

The Fifth Review of Taiwan's CEDAW Implementation

Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Awakening Foundation

Name and Contact : Chyn Yu Rung 02-25028715 yurung@awakening.org.tw

Response Item/ article	Item 1 Article 2 Legal status and implementation of the Convention
Reply (Word limits: No more than 800 words)	- Regarding the challenges of the external review mechanism for Taiwan's implementation of CEDAW, the government refers to cooperation, coordination, and integration among the five branches (Yuan) and across government agencies, as well as divergences arising during the process of consulting civil society organizations. Based on our organization's experience participating in local governance mechanisms for advancing gender equality, the degree to which CEDAW has been implemented across various policy domains still varies considerably among the 22 local governments. Yet the implementation of CEDAW and of the Concluding Observations and Recommendations of the national report review depends heavily on the governance of local governments—particularly in the establishment and development of public childcare services, gender equality education at the compulsory education stage, and the realization of the rights of women with disabilities, immigrant (new resident) women, and women in rural and remote areas—all of which are policy areas falling under the jurisdiction of local governments. However, local governments have remained absent from any response to Taiwan's external review mechanism for CEDAW implementation and to the Concluding Observations and Recommendations issued in each review cycle. We wish to highlight this as a further challenge. - We recommend that, when the Department of Gender Equality of the Executive Yuan plans its gender equality performance evaluation of local governments, it selects those CEDAW articles, Concluding

	Observations, and Recommendations most closely tied to local government responsibilities and strengthen oversight accordingly. We further recommend that the relevant central competent authorities, when responding to the Concluding Observations and Recommendations of the CEDAW national report, compile and report a summary of implementation across each county and city.
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan United Religions Organization

Name and Contact : Shih, Xin-Yan 0979-005840

Response Item/ article	Item1 Article 2
Reply (Word limits: No more than 800 words)	1. How are the members of the International Review Committee selected? What is the accountability system? 2. Currently, it appears that under the supervision of the international members, the implementation of international human rights conventions in our country is like "shooting the arrow first and drawing the target later." That is, once the international members make a request, the government must execute it according to their instructions, and must "ensure that public opinion aligns with the international members' wishes," or push it forward even if it goes against public opinion. If policies or laws enacted in the future (such as an anti-discrimination law) cause negative impacts on our country and citizens during implementation, what legal responsibilities must the members of the International Review Committee bear?

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Judicial Reform Foundation

Name and Contact : Campaigner / JIA-ZHEN XIE jane@jrf.org.tw (04)2329-2372 #11

Response Item/ article	Item2 Article 2 Comprehensive legislation on gender equality
Reply (Word limits: No more than 800 words)	While the government has indicated that it is advancing a comprehensive anti-discrimination act, the current draft remains insufficiently specific with respect to the definition of "intersectional discrimination" and the mechanisms for remedies and compensation. We raise concerns as to whether the consultation process has genuinely incorporated the voices of marginalized women — including women with disabilities and migrant workers — or whether participation has been limited to formal consultations in form only. Furthermore, in the absence of anti-discrimination legislation, discriminatory enforcement incidents targeting LGBTQ+ communities by police were reported in Taichung this year, prompting collective responses from civil society organizations. We recommend that the government be requested to provide a concrete legislative timetable, and to ensure that the legislation incorporates effective provisions for damages and remedies.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Equality Campaign _____

Name and Contact : Lin, Wan-Ying deserter97jj@gmail.com.tw 0928-911-441

Response	2
Item/ article	
Reply (Word limits: No more than 800 words)	Absence of a Comprehensive Anti-Discrimination Framework Despite significant progress in advancing gender equality, including the legalization of same-sex marriage in 2019, LGBTQI+ persons and other marginalized groups continue to experience discrimination and unequal treatment in various areas of public and private life. Persistent barriers remain in areas such as gender equality education, legal gender recognition procedures for transgender persons, recognition and protection of diverse family forms, employment, housing, healthcare, and access to public services. Individuals frequently encounter inconsistent administrative practices, unclear regulatory interpretations, and insufficient legal protections. At present, anti-discrimination provisions in Taiwan are dispersed across multiple laws and regulations, without a unified and comprehensive legislative framework. This fragmented approach has resulted in inconsistencies in legal standards and enforcement, while also limiting the State's ability to address intersectional forms of discrimination experienced by individuals with multiple marginalized identities. Furthermore, existing legislation does not provide a sufficiently comprehensive definition of discrimination, nor does it clearly establish the State's positive obligations to prevent, eliminate, and remedy discriminatory practices. Gaps also remain regarding accessible complaint mechanisms, effective remedies, and institutional accountability. As a

result, individuals who experience discrimination may face significant obstacles in seeking protection and obtaining redress.

The absence of a comprehensive anti-discrimination framework has particular implications for LGBTQI+ persons, whose rights and protections often depend on sector-specific regulations and administrative interpretations rather than a coherent legal guarantee of equality and non-discrimination.

While the Executive Yuan published a draft Anti-Discrimination Act in 2024, the subsequent legislative timetable and direction of revision remain unclear. The prolonged absence of a comprehensive legal framework continues to leave important protection gaps unaddressed.

We recommend that the Government prioritize the enactment of a comprehensive Anti-Discrimination Act that:

- Provides a clear and comprehensive definition of direct, indirect, and intersectional discrimination;
- Prohibits discrimination on all protected grounds, including sex, sexual orientation, gender identity, gender expression, and sex characteristics;
- Establishes clear positive obligations for public authorities to prevent and eliminate discrimination;
- Ensures accessible, effective, and timely complaint and remedy mechanisms;
- Strengthens institutional accountability and monitoring mechanisms; and
- Provides comprehensive protection across all areas of public life, including education, employment, housing, healthcare, social services, and access to public facilities.

The State should also ensure meaningful consultation with civil society organizations, affected communities, and human rights experts throughout the legislative process to guarantee that the final legislation is consistent with international human rights standards and the principles of substantive equality and non-discrimination under CEDAW.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Sex Industry & Workers’ Rights Association (TSIWRA) _____

Name and Contact : Chun-Tai Chang, Secretary-General tsiwra@tsiwra.org.tw

Response Item/ article	Issue List, Item 2: Comprehensive Gender Equality Legislation CEDAW Articles 1 and 2
Reply (Word limits: No more than 800 words)	The current version of Taiwan’s comprehensive anti-discrimination law has yet to directly address the discrimination faced by sex industry workers. The law continues to omit one of the most typical groups of women and sexual minorities who have long been stigmatized and institutionally excluded. Due to their occupational status and social stigma, sex workers often face multiple forms of exclusion, including refusal of housing, financial exclusion, employment discrimination, denial of medical care, and harm to their parental rights. However, the current legal framework does not include “occupation/labor situation” as a protected characteristic, nor does it recognize disadvantages arising from “work experiences based on sex and gender” as a form of gender discrimination. For women and gender-diverse workers in the sex industry, discrimination stems not only from occupational stigma, but also from the moral punishment of women’s sexuality and erotic labor, the non-recognition of transgender and non-binary identities, the institutional exclusion of poverty and informal economies, and the patriarchal discipline imposed on sex workers through the stereotypes of the “dirty bad girl” or the “pitiful victim.” Therefore, unless anti-discrimination legislation expressly includes protected grounds such as occupation/labor situation and establishes remedial mechanisms to address intersecting discrimination, it will be unable to respond to the realities faced by sex industry workers.

	Recommendations: 1. Expressly include “occupation/labor situation” as a protected characteristic in the draft Anti-Discrimination Act. 2. Include disadvantages arising from “work experiences based on sex and gender” within the scope of gender discrimination and intersecting discrimination. Establish complaint, investigation, and remedial mechanisms capable of handling cases involving intersecting discrimination.
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan United Religions Organization _____

Name and Contact : Shih, Xin-Yan 0979-005840 _____

Response Item/ article	Item2 Article 2
Reply (Word limits: No more than 800 words)	1. What constitutes discrimination against "females" or "discrimination against women"? What is the definition of "female" or "woman"? Are biological males who self-identify as female also included in this definition? 2. The CEDAW Convention explicitly stipulates that States Parties must "ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men." Currently, there have been many international cases where biological males who have not undergone sex reassignment surgery but self-identify as women have intruded into women's private spaces, such as locker rooms, restrooms, or women's prisons, posing a severe threat to women's personal safety. When the original intent of the CEDAW Convention to protect women conflicts with the impacts caused by anti-discrimination laws, which convention or law should prevail?

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Gender Equity Education Association _____

Name and Contact : Lin, Yu-Wei, yuwei6015@tgeea.org.tw _____

Response Item/ article	Item2 & 6
Reply (Word limits: No more than 800 words)	The 2025 Draft Anti-Discrimination Act enumerates only five protected characteristics in Article 3: “race (including race, colour, descent, national origin, ethnic origin, and Indigenous status), disability, gender (including sex, gender characteristics, gender identity, and sexual orientation), age, and religious belief.” It refers to “multiple” and “intersectional” discrimination only in the explanation to Article 2. This not only renders the scope of protection under the Draft overly narrow, but also fails to clearly establish the legal effect of intersectional discrimination under the Act. More importantly, the intersectional discrimination recognized by the Draft is limited to combinations among the five aforementioned characteristics, and therefore falls short of encompassing the broader and more diverse possibilities of intersectional discrimination, as articulated in CEDAW General Recommendation Item 35. In addition, the protected fields regulated by the Draft are limited to public transactions, education, and employment. Although the provision on “public transactions” (Massengeschäft) appears to offer a possible way to overcome the long-standing difficulty of addressing discrimination in the provision of services, Article 5, Paragraph 2 of the Draft further narrows its scope of application by defining it as transactions “in which the personal circumstances of the other party are immaterial, and which are usually concluded repeatedly with an unspecified majority of persons under identical or similar transaction conditions.” As a result, many discriminatory incidents

that do not arise in the context of large-scale or repeated transactional relationships may be excluded from protection. Furthermore, areas such as housing rental, healthcare, and social welfare may also fall outside the scope of the Act if they do not satisfy the foregoing definition.

On the other hand, Articles 16 and 17 of the Draft grant religious or religion-based organizations an overly broad scope of exemption from discrimination claims, and their application further extends to the fields of service provision and employment. Such a design risks allowing religious freedom to become a justification for discrimination, thereby further weakening the Act's legislative purposes of eliminating discrimination and promoting substantive equality.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Mental Health Association in Taiwan _____

Name and Contact : Po-Han Lee; +886-2-2557-6980; mhat.tw2@gmail.com

Response Item/ article	Item 2: Comprehensive legislation on gender equality
Reply (Word limits: No more than 800 words)	We welcome the government's promotion of a comprehensive Anti-Discrimination Act, and note that the draft documentation states that experts in Indigenous peoples, new immigrants, gender, children and adolescents, and physical and mental disabilities were invited to participate in consultations during the drafting process. However, based on our observations, the current national report and the drafting process still fail to adequately identify that women and gender-diverse people who experience psychological distress, mental illness, or psychosocial disabilities often simultaneously encounter intersecting discrimination in healthcare, education, employment, family roles, public spaces, and help-seeking processes — and that these discriminations are not automatically visible simply because they are formally categorized as "women with disabilities." For women and gender-diverse mental health service users, discrimination often does not stem solely from mental health status itself, but also includes social norms such as "women should bear caregiving responsibilities or exercise self-restraint" and the adverse situations and treatment experienced by non-cisgender people. This leads them to be more readily perceived in families, educational settings, workplaces, and social service systems as lacking ability, untrustworthy, or even unfit for certain relationships and roles. If the Anti-Discrimination Act only mentions equality in abstract terms without

specifically addressing stigma related to mental ill-health, insufficient reasonable accommodations, and differential treatment in help-seeking processes, it will still be inadequate to meet CEDAW's requirements for substantive equality.

We recommend that the understanding of intersecting discrimination be further expanded to include other groups that have long been affected by gendered stigma and systemic exclusion — for example, Indigenous women, new immigrant women, female migrant workers, and highly stigmatized women including sex workers, who often face greater difficulty safely accessing mental health services due to identity, occupational circumstances, legal marginalization, and gender-based stigma. Current mental health policies lack concrete, systematic responses for Indigenous peoples, migrant workers, new immigrants, gender-diverse groups, sex workers, and people with disabilities.

Recommendations:

1. Explicitly address intersectional discrimination based on mental health status, psychosocial disabilities, and related stigma in the Anti-Discrimination Law.
2. Incorporate accessibility, acceptability, reasonable accommodations, and non-discrimination in mental health services into equality legislation and complaint mechanisms.
3. Include meaningful participation of people with lived/living experience of mental health challenges and their organizations in legislative and policy review processes.

The Fifth Review of Taiwan's CEDAW Implementation

Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Covenants Watch

Name and Contact : Yibee Huang, yibee.huang@cwtaiwan.org.tw; info@cwtaiwan.org.tw

Response Item/ article	LOI Item 3
Reply (Word limits: No more than 800 words)	1. The National Human Rights Commission (NHRC) was established in 2020. It is situated within the Control Yuan. The nomination process for NHRC members is the same as that for members of the Control Yuan: they are nominated by the President and appointed with the consent of the Legislative Yuan. 2. The status of NHRC members is addressed through a special arrangement under the Organic Act of the Control Yuan. Article 3-1, paragraph 1, subparagraph 7 of the Act adds a qualification for NHRC members, namely: “persons with specialized research or contributions in human rights issues and protection, and with distinguished reputation; or persons with practical experience in civil society organizations related to the promotion and protection of human rights, and with recognized reputation.” Paragraph 2 further provides that “there shall be seven members possessing the qualifications set out in subparagraph 7 of the preceding paragraph; such seats shall not be left vacant; the members shall reflect diversity and shall be drawn from different ethnic groups, professional fields, and other sectors; the proportion of either gender shall not be less than one-third; and civil society organizations shall be publicly invited to recommend candidates prior to nomination.” 3. The original expectation was that, although NHRC members also hold the status of Control Yuan members, the NHRC would be able to develop goals and objectives distinct from those of the Control Yuan, adopt different

working methods, such as monitoring, national inquiries, and visits to places where persons are deprived of liberty, and prioritize work addressing systemic human rights violations, raising human rights awareness, and promoting human rights education. However, since its establishment, the NHRC has not yet developed an organizational identity distinct from that of the Control Yuan. From the perspective of the public, it also remains difficult to identify how the mandate and functions of the NHRC differ from those of the Control Yuan.

4. The reasons include the following: (1) Several NHRC members are unwilling to give up the powers they hold as members of the Control Yuan. They consider that the powers of impeachment and censure held by Control Yuan members create pressure on administrative agencies. As a result, they often conduct investigations in their capacity as Control Yuan members and frequently appear in the media in that same capacity.

(2) One NHRC member has focused on the work of the NHRC and, as a result, have performed fewer duties as members of the Control Yuan. However, he was criticized by legislators for having “too little workload.” The NHRC did not step forward to defend this new form of work arrangement. Nor has the NHRC ever clearly articulated the distinction between its objectives and powers and those of the Control Yuan.

(3) NHRC members spend most of their time performing the work of Control Yuan members. At the same time, the NHRC staff team is treated as the “subordinate aides to commissioners”. The professional nature of their work has not been recognized, and they are unable to exercise sufficient autonomy in their work.

5. Much of the NHRC’s administrative work must go through the Control Yuan, as the NHRC does not have its own accounting or personnel departments, and its annual budget is also included under the Control Yuan’s

budget. As a result, the NHRC lacks administrative independence from the Control Yuan.

6. The Legislative Yuan has refused to pass the functional law “Act on NHRC Exercise of Powers”.

(1) Several legislators regard the NHRC as an “expansion of power” by the Control Yuan, based on their incomplete understanding of the NHRC.

(2) Such concerns are not entirely groundless, however. If the NHRC simultaneously holds the powers of impeachment, censure, and “providing recommendations” to government agencies, this would create substantial pressure on administrative agencies.

(3) Unlike the Control Yuan’s mandate to monitor public agencies, the NHRC’s work in areas such as torture prevention, discrimination investigations, and business and human rights would also involve the private sector. If the NHRC were granted certain punitive powers, such as imposing fines for failure to cooperate with investigations, this could generate opposition from the private sector.

(4) Again, the NHRC needs to be clear on its ground and try to convince legislators of its unique position in protecting and promoting human rights.

7. The term of the current NHRC members will end on 31 July 2026. It is important to convey the principles and vision to the new members during the transition. One potential crisis is that the Legislative Yuan may reject all candidates nominated by the President. This is therefore a critical moment to make recommendations to both the Legislative Yuan and the NHRC, with a view to encouraging the NHRC to clarify the distinction between its mandate and that of the Control Yuan.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan United Religions Organization _____

Name and Contact : Shih, Xin-Yan 0979-005840 _____

Response Item/ article	Item3 Article 3
Reply (Word limits: No more than 800 words)	1. Our country is a democratic nation whose core spirit is "popular sovereignty," meaning that all government power derives from the authorization and consent of the people. 2. To prevent any single institution or individual from monopolizing power and to guard against the corruption and abuse of power, while the National Human Rights Commission (NHRC) enjoys independent investigative powers, binding authority, and advisory efficacy, I would like to ask: What is our government's system of checks and balances regarding the NHRC? How is the NHRC subject to public oversight? What is the accountability mechanism?

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Awakening Foundation

Name and Contact : Icey Wang 02-25028715 hanwang@awakening.org.tw

Response Item/ article	Item 4 Article 2 (a) (c)
Reply (Word limits: No more than 800 words)	Regarding the Executive Yuan's characterization of the "Gender Equality Mailbox of the Executive Yuan" as a comprehensive and accessible cross-sectoral complaint mechanism, in practice civil society has rarely if ever encountered any public outreach or awareness-raising about this mechanism. Its substantive level of public awareness and accessibility are therefore open to doubt. The Government should provide concrete empirical data setting out the actual number of cases previously handled through this mailbox and the nature of those complaints, along with tracking data on inter-ministerial handling, responses, and redress. It should further assess whether remedies were successfully completed and analyze the reasons in cases where remedy could not be achieved. The Government should proactively and comprehensively review and examine incidents involving violations of women's rights under CEDAW, with particular attention to cases involving the rights of women in marginalized and vulnerable situations (for example, women with disabilities who have experienced violence and who—owing to a lack of accessibility in both physical infrastructure and support services—are unable to access medical care, secure shelter, continue their education or employment, or obtain economic security). On this basis, the Government should evaluate whether the existing complaint mechanisms genuinely possess full accessibility and are able to respond, process cases, and complete remedies appropriately—using this evaluation as the foundation for assessing, planning, and implementing subsequent reforms.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Sex Industry & Workers’ Rights Association (TSIWRA) _____

Name and Contact : Chun-Tai Chang, Secretary-General tsiwra@tsiwra.org.tw

Response Item/ article	Issue List, Item 4: Remedies for Violations of Women’s Human Rights CEDAW Article 2
Reply (Word limits: No more than 800 words)	In Question 4, the Committee explicitly noted that the information currently provided by the government focuses on specific sectoral laws and regulations, and that it remains unclear whether there are comprehensive, coordinated, and accessible remedial mechanisms for cases falling outside these laws and regulations, particularly cases involving intersecting discrimination. This issue precisely reflects the typical predicament faced by women and gender-diverse workers in the sex industry. The violations they experience often cut across multiple sectors at the same time, including exclusion from housing, denial of medical care, police harassment, adverse decisions regarding parental rights, denial of social welfare, workplace exploitation, non-consensual distribution of intimate images, and digital extortion. However, there is currently no integrated remedial system that is genuinely trustworthy, confidential, and capable of ensuring that complainants will not themselves be subjected to punishment. Sex workers remain almost invisible under the existing anti-discrimination and gender equality legal frameworks, making it difficult for them to obtain effective remedies. For this group, the problem is not merely a “lack of complaint channels.” Rather, the current system gives affected individuals sufficient reason to distrust state authorities. If reporting or filing a complaint may lead to their own identification,

	exposure, punishment, or even the loss of child custody, then the legal right to remedy cannot be transformed into substantive accessibility. Recommendations: 1. Establish cross-sectoral, confidential, and accessible complaint and remedial mechanisms that are not linked to police crackdowns or enforcement actions. 2. Ensure that the National Human Rights Commission or other independent mechanisms can receive and handle cases of intersecting discrimination involving sex industry workers. 3. Establish friendly complaint channels in the fields of healthcare, housing, social welfare, policing, and parental rights. 4. In both statistical work and case handling, incorporate the specific situations of women and gender-diverse workers in the sex industry.
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Mental Health Association in Taiwan

Name and Contact : Po-Han Lee; +886-2-2557-6980; mhat.tw2@gmail.com

Response Item/ article	Item 4: Remedies for violations of women's human rights
Reply (Word limits: No more than 800 words)	Question list item 4 points out that the remedy information currently provided by the government still emphasizes specific laws and departmental structures, and it is unclear how cases of intersecting discrimination are received, assessed, and resolved. This problem is especially serious for women and gender-diverse people who experience mental distress, mental illness, or psychosocial disabilities: they are often harmed not for a single reason, but are excluded in overlapping layers between violence, poverty, family control, social stigma, interrupted education, employment exclusion, and labeling within the healthcare system. We are particularly concerned that the current relief and support systems lack trauma-informed, gender-sensitive, and non-stigmatizing principles. For many women and gender-diverse people, psychological support should be part of relief itself, not merely an ancillary benefit. For survivors of gender-based violence, people with lived/living experience of mental health challenges, newcomer women, and other stigmatized groups, complaint and remedy systems are unlikely to be genuinely used if the help-seeking process lacks confidentiality, cultural and linguistic accessibility, and a nonjudgmental support environment. More importantly, for women and gender-diverse people with lived/living experience of mental health challenges, institutional harm often occurs within arrangements that appear to be “protective,” such as excessive

control within families, decision-making on their behalf in health and social service settings, being treated as unreliable narrators after experiences of violence, or being required to first demonstrate “autonomy” and the ability to “assess situations” when seeking help. These experiences indicate that remedy mechanisms are infused with ableist norms and fail to consider gender differences, easily reproducing existing power imbalances.

Recommendations:

1. Establish cross-sector, trauma-informed, gender-sensitive, and non-stigmatizing complaint and support mechanisms.
2. Treat psychological support, peer support, and community recovery services as part of the relief system.
3. Establish accessible, non-retraumatizing procedural designs for women and gender-diverse people experiencing mental distress or psychosocial disabilities.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Bar Association; Taipei Bar Association

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Response Item/ article	Article 5 /Item 5 of the List of Issues for the Fifth National Report on CEDAW
Reply (Word limits: No more than 800 words)	Regarding the review and response to the application of CEDAW by Taiwanese courts: Upon reviewing various levels of court judgment statistics related to CEDAW established under the "Human Rights Section" on the official website of the Judicial Yuan (as of June 5, 2026, a total of 289 judgment records containing the term "CEDAW" have been collected), our observations and suggestions are as follows: 1. Non-disclosure of judgments leads to difficulties in research and supervision: A significant proportion of the aforementioned judgments have not been disclosed publicly due to statutory non-disclosure reasons, leaving civil society groups and legal practitioners unable to review whether courts have substantively cited or interpreted CEDAW provisions or general recommendations, thereby limiting the substantive reference value of these data. 2. Confusing litigants' claims with court opinions: This statistic filters purely by keywords and does not differentiate the contextual meaning. Some cases involve the "litigant" independently citing CEDAW as a method of offense or defense during litigation, while the court did not adopt or substantively respond to it in the judgment. Nevertheless, these were still included in the statistics of judicial CEDAW application outcomes, carrying a suspicion of exaggeration.

3. The citation model tends to be mechanical:

A large number of sexual assault or harassment cases exist among the judgments. The reason "CEDAW" appears in their texts is merely because the courts directly applied the wording of the Supreme Court's 2021 Tai-Shang-Zi No. 1781 Criminal Judgment. This type of citation is not based on judges spontaneously conducting substantive legal subsumption regarding CEDAW provisions, nor does it represent a deepening of CEDAW's application in the judiciary.

4. Severe imbalance in the areas of application:

Courts' citation and application of CEDAW are highly concentrated on "gender-based violence" (sexual assault/sexual harassment) incidents. In contrast, in cases involving LGBTQI+ protection, workplace career advancement, property inheritance, or other diverse gender discrimination cases, proactive CEDAW citation as a basis for judgment remains an absolute minority.

5. Suggestions:

Broadly speaking, the scope of CEDAW application by Taiwanese courts still appears narrow and superficial. We respectfully request the Committee to urge the Taiwanese government to not only optimize the statistical classification of judicial judgments, but also strengthen training for judges on the substantive application of CEDAW legal principles in non-gender-violence diversity and discrimination cases. The current compiled data relies merely on superficial keyword searches, which is not equivalent to the substantive effectiveness of the judiciary applying CEDAW to guarantee gender equality.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : National Association for Equality of Life Rights (NAELT)

Name and Contact : LIN, CHIH-HAO 0929008219

Response Item/ article	Response Item : Items 1, 3, 4 and 5
Reply (Word limits: No more than 800 words)	The Government's response describes the CEDAW review process, the operation of the National Human Rights Commission, available remedies for human rights violations, and training programs for judges and judicial personnel. However, the Committee's central concern is not whether such mechanisms exist, but whether they effectively protect women's rights in practice. Based on long-term engagement with cases involving domestic violence, sexual violence, child protection, and victims of serious crimes, many women continue to face fragmented services, insufficient information, lengthy procedures, and inconsistent coordination among government agencies after suffering rights violations. First, regarding CEDAW implementation and civil society participation, the Government has described consultation mechanisms but has provided limited information on whether the voices of women victims, victim-support organizations, and frontline service providers are meaningfully incorporated into policymaking. There is also insufficient information regarding the implementation and evaluation of previous concluding observations. Second, concerning the National Human Rights Commission, the Government has not fully addressed questions regarding independence, pluralism, and accountability. Greater transparency is needed regarding how perspectives from women's protection, child protection, and victims' rights sectors are represented and incorporated into its work. Third, while multiple complaint and remedy mechanisms exist, available

information does not clearly demonstrate whether these systems effectively reduce secondary victimization, improve access to justice, or enhance outcomes for women seeking protection and remedies.

Finally, the Government has highlighted judicial training and references to CEDAW in court decisions. However, the key issue is not the number of references, but whether the application of CEDAW has improved women's access to justice, fair treatment, and effective remedies.

The issue is not whether institutions exist, but whether women who experience discrimination or violence are actually protected, heard, and provided with meaningful remedies.

Recommendations:

1. Publish implementation progress and effectiveness evaluations of CEDAW concluding observations.
2. Explain how the National Human Rights Commission incorporates perspectives from women's protection, child protection, and victims' rights sectors.
3. Establish effectiveness indicators for women's rights remedies and complaint mechanisms.
4. Regularly publish analyses of the impact of CEDAW on judicial practice.
5. Use actual outcomes for women's protection and access to remedies as core indicators for policy evaluation.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Equality Campaign _____

Name and Contact : Lin, Wan-Ying deserter97jj@gmail.com.tw 0928-911-441

Response	6
Item/ article	
Reply (Word limits: No more than 800 words)	Legal Gender Recognition, Healthcare Access, and Military Service: Ongoing Barriers Faced by Transgender and Intersex Persons In 2023, the Supreme Administrative Court held that requiring transgender persons to undergo gender-affirming surgery as a prerequisite for legal gender recognition constitutes a disproportionate interference with the rights to bodily autonomy, health, and personal dignity. Despite this landmark ruling, the relevant administrative regulations and procedures have not yet been amended, and surgical requirements continue to affect access to legal gender recognition in practice. The Executive Yuan's draft Anti-Discrimination Act, released in 2024, includes provisions prohibiting discrimination on the grounds of sex and gender. However, the draft also contains religious exemption clauses that may permit differential treatment of LGBTQI+ persons by religious organizations. Given the uncertainty surrounding the legislative process and the current lack of a comprehensive anti-discrimination framework, concerns remain regarding the adequacy of legal protection available to transgender and other gender-diverse persons. The "Reference Guidelines for LGBTQ+ Healthcare Services" provide policy guidance on gender-inclusive healthcare. However, there is currently no comprehensive implementation framework, monitoring mechanism, or publicly available evaluation process to assess compliance and effectiveness across healthcare institutions. As a result, significant disparities in practice remain.

Military conscription medical examinations illustrate these implementation challenges. At present, only the governments of Taipei City and Kaohsiung City provide publicly accessible guidance regarding procedures for individuals whose gender identity may not align with sex assigned at birth, including information on gender-sensitive arrangements during conscription-related medical examinations. In most jurisdictions, individuals must independently communicate with both military service administration agencies and healthcare institutions to seek accommodations or clarify procedures. Consequently, access to gender-sensitive treatment often depends on local administrative practices and informal community networks rather than consistent institutional safeguards.

To ensure equal access to public services, local military service administration agencies should establish clear consultation and complaint mechanisms. Healthcare institutions conducting conscription examinations should adopt gender-sensitive policies and procedures, including appropriate facilities, scheduling arrangements, privacy protections, and staff training. Effective oversight and accountability mechanisms are also necessary to ensure consistent implementation.

According to the draft amendments to the Standards for Physical Classification jointly announced by the Ministry of National Defense and the Ministry of the Interior on 12 December 2025, intersex persons and transgender persons who have not undergone gender-affirming surgery (categorized in the draft under "specific psychosexual conditions") would no longer be exempt from military service and would instead become eligible for alternative service.

While the draft replaces the stigmatizing term "abnormal psychosexual condition" with the less discriminatory term "specific psychosexual condition," this terminological revision does not address broader structural concerns within the military and alternative service systems. Existing research concerning women service members and LGBTQI+

	personnel has identified persistent challenges, including inadequate mechanisms for reporting and remedying sexual harassment, risks of involuntary disclosure of sexual orientation or gender identity, and insufficient access to gender-sensitive facilities and accommodations. In the absence of comprehensive reforms addressing these concerns, the inclusion of transgender and intersex persons within military or alternative service systems may expose them to heightened risks of discrimination, harassment, and unequal treatment. Legislative and administrative reforms should therefore be accompanied by systematic assessments of potential human rights impacts, the development of gender-sensitive safeguards, and the establishment of effective complaint and accountability mechanisms. At present, the Ministry of the Interior and the Ministry of National Defense have suspended the amendment process. We recommend that the Government undertake a comprehensive review of the conditions faced by women, transgender persons, and intersex persons within military and alternative service systems, address identified gaps in protection, and ensure that future reforms are consistent with the principles of equality, non-discrimination, and substantive gender equality under CEDAW.
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The Fifth Review of Taiwan’s CEDAW Implementation

Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Alliance to Promote Civil Partnership Rights (TAPCPR)

Name and Contact : Chih-Chieh Chien, Secretary General (email: cc@tapcpr.org)

Response Item/ article	Point 6
Reply (Word limits: No more than 800 words)	I. Regarding (a) Government agencies in Taiwan continue to require applicants seeking to change their legal gender marker to submit both (1) two psychiatric evaluation certificates issued by psychiatrists and (2) proof of completion of gender-affirming surgery. If either requirement is not met, the application will be rejected by the administrative authorities. In such cases, individuals are left with no option but to pursue litigation in order to obtain legal gender recognition. To date, the competent authority, the Ministry of the Interior (MOI), has neither amended its 2008 administrative rule—which is not a law—nor provided any concrete legislative timetable. During the 2026 Review of Taiwan’s Fourth National Reports under the Two Covenants, representatives of the MOI claimed that Taiwan currently operates a “dual-track system,” under which surgical proof is required for administrative applications but not for applications brought before the courts. This characterization is seriously misleading. In reality, the MOI continues to require transgender persons to undergo sterilizing surgeries in exchange for legal gender recognition, forcing them to choose between their right to bodily integrity and their right to the free development of their personality. As a result, transgender individuals are compelled to initiate litigation against government authorities. Administrative courts, in turn, are burdened with an increasing number of legal gender

recognition cases because the executive branch continues to disregard the spirit of judicial decisions by refusing to abolish the mandatory surgery requirement.

This situation is not an intentionally designed “dual-track system” within a constitutional democracy governed by the rule of law. Rather, it reflects administrative inertia and the resulting transfer of responsibility to the judiciary.

II. Regarding (b)

In 2014, the Secretary-General of the Executive Yuan issued a letter on 25 April requesting the Ministry of Health and Welfare (MOHW) to develop proposals regarding the requirements, procedures, and impact assessments for legal gender recognition and to submit a comprehensive report. A further letter was issued on 8 August 2014 requesting continued deliberation on the matter.

At the third meeting of the Legal Review Working Group of the Presidential Office Human Rights Consultative Committee on 18 November 2014, representatives of the MOHW stated that the Ministry had advised the MOI that gender identity constitutes a fundamental human right and that gender-affirming surgery should not be imposed as a mandatory requirement. The meeting formally endorsed the MOHW’s position and requested that the MOI and MOHW convene consultations as soon as possible to revise the requirements for legal gender recognition.

On 16 September 2015, the MOI submitted to the Executive Yuan a report entitled *Policy Recommendations for the Legal Institutionalization of Gender Recognition Requirements*. The report proposed categorizing applicants into three groups: (1) persons who have undergone genital surgery, (2) persons who have not undergone genital surgery, and (3) intersex persons. It further proposed a two-stage legislative approach:

Stage One:

1. Amend the 2008 MOI administrative rule so that persons who have undergone genital surgery would no longer be required to provide two psychiatric evaluation certificates;
2. Allow intersex persons to amend their legal gender marker without submitting proof of surgery or psychiatric evaluations. Instead, a diagnosis certificate issued by a hospital within the previous six months confirming intersex characteristics would suffice.

Stage Two:

Enact special legislation governing the requirements and procedures for gender recognition for persons who have not undergone genital surgery, as well as related rights, obligations, and legal status issues.

However, none of the recommendations discussed by the MOI in 2015 have been implemented to date. Even after the Executive Yuan's Department of Gender Equality completed its *Research Project on the Legal Institutionalization of Gender Recognition Requirements and Legislative Recommendations* in 2022—which recommended that proof of surgery should not be a prerequisite for legal gender recognition—and despite the 2025 Control Yuan investigation report concluding that the mandatory surgery requirement is both unlawful and unconstitutional and urging the MOI to undertake immediate reforms, the MOI continues to apply the 2008 administrative rule to legal gender recognition applications. Moreover, no procedure has been established for intersex persons seeking to amend or correct their legal gender registration.

Consequently, for more than a decade, government measures to protect the rights of transgender, non-binary, and intersex persons have remained stagnant, with no meaningful progress. The government continues to rely on the existence of inter-ministerial meetings as a justification for delay, demonstrating a lack of genuine commitment to protecting the rights of gender-diverse populations.

III. Regarding (c)

The government's response under section (c) fails to address a number of significant unresolved issues.

With respect to cross-strait same-sex marriages, government authorities have stated that the relevant procedures are "equivalent" to those applicable to cross-strait different-sex couples who marry in a third jurisdiction. This is a misleading characterization that may lead Committee members to believe that same-sex and different-sex cross-strait couples enjoy equal protection.

The core issue, however, is that different-sex cross-strait couples can readily establish a legally recognized marriage in China, whereas same-sex couples cannot legally marry in China and therefore cannot obtain spousal status there. As a result, same-sex couples face substantially greater barriers and significantly more limited options. Under current policy, they must first travel to a third jurisdiction where same-sex marriage is legally available, obtain a marriage certificate, and only then apply for family reunification and marriage registration in Taiwan. Many couples are unable to travel to a third jurisdiction for various reasons. Furthermore, even when both partners are already residing in Taiwan and are willing to undergo an interview to verify the authenticity of their relationship, government authorities refuse to provide such procedures and instead require the couple to leave Taiwan and marry in a third jurisdiction before any recognition is possible.

Accordingly, the threshold for exercising the fundamental right to marry is significantly higher for same-sex cross-strait couples than for their heterosexual counterparts. The government's claim that the treatment of same-sex couples is equivalent to that of different-sex couples ignores the substantive inequality that exists in practice.

With regard to the recognition of diverse gender identities, in several administrative litigation cases concerning legal gender recognition, the MOI, acting as an intervening party, has recently argued that the gender

marker recorded in Taiwan's household registration system refers exclusively to an individual's "biological sex."

However, the Supreme Administrative Court clearly stated in Judgment No. 558 of 2021 that "a review of Taiwan's Household Registration Act reveals no legal provision restricting gender registration solely to biological sex." In other words, despite being fully aware of this authoritative judicial interpretation, administrative authorities continue to reject it, demonstrating a serious abuse of administrative power and raising concerns regarding constitutional governance and the rule of law.

Suggested Recommendations for the Committee

1. Explicitly call upon and reiterate that the Taiwanese government should immediately amend the relevant administrative rule and abolish mandatory surgery as a prerequisite for legal gender recognition.
2. Urge the Taiwanese government to ensure equal and substantive protection of the rights to marriage and family life for cross-strait same-sex couples and for same-sex foreign couples residing in Taiwan, and to remove unreasonable, irrelevant, or disproportionate restrictions. To date, Taiwan still refuses to recognize marriages between two same-sex foreign nationals residing in Taiwan if the national law of one party does not permit same-sex marriage.
3. Simplify the procedure for intersex persons seeking correction of their legal gender registration. Intersex persons should not be required to satisfy the standards currently imposed on transgender applicants seeking gender marker changes. A diagnosis certificate confirming intersex characteristics should be sufficient to permit correction of legal gender registration.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Tongzhi (LGBTQ+) Hotline Association

Name and Contact : Olivia Tsai / olivia99@hotline.org.tw

Response Item/ article	Item6 /Article 1&16
Reply (Word limits: No more than 800 words)	Regarding the Comprehensive "Anti-Discrimination Act": The scope of the current draft of the <i>Anti-Discrimination Act</i> is primarily limited to discriminatory behaviors between individuals, utilizing civil compensation as the method of redress. However, the draft has not yet covered discriminatory and hate speech targeting specific groups, including speech that publicly incites or advocates discrimination, prejudice, or violence against specific groups, as well as more severe acts of incitement to hatred. Furthermore, the scope of religious exemptions in the draft is overly broad, leaving religious organizations unregulated by the Anti-Discrimination Act with respect to personnel recruitment and service provision. Given the intersectional nature of disadvantaged groups, a comprehensive <i>Anti-Discrimination Act</i> remains crucial. Yet, after the Taiwanese government proposed the draft and held public hearings in 2024, there has been no further progress in advancing this legislation. Regarding Changes and Options for Gender Registration: The 2014 CEDAW Concluding Observations, alongside the 2017, 2022, and 2026 Concluding Observations of the ICCPR and ICESCR, have repeatedly and explicitly stated that the Taiwanese government should abolish the requirement of sex reassignment surgery (removal of reproductive organs) for legal gender recognition. Furthermore, nine domestic lawsuits regarding gender change without mandatory surgery have already concluded with final and binding court judgments. Despite this, the Taiwanese government's deliberation on the requirements for

	gender change has remained stagnant and devoid of concrete progress since a cross-ministerial meeting was convened in 2024. Therefore, we call upon the government once again to immediately abolish mandatory surgery as a threshold for gender change, and to expeditiously establish a gender recognition system that safeguards transgender dignity. Currently, Taiwan's household registration system still only offers binary gender options: "Male" and "Female." If transgender individuals with dual citizenship, non-binary individuals, or intersex individuals are registered as a third gender in another country, they can still only obtain a male or female gender registration in Taiwan. This fails to align with international standards and fails to accurately reflect their gender identity.
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Sex Industry & Workers' Rights Association (TSIWRA)

Name and Contact : Chun-Tai Chang, Secretary-General tsiwra@tsiwra.org.tw

Response Item/ article	Issue List, Item 6: Sexual Orientation, Gender Identity and Sex Characteristics CEDAW Articles 1 and 16
Reply (Word limits: No more than 800 words)	This issue is closely related to the situation of sex industry workers. Transgender sex workers continue to face systemic discrimination in employment, healthcare, and social participation, while transgender people who engage in sex work face even greater barriers in accessing social welfare and health resources. Gender-diverse people are often excluded from the mainstream labor market, denied service-sector employment due to the gender marker on their identity documents, and treated by medical and social welfare systems based on inconsistent identity documents or gender stereotypes. As a result, sexual and erotic labor often becomes one of the relatively few accessible means of livelihood. If, under the CEDAW framework, the government understands gender diversity issues only as matters of identity recognition, without addressing their connections to the right to work, social protection, and risks of violence, it will be unable to genuinely respond to the situation of this group. For gender-diverse workers in the sex industry, legal gender recognition procedures, the binary household registration system, and rigid administrative requirements may all further intensify their vulnerability in the processes of job seeking, renting housing, accessing medical care, raising children, and seeking assistance. Recommendations: 1. Establish statistics on the living conditions, labor conditions, health status, and experiences of violence of gender-diverse workers in the sex industry.

	2. Develop transgender- and non-binary-friendly guidelines for healthcare, workplaces, and social welfare services. 3. Ensure that legal gender recognition and the household registration system do not further intensify the vulnerability of gender-diverse workers in the processes of job seeking, renting housing, accessing medical care, raising children, and seeking assistance.
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The Fifth Review of Taiwan's CEDAW Implementation
Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Judicial Reform Foundation

Name and Contact : Campaigner / JIA-ZHEN XIE jane@jrf.org.tw (04)2329-2372 #11

Response Item/ article	Item6 Article 1&16 Sexual orientation, gender identity and sex characteristics
Reply (Word limits: No more than 800 words)	The Judicial Reform Foundation participated in the successful litigation of the 2024 Kaohsiung "Na's case" and subsequent advocacy efforts. Despite the judiciary having reached a relatively settled position on the matter, the Ministry of the Interior has continued to refuse to abolish the unconstitutional administrative interpretation, compelling affected individuals to expend years in litigation. This constitutes an infringement upon the rights to personality, bodily integrity, and human dignity guaranteed under Article 22 of the Constitution.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Mental Health Association in Taiwan _____

Name and Contact : Po-Han Lee; +886-2-2557-6980; mhat.tw2@gmail.com

Response Item/ article	Item 9: Institutionalized participation – experiences of psychosocial recovery, women and gender-diverse people, and peer support
Reply (Word limits: No more than 800 words)	Our association emphasizes that people with lived/living experience of mental health challenges should not be viewed solely as service recipients; they should also be regarded as co-participants in policy, service, and knowledge production. At present, meaningful participation of people in psychiatric recovery in policy-making remains limited. Promoting their participation not only helps improve policy quality but also contributes to transforming the mental health service system. From the perspective of CEDAW, this point is especially important for women and gender-diverse people. The experiences of women and gender-diverse people in psychiatric recovery are often caught between medical authority, family control, caregiving responsibilities, and gender role expectations. If their voices are not included in policy formation, service design easily assumes arrangements that are "for their own good," while overlooking their autonomy, agency, and knowledge as women or gender-diverse people and as people in recovery. This is also why peer support is particularly important: for many women and gender-diverse people in psychiatric recovery, peer support is not just a recovery tool but an important means of renaming their own experiences, rebuilding confidence, forming social connections, and re-engaging in education and work.

Although Taiwan currently has some training and local pilots, it still lacks a stable policy framework, long-term resources, and a nationwide training and employment system. If the state wishes to more fully respond to the mental health of women and gender minorities under CEDAW, it should not overlook the important role of peer support in the mental rehabilitation of women and gender minorities, post-violence support, and social participation.

Recommendations:

1. Establish institutionalized mechanisms for the participation of people with lived/living experience of mental health challenges, ensuring their involvement in policy planning, service design, and evaluation.
2. Create a nationwide system for peer support training, accreditation, and employment.
3. Include peer support in policies on mental health for women and diverse genders, post-violence support, educational support, and community recovery.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Sex Industry & Workers' Rights Association (TSIWRA)

Name and Contact : Chun-Tai Chang, Secretary-General tsiwra@tsiwra.org.tw

Response Item/ article	Issue List, Item 9: Civil Society Participation CEDAW Articles 2 and 3
Reply (Word limits: No more than 800 words)	To date, sex industry workers' organizations have rarely been regarded as formal stakeholders in gender equality policymaking. This exclusion itself reflects how the state excludes certain groups of women and gender-diverse people from the category of "citizens worthy of being heard." If civil society participation mechanisms include only women's organizations that are more acceptable to the mainstream, while continuing to ignore sex workers and their organizations, the government's understanding of gender equality remains overly narrow. The experiences of sex industry workers involve multiple dimensions, including the right to work, the right to health, anti-discrimination, violence prevention, social protection, and the right to housing. These are also among the core issues under CEDAW concerning structural inequality, intersecting discrimination, and the situation of women in the informal economy. Therefore, sex workers' organizations should no longer be excluded from gender equality policies, human rights review processes, and inter-ministerial coordination mechanisms. Recommendations: 1. Include sex industry workers' organizations as formal consultation partners in gender equality policymaking and human rights review processes. 2. Establish a regular inter-ministerial dialogue platform with mechanisms for policy feedback and decision-making follow-up. Ensure that women and gender-diverse persons directly affected can participate in public policymaking safely, anonymously, and free from stigma.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Alliance to Promote Civil Partnership Rights (TAPCPR)

Name and Contact : Chih-Chieh Chien, Secretary General (email: cc@tapcpr.org)

Response Item/ article	Point 12
Reply (Word limits: No more than 800 words)	I. Trends in Public Attitudes Toward Gender Equality in Taiwan According to the annual <i>Public Opinion Survey on Gender Equality Attitudes</i> conducted by the Department of Gender Equality of the Executive Yuan, nine years of survey data have been accumulated since 2018, providing an important basis for observing changes in public attitudes toward gender equality in Taiwan. The following observations are submitted for the Committee's consideration. (1) Traditional Gender Role Attitudes Have Improved Significantly, but Indicators for Measuring Substantive Outcomes Remain Insufficient Survey results indicate that public attitudes toward traditional gender divisions of labor (i.e., men as breadwinners and women as homemakers), household labor distribution, gender segregation in academic disciplines, occupational gender stereotypes, leadership abilities in the workplace, and gender bias in layoff decisions have shown gradual improvement in recent years. These findings suggest that women's participation in the labor market, women's leadership roles, women's entry into traditionally male-dominated occupations, and the sharing of caregiving responsibilities among people of different genders have gained substantial social acceptance. However, improvements in attitudes do not necessarily indicate corresponding improvements in actual conditions. The government

currently lacks long-term and systematic indicators to assess whether reductions in gender stereotypes have translated into structural change.

Recommendation: The government should make use of available statistical data to establish substantive monitoring indicators as soon as possible and publish relevant statistics in an accessible and user-friendly manner. Examples include time spent on household labor by different genders, the proportion of women in managerial positions, the proportion of women working in traditionally male-dominated occupations, the gender distribution of layoffs, and gender representation in academic fields that have historically been gender-segregated. Such indicators would facilitate ongoing evaluation of the effectiveness of gender equality policies.

(2) Gender Stereotypes Regarding Childcare Responsibilities Remain Largely Unchanged

Compared with other issues, public attitudes regarding gender roles in childcare have shown limited change in recent years. More than half of respondents continue to believe that, when infants or young children require care, women are more suitable caregivers than men.

Cross-tabulation analysis indicates that older respondents, individuals with lower levels of education, and those who are married or widowed are more likely to hold this view. Notably, there is no significant difference between respondents of different genders.

Recommendation: The government should strengthen policies and public education measures aimed at promoting men's participation in childcare and caregiving responsibilities and should continue to include relevant questions in annual surveys in order to monitor changes in public attitudes.

(3) Myths About Sexual Violence Remain Widespread

Survey findings indicate that Taiwanese society has reached a high level of consensus regarding the right to report sexual harassment and the principle of bodily autonomy. However, with respect to responsibility for

	sexual violence, more than 70 percent of respondents continue to believe that factors such as a victim’s clothing or alcohol consumption are related to the occurrence of sexual violence. These findings suggest that myths surrounding sexual violence and patterns of victim blaming remain widespread in society. Recommendation: The government should adopt systematic educational and public awareness measures to eliminate myths about sexual violence and should continue to monitor changes in public attitudes through regular surveys. (4) Fluctuations in Public Support for Homosexuality Merit Attention Survey results indicate that public support for homosexuality in Taiwan has generally increased over time. However, the results of the 2026 survey revealed a notable decline in support. Recommendation: The government should further investigate and analyze the reasons for this decline and assess whether it is related to broader social developments, political discourse, or media and information environments. Such analysis should inform future equality education and anti-discrimination policies. (5) Public Support for Transgender Rights Has Declined Significantly Survey results indicate that public awareness of transgender people has steadily increased. However, support for issues relating to transgender persons’ access to gendered spaces, the recognition of a third gender category, and the removal of mandatory surgery requirements for legal gender recognition all declined significantly in the 2026 survey. We believe that this trend may be related to increased media attention to transgender issues in recent years, as well as the widespread circulation of controversial narratives and misinformation in public discourse. Recommendation: The government should actively collect and analyze relevant research data to assess the causes of changing public attitudes and should promote public discussion grounded in human rights
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principles through education, public communication, and mechanisms for correcting misinformation.

(6) Survey Questions on Transgender Issues Should Comply with Gender Equality Principles

The 2026 survey introduced a new question regarding transgender women's access to women's restrooms. However, the question referred to transgender women as "transgender women (biological males)."

We believe that such wording may influence respondents' understanding of the question and may affect survey outcomes. Survey design relating to gender identity and transgender issues should comply with gender equality principles and accepted research methodologies and should avoid language that may introduce bias or lead respondents toward particular answers.

Recommendation: The government should establish a professional review mechanism for surveys concerning gender diversity and should invite participation from transgender communities, gender studies scholars, and human rights organizations in the design and review of survey questions in order to enhance the reliability and validity of survey findings.

II. Insufficient Data Collection on Intersectional Discrimination and Gender Statistics

The CEDAW Committee has repeatedly emphasized that States should collect statistical data capable of reflecting the situations of diverse groups in order to identify and address intersectional discrimination. However, Taiwan's current gender statistics and administrative data collection systems continue to rely primarily on a binary male/female classification framework, resulting in the persistent invisibility of lesbians, bisexual women, transgender persons, and other gender-diverse populations.

Although the Department of Gender Equality of the Executive Yuan has issued guidelines encouraging government agencies to incorporate

concepts of gender diversity into statistical and survey practices, most government administrative databases and statistical systems still provide only “male” and “female” categories. Consequently, implementation remains extremely limited.

For example, statistics relating to gender discrimination, sexual harassment, sexual assault, and gender-based bullying in schools and workplaces generally record only the number of cases and the male/female distribution of the parties involved, without collecting or publishing information concerning sexual orientation, gender identity, or sex characteristics. Similarly, statistics relating to domestic violence, mental health, suicide prevention, social welfare, public health, and specific populations such as children and persons with disabilities generally lack LGBTI-related data.

In the absence of such information, the government is unable to determine whether LGBTI populations experience particular forms of discrimination, violence, or systemic exclusion, nor can it assess whether existing policies are effectively improving their circumstances.

Suggested Recommendations for the Committee

1. Request that the government review the current gender statistics system and progressively establish mechanisms for collecting data on gender diversity that are consistent with human rights principles and privacy protections.

Request that all competent authorities promptly assess the feasibility of collecting data relating to sexual orientation, gender identity, and sex characteristics in statistics concerning gender discrimination, sexual harassment, sexual assault, gender-based bullying, domestic violence, employment, education, healthcare, and social welfare, as well as in statistics concerning specific populations such as children and persons with disabilities.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Sex Industry & Workers' Rights Association (TSIWRA)

Name and Contact : Chun-Tai Chang, Secretary-General tsiwra@tsiwra.org.tw

Response Item/ article	Issue List, Item 12: Gender Stereotypes CEDAW Article 5
Reply (Word limits: No more than 800 words)	This is precisely the core issue that workers in the sex industry and erotic industries have long faced. Women sex workers are often portrayed as “morally deficient,” “suspicious,” “undeserving of sympathy,” “unfit mothers,” or as people who “chose this themselves and therefore do not need protection.” Transgender and other gender-diverse sex workers are frequently subjected to sensationalized, mocking, and dehumanizing representations. These stereotypes are not merely abstract cultural problems. They have concrete effects on whether the police believe sex workers' statements, whether courts make adverse assessments in parental rights cases, whether medical personnel treat their sexual health and reproductive needs through moral judgment, and whether social workers and social welfare systems view them as persons who “should be corrected” rather than persons who “should be supported.” If the government's response to gender stereotypes remains limited to general awareness-raising, without confronting the deeper patriarchal norms and anti-sex stigma mechanisms within the media, public sector, police, healthcare, and judicial systems, it will be difficult to genuinely respond to the structural problems raised in this issue. Recommendations: 1. Include sex industry workers and gender-diverse erotic workers in national strategies to eliminate gender stereotypes.

	2. Provide anti-stigma and gender-responsive training for the media, civil servants, healthcare providers, social welfare personnel, police, and the judiciary. Establish media reporting guidelines to prevent sensationalized, humiliating, and dehumanizing portrayals.
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Awakening Foundation

Name and Contact : Chyn Yu Rung 02-25028715 yurung@awakening.org.tw

Response Item/ article	Item 10 Article 4 Temporary special measures
Reply (Word limits: No more than 800 words)	1. With regard to temporary special measures to increase the proportion of women in the Executive Yuan cabinet, our organization stresses that the government's described approach has produced no real effect. 2. During the campaign period in late September 2023, President Lai Ching-te publicly pledged to "set a target of women comprising at least one-third of the cabinet." The "Gender Equality Policy Guidelines," as revised and promulgated by the Executive Yuan in January 2017, likewise explicitly provide that the government shall continuously promote compliance with the one-third gender ratio principle—including for committee members under each department of the Executive Yuan, directors and supervisors of government-funded foundations and state-owned enterprises, cabinet members, members of the Examination Yuan, members of the Control Yuan, Grand Justices, and the appointment and promotion of selection-rank civil servants—all as policy objectives to be met in accordance with this principle. 3. After the new government formally took office in late May 2024, women accounted for only 25% of cabinet members in the Executive Yuan, failing to reach the one-third proportion the President had pledged during his campaign, and likewise falling short of the target set in the "Gender Equality Policy Guidelines." 4. In a minor cabinet reshuffle in August 2025, the proportion of female cabinet members declined slightly from 25% to 21.95%, moving even further from the President's pledge and the policy objective—set in the Executive

	Yuan's "Gender Equality Policy Guidelines"—of women comprising at least one-third of the cabinet. 5. Over the past decade, the proportion of female cabinet members in the Executive Yuan has remained extremely low. Even after democratization, not only have the traditionally male-dominated ministries of national defense and foreign affairs never had a female minister, but competent authorities whose frontline professional workforce is predominantly female—such as the Ministry of Education and the Ministry of Health and Welfare—have likewise never been led by a woman. This demonstrates that the government has yet to substantively adopt CEDAW General Recommendation Item 40, which emphasizes equal and inclusive representation—requiring 50:50 parity between women and men—as the pathway to achieving genuine gender equality in decision-making.
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The Fifth Review of Taiwan's CEDAW Implementation

Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : YWCA of Taiwan

Name and Contact : Kelly Lai 02-23140408#21

Response Item/ article	Item 10 、 12
Reply (Word limits: No more than 800 words)	I. Item 10: Temporary Special Measures In response to the government's initiatives to enhance women's economic empowerment and digital enablement, the Committee recommends that the government provide supplementary clarification on concrete policy indicators regarding the substantive employment transition of immigrant women: (1) Setting Vocational Training Indicators for Future Industries: While the government has promoted training in AI and digital skills, the Committee recommends explicitly establishing guaranteed quotas for immigrant women in vocational training programs tailored to future industries (e.g., digital technology, green energy, and e-commerce). Furthermore, monitoring indicators, such as transition-to-employment rates, should be implemented. (2) Integrating Industry-Specific Chinese Language Training with Vocational Programs: The Committee requests the government clarify whether it plans to translate "industry-specific terminology" (e.g., professional terms in long-term care, digital sectors, and catering services) into multiple languages for use in vocational training curricula. This would enhance the competitiveness and communication capabilities of immigrant women in professional fields. II. Item 12: Gender Stereotypes and Access to Information

Regarding the government's mention of the "Immigrant Empowerment and Development Information Network" and its multilingual services, the Committee recommends providing supplementary clarification on the following matters:

(1) An Integrated Cross-Ministry Single Window: The Committee requests the government clarify whether this multilingual platform will be transformed into a "single window" to systematically consolidate resources across the Ministry of the Interior, Ministry of Labor, Ministry of Education, and Ministry of Health and Welfare. This includes resources for employment, vocational training, caregiving services, legal aid, entrepreneurship, and social welfare, thereby addressing the current issue of fragmented information.

(2) Full Translation of Website Attachments: In practice, the Committee has observed that website attachments on official platforms are often available only in Chinese, leading to an information asymmetry. We request the government to clarify whether it plans to translate all key website attachments, application forms, and related documents into multiple languages.

(3) Integrating Online Chinese Courses into Official Certification Frameworks: Given that immigrant women utilize online learning resources due to the need for flexible working hours, we request the government clarify whether it plans to incorporate online Chinese language classes into the official certification system. This would ensure that their learning hours receive formal recognition in the labor market or by official authorities.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Awakening Foundation

Name and Contact : Icey Wang 02-25028715 hanwang@awakening.org.tw

Response Item/ article	Item 12 Article 5
Reply (Word limits: No more than 800 words)	1. Eliminating gender stereotypes requires concrete action plans, not merely personnel training and awareness-raising Gender stereotypes consist of fixed beliefs about the attributes of a particular gender or identity group, which in turn constrain individuals' freedom of choice and rationalize rigid gender-based distinctions. In its response to part (a), the Government lists numerous guidelines and strategies framed in terms such as "strengthening, enhancing, promoting, and advancing," appearing to assume that changing the attitudes of practitioners or learners is the key. Substantively eliminating stereotypes, however, requires concrete "proactive measures and plans." Take the workplace as an example. Each year, on Equal Pay Day, the Government emphasizes the fact that deeply rooted occupational gender stereotypes generate economic inequality. To respond to this fact, the Government should not merely declare its intention to "change traditional perceptions of academic major selection" and "encourage freedom of career choice"; rather, it should set out concrete targets and year-on-year improvement plans, and actively reform the existing conditions of horizontal and vertical segregation in the workplace. Take the artificial intelligence industry as a further example: according to a survey conducted by the 104 Job Bank in early 2026, the male-to-female ratio of AI engineers in Taiwan is as high as 4:1. The Government could draw on the programs of various

European countries that encourage young women to enter high-tech industries (such as YouCodeGirls) and actively advance dedicated reform projects targeting gender segregation within different industries. Only by demonstrating, through concrete action plans, a determination to change existing structures can the public's stereotyped belief that "fixed gender attributes determine ability and the division of labor" be transformed at its root.

2. Media equality training must recognize "intersectionality" and confront the challenges posed by commercial mechanisms

With regard to the measures in the Government's responses to parts (a) and (b) concerning the improvement of media reinforcement of gender stereotypes, the "inclusive language" and "positive portrayals" emphasized by the Committee should refer not merely to a fixed set of politically correct vocabulary, but to the capacity to apply an "intersectionality" lens when reporting on people and contexts in differing situations, so as to avoid stereotyped representation. Although the Government cites the several training courses it holds each year, and offers examples of basic concepts such as "victims should not be blamed (e.g., for revealing clothing)," when the media lack intersectional awareness they nonetheless repeatedly engage in gratuitous, sensationalized reporting—based on the location of an incident, the class background of the parties involved, or the "perfect victim myth"—in order to capture greater click-through and viewership rates.

Beyond this, the Government must confront the structural challenges currently facing the media: under commercial mechanisms, the media still have a powerful incentive to exploit stereotypes in framing issues in order to compete for click-through and viewership rates, with the result that the "incentive structure operating under commercial logic" is severely decoupled from the "objectives of gender equality training and awareness-raising." The National Communications Commission (NCC) has progressively undertaken qualitative and intersectional analysis of gender equality cases in broadcast

	content year by year; the Government should go further by drawing on cases that have actually occurred to compile an account of the gender stereotypes reproduced in Taiwanese society and media, together with the production processes and broadcasting mechanisms involved, identifying where the current challenges lie and planning and formulating policy measures and actions to respond to each of these challenges.
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The Fifth Review of Taiwan's CEDAW Implementation

Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Equality Campaign

Name and Contact : Lin, Wan-Ying deserter97jj@gmail.com.tw 0928-911-441

Response	12
Item/ article	
Reply (Word limits: No more than 800 words)	Gender Equality Education, Public Sector Capacity Building, and Protection from Discrimination 1. Gender Equality Education and Comprehensive Sexuality Education According to a public opinion survey released in 2026 by the Taiwan Equality Campaign to mark the seventh anniversary of marriage equality, public support for gender equality education has reached 75.1%, representing an increase of 22.1 percentage points over the past seven years. These findings suggest growing public recognition of the importance of gender equality education. Despite this progress, resistance to and attacks on gender equality education continue. LGBTI students remain vulnerable to harassment, bullying, and discriminatory treatment in educational settings, while many schools continue to lack adequate support mechanisms for gender-diverse students. Taiwan has yet to establish a comprehensive and systematic framework for teacher training and curriculum development in the areas of comprehensive sexuality education, gender equality, human rights, and sexual and gender diversity. As a result, significant disparities remain among frontline teachers and school administrators regarding their capacity to address these issues effectively and in accordance with human rights principles.

Concerns also remain regarding the content of educational materials and library collections. Reports indicate that some teaching materials may contain outdated or inaccurate information relating to HIV and AIDS, including confusion between HIV and AIDS, insufficient discussion of the "Undetectable = Untransmittable" (U=U) principle, pre-exposure prophylaxis (PrEP), post-exposure prophylaxis (PEP), and inaccurate descriptions of transmission routes. In addition, some materials may perpetuate abstinence-only approaches, discriminatory narratives, or stereotypes concerning LGBTI persons. To date, limited information is available regarding government efforts to systematically review, revise, or remove problematic educational materials, or to provide guidance to schools and libraries on addressing such content.

Furthermore, some groups opposing LGBTI inclusion have sought to enter schools under the framework of "relationship education" or "social and emotional learning (SEL)." These developments highlight the importance of ensuring that educational content and external educational activities are consistent with principles of gender equality, non-discrimination, and human rights.

2. Discriminatory Law Enforcement Practices and Stigmatization of LGBTI Communities

In April 2026, a gay men's community venue in Taichung ceased operations following a police investigation and search. Reports indicate that law enforcement authorities conducted undercover operations and treated the presence of condoms and lubricants—items provided in accordance with Taiwan's HIV prevention and public health policies—as evidence suggestive of sexual transactions.

Concerns were also raised regarding the language used by authorities when communicating details of the case to the media. Public statements reportedly associated the provision of sexual health supplies with notions

of sexual promiscuity and criminal conduct, contributing to stigmatizing media coverage. The publication of investigative photographs and body-camera footage further heightened concerns regarding privacy, dignity, and the stigmatization of spaces serving LGBTI communities.

This case raises broader questions regarding the adequacy of training provided to law enforcement personnel on gender equality, sexual diversity, HIV-related stigma, and human rights standards. It also highlights the need for clearer safeguards governing investigative practices, public communications, and the protection of privacy and dignity.

3. Gender-Sensitive Public Services and Military Conscription Procedures

Significant disparities remain in the provision of gender-sensitive public services across local governments. At present, only Taipei City and Kaohsiung City provide publicly accessible information regarding procedures for conscription medical examinations involving individuals whose gender identity may not align with sex assigned at birth, including designated contact points and guidance for applicants.

In the absence of clear and consistent procedures nationwide, transgender individuals frequently rely on informal community networks to obtain information and avoid potential discrimination during administrative and medical assessment processes.

To ensure equal access to public services, local military service administration agencies should establish accessible consultation mechanisms and clear procedural guidance. Healthcare institutions responsible for conducting conscription examinations should adopt gender-sensitive practices, including private changing facilities, gender-inclusive restroom access, privacy protections, and scheduling arrangements that minimize unnecessary exposure and distress. In addition, healthcare professionals, administrative personnel, and relevant

public officials should receive ongoing training on gender equality and non-discrimination, supported by effective monitoring and accountability mechanisms.

Cross-Cutting Concern: Effectiveness of Gender Equality Training within the Public Sector

The examples outlined above demonstrate that existing gender equality training within public institutions may not be achieving its intended objectives. While gender equality and diversity training programs are formally implemented across various sectors, persistent shortcomings in education, law enforcement, healthcare, and administrative services suggest significant gaps between training requirements and actual institutional practice.

The Government should undertake a comprehensive assessment of the effectiveness of gender equality capacity-building measures across public institutions. Such an assessment should include measurable indicators, implementation timelines, sector-specific action plans, and regular monitoring mechanisms to identify and address systemic barriers that continue to undermine substantive equality for women and LGBTI persons.

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Organization(s) : Taiwan Bar Association; Taipei Bar Association

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許秀雯律師 vhsu2020@gmail.com

Response Item/ article	Article 5 / Item 12 of the List of Issues for the Fifth National Report on CEDAW
Reply (Word limits: No more than 800 words)	In response to the inquiry regarding Item 12 concerning the Taiwanese government's actions to eliminate gender stereotypes, we point out, from the perspective of practicing attorneys, that the government still mandatorily and excessively discloses private information — including "gender" and "age (or date of birth)" — that is unrelated to professional competence within current administrative procedures, national examination certificates, and public inquiry systems. This practice not only violates the "Data Minimization" principle of modern data privacy protection, but is also highly likely to become a systemic accomplice reinforcing intersectional discrimination based on gender and age, as well as workplace gender segregation. 1. Administrative appeal procedures mandatorily disclose unnecessary personal data, fueling intersectional discrimination based on age and gender: Article 56(1)(2) of the Administrative Appeal Act requires the agent's date of birth and national identification document number (which contains a gender code) in the appeal petition. We believe this practice violates the principles of data minimization and proportionality. If administrative appeal organs have a need to verify an attorney's qualifications or an agent's identity, they could clearly adopt other less intrusive means. 2. National certificates mandatorily register gender, which is unfavorable

for breaking workplace gender segregation:

Pursuant to Paragraph 1, Article 4 of the Regulations of the Examination Yuan for Issuing Various Examination and Training Certificates, qualification certificates must state the "gender" of the personnel. Therefore, many professional occupational licenses register "gender" on the certificate. This type of mandatory registration is unrelated to professional competence and is extremely unfavorable for breaking the long-entrenched "gender segregation" and gender stereotypes in society.

3. Public inquiry systems excessively disclose information, solidifying the public's habit of choosing professionals based on gender:

The "Attorney Inquiry System" established by the Ministry of Justice and the "Medical Personnel Inquiry System" established by the Ministry of Health and Welfare register the "gender" of professional personnel such as attorneys and physicians on an online platform accessible to anyone at any time, unnecessarily deepening gender stereotypes.

4. The government forcibly discloses "legal gender on identification cards," severely harming the personality rights (privacy rights) of sexual minorities:

The "gender" disclosed in the aforementioned certificates and inquiry systems is invariably the "legal gender on identification cards." For transgender or non-binary individuals — especially those constrained by the Ministry of the Interior's 2008 executive order requiring removal of sexual organs before a legal gender marker change can be registered — this is tantamount to continuously being subjected to a unilateral act of state power that "forces them out of the closet," trapping them within the framework of their "assigned sex at birth," causing continuous offenses, embarrassment, and infringements on their personality rights within their professional working environments.

	We respectfully request the Committee to urge the Taiwanese government to:
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1. Amend Article 56 of the Administrative Appeal Act: Delete the provision requiring agents to mandatorily fill in their date of birth and national identification number.

2. Comprehensively review professional licensing regulations: Amend the Regulations of the Examination Yuan and various ministry licensing regulations to remove "gender" as a legally required registration item.

3. Optimize national public inquiry systems: Remove the "gender" column from the Attorney Inquiry System and the Medical Personnel Inquiry System; instead adopt "data minimization" measures such as QR Code electronic verification to ensure identity authenticity, guiding the public to refocus judgment on professional competence.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Gender Equity Education Association

Name and Contact : Lin, Yu-Wei, yuwei6015@tgeea.org.tw

Response Item/ article	Item12
Reply (Word limits: No more than 800 words)	We acknowledge the government's long-standing policy efforts to promote training aimed at enhancing gender equality awareness. However, many have reflected that existing capacity-building programs still tend to focus primarily on the prevention of "genderbased violence," while other dimensions, such as dismantling gender discrimination and promoting substantive gender equality, remain relatively insufficient. Regrettably, the government has not yet established relevant statistical data that would allow us to understand the distribution of topics covered in gender awareness enhancement courses provided by the central government, local governments, and schools at all levels for faculty, staff, or students.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Garden of Hope Foundation

Name and Contact : Yuying Kuo, (02)8911-5595#104, goh0667@goh.org.tw

Response Item/ article	Item 13, Article 5 (Domestic Violence)
Reply (Word limits: No more than 800 words)	Regarding Domestic Violence Protection Orders and Perpetrator Intervention Programs: 1. Insufficient gender sensitivity within the judicial system: Many cases involving gender-based violence, including psychological abuse, economic control, or minor physical assaults, are frequently¹ dismissed by prosecutors or resolved through deferred prosecution as the offense is considered "minor" or that evidence is insufficient. Even when cases proceed to prosecution, court-imposed sanctions are predominantly short-term detention sentences, which accounted for 52% of convictions, followed by imprisonment of less than one year, accounting for 21%. Such penalties have limited deterrent effect against violations of protection orders. Limited implementation of perpetrator intervention programs and urban–rural disparities in service availability: Only around one-fifth² of protection orders issued by courts include a requirement that perpetrators participate in intervention programs. Furthermore, significant disparities in service availability continue to exist between urban and rural areas, such as Indigenous communities, limiting

¹ According to statistics from the Ministry of Justice, in 2025, 54.1% of domestic violence investigation cases (11,889 cases) were concluded with non-prosecution decisions, while 1.1% resulted in deferred prosecution. Among non-prosecution cases, 62.3% were dismissed on the grounds of insufficient evidence to establish criminal responsibility.

² According to statistics from the Judicial Yuan, a total of 20,892 protection orders were issued in 2025. Of these, 4,427 intervention program orders were imposed on respondents, representing approximately 21% of all protection orders issued.

	access to intervention measures. ³
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³ For example, the Department of Mental Health has noted that no intervention programs are available during evenings or weekends in Nantou, Penghu, and Kinmen County. In addition, disparities in resources between urban and rural areas further limit the options available to respondents who are required to participate in such programs.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Modern Women's Foundation

Name and Contact : WANG, Chiou-Lan e-mail: chiulan@38.org.tw

Response Item/ article	Point 13 of Article 5 Domestic Violence 3.part(b)(2)
Reply (Word limits: No more than 800 words)	1. The Government's response indicates that the implementation rate of perpetrator intervention programs is 90.4%. However, there is no further explanation about the effectiveness and evaluation of such programs or the recidivism rate after intervention. Supplementary information is recommended to facilitate an understanding of substantive effectiveness. 2. Practical observations suggest that there are cases in which perpetrators, without justifiable reason, fail to participate in or complete court-ordered intervention programs as required by protection orders. There are also instances where the police forward such cases for violation of protection orders but prosecutions are not initiated. Furthermore, there is a lack of statistical data and explanatory information regarding offenses involving violations of protection orders. Please provide supplementary information on: (1) Statistics concerning alleged violations of various types of protection orders, particularly the failure to complete intervention programs as required by protection orders, as well as the final outcomes of judicial proceedings. (2) Forwarding of the cases involving failure to complete intervention programs as required by protection orders, as well as the

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : International Association for Advancement of Children Rights

Name and Contact : 鄭郁潔專員 / 0937 263 648 / rc77721@gmail.com

Response Item/ article	Issues Item 13 & Item 17 (Article 5 Domestic Violence and Child Protection)
Reply (Word limits: No more than 800 words)	Regarding Issues Item 13 and Item 17, the government's response to domestic violence and child abuse predominantly emphasizes post-incident judicial procedures, protection order enforcement, and offender treatment, severely lacking social investment in "early warning" mechanisms. Through our community practice with vulnerable families, we have found that the frontline of domestic violence prevention should not rely solely on police reporting. Community tutors and local volunteers engaging with high-risk families often detect physical and psychological trauma in abused children or child witnesses much earlier than schools or public sectors. Our association strongly urges the government to establish a "public-private community early warning mechanism" by decentralizing prevention resources to grassroots NGOs. Simultaneously, the government should fully subsidize frontline community workers to receive "Trauma-Informed" professional training, equipping them with the capacity to support traumatized children and building a more proactive social safety net for child protection.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Modern Women's Foundation

Name and Contact : WANG, Chiou-Lan e-mail: chiulan@38.org.tw

Response Item/ article	Article 5: Gender-Based Violence against Women / Item 14 Government's Response Part5. (b)(III)1.(3)
Reply (Word limits: No more than 800 words)	1. The Government's response explains the referral to mediation during investigation and court proceedings and the transfer to restorative mechanisms, and notes that restorative justice facilitators possess the professional expertise. That said, Modern Women's Foundation's Parallel Report expressly points out that both Item 2 of Point 5 in the Instructions and Precautions on Transferring Cases to Restorative Justice during the Court Process and Item 1 of Considerations for Preliminary Assessment in Point 4 under the Multiple-Approach Program for Referrals Cases in Criminal Trials to Restorative Justice state that, in principle, restorative justice is unsuitable to domestic violence cases because such cases involve factors such as intimate relationships and unequal power dynamics. The report also cites real-world criminal cases of domestic violence where the victims entered the mediation or restorative justice process yet withdrawal of criminal complaints and application for withdrawal or revocation of protection orders were made conditions of mediation/restorative resolution without careful assessments. As a result, victims once again were exposed to risks to personal safety and unequal power relationships. 2. The Judicial Yuan is requested to further explain how judicial authorities handle criminal cases of domestic violence or arising from domestic violence:

	(1) What are the mechanisms and principles in use to assess the suitability of referral to mediation or transfer to restorative justice? (2) Whether the training mechanisms and curricula for criminal mediators and restorative justice facilitators are modeled on the training provided to family mediators, including the planning and implementation of training on domestic violence prevention and gender equality, so as to enhance their sensitivity and professional competence in handling cases involving domestic violence.
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Gender Equity Education Association

Name and Contact : Lin, Yu-Wei, yuwei6015@tgeea.org.tw

Response Item/ article	Item15
Reply (Word limits: No more than 800 words)	According to statistics from the Ministry of Health and Welfare, the number of reported cases of intimate partner violence among same-sex couples increased from 1,071 in 2020 to 2,389 in 2025. Among these cases, the number of female perpetrators rose from 315 in 2020 to 1,103 in 2025; reported cases of intimate partner violence among male same-sex couples also showed an upward trend. Compared with intimate partner violence among different-sex couples, same-sex couples may face more specific forms of violence and risks, such as threats of outing, ridicule based on sexual orientation or gender identity, mockery for having previously had sexual relations with a person of a different gender, or being questioned as “not truly gay.” Such violence involves not only control and harm within intimate relationships, but is also connected to the stigma and unequal social position associated with LGBTQ+ identities. Therefore, we would also like to further understand whether the government has adopted corresponding measures to address the specific circumstances of intimate partner violence among same-sex couples. Specifically, what assistance or resources does the government currently provide to support victims of domestic violence in same-sex relationships? In addition, are there more proactive, friendly, and LGBTQ+-sensitive complaint and service channels in place to assist victims in navigating domestic violence-related procedures?

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Gender Equity Education Association _____

Name and Contact : Lin, Yu-Wei, yuwei6015@tgeea.org.tw _____

Response Item/ article	Item16
Reply (Word limits: No more than 800 words)	The Gender Equity Education Act requires faculty and staff, upon becoming aware of a “campus gender-related incident” — including sexual harassment, sexual assault, and sexual bullying — to complete an administrative report within 24 hours. However, it is understood that many teachers have consequently come under significant pressure, resulting in many cases being hastily brought into administrative procedures before the facts are clear or the broader context has been properly understood. We acknowledge that the purpose of this reporting mechanism is to ensure that such cases are not concealed. However, we also note that what is currently referred to as a “campus gender-related incident” in fact includes many “student-on-student” cases. Among these, where sexual activity occurs between two minors, the matter may also be treated as a campus gender-related incident, forcing what may originally be part of the two students’ emotional relationship or process of sexual exploration into public and administrative scrutiny. Moreover, because such procedures often involve notifying parents, they may further lead to situations in which the parents of both parties file complaints or legal actions against each other, which may ultimately be detrimental to the physical and psychological development and best interests of the children and adolescents involved. In this regard, we hope that the government will comprehensively review the current reporting and handling mechanisms for campus genderrelated

	incidents and consider establishing a more nuanced diversion system. For example, incidents occurring between “students and teachers,” or those involving power imbalances or significant safety risks, should continue to be subject to the 24-hour reporting obligation to ensure immediate protection and intervention. However, for “student-onstudent” cases, particularly those involving adolescent romantic relationships, intimate relationships, or sexual exploration, the government should consider whether the reporting deadline may be appropriately relaxed, allowing faculty and staff, school counselors, psychologists, or social workers to conduct an initial assessment before determining the subsequent reporting and handling measures.
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	In addition, the government should also review whether parents must invariably be notified in such cases, and establish decision-making criteria centered on the best interests of children and adolescents. This would help prevent the reporting system, in the name of protecting children and adolescents, from instead subjecting them to unnecessary labeling, pressure, and family conflict.
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Garden of Hope Foundation

Name and Contact : Yuying Kuo, (02)8911-5595#104, goh0667@goh.org.tw

Response Item/ article	Item 16, Article 5 (Sexual Harassment)
Reply (Word limits: No more than 800 words)	Regarding the Prevention of Sexual Harassment: Fragmented and confusing help-seeking mechanisms undermine access to support services: Under Taiwan's three gender-equality laws, reporting mechanisms of sexual harassment differ depending on the context and subjects involves in the incident.⁴ In practice, complainants are often uncertain about the appropriate channel and may be referred repeatedly between different agencies. When complaints are submitted through the wrong channel, authorities frequently respond that the case falls outside their jurisdiction or cannot be accepted under existing regulations, without providing referrals or guidance to the appropriate channel. As a result, complainants may become discouraged from seeking assistance, delays may occur, which adversely affected their rights. Unequal availability of victim support services across local jurisdictions: Although the law⁵ requires referrals and the provision of psychological and legal assistance during the investigation process, implementation varies significantly across counties and cities. Some local governments have established formal subsidy programs,⁶

⁴ The Gender Equity Education Act applies to educational institutions, the Gender Equality in Employment Act applies to workplaces, and the Sexual Harassment Prevention Act applies to settings not covered by the other two laws.

⁵ Article 11 of the Sexual Harassment Prevention Act.

⁶ Taoyuan, Taichung, and Tainan have adopted Sexual Harassment Victim Assistance and Subsidy Guidelines that explicitly provide support for psychological counseling, litigation expenses, and attorney fees.

	while others contract civil society organizations to provide services.⁷ However, some jurisdictions lack relevant regulations altogether or require victims to locate support services on their own. 3. A need for intervention measures targeting repeat sexual harassers: Individuals who engage in repeated acts of sexual harassment may have underlying behavioral or mental health issues that require medical, educational, or counseling interventions. However, under the current legal framework,⁸ intervention measures are generally available only when the conduct involves non-consensual kissing, hugging, touching of the breasts, buttocks, or other intimate body parts, or similar forms of physical sexual misconduct. Harassments fall outside of the regulation scope do not qualified for perpetrator interventions program. 4. A need to address sexual harassment occurring overseas: Taiwanese nationals who experience sexual harassment while traveling, on business trips, or during international work assignments⁹ often lack familiarity with local laws and available remedies. Upon returning to Taiwan, complaints may be rejected by authorities on the grounds that the conduct occurred outside Taiwan's jurisdiction, leaving victim-survivors without effective avenues for assistance or redress. 5. Recommendations: Develop a clear, accurate, and user-friendly public guide on sexual harassment reporting and support mechanisms, enabling individuals to access appropriate resources at the earliest opportunity. Public-
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⁷ For example, Taipei City provides services through commissioned organizations.

⁸ Pursuant to Article 7, Paragraph 1 of the Sexual Assault Crime Prevention Act, perpetrator intervention measures—including psychological treatment, counseling, educational programs, supervision, and registration requirements—apply only to individuals who have been convicted of offenses under Article 25, Paragraph 1 of the Sexual Harassment Prevention Act or Article 319-2, Paragraph 1 of the Criminal Code.

⁹ Examples include a tour leader sexually harassing a member of a tour group while abroad, or a flight attendant experiencing sexual harassment from a passenger or pilot outside Taiwan.

	sector personnel should receive adequate training on the three gender-equality laws—particularly the Gender Equality in Employment Act¹⁰—and should use the guide to provide referrals or directions when individuals seek assistance through an incorrect channel. Require all local governments to establish Sexual Harassment Victim Assistance and Subsidy Guidelines to ensure that access to support services does not vary according to a victim's place of residence. Establish legal provisions for perpetrator intervention programs in cases of repeated sexual harassment. Eligibility for intervention should not be limited to physical forms of sexual harassment. Where a pattern of repeated harassment is identified, medical, psychological, or counseling professionals should be empowered to assess the individual and recommend appropriate intervention measures to reduce the risk of reoffending. Extend employers' duty of care to cover international work assignments. The government should establish reporting and response guidelines for sexual harassment occurring during overseas assignments and require employers to provide a 24-hour reporting mechanism, as well as immediate legal and psychological support. In addition, authorities should consider, by reference to the extraterritorial jurisdiction principles reflected in Articles 5 and 7 of the Criminal Code, creating an exception under the Sexual Harassment Prevention Act to allow access to remedies where both the victim and the perpetrator are Taiwanese nationals, even when the conduct occurs outside Taiwan.
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¹⁰ Compared with the other two laws, certain provisions of the Gender Equality in Employment Act are less clear and may make it difficult for victims to determine the appropriate legal avenue. For example, under Article 12, Paragraph 3, sexual harassment by a co-worker outside working hours is covered by the Act only when the conduct is continuous in nature; otherwise, the matter must be pursued under the Sexual Harassment Prevention Act.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Judicial Reform Foundation

Name and Contact : Campaigner / JIA-ZHEN XIE jane@jrf.org.tw (04)2329-2372 #11

Response Item/ article	Item16 Article 5 Sexual harassment
Reply (Word limits: No more than 800 words)	The Judicial Reform Foundation continues to receive complaints indicating that isolated cases of repeated interviewing of child victims persist. These cases are characterized by insufficient coordination between social workers and victim protection resources under the Crime Victim Protection Act, as well as recurring failures in the handling of information confidentiality at various stages of the process. Recommendations previously proposed in this regard have yet to be implemented, including: 1. Where multiple victims are suspected or the circumstances are particularly serious, local municipal and county education bureaus should report to the Secretary-General or Chief Secretary of the respective government to establish a cross-agency task force. Where necessary, a list of children and adolescents who have had contact with the alleged perpetrator should be compiled, and notification to parents expanded accordingly. 2. Standard operating procedures for the concealment of personal data within civil enforcement divisions should be clarified, with particular attention to establishing specific protocols for cases involving the sexual exploitation of children and adolescents or other sensitive matters, including mechanisms for special alerts.

	3. A comprehensive review should be conducted of the standard operating procedures governing the sending and receiving of correspondence across all branches of the Crime Victim Services Association, with particular regard to the transmission of confidential and sensitive materials, so as to prevent recurrence of such errors. Continued monitoring of improvements in these areas is essential to ensure that legal frameworks do not remain merely nominal, and that frontline efforts to prevent and protect against secondary trauma are effectively implemented in practice.
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : National Association for Equality of Life Rights (NAELT)

Name and Contact : LIN, CHIH-HAO 0929008219

Response Item/ article	Items 13, 14, 15 and 16
Reply (Word limits: No more than 800 words)	Reply: The Government has provided information regarding policies and programs addressing domestic violence, gender-based violence, violence against women facing intersecting forms of discrimination, and sexual harassment. However, the Committee's primary concern should not be limited to the amount of resources invested, but whether these measures actually make women safer. Through long-term engagement with victims of domestic violence, sexual violence, and serious crimes, it is evident that many women face difficulties not only because of the violence itself, but also because of the complexity of post-incident procedures. Many victims are required to repeatedly recount traumatic experiences to police officers, social workers, healthcare providers, and judicial authorities. Despite the existence of protection mechanisms, repeated questioning, inconsistent coordination among agencies, and lack of information continue to contribute to secondary victimization. While the Government provides extensive statistics and service data, limited information is available regarding whether current measures effectively reduce recidivism, improve women's sense of safety, or reduce secondary victimization. In addition, Indigenous women, migrant women, and women with disabilities often face higher risks of violence and additional barriers when seeking assistance, including language, cultural, transportation, and

accessibility challenges. Publicly available information remains insufficient to assess whether these groups are receiving effective protection and remedies.

The increase in reports of sexual harassment may indicate greater willingness among women to come forward. However, the key question is whether reporting leads to fair investigations, timely protection, and meaningful remedies.

The issue is not merely whether mechanisms exist, but whether women can receive timely, effective, and dignified protection when they need it most.

Recommendations:

1. Regularly publish recidivism rates and effectiveness assessments relating to domestic and gender-based violence cases.
2. Establish victim safety and satisfaction surveys.
3. Review and address problems related to repeated questioning and secondary victimization.
4. Publish outcome data regarding services and remedies available to Indigenous women, migrant women, and women with disabilities.
5. Establish evaluation mechanisms for trauma-informed services.
6. Use women's actual safety outcomes and protection results as core indicators for policy evaluation.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Coalition Against Violence _____

Name and Contact : Shuwen Liao tcav.tcav@yahoo.com.tw

Response Item/ article	Item16 Article 5 – Sexual Harassment Item17 Article 5 – Sexual Violence
Reply (Word limits: No more than 800 words)	Government responses regarding trauma-informed approaches continue to focus primarily on training programs, educational materials, and procedural guidelines, but fail to adequately address the persistently high non-prosecution rate in sexual violence cases. In recent years, more than half of sexual assault cases have resulted in non-prosecution decisions. Government responses also lack systematic capacity-building measures aimed at addressing credibility assessments of women survivors and witnesses. Furthermore, there has been insufficient review and reform of the criminal justice system from a trauma-informed perspective, particularly regarding repeated testimony, excessively lengthy proceedings, evidentiary requirements, and other forms of secondary victimization. Government responses also fail to address core issues of cross-sector and inter-agency coordination, including institutional integration models such as the Barnahus Model developed in Europe, which represents a comprehensive trauma-informed approach. Child survivors remain in a particularly disadvantaged position due to trauma responses, developmental limitations, and adult-centered evidentiary expectations. In addition, criminal and administrative

	investigations continue to operate separately, resulting in repeated questioning and insufficient protection of survivors' rights. Administrative investigations, particularly in schools and institutional settings, continue to cause secondary victimization. Children and survivors are repeatedly required to recount traumatic experiences while facing fragmented procedures and inadequate inter-agency coordination. The Control Yuan has also identified structural problems including frequent personnel turnover, insufficient expertise, and shortages of rural resources. However, government responses have not presented concrete institutional reforms or accountability mechanisms.
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Awakening Foundation

Name and Contact : Icey Wang 02-25028715 hanwang@awakening.org.tw

Response Item/ article	17(a)
Reply (Word limits: No more than 800 words)	1.According to the Annual Statistical Report of Ministry of Justice, the numbers of defendants whose sexual assault investigations were concluded were 5,472 in 2023, 5,776 in 2024, and 6,082 in 2025; among them, those who received indictment or deferred prosecution were 1,968 in 2023, 1,923 in 2024, and 2,192 in 2025. This indicates that the indictment rate has long stagnated between 30% and 40%. Legal practitioners note that cases involving "sexual intercourse with minors" yield higher indictment rates due to the objective criterion of "age". Conversely, the indictment rate for cases with adult victims remains low. Despite these disparities, the Ministry of Justice (MOJ) has failed to conduct further statistical tracking or analysis regarding the indictment and conviction rates for different types of sexual assault categorized by statutory provisions. 2.Although District Prosecutors' Offices under the MOJ have established "Specialized Units for Women and Children Protection" or designated specialized prosecutors to handle gender-based cases—such as domestic violence, sexual assault, sexual harassment, and child/youth sexual exploitation—and routinely provide training on "user-friendly justice and gender equality", practical gaps persist. Legal practitioners report that some prosecutors still ask victims insensitive questions, such as "Why didn't you run away?" or "Why didn't you call for help?" This demonstrates a fundamental lack of understanding of the victims'

trauma. Such questioning frequently leads to secondary victimization during the judicial process, yet **the MOJ has proposed no progressive strategic actions to rectify this ongoing issue.**

3. For sexual assault crises where the defendant is not placed under detention, there are no strict time constraints or mandatory deadlines imposed on prosecutors. Consequently, **prosecutors tend to delay handling complex or ambiguous sexual assault cases. Such prolonged delays often push the investigation period beyond the two-year statute of limitations within which victims must file for civil damages.** This creates severe practical hurdles for victims seeking compensation. The MOJ must formulate proactive counter-strategies to resolve this systemic barrier to access to justice.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Garden of Hope Foundation

Name and Contact : Yuying Kuo, (02)8911-5595#104, goh0667@goh.org.tw

Response Item/ article	Item 17, Article 5 (Sexual Violence)
Reply (Word limits: No more than 800 words)	Regarding the Prevention of Sexual Violence: Abolishment of Statutes of limitations for sexual violence offenses: The Ministry of Justice recently proposed amendments concerning the statute of limitations for child sexual abuse cases, under which the limitation period would start after the victim reaches the age of 20. This reform is a positive development. However, given the unique and long-lasting impacts of childhood sexual trauma, as well as the barriers many survivors face in reporting sexual violence, we recommend that all forms of sexual violence be exempt from criminal statutes of limitations. Establish a Working with Children Check system: Taiwan has witnessed several large-scale child sexual abuse cases in recent years involving multiple victims.¹¹ We recommend that the government establish a "Working with Children Check" system, similar to those implemented in Australia and the United Kingdom, to ensure that individuals employed in positions involving regular contact with children do not have prior record for sexual offenses.

¹¹ Recent cases involving large numbers of child victims have highlighted systemic child protection concerns. Examples include a youth baseball coach sexual abuse case in Taichung involving 53 victims, a kindergarten sexual abuse case in Taipei involving 46 victims, a Go (Baduk) academy sexual abuse case in New Taipei City involving 12 victims, and a hidden-camera case involving a basketball coach in Taipei affecting 42 victims. These incidents demonstrate the need for stronger preventive screening mechanisms for individuals working with children.

	Such a mechanism would help prevent children from being placed in contact with known sexual offenders and strengthen child protection safeguards.
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Jen&Lin Education Foundation, Taipei Twin Association

Name and Contact : Lin Chia-Hui (Executive Director) / Tel: +886-2-2778-0703 / E-mail: justine520107@jenlinst.org.tw

Response Item/ article	Article 3, Article 18 <i>(Gender Statistics and Intersectional Data Collection)</i>
Reply (Word limits: No more than 800 words)	[Current Gap Analysis] Regarding the cross-ministerial gender statistics emphasized in the government's replies, we point out a critical intersectional blind spot concerning "family types and caregiving density." Currently, core notification and assessment systems—such as child protection, vulnerable families, and domestic violence—completely lack independent statistical fields or de-identified cross-analysis for "multiple-birth families" or "high-caregiving-burden family structures." [NGO Core Parallel Reply] Without data, there is no recognition. Mothers of multiple births (including indigenous, new immigrant, and economically disadvantaged women) face more than double the caregiving exhaustion, sleep deprivation, and psychological risks, which severely triggers family conflicts. The current statistical framework fails to identify the structural burnout of these family systems, preventing national budgets and supportive policies from precisely reaching grassroots, high-risk women. We urge the government to add multiple-birth fields into core social welfare and anti-violence systems to practice genuinely intersectional gender statistics.

	[Suggested Question for IRC] Will the government include a specific check-box for "multiple-birth families" in child protection, domestic violence, and vulnerable family assessment databases to better monitor whether these mothers face higher risks of domestic conflict and psychological burnout?
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Modern Women's Foundation

Name and Contact : WANG, Chiou-Lan e-mail: chiulan@38.org.tw

Response Item/ article	Article 5: Stalking and Harassment Question Item 18 / Article 5(b)
Reply (Word limits: No more than 800 words)	1. Currently, the items covered by therapeutic intervention are primarily pathological treatments such as psychiatric treatment and addiction treatment. A pre-trial assessment must be conducted so that the court may consider issuing a protection order containing such measures based on the assessment results. Assessment costs are substantial and

	must be borne by the petitioner¹². In other words, if the police files the petition ex officio, the assessment costs are borne by the police authority. If a victim files the petition, the costs are borne by the victim. Practical observations indicate that the necessity to advance assessment fees is a concern that discourages some victims from seeking this type of protection orders. To address issues in relation to therapeutic intervention programs and the assessment mechanism for stalking and harassment protection orders during the transitional period before amendments to the Stalking and Harassment Prevention Act are completed, the Ministry of Health and Welfare has issued the Interim Guidelines for Applying for Therapeutic Interventions in Stalking Protection Order Cases. Under these guidelines, petitioners (victims) may apply for a discretionary subsidy of the assessment costs by submitting proof of advance payment and the court's adjudication outcome to the stalking and harassment prevention contact persons of the social affairs department of the relevant municipality, county, or city government. As for the application procedures, the number of applicants, and the utilization of the subsidy pool, further information may be provided by the Ministry of Health and Welfare. 2. In fact, many persistent stalkers do not suffer from mental illness, nor is their conduct necessarily attributable to a medical condition. It may involve a variety of factors, including emotional and social ones. What is needed is the correction of attitudes and behaviors through cognitive education, counseling, and guidance. The issuance costs are excessively high and it does not help to prevent the re-offense of perpetrators.
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¹² According to the Guidelines for Courts in Handling of Stalking Protection Order Cases, the court is advised to require the opposing parties to undergo an assessment to determine whether therapeutic intervention is necessary before the issuance of a protection order that includes such a program. The allocation of assessment costs is governed, mutatis mutandis, by the rules on litigation expenses in civil proceedings and is therefore borne by the petitioner.

	3. In light of the foregoing, civil society organizations such as the Modern Women's Foundation and the Taiwan Coalition Against Violence¹³ have called for legislative amendments to expand the scope of intervention programs available for the opposing parties; include the addition of cognitive education, guidance, psychological counseling, and other measures; and specify the respective powers and responsibilities of central and local competent authorities. The Ministry of the Interior continues to review both enforcement practices and legislative amendments.
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¹³ Stalking and Harassment Prevention Act in its Third Year. Legislative Amendments Are Imperative!" Release of the Draft Amendment Proposed by Civil Society <https://www.38.org.tw/news/2/51382>

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Judicial Reform Foundation _____

Name and Contact : Campaigner / JIA-ZHEN XIE jane@jrf.org.tw (04)2329-2372 #11 _____

Response Item/ article	Item18 Article 5 Stalking and harassment
Reply (Word limits: No more than 800 words)	The Anti-Stalking Act was enacted to address a protection gap in the existing legal framework governing sexual harassment — specifically, cases in which the absence of direct physical contact or explicit verbal expression left victims without adequate legal recourse. The current requirement that stalking conduct be "sex- or gender-related" as a constituent element of the offence is therefore inconsistent with the original legislative intent. During the legislative deliberations, both those who supported and those who opposed retaining this element shared a common position: that victims should be afforded comprehensive protection. The rationale for retaining the sex- or gender-relatedness requirement was primarily premised on concerns regarding the operational capacity of frontline prosecutors and police. However, three years of implementation have revealed that this design has not only failed to reduce caseloads as anticipated, but has in fact required investigating authorities to expend additional resources in each case to assess whether the sex- or gender-relatedness threshold is met. The result has been a failure to adequately protect victims who fall outside this requirement, while simultaneously placing an undue burden on the capacity of frontline law enforcement. The Judicial Reform Foundation maintains that this element should be abolished.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taipei Women's Rescue Foundation

Name and Contact : Ying-Chiu Tu 02-2555-8595#11

Response Item/ article	Item18/ Article 5 Stalking and harassment
Reply (Word limits: No more than 800 words)	Regarding the committee's inquiry (b) on measures taken to eliminate the requirement for psychiatric evaluation, reduce the financial burden on victims, and ensure consistent implementation of the law across regions, including the provision of professional support services, the government responded that victim protection and assistance measures such as counseling and subsidies are provided by social welfare authorities according to individual needs, in order to reduce victims' burden. However, the response did not address the actual implementation challenges. The practical situation is as follows: 1. For victims of stalking and harassment who are not related to family members and who require services, assistance is generally accessed through reporting to the police. In most cases, police officers ask whether the victim needs professional services. However, if victims are not informed during the reporting process, or if they are unaware that they are eligible for professional assistance, they often do not know whom to contact when they later seek support. 2. At the same time, different counties and cities provide different service items and subsidy schemes for victims, resulting in unequal treatment depending on the victim's household registration or place of residence.

	Recommendations: 1. All victims who report to the police should be referred to social workers, and social workers should confirm whether they require further assistance. Stalking and harassment cases should be treated as protective service cases. All professionals providing services should receive training in protective service work, and the scope of services should be aligned with those provided in other protective service systems.
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Organization(s) : Taiwan Coalition Against Violence

Name and Contact : Shuwen Liao tcav.tcav@yahoo.com.tw

Response Item/ article	Item18 Article 5 – Stalking and Harassment
Reply (Word limits: No more than 800 words)	Although the Stalking and Harassment Prevention Act and protection order mechanisms have been established, survivors continue to face inadequate timely protection. Civil society observations indicate that protection orders frequently take more than 30 days to be issued, leaving survivors exposed to threats and fear during high-risk periods. Civil society organizations continue to urge amendments to the Stalking and Harassment Prevention Act in order to ensure that urgent and emergency protection measures provide protections comparable to those available under the Domestic Violence Prevention Act.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Independent Living Taiwan

Name and Contact : Chun-Chieh Lin

chunil92@gmail.com

Response Item/ article	18
Reply (Word limits: No more than 800 words)	(a) Lack of Accessibility and Timeliness of the Protection Order System Although the Stalking and Harassment Prevention Act has established a protection order mechanism, the current system does not provide immediate protection. Victims are generally required to undergo a prior warning procedure, and a protection order can only be sought after repeated offending behavior occurs. In practice, inconsistent standards among police authorities, limited disability awareness, conservative case assessments, and low rates of protection order issuance continue to undermine effective protection. Women with disabilities often face additional barriers in accessing protection orders due to communication barriers, difficulties obtaining information, unfamiliarity with legal procedures, and dependence on caregivers for support. (b) Procedural Barriers and Inadequate Support for Victims with Disabilities Some victims with disabilities continue to face unnecessary psychiatric evaluations during reporting procedures, police investigations, or judicial proceedings. Such requirements may result in secondary victimization and reinforce discriminatory assumptions regarding persons with psychosocial disabilities.

In addition, victims may incur significant costs related to transportation, legal representation, expert assessments, and medical documentation, creating further barriers to accessing justice.

Support services also vary considerably across local governments, and no consistent national standard exists. Necessary reasonable accommodation, communication support, and supported decision-making measures for persons with hearing, speech, intellectual, and psychosocial disabilities remain insufficient.

(c) Existing Legislation Does Not Adequately Address Emerging Forms of Stalking and Harassment

Online harassment, social media harassment, digital surveillance, non-consensual dissemination of personal information, and technology-facilitated tracking have become increasingly prevalent. However, current legislation and available remedies remain insufficient to effectively address these emerging forms of stalking and harassment in digital environments.

(d) Stalking and Harassment in Institutional and Care Relationships Remain Overlooked

Women with disabilities living in residential institutions, psychiatric facilities, or long-term care settings may experience ongoing harassment and stalking by staff members, caregivers, or other service users. Due to their dependence on service providers for daily support, they often face significant barriers in reporting abuse or seeking protection.

The Committee should recommend that the Government:

- 1. Reform the protection order system to ensure accessibility and timely protection for victims, including women with disabilities, and remove procedural barriers that delay access to protection orders.**

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| | <p>2. Establish clear and consistent standards for police responses to stalking and harassment cases, and strengthen disability-rights and gender-sensitivity training for law enforcement personnel.</p> <p>3. Eliminate unnecessary psychiatric evaluations in reporting and judicial procedures, and ensure that victims with disabilities have access to reasonable accommodation, communication support, and supported decision-making in accordance with the Convention on the Rights of Persons with Disabilities (CRPD).</p> <p>4. Reduce financial barriers to justice by providing appropriate support for transportation, legal assistance, expert assessments, and other disability-related costs incurred during legal proceedings.</p> <p>5. Establish nationwide standards for victim support services and ensure equal access to accommodation and support measures regardless of place of residence.</p> <p>6. Review and amend relevant legislation to explicitly address emerging forms of stalking and harassment in digital environments, including online harassment, digital surveillance, technology-facilitated tracking, and the non-consensual dissemination of personal information.</p> <p>7. Establish obligations for technology platform providers to promptly remove harmful content, preserve evidence, and cooperate with investigations involving stalking and harassment.</p> <p>8. Strengthen civil remedies available to victims, including compensation and other forms of effective redress.</p> <p>Establish independent complaint mechanisms and external monitoring systems for residential institutions, psychiatric facilities, and long-term care settings to ensure that women with disabilities can safely report harassment and stalking and obtain effective protection without fear of retaliation.</p> |
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The Fifth Review of Taiwan's CEDAW Implementation

Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Coalition Against Violence _____

Name and Contact : Shuwen Liao tcav.tcav@yahoo.com.tw

Response Item/ article	Item19 Article 5 – Technology-Facilitated Gender-Based Violence
Reply (Word limits: No more than 800 words)	Taiwan still lacks an integrated prevention framework addressing digital gender-based violence. Children and adolescents face increasing risks of online grooming, image-based sexual violence, and technology-facilitated coercion, while parents and after-school education systems remain outside formal prevention structures. Older women increasingly experience digital fraud, technology-facilitated harassment, and identity misuse, yet these risks remain largely invisible within current policy responses. Current government responses remain fragmented and incident-based, lacking coordinated life-course and cross-system prevention strategies. The national action plan on gender-based violence prevention also remains largely limited to awareness campaigns and promotional activities. Further efforts are needed to strengthen comprehensive public capacity-building, cross-sector prevention systems, and evaluation mechanisms aimed at transforming public attitudes and improving nationwide awareness.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taipei Women’s Rescue Foundation

Name and Contact : Ying-Chiu Tu 02-2555-8595#11

Response Item/ article	Item19/ Article 5 Technology-facilitated gender-based violence
Reply (Word limits: No more than 800 words)	1. Regarding paragraph (b), the Government states that Article 319-3, Paragraph 1 of the Criminal Code stated “A person who reproduces, distributes, broadcasts, delivers, displays publicly, or uses other means to allow others to view sexual images without the consent of victims shall be sentenced to an imprisonment of not more than five years, and may also be fined not more than five hundred thousand dollars.” The government indicated that individuals who purchase or view non-consensually recorded sexual imagery of adults may be prosecuted under this provision if their conduct constitutes "reproduction" as defined therein. However, in 2024, a well-known entertainer surnamed Huang was found to have purchased over a thousand items of child porn videos/images as well as non-consensual sexual imagery of adults. The purchases were made prior to the 2023 amendments to the <i>Child and Youth Sexual Exploitation Prevention Act</i>, and the amended provisions at that time only criminalized <i>possession</i>—it was not until after 2024 that purchasing or viewing child sexual imagery was explicitly incorporated. To date, no penal provision exists specifically targeting the purchase of non-consensual sexual imagery of adults. This legislative gap means that anyone wishing to view such material can easily obtain it through perpetrators who acquire images via voyeuristic recording, deception, rape, coercion, or sharing—and then sell them with

impunity. As a result, adult survivors find their non-consensual sexual imagery continuously purchased and viewed, trapping them in an ongoing cycle of digital sexual violence.

2. Taiwan currently lacks a dedicated internet safety law, making it extremely difficult to regulate and hold foreign platform operators accountable. Due to the anonymity afforded by the internet, many digital sexual violence cases are very hard to prosecute. This problem is compounded by perpetrators who exploit digital gaming platforms and dating apps to groom and deceive children and adolescents into providing sexual imagery.
3. Regarding Point (c), the government has invested substantial resources in digital sexual violence prevention and awareness campaigns, achieving broad coverage across Taiwan. Nevertheless, these efforts lack a clearly differentiated, gender-inequality-based analytical lens. For instance, voyeuristic recording cases in recent years have overwhelmingly involved female victims, and the methods used are increasingly diverse, with male offenders predominating. Conversely, cases in which male victims are lured into online video-based sexual encounters and subsequently blackmailed with the resulting imagery have been rising—in some recent data, surpassing the number of female victims in this category—as perpetrators exploit male sexual curiosity and desire as a vector for entrapment.

Recommendations

1. Criminalize the purchase of non-consensual sexual imagery of adults. Only by addressing both supply and demand can the government effectively break the cycle of digital sexual violence that continually re-victimizes survivors.

	2. Amend existing legislation or enact a dedicated digital internet safety law that establishes a clear legal basis for regulating the responsibilities of digital platform operators, thereby protecting both children and adults from online violence and threats. 3. Incorporate a gender-structural analysis into all digital sexual violence prevention campaigns in order to shift societal narratives away from victim-blaming and toward a more accurate understanding of the power dynamics and inequalities that underlie these crimes.
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Awakening Foundation

Name and Contact : Icey Wang 02-25028715 hanwang@awakening.org.tw

Response Item/ article	Item 19
Reply (Word limits: No more than 800 words)	(a) 1.The questions raised by the International Review Committee specifically focused on "technology-facilitated gender-based violence" rather than encompassing all forms of gender-based violence. While the Government responded by citing the "National Action Plan for Gender-Based Violence Prevention (2025–2027)" , the concepts and enforcement actions regarding the prevention of technology-facilitated gender-based violence—including prevention, multi-dimensional service systems for victims, and legal and judicial rights—remained unspecific. This lack of concreteness was evident during the meetings convened this year by the competent authorities, such as the Ministry of Justice, the Ministry of Education, and the Ministry of Health and Welfare, which were held to review the contents of the plan and its implementation effectiveness after one year of execution. 2.Although the Ministry of Health and Welfare (MOHW) commissioned a research team in 2022 to conduct the "Survey on Digital/Cyber Gender-Based Violence in Taiwan," and the resulting report provided concrete policy recommendations, the Government's discussions and implementation of the relevant policies have progressed slowly. Furthermore, the tracking of digital gender-based violence prevention is conducted through quarterly meetings hosted by the "Personal Safety Group" under the "Gender Equality Committee of the Executive Yuan" to monitor implementation progress. However, due

to the extensive number of agendas covered in these meetings, it remains difficult to focus discussions on relevant policies or engage in in-depth deliberations on developing concrete action plans. Taking the recent surge in AI-facilitated gender-based violence as an example , it is currently challenging within the aforementioned meetings for the Ministry of Digital Affairs, the National Science and Technology Council, the National Communications Commission, the Ministry of Education, the Ministry of Justice, and the MOHW to jointly discuss and integrate concrete countermeasures and prevention frameworks.

Consequently, no relevant ministries have yet designed responsive actions specifically targeting this issue.

(b)Possessing adult sexual images filmed without consent does not carry independent criminal liability for mere possession under the current Article 319-3 of the Criminal Code. However, if it involves unauthorized reproduction, distribution, or broadcasting, offenders face a maximum penalty of five years of imprisonment. Taiwanese women's rights organizations have long called for the comprehensive prevention of digital sexual violence and are actively pushing for statutory amendments to address these existing regulatory loopholes.

(c)The gender ratios compiled by various ministries for relevant service programs often lack data intermeshed with disadvantage factors. Currently, these statistics remain categorized primarily by male and female genders, making it difficult to ascertain the numbers and profiles of violence survivors in intersectional disadvantaged situations from existing data. The indicators under the "National Action Plan for Gender-Based Violence Prevention (2025–2027)" require that the number of gender-based violence victims receiving services increase by more than 5% compared to the previous year. However, sexual violence manifests in

	numerous forms. Beyond the offenses stipulated in existing laws—such as the Gender Equality in Employment Act, the Gender Equity Education Act, the Sexual Harassment Prevention Act, the Stalking and Harassment Prevention Act, the Sexual Assault Crime Prevention Act, the Child and Youth Sexual Exploitation Prevention Act, and the Criminal Code—it also encompasses online and digital gender-based violence. Tracking the policies and implementation status of services for victims of all types of gender-based violence requires each ministry to establish systematic and periodic statistics disaggregated by different forms of gender-based violence.
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Modern Women's Foundation

Name and Contact : WANG, Chiou-Lan e-mail: chiulan@38.org.tw

Response Item/ article	Government's Response to Item 19 of Article 5: Technology Facilitated Sexual Violence (TFSV) 2. Part (b)(2)
Reply (Word limits: No more than 800 words)	1. The regulatory approach and rationale for penalties under the existing legal framework in Taiwan regarding sexual images involving adults are different those on sexual images involving children and youth. In the Chapter "Offense against Sexual Privacy and Synthetic Sexual Videos" of the Criminal Code, the punitive measures are primarily meant to penalize the dissemination, recording/filming, and reproduction and not the possession or payment to view, unless the clicking, downloading, storing and taking screenshots of unlawful sexual images meet the elements of reproduction. Accordingly, Modern Women's Foundation and other civil society organizations have in recent years strongly advocated for legislative amendments to expressly criminalize and penalize the purchase of, payment for, or viewing of unlawful and non-consensual sexual images involving adults without legitimate justification¹⁴. 2. From the covert filming last year at a café in Datong District to the recent large-scale hidden-camera scandal of a cosmetic medical clinic, it is evident that such offenses have evolved into systemic image-based sexual violence involving venue management failures, use of digital technology, and personal data breaches. Civil society organizations have once again called for¹⁵:

¹⁴ [Joint Statement] Eliminate the Possession and Purchase of Illegal Sexual Images — Adult Victims Deserve Protection Too! <https://www.38.org.tw/news/2/28221>

¹⁵ In Response to the Systematic and Large-Scale Covert Filming at Cosmetic Medical Clinics, the Government Should Launch a National-Level Mechanism for Preventing Image-Based Sexual Violence <https://www.38.org.tw/news/2/68619>

	(1) Establishment of an inter-agency coordination mechanism and a victim-centric one-stop service system; (2) Development of technology-based image-matching and intelligence integration systems, together with dedicated investigative units, to address the growing volume of sexual-image-related offenses; (3) Increase in criminal liability for venue managers who engage in covert filming; and (4) Creation of safety inspection mechanisms for high-risk private spaces
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Judicial Reform Foundation _____

Name and Contact : Campaigner / JIA-ZHEN XIE jane@jrf.org.tw (04)2329-2372 #11 _____

Response Item/ article	Item19 Article 5 Technology-facilitated gender-based violence
Reply (Word limits: No more than 800 words)	Regarding digital sexual violence, the Judicial Reform Foundation provided assistance in a defamation case brought against an individual who had publicly called for the removal of a platform disseminating non-consensual intimate images (the "Risú case"). The judiciary should exercise careful scrutiny in cases involving Strategic Lawsuits Against Public Participation (SLAPPs), such as the Risú case in which a defamation claim was brought in response to boycott activity. It is essential that civic space for public interest discourse be protected, and that power asymmetries not be permitted to produce a chilling effect on civil society.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Sex Industry & Workers' Rights Association (TSIWRA)

Name and Contact : Chun-Tai Chang, Secretary-General tsiwra@tsiwra.org.tw

Response Item/ article	Issue List, Items 14–19: Gender-Based Violence Against Women, Sexual Harassment, Sexual Assault, Stalking and Harassment, and Digital/Technology-Facilitated Gender-Based Violence CEDAW Article 5
Reply (Word limits: No more than 800 words)	Violence experienced by women and gender-diverse sex industry workers must be recognized as part of gender-based violence. They frequently face physical violence, sexual violence, and coercion by clients or third parties; control, commission-taking, and exploitation by operators, intermediaries, or platforms; covert filming, non-consensual distribution of intimate images, extortion, and threats of outing or exposure; stalking and harassment, doxxing, online shaming, and account-based harassment; as well as repeated questioning, humiliation, or disbelief after reporting to the police. Such violence is often ignored not because it is not serious, but because the current punitive and stigmatizing system deprives affected persons of safe conditions for seeking help. They often worry that once they report to the police or enter formal procedures, they will first be identified, blamed, exposed, or even punished because of their work status, and that their parental rights, housing, and family relationships may also be affected. The digital sphere requires particular attention. For erotic content creators, online sex workers, and gender-diverse workers, image leaks, cross-platform dissemination, harassment by anonymous accounts, and online extortion have become highly normalized risks. At the same time, Article

235 of the Criminal Code, which criminalizes the distribution of obscene materials, provides a legal basis for police crackdowns on online sex workers. Because of fear of violating the law, online sex workers face even greater barriers in seeking help from the police. Such a legal framework effectively presumes that victims of digital and technology-facilitated gender-based violence should “not take selfies” and “not self-distribute sexual images.”

Recommendations:

1. Include sex industry and erotic industry workers in all gender-based violence policies, statistics, and action plans.
2. Establish reporting, assistance, and protection mechanisms free from the risk of prosecution or administrative penalties.
3. Provide trauma-informed and anti-stigma training on sex industry workers for police, prosecutors, courts, healthcare providers, and social workers.
4. Strengthen rapid response and legal accountability mechanisms for image leaks, digital extortion, stalking and harassment, and platform-facilitated sexual violence.

Clearly require that law enforcement and judicial procedures must not reduce a person’s credibility or protection needs on the basis of their occupation or gender identity.

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Organization(s) : Mental Health Association in Taiwan _____

Name and Contact : Po-Han Lee; +886-2-2557-6980; mhat.tw2@gmail.com

Response Item/ article	Items 15–19: Gender-based violence and post-violence mental health support
Reply (Word limits: No more than 800 words)	Questions 15 to 19 address differences in gender-based violence, sexual harassment, sexual assault, stalking, and technology-facilitated gender-based violence experienced by women and gender-diverse people, and they specifically note that trauma-informed, gender-sensitive mental health care remains under-resourced—an observation that aligns closely with our findings. We must emphasize that gender-based violence harms women and gender-diverse people not only at the moment of the incident, nor is it solely a matter for the justice system and protection orders. Its aftermath often includes long-term trauma responses, depression, anxiety, insomnia, self-stigmatization, social withdrawal, interruptions to education and work, and ongoing effects on family and intimate relationships. Therefore, if state responses are limited to reporting, investigation, protection orders, and short-term sheltering, without long-term psychological support, community recovery arrangements, and peer support, the right to health and obligations for redress cannot be fully guaranteed. For women and gender-diverse people with mental distress or psychosocial disabilities, the gaps in post-violence support may be even deeper. When reporting incidents, undergoing investigations, or entering shelter or medical systems, they are more likely to be questioned, overprotected, or deemed unstable or unreliable because of existing

stigma. For women and gender-diverse people recovering from mental health issues, violence may not only cause psychological distress but also deepen existing social exclusion, making it harder to return to education, work, and community life. If the state does not develop trauma-informed recovery support systems with a gender-responsive perspective, it cannot truly meet the needs of this group.

The attached key document again cites recommendations from previous reviews, pointing out that the government should strengthen hospital and clinic equipment to meet the various health needs of women with disabilities, and provide more educational support and counseling services; this reminds us that the health rights of women with disabilities and gender-diverse people should not be understood solely as physical or reproductive health, but should also include post-trauma mental health support and the psychosocial support needed for everyday social participation—improving self-understanding and well-being through social-emotional learning and interpersonal communication.

Recommendations:

1. Include long-term psychological support after gender-based violence in the national overall prevention and response framework, rather than providing only short-term counseling.
2. Establish trauma-informed, gender-sensitive, and accessible mental health service models.
3. Integrate peer support, community recovery, and social-emotional learning into post-violence support systems.
4. Provide accessible and sustained psychosocial support for women with disabilities, low-income women, and other intersecting vulnerable groups.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Awakening Foundation

Name and Contact : Cheng-Lung Chen 02-25028715 chenglungwork@awakeining.org.tw

Response Item/ article	Response to CEDAW Article 9(2): A portion of adult children are still trapped by historical patrilineal nationality laws.
Reply (Word limits: No more than 800 words)	Before 2000, Taiwan's Nationality Act adhered to strict patrilineal jus sanguinis, under which only children whose father was a Taiwanese citizen at the time of birth could acquire Taiwanese nationality. In 2000, reflecting evolving international standards and legislative trends, the law was amended to provide that nationality may be acquired if either parent is a Taiwanese citizen. However, this amendment does not apply retroactively to individuals born before February 9, 1980, leaving some people continuing to bear the consequences of the former patrilineal system. A petitioner, born to an American father and a Taiwanese mother, approached our foundation for assistance. Having already reached adulthood when the law was amended, the petitioner remains unable to acquire Taiwanese nationality. This has led to a number of significant difficulties: 1. Fractured Identity and Family Recognition: Although the petitioner grew up in Taiwan alongside their family, the legal system has never recognized them as Taiwanese. Others in similar situations were forced to leave the country where they had grown up upon reaching adulthood, while those who remained continue to be treated as foreigners under the law. The petitioner also regards the inability to inherit nationality from their

mother as a rupture in legal recognition of the parent-child relationship. In their view, the continued exclusion of this group from the amended law amounts to an ongoing denial of the legal dignity of Taiwanese mothers. By denying these individuals the right to inherit their mother's nationality, the state continues to reflect a legal hierarchy in which Taiwanese women and men are not treated equally.

2. Hardship During the COVID-19 Pandemic: During the pandemic, when Taiwan imposed border restrictions, the petitioner was pursuing doctoral study in New Zealand. Because the petitioner was legally regarded as a foreign national, they were unable to enter Taiwan and return to live with their family. At the same time, they were unable to earn income in New Zealand and faced severe financial hardship, coming close to homelessness. Temporary accommodation provided by the PhD supervisor prevented this outcome.

A review of the legislative history of the 2000 amendment reveals no clear rationale for why retroactive application was denied to adults. The legislative materials merely state that the amendment was extended to minors to protect their rights.

Others in similar circumstances have sought judicial remedies, these challenges have been unsuccessful. In a 2020 decision, Taiwan's Supreme Administrative Court acknowledged that: "While Article 1 of the former Nationality Act was not fully consistent with contemporary legislative developments concerning gender equality and therefore warranted amendment." However, the Court stated that the granting of nationality entails not only the enjoyment of citizens' rights, but also the fulfillment of citizens' obligations.

We firmly believe that the former nationality law, which prevented children from inheriting nationality from their mothers, reflected a deeply rooted patriarchal view that treated women as legally subordinate to men. This was fundamentally inconsistent with gender equality. By refusing to extend the amendment to adults affected by the former law, the state has perpetuated that inequality. The legal status of these Taiwanese women has never been vindicated, and consequences of this gender discrimination continue to be borne by their children.

Furthermore, these individuals are not refusing to fulfill the obligations of citizenship. Rather, the state has systemically deprived them of the opportunity and legal capacity to do so. For this reason, reliance on citizens' obligations as a justification for denying retroactive application is unpersuasive and logically flawed.

By continuing to exclude this group from the current Nationality Act, Taiwan preserves the impacts of a legal framework that disadvantaged women and denied them equal status in matters of nationality. This outcome is inconsistent with the spirit of Article 9(2) of CEDAW. The Taiwanese government should amend the law to ensure genuine gender equality and bring an end to this continuing injustice.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Sex Industry & Workers' Rights Association (TSIWRA)

Name and Contact : Chun-Tai Chang, Secretary-General tsiwra@tsiwra.org.tw

Response Item/ article	Issue List, Item 20: Trafficking in Women and Girls CEDAW Article 6
Reply (Word limits: No more than 800 words)	TSIWRA supports the state's active efforts to prevent and combat serious crimes such as human trafficking, forced labor, and the sexual exploitation of minors. However, in responding to Issue 20, the government must clearly distinguish human trafficking from voluntary adult sex work. Conflating the two not only distorts victim identification, but also expands raids and punishment, making it more difficult for persons who are truly subjected to coercion and exploitation to seek help. The state has long dealt with sex work through a moral and public order framework, rather than understanding sex workers' situations from the perspective of human rights and labor protection. For new immigrant women, migrant women, and economically vulnerable women, the factors that truly increase the risk of exploitation are often dependency in residency status, language barriers, limited access to formal employment opportunities, inadequate social protection, and distrust of the government—not simply the fact that they are located in sex work settings. If these structural vulnerabilities are not addressed, strengthening crackdowns and enforcement alone cannot genuinely protect victims. Recommendations: 1. Establish clear identification guidelines that distinguish voluntary adult sex work, labor exploitation, sexual exploitation, and human trafficking. 2. Ensure that new immigrant and migrant women can seek help without facing the risk of deportation, linkage to immigration status, or prior punishment. Establish cross-sectoral protection mechanisms that are linguistically accessible, culturally safe, and based on trust.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Sex Industry & Workers' Rights Association (TSIWRA)

Name and Contact : Chun-Tai Chang, Secretary-General tsiwra@tsiwra.org.tw

Response	Issue List, Item 21: Exploitation of Prostitution
Item/ article	CEDAW Article 6
Reply (Word limits: No more than 800 words)	Issue 21 is the issue most directly related to TSIWRA. The Committee has noted that, from 2021 to 2024, the overwhelming majority of persons penalized for sexual transactions under Article 80 of the Social Order Maintenance Act were women, and requested the government to explain this phenomenon. The question itself points out that the current system does not operate neutrally, but has gendered effects. The high proportion of women among those punished does not mean that women are more likely to “break the law.” Rather, it reflects the fact that service providers are more easily targeted, recorded, and penalized than consumers during on-site enforcement, inspections, street checks, venue surveillance, and mechanisms of social identification. In practice, the current system concentrates legal risks on the party who is most visible, most vulnerable, and least resourced. Moreover, the Government’s response states that, during enforcement operations, even when only one person is engaged in a sexual transaction at the scene, other women may still be punished under Article 80 if, after questioning, they admit having engaged in sex work a few days or weeks earlier. This statement shows that enforcement does not treat both parties to the same transaction equally. Instead, it expands punishment by turning sex service providers’ past work experience into a basis for administrative penalties. In a context of unequal police power, lack of trusted legal assistance, and insufficient confidentiality safeguards, such practices are particularly likely to expand the monitoring and punishment of women sex workers.

If the government takes counseling for job transition as its primary response, it must also confront the fact that what affected persons truly face is not a lack of exits from the industry, but a lack of safe working conditions, housing, childcare, social insurance, protection from violence, and anti-stigma support. The low number of referrals for alternative livelihood assistance should not be interpreted as a lack of willingness or need among sex workers. Instead, it should prompt an examination of whether existing services are premised on exiting the industry, carry stigma, lack confidentiality, or fail to address debt, housing, childcare, night work, and the need for immediate income.

In 2023, the National Police Agency of the Ministry of the Interior completed the commissioned research report titled “Research on the Relationship Between Article 80 of the Social Order Maintenance Act and the Spirit of the Convention on the Elimination of All Forms of Discrimination against Women, and on Legal Amendments.” The report set out short-, medium-, and long-term goals. Its medium-term goal recommended the enactment of a special law for industry management, with cross-ministerial governance, and called for abandoning a framework of “control” in favor of one based on “protection.” Its long-term goal recommended full decriminalization and the active promotion of sexuality education. This report was clearly prepared in response to the previous CEDAW review recommendations. Yet three years have passed, and the government has still taken no action and has completely failed to implement or advance any of the policy recommendations in the report.

Recommendations:

1. Review Articles 80 and 91-1 of the Social Order Maintenance Act, and, before any feasible designated zones and sufficient protections are in place, stop maintaining a penalty-based framework against sex work. The government should gradually plan and implement the policy recommendations of the

	commissioned research report, and propose a concrete timetable for legal amendments and legislation. 2. Shift the policy focus from punishment and job transition to workplace safety, labor rights, health, anti-violence measures, anti-discrimination, and social protection. 3. Ensure that women and gender-diverse workers are not excluded from basic rights and protections because they engage in sexual or erotic labor. 4. Establish support programs that are not premised on exiting the industry.
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taipei Women's Rescue Foundation

Name and Contact : Ying-Chiu Tu 02-2555-8595#11

Response Item/ article	Item21 /Article 6 Exploitation of prostitution
Reply (Word limits: No more than 800 words)	1. The Committee has asked for background information explaining why the number of women referred to and receiving alternative livelihood assistance remains low, and has requested that the government describe any measures taken to strengthen such referral and support mechanisms. 2. Currently, assistance for sex service providers seeking to transition to other employment is available through two channels: (1) referrals following contact with the police after they are found engaging in sex work, and (2) consultation services provided through the " Consultation and Resource for Job Transfer of Sex Service" website. Under the first channel, after sex service providers are found by the police, they may feel dissatisfied with the police and emotionally affected by the experience. In addition, no other professionals are involved to understand their circumstances or explain the consultation services available for career transition. As a result, they are less likely to be willing to accept such assistance. 3. Career transition for sex service providers requires preparation and support from multiple professions and sectors, including social work, employment services, psychological counseling, legal aid, housing, healthcare, and financial assistance. However, government budgets can only be allocated where there is a legal basis for doing so. There are very few legal provisions

specifically addressing the career-transition needs of sex service providers. Furthermore, the availability of support is largely determined by individual local governments. As a result, funding and resources to assist sex service providers who wish to transition to other occupations are often limited.

4. Regarding the issue of the penalty regime applying to both sex service providers and clients, and why more women are affected, the Government responded that during the enforcement of sex work-related cases, sometimes only one person is found engaging in sex work at the time. However, after questioning, other female sex service providers may also admit that they engaged in sex work a few days or weeks earlier. The authorities stated that the police must confirm that both parties are involved in a sex transaction in order to impose penalties in accordance with the law, and that enforcement requires both parties to be present in order to verify that a sex transaction has occurred. Therefore, police should not impose penalties on other female sex service providers solely based on their admission. In addition, when sex transactions are detected, male clients may sometimes be allowed to leave in order to protect them, and therefore they are not penalized.

Recommendations

1. Field experience shows that female sex service providers are often compelled to engage in sex transactions due to financial hardship or debt. It is therefore recommended that the law be amended so that only the buyer is penalized, not the sex service provider.
2. It is recommended that the government establish a comprehensive plan with dedicated budget allocation for sex service providers seeking occupational transition, and that

	relevant laws be amended accordingly, so that there is a proper legal basis for providing transition assistance. 3. It is recommended that when police conduct a raid, they connect the sex service providers apprehended at the scene with employment service officers or social welfare personnel who can engage with them, explain available resources, and introduce them to occupational transition support.
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taipei Women's Rescue Foundation

Name and Contact : Ying-Chiu Tu 02-2555-8595#11

Response Item/ article	Item22/ Article 6 Human rights education on military sexual slavery
Reply (Word limits: No more than 800 words)	1. Regarding the government's response (b), it is noted that the central and local governments allocate annual budgets to establish various museums, art museums, and cultural institutions. However, there has still been no concrete plan to establish a gender and human rights museum, or a women's and human rights museum. At the same time, the promotion of comfort women historical and human rights education relies solely on fundraising by the Taipei Women's Rescue Foundation (TWRP) and applications for cultural subsidies from the Ministry of Culture, which are only available every two years. This places a heavy burden on the organization and is not sufficient to sustain long-term educational work. The TWRP has observed that the government places strong emphasis on culture and history, and that many museums, heritage institutions, and cultural education programs are implemented through commissioned projects carried out by non-governmental organizations, often with relatively sufficient funding. 2. Before 2019, comfort women history was included in the national curriculum guidelines. After the 2019 revision, it was removed from the curriculum. Since then, only civil society organizations have advocated for the framing of comfort women as military sexual slavery in line with international standards. If

the government were to provide support, it should ensure that this content is included in textbooks. Furthermore, in current Taiwanese history publications written by historians or teachers outside of official textbooks, there is almost no inclusion of comfort women history.

Recommendations:

1. It is recommended that the government establish a regular and dedicated budget line, using funding to commission and support civil society organizations, so that these organizations have sufficient financial resources to operate museums and promote educational outreach.
2. It is recommended that the government plan and establish a national-level women's and human rights museum, or a gender and human rights museum, and include artifacts and exhibitions related to comfort women or military sexual slavery.
3. It is recommended that the curriculum framework be revised to include the history of comfort women or military sexual slavery, or to incorporate it into human rights education, in order to prevent this historical issue from being omitted from future textbooks due to its exclusion from the official curriculum.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Independent Living Taiwan

Name and Contact : Chun-Chieh Lin

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Response Item/ article	26
Reply (Word limits: No more than 800 words)	Some immigrant women with disabilities—particularly those with psychosocial disabilities, dementia, or emotional and behavioral disabilities—may experience conflicts with family members or neighbors due to a lack of adequate medical, community, and family support. As a result, police reports or official incident records may be generated in connection with disability-related behaviors or crisis situations. However, in practice, the National Immigration Agency frequently treats such records as evidence of "bad conduct" or a failure to satisfy the moral character requirements for naturalization, and may use them as grounds for denying naturalization applications. The Committee should recommend that the government review the naturalization assessment system to ensure that records arising from disability-related behaviors or from a lack of appropriate support are not automatically regarded as evidence of poor moral character. The government should further ensure that the National Immigration Agency incorporates reasonable accommodation and individualized assessments into the review process, taking into account the applicant's disability-related circumstances. Such measures are necessary to prevent intersectional discrimination against immigrant women with disabilities on the grounds of gender, disability, and nationality.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan LGBTQ+ Family Rights Advocacy

Name and Contact : Sven SZU-WEI, LIAO/ researcher@lgbtfamily.org.tw

Response Item/ article	Item 28
Reply (Word limits: No more than 800 words)	1. The children of most same-sex marriage families enjoy the legal protection of only one parent at birth. A child born in Taiwan to a same-sex marriage family cannot have both married same-sex spouses registered directly as the child's two legal parents. It is because under our legal system, the presumption of legitimacy in the Civil Code does not apply automatically to same-sex marriage. Furthermore, because our current Assisted Reproduction Act does not yet extend its eligibility to same-sex partners, married lesbian couples are compelled to undergo assisted reproduction abroad. In most cases, due to multiple considerations, including financial cost and work leave, most married lesbian couples only travel abroad for embryo transfer and then return to Taiwan for pregnancy and childbirth. In such circumstances, only the woman who gives birth can directly establish a legal parental relationship with the child, while the non-birthing partner must establish parental rights through the step-parent adoption procedure. Failing this, she will remain a legal stranger to the child indefinitely. 2. Families are forced to use the 'step-parent adoption' procedure, which produces a gap in parental rights. Within our existing legal framework, step-parent adoption is designed for the establishment of parental relationships in divorced or reconstituted families, allowing a parent's new partner to become the child's

stepfather or stepmother. Proceeding from the best interests of the child, this legal procedure requires rigorous assessment, including a social worker's home visit and adjudication by the court, which renders the whole process lengthy.

Same-sex marriage families are compelled to use this legal mechanism, otherwise one party will have no legal kinship relationship with the child from the outset. Yet the majority of same-sex marriage families, which have undergone neither separation nor reconstitution, can only proceed through the same step-parent adoption procedure, with no simplified process available. Because the procedure is not simplified, the child faces a prolonged gap in parental rights. That is, even where documents are submitted to the court and an adoption application is filed as soon as the child is born, it may still take at least six months or longer (some families have experienced as long as a year) before the child can legally have two parents. The harm caused to children's rights by such a gap in parental rights is self-evident.

3. Under the rules on parental rights for same-sex spouses, there is a large disparity between the rights of the two parties.

Same-sex families must establish parental rights through 'step-parent adoption', which has neither the immediacy nor the automatic effect of the presumption of legitimacy under the Civil Code and which requires a parent in the same-sex marriage to initiate the procedure. The birth of a newborn, however, coincides with the busiest period of child-rearing, which often makes it difficult to deal with the adoption procedure promptly and thereby prolongs the gap in parental rights. The early stage of child-rearing is also the period in which parents' emotional relationship is most prone to conflict. In practice, some families have divorced through relationship breakdown before completing step-parent adoption, which places the non-birthing partner in an extremely weak position when seeking custody, contact and the like. Moreover, because

the adoption system is not triggered automatically and parents retain a choice, some lesbian couples, in situations where the relationship between the partners is unequal, choose not to pursue step-parent adoption, leaving the non-birthing partner in a vulnerable position within the family. The instability of the rights of both children and parents should, however, be attributed to the differential treatment of same-sex marriage under the current legal system, rather than treated as a responsibility that same-sex family parents ought to bear.

4. The Government should actively initiate legislative amendments, for which relevant rules already exist to be drawn upon and followed.

The Government's response states that the presumption of legitimacy is grounded in the fact of natural conception. Yet the current Assisted Reproduction Act also contains a rule under which a child of a married heterosexual couple who use donor gametes is regarded as a child born within the marital relationship. In other words, our legal system already contains rules under which parental rights are established automatically in the absence of a natural conception, and these may serve as a reference for the establishment of parental rights in same-sex marriage families. It is therefore recommended that the Government immediately initiate the relevant legislative amendments, so that the establishment of parental rights in same-sex families may be equally protected.

5. Adoption in transnational same-sex families is difficult and obstructed by other countries' non-recognition of same-sex marriage.

As regards transnational same-sex families, where the country of one party does not recognize same-sex marriage, adoption is obstructed by Article 54 of the Act Governing the Choice of Law in Civil Matters Involving Foreign Elements. This is because the court, applying that

	provision, requires the parents first to complete the adoption in accordance with the foreign country's rules before our domestic adoption procedure can be initiated, which makes the process difficult to carry through. Accordingly, contrary to the Government's response, not all such cases can be dealt with under Article 51 of the Act Governing the Choice of Law in Civil Matters Involving Foreign Elements.
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Alliance to Promote Civil Partnership Rights (TAPCPR)

Name and Contact : Chih-Chieh Chien, Secretary General (email: cc@tapcpr.org)

Response Item/ article	Point 28
Reply (Word limits: No more than 800 words)	I. The Ministry of Justice Has Asserted That Same-Sex Spouses May Establish Parent-Child Relationships Through Step-Parent Adoption and That Children of Transnational Same-Sex Marriages May Rely on Article 51 of the Act Governing the Choice of Law in Civil Matters Involving Foreign Elements. However, These Mechanisms Remain Inadequate and Leave Significant Gaps in Protection. At a minimum, the following concerns remain: (1) Step-Parent Adoption Does Not Provide Immediate Legal Protection for the Child Step-parent adoption may only be initiated after the child is born and requires judicial approval before a legal parent-child relationship is established. During the adoption proceedings, no legal parent-child relationship exists between the child and the adopting parent, resulting in insufficient protection of the child's rights. Furthermore, if the prospective adoptive parent dies unexpectedly or loses legal capacity before the adoption process is completed, the proceedings may be terminated, leaving the child without legal recognition of the parent-child relationship. (2) Legal Uncertainty Arises in Cases Where One Spouse Provides the Egg and the Other Gives Birth In situations where one lesbian spouse provides the egg and the other spouse gives birth, the birth parent is recognized as the legal mother under

the principle that motherhood is determined by childbirth. The genetic mother may establish a parent-child relationship only through adoption. This creates a legal dilemma as to whether a person may adopt a child with whom they already share a biological relationship under Taiwanese Law.

(3) Children of Transnational Same-Sex Marriages Continue to Face Legal Obstacles

Although, in principle, children of transnational same-sex marriages may benefit from Article 51 of the Act Governing the Choice of Law in Civil Matters Involving Foreign Elements, the practical application of this provision remains dependent upon whether the foreign spouse's national law provides adequate recognition and protection for children of same-sex couples.

Where the foreign spouse's national law does not recognize or adequately protect such children, legal parentage can only be established through step-parent adoption. Consequently, the same shortcomings associated with step-parent adoption continue to apply.

(4) Lack of Automatic Parentage Recognition May Result in Nationality Inequality

Where parentage can only be established through step-parent adoption, children of international same-sex couples may be unable to automatically acquire the nationality of both parents. This creates unequal treatment based solely on the sexual orientation of the parents.

For example, a child born to a Taiwanese-Japanese different-sex married couple may generally acquire both Taiwanese and Japanese nationality. By contrast, where a child is born to a Taiwanese-Japanese same-sex married couple in Taiwan, the child may only acquire the nationality of the parent with a biological connection or the birth parent. Unlike children of different-sex married couples, the child cannot benefit from the

presumption of legitimacy and therefore may be unable to acquire the nationality of the other parent.

II. Taiwanese Law Does Not Require Biological Connection as an Absolute Condition for Establishing Legal Parentage

Taiwanese law has long recognized that legal parentage may exist even in the absence of a biological connection.

For example, Constitutional Interpretation Item 587 of the Judicial Yuan held that where a married woman gives birth to a child conceived through sexual relations with a third party outside the marriage, and neither the woman nor her spouse intends to deny the child's status as a child born within wedlock, the child remains presumed to be the legitimate child of the married couple. In such circumstances, the biological father may not bring an action to rebut the presumption of legitimacy.

Accordingly, legal parentage may be established through the presumption of legitimacy despite the absence of a biological relationship between the child and the spouse of the birth mother.

Similarly, Articles 23 and 24 of Taiwan's Assisted Reproduction Act provide that children born through assisted reproduction undertaken with the consent of both spouses within a marriage shall be regarded as children born within wedlock. These provisions further demonstrate that legal parentage in Taiwan is not dependent upon actual genetic connection.

Comparative law also provides numerous examples of legal frameworks protecting children born to same-sex couples. Countries such as the US, France, Belgium, Canada, and Norway have established mechanisms to ensure that children born within same-sex marriages or same-sex partnerships can establish legal parent-child relationships with both parents from birth.

(1) Equality Requires Equivalent Recognition for Children of Same-Sex Marriages

Even where a different-sex spouse has no biological relationship with a child, legal parentage may nevertheless be established through the presumption of legitimacy under the Civil Code or through provisions of the Assisted Reproduction Act. Accordingly, under the principle of equality, biological connection should not be used as a basis for denying equivalent parentage recognition in the context of same-sex marriage. The Ministry of Justice's reliance on the concept of "normal marital life between husband and wife" as the foundation for the presumption of legitimacy fails to adequately justify denying equal legal protection to diverse family forms.

(2) Taiwan Should Establish a Mechanism Ensuring That Children of Same-Sex Couples Have Two Legal Parents From Birth

To ensure that children born to same-sex couples are legally recognized as having two parents from birth, Taiwan could either extend existing protections relating to the presumption of legitimacy or, alternatively, enact legislative amendments establishing an "intentional parenthood" framework.

Such a framework could protect children born not only within same-sex marriages but also within other committed family relationships, ensuring comprehensive protection from birth.

Suggested Recommendations for the Committee

1. Request information regarding the practical implementation of Article 51 of the Act Governing the Choice of Law in Civil Matters Involving Foreign Elements.

In particular:

- How many children of transnational same-sex couples have successfully obtained Taiwanese nationality and recognition of

	legal parentage under Article 51 while simultaneously acquiring the nationality of both parents? • How many such applications have been denied? 2. Urge the Taiwanese government to enact legislation without delay to ensure that children born to same-sex couples acquire a legally recognized parent-child relationship with both parents from birth. Pending legislative reform, the government should adopt interim measures, including the analogous application of the presumption of legitimacy or other appropriate legal mechanisms, to allow children of same-sex couples to be registered with both parents immediately upon birth.
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Awakening Foundation

Name and Contact : Icey Wang 02-25028715 hanwang@awakening.org.tw

Response Item/ article	Item30 Article 10
Reply (Word limits: No more than 800 words)	a. According to CEDAW General Recommendation Item 36, education for women and girls must be available, accessible, affordable, and adaptable (the framework of availability, accessibility, affordability, and adaptability)—and this is all the more essential for girls in rural areas, Indigenous girls, and girls with disabilities. The data presented by the State address enrollment figures (the right of access to education), but the impact of intersecting identities on girls' right to education raised in the List of Issues—particularly rights within education and rights through education—requires the accumulation of further empirical research and monitoring data. In other words, the internal differences among Taiwan's female student population, as well as the effects of diverse and intersecting forms of discrimination, must be analyzed and examined, so that they are not obscured by quantitative averages. b. The data presented by the State consist of measures across the various stages of education, with outcomes showing year-on-year improvement. However, to increase female students' participation in STEM fields, a comprehensive review is needed of teacher training in STEM disciplines, schools' curriculum design and teaching methods, the learning resources available to students, and female students' subject-stream choices across different upper-secondary schools—only then can the adequacy of current measures be

assessed. **The data currently provided by the State include no analysis by region (urban versus rural), by elite versus community senior high schools, or of participating students' subsequent choice of university major; nor are there statistics on STEM teachers (in physics, chemistry, biology, earth science, mathematics, and the like) at the primary, lower-secondary, and upper-secondary levels. Where the teaching force is predominantly male, students are deprived of the role models closest to their own learning environment.**

- c. Although Taiwan has been advancing gender equality education for over two decades, and Chapter 3 of the Gender Equity Education Act governs "curriculum, teaching materials, and instruction," it remains necessary to take stock of and compile data on how the Ministry of Education's outreach to university presidents and senior university administrators translates into institutional curriculum policy, and on what academic and pedagogical resources the Ministry invests in teacher communities. With respect to the training of gender equality education teachers at the upper-secondary, lower-secondary, and primary levels, the State has indeed devoted considerable resources; however, both pre-service education and in-service professional development place greater emphasis on the examination of gender stereotypes and the prevention of gender-related incidents. Across curriculum and materials design, teaching methods, teacher training, and overall gender equality education policy alike, there is little engagement with the "transformative equality in and through education" emphasized by Article 5 of the Convention in conjunction with CEDAW General Recommendation Item 36. **We therefore recommend that the Ministry of Education conduct foundational research to systematically map the implementation of gender equality education in schools** (urban–rural disparities, curriculum

	development, the quality of training programs), and that it initiate broad communication and discussion on the theoretical foundations, policy planning, implementation, and monitoring of "gender equality education capable of achieving transformative equality."
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Association for Sexuality Education

Name and Contact : Chi-Chia Cheng (chengresearch2@gmail.com) ; Hsuan-Jung Peng (caose29103970@gmail.com)

Response Item/ article	Item30, Article 10: Education
Reply (Word limits: No more than 800 words)	The issues raised in a Report previously submitted by our organization (the Taiwan Association for Sexuality Education) have not yet received a response. However, this matter concerns the sexual health of children, adolescents, and students throughout Taiwan. Especially, in recent years, sexually transmitted infections (STIs) among children and adolescents have increased dramatically, with the rate of increase being particularly alarming among girls. Given the seriousness of this situation, we believe that our recommendations are of critical importance. Therefore, we would like to reiterate and emphasize the following concerns and recommendations: Issue 1: According to the <i>Third National Report under CEDAW</i> (2018), the international review committee, in response to differing views on sexuality education among domestic groups, recommended that the government resolve conflicts and attacks among parents, religious groups, and educational organizations concerning school sexuality education curricula (see paragraphs 44 and 45 of that report). However, when reviewing government actions from 2018 to the present, it is evident that the government has not facilitated communication among differing viewpoints. Instead, it has shown preferential support toward gender equity education organizations and interest groups that are opposed by the majority of parental

organizations, and has assisted these gender equity groups in attacking and marginalizing professional organizations that have, for decades, genuinely supported the government in promoting school-based sexuality education.

This approach runs counter to the recommendations of the international review committee. As a result, conflicts have not only intensified but have also caused greater harm to school sexuality education.

Issue 2:

The rapid increase in sexually transmitted infections (STIs) among children and adolescents is closely linked to the lack of effective sexuality education in schools. A major underlying cause of this problem is that school sexuality education is currently being implemented by gender equality groups that lack expertise and experience in health education, school health, sexual health promotion, STI prevention, and school-based sexuality education.

Within Taiwan's school education system, "gender equity education" is not equivalent to "sexuality education." Gender equity education mainly focuses on the prevention of sexual assault and sexual harassment and has never specialized in STI prevention. Sexuality education, on the other hand, is the field that genuinely works to improve students' sexual health.

The **Taiwan Association for Sexuality Education** is not an ordinary NGO. It is Taiwan's oldest and most professional nongovernmental organization dedicated to sexuality education. For decades, it has been deeply rooted in Taiwanese society and has continuously assisted the government in promoting STI prevention and addressing other sexual health issues affecting children and adolescents. However, the government is currently commissioning inexperienced gender equity education groups to conduct school sexuality education. As a result, true sexuality education is not being effectively implemented; instead, what is being delivered is primarily the gender equity education content

with which these groups are familiar.

Sexuality education cannot be successfully implemented simply by “being willing to talk about sex.” Without understanding students’ sexual health beliefs and without knowing how to apply behavior change strategies in sexuality education, it is impossible to provide effective sexuality education.

Issue 3:

After being commissioned by the government to oversee school sexuality education for three years, the gender equality group published the 《Secondary School Comprehensive Sexuality Education Guideline Manual》 (the 《Manual》 here after) last year. However, the content of these Manual has been highly controversial. In many respects, it is inferior to sexuality education materials developed in accordance with the existing Health Education Curriculum Guidelines. Furthermore, the 《Manual》 fails to reflect the realities of teaching and learning in secondary schools, raising serious concerns among scholars, educators, and parents.

The major concerns include: (1) Minimizing the risks of sexual behavior, failing to teach decision-making regarding sexual behavior and resistance to sexual temptation, while instead encouraging sexual exploration and sexual pleasure among children and adolescents, which may further worsen STI transmission. (2) Teaching activities that may expose students’ sexual privacy and potentially lead to sexual harassment. (3) Extensive use of sensationalized and non-credible online influencer videos containing mocking attitudes and harmful sexual values. The 《International Technical Guidance on Sexuality Education》 published by UNESCO in 2018 explicitly states in its preface that the internet is currently saturated with erroneous and harmful materials that damage the physical and mental well-being of adolescents. Nevertheless, the 《Manual》 extensively recommends online audiovisual materials that lack credibility and are filled with

sexual suggestiveness for use in teaching activities.

Our organization strongly recommends

1. **Replacing the current inexperienced group** responsible for school sexuality education and **instead commissioning organization with expertise in health education, school health, sexual health promotion, public health, STI prevention education, and adolescent psychology, while also incorporating parental perspectives** when implementing school sexuality education and redeveloping sexuality education materials, in order to safeguard students' rights to education and health.

2. Taiwan is the only country in Asia with formal sexuality education curriculum guidelines, designated instructional hours, and teacher preparation programs specifically for Health Education teachers.

When our organization previously assisted the government in implementing school sexuality education, we actively collaborated with Health Education teachers through the Health-Promoting Schools Program. Classroom instruction was integrated with school health promotion activities and community collaboration to strengthen students' sexual health. Thus, **We strongly recommend** that :

Since sexual health education content already exists within the current Health Education curriculum, the government should actively strengthen the recruitment of qualified Health Education teachers and collaborate with professional organization through Health-Promoting Schools sexuality education programs to effectively prevent STIs.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Independent Living Taiwan

Name and Contact : Chun-Chieh Lin

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Response Item/ article	30
Reply (Word limits: No more than 800 words)	Although the Government reports progress in increasing women's participation in STEM (Science, Technology, Engineering, and Mathematics) education, the available data are primarily disaggregated by sex alone. There is a lack of intersectional data disaggregated by disability, Indigenous status, geographic location, urban-rural disparities, and socioeconomic background. As a result, the educational experiences and barriers faced by girls with disabilities and women facing multiple forms of disadvantage remain largely invisible. In practice, girls with disabilities continue to face restrictions on their educational and career aspirations due to gender stereotypes, ableism, and paternalistic attitudes. Teachers, career counselors, and special education personnel may be more likely to steer girls with disabilities toward low-skilled, repetitive, or traditionally feminized fields of study and occupations, rather than encouraging their participation in STEM disciplines. This suggests that the Government's reported progress on gender equality in STEM has not adequately incorporated the perspectives and experiences of women and girls with disabilities. The Committee should recommend that the Government: 1. Establish intersectional education data collection and publish statistics disaggregated by sex, disability, Indigenous status, geographic location, and educational level, including data on

	enrollment, completion, dropout, withdrawal, and educational attainment rates. 2. Explicitly include girls and women with disabilities in STEM gender equality policies by ensuring accessible learning environments, reasonable accommodation, assistive technologies, peer support, career exploration opportunities, and mentorship and role-model programs. 3. Strengthen training for teachers, special education personnel, and career counselors to eliminate gender- and disability-based stereotypes, including assumptions that “girls are not suited for science and engineering” or that “persons with disabilities only need to achieve basic self-care skills.” 4. Review educational materials, curricula, and career guidance systems to ensure that gender equality education incorporates the experiences and perspectives of women with disabilities, Indigenous women, immigrant women, and other diverse groups of women. Provide stable institutional support for university-based gender and women's studies programs, graduate institutes, and research centers, preventing the erosion of their institutional status and encouraging collaboration with disability studies, human rights education, and STEM gender equality initiatives.
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Mental Health Association in Taiwan

Name and Contact : Po-Han Lee; +886-2-2557-6980; mhat.tw2@gmail.com

Response Item/ article	Items 30–31: Education, employment, and the recovery rights of women and gender-diverse mental health service users
Reply (Word limits: No more than 800 words)	Although question 30 in the list focuses on equal access to general education and question 31 focuses on employment, our association believes that for women and gender-diverse people with mental distress, experiences of mental illness, or psychosocial disabilities, education and employment are not issues separate from mental health but are central parts of the recovery process. In terms of education, many women and gender-diverse people with lived/living experience of mental health challenges are forced to interrupt their studies after a mental health crisis or prolonged distress; when they try to return to learning, they lack flexible course options, distance learning, individualized support, and reasonable accommodations. More importantly, interruptions in education are often not only the result of an individual's illness but are frequently intertwined with family expectations of roles as daughter, sister, or mother, making it more difficult for them to receive support to re-enter educational pathways after recovery. Current systems rarely offer recovery learning programs that integrate mental health and educational support, resilience-building, and social-emotional learning, nor do they often involve mental health recovery clients, caregivers, and professionals collaboratively in curriculum design. In terms of employment, women and gender-diverse people with lived/living experience of mental health challenges not only face the

stigma of mental illness, but also the workplace inequalities that affect women and gender-diverse people, such as low pay, nonstandard employment, caregiving responsibilities, and limited promotion opportunities. When mental health status intersects with gendered divisions of labor, women and gender-diverse people are more likely to be forced out of stable jobs or pushed into more precarious, low-protection, and high-pressure work positions. Current policies still emphasize short-term vocational training and sheltered employment; without supported employment and reasonable workplace accommodations, people recovering from mental illness find it difficult to remain stably in the general labor market. This is especially disadvantageous for women and gender-diverse people, because they more often bear caregiving expectations and economic pressures while in recovery.

Recommendations:

1. Incorporate the right to recovery learning for people with lived/living experience of mental health challenges into education policy and develop community-based recovery learning programs.
2. Establish support mechanisms for flexible course-taking, remote learning, reasonable accommodations, and ongoing re-entry into education.
3. Develop supportive employment and reasonable workplace accommodation systems, and incorporate mental health support into employment policies.
4. Ensure peer support not only serves as a service modality but also becomes part of formal training and employment mechanisms.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Awakening Foundation

Name and Contact : Lee Ying Hsueh 02-25028715 yhsueh@awakening.org.tw

Response Item/ article	Item.31 Article 11 Employment (b)
Reply (Word limits: No more than 800 words)	1. The Government's response indicates that the Financial Supervisory Commission (FSC) has mandatorily required TWSE/TPEX listed companies with a paid-in capital of NT\$10 billion or more to disclose gender wage data starting from 2026. However, the scope of enterprises covered by this threshold is extremely limited. Listed companies themselves constitute only a tiny fraction of national enterprises, totaling around 9,000 companies (representing less than 1% of all enterprises), and the disclosure obligation is further restricted to only those with the highest capital volumes. According to the Ministry of Economic Affairs' (MOEA) 2024 SME White Paper, small and medium enterprises (SMEs) account for over 98% of all enterprises and employ more than 9.16 million individuals (nearly 80% of the working population); yet, the aforementioned requirement is completely inapplicable to them. By the MOEA's standards, enterprises with a capital exceeding NT\$100 million are classified as large enterprises. The Government has failed to explain whether enterprises with a capital between NT\$100 million and less than NT\$10 billion are exempt from disclosure. While the Committee explicitly requested the Government to demonstrate how it would implement objective job evaluation schemes in large companies, the Government evaded responding to the evaluation mechanism by setting an excessively high paid-in capital threshold.

2. The Government cites the rationale that "countries differ in their definitions" to broadly categorize maternity leave, unpaid parental leave, and prenatal check-up leave under the umbrella term "maternity-related leave in a broad sense," asserting that the current system already provides substantial protection. However, Article 50 of the Labor Standards Act and Article 15 of the Gender Equality in Employment Act explicitly prescribe that postpartum maternity leave is a mandatory statutory requirement (employers must grant eight weeks of maternity leave, employers cannot refuse, and employees cannot waive it). Simply extending a mother's mandatory maternity leave could prove detrimental to women's careers. ILO Convention No. 183 requires a total maternity leave of at least 14 weeks, with 6 weeks being mandatory postpartum leave to safeguard maternal health. Yet existing research indicates that the longer the mandatory period away from work, the lower the probability of workers returning to their original positions and the fewer their promotion opportunities.

If the number of mandatory maternity leave days for mothers is extended without requiring fathers to shoulder an equivalent amount of time and responsibility, it constitutes an institutional reinforcement of the "motherhood penalty." This concentrates caregiving costs on women, deepening workplace gender inequality and risks to women's economic security. Therefore, **extending leave categories must be predicated on mandatory paternity leave for fathers.** Currently, a father's combined prenatal check-up leave and paternity leave totals only seven days. Coupled with corporate cultures that lead to low take-up rates, fathers often have no leave left to take during the postpartum recovery period, leaving mothers to bear the vast majority of caregiving responsibilities from the moment of childbirth.

3. **At the end of 2024, opposition parties passed a legislative amendment in the Legislative Yuan under which households with an elderly member aged 80 or above may qualify to hire a foreign live-in care worker, even where that elderly person has no disability and requires no care.** This policy formally took effect in August 2025. The Ministry of Labor estimates that approximately 530,000 older persons in Taiwan who are not ill but in declining health meet the eligibility criteria, and conservatively projects that this round of relaxation will add 100,000 household care workers. **In April 2026, the government further announced that households raising even one child under the age of 12 may qualify to hire a foreign domestic worker**—compared with the previous requirement of at least three children under age 6 or four children under age 12—marking yet another sweeping expansion of eligibility to employ migrant domestic workers. The Ministry of Labor estimates that 1.44 million households now meet the eligibility criteria.

Within the span of a single year, eligibility to employ household migrant workers has undergone two major expansions. Yet **Taiwan's legal framework lacks basic protections for the fundamental rights of domestic migrant workers—such as reasonable working hours, the right to rest days, privacy, and personal safety—none of which is substantively guaranteed.** The government should actively pursue legislative amendments or new legislation to progressively phase out the current household-based migrant-worker hiring system; conduct an inter-ministerial assessment of workforce shortages in childcare and long-term care; and integrate the recruitment, training, and management of migrant workers into the public care system, so that migrant workers enjoy the same rights protections as Taiwanese workers.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Sex Industry & Workers’ Rights Association (TSIWRA)

Name and Contact : Chun-Tai Chang, Secretary-General tsiwra@tsiwra.org.tw

Response Item/ article	Issue List, Item 31: Employment and the Right to Work CEDAW Article 11
Reply (Word limits: No more than 800 words)	The Committee’s questions under this issue focus on women’s employment, the informal economy, social protection, and caregiving responsibilities. These are precisely the areas in which the situation of sex industry workers must be made visible. Because sex workers are excluded from the legal labor system, although they may nominally participate in the national pension system and national health insurance, they lack the status of “formal workers” and therefore cannot enjoy rights and benefits such as occupational accident protection under labor insurance, employer pension contributions, and parental leave allowances. They also often face obstruction when applying for various forms of social assistance or rental subsidies due to occupational stigma. During the COVID-19 pandemic, they were further excluded from relief measures on the grounds that their work was “illegal.” At the same time, night shifts and unstable working hours create difficulties in accessing childcare and family support. Mothers who are sex workers are also more likely to be regarded as “unfit mothers” in custody disputes because of occupational stigma. The relative concentration of women and gender-diverse people in the sexual and erotic industries means that punishment of these industries and the absence of protection will disproportionately harm women and gender-diverse workers. This is not a marginal issue concerning a “special industry,” but a core issue under CEDAW concerning the right to work, the informal economy, substantive equality, and intersecting

discrimination. When the state keeps this industry in an illegal, unstable, and invisible position, it effectively ensures that these workers continue to lack the most basic labor protections concerning working hours, remuneration, occupational safety, occupational accidents, insurance, and complaint mechanisms.

Recommendations:

1. Include women and gender-diverse sex industry workers in government policy assessments concerning the informal economy and vulnerable women workers.
2. Establish privacy-protective mechanisms for inclusion in social insurance, health insurance, and pension systems.
3. Ensure that persons are not excluded from childcare allowances, childcare subsidies, rental subsidies, and other forms of social support because they engage in sexual or erotic labor.
4. Establish nighttime childcare, flexible childcare, and family support measures.

Review sex work-related laws in the direction of destigmatization, decriminalization, and labor protection.

The Fifth Review of Taiwan's CEDAW Implementation

Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : International Association for Advancement of Children Rights

Name and Contact : 鄭郁潔專員 / 0937 263 648 / rc77721@gmail.com

Response Item/ article	Issues Item 31 & Item 34
Reply (Word limits: No more than 800 words)	Regarding Issues Item 31 and Item 34, the government's response overly concentrates on "0-6 years childcare" and parental leave policies, severely neglecting the care vacuum for "school-aged children (7-15 years)" during after-school hours and school breaks. Based on our frontline community practice in after-school tutoring programs, half-day schedules and long holidays often burden single mothers, new immigrants, and low-income women with unpaid care, forcing them to exit the labor market or accept low-paying gig work. Our association asserts that the "best interests of the child" and "women's economic empowerment" should not fall off a cliff after a child turns six. The government must formally integrate "community-based after-school care for school-aged children" into national family support policies. Furthermore, it should allocate regular budgets to substantially subsidize and empower frontline NGOs (e.g., those providing free tutoring programs) to establish a stable community care network, thereby genuinely alleviating the unpaid care burden on disadvantaged women.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Awakening Foundation

Name and Contact : Cheng-Lung Chen 02-25028715 chenglungwork@awakeining.org.tw

Response Item/ article	Response to Question 32: Health (a)(b)
Reply (Word limits: No more than 800 words)	In Taiwan, laws governing women's reproductive autonomy primarily include the Reproductive Health Act (But the law is still called Genetic Health Act) and the Offense of Abortion. We firmly believe that only by simultaneously decriminalizing abortion and abolishing the spousal consent requirement within the Reproductive Health Act can genuine reproductive autonomy for women be realized. However, the government's vacillation over amending the Reproductive Health Act has trapped many women in severe plights. Over the years, numerous women considering divorce who discovered they were pregnant have reached out to us for help. They expressed that their marriages were unsalvageable and they were unprepared to raise a child alone; yet, if they disclosed the pregnancy to their partners, their spouses would refuse to consent to an abortion or a divorce. Trapped by the impossibility of obtaining spousal consent, these women are left entirely helpless. In some extreme cases, women whose spouses are currently incarcerated must still find a way to secure their husband's signature. These situations underscore how the current institutional framework fails to provide women with an adequate support system for terminating a pregnancy. The government repeatedly invokes the "fetal right to life" to evade the reality that the current legal framework restricts women's autonomy over abortion. Consequently, it ignores the deep-

seated social stigma imposed on women who undergo abortions and evades its state obligation to invest human resources and budgets into providing the necessary counseling, social welfare, and medical services. In fact, **a review of the Health Promotion Administration's 2026 budget shows a complete absence of any allocations for these essential services.**

This lack of a support system is equally evident in the policies regarding unmarried minors seeking abortions. The government's current draft proposal still hinges on mandatory parental or legal guardian consent. If a disagreement arises, the unmarried minor must petition the court to waive this requirement. We are deeply concerned that such a time-consuming legal process could cause minors to miss the legal or safe deadline for an abortion. Furthermore, **we believe that when opinions clash, the minor's decision must prevail**—this is the only way to truly respect a minor's autonomy. Instead of erecting legal barriers, **the government should establish comprehensive counseling resources to help minors clarify their own will and make informed decisions.**

Finally, the availability of both user-friendly information and a woman's autonomous choice to undergo an abortion is heavily restricted by the Offense of Abortion. **The criminalization of abortion not only curtails women's choices but also restricts the public visibility of related reproductive health information, making it exceedingly difficult to build supportive resources and networks.** Shockingly, in 2024, **the government completely disregarded the recommendations of the review committees for both CEDAW and ICCPR/ICESCR to decriminalize abortion.** Instead, it attempted to increase the fines for **the offense of abortion.** The government only withdrew this regressive amendment following fierce protests from civil society organizations and the public.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Garden of Hope Foundation

Name and Contact : Yuying Kuo, (02)8911-5595#104, goh0667@goh.org.tw

Response Item/ article	Item 32, Article 12 (Health)
Reply (Word limits: No more than 800 words)	Regarding the amendment of the Genetic Health Act (formerly the Eugenic Health Act): Taiwanese society is currently engaged in ongoing debate regarding proposed amendments to the Genetic Health Act. However, as a country committed to upholding human rights, Taiwan has an obligation to implement the principles embodied in Article 2 of the Convention and General Recommendation Item 24 on women and health. Ensuring women's reproductive autonomy is not a matter that can be indefinitely deferred due to social disagreement. In addition, marital status and age should not serve as barriers to when individual exercise their right to health. The current requirement for spousal consent links a woman's reproductive decisions to her marital relationship, thereby undermining her autonomy as an independent rights-holder. Likewise, the requirement that all minors obtain the consent of a legal guardian before accessing abortion services fails to take into account circumstances in which adolescents experience family dysfunction, abuse, neglect, or serious family conflict, leaving them with no effective healthcare safety net. We therefore recommend that the Government: 1. Advance legislative reform without further delay: The Executive Yuan should promptly initiate inter-agency review of the proposed amendments to the Genetic Health Act and formally remove the spousal consent requirement. Legislative reform should

	move forward in a timely and consistent manner and should not be indefinitely delayed due to competing social or political viewpoints. 2. Ensure access to reproductive healthcare services: While strengthening individual autonomy, the Government should refrain from introducing additional barriers to abortion services in the name of social compromise, such as mandatory waiting periods or compulsory counseling requirements. The role of the State is to provide support, information, and professional healthcare services, rather than imposing procedural obstacles that may restrict women's access to lawful reproductive healthcare. 3. Realize substantive equality in reproductive decision-making: The State should fully recognize and respect the equal bodily autonomy and legal personhood of married and unmarried women and guarantee their full and exclusive authority to make decisions concerning their reproductive health. Taiwan's legal and healthcare systems should serve as a strong and equal source of support for all women when making decisions regarding their own bodies.
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Gender Equity Education Association _____

Name and Contact : Lin, Yu-Wei, yuwei6015@tggea.org.tw _____

Response Item/ article	Item32
Reply (Word limits: No more than 800 words)	We acknowledge that the Ministry of Health and Welfare has continued in recent years to update the content of the “Health 99+” website, and has gradually incorporated new perspectives on sexuality and genderrelated issues that reflect human rights and gender equality values. However, we continue to urge the Ministry of Health and Welfare and the Ministry of Education to collaborate as soon as possible to comprehensively review the content of the website, as well as other sexual health education resources led by the Ministry of Health and Welfare, in order to determine whether they are all consistent with the internationally recognized spirit of “Comprehensive Sexuality Education.” In particular, as the Ministry of Education already announced in 2022 that it would promote the implementation of Comprehensive Sexuality Education in Taiwan, the relevant ministries should work together to ensure that the sexuality and gender education information provided by the government is aligned with the principles of Comprehensive Sexuality Education. In addition, Article 9 of the Genetic Health Act currently still provides that minors may undergo an induced abortion only with the consent of their legal representative, usually a parent. In this regard, we urge the government to review this provision and to fully consider that requiring parents to be notified and to make the decision on behalf of the minor may infringe upon children’s and adolescents’ bodily autonomy and best interests.

	We believe that the government should develop corresponding alternative mechanisms. For example, social workers, psychologists, medical professionals, or other qualified third parties could conduct assessments and provide assistance based on the circumstances of each case, so as to balance child and adolescent protection, bodily autonomy, and the best interests of the child. Further, in cases involving early-stage pregnancy where the matter may be addressed through relatively less invasive methods such as medical abortion, the government should also recognize children and adolescents as rights-holders with autonomous decision-making capacity. It should review whether third-party intervention remains necessary, and consider allowing minors with sufficient capacity for judgment to make autonomous decisions under conditions of full information, professional consultation, and supportive accompaniment.
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Birth Empowerment Alliance of Taiwan (BEAT)

Name and Contact : Chen, Meiyi (Secretary General) bratw2015@birth1020.org

Response Item/ article	Response to LOIs Question 32 regarding Data Requirements on Obstetric Violence and Civil Society Participation
Reply (Word limits: No more than 800 words)	Obstetric Violence and State Responsibility Regarding Question 32 on data and measures against obstetric violence, the Birth Empowerment Alliance of Taiwan (BEAT) points out that the government continuously ignores the international human rights framework regarding Respectful Maternity Care (RMC). According to United Nations Report A/74/137, "obstetric violence" extends far beyond intentional abuse; it encompasses the systemic omission of maternal autonomy and informed consent within medical institutions. Its scope encompasses physical and verbal abuse, non-responsiveness to requests for help, and non-evidence-based practices such as routine episiotomy and the deprivation of a physiological birth. Even when such infringements are not intentionally perpetrated by medical personnel, the State remains bound by a "due diligence" obligation to collect, monitor data on medical interventions, and implement preventive measures. The government's institutional omission and neglect in this regard constitute a direct violation of its preventive state responsibilities under Paragraphs 78 and 79 of Report A/74/137. I. Manifestation of Obstetric Violence (I): High Rates of Caesarean Section According to Birth Notification Statistics from the Ministry of the Interior (2021–2024), Taiwan's caesarean section rate climbed from 37.93% to 39.12%, continuously ranking among the highest globally and far exceeding the 10% threshold recommended by WHO in 1996. The Ministry of Health and Welfare (MOHW) not only lacks statistics on

involuntary caesarean sections but also entirely fails to monitor the "preceding routine constraints" that trigger these surgeries.

BEAT points out that clinical practices in Taiwan's obstetrics routinely violate maternal autonomy and fail to empower laboring women.

Examples of these systemic power constraints include:

- **Restricted Physical Mobility:** Laboring women are routinely confined to bed and hooked to continuous electronic fetal monitoring (EFM). Furthermore, hospitals fail to provide non-pharmacological pain relief or encourage position changes that facilitate fetal descent and naturally shorten labor.
- **Constraints on Birth Positions:** During the delivery stage, the majority of women are forced into the traditional surgical lithotomy position, which restricts the pelvic diameter and works against gravitational forces.

These institutional restrictions frequently trigger an "interventions cascade," whereby artificial constraints prolong labor, ultimately forcing women to undergo non-medically necessary, involuntary caesarean sections due to physical exhaustion.

II. Manifestation of Obstetric Violence (II): Exceedingly High Episiotomy Rates The WHO 2018 guideline, *"Recommendations on Intrapartum Care for a Positive Childbirth Experience,"* explicitly stresses that episiotomy should never be used as a routine practice.

However, BEAT's 2023 Taiwanese Women's Childbirth Experience Survey (based on 2,157 responses) revealed a staggering episiotomy rate of 73.4% in hospitals and 61.5% in clinics. This is not a mere "clinical choice"; it is a structural violation of bodily autonomy driven by institutional factors:

1. **Constraints on Birth Positions:** The traditional lithotomy position obstructs fetal descent. To accelerate delivery, obstetricians resort more frequently to vacuum extraction and

fundal pressure. These interventions severely aggravate the risk of perineal tearing, which in turn provides physicians with a preemptive justification to perform routine episiotomies.

2. **Invalid Informed Consent:** Laboring women reported being asked by doctors mid-delivery, *"Shall I help you a bit to make it easier to push?"* without any explanation that the "help" entailed an episiotomy. Extracting hurried consent by exploiting a woman's extreme physical and emotional vulnerability during labor completely violates the **"free and informed"** core spirit of CEDAW and General Recommendation Item 24.

Regarding the preventive state obligations demanded by international standards, the government has never proactively audited whether the Standard Operating Procedures (SOPs) of healthcare facilities infringe upon maternal autonomy. No accountability mechanism has been established against obstetric violence, and the state has failed to enforce robust data governance or safeguard authentic "informed consent" procedures.

III. Systemic Bias Toward Medical Professionals and Exclusion of Women's Perspectives A review of maternal health policy formulation in recent years—including the Optimizing Children's Healthcare Program, the New Obstetric Payment Scheme, and the Expansion Scheme for Hospital-Midwife Co-Care Pilot Projects—demonstrates that the government's consultation mechanisms are heavily skewed toward medical professional associations.

Women's voices are fundamentally absent; BEAT, as a specialized women's NGO advocating for childbirth reform, was entirely excluded from all the automotive policy consultations. This severe exclusion directly violates the obligation under **Paragraph 78 of A/74/137** to establish "constructive cooperation" with women's organizations.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Bar Association; Taipei Bar Association

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Response Item/ article	Article 12 / Point 32 of the List of Issues for the Fifth National Report on CEDAW
Reply (Word limits: No more than 800 words)	Although draft amendments to the Genetic Health Act were published in 2022, the government has yet to propose a concrete timetable for reforming Article 9(2) of the current Act, which requires spousal consent for married women and parental or legal guardian consent for minors seeking an abortion on the ground that the pregnancy or childbirth would adversely affect their mental health or family life. These consent requirements effectively subordinate a woman's right to make autonomous decisions regarding her own body and reproductive choices to the will of a third party, preventing women from exercising full and independent bodily autonomy. At the level of criminal liability, the continued application of these consent requirements may expose individuals who undergo or perform an abortion without spousal or guardian consent to criminal liability under Articles 288 and 290 of the Criminal Code. This legal uncertainty not only poses a real threat to women's physical and mental well-being, but may also compel some women to seek informal and unsafe alternatives, thereby endangering their lives. From the standpoint of gender equality, the provisions described above raise serious concerns regarding gender discrimination in the application of the law. Neither a marital relationship nor a familial relationship should serve as a basis for depriving an individual of autonomous decision-

making over her own body. Compared to the full bodily autonomy that men enjoy as a matter of course, the additional consent requirements imposed on married women and minors represent a significant gender disparity that contravenes the principles enshrined in the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and is inconsistent with the constitutional guarantees of human dignity and gender equality.

In sum, the government's prolonged failure to act leaves provisions of doubtful constitutionality in force, continuing to cause concrete and ongoing harm to women's fundamental rights. It is imperative that the government promptly establish a clear legislative timetable to bring this institutionalized discrimination to an end.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : New Vitality Independent Living Association, Taipei

Name and Contact : Duan Ke Wei , cocoweimei0@gmail.com

Response Item/ article	32
Reply (Word limits: No more than 800 words)	Although Taiwan's National Health Insurance (NHI) system provides relatively comprehensive health coverage, women with disabilities, migrant women workers, immigrant women, low-income women, and survivors of gender-based violence continue to face significant barriers in accessing sexual and reproductive health services and mental health care. Health insurance coverage alone does not guarantee accessibility. Where health-care environments, equipment, information, and communication methods lack reasonable accommodation, marginalized women remain unable to access health services on an equal basis with others. Women with disabilities frequently encounter barriers to obtaining cervical cancer screening, breast cancer screening, prenatal care, and reproductive health services due to the absence of height-adjustable examination tables, accessible mammography equipment, transfer aids, accessible information, sign language interpretation, real-time captioning, and other communication supports. Some health-care professionals continue to approach women with disabilities through paternalistic or ableist perspectives, undermining their sexual autonomy, reproductive autonomy, and right to free and informed consent. Furthermore, undocumented migrant workers, unemployed migrant workers whose employment contracts have ended, and some immigrant women face difficulties in accessing health care due to restrictions related to health insurance eligibility, language barriers, cultural

barriers, financial constraints, and fears of being reported to immigration authorities. Trauma-informed, gender-sensitive, and affordable mental health services for survivors of gender-based violence remain insufficient. Long-term psychological support is particularly difficult to access for women with psychosocial disabilities, migrant women, and low-income women.

The Committee should recommend that the Government:

- 1.Repeal legal provisions requiring spousal consent for abortion and review restrictions requiring parental consent for minors seeking abortion services, in order to ensure women's and girls' rights to bodily autonomy and reproductive autonomy.
- 2.Publish data on the number and geographic coverage of health-care facilities equipped with height-adjustable examination tables, accessible mammography equipment, and transfer devices in each county and city, and incorporate accessible equipment and reasonable accommodation requirements into health-care facility accreditation and funding mechanisms.
- 3.Ensure equal access to sexual and reproductive health services for women with disabilities, including accessible examination equipment, accessible information, sign language interpretation, real-time captioning, supported decision-making, and other forms of reasonable accommodation.
- 4.Establish a basic health-care protection mechanism for women who are uninsured or whose health insurance coverage has been interrupted, ensuring that undocumented migrant workers, unemployed migrant workers, and other marginalized women are not excluded from essential health services on the basis of immigration status or economic circumstances.
- 5.Expand mental health services for survivors of gender-based violence by providing long-term psychological support that is trauma-informed,

	gender-sensitive, disability-inclusive, and culturally and linguistically appropriate. 6.Ensure the meaningful participation of women with disabilities, immigrant women, migrant women workers, Indigenous women, low-income women, and survivors of gender-based violence in the development, implementation, and reform of reproductive health policies and legislation. 7.Collect and publish health-service utilization data disaggregated by sex, disability, nationality, migration status, age, geographic location, and income level in order to assess disparities in access to health care among marginalized groups of women.
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : International Association for Advancement of Children Rights

Name and Contact : 鄭郁潔專員 / 0937 263 648 / rc77721@gmail.com

Response Item/ article	Item32 Article 12Health
Reply (Word limits: No more than 800 words)	Regarding Issue Item 32 (Article 12 Health), the government's response primarily focuses on adolescent fertility rates and abortion consent, while completely overlooking the critical gaps in adolescent autonomy, risk communication, and remedy mechanisms within the HPV vaccination policy—the frontline defense for reproductive health. Our association submits the following parallel response and demands: 1. Ensure Substantial Informed Consent and Address Information Asymmetry Current school-based vaccination campaigns heavily emphasize preventive benefits but fail to adequately disclose vaccine limitations (e.g., incomplete strain coverage, not a substitute for safe sex) and potential adverse effects. The government must revise educational materials to ensure adolescents exercise genuine informed consent appropriate for their developmental stage, rather than treating consent forms as a mere parental formality. 2. Promote Integrated Prevention Instead of Replacing Education with Medical Interventions Vaccines alone cannot eliminate STI risks. The government should simultaneously implement comprehensive sexuality education (including emotional boundaries and safe sex). Furthermore, the government should regularly publish adolescent sexual health data to dispel societal concerns

regarding "behavioral disinhibition" following vaccination.

3. Implement Expanded Public Funding with a Gender-Just Approach

We acknowledge the government's plan to expand publicly funded HPV vaccination to junior high school boys starting in September 2025. However, the government must enhance public communication to dismantle the stereotype that "HPV is solely a women's issue," and commit to regularly publishing data on coverage rates and regional disparities by gender.

4. Strengthen the Accessibility and Support System for Vaccine Injury Relief

For the minority of cases experiencing suspected adverse events following immunization (AEFI), the current relief mechanism is time-consuming and burdensome. The government must transparently publish application procedures and average review times. For suspected cases where causality "cannot be excluded," proactive temporary medical assistance and case management mechanisms should be established to reduce secondary trauma and financial burdens on families.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Mental Health Association in Taiwan _____

Name and Contact : Po-Han Lee; +886-2-2557-6980; mhat.tw2@gmail.com

Response Item/ article	Items 32–33: right to health; mental health and mental health service coverage for women and gender-diverse people
Reply (Word limits: No more than 800 words)	Question 33 of the list explicitly asks the government to explain: what medical services are provided to women with disabilities, low-income women, and female migrant workers lacking formal insurance coverage, and how the government is expanding mental health service coverage for survivors of gender-based violence. This question itself clearly indicates that the mental health of women and gender-diverse people should not be treated as a secondary issue, but as a central component of health rights review. However, the government's current coverage of mental health in the CEDAW national report remains clearly insufficient. The key documents do mention establishing discounted or free psychological counseling service sites, remote psychological counseling services, and subsidizing local governments to carry out mental health promotion activities for new residents, among other things. These measures are commendable, but they also show that current mental health policy is still dominated by targeted, scattered subsidies and has not yet formed a long-term system centered on mental health promotion, psychological resilience, community support, and equitable accessibility. Our organization asserts that to meet the obligation to protect the right to health under Article 12 of CEDAW, the government must explicitly develop policy perspectives that address the mental health of women and

gender-diverse people. The formation of mental health risks for women and gender-diverse individuals is closely related to their gendered positions within family, work, intimate relationships, and community. The long-term care responsibilities, emotional labor, gendered violence, workplace inequality, poverty, and social stigma borne by women and gender-diverse people are often key social roots of psychological distress. If policies emphasize only case counseling, psychiatric treatment, and referrals without addressing these gendered social pressures, the right to health cannot be truly fulfilled.

We also emphasize that mental health policies targeting women should not assume a single, uniform female subject, but must include women with experiences of psychological distress, mental illness, or psychosocial disabilities, as well as Indigenous women, new immigrant women, low-income women, female migrant workers, women with experiences of homelessness, and other highly stigmatized groups. In this regard, sex workers are a frequently overlooked example: their psychological distress and barriers to seeking help often stem not only from individual stressors but from the intersection of gender stigma, risk of violence, and social exclusion. If mental health policies do not address these highly stigmatized groups of women, substantive equality will be difficult to achieve.

One of Taiwan's current major structural problems is that mental health policy is still highly centered on the medical system—National Health Insurance coverage is primarily concentrated on psychiatric medical services, such as outpatient treatment, inpatient care, and medication; by contrast, psychosocial support measures closely related to recovery processes—such as family education, caregiver support, community recovery activities, or peer support services—are less frequently included in the coverage scope. This over-medicalized system is particularly

disadvantageous for women, because women's psychological distress is often intertwined with family, caregiving, and relational contexts; responding only with diagnosis and symptom control cannot sustain their long-term recovery and social participation.

Recommendations:

1. Explicitly incorporate mental health promotion, psychological resilience, and community psychological support into the CEDAW right-to-health policy framework.
2. Expand mental health service coverage for survivors of gender-based violence into long-term, trauma-informed systems with stable resources.
3. Establish demand-driven rather than purely medicalized mental health support systems, reducing overreliance on diagnoses and medical qualifications for service access.
4. Strengthen multilingual, culturally safe, gender-sensitive, and stigma-free mental health services, especially for new immigrants, migrant workers, Indigenous peoples, and other marginalized women and gender-diverse individuals.
5. Establish stable community mental health resources and public monitoring indicators that encompass positive mental health, social support, and service accessibility, rather than relying solely on disease and crisis indicators as the basis for policy.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Judicial Reform Foundation

Name and Contact : Campaigner / JIA-ZHEN XIE jane@jrf.org.tw (04)2329-2372 #11

Response Item/ article	Item32 、 33 Article 12 Health
Reply (Word limits: No more than 800 words)	The Genetic Health Act currently retains the requirement of spousal consent for abortion, and the criminal provisions on abortion under the Criminal Code have yet to be abolished, reflecting continuing legal restrictions on women's reproductive autonomy. Although the government put forward a draft amendment in the form of the Reproductive Health Act in 2022, the progress of review within the Executive Yuan remains unclear to date. This reflects the extent to which gender equality and judicial reform remain to be substantively advanced as matters of major national policy. In order to safeguard women's bodily autonomy, we call upon the Executive Yuan to conduct a concrete assessment and set forth a legislative timetable for abolishing the spousal consent requirement. We further recommend the establishment of an institutionalized consultation mechanism involving women's and gender equality organizations in the formulation of reproductive rights-related health policies.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : International Association for Advancement of Children Rights

Name and Contact : 鄭郁潔專員 / 0937 263 648 / rc77721@gmail.com

Response Item/ article	Issue Item 33 (Articles 12 & 13 Social Welfare for Marginalized Groups)
Reply (Word limits: No more than 800 words)	Regarding Issue Item 33 on welfare policies for marginalized and vulnerable groups, the government's current measures remain largely limited to "residual" relief such as cash allowances or medical subsidies. These fail to effectively address the "intergenerational reproduction of poverty" and "lack of cultural capital" faced by disadvantaged women and their children. Our association emphasizes that child poverty is not only economic but also a poverty of "opportunities and horizons." Social welfare policies must shift towards "developmental investment." We strongly demand that, alongside basic financial aid, the government establish dedicated budgets to subsidize community-based NGOs in organizing "career exploration, digital literacy training, and community inclusion activities" for disadvantaged youth (e.g., introducing diverse career role models). By enriching the social and cultural capital of vulnerable children, we can cultivate their resilience and provide them with a springboard to reverse class reproduction.

The Fifth Review of Taiwan's CEDAW Implementation

Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Gender Equity Education Association _____

Name and Contact : Lin, Yu-Wei, yuwei6015@tgeea.org.tw _____

Response Item/ article	Item34
Reply (Word limits: No more than 800 words)	In 2025, the Taiwan Gender Equity Education Association visited 20 universities and colleges across Taiwan as part of a research project. We found that many facilities on campuses that were claimed to be “genderfriendly restrooms” were, in practice, merely existing “accessible restrooms” with an additional gender-friendly restroom sign attached. However, such a practice may not only compress the restroom space and rights originally intended for persons with disabilities, but may also label those who use these restrooms, thereby undermining efforts to challenge society’s existing binary imagination of gendered spaces. In other words, if gender-friendly restrooms are simply appended to accessible restrooms, rather than planned from the perspectives of spatial design, user needs, and the principles of gender equality, this may weaken the respective functions that both accessible facilities and gender-friendly facilities ought to serve. Taking campuses as an example, it is understood that the Ministry of Education’s current method for compiling statistics on gender-friendly restrooms mainly relies on self-reporting by schools, without corresponding verification or on-site inspection mechanisms. This may lead some schools, without genuinely understanding the spirit and meaning of gender-friendly restrooms, to report restrooms that do not conform to the concept or standards of gender-friendly restroom design. As a result, the data may appear to show comprehensive implementation, while in practice the facilities may not actually respond to users’ needs or advance gender equality objectives.

The Fifth Review of Taiwan's CEDAW Implementation

Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Equality Campaign

Name and Contact : Lin, Wan-Ying deserter97jj@gmail.com.tw 0928-911-441

Response Item/ article	34
Reply (Word limits: No more than 800 words)	School Sanitation Facilities, Privacy Protection, and Gender-Inclusive Infrastructure Taiwan's <i>Standards for Basic Facilities and Equipment of Preschools and Branch Preschools</i> contain provisions intended to protect children's privacy when using restroom facilities. However, observations from preschool settings suggest that implementation remains inconsistent. In many preschools, urinals in boys' restrooms continue to be openly exposed without sufficient privacy partitions, while some girls' restroom facilities provide only limited privacy due to inadequate stall design. There have also been reported cases in which photographs publicly released by educational institutions inadvertently exposed children's bodies, raising concerns regarding the adequacy of privacy safeguards and institutional awareness of children's rights. These issues indicate a need for stronger implementation, monitoring, and enforcement mechanisms to ensure that children's rights to privacy, dignity, and bodily autonomy are effectively protected within educational settings. At the primary and secondary school levels, efforts to increase access to gender-inclusive restroom facilities have faced implementation challenges. In some cases, the establishment of gender-inclusive facilities has relied on the conversion of existing women's restrooms or accessible restrooms, creating concerns regarding resource allocation and accessibility for other user groups. Such approaches may inadvertently generate tensions among affected communities and undermine broader

efforts to promote understanding of sexual orientation, gender identity, and gender diversity within schools.

Inclusive sanitation policies should therefore be accompanied by adequate budget allocations and infrastructure planning to ensure that the rights and needs of all users—including women, persons with disabilities, and LGBTQI+ students—are protected simultaneously. Failure to provide sufficient resources may discourage LGBTQI+ students from using designated inclusive facilities and limit the effectiveness of inclusion initiatives.

In addition, changing family structures and evolving caregiving responsibilities require greater attention within public infrastructure planning. Baby-changing facilities remain uncommon in men's restrooms, reinforcing traditional assumptions that childcare responsibilities are primarily borne by women. The absence of such facilities may also create practical barriers to men's participation in caregiving responsibilities and undermine efforts to promote substantive gender equality in family life.

At present, it remains unclear how these issues are being incorporated into existing regulatory frameworks and infrastructure standards. Limited information is available regarding national standards, implementation targets, monitoring indicators, or evaluation mechanisms relating to privacy protection, gender-inclusive facilities, and the equitable distribution of caregiving infrastructure.

We recommend that the Government develop comprehensive standards and monitoring mechanisms to ensure that educational and public facilities are designed and maintained in accordance with the principles of privacy, accessibility, non-discrimination, shared caregiving responsibility, and substantive gender equality, consistent with Taiwan's obligations under CEDAW and related international human rights standards.

The Fifth Review of Taiwan's CEDAW Implementation

Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Alliance to Promote Civil Partnership Rights (TAPCPR)

Name and Contact : Chih-Chieh Chien, Secretary General (email: cc@tapcpr.org)

Response Item/ article	Point 34
Reply (Word limits: No more than 800 words)	I. The Lack of a Comprehensive Legal Framework Remains the Fundamental Obstacle to Effective Implementation We welcome the government's recognition of gender-inclusive spaces, particularly gender-inclusive restrooms, as an important policy objective. We also acknowledge that the Environmental Management Administration of the Ministry of Environment has recognized the inconsistencies in implementation quality and has initiated inspection and guidance programs to address these shortcomings. However, we must emphasize that the root cause of the uneven quality and inconsistent implementation of gender-inclusive facilities lies in the absence of a clear legal framework. With respect to gender-inclusive restrooms, various ministries, agencies, and local governments have adopted their own guidelines, which differ in both content and standards. As a result, implementation practices vary considerably, creating confusion and inconsistency. We believe that, if the government is committed to fully realizing the principles underlying gender-inclusive spaces, it should move beyond policy guidance and establish a comprehensive legal framework. Such legislation should provide a clear legal basis, designate competent authorities, and establish uniform standards and principles governing the planning, construction, and management of gender-inclusive facilities.

II. The Accessibility and Availability of Gender-Inclusive Facilities Remain Insufficient in Practice

In its response, the Ministry of Education highlighted measures requiring schools to establish gender-inclusive dormitories and to provide at least one gender-inclusive restroom “in each building”.

However, practical implementation remains inadequate. For example, in a case assisted by our organization in 2024 involving a transgender high school student, “the entire school campus” had only a single gender-inclusive restroom. This significantly limited the student's accessibility and convenience in daily school life.

This example illustrates that the mere existence of a gender-inclusive facility does not necessarily guarantee meaningful access. The actual distribution, accessibility, and adequacy of such facilities must also be considered when evaluating the effectiveness of government policies.

Suggested Recommendation for the Committee

The Committee may wish to request that the Ministry of Education provide comprehensive information regarding the implementation of gender-inclusive facilities in educational institutions, including relevant statistical data, coverage rates, and indicators measuring actual accessibility.

Where such data are not currently available, the Committee should urge the government to establish mechanisms for data collection and monitoring without delay in order to enable meaningful assessment of policy implementation and effectiveness.

The Fifth Review of Taiwan's CEDAW Implementation

Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Awakening Foundation

Name and Contact : Lee Ying Hsueh 02-25028715 yhsueh@awakening.org.tw

Response Item/ article	Response to Question 34 Economic and social benefits (b)																					
Reply (Word limits: No more than 800 words)	1. The Government's response emphasizes the coverage rate of the National Pension system but fails to address whether the benefit amounts are sufficient to maintain a basic standard of living. The minimum living expenses announced annually by the Ministry of Health and Welfare (MOHW) represent the government-defined standard required for basic living and serve as Taiwan’s closest indicator to an official poverty line. The MOHW announced the 2026 monthly minimum living expenses for the six special municipalities as follows: <table><tr><th>Special Municipality</th><th>2026 Minimum Living Expenses (Monthly)</th><th>Percentage of Basic Guaranteed Elderly Pension</th></tr><tr><td>Taipei City</td><td>NT\$ 20,744</td><td>19.5%</td></tr><tr><td>New Taipei City</td><td>NT\$ 17,750</td><td>22.8%</td></tr><tr><td>Taoyuan City</td><td>NT\$ 17,186</td><td>23.6%</td></tr><tr><td>Taichung City</td><td>NT\$ 16,431</td><td>24.6%</td></tr><tr><td>Tainan City</td><td>NT\$ 15,515</td><td>26.0%</td></tr><tr><td>Kaohsiung City</td><td>NT\$ 16,970</td><td>23.9%</td></tr></table> 2. Taking 2026 as an example, the Basic Guaranteed Elderly Pension under the National Pension system is NT\$4,049 per month, which accounts for only 19.5% of the minimum living expenses in Taipei City and 26% of those in Tainan City. Even when calculating general elderly	Special Municipality	2026 Minimum Living Expenses (Monthly)	Percentage of Basic Guaranteed Elderly Pension	Taipei City	NT\$ 20,744	19.5%	New Taipei City	NT\$ 17,750	22.8%	Taoyuan City	NT\$ 17,186	23.6%	Taichung City	NT\$ 16,431	24.6%	Tainan City	NT\$ 15,515	26.0%	Kaohsiung City	NT\$ 16,970	23.9%
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pension benefits (monthly insurance salary $\times$ years of coverage $\times$ 0.65% + NT\$4,049), the resulting benefit amount for women with limited insurance seniority is often only slightly higher than the basic guaranteed pension. A massive gap persists between these benefits and the minimum living expense standards.

3. The fact that general elderly benefits under the National Pension system fall far below local minimum living expense standards reveals a fundamental gap in institutional protection for older women who rely on this system as their sole source of income after retirement (past age 65). This gap is particularly severe for women who have long been excluded from the formal labor market due to caregiving responsibilities. The Government's response fails to explain how it will bridge the disparity between benefit amounts and actual living costs, nor does it propose any mechanism aligned with varying local minimum living expenses. Furthermore, as a form of social insurance, the National Pension system not only provides insufficient benefits but also requires insured individuals to pay premiums out of their limited resources. This creates a "double exploitation" of economically vulnerable women, making it a rare system globally that collects premiums from individuals who are unemployed.

The Fifth Review of Taiwan's CEDAW Implementation

Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : New Vitality Independent Living Association, Taipei

Name and Contact : Duan Ke Wei , cocoweimei0@gmail.com

Response	34
Item/ article	
Reply (Word limits: No more than 800 words)	Although the Government report highlights measures relating to gender-inclusive facilities, social protection, and women's economic empowerment, Taiwan's economic and social welfare systems continue to inadequately address inequalities arising from the intersection of gender, disability, age, and migration status. First, although the Government has gradually introduced guidelines on gender-friendly and gender-inclusive facilities, there remains a lack of uniform national legal standards, monitoring mechanisms, and effective oversight. Many toilets, changing rooms, and related facilities in workplaces, educational institutions, and public spaces are not designed or managed in a manner that simultaneously addresses gender equality, gender diversity, and disability accessibility. As a result, women, persons with disabilities, and LGBTQI+ individuals continue to experience barriers, discrimination, and exclusion in accessing such facilities. Second, Taiwan's long-term care services, personal assistance services, community support services for persons with psychosocial disabilities, childcare services, and other community-based support systems remain insufficient. Consequently, a significant proportion of care work continues to be absorbed by families and falls primarily on mothers, wives, daughters, and other female family members. Many women are compelled to reduce their working hours, leave the labor market, or enter informal and low-paid employment in order to care for children, persons with disabilities, persons with support needs, and older family

members. This often results in insufficient social insurance contributions, inadequate pension entitlements, and an increased risk of poverty in old age.

However, when addressing poverty among older women and retirement security, the Government frequently overlooks the specific circumstances of women with disabilities. Due to barriers in education, employment, and the lack of reasonable accommodation in the workplace, many women with disabilities have been excluded from the formal labor market throughout much of their lives and have been unable to accumulate sufficient labor insurance contributions or pension benefits. Some women with disabilities have spent years in non-standard employment, low-paid work, or sheltered employment and, in later life, must rely primarily on limited social assistance benefits. Consequently, they face a heightened risk arising from the intersection of ageing, disability, and poverty.

Furthermore, due to inadequate public support systems and the persistence of patriarchal norms, many women with disabilities simultaneously bear responsibility for caring for ageing parents, family members with significant disabilities, or other relatives. This phenomenon of “persons with disabilities caring for other persons with disabilities” not only restricts their opportunities to participate in education, employment, and social life, but also undermines their ability to achieve economic independence and retirement security. Nevertheless, the current social protection system does not adequately recognize the social and economic value of such unpaid care work.

At the same time, when families are unable to meet care needs, Taiwan relies heavily on migrant women workers to fill gaps in the care workforce. However, migrant domestic workers remain excluded from comprehensive labor and social protection systems. Their rights relating to working hours, rest periods, retirement protection, and the portability of social security benefits remain inadequate. Although migrant women

workers play a vital role in sustaining Taiwan's care economy, they are not afforded corresponding protections, thereby increasing their economic insecurity and vulnerability to poverty in old age.

The Committee should recommend that the Government:

1. Establish uniform legal standards and monitoring mechanisms for gender-inclusive and accessible facilities, ensuring that toilets, changing rooms, and related facilities in workplaces, educational institutions, and public spaces are gender-equal, inclusive of gender diversity, and fully accessible to persons with disabilities.
2. Recognize long-term care services, personal assistance services, community support services for persons with psychosocial disabilities, childcare services, and other care services as public responsibilities rather than private burdens borne by women within families or by migrant domestic workers, and progressively expand their availability, service hours, capacity, and accessibility.
3. Expand personal assistance and community support services to ensure that persons with disabilities receive adequate support for employment, education, family life, and social participation, thereby preventing care responsibilities from falling disproportionately on female family members.
4. Establish caregiver support and retirement protection mechanisms, and incorporate unpaid care work into social protection policies by recognizing and compensating for the loss of income, employment seniority, and pension entitlements experienced by women and women with disabilities as a result of caregiving responsibilities.
5. Develop targeted measures to prevent poverty among older women with disabilities, including strengthened employment support, workplace reasonable accommodation, retirement protection, and income security programs.
6. Incorporate migrant domestic workers into comprehensive labor and social protection systems, guaranteeing their rights to reasonable

	working hours, rest periods, minimum wage protection, occupational injury protection, retirement benefits, and other social security entitlements, while exploring social security portability arrangements with countries of origin. 7. Expand social protection coverage for women engaged in non-standard employment, platform and gig work, agricultural work, and self-employment, ensuring their access to health care, occupational injury protection, childcare support, long-term care support, and retirement security. 8. Collect and publish statistics on pensions, income levels, and poverty rates disaggregated by sex, disability, age, ethnicity, migration status, and geographic location, and use such data as the basis for policies aimed at eliminating poverty among women, including women with disabilities. Conduct gender and intersectionality impact assessments of taxation, pension, long-term care, migrant labor, and social welfare policies, with particular attention to their effects on older women, women with disabilities, migrant women workers, Indigenous women, rural women, and low-income women.
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The Fifth Review of Taiwan's CEDAW Implementation
Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Tongzhi (LGBTQ+) Hotline Association

Name and Contact : Olivia Tsai / olivia99@hotline.org.tw

Response Item/ article	Item 34 / Article 13
Reply (Word limits: No more than 800 words)	The Taiwanese government's responses regarding gender-inclusive restrooms fail to reflect the policy's actual implementation. Judging by two field investigation reports released by civil LGBT organizations in 2025, the relevant policies have merely focused on increasing the number of installations. However, there are quality issues with these installations, leading to a poor actual experience and perception for members of the public using these gender-inclusive restrooms, which in turn creates a negative public impression of the policy itself. The first investigation conducted fieldwork across 11 senior high and vocational schools in Taipei City, examining a total of 30 gender-inclusive restrooms (Source: https://hotline.org.tw/news/3522): • 86.7% (26 restrooms) simply added a "Gender-Inclusive Restroom" sign onto existing accessible restrooms. Only 13.3% (4 restrooms) were "centralized" gender-inclusive restrooms that meet proper standards—meaning a single restroom facility containing various compartment types, such as squat toilets, sitting toilets, and urinals. • Among the 11 schools, 3 misreported their data, claiming in the official records of the Taipei City Department of Education to have installed gender-inclusive restrooms, whereas the field investigation revealed that no such restrooms existed on those campuses.

- The quality of the 4 "centralized" gender-inclusive restrooms varied significantly across dimensions of safety, privacy, and convenience. For instance, issues such as remote locations, poor anti-peeping designs, and unpartitioned urinals clearly indicate a pressing need for improvement.

The second investigation conducted random field checks on 149 gender-inclusive restrooms listed by the Ministry of Environment (Source: <https://reurl.cc/aXmOy9>):

- When reviewed against five core indicators—"available to all genders," "must not occupy accessible or family restrooms," "must be renovated concurrently during traditional male/female restroom renovations," "must possess identifiable gender-inclusive signage," and "urinals must have complete partitions"—**only 54 facilities (approximately 35%) complied.** In other words, a large portion of the restrooms on the Ministry of Environment's list have substandard padding, improper use, and lack privacy measures.
- If evaluated by the indicators outlined in the Ministry of Environment's "Action Plan for Doubling Gender-Inclusive Restrooms" (e.g., gapless stall doors, informational plaques explaining the concept of gender-inclusive restrooms, emergency call buttons, and provision of toilet seat sanitizer), **only 5 restrooms met these standards, translating to a passing rate of less than 3.4%.**

Furthermore, regarding the installation of gender-inclusive restrooms, the central government's Ministry of Education, Ministry of the Interior, and Ministry of Environment, as well as multiple local governments (Taipei City, New Taipei City, Tainan City, and Kaohsiung City), each has its own reference guidelines. However, the contents of these guidelines are

	inconsistent, and their standards differ significantly. In other words, in the current absence of unified regulations or mandatory national standards established by the central government, various departments within local governments lack a uniform benchmark to follow during installation, leaving them with no choice but to act on their own.
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The Fifth Review of Taiwan's CEDAW Implementation

Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Jen&Lin Education Foundation, Taipei Twin Association

Name and Contact : Lin Chia-Hui (Executive Director) / Tel: +886-2-2778-0703 / E-mail: justine520107@jenlinst.org.tw

Response Item/ article	Article 12 <i>(Women's Health and Preventative Mental Health)</i>
Reply (Word limits: No more than 800 words)	[Current Gap Analysis] Regarding the government's promoted "Maternal Mental Health Counseling Subsidy Scheme," we argue that current policies rely too heavily on "post-crisis clinical remediation" centered solely on the "individual woman," lacking a front-end social support network. [NGO Core Parallel Reply] Multiple-birth mothers face disproportionately high risks of postpartum depression. When a mental health crisis hits, high-density caregiving demands often prevent them from physically leaving the home to utilize clinical counseling subsidies. The government must pivot to a "front-end prevention" mindset that views the family as a cohesive functioning unit—a Family Resilience System. The state should fund civil society organizations to promote preventative family resilience workshops and community mutual-support groups. Involving spouses and family networks in emotional awareness and parental resilience building beforehand is vital. Leaving high-density caregiving entirely to women without preventative support constitutes institutional discrimination against women's right to health. [Suggested Question for IRC] How does the Ministry of Health and Welfare operationalize "front-end prevention" in maternal mental health? Is the government willing to collaborate with NGOs experienced in family resilience to develop community-based preventative workshops before families escalate into formal crisis cases?

The Fifth Review of Taiwan's CEDAW Implementation

Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Jen&Lin Education Foundation, Taipei Twin Association

Name and Contact : Lin Chia-Hui (Executive Director) / Tel: +886-2-2778-0703 / E-mail: justine520107@jenlinst.org.tw

Response Item/ article	Article 12, Article 16 <i>(Parental and Psychological Preparation for Artificial Reproduction)</i>
Reply (Word limits: No more than 800 words)	[Current Gap Analysis] Regarding the outcomes of artificial reproduction subsidies, the government's responses focus extensively on physiological aspects, such as medical technology and pregnancy success rates. However, the current frameworks severely lack "pre-birth" preparation for parental division of labor, caregiving stress assessments, and psychological resilience building. [NGO Core Parallel Reply] Women who conceive multiple births through artificial reproduction carry immense familial expectations. Post-delivery, they face exceptionally high risks of premature births, early intervention needs, and developmental delays, placing immense psychological, physical, and economic strain on them. The government should establish an active cross-ministerial referral mechanism (linking the Health Promotion Administration, the Social and Family Affairs Administration, and Family Education Centers) to guide couples into pre-birth parenting and resilience preparation. Furthermore, backing civil organizations to deploy "experienced peer volunteers (multiple-birth parents)" will strengthen the family system's stress resistance from the source and prevent family collapse.

[Suggested Question for IRC]

How does the government ensure that medical institutions provide comprehensive pre-procedure counseling regarding future high-density caregiving burdens and psychological risks for women undergoing artificial reproduction? Will the state subsidize NGOs to establish "experienced peer volunteer" support networks for pre- and post-natal care?

The Fifth Review of Taiwan's CEDAW Implementation

Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Awakening Foundation

Name and Contact : Cheng-Lung Chen 02-25028715 chenglungwork@awakeining.org.tw

Response Item/ article	Response to Question Item 38: Ancestral Worship Guilds and Women's Inheritance Rights
Reply (Word limits: No more than 800 words)	Although Taiwan's Constitutional Court ruled in 2023 that parts of the Act Governing Ancestral Worship Guilds were unconstitutional—giving female descendants the right to joint membership—true gender equality has still not been achieved. Here is why: 1. The 2023 ruling failed to fix a big loophole from a judicial interpretation in 2015(No. 728). Under this loophole, these ancestral worship guilds can easily bypass gender equality laws simply by writing their own internal regulations. By doing this, they can legally pass wealth only to men and permanently exclude women. 2. Even though the judicial interpretation in 2023 allows women to ask for membership, it also stated that any money or property already given out to male members cannot be changed. This basically protects the unfair advantages of the old patriarchal system and makes past discrimination legally acceptable. Notably, several Grand Justices issued dissenting opinions, arguing that Interpretation No. 728 should have been declared unconstitutional or overturned to truly implement gender equality. 3. Continuous Discrimination Under Legacy Regulations Because of this unaddressed gap, ancestral worship guilds established before 2008 that already have internal regulations remain exempt from gender equality scrutiny. This not only allows these ancestral worship guilds to discriminate against female-line descendants with impunity, but it also creates a dangerous situation:

ancestral worship guilds currently without regulations might rush to create new ones before women claim their rights, just to block women from getting what they deserve.

4. Although international human rights experts have repeatedly raised concerns about this issue during CEDAW reviews, Taiwan's Grand Judges did not mention or use the CEDAW convention at all in this important ruling.

Finally, we must highlight the widespread phenomenon of Taiwanese women waiving their inheritance rights. Although Taiwan's Civil Code guarantees equal inheritance rights for women, in practice, **many women still choose to waive these rights due to deep-seated family pressure.**

According to Ministry of Finance statistics, women still accounted for a higher proportion of inheritance waivers (54.8%) than men (45.2%). While this national gap has narrowed, a breakdown by county reveals that in certain regions, the percentage of women waiving inheritance is still 10% to 20% higher than that of men.

We also wondered if families might be using other ways to pass wealth to men, so we looked at the statistics for 'gifting'. In 2024, 58% of the people who received gifts were men, while only 42% were women. Although this difference is gradually shrinking nationwide, county-level statistics show the gap between male and female recipients can soar up to 30% in specific areas.

Due to the lack of granular data, we cannot fully analyze the underlying reasons behind every waiver or gift. However, we firmly believe the government must investigate how many women in different regions still forfeit their inheritance due to traditional family pressure, or how gifting is being used to bypass legal equality. The government must move beyond passive statistics and actively devise strategies to eliminate these structural barriers.

The Fifth Review of Taiwan's CEDAW Implementation

Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Alliance for Women's Rights & Sustainable Development

Name and Contact : Ping Lee / pinglee0120@gmail.com

Response Item/ article	Item38 Article 15
Reply (Word limits: No more than 800 words)	Related Question The International Review Committee has expressed concern regarding how the Government translates legal and institutional guarantees of equality into substantive equality in women's everyday lives, particularly with respect to the realization of the rights of Indigenous women, women in rural and remote areas, and women at the community level. Summary of Government Response The Government states that it has promoted gender equality through CEDAW awareness-raising activities, education and training programs, gender equality guidance initiatives, and incentive schemes. It further notes that the implementation of CEDAW-related measures has been incorporated into assessment and evaluation mechanisms. NGO Parallel Response We acknowledge the Government's continued efforts to promote CEDAW awareness and gender equality policies. However, current measures remain largely focused on training, administrative evaluations, and reporting requirements, while lacking institutionalized mechanisms to assess the actual implementation of CEDAW at the local governance and community levels. As a result, it remains difficult to determine whether women have genuinely benefited from these initiatives and whether formal equality has been effectively translated into substantive equality. The implementation of CEDAW extends beyond legal protection and encompasses women's lived experiences in areas such as participation in

public decision-making, access to public services, employment opportunities, care resources, community safety, and social participation. Without monitoring and evaluation mechanisms at the local level, the effectiveness of national policies may not be reflected in the daily lives of women.

At present, the central government has not established a nationwide system for monitoring CEDAW implementation at the local level, nor has it developed consistent local gender equality indicators and regular evaluation mechanisms. Furthermore, opportunities for Indigenous women, rural women, and grassroots women's organizations to participate in the planning, implementation, and evaluation of local policies remain limited. Their needs and experiences are therefore not always adequately reflected in local governance processes and resource allocation decisions. In recent years, increasing international attention has been given to the role of local governments in implementing CEDAW. The Cities for CEDAW initiative emphasizes integrating CEDAW principles into city and community governance through local governance mechanisms, gender statistics, policy reviews, gender-responsive budgeting, community participation, and accountability mechanisms. It serves as an important bridge between national commitments and women's everyday realities.

In Taiwan, Taipei City, New Taipei City, and Taoyuan City have begun incorporating Cities for CEDAW concepts into local CEDAW review and governance initiatives. These efforts demonstrate an emerging commitment by local governments to translate international gender equality standards into local practice. However, such initiatives continue to rely largely on voluntary local action, and a systematic framework for support and collaboration between the central and local governments has yet to be established.

Consequently, a gap persists between national policies and local implementation. Further efforts are needed to ensure that legal guarantees of equality are transformed into substantive outcomes that women can experience, participate in, and hold accountable through local governance mechanisms.

Recommendations

1. Establish regular review and evaluation mechanisms for CEDAW implementation at the local level, including the development of consistent monitoring indicators and performance assessment tools to measure progress in local governance and community settings.
2. Develop local-level gender equality indicators and data collection systems to strengthen gender statistics, monitoring, evaluation, and accountability mechanisms.
3. Establish a national policy framework, led by the Executive Yuan, to support local governments in implementing CEDAW, and explore the development of a Taiwan Cities for CEDAW framework to assist municipalities and counties in systematically integrating CEDAW principles into local governance, policy planning, budgeting, and performance evaluation systems.
4. Institutionalize mechanisms to ensure the meaningful participation of Indigenous women, rural women, and grassroots women's organizations in the formulation, implementation, and evaluation of local policies.
5. Include assessments of local government implementation of CEDAW in the next State Report in order to evaluate whether national policies have effectively translated into substantive gender equality outcomes at the local level.

The Fifth Review of Taiwan's CEDAW Implementation

Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Alliance to Promote Civil Partnership Rights (TAPCPR)

Name and Contact : Chih-Chieh Chien, Secretary General (email: cc@tapcpr.org)

Response Item/ article	Point 38
Reply (Word limits: No more than 800 words)	We highly commend the Taiwanese government's proposal to amend Article 4 of the Act Governing Ancestor Worship Guilds to ensure that all descendants, regardless of gender, are entitled to membership rights (<i>pai-hsia rights</i>) within ancestor worship guilds. However, this legislative amendment was initiated in response to Constitutional Court Judgment No. 1 of 2023, rendered on 13 January 2023. More than three years have now passed without the completion of the legislative process. Such delay is excessive, and the government should expedite the amendment process without further delay. In addition, membership rights in ancestor worship guilds are closely linked to inheritance rights. Although Taiwanese law formally guarantees equal inheritance rights regardless of gender, statistical data indicate that substantive gender disparities persist in practice. According to 2024 statistics, among all persons who renounced inheritance rights, only 45.2 percent were men, while 54.8 percent were women. By comparison, in 2014, men accounted for 43.6 percent and women for 56.4 percent of all inheritance renunciations. These figures demonstrate that women have consistently represented a disproportionately high percentage of those renouncing inheritance rights. Furthermore, this pattern has remained largely unchanged over the past decade. This suggests that awareness and implementation of gender equality in relation to inheritance rights remain insufficient and require continued attention.

	<u>Suggested Recommendations for the Committee</u> The Taiwanese government should complete the amendment of Article 4 of the Act Governing Ancestor Worship Guilds as soon as possible and should establish mechanisms to collect and monitor the following data on an ongoing basis: 1. What is the gender distribution of descendants entitled to membership rights (<i>pai-hsia rights</i>) within ancestor worship guilds? 2. What is the gender distribution of persons who renounce such membership rights? 3. Among those who renounce membership rights, how many also renounce inheritance rights? 4. Based on the above statistical data, the government should continue to promote public awareness of gender equality in relation to inheritance rights, membership rights within ancestor worship guilds, and other status-related and property rights.
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Awakening Foundation

Name and Contact : Cheng-Lung Chen 02-25028715 chenglungwork@awakeining.org.tw

Response Item/ article	Response to Question 39 (a) : Uncontested divorce and divorce mediation
Reply (Word limits: No more than 800 words)	There are three ways to obtain a divorce in Taiwan: uncontested divorce, divorce mediation, and litigation. In response to the Committee's concerns regarding uncontested divorce and divorce mediation in the Fourth Concluding Observations and Recommendations, we would like to share some information. Uncontested divorce refers to a mutual agreement reached privately between both parties. Divorce mediation, on the other hand, requires filing an application with the court, which then arranges for a judge or a trained family mediator to host the mediation and assist both sides in reaching a consensus; the resulting mediation minutes carry the same legal binding force as a final court judgment. In practice, court clerks submit the mediation minutes to the judge for verification. If the judge identifies any issues within the content, they may instruct the clerk to communicate with both parties, though the level of rigor varies across different courts. Over 80% of divorces in Taiwan are finalized through consensual mutual agreement. A research report commissioned by the National Human Rights Commission (NHRC) titled "The Impact of Family Care Responsibilities and Marital Disruption on Women's Employment and Economic Security" notes that the temporal and economic costs of both divorce mediation and litigation are exceedingly high, driving the public's preference for uncontested divorce. Financially, these costs

may include exorbitant legal fees for hiring an attorney, while navigating the lawsuit without legal representation directly disrupts one's employment and income. **Temporally**, litigation can drag on for 2 to 3 years, and even mediation alone takes as long as 4 months. Furthermore, the fear that conflicts between both parties could intensify during the mediation process further deters individuals from choosing judicial paths.

The lack of third-party intervention in uncontested divorces can indeed compromise women's rights and interests. While mediated and litigated divorces can provide better protection, in practice, the high costs of these options create severe dilemmas for the parties involved. To expedite the divorce process, some women reluctantly waive their entitlements. Others, particularly vulnerable women hindered by a lack of sufficient financial security and stable housing, temporarily forfeit child custody and request only visitation rights, hoping to petition for a custody modification later once their finances stabilize. Yet, in judicial practice, modifying child custody is exceptionally difficult. Furthermore, the research underscores that the economic shock of divorce is the primary reason why some women who wish to divorce ultimately choose never to file for one.

Based on these findings, we urge the government to implement the following institutional improvements:

1. Provide robust labor, housing, and social welfare support for divorced women and single parents, ensuring that women do not have to sacrifice their entitlements or feel coerced into staying in marriages due to financial fear.
2. Expand professional social work interventions to guide separating couples toward sustainable post-divorce co-parenting arrangements.
3. Lower litigation costs and establish legal fee subsidy mechanisms for divorce lawsuits to prevent disadvantaged women from being excluded

from judicial remedies.

4. Integrate the uncontested divorce system with household registration offices to provide accessible, on-site legal counseling and professional assistance.

5. Evaluate the substantive effectiveness of the government's standard templates for uncontested divorce.

Finally, **although divorce mediation provides institutional protection, the actual implementation varies drastically across regional courts;** for instance, certain family mediators still hold strong gender stereotypes; in cases where judges conduct the mediation themselves, they sometimes warn the parties that the final judgment will be exactly the same regardless, placing immense pressure on them; victims in domestic violence cases often give up their rights just to get a divorce as quickly as possible; and in certain regions, and mediation spaces in certain areas lack privacy and fail to facilitate a good environment for communication. **These issues demonstrate that the current mediation system remains to be improved.** However, due to the present lack of statistics and empirical research, the government should establish a long-term empirical data collection, monitoring, and evaluation mechanism to track mediation outcomes and their gendered impacts.

The government should also conduct empirical studies to map out what improvements need to be made within the court-mediated divorce system.

The Fifth Review of Taiwan's CEDAW Implementation

Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Awakening Foundation

Name and Contact : Icey Wang 02-25028715 hanwang@awakening.org.tw

Response Item/ article	39(b)
Reply (Word limits: No more than 800 words)	I.Lack of a Clear Timeline and Concrete Proposals for Statutory Amendments on the Division of Spousal Occupational Pensions upon Divorce The Executive Yuan has currently assigned the statutory amendment regarding the "right to claim a division of an ex-spouse's occupational pension upon divorce" to the respective competent authorities. These authorities are instructed to plan the amendments by referencing the draft amendments to the <i>Act on the Retirement, Severance, and Bereavement Comfort Pay for Civil Servants</i>. The rationale provided is that amendments across various occupational pension regulations should maintain consistency. However, this legislative planning contains several blind spots. First, provisions regarding the division of pensions upon divorce have already been successively incorporated into the regulations governing military personnel, civil servants, and public school teachers since 2017 during new enactments or revisions. Clear statutory frameworks are already in place within several Acts. Consequently, nearly a decade of practical claims data has accumulated to serve as a reference for these amendments. Another issue is that the <i>Act on the Retirement, Severance, and Bereavement Comfort Pay for Civil Servants</i>, which serves as the benchmark for reference, falls under the jurisdiction of the Ministry of Civil Service under the Examination Yuan. Its legislative progress is therefore outside the scope of direct control and supervision by the

Executive Yuan.

II. The *Civil Code* Should Be Amended Pursuant to Previous Concluding Observations to Avoid Omissions Caused by Fragmented Revisions

Paragraph 85 of the Conclusions And Recommendations from the previous national report explicitly recommended that the Government amend the *Civil Code* to include a full and equal right to spousal division of pensions in all occupations. However, **the Government has adopted a legislative strategy of "amending each occupational pension regulation individually."** In terms of the comprehensiveness of regulatory inventorying, legislative timelines, and the consistency of statutory provisions, this strategy is inferior to directly adding or amending relevant provisions within the *Civil Code*. A *Civil Code* amendment would ensure that both divorced spouses can file claims in accordance with the law, regardless of which occupational pension system applies to them.

Furthermore, **historical materials from the Executive Yuan regarding this issue demonstrate the difficulties inherent in inventorying these regulations.** For instance, on January 9, 2023, the Executive Yuan convened a meeting to demand that various agencies inventory their occupational pension regulations and evaluate methods for statutory amendment. The regulations cataloged in that meeting's materials, however, were inconsistent with the meeting materials used by the Government to track the Conclusions And Recommendations of the Fourth National Report. **If this legislative issue is addressed by amending each law individually, practical omissions are likely to occur, failing to thoroughly safeguard the economic rights of disadvantaged spouses.**

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Awakening Foundation

Name and Contact : Icey Wang 02-25028715 hanwang@awakening.org.tw

Response Item/ article	39(c)
Reply (Word limits: No more than 800 words)	I. Failure to Resolve the Practical Dilemma Stemming from the Strict "hardship in maintenance" Requirement The nature of Taiwan's current alimony system is defined as "the extension of the mutual obligation of maintenance between spouses," and its legal standard for claims is extremely strict in practice. According to a 2023 survey conducted by Awakening Foundation on the current practice of alimony, out of 97 practicing attorneys who assisted in completing the questionnaire, as many as 83 (approximately 85.5%) stated that they "would not advise divorce clients to claim alimony." The core reason in all cases is that the clients cannot meet the exceedingly high threshold of "hardship in maintenance." Although the Executive Yuan's draft amendment incorporates "impairment of employability or decrease in employment opportunity at the time of divorce" into the requirements for a claim, it still retains the current requirement of "hardship in maintenance" and fails to propose concrete solutions to the core issue of excessively strict judicial determination in current practice. Under a framework where both are listed concurrently as requirements for a claim, "employability-diminution alimony" is highly likely to be restricted by the strict standards applied to "hardship in maintenance" in current practice. Consequently, judges may tend to be conservative in exercising their judicial discretion, failing to substantively improve the

systemic dilemma where claiming alimony remains difficult.

II. "Remarriage" Should Not Be Listed as a Ground for the Extinguishment of the Right to Claim

The Executive Yuan's draft amendment designates "remarriage" as one of the grounds for the extinguishment of the right to claim alimony, treats alimony as just an extension of a spouse's duty to support the other, focusing only on how long that support should last. However, **whether the person entitled to maintenance remarries or not does not affect the contributions they made in their "previous marriage," nor does it alter the career opportunity costs they incurred due to the division of roles in marriage and child-rearing.** This statutory revision by the Executive Yuan clearly fails to meticulously address the fundamental differences between types of alimony with distinct natures, such as "diminution of employability" and "hardship in maintenance."

Furthermore, **the Government cites the concern that "remarriage might lead to difficulties in clarifying and calculating alimony" as the reason for retaining this ground for extinguishment. However, the claim and determination of alimony are made independently for "individual, distinct" marital relationships.** Under Taiwan's Civil Code, which contains relevant provisions prohibiting bigamy, there is no possibility in practice of confusing the calculation of alimony arising from different marriages.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Modern Women's Foundation

Name and Contact : WANG, Chiou-Lan e-mail: chiulan@38.org.tw

Response Item/ article	Article 16: Marriage and Family Relationships / Item39 (a) 1. Part (a) Article 5: Sexual Violence Against Women /Item14 2.part b (5) Protection of Domestic Violence Victims c.
Reply (Word limits: No more than 800 words)	We commend the courts for providing either “Safety Assessment Form for Family Mediation” or “Notice of Inquiry for Victims Involved in Domestic Violence”, together with the notification of the first hearing date to facilitate the arrangement for attendance of court proceedings. Nevertheless, practical observations reveal the following concerns: 1. Lack of Substantial Evaluation of Training Effectiveness According to the Regulations Governing the Establishment of Family Mediators by Courts in Taiwan, family mediators are legally required to undergo professional training in areas such as domestic violence prevention, gender equality, and multicultural sensitivity for at least 12 hours in total each year. However, observations indicate that some courts rely primarily on the formality of requiring the accumulation of training hours, without substantive mechanisms in place for evaluating and reviewing of outcomes. As a result, it is difficult to effectively monitor or assess whether family mediators have genuinely incorporated the gender awareness and domestic-violence sensitivity acquired through such training into the mediation practices. The training is hence a largely procedural exercise. 2. Challenges Faced by Courts and the Mediation System in Handling of Domestic Violence Cases (1) Unless judges or mediators are able to assess whether mediation

is appropriate and how mediation should be conducted at the time when the family court proceeds domestic violence cases to either mediation or litigation specifically in relation to protection orders, decisions on whether to refer a case to mediation generally rely solely on the pleadings and statements filed by both parties. There is a lack of other effective pre-referral screening or identification mechanisms. In practice, however, victims frequently fail to provide a complete account of the abuse in their pleadings due to trauma, fear, or an inability to fully recognize the controlling dynamics within the relationship. Consequently, mediators need to conduct mediation without a clear understanding of the actual interactions between the victim and the opposing party amid unequal power dynamics or the risks of ongoing violence.

(2) Some family mediators lack sensitivity to power dynamics during proceedings. Not only do they fail to recognize the coercion or oppression implicit in conversations between the victim and the opposing party, but they may also, through the exercise of their own authority or reliance on traditional gender stereotypes, urge victims to be understanding, accommodating, or willing to compromise. This is essentially the replication of power imbalances in the system.

(3) When the victim and the opposing party are unable to reach a consensus on whether to maintain or terminate the marital relationship, some family mediators still expect to resolve issues through “communication” even when the case involves domestic violence. As a result, they may request that the parties participate in marital counseling or marriage consultation services. Such practices fundamentally disregard the dangers and unequal power dynamics inherent in domestic violence cases. Not only does this fail to prevent further domestic violence, but also expose victims who seek to flee from an abusive relationship as quickly as possible to prolonged litigation, safety threats, and the risk of institutional re-traumatization.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Bar Association; Taipei Bar Association

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Response Item/ article	Article 16 /Item 39 of the List of Issues for the Fifth National Report on CEDAW
Reply (Word limits: No more than 800 words)	Constitutional Court Judgment 112 Hsien-Pan-Tzu Item 4, whose legislative deadline expired in March 2025, has yet to receive implementing legislation passed by the Legislative Yuan. Regarding (b) the division of residual property: The current system imposes a "reciprocity principle" under which a claim for the division of retirement benefits as residual property may only be made where both spouses are subject to the civil servant, teacher, or military personnel retirement system, or where one spouse is a full-time homemaker. The Labor Pension Act contains no explicit provision incorporating pension benefits into the residual property distribution scheme, and courts have accordingly tended to reject such claims based on systemic asymmetry. As approximately 87% of Taiwan's workforce relies on labor pension benefits as their primary source of economic security in old age, this represents a significant gap in the current legal framework. Even where the reciprocity requirement is satisfied, some family courts have declined jurisdiction over civil servant or military pension claims, directing parties to pursue separate administrative proceedings before the competent authority. This not only renders the process protracted and procedurally burdensome, but may significantly raise the threshold for

rights enforcement, leaving the economically vulnerable spouse with diminished access to protection. Whether retirement benefits may be equitably divided upon divorce thus remains a matter of substantial legal uncertainty.

Regarding (c) the proposed amendment to spousal support claims:

While the Ministry of Justice's draft seeks to lower the threshold for claiming spousal support, it simultaneously introduces a provision extinguishing the right upon remarriage. Spousal support should properly be understood as substantive compensation and transitional support for a spouse's contributions during marriage — including homemaking and the accumulation of shared assets — raising concerns regarding the impact of retaining the remarriage-extinguishment provision on post-divorce economic equality.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Garden of Hope Foundation _____

Name and Contact : Yuying Kuo, (02)8911-5595#104, goh0667@goh.org.tw _____

Response Item/ article	Item 39, Article 16 (Marriage and Family Relations)
Reply (Word limits: No more than 800 words)	- Capacity-building for mediators should be assessed through outcome indicators rather than process indicators: The Government currently relies primarily on participation rates and training hours as indicators for evaluating the effectiveness of mediator training programs. In addition, the judiciary does not currently maintain statistics on parties' satisfaction with mediation proceedings. In the absence of participant feedback data and meaningful mechanisms for assessing the practical competencies of mediators, it is difficult to determine whether training has effectively translated into increased gender sensitivity and improved practice among mediators. Recommendation: The Government should adopt outcome-based evaluation mechanisms for mediator training, including participant satisfaction surveys, assessments of gender competency, and periodic reviews of mediation practices. Such measures would help ensure that training programs lead to meaningful improvements in mediators' ability to identify and respond appropriately to gender-related issues and power imbalances within family disputes.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Judicial Reform Foundation _____

Name and Contact : Campaigner / JIA-ZHEN XIE jane@jrf.org.tw (04)2329-2372 #11 _____

Response Item/ article	Item39 Article 16 Marriage and family relations
Reply (Word limits: No more than 800 words)	The legislative deadline set by Constitutional Court Judgment 112 Hsien-Pan-Tzu No. 4 expired in March 2025, yet the required implementing legislation has to date not been passed by the Legislative Yuan. Regarding (b) the division of residual property, the current framework restricts claims for the division of retirement benefits to specific circumstances: namely, where both spouses are subject to the civil servant, teacher, or military personnel retirement system, or where one spouse is a full-time homemaker. The Labor Pension Act contains no explicit provision to this effect, and courts have generally tended to reject claims for the division of labor pension benefits on the basis of systemic asymmetry. Given that over 87% of Taiwan's workforce relies on labor pension benefits as their primary source of economic security in old age, the current framework effectively excludes the majority of families from protection, constituting a structural gap in the legal framework that warrants serious attention. Even among civil servant, teacher, and military personnel households where such entitlements nominally exist, parties continue to encounter procedural obstacles in practice. Some family courts have declined to adjudicate pension division claims on grounds of lack of jurisdiction, directing parties to seek relief through separate administrative proceedings. This renders the process protracted and costly, further

diminishing the ability of the economically vulnerable spouse to effectively enforce their rights. Whether retirement benefits may be equitably divided upon divorce thus remains a matter of substantial uncertainty, both at the institutional and practical levels.

Regarding (c) the proposed amendment to spousal support claims, while the Ministry of Justice's draft lowers the threshold for bringing a claim, it simultaneously introduces a provision extinguishing the right upon remarriage. This reflects the government's characterization of spousal support primarily as post-divorce subsistence assistance. However, spousal support should properly be understood as substantive compensation for a spouse's contributions during marriage — including homemaking and the joint accumulation of assets — as well as transitional economic support following divorce. Retaining the remarriage-extinguishment provision risks rendering this compensatory function ineffective, raising concerns regarding its impact on post-divorce economic equality. We further recommend that any legislative reform adopt a typological distinction in the nature of spousal support — expressly differentiating between maintenance-based support and compensation for opportunity costs incurred during marriage — and establish corresponding calculation standards and complementary rules for each category.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : National Association for Equality of Life Rights (NAELT) _____

Name and Contact : LIN, CHIH-HAO 0929008219 _____

Response Item/ article	Response Item: Items 38 and 39
Reply (Word limits: No more than 800 words)	Reply: The Government has described legal guarantees of equality between women and men, as well as measures relating to marriage and family relations. However, equality in law does not necessarily result in equality in practice. Based on long-term engagement with domestic violence cases, divorce proceedings, child protection matters, and families affected by serious crimes, many women continue to bear primary caregiving responsibilities and economic burdens after the breakdown of family relationships. The Government's response focuses primarily on legal frameworks and policy measures, but provides limited information regarding whether these measures have effectively improved women's circumstances within marriage, family life, and caregiving roles. Information concerning long-term support outcomes for single-parent families, victims of domestic violence, and families affected by serious crimes remains limited. Practical experience also suggests that women may continue to face unequal burdens in disputes concerning child custody, child support, visitation arrangements, and property distribution. Women with fewer financial resources often encounter greater barriers in accessing justice and enforcing their rights.

	In addition, caregiving responsibilities continue to fall disproportionately on women. Many women reduce working hours or leave employment entirely in order to care for children, elderly family members, or persons with disabilities. Their contributions are often insufficiently recognized within traditional economic indicators. Substantive equality requires more than equal legal rights. It requires public policies and resource allocation to reflect the actual circumstances and needs experienced by women. Recommendations: 1. Establish gender impact assessments relating to marriage, divorce, and family policies. 2. Regularly publish gender-disaggregated data regarding child support, custody arrangements, and property distribution. 3. Strengthen support measures for single-parent families and families affected by domestic violence. 4. Assess the impact of existing policies on primary caregivers and economically disadvantaged women. 5. Develop policy evaluation mechanisms that recognize the value of unpaid caregiving work. 6. Use women's actual outcomes in economic security, access to justice, and family support as key indicators for policy evaluation.
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : The Non-Monastic Chinese Mahayana Buddhist Precepts, Promotion and Conservation Association

Name and Contact : Yeh,Wei-I 0912-705-601

Response Item/ article	Items 1, 2, 3, 4, 23, 24 and 32
Reply (Word limits: No more than 800 words)	As women who have long been concerned with religious rights, we note that the Government's responses extensively address gender equality, anti-discrimination measures, human rights protection, and public participation. However, throughout the report, there is almost no discussion of the situation of women of faith. Taiwan is a society with a high level of religious participation. Many women are actively involved in religious organizations and contribute significantly to charitable work, education, life care, family support, and other public welfare activities. Nevertheless, the Government has not indicated whether any assessment or research has been conducted regarding the experiences of religious women, nor has it provided statistical data on whether women have experienced discrimination, exclusion, or unequal treatment because of their religious beliefs. The Government states that religious belief is included as a protected ground under the draft Anti-Discrimination Act, which is a positive development. However, the public still lacks basic information regarding the scope of the problem. How many complaints of religious discrimination have been recorded? How many involve women? How many cases involve intersectional discrimination based on both gender and religion? The Government's response provides no answers to these questions.

Similarly, since its establishment, the National Human Rights Commission has published very limited information concerning the rights of religious women, religious discrimination, or religiously motivated hate speech. Without reliable data or research, it is difficult to assess whether existing mechanisms are effective or whether gaps in protection remain.

In addition, discussions concerning reproductive autonomy and the ongoing reform of the Reproductive Health Act (RHA) involve issues that, for many religious women, extend beyond medical decision-making.

Such issues may also relate to the value of human life, family responsibilities, religious beliefs, and freedom of conscience. Whether one supports or opposes a particular position is a separate matter; the more fundamental question is whether the voices of women from different religious backgrounds have been adequately heard during the policy-making process.

What the Committee is ultimately concerned about is not merely whether institutions and mechanisms exist, but whether women from different backgrounds are equally visible, equally respected, and equally able to participate in public decision-making.

We therefore recommend that the Government: Establish statistical and research mechanisms concerning the situation of religious women; Publish data on religious discrimination and intersectional discrimination affecting women on the basis of both gender and religion; Request the National Human Rights Commission to regularly publish reports on freedom of religion or belief and the rights of religious women; Disclose information regarding the participation of religious women in public policy consultations and decision-making processes; Ensure that women from different religious backgrounds have meaningful opportunities to express their views in discussions concerning major policies, including anti-discrimination legislation and

	reproductive autonomy; Establish accessible complaint, monitoring, and remedy mechanisms for religious discrimination and religiously motivated hate speech. The key issue is not whether the Government formally declares its commitment to equality. Rather, it is whether the Government genuinely recognizes the existence and experiences of religious women and can provide concrete evidence demonstrating that existing systems effectively protect their rights.
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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Aglow International Taiwan

Name and Contact : Su, Chia-Jung 0930043436

Response Item/ article	Items 1, 2, 3, 4, 5, 8, 9, 13, 14, 15, 16, 21, 22, 30, 33, 38 and 39
Reply (Word limits: No more than 800 words)	Reply: Aglow International Taiwan has long been engaged in women's empowerment, family support, child and youth development, religious freedom, and international exchange. We recognize and appreciate the Government's ongoing efforts to implement the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and promote gender equality. At the same time, we believe several areas deserve further attention and improvement. First, regarding CEDAW implementation, national human rights institutions, access to remedies, judicial application, and public participation (Items 1, 2, 3, 4, 5, 21, and 22), the Government has established various mechanisms and participation channels. However, there remains limited publicly available information regarding the participation and policy contributions of faith-based organizations, family-support groups, and grassroots women's organizations. The promotion of women's rights should embrace diverse perspectives, cultures, beliefs, and life experiences, ensuring that all women are able to participate meaningfully in public affairs and policy discussions. Second, regarding gender stereotypes, media and cultural representation, and violence against women (Items 8, 9, 13, 14, 15, and 16), we support efforts to eliminate discrimination and violence against women. At the same time, women's safety, dignity, and family support systems should receive equal attention. Domestic violence, sexual violence, sexual harassment, and technology-facilitated abuse continue to have profound and long-lasting impacts on women and girls. In addition to prevention and enforcement

measures, greater emphasis should be placed on trauma recovery, family restoration, and community-based support systems.

Particular attention should also be given to Indigenous women, migrant women, women with disabilities, and women living in rural areas, who often face additional barriers in accessing services and support. Continued efforts are needed to address the specific needs of women experiencing multiple and intersecting forms of disadvantage.

In the fields of education and health (Items 30 and 33), we acknowledge the Government's efforts to promote gender equality education and women's health. We also encourage greater attention to family education, character development, life education, and intergenerational relationships. Such efforts can help children and young people develop respect, responsibility, empathy, and healthy relationships. Women's mental health, caregiver well-being, and family caregiving burdens should also receive increased policy attention.

Finally, regarding equality before the law and family relations (Items 38 and 39), we support the protection of women's equal legal status and rights. However, women continue to bear a disproportionate share of caregiving responsibilities, including child-rearing, elder care, and family support. Public policies should more fully recognize these contributions and provide practical support to women facing caregiving and economic challenges.

Substantive equality requires more than equal legal rights. It also requires that women experience dignity, safety, meaningful participation, and adequate support in their daily lives, families, communities, and workplaces.

We respectfully recommend that the Government:

1. Strengthen participation opportunities for faith-based organizations and diverse civil society groups in public policymaking.
2. Improve evaluation mechanisms regarding women's safety and the effectiveness of violence prevention measures.
3. Enhance support services for women facing intersecting forms of

	disadvantage and vulnerability. 4. Expand policies supporting families, children, caregivers, and community resilience. 5. Promote mutual understanding and cooperation among different generations, cultures, and faith communities. 6. Use women’s actual outcomes in safety, dignity, equal participation, and family support as key indicators for evaluating policy effectiveness. We believe that women’s rights, family well-being, religious freedom, and social harmony are not competing values. Rather, they are mutually reinforcing foundations for a just, inclusive, and sustainable society.
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The Fifth Review of Taiwan's CEDAW Implementation

Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Alliance to End the Death Penalty (TAEDP)

Name and Contact : Jessie Yang, jess@taedp.org.tw

Response Item/ article	CEDAW Art. 2, 5 and 15; GC #33 and 35
Reply (Word limits: No more than 800 words)	1. Gender stereotypes and intersectional discrimination in cases involving women on death row: (1) Taiwan currently has 35 prisoners on death row. Among them is Lin Yu-ju, who is currently the only woman in Taiwan whose death sentence has been finalized and who is awaiting execution. (2) Lin Yu-ju has a full-scale IQ of 57, placing her between borderline and mild intellectual disability, in addition to suffering from psychoneurosis and sleep disorders. Prior to her offenses, she had long endured severe physical and psychological domestic violence from her husband. She faced separate charges for killing her mother, mother-in-law, and husband. However, the court failed to consider her minor child, and her physical and psychological conditions caused by domestic abuse before sentencing her to death. Following the incidents, the media labeled her the “Shocking Daughter-in-Law”, subjecting her to social and moral trial before a final guilty verdict was ever reached. In its judgment, the court also criticized her for “defying all family ethics,” “showing no gratitude for her upbringing,” and “having no affection for her husband,” effectively imposing patriarchal expectations of the traditional roles of a daughter-in-law and a wife¹⁶. 2. Intersectional discrimination risks faced by women defendants under Taiwan's citizen judge system: (1) Following the implementation of the “citizen judges” trial system in 2023, Taiwan has already seen two cases where

¹⁶ Taiwan Alliance to End the Death Penalty (2021). 2021 Taiwan Death Penalty Judgments Report: Gazing at Female Homicide Offenders : <https://www.taedp.org.tw/topic/10992>

courts composed of professional and citizen judges handed down death sentences. Among them, Chen Jia-ying is currently the only woman who has been sentenced to death and whose case is still under appeal.

(2) Chen Jia-ying was accused of driving under the influence of drugs, refusing to pull over for a police check, and causing the death of a police officer while fleeing. However, due to her past experiences with gender-based violence and witnessing domestic violence, she developed psychosocial disabilities, including major depressive disorder, self-harming behaviors, post-traumatic stress disorder (PTSD), and illicit substance use disorder. During the trial process, she also gave birth to a child while detained at the Taipei Women's Detention Center.

(3) Therefore, the issues intersecting in this case extend beyond the prohibition of sentencing persons with disabilities to death; they also involve the protections of women's right to life and access to justice under CEDAW, as well as the issue of intersectional discrimination. Furthermore, this case encompasses the issues under the CRC regarding the prohibition of imposing the death penalty on individuals who have minor children.

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Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Mental Health Association in Taiwan

Name and Contact : Po-Han Lee; +886-2-2557-6980; mhat.tw2@gmail.com

Response Item/ article	Overall Response
Reply (Word limits: No more than 800 words)	The Mental Health Association in Taiwan has long been committed to promoting mental health for all, community mental health, the rights of people with lived/living experience of mental health challenges, and peer support services. We assert that mental health should not be narrowly understood as disease management, crisis intervention, or case-based interventions within the medical system; rather, it should be seen as an important component of the right to health, equality, social participation, and human dignity. For women and gender-diverse people, mental health should especially not be regarded as a personal issue unrelated to gender, but should be understood in the context of their social relationships and power structures, including gendered role divisions, caregiving responsibilities, intimate partner violence, workplace inequality, norms around sexuality and reproduction, and societal expectations for appropriate feminine traits. These structural factors not only influence the formation of mental health risk for women, but also profoundly affect their ability to seek help, the accessibility of services, and the likelihood of recovery when psychological distress arises. In addition to responding to the list of questions, this document also supplements the national report with women's mental health issues that have not been sufficiently identified. The list of questions itself explicitly requires the government to explain how to expand mental health coverage for survivors of gender-based violence, indicating that mental health is an important right-to-health issue under this round of CEDAW review.

However, in Taiwan's current CEDAW national report, content directly related to mental health remains quite scattered, mainly appearing in initiatives to promote the mental health of new immigrant women, counseling service sites and telehealth services, and measures providing psychological support or counseling to women in specific vulnerable situations. While these measures are commendable, they are still insufficient to constitute a mental health policy framework grounded in gender perspectives, intersectional analysis, and human rights.

We are particularly concerned about how women and gender-diverse people with psychological distress, experiences of mental illness, or psychosocial disabilities continue to face intersecting discrimination and institutional exclusion across education, employment, family life, health, social participation, and post-violence support. Current systems tend to frame mental health as personal emotional distress, crisis care, or medical need, while paying less attention to the structural factors related to gender inequality behind these issues—such as unequal caregiving burdens, domestic violence, job insecurity, workplace bullying, feminized poverty, cultural exclusion, and social stigma. This leads difficulties rooted in gendered structural contexts to be individualized and pathologized, thereby weakening the state's responsibilities in equality and social support. Furthermore, women in these disadvantaged situations should also be simultaneously provided with resources that promote mental health, such as emotional care for coping with setbacks and resilience-building.

For women and gender-diverse people with psychological distress, experiences of mental illness, or psychosocial disabilities, these problems are particularly pronounced. They not only suffer stigma related to mental health but also often face expectations of female submissiveness, caregiving burdens, economic dependency, and the risk of diminished bodily/sexual autonomy. Structural issues remain in the current system, including mental health policies being highly centered on the medical

	system, insufficient development of community recovery and peer support systems, significant exclusion of people with psychosocial disabilities in education and employment, and fragmented policy responsibilities spread across different ministries with inadequate integration. If these problems are not understood through a gendered lens, the situations of women and gender-diverse psychiatric rehabilitation clients are even more likely to be overlooked. Therefore, our organization will respond concretely to the list of issues from seven perspectives, and recommends that the international review committee require the Taiwanese government to: 1. Explicitly include women's and diverse genders' mental health, mental health promotion, mental health resilience, and community support within the framework of CEDAW Article 12's right to health protection. 2. Recognize women and diverse genders who experience psychological distress, mental illness, or psychosocial disabilities as groups subject to intersecting discrimination, and address them within anti-discrimination laws and gender equality policies. 3. Expand coverage of mental health services for survivors of gender-based violence, and establish long-term, trauma-informed, and gender-responsive mental health support systems. 4. Develop needs-oriented mental health support services that reduce overreliance on diagnoses, medicalization, or single-credential systems. 5. Establish a national peer support system and promote the participation of people with lived/living experience of mental health challenges in policy-making. 6. In education and employment, develop recovery learning, supported employment, and reasonable accommodations so that women and gender-diverse mental health recovery individuals no longer
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	permanently withdraw from study and work due to mental health difficulties. 7. Ensure that marginalized women and gender-diverse groups — including newly arrived immigrant women, women with disabilities, low-income women, women with lived experience of homelessness, sex and erotic laborers, and other groups long subjected to stigma and social exclusion — can access mental health services equally, without stigma, and safely.
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The Fifth Review of Taiwan's CEDAW Implementation

Parallel Reply to List of Issues and Questions by the 2026 IRC

Organization(s) : Taiwan Sex Industry & Workers' Rights Association (TSIWRA)

Name and Contact : Chun-Tai Chang, Secretary-General tsiwra@tsiwra.org.tw

Response Item/ article	Introduction
Reply (Word limits: No more than 800 words)	The Taiwan Sex Industry & Workers' Rights Association (TSIWRA) is composed of sex workers and advocates concerned with the conditions of the sex industry. We have long called for an end to prejudice, discrimination, and violence against sex workers, and have advocated for the destigmatization, decriminalization, and labor rights protection of sex work. We hope that every sex worker can “enter the industry with informed consent, work with protection and without discrimination, and leave the industry free from restraint or coercion.” Taiwan's current laws and policies governing the sex industry and erotic industries remain primarily based on a logic of expanded police powers and crackdowns, moral judgment by the general public, and legal systems that isolate the sex industry from mainstream society. They are not centered on labor rights, personal safety, anti-discrimination, the right to health, or social protection. As a result, sex workers have long been placed in a structural position of lacking legal protection, being excluded from policy frameworks, and suffering social stigma. This institutional problem has a particularly disproportionate impact on women and people of diverse genders. Women, transgender people, non-binary people, and other gender-diverse people are often more likely to enter sexual and erotic labor due to gender discrimination in the mainstream labor market, income inequality, exclusion from education and employment, inconsistencies in identity documents, social stigma, and caregiving responsibilities.

When the state governs these industries through punishment, crackdowns, and exclusion, rather than intervening from the perspective of workplace safety, freedom from violence, and social protection, it effectively exposes women and gender-diverse workers to greater legal risks, violence, and instability in their lives. This is also at the core of the structural inequality, intersecting discrimination, and the situation of women in the informal economy that CEDAW is concerned with.

It is worth noting that although Articles 80 and 91-1 of the Social Order Maintenance Act formally retain the system of “sex work zones,” no local government has ever actually implemented or established such zones. As a result, sex work has in effect become subject to comprehensive punishment nationwide.

The consequences are not merely that sex workers are abstractly “unrecognized.” Rather, they are made more vulnerable to police crackdowns and surveillance, face greater difficulties in safely reporting violence and exploitation, are further excluded from formal labor protections and social insurance systems, and are more likely to encounter stigma and exclusion in housing, medical care, parental rights, social welfare, and everyday public services. Transgender sex workers, in particular, bear the double discrimination of gender identity and occupation, yet they have long lacked visibility in policy statistics and institutional responses.