

Parallel Replies from the National Human
Rights Commission to the List of Issues in
Relation to the Fifth National Report under
the Convention on the Elimination of All
Forms of Discrimination Against Women
(CEDAW)



國家人權委員會
NATIONAL HUMAN RIGHTS
COMMISSION, TAIWAN

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Para. 2: Comprehensive legislation on gender equality

LoIs	2. The Third IRC Review in 2018 urged the Government to adopt comprehensive legislation on gender equality, including a definition of discrimination in line with article 1 of the Convention and addressing multiple and intersecting forms of discrimination. In 2022, the Committee was informed that the Government intended to prepare comprehensive anti-discrimination legislation, including on gender equality, and recommended that this process ensure alignment with the Convention's standards, the meaningful inclusion of gender equality expertise, and the expeditious amendment of all discriminatory laws and regulations. According to the 2025 report, Taiwan is advancing this comprehensive anti-discrimination legislation and collecting extensive opinions from all sectors, with the process still ongoing. Please provide detailed information on: (a)The current status of the drafting process, how widespread and meaningful consultation with gender equality experts is being ensured, and the anticipated timeline for the completion of this legislation, as well as any plans to further expedite its adoption; (b)Measures to ensure full compliance with the Convention, including addressing intersecting forms of discrimination and harm mitigation and reparation measures.
NHRC Response	1.The Executive Yuan failed to submit the draft <i>Anti-Discrimination Act</i> for review in accordance with the schedule outlined in the National Human Rights Action Plan (NAP), and the subsequent legislative timeline remains unclear. Currently, diverging views have emerged within the Government: one holds that drafting a dedicated anti-discrimination act should continue, while the other advocates for incorporating anti-discrimination provisions across existing laws, citing concerns such as overlapping regulatory frameworks. 2.NHRC points out:

	(1) International review committees under CEDAW, the ICCPR and ICESCR, CRPD, and ICERD have repeatedly recommended that the Government promptly enact a comprehensive equality/anti-discrimination act with a broad scope of coverage. (2) Fragmented legislation will likely fail to improve the current lack of consistency in the definition and framework for prohibiting discrimination. It would also present difficulties in addressing collective and systemic discrimination against groups in disadvantaged situations, fail to impose mandatory obligations or require affirmative measures on both the public and private sectors, and leave remedy mechanisms inadequate. Only comprehensive legislation can provide clear regulations across all fields beyond education and labor, establishing a human rights benchmark applicable to all. (3) <u>The Government should proactively enact the <i>Anti-Discrimination Act</i> without delay. It should also clearly define hate speech, establish regulatory prohibitions and tiered response mechanisms, and build reporting and data collection systems.</u>
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Para. 3: National human rights institution

LoIs	3. With reference to its 2022 recommendations, please provide updated information on measures taken to ensure the independence and effective functioning of the National Human Rights Commission (NHRC), including progress in establishing procedures to independently receive and handle complaints and provide redress to victims, as well as steps taken towards accreditation under the Paris Principles, including engagement with the Global Alliance of National Human Rights Institutions and the Asia Pacific Forum. Please clarify how the NHRC's independence is guaranteed in law and in practice, particularly given its placement under the Control Yuan and provide information on: (a) its mandate, structure and functioning, including the appointment procedures, qualifications, tenure and composition of its commissioners and staff; (b) measures to ensure gender parity and mechanisms for robust engagement with CSOs especially, women's rights organizations and human rights defenders; (c) whether the NHRC has a statutorily guaranteed budget independent of the Control Yuan and clarify how its powers differ from those of the Control Yuan; (d) the operational independence of the NHRC from the Control Yuan in the discharge of its monitoring functions under the Convention, the mandate to initiate independent inquiries, and whether its recommendations carry binding or advisory force.
NHRC Response	1. Statutory Mandate and Operational Mechanisms (1) Statutory Mandate: Investigating torture, discrimination, and human rights violations; providing recommendations on policies, laws, and regulations; compiling special reports and reports on human rights situations, as well as independent opinions on national reports for human rights conventions; assisting in the incorporation of international human rights instruments into domestic law; supervising the

	promotion of human rights education; and cooperating with domestic and international agencies and organizations. <u>All matters pertaining to the NHRC's mandate must be determined by resolutions of the Commission meetings.</u> (2) Pursuant to the organic laws of the Control Yuan and the NHRC, the NHRC consists of 10 commissioners: the Chairperson is designated by the President at the time of nomination, and serves concurrently as the President of the Control Yuan; 8 ex-officio commissioners are composed of the Chairperson and 7 Control Yuan members with human rights expertise, all of whom serve a 6-year term; the remaining 2 commissioners are selected annually by the President of the Control Yuan from among other Control Yuan members, and they are not eligible for consecutive terms. The NHRC has 41 staff members (32 civil servants and 9 contracted personnel), divided into three sections: Research and Planning, Enquiries and Investigation, and Education and Promotion. 2. Gender Ratio Regulations (1) <u>According to the Organic Act of the Control Yuan, the 7 ex-officio commissioners of the NHRC must cover different ethnic groups and areas of expertise, and neither gender shall account for less than 1/3. Before nomination, recommendations from civil society organizations must be publicly solicited.</u> (2) Currently, female commissioners account for 56% (5/9), female staff members account for 63% (26/41),
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and female senior executive officials account for 75% (6/8).

3. Civil Society Participation Mechanisms

(1) According to the original planning of the Mid-term Strategic Plan (2023–2026), the NHRC was to regularly invite national or representative civil society organizations across 11 categories—including women, gender, children and youth, persons with disabilities, the elderly/long-term care, Indigenous peoples, new immigrants/minority groups, laborers/migrant workers, judicial human rights, environmental rights, and others—to engage in dialogue on an annual basis. However, due to a severe budget cut, that mechanism was discontinued in 2025.

(2) Nevertheless, between 2023 and 2025, in cooperation with the Foundation for Women's Rights Promotion and Development, the NHRC traveled to different regions each year to engage in dialogue with local women's organizations and grassroots community organizations (a cumulative total of 123) to gather local information for monitoring women's human rights.

(3) In addition, the NHRC consulted with relevant groups and human rights defenders based on specific thematic needs. For instance, during the implementation of the Mid-term Strategic Plan regarding women's employment and economic security, field inquiries into child-rearing conditions among migrant workers, the investigation into

	complaint cases concerning dress code regulations for flight attendants, and the drafting of independent opinions, the NHRC consulted with women/gender/human rights organizations, lawyers, and trade union officials. 4. Budget and Distinction from Control Powers (1) The annual budget of the NHRC is compiled within the unit budget of the Control Yuan. Citing inadequate implementation of certain NHRC operations, <u>the Legislative Yuan cut the operational budget for the fiscal year 2025 by over 96%, severely hindering the fulfillment of its statutory mandate.</u> (2) Control powers focus on ex-post supervision, exercising stronger binding force through corrective measures, censures, and impeachment of government agencies or public officials for violations or negligence. The NHRC emphasizes ex-ante prevention, evaluating, researching, investigating, visiting, or inquiring into potential human rights issues and providing recommendations. <u>To distinguish these mandates, the Control Yuan has proposed a draft amendment to the <i>Control Act</i> (adding a dedicated human rights chapter), which is currently under deliberation by the Legislative Yuan.</u> 5. Independence of Monitoring Mandate and Binding Force of Investigations and Recommendations <u>The implementation of monitoring, investigations, or policy recommendations by the NHRC shall be approved by a resolution adopted at Commission meetings;</u>
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	<u>however, the initiated investigations and proposed recommendations lack binding force.</u> As the term of the first cohort of NHRC commissioners is coming to an end, drawing on six years of operational experience, the NHRC will submit an opinion paper on its future development to address challenges in internal governance and the exercise of its mandate, with a view to eventually establishing itself as an independent agency.
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Para. 4: Remedies for violations of women's human rights

LoIs	4. The Committee welcomes recent efforts to simplify complaint procedures and strengthen remedies under the Sexual Harassment Prevention Act, the Gender Equality in Employment Act and the Gender Equity Education Act. However, the information provided focuses on sector specific frameworks and does not clearly explain whether there exists a comprehensive mechanism to address violations of women's human rights more broadly under the Convention. It remains unclear how complaints that fall outside these specific legal regimes, including those involving intersecting forms of discrimination, are received, assessed and resolved. Please provide detailed information on: (a) All existing complaint and redress mechanisms, including their structure, mandates and powers; how cases are handled in practice; and the types of remedies provided, including data on outcomes disaggregated as appropriate. (b) How these mechanisms relate to one another, including their relationship with procedures under the Gender Equality in Employment Act and with the NHRC; (c) Whether the Government intends to establish a comprehensive, coordinated and accessible cross sectoral system for complaints and remedies for violations of women's rights under the Convention, beyond the existing sector specific frameworks, ensuring effective access to justice for all women, including those in marginalized situations.
NHRC Response	1. NHRC Complaint Statistics and Handling Procedures (1) The NHRC accepts complaints regarding torture, human rights violations, and various forms of discrimination. Both domestic citizens and foreign nationals in Taiwan, as well as legal entities and organizations, are eligible to lodge complaints with the NHRC. (2) As of April 2026, a total of 839 complaints have been accepted (811 from individuals and 28 from legal

	entities), among which 201 cases (23.96%) were lodged by female complainants. Eleven cases involved matters primarily related to CEDAW. The NHRC does not restrict complainants to lodging cases that only affect themselves; therefore, complaints filed by women do not necessarily relate directly to CEDAW or gender discrimination. The top three types of complaints lodged by women are as follows: I. Freedom from Discrimination and the Right to Equality: 47 cases, such as disability discrimination in the workplace. II. Right to a Fair Trial: 19 cases, such as dissatisfaction with prosecutors' dispositions or judicial rulings. III. Right to Personal Security: 12 cases, such as being subjected to surveillance or stalking/harassment. (3) Additionally, there are 5 complaint cases filed by transgender women, which primarily involve two categories: the Government's proposed amendments to the “Physique Classification Standards of Military Service” and “gender discrimination in the workplace”. (4) Among the 823 complaint cases already processed, the handling procedures are as follows: I. Official Investigation: 4 cases, involving potential “risks of systemic human rights violations”; 3 investigative reports have been published. II. Analysis or Written Inquiry: 399 cases (48.5%). These involve cases that do not constitute systemic discrimination or violations, or instances where the
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	complained agency has promised to improve or has already improved. The results of the processing are replied to the complainants. III. Referral to Competent Authorities: 249 cases (30.3%). These fall within the scope of authority of other agencies, or involve violations and negligence by administrative agencies or public officials. Referrals or other recommendations for remedies are provided in accordance with the complainants' preferences. IV. Filed Directly for Reference: 171 cases (20.8%). These include petitions that lack concrete content or are repetitive. 2. Relationship Between NHRC and Other Complaint Mechanisms (1) <u>The NHRC and other complaint mechanisms (such as labor complaint) are not mutually exclusive. However, the NHRC focuses on utilizing international human rights conventions, such as CEDAW, to determine whether discrimination or human rights violations exist, and reviews whether the Government has fulfilled its state obligations. In contrast, other complaint mechanisms in areas such as labor or education determine whether discrimination is established and issue corresponding administrative sanctions based on the regulations under their jurisdiction.</u> (2) Taking the case of dress code regulations for flight attendants as an example: individual members of the
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	flight attendants' union first lodged complaints with the local labor authority, alleging that a particular airline's dress code regulations for female flight attendants violated the <i>Gender Equality in Employment Act</i>. Separately, the union lodged a collective complaint with the NHRC, asserting that the dress code regulations of multiple domestic airlines violated CEDAW. (3) The NHRC reached an investigative conclusion different from that of the competent authority, determining that the dress code regulations of these domestic airlines constituted gender discrimination. The NHRC further pointed out that when applying the <i>Gender Equality in Employment Act</i>, the competent authority failed to reference CEDAW to determine discrimination. <u>Although the NHRC has no power to directly alter administrative sanctions, it successfully prompted the Ministry of Labor to require all airlines to make improvements. Consequently, female flight attendants are now permitted to wear trouser uniforms.</u> 3. Comprehensive Complaint and Remedy Mechanisms (1) The NHRC can accept complaints from various fields, but it does not possess the power to compel public or private sectors to cooperate with investigations, halt discriminatory behavior, or directly provide remedies. (2) The Executive Yuan's 2024 draft <i>Anti-Discrimination Act</i> originally included a dedicated chapter explicitly stipulating the NHRC's authority regarding investigations and remedies; however, the current
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	legislative progress remains unclear.
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Para. 15: Gender-based violence against women

LoIs	15. The Committee notes statistical information indicating disparities in the prevalence of gender-based violence among different groups of women, including that intimate partner violence rates are higher among indigenous women and foreign women compared to non-indigenous Taiwanese women, and that sexual assault rates are also disproportionately higher among foreign and indigenous women. Please explain the reasons for these disparities and indicate whether the Government recognizes the intersectional nature of gender-based violence affecting women belonging to different ethnic and nationality groups. Please also provide information on: (a) Targeted, culturally sensitive measures adopted to prevent and respond to such violence, including efforts to address structural barriers and ensure effective access to justice. (b) The prevalence and forms of gender-based violence against women with disabilities, including in intimate relationships and in the context of stalking and harassment, disaggregated by type of disability, age, relationship to the perpetrator, location and outcome of complaints, and how the Government ensures comprehensive and publicly available data collection capturing the intersection of gender and disability. (c) Measures adopted to prevent and respond to gender-based violence against women with disabilities, older and other structurally excluded women including access to specialized support services, shelters, assistive technologies and reporting mechanisms.
NHRC Response	1. Risks of Gender-Based Violence Faced by Migrant Women Workers (1) According to statistics from the Ministry of Health and Welfare (MOHW), a total of 222 foreign workers were reported as victims in sexual assault cases between 2020 and 2023. Among them, domestic helpers and

	domestic caregivers accounted for 119 individuals, meaning that more than half (53.6%) of the sexual assault cases involving migrant workers occurred within the private sphere. In contrast, the Ministry of Labor (MOL) only mentioned in its replies to the list of issues for the fourth national report under the ICESCR that the number of migrant workers who lodged complaints of being victims of sexual assault through the 1955 Labor Consultation and Complaint Hotline was 17 in 2024 and 13 in 2025. However, following the 2023 amendment to the <i>Gender Equality in Employment Act</i>, statistical analysis and data regarding reported sexual harassment cases involving migrant workers and their subsequent handling remain entirely absent. (2) Relevant investigative reports from the Control Yuan in 2018 and 2022 have pointed out that migrant domestic workers often bear large amounts of brokerage fees and may already be burdened with loans prior to their arrival in Taiwan. Since their working environment is situated within individual households, it is exceedingly difficult to obtain evidence of sexual assault. Financial pressure makes it arduous for these migrant workers to navigate lengthy judicial processes, even if they can access victim shelter services, and it remains uncertain whether they can obtain compensation from their employers. These factors explain why migrant domestic workers choose to endure in silence or abscond, abandoning the option of seeking external assistance
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	when facing sexual assault or sexual harassment. (3) The NHRC recommends that the Government should expeditiously compile and publish relevant data concerning cases of sexual assault and sexual harassment against migrant workers, including complaints, indictments, convictions, administrative investigation results, and compensation amounts, and provide victims with sufficient legal aid resources.. 2. Personal Safety Issues of Women with Disabilities (1) The proportion of persons with disabilities subjected to various forms of violence—including domestic violence, sexual assault, and child protection incidents—between 2020 and 2024 showed an increasing trend compared to the 2016-2019 period. Furthermore, the proportion of women experiencing domestic violence and sexual assault remains higher than that of men. Among them, women with psychosocial disabilities, physical disabilities, and intellectual disabilities constitute high-risk groups of victimization. Although the Government has deployed various gender-based violence service resources, it has still failed to grasp the differences in patterns of violence experienced by women across different disability categories. Consequently, it is unable to evaluate whether the current assistance and protection resources can effectively respond to the distinct needs of individual victims. (2) The Ministry of Health and Welfare stated that during the period when women with disabilities who have
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	suffered domestic violence stay in shelters, if they require services such as the rental of assistive devices, interpretation services, or personal assistants, the social workers will assess their situations and coordinate with the relevant service units to arrange for such services. However, according to statistics from the ministry, from 2020 to 2024, a total of 445 women with disabilities received emergency placement and medium-to-long-term shelter services, but only 2 individuals applied for these services (assistive devices and interpretation services), representing an extremely low percentage. The NHRC recommends that the central competent authority should gain a thorough understanding of the actual application and utilization of relevant services in placement units across all municipalities and counties/cities, and examine the underlying reasons for the critically low uptake of these services.
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Para. 16, 17: Sexual harassment, Sexual assault

LoIs	16. The Committee welcomes the amendments to the Gender Equality in Employment Act, the Sexual Harassment Prevention Act and the Gender Equity Education Act adopted in 2023 that entered into force in 2024. However, the Committee notes the significant increase in reported sexual harassment cases and requests information on: (a) The factors underlying this increase and whether it reflects improved reporting, increased prevalence or gaps in prevention. (b) Measures to ensure effective investigation, prosecution and remedies, including protection from retaliation, and steps taken to address reported gaps in practice, including repeated questioning of victims, lack of trauma informed procedures and insufficient gender sensitivity among law enforcement and judicial personnel. 17. The Committee welcomes measures taken by the Government to prevent and respond to sexual assault, including increased funding and expanded professional training. The Committee notes that women constitute approximately 82.3 per cent of sexual assault victims, with higher prevalence among foreign women, indigenous women and women with disabilities. Please explain how the Government interprets these disparities and whether it recognizes sexual assault as a form of gender-based violence rooted in structural inequality. Please also: (a) Provide information on measures taken to address underreporting and barriers to prosecution, including the availability of disaggregated data and measures to strengthen accountability, in line with general recommendation No. 33 on women's access to justice. (b) Provide information on how the Government ensures that victims, in particular children and other vulnerable groups, have effective access to justice and remedies, including through survivor-centred and trauma-informed procedures, timely protection measures and safeguards against re-traumatization.
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	(c) Clarify whether training programmes and public awareness campaigns address sexual assault explicitly as a form of gender-based violence and a consequence of gender inequality, including efforts to combat victim-blaming attitudes and harmful gender stereotypes.
NHRC Response	1. Dual Thresholds in the Judicial Process for Sexual Assault Cases: Evidence and Bias (1) Indictment and Conviction Rates of Sexual Assault Cases: According to the 2024 Statistical Yearbook of the Ministry of Justice, regarding cases concluded by district prosecutors' offices from 2021 to 2024, the indictment rate ranged between 31.4% and 33.7%, while the conviction rate for cases finalized by courts during the same period was approximately 96%. Although the indictment rate for sexual assault cases is comparable to that of overall criminal cases, it has experienced a slight annual decline, and its conviction rate remains between 88.1% and 89.9%, which is lower than the overall criminal conviction rate. Furthermore, approximately 95% of non-indictment sexual assault cases were dismissed due to lack of sufficient grounds for suspicion. These statistics indicate that sexual assault cases are more difficult to prosecute and convict than other criminal offenses. (2) Elements of Crime: Previous amendments to the <i>Criminal Code</i> have revised the elements of offenses against sexual autonomy from rendering the victim "incapable of

resistance" to acting "against the victim's will" (Article 221). However, sexual assault cases are typically clandestine in nature, and victims often fail to clearly express their refusal at the moment of the incident due to shock or coercion, which exacerbates the difficulty of proof. Consequently, prosecutors and judges are frequently observed repeatedly scrutinizing the manner in which the victim expressed their lack of consent during investigations and trials.

(3) Sexual Assault via Abuse of Power:

I. According to the appendix of the National Report, the indictment and conviction rates for cases of sexual assault via abuse of authority from 2021 to 2024 were lower than those for sexual assault cases as a whole.

II. The Ministry of Justice research points out that, constrained by the presumption of innocence and the rule that a victim's statement cannot serve as the sole evidence of guilt, judicial practice typically requires proof of a power-based relationship between the parties, as well as clear evidence that the perpetrator exploited their authority or opportunity to coerce the victim into submission. Alternatively, the victim's post-incident conduct may be required to serve as corroborating evidence. If the perpetrator merely possesses social influence without a direct subordinate relationship, or if the victim's post-incident behavior does not conform to stereotypical expectations, the case is frequently

	dismissed with a non-indictment due to insufficient evidence. Furthermore, the myth of the "perfect victim" often surfaces during investigations of sexual harassment cases. 2. NHRC Recommendations to the Government: (1) In accordance with CEDAW General Recommendation No. 35 and the <i>Istanbul Convention</i>, the elements of offenses against sexual autonomy under the <i>Criminal Code</i> should be amended to adopt an affirmative consent model. (2) Law enforcement and judicial personnel should receive training to develop trauma-informed and gender-sensitive competencies in the investigation and adjudication of cases, seek diverse forms of evidence, and avoid falling into stereotypical assumptions in the handling of sexual assault and sexual harassment cases.
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Para. 18: Stalking and harassment

LoIs	18. The Committee notes the implementation of the Stalking and Harassment Prevention Act and the information provided on cases handled, written warnings issued and protection orders granted. However, the Committee remains concerned about gaps in implementation, including the low number of protection orders issued compared to reported cases, delays in their issuance and instances of non-compliance. Please provide information on: (a) Measures taken to ensure the timely issuance, effective enforcement and monitoring of protection orders, including whether victims may apply directly and whether emergency protection orders are envisaged. (b) Steps being taken to eliminate requirements for psychiatric assessments and the financial burden placed on victims, and measures to ensure consistent implementation of the Act across regions, including the availability of specialized support services. (c) How planned legislative amendments will address evolving forms of stalking, including online harassment and trolling, and whether the Government intends to strengthen protection orders by including affirmative measures such as compensation, perpetrator and tech service provider obligations.
NHRC Response	1. The <i>Stalking and Harassment Prevention Act</i> was promulgated in 2021 and implemented in June 2022, marking nearly four years of enforcement. According to the 2025 investigative report of the Control Yuan, the following issues persist in practical implementation: (1) Some police officers still refuse to accept reports from the public on the grounds that the perpetrator's stalking and harassment behavior is unrelated to sex or gender. Furthermore, police agencies lack confidential spaces, making it impossible to ensure that the privacy of

	those filing reports is protected. In addition, the <i>Act</i> stipulates that when a suspect is found through investigation to have engaged in stalking and harassment behavior, the police agency shall, ex officio or upon the victim's request, issue a written warning to the perpetrator. However, according to statistics from 2022 to March 2025, it took an average of 11.9 days for police agencies to issue a written warning, compromising the timely deterrent effect. (2) Between June 2022 and May 2025, it took district courts an average of 34.17 days to issue civil protection orders for stalking and harassment, making it difficult to effectively protect victims. (3) The respondent treatment plans prescribed under the current <i>Stalking and Harassment Prevention Act</i> are restricted to "therapeutic" measures. Moreover, the specific content of "other treatments"—beyond psychiatric treatment and addiction treatment—defined under its subsidiary regulations is not clearly specified, making it difficult for courts to render rulings. Consequently, two years after the promulgation and implementation of the <i>Act</i>, courts issued only three protection orders mandating respondents to complete a treatment plan. In one instance, a court ordered a respondent to undergo cognitive educational counseling as part of the treatment plan, but the local health authority rejected the case as falling outside the scope of therapeutic treatment plans. Among the three cases, only one
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	psychiatric treatment plan was fully carried out. Furthermore, although the subsidiary regulations stipulate that courts may order an evaluation to determine the necessity of a therapeutic treatment plan for the respondent, they fail to explicitly define the funding source for such evaluations. As a result, the system faces a practical dilemma where no party is willing to prepay the fees, rendering the mechanism operationally unworkable. 2. NHRC Recommendation (1) The Government should enhance the content of education and training to continuously improve police officers' professional competency in handling stalking and harassment cases, safeguard the privacy of victims when reporting cases, and strengthen the protection of victims prior to the issuance of written warnings. (2) The central police authority should expeditiously coordinate with the central health authority to finalize and strengthen the regulations governing respondent treatment plans, thereby ensuring their effective implementation. (3) The judicial authorities should strengthen the timeliness of adjudicating stalking and harassment protection orders.
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Para. 19: Technology-facilitated gender-based violence

LoIs	19. The Committee welcomes the legislative and policy measures adopted to address technology-facilitated gender-based violence, including amendments to the Criminal Code, the Sexual Assault Crime Prevention Act and the Child and Youth Sexual Exploitation Prevention Act, as well as the establishment of mechanisms for the removal of sexual images. However, the Committee remains concerned about the high prevalence of technology-facilitated gender-based violence and the fragmented nature of the current legal and institutional response. Please: (a) Clarify whether the Government intends to adopt a comprehensive response and prevention plan, including the designation of a coordinating authority, integration of efforts across agencies, regular data collection and evaluation of outcomes. (b) Explain what measures are envisaged to address gaps in accountability frameworks, including the absence of sanctions for individuals who purchase or access non-consensual sexual images of others persons including adults and children, limitations in prosecuting certain offences without a complaint, and challenges posed by online anonymity and cross-border platforms. (c) Indicate how awareness-raising efforts will be complemented by structural and legal reforms to address the root causes of technology-facilitated gender-based violence, including gender inequality, digital gender poverty and harmful social norms, and what targeted measures exist for children, adolescents and older women.
NHRC Response	1. Statistical data from paragraph 5.24(a) of the National Report indicates that the majority of individuals who file complaints with the Sexual Image Abuse Reporting Center are adult women. In 2024, there were 696 female victims, 52% of whom were adults; however, current regulations

	provide insufficient protection for adult victims: (1) Taiwan has not yet enacted a comprehensive dedicated law for digital governance. When competent authorities order internet service providers (ISPs) to restrict access or remove sexual images, the processing timelines vary due to the application of different regulations. For sexual images involving children and youth, ISPs are required to complete the restriction of access or removal within 24 hours of receiving notification from the competent authority or other agencies. For adult sexual images, if the case involves a sexual assault crime, it must also be processed within 24 hours. However, for cases classified as offenses against sexual privacy or falsified sexual images, the processing deadline is 72 hours. (2) The law currently prescribes penalties only for individuals who purchase or possess sexual images of children and youth. No penal provisions exist for those who purchase or pay to view illegal sexual images of adults. 2. Pursuant to the provisions of the current <i>Criminal Code</i>, cases involving the unauthorized recording of another person's bodily privacy or the non-consensual filming of sexual images without justifiable cause are classified as offenses punishable only upon complaint. Even if the police conclusively know that the images held by a perpetrator were obtained through unauthorized filming, the prosecutorial authorities cannot prosecute the perpetrator unless the victim files a formal complaint. In
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	such instances, the perpetrator can only be penalized with a minor administrative fine under the <i>Social Order Maintenance Act</i>. 3. <u>The existing policing and judicial systems have failed to invest corresponding resources and manpower to respond to the increasingly complex forms of digital gender-based violence:</u> (1) The police units responsible for coordinating and supporting the investigation of major sexual image cases must concurrently handle cases involving fraud, economic crimes, information security, and cybercrimes. (2) Criminal syndicates make illegal profits from child and youth sexual images. Because the syndicate members and victims are dispersed across different municipalities/counties/cities, cross-jurisdictional cases must be coordinated and integrated by the High Prosecutors' Office before being distributed to the respective district prosecutors' offices for separate investigation. (3) The aforementioned circumstances reflect the absence of a dedicated unit, suggesting that government resources and manpower are likely insufficient to adequately address the issue. 4. NHRC Recommendations The Government should amend regulations to impose appropriate obligations on ISPs, establish dedicated units and personnel within law enforcement and prosecutorial agencies to investigate digital gender-based violence, and
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	actively deter crimes involving illegal adult sexual images obtained through unauthorized recording or filming.
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Para. 31: Employment

LoIs	31. The Committee observes no significant progress in closing the gender wage gap and notes that measures taken appear to focus primarily on symbolic and awareness-raising activities. Please indicate what plans the Government must take to concretize these measures and ensure increased wage transparency and requirements for objective job evaluation schemes, at least in large companies. Furthermore, inadequate legal and regulatory provisions exist for low-income workers in the economy, particularly women in caregiving, domestic service, and agricultural sectors, where they lack full labour protections and social security coverage, creating long-term poverty and pension insecurity among older women. Please also: (a) Provide updated information on the employment situation of women with disabilities, including steps taken to establish more comprehensive statistical data, formulate policies in accordance with international human rights standards and provide reasonable workplace accommodations and assistive measures. (b) Indicate what steps have been taken to adopt encompassing legislation for the protection of foreign domestic workers, engage and involve the large group of foreign domestic workers in policy consultations, and assess the overall situation of foreign domestic workers including an impact assessment of measures taken to date. (c) Provide information on how the Government is conducting studies, research and envisaging plans to make significant progress related to work and family balance, including measures to address the very short period of maternity leave, the lack of affordable childcare services in remote areas, and the need to ensure that childcare facilities are adapted to diverse work schedules. (d) Provide existing or anticipated plans to integrate concrete gender targets and outcomes into the National Business and Human Rights Agenda for private sector entities and under
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	digitization procedures within the Digital Economy Policy and Plan.
NHRC Response	1. Inadequate Legal Protections for the Labor Rights of Migrant Domestic Workers and the Hasty Relaxation of Eligibility for Foreign Domestic Helpers (1) On April 13, 2026, the Executive Yuan relaxed the eligibility criteria for employing foreign domestic helpers. This initiative involves critical issues such as safeguarding the right to work for women of varying social and employment status and ensuring that children receive proper care. However, <u>this new policy was introduced hastily without conducting prior gender and human rights impact assessments, which may exacerbate gender and class inequalities and undermine labor rights.</u> (2) Furthermore, the current foreign domestic helper system—much like that for migrant care workers—faces challenges related to <u>blurred labor boundaries and insufficient protection of rights.</u> Following the implementation of the new policy, such risks are likely to be further replicated and amplified. (3) The NHRC recommends that the Government comprehensively review the institutional framework for live-in migrant workers, prioritize the enhancement and protection of migrant workers' human rights, and actively construct a high-quality, universally accessible public childcare and long-term care system. 2. Insufficient Measures to Promote Men's Shared

	Participation in Childrearing (1) The <i>Gender Equality in Employment Act</i> prescribes 7 days for pregnancy checkup accompaniment and paternity leave. This duration is merely equal to the pregnancy checkup leave afforded to pregnant women, <u>indicating that the leave available to fathers for spousal care and childrearing is excessively short.</u> (2) In addition, the parental leave allowance is calculated based on 60% of the insured salary (the maximum cap on workers' insured salary has long been lower than the average regular monthly salary). Given that the gender gap in average hourly earnings reached 16.1% in 2025, the current framework disincentivizes men—who generally earn higher average wages—from applying. Although the Government currently supplements the allowance by an additional 20% through tax revenues, tax revenue does not constitute a stable source of funding. (3) The NHRC recommends that the Government I. Consider increasing the number of days for paid pregnancy checkup accompaniment and paternity leave; II. Actively review the financial sources for the parental leave allowance and raise the income replacement rate during parental leave, transform gender stereotypes and promote men's shared participation in childrearing.
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Para. 32: Health

LoIs	32. Taiwan maintains a Universal National Health Insurance system providing comprehensive coverage, including cervical cancer screening, breast cancer screening, prenatal care and reproductive healthcare. Please provide information on access to sexual and reproductive health services, including disparities affecting marginalized groups, and updated data on obstetric violence and child and teenage pregnancy. With regards to reproductive autonomy, the spousal consent requirement for abortion under the Genetic Health Act has not been abolished. Please indicate: (a) Whether any legislation has been enacted or is planned towards eliminating the spousal consent or parental consent requirement for abortion. (b) Whether the draft amendment to the Reproductive Health Act of 2022 is being carried out in coordination with the review procedures of the Executive Yuan, and how women, including women's organizations, are consulted in the development of health policies relating to reproductive rights.
NHRC Response	1. Insufficient Regulation and Monitoring of Obstetric Violence Obstetric violence currently lacks a statutory definition and has not been incorporated into gender-based violence or human rights monitoring frameworks. 2. Issues of Gender-Based Violence in the Field of Obstetrics and Gynecology (1) The "Gender-Based Incidents Information Portal for Healthcare Personnel" on the website of the Ministry of Health and Welfare (MOHW) discloses records of disciplinary actions or criminal convictions against healthcare personnel for sexual harassment, forcible indecency, and sexual assault since 2023. Among these records, 4 cases involved obstetricians and

	gynecologists. (2) An investigative report from the Control Yuan in 2026 pointed out that the current disciplinary mechanism for physicians lacks cross-agency notifications and communication, and is devoid of interim disciplinary measures. As a result, disciplinary procedures cannot be initiated in a timely manner, allowing implicated physicians to transfer to other medical institutions and continue practicing before a judicial judgment is finalized, thereby failing to effectively prevent women from being subjected to re-victimization. 3. Legislative Progress of the <i>Reproductive Health Act</i> The draft amendment was submitted to the Executive Yuan for review at the end of 2025. Regulations concerning the gestational age limit for induced abortion, whether the requirement of third-party consent should be removed, and the obligations of medical institutions remain subject to change in the course of subsequent legislative deliberations. 4. NHRC Recommendations (1) In accordance with the interpretations of the CEDAW Committee, the Government should define and regulate obstetric violence, and establish regular statistical and monitoring mechanisms. (2) The Government should improve the physician disciplinary system, explicitly prescribe cross-agency notifications and interim disciplinary measures, and establish an obstetric and gynecological care environment free from gender-based violence.
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	(3) The Executive Yuan and the Legislative Yuan should expeditiously amend the <i>Reproductive Health Act</i> in accordance with international human rights standards, including CEDAW, the ICESCR, the ICCPR, and the CRPD. They should abolish the requirement of obtaining consent from spouses or other third parties, avoid imposing additional barriers to the termination of pregnancy, and remove terminology and provisions that are discriminatory against persons with disabilities.
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Para. 39: Marriage and family relations

LoIs	39. Please provide information on the following matters relating to divorce and family relations: (a) In cases where domestic violence is involved, a new measure requires courts to utilize mediators with professional training on domestic violence. Please explain how this system works and whether it contributes to the prevention of further domestic violence. (b) Regarding the division of residual marital property, the inclusion of pensions varies by occupation. Please indicate how the Government can ensure that pensions across all occupational sectors are included within the scope of claims for the division of residual marital property. (c) The proposed amendment on the right to claim alimony includes provisions terminating that right upon remarriage. Please explain the rationale of this proposal and whether the Government intends to delete this provision, given that alimony concerns the marital life between the divorced spouses.
NHRC Response	1. <u>Constitutional Court Judgment No. 4 of 2023</u> ruled that the restriction on an exclusively at-fault spouse's right to petition for a judicial divorce is excessively harsh and incompatible with the Constitution. The relevant authorities were required to amend the law by March 23, 2025; should they fail to complete the amendment within this timeframe, the courts must adjudicate in accordance with the intent of the judgment. Concurrently, the judgment mandated <u>the establishment of complementary measures to safeguard the rights and interests of faultless or disadvantaged spouses, as well as minor children, including increasing the distribution of residual marital</u>

	<u>property, alimony, and maintenance for minor children, or increasing divorce compensation for damages.</u> 2. On September 3, 2025, the Executive Yuan and the Judicial Yuan jointly submitted the draft amendments to the <i>Civil Code</i> to the Legislative Yuan, which conducted its review on April 23, 2026. Regarding provisions including the termination of the right to claim alimony upon remarriage, diverging opinions among the Judicial Yuan, the Executive Yuan (Ministry of Justice), and legislators prevented consensus from being reached. Consequently, the Legislative Yuan resolved to resume deliberation only after holding a dedicated public hearing. As a result, the two-year deadline for completing the amendment as mandated by the Constitutional Court judgment has already lapsed. 3. The NHRC recommends that the Government: (1) Expeditiously amend the law to relax the eligibility requirements for alimony, and ensure that the right to claim alimony does not terminate upon remarriage. (2) In addition, the Government should accelerate reforms to include retirement pensions across all occupational categories within the scope of residual marital property distribution claims.
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**Parallel Replies from the National Human Rights Commission to the
List of Issues in Relation to the Fifth National Report under the
Convention on the Elimination of All Forms of Discrimination Against
Women (CEDAW)**

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Adopted at the 80th meeting of the 1st National Human Rights
Commission on May 26, 2026