

THE 4TH REVIEW OF TAIWANS CEDAW IMPLEMENTATION

LIST OF ISSUES AND QUESTIONS

By the 2022 International Review Committee

Overarching question:

COVID-19 pandemic and gender impact analysis

1. During the COVID-19 pandemic, the world has witnessed that the pandemic brought different impacts upon people's lives and that social inequalities have increased. Please provide information on how the pandemic has affected different groups of women in Taiwan of different ages in different areas of their lives, for example in education, employment, health, social security and marriage and family life. Please also provide information what measures were taken to mitigate the negative impacts on women, including in particular for indigenous women, women with disabilities, new immigrant women and other minority women.

Article 1:

Comprehensive legislation on gender equality

2. In 2018, the International Review Committee recommended a comprehensive legislation on gender equality including a definition of discrimination against women. According to the government report, a study was commissioned in 2019 and a draft of the act is scheduled to be completed in 2024. It was also explained that during the drafting process, opinions will be collected from various sectors, and reviews of the law and a gender impact assessment will be carried out. Please provide information on the current status of this drafting process, whose opinions were collected so far, what their opinions were and whether it would be possible to speed up the process.

Article 2 :

National human rights institution

3. With reference to the information provided in the Core Document (para. 118) on the establishment in 2020 of the National Human Rights Commission (NHRC) under the Control Yuan, according to the Organic Act of the Control Yuan National Human Rights Commission,

the IRC draws attention to para. 13 of the previous Concluding Observations and Recommendations, in which the government was advised that *“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.”* In its Independent Opinion on Taiwan’s Fourth Report on the Implementation of CEDAW, the NHRC is introduced as “an independent body dedicated to human rights protection and promotion” (para. 1).

Please explain how this independence is guaranteed, given that it operates under the Control Yuan, and no restructuring of the Control Yuan seems to have taken place. In particular, please address the following issues: How does the NHRC operate? Who are its commissioners and officers? How are they being elected and/or appointed? What are their required qualifications? Does the NHRC have a statutorily guaranteed budget independent of the Control Yuan? In relations to its functions, please explain the reference in para. 118 to the power “to investigate human rights violations”.

Please also explain how its authority is different from the Control Yuan’s general authority to review the actions of government agencies (as described in para. 119).

Regulatory review

4. Paragraph 2.1 of the National Report states that following the massive regulatory review conducted between 2014-2017, there are 11 outstanding amendments, including 8 laws and self-governing ordinances, and 3 instructions and self-governing rules. Please update on the progress of their promulgation. Likewise, please update on the progress of the one remaining amendment to the Civil Code, following the review for compliance with CEDAW’s General Recommendations 29-33, given that the outcome of this review with the resulting five cases of non-compliance was already reported in the third CEDAW Convention Specific Report, para. 2.5.

Remedies for human rights violations

5. Please explain what mechanisms there are for seeking redress for violations of human rights, beyond the mechanism under the Act of Gender Equality in Employment, as mentioned in para. 2.3.4 of the 2nd Report (referred to in para. 2.8 of the 4th Report) and in para 2.16.2 of the 2nd Report. The 4th Report (para. 2.9), as all the previous ones, refers to the Executive Yuan's Gender Equality Complaint Mailbox as handling gender discrimination complaints of all types. However, none of the reports explains its operation and powers, and beyond mere number of complaints files and their general categorizations. It is not clear how they are handled and what their outcomes are. Please explain in detail this mechanism, its structure, its powers, and provide information as to the outcomes of the cases, segregated by gender. Please also explain its relation to the procedures under the Act of Gender Equality in Employment, as well as the newly established NHRC.

LGBTQI

6. Please explain what general legal framework exists to protect LGBTQI from discrimination, beyond the areas of education and employment (under the Gender Equity Education Act and the Gender Equality in Employment Act). Are there measures being developed to protect them from discrimination in the area of services provision and from hate speech? Please explain whether the binary household registration is being reconsidered, especially in light of the legalization of same-sex marriages in 2019?

Article 3:

Government mechanisms to promote and safeguard the rights of women

7. Under the establishment of guidelines for the Control Yuan Task Force on Gender Equality chaired by the Control Yuan President, please provide details of the investigation findings for each government agency highlighting the various shortcomings identified and the type of improvements they were required to make, key improvements made as well as follow-up and full compliance strategies of the Control Yuan and how the mechanism has helped to ensure GEWE across sectors in line with the principles of CEDAW Article 3.

8. Please share the key functions and tasks of the special units for gender equality currently existing in 6 local governments and how they help to ensure implementation of the CEDAW Articles across departments and results achieved to date indicating:

- a) The exact functions of the Taiwan's gender equality workforce/employees (81 in ministries and 111 in local governments) and specific functions undertaken to promote gender equality at government ministries and local governments;
- b) Percentage of the budget used for administrative costs compared to other development programmes and activities, the impact realised and linkages between the Gender Equality Workforce to national productivity, GDP growth and economic growth projectiles in key sectors.

Promoting gender equality policy guidelines and equality and mainstreaming policies

9. How has the promotion of publicly available childcare under the Three-in-One Policy enhanced women's economic power in practice? Which sector-specific gender goals have been realized under the three level meeting mechanism of the Executive Yuan across Ministries, Departments and Agencies (MDAs)? How do they align with/uphold CEDAW principles? How have they contributed to promoting gender equality in public and private sector decision-making or addressed gender disparities in core economic sectors like agriculture, industry, aviation, engineering, technology, etc.?

10. Concerning the Executive Yuan's five-year trial implementation of the revised Gender Budgeting System (GBS), please indicate what principle guides the GBS and how has it affected administrative and management systems like recruitment, performance appraisal, promotion, procurement, beneficiary incidence and impact assessment. Also besides web posting of a description of the gender budgeting situation of the Executive Yuan and its ministries and agencies by the Executive Yuan's Gender Equality Committee since 2021, please indicate if there is an annual budget statement with clear weighting of expenditure lines/envelopes to respond to gender differential needs and whether any gender impact assessment was conducted on programmes, projects, schemes and other interventions and how did they address issues relating to CEDAW standards and jurisprudence?

11. Is the training for civil servants on gender mainstreaming also extended to/available for political parties, or are there any future plans for this? Besides the 336 Gender Indicators for SDG 5, are there other gender equality indicators for other SDGs besides Goal 5? While the award mechanism established to provide bonuses and administrative rewards is a good model, please explain what gender equality changes were achieved from the award mechanism on

gender mainstreaming and indicate specific de-facto, substantive or transformative results recorded under this scheme, and how the Evaluation scores work, highlighting if a gender score card system is in place and how it is operated.

Article 4:

Temporary special measures

12. With respect to the information contained in paras 4.3-4.6 in the Report, please clarify whether the measures described therein were incorporated into legislation or formal guidelines, and whether a mechanism has been built to monitor their implementation. Are there any legislated special temporary measures in Taiwan? Is the one-third gender ratio requirement (para. 4.3) incorporated in law? Do any of these measures mentioned in the Report contain specific measures with respect to women from disadvantaged groups who are subjected to intersecting and multiple forms of discrimination? Have those measures been applied only to boards of directors of state-owned enterprises? Is there a proposed legislation to introduce mandatory targeted recruitment, hiring and promotion, quotas and numerical goals, in line with Recommendation 25(b) of the previous Concluding Observations? What measures are taken with respect to private companies? Where is the one-third gender ratio requirement mentioned in para. 4.3 contained, and what keeps it from progressing to 40% or even parity, as recommended in para 25(c) of the previous Concluding Observations?

Article 5:

Gender role stereotypes

13. Despite many good efforts of the government to change the gender stereotypes, the traditional roles and gendered division of labor still remain strong, as evidenced in the fact that women spend three times more than men on household work and childcare (para. 5.19). It was explained that “to help local governments strengthen the 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.

Please provide information on how this assessment of “social welfare performance” is done by

the national government and what the major programs of the local governments are in this regard. Since the issue of equal sharing of household work and unpaid care work in the family is not a matter of social welfare but a matter of human rights, have there been any discussions on the two different approaches? What measures were taken to encourage or give incentives for men to share the work?

Domestic violence

14. In the Review of the 3rd Report of Taiwan, the IRC pointed out and expressed concern over the persistence of high rates of gender-based violence against women in different forms. It also pointed that Domestic Violence Prevention Act does not recognize domestic violence against women as a specific crime. There is no information in the 4th Report regarding the fate of the said amendment about domestic violence. It is also reported that 70% of domestic violence and violation of “order of protection” cases known to the police receive a penalty. However, apparently, 80% of these would be very light penalties which indicate that domestic violence is treated as misdemeanor. Please provide updated information on the status of the domestic violence in the law.

In the 4th Report of Taiwan while there is ample statistical information (para. 2.13, 2.14) that indeed reporting of domestic violence has increased, but percentage of women victims, nonetheless, stayed the same (para. 2.13). It is also reported that according to police records of domestic violence, 73% of victims of domestic violence where criminal cases were opened were women (para. 2.17); a fact that indicates that women are also more likely to be the primary victims of relatively serious forms of domestic violence. What is the government’s explanation for this situation which shows that domestic violence is indeed a form of gender-based violence against women in Taiwan? Does the government have any plans to recognize this fact and amend the Domestic Violence Prevention Act accordingly? What is being done to respond to the situation effectively and expeditiously?

An apparent disconnection between legislation, polices, and practices pertaining to measures combating violence against women underlies many matters as admitted in the 4th Report. Thus, such measures as the draft amendment to the Domestic Violence Prevention and Control Act are aimed to remedy the situation (para. 2.24). What is being done to ensure that such intent in legislation is effectively translated into policies and practices? What percentage of the resources allocated to social policies and programs are expressly allocated to domestic violence

and to services for sexual assault victims?

Gender-based violence against women and marital status

15. Gender-based violence against women appears to have increased among non-cohabiting couples (para. 2.16). What is the legal perception and treatment of such cases? Are there any reliable statistics on this matter? Is violence against women in non-cohabiting couples legally considered domestic violence or is it handled as something else? Please provide information and statistics on this matter.

Gender-based violence against women and ethnicity/nationality

16. Breakdown of the incidence of gender-based violence against women by different categories shows that the reported overall decline in gender-based violence against women is not the case in some nationality and ethnicity-based groups where such frequency has stayed more or less the same (para. 2.14, from 1.3% to 1.4). Please explain the reasons for this and elaborate on any specific policies to respond to it.

What is being done in terms of culture-sensitive policies and measures to respond to violence against women in different ethnic or national communities? In this context, does the government have any plans to look into incidences of gender-based violence against women in historical context (e.g., comfort women) to help shed light on the background of the matter and to raise awareness in the society?

Gender-based violence against women with disabilities

17. While the state report (para. 2.14) says violence against women in intimate relations is the same for women with disabilities and without disabilities, there is some information, from relevant NGO sources, that women with disabilities experience a higher rate of violence in intimate relations. It is also indicated that such higher rate of violence faced by women with disabilities in intimate relations is also increasing. Please provide accurate and up-to-date information in this regard.

There is also some information that the national categorization of people with different kinds of disabilities places an unusually large number of people in “Unknown Disability” category. This prevents accurate understanding of the relationship between different kinds of disability and gender-based violence against women. Does the government intend to put in place a more

inclusive statistical database that reflects the disability by sex, types of disability and other relevant characteristics?

Sexual assault

18. The 4th Report states that while gender-based violence against women is, in general, not condoned or supported by the public (para. 2. 20), it appears that when it comes to sexual assault, public attitudes are less critical and often “victim-blaming” exists to justify it. Community-based programs by the Ministry of Health and the Welfare are implemented for prevention and awareness raising in the public, but numbers of reported sexual assault cases have not declined from 2017 to 2020 (para. 2.26). It is also reported that (para. 2.27) foreign migrant workers, particularly domestic caregivers, are the most prevalent victims. How does the government explain the slow change in this area as seen in the information provided in the 4th Report? Also, the 4th Report mentions (para. 2.31) that a draft amendment to Sexual Assault Crime Prevention Act was sent to Executive Yuan in 2018 aimed to strengthen reporting responsibilities, to bring protection orders and increase criminal penalties for violation. What has happened to that draft? Are there any plans to prioritize the issue?

There is also some information regarding the inadequacy of the judicial response to the sexual assault cases. While there is some information about the fact that courses were designed to include the topic at the Judges Academy (para. 2.32), please provide information on the impact of these on judicial attitudes.

Please elaborate if any of the training programs or public campaigns approach sexual assault as a form of gender discrimination and a consequence of gender inequality. Do they elaborate the link between gender-based violence against women and sexual assault?

Sexual assault involving authority

19. Sexual assault cases complicated with abuse of authority are reported by the alternative sources. This matter is also acknowledged in the response of the government to the List of Issues and Questions by the previous International Review Committee. Out of the 1,263 cases of women 18 years or over who experienced sexual assault (2014–2018), 211 cases involved abuses of authority by the perpetrator over the victim. These cases, it has been reported, occurred in education, care, or occupational relationships. Alternative sources have claimed that this is only the “tip of the iceberg”.

Does the law (Article 228 of the Criminal Code) ask for hard evidence of violation of victims' will rather than evidence of her open consent? How does Article 228 of the Criminal Code impact the consideration of the authority relationship in judging cases of sexual assault?

Please also provide detailed information on how sexual assault in cases involving people in positions of authority is handled by the media and how the victim's personal information is treated. Are there any training and awareness raising programs about this type of sexual assault in the media?

Stalking and Harassment Prevention Act (December 1, 2021)

20. While the passing of the Stalking and Harassments Prevention Act is to be commended, there is a need to clarify and elaborate the operating principles this law functions in. It appears that acquiring an actual protection order in the face of stalking is difficult, and it is not clear what happens in cases of noncompliance. Please elaborate on these aspects of the new law. Also, please explain how the new law provides recovery and/or compensation to victims of stalking. Are there any measures built into the law and/or its implementation mechanisms to ensure that women who are experiencing intersecting forms of discrimination (e.g., gender and disability) are equally protected? Is the Ministry of Interior intending to conduct a review of stalking cases and their treatment under the new law?

Gender-based cyberviolence

21. Information is provided as to increase in digital and cyberviolence against women and adults. The 4th Report also contains statistics on women constituting the most number of victims. As cyberviolence can impact large numbers of women in different localities (transborder included), there are complications related to the applicability of different laws. Cyberviolence is also more likely to impact the young and as well as involve child age perpetrators. There is information that existing regulations are not able to control digital/cyberviolence and the victims cannot secure protection orders for these. What are the government's plans to enact and implement specific legislation to protect the rights of victims adequately and prevent gender-based digital/cyberviolence?

Article 6:

Exploitation of prostitution of women

22. Regarding the "Research Report on the Inventory of Assistance Resources and Policy Recommendations for Career Transition of the Sex Service Providers in Taiwan" (para. 6.22), please provide information on major findings of the 2020 Research and the countermeasures formulated by the relevant ministries and agencies. Please also provide information on the number of adult female sex workers who have applied for assistance under the Act of Assistance for Family in Hardship and how many of them were provided with emergency livelihood assistance. Please also provide information on any assessment so far on whether this kind of assistance is enough to help them get out of prostitution, whether there are any other proposals by the women in the sex industry themselves and whether any other additional measures are being considered. What is the result of study on the Swedish model of decriminalizing women in prostitution and providing assistance, while curbing the need of male clients by punishing? Is there social discussion on this as an alternative policy?

Article 7:

Women's representation in political and public decision-making

23. There is much to be commended in Taiwan's performance regarding the implementation of CEDAW Article 7. However, some of the improvements appear to be uneven; a fact that requires serious attention by the government.

- a) Despite the 25% women required by the Local Government Act, only lower levels of representation of women among Special Municipal Mayors and Magistrates of Counties have been achieved. Have there been any studies done to explain such persistent gender inequality in local politics? Are there any plans to amend Article 33 of Local Government Act to increase women's representation in these electoral districts?
- b) As there is persistence of women's low representation in these districts, have any studies been conducted on the possible social or cultural reasons for the matter and/or have any policies been designed or measures implemented to counter it?
- c) In general, the one third quota has been in operation for representative positions, for some time. Since this threshold is accepted as the minimum for women's meaningful participation in politics and decision-making structures, are there any plans to amend it to require parity?

24. The 4th Report states that the Ministry of the Interior is working with political parties to ensure that they also allocate their funds for the training of women. Moreover, it is reported that there is a Draft Amendment to the Political Parties Act (sent to the Executive Yuan on Sept. 2020) to make parties' allocation of subsidies to women's training, obligatory. Can you provide information on what has happened with this amendment?

25. Another problematic area of women's inequality in decision-making positions is in the judicial sector. While there is some incremental increase in the number of female judges, their absence in the highest echelons of the judiciary, including as Prosecutor General and Grand Justices, continues. What measures are envisaged to alter this situation in the near future?

26. Another area of concern is the underrepresentation of women from diverse, particularly disadvantaged, backgrounds in the making and implementation of gender equality policies. Alternative sources draw attention to the fact that women of rural, indigenous backgrounds as well as women with disabilities, elderly women and LGBTI+ women are not represented in the gender equality policy-making. Are there any programs to remedy this situation in a timely manner?

27. While Gender Equality Mechanisms are institutionalized in many levels of the political and public administration institutions, it is striking that no such mechanism exists in the President's Office. What is the reason behind this? As gender equality mechanisms and policies would benefit from coordination at the highest level, are there plans to incorporate such mechanism at the President's Office?

28. There is information from alternative sources that harassment of female politicians is increasing. While this is a global tendency, partly owing to the Internet and social media which provide new, effective and widespread sharing of, *inter alia*, misogynist attitudes, it needs to be countered with effective measures. In Taiwan also, there is some information about particularly women politicians being exposed to hate speech as a form of gender-based violence. Please provide information on whether there are any studies, policies and measures developed to understand and combat cyberviolence and hate speech against women politicians and/or women in high positions.

Article 8:

Women in diplomatic arena

29. Given the existing limitations of serving as heads of mission and/or diplomatic personnel in overseas missions of Taiwan and the relatively active positions and roles to which women have been assigned in the foreign arena (as explained in para. 8.4, 8.5 8.6, 8.7), are there any plans to introduce special measures (e.g., awards, prizes etc.) to highlight women's achievements in this area to create role models and encourage young women to join the sector?

Article 9:

Respect for the equality and self-determination of naturalized citizens

30. Of the total of 219 applicants for naturalization denied due to a failure to meet applicable naturalization requirements under the Nationality Act, 186 (84.9%) were women. What efforts have been made to create awareness on naturalization requirements and educate immigrant women, and what plans are in place to buttressing the need to educate and sensitize women?

New immigrant dependent visa, temporary entry, and residency rights

31. Please explain whether the “no bad conduct” criteria for securing approval for naturalization related directly or indirectly to gender roles and social perceptions, and whether there are family laws that protect mothers and women's parenting rights regardless of their naturalization.

32. Presently, it is reported that if neither the biological mother nor biological father can be identified or are stateless, a child **may** be identified as having R.O.C. (Taiwan) nationality. Does that mean that the Taiwanese nationality is not guaranteed? What are the implications of this for the citizenship of children (especially girls), their access to rights protection and social safety nets? What level of discrimination and stereotyping are stateless children and girls exposed to and how does this predispose them to marginalization? What level of trauma and uncertainty is associated with Alien Resident Certificate processing and renewal every three years and how is this managed?

33. What are the major findings of the study on residency and parental rights of divorced new immigrants commissioned from 2020 to 2021 and how will it better uphold CEDAW provisions, principles and standards? Does the provision not to revoke residency if a spouse remarries the original spouse within 30 days of the divorce not promote coercive marriages and reinforce existing stereotypes on marriage contrary to CEDAW ideals?

Article 10:

Gender equality in education

34. There is a strong gender-based segregation in Taiwan both in the educational system and on the labour market. According to the 4th Report, the proportion of women graduating from education programs for engineering, manufacturing and construction has increased from 15.1 % (2016) to 18.3 % (2019).

However, the number is still rather low. While welcoming the 464 research projects on gender, science and technology sponsored during the year 2020, what are the results of these projects and how does the government make sure that the educational institutions actively promote substantive gender equality which is their objective under the Gender Equity Education Act? How does the government follow the work of the Equity Education Committees and their implementation of Article 6 of the Act?

Article 11:

Gender pay gap

35. The gender pay gap is persistent and almost 15%. The situation has not really improved since 2018. Also the system of pension benefits reproduces the unequal situation for women. The 4th report of Taiwan (para. 11.19) gives information on efforts to formulate an “Equal pay for equal work check list” through a commissioned study. Has this study produced concrete results so far?

The terminology regarding the concept of equal pay in the Taiwanese legislation seems to require further qualification. The Act of Gender Equality in Employment stipulates that “Employees shall receive equal pay for equal work or equal value. However, if such differentials are the result of seniority systems, award and discipline systems, merit systems or other justifiable reasons of non-sexual or non-sexual-orientation factors, the above-mentioned restriction shall not apply.” (Article 10) The Labour Standards Act stipulates that “an employer shall under no condition discriminate between the sexes in the payment of wages. Worker shall receive equal wages for equal work of equal efficiency.” (Article 25)

Can the wording “work of equal value” be interpreted to mean “work of equal efficiency”? What about seniority as a justification for wage differences? Are employees on maternity leave

or unpaid parental leave deprived of seniority for the period of absence from work?

Work-family balance

36. The National Report mentions that already in 2018 a commissioned 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. Will the Government proceed with this project?

The report is not very clear when it comes to fathers taking parental leave. There are some numbers provided (para. 11.36), but it is not clear when the father alone is taking parental responsibilities and when both parents are on leave at the same time. Please clarify the role and statistics relating to male parents taking leave. There is information that more flexibility was introduced in 2021. Is there still a need to introduce further flexibility?

Domestic workers

37. There are approximately 250,000 domestic (female) workers in Taiwan. Since 2011 legislation has been in the pipe-line to improve the labour conditions of domestic workers with very small results. From alternative resources there are alarming reports on gender-based violence and discrimination towards domestic workers. The government gives information that an employer who “discriminates against or arbitrarily dismisses” a migrant worker who is pregnant “will be punished by law”. Please provide information on the numbers of cases heard and punishments issued as a consequence of such behaviour.

Article 12:

Women’s health action plan

38. CEDAW Committee, in its General Recommendation No. 24, called upon the States parties to implement a “comprehensive national strategy to promote women’s health throughout their lifespan, which will include interventions aimed at both the prevention and treatment of diseases and conditions affecting women, as well as responding to violence against women, and will ensure universal access for all women to a full range of high-quality and affordable health care, including sexual and reproductive health services.”

Please clarify whether the women’s health action plan approved in 2018 took the life-cycle

approach, in particular addressing the issue of longer period of poor health at the end of women's lives, as well as other requirements outlined above. Please also provide information on the process of how this action plan was formulated and whether the women's organizations were consulted in the processes of formulation, implementation, monitoring and evaluation.

Health care for women with disabilities

39. There is worrying information that women with disabilities do not have accessibility to medical facilities, for example, unable to receive pelvic examinations and pap smear screening because the examination tables are too high and transfer aids are unavailable. Has there been research on the special health care needs of women with disabilities and difficulties they are facing? Please provide information whether the current health care system is properly responding to the needs of women with disabilities and whether regular consultations are held with women with disabilities to find out what specific problems they encounter.

Sexual and reproductive health rights

40. Considering the increasing sexual activities of adolescents aged between 13 to 15 and the decreasing use of contraception among them (para. 12.25), the various efforts to educate young people (para. 10.24) seems not working or not enough. According to the 4th Report, approximately 55,000 to 60,000 abortions were performed per year in the last three years, but no disaggregated data by age, disability or other criteria can be collected under the Personal Data Protection Act. Personal data should be protected, but at the same time policy-making should be based on facts and statistics and clear understanding of the situation. How do you resolve this conflict?

Article 13:

Gender equality in athletics and sports

41. Alternative sources indicate that sexism and gendering in athletics and sports create an unwelcoming environment for female participants in such activities in schools, universities and other institutions.

We welcome the 2017 White Paper on Promoting Female Participation in Sports (para. 10.18), but we also note that progress seems to be slow, for instance regarding the number of women who exercise sports on a regular level. We also note that younger girls are quite actively taking

part in athletics and sports, but the activity is clearly decreasing with age so that only 27 % of girls participate in school sports in high school while the corresponding figure for boys is 73 %. Women with disabilities have further problems in this field.

Is the government planning to come up with more effective plans and efforts in order to ensure equal opportunities for all in athletics and sports?

Article 14:

Awareness of equal rights; participation in decision-making and community activities

42. Regarding performance evaluations of the farmers' associations, is the encouragement given to farmers' association sufficient to promote women's participation in the decision-making level within such association? Are there any policy guidelines, temporary special measures, legislation or regulation on inclusive leadership for agricultural and other business associations and organizations including corporation boards? Please explain the reduction in percentage of female executive officers employed by fishermen's associations from 30.0% to 22.5% and reduction of female directors/supervisors from 5.0% to 4.7%. How is this being addressed? Please provide information on the number of female executives that are part of the top management and what target ratio of females have been set for fisherman's associations.

43. Why is the cumulative number of women in decision making in the official irrigation association less than 25% contrary to existing policy? This seems to reflect internal discriminatory practice and absence of career progression ladder for women into decision making positions in this segment of economic life. What plans are in place to redress this problem?

Livelihood, property and economic opportunities

44. From 2017 to 2020, the Startup Program has provided professional incubator services to 599 entrepreneurs with women accounting for 42.9% to 54.1% of all entrepreneurs. Please clarify if the service is not reinforcing traditional stereotypes on gender roles contrary to CEDAW principles and ideals? How has the "Small Business for Township Revitalization" (SBTR) program that utilizes local components in innovating business models helped in creating employment opportunities for rural women and enhanced their employability? It is also observed that 78% of Hakka language teachers recruited were female. Please provide

explanation of why majority of those recruited as Hakka language teachers are female and whether any stereotype being reinforced by the higher recruitment rate for women.

45. 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 approval to set up 63 Indigenous Peoples Family Service Centers as of the end of 2020. How many of such centers have been set up and are fully operational in 2022? Also provide gender breakdown of the 631 indigenous medical personnel (including 310 physicians, 75 dentists, 186 nursing staff, and 60 other medical personnel) trained to date.

Health and education proposals

46. From 2017 to 2020, 72.1% of female students reportedly completed programs of their choice from the Indigenous tribal community colleges special classes. Please indicate what programs indigenous women have completed and how many acquired computer technologies skills compared to male students.

47. Similarly, how did the School Subsidies Program benefit women and girls as compared to men and boys? And how has the participation of women in the Digital Opportunity Center courses enhanced the employability and livelihoods of women in rural areas?

48. The training debris flow of volunteer specialists, encouraging female village leaders to participate, is highly welcome, but how many Female Volunteer Leaders exist and in how many villages? How is this helping to change stereotypes, social norms and discriminatory practices including perceptions on gender and economic rights especially for rural women?

Article 15:

Access to justice and legal aid

49. With respect to paras 15.4-15, please clarify what the criteria are to receive governmental legal aid and whether the legal aid covers fully legal representation or only consultation (in person or through telephone or virtual means). Is legal aid specifically available to women survivors of domestic violence regardless of means test? With respect to data supplied in para 15.4 about the ratio of women applicants to legal aid, what explains their lower rate than 50%? Have there been efforts to raise awareness among women to this possibility?

Judicial and other legal professionals training

50. With respect to information provided in para 15.5, how does the Judicial Yuan urge the Legal Aid Foundation to conduct regular educational gender training for assisting lawyers? Are these mandatory trainings?

Regarding the two institutes for judicial training mentioned in paras 15.13 & 15.14, are any of the trainings mentioned there mandatory for all judges? Are there mandatory judicial training at all? Have you considered making training on gender based sexual violence against women mandatory? Have you considered making domestic violence training mandatory for all family court judges?

What measures have been taken in response to the previous recommendation 19(a) to “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”?

Can you provide information as to the outcomes of disciplinary and other actions on the accountability of judges and prosecutors, in relation to the laws and mechanisms described in paras 15.23-15.24?

Property and inheritance rights

51. With respect to information provided in paragraphs 2.1 & 15.3, please explain what “ancestor worship guilds” are, and what the scope of the land covered by them is. Please clarify the status of the draft amendments to the Act for Ancestor Worship Guild which have been sent to the Executive Yuan for review. Since regrettably the relevant web page on the Government website does not work, please also explain the construction referred to at the end of para 15.3.

Article 16:

Non-judicial mutual consent divorce

52. Only the 1st Report mentions, in passing, the option of out-of-court divorce, by simply signing a form that can be purchased in a shop and sending it to the Household Administration Authority. This procedure is done according to sections 1049-1050 of the Civil Code, following a reform in 2009. Please clarify what mechanisms there are to supervise the contents of the

agreement upon which the couple is divorced, and prevent any power discrepancies. Please clarify whether there are such mechanisms to ensure that the best interest of the child is safeguarded even if no judicial overview is involved.

Marital Property Regimes

53. Please provide information as to the amendment to the Civil Code mentioned in para 2.2 of the Report, prepared to conform to CEDAW's General Recommendation 29, and if possible, please provide an English version of the amendment.

Articles 1004-1005 of the Civil Code provide for the possibility of husband and wife to contract one of the contractual regimes provided by Section 4 of the Civil Code (community or separate property), instead of the statutory regime to be applied as the default regime. How does the government ensure that women are aware of these options and of the consequences of these choices? Are there mechanisms in place to ensure that power differences are not abused, for instance, to induce women into contracting a separate property regime?

Article 1030-1 of the Civil Code provides for courts to consider factors such as "household labor, caring and nurturing of the child, the collaboration of contribution to the family" when distributing the remainder of the property acquired by the couple during marriage. Have there been studies on the usage of this judicial discretion? Have there been studies on the economic outcomes of divorce? Does the amendment to the Civil Code include recognition of increased earning potential and human capital as a property to be taken into consideration and distribution upon divorce, in line with CEDAW's GR 29?

Illegitimate children

54. Article 1061 of the Civil Code onwards refer to legitimate and illegitimate children. What are the consequences of defining children as illegitimate? Is there a proposed amendment to eliminate this category from the law altogether?

Child custody

55. Article 1055-1 of the Civil Code lists several variables which courts must consider when ordering child custody arrangements. Variable 6 refers to cases where one parent "takes actions to hinder the other of exercising rights and assuming duties of the minor child". What mechanisms are in place to ensure that this provision is not used to jeopardize children's safety,

in cases where a parent attempts to protect the child from the other parent's violence? Why is there no provision of ordering courts to take into consideration situations of domestic violence in child custody decisions?

De-facto relations

56. The current Report as well as the previous ones are silent on the question of *de-facto* relations (cohabitants). Please provide information on their status, and whether their economic rights and the rights of the individuals within such relations are protected, in line with CEDAW Committee's General Recommendation No. 29.