

# CEDAW Parallel Report (2022)

## Taiwan Gender Equity Education Association (TGEEA)

### Gender-Based Cyberviolence

Response to No. 28-29 of the International Review Committee's conclusions and recommendations on Taiwan's Third Report on the Implementation of CEDAW (hereafter the conclusions) and sections 2.42-2.48 of the state report.

Gender-based cyberviolence remains a major issue to date. An online survey conducted by the Modern Women's Foundation in 2019 found that, of the 397 valid responses received, 96 respondents (24.2%) had experienced technology-facilitated stalking, 69 of which were women (78.4%).<sup>1</sup> Furthermore, according to data from the Executive Yuan, in 2020, of all processed reports of sexual harassment under the Sexual Harassment Prevention Act, 172 cases (18.9%) occurred "in a virtual environment/through the use of technology (e.g. online, via cellular text messaging, etc.)." This data reflects a marked increase in such incidents from merely two years ago.<sup>2</sup>

Though the general public has become more aware of the issue of sharing intimate photos online, Taiwan still has no comprehensive legal regulations in place to address victim needs. Relevant measures must consider the unique nature of gender-based cyberviolence—i.e. transmission is rapid, broad and responses often incur secondary victimization of the involved party. To date, the Executive Yuan has defined and outlined gender-based cyberviolence and completed a review of all relevant regulations; however, their definition is not comprehensive enough and omits several forms of cyberviolence. Furthermore, the Executive Yuan has yet to fully amend necessary legislation and current proposals are incapable of fully addressing the needs of victims.<sup>3</sup> Such legislation must be established to ensure intimate images and videos shared online are taken down within a set amount of time, to require overseas network operators to take down content, to establish education programs for perpetrators, and to allow victims to be able to directly apply for protective orders.<sup>4</sup>

#### Our recommendations:

1. The Executive Yuan should consult knowledgeable civil society organizations in order to speed up the creation of legislation able to fully address the needs of all parties.
2. The Executive Yuan should further their understanding on the multiple forms of gender-based cyberviolence and amend the existing definition to be more comprehensive.
3. The Executive Yuan must develop educational outreach programs to prevent gender-based cyberviolence.

### Challenges to Implementing Gender Equity Education in Schools

Response to conclusions No. 44-45 and state report sections 10.23-10.30.

---

<sup>1</sup> Modern Women's Foundation, *Online Survey on Technology-Facilitated Stalking*, 2019.

<sup>2</sup> Department of Gender Equality, Executive Yuan, *Gender in Taiwan* (Image), 2022.

<sup>3</sup> Executive Yuan, Department of Gender Equality, *Definition, Types, and Scope of Gender-based Digital/Cyberviolence*, 2021.

<sup>4</sup> Taipei Women's Rescue Foundation, Press conference on the physical and mental harm of gender-based cyberviolence and practical response measures. 2022.04.28. URL: <https://www.twrf.org.tw/info/title/1211>

In Taiwan, sexuality education is legally required under the Gender Equity Education Act.<sup>5</sup> Despite this requirement, a lack of general understanding and awareness among teachers presents a significant obstacle to implementation. While there are some knowledgeable teachers who do strive to implement sexuality education, they, too, often struggle with successful implementation due to both internal and external backlash (e.g. accusations and legal proceedings for “offenses against morality”).<sup>6</sup>

The state report points out that the National Academy for Educational Research (NAER) adopted Comprehensive Sexuality Education (CSE) into the compulsory education curriculum for health and physical education in January 2022. However, according to national course handbooks developed by the NAER, CSE must be incorporated into all of the following subjects and not just health and physical education: civics and society, home economics, advisory activities, natural biology, and communication technology courses. Therefore, teachers at all levels and all disciplines must thoroughly understand CSE and be able to integrate related topics into their different disciplines.

**Our recommendations:**

1. Taiwan’s educational authorities must establish an expert panel on CSE tasked with providing relevant training to teachers and school staff at all levels and for all disciplines.

## **CSE and Gender Equity Education in Tertiary Education**

Response to conclusions No. 44-45 and section 10.24 of the state report.

Though there are courses on sexuality or gender education in the Taiwanese tertiary education system, these subjects are vastly elective. In the 2017 school year alone, 923,213 undergraduate and postgraduate students were enrolled in a tertiary institution; however, the state report states that between 2017 to 2020, there were only 211,938 course enrollments in subjects related to gender equity education.<sup>7</sup> In other words, only a small proportion of students at the tertiary level have received gender equity education. Yet, there is a great need for such education, as was highlighted by a recent incident at National Taiwan University where several students running for election to the NTU Gender Equity Education Committee openly campaigned under the promise that they would “knock out those ‘cherry-picker’ feminists.”<sup>8</sup> Therefore, to address this issue and prevent pervasive sexual harassment and sexual bullying on such campuses, these institutions must do more to enhance student understanding of gender equity.

**Our recommendations:**

1. The educational authorities must incentivize tertiary education institutions to expand courses related to gender equity education and work to increase related course enrollment rates.

## **Diversity in Textbooks**

Response to conclusions No. 46-47 and sections 10.25-10.26 of the state report.

---

<sup>5</sup> Enforcement Rules for the Gender Equity Education Act, Article 13

<sup>6</sup> Up Media, “Wave of Homophobia Continues: Kaohsiung Primary School Teacher Sued for ‘Offense Against Morality.’” 2017.08.02 URL: [https://www.upmedia.mg/news\\_info.php?Type=1&SerialNo=21992](https://www.upmedia.mg/news_info.php?Type=1&SerialNo=21992)

<sup>7</sup> MOE (2022). *Statistics on Students Enrolled in Tertiary Education*. Retrieved on 5 Apr. 2022. <https://stats.moe.gov.tw/statedu/chart.aspx?pvalue=32>

<sup>8</sup> Newtalk, “NTU GEEC Student Rep Candidates Spark Outrage: Wake Up, MOE”, 2022.05.04 URL: <https://newtalk.tw/news/view/2022-05-04/749774>

Taiwan's national curriculum is published by the MOE after being approved by the MOE's Curriculum Review Council. The Nine-Year Compulsory Curriculum for Primary and Secondary Schools was in effect between 2004-2018 and was replaced by the Curriculum Guidelines of 12-Year Basic Education. This curriculum governs the disciplines and content required of primary and secondary school textbooks and serves as the core of education in Taiwan.

Despite being governed by this central authority, outside pressure from parents has been seen to obstruct the implementation of the national curriculum. In 2017, several parent associations, under the guise of “reviewing” textbooks,<sup>9</sup> pressured the MOE and textbook publishers to remove mentions of gender diversity, the gender spectrum, and other gender equity education-related topics from integrated activities textbooks.<sup>10</sup> Ultimately, the controversy caused the three main publishers in Taiwan to remove the content by the next semester in spite of the fact that the new 2019 Curriculum Guidelines of 12-Year Basic Education stipulates that sexuality education during the third learning phase (grades 5-6) should include: “introduction to different sexual orientations and the impact of gender stereotypes and how to combat them” (Db-III-2), and during the fourth learning phase (grades 7-9), students are expected to learn how to “respect diverse gender temperaments, roles, and sexual orientations” (Db-IV-3). With the sole exception of a seventh grade textbook published by Kang Hsuan which mentions “sexual orientation troubles,” these three publishers, who incidentally hold 90% of the market share, fail to incorporate sexual orientation-related content in their textbooks.<sup>11</sup> At present, the only required content included in health and physical education textbooks of all three publishers is the breaking and combating of gender stereotypes.

#### **Our recommendations:**

1. The Advisory Group on Gender Equity Education in Primary and Secondary Schools must demand textbook publishers create educational materials on gender diversity and sexual orientation as stipulated by the Gender Equity Education Act and the Curriculum Guidelines of 12-Year Basic Education (including all content of Appendix II).
2. NAER should base all textbook review on the MOE’s Curriculum Guidelines of 12-Year Basic Education. NAER should require editors and reviewers of textbooks to undergo training and professional development in order to improve their understanding of gender equity.

### **Educator Awareness and Training**

Response to conclusions No. 46-47.

Many sexual and gender minority students still feel unsafe or uncomfortable on campus. One of the major reasons for this issue is a lack of awareness and understanding of gender equity among school administrators, teachers, and staff. In fact, according to a survey conducted by the Taiwan Tongzhi Hotline Association, 68.6% of sexual minority students surveyed had heard a school administrator, teacher, or staff member make homophobic comments and 74.0% had heard an administrator, teacher, or staff member make a negative comment about gender temperament.<sup>12</sup>

---

<sup>9</sup> Fong News, “Protecting Our Children's Education: Parent Group Spends Past Four Years Examining Primary School Textbooks for Controversial Content,” 2021.06.27. URL: <https://reurl.cc/x9OM2N>

<sup>10</sup> According to the English translation of the Curriculum Guidelines of 12-Year Basic Education published by NAER, “integrated activities” includes subjects such as life education, career planning, and home economics.

<sup>11</sup> Kang Hsuan Educational Publishing Corp., Year 7, Semester 1, Physical Education Textbook, pp. 12-13.

<sup>12</sup> Taiwan Tongzhi Hotline Association, *2020 Survey on the Campus Experience of Taiwanese LGBTQ+ Students*, 2021.

One reason for such may be teacher education. Most teacher education centers do not require pre-service teachers to take courses related to gender equity education, and these new teachers do not receive relevant training after entering schools. Unfortunately, there is no measure in place to rectify this situation; though article 17, clause 2 of the Gender Equity Education Act clearly stipulates that all primary and secondary school students should receive at least four hours of gender equity classes or activities, there is no requirement given for pre-service or in-service teachers or staff. Yet, there is precedent for doing so. For example, the Environmental Education Act, article 19, clause 1 states: "Institutions, state-run business institutions, high schools and secondary schools, and statutory bodies with over 50% of the funds sponsored by the government shall formulate environmental education programs every year to promote environmental education. All employees, teachers, and students shall attend an environmental education program for more than four hours." Thus, we believe a similar requirement should be put in place for gender equity education.

In addition, at present, the educational authorities do offer in-service training courses on gender equity education, but they do not track participation and do not evaluate the effectiveness of such training. Statistics available on such in-service training are vague and only present the number of hours and location of the event. TGEEA found that of the total 6,963 in-service training sessions in Taiwan over the past three months, only 116 (1.66%) were related to gender equity education. Furthermore, of those sessions related to gender equity education, only 6 (0.086%) addressed gender diversity.<sup>13</sup> These findings highlight what TGEEA has long observed: school teachers and staff have an insufficient understanding of gender diversity and lack related training.

#### **Our recommendations:**

1. Gender equity education should be required training for all teachers and staff.
2. The Gender Equity Education Act should be amended to clearly stipulate school administrators, teachers, and staff must complete at least four hours of gender equity education training each year. These hours should be recorded and verified.
3. The educational authorities should provide training on gender equity education that requires teachers to apply what they learned in the classroom and return for a second session to debrief.
4. In-service training should include topics on gender diversity and avoid focusing solely on sexual harassment and assault.
5. In-service training statistics should be analyzed to determine and track the availability of training related to gender equity.

## **Sexism and Gendering in Athletics**

Response to conclusions No. 46-47 and sections 10.18-10.22 of the state report.

In the field of athletics, gender equity is often overlooked and masculinity praised. Basic issues, such as the excessive gendering of athletic uniforms and prioritizing of competitions create an unwelcoming environment for women and girls who want to participate in athletics. Moreover, within schools, different testing standards serve to reinforce gender stereotypes. For example, the running portion of the physical fitness exam requires girls to run 800 meters while boys must run 1600 meters.

As a result, there is a significantly smaller percentage of girls who regularly take part in athletics. According to Taiwan's Sports Administration, 55.7% of boys and 33.9% of girls between 13-17 regularly take

---

<sup>13</sup> Retrieved from the Statistics page of the MOE Inservice website URL: <https://www3.inservice.edu.tw/index2-3.aspx> Statistics from 2022.04.29-2022.08.05

part in athletics, a difference of 21.8%.<sup>14</sup> Furthermore, this participation gap appears to grow as students get older. At the elementary level, 59.3% of boys and 40.7% of girls participate in school sports; however, at the high school level, 72.6% of boys and only 27.4% of girls participate in school sports.<sup>15</sup>

#### **Our recommendations:**

1. Sports education authorities should allow for a greater diversity of sports in athletic venues and encourage women and girls to participate by establishing times specifically dedicated to them or by providing other incentives.
2. Education authorities should modify the standards for the running portion of the school physical fitness test. Rather than differentiating standards by gender, the standards should be based on ability.
3. School uniforms requiring girls to wear skirts should be abolished. Girls should be allowed to wear clothing that allows them to participate in sports/athletics.
4. Any spaces separated by the traditional gender binary, such as swimming pool changing rooms, should be reassessed in a way that allows students of all genders to have a space to use where they feel comfortable.

### **Underage Pregnancy and the Right to Education**

Response to conclusions No. 48-49 and sections 10.31-10.39 of the state report.

In Taiwan, approximately 2000 underage girls give birth each year. Yet, government agencies lack integrative statistical and follow-up analyses and, therefore, are unable to better understand the numbers of girls who become pregnant or end pregnancies. As a result, they are also not able to evaluate the educational or basic everyday needs of young/adolescent mothers. However, this population clearly faces unique challenges and requires assistance. For instance, the MOE has reported that between the 3927 students reported as pregnant during the 2018-2019 school year, 2737 (nearly 70%) took a leave of absence from school.

While the MOE has amended the Guidelines to Protect Students' Right to Education and Provide Support During Pregnancy, existing childcare and welfare benefits are insufficient to meet the needs of young mothers who are in school.<sup>16</sup> Under the Act of Assistance for Family in Hardship, for instance, emergency assistance only provides short-term economic assistance for up to three months. Furthermore, in order to apply, young women or girls of low/moderate income households must include their parents' assets and income on the application form; as a result, many applicants do not qualify for assistance.

In addition, while there are some programs available to help single parent families find employment, most are solely focused on providing vocational training and childcare. These programs are not tailored for adolescent mothers who have not completed their basic education.

Lastly, the high birth rates of underage girls in rural and indigenous communities reflects intersectional discrimination involving the right to education, access to health care, access to childcare, and economic disadvantages. In 2020, the national average of percentage of births to underage girls was 4%. Below the national average were urban centers such as Taipei City and Kaohsiung City were both 3%; in

---

<sup>14</sup> Sports Administration, 2020 Athletics Report, 2021.

<sup>15</sup> Sports Administration, Statistics on Campus Sports, 2015.

<sup>16</sup> Please note there is no official English translation for this document as of time of translation

rural areas and indigineous communities, however, this percentage was markedly higher and reported as follows: Hualien County 9%, Taitung County 7%, Yilan County 6%, Chiayi County 6%, Pingtung County 6%, and Nantou County 7%. Worth noting is that the indigenous population in Hualien County only constitutes 28.81% of the total population but 57% of underage mothers are indigenous.

**Our recommendations:**

1. The government must make statistics and data available across departments/agencies in order to better inform policy. This data should include statistics on pregnancy, terminations, and births to underage girls.
  2. Special measures, including temporary measures, must be implemented in order to provide pregnant underage girls and young mothers with adequate access to education and child care.
  3. Measures aimed at rural and indigenous pregnant adolescents and young mothers must be established in order to support their education, child care, and everyday needs.
-