

**2017 Convention on the Elimination of All Forms of Discrimination
Against Women (CEDAW)**

Civil Report

**CEDAW Empowerment Workshop –
Employment, Economic, Welfare**

November 7, 2017

ABSTRACT

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was adopted by United Nations General Assembly in 1979. The entry comes into force in 1981. It is one of the nine core United Nations human rights instruments. The convention is regarded as the international charter of women's rights. The third national reports of CEDAW will be an international examination in 2018. The workshop helps women on employment, economic, and social welfare and promotes CEDAW put into practice in local.

The purpose of the shop is to discuss the social and economic hardships women are confronted with when entering the workforce, especially in micro-enterprises. Therefore, we had meetings with members of Gender Equity Education Committee, the members of Committee of women's right Promotion and Development, the consultants of the Micro-enterprises Department of Labor consultant, the managers of SME Mutual Cooperation and Exchange, women's groups, the entrepreneurs and employees of middle-aged and elderly women and young women. We communicated and reached a consensus and made suggestions to promote women's career paths.

ISSUES:

- I. Micro-enterprises and employees
- II. The cooperation between different ethnic and social groups and micro-enterprises
- III. The use of ICT
- IV. Vocational training and entrepreneurship/employment
- V. The labor and capital issues between employers and employees in micro-enterprises

RECOMMENDATIONS FROM CEDAW WORKSHOP:

- A . Improve the environment for entrepreneurship and strengthen vocational training
- B . Encourage elderly women serve small-scale entrepreneurship and provide a platform and opportunities to allow them to improve financially, and seek assistance and cooperation from businesses to develop such joint ventures.
- C . Improve the awareness and knowledge about micro-enterprises. Amend the laws and regulations to accommodate and take into consideration different sizes of entrepreneurs.

Key words : Female Entrepreneurs 、 Micro-enterprises 、 Vocational training 、 Employment Economic and Welfare

CEDAW WORKSHOP – EMPLOYMENT, ECONOMY, WELFARE

Prepared by Tainan Fei-yen Development Association

A. Introduction

Over the years, Taiwan has gradually developed the concept of gender equality with more and more women became financially independent. Even for married women, In order to achieve work-life balance, they transform from SOHO to entrepreneur. This entrepreneurship has also become a new path for the unemployed women.

At the same time, not only does the government devote resources to facilitate this trend, civil society organizations, non-profit organizations, and academic institutions also promote the development. As such, the idea of entrepreneurship became materialistic and greedy competitions as more and more money and fame get involved and took priority over what it ought to be. Entrepreneurship is the activity of setting up a business and taking on financial risks in the hope of profit as well as personal realization. It engages the knowledge and awareness of the culture, environment, and social responsibilities. To sustain a society that encourages matured career women, it is vital to move away from a profit-oriented mindset and into an internally fulfilling self-actualization.

Therefore, our goal is to focus on assisting women to improve their career, welfare, and economic status. Based on this consensus, we propose recommendations to further the implementation and advancement of CEDAW in Taiwan.

B. Ratification

Part I, Article 3 – Basic human rights and freedom

States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to 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.

Part 3, Article 11 – Employment

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:
 - (a) The right to work as an inalienable right of all human beings;
 - (b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;
 - (c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;
 - (d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;
 - (e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;
 - (f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.
2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:
 - (a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;
 - (b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;
 - (c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;
 - (d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.
3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.

Part 3, Article 13 – Social and economic welfare

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:

- (a) The right to family benefits;
- (b) The right to bank loans, mortgages and other forms of financial credit;
- (c) The right to participate in recreational activities, sports and all aspects of cultural life.

General recommendation No. 27 on older women and protection of their human rights

Work and pension benefits – States Parties have an obligation to facilitate the participation of older women in paid work without discrimination based on their age and gender. States parties should ensure that special attention is paid to addressing problems that older women might face in their working life, and that they are not forced into early retirement or similar situations. States parties should also monitor the impact of gender-related pay gaps on older women.

Economic empowerment – States Parties have an obligation to eliminate discrimination in all its forms against older women in economic and social life. All barriers based on age and gender to accessing agricultural credit and loans should be removed and access to appropriate technology for older women farmers and small landholders should be ensured. States parties should provide special support systems and collateral-free microcredit, as well as encourage micro-enterpriseship for older women. Recreational facilities for older women should be created and outreach services should be provided to older women who are confined to their homes. States parties should provide affordable and appropriate transportation to enable older women, including those living in rural areas, to participate in economic and social life, including community activities.

Social benefits – States Parties should take necessary measures to ensure older women have access to adequate housing that meet their specific needs, and all barriers, architectural and other, that hinder the mobility of older persons and lead to forced confinement should be removed. States Parties should provide social services that enable older women to remain in their homes and live independently for as long as possible. Laws and practices that negatively affect older women’s right to housing, land and property should be abolished. States Parties should also protect older women against forced evictions and homelessness.

C. Issues

I. Micro-enterprises and employees

CEDAW Declaration	Country Report	Issues and Considerations
Article 3 Article 11, 1.2.	Taiwan Initial Report, Article 11 (Page 60) 11.7	1. New businesses do not survive the first five years with the failure rate reaching 99%. Failure rate is 90% in the first year and only 1% would remain after five years.
Article 13 (a)	Taiwan Initial Report, Article 13 (Page 74) 13.4, (Pages 75 and 76) a, b	2. Vast number of indistinguishable new businesses created furious competitions, and lack of international experience also weakened the ability to survive. In addition, lack of proper allocation of resources, vocational training, and strategic planning also shortened the life of new businesses.
General remarks	Taiwan 2 nd Report, Convention-specific Document (page 79) 10.6	3. There is no strategic planning and analysis across industries and regions due to lack of overall consultation and sharing of information regarding the entrance, the roadblocks and challenges, the business cycles, and the dissolution of business.
Specific concerns: Discrimination against elderly women	Taiwan 2 nd Report, Convention-specific Document (page 123) 13.24, 13.25, 13.30, 13.33, 13.34	4. There's no sufficient preparation before engaging entrepreneurship, including the incorrect motives or inadequate skills and knowledge needed to be successful. Incorrect motives as many women consider entrepreneurship as an alternative to unemployment. Inadequate skills and knowledge led to difficulties in sustaining a new business
Job and Pension Benefit 37.	Taiwan 2 nd Report, Convention-specific Document (page 91) 11.8	5. Little industry experience among school career counsels and therefore limited practical advices and guidance are provided to newly graduates. As young people try out the real world, they often become discouraged by lack of job opportunities and disappointed at themselves. Additionally, lack of unified regulations and business licensing for micro-enterprises, business owners are often confused and frustrated.
Strengthen Economic Power 47.		6. Unfriendly business environment, complex accounting requirements, and cumbersome business regulations are very discouraging to business owners.
	Taiwan 2 nd Report, Conclusion (page 8) 25, 26	7. "One fixed day off and one flexible rest day" isn't suitable for SME and Micro-enterprises. Cumberse regulations and complex labor laws make hiring difficult for employers. Coupled with pay inequality between genders and among different age groups, it is even more difficult for women, especially elderly women, to be employed and treated fairly.
	Taiwan 2 nd	8. Unsuccessful business ventures with family and friend

	Report, Common Core Document (page 8,9) 33 .	cause conflicts over the reason for failure, unevenly distribution of costs and profits and unsatisfactory quality of products.
		9. Government subsidy scams make waste of valuable resources. These aggressive fraudsters not only take away the much needed resources, also provide incorrect information to those who are in need.
		10. Limited small business loans.
Social welfare 48.	Taiwan 2 nd Report, Common Core Document (page 129) 13.52	11. Build invention campuses to allow for inventions, creativity, and entrepreneurship to grow, corroborate, and promote alliance. Encouraging efforts to think outside of the box, utilize resources to support and complement one another, provide opportunities horizontally and vertically, and participate in globalization as well as in government economic policies and strategies.

II. The cooperation between different ethnic or social groups and micro-enterprises

CEDAW Declaration	Country Report	Issues and Considerations
Article 3 Article 11, 1.2.	Taiwan 2 nd Report, Conclusion (Page 8) Employment and economic opportunity 25. 26	1. Due to the retirement of key executives, demands of family life, and lack of sustaining human and financial resources, many micro-enterprises are unable to maintain.
Article 13 (a) (c)		2. Lack of business alliance among micro-enterprise owners to support one another in sales channels, business strategies and planning, product information, and economic trend. As such, it is even more difficult to start or maintain a micro-enterprise.
General remarks		3. Promote cooperation across the industry. Develop strategic alliance within the region and market. Encourage healthy competitions among businesses.
Specific concerns: Discrimination against elderly women		4. Promote innovation and cooperation to support social enterprise within the business community. Reaching out to one another to create friendly alliance within the region and industry to reinvent and rediscover regional culture and traditions as marketable merchandise.

Job and Pension Benefit 37.		5. Every micro-enterprise is as unique as the woman who owns it. Through sharing of sales channel, brand recognition, business information, and available public resources, businesses complement one another and benefit from cooperation rather than competition.
Strengthen Economic Power 47.		6. Establish vertical business alliance to exchange information and learn about each other's needs. What are the needs of the employers and employees? What can we learn from your experiences? Can we joint efforts to market our products? What can we do to increase employment opportunities and encourage sharing of resources and information?
Social welfare 48.	Taiwan 2 nd Report, Common Core Document (page 129) 13.52	7. Every social and ethnic group have different ideas about entrepreneurship. Encourage the dialog and discussions among them can create and inspire positive influences on its members to allow for even further cooperation and communication.

III. The Use of ICT

CEDAW Declaration	Country Report	Issues and Considerations
Article 3 Article 11, 1.2.	Taiwan 2 nd Report, Conclusion (Page 8) 25. 26	1. Use ICT digital technology to connect industries, including production and supply chains.
Article 13 (a) (c)		2. Neighboring or related businesses or institutions can form a network group within the region to meet the specific needs of the region.
General remarks		3. Use ICT to reinvent Tainan, such as the tourist attractions, food, businesses, culture, and traditions.
Specific concerns: Discrimination against elderly women		4. Provide travel arrangements for small groups of people such as one family or a few friends by ICT technology to promote tourism.
Job and Pension Benefit 37.		5. Let local people tell their own stories of the place. In addition to marketing merchandise, invite local businesses to involve in tourism in ways to provide knowledge and ways to learn about the unique culture and rich traditions of the region.
Strengthen		6. Innovative travel services by using smart phone apps

Economic Power 47.		and transportation services. The apps can combine simulation games in various surroundings throughout the city with convenient transportation means to elevate the travel experience.
Social welfare 48.	Taiwan 2 nd Report, Common Core Document (page 129) 13.52	7. Create a hypothetical brand, a business, and sales channel to practice the real world in a friendly environment. This experience also provides network opportunities for potential joint ventures in the future.

IV. Vocational training and entrepreneurship/employment

CEDAW Declaration	Country Report	Issues and Considerations
Article 3 Article 11, 1.2.	Taiwan 2 nd Report, Convention-specific Document (page 125) 13.35	1. It is difficult to attract the right talents into the meetings of CEDAW without the common practices of free giveaways at the door. As such, it is discouraging to the micro-enterprises.
Article 13 (a)	Taiwan 2 nd Report, Convention-specific Document (page 79) 10.06, (page 125) 13.34	2. Vocational trainings do not meet the market needs. For example, a 3-year training course offered for free to women older than 45 years not only suffers from low registration and attendance, the skill set obtained from the training course lacks marketability and does not meet the needs of the market.
General remarks	Taiwan 2 nd Report, Convention-specific Document (page 95) 11.21	3. Mothers use spare time to learn new skills such as quilting, beading, or cooking, are not utilized to earn income. Although talented in many ways, but lack opportunities to utilize it.
Specific concerns: Discrimination against elderly women	Taiwan 2 nd Report, Conclusion (page 8) Employment and economic opportunities 25. 26	4. Many women are jack of all trades but lack the motivation to sharpen the skill set or the knowledge to manage a business.
Job and Pension Benefit 37.	Taiwan 2 nd Report, Common Core Document (page 32) 174.	5. In a family business setting, women often become the one filling in when assistance is needed or when short staffed, and because of such demands and needs, women seldom develop their own business independent from the family or the spouse.
Strengthen		6. Women should challenge the stereotypical occupations

Economic Power 47.		and explore new possibilities in different industries, such as transportation, engineering, lumber, and manufacturing.
--------------------	--	--

V. The labor and capital issues between employers and employees in micro-enterprises

CEDAW Declaration	Country Report	Issues and Considerations
Article 3 Article 11, 1.2.		1. It is difficult for women entrepreneurs to register for a business or begin hiring if they do not have a space meeting business regulations.
Article 13 (a) (c)	Taiwan 2 nd Report, Conclusion (page 8) 25. 26	2. Micro-enterprise owners lack the knowledge necessary to start and maintain a business, such as the tax laws, accounting rules, business regulations, and labor laws.
General remarks		3. Civil penalties need to be enforced for employment discriminations.
Specific concerns: Discrimination against elderly women	Taiwan 2 nd Report, Common Core Document (page 32) 171.	4. Small business owners lack legal knowledge or counsels to assist them when controversial or non-compliance with laws or regulations incidences incur, such as accusations of sexual harassment or misconduct.
Job and Pension Benefit 37.		5. Due to limited knowledge, micro-enterprise owners are ignorant when in violation of laws and regulations.
Strengthen Economic Power 47.	Taiwan 2 nd Report, Convention-specific Document (page 99) 11.38	6. It is recommend that government provide resources to equip micro-enterprise owners with necessary legal and business knowledge. Government agencies can also prepare pamphlets or video clips to bring up the awareness on important business information. In addition, adjust the violation penalties based on the size of the business.

D. CONCLUSION AND RECOMMENDATIONS

This workshop intends to understand, communicate, and reach consensus on the challenges and difficulties faced by women micro-enterprises owners. The focus covers women of all age groups. The issues and recommendations are as follows:

ISSUES

I. Micro-enterprises and employees

Vast number of indistinguishable new businesses created furious competitions, and lack of international experience also weakened the ability to survive. In addition, lack of proper allocation of resources, vocational training, and strategic planning also shortened the life of new businesses. There's no sufficient preparation before engaging entrepreneurship, including the incorrect motives or inadequate skills and knowledge needed to be successful. Incorrect motives as many women consider entrepreneurship as an alternative to unemployment. Inadequate skills and knowledge led to difficulties in sustaining a new business. There is no strategic planning and analysis across industries and regions due to lack of overall consultation and sharing of information regarding the entrance, the roadblocks and challenges, the business cycles, and the dissolution of business.

II. The cooperation between different ethnic and social groups and micro-enterprises

Due to the retirement of key executives, demands of family life, and lack of sustaining human and financial resources, many micro-enterprises are unable to maintain. Lack of business alliance among micro-enterprise owners to support one another in sales channels, business strategies and planning, product information, and economic trend. As such, it is even more difficult to start or maintain a micro-enterprise.

III. The use of ICT

Use ICT digital technology to connect industries, including production and supply chains. Neighboring or related businesses or institutions can form a network group within the region to meet the specific needs of the region. Create a hypothetical brand, a business, and sales channel to practice the real world in a friendly environment. This experience also provides network opportunities for potential joint ventures in the future.

IV. Vocational training and entrepreneurship/employment

Vocational trainings do not meet the market needs. For example, a 3-year training course offered for free to women older than 45 years not only suffers from low registration and attendance, the skill set obtained from the training course lacks marketability and does not meet the needs of the market. Mothers use spare time to learn new skills such as quilting, beading, or cooking, are not

utilized to earn income. Although talented in many ways, but lack opportunities to utilize it. Many women are jack of all trades but lack the motivation to sharpen the skill set or the knowledge to manage a business.

V. The labor and capital issues between employers and employees in micro-enterprises

It is difficult for women entrepreneurs to register for a business or begin hiring if they do not have a space meeting business regulations. Micro-enterprise owners lack the knowledge necessary to start and maintain a business, such as the tax laws, accounting rules, business regulations, and labor laws.

Small business owners lack legal knowledge or counsels to assist them when controversial or non-compliance with laws or regulations incidences incur, such as accusations of sexual harassment or misconduct. Due to limited knowledge, micro-enterprise owners are ignorant when in violation of laws and regulations.

RECOMMENDATIONS

A. Improve the environment for entrepreneurship and strengthen vocational training

Career counseling should be multi-facets to meet the market needs of human resources supply and demand. Strategic planning and development of talents as well as advancing globalization should be emphasized. Government and public resources need to be budgeted and monitored to eliminate waste.

B. Encourage elderly women serve small-scale entrepreneurship and provide a platform and opportunities to allow them to improve financially, and seek assistance and cooperation from businesses to develop such joint ventures.

Build invention campuses to allow for inventions, creativity, and entrepreneurship to grow, corroborate, and promote alliance. Encouraging efforts to think outside of the box, utilize resources to support and complement one another, provide opportunities horizontally and vertically, and participate in globalization as well as in government economic policies and strategies. Encourage social responsibilities, culture awareness, and tradition preservation. Utilize unused space and buildings to provide for business activities. Encourage elderly women to be

financially independent by participating in learning and joint ventures with the younger generations.

Platforms - In order to be socially independent, elderly women need to be financially independent first. They should be provided with places to stay and teams to work with to learn a new skill or start a new business. The work hours need to be flexible and negotiable to accommodate different needs of the employees and employers. The older generations should also be given the opportunities to learn about and be comfortable with technology to be able to work side by side with younger generations.

Opportunities – Combining resources to move towards globalization and be in compliance with the government trade and business policies and strategies. Teamwork can assist to consolidate talents and experiences as well as business knowledge and resources.

- C. Improve the awareness and knowledge about micro-enterprises. Amend the laws and regulations to accommodate and take into consideration different sizes of entrepreneurs.

It is recommend that government provide resources to equip micro-enterprise owners with necessary legal and business knowledge. Government agencies can also prepare pamphlets or video clips to bring up the awareness on important business information. In addition, adjust the violation penalties based on the size of the business.

E. REFERENCES

FWRPD (2017), Women's Union Website CEDAW Convention Provisions, November 1, 2017
<http://www.cedaw.org.tw/tw/en-global/news/index/2>

Liouyi Liao (2009), United Nation CEDAW Initial Taiwan Report, Taipei Legal Foundation FWRPD.

FWRPD (2009), CEDAW Expert Recommendations list, Taipei Legal Foundation FWRPD.

FWRPD (2013), United Nation CEDAW Taiwan 2nd Report, Convention-specific Document, Taipei Legal Foundation FWRPD.

FWRPD (2013), United Nation CEDAW Taiwan 2nd Report, Common Core Document, Taipei Legal Foundation FWRPD.

FWRPD (2013), United Nation CEDAW Taiwan 2nd Report, Expert Recommendations, Taipei Legal Foundation FWRPD.

FWRPD (2013), United Nation CEDAW Taiwan 2nd Report, Convention-specific Document Exhibits, Taipei Legal Foundation FWRPD.

Small and Medium Enterprise Administration (2017), November 1, 2017
<https://www.moeasmea.gov.tw/mp.asp?mp=2>

Directorate General of Budget, Accounting and Statistics, Executive Yuan, ROC, Gender At A Glance In ROC (Taiwan) Version 2017

TEDxTokyo (2014), Now is the time to get your own wings/ Masako Wakamiya, November 1, 2017.
<https://www.youtube.com/watch?v=gUjXiYtOC7Y>