



NATIONAL HUMAN RIGHTS  
COMMISSION, TAIWAN

# Independent Opinion on the Third Report on the Implementation of CRPD

March 2026

# CRPD



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## Abbreviations

AI	Artificial Intelligence
APF	Asia Pacific Forum of National Human Rights Institutions
APP	Mobile applications
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CAT Implementation Act	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Implementation Act
COVID-19	Coronavirus Disease 2019
CRPD	Convention on the Rights of Persons with Disabilities
CRPD Implementation Act	Convention on the Rights of Persons with Disabilities Implementation Act
IEP	Individualized Education Plan
KIOSK	interactive information kiosk/multimedia kiosk
NHRC	National Human Rights Commission
OHCHR	Office of the High Commissioner for Human Rights
VRS	Video Relay Service
UNESCO	United Nations Educational, Scientific and Cultural Organization



## **Preamble**

### Introduction to the National Human Rights Commission (NHRC)

The National Human Rights Commission (NHRC), was established on 1 August 2020 in accordance with the Principles Relating to the Status of National Institutions for the Promotion and Protection of Human Rights (the Paris Principles). It is an independent body dedicated to the protection and promotion of human rights. The NHRC consists of 10 Commissioners and has an authorized staffing of 42 personnel. Its statutory functions include overseeing the effectiveness of government agencies' actions in human rights matters and providing independent opinions on the national reports submitted by the Government pursuant to various international human rights conventions, with a view to ensuring that domestic laws and administrative measures are consistent with international human rights standards.

Pursuant to its mandate, the NHRC monitors the implementation in Taiwan of international human rights conventions, including the Convention on the Rights of Persons with Disabilities (CRPD or the Convention). It also receives complaints and petitions submitted by individuals and organizations, provides comments and recommendations on laws and policies relating to the human rights of persons with disabilities, and conducts investigations as well as implements monitoring programs concerning situations involving the human rights of persons with disabilities.

In 2025, the NHRC's budget was reduced by 96.93% by the Legislative Yuan, rendering it unable to function normally and forcing the suspension or postponement of multiple key work programs. The Asia Pacific Forum of National Human Rights Institutions (APF) issued a statement expressing grave concern over the substantial budget cuts by the Legislative Yuan, noting that they have seriously undermined the financial independence and stability of the national human rights institution. As of March 2026, the Legislative Yuan has not yet deliberated on the 2026 central government budget, further negatively affecting overall human rights work. The NHRC emphasizes that the Legislative Yuan should ensure that the national human rights institution is provided with adequate and stable resources and staffing, and, in accordance with the Paris Principles, maintain the independence of the NHRC in its budget, personnel, and operations.

## **NHRC Response to the Concluding Observations of the International Review of the Second Report under the Convention on the Rights of Persons with Disabilities (CRPD) insofar as they concern the NHRC**

In 2006, the United Nations General Assembly adopted the Convention on the Rights of Persons with Disabilities (CRPD). Although Taiwan is unable to sign the CRPD, the Government enacted the *Convention on the Rights of Persons with Disabilities Implementation Act* (the *CRPD Implementation Act*) in 2014, thereby incorporating the CRPD into domestic law. Article 7 of the *CRPD Implementation Act* provides that the Government shall establish a reporting system on the rights of persons with disabilities in accordance with the Convention, regularly submit national reports, and invite relevant experts, scholars, and representatives of civil society to conduct reviews.

In 2020, the Government, in accordance with the *CRPD Implementation Act*, issued the second report, and in August 2022 invited experts and scholars with experience in the rights of persons with disabilities to conduct a review of the report and to adopt concluding observations.

The Concluding Observations of the Second Report include matters to be undertaken by the NHRC, namely: (1) the independent monitoring mechanism; (2) complaint mechanisms; and (3) the National Preventive Mechanism (NPM). They also include matters recommended for implementation by the Government, with monitoring and cooperation by the NHRC, namely: (1) the development of a disability strategy; (2) the enactment of equality legislation (*Anti-Discrimination Act*); and (3) cooperation with the media.

With regard to the Concluding Observations of the second report concerning matters related to the NHRC, the response is as follows:

## I. Matters to be undertaken by the NHRC

### i. Independent monitoring mechanism

the Concluding Observations of the Second Report of the Republic of China (Taiwan) on the CRPD

113. The IRC is concerned that:

- b. There have been no legal measures to designate the National Human Rights Commission to be the independent mechanism to promote and protect the rights of persons with disabilities and monitor the implementation of the CRPD based on the Article 33(2); and
- c. The State, including the National Human Rights Commission, has not yet developed a framework to enable civil society, in particular persons with disabilities and their representative organizations, to be involved and participate fully in the monitoring process.

114. The IRC recommends that the State:

- b. Give the clear legal mandate to the National Human Rights Commission as the independent monitoring mechanism of the CRPD based on Article 33(2) and strengthen the National Human Rights Commission's capacity as the independent monitoring mechanism of the CRPD, enhancing its functions to receive and analyze data; review national human rights policies regarding persons with disabilities and make recommendations in line with the Principles relating to the Status of National Institutions (The Paris Principles); and clarifying its mandate to receive and resolve complaints;

1. The NHRC was established on 1 August 2020. As of March 2026, it has not yet been authorized by legislation as the independent monitoring mechanism under Article 33, paragraph 2, of the CRPD. In order to monitor the implementation of the CRPD, the NHRC publicly declared, at a press conference held in September 2021 to release its Independent Opinion on the Second Report, that it would further establish the independent monitoring mechanism required under Article 33 of the CRPD. In August 2023, the NHRC issued its medium-term strategic plan, which includes “monitoring the implementation of the CRPD” as a key priority. From August to November 2023, it conducted consultations on the monitoring mechanism for the implementation of the CRPD, organizing six consultation meetings across Taiwan to explain its proposed framework and to solicit the views of persons with disabilities and their representative organizations on the

NHRC's monitoring mechanism.

2. In accordance with Article 33 of the CRPD, the NHRC has drawn on the practices of independent monitoring mechanisms for the CRPD in other countries, as well as the *Implementing the Rights of Persons with Disabilities – the Role of Independent Monitoring Frameworks: Practical Guide* issued by the Office of the High Commissioner for Human Rights (the OHCHR) in December 2023, as a reference for the operation of the “monitoring mechanism for the implementation of the CRPD.” The specific measures include:

- (1) **Review of policies and laws relating to the human rights of persons with disabilities**

- A. **Providing recommendations on policies and laws relating to the human rights of persons with disabilities**

The NHRC provides comments and recommendations on policies and laws relating to the human rights of persons with disabilities. In addition to being submitted for reference by the executive and legislative branches, these are also published on the NHRC website. The content includes:

- a. *People with Disabilities Rights Protection Act*: In response to the draft amendments to selected provisions of the *People with Disabilities Rights Protection Act* announced by the Ministry of Health and Welfare on 7 August 2024, as well as the draft amendments submitted by the Executive Yuan in December 2025, the NHRC provided overall comments, including that the definition of disability is inconsistent with the object and purpose of the CRPD, and also proposed amendments to specific provisions, for reference by executive agencies, the Legislative Yuan, and the public.
- b. *Anti-Discrimination Act*: In response to the draft *Anti-Discrimination Act* announced by the Executive Yuan on 2 May 2024, the NHRC provided overall comments, including that the bill should incorporate hate speech and that the scope of the prohibition of discrimination is insufficient, and also proposed legislative amendments to specific provisions.
- c. Treatment system for persons with psychosocial disabilities in conflict with the law (justice-involved persons with psychosocial disabilities): Regarding the legislative amendments related to the treatment system for persons with psychosocial disabilities in conflict with the law, including the *Mental Health Act*, the *Criminal Code*, the *Code of*

*Criminal Procedure*, and the *Rehabilitative Disposition Execution Act*, the NHRC issued two statements in 2021 and 2022, calling for these amendments to comply with the requirements of international human rights conventions.

- d. *Regulations for Executing the Death Penalty*: Pending the abolition of the death penalty, the NHRC issued a statement in response to the partial amendments to the *Regulations for Executing the Death Penalty* promulgated by the Ministry of Justice on 16 April 2025, calling on the Ministry to further review the *Regulations* to ensure that the amendments are consistent with constitutional requirements and relevant international human rights standards.
- e. Ensuring the right to life of care recipients: In response to cases in which family members, under prolonged caregiving pressure, killed the persons they were caring for (so-called “long-term care tragedies”), the NHRC issued a statement in November 2025 emphasizing that the State should assume a positive obligation to protect, uphold the absolute protection of the right to life in institutional design, and strengthen the long-term care system and family support measures.
- f. Ensuring the fundamental human rights of persons with disabilities during the COVID-19 pandemic: In response to the COVID-19 pandemic, the NHRC issued a statement in May 2021 calling on the Government to address the multiple disadvantages experienced by persons with disabilities that were exacerbated by the pandemic and to take more proactive measures to safeguard their fundamental human rights.

## **B. Preparation of Independent Opinion and monitoring of CRPD implementation**

- a. Since its establishment, the NHRC has issued an Independent Opinion on the Second Report, and has also submitted a Parallel Response to the List of Issues for the international review. It has participated in the international review meetings of the national report to monitor the implementation of the CRPD in Taiwan.
- b. With respect to the Third Report, the NHRC conducts monitoring in accordance with the CRPD and the General Comments, and with reference to the OHCHR’s Human Rights Indicators for the CRPD, to examine whether the human rights of persons with disabilities comply with international standards.

**C. Publication of guidelines on the human rights of persons with disabilities, and issuance of special and research reports**

- a. In November 2022, the NHRC published the Research Report—Treatment and Disposition Framework for Justice-Involved Persons with Psychosocial Disabilities, which examines the treatment and disposition framework for persons with psychosocial (mental) disabilities in conflict with the law. The report includes a comparative analysis of custodial disposition legal frameworks in Germany, Japan, the United States, the United Kingdom, and Taiwan, as well as a preliminary analysis of judicial decisions on custodial disposition in Taiwan.
- b. In 2023, the NHRC issued the Guidelines for Reasonable Accommodation for Persons with Disabilities and sent them to all administrative agencies for reference, recommending that government agencies develop reasonable accommodation guidelines in accordance with their respective mandates. The NHRC has observed that administrative agencies have successively issued relevant guidelines on reasonable accommodation. Examples include: the Workforce Development Agency of the Ministry of Labor’s Handbook on Reasonable Accommodation Guidelines for Employment Services for Persons with Disabilities; the Ministry of Health and Welfare’s Principles for Agencies in Developing Reasonable Accommodation Guidelines; the Directorate-General of Personnel Administration, Executive Yuan’s Directions for the Handling and Implementation of Personnel Cases Involving Applications for Reasonable Accommodation by Civil Servants with Disabilities in the Executive Yuan and Its Subordinate Central and Local Agencies; the Ministry of Labor’s Administrative Guidance on Reasonable Accommodation in the Workplace for Persons with Disabilities; and the Ministry of Education’s Reference Guidelines on Reasonable Accommodation for Schools and Preschools at All Educational Levels.
- c. In November 2023, the NHRC issued a Report on the Rights of Inmates with Disabilities. In preparing the report, the NHRC conducted inter-agency meetings, visited prisons and detention centers, interviewed inmates and staff, and consulted with experts and scholars to examine the disadvantaged situations faced by incarcerated persons with disabilities. The report prompted the Ministry of Justice

to implement, in 2025, the Special Project on Subsidies for Disadvantaged and Economically Disadvantaged Incarcerated Persons in Correctional Institutions under the Agency of Corrections, Ministry of Justice, with allocated funding to safeguard the basic living dignity of disadvantaged incarcerated persons.

- d. In February 2024, the NHRC issued the Project Report—Treatment and Disposition Framework for Justice-Involved Persons with Psychosocial Disabilities, which examines the support and assistance required, as well as the actual implementation, across different stages, including at the scene of the incident, police questioning, investigation, detention, trial, imprisonment, and reintegration into society. The NHRC invited persons with disabilities and their representative organizations, stakeholders, experts and scholars, and representatives of government agencies to participate in four thematic consultations. By consolidating perspectives from different sectors, the NHRC put forward recommendations for phased policy improvements and legislative amendments.
- e. In August 2024, the NHRC issued the Special Report: Addressing the Issue of Support Systems for Persons with Intellectual Disabilities and Severe Emotional and Behavioral Disorders, which examines how the Government can address support systems for persons with intellectual disabilities and those with severe emotional and behavioral disorders, including autism. In response to the recommendations in the NHRC’s Special Report, the Executive Yuan has committed to incorporating the qualifications and requirements for behavior support personnel into the review process during amendments to *Regulations on Selection and Training of Professional Workers Providing Welfare Services for People with Disabilities*. It has also planned training programs for personnel within the disability service system, the long-term care service system, and community networks, and, through a working meeting mechanism, continues to discuss performance evaluation indicators for intermediary organizations as well as consistent criteria for case intake and case closure.
- f. In 2025, the NHRC, in cooperation with the Ministry of the Interior, implemented the project “Development of Police Human Rights Training Materials and Enhancement of Police Human Rights Capacity.” The project reviewed the current implementation and

practical needs of police human rights education, and developed a localized training-of-trainers manual on police human rights literacy, providing training materials aligned with operational needs. This enables frontline law enforcement officers to carry out human rights–based policing and to safeguard the rights and interests of disadvantaged groups, including persons with disabilities.

**(2) Handling and investigation of complaints concerning the rights of persons with disabilities**

- A. The NHRC has incorporated the “strengthening of human rights complaint channels” into its mid-term strategic plan, established a Petition and Complaint Review Task Force, convenes weekly meetings on petition and complaint, and has adopted relevant regulations, including the Directions for Handling Human Rights Petitions and Complaints of the NHRC, in order to refine procedural safeguards.
- B. For detailed information on the implementation of NHRC’s complaint mechanism, please refer to the following section (“Complaint Mechanism”).

**(3) Participation in the Constitutional Court, presenting international human rights standards and providing expert opinions**

- A. Since its establishment, the NHRC has participated in constitutional review proceedings in the capacity of "friend of the court" (*amicus curiae*).
- B. The *Constitutional Court Procedure Act* entered into force on January 4, 2022. The NHRC has participated in oral arguments at the Constitutional Court in the capacity of an “expert agency” designated by the Court, presenting views on international human rights standards and submitting expert opinion reports. For example, in September 2024, in Constitutional Court Judgment No. 8 of 2024 (death penalty case), the NHRC stated that the death penalty, as a form of punishment that deprives individuals of life, violates the core and essential content of fundamental rights and is contrary to the purpose of protecting human rights in a State governed by the rule of law and to international human rights conventions.

**(4) Strengthening the participation of persons with disabilities in monitoring**

- A. Persons with disabilities are experts in their own affairs and are indispensable providers of experience and information in matters

concerning the human rights of persons with disabilities. In 2020, for the preparation of the Independent Opinion on the Second Report, the NHRC held three regional meetings, five focus group interviews, and one thematic consultation (on the treatment and disposition framework for justice-involved persons with psychosocial disabilities). In 2025, for the preparation of the Independent Opinion on the Third Report, the NHRC held three regional meetings and four focus group interviews to solicit views from persons with disabilities, representatives of OPDs/DPOs, and professional practitioners.

- B. In 2023, the NHRC, in cooperation with OPDs/DPOs, conducted consultations on the mechanism for monitoring the implementation of the CRPD. In addition to holding six regional meetings in Taoyuan, Taichung, Taitung, Tainan, Taipei, and Kaohsiung (with a total of 203 participants), the NHRC also conducted three focus group interviews addressing intersectional issues faced by children with disabilities, Indigenous persons with disabilities, and older persons with disabilities (with a total of 32 participants). It further completed a questionnaire survey to identify priority human rights concerns of persons with disabilities (6,859 valid responses, of which 54%, or 3,685 responses, were from respondents experiencing disability-related situations, including 2,464 persons holding disability identification certificates).
- C. To develop the Guidelines for Reasonable Accommodation for Persons with Disabilities and to enhance the understanding of reasonable accommodation among government agencies and the public, the NHRC convened one meeting in 2023, inviting OPDs/DPOs to provide their views.
- D. In 2024, the NHRC convened two meetings with ten OPDs/DPOs to discuss priority human rights issues concerning persons with disabilities. A total of 12 participants took part in the two meetings, of whom 9 were persons with disabilities.
- E. To examine “how to address the issue of support systems for persons with intellectual disabilities and severe emotional and behavioral disorders”, and to ensure that persons with disabilities are free from all forms of exploitation, violence, and abuse, the NHRC convened two consultation meetings with OPDs/DPOs in 2024 to collect views and, with reference to stakeholders’ input, completed the special report.
- F. For the investigation project on “Accessibility of Facilities and

Services in Public Transportation Systems,” the NHRC convened a meeting in January 2026, inviting 10 representatives from OPDs/DPOs, of whom 8 were persons with disabilities.

- G. To implement information equity, the NHRC entrusted The League for Persons With Disabilities, R.O.C (Taiwan) to produce easy-to-read versions of documents in accordance with the Taiwan Easy-to-Read Guide. The production team included a pilot review group composed of persons with disabilities and a working group consisting of representatives from OPDs/DPOs.
- H. In accordance with the Guide for Accessible Meetings and Events for Persons with Disabilities issued by the Ministry of Health and Welfare, the NHRC organizes meetings and events by selecting accessible venues with convenient transportation, providing meeting materials in accessible formats to participants in advance, and identifying in advance the support services required by participants. In addition, the NHRC invites children with disabilities and persons with intellectual disabilities to participate in meetings and provides plain language materials to facilitate their full participation.

**(5) Conducting surveys on the human rights of persons with disabilities and promoting awareness of such rights**

**A. Conducting surveys on the human rights of persons with disabilities and human rights awareness**

- a. In 2023, the NHRC conducted a survey through both online and in-person questionnaires, obtaining 6,859 valid responses, to identify priority human rights concerns of persons with disabilities. The top three priorities identified were “the right to work and employment”, “equality and non-discrimination”, and “the right to life and freedom from exploitation, violence, and abuse”.
- b. In 2024, the NHRC entrusted a polling company to conduct a public survey on human rights awareness, obtaining 3,264 valid responses (2,196 from landline surveys and 1,068 from mobile phone surveys). The results indicated that respondents considered that the Government should give priority to the needs and well-being of disadvantaged groups, including persons with disabilities and economically disadvantaged persons, and should also attach high importance to fundamental human rights such as labor rights, the right to housing, and the right to education.

- B. Translation of international human rights instruments on the rights of persons with disabilities:** To promote alignment of Taiwan’s human rights conditions with international human rights standards and to keep abreast of international developments, the NHRC has translated key international instruments on the rights of persons with disabilities into Traditional Chinese and made them publicly available, including:
- a. Human Rights Indicators: A Guide to Measurement and Implementation
  - b. Implementing the Rights of Persons with Disabilities—The Role of Independent Monitoring Frameworks: Practical Guide
  - c. Human Rights indicators on the Convention on the Rights of Persons with Disabilities (CRPD)
  - d. Data Sources Guidance
  - e. Mental Health, Human Rights and Legislation: Guidance and Practice
  - f. Ratifying the Optional Protocol to the Convention on the Rights of Persons with Disabilities - A toolkit
  - g. Equality, Non-Discrimination and Reasonable Accommodation: The United Nations Convention on the Rights of Persons with Disabilities (CRPD) through Comparative Perspectives (Doctoral dissertation by Dr. Chun-Han Chen, University of Michigan Law School, 2022)
- C. Production of easy-to-read materials to promote information equity:** The NHRC has completed easy-to-read versions of the following documents:
- a. The NHRC’s Independent Opinion on the Second Report under the CRPD
  - b. The NHRC’s parallel response to the List of Issues on the Second Report under the CRPD
  - c. Guidelines for Reasonable Accommodation for Persons with Disabilities
  - d. Universal Declaration of Human Rights
3. **With reference to the Government’s approach of expressly providing for the National Preventive Mechanism (NPM) in the draft *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Implementation Act (the CAT Implementation Act)*, thereby granting the NPM a clear legal basis, the independent monitoring mechanism under the CRPD should likewise be provided with explicit**

**legal authorization.** Although the Social Welfare and Environmental Hygiene Committee of the Legislative Yuan reviewed, in January 2026, the draft amendments to certain provisions of *People with Disabilities Rights Protection Act*, proposing the addition of Article 10-2 to designate the NHRC as the independent monitoring mechanism referred to in Article 33 of the CRPD, the amendments have not yet been adopted. The NHRC calls on the Legislative Yuan to pass the aforementioned amendments to *People with Disabilities Rights Protection Act* to authorize the NHRC as the independent monitoring mechanism under Article 33, paragraph 2, of the CRPD and to provide a clear legal basis for the NHRC in fulfilling this role.

4. In December 2023, the OHCHR issued *Implementing the Rights of Persons with Disabilities – the Role of Independent Monitoring Frameworks: Practical Guide*, which indicates that where a national human rights institution is designated as the independent monitoring mechanism, its mandate should also be strengthened through legislation. The NHRC recommends that the Government take into account the OHCHR’s Guide and 33.6 of the Human Rights Indicators for the CRPD, and, through explicit legal authorization, establish a framework for promoting, protecting, and monitoring the implementation of the CRPD. It further recommends amending relevant laws to ensure that the independent monitoring mechanism is empowered to promote, protect, and monitor the implementation of the CRPD, and is vested with the authority to handle complaints, including those arising in the private sphere.

ii. **Complaint Mechanism**

the Concluding Observations of the Second Report of the Republic of China (Taiwan) on the CRPD

79. The IRC recommends that the State:

- f. Ensure that an independent complaints mechanism is in place for complaints of exploitation, violence and abuse against persons with disabilities, including in private settings

5. Article 2 of the *Organic Act of the NHRC* stipulates that the NHRC shall, ex officio or upon petition, investigate incidents involving torture, human rights violations, or any form of discrimination. The NHRC has incorporated the “strengthening of human rights complaint channels” into its mid-term strategic plan and has adopted relevant NHRC regulations, including the *Directions for Handling Human Rights Petitions and Complaints*, the *Notes on Handling Human Rights Petitions and Complaints*, and the *Principles for*

Convening Coordination Meetings on Human Rights Petition and Complaint Cases, in order to refine procedural safeguards. A Petition and Complaint Review Task Force, composed of the Vice Chairperson and two Commissioners, has been established and convenes weekly meetings to review petition and complaint cases.

6. Nationals, organizations, and foreigners in Taiwan may file petitions and complaints with the NHRC through multiple channels, including online platforms, email, postal submissions, or in-person visits. The NHRC website complies with accessibility standards, enabling access for persons with different types of disabilities. It also provides multiple versions, including a children and youth version, an Amis-language version for Indigenous peoples, as well as English, Indonesian, Vietnamese, and Thai versions, all of which support the submission of petitions and complaints. For persons with hearing and speech impairments, sign language video relay service (VRS) and sign language interpretation services are also available.
7. Upon receiving a petition or complaint, the NHRC conducts an analysis based on the content of the case. To clarify the facts, it reviews the evidence provided by the complainant and, as necessary, requests responses from the competent authorities. It also analyzes the case in light of relevant international human rights conventions and applicable domestic laws. Where appropriate, the NHRC may seek expert opinions to formulate its conclusions. The NHRC may also convene coordination meetings with the complainant, relevant stakeholders, competent authorities, and experts and scholars. Where a case involves torture, discrimination, or serious human rights violations and meets the relevant criteria, the NHRC may, upon resolution of a Commission meeting, initiate a formal investigation. The NHRC is currently conducting an investigation project on “the accessibility of facilities and services in public transportation systems”.
8. As of December 2025, the NHRC had received a total of 718 petition and complaint cases. According to the statistics, persons with disabilities constituted the largest group of complainants, accounting for 13.9% (100 cases). An analysis shows that, among complaints involving persons with disabilities, “the right to equality and non-discrimination” ranked first (32 cases), followed by “the right to privacy” (10 cases) and “the right to work” (9 cases). A summary of complaints involving persons with disabilities received by the NHRC is as follows:
  - A. Reasonable retirement mechanism for workers with disabilities: The

retirement mechanism for workers with disabilities is not aligned with that for civil servants with disabilities. The NHRC has requested the competent labor authority to establish a reasonable retirement mechanism for workers with disabilities in accordance with the CRPD, in order to safeguard their economic security after retirement.

- B. Digital registration website for the 2021 Quintuple Stimulus Voucher Program not compliant with accessibility standards: In 2021, in response to the economic slowdown and industrial decline caused by the COVID-19 pandemic, the Government introduced the 2021 stimulus voucher program to stimulate the economy. The vouchers could be registered digitally; however, as financial institutions' websites generally lacked accessible design, persons with visual impairments were unable to use them. Upon receiving the complaint, the NHRC found that the actions of the competent authorities were not in compliance with the CRPD and the relevant provisions of the *People with Disabilities Rights Protection Act*, thereby infringing upon the fundamental rights of persons with visual impairments. After requesting explanations from the competent authorities, the authorities adopted the NHRC's recommendations and completed improvements to the system.
- C. Reducing information gaps for persons with disabilities participating in national examinations: In light of the fact that, in national examination procedures, employing agencies often complete the "Summary Table of Recruitment Plans" using general descriptions without specifying job duties, the NHRC recommended that the Directorate-General of Personnel Administration, Executive Yuan, consider measures to safeguard the rights of examinees with disabilities and urge employing agencies to provide detailed entries in the aforementioned summary table, so as to reduce concerns of employment discrimination arising from information gaps. The competent authorities responded that, in the future, they will follow the existing practices for special examinations for persons with disabilities, require employing agencies to implement reasonable accommodation, and integrate relevant information from the Ministry of Labor on "job redesign" and the "Subsidy Standards for Assistive Devices for Persons with Disabilities," so as to facilitate use by employing agencies or to inform successful candidates to apply.

- D. Protection of the privacy of health data of persons with disabilities: The Ministry of Health and Welfare’s “Optimization Plan for the Care of Suspected or Community Mental Health Patients” (the “Optimization Plan”) has insufficient provisions on personal data protection and has not undergone a human rights impact assessment. The NHRC convened expert consultation meetings and inter-agency meetings to clarify issues related to relevant legislative policies and practical implementation. Its recommendations to the Ministry of Health and Welfare included strengthening personal data protection requirements for the Plan and the “Mental Health Care Information Management System”; reviewing the rights involved in the Optimization Plan in accordance with the “Checklist for Legislative, Human Rights and Gender Impact Assessment”; continuously monitoring the implementation outcomes of the Plan; and ensuring stakeholder participation at all stages of the human rights impact assessment.

**iii. National Preventive Mechanism (NPM)**

the Concluding Observations of the Second Report of the Republic of China (Taiwan) on the CRPD

75. The IRC recommends that the State:

- a. Immediately commit to eliminating restrictive practices including seclusion and restraints in psychiatric hospitals. To this end, the State should cooperate with organizations of persons with disabilities, persons who have experienced such restrictive practices themselves, families, mental health professionals, supporting organizations and the National Human Rights Commission, undertaking research on best practices to formulate a plan that it then implements;
- c. Create a national independent inspection mechanism for the prevention of torture and cruel, inhuman or degrading treatment or punishment, similar to a National Preventive Mechanism under the UN Optional Protocol to the Convention against Torture, to introduce measures to prevent and eliminate restrictive practices including seclusion and restraints, reduce the use of pharmacological therapeutic treatment on the basis of disability in all settings, including in psychiatric settings, residential care facilities and prisons; and provide both a report after each inspection and annual public reports.

79. The IRC recommends that the State:
- a. In close cooperation with the National Human Rights Commission, persons with disabilities, and their representative organizations and relevant Ministries ensure the development of national minimum standards that set out in regulation the quality of services that all disability service providers should conform to. These standards could be regularly used as a quality assurance assessment for all services that provide facilities and programmes to persons with disabilities;

9. In December 2020, the Executive Yuan approved the draft *CAT Implementation Act*, along with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and its Optional Protocol, and submitted them to the Legislative Yuan for review. However, as the 10th Legislative Yuan did not carry over the review to the next term, the legislation was not completed. Although the Executive Yuan convened a consultation meeting on the draft in February 2024, as of March 2026, the draft *CAT Implementation Act*, together with the Convention and its Optional Protocol, has not yet been resubmitted to the Legislative Yuan for review. The Government has therefore not completed the process of domestic incorporation of the Convention and its Optional Protocol, resulting in the absence of a legal basis for the National Preventive Mechanism and preventing its operation.
10. In order to establish a National Preventive Mechanism to prevent torture and other cruel, inhuman or degrading treatment or punishment, the NHRC has undertaken preparatory work, as outlined below:
  - A. In June 2021, the NHRC organized the “International Forum on the Prevention of Torture and the Protection of the Human Rights of Fishers,” inviting international and domestic human rights experts to discuss issues including the operational experiences of the NPM.
  - B. Since August 2021, the NHRC has launched a “pilot visiting program for the National Preventive Mechanism”, conducting on-site visits to a total of eight facilities, including five juvenile correctional institutions under the Ministry of Justice and three child and youth placement institutions under the Ministry of Health and Welfare. The visiting teams comprised NHRC Commissioners and staff, lawyers, and publicly recruited board-certified psychiatrists, ensuring comprehensive assessments through a multidisciplinary approach. The pilot program identified risks of torture

or ill-treatment in correctional and placement institutions, including the use of restraints in correctional facilities that did not comply with international human rights standards as set out in the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). The visiting reports put forward a total of nine recommendations for consideration by the competent authorities to improve the human rights situation.

- C. In June 2023, the NHRC invited former United Nations Special Rapporteur on the right to health Dainius Pūras and former Chair of the United Nations Committee against Torture Jens Modvig to engage in exchanges of experience and to conduct training sessions.
- D. In July 2023, the NHRC invited officials from France’s Controllor-General of Places of Deprivation of Liberty (Contrôleur général des lieux de privation de liberté, CGLPL) to Taiwan to conduct a training program on visits for the prevention of torture. The training covered topics including NPM visits, implementation strategies and preparatory procedures, interview techniques, and ethical standards.
- E. In 2023, the NHRC incorporated the “promotion of the domestic incorporation of the Convention against Torture and its Optional Protocol” into its mid-term strategic plan. It also completed a compilation and selective translation of forms of torture under the Convention against Torture and relevant international cases, and commissioned a research project on “Building a National Mechanism for the Prevention of Torture,” conducting an in-depth analysis of the domestic legal framework and current practices.
- F. In February 2024, the NHRC attended the Executive Yuan’s consultation meeting on the draft *Implementation Act of CAT and its Optional Protocol*. The NHRC recommended that the Government, in accordance with the Optional Protocol to the CAT (CATOP), commit to providing the resources necessary for the operation of the National Preventive Mechanism, expedite the domestic incorporation of CAT and its Optional Protocol, and ensure that the National Preventive Mechanism can operate effectively in accordance with the requirements of the Optional Protocol.
- G. In August 2025, the NHRC was invited to send representatives to Thailand to participate in the “Torture Prevention for NHRIs 2025 Workshop,” co-organized by the APF and the Association for the Prevention of Torture (APT). Representatives of national human rights

institutions from eight countries in the Asia-Pacific region engaged in exchanges of experience, mutual learning, and the enhancement of knowledge on the prevention of torture.

- H. In September 2025, the NHRC engaged in exchanges of views on the National Preventive Mechanism with Dr. Jens Modvig, Chair of the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture (former Chair of the United Nations Committee against Torture), and Professor Malcolm Evans of the University of Oxford (former Chair of the United Nations Subcommittee on Prevention of Torture).
11. The NHRC recommends that the Government take into account CRPD Human Rights Indicators 15/17.2 and 15/17.18 issued by the OHCHR, and expedite the legislative process of the *CAT Implementation Act* to complete the domestic incorporation of CAT its Optional Protocol. It further recommends designating or establishing one or more independent National Preventive Mechanisms, clearly defining their institutional design and scope of authority, and ensuring their independence, adequate resources, and operational autonomy free from interference, so as to monitor places of detention where persons are deprived of their liberty and to fulfill the State's obligations under international human rights conventions.

## II. Government Implementation and Cooperative Oversight by the NHRC

### i. Development of a disability strategy

the Concluding Observations of the Second Report of the Republic of China (Taiwan) on the CRPD

29. A disability strategy and action plan play an important role in coordinating and guiding the implementation of the CRPD at the national level by highlighting areas which will be at the forefront of government action. In setting out milestones that the government intends to reach by the end of the period covered by the document, a disability strategy can also act as a baseline against which the implementation of the CRPD can be measured by government, by the National Human Rights Commission and by civil society.

12. Paragraphs 29 to 35 (disability strategy and inter-ministerial coordination) and paragraphs 36(c), 37(c), 48(a), and 114(a) of the Concluding Observations of the Second Report emphasize the importance of a disability strategy. Although paragraph 8 of the Third Report states that “to implement the Concluding Observations of the Second Report under the CRPD, government agencies have proposed 472 specific actions as key strategies for advancing the CRPD across various areas,” a disability strategy should be formulated at the national level with a comprehensive perspective to set the direction for the development of the human rights of persons with disabilities over a defined period. It is not merely a mechanism for tracking and monitoring the implementation of concluding observations from a single national report. The NHRC therefore recommends that the Government develop a national disability strategy in accordance with the Concluding Observations of the Second Report.
13. In June 2023, the NHRC participated in the review meeting of the action response table to the Concluding Observations of the Second Report and recommended that the Government, with reference to international practices, formulate a national disability strategy in accordance with the Concluding Observations. In 2024, the NHRC issued the Special Report: Addressing the Issue of Support Systems for Persons with Intellectual Disabilities and Severe Emotional and Behavioral Disorders, in which it likewise recommended that the Government develop a “national disability strategy” to integrate cross-sectoral resources and effectively support persons with intellectual disabilities and severe emotional and behavioral disorders. As para. 30 of the Concluding Observations of the Second Report explicitly

indicates that Taiwan's first National Human Rights Action Plan (2022–2024) addresses only a limited range of the rights of persons with disabilities, it is therefore necessary for the Government to formulate a separate disability strategy covering all provisions of the CRPD. The NHRC calls on the Government to draw on the practices of Australia, New Zealand, the European Union, and the United Kingdom, to take into account CRPD Human Rights Indicators 1/4.6 and 5.2 issued by the OHCHR, as well as General Comment No. 7 of the CRPD, and to promptly develop a national disability strategy in order to implement the CRPD and ensure equality for all persons with disabilities.

**ii. Enactment of equality legislation (*Anti-Discrimination Act*)**

the Concluding Observations of the Second Report of the Republic of China (Taiwan) on the CRPD

41. The IRC recommends that the State:

a. Undertake a consultation with organizations of persons with disabilities and the National Human Rights Commission and international experts on the Equality Bill before introducing it into the Legislative Yuan;

14. In January 2024, the NHRC established a working group on the draft *Anti-Discrimination Act*. The NHRC convened multiple meetings to examine the content of the Executive Yuan's draft *Anti-Discrimination Act* and to monitor whether it complies with international human rights standards. The NHRC has actively participated in the legislative deliberation process of the draft *Act*, engaging in substantive discussions with the Executive Yuan on multiple occasions and taking part in public hearings and consultation meetings organized by the Executive Yuan.

15. In June 2024, the NHRC provided comments on the draft *Anti-Discrimination Act*, addressing both overarching issues and specific provisions. These included recommendations that the definition of disability should be aligned with the CRPD; that all levels of Government should be obligated to collect and disclose statistics on discrimination cases; that hate speech should be incorporated into the *Anti-Discrimination Act*; that the scope of prohibited discrimination is insufficient; and that the scope of exceptions to discrimination is overly broad. The NHRC recommended that the Executive Yuan take these views into consideration and expedite the enactment of the *Anti-Discrimination Act*. The NHRC will continue to monitor the progress of the draft and provide comments and recommendations as appropriate.

**iii. Cooperation with the media**

the Concluding Observations of the Second Report of the Republic of China (Taiwan) on the CRPD

49. The IRC recommends that the National Communications Commission and the NHRC work with media and organizations representing persons with disabilities to ensure there is clarity about mechanisms and responsibility for complaints about media reporting of disability-related stereotypes, prejudices and harmful practices. Further the IRC recommends that the process for taking complaints be widely publicized.

16. In response to para. 49 of the Concluding Observations of the Second Report, the National Communications Commission (NCC) informed the NHRC that the “Broadcasting Content Complaint Platform” is an existing complaint mechanism that receives public opinions or complaints regarding radio and television content. It has also established the “Radio and Television Program and Advertising Advisory Committee” to review cases in which members of the public allege that broadcast media content involves discrimination. In addition, NCC collaborates with disability organizations to provide training courses and workshops for media professionals and the general public to raise disability awareness and to promote understanding of complaint mechanisms. The NHRC will continue to monitor whether the “Broadcasting Content Complaint Platform” and related mechanisms effectively handle complaints concerning discriminatory reporting on persons with disabilities, and will work in cooperation with the competent authorities and OPDs/DPOs to further strengthen the complaint mechanisms.
17. The NHRC has incorporated “the strengthening of human rights complaint mechanisms” into its mid-term strategic plan and receives petitions and complaints concerning human rights. Where the content of a petition or complaint may be addressed through other statutory remedies, the case may be referred to the competent authorities for handling.
18. The NHRC’s mid-term strategic plan also includes the objective of “promoting the joint protection of human rights by media professionals.” In this regard, the NHRC has collaborated with disability organizations to produce CRPD-themed radio programs; partnered with civil society organizations on the “CRPD Diverse Social Communication Project”; published feature reports on persons with psychosocial disabilities; co-organized online forums on human rights conventions for International Human Rights Day with media partners; and worked with media outlets to

produce podcast programs on the human rights of persons with disabilities in Taiwan. In addition, the NHRC has conducted a review of existing media-related laws and self-regulatory frameworks, and has collected and compiled domestic media reports involving human rights issues, as well as international practices of national human rights institutions in promoting human rights education for media professionals. The NHRC will continue to cooperate with the media and OPDs/DPOs to enhance public understanding of persons with disabilities and to eliminate stereotypes and prejudice against them.

## **Overview of the NHRC's Independent Opinion**

The Government submitted the Third Report on 10 December 2025 in accordance with the *CRPD Implementation Act*. In the exercise of its mandate, the NHRC has issued its Independent Opinion on the Third Report on the Implementation of CRPD.

The NHRC's Independent Opinion is intended to assist the international review committee, persons with disabilities and their representative organizations, as well as the broader public, in assessing the implementation of the CRPD in Taiwan. Its main contents include: (1) priority human rights issues concerning persons with disabilities; and (2) the NHRC's views and recommendations on the implementation of the CRPD, including its comments on policies and legislation related to the rights of persons with disabilities, such as the National Action Plan on Human Rights (NAP), the *People with Disabilities Rights Protection Act*, and the *Anti-Discrimination Act*.

Between August 2025 and January 2026, the NHRC conducted four focus group interviews (with children with disabilities, women with disabilities, persons with intellectual disabilities, and persons with psychosocial disabilities), three regional consultation meetings, and three meetings with government agencies, which served as the basis for drafting the Independent Opinion. Through the Independent Opinion, the NHRC seeks to enhance domestic and international understanding of the implementation of the rights of persons with disabilities in Taiwan, to convey the current situations of groups in disadvantaged positions and those with intersecting identities, to urge the Government to address structural issues, and to ensure the continued realization of the core values of the CRPD.

## **Priority Human Rights Issues Concerning Persons with Disabilities**

In 2023, the NHRC conducted a consultation on opinions regarding the monitoring mechanism for the implementation of the Convention on the Rights of Persons with Disabilities (CRPD) and completed a questionnaire survey to identify priority human rights issues concerning persons with disabilities. A total of 6,859 valid responses were collected, of which 3,685 (54%) were completed by “respondents in situations of disability”, including 2,464 respondents holding disability identification certificates. The survey results indicate that, for both all respondents and those in situations of disability, the top three priority issues are “the right to work and employment”, “equality and non-discrimination”, and “the right to life and freedom from exploitation, violence, and abuse”. Among respondents holding disability identification certificates, the top two priority issues are “the right to work and employment” and “equality and non-discrimination”, while the third is “the right to an adequate standard of living and social protection.

The NHRC considers that, based on the priority human rights issues identified by respondents in situations of disability, enhanced oversight should be directed toward the Government’s implementation of “the right to work and employment”, “equality and non-discrimination”, and “the right to life and freedom from exploitation, violence, and abuse”.

### **I. Right to Work and Employment**

1. Paragraphs 290 and 291 and Table 27.1 of the Third Report indicate that, compared with 2019, the labor force participation rate of persons with disabilities aged 15 and above increased by 1.2% in 2024, while the unemployment rate decreased by 1%, suggesting a gradual improvement in employment conditions for persons with disabilities. However, the NHRC considers that, although there has been some improvement, significant disparities remain. In 2024, the labor force participation rate of persons with disabilities was 21.9%, compared with 59.2% for the overall population. The unemployment rate of persons with disabilities was 7.1%, compared with 3.3% for the overall population. The average duration of unemployment was 31.20 weeks for men with disabilities and 26.20 weeks for women with disabilities, compared with 21.49 weeks for men and 19.90 weeks for women in the general workforce. The average monthly regular wage or primary job income for employed persons with disabilities was NT\$30,732, compared with NT\$46,460 for all employed persons. These figures demonstrate that

persons with disabilities continue to face significant gaps in labor force participation, unemployment rates, duration of unemployment, and wages or income compared with the general population.

2. According to para. 290 and Table 27.2 of the Third Report, as well as the Ministry of Labor's 2024 Survey on the Labor Conditions of Persons with Disabilities, the proportion of employed persons with disabilities engaged in non-standard employment (including part-time work, temporary work, and agency work) increased from 21.2% in 2018 to 26.1% in 2024. By contrast, the proportion of non-standard employment among the overall workforce decreased from 7.13% in 2018 to 6.94% in 2024. This indicates that persons with disabilities are significantly more likely to be engaged in non-standard employment than the general workforce, and that this trend is increasing. Although the MOL's 2024 Survey indicates that the main reasons for engaging in non-standard employment include physical limitations, inability to find full-time or regular employment, personal preference for such work arrangements, and time constraints due to medical appointments, non-standard employment is generally associated with lower wages and insufficient labor protections, making such workers more vulnerable to labor exploitation. The NHRC recommends that the Government take into account indicators 27.4 and 27.8 of the Human Rights Indicators for the CRPD issued by the OHCHR, adopt a comprehensive national employment strategy to increase employment rates of persons with disabilities in both the public and private sectors, and ensure that all laws and policies related to work and employment cover women with disabilities.
3. With reference to Table 27.11 of the Third Report, the average number of persons employed in sheltered workshops from 2020 to 2024 was approximately 2,094 per year. According to data provided by the MOL, the number of employees transitioning from sheltered workshops to the open labor market was 40 in 2020, 43 in 2021, and 68 in 2022, increasing to 97 in 2023. However, this remains a small proportion relative to the average annual number of approximately 2,094 persons employed in sheltered workshops. In addition, from 2020 to 2023, an average of approximately 332 persons entered sheltered workshops each year. The NHRC recommends that the Government, with reference to para. 102(b) of the Concluding Observations of the Second Report, paras. 3, 12, 14, 15, and 82 of General Comment No. 8 of the CRPD, and CRPD Human Rights Indicators 27.4, formulate a national employment strategy and adopt concrete action plans to

progressively phase out sheltered workshops and promote the transition of persons with disabilities from segregated employment to the open labor market.

4. Based on views expressed by persons with disabilities during focus group interviews, participants with psychosocial disabilities indicated that they were unwilling to disclose their disability status to employers, fearing that revealing a psychosocial disability or a history of mental illness during job application would result in not even being granted an interview. Some participants also reported that, although they had been hired, their employers became aware of their disability through enrollment in the National Health Insurance system and subsequently asked them to “voluntarily resign.” These experiences demonstrate that persons with psychosocial disabilities face heightened disadvantages in the labor market.

## II. Equality and Non-Discrimination

5. The NHRC acknowledges that the Executive Yuan released a preliminary draft of the *Anti-Discrimination Act* for public consultation in May 2024, which includes provisions prohibiting direct discrimination, indirect discrimination, harassment, and retaliation. However, as of March 2026, the draft has not yet been approved by the Executive Yuan. The Concluding Observations of the Second Report recommend that the Government enact or amend legislation, with the most recommendations calling for amendments to the *People with Disabilities Rights Protection Act*, followed by the enactment of an *Anti-Discrimination Act* (equality legislation). The NHRC recommends that the Government take into account 5.1 of the Human Rights Indicators for the CRPD and promptly enact the *Anti-Discrimination Act* to recognize the right of persons with disabilities to equality and non-discrimination, including the right to reasonable accommodation.
6. The preliminary draft of the *Anti-Discrimination Act* released by the Executive Yuan in May 2024 adopts the definition of disability set out in Article 5 of the *People with Disabilities Rights Protection Act*, which refers to “deviation or loss resulting from physical or mental impairments,” and is not consistent with the CRPD. As noted in para. 36(a) of the Concluding Observations of the Second Report, the definition of disability in Article 5 of the *People with Disabilities Rights Protection Act* does not comply with the Convention. The NHRC therefore recommends that the Government revise the definition of disability in the draft *Act*. In addition, the draft should be amended in accordance with international human rights standards to address

its insufficient scope of prohibited discrimination, overly broad exemptions for what does not constitute discrimination, and the omission of hate speech.

7. In December 2025, the Executive Yuan proposed partial amendments to the *People with Disabilities Rights Protection Act*. Article 16, paragraph 3 of the draft limits the scope of rights subject to reasonable accommodation to areas such as education, examinations, recruitment, employment, medical services, and correctional measures. The NHRC recommends that the Government take into account the International Principles and Guidelines on Access to Justice for Persons with Disabilities issued by the OHCHR in 2020, and include “access to justice” as an area in which reasonable accommodation must be provided. This would ensure that persons with disabilities can effectively participate, both directly and indirectly, in all legal proceedings and engage on an equal basis in all roles within the justice system.
8. The partial amendments to the *People with Disabilities Rights Protection Act* proposed by the Executive Yuan in December 2025 do not explicitly “stipulate that a refusal to provide reasonable accommodation constitutes discrimination on the basis of disability”. By contrast, Article 4, paragraph 4 of the draft *Anti-Discrimination Act* clearly provides that “a refusal to provide reasonable accommodation in accordance with the *People with Disabilities Rights Protection Act*, the *Special Education Act*, or other relevant laws constitutes discrimination on the basis of disability”. The NHRC therefore recommends that the Government explicitly provide in the *People with Disabilities Rights Protection Act* that “a refusal to provide reasonable accommodation constitutes discrimination on the basis of disability”. In addition, Article 74, paragraph 1 of the draft amendments to the *People with Disabilities Rights Protection Act* only prohibits discriminatory or prejudicial reporting against “persons with disabilities and their family members,” but does not extend to persons associated with persons with disabilities (such as teachers, friends, or others), resulting in insufficient coverage. The NHRC recommends that the Government take into account paragraph 20 of General Comment No. 6 of the CRPD and expand the scope of protection to eliminate “discrimination by association”.

### **III. Right to Life and Freedom from Exploitation, Violence and Abuse**

9. The NHRC is concerned about incidents in which family caregivers have killed those under their care, often referred to as “long-term care tragedies”. According to statistics, between 2018 and 2024, a total of 62 such homicide

cases occurred over seven years, averaging nine cases per year. These incidents highlight structural challenges in the long-term care system and family support mechanisms. However, the legislative directions under consideration by the Ministry of Justice—including lowering the threshold for deferred prosecution, relaxing limits on suspended sentences, or creating specific offenses with mitigating circumstances—lack a sufficient evidentiary basis, risk undermining the overall fairness of the criminal law, and may distort the purpose of criminal sanctions. Such approaches could lead to the gradual normalization of killing family members as a “justifiable option” in response to the burdens of long-term care, thereby adversely affecting the protection of the right to life, human dignity, and human rights within the legal system. In accordance with Article 10 of the CRPD, persons with disabilities have the inherent right to life on an equal basis with others. The State has an obligation, in designing systems and revising laws, to ensure absolute respect for the right to life and must not weaken this fundamental principle due to individual hardships. Notably, many persons receiving care are older, with severe illnesses, or with diminished physical functioning, whose ability to defend themselves or express their needs is limited. The NHRC recommends that the Government, with reference to 10.1 of the Human Rights Indicators for the CRPD, exercise caution in evaluating proposed legislative amendments, and strengthen the long-term care system, the provision of respite services and psychological support measures.

10. According to media reports, some healthcare professionals in Taiwan have claimed to have assisted family members of persons with severe disabilities in carrying out “non-voluntary stopping eating and drinking” for end-of-life purposes. This has generated widespread public concern and raised questions as to whether the will of persons with severe disabilities has been adequately respected and whether their right to life is being protected. In a statement issued in January 2021, the former United Nations Special Rapporteur on the rights of persons with disabilities, Gerard Quinn, firmly emphasized that disability must not be used as a direct or indirect justification for ending a person’s life. The NHRC stresses that the State should, with reference to 10.8 of the Human Rights Indicators for the CRPD, affirm the autonomy of persons with disabilities and actively safeguard their right to life.

## Articles 1–33

### Articles 1–4: Purpose, Definitions, General Principles, and General Obligations

11. The Concluding Observations of the Second Report have indicated that the definition of disability set out in Article 5, paragraph 1 of the *People with Disabilities Rights Protection Act* is not consistent with the CRPD, and that the eligibility criteria for obtaining a disability identification certificates are too restrictive. They recommend that the State revise the *Act* to ensure that the definition of disability more accurately reflects that of the CRPD. However, the partial amendments to the *Act* proposed by the Executive Yuan in December 2025 do not revise the definition in accordance with the Concluding Observations. The NHRC notes that, taking learning disabilities as an example, individuals with such disabilities may experience lifelong difficulties in reading, writing, or numeracy, yet often face challenges in obtaining disability identification, thereby affecting their rights and entitlements.
12. In a 2023 report, the NHRC noted that inmates face significant difficulties in applying for disability assessment or reassessment. Whether due to the need to renew an expiring disability identification or to seek assessment following changes in their physical or mental condition after incarceration, they encounter substantial barriers. These include complex administrative procedures, limited access to medical services, and financial constraints, all of which hinder their ability to complete the assessment or reassessment. As a result, the number of inmates with disabilities is significantly underestimated, leading to situations in which inmates with disabilities are unable to access necessary medical care, rehabilitation services, and assistive device subsidies. Furthermore, upon release, those without disability identification are unable to obtain statutory services. The NHRC recommends that the Government take into account CRPD Human Rights Indicators 1/4.12 to ensure that the disability assessment and certification system is aligned with the CRPD and is accessible to all persons with disabilities.
13. The international review committee, in its Concluding Observations of the Initial Report in 2017, already noted that the Chinese translation of the CRPD does not fully convey the meaning of the original text. Although the Executive Yuan submitted a draft revised Chinese translation to the Legislative Yuan in June 2020, it remains pending review. As the Chinese

translation has not yet been revised, institutions, including courts, continue to use terminology that is inconsistent with the Convention. For example, judicial decisions still refer to “reasonable treatment” rather than “reasonable accommodation” (see, e.g., Taipei High Administrative Court, Judgment No. 146, 2024). The NHRC recommends that the Government take into account CRPD Human Rights Indicators 1/4.3 and its annex, and provide an official translation that accurately reflects the original text and meaning of the Convention.

14. According to para. 20 and Table 1.6 of the Third Report, the NHRC is concerned that, although the total central government budget for disability-related affairs increased significantly between 2020 and 2024, the increase in local government budgets for such affairs has been limited. In addition, based on views expressed by persons with disabilities during focus group interviews, participants with psychosocial disabilities voiced concerns that the amendments to the *Act Governing the Allocation of Government Revenues and Expenditures* adopted by the Legislative Yuan in 2025 may lead to the closure of community living facilities in which they reside, preventing them from continuing to live in the community. Article 9 of the *CRPD Implementation Act* explicitly provides that budgets required by government agencies at all levels to implement and safeguard the rights of persons with disabilities under the Convention shall be given priority allocation. The NHRC therefore recommends that the Government take into account 1/4.13 of the Human Rights Indicators for the CRPD and Article 9 of the *CRPD Implementation Act*, and prioritize budget allocations for disability-related affairs to ensure the economic, social, and cultural rights of all persons with disabilities.
15. In response to para. 29 of the Third Report, Article 10 of the *CRPD Implementation Act*, which entered into force on 3 December 2014, explicitly requires government agencies at all levels to, within five years of the *Act*'s entry into force, enact, amend, or repeal relevant laws and regulations and improve administrative measures under their respective jurisdictions in accordance with the Convention. Since December 2016, the Government has undertaken a comprehensive review and revision of laws, regulations, and administrative measures inconsistent with the CRPD. However, as of December 2024, nine laws and regulations that do not comply with the CRPD have yet to be amended. In addition, the amendments to the *Code of Criminal Procedure*, Article 87 of the *Criminal Code*, and the *Rehabilitative*

*Disposition Execution Act* in February 2022 introduced “temporary placement” measures involving deprivation of liberty and removed the five-year limit on custodial dispositions. These changes are clearly inconsistent with international human rights standards (see Article 14 of this Independent Opinion). The NHRC recommends that the Government take into account 1/4.25 of the Human Rights Indicators for the CRPD and undertake revisions of relevant laws and administrative measures. In addition to expeditiously amending laws and administrative measures that have been identified as inconsistent with the CRPD since December 2016, the Government should also re-examine whether provisions concerning “temporary placement” and “custodial dispositions,” as well as the *Regulations for Executing the Death Penalty* amended by the Ministry of Justice in April 2025, are inconsistent with the CRPD and other international human rights conventions.

16. The Concluding Observations of the Second Report recommended that the Government enact or amend approximately 32 laws, regulations, and policies, as identified by the NHRC. However, aside from partial amendments made in reference to the Concluding Observations to the *Immigration Act*, the *Public Officials Election and Recall Act*, the *Presidential and Vice Presidential Election and Recall Act*, and the *Special Education Act*, as well as the formulation of the “Fundamental Plan for Disaster Prevention and Protection” pursuant to the *Disaster Prevention and Protection Act* and the issuance by the Judicial Yuan of the “Guidelines on Access to Justice for Persons with Disabilities,” most of the recommended measures have not been implemented through legislative or policy amendments in response to the Concluding Observations. Although the Executive Yuan proposed amendments to the *People with Disabilities Rights Protection Act* in December 2025, these amendments do not fully address the Concluding Observations. In addition, as of March 2026, the draft *Anti-Discrimination Act* has not yet been approved by the Executive Yuan.

#### **Article 5: Equality and Non-Discrimination**

17. In May 2022, the Executive Yuan announced Taiwan’s first National Action Plan on Human Rights (NAP), which identifies eight priority human rights issues, including “equality and non-discrimination,” and published a summary report on its outcomes in 2025. Based on international human rights standards, including relevant international human rights conventions and concluding observations, the NHRC issued a monitoring report in August 2025. With regard to the rights of persons with disabilities under the

theme of “equality and non-discrimination,” the NHRC recommended that the Government: promptly enact the *Anti-Discrimination Act*; incorporate reasonable accommodation into the *People with Disabilities Rights Protection Act* in line with the CRPD; continue to promote a disability-friendly healthcare environment; enhance accessibility to information for persons with disabilities; and review the human rights protection mechanisms for persons with psychosocial disabilities in conflict with the law and inmates with disabilities.

18. The “Legal Aid Program for Persons with Disabilities,” implemented by the Legal Aid Foundation under commission from the Ministry of Health and Welfare, limits eligibility to applicants who hold a disability identification card or certificate. This restriction is inconsistent with Article 1 of the CRPD. In addition, the exclusion of cases in which the opposing party is the Executive Yuan, the Ministry of Health and Welfare, or their subordinate agencies or institutions is inconsistent with the legislative intent of Article 8 of the *CRPD Implementation Act*. The NHRC reiterates that the Government should, in accordance with the CRPD, the *CRPD Implementation Act*, and the Concluding Observations of the Second Report, review the eligibility criteria and assessment standards of the legal aid program to ensure that persons with disabilities involved in judicial proceedings are able to access legal aid.
19. The draft *Anti-Discrimination Act* released by the Executive Yuan for public consultation in May 2024 limits its scope to “public transactions involving the provision of goods, facilities, or services to the public under civil legal relationships.” However, by comparison, Japan’s disability anti-discrimination legislation covers a broader range of areas, including education, healthcare, welfare, and public transportation, all of which are closely related to daily and social life. Similarly, the Republic of Korea’s *Act on the Prohibition of Discrimination against Persons with Disabilities, and Remedy for Infringement of Their Rights* extends the prohibition of discrimination beyond employment, education, and the provision and use of goods and services to include real estate transactions, financial products and services, accessibility of the built environment, transportation, communications and media, cultural and artistic activities, sports, access to justice, voting rights, parental rights, housing, and the right to health. These comparisons demonstrate that the scope of prohibited discrimination under the draft *Anti-Discrimination Act* proposed by the Executive Yuan is clearly

insufficient.

20. The draft *Anti-Discrimination Act* lists circumstances that do not constitute discrimination, including “risk prevention” and “personal safety.” The NHRC recommends that such exceptions be clearly explained in the legislative rationale, and that any restrictions be based on a legitimate and substantial public interest and comply with the principle of proportionality, in order to prevent misuse as a basis for unjustified limitations on persons with disabilities. For example, the ferry *Taima Star*, operated by the Lienchiang County Government, previously required that persons with disabilities travel in groups of at least two in order to book accessible cabins, citing safety concerns, while those traveling alone were required to purchase tickets for open-space economy cabin. Such requirements constitute discrimination on the basis of disability.
21. In December 2025, the Executive Yuan proposed partial amendments to the *People with Disabilities Rights Protection Act* and submitted the draft to the Legislative Yuan for deliberation. The NHRC acknowledges that the Executive Yuan has taken into account the NHRC’s recommendations by incorporating “reasonable accommodation” into the *Act*. However, Article 16 of the Executive Yuan’s draft does not, in accordance with Article 2 of the CRPD, General Comment No. 6 of the CRPD, and the Concluding Observations of the Second Report, explicitly stipulate that a refusal to provide reasonable accommodation constitutes discrimination. The NHRC recommends that the Government, with reference to Article 4, paragraph 4 of the draft *Anti-Discrimination Act*, explicitly provide that a refusal to provide reasonable accommodation in accordance with the *People with Disabilities Rights Protection Act*, the *Special Education Act*, or other relevant laws constitutes discrimination on the basis of disability.
22. The international review committee has expressed concern that administrative officials and the judiciary lack sufficient understanding of discrimination on the basis of disability, including the denial of reasonable accommodation, resulting in an inability to effectively prevent discrimination or provide remedies (para. 39 of the Concluding Observations of the Second Report). However, the Executive Yuan’s draft amendments to the *People with Disabilities Rights Protection Act* do not include “access to justice” as an area in which reasonable accommodation must be provided. The NHRC reiterates that the Government should, in accordance with the CRPD and the International Principles and Guidelines on Access to Justice

for Persons with Disabilities issued by the OHCHR in 2020, explicitly include “access to justice” as an area subject to reasonable accommodation, in order to ensure that persons with disabilities can participate on an equal basis in all roles throughout judicial proceedings.

23. Article 74, paragraph 3 of the Executive Yuan’s draft amendments to the *People with Disabilities Rights Protection Act* introduces a provision stating that “no person shall publicly engage in discriminatory speech or conduct against persons with disabilities.” However, the scope of protection under this provision is limited to persons with disabilities themselves and does not extend to persons associated with them, such as family members. The NHRC recommends that the Government, in accordance with General Comment No. 6 of the CRPD and the Concluding Observations of the Second Report, explicitly provide that the prohibition of discrimination covers “persons with disabilities and persons associated with them,” in order to eliminate discrimination by association.
24. In response to para. 32 of the Third Report, the Ministry of Health and Welfare completed in October 2024 the “Principles for Developing Guidelines on Reasonable Accommodation by Competent Authorities,” aimed at enabling competent authorities at all levels to understand the concept and implementation process of reasonable accommodation and to formulate guidelines within their respective areas of responsibility. However, apart from the Guidelines for Reasonable Accommodation for Persons with Disabilities in Correctional Institutions issued by the Agency of Corrections, MOJ in October 2020, and the Handbook on Reasonable Accommodation Guidelines for Employment Services for Persons with Disabilities prepared by the Workforce Development Agency, MOL in January 2024, progress remains limited. As of March 2026, only a few authorities have issued relevant instruments, including the Directions for Handling and Implementing Personnel Cases Involving Applications for Reasonable Accommodation by Civil Servants with Disabilities in the Executive Yuan and Its Subordinate Central and Local Agencies issued by the Directorate-General of Personnel Administration, Executive Yuan in February 2025; the Administrative Guidance on Reasonable Accommodation in the Workplace for Persons with Disabilities issued by the MOL in April 2025 (effective 1 July 2025); and the Guidelines for Providing Reasonable Accommodation at All Levels of Schools and Preschools issued by the MOE in December 2025. Most competent authorities at all levels have yet to formulate guidelines on

reasonable accommodation within their respective mandates.

## **Article 6: Women with Disabilities**

### **I. Personal Security**

25. The NHRC is concerned that, between 2020 and 2024, the proportion of persons with disabilities experiencing various forms of violence, including domestic violence, sexual assault, and child protection cases, has shown an increasing trend compared with the 2016-2019 period. The proportion of women experiencing domestic violence and sexual assault remains higher than that of men, with women with psychosocial disabilities, physical disabilities, and intellectual disabilities being at particularly high risk. Although the Government has established services addressing gender-based violence (GBV), it has yet to adequately identify differences in patterns of violence experienced by women across different categories of disabilities. As a result, it is difficult to assess whether existing support and protection mechanisms effectively respond to the diverse needs of victims. In 2025, the Executive Yuan issued the National Action Plan Against Gender-based Violence (2025–2027), which identifies the strengthening of research on GBV and its application as a key priority. The plan includes developing localized survey tools to measure the prevalence and conducting studies, to monitor the progress of various GBV prevention efforts. The NHRC will continue to monitor the implementation of these measures by the competent authorities.
26. The Ministry of Health and Welfare has indicated that, during their stay in shelters, women with disabilities who have experienced domestic violence may access services such as assistive device rental, interpretation, and personal assistants, subject to assessment by social workers and referral to service providers. However, according to the Ministry's statistics, between 2020 and 2024, a total of 445 women with disabilities received emergency placement or mid- to long-term shelter services, only 2 individuals applied for such services (assistive devices and interpretation), reflecting an extremely low utilization rate. The NHRC recommends that the central competent authority assess the actual application and utilization of these services across local shelter providers and investigate the underlying reasons for the low rate of service use.

### **II. Right to Education**

27. According to statistics provided by the Ministry of Education on the post-

graduation outcomes of students with disabilities from the 2020 to 2023 academic years, the proportion of senior high school and vocational high school graduates with disabilities who were neither in further education nor employed ranged from 30-33%, significantly higher than the national average of 3.4-3.8% for all graduates. In terms of gender differences, female graduates with disabilities at high school level had lower rates of both further education and employment compared with their male counterparts. The primary reasons were remaining at home or being referred to other care institutions. However, at the tertiary level, although the rate of further education among female graduates with disabilities (11.9%) was lower than that of males (13.4%), their employment rate (50.9%) was higher than that of males (45.6%). The NHRC recommends that the Government pay close attention to gender disparities in post-graduation outcomes of students with disabilities, actively identify the transition needs and challenges faced by female students at different educational stages, and provide appropriate support to facilitate their transition to employment and access to labor and social welfare resources, thereby enabling independent living.

### III. Right to Work and Employment

28. Women with disabilities continue to face low labor force participation and low wages. Although labor force participation and wages of women with disabilities increased in 2024 compared with 2019, they remain significantly lower than those of women in the general population. In addition, the average monthly regular wages of employed women with disabilities remain lower than those of men with disabilities and also lower than those of women in the general population during the same period. Furthermore, while para. 49 of the Third Report indicates that the job placement rate for women with disabilities increased by 5.6% in 2024 compared with 2019, statistics provided by the Ministry of Labor for 2020-2024 show that women with disabilities have longer periods of unemployment (average duration of unemployment) and a higher proportion of part-time work compared with women in the general workforce. The proportion of part-time employment among women with disabilities is also higher than that of men with disabilities. According to the 2024 Survey on the Labor Conditions of Persons with Disabilities, among women with disabilities who are outside the labor force but have the capacity and willingness to work, a higher proportion express a preference for part-time employment compared with men. The NHRC recommends that the Government, in accordance with para.

82(p) of General Comment No. 8 of the CRPD, adopt affirmative measures and develop policy frameworks that balance employment opportunities, labor protections, and work flexibility, in order to promote the employment of women with disabilities.

29. The NHRC considers that, although the Government has continued to promote measures such as vocational rehabilitation, vocational training, and job redesign, it has not conducted sufficient analysis of changes in labor force participation rates among women with disabilities across different age groups, nor examined the reasons for labor market exit among women with disabilities of different age groups and disability categories. Despite the long-term implementation of various employment promotion measures, there has been no significant improvement in the wages or labor force participation of women with disabilities. The NHRC recommends that the MOL, in accordance with paragraph 37 of General Comment No. 8 of the CRPD, analyze the direct and indirect barriers to career development faced by women with disabilities across different age groups and disability categories, and, based on such analysis, develop effective policy measures to address their employment challenges.

#### IV. Assistive Devices

30. Based on government statistical data and input from focus group discussions with women with disabilities, the NHRC considers that women with disabilities constitute a highly vulnerable group in situations involving gender-based violence (GBV) and stalking and harassment. Notable gender differences are observed across different categories of disabilities, with women with psychosocial and physical disabilities being particularly susceptible to victimization, as the nature of their disabilities increases the difficulty of seeking help. For women with physical and visual impairments, when encountering violence or harassment, mobility limitations may prevent them from leaving the scene promptly or from collecting evidence to report to the police. The NHRC recommends that the Government recognize the difficulties faced by women with disabilities in seeking assistance when subjected to GBV, and provide assistive device resources and services for personal protection that are tailored to the needs of women with different types of disabilities.
31. According to para. 53 of the Third Report, the Ministry of the Interior has forwarded to the National Science and Technology Council (NSTC) research recommendations from disability organizations on the development of

personal safety assistive devices for persons with disabilities, for reference in future R&D. However, when the NHRC inquired about specific directions and timelines for such development, the NSTC responded that it has long supported basic research in assistive technology at Taiwanese universities, and that recent biomedical engineering projects include multiple studies related to assistive technologies for persons with disabilities. It further stated that the development of personal safety assistive devices falls under the responsibility of competent authorities for commercialization. The NHRC considers that, although the NSTC is legally responsible for the R&D, technological research, transfer, application, and promotion of assistive technologies for persons with disabilities, it has failed to undertake proactive planning expected of a competent authority. Instead, it has responded passively by supporting research projects and treating assistive device development as a matter of commercialization, resulting in no substantive progress to date in the development of personal safety assistive devices.

## **Article 7: Children with Disabilities**

### **I. Family-based Support Measures for Children**

32. The NHRC is concerned that the number of children in out-of-home care with developmental delays or disability certification has been increasing year by year. Most are placed in foster families or child placement organizations; however, about 15% are placed in adult-oriented institutions (including general nursing homes, disability welfare institutions, long-term care facilities, and psychiatric rehabilitation institutions), of whom around 40% have been placed for more than five years. Due to limited staffing, professional capacity, and resources, adult institutions tend to overlook children's rights to development, leisure, and education, and are unable to meet their needs for social adaptation and peer interaction. They also often face insufficient government support for required resources, which is not in the best interests of the child. The NHRC recommends that the Government comprehensively review and assess the care conditions, needs, and resources of children with special needs currently placed in adult institutions, and actively develop improvement measures to ensure appropriate alternative care and protection from maltreatment.
33. Although the Ministry of Health and Welfare (MOHW) continues to supervise local governments in implementing placement assessments in accordance with the "Operational Procedures for Municipal and County (City) Governments in Handling the Placement of Children and Youth," and

has introduced decision-making mechanisms involving external experts and network agencies to reduce unnecessary out-of-home placements, the proportion of children in out-of-home care with disability certification increased from 14.79% in 2021 to 22.04% in 2024. While the Ministry has established various inspection, supervision, and evaluation mechanisms to improve the effectiveness and quality of out-of-home care services, it has not developed specific indicators to assess whether such services meet the individual needs of children with disabilities. The NHRC recommends that the Ministry actively examine the causes of the increase in such placements of children with disabilities, monitor the implementation of placement decision-making mechanisms by local governments, and, taking into account the specific developmental needs of children with disabilities, establish relevant service quality indicators to ensure appropriate care.

34. The NHRC expresses grave concern over multiple recent incidents in kindergartens and schools involving the maltreatment of children with disabilities by adults. These include a 2021 case at a special education school in Yilan, where a student with cerebral palsy was left alone in a classroom during lunchtime, suffered a seizure, and died unnoticed, and a 2023 case at a kindergarten attached to an elementary school in Yilan, where a substitute teacher and a special education assistant engaged in corporal punishment and abuse of a child with disabilities. Such cases, beyond individual misconduct and insufficient professional competence in special education, also reveal ineffective school-level teamwork and supervision, as well as the failure of relevant units to implement concrete and effective preventive mechanisms. The NHRC considers that children with disabilities face intersecting vulnerabilities (intersectionality) and are in a doubly disadvantaged position in terms of human rights protection. In addition to addressing the long-standing shortage of special education teachers and the inadequate professional training of substitute teachers and assistants, the Ministry of Education should require schools to establish robust coordination, reporting, and supervision mechanisms to respond to incidents involving students with disabilities and eradicate the recurrence of inappropriate discipline.

## II. Right of Children with Disabilities to Express Their Views

35. The NHRC commends the Government for amending the *Special Education Act* in 2023 to require the participation of students with disabilities in the development of individualized education programs (IEPs). However, data

from the Ministry of Education show that, in 2024, participation rates in IEPs at the primary, junior high, and senior high levels were 87%, 92%, and 92%, respectively. During NHRC focus group discussions with children with disabilities, some participants reported that they only recently learned from peers at other schools that they could participate in their own IEPs, and that their teachers had never asked them to do so. The NHRC considers that implementation varies across schools and recommends that the MOE continue outreach and monitoring.

36. Children with disabilities informed the NHRC that, although they participated as representatives in government meetings, meeting materials were not provided in accessible, easy-to-understand formats, making the issues difficult to follow. In addition, some agencies did not adopt their recommendations or inform them of follow-up actions. According to paragraphs 74 and 75 of General Comment No. 7 of the CRPD, the Government should support the participation of children with disabilities in decision-making, including through assistive devices, child-friendly information, and training for professionals assisting children, so that they can fully express their views and engage in discussions as rights holders. The NHRC considers that, when children with disabilities participate as representatives, organizing authorities should provide appropriate support measures, in particular by presenting meeting materials in accessible language aligned with their experiences, and avoiding overly technical or complex terminology.

### **Article 8: Awareness-Raising**

37. In 2021, the NHRC conducted a “Survey on Public Awareness of Five Core Human Rights Conventions,” covering concepts under the CRPD, employment quotas, and universal design. It subsequently conducted a “Public Survey and Analysis on Human Rights Awareness” in 2023 and the same survey in 2024. The results show that, in both 2023 and 2024, over 60% of respondents considered that the Government should strengthen its attention to persons with disabilities and other groups. Ratings were relatively lower for the protection of “equality” and “non-discrimination,” indicating the need for continued efforts to enhance public awareness and understanding of persons with disabilities.

#### **I. Regulation of Mass Media**

38. The NHRC is concerned about the state of efforts to address discrimination

against persons with disabilities in mass media, emerging online platforms, and social media. The second Independent Opinion already pointed out shortcomings in the “tripartite supervision” governing mass media. Although the Third Report notes that the Government has sought to eliminate stereotypes and regulate discriminatory reporting, discriminatory remarks and malicious jokes about persons with disabilities continue to appear on online platforms and social media. For example, public comments have described travel by persons with visual impairments as “causing trouble.” Such content is usually removed only after public complaints, by account holders or platforms under their own policies. Platform operators bear no legal responsibility and are not subject to effective regulation, leaving the rights of persons with disabilities unprotected. In 2024, a Chinese national participating in an online comedy show in Taiwan made discriminatory remarks about a candidate with disabilities. Due to gaps in the legal framework, neither the individual nor the platform could be sanctioned. The Government was only able to revoke the individual’s entry permit on the grounds that the purpose of entry did not match the approved reason.

39. The Executive Yuan’s draft amendments to the *People with Disabilities Rights Protection Act*, proposed in December 2025, prohibit all forms of media, including the internet and other platforms, from using discriminatory terms or descriptions, and from publishing content that may mislead the public into forming discrimination or prejudice against persons with disabilities and their families. The draft also prohibits any person from making discriminatory public statements and introduces penalties. The NHRC recommends that, in addition to expediting consultation with the Legislative Yuan to complete the amendments, the competent authorities should, pending legislative revision, adopt more proactive administrative guidance measures to safeguard the rights of persons with disabilities and their families.

## II. Disability Awareness-Raising Training

40. The Ministry of Health and Welfare continues to provide annual subsidies to local governments and foundations and organizations to conduct activities promoting the rights of persons with disabilities and raising disability awareness. The NHRC notes a continued decline in the number of subsidized projects, from 294 in 2021 to 213 in 2024. It also observes that outcomes are measured only by the number of beneficiaries, and that no evaluation mechanism has been established to date.

## Article 9: Accessibility

41. On May 2, 2024, the Executive Yuan announced a draft of the *Anti-Discrimination Act*. While it imposes positive obligations on competent authorities in labor, education, culture, and communications to promote equality in accessibility, it does not include transport authorities. This is inconsistent with Article 52 of the *People with Disabilities Rights Protection Act*, which incorporates “accessible environments” into the responsibilities of competent authorities, and does not comply with Article 9 of the CRPD and General Comment No. 2, which require States to comprehensively promote accessibility. The NHRC recommends that the draft *Anti-Discrimination Act* include transport authorities as statutory bodies with positive obligations, in order to strengthen the legal basis for promoting equality in public transportation.

### I. Buildings and the Physical Environment

42. According to Table 9.2 of the Second Report and Table 9.2 of the Third Report, from 2020 to 2024, five local governments did not apply annually to the Ministry of the Interior for arcade leveling subsidies. Eight others have made no applications or only one application over nearly a decade. In some jurisdictions, leveled sections do not reach 5 km, and height differences exceeding 50 cm persist. Input from civil society indicates that fall-related injuries remain common. As arcades involve private property, if residents do not cooperate, improvements are often limited to inner or partial sections. In addition, arcades are frequently not cleared or designated as no-parking zones, forcing persons with disabilities to detour or use roadways. Under Article 9 of the CRPD and General Comment No. 2, public spaces should ensure accessible passage. Although Executive Yuan’s draft amendments to the *People with Disabilities Rights Protection Act* add a requirement (Article 54(2)) for local governments to adopt phased improvement plans, implementation varies across jurisdictions. This indicates limited effectiveness of the Ministry of the Interior’s subsidy policy and a lack of concrete oversight to ensure local compliance.

43. With regard to improving home accessibility, subsidies are provided under the *Regulations for Subsidizing Assistive Devices for People with Disabilities* and the *Regulations on Applications and Payments for Long-Term Care Services*, with different subsidy standards reflecting their respective policy objectives. However, both schemes include numerous eligible items, varying co-payment requirements, and restrictions on

duplicate applications. The NHRC recommends that the Government establish an integrated service window for subsidies and strengthen information dissemination.

## II. Transport and Roads

44. Para. 95 of the Third Report states that full electrification of urban buses by 2030 will achieve full accessibility. However, according to December 2024 data from the Highway Bureau, Ministry of Transportation and Communications (MOTC), electric buses account for less than 18% of urban buses nationwide, and seven jurisdictions have none. Given constraints such as insufficient depots, high procurement and operating costs, and battery range, the Ministry should address these structural issues while strengthening interim alternatives. Significant disparities remain across jurisdictions: nine have accessible bus ratios below 50%, and eight show declining trends, including drops of 10–20%. Disparities are also substantial in service frequency, with the lowest at 10%, below the 17% minimum in 2019.
45. According to Table 9.12 of the Third Report and data from the Ministry of Health and Welfare (MOHW), both the number of rehabilitation buses and drivers increased from 2020 to 2024. However, in 2024 the national vehicle-to-driver ratio remained 1:0.84, below the appropriate ratio of 1:1.2 indicated by the MOTC at an NHRC consultation, and lower than the 2016-2017 ratio of 1:0.92. In 2024, 14 jurisdictions had fewer drivers than vehicles, up from 12 in 2019; in two jurisdictions the ratio was below 0.5. The MOHW explained that vehicle counts include both operating and reserve vehicles, while driver allocation is based on operating vehicles, and that newly procured or donated vehicles may not yet have drivers assigned. However, these statistics do not accurately reflect service capacity. With demand for rehabilitation bus services rising in recent years, dispatch remains insufficient, leading to booking difficulties, limited trip availability, and urban-rural disparities, indicating ineffective resource allocation by the Government.
46. Since 2020, the Institute of Transportation, MOTC, has implemented pilot and follow-up programs for “i-Taxi: Reservation-based Universal Taxi Service” to address the limited number of accessible taxis and insufficient incentives by subsidizing operators. However, its research and evaluation reports indicate that accessible taxis face high costs and unstable income, and provide short-, medium-, and long-term recommendations. The MOTC

did not revise its *Directions for Subsidy of Universal Taxis under the Highway Public Transport Program* until 2025. As shown in Table 9.10 of the Third Report, after more than a decade of implementation, there were only 1,333 universal taxis nationwide, and their total number has declined since the 2020 pilot. Operational levels vary widely across jurisdictions, and Miaoli County, Nantou County, and Lienchiang County had no registered universal taxis from 2015 to 2024, indicating a delayed and inadequate policy response by the Ministry.

47. Although the MOTC has required local governments to establish integrated reservation systems, the “i-Taxi: Reservation-based Universal Taxi Service Integration Platform” app, released in 2022, has yet to be included in the Ministry of Digital Affairs’ list of apps that have passed accessibility testing, which significantly hinders usability for persons with disabilities and requires urgent improvement.
48. The NHRC is concerned that oversight of accessible air transport services by the MOTC, the Civil Aviation Administration, and Taoyuan International Airport Corporation remains fragmented, with many improvements set out only in official letters or meeting conclusions. The current evaluation system does not cover airports, airlines, and ground handling units, and the design of indicators has become a mere formality. Domestic routes lack accessible service items, while for international routes such items are reduced to sub-items under gender equality evaluations. There are also no standardized rules governing the check-in, handling, or compensation for damage to assistive devices, resulting in inconsistent procedures. The first National Action Plan on Human Rights (2022–2024) places excessive emphasis on infrastructure among its seven key performance indicators for air transport, while overlooking service processes and quality standards that directly affect passengers’ rights. The NHRC recommends that the Executive Yuan instruct relevant ministries to conduct a thorough review and incorporate quantitative service indicators into the next National Action Plan.

### III. Accessibility of Information

49. Para. 95 of the Third Report notes that the number of universal taxis in operation reached 1,333 in 2024. However, the “Accessible Transport” section on the Tourism Administration, MOTC website shows that, compared with Table 9.10 of the Third Report, information on universal taxi services is missing for six jurisdictions—Keelung City, Yunlin County, Hualien County, Yilan County, Penghu County, and Kinmen County. This

indicates that accessibility-related information on government websites is inaccurate and slow to update, requiring urgent improvement.

50. Para. 101 of the Third Report states that government agencies have published easy-to-read materials in areas such as disaster prevention, education, and employment to ensure access to information for persons with disabilities. However, data from the “CRPD Information Website” show uneven development across central and local governments: four jurisdictions have no such publications, and there are wide disparities across topics—for example, 57 items on culture and tourism and 31 on health, compared with only 8 each on education and labor. The NHRC recommends that the Government review the provision of easy-to-read materials across sectors, ensure that essential information is not omitted within the same topic, and update and revise such materials on a rolling basis.

#### IV. Financial Services

51. Although the Ministry of Digital Affairs (MODA) has issued the “Mobile Application Accessibility Development Guidelines,” the NHRC considers that improvements in accessibility design for mobile payment apps remain limited. According to data released by the Financial Supervisory Commission (FSC) on business and financial accessibility, as of the end of October 2025, there were 9 dedicated electronic payment institutions, 20 concurrent electronic payment institutions (including banks and Chunghwa Post Co., Ltd.), and 32 credit card issuers. Of these, only 19% had made accessibility improvements with reference to MODA’s guidelines, indicating a low rate of implementation. The NHRC recommends that the FSC strengthen oversight of financial institutions to continue improving accessibility features, such as tactile key positioning and voice guidance, to advance financial inclusion.

#### V. KIOSK (interactive information kiosk/multimedia kiosk)

52. Existing kiosks commonly face issues such as insufficient physical space, lack of accessible design, and absence of support channels. The Ministry of Economic Affairs (MOEA) issued national standard CNS 16220, “Accessibility Design for Self-Service Devices (including automated banking machines),” on December 27, 2023, covering design requirements, user space, and input/control devices. However, under Article 4 of the *Standards Act*, national standards are generally voluntary. In addition, Appendix A of CNS 16220 states that “considerations for accessibility design” are not mandatory, which weakens its binding effect on

manufacturers and service providers. Moreover, there is no clear designation of the competent authority for kiosks, nor specific regulations on accessibility design or implementation timelines. The NHRC recommends that the Government, with reference to CRPD Human Rights Indicator 9.19, promptly strengthen the legal framework to enhance enforceability and ensure that new equipment incorporates universal design.

#### **Article 10: Right to Life**

53. The Ministry of Justice (MOJ) states that its current death penalty policy is to “reduce the use of the death penalty” and to “exercise caution in its implementation.” However, the Task Force on the Gradual Abolition of the Death Penalty, reactivated in 2017, has convened only seven meetings. In recent years, the Ministry has conducted only a “feasibility study on alternatives to the death penalty” and a “2024 public opinion survey on the death penalty” as policy references, indicating insufficient concrete action. This falls short of the objective of “gradual abolition of the death penalty” under international human rights treaties and does not comply with para. 57(a) of the Concluding Observations on the Second Report. The NHRC urges the MOJ, with reference to CRPD Human Rights Indicators 10.10 and 10.11, to proactively promote public dialogue, education, and the development of alternatives, and to establish a clear policy timeline and targets.
54. On April 16, 2025, the MOJ amended Article 3 of the *Regulations for Executing the Death Penalty*. However, it does not expressly address “lack of capacity for execution”, nor provide clear legal grounds or procedures for initiating review or suspending execution. The NHRC recommends that the Ministry expressly authorize executing prosecutors, upon identifying that an inmate has mental disabilities or other intellectual impairment affecting capacity for execution, to promptly report to the Ministry for review and suspend execution. The Ministry should also, with reference to CRPD Human Rights Indicators 10.17, 10.18, 10.19, and 10.29, assess the impact of its laws and practices on the right to life of persons with disabilities.

#### **Article 11: Situations of Risk and Humanitarian Emergencies**

55. The NHRC acknowledges that the Government issued the Taiwan’s National Public Safety Guide on September 21, 2025, outlining response guidelines for natural disasters such as earthquakes, tsunamis, typhoons, and landslides, as well as defense strategies in the event of military attacks. However, the

Guide has not yet been made available in an easy-to-read format. The NHRC recommends that the Government take into account CRPD Human Rights Indicator 11.2 and ensure accessibility in the environment, communication, information, and services across all stages—prevention and preparedness, response, recovery, reconstruction, and coordination—when planning and delivering services in situations of risk and humanitarian emergencies.

56. Statistics on natural disaster losses in Taiwan compiled by the National Fire Agency do not include data on persons with disabilities with regard to casualties or rescues. The Ministry of the Interior has stated that such data are unavailable because disability status is not recorded in the original reports. The NHRC recommends that paras. 109 and 110 of the Concluding Observations of the Second Report and CRPD Human Rights Indicator 11.23 be taken into account to better understand the impacts of natural disasters on persons with disabilities and other disadvantaged groups.
57. According to data provided by the Ministry of Transportation and Communications on the implementation of public transportation evacuation drills in 2024, 13 of the 22 cities and counties have established standard operating procedures or conducted training or simulation exercises, while 9 reported that no data were available. The NHRC recommends the Government strengthen emergency response drills for public transportation to ensure the safety of the public, including persons with disabilities.
58. As Taiwan faces increasing threats from extreme climate events such as typhoons, heavy rainfall, and landslides, the NHRC recommends that the Sendai Framework for Disaster Risk Reduction 2015–2030 and CRPD Human Rights Indicator 11.6 be taken into account to ensure the safety of persons with disabilities and other disadvantaged groups in situations of risk and humanitarian emergencies.

## **Article 12: Equal Recognition before the Law**

59. Para. 128 of the CRPD Third Report states that “the guardianship declaration system ... adopts the spirit of supported decision-making and is consistent with the CRPD’s emphasis on respecting the rights, will, and choices of the individual.” The NHRC reiterates that guardianship declarations deny legal capacity on the basis of mental capacity and are therefore not in compliance with Article 12 of the CRPD.
60. Data compiled by the Judicial Yuan in Table 12.1 of both the CRPD Second and Third Reports show a significant increase in the number of guardianship

and assistance declarations, rising from 6,036 cases in 2016 to 14,744 in 2024. The NHRC is concerned that the Government has not developed supported decision-making measures in line with para. 63(a) of the Concluding Observations of the Second Report. The NHRC recommends that the Government take into account CRPD Human Rights Indicators 12.1, 12.2, and 12.3 to promote the replacement of the current guardianship system with supported decision-making.

### **Article 13: Access to Justice**

61. The NHRC acknowledges the Guidelines on Access to Justice for Persons with Disabilities issued by the Judicial Yuan in September 2024. As investigative procedures conducted by prosecutors, the Investigation Bureau, and the Agency Against Corruption are also governed by the *Code of Criminal Procedure*, the NHRC recommends that the Ministry of Justice adopt and implement the Guidelines. It is also recommended that CRPD Human Rights Indicators 13.15 and 13.16 be taken into account in assessing the implementation of access to justice for persons with disabilities.
62. Given that compulsory enforcement (e.g., court-ordered property auctions) and administrative execution (e.g., demolition of illegal structures) have significant impacts on individuals' housing and property rights, the NHRC notes that related support measures—such as service of documents, interpretation, and assistive devices—are not included in the Guidelines on Access to Justice for Persons with Disabilities. The NHRC recommends that commonly encountered judicial procedures in the daily lives of persons with disabilities be incorporated in future revisions.
63. In light of the second phase of the citizen judges system, the NHRC recommends that the Judicial Yuan consult persons with disabilities and their representative organizations and review and revise the provisions under Chapter 4, Section 3, “Judicial Assistance for Persons with Disabilities Serving as Citizen Judges,” of the Guidelines on Access to Justice for Persons with Disabilities issued in September 2024. Relevant content should also be incorporated into the Reference Manual for Courts Handling Administrative Matters of the Citizen Judges System, issued in January 2026, in order to facilitate the handling of citizen judge cases by district courts nationwide and ensure compliance with Article 13 of the CRPD.

## Article 14: Liberty and Security of Person

64. In 2022, the Government amended the *Criminal Code*, the *Code of Criminal Procedure*, the *Implementation Rules of the Code of Criminal Procedure*, and the *Rehabilitative Disposition Execution Act*, introducing temporary placement prior to judgment. Temporary placement involves deprivation of liberty and is carried out during investigation and trial proceedings. In practice, it is similar to detention; however, it is not credited toward the sentence and is not eligible for compensation under the *Criminal Compensation Act*. In its 2024 project report, Treatment and Disposition Framework for Justice-Involved Persons with Psychosocial Disabilities, the NHRC noted that temporary placement prioritizes social protection and fails to comply with Articles 12 and 14 of the CRPD and other international human rights conventions, and that it constitutes a serious infringement of the fundamental rights of persons with disabilities.
65. In response to para. 134 of the CRPD Third Report, Article 121-1 of the *Code of Criminal Procedure* stipulates that temporary placement must meet the following requirements: “strong suspicion of a crime,” “reasonable grounds to believe that the circumstances set out in Paragraphs 1 and 2 of Article 19 of the *Criminal Code* may apply,” “a risk to public safety,” and “urgent necessity.” However, based on its review of relevant court decisions, the NHRC found that cases involving temporary placement predominantly concern minor offences such as theft, bodily injury, and intimidation, and are not closely associated with serious crimes. Furthermore, the requirement of a “strong suspicion of a crime” refers to the strength of suspicion rather than the seriousness of the offence. As a result, offences carrying relatively minor statutory penalties, such as theft, may still fall within its scope, which is inconsistent with the principle of proportionality.
66. In its 2024 project report, Treatment and Disposition Framework for Justice-Involved Persons with Psychosocial Disabilities, the NHRC noted that mental health experts indicate that individuals with schizophrenia experiencing an acute episode can generally see symptom relief within two months with appropriate treatment. However, the cumulative duration of temporary placement may extend up to five years, and there have been cases in which the period of deprivation of liberty exceeds the sentence imposed by the court. The NHRC considers that repeated extensions of temporary placement have deviated from the purpose of acute medical care. The application of prolonged placement to minor offences is inconsistent with

the principle of proportionality and results in excessive deprivation of liberty. NHRC recommends that the Government take into account CRPD Human Rights Indicators 14.1 and 14.4, review the treatment system for persons with psychosocial disabilities in conflict with the law, and ensure that no legal provisions directly or indirectly permit the deprivation of liberty on the basis of actual or perceived disabilities.

67. In 2022, the Government amended Article 87 of the *Criminal Code*, removing the five-year maximum limit on custodial dispositions. Before the expiration of a custodial disposition of less than five years, prosecutors may apply to the court for an extension if deemed necessary. The first extension may be up to three years, with subsequent extensions of up to one year each (the “5+3+1×N” framework). The NHRC reiterates that, following the amendment, there is no limit on the number of extensions, which may result in prolonged or even indefinite deprivation of liberty. This is inconsistent with the principle of legality and contravenes Article 9 (liberty and security of person) and Article 14 (right to a fair trial) of the ICCPR, as well as the object and purpose of the CRPD.
68. According to an NHRC-commissioned research report published in 2022, a total of 1,367 finalized cases involving custodial dispositions were recorded between January 2005 and August 2022. Theft accounted for the largest proportion (41.4%), followed by offences endangering public safety (13.3%), homicide (12.5%), robbery and snatching (6.8%), and bodily injury (6.4%). Following the introduction of the revised custodial disposition system in 2022, the NHRC’s review of relevant court decisions also found that such cases predominantly involve minor offences, such as theft, bodily injury, and intimidation. This indicates that both custodial dispositions and temporary placement are disproportionately applied to minor offences, resulting in a mismatch between detention and the alleged offences. The NHRC considers that the imposition of custodial dispositions for minor offences is inconsistent with proportionality. It urges the Government not to treat the extension of custodial dispositions as a social safety mechanism to prevent reoffending by persons with psychosocial disabilities, and to review the relevant legal framework from a human rights perspective. Furthermore, prolonged custodial dispositions are not conducive to the reintegration of persons with psychosocial disabilities into society.
69. Although para. 132 of the Third Report states that custodial dispositions are implemented through diversified treatment approaches, including both

institutional settings involving deprivation of liberty and non-custodial options outside of institutions, Table 12.4 of the Report shows that the vast majority of cases are still carried out under Subparagraph 1 of Paragraph 1 of Article 46 of the *Rehabilitative Disposition Execution Act*, namely placement in “judicial psychiatric hospital, hospital, or other psychiatric medical institution.” This indicates that treatment approaches remain insufficiently diversified. The NHRC recommends that the Government further examine the challenges faced by alternative treatment settings and strengthen diversified treatment pathways in order to ensure that appropriate treatment options can be arranged.

70. Although decisions on custodial dispositions and rulings on temporary placement are subject to the principle of legality, decision-making authority rests solely with the judge. The NHRC recommends adopting a more rigorous approach by introducing a system of expert participation, whereby medical professionals and representatives of patient rights organizations provide expert input. This would enable more careful determinations regarding the form of treatment, the duration of custodial dispositions, and the necessity of any extensions, thereby strengthening safeguards for the persons concerned.
71. In response to para. 154 of the CRPD Third Report, the 2022 amendment to the *Mental Health Act* stipulates that mental health institutions shall, prior to discharge, assist persons with psychosocial disabilities in jointly developing discharge preparation plans and provide relevant support. The NHRC calls on the Government to refer to para. 71(b) of the Concluding Observations of the Second Report and ensure that every person admitted to a mental health institution has an individualized discharge plan from the first day of admission. The NHRC further recommends that the Government develop clear guidelines on the content of discharge preparation plans, including community-based treatment, community support, referral and transition services, outpatient care, home-based care, rehabilitation, and follow-up support.

#### **Article 15: Freedom from Torture or Cruel, Inhuman or Degrading Treatment or Punishment**

72. Article 79 of the *Medical Care Act* stipulates, when conducting human subject research, if the research is deemed beneficial to specific populations or persons with particular diseases, participants are not limited to adults with disposing capacity, and persons with limited capacity may participate with

the consent of their legal representatives. The NHRC reiterates that Article 79 of the *Medical Care Act* is not in compliance with the CRPD and the ICCPR. The NHRC recommends that the Government take into account CRPD Human Rights Indicators 15/17.6 and 15/17.14 and enact legal safeguards to prohibit experimental or insufficiently tested medical procedures without the free and informed consent of persons with disabilities, and to ensure that persons with disabilities are not subjected to medical or scientific experimentation without such consent.

73. The *Prison Act* stipulates that prisons shall safeguard the accessibility rights of inmates with disabilities and adopt appropriate measures to ensure reasonable accommodation. In response to the NHRC's inquiry regarding the provision of reasonable accommodation, the Agency of Corrections of the Ministry of Justice stated that "reasonable accommodations are currently provided proactively by correctional institutions or arranged on a case-by-case basis as needed, and no specific statistical data are available." Given that, once a request for reasonable accommodation is made, the responsible authority should engage in dialogue with the person concerned and maintain written records regardless of whether the request is granted, the NHRC notes that no such requirements are included in the Guidelines for Reasonable Accommodation for Persons with Disabilities in Correctional Institutions, amended and issued in April 2021. The NHRC recommends that the Agency of Corrections take into account CRPD General Comment No. 6 and CRPD Human Rights Indicators under Article 5, in particular the element on the provision of reasonable accommodation, as well as Indicators 15/17.11 and 15/17.21, and establish procedures to ensure dialogue, written documentation, and the collection of relevant statistical data following requests for reasonable accommodation.

#### **Article 16: Freedom from Exploitation, Violence and Abuse**

74. In response to para. 171 and Table 16.1 of the CRPD Third Report, the proportion of victims with disabilities among reported cases requiring protection—including domestic violence, sexual assault, and child protection cases—increased steadily from 2020 to 2024 (domestic violence: from 8% to 9.4%; sexual assault: from 7.8% to 10.9%; child protection: from 8.7% to 11.9%). Relevant data also show that this proportion did not decline after the COVID-19 pandemic. The NHRC calls on the Government to take into account CRPD Human Rights Indicator 16.3 and develop national plans and policies to prevent, identify, and combat violence, abuse, and all forms

of exploitation.

75. Para. 40 of the Third Report indicates that a total of 48 shelters have been established nationwide, of which 37 have improved accessibility through facility upgrades. The NHRC recommends that the Government take into account CRPD Human Rights Indicator 16.14 and ensure that shelters for victims of violence meet accessibility standards, including both the physical environment and communication.
76. Para. 179 of the Third Report states that the Ministry of Health and Welfare has established mechanisms for regular evaluations and one to two unannounced inspections per year for long-term care institutions, disability welfare institutions, elderly welfare institutions, and nursing institutions. However, since 2022, multiple incidents of abuse of persons with disabilities in institutional settings have continued to occur. For example, in Tainan, staff at a private long-term care institution were found to have livestreamed the sexual abuse of several older persons with disabilities on an online platform for financial gain and to increase viewership. In addition, in 2022, multiple cases of violent abuse of children with disabilities by caregivers were reported within a six-month period at a private early intervention center in Taoyuan. These cases indicate persistent deficiencies in the management of institutions serving persons with disabilities. The NHRC calls on the Government to take into account CRPD Human Rights Indicator 16.8 and strengthen oversight and inspections of all institutions serving persons with disabilities, in order to ensure their personal safety and fundamental dignity.
77. According to statistics released by the Ministry of the Interior, during the two years following the implementation of the *Stalking and Harassment Prevention Act* (June 2022–May 2024), the most common form of stalking and harassment was harassment through communications (23.76%), followed by stalking and surveillance (21.77%). As Article 2 of the *Act* designates competent authorities only in the areas of social affairs, health, education, labor, and justice, the NHRC recommends that authorities responsible for electronic communications and internet services also be included in the coordinated prevention mechanisms.
78. Statistics on stalking and harassment published by the Ministry of the Interior are disaggregated by sex and age, but not by disability status. The NHRC recommends that the Government take into account CRPD Human Rights Indicator 16.31 and include disability-related statistics.

## **Article 17: Protecting the Integrity of the Person**

79. The current Reproductive *Health Act* (translation note: the Chinese title of which retains the term “eugenics”), in both its title and content, is discriminatory against persons with disabilities and is not in compliance with the CRPD. Although the Ministry of Health and Welfare published a draft amendment in January 2022 and proposed to revise the Chinese title of the *Act*, replacing the term “eugenics” with “reproductive health,” as of March 2026, the amendment has not yet been approved by the Executive Yuan, and the legislative revision remains pending.
80. Para. 81(b) of the Concluding Observations of the Second Report states that sterilization and abortion procedures performed on persons with disabilities that are not intended for therapeutic purposes must be carried out only with the free and informed consent of the person concerned, and not with substituted consent by a third party. However, Article 9 of the *Reproductive Health Act* states that persons under guardianship or assistance shall obtain the consent of their legal representative or assistant to undergo an abortion. Such provisions constitute a denial of the legal capacity and bodily autonomy of persons with disabilities. Furthermore, under Article 9 of the draft amendment to the *Act* announced in 2022, persons under guardianship or assistance who wish to undergo sterilization shall obtain the consent of a legal representative, guardian, or assistant. Even where a person with a disability expresses an intention to undergo sterilization, the absence of such consent continues to undermine their bodily autonomy. The NHRC recommends that the Government take into account CRPD Human Rights Indicators 15/17.5 and 15/17.13, recognize that all persons have the right to give free and informed consent to medical treatment under all circumstances, and fully respect the reproductive rights of persons with disabilities.

## **Article 18: Liberty of Movement and Nationality**

81. The NHRC acknowledges that the Government has amended Article 18 of the *Immigration Act*, removing references to “mental illness,” with the amendment coming into force in March 2024. As of the end of 2024, there have been no reported cases of persons with disabilities being denied entry on the basis of mental disability. The NHRC recommends that the Government take into account CRPD Human Rights Indicator 18.5 and ensure that no laws contain provisions that restrict the liberty of movement, the right to acquire nationality and identity documents, or access to related

services for migrants on the basis of disability.

## **Article 19: Living Independently and Being Included in the Community**

### **I. Independent living support services**

82. The NHRC notes that the current service delivery system for persons with disabilities is divided into two separate schemes: home-based long-term care services and personal assistance for independent living, each operating under its own assessment tools and procedures. As a result, persons with disabilities must apply separately for personal assistance and home-based long-term care services. However, due to limitations such as restricted total service hours, fragmented service provision, and a lack of flexibility to adjust services in response to changes in individuals' functional conditions and needs, the current system remains insufficient to meet the needs of persons with disabilities and is inconsistent with the spirit of independent living and community inclusion as set out in the CRPD. Furthermore, the scope and boundaries between personal assistance and home-based services remain unclear, resulting in overlaps in service provision. The NHRC recommends that the Government review and clarify the role of personal assistants and actively explore ways to better integrate and coordinate home-based long-term care and personal assistance for independent living, in order to ensure more continuous support and promote the full participation of persons with disabilities.
83. Although the Ministry of Health and Welfare has required local governments to determine service hours for personal assistance based on needs assessments, a review of available welfare services and human resources, and a professional team review mechanism, the provision of personal assistance services remains governed by Article 50 of the *People with Disabilities Rights Protection Act* and Articles 69, 70, and 71 of the *Regulations on Personal Care Services for Persons with Disabilities*, with implementation rules further determined by local competent authorities. However, there are no unified national standards for service provision. As a result, assessment criteria and service content vary across counties and cities, with some authorities even restricting the scope of services. In addition, the approval process lacks transparency, undermining the right of persons with disabilities to live independently. In December 2025, the Executive Yuan submitted a draft amendment to the *People with Disabilities Rights Protection Act* to the Legislative Yuan for review. The amendment introduces

independent living as a special provision, requiring local governments to provide independent living support services based on needs assessments and to integrate relevant support resources. It also clarifies that personal assistants may provide the manpower support necessary for daily living and social participation. In addition, the proposed amendment incorporates professional team review mechanisms and procedures for persons with disabilities to express their views. Further provisions are planned to be included in the *Regulations on Personal Care Services for Persons with Disabilities*, specifying the operation of professional teams, review procedures, service content, and related documentation, in order to guide local authorities in implementation. The NHRC will continue to monitor the progress of subsequent legislative amendments.

84. Between 2020 and 2024, the utilization rate of approved personal assistance service hours ranged from 50% to 58%. According to a survey conducted by the Ministry of Health and Welfare, some persons with disabilities did not use the services after approval because personal assistants' schedules could not be aligned with their needs, while 8% of applicants reported that the approved hours were far below what they required. The Ministry has stated that independent living support services are individualized, based on the preferences and needs of persons with disabilities, with social workers and peer supporters assisting in the development of independent living plans and the provision of relevant resources and services, and that there is no formal cap on service hours. However, in practice, limited service capacity has led to both low utilization rates and insufficient service hours. The NHRC expresses concern that declining working-age populations, driven by low birth rates and population aging, may further affect the availability of personal assistance services. The NHRC recommends that the Government continue to collect and analyze data on users of personal assistance services—including disability type, sex, and age, as well as application and utilization patterns (including approval practices across local governments)—in order to assess gaps between service demand and supply. It also recommends carefully evaluating the impact of labor shortages on service provision, including workforce gaps and constraints on approved service hours, and developing appropriate response measures to ensure that persons with disabilities receive adequate support in the community.
85. Since 2018, the Ministry of Health and Welfare has provided subsidies to local governments to implement pilot programs on independent living

support services and to establish independent living support service centers for persons with disabilities. However, to date, only three local jurisdictions—Taipei City, Changhua County, and Pingtung County—have established such centers. The Ministry has indicated that progress has been difficult to track due to challenges in securing suitable public premises, and in some cases due to the need for local governments to coordinate with social housing development plans. It has allocated funding under the implementation plan to cover start-up costs and rental subsidies, and is encouraging local governments to establish centers, with a target of expanding from three to twenty-five centers by the end of 2028. The NHRC recommends that, in addition to addressing site availability, the Government should also take into account regional disparities and assess whether local areas have sufficient implementing organizations and service capacity to ensure the appropriate allocation of resources.

## II. Personal care and family support services

86. In 2024, the NHRC published a project report, *Addressing the Issue of Support Systems for Persons with Intellectual Disabilities and Severe Emotional and Behavioral Disorders*, highlighting the incomplete development of community-based independent living resources for persons with disabilities and severe emotional and behavioral disorders. The report identified the following issues:

- (1) By the end of 2023, the Government had completed an initial screening of persons with severe emotional and behavioral disorders in institutions and community service sites. However, for potential cases in the community, initial screening currently relies on needs assessments conducted once every five years in connection with the renewal of disability certificate. This approach makes it difficult to conduct more proactive identification and has not enabled the Government to obtain an accurate understanding of the number of such individuals in the community, thereby limiting the effective planning and allocation of resources.
- (2) Professional training is a key pillar in building a support system for persons with disabilities and severe emotional and behavioral disorders. To provide diverse and comprehensive behavioral support, a wider range of professionals—including those in music, arts, horticulture, and physical fitness—is needed. However, the Government has yet to integrate cross-ministerial resources to develop

a systematic approach to training, from formal education to vocational training, that equips professionals across sectors with the knowledge and skills required to support persons with disabilities and severe emotional and behavioral disorders. At present, training is provided by local governments on a needs-based basis, resulting in professionals lacking the necessary skills and strategies to respond effectively.

(3) Currently, there are significant variations across local governments in the admission and discharge criteria of centers providing support for persons with severe emotional and behavioral disorders, as well as in the number of cases served. In addition, the effectiveness of these intermediary service models in supporting individuals to return to family or community settings requires further evaluation.

87. In 2020, the Ministry of Health and Welfare launched the Adjustment Program for Integrating Welfare Institutions for Persons with Disabilities into the Community, aimed at supporting individuals currently residing in full-time institutional settings to transition to community living. However, the program has had limited success. Between 2021 and 2024, a total of 139 persons with disabilities participated, of whom only 35 successfully transitioned to community-based services. Challenges encountered during implementation include strong resistance to change among some individuals due to disability-related characteristics, higher support needs in terms of care and health and safety considerations, concerns among family members about safety and caregiving burdens, lack of support from siblings, and worries about the availability of long-term support in the community. In addition, some individuals and families are concerned that, due to ageing or changing needs, they may require institutional care again in the future but would be unable to return due to limited availability of placements. These factors have hindered transitions to community-based services, indicating that community-based support remains insufficient to meet the needs of persons with different types of disabilities for community living and independent living. The NHRC recommends that the competent authorities address parental perceptions of independent living for persons with disabilities and the challenges encountered in implementing the current program, and gain a deeper understanding of the differing needs across disability groups in order to develop appropriate support measures to facilitate transitions from institutional to community-based living.

88. The Concluding Observations of the Second Report recommends that the

Government develop a deinstitutionalization strategy, accompanied by a time-bound plan. However, the Ministry of Health and Welfare has yet to formulate a concrete plan with clear timelines for advancing deinstitutionalization. While the Ministry approved the Phase II Plan for the Development of Community-Based Care Service Resources for Persons with Disabilities (2021–2024) and worked with local governments to expand community-based care services, with a target of increasing service coverage by 2% annually, progress has been slow. By 2024, service capacity had increased to cover only an additional 5,486 persons. The NHRC considers that, given the Government’s ongoing efforts to support local governments in developing community-based care services, it should move forward with formulating a clear deinstitutionalization strategy and progressively developing concrete, time-bound plans and supporting measures.

## **Article 20: Personal Mobility**

### **I. Assistive device subsidies and services**

89. The Government amended the *Regulations for Subsidizing Assistive Devices for People with Disabilities* in October 2022, which came into force in January 2023. The NHRC acknowledges the Government’s efforts to respond to changes in the assistive device market by expanding subsidy items, increasing subsidy amounts for certain items, and adjusting minimum service life requirements. However, eligibility under the Subsidy Standards for Assistive Devices for Persons with Disabilities continues to be based on medically assessed levels of disability. For example, subsidies for powered wheelchairs are limited to persons with severe physical disabilities or multiple disabilities, without taking into account individual limitations in participation or environmental barriers. The NHRC considers that the assistive device subsidy system should better reflect the accessibility needs of persons with disabilities in order to enhance their mobility in daily life and support their right to social participation.
90. Para. 87(a) of the Concluding Observations of the Second Report notes that the subsidy structure for assistive devices is insufficient to cover actual costs, making them difficult to afford for persons with disabilities. However, the central competent authority continues to limit subsidies to four items per person every two years on the grounds of limited resources, rather than prioritizing the actual needs of persons with disabilities.

### **II. Research and development of assistive devices and national standards**

91. The NHRC notes the potential of artificial intelligence (AI) in the development of assistive devices. In a statement issued in February 2024, the OHCHR highlighted that the rapid advancement of AI presents new opportunities for persons with disabilities, particularly in the field of assistive technologies, by enhancing convenience in daily life and facilitating greater social participation. In January 2025, the OHCHR published the report *Rights of Persons with Disabilities and Digital Technologies and Devices, Including Assistive Technologies (A/HRC/58/33)*, which notes that AI can improve accessibility and support the participation of persons with disabilities. AI technologies can integrate multiple functions into a single digital device—for example, smart wheelchairs can use eye-tracking to navigate and avoid obstacles, while canes for persons with visual impairments can incorporate audio and haptic feedback to enhance mobility and safety. The NHRC considers that the Government should actively encourage industry to apply AI in the development of assistive technologies, in order to promote the equal participation of persons with disabilities in society.

## **Article 21: Freedom of Expression and Opinion, and Access to Information**

### **I. Promotion of Taiwanese sign language and interpretation services**

92. Para. 227 of the Third Report states that local governments have established service windows for sign language interpretation and real-time captioning in accordance with the law, and that both the number of interpreters and captioners, as well as the number of service hours provided, have increased annually. However, based on the data reported by local governments in Tables 21.1 and 21.2, the NHRC finds significant urban–rural disparities in the provision of sign language interpretation and real-time captioning services. For example, while Taipei City has as many as 40 sign language interpreters, five local jurisdictions—Taitung County, Hualien County, Penghu County, Keelung City, and Kinmen County—each have fewer than 10 interpreters. Lienchiang County, to date, has no sign language interpreters; as a result, no sign language interpretation or real-time captioning services were provided in the county in 2024, thereby seriously affecting the enjoyment of the fundamental rights of persons with hearing or speech impairments living in offshore island areas.
93. Para. 90(b) of the Concluding Observations of the Second Report recommends ensuring that all forms of communication between government

agencies and the public include video communication and sign language interpretation. However, although the Government has implemented a pilot program for Video Relay Services (VRS) since 2023, it has not required government agencies to take the lead in adopting these services. The NHRC calls on the Government to ensure that all public consultation services and emergency hotlines provide access to VRS as soon as possible, in order to guarantee the right of persons with hearing or speech impairments to access information and services.

## II. Accessibility format (including websites)

94. Article 52-2 of the *People with Disabilities Rights Protection Act* stipulates that websites established by government agencies at all levels, their subsidiary institutions, and schools shall pass accessibility testing at the first priority level or above and obtain accessibility certification. This requirement has been in place since 2011. However, despite years of implementation, data from the Ministry of Digital Affairs show that, among 2,452 government websites randomly inspected between 2023 and 2024, only 2,027 obtained accessibility certification, representing a compliance rate of 82.67%. This indicates that government websites have yet to fully meet accessibility standards, making it even more difficult to expect compliance from the private sector. The NHRC considers that, given that these requirements have been clearly stipulated in law and in force for many years, the competent authorities should strengthen supervision and enforcement to ensure full compliance by government websites. Smartphones have become an important means for persons with disabilities—particularly persons with visual impairments—to access information. While accessibility testing has been conducted for government websites, mobile applications (apps) have not been included in the scope of such assessments. In response to an inquiry by the NHRC, the Ministry of Digital Affairs stated that it has not yet conducted random inspections of government agency apps and does not have relevant statistical data. However, in August 2024, the Ministry issued the Action Plan for Promoting and Enhancing Accessible Design of Government Websites and Mobile Applications, which includes measures to promote accessibility testing of government apps. The NHRC will continue to monitor the implementation of these measures.

95. As of February 2025, the website of Taiwan Taoyuan International Airport had not obtained accessibility certification. The NHRC considers that, as a

national gateway and a key point of entry and exit for travelers, the airport has failed to ensure digital accessibility, placing travelers with disabilities in a position of unequal access to information. The competent authority should therefore strengthen its oversight. The Taoyuan International Airport Corporation stated that it operates two websites: while its corporate website has obtained accessibility certification, the airport information website for passengers has not applied for certification due to the use of animated features. The Ministry of Transportation and Communications, as the competent authority, informed the NHRC that it will supervise improvements, and that the airport information website is expected to obtain accessibility certification by March 31, 2026.

## **Article 22: Respect for Privacy**

96. The NHRC expresses concern that, where individuals with psychosocial disabilities are subject to custodial disposition, their personal data—including health information and medical records—should be fully respected and protected. The National Police Agency under the Ministry of the Interior and the Ministry of Health and Welfare should develop clear guidelines on investigation procedures, as well as the disclosure of information concerning persons subject to custodial disposition under the *Rehabilitative Disposition Execution Act* and with psychosocial disabilities as defined under the *Mental Health Act*, in order to safeguard their privacy.
97. The NHRC has learned that data under the Ministry of Health and Welfare’s Optimization Program for the Care of Suspected or Community-Based Persons with Mental Disabilities are not maintained in a case management database, but are instead managed by designated personnel in local health bureaus in accordance with Article 10 of the *Regulations on the Establishment and Management of Community Mental Health Centers*. However, this provision is general in nature and constitutes an administrative order. While Paragraph 1 of Article 48 of the *Mental Health Act* assigns the Ministry of Health and Welfare statutory responsibilities for the prevention and treatment of mental disabilities, the protection of persons’ rights, and support for community living, it does not provide explicit authorization for the collection, processing, and use of personal data. According to statistics provided by the Ministry from 2021 to 2024, a total of 4,893 suspected cases were referred by network agencies, of which 2,286 were not formally accepted as cases. The data relating to these individuals have not yet been destroyed, as the applicable retention periods have not expired. The NHRC

has requested that the Ministry of Health and Welfare take corrective measures, including the deletion of data relating to individuals who are not persons with mental disabilities, establishing rules governing individuals' rights to request the deletion, cessation, or restriction of the use of their data, and reviewing the practice of local health bureaus managing such data through official document systems. In response, the Ministry stated that the 2026 operational guidelines for the Optimization Program include provisions on the graded destruction of data, as well as strengthened mechanisms for post-collection control of personal data and informed consent.

98. The NHRC considers that, even in the pursuit of public interest, the substantive rights of individuals to personal data protection must be respected, and appropriate and specific safeguards should be in place. However, the legal authorization for the National Health Insurance database remains unclear, and oversight mechanisms for assessing information security and compliance with the data minimization principle in the performance of statutory duties are inadequate. Although administrative authorities have adopted measures to reduce the risk of data breaches, deficiencies in the legal framework and limited privacy protections persist. Furthermore, the complete denial of individuals' right to opt out constitutes a violation of the principle of proportionality. Although the Mental Health Care Information Management System is based on Article 89 of the *Mental Health Act* and is subject to operational guidelines, a comparison with Article 79 of the *National Health Insurance Act*—which was declared unconstitutional in Constitutional Court Judgment No. 13 of 2022—indicates that the legislative wording of both provisions is similar. Key aspects, such as data storage and processing, lack clear legal regulation, raising concerns regarding compliance with the principle of legal reservation and the protection of personal data privacy under the CRPD. The NHRC recommends that the Ministry of Health and Welfare strengthen the legal basis of the Mental Health Care Information Management System by ensuring explicit statutory authorization, and establish clear rules governing access rights, data retention periods, mechanisms for removal of records, and individuals' rights to request deletion, cessation, and restriction of data use.
99. With the rapid advancement of generative AI, the NHRC raises concerns regarding its human rights implications, particularly how the privacy rights of persons with disabilities are concretely safeguarded. Government

initiatives involving the development or application of AI technologies are often disclosed only when they are near completion or already completed, and it remains unclear whether privacy considerations for persons with disabilities are adequately addressed during the development process. This reflects a lack of transparency and oversight in both the planning and implementation stages.

100. The NHRC recommends that the Government uphold the principle of informed consent when collecting and using personal data, particularly for AI training. During the development of AI models, due regard should be given to the legitimacy of both procedures and methods, including the collection and use of data, as well as the design and training of algorithms. This includes clearly specifying the purpose of data collection, methods of processing, and potential uses. Where data are to be used beyond the original purpose, prior and explicit consent should be required. At all stages, individuals should be provided with accessible and understandable information, and be granted the right to opt out or request the deletion of their personal data. Such measures are necessary to ensure compliance with CRPD Human Rights Indicator 22.4 on the protection and confidentiality of personal data of persons with disabilities.

### **Article 23: Respect for Home and the Family**

101. The NHRC expresses concern that marriage and fertility counseling services provided by the Government to persons with disabilities should take into account their individual differences and needs. It recommends that the Government, with reference to CRPD Human Rights Indicators 23.22 and 23.23, collect and analyze data on the types of services used and the challenges faced by persons with disabilities of different sexes, ages, and disability types in accessing such services, and use this information to develop targeted improvement measures to ensure that support services and educational programs are responsive to actual needs.

### **Article 24: Education**

#### **I. Inclusive education**

102. In December 2025, the NHRC published a project report, *Data Compilation and Analysis of Teacher-to-Student Violence in Schools*, noting that students with disabilities—due to limitations in cognition, social interaction, and communication—may have difficulty recognizing harmful bullying

behavior and are therefore more likely to be vulnerable to harm. During focus group discussions with children and youth with disabilities, some participants reported experiences of being mocked or socially excluded by their peers, and consistently noted that teachers' attitudes play a key role in shaping whether classmates respond in a supportive or hostile manner. Data provided by the Ministry of Education also show that, among confirmed cases of school bullying between 2020 and 2024, the number of cases involving students with disabilities as victims increased from 22 to 51. The NHRC considers that students with disabilities may be placed in less visible at-risk situations due to their disability-related characteristics. It is therefore essential for educators and schools to proactively foster safe and inclusive classroom environments. In particular, teachers' classroom management approaches and attitudes have a critical influence on peer interactions among students.

103. The NHRC expresses concern about teacher-student conflicts involving students with disabilities in inclusive education settings. In 2024, an incident occurred in which a substitute high school teacher, due to a lack of understanding of the specific needs of students with disabilities in the class, became involved in a classroom conflict; a video of the incident circulated online and sparked public debate. The NHRC considers that, in addition to providing appropriate support measures, the central education authority should adopt a comprehensive approach beginning with teacher training, strengthen the competencies of regular teachers in special education, and establish mechanisms for integrating special education coursework into teacher training programs. However, the Ministry of Education has responded that requirements for compulsory courses for teacher training must respect institutional autonomy, which makes such measures difficult to implement at present.
104. According to the Guide for Ensuring Inclusion and Equity in Education issued by UNESCO, a key component of promoting inclusive education is building partnerships with stakeholders, with the participation of families being particularly important. The Ministry of Education has indicated that it currently supports schools and civil society organizations in organizing promotional and supportive activities through the *Directions for Subsidizing Private Organizations to Conduct Special Education Activities at the Primary and Secondary Education Levels*, and provides funding to local governments and schools to conduct training and awareness-raising

initiatives. However, the Ministry's mid-term special education plan for the 2023–2027 academic years does not clearly define a role for parental participation, indicating a lack of comprehensive planning. The NHRC considers that the advancement of inclusive education depends on the support and active participation of parents. It therefore recommends that the Ministry of Education promptly develop relevant initiatives and establish mechanisms for dialogue and collaboration with parents in order to promote inclusive education.

105. With regard to reasonable accommodation for students with disabilities, one of the main challenges in educational settings lies in the implementation of adjustments to assessment standards and formats. Many teachers continue to perceive such adjustments as compromising fairness and mistakenly regard them as a form of “privilege” for students with disabilities. However, as clarified in paras. 25(a), (b), and (c) of CRPD General Comment No. 6, reasonable accommodation should not be confused with preferential treatment. Reasonableness refers to adjustments that are relevant, appropriate, and effective in addressing the needs of persons with disabilities, whereas preferential treatment entails granting more favorable treatment than that afforded to others. Frontline educators still require clearer guidance and further capacity-building from the competent authorities to fully understand the concept of reasonable accommodation. In December 2025, the Ministry of Education issued the Reference Guidelines on Providing Reasonable Accommodation at All Educational Levels and in Preschools. Starting in 2026, relevant professional training will be conducted and selected schools will be designated for pilot implementation. The NHRC will continue to monitor subsequent progress.
106. The NHRC continues to monitor school dropout among students with disabilities in senior high schools, as well as leave-of-absence and withdrawal rates among students with disabilities in higher education. Between 2020 and 2024, the annual dropout rate of students with disabilities in senior high schools averaged 2.57%, higher than that of students without disabilities (1.71%). This indicates that students with disabilities face greater difficulties in transitioning from compulsory education to senior high school education. In higher education, the rates of leave of absence and withdrawal among students with disabilities have also increased over time. From 2021 to 2023, leave-of-absence rates rose from 8.56% to 9.55% and 9.76%, while withdrawal rates increased from 1.93% to 3% and 3.28%. However, the

Ministry of Education has not yet conducted sufficiently detailed analysis of the reasons for leaving school. The NHRC considers that the Government should, with reference to CRPD Human Rights Indicator 24.27, address this issue and develop appropriate response measures.

## II. Special education support services

107. During consultations, the NHRC received feedback from organizations representing persons with visual impairments and learning disabilities regarding difficulties in accessing audio versions of educational materials at the high school, vocational school, and higher education levels. In 2023, the NHRC sought clarification from the Ministry of Education, which stated that it had initiated a pilot program to produce audio recordings of teaching materials in national senior high schools under its jurisdiction, and has since expanded production based on the needs of students with visual impairments and learning disabilities nationwide. However, disability organizations indicated that audio textbooks are currently available only in general senior high schools. Students in vocational senior high schools, due to the diversity of subjects, do not have access to such materials, and the same applies to students in higher education. The NHRC considers that students with disabilities have the right to education on an equal basis with others. It recommends that the Ministry of Education establish clear regulations for converting printed materials into accessible formats and engage in dialogue with OPDs/DPOs to better understand practical needs.
108. According to CRPD General Comment No. 4, without accessible and barrier-free built environments, persons with disabilities cannot effectively enjoy their right to inclusive education. The NHRC notes that the Ministry of Education, as the central competent authority, does not have a comprehensive grasp of the accessibility status of school facilities. There are no clear standards governing accessibility in campus spaces such as movement between buildings or access to elevated platforms (e.g., assembly stages). In addition, many facilities—such as light switches, sinks, toilet seats, door handles, and handrails—are designed to adult specifications, making them unsuitable for primary and junior high school students. Although the Ministry completed a nationwide audit of accessibility facilities in schools in collaboration with local governments by the end of 2024, the overall compliance rate was only 61%. Among the assessed items, entrances to indoor activity spaces had the lowest compliance rate at just 20%, indicating significant room for improvement in campus accessibility.

The Ministry also drafted the Handbook on Comprehensive Accessible Campus Environment Design in 2024; however, as of the end of March 2026, it has not yet been published.

## **Article 25: Health**

### **I. Accessibility of healthcare environments and access to information**

109. Para. 268 of the Third Report states that, as of 2024, a total of 372 public health centers nationwide have obtained certification under the Age-Friendly Health Promotion Services Program. This certification is voluntary and involves both document review and on-site inspection. However, the age-friendly certification framework is not grounded in the principles of the CRPD in promoting accessibility, and the extent of improvements to physical facilities falls far below the standards set out in building accessibility regulations. It therefore does not meet the requirements of the CRPD and cannot be considered to provide adequate protection of the right to health for persons with disabilities.

110. According to data provided in the Ministry of Health and Welfare's 2025 reply, there are a total of 24,131 Western medicine, traditional Chinese medicine, and dental clinics nationwide. To encourage the development of accessible and disability-friendly healthcare environments, the Ministry provided incentives for improvements to 1,789 clinics in 2021 and 2023 combined, accounting for only 7.41% of all clinics. The NHRC reiterates that, with reference to CRPD Human Rights Indicator 25.4, the Government should treat accessible healthcare environments as a policy objective rather than an incentive-based system, and establish clear phased targets and concrete timelines for improvement in order to fulfill the accessibility requirements under the CRPD.

### **II. Equal access to insurance coverage**

111. According the reply from the Financial Supervisory Commission and data provided by the Insurance Institute, in 2019, persons with disabilities held an average of only 0.2 insurance policies per person, compared to an average of 2.56 policies per person in the general population. In 2024, the average number of policies per person increased slightly to 0.29 for persons with disabilities, compared to 2.62 policies per person in the general population. These figures indicate that the insurance coverage rate among persons with disabilities remains significantly lower than the national average.

112. According to Table 25.5 of the Third Report and the response from the Financial Supervisory Commission, the number of cases in which persons with disabilities were not insured due to non-health-related factors reached 12,738 in 2023 and 14,526 in 2024. Among these, the majority were attributed to incomplete underwriting procedures, with 9,061 cases in 2023 and 10,864 in 2024. In addition, cases in which applicants with disabilities voluntarily discontinued the underwriting process or failed to submit required documents accounted for 32.78% and 36%, respectively. This proportion has increased compared with the data reported in the second report. The NHRC recommends that the Financial Supervisory Commission further examine the reasons why applicants with disabilities voluntarily discontinue the underwriting process.
113. According to data provided by the Financial Supervisory Commission, the number of complaints and dispute resolution cases involving persons with disabilities handled by the Financial Ombudsman Institution has increased year by year from 2020 to 2024, rising from a total of 23 cases in 2020 to 173 cases in 2024. The NHRC recommends that the Financial Supervisory Commission conduct a thorough analysis of the types and handling of complaints and dispute resolution cases submitted by persons with disabilities to the Financial Ombudsman Institution, in order to ensure the realization of equal access to insurance for persons with disabilities.
114. Para. 279 of the Third Report notes that inmates are also covered under the National Health Insurance system, and that inmates with disabilities may access outpatient medical services within correctional institutions as needed. However, a 2024 report by the Academy for the Judiciary of the Ministry of Justice, Evaluation Study on Mainstreaming Health Policies for Persons in Correctional Institutions, indicates that although medical resources within correctional institutions have increased, areas such as health promotion, infection control, mental health, and long-term care for inmates still require strengthening. In addition, there is a persistent shortage of healthcare personnel in correctional institutions. The Agency of Corrections has indicated a target ratio of one healthcare professional to every 100 inmates. Based on an inmate population of 60,552 in 2024, 600 healthcare personnel would be required; however, only 205 are currently employed, representing just 34.2% of the target. The NHRC recommends that the Agency of Corrections continue to increase healthcare staffing levels in correctional institutions to ensure that inmates with disabilities receive adequate medical

care.

115. Para. 280 of the Third Report notes that inmates identified by local health authorities as being in situations of particular difficulty may undergo disability assessment within correctional institutions. According to data provided by the Agency of Corrections, between 2023 and 2024, a total of 194 inmates with disabilities required reassessment upon expiry of their certification, of whom approximately 15.46% were unable to complete the assessment within correctional institutions. In addition, 173 inmates whose conditions deteriorated during incarceration required an initial disability assessment, of whom approximately 23.70% were unable to complete the assessment within correctional institutions. The NHRC recommends that the Agency of Corrections and the Ministry of Health and Welfare simplify relevant administrative procedures to facilitate the completion of disability assessments within correctional institutions, thereby safeguarding the legal rights of inmates with disabilities.

#### **Article 26: Habilitation and Rehabilitation**

116. According to the Ministry of Health and Welfare's survey on the living conditions and needs of persons with disabilities, in 2021, 7.85% of persons with disabilities who required rehabilitation did not receive such services on a regular basis, a notable increase from 6.56% in 2016. The Ministry should further investigate the underlying causes in order to develop appropriate measures to improve access to rehabilitation services for persons with disabilities.
117. In its August 2024 project report, *Addressing the Issue of Support Systems for Persons with Intellectual Disabilities and Severe Emotional and Behavioral Disorders*, the NHRC noted that individuals in the community with intellectual disabilities and severe emotional and behavioral disorders often require intensive support and are therefore primarily cared for by their families. As a result, the number of such individuals living in the community remains unknown, hindering the development of appropriate service policies. The NHRC recommends that the Government conduct more proactive investigations and promptly compile comprehensive data to facilitate effective resource planning and allocation.
118. The Ministry of Health and Welfare faces a range of challenges, including a growing population of persons with disabilities, insufficient service capacity, inadequate support for family caregivers, and additional responsibilities arising from amendments to the *Criminal Code* and the *Rehabilitative*

*Disposition Execution Act.* The NHRC recommends that the Government, in line with CRPD Human Rights Indicator 26.2, formulate a national disability strategy and actively coordinate across ministries and with local governments to ensure the provision of comprehensive, cross-sectoral, accessible, and affordable habilitation and rehabilitation services, including peer support.

## **Article 27: Work and Employment**

### **I. Vocational training and employment support**

119. To promote self-awareness and support mental well-being among public servants, the Government introduced three days of mental health leave per year starting from October 10, 2025. This leave may be taken on an hourly basis and does not require supporting documentation; employing agencies may not refuse such leave or impose adverse treatment. However, this measure applies only to public servants and does not extend to workers in the private sector. Many persons with psychosocial disabilities require regular medical follow-up, yet participants in NHRC focus group discussions reported that employers are often reluctant to grant leave, making it difficult to balance work and healthcare needs. The NHRC recommends that the Government carefully consider expanding the scope of eligibility for mental health leave, in order to enable persons with psychosocial disabilities to maintain both stable employment and access to necessary healthcare.
120. During NHRC focus group discussions, persons with visual impairments reported that, upon starting employment, they are often required to enter information into computer systems. Due to their reliance on screen reader technology, tasks take longer to complete; however, system time limits make it difficult to finish within the allotted time, and in some cases they are reprimanded by supervisors as a result. This indicates that such systems fail to take into account the needs of persons with visual impairments, as they lack flexibility, such as the provision of extended time as a reasonable accommodation. It also reflects a lack of disability awareness among supervisors, highlighting the disadvantages faced by persons with visual impairments in the workplace.
121. Under the current supported employment services framework, employment is considered successful once a person with a disability has maintained employment for three months, after which the case is closed. This approach

does not take into account factors such as symptom fluctuations and interpersonal challenges that may affect the job stability of persons with psychosocial disabilities. The NHRC recommends that the Government, with reference to CRPD Human Rights Indicator 27.3, adopt a national strategy to promote inclusive vocational training, in order to support stable employment for persons with psychosocial disabilities.

122. Article 5 of the *Employment Service Act* stipulates that employers shall not discriminate against job seekers or employees on the basis of appearance, facial features, disability, or other such factors. According to a 2024 survey conducted by the Sunshine Social Welfare Foundation, more than half of individuals with burn injuries or facial disfigurements reported experiencing unfriendly treatment during job interviews. The NHRC recommends that the Government strengthen human rights awareness, with reference to para. 3 of CRPD General Comment No. 8, and address ableist bias in order to promote and ensure access to meaningful work and employment opportunities for persons with disabilities.
123. Amendments to the *Public Functionaries Appointment Act* in 2013 removed the discriminatory provision that prohibited the appointment of individuals certified by a qualified physician as having a mental illness. However, Subparagraph 7 of Paragraph 1 of Article 31 of the *Act Governing the Appointment of Educators* still provides that individuals certified by a qualified physician as having a mental illness that has not yet recovered may not be appointed as educators. The NHRC recommends that the Government, with reference to para. 17 of CRPD General Comment No. 8 and CRPD Human Rights Indicator 27.2, ensure that no laws or regulations contain provisions that directly or indirectly restrict employment on the basis of disability, in order to safeguard the right of persons with disabilities to work on an equal basis with others.

## II. Employment quota system and related support measures

124. The NHRC commends the Ministry of Labor for issuing, in February 2023, an interpretative ruling under Subparagraph 2 of Article 96 of the *People with Disabilities Rights Protection Act*, which establishes consistent criteria for determining what constitutes “without justifiable reason” in cases where employers fail to meet employment quota requirements for persons with disabilities. The ruling serves as a reference for enforcement by local labor authorities and entered into force on May 1, 2023. As of April 30, 2025, a total of 31 penalty cases had been imposed over a two-year period. However,

according to data provided by the Ministry of Labor, some obligated entities failed to make improvements after being penalized and were subsequently subject to second and third sanctions. The NHRC recommends that the Government, with reference to paras. 41, 42, and 82 of CRPD General Comment No. 8 and CRPD Human Rights Indicator 27.13, ensure the effective implementation of affirmative action measures in order to secure lawful employment opportunities for persons with disabilities.

125. According to para. 302 and Table 27.10 of the Third Report, as of December 2024, a total of 92,763 persons with disabilities were employed by entities subject to employment quota requirements. This exceeds the statutory requirement of 62,973 persons, corresponding to an overall employment rate of 147.31% (120.56% in the public sector and 164.05% in the private sector). The NHRC notes that the thresholds and ratios for obligated entities under Article 38 of the *People with Disabilities Rights Protection Act* have not been adjusted since July 2007, a period of 18 years as of March 2026. The NHRC recommends that the Government, with reference to CRPD General Comment No. 8, review the thresholds and ratios under the employment quota system, as well as assess its overall effectiveness, in order to increase employment opportunities for persons with disabilities in both the public and private sectors and ensure access to meaningful work in inclusive workplaces.

### **Article 28: Adequate Standard of Living and Social Protection**

126. In 2018, the Government amended relevant legislation to incorporate the principles of Article 28 of the CRPD, allowing public servants and educators with disabilities to apply for voluntary retirement under specified statutory conditions. Between 2020 and 2024, a total of 156 individuals retired on the basis of disability, a development affirmed by the NHRC. However, the Labor Insurance system remains the primary source of post-retirement economic security for most persons with disabilities. According to the Ministry of Health and Welfare's study, *Baseline Study on Premature Aging and Life Expectancy among Persons with Disabilities*, data from 2011 showed that the average life expectancy of persons with disabilities was 66.6 years, compared to 77 years for persons without disabilities—a gap of 10.4 years. Persons with severe and profound disabilities experience premature aging by 7.5 and 7.7 years, respectively, indicating both a shorter life expectancy and an earlier onset of aging among persons with disabilities. The Ministry of Labor maintains that the current system already provides

adequate mechanisms, noting that the *Labor Insurance Act* includes disability benefits, the *Labor Pension Act* adopts an individual account system with provisions for early withdrawal, and individuals may voluntarily enroll in the National Pension Insurance program after exiting the Labor Insurance system. It therefore considers that no amendment to the *Labor Insurance Act* is necessary. The NHRC reiterates that the design of economic security systems for workers with disabilities should comply with Article 28 of the CRPD, ensuring that persons with disabilities can enjoy an adequate standard of living and social protection on an equal basis with others.

### **Article 29: Participation in Political and Public Life**

127. In June 2023, the Government amended the *Presidential and Vice Presidential Election and Recall Act* and the *Public Officials Election and Recall Act*, removing restrictions on the voting rights of persons under guardianship. However, Article 7 of the *Referendum Act* still stipulates that persons under guardianship are not entitled to the right to vote in referendums. The NHRC recommends that the Government, with reference to CRPD Human Rights Indicators 29.1 and 29.2, ensure that persons with disabilities can participate in political and public life on an equal basis with others.
128. Para. 312 of the Third Report states that the Government has produced audio versions of election bulletins for persons with visual impairments and learning disabilities. However, for persons with intellectual disabilities, only an easy-to-read voting guide has been provided, and no easy-to-read version of election bulletins is available. As a result, persons with intellectual disabilities face difficulties accessing key electoral information, including details about candidates and political party platforms. The NHRC recommends that the Government refer to the January 2026 report (A/HRC/61/46) on the equal participation of persons with disabilities in political life, prepared by Heba Hagrass, United Nations Special Rapporteur on the rights of persons with disabilities, and ensure the meaningful and equal participation of persons with disabilities in political life.
129. In response to para. 315 of the Third Report, the NHRC acknowledges the recent increase in the proportion of polling stations that comply with accessibility requirements. However, in the 2024 elections, 6.42% of polling stations still did not meet accessibility standards. In addition, the NHRC received complaints indicating that some election officials failed to provide

assistance to persons with disabilities in accordance with the *Measures for Assisting Voters with Disabilities*. The NHRC recommends that the Government take into account CRPD Human Rights Indicator 29.3 and ensure that both the voting environment and voting procedures meet accessibility standards and provide reasonable accommodation.

130. Although the *Presidential and Vice Presidential Election and Recall Act* and the *Civil Servants Election and Recall Act* have been amended to allow voters with disabilities to be accompanied by a person of their choice, other than family members, election officials are required to provide assistance or mark the ballot in accordance with the voter's will. However, during the election held in July 2025, a person with disabilities reported on social media that their request to have a family member assist with marking the ballot was denied. Instead, an election official marked the ballot on their behalf but made an error in doing so. The NHRC recommends that the Government take into account CRPD Human Rights Indicator 29.6 to ensure the right of persons with disabilities to vote, as well as their right to be assisted by a person of their choice in conditions where their free expression of will is fully respected. The Government should also ensure the provision of reasonable accommodation in voting procedures.

### **Article 30: Participation in Cultural Life, Recreation, Leisure and Sport**

131. The NHRC expresses concern that the tourist trains Formosensis and Vivid Express of the Alishan Forest Railway, as well as Future Express of the Taiwan Railways, were systematically designed without accessibility features from the planning stage. Despite clear recommendations made during the design process by relevant basic design review committees, the Universal Design Promotion Committee, and the Ministry of Transportation and Communications' Task Force on Accessible Transportation Environments, representatives of OPDs/DPOs and the competent social welfare authorities were not consulted. Furthermore, compliance with existing regulations was circumvented on the grounds that the trains involved the refurbishment of old rolling stock. This reflects serious shortcomings in both the prior review and subsequent oversight carried out by the Ministry of Transportation and Communications and the Forestry and Nature Conservation Agency under the Ministry of Agriculture. The NHRC recommends that the Government take into account CRPD Human Rights Indicator 9.7 to formulate a national accessibility action plan and strengthen monitoring mechanisms at both the central and local levels, including the

establishment of sanctions, in order to ensure that persons with disabilities can participate in cultural life on an equal basis with others.

132. Accessibility of cultural spaces is not only a matter of physical infrastructure but also the realization of fundamental human rights. The NHRC has observed that some exhibition organizers explicitly state in visitor information that venues are located in older buildings without elevators or accessible facilities. In addition, accessibility information is not provided on exhibition websites. This indicates that persons with disabilities were not considered as part of the intended audience at the planning stage, and that public notices are being used to circumvent obligations under Article 30 of the CRPD. The NHRC recommends that the Government strengthen oversight of cultural and arts exhibition organizers and ensure the implementation of accessibility measures, so that persons with different types of disabilities can participate in cultural activities on an equal basis with others.
133. According to the Ministry of Health and Welfare's survey on the safety management of playground facilities across different settings (as of 31 December 2024), 8 of the 16 categories of venues do not provide playground facilities for children with disabilities. There are also significant disparities among counties and cities in the coverage of such facilities. In 14 jurisdictions, the coverage rate is below 20%, and in 6 jurisdictions, no facilities are provided for children with disabilities at all. This indicates that the right of children with disabilities to participate in play on an equal basis with other children is not adequately ensured.

### **Article 31: Statistics and Data Collection**

134. The NHRC considers that comprehensive disaggregated data on the economic, social, educational, and health conditions of persons with disabilities have not yet been fully established, and thus remain inconsistent with para. 110(a) of the Concluding Observations of the Second Report. For example, the employment survey of young workers aged 15–29, as well as police statistics on victims and perpetrators under the *Stalking and Harassment Prevention Act*, do not include data disaggregated by disability. In addition, government surveys and statistics related to persons with disabilities still lack sufficient cross-tabulation and analysis by sex and disability. The NHRC recommends that the Government take into account CRPD Human Rights Indicators 31.1 and 31.2, and establish a comprehensive system of disaggregated data on disability to better

understand the diverse situations and needs of persons with disabilities and to inform the development of appropriate policies.

135. The NHRC expresses concern that data related to care and support services for persons with disabilities are dispersed across different systems, including long-term care, disability welfare, education, and healthcare, and that there is no integrated mechanism for analysis. The NHRC recommends that the Government refer to the Disability Care and Support Systems: Country Assessment Tool, issued by the OHCHR in December 2025, and apply its relevant indicators and assessment criteria to conduct a comprehensive evaluation of whether national policies on care and support services for persons with disabilities are in line with the CRPD, with a view to ensuring the rights of persons with disabilities.

### **Article 32: International Cooperation**

136. Para. 112(b) of the Concluding Observations of the Second Report recommends that the Government support cooperation between persons with disabilities and their representative organizations and their counterparts in other countries. While the Third Report indicates that the Government continues to provide financial support to facilitate the participation of persons with disabilities and their representative organizations in international conferences and activities, the NHRC recommends that, in addition to financial support, the Government take into account the element indicators under Article 32 of the CRPD Human Rights Indicators and incorporate capacity-building to equip persons with disabilities with the skills and knowledge necessary for effective international participation and cooperation.

### **Article 33: National Implementation and Monitoring**

137. The Government adopted the *CRPD Implementation Act* in August 2014, incorporating the CRPD into domestic law, and the *Act* entered into force in December 2014. As of March 2026, the *Act* has been in force for 11 years. During this period, Taiwan has undergone two rounds of international review of its National Reports and established a national human rights institution in August 2020. The NHRC recommends that the Government, in line with the Concluding Observations, amend the *CRPD Implementation Act* to incorporate provisions on a national disability strategy and an independent monitoring mechanism.
138. Para. 30 of the Concluding Observations of the Second Report notes that

Taiwan's first National Human Rights Action Plan (2022–2024) addressed only a limited range of the rights of persons with disabilities. The NHRC recommends that, in developing the next phase of the National Human Rights Action Plan, the Government formulate a national disability strategy and mainstream disability into both the National Human Rights Action Plan and the national disability strategy.

139. In response to para. 351 of the CRPD Third Report, the Executive Yuan issued the Common Operational Guidelines for Establishing Human Rights Indicators and Statistics in 2023. These guidelines prioritize six rights areas—namely the rights to personal liberty and security, freedom of opinion and expression, freedom from torture or other cruel, inhuman or degrading treatment or punishment, the right to adequate housing, the right to the highest attainable standard of physical and mental health, and the right to social protection—and establish corresponding human rights indicators. The Government has also indicated that the development of sub-indicators drew on the CRPD Human Rights Indicators. However, the NHRC considers that limiting indicators to these six priority areas is insufficient to comprehensively cover the CRPD. The NHRC therefore recommends that the Government develop a set of disability-specific human rights indicators based on the CRPD Human Rights Indicators issued by the OHCHR in September 2024, in order to guide the implementation of the CRPD and inform policies and action.



# **Independent Opinion on the Third Report on the Implementation of CRPD**

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