’s statutory successor. One of the parties may adopt the biological children of the other party, with the provisions of the Civil Code and other laws regarding the rights and obligations between parents and children being applicable, but they may not jointly or successively adopt the children of a third party. A comparison of the provisions of the Act for Implementation of J.Y. Interpretation No. 748 and the Civil Code is provided below (Table 16-1).

[Table 16-1] Comparison of the Provisions of the Act for Implementation of J.Y. Interpretation No. 748 and the Civil Code

| Category | Civil Code | Act for Implementation of J.Y. Interpretation No. 748 |
|---|---|--|
| Relatives by Marriage | Relatives by marriage includes the spouse of his relative by blood, the relative by blood of his spouse and the person who is married to the relative by blood of his spouse. | Not applicable mutatis mutandis |
| Agreement of marriage | An agreement to marry shall be made by the male and the female parties in their own [con]cord. | Not applicable mutatis mutandis |
| Restrictions on Certain Kinship Relationships | Marriage shall not be entered into if the collateral relative by blood is within the sixth degree of kinship. | Marriage shall not be entered into if the collateral relative by blood is within the eighth degree of kinship. |
| Spouse consent the other to be adoped | When one of the husband or-wife be adopted, consent from the spouse shall be obtained. | Not applicable mutatis mutandis |
| Adoption of Children | Adoption of spouse's children or joint adoption of a third party's children. | Adoption of spouse's biological children. |

16.5 In accordance with the stipulations of Paragraph 2 of Article 24 of the Act for Implementation of J.Y. Interpretation No. 748, it shall be applicable except as otherwise provided in other laws and regulations. The Assisted Reproduction Act is a special provision that does not apply to or is within the scope of the application of the Act for Implementation of J.Y. Interpretation No. 748. In accordance with Article 2 and Article 11 of the Assisted Reproduction Act, artificial reproduction

is currently targeted at infertile couples, and parties in a same-sex marriages are not covered.

16.6 If a Taiwanese national wishes to enter into marriage with a foreigner, the applicable governing law and its effect must be determined in accordance with the Act Governing the Choice of Law in Civil Matters Involving Foreign Elements. According to Article 46 of the Act Governing the Choice of Law in Civil Matters Involving Foreign Elements, marriages between nationals of Taiwan and persons from countries that do not recognize same-sex marriages will not be recognized in Taiwan.

16.7 In 2020, the Judicial Yuan commissioned the "Study on Foreign Marriage Law of Various Countries" and passed the draft amendment to the Act Governing the Choice of Law in Civil Matters Involving Foreign Elements. The draft has been submitted to the Executive Yuan and will be sent to the Legislative Yuan for consideration. If passed by the Legislative Yuan, a relationship between Taiwanese nationals and foreign nationals from countries that do not recognize same-sex marriages may be established under Article 2 of the Act for Implementation of J.Y. Interpretation No. 748.

16.8 As of 2020, 5,326 same-sex marriages had been registered, of which 3,724 (69.9%) were for women; 481 same-sex marriages have been terminated, of which 331 (68.8%) were for women.

16.9 Following the implementation of the Act for Implementation of J.Y. Interpretation No. 748, Taiwanese nationals and persons from countries that recognize same-sex marriages (or two Taiwanese nationals) may register for same-sex marriages. Therefore, the registration of same-sex couples is no longer accepted. For those who originally were registered as a same-sex couple, the registration should be deleted after the registration of the same-sex marriage. If a Taiwanese national marries a person of the same sex from a country that does not recognize same-sex marriage, the registration as a same-sex couple will still be accepted by the household administration, and the registration as a same-sex couple will not be deleted. As of 2020, 4,776 same-sex marriages have been registered, of which 1,859 were for women, accounting for 38.9% of all couples.

16.10 The census form of the population and housing census in 2020 was based on the results of the pilot survey, in which the responses to the question on marital status have been revised to "unmarried", "married", "cohabited", "divorced (or separated)", and "widowed". The responses to the question on household structure (relationship to householder) were revised to 14 items, including "householder", "spouse", "cohabitant", "parent", and "spouse's parent". A pilot study on the statistics of diversified families has been planned after data verification and processing.

Equal Parenthood

16.11 According to the Civil Code, the surname of a child can now be determined by the parents. From 2017 to 2020, the rate of children taking the fathers' surnames reached 95% or higher, while the rate of children taking the mothers' surnames increased from 2.1% in 2016 to 2.5% in 2020, showing an upward trend.

16.12 The percentage of divorce cases handled by District Courts with custody of children given to mothers from 2017 to 2020 ranged from 62.6% to 61.1%, slightly lower than 64.4% in 2016.

Adoption of Children and Juveniles⁹⁰

16.13 According to Article 20 of the Act for Implementation of J.Y. Interpretation No. 748, one of the parties in the same-sex marriage may adopt the biological children of the other party, with the provisions of the Civil Code regarding adoption applying. From May 2019 to 2020, there were a total of 4,728 adoptions regardless of the marital status of the adopters, and 64 adoptions of children by those in same-sex marriages⁹¹.

16.14 Since 2012, it has been required that the adoption of children not related by blood to be handled by a government-licensed adoption agency. As of the end of 2020, 2,561 children (1,284 female) were adopted, with 2,413 adoptive families (4,793

⁹⁰ Adoption can be divided into "adoption by single party" and "adoption by both parties", where the adopters of "adoption by both parties" must be in a heterosexual marriage. In the case of "adoption by single party", the adopter's status can be "single", "heterosexual marriage", or "same-sex marriage".

⁹¹ 16.14 is in response to Point 70.71 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

total adopters, 2,406 female). Among them, there were 2,380 adoptive families in heterosexual marriages and 33 single adoptive families (26 female). A total of 23 single adoptive families are still being assisted by agencies as they wait for the matchmaking results or court approval.

Women's Right to Reproductive Autonomy

16.15 In accordance with CEDAW, the CRPD, and other international human rights conventions and judicial reform resolutions, a draft amendment to the Genetic Health Act has been prepared. The main focus of the amendment includes renaming it the Act to Reproductive Health Act, deleting the discriminatory term *obstructing eugenics*, deleting the requirement of spousal consent for abortion and sterilization, and adding on a third-party mechanism for the judiciary to decide on abortion for minors. The notice of the bill was processed from January to March 2022, and the revised draft was adjusted according to the opinions of the public during the notice period, and then processed in accordance with the legal procedures.

Matrimonial Property Regimes⁹²

16.16 With regard to a draft amendment to the Civil Code on alimony (removing the no-fault restriction on requesting alimony) and on no longer limiting requests to divorce by a verdict, this aims to comply with Paragraphs 39 to 40 of the General Recommendations under CEDAW No. 29, which state that “fault-based divorce regimes may condition financial rights on lack of fault. State parties should revise provisions relating to fault-based divorce to provide compensation for the contributions made by the wife to family economic well-being during the marriage.” The Executive Yuan reviewed and approved the draft in August 2021 and issued a notice to the Legislative Yuan for consideration in November of the same year.

16.17 The commissioned "Fairness of Financial Allocation to Divorced Spouses and Policy Recommendations from a Legal Perspective" and “Analysis on the Causes

⁹² 16.16 to 16.19 are in response to Point 72.73 of the Concluding Observations and Recommendations on Taiwan's Third National Report on CEDAW.

and the Policy Suggestion of the Economic Difficulty of Divorced Women(Who Take the Benefits of Assistance for Families in Hardship)”are expected to be completed by the end of March 2022 and the end of May 2022, respectively, due to the impact of the pandemic.

16.18 With respect to the inclusion of retirement annuity and pension in the distribution of property upon divorce, the Act Governing the Retirement Pension and Bereavement Compensation for Civil Servants, the Act Governing Retirement, Severance, and Bereavement Compensation for the Teaching and Other Staff Members of Public Schools, and the Act of Military Service for Officers and Non-commissioned Officers of the Armed Forces have already included the pensions of military personnel, civil servants, and public school personnel in the distribution of remaining property.

16.19 Labor pensions are included in the scope of the right to request the distribution of remaining property from divorce because the first pillar of social insurance for old-age financial security in Taiwan is the Labor Insurance Act and the second pillar is the labor pension. It is divided into two systems - the Labor Standards Act (old pension system) and the Labor Pension Act (new pension system). Provisions for the settlement and retention of seniority were made following the convergence of the old and new systems. The distribution of remaining property after a divorce takes into account the various types of occupational pensions and social insurance benefits possessed, as well as the issue of offsetting insurance benefits. This aims to uphold the spirit of equal division of all property accumulated during marriage. The system will be further explored in accordance with the results of the commissioned study in 16.17.

Protecting the Rights of Intersex and Transgender People

16.20 From 2013 to 2016, there were 224 persons who legally changed their registered gender, and from 2017 to 2020, there were 312 registered changes, for a total of 978 registered changes since 1998.

16.21 Currently, in order for one to apply for a change in registered sex, Certificates of Diagnosis from 2 psychiatry specialists must be issued in addition to completion of irreversible sex reassignment surgery.

- 16.22 The "Sex of the Birth" field on the birth certificate includes three options, "Male", "Female", and "Unknown", which are filled in by the attending physician based on their medical professional judgment of the newborn's physical and sexual characteristics at birth. 2 live births of unknown sex were notified from 2013 to 2016, and 3 from 2017 to 2020. The sex registration of the citizen was carried out according to the sex stated on the birth certificate issued by the medical institution. Since the household registration information only records "male" or "female", if the sex is unknown on the birth certificate, the person concerned will be asked to submit the results of the sex chromosome testing or the diagnosis certificate to confirm before registering.
- 16.23 To prevent intersex babies or children from undergoing non-emergency and irreversible sex surgery at an early age, which may cause unnecessary harm, a meeting had been held to discuss and establish the "Recommendation Principles for Medical Correction Surgery for Intersex Minors", which was announced in October 2018. According to the above principles, physicians should consider the best health interests of the patient and confirm the necessity of surgery after professional medical, psychological, and social evaluation before performing surgery on minors who need medical correction surgery to improve the situation of intersex or unknown sex. In 2020, the consultation and appointment information of recommended referral hospitals (16 hospitals) for sex correction surgery for intersex minors was announced.
- 16.24 To protect the rights of intersex and transgender people, the Executive Yuan held a meeting in 2017 on the "Report on the Proposed Policy Direction for the Legalization of the Elements of Sex Reassignment Recognition" and resolved that the Department of Gender Equality of the Executive Yuan will supervise the ministries and departments to review various documents and forms and take stock of legal regulations. In 2020, a meeting was held to discuss the policy direction of legalizing the elements of sex reassignment recognition. It was decided that the Department of Gender Equality of the Executive Yuan, the Ministry of Justice, the Ministry of Health and Welfare, the Ministry of the Interior, and the Ministry of Education would jointly plan and commission a

study to propose and draft a legal system. The content includes the elements of sex recognition and sex reassignment recognition, the recognition process, the rights and obligations of those who change their sex, and relationships under the new identity. This has been planned in accordance with the research model commissioned by the draft Anti-Discrimination Act, following the spirit of international human rights conventions.

Establishing a Gender-friendly Social Environment

16.25 To promote understanding among civil servants and the general public of LGBTQI+ issues, the CEDAW Education Training and Advocacy Program (2020-2023) includes a course on LGBTQI+ rights protection. Five types of teaching materials and one online course on LGBTQI+ rights protection have also been developed to be used for training by various departments and agencies. In 2020, the "LGBTQI+ Advocacy Video - XX's Room" was produced with Mandarin, Hakka, Taiwanese, and English versions and uploaded to the website of the Gender Equality Committee of the Executive Yuan for educational advocacy purposes.

(<https://gec.ey.gov.tw/Page/20AC0613DC405501/2716c3bb-978a-4852-b1aa-3b6eb0855827>.)

In addition, public service announcements of all ministries and local governments will include gender equality assessment indicators to encourage the creation of measures to protect LGBTQI+ rights.

16.26 The "Gender Equality Telephone Opinion Survey" conducted in 2020 found that 52.5% of the public agreed with the statement that "same-sex couples should have the right to legally marry", an increase of 15.1 percentage points from 2018; 66.6% of the public agreed with the statement that "same-sex spouses should have the right to adopt children", an increase of 12.8 percentage points from 2018; 73.8% of the public agreed with the statement that "transgender people can choose to dress in the way they are most comfortable in school or in the workplace", an increase of 15.2 percentage points from 2018. The concept of SOGIESC, such as homosexuality and transgenderism, is gradually being recognized and respected by the public.

16.27 In 2019, the "EU-Taiwan LGBTI Human Rights Conference: Marriage Equality & Protection of LGBTI Rights" was held. It was the first official international conference on LGBTQI+ human rights protection in Asia. A total of 280 delegates from 31 countries in Europe and Asia attended. They conducted exchanges on gender equality policies and their experiences, thereby jointly promoting LGBTQI+ human rights in Asia.

Appendix :

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

| No. | Resolution | Relevant Articles in Taiwan's 4th National Report |
|--------|--|---|
| 6 7 | <p>6. The Enforcement Act of Convention on the Elimination of All forms of Discrimination against Women, which came into force in Taiwan from 1 January 2012, states that all substantial terms and conditions in the Act shall have the same effect as domestic laws in Taiwan (Art. 2) and that the interpretations and explanations provided by the UN CEDAW Committee shall be used as reference for the application of “all rules, regulations ordinances and administrative measures applicable to the Convention” (Art. 3). Furthermore, according to Article 8 of the Act, all possible conflicting rules shall be reviewed and removed during a period of three years starting from January 1, 2012. While the IRC appreciates that the CEDAW Convention as such in its substantial entirety has been integrated into the domestic law of Taiwan, it is concerned that those articles in the CEDAW Convention, which give rights to individual women, have not been used or invoked in practice. There also seems to be some unclarity on how the Taiwanese courts might handle situations where there exists a conflict between a provision in national legislation and the Convention since both are on the same level in the legal hierarchy, although the Taiwanese Constitution might support the superiority of the provisions emanating from CEDAW.</p> <p>7. The IRC urges the Government to issue, without delay, guidelines clarifying how the CEDAW Convention can be directly invoked by individual women in courts and administrative bodies in Taiwan.</p> | Article 2 2.10 to 2.12 |
| 8 9 | 8. The IRC is deeply concerned that earlier longstanding recommendations to adopt a comprehensive legislation covering all fields of gender equality, which should include the definition of discrimination in accordance with Article 1 of CEDAW and address mul- | Article 3 3.1 |

| No. | Resolution | Relevant Articles in Taiwan's 4th National Report |
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| | <p>multiple and intersecting forms of discrimination, has not been implemented although the first draft for legislation was prepared already in 2012. The IRC is also concerned that the Government's decision to commission a research on this topic during 2018-19 and also to widen the legislative project to cover all grounds of discrimination will further delay the adoption of legislation on sex- and gender-based discrimination against women and girls.</p> <p>9. The IRC recommends that a comprehensive legislation on gender equality is prepared expeditiously and that experts on gender equality law are included in the drafting team. If the legislation were to be integrated in a general framework of anti-discrimination law, the Government must make sure that the regulation regarding sex and gender is not diluted within such framework and that the preparation and adoption of the legislative framework takes place without delay.</p> | |
| 10 11 | <p>10. The IRC is concerned with the inappropriate conceptual and practical use of the terms "sex" and "gender" in Taiwan. In the CEDAW jurisprudence the Convention refers to sex-based discrimination, but also covers gender-based discrimination against women. The term "sex" refers to biological differences between men and women. The term "gender" refers to socially constructed identities, attributes and roles for women and men and society's social and cultural meaning for these biological differences resulting in hierarchical relationships between women and men and in the distribution of power and rights favoring men and disadvantaging women.</p> <p>11. The IRC recommends the Government to align all the legislative texts and policy documents and promote the correct and consistent understanding of the terms "sex" and "gender" in line with CEDAW Convention and the Committee's General Recommendation No. 28.</p> | Article 1 1.1 and 1.2 |
| 12 13 | <p>12. The IRC is concerned that despite long time discussions, Taiwan still lacks an independent national human rights institution with a wide mandate to protect and promote women's rights, in ac-</p> | Article 3 3.3 |

| No. | Resolution | Relevant Articles in Taiwan's 4th National Report |
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| | <p>cordance with the Principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), annexed to the UN General Assembly resolution 48/134.</p> <p>13. The IRC reiterates the recommendations from earlier CEDAW reviews and reviews of other human rights instruments in Taiwan that the Government, without any further delay, decide to establish an independent monitoring mechanism in the form of a human rights institution in conformity with the Paris Principles. Since such a monitoring mechanism should be fully independent, it should preferably not be established within the Presidential Office, the Control Yuan or any other part of the existing Government structure. If the Government were to decide to integrate such a body into the Control Yuan, however, it is absolutely necessary to restructure the Control Yuan and establish an independent unit within it in order to fulfill the tasks of promoting, monitoring and protecting human rights, including women's rights and gender equality, in full accordance with the Paris Principles.</p> | |
| 14 15 | <p>14. The IRC is concerned that the knowledge of CEDAW and its application is still very limited in Taiwan.</p> <p>15. The IRC requests the Government to adopt and implement a comprehensive program for making the CEDAW Convention, CEDAW Committee's general recommendations and its jurisprudence largely known among the Judicial Yuan, the Legislative Yuan, the Executive Yuan, the Control Yuan and the Examination Yuan, as well as among local authorities and general public, in particular women and girls. The IRC also recommends the Government to disseminate the IRC recommendations for consideration and action to members of the national and local government and legislative bodies, officials in relevant ministries and members of relevant professional groups such as education, health and legal professionals, as well as media,</p> | Article 2 2.3 to 2.7 |

| No. | Resolution | Relevant Articles in Taiwan's 4th National Report |
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| | <p>using modern ICT and social networks. The IRC also recommends that the report is made available in national and minority languages, including Taiwanese sign language, and in accessible format also on the government website on human rights. The IRC finally strongly encourages the Government to involve civil society organizations in the training and dissemination of the CEDAW Convention.</p> | |
| 16 17 | <p>16. While commending the Government's efforts to improve the availability and accessibility for women, the IRC is concerned that women do not have full access to courts, tribunals and remedies. It is also concerned with the lengthy procedures in the justice system due to the shortage of judges, particularly in cases of family issues, as well as lack of explicit reference to women and girls in the Legal Aid Act. The IRC is concerned on the accountability of the justice system and the application of disciplinary sanctions.</p> <p>17. The IRC recommends that the Government:</p> <p>(a) increase the number of courts serving women in rural and remote areas, including small islands, and also urgently increase the number of judges, especially in the family courts;</p> <p>(b) provide a comprehensive and sustainable legal aid that is responsive to the needs of women and ensure that legal aid providers are competent, gender-sensitive and that they are granted adequate time to defend their women clients;</p> <p>(c) provide appropriate gender-sensitive and effective remedies in a timely manner; and</p> <p>(d) apply adequate disciplinary sanctions to the professionals in the justice system, when their decision contradicts CEDAW Convention and other international human rights standards.</p> | <p>Article 15 15.8 and 15.9</p> <p>Article 15 15.4 and 15.5; 15.10 to 15.12</p> <p>Article 15 15.6 and 15.7</p> <p>Article 15 15.23 to 15.26</p> |
| 18 19 | <p>18. Even acknowledging the numerous trainings conducted for the officials of the Judicial and Executive Yuans, the IRC is concerned with stereotyping and gender bias still existing in the justice system.</p> <p>19. The IRC recommends that the Government:</p> | <p>Article 11 11.14 Article 15 15.19</p> |

| No. | Resolution | Relevant Articles in Taiwan's 4th National Report |
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| | (a) improve indicators and conduct a broad study on the prevalence of stereotypes and wrongful application of law by prosecutors and judges, as recommended in the second review; | |
| | (b) extend systematic and mandatory capacity-building on women's human rights and gender equality for all judges, prosecutors, public defenders, lawyers, law enforcement officers, administrators and expert practitioners; | Article 15 15.13 to 15.15 |
| | (c) ensure capacity building is interactive and contextualized, in order to develop critical thinking through the analysis of intersectional discrimination in real cases, highlighting best practices and wrongful application of laws. Special attention should be given to indigenous, migrant women, older women, women with disabilities, lesbian, bisexual, transgender women and intersex persons; and | Article 15 15.16 to 15.18 |
| | (d) ensure that capacity-building programmes address the issue of the credibility of women's voices as parties and witnesses. | Article 15 15.19 and 15.20 |
| 20 21 | 20. The IRC draws attention of the Government to the links between the CEDAW provisions and the United Nations 2030 Agenda for Sustainable Development, in particular target 5.1 of the Sustainable Development Goals, to “end all forms of discrimination against all women and girls everywhere”. 21. The IRC recommends the Government to accelerate its law reform process, repeal all discriminatory provisions within a specific timeframe and ensure the effective implementation of the CEDAW Convention. | Article 2 2.1 and 2.2 |
| 22 23 | 22. The IRC acknowledges the efforts made by the Government with the “Trial Implementation of the Revised Gender Budgeting System”. However, the IRC is concerned about the decrease in the human and financial resources allocated to the Department of Gender Equality and the lack of information about the impact and the outcomes of the budgetary program. It also notes the lack of effective and transparent monitoring of the implementation of gender equality programmes. The IRC is also concerned about the absence of an overall national strategy and multiyear plan on | Article 3 3.6 and 3.7 |

| No. | Resolution | Relevant Articles in Taiwan's 4th National Report |
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| | <p>gender equality.</p> <p>23. The IRC, referring to the CEDAW Committee’s General Recommendation No. 6 on effective national machinery and publicity and to the guidance provided in the Beijing Platform for Action, recommends the Government to:</p> <p>(a) further strengthen the Department of Gender Equality of the Executive Yuan by providing adequate human and financial resources;</p> | |
| | <p>(b) ensure effective coordination and collaboration among all relevant entities of the Executive Yuan, including by considering to establish a national strategy and/or a multiyear plan for gender equality and women’s empowerment, for the achievement of substantive equality of women with men in all aspects of life, aligned with the principles of the 2030 Agenda for Sustainable Development and with time bound and specific targets; and</p> | Article 3 3.8 to 3.14 |
| | <p>(c) establish a clear monitoring and accountability mechanisms of the abovementioned strategy and/or plan defining indicators and collecting statistical data and share information on the implementation and impact of the gender budgeting programme, with the aim to promote the full participation of women’s NGOs and civil society organizations.</p> | Article 3 3.10 and 3.15 |
| 24 25 | <p>24. The IRC notes the existing, albeit rather limited, efforts to accelerate substantive equality of women and men by introducing various forms of temporary special measures. The IRC also notes that the Executive Yuan sets “Gender Equality in Decision-Making of Public and Private Sectors” as an important issue for 2018. However, the IRC is concerned that:</p> <p>(a) temporary special measures to accelerate substantive gender equality, in particular as regards the representation of women in public and political life, as well as the situation of women from disadvantaged groups who are subjected to intersecting and multiple forms of discrimination, such as rural women and women in remote areas, women with disabilities, indigenous</p> | Article 4 4.2 |

| No. | Resolution | Relevant Articles in Taiwan's 4th National Report |
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| | <p>women, older women, migrant women and lesbian, bisexual, transgender women and intersex persons, have been underutilized;</p> <p>(b) rather than statutory quotas, less effective voluntary initiatives and other incentives are being used; and</p> <p>(c) the limited use of temporary special measures may indicate that the Government's understanding of this concept may not be fully in line with the concept of these measures as outlined in Article 4, paragraph 1, of the Convention and in the Committee's General Recommendation No. 25.</p> <p>25. The IRC recommends that the Government:</p> <p>(a) take steps to promote understanding of temporary special measures in accordance with Article 4, paragraph 1, of the Convention and the Committee's General Recommendation No. 25, as a necessary strategy to accelerate the achievement of the substantive equality for women, in particular women from disadvantaged groups, in all areas of the Convention;</p> | |
| | <p>(b) introduce new temporary special measures, such as targeted recruitment, hiring and promotion, quotas and numerical goals associated with timeframes, in areas in which women continue to be underrepresented or disadvantaged, including to improve the representation of women in senior management and decision-making positions in the education sector and to increase the number of women professors, women in the diplomatic service and women in top management positions of the public and private companies;</p> | <p>Article 4 4.4 to 4.14 Article 7 7.20 and 7.21 Article 8 8.2</p> |
| | <p>(c) consider raising the one-third gender rule to 40 per cent target or replacing it with gender parity rule (50:50) so as to avoid that the one-third numerical target sets in practice a ceiling to women's representation in public, political and economic decision-making; and</p> | <p>Article 4 4.3 Article 7 7.5</p> |
| | <p>(d) consider introducing statutory gender quotas where voluntary initiatives and incentives do not lead towards ensuring equal participation and representation of women in public, political and economic decision-making.</p> | <p>Article 7 7.4</p> |

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| 26 27 | <p>26. The IRC notes the Government's initiatives to eliminate discriminatory gender stereotypes in the society, culture and customs, including by introducing relevant policies and measures in Gender Equality Policy Guideline. The IRC is, however, concerned at the persistence of stereotyped attitudes towards women and their role in the family and society, which contribute to women's disadvantaged position in a number of areas, as well as to widespread gender-based violence against women. In this respect, the IRC notes the government's own acknowledgement of the situation and of sporadic nature of projects aimed at breaking discriminatory gender stereotypes, expressed during the dialogue with the IRC. The IRC is particularly concerned about:</p> <ul style="list-style-type: none"> (a) the impact on educational choices and the unequal sharing of family and domestic responsibilities between women and men; (b) the persistence of these stereotypes in the media, in particular broadcast media, social networks, advertisements, and that self-regulation does not sufficiently address them; (c) the absence of plans to systematically address various forms of stereotypes stemming from negative attitudes about women and girls belonging to certain disadvantaged groups, leading to multiple forms of discrimination. <p>27. The IRC recommends that the Government:</p> <ul style="list-style-type: none"> (a) adopt a comprehensive strategy and implement a coordinated policy to modify or eliminate patriarchal attitudes and gender stereotypes that discriminate against women, with special focus on women belonging to disadvantaged groups. Such strategy should include policy measures, such as public education campaigns, in the media and elsewhere, fostering respect for women's equality and dignity, programmes to encourage girls and boys to pursue education and employment in non-traditional fields, steps to ensure impartial and objective investigations into allegations of violence and temporary special measures to help eliminate occupational segregation based on gender stereotypes; and | <p>Article 4 4.7 Article 5 5.1 to 5.5; 5.6 to 5.18; 5.20 to 5.26 Article 15 15.13 to 15.20</p> |
| | <ul style="list-style-type: none"> (b) engage with relevant actors and use other innovative | <p>Article 5</p> |

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| | measures to enhance a positive and non-stereotypical portrayal of women in the media and in advertisements. | 5.20 to 5.26 |
| 28 29 | <p>28. The IRC expresses its concern on the persistent high rates of gender-based violence against women, including physical, psychological, sexual and economic violence and contemporary forms of violence occurring online and in other digital environments. The IRC is also concerned with the reportedly high number of justice system professionals that do not recognize domestic violence as a gender issue. It is also concerned with the fact that the Domestic Violence Prevention Act does not have any reference to the specificity of domestic violence against women.</p> <p>29. The IRC recommends that the Government:</p> <p>(a) amend the Domestic Violence Prevention Act to specify gender based violence against women, in accordance with the CEDAW Committee's General Recommendation No. 35;</p> | Article 2 2.24 |
| | (b) raise awareness on online violence and develop measures against hate speech, which should provide for a monitoring mechanism to assess the impact of the measures taken and design remedial actions, with a special focus on women facing intersecting forms of discrimination based on gender and ideologically motivated hate speech, such as lesbian, bisexual and transgender women and intersex persons; | Article 2 2.42 to 2.51 |
| | (c) encourage women to report cases of violence and abuse by destigmatizing victims and raising awareness about the criminal nature of such acts, and ensure that all reported cases are effectively investigated and that perpetrators are prosecuted and adequately punished; | Article 2 2.20 and 2.22; 2.32 to 2.36; 2.47 |
| | (d) ensure that all legal proceedings, protective and support measures and services concerning victims/survivors respect and strengthen their autonomy; and | Article 2 2.23 and 2.24; 2.37 |
| | (e) systematically collect statistical data on all forms of violence against women, disaggregated by form of violence, age, disability, ethnicity and relationship between the perpetrator and the victim, and on the number of complaints, prosecutions, convictions and sentences imposed | Article 2 2.38 and 2.39 |

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| | on perpetrators, as well as on reparations provided to victims. | |
| 30 31 | <p>30. The IRC notes that prostitution is punishable under Article 80 of the Social Order Maintenance Act. It also notes that encouraging, accommodating or brokering sexual transactions constitute a criminal act under the Penal Code. Data on persons prosecuted and convicted under the Article 231 of the Criminal Code and persons punished under the Social Order Maintenance Act indicate that the number of women in prostitution is considerable. The IRC regrets the lack of sex-disaggregated data on persons convicted and on the extent of prostitution and any measures taken to reduce the demand for prostitution as well as the absence of specific exit programme for women who wish to leave prostitution.</p> <p>31. The IRC recommends that the Government:</p> <p>(a) amend Article 80 of the Social Order Maintenance Act and Article 231 of the Criminal Code so that women in prostitution are not fined or criminalized for the sale of sexual activity and sexual acts, including for acts that currently amount to criminal acts of “promotion of prostitution”; and</p> | Article 6 6.20 and 6.21 |
| | (b) compile information on prostitution and use them to design measures to discourage the demand for prostitution and provide assistance to women who wish to leave prostitution, including by providing women with alternative income-generating opportunities. | Article 6 6.22 to 6.24 |
| 32 33 | 32. The IRC notes the progress made in the representation of women in political and public life, including an increase in the number of elected women legislators, as well as the first woman President of Taiwan elected in 2016. The IRC also notes the significant increase of proportion of women in the Control Yuan. Nevertheless, the IRC is concerned that women continue to be underrepresented among the judges of the Constitutional Court and other high positions in the judicial system, municipality mayors | Article 7 Participate in politics; 7.1 to 7.4; serve as a civil servant; 7.5 to 7.18; Participation in NGOs and |

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| | <p>and other elected local leaders, directors of boards and supervisors of public companies, senior foreign service officers, heads of overseas missions as well as in the medical institutions and in education and research institutions, in particular among chief administrators.</p> <p>33. The IRC recommends that the Government:</p> <p>(a) ensure the effective implementation of the existing measures to further increase representation of women in political and public life, in particular in decision-making at all levels, and leadership positions in public and private institutions and companies;</p> <p>(b) accelerate women's full and equal participation in elected and appointed positions in public, political and economic decision-making, including through adoption of more effective temporary special measures, such as statutory quotas, in accordance with Article 4, paragraph 1, of the Convention and the Committee's General Recommendations No. 25 and No. 23; and</p> <p>(c) take specific measures, including temporary special measures, to promote the representation of women with disabilities and other women from disadvantaged groups in decision-making positions.</p> | <p>Associations; 7.19 to 7.21</p> <p>Article 7 7.4</p> <p>Article 7 7.14 to 7.18</p> |
| 34 35 | <p>34. While acknowledging that the draft amendment to some provisions of the Immigration Act was prepared by the Executive Yuan in August 2016, which is expected to bring some relaxation of the restrictions on the residency and visitation right to children of the divorced immigrant women, the IRC is concerned that the draft amendment to the Immigration Act is still not presented to the Legislative Yuan, due to further consideration of decoupling of the immigration policy from entry and exit management policy.</p> <p>35. The IRC recommends that the Government expedite the process of amending the Immigration Act, with a view to ensuring the immigrant women's rights to residency and family reunion, and study the impacts of such amendment.</p> | <p>Article 9 9.7 and 9.8</p> |

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| 36 37 | <p>36. The IRC is concerned that the new immigrant women who are widows of deceased veterans are faced with eviction from the public housing upon their husbands' death and the expiration of the limited 11 years' residency period. Many of them do not qualify for other benefits because they do not have children.</p> <p>37. The IRC recommends that the Government address the situation of marriage immigrants who are dependent on their husbands, including in particular housing situation of those who married with veterans, and take measures to protect their right to security of tenure and basic social security.</p> | Article 9 9.14 |
| 38 39 | <p>38. While the stateless children are entitled to support services and the local government provides them foster homes or other care facilities, the IRC is concerned with the information that social welfare and healthcare departments do not consistently provide help, especially for children of non-national mothers.</p> <p>39. The IRC recommends the Government to ensure that the stateless children receive the necessary support in their upbringing, including healthcare, education, family and other needs in a consistent manner, in particular children of non-national mothers. The IRC further recommends that the Government provide data, disaggregated by sex and age, on the number of stateless children and services provided to them.</p> | Article 9 9.3 to 9.5 |
| 40 41 | <p>40. The IRC is concerned that the English title of the Gender Equity Education Act does not correctly reflect the terminology of CEDAW and that the translation creates confusion in understanding the concept of gender equality in education.</p> <p>41. The IRC recommends that the Government change the translated name of the legislation into Gender Equality Education Act.</p> | Article 10 10.49 to 10.51 |
| 42 43 | <p>42. The IRC is concerned that the disadvantaged groups of girls are not provided with the equal opportunity for education. Girls with disabilities in special education are far less than the number of boys with disabilities at all levels of education. The IRC is further concerned that the data does not provide overall picture of</p> | Article 10 10.2 and 10.3; 10.7 to 10.11 |

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| | <p>enrollment or dropout rates on children with disabilities, indigenous children and children with immigrant background, disaggregated by sex.</p> <p>43. The IRC recommends that the Government study the reason for the very low enrollment of girls with disabilities in schools and take measures that all girls with disabilities are provided with education. The IRC further recommends that the data collection on education includes enrollment rates and dropout rates of children with disabilities, indigenous children and children with immigration background, disaggregated by sex and level of education. The IRC refers the Government to CEDAW Committee's General Recommendation No. 36.</p> | |
| 44 45 | <p>44. The IRC is deeply concerned that there is no comprehensive education on sexual and reproductive health and rights provided in school curriculum, which is age appropriate, scientifically accurate and up-to-date, considering the evolving capacities of children, adolescents and youths. The IRC is also concerned about conflicts and attacks among different parental, religious and educational groups, and the lack of adequate responses from the Government to resolve them and provide guidance for school curriculum.</p> <p>45. The IRC urges the Government to find solutions to this antagonistic situation as expeditiously as possible, involving all stakeholders, to prepare clear guidelines and curriculum on the appropriate contents of sexual and reproductive health and rights education and to provide necessary training for teachers.</p> | Article 10 10.23 to 10.30 |
| 46 47 | <p>46. The IRC is concerned that sexual harassment, assault and bullying continue on school campuses, in particular against girls, students with disabilities, LGBTI students and foreigners among others.</p> <p>47. The IRC urges the Government to step up its efforts to prevent sexual harassment, sexual assault and sexual bullying in schools, by providing strengthened policy measures and</p> | Article 10 10.40 to 10.47 |

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| | <p>educational programs. The IRC recommends that surveys are regularly conducted and analyzed, and proactive policy measures are taken to tackle the problems, which are focused and customized to curb the aggression, in particular, against girls and people with hearing and speaking impairments and intellectual disability, as well as against LGBTI students and foreigners.</p> | |
| 48 49 | <p>48. Despite the amendments in 2015 to the Directions Governing the Safeguarding of Pregnant Students' Right to Continue Receiving Education and the Provision of Counseling and Assistance, the IRC is concerned with the information that schools are not equipped to cater the needs of pregnant girls and young mothers.</p> <p>49. The IRC recommends that the Government take measures to ease the burden of pregnant students and young mothers, such as providing the option to retake exams, meet their childcare needs, increase scholarship or other appropriate support. The IRC recommends the Government to review the effectiveness of the amended Directions, with a view to further introduce the necessary changes and increase funding and focused resource allocation as necessary.</p> | Article 10 10.31 to 10.39 |
| 50 51 | <p>50. The IRC notes that the participation of women in the labour force has increased only slowly between 2013 and 2016 and that the increase does not exceed that of men. Both the vertical and horizontal gender segregation of the labour market are significant. The IRC further notes that the pay gap between earnings for women compared to men is estimated to be 14 %. The IRC is also concerned that Taiwan seems to lack policies for promotion of equal pay. According to a study commissioned by the Ministry of Labor between 2015 and 2016, there are many hurdles for achieving equal pay for equal work and work of equal value.</p> <p>51. The IRC recommends the Government to continue its efforts to increase female participation in the labour market and decrease sex segregation, not only by promoting women's recruitment to traditional male-dominated sectors, such as ICT, scientific, mathematics and technological careers, but</p> | Article 4 4.7 Article 5 5.6 to 5.18 Article 10 10.15 to 10.17 Article 11 11.19 and 11.20 |

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| | <p>also by promoting the recruitment of men into female dominated sectors such as caregiving and educational field. It further recommends the Government to clarify concepts relating to equal pay and to introduce evaluation schemes for the comparison of different types of works that might be of equal value and to develop tools in order to eliminate discriminatory elements from existing wage structures. The IRC also urges the government to improve the data collection on wages by collecting information on wages by sex, skill level, sector, occupation, age and ethnicity.</p> | |
| 52 53 | <p>52. The IRC appreciates the government's efforts to promote the return of female employees to work after parental leave. The IRC is, however, concerned that the measures taken are not sufficient and that the low birthrate in Taiwan should be an alarm clock to call for radical efforts to improve women's possibilities to combine work and family life. These possibilities are now hampered by a very short maternity leave of 8 weeks and the limited remuneration for parental leave, lack of accessible, affordable and reliable childcare services and by the fact that very few men are sharing family responsibilities.</p> <p>53. The IRC recommends the Government to extend the length of maternity leave in accordance with international standards laid down in the Maternity Protection Convention adopted by the International Labour Organization (ILO) in 2000 and to introduce additional leave and compensation for multiple births. The efforts to increase accessible, affordable and publicly controlled childcare services must be further enhanced. Furthermore, strong legal and economic incentives are needed in order to establish practices for encouraging fathers to take parental leave.</p> | Article 11 11.32 to 11.43 |
| 54 55 | <p>54. The IRC notes that there are around 230.000 foreign domestic workers working as caregivers in private homes in Taiwan. The IRC further notes that the recommendation made by the previous second review to introduce comprehensive legislation in order to protect the rights of domestic workers in accordance with the</p> | Article 11 11.48 |

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| | <p>ILO Convention 189 concerning decent work for domestic workers has not been implemented, and that the draft Domestic Workers Protection Act has been put on hold due to disagreements regarding how to regulate the working time for domestic workers. The IRC is concerned about the situation of foreign domestic workers without protection, especially the lack of right to take up work for another employer in Taiwan as well as the lack of any national minimum wage applicable for them.</p> <p>55. The IRC reiterates the recommendation that the legal protection for foreign domestic female workers in Taiwan must be provided in compliance with the ILO Convention 189. The IRC request the Government to speedily adopt the Domestic Workers Protection Act and to ensure the right of foreign domestic workers to take up new jobs and change employer in Taiwan as well as to guarantee minimum wages for these workers.</p> | |
| 56 57 | <p>56. The IRC is concerned about the lack of information regarding women in the informal labour market in Taiwan. The IRC is also concerned about the low participation rate of women with disabilities in the labour market and also about their high unemployment rate.</p> <p>57. The IRC urges the Government to study the situation of women in the informal labour market and to collect the relevant data concerning these women. The IRC also recommends that the Government develop measures, intensify efforts and allocate sufficient resources to promote the employment in the open labour market for women with disabilities.</p> | Article 11 11.9 and 11.10; 11.26 |
| 58 59 | <p>58. The IRC recognizes the Government's efforts to improve women's health, such as the training of the majority of healthcare professionals on gender issues and the creation of integrated outpatient clinics fostering a women-friendly healthcare environment. Nevertheless, the IRC is concerned with the lack of a comprehensive and effective women's health policy.</p> | Article 12 12.1 |

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| | 59. The IRC recommends the Government to increase the human, technical and financial resources for the implementation of the national action plan for women's health policy and establish monitoring mechanisms, including measurable indicators, to ensure that it functions in practice. | |
| 60 61 | <p>60. The IRC is concerned about the lack of reliable and sufficient information on sterilization and abortion cases in the Government report and reply to the list of issues, as well as about the difficulties to access safe abortion and post-abortion care services, including psychological support for women and girls in need. The IRC is also concerned about the reported cases of women forced to undergo sterilization or induced abortion by medical professionals, due to diagnosed genetic diseases.</p> <p>61. The IRC strongly recommends that the Government undertake a study on cases of sterilization and abortion, disaggregated by age, area, nationality, mental health or disability. Also, the IRC recommends the Government to provide everyone age-appropriate education on sexual and reproductive health and rights, including education on women's right to autonomy.</p> | Article 12 12.29 and 12.30 |
| 62 63 | <p>62. The IRC is concerned with the lack of accessibility to health services, including mental health, for women with disabilities. It received alternative information about numerous situations of Government's failure to comply with the obligation to respect, protect and fulfil the rights of women with disabilities to receive healthcare appropriate to their special needs.</p> <p>63. The IRC recommends that healthcare services should be responsive and sensitive to women and girls with disabilities and include timely and comprehensive mental, sexual and reproductive health services, including contraception and prophylaxis against HIV. The Government should provide specialized support services for women with disabilities, including in rural, remote areas and small islands.</p> | Article 12 12.8 and 12.9; 12.15 and 12.16; 12.27 |
| 64 65 | 64. The IRC welcomes the Government's efforts in developing a | Article 13 13.1 to 13.8; |

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| | <p>number of social protection measures and a National Pension Insurance. Likewise, the IRC appreciates the Government's initiatives for the economic empowerment of women such as the "Phoenix Micro Start-Up Loan" micro-credit programs. However, it notes with concern that:</p> <p>(a) the welfare measures are based on a framework of fragmented initiatives which can reduce their effectiveness;</p> <p>(b) the current pension and allowance payments are insufficient for ensuring a decent life for women in difficult situation;</p> <p>(c) the inadequate welfare policies disproportionately affect older women, in particular those who have been involved in unpaid care work for the family during their life; and</p> <p>(d) the micro-credit initiatives are mainly focused on the development of small scale income generating activities, which could segregate women's entrepreneurial capacities in the low level of business.</p> <p>65. The IRC recommends that the Government:</p> <p>(a) revise its national welfare strategy with a focus on the most disadvantaged and marginalized groups of women, particularly older, rural, indigenous women and women with disabilities ensuring that it is fully inclusive and encourage the active participation of women in all aspects of political, economic, social and cultural life;</p> <p>(b) increase the current pension and allowances payments and ensure that the system is sustainable;</p> <p>(c) eliminate <i>de facto</i> discrimination against older women and address the root causes of their disadvantage, including by recognising the value and compensating their unpaid work for the family; and</p> <p>(d) increase <i>the</i> opportunities for women entrepreneurs to access to all levels of economic and financial entrepreneurial activities, including by encouraging their participation in the boards of public companies and firms.</p> | <p>13.20 to 13.31</p> <p>Article 13 13.6</p> <p>Article 13 13.1 and 13.9; 13.28</p> <p>Article 4 4.10 to 4.13 Article 13 13.9 to 13.19</p> |
| 66 67 | 66. The IRC commends the Government for the measures taken to enhance the equal participation of women in the management of | Article 14 14.2 to 14.13; |

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| | <p>rural and fisheries activities as well as to promote women's participation in the decision-making in the rural institutions and associations. In particular, it welcomes the amendment to the Act of Irrigation Association Organization to eliminate the discriminatory procedure in the election of chairperson and board, as well as the temporary special measure to ensure priority in the distribution of government subsidies to farmers associations with a higher ratio of female officers. Likewise, it welcomes the measures taken for promoting the human rights of indigenous women and their participation in decision-making of CIP. However, data clearly demonstrates that the one-third principle has not been met for rural women. Therefore, the IRC is deeply concerned about the persistent patriarchal attitudes and gender stereotypes in rural areas and that the current strategy, mainly based on home economics training, is not sufficient to reverse the negative attitude of rural communities towards substantive gender equality. It is also concerned about the lack of basic services, such as education, employment and healthcare, for rural women, in particular those living in remote areas and small islands.</p> <p>67. The IRC recommends the Government to:</p> <p>(a) take effective measures to change traditional perceptions about the roles of women and girls in the family and in society and to counter patriarchal attitudes in the rural area, including by developing and implementing a comprehensive strategy and a multi-years plan in support of gender equality and women's empowerment with the involvement of men and boys and with the support of ICT and media campaign;</p> <p>(b) ensure that rural women and girls, in particular those living in remote areas and small islands, have access to high-quality education, employment and healthcare services; and</p> <p>(c) fully implement the CEDAW Committee's General Recommendation No. 34 on the rights of rural women.</p> | <p>14.33</p> |
| 68 | 68. The IRC welcomes the Government's commitment to addressing | Article 14 |
| 69 | climate change through risk reduction strategies. However, it notes that the Government failed to fully take into account the | 14.34 to 14.38 |

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| | <p>specific vulnerability of women to natural disasters and recognize their ability to act as agents of change.</p> <p>69. The IRC draws the Government's attention to the CEDAW Committee's General Recommendation No. 37 on the gender-related dimensions of disaster risk reduction in the context of climate change and recommends the Government to ensure the effective participation of women, in particular rural and indigenous women, in the formulation and implementation of policies and action plans on disaster risk reduction and climate change, not only as those disproportionately affected but also as agents of change.</p> | |
| 70 71 | <p>70. The IRC notes that a preliminary consensus was already reached in 2017 on setting the minimum age of entering into a marriage contract at 17 years and the minimum marriage age at 18 for both women and men, as well as the legal recognition of same-sex marriage. Nevertheless, the IRC is concerned about the very slow progress with respect to the draft amendments to Article 973 and Article 980 of the Civil Code, given that they have been considered since 2013.</p> <p>71. The IRC recommends that the Government ensure the adoption of the amendments, without any further delay, regarding marriage contract and marriage age, as well as the legalization of the same-sex marriage, within the timeframe indicated in the Judicial Yuan's interpretation No. 748, by May 2019.</p> | Article 16 16.3 to 16.10; 16.13 |
| 72 73 | <p>72. The IRC is concerned that the current legislation on the distribution of property upon divorce does not fully take into consideration the differences in the earning potential and human capital of spouses and may not adequately address gender-based economic disparities between spouses resulting from existing sex segregation in the labour market, persistent gender pay gaps and women's greater share of unpaid work.</p> <p>73. The IRC recommends that the Government undertake research on the economic consequences of divorce for both</p> | Article 16 16.16 to 16.19 |

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| | <p>spouses, with specific attention to the enhanced human capital and earning potential of male spouses because of their full-time and uninterrupted career patterns. The IRC recommends the Government to review its current legislation in the light of the outcome of that research with a view to aligning it with the CEDAW Committee's General Recommendation No. 29 on economic consequences of marriage, family relations and their dissolution.</p> | |