

## **CEDAW Alternative Report**

### **—Campus Situation of the LBT Family and Their Children**

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# **I. Introduction**

Taiwan LGBT Family Rights Advocacy (hereinafter referred to as "TLGBTFRA") originally sprung from a MSN group called the Alliance of Lesbian Mothers (hereinafter as "ALM") in 2005. Through the social network built by ALM, more and more lesbian mothers who live under similar circumstances connected with their focus on the experience of children raising of lesbian mothers. The ALM was regrouped and renamed as TLGBTFRA in 2006 to broaden the service to various types of LGBT families. TLGBTFRA was official registered as a non-government organization in 2011 and continued to work on the advocacy of LGBT family and partner's right, including the right to marry, parental rights, equal right to adoption and artificial reproduction, school education and other issues.

## **II. The Difficulties Encountered by LBT-Parent Families in School were Neglected by the Government**

In Taiwan, more and more lesbian women bravely refuse to enter the heterosexual marriage and decide to spend their life with their partners. In recent years, thanks to the progress of artificial reproductive technology, many lesbian couples have chosen to go abroad and used artificial reproduction to procreate children to fulfil their dream to be parents. So far, TLGBTFRA has built up connection with more than one hundred LBT-parent families and has provided artificial insemination counseling for LBT couples. Since the end of 2016, we have received over one hundred letters of consultation, indicating vast needs of having children in Taiwan's lesbian community. In the future, it can be predicted that the number of births of children in lesbian families will rise after the legalization of same-sex marriage. However, the government has failed to acknowledge the existence of LBT families and their difficulties in raising children, let alone to meet the LBT parents and the educational needs of their children.

In parents' meetings hold by TLGBTFRA, LBT parents expressed their concerns about the discrimination that comes from educational system and in the field of education, as well as about whether education of gender equality is actually implemented. In the current education system, LBT parents and teachers felt estranged from each other because school administrators and teachers do not have enough understanding of LGBT families and the estrangement consequently affects children's educational rights. Heterosexism still abounds in the field of education. Taking the school

forms as an example, heterosexual couples are usually taken as the default situation as normal type of parents. Students are required to fill in the blank column of father and mother as basic information, which leaves LBT parent no choice but to write only the mother's column as a pseudo single parent.

In recent years, due to the furious attack on LGBT education by the conservative groups, school administrators and teachers began to avoid, discourage and lower the proportionality of the provision of education for gender diversity. Even when LGBT-friendly teachers invited speakers from relevant educational organizations to give speeches in school, they would be denied to enter school on site by school administration under the pressure of the anti-LGBT groups. After ousting qualified speakers from LGBT friendly organizations, the anti-LGBT groups instead gave speech tour in campus all around the island giving problematic biased materials on sex and gender education. In these speeches and materials, the anti-LGBT groups promote gender curricula that take heterosexual families as normal and advocate chastity before marriage for women without giving any proper knowledge about sex.

In this regard, TLGBTFRA hereby demands the government to hearken the need and difficulties of lesbian women irrespective of their sexual orientation and gender identity based on the spirit of CEDAW General Recommendations 28, Paragraph 18 and the equal protection of women's right to education under Article 10. TLGBTFRA urges the government to pay serious attention to LGBT families and the difficulties they encountered in education, and further to propose corresponding solutions to meet the needs of LGBT parents and their children.

### **III. The Difficulties Encountered by LBT-Parent Families in School: In Response to the National Report**

#### **1. Controversy of the Curricular Materials for Gender Equality Education**

In the third CEDAW national report written by Taiwan government in 2017, the only paragraph related to the status of gender diversity education is in 10.52 under Article 10, the protection of equality of educational right:

*In order to enhance public understanding of gender equality education in schools, we have already reached out to members of the syllabus programming, textbook reviewers and textbook editors for the purpose of compiling and reviewing the issue of gender equality education in textbooks, we have also actively looked for a common agreement among one another. In addition, the examination function of the validity, age-appropriateness and correctness of teaching materials in different stages of education will also be strengthened.*

However, Taiwan government did not explicitly respond to the 22nd point in “the Review of Taiwan’s Second Report on the Implementation of CEDAW Conclusions and Recommendations of the Review Committee”, with regard to Review Committee’s suggestion on the improvement of gender equality teaching materials:

*The Review Committee is concerned about the lack of progress in the development of teaching materials at all levels on sexual orientation and gender identities, as recommended by the International Group of Independent Experts on ICCPR and ICESCR. The Review Committee is also concerned that there is no periodic monitoring and review system in place to ensure that existing gender equality indicators and textbook review principles are in compliance with CEDAW and the Gender Equity Education Act.*

The curricular materials of gender equality are important resources for children and teachers to have a better understanding of LGBT families and gender diversity within the education system. However, the government fails to respond in the national report under what sort of guidelines or review criteria it shall be taken to evaluate the appropriateness of these materials. Without guidelines and core value, as a result, when opposition against gender equality materials rose in the society, the government almost immediately gave in to the oppositional forces. The government further condoned the conservative groups misinterpret the content of curricular materials, which eventually lead to public misunderstanding of the gender equality as “LGBT-developing education” or “promiscuity education” and let teachers in education field exposed to irrational public attacks. Apart from failing to establish specific standards for evaluation, the national report emphasized the curricular material shall be “age-appropriate”, a statement which is exactly advocated by the anti-LGBT organizations and did not give a specific definition of what “age-appropriateness” means.

Since 2011, True Love Alliance and other anti-LGBT groups have been actively involved in opposing gender equality textbooks. They voiced opposition to the contents of LGBT education or any description of LGBT families in textbooks. However, the government did not put enough efforts on defending the substantive content of the textbooks nor the noble goal of gender equality education when facing anti-LGBT forces, which consequently forced LGBT-friendly materials to stop publication.

In 2015, due to the reform of the 12-year Basic Education Curriculum, the controversy on gender equality education has again surfaced. In October, National Academy for Educational Research held a 12-year Basic Education Consulting Conference on Gender Equality Education. The conservative groups participated in the conference as parents said: "We do not discriminate LGBT people and we do respect LGBT. But gender is divided only into two categories, men and women. Although there are all sorts of gender appearances, we cannot confuse children's innate gender with social one. Educators should not advocate for specific controversial ideologies, since they are advocated by a certain kind of gender movement. Therefore, they asserted that it shall be refrained from discussing about sexual orientation and identity in education when children are still young so that they would not confuse about their gender.

On top of that, the anti-LGBT groups demand to review textbooks regarding gender equality through the expansion of the parental authority and to make the part of the materials which is not in line with their values such as LGBT description be forcibly deleted. Not only has the government not given firm recognition to the value of gender equality education, but also local politicians, including representatives of the ruling party's, have taken anti-LGBT groups' side to denounce gender equality education and discredit the LGBT community. Take "National Gender Equality Textbooks Review of Parents Forum" in Kaohsiung as an example. Local councilors in Kaohsiung, Pingtung and Tainan counties, and more than 200 anti-LGBT parents participated in the hearing. National Alliance of Presidents of Parents Associations even claimed that the implementation of gender equality education has failed to help teenagers' sex education and hence made AIDS one of the top 10 causes of death among teenagers in 2014.

Local council members not only participated in symposiums organized by the anti-LGBT organizations, but also interpellated the local officials in the council meetings based on the misinterpreted materials provided by the anti-LGBT camp. For example, during the parliament session when Tainan city councilors questioned the Education Bureau of the Tainan Municipal Government, the false statement repeatedly used by anti-LGBT camp was once again used:" In

2014, AIDS has become one of the top 10 causes of death for young people. Does the Bureau of Education still allow these improper curricular materials be used in school?”

One anti-LGBT organization in Chiayi County has directly obtained promises made by the county mayor to circulate official announcements demanding schools to stop using so-called improper gender equality curricular materials. The anti-LGBT campaign that has spread all over the country has stirred the discussion about curricular materials on gender equality and has resulted in a few proposals in the local councils to block the usage of the curricular materials.

## **2. The Lack of Statistical Data of LGBT Families**

According to Point 33 in “Review of Taiwan’s Second Report on the Implementation of CEDAW Conclusions and Recommendations of the Review Committee”, the government shall conduct investigations and statistics on diversified families:

*The Committee is concerned that the government lacks legal recognition of diversified families, recognizes only heterosexual marriage, but does not recognize the LGBT partnership or cohabiting relationships. The Review Committee is also concerned about the lack of unregistered statistics of partnership. The Committee recommended that the government amend civil law and empower the diversified families with legal recognition. It also recommended that measures should be taken to collect and collate unregistered statistics and to provide information in the next national report.*

However, statistics on diversified families is still absent in the third national report. Taiwan has allowed same-sex couples to be registered as same-sex partners in 17 counties and cities, whereas the government still fails to further compile the data of diversified families in accordance with the advice made by the international experts. Due to the government’s failure to possess data and statistics or relevant research nor analysis whatsoever, LGBT parents thus need to go out of the closet individually to make campus administrators or teachers aware of the existence of diversified families, even though more and more children of LGBT families have already enrolled in schools. Especially as more and more anti-LGBT parents self-proclaimed to be representatives of the parents in each school, expressing their opposition to same sex marriage or LGBT curricular materials, it becomes even more difficult for LGBT parents to get support and express their opinions about education on gender equality and LGBT families.

## **IV. Other Critical Issues**

### **1. Obstacles for Teachers to Promote Gender Equality Education**

Teachers who have been dedicated in promoting gender equality used to invite speakers from NGOs to campus to give speeches on relevant topics. But now, due to the rising pressure of the anti-LGBT groups, these opportunities for students to understand gender diversity has been greatly diminished. For example, “Shall we swim?”, a short film made by Taiwan Gender Equity Education Association as a material for teachers to use in sex education class, was portrayed by the conservative groups as a pornography about bestiality; and right before the “LGBTI Pride Parade” last year, the anti-LGBT groups accused Taiwan Tongzhi (LGBT) Hotline Association to be promoting sex orgy in schools. These episodes have shown that NGOs promoting gender equality education are facing great obstacles from conservative forces all over the country when they enter in campus to promote gender equality education.

### **2. Abstinence-only Sex Education Infiltrated into Schools through Conservative Groups**

Besides oppressing NGOs promoting gender equality education, conservative forces further promote abstinence-only sex education in schools without educating students about safe sex, which has constituted a violation of article 10 of CEDAW that assures equal opportunity for female students to receive sex education. The abstinence-only sex education reinforces gender stereotypes by emphasizing fixed gender roles and heterosexuality. However, with no government mechanism to review these curriculum materials, the abstinence-only sex education has already sneaked into schools as general materials for gender equality education. Take Champions Education Association for example, it was created by pastor Steven Wayne Long in Taiwan since 1994 and was originally set to promote life education through speeches among elementary and junior high schools. In recent years, nevertheless, it started to enter in schools in the name of gender equality education but instead promoted abstinence-only sex education. According to its official website, over 50% of junior high school students in Taiwan have received the said education every year.

The abstinence-only sex education has been brought into schools for years despite of the violation on CEDAW. The parents in LGBT families are concerned about gravity of the gender stereotype and discrimination against LGBT families in these school materials when their children already suffered from the discrimination in the society. How to restrict the entrance of these groups from educating children and prevent further violation of children’s educational rights is imperative for LGBT parents.

### **3. Gender Sensibility of Teachers and Staff in School Should be Strengthened**

Taiwan LGBT Family Rights Advocacy hereby urges teachers, professors, coaches, staff in school, and members of the Committee of Gender Equality Education in educational authorities should all regularly receive appropriate retraining to develop gender sensibility and better their understandings toward LGBT families. In the “LGBT families and their children in school - Taipei” event held by Taiwan LGBT Family Rights Advocacy years ago, a teacher told us that back in his early teaching career, a lady who claimed to be a” good friend” of his student’s mother would come to pick the kid up after school. It was not until he took the continued training on gender equality later that he realized how insufficient he had the knowledge toward LGBT families. The lack of gender sensibility due to inadequate training made him unable to recognize the complicated situation the student would face in school. Were it not for the poor knowledge and sensibility, he would have provided better education for the kid.

## **V. Recommendations**

1. According to Point 33 of the “Review of Taiwan’s Second Report on the Implementation of CEDAW Conclusions and Recommendations of the Review Committee”, the collection of statistical data of diversified families should be conducted as soon as possible.
2. According to Point 22 of the “Review of Taiwan’s Second Report on the Implementation of CEDAW Conclusions and Recommendations of the Review Committee”, teachers, professors,

coaches, staff in school, and members of the Committee of Gender Equality Education in educational authorities should all regularly receive appropriate retraining in order to develop a better understanding toward LGBT families and to avoid discrimination due to poor knowledge about LGBT community.

3. The government shall seek advice from the experts, scholars, and NGOs as well as LGBT communities to develop good-quality curricular materials with better knowledge about LGBT; in addition, the government should establish a review mechanism to supervise curricular materials about gender equality.

4. The government shall review the administrative forms used in schools to examine whether the settings are designed solely for heterosexual family and shall equip the schools with better capacity to understandings of diversified families.

5. The gender equality education committee in schools should examine the teaching materials provided by groups or speakers who are invited to enter in campus to see if there are any violation of CEDAW, such as denying the value of diversified families or promoting abstinence-only sex education.