

Review and Presentation of  
the ROC (Taiwan) CEDAW Second National Report

**Oral Statements of Non-Government Organizations**

Date: Monday, 23 June 2014

Venue: VIP Room, Howard Civil Service International House  
(No. 30, Sec. 3, Shin-Sheng South Road. Taipei, 106, Taiwan)





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## Oral Statement of Non-Government Organizations

**Name:** Chen, Jau-hwa

**on behalf of** Mental Health Association, Taiwan; Modern Women’s Foundation; Persons with HIV/AIDS Rights Advocacy Association of Taiwan; Tainan Association for the Promotion of Women Rights; Taipei Women’s Rescue Foundation; Taiwan Alliance to Promote Civil Partnership Rights; Taiwan Association for Human Rights; Taiwan LGBT Family Rights Advocacy; Intersex, Transgender and Transsexual People Care Association; Taiwan Gender Equity Education Association; Taiwan Coalition Against Violence; Wild at Heart Legal Defense Association, Taiwan; Taiwan International Medical Alliance; The Garden of Hope Foundation; The League of Welfare Organization for the Disabled, ROC

**Language to be used:** English

<b>Statement</b>	
Session	Session(1) 【speaking order: 1】
Main Article(s)	1, 2
General Recommendation(s)	No.9, No.18, No.19, No.25, No.27 and No.28
Summary Statement	<p>First, we offer several suggestions for the Review Committee Members to demand from the Taiwan government regarding structural and fundamental problems manifested by the State Report:</p> <ol style="list-style-type: none"> <li>1. To better assess the situation of women who may suffer from intersectional discrimination, the government should carry out statistical surveys and data analysis regarding gender gaps within indigenous peoples, persons with disabled, informal sector workers and other disadvantaged groups; in addition, the government should conduct basic statistical survey regarding diverse sexual orientations and gender identities. Moreover, the government should ensure full respect for the will of individuals in choosing sex/gender in all surveys, and uphold the right of privacy and other human rights of individuals surveyed.</li> <li>2. The government should identify the vulnerable groups under each substantive article of CEDAW; moreover, the government should ensure that gender, cultural and human rights impact assessments are carried out regarding each major policy or development plan before formulation and after implementation.</li> </ol>

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|  | <p>3. The government should provide specific reports as soon as possible on the current state and promotion of human rights guarantees for indigenous peoples, persons with disabled, girl children and persons with diverse sexual orientations or gender identities based on the method used in the section on “Protection of Employment Rights of Female Workers” and separately discuss the human rights of the above-mentioned groups in the next State Report.</p> <p>4. Since the section in this State Report on the “Prevention of Gender Violence” failed to concretely point out the state of planning for follow-up measures to respond to current difficulties, the next State Report should include a specific section on General Recommendation 19 as well as for each article of CEDAW.</p> <p>5. We respectfully request the Committee to recommend benchmarks regarding key international gender equality indices that should be realized in the coming four years based on the performance of the Taiwan government.</p> |
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## Oral Statement of Non-Government Organizations

**Name:** Shih, Yi-hsiang

**Organization(s):** Taiwan Association for Human Rights

**Language to be used:** Chinese

<b>Statement</b>	
Session	Session(1) 【speaking order: 2】
Main Article(s)	Articles 2, 3, 9, 11 and List of Issues 2, 4
General Recommendation(s)	No.25, No.28
Summary Statement	<p>1. Since human rights related agencies in the Taiwan government are ad hoc bodies which act in their own ways and usually lack both resources or professional staff, the Taiwan Association for Human Rights reaffirms its position that the ROC (Taiwan) government should implement Points Eight and Nine of the “Concluding Observations and Recommendations Adopted by the International Group of Independent Experts” on March 1, 2013 after their review of the first State report on implementation of the International Covenant for Civil and Political Rights (ICCPR) and the International Covenant for Economic, Social and Cultural Rights (ICESCR) concerning the establishment of an independent national commission for the protection and promotion of human rights in accordance with the Paris Principles as a priority objective.</p> <p>2. Since the enactment of the CEDAW Enforcement Act, the application of CEDAW in verdicts at all levels of courts remains very low. According to indices of judicial judgments, CEDAW has been cited in only 12 cases. This fact highlights the continued extreme inadequacy of training in CEDAW obligations. The explanation offered in Paragraph 15.32 of the State Report fails to respond the question of the effectiveness of the requirement that all judicial personnel receive mandatory CEDAW training and education. Therefore, the TAHR makes the following recommendations: (1) The Judicial Yuan should actively promote and ensure the application of CEDAW in the judicial system; (2) the Judicial Yuan should provide in-depth, intensive and practical CEDAW-related training conducted by suitable high-level professional experts; and (3) the Judicial Yuan should continuously update a list of all court judgments which quote CEDAW articles on its official website.</p>

## Oral Statement of Non-Government Organizations

**Name:** Liao, Shu-wen

**Organization(s):** Taiwan Coalition Against Violence

**Language to be used:** English

Statement	
Session	Session(1) 【speaking order: 3】
Main Article(s)	2
General Recommendation(s)	No.12, No.19
Summary Statement	About sexual assault, we still have the issues of ambiguity, low penalties, invalid interrogation, insufficient of treatment and lack of protection, but there is no aggressive solutions in the national report. Please describe and discuss the strategy of improvement by phases.

## Oral Statement of Non-Government Organizations

**Name:** Tu, Ying-chiu

**Organization(s):** The Garden of Hope Foundation

**Language to be used:**

<b>Statement</b>	
Session	Session(1) 【speaking order: 4】
Main Article(s)	2
General Recommendation(s)	No. 19
Summary Statement	<p>1. In response to Article 2 (2.49) of the Taiwanese government report, paragraph 2.49 mentions that 80-85% of sexual assault victims are female, and nearly 70% of the total, or 90% of those female victims, are under the age of 18, which shows that most victims of sexual assault are under-aged school girls. 2.5.3 and 2.62 mention reducing repeat investigations by school gender equality committees and sexual assault criminal procedures, especially the latter, which claims to reduce repeat procedures in the interests of the victim. Yet in reality, evidence collected separately by the school and the court cannot be shared, so the victim must face continual repeat investigations, questioning and judgments in school and in court, which results in the victim suffering repeated secondary trauma. How does the Taiwanese government plan to address this problem to genuinely protect the rights of the victim?</p> <p>2. Women who are victims of violence are frequently forced to move home because of the violence. The Taiwanese government should protect the right to housing, and the responsible authorities should offer practical housing services.</p>

## Oral Statement of Non-Government Organizations

**Name:** Lai, Fang-yu & Chiou-lan Wang

**Organization(s):** Modern Women's Foundation

**Language to be used:** Chinese

<b>Statement</b>	
Session	Session(1) 【speaking order: 5】
Main Article(s)	2, 5
General Recommendation(s)	No.19, No.28
Summary Statement	<p>1. The status of victims of sexual assault crimes during a legal process should be raised by law: The criminal justice system should consider to proactively raise the victims' litigation status and rights of participation including cross-examination right, evidence investigation right and rights of debate in the Code of Criminal Procedure.</p> <p>2. Calling for amendment of Sexual Assault Crime Prevention Act. If the accused or the defendant of the accused of a sexual assault case makes any gender discrimination statement or action towards the victim, it should be stopped immediately or restricted by the judge when necessary.</p> <p>3. To protect the victims of sexual assault crimes, and avoid further damage in terms of sex/ gender discrimination related by the offender via manipulating medias or internets outside the court room during investigation or trials, the ROC should amend Sexual Assault Crime Prevention Act and Crime Victim Protection Act.</p>

## Oral Statement of Non-Government Organizations

**Name:** Lee, Ping & Yun-chun Lan

**Organization(s):** YWCA of TAIWAN

**Language to be used:** Chinese

Statement	
Session	Session(1) 【speaking order: 6】
Main Article(s)	2
General Recommendation(s)	No.19
Summary Statement	<p>The ratio of victims from domestic violence to foreign spouse is 1:4.75 comparing to Taiwanese spouse. We sincerely ask the review committee to request the Taiwanese Government at the recommendation part in the conclusion:</p> <ol style="list-style-type: none"><li>1. Have a further investigation and research over the proportion and causes of the high domestic violence over the foreign spouses. The government shall propose concrete actions and strategic responses with evaluation reports, so that the review committee can propose concrete enhancement and preventive measures in terms of the new immigrants safety issues.</li><li>2. Provide information including resources and trainings to the foreign spouses concerning personal safety education and domestic violence reaction as to increase their abilities of self-protection and mutual assistance.</li></ol>

## Oral Statement of Non-Government Organizations

**Name:** Chang, Yu-chao

**Organization(s):** Hsinchu Diocese of the Catholic Church in Taiwan

**Language to be used:** Chinese

<b>Statement</b>	
Session	Session(1) 【speaking order: 7】
Main Article(s)	6
General Recommendation(s)	
Summary Statement	<p>Over 15 years from 1999 to the present, there have been over 200,000 foreign migrant workers annually engaging in household care work without coverage from the guarantees in the Labor Standards Act. Moreover, a draft “Domestic Worker Protection Act” was proposed in 2003 but has yet to be approved by the Legislative Yuan. Since foreign household care workers must bear conditions of low wages, long working hours, no regular vacations and no privacy, they are effectively little more than nameless labor machines.</p> <p>Most foreign domestic workers who do not wish to bear such conditions choose to leave their original employers and become illegal workers who illegally reside in our territory and therefore are at high risk to become victims of labor exploitation, sexual exploitation or human trafficking.</p> <p>Those who are fortunate are able to secure temporary visitor visas and work permits during the period of judicial trial after being arrested by police. However, these limited rights do not include the following:</p> <ol style="list-style-type: none"> <li>1. the right to enroll in social insurance, including labor insurance and national health insurance.</li> <li>2. the receipt of subsidies for medical care for children after maternity.</li> <li>3. reimbursement for income from sexual work.</li> <li>4. confidentiality of status after repatriation.</li> <li>5. convenient access to psychological clinical and guidance resources.</li> </ol> <p>Therefore, their brief access to short-term visitor visas and work permits are only inducements offered by the government to entice their cooperation in providing testimony. Moreover, the government has yet to improve the factors behind the “national exploitation” of migrant female workers.</p>

## Oral Statement of Non-Government Organizations

**Name:** Chang, Kai-chiang

**Organization(s):** Taipei Women's Rescue Foundation

**Language to be used:** Chinese

<b>Statement</b>	
Session	Session(1) 【speaking order: 8】
Main Article(s)	2, 6
General Recommendation(s)	No.19, No.28
Summary Statement	<p>Regarding Points 8, 11, 12, 14 in the List of Issues:</p> <ol style="list-style-type: none"> <li>1. Taiwan lacks effective laws to prevent women from suffering internet gender-based violence.</li> <li>2. With regard to girls who suffer sexual exploitation and women who are victims of domestic violence, the legal code prohibits news media from disclosing the personal information of victims; the laws for the prevention of sexual assault crimes and human trafficking also ban such disclosures, but the media still frequently illegally discloses such information and the government's responsible agencies have yet to carry out monitoring or sanctions.</li> <li>3. Prosecutorial and police agencies provide the media with video taken in the collection of evidence in human trafficking or female prostitution cases.</li> <li>4. Taiwan lacks a media code of conduct that should respect female victims of sexual violence and the media frequently uses discriminatory methods in reporting on human trafficking or female prostitution cases.</li> <li>5. A high proportion of cases of child prostitution and sexual assault cases that are conducted through the internet, but responsible prosecutorial and police agencies only impose fines on offenders caught in the act in cases of child abduction and rape.</li> <li>6. Between 40-60 percent victimized children in shelters who have engaged in prostitution previously used drugs or were controlled by drugs but this is difficult to determine with existing survey data.</li> <li>7. Courts generally impose relatively light sentences on the clients of child prostitutes.</li> </ol>

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|  | <p>8. There have been private sector organizations commissioned by the government which have been accused by citizens of being sexual websites, but such organizations have rarely been sanctioned.</p> <p>9. Prostitution is a form of exploitation of women. Current policies impose fines or punishments on the women who have entered into prostitution due to economic difficulties. The system should be changed to fine the client and not the prostitute.</p> |
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## Oral Statement of Non-Government Organizations

**Name:** Peng, Yen-wen

**Organization(s):** Kaohsiung Women Awakening Association

**Language to be used:** Chinese

<b>Statement</b>	
Session	Session(1) 【speaking order: 9】
Main Article(s)	6
General Recommendation(s)	
Summary Statement	<p>1. What are the demographic characteristics of prostitutes and clients (especially in terms of age) that are arrested and punished by the police under the newly revised Social Order Maintenance Act? According a local academic article published in 2008,* the front-line police used to arrest the lower-class, middle-aged prostitutes that were arguably the most vulnerable ones among all sex workers. For example in 2005, 46% of arrested prostitutes are above 40 years old; and 74% of them are above 30 years old).</p> <p>Our question is whether this kind of selective enforcement and class discrimination still exists now? The National Police Agency provides only the total numbers of sentenced cases, persons, and their penalties (Table 6-19), but we ask for more detailed statistics that are broken down further by sex and age, so that it can be more clearly seen who has been subjected to penalties in the name of eliminating prostitution.</p> <p>2. <i>The Prevention and Punishment of Child and Youth Sex-Trade Act</i> defines a sex transaction as “an act of sexual intercourse or lewdness with value exchanged”. But in quite a few cases of sexual abuse, the perpetrator after abusing the girl presents the victim with some small amounts of cash or presents, as if for compensation or to demand silence, and the victim accepts it under conditions of helplessness. The police and the court interpret this as value exchanged for a voluntary act of sexual intercourse or lewdness, i.e. prostitution, whereas the girl is actually the victim of molestation. After the judgment the victim is sent to the halfway school for protective placement together with other young girls who have violated the provisions of the Act. We demand that this kind of misjudgment should be avoided and that the girls should receive proper assistance.</p> <p>* Yen-Wen Peng 2008. “An implementation research on how the street-level police curb prostitution: The use of a critical interpretative approach.” <i>Journal of Public Administration</i>, 28: 115-151.</p>

## Oral Statement of Non-Government Organizations

**Name:** Lee, Pi-chi

**Organization(s):** Good Shepard Social Welfare Services

**Language to be used:** Chinese

<b>Statement</b>	
Session	Session(1) 【speaking order: 10】
Main Article(s)	2, 5
General Recommendation(s)	
Summary Statement	<p>We have interviewed over 80 aboriginal women. The feedback received from interviewees indicates that current policies mostly focus on considerations of economic benefits and neglect specific regional needs and abrogate the cultural rights of aboriginal communities and aborigines as individuals. In society at large, discrimination and denigration of aboriginal peoples continues to exist. Besides affecting opportunities to receive equal rights, the government's neglect of the needs of remote villages and aborigine communities is also a form of oppression of aboriginal women.</p> <p>(1) Aboriginal women still encounter discrimination due to gender and ethnicity when seeking employment or terms of their employment rights. Discrimination and oppression against aborigines are also present in the application process for public resources from the government and have thereby undermined equality of opportunity to obtain public assistance. Moreover, when applying for assistance from public agencies, aboriginal women are directly subjected to discrimination and denigration by public sector employees, a state of affairs also affects their chances to secure their just rights. The State should bolster anti-racial discrimination training and guidance of grassroots level public sector workers and provide evidence of the substantive effect of such measures.</p> <p>(2) Aboriginal women who are subjected to such discrimination often waive their own rights when their employment rights are violated out of fear over whether they can find sufficient evidence to support official complaints. The State should explain the paths by which aborigine women can pursue remedy and redress and delineate the number of people, reasons and follow-up of cases in which aboriginal women who sought assistance. The State should also improve the existing procedures for applications for official assistance so as to be accessible to aborigine women and should also directly establish channels for appeals for redress and assistance in aborigine communities.</p>

## Oral Statement of Non-Government Organizations

**Name:** Wang, Li-ching

**Organization(s):** Taiwan Gender Equity Education Association

**Language to be used:**

<b>Statement</b>	
Session	Session 1 【speaking order: 11】
Main Article(s)	2
General Recommendation(s)	No. 28
Summary Statement	<p>Regarding Item 2 in the List of Issues and Questions by the Review Committee, we believe that incorporating the topics of sexual orientation, gender identity, non-discrimination and diversity into CEDAW training curricula is the most effective way to enhance the understanding among civil service personnel of “what is the discrimination based on sexual orientation and gender identity and how to eliminate it.” Nevertheless, the limit of these topics in training courses conducted by the government makes it difficult for officials to be aware of the impact of heterosexual hegemony and bias (gender temperament in particular) on women. Among civil service employees and governmental agencies, higher-level officials attain less CEDAW training courses than others. As a consequence, it is hard for those who are in power to mainstream the gender perspective and to implement the values of human rights into policy-making. Moreover, in our society, prejudice and discrimination based on sexual orientation and gender identity is often regarded as different opinions rather than against gender equity. The most striking event is that the Ministry of Education (MOE) appointed several peoples who have openly opposed homosexuality and LGBT education as board members of the national highest level “Gender Equity Education Committee” in 2014. Many civil organizations protested this conduct, but the MOE refused to make any change. They considered that those peoples just expressed opinions rather than opposed LGBT and gender diversity education. We firmly rooted our position that gender equity education shall never leave out gender diversity education and that the nation must thoroughly implement its duty to ensure the right to receive education for all students as well as effectively strive to eliminate discrimination based upon sexual orientation and gender identity.</p>

## Oral Statement of Non-Government Organizations

**Name:** Victoria HSU

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

**Language to be used:** English

<b>Statement</b>	
Session	Session(1) 【speaking order: 12】
Main Article(s)	5
General Recommendation(s)	
Summary Statement	<p>1. The CEDAW national report fails to discuss Points 78 and 79 of the Concluding Observations and Recommendations made by the panel of 10 independent international human rights experts issued on March 1, 2013 in response to Taiwan’s initial state report on the ICCPR and ICESCR. According to the above Concluding Observations and Recommendations, the Civil Code only offers protection for heterosexual marriage and thus abrogates many rights of same-sex couples and cohabiting couples constitutes discrimination. Therefore, the experts recommend that the government revise the Civil Code so that diverse families are recognized under law. The experts also remind the Taiwan government that the realization of guarantees of fundamental human rights should not be decided by public opinion. The statement in the CEDAW national report that the Ministry of Justice has convened seminars on this issue to “form consensus” obviously ignores the above conclusions and recommendations of the international human rights experts regarding the two covenants.</p> <p>2. The conservative religious organizations which currently oppose the draft Marriage Equality Act continuously spread stereotyped gender and family concepts (such as the notions that families should consist of a husband and wife, that the husband should lead and the woman should follow and that men and women each have their place). There are even places where local governments (for example, the Taoyuan County used NT\$50,000 to subsidize the “Happy Family Parade” held by religious organizations on March 16, 2014). In addition, the draft Marriage Equality Act has yet to be entered into the Legislative Yuan agenda, a development that is closely linked to the advocacy of stereotyped “gender roles” by Christian religious organizations to rationalize obstruction of the Legislative process. We would like to ask the Taiwan government what measures it plans to use to respond to these obvious infractions of Article 5a of CEDAW.</p>

## Oral Statement of Non-Government Organizations

**Name:** Lin, Yi-chia

**on behalf of** Humanistic Education Foundation

**Language to be used:** Chinese

<b>Statement</b>	
Session	Session(1) 【speaking order: 13】
Main Article(s)	2
General Recommendation(s)	No.19
Summary Statement	<p>According to the investigation report made by Control Yuan (investigatory agency that monitors the other branches of Taiwanese government), at least 92 students are involved in the sexual assault incidents. Which took place in a special school in southern Taiwan. A lot of students were originally victims, while they became offenders later.</p> <p>Now there have been five families that filed the state compensation claim. Three agreements, one judgment become final, and there is a still in litigation. In the judgment report, the court indicates that the school “neglects its duty.” While on media government claims that “it was not the teachers’ responsibility.” That might be the reason why the school faculty is not afraid of the impeachment from Control Yuan, and let sexual assault happen again and again.</p> <p>This useless special education system cannot even protect students. Not to mention to provide quality education for students. The budget for special students is limited and should not be wasted nor make our kids suffer. We suggest that the government should abolish this school and put the fund of the school into the new project: to engage a special teacher in normal school and let the students go to normal schools nearby.</p>

## Oral Statement of Non-Government Organizations

**Name:** Su, Jui-chen & Fan-chu Shen

**Organization(s):** The League of Welfare Organization for the Disabled, ROC

**Language to be used:** Chinese

<b>Statement</b>	
Session	Session(1) 【speaking order: 14】
Main Article(s)	2, 10
General Recommendation(s)	
Summary Statement	<p><b>Article 2: Violence against women with disabilities</b></p> <p>Current status: Women with disabilities are at high risk for domestic violence. However, Paragraphs 2.42 and 2.44.16 in the State Report on the prevention of domestic violence in Taiwan did not mention the situation in Taiwan regarding domestic violence against women with disabilities. Hence, there is no way to know how the State will formulate and implement policies to prevent violence and bolster protection for victims.</p> <p>Specific recommendations:</p> <ol style="list-style-type: none"> <li>1. The government should provide related sex education so that women with disabilities can be aware of risks in all types of situations.</li> <li>2. The government should strengthen the sensitivity of front line service personnel so that they can understand the special circumstances of persons with disabilities and thus discover and intervene at an early stage and provide timely and appropriate assistance.</li> </ol> <p><b>Article 10: The equalization of education rights for women with disabilities</b></p> <p>Current status: According to national statistics, educational levels of women with disabilities are generally lower than males in voluntary education or higher education and inequities persist in the distribution of educational resources and the lack of barrier-less conditions in school environments prevents many persons with disabilities from attending nearby schools or forces them to study at home.</p> <p>Specific recommendations:</p> <ol style="list-style-type: none"> <li>1. The government should eliminate barriers which block women with disabilities from realizing their right to education.</li> <li>2. The government should make special education resources universally available nationwide and improve barrier-free transportation and ensure barrier-free environments in school campuses.</li> </ol>

## Oral Statement of Non-Government Organizations

**Name:** Chen, Show-feng

**Organization(s):** Tainan Association for the Promotion of Gender Equality

**Language to be used:** English

<b>Statement</b>	
Session	Session(1) 【speaking order: 15】
Main Article(s)	2, 11
General Recommendation(s)	No.27
Summary Statement	<p><b>Home care service personnel &amp; the right of employment as stated per CEDAW Article 11</b></p> <p>On Intersectional Discrimination</p> <p>1. Core Issues</p> <p>Most of frontier workers in home care service are middle aged and seniors 45 to 59 years-old women with lower socioeconomic levels. Their work is labor-intensive service and less income.</p> <p>2. Supplementary Explanation</p> <p>Home care service is an integral part of long-term care service for the aged and service-needed, especially in an aging society. According to statistics, most of the service-needed and frontier workers in home care service are women, so home care service is absolutely an issue of protecting women's right to work.</p>

## Oral Statement of Non-Government Organizations

**Name:** Yeh, Chia-yu

**Organization(s):** Persons with HIV/AIDS Rights Advocacy Association of Taiwan

**Language to be used:** Chinese

<b>Statement</b>	
Session	Session(1) 【speaking order: 16】
Main Article(s)	5
General Recommendation(s)	No. 15, No.21
Summary Statement	<p><b>HIV transmission is the sole reason for the government's blanket ban on other human rights.</b></p> <p>That an HIV positive woman may be facing deportation or cancellation of residence permit is clearly in contravention of the aforementioned provisions and disregards the interests of the children and the equality of rights and responsibilities during marriage.</p>

## Oral Statement of Non-Government Organizations

**Name:** Chang, Chueh

**Organization(s):** Taiwan Action Alliance for Mental Health, Taipei Twins

Association **Language to be used:**

<b>Statement</b>	
Session	Session(1) 【speaking order: 17】
Main Article(s)	2 , 4, (11, 12, 14)
General Recommendation(s)	
Summary Statement	<p>1. Now the Gender Impact Assessment (GIA) only focus on every 3-5 years long term projects. It is inadequate. The monitoring and evaluation should also be carrying out in all projects parallel.</p> <p>2. Personnel in the same Department or Ministry should interact with the gender statistics and discuss with the gender analysis.</p> <p>For example :</p> <p>(1) P351 table 12-12 maternal mortality rate: In 2012, age 35 and above is very high but no attention on this issue.</p> <p><b>Suggestion: Need well designed for older age maternal program.</b></p> <p>(2) The respite service utility rate. From p360 table 12-22, there is no real number of men and women. (We do not know how many women compare to men really got the services.)</p> <p>3. Special group such as women in agriculture. From p393-394 tables 14-13,14-14, 14-15, 14-16 , we can't know who are real women belong to agriculture based on the regions of north, south, east and west. Especially indigenous women and older women in rural areas.</p> <p><b>Suggestions: Appropriate statistics data.</b></p> <p>4. About Genetic Health Law on abortion regulation. From p18, 2.36 it is void and useless to change agreement from husband become to inform their spouse as the remedy.</p> <p><b>Suggestion: delete the regulation.</b></p> <p>5. From p32 4-12, 4-14 there is no special design for multiple birth mothers from the protection for mothers.</p> <p><b>Suggestion: Need to design more appropriate program such as maternal leave and preterm examination etc.</b></p>

## Oral Statement of Non-Government Organizations

**Name:** Huang, Chu-yu

**Organization(s):** Taiwan LGBT Family Rights Advocacy

**Language to be used:** Chinese

<b>Statement</b>	
Session	Session(1) 【speaking order: 18】
Main Article(s)	1, 2, 3, 4
General Recommendation(s)	
Summary Statement	<p>1. Will the government implement policies in accord with the CEDAW framework and provide gay and lesbian families with guarantees equivalent to heterosexual marriages in fields such as adoption, assisted reproduction, parent and child relations, national social welfare systems and the design of the legal system?</p> <p>2. What education initiatives should the government take to correct the current situation in which courts and adoption agencies discriminate against lesbian women and thus make it very difficult for same-sex family to adopt children? (Articles 1, 3)</p> <p>3. How should the government revise the Artificial Reproduction Act given the current situation in which the existing act makes it impossible for single women or lesbians to bear children? (Articles 1, 2)</p> <p>4. What should the government do about the current situation in which the inability of lesbian families to establish legally valid relationships often causes harm to the parental rights of the one partner when the other is not direct birth or adoptive parent and thus affects the union itself? (Articles 1,4)</p> <p>5. Does the government have concrete measures in the national social welfare system and the design of the legal system that can ensure parent-child and partnership relationships? (Articles 1, 2)</p>

## Oral Statement of Non-Government Organizations

**Name:** Chen, Wei-zhen

**Organization(s):** Transgender Punk Activist

**Language to be used:** Chinese

<b>Statement</b>	
Session	Session(1) 【speaking order: 19】
Main Article(s)	1, 6
General Recommendation(s)	No.28
Summary Statement	<p><b>Article 1:</b> Regarding the definition of “women”</p> <p>Taiwan’s Department of Gender Equality of the Executive Yuan has also begun to discuss the applicability of CEDAW to SOGIE (sexual orientation, gender identity and expression). Specifically, whether the interpretation of “woman” is <u>essentialist</u> or <u>intersectional</u> (including SOGIE, CEDAW Committee, 2010) determines the recognition of receiving the recognition and guarantees of CEDAW. We ask that the government maintains an openness regarding the definition of “woman.”</p> <p><b>Article 6</b></p> <p>Whether in Taiwan or in global society, there is polarized debate on sexual transactions and human trafficking. Given the criminalization of the publication of information on sexual transactions on the internet, lower-strata transgender sex workers face even higher risks of violence or disease than cisgender-women sex workers. We urge the committee to pay attention to the two sides of the debate on sexual transactions and adopt proposals appropriate for both sides.</p>

## Oral Statement of Non-Government Organizations

**Name:** Hiker CHIU

**Organization(s):** Intersex International-Chinese (Oii-Chinese)

**Language to be used:**

<b>Statement</b>	
Session	Session(1) 【speaking order: 20】
Main Article(s)	5
General Recommendation(s)	
Summary Statement	<p>Gender stereotype within gender binary system is still not eliminated in Taiwan. It suppresses not only general atypical women in appearance but also transgender and intersex people who are atypical mentally and biologically. I am the only one intersex woman come out publicly in Taiwan. My masculine body was born naturally and it is not congruent with typical gender stereotype in my body and appearance. This fact and possibility has not been accepted and learned positively by the society which making self-acceptance and self-understanding extremely difficult for me. Wearing neutral will be seen to pretend as a man; wearing female dress will have to take the risk to be seen as a cross dressed man; walking into female restroom will have to worry about to be kick out; entering working place will have to nervous about typical gender role expectation. And often time, there are good hearted people eager to help me how to be a woman. Although I came out as an intersex publicly, these pressures from the gender stereotype and bias never leave me alone any second. Even though I have high education, making a basic living in this society is still extremely difficult for me.</p> <p>The bio, psycho and social diversity and variations of gender and gender role should be learned and further promoted in Taiwan on education, law, working place, public spaces design to eliminate the discrimination from binary gender stereotype.</p>

## Oral Statement of Non-Government Organizations

**Name:** Zoe YE

**Organization(s):** Intersex, Transgender and Transsexual People Care Association

**Language to be used:**

<b>Statement</b>	
Session	Session(1) 【speaking order: 21】
Main Article(s)	2, 5, 10, 11,12, 15
General Recommendation(s)	
Summary Statement	<p>ISTScare’s response to this State Report: The Taiwan government has already declared that it has begun to improve conditions for transgender persons, but the transgender community has yet to perceive any signs of such an effort.</p> <ol style="list-style-type: none"> <li>1. Records of gender change remain clearly visible in household registries and police and the Joint Credit Information Center can easily access this extremely personal and private data.</li> <li>2. The government commissioned a private sector publisher to produce reading material on the issue of gender diversity, but it has not energetically promoted its distribution and there remains a high degree of misunderstanding and even apprehension regarding transgender persons that causes grave harm to the employment rights, the right to receive education and other human rights for transgender persons.</li> <li>3. The government has indicated that it has seen and acknowledged the existence of the option of “Gender X” among foreign citizens entering Taiwan, but still has yet to express any inclination to permit any possibility for Taiwan nationals to freely choose and register with the “X” option in a blatant example of “favoring one side and discriminating against the other.”</li> <li>4. Authorities rejected the application of Tsai Ya-ting, a trans woman (a male-to-female transgender person with a female gender identity), for a National Identification Card in 2002 because the long-haired feminine image in her identification photograph. The following year, because of the rejection by society, she committed suicide. The government has not learned from this lesson and has deliberately ignored the urgent desire of transgender persons to adopt a legal gender status in accord with their self-identity and thus is committing an unforgiveable violation of human rights.</li> </ol>

## Oral Statement of Non-Government Organizations

**Name:** Chen, Yao & Chiao-hsin Tseng

**Organization(s):** LIMA Taiwan Indigenous Youth Working Group

**Language to be used:** Chinese

<b>Statement</b>	
Session	Session(1) 【speaking order: 22】
Main Article(s)	1-6
General Recommendation(s)	
Summary Statement	<ol style="list-style-type: none"> <li>1. The stereo types held against the Indigenous Peoples, particularly indigenous women, by the mainstream society has not improved in the past few decades. One of the reasons is that the mass media often objectify women, and exaggerate social events and tabloid news regarding indigenous women. Therefore indigenous women face dual burdens of oppression, based both on gender and ethnicity.</li> <li>2. The government failed to establish an intricate and nuanced view and inventory of indigenous cultures, thus often ignores the complexity and uniqueness of culture and social structure of different ethnic groups. This oversight leads the government to see indigenous peoples as a homogenous singularity, and produces policies that are detached from the contexts and values of indigenous cultures. This has immense negative impacts on the rights of indigenous women.</li> <li>3. The Pinuyumayan people has a long-lasting mechanism, such as the Palakuan, to deal with the male-female division of labor and negotiation among stakeholders. This deserves to be respected by the government and the society at large, and the gender policy should be able to reflect the cultural practices and perspectives of indigenous peoples, so that it will not lead to another form of discrimination.</li> </ol>

## Oral Statement of Non-Government Organizations

**Name:** Sophie L.C. Liang

**Organization(s):** National Alliance of Taiwan Women’s Associations

**Language to be used:** English

<b>Statement</b>	
Session	Session(1) 【speaking order: 23】
Main Article(s)	14
General Recommendation(s)	
Summary Statement	<p>International Cooperative Alliance (ICA), and UN publicly announce to the world that the network of Cooperative Enterprises help to eliminate the poverty, create jobs, and build a better life, as the figures 1, 2, 4 shown in the report.</p> <p>Even the capitalist society as USA, the ‘National Cooperative Development Act’ cited in 112th Congress, 2011–13(Text as of Dec 15 2011). There are authorized to be appropriated to the Secretary for the award of grants under the National Cooperative Development Program, to remain available \$25,000,000 for annual fiscal year 2012-16 until expended. The White House emphasizes the conversation with the National Cooperative Business Association (NCBA) and 150 representatives from Co-operatives in May, 2012. The three-hour dialogue covered every co-op segment with discussion of issues about agricultural cooperatives, consumer cooperatives, credit unions, health and housing cooperatives, mutual insurance, rural electric cooperatives and worker cooperatives. The overall discussions moved through every generation, from co-op hospitals to child care cooperatives to student cooperatives and all the way to senior cooperatives.</p> <p>We urge the Government widely apply this social economic business model to incubate women learning self-help, mutual help, and to catch up the international path. We present the following two concrete policy suggestions:</p> <p><b>1. Actuate Article 145 of the Constitution of the Republic of China, respecting the seven cooperative principles of the ICA;</b> the government should also adopt legislation facilitating the policy of Cooperative Economic Development for the country, to promote mechanisms of economic</p>

development and financing for the Third Sector, to overcome the deprivations and defects caused by large commercial interests, and to ensure the citizens' stability of livelihood. Set up a development fund for cooperatives, a platform for initiation of cooperatives, and financial mechanisms for insuring their risks. Create an environment that is conducive to the development of cooperatives, **as designated by the United Nations (2001), and ICA (2012).**

**2. Set women's cooperative economy** as an important link in stimulation of the national economy; **coordinate the tasks of all government agencies concerning cooperatives**; elevate the rank of the overseeing bodies in the central government; formulate concrete policies and steps to assist women in forming coop organizations in all kinds of business. **Follow ILO recommendation No. 193 on the promotion of cooperatives, which provides guidelines for legislation on cooperatives.**

**2-1. Reinforce education for a cooperative economy among all governmental agencies and citizens**, especially for rural areas that have need for economic development, and even more for older women entering the work force for a second time who have urgent need for assistance from the government.

**2-2. Convene a national/international forum on "Women and the Cooperative Economy"**; share successful international experiences; demonstrate the government's attention to formulating policy; strengthen cooperative learning among the populace.

## Oral Statement of Non-Government Organizations

**Name:** Lee, Ping & Yun-chun Lan

**Organization(s):** YWCA of TAIWAN

**Language to be used:** Chinese

<b>Statement</b>	
Session	Session (2) 【speaking order: 1】
Main Article(s)	9
General Recommendation(s)	
Summary Statement	<p>The government has relaxed the standards of application, yet in terms of the financial means or registering permanent addresses, there are some differences between the central government and the local governments as well as between local governments. We sincerely ask the review committee to request the Taiwanese Government at the recommendation part in the conclusion:</p> <p>To strengthen the job training of the public officers in terms of the spouse citizenship naturalization regulations and case analysis as to avoid the inconsistency of the naturalization reviewing in different execution units as it may affect and damage the rights of the foreign spouses.</p>

## Oral Statement of Non-Government Organizations

**Name:** Lin Mei-hsun & Chiou-lan Wang

**Organization(s):** Modern Women's Foundation

**Language to be used:** Chinese

<b>Statement</b>	
Session	Session (2) 【speaking order: 2】
Main Article(s)	9
General Recommendation(s)	No.19, No.28
Summary Statement	<p>1. The government should revise the Immigration Act and the Nationality Act so that the handling of the questions of the guardianship of minor children, the residence rights of new resident parents and naturalization in domestic violence cases can be delinked and re-examine and reconsider the conditions by which foreign citizens can obtain residence rights and citizenship so that gender discrimination can be eliminated and the human rights of new residents be respected.</p> <p>2.The Judicial Yuan should review the principles of the current practices of judgments on the guardianship of minor children, specifically as to whether there are different standards used in the handling of cases of divorces and guardianship of minor children for new residents compared to local citizens and whether there are situations of gender discrimination and insensitivity to cultural diversity and supervise all levels of judges, judicial officers and mediators to see whether there such officers have engaged in such actions and to correct such situations and impose sanctions.</p>

## Oral Statement of Non-Government Organizations

**Name:** Chang, Yu-chao

**Organization(s):** Hsinchu Diocese of the Catholic Church in Taiwan

**Language to be used:** Chinese

<b>Statement</b>	
Session	Session(2) 【speaking order: 3】
Main Article(s)	9
General Recommendation(s)	
Summary Statement	<p>1. Regarding female foreign spouses: Their chastity is subject to explicit restrictions in the Nationality Act and still can become a condition for the loss of Taiwan nationality. From the moment she enters Taiwan until she obtains Taiwan nationality and for five years afterward, a period of nearly 10 years, foreign spouses must maintain faithful in their marriages. Moreover, they cannot have any criminal record or else their Taiwan nationality can be revoked.</p> <p>2. Regarding children of foreign spouses born out of wedlock: Especially in the cases of women whose mother country is Vietnam, if they give birth to children whose paternity is unclear before they obtain Taiwan nationality or after their Taiwan nationality is revoked, the children in question will neither be considered to be of Taiwan nationality nor even legally determined to be “stateless” persons while they are living in Taiwan and will not be qualified to receive social insurance, receive certification of national education and will therefore be in an extremely disadvantages position analogous to ghosts.</p> <p>These types of women and children are manifestly subjected to discrimination by the policies of our country’s policies, but there is no way to collect statistics, especially in the case of children. This issue has been the subject of long-term protests by NGOs and is a problem that both the Taiwan government and the government of Vietnam are extremely reluctant to handle.</p>

## Oral Statement of Non-Government Organizations

**Name:** Chiu, E-ling

**Organization(s):** Taiwan Association for Human Rights

**Language to be used:** English

<b>Statement</b>	
Session	Session (2) 【speaking order: 4】
Main Article(s)	9, 11, 15
General Recommendation(s)	No.21, No.26
Summary Statement	<p>Since many social welfare and basic rights are based on the ID card in Taiwan, many women who married with Taiwanese have to naturalize to Taiwanese for the reason. According to the Nationality Act in Taiwan, anyone who applied for naturalization has to abandon their original nationality in advanced. Therefore, more and more female foreign spouses became stateless people in Taiwan. Most of them are not permitted to work, cannot enjoy social welfare or health insurance because the status, some of them even have no place to stay after they divorced with their husbands.</p> <p>Most female migrant workers are domestic workers in Taiwan. They are not protected by the Labor Basic Law in Taiwan, so they often work overtime without any holidays, and are difficult to compliant their situation. Since the limitation of Taiwan policy, they cannot change the employers as they wish, it made them became the fled migrant workers or victims of human trafficking very often.</p>

## Oral Statement of Non-Government Organizations

**Name:** Juan, Chun-ta

**Organization(s):** Association for Taiwan Indigenous Peoples' Policies

**Language to be used:**

<b>Statement</b>	
Session	Session (2) 【speaking order: 5】
Main Article(s)	7
General Recommendation(s)	No.23
Summary Statement	<p>1. Statutory law (Article 68, Civil Servants Election And Recall Act, 2014, and Article 33, Local Government Act, 2014) requires that female representation be guaranteed. “In the event there are a total of four special municipality councilors, county /city councilors, and township/city representatives to be elected by an electoral district, there should be one female among the elected.” Which applies to elections in the indigenous districts. However, at the level of county/city councils, only three counties (Tai-tung, Hua-lien, Ping-tung) were able to meet this requirement. We suggest that the system to reserve seats for women, including the base for calculation of the number of seats, in the indigenous districts be thoroughly reviewed.</p> <p>2. Based on data released by the government, female civil servants comprised 39.9% of total, whereas the ratio was only 28.6% among civil servants with indigenous status. Among the senior civil servants (“Grade 14” officials), female comprised 16.2% in the Council of Indigenous Peoples (CIP), much lower than the national average of 27.9%. None of the directors of the 6 departments in the CIP is female. We request the CIP to give explanation and improvement plans.</p> <p>3. Data about the participation of indigenous women in public affairs is scarce and inaccessible, such as Village Heads and Wardens, community organization, educational institutes and State-owned enterprises. The lack of data makes it impossible to assess the improvement in the disadvantages faced by indigenous women in participation to public affairs. The CIP should provide disaggregated data on employment and representation which would allow discern inequality based on both gender and indigenous status.</p>

## Oral Statement of Non-Government Organizations

**Name:** Keng, Shuang-shuang

**Organization(s):** Taipei Women's Rescue Foundation

**Language to be used:** Chinese

<b>Statement</b>	
Session	Session (2)
Main Article(s)	6, 10
General Recommendation(s)	
Summary Statement	<p>(1) Regarding Point 20 in the List of Issues:</p> <p>1. The issue of “comfort women” has already been incorporated into the outline for senior high school history textbooks, but has not been introduced into textbooks for elementary and junior high schools.</p> <p>However, elementary and junior high schools comprise the extent of Taiwan’s mandatory education at present. Therefore, a student who does not continue his or her education into senior high school will not be able to learn about the history of “comfort women” and infringement of the human rights of women during the Second World War.</p> <p>(2) Regarding Point 13 in the List of Issues:</p> <p>1. Illegally acquired income from human trafficking cannot easily be traced or confiscated and there are few convictions issued for crimes under the Human Trafficking Prevention Act. Therefore, even though the victims are determined to be victims of human trafficking, they are unable to apply for the income which was criminally exploited from them as reparations.</p>

## Oral Statement of Non-Government Organizations

**Name:** Wang, Li-ching

**Organization(s):** Taiwan Gender Equity Education Association

**Language to be used:**

<b>Statement</b>	
Session	Session (3) 【speaking order: 1】
Main Article(s)	10, 12
General Recommendation(s)	No.28
Summary Statement	<p>Regarding Item 20 in the List of Issues and Questions by the Review Committee, the gender bias review principles drafted by the government did not mention diversity in sexual orientations or gender identity. Elementary and junior high school textbooks do not show any LGBT-related information, i.e., heterosexism is considered as the single norm of gender relationship. The teaching materials for gender diversity education appropriate for all levels of schools are extremely limited. The teacher manuals for gender equity education that the Ministry of Education had commissioned university professors to compile were opposed by the conservative religious groups and were censured to be corrected by the committee members of the Control Yuan. It is one of the obligations born by the nation to protect youth from being discriminated based on their sexual orientation, external appearance, and behavior. However, the government pays little attention on the predicament facing LGBT youth. We strongly recommend that the school curricula should incorporate diversity into the gender identity and related human rights issues, and the topics of sexual orientation, gender identity, and anti- discrimination should be included into gender equity education.</p> <p>In addition, the practice of sex education at schools, by and large, still lingers on the level of merely teaching anatomical and biological knowledge of the body. Some of the school workers even instill the monolithic view and value on “the supremacy of virginity,” or utilize extremely negative and coercive teaching materials in order to terminate the curiosity and exploration of the teenagers toward intimacy. The above practices not only fail to respond to the needs of the adolescents, but also negatively impact the adolescent health of the mind and body. We strongly suggest that the nation’s curricula of sex education should emphasize the positive perspective of sex education.</p> <p>The government agencies should actively design and promote programs for sexual health and sex education with gender sensitivity.</p>

## Oral Statement of Non-Government Organizations

**Name:** Lilian LIU

**Organization(s):** Tainan Association for the Promotion of Gender Equality

**Language to be used:** English

<b>Statement</b>	
Session	Session (3) 【speaking order: 2】
Main Article(s)	11
General Recommendation(s)	No.27
Summary Statement	<p><b>Home care service personnel &amp; the right of employment as stated per CEDAW Article 11</b></p> <p>1. Solutions</p> <p>We recommend that Ministry of Health and Welfare shall institutionally improve wages of frontier workers, such as shift the payment from the hourly wage to the monthly wage for a stable monthly income and the protection from the Labor Standards Law, but keep the hourly wage for their choice at the same time.</p> <p>2. Specific Approach</p> <p>We recommend that the hourly wage of a service worker should be raised from NT.180 (now) to NT. 220-240, if we use 20 work days per month as reference, that is 160 hours' work for a month, then the frontier worker may have NT.35,200-38,400 monthly income as the monthly wage. In this way, not only frontier worker's right to work but also the right of service-needed are protected. Besides the frontier workers would be willing to work continually and their agencies' budget would be stable, the long-term care system would function well subsequently.</p>

## Oral Statement of Non-Government Organizations

**Name:** Cheng, Chu-ling & Fan-chu Shen

**Organization(s):** The League of Welfare Organization for the Disabled, ROC

**Language to be used:** Chinese

<b>Statement</b>	
Session	Session (3) 【speaking order: 3】
Main Article(s)	11, 12
General Recommendation(s)	
Summary Statement	<p><b>Article 11: Employment for women with disabilities</b></p> <p>Current status: The employment-population ratio for women with disabilities far below similar ratios for women without disabilities or for men with disabilities and most women with disabilities are basic-level skilled or unskilled laborers or self-employed or work in the informal sector. Persons engaging in temporary or informal employment usually have no regular employer and thus are unable to join employment insurance and do not have access to social insurance safety net programs such as “unemployment payments” or “unpaid parental leave for raising children.”</p> <p>Specific recommendations:</p> <ol style="list-style-type: none"> <li>1. The government should draft plans for measures to promote the employment of women with disabilities.</li> <li>2. The government should draft revisions on the provisions of the Labor Insurance Act regarding enrolling in the labor insurance program and require mandatory enrollment in the labor insurance program for workers who actually hold jobs and expand the scope of the Employment Insurance Act.</li> </ol> <p><b>Article 12: Health and reproduction rights for women with disabilities</b></p> <p>Current status: Paragraph 12.57 of the State report mentions that the People with Disabilities Rights Protection Act provides many services and measures, but these services are not differentiated based on gender and do not meet the needs of women with disabilities. In addition, the responsible agencies have not provided follow-up services as required by Article 21 of the People with Disabilities Rights Protection Act.</p>

Specific recommendations:

1. The government should carry out a survey of the needs of women with disabilities in the fields of health and reproduction and provide adequate and appropriate environment and services.
2. The government should consider the different needs of women with disabilities and proactively remove all barriers faced by women with disabilities when they seek medical care and ensure that everyone of them can receive the most suitable medical care services.

## Oral Statement of Non-Government Organizations

**Name:** Wang, Shu-fen

**Organization(s):** The Garden of Hope Foundation

**Language to be used:**

<b>Statement</b>	
Session	Session (3) 【speaking order: 4】
Main Article(s)	10, 11
General Recommendation(s)	No.11
Summary Statement	<p>1. In response to Article 10 of the Taiwanese government’s report (10.27.1) regarding serious errors in basic statistics on the right of pregnant adolescent girls to receive an education, just taking the example of the proportion school-age girls who continue their education, the figures overlook girls who have chosen to leave school because they suspended their studies. Therefore there is a big gap between the real number of teenage births and the official figure, which does not reflect the actual situation. Therefore, we need to ask whether adolescent Taiwanese girls who become pregnant are less well educated than average? What practical policies does the government have to improve the education of pregnant adolescent girls? What practical welfare support is targeted at adolescent parents to improve the stability and completeness of young families?</p> <p>2. Article 11: The Taiwanese government’s current affordable child-care, child-care facilities or subsidies are woefully inadequate, and unable to help disadvantaged working mothers (or pregnant teenagers) to hold down a job or stay in school. At the same time, the government’s labor, social and educational services should be focused and synergized into a practical policy framework to help disadvantaged women find employment.</p>

## Oral Statement of Non-Government Organizations

**Name:** Yan, Shang-luan

**Organization(s):** Mental Health Association in Taiwan

**Language to be used:**

<b>Statement</b>	
Session	Session (3) 【speaking order: 5】
Main Article(s)	10, 11
General Recommendation(s)	No. 11
Summary Statement	<p><b>CEDAW Article 11.1 e) The right to social security</b></p> <p>1. Regards to the planning Long-term Care Insurance, some suggest providing cash allowances to family caregivers, however, this strategy is more likely to strengthen responsibility of unpaid family caregivers. Compared to providing sustainable public care services, household may rather choose immediate cash, and therefore paying cash-for-care allowances may nibble public resources. While the public service is lack of, and the private care is expensive, the caregiving responsibility may fall back to caregiver and family, when the cash allowance is not sufficient. In such case, it is very likely that women enter into informal sector, in order to take care the family and earn money to subsidize the family.</p> <p>2. From a long term view, it is better to provide a universal, affordable and accessible public service to share care responsibility, including childcare or long-term care. Women can only leave the informal sector, when there is good support system to publicize care responsibility and a women-friendly financial policy to help them economically independent.</p> <p>3. In Taiwan, most informal workers are not covered by social security schemes. In 2008, Taiwan has a universal public pension scheme, the National Pension Insurance. It is taken as the main social insurance available for informal worker in Taiwan. But this pension scheme cannot provide informal workers financial assistance to pass through hard times or to resolve their urgent short-term emergency.</p> <p>4. The establishment of gender statistics for informal economy workers, including the demand for household and unpaid family caregivers, and the specific planning measures, in line with the resources they needed as well.</p>

**Joining CEDAW and CRC to Promote Young Women’s Health:**

**Boys Engagement**

1. Joining CEDAW Article 12 and CRC Article 24 to address teen pregnancy issues and to effectively enhance the rights of girls health, especially boys engagement to promote adolescent health benefits has been the international trend.
2. High school male students’ perspectives on teen pregnancy are different from those in vocational school. Considering the current age, physical and psychological state, social conditions, attitudes lean towards disapprove of having sex during adolescent age. High school male students demonstrated sufficient understanding of the reality of the consequences of rash actions.
3. Vocational male students tend to discuss contraception or actions after sex. Some said they will take responsibility after birth, elope, get married, but did not take consideration of the future of the child’s education, parenting responsibility and economic abilities, and simply believed getting a job can solve it all. There was still a lack of mutual respect between genders that was needed to be reinforced.
4. Adolescent Sexual Health Promotion shall target attitudes prior behaviors to improve " social determinants " ( including poverty and socio-economic status , violence and discrimination, gender norms , public policies and laws , cultural norms...etc. ),which created gender inequalities in health outcomes .
5. Others suggestions include: Statistic analysis needed to assess progress and set indicators for improvement; Lower the age of the target audience to middle school boys; Incorporation of national campaign ads via public transportation and media.

## Oral Statement of Non-Government Organizations

**Name:** Yeh, Chia-yu

**Organization(s):** Persons with HIV/AIDS Rights Advocacy Association of Taiwan

**Language to be used:** Chinese

<b>Statement</b>	
Session	Session(3) 【speaking order: 6】
Main Article(s)	12, 16
General Recommendation(s)	No.15, No.21, No.26 and No.27
Summary Statement	<p>1. <u>about the HIV testing, the access to treatment, and the right of abode.</u></p> <p>Unlike native women, woman immigrants and foreign woman workers are compelled to get HIV testing. Once their HIV testing results are found positive, only very few – so far there are only twenty, according to the national report – woman immigrants and foreign woman workers can access to medical treatments and can stay in Taiwan. Most of the HIV-positive woman immigrants and foreigners have been dismissed without preconditions and have also been forcibly repatriated. They are not permitted to receive any medical caring in Taiwan; moreover, there are no connections for the matters of HIV/AIDS treatment and caring between the Taiwanese government and the native countries of those woman immigrants and foreigners.</p> <p>2. <u>about the legal information.</u></p> <p>There are no legal information of health right protection and of the legal steps for relief right in the HIV/AIDS-related health promotion handbooks and materials for woman immigrants and foreign woman workers.</p> <p>3. <u>on the immigration.</u></p> <p>No matter having legal marriages or Taiwanese children or not, healthy HIV-infected woman immigrants and foreign woman workers are not permitted to enter and stay in Taiwan for more than fourteen days</p>

## Oral Statement of Non-Government Organizations

**Name:** Hiker CHIU

**Organization(s):** Intersex International-Chinese (Oii-Chinese)

**Language to be used:**

<b>Statement</b>	
Session	Session (3) 【speaking order: 7】
Main Article(s)	12
General Recommendation(s)	
Summary Statement	<p>I am an intersex person and the founder of the only intersex only organization in Taiwan. We commit to find and listen to the voice of intersex people. Our members are still not many at present, collective voices and discourse are still absent. We are willing to wait and accompany patiently because we believe any policy forming without subjective dialogues and discussion is not only empty but could be harm.</p> <p>German the third gender option for birth certificate policy is the example without listen to the voices of the intersex group in German. We call our government to be cautions on this mistake and promise to listen to intersex people's voices before making any policy not any other who try to represent intersex.</p> <p>Not necessary, non-consensual and irreversible genital amputation is the key human right issue for intersex, the harms are also practiced in Taiwan, I am the one who have been through this. We hope our government help medical doctors to listen to intersex voices and learn to practice medical care for intersex people under protecting our human right, giving real medical help to intersex people.</p>

## Oral Statement of Non-Government Organizations

**Name:** Lee, Pi-chi

**Organization(s):** Good Shepard Social Welfare Services

**Language to be used:** Chinese

<b>Statement</b>	
Session	Session (3) 【speaking order: 8】
Main Article(s)	11-14
General Recommendation(s)	
Summary Statement	<p>Because of inconvenient transportation, aborigine women residing in aborigine communities usually do not live in which population is concentrated and such environmental limitations restrict their choices and face even greater challenges.</p> <p>(1) Aborigine women in urban areas can engage in factory or construction work, but women in tribal areas can only do seasonal agricultural work and have no labor insurance, occupational hazard insurance or other work - related guarantees. The State has neglected planning and assistance for aborigine communities. The government and its policies should realize protections for the labor rights of atypical workers and, in particular, should intensify efforts to require employers to comply with implementing such protections. In addition, the State should strengthen linkages between current employment promotion services and local aboriginal culture and context.</p> <p>(2) Many child care facilities in remote communities have been closed on the grounds that such facilities failed to meet safety regulations in safety inspections, but the State has failed to carry out any further planning to address the child care needs of these communities. The government should implement measures to develop community child care facilities that and should explain in detail how current polices can develop child care services that safeguard the rights of aborigine women and the culture rights of aboriginal children.</p> <p>(3) Although civil law mandates that men and women both have the right of inheritance, the reality in Taiwan is that male inheritance is the norm and that women are often forced to sign agreements abandoning their inheritance. Indeed, women are often seen as having “married out” of the family and are thus deprived of their right to inherit land. The government should take measures to protect the right of women to inherit that is guaranteed under civil law.</p>

## Oral Statement of Non-governmental Organizations

**Name:** Huang, Song-lih & Yi-bee Huang

**Organization:** Taiwan International Medical Alliance

**Language to be used:** English

<b>Statement</b>	
Session	Session(3) 【speaking order: 9】
Main Articles	11 (employment), 12 (health)
General Recommendations	
Summary Statement	<p>1. Health inequality: The life expectancy for females in 2011 is 82.5 years for non-indigenous women, 77 for indigenous women in non-indigenous areas, and 73.5 for indigenous women living in indigenous areas. Although the government proposes to establish more medical facilities, this would hardly improve the social conditions associated with the ill-health: low income, poor labor conditions, poor job security, and inappropriate social security. For example, the rate of death related to incidents and injuries among indigenous women was 2.7 times higher than national average, and the age of death in this category is 10 years younger than the national average.</p> <p>2. With regard to employment, many indigenous families have difficulties in finding adequate job opportunities within commute distance, therefore the young generation has to live outside the communities, oftentimes leaving their kids to the care of grandparents.</p> <p>3. For those who managed to have jobs, indigenous women often find themselves in informal employment, earning on hourly wages less than the minimum wage standard, without health insurance, labor insurance or job security. Many of them were reluctant in joining the national pension insurance plan, ironically because they feel insecure about the future.</p> <p>4. According to surveys, many indigenous women find that the government-sponsored training and job placement programs were not beneficial in that the content of training (such as skills in beauty salons or cooking) did not take into consideration local cultural and geographical characteristics and failed to facilitate employment.</p> <p>5. Facing the already challenging disadvantages, the indigenous communities often have to resist the constant threats brought by economic development</p>

	<p>projects, which invade the traditional territories, cause the degradation of community organization and culture, and bring in only few low-grade jobs.</p> <p>6. In summary, we would like to draw attention to the disadvantages in health among indigenous women. This is not only a problem of inadequate health services, but rather an indication of the general wellbeing of the indigenous communities, particularly relating to employment, labor conditions, and social security.</p>
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## Oral Statement of Non-Government Organizations

**Name:** Ho, Bih-jen

**Organization(s):** National Alliance of Taiwan Women's Associations

**Language to be used:** Chinese

<b>Statement</b>	
Session	Session (3) 【speaking order: 10】
Main Article(s)	14
General Recommendation(s)	
Summary Statement	<p>1. With regard to farmers, fishermen and irrigation associations which symbolize the core channels for the constitution and operation of power in rural communities, the government should adopt clear ad hoc special measures, including protected quotas for women in the nomination and election of officers in such associations and other incentive systems, to enhance the degree of public and policy participation for women in rural communities.</p> <p>2. Rural villages are the greatest seed-bed for the storage and replication of gender stereotypes, but this situation is not unchangeable. We urge all government agencies to use the model of the Ministry of Interior’s reform of funeral customs as reference for the re-examination of procedures for all types of licenses and to establish equal rules, provide models of operation and intensify gender education and other measures, such as awards and incentives, training classes and other activities in order to progressively eliminate vested stereotypes in rural communities and in popular culture and custom.</p> <p>3. We urge the government to face the long-term inaccessibility and inequities in access and use of rural medical resources. Before the government promotes long-term care insurance policy, it should first complete the establishment of a widespread, convenient and fairly-priced “small scale and multifunctional long-term care services system” and use community cooperative participation and flexible planning adopted to local conditions and provide assist in the acquisition of service locations in order to avoid the medicalization and commodification of care services and satisfy the needs of the aging rural population and lighten the burdens placed on rural women.</p>

## Statement of Non-Government Organizations

**Name:** Lu, Shih-wei

**Organization(s):** Wild at Heart Legal Defense Association, Taiwan

**Language to be used:** written submission

<b>Statement</b>	
Session	Session (3)
Main Article(s)	13, 14
General Recommendation(s)	
Summary Statement	<p>1. In Question No.5 of the List of Issues and Questions, the government had been required to provide information on the evaluation of the effective implementation of the policy guidelines and their impact. We suggest the committee further require the government to provide information regarding the implementation of gender and human rights impact assessment before the adoption of bills, proposed projects, policy plans, as well as international treaties and agreements.</p> <p>2. As stated in our shadow report, land expropriation in Taiwan is arbitrary. We recommend the committee urge the government to provide the statistical data regarding the effects of land expropriation on different genders.</p> <p>3. Although the Dawu tribe of Orchid Island has provided evidence that in the 30 years of nuclear waste storage on the island, their crops have suffered terrible mutations and cancer cases among residents have increased, the government has yet to conduct any island-wide health screening for the residents. We recommend the committee urge the government to provide a clear schedule on the health screening project (specifically targeting radiation sensitive groups such as women and children) with mechanisms of public participation</p>

## Oral Statement of Non-Government Organizations

**Name:** Jung, Yi-ting & Karen SU

**Organization(s):** Taiwan Rural Front

**Language to be used:** English

<b>Statement</b>	
Session	Session (3) 【speaking order: 11】
Main Article(s)	14
General Recommendation(s)	
Summary Statement	<p>I</p> <p>Home economics extension has been conducted by the department of agriculture (as the Council of Agriculture, Executive Yuan nowadays) since 1956. Rural women in early ages had few opportunities of education and access to knowledge, and in order to promote various profession of home management, farming training, and policy advocacy, the department of agriculture annually budgeted for home economics extension. Through the system of Farmers' Association nationwide, thousands of home economics clubs have been established, where rural women are organized into groups to hold meetings themselves and take training courses monthly.</p> <p>Taiwan's rural development has been comprehensively supported by these home economics clubs in every corner for the past 6 decades, including promotion of family planning in the 1950s, knowledge of home hygiene in the 1960s, prevention and cure of chronic diseases in the 1970s, and lately to increase rural women's income by developing community featured food with local crops.</p> <p>However, for the past 7 or 8 years, the budget has been significantly reduced, more than 50%, without further explanation. For the purpose of promoting family farming and rural women's participation in both daily lives and economics, we suggest the government to offer an official explanation for the budget cut, and furthermore to consider the possibility of restoration.</p>

II

2014 as the International Year of Family Farming (IYFF) allocated by the UN, the role of women in agriculture and the food system is highly recognized and discussed worldwide. Take the Global Forum and Expo on Family Farming held in Budapest, Hungary this March for example. The Chair Summary highlighted a core issue: we all know that women are the backbone of family farming, but their large contribution is not duly recognized in terms of income earned and access to productive resources and assets.

Hence, in the international forum, to increase women's meaningful participation in decision making processes in rural areas and strive for women's equal rights to get access to productive resources, expertise, networks, and education are taken as a worldwide consensus to promote.

Based on the concern over rural women's rights under the IYFF and in Article 14 of the CEDAW, back in Taiwan's experiences, however, training education such as farming expertise and management is mostly intended for men rather than women or young women. Thus, the question we'd like to raise is whether the role of women in farming is duly recognized or not. Are rural women given the same access to resources, expertise training opportunities, and education as men? Particularly in the progress of decision making, are women's participation and opinions equally critical as men's?

## Oral Statement of Non-Government Organizations

**Name:** Chang, Chueh

**Organization(s):** Taiwan Action Alliance for Mental Health, Taipei Twins Association

Language to be used:

<b>Statement</b>	
Session	Session(3) 【speaking order: 12】
Main Article(s)	11, 12, 14
General Recommendation(s)	No.24
Summary Statement	<p><b>A.</b> (will report in session one.)</p> <p><b>B. Women’s Mental Health: Postpartum depression</b></p> <p>1. Women's health policies need to equip with an action plan, which is a formal long-term plan, supervised, evidence-based, includes plans related with gender analysis, depression and mental health literacy. Thus, according to Ottawa Charter in health promotion by integrating action areas should include aspects such as building support community, strengthening &amp; developing personal skills, and reorienting health services.</p> <p>2. More attention should be drawn to address women's health needs. Priority on establishing an inter-ministerial collaboration and actively urge for resource reallocation. Duties on prevention and treatment of postpartum depression should let the Health Promotion Administration and Mental and Oral Health Department under Ministry of Health and Welfare to carry out. Both shall take full responsibilities and take charge in planning and allocating resources, as well as integrating in other maternal health programs. Furthermore, postpartum depression should not only been combined with the duties in suicidal prevention programs. It shall integrate in other mental health promotion programs to reach more intended targets and brings significant improvements.</p> <p>3. Mental health statistics should include more information regarding to gender. Existing health statistics unable to show the current situation of postpartum depression, it should be classified as gender indicators (yearly). It shall be dissemination and publish according birth condition (live birth, stillbirth and miscarriage), sex (male and female), ways of deliver (natural birth or caesarean section), parity (first child, second child, third child or more), a single or multiple</p>

births (twin or multiple births), mothers' age (elderly or minors), ethnic (new immigrants, aboriginal), the marital relationship, etc.

4. During prenatal, pregnancy and post-partum, there's the possibilities to fall-apart and be depress, mental health literacy should cover all process and not just focus only in post-partum stage. Depression assessment should target to pregnant women and also the spouse.

5. Obstetric staff and clinical psychologist shall receive regular in-service education and training regarding about post-partum depression with gender perspective. In addition to the physiological understanding of evidence-based medicine, the need to integrate the gender factor precipitating depression, self-care skill must adaptable. Thus, hoping that the health care workers will be actively providing services during examination births, postpartum hospitalization, and even have the initiative to provide after one month follow-up services.

6. Improve the accessibility of postpartum depression and mental health education health information for mothers. Multi-language version for new immigrants and create web keywords to easily search for postpartum depression information. The content shall not only recommend seeking for medical treatment, more empathy and sensitivity towards emotions are needed.

### **C. Mothers of Multiple Birth**

1. The rights of mothers with twins and multiples must be clearly stated and well-planned.

2. The rights of mothers with twins and multiples to health, to work, to receive maternity care and the needs should take concern.

3. The benefits for families with twins and multiples children should be include in the [low-birth rate] policies. These include home services, health care services, parenting consultation, special childcare subsidies, microfinance services, transportation fee subsidies or other services.

4. Urge the authorities to establish statistical data of twins and multiples births, and also provide special services for multiples' mothers. Implementing programs by various inter-government programs to help and improve issues such as postpartum depression, family discord, and financial difficulties. Children and mothers' health and the high-cost of babysitters should be notice to avoid resign at work unwillingly.

## Oral Statement of Non-Government Organizations

**Name:** Wu, Ji-yi

**Organization(s):** Intersex, Transgender and Transsexual People Care Association

**Language to be used:**

<b>Statement</b>	
Session	Session (4) 【speaking order: 1】
Main Article(s)	2, 5, 12, 15
General Recommendation(s)	No.14, No.24, No.28
Summary Statement	<p>Taiwan's Ministry of the Interior published an executive order regulating the legal gender change process in 2008. The order states that one must pass the evaluation of 2 psychiatrists and be forced to undergo surgery removing breasts, ovaries, uterus, penis, and testes. This order violates 5 United Nations human rights conventions: CEDAW, ICCPR, ICESCR, CAT and CRC.</p> <p>Gender identity is an inseparable part of one's gender. Everyone has the right to gender self-determination and bodily autonomy, and forced surgery is an insult to the dignity of transgender, intersex, and gender-unidentified persons. It also punishes those who desire legal gender change with the price of infertility, surgical complications, and psychological anguish. ISTScare has already seen many cases of those who suffer from the psychiatric evaluation and forced surgery. Gender recognition is a fundamental human right. The government has no right to require surgery for the registration of legal gender change.</p> <p>ISTScare recommends the following:</p> <ol style="list-style-type: none"> <li>1. Immediately abolish forced surgery and psychiatry evaluation requirements.</li> <li>2. Allow a third gender option, freely available to everyone and without compulsion.</li> </ol>

## Oral Statement of Non-Government Organizations

**Name:** Chen, Wei-zhen

**Organization(s):** Transgender Punk Activist

**Language to be used:** Chinese

<b>Statement</b>	
Session	Session (4) 【speaking order: 2】
Main Article(s)	16
General Recommendation(s)	No.28
Summary Statement	<p>Thanks for Committee of CEDAW confirming gender legal recognition without force sterilization is current human rights in "Concluding observations on the seventh periodic report of Finland" (CEDAW/C/FIN/CO/7) item 28-29 on 28 February 2014.</p> <p>Below we reply that government reply "List of Issues" item 44 about legal gender on transgender people:</p> <p>a) Legal gender appeal to medical opinion (so called "scientific knowledge base on classification of physical and psychological gender") will also lead to <u>pathology</u> of transgender people. It violated meeting-resolution on 9 December 2013.</p> <p>b) Biological-sex involves multi-relation between chromosomes, the embryo, hormones, anatomy, genitals or secondary-sexual-characteristics. However, we don't judge someone have human rights or not appeal to biological-evidence of race or consciousness.</p> <p>c) Government and NGO have enough study on international policies, different rights and duties between legal man and woman, military service and culture backgrounds. The problem is that the government's delay, evade each other and one-side decision, ruled out rights of affected people to participate.</p> <p>However, we also remind committee and everyone that there are many options in transgender community. Someone consider canceling all forms of medical intervention; someone consider keeping part of medical process (hormone replay therapy or psychological diagnosis); someone considers keeping sex/gender reassignment surgery (and applies for covered by</p>

medical-insurance); someone consider adopting administrative program. The political dilemma of representation which raise by Gayatri Spivak "Can the Subaltern Speak?" (1988) just deeply occur on minorities. The kind professionals and elite native informant just collusive deals with silencing diverse opinions of transgender community.

We ask that "Concluding Recommendations" includes gender legal recognition for transgender people compliance with human rights and rule of law, but also maintains openness, transparency and deliberative democracy.

## Oral Statement of Non-Government Organizations

**Name:** Victoria HSU

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

**Language to be used:** English

<b>Statement</b>	
Session	Session(4) 【speaking order: 3】
Main Article(s)	16
General Recommendation(s)	
Summary Statement	<p>1. Because same-sex marriages are not recognized, LBT women face restrictions or are denied their access to hundreds of different types of rights and welfare benefits. In particular, LBT women frequently face intersecting forms of discrimination due to their status as women and as having sexual orientations or gender identity and therefore are placed in an even more disadvantageous social position. To take the simplest example, since men usually enjoy inheritance rights and since discrimination based on gender remains rampant in employment markets, lesbian couples are more likely to face economic difficulties than women in heterosexual marriage or gay couples.</p> <p>2. The TAPCPR believes that the government should implement Points 78 and 79 in the Concluding Observations and Recommendations issued by the experts after the review of the State Report on the two covenants in 2013 and promptly permit the entry of the draft Marriage Equality Act into the legislative agenda. Only by granting LBT women “marriage equality” (freedom of marriage) can the homophobia, transphobia and discrimination in society be prevented.</p> <p>3. In addition, the government should provide guarantees of official status for same-sex or different-sex cohabiting partnerships that are not marriages as only through such recognition can women in heterosexual relationships and LBT women be freed from the joint oppression imposed by the marriage and family concepts jointly formed by patriarchy and compulsory heterosexuality.</p>

## Oral Statement of Non-Government Organizations

**Name:** Huang, Chu-yu

**Organization(s):** Taiwan LGBT Family Rights Advocacy

**Language to be used:** Chinese

<b>Statement</b>	
Session	Session (4) 【speaking order: 4】
Main Article(s)	16
General Recommendation(s)	No.29
Summary Statement	<p>1. The problem of adoption lies in the limitation of the evaluation standards used by adoption matching services agencies and courts to the framework of heterosexual marriages and the resulting discrimination in the processing of adoption applications. What should the government do with regard to education and training for personnel in the judiciary and in adoption agencies, the design of methods of evaluation and statistical monitoring of the rate of same-sex adoptions in the total number of adoptions and follow-up actions in the discrimination cases?</p> <p>2. The issue of assisted reproduction lies in the fact that use of this method is legally only permitted for use under special conditions by husbands and wives who are unable to produce a pregnancy and excludes the equal right of use by lesbian partnerships, single women or non-married transgender persons. How should the government revise related laws?</p> <p>3. Regardless of what method a same-sex family uses to bear or adopt children, the determination of the parent-child relationship based on existing law does not recognize the parental rights of the other partner, creating a situation that erodes familial rights and obligations. How should the government handle this situation?</p> <p>4. Should the national social welfare system and legal institutions provide substantial guarantees to pluralistic families in order to secure the best interests of the child, ensure parental relations in the context of a close-knit family network, equal treatment in a jointly and mutually supporting life style and balanced economic rights for both partners?</p>

## Oral Statement of Non-Government Organizations

**Name:** Chang, Kai-chiang

**Organization(s):** Taipei Women's Rescue Foundation (TWRf)

**Language to be used:** Chinese

<b>Statement</b>	
Session	Session (4) 【speaking order: 5】
Main Article(s)	16
General Recommendation(s)	No.19, No.28
Summary Statement	<p>1. Funds, manpower and resources for the prevention of domestic violence are insufficient and budgets for domestic violence prevention programs have not risen in pace with the steady rise in the number of cases and victims of domestic violence.</p> <p>2. Some judicial, prosecutorial and police personnel continue to manifest discrimination based on gender and nationality toward female victims of domestic violence (especially new immigrant women).</p> <p>3. Most victims of violence who do not cohabit but have intimate relations are female. Although there are problems with the protective measures under the Domestic Violence Prevention Act such as the protection writs which take too long to be issued and their duration is too short and the treatment programs for domestic violence offenders have been ineffective, we recommend that the DVPA be revised as soon as possible to bring victims of non-cohabiting intimate violence under its scope and that the government should invest resources and research and realize effective domestic violence protection policies.</p>

## Oral Statement of Non-Government Organizations

**Name:** Liao, Shu-wen

**Organization(s):** Taiwan Coalition Against Violence

**Language to be used:** English

<b>Statement</b>	
Session	Session (4) 【speaking order: 6】
Main Article(s)	16
General Recommendation(s)	No.12, No.19
Summary Statement	<p>The national report mostly emphasize on the aspect of third degree crisis management and protection, while deficient in victim’s treatment, life rebuild and the orders of protection’s effect on precautionary measures.</p> <ol style="list-style-type: none"> <li>1. Is there any offender treatment policy? How much of the resources invested? Is it enough? What are the effectiveness of treatment? ( including mandatory and voluntary acceptance of the case)</li> <li>2. Victims need to have economic empowerment or supported employment or workplace violence prevention policies and programs? How much of the resources invested? What are the effectiveness of treatment?</li> <li>3. Overall, the effect of the issuance of protection orders is poor, including the time is too long, the project is too limited, too few criminal protection orders issued.</li> </ol>

## Oral Statement of Non-Government Organizations

**Name:** Chen, Yao & Chiao-hsin Tseng

**Organization(s):** LIMA Taiwan Indigenous Youth Working Group

**Language to be used:** Chinese

<b>Statement</b>	
Session	Session (4) 【speaking order: 7】
Main Article(s)	15, 16
General Recommendation(s)	
Summary Statement	<p>1. The law and social practices of the mainstream society imposes great effect upon the traditional Indigenous society, and weakened the Indigenous women’s position at home and their socio-economic status. For example, in the traditional Paiwan social system, it is the first-born child (regardless of its sex) to shoulder the economic burden and inherent the property. But the mainstream law system emphasized on the patriarchy ideology and create awkward phenomenon in the Paiwan society. The Han culture promoted the importance of the males only. If the first-born is a female, she would be expected to take care of the whole family but when it comes to inherent the family property, she, as a married woman, would be considered as an outsider. Her brother would then inherent the property, no matter if he has the capacity or willingness. This broke down the Paiwan family’s division of labor.</p> <p>2. The research conducted by Chen,Chiu-Ying and Wang, Frank T. Y et al in Nantou County and Xinyi Township in 2006, shows that 37.8% of Indigenous women faced more abuse (including physical and language/oral violence) than the Han-Chinese people (17.6%). The difference is even greater with regard to physical violence (17.8% vs. 2.8%). The abovementioned study and the official statistics clearly indicate the importance and particularity of Indigenous domestic violence, however this study was not supported by further studies, which is vital in terms of establishing prevention mechanisms.</p> <p>3. There are complex structural factors behind the issue related to domestic violence among Indigenous woman. We therefore recommend that the Government should take into consideration post-colonialization context,</p>

	<p>political and economic structures, ethnic and cultural factors and the community's characteristics in making the strategic plan to prevent domestic violence and practicing the treatment and rehabilitation programs for the Indigenous woman following domestic violence. This will better achieve effective protection for Indigenous woman's personal safety and their right to psychological wellbeing.</p>
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## Oral Statement of Non-Government Organizations

**Name:** Kuan, Hsiao-wei

**Organization(s):** Awakening Foundation

**Language to be used:** English

Statement																																					
Session	Session (4)																																				
Main Article(s)	15, 16																																				
General Recommendation(s)																																					
Summary Statement	<p>1. In Taiwan's legal system, the institution of monogamous marriage is secured through criminal punishment of adultery.</p> <p>2. Although the crime facially punishes both genders in equal fashion, the statistics of its practice shows that women are more vulnerable to adultery punishment.</p> <p style="text-align: center;">Gender Portion of Prosecution after Complaints Filed (2008-2012)</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th>Male</th> <th>Female</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Prosecuted</td> <td>2810(49.09%)</td> <td>2914(50.91%)</td> <td>5724</td> </tr> <tr> <td>Not Prosecuted</td> <td>1799(51.49%)</td> <td>1695(48.51%)</td> <td>3494</td> </tr> <tr> <td>Total</td> <td>4609</td> <td>4609</td> <td>9218</td> </tr> </tbody> </table> <p>p=0.026 (p&lt;0.05)</p> <p style="text-align: center;">Gender Portion of Guilty Verdicts (2003-2012)</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th>Male</th> <th>Female</th> <th>Other</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Guilty Verdicts (% of total Guilty Verdicts)</td> <td>1647 (45.45%)</td> <td>1945 (53.67%)</td> <td>32</td> <td>3624</td> </tr> <tr> <td>Other Verdicts (% of total other verdicts)</td> <td>1196 (47.05%)</td> <td>1194 (49.36%)</td> <td>29</td> <td>2419</td> </tr> <tr> <td>Total</td> <td>2843</td> <td>3139</td> <td>61</td> <td>6043</td> </tr> </tbody> </table> <p>p=0.001480667(p&lt;0.05)</p> <p>3. Women who have been labeled as adultery convicts face the prejudice and stigma. They are easier than their male counterparts to be subject to the state scrutiny for their misbehavior with a threat of losing their immigrant status, divorce trial, child custody and jobs.</p>		Male	Female	Total	Prosecuted	2810(49.09%)	2914(50.91%)	5724	Not Prosecuted	1799(51.49%)	1695(48.51%)	3494	Total	4609	4609	9218		Male	Female	Other	Total	Guilty Verdicts (% of total Guilty Verdicts)	1647 (45.45%)	1945 (53.67%)	32	3624	Other Verdicts (% of total other verdicts)	1196 (47.05%)	1194 (49.36%)	29	2419	Total	2843	3139	61	6043
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4. In the Paragraph 71 of the Concluding Observation on the ICCPR and ICSECR national reports, issued in March, 2013, Experts have recommended that the Government should take steps to abolish this provision from the Criminal Code. We regret that the Government has done very little toward that aim since then.

5. We hope this Committee will urge the Government to set benchmarks and take concrete and active steps toward the goal of abolishment of adultery in the coming Concluding Observation.

消除對婦女一切形式歧視公約(CEDAW)  
中華民國第二次國家報告國外專家審查暨發表會議

委員與非政府組織會議發言單

發言者姓名：陳堯、曾巧忻

代表團體：LIMA 台灣原住民青年團

使用語言：中文

發言資訊	
發言場次	場次 4 【發言順序：7】
主要條文	第 15~16 條
一般性建議	
發言摘要	<ol style="list-style-type: none"><li>1. 台灣的法律制度和社會規範，皆以漢文化的性別分工和價值為依據，夾雜絕對性別與單一文化的漢霸權法系，改變原住民族的傳統價值與豐富的性別概念，也鬆動了原住民女性的家庭、社會與經濟地位。（EX:排灣族長嗣繼承制）</li><li>2. 原住民家暴在台灣家暴防治體系與維護女性身心健康之權利有其重要性與特殊性。據統計原住民婦女 37.8%的受暴比率顯著高於漢人(17.6%)，特別在肢體暴力的受暴比率上更加懸殊(原住民:漢人= 17.8%: 2.8%)。然家暴的現況為何，尚無其他研究可供參考，政府提供的數據也無法提供現象特殊的解釋。</li><li>3. 原住民女性家暴現象背後所承載的複雜結構性因素，且各族內因文化而又有所差異，故政府在規劃原住民家暴防治之策略與執行受暴女性的處遇計畫前，需將原住民家暴置於殖民情境、政經結構、族群與文化因素及部落在地的脈絡，以落實維護原住民女性人身安全與心理福祉之權益。</li></ol>

消除對婦女一切形式歧視公約(CEDAW)  
中華民國第二次國家報告國外專家審查暨發表會議

委員與非政府組織會議發言單

發言者姓名：廖書雯

代表團體：社團法人台灣防暴聯盟

使用語言：英文

發言資訊	
發言場次	場次 4 【發言順序：6】
主要條文	第 16 條
一般性建議	第 12、19 號
發言摘要	<p>國家報告只重在被害人發生家暴後的三級危機處理與保護，欠缺加害人治療、被害人生活重建的經濟增權方案以及司法保護令的預防效果：</p> <ol style="list-style-type: none"><li>1. 請問加害人處遇治療的政策？投入多少資源？是否足夠？治療成效？包含強制處遇與自願性接受處遇</li><li>2. 被害人脫離暴力需要有經濟增權或是支持性就業以及職場防暴的政策與方案？投入資源？成效？</li><li>3. 保護令核發整體效果不佳，包含時間過長？核發款項過於侷限？刑事保護令核發過低？</li></ol>

消除對婦女一切形式歧視公約(CEDAW)  
中華民國第二次國家報告國外專家審查暨發表會議

**委員與非政府組織會議發言單**

發言者姓名：張凱強

代表團體：財團法人台北市婦女救援社會福利事業基金會

使用語言：中文

發言資訊	
發言場次	場次 4 【發言順序：5】
主要條文	第 16 條
一般性建議	第 19 號（第 23、24 段）、第 28 號（第 28 段）
發言摘要	<p>一 家庭暴力防治經費、人力、資源均不足，家暴案件及被害人逐年攀升，家暴防治經費卻未相應成長。</p> <p>二 部份司法檢警人員，對於家庭暴力被害女性（尤其新移民婦女）仍有基於性別與國籍之交互歧視。</p> <p>三 未同居但遭受親密關係暴力被害人，多以女性為主，目前雖已研議納入家暴法保護，或其他如保護令裁定時間過長、有效期間過短、加害人處遇計畫成效不彰等問題，現均雖已進入修法階段，但仍建議儘速通過修法，未來亦需對此投注資源與研究，落實暴力防治政策成效。</p>

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中華民國第二次國家報告國外專家審查暨發表會議

委員與非政府組織會議發言單

發言者姓名：黃筑鈺

代表團體：台灣同志家庭權益促進會

使用語言：中文

發言資訊	
發言場次	場次 4 【發言順序：4】
主要條文	第 16 條第 1 項第(d)、(e)、(f)款與其他相關部分
一般性建議	第 29 號
發言摘要	<p>1.收養問題是在於媒合機構與法院囿限於異性戀婚姻中心的思考模式，辦理案件當中帶有歧視。政府對於司法與媒合機構人員教育訓練、評估方式設計、案件數量通過比例監測、和歧視性案件的後續處理應該如何進行？</p> <p>2.人工生殖問題是在於法律僅開放給特定條件的不孕夫妻使用，排斥女同志伴侶、單身者、非婚變性人士的平等使用權。請問政府要如何修正法律？</p> <p>3.無論同志家庭以何方式生養或收養子女，親子關係認定都因為法律不承認另一方伴侶的親權，侵蝕家庭權利義務。請問政府要如何處理？</p> <p>4.國家福利體系和法制設計是否應該對於多元家庭具有實質保障，以顧及子女最佳利益、親子關係中綿密的家庭網絡，對共營生活貢獻方式的平等對待，以及伴侶雙方經濟權利的平衡？</p>

消除對婦女一切形式歧視公約(CEDAW)  
中華民國第二次國家報告國外專家審查暨發表會議

委員與非政府組織會議發言單

發言者姓名：許秀雯

代表團體：台灣伴侶權益推動聯盟

使用語言：英文

發言資訊	
發言場次	場次 4 【發言順序：3】
主要條文	第 16 條
一般性建議	
發言摘要	<ol style="list-style-type: none"><li>1. 多元性別女性因為同性婚姻不受承認，連帶地有數百項的權利與福利都會被限制或剝奪，尤其多元性別女性會因為身為女性以及性傾向/性別認同多重歧視交互作用而處於更為劣勢的社會處境，舉一個最簡單的例子，由於男性繼承了較多的財產，且職場普遍存有性別歧視，女同志伴侶相較於進入異性戀婚姻的女性或男同志伴侶，往往更容易處於經濟困境。</li><li>2. 伴侶盟認為，政府應該落實 2013 年兩公約國家報告專家結論第 78 及 79 點，速將目前卡在立院司法法制委員會的婚姻平權法案排入議程，賦予多元性別女性「婚姻平權」(結婚自由)，才能有效消弭不同場域中的恐同(homophobia)、恐跨性(transphobia)與歧視。</li><li>3. 此外，亦應提供非婚的同性與異性同居伴侶身分保障，如此，才能徹底把異性戀女性及多元性別女性都從「父權」(patriarchy)與「強迫異性戀機制」(compulsory heterosexuality) 聯手構築的婚姻家庭觀及壓迫中解放出來。</li></ol>

消除對婦女一切形式歧視公約(CEDAW)  
中華民國第二次國家報告國外專家審查暨發表會議

委員與非政府組織會議發言單

發言者姓名：陳薇真

代表團體：跨性別倡議站

使用語言：中文

發言資訊	
發言場次	場次 4 【發言順序：2】
主要條文	第 16 條
一般性建議	第 28 號
發言摘要	<p>感謝 CEDAW 委員會於 2014 年 2 月 28 日芬蘭的〈結論性意見〉(CEDAW/C/FIN/CO/7) 第 28 與 29 點，肯認了取消強制絕育的性別法律承認是重要的人權項目。</p> <p>政府對〈問題清單〉第 44 點有關跨性別人士性別法律承認之回應，我們回應如下：</p> <ol style="list-style-type: none"><li>訴諸「生理、心理性別之學理及分類」的醫學見解，恐重新將跨性別無理的 <u>病理化</u>。這違反 2013 年 12 月 9 日共識決議。</li><li>生理性別涉及染色體、胚胎、荷爾蒙、解剖學結構、生殖器或第二性徵間的複雜歷程。然而，我們不會用種族或意識活動的生物學論據來決定某類群體能否擁有人權。</li><li>在國際比較、男女不同權利義務、兵役與文化背景，政府與民間皆有足夠的研究。問題是，政府的拖延、相互推卸與單向決斷，排除了過程中權利受影響者的參與。</li></ol> <p>然而，我要提醒委員與民間，有關法律性別的具體措施，跨性別社群內部亦有不同看法。有人認為全面與醫療脫勾，有人認為保留部份醫療介入 (HRT 或評估)，有人認為維持手術門檻 (並請求健保覆蓋)，有人認為採取行政審查。Gayatri Spivak &lt;Can the Subaltern Speak?&gt;(1988)提出的代言困境正深刻在少數群體上發生。良善的專家與菁英的土著報導人，正聯手共謀了社群內多樣聲音的噤聲。</p> <p>我們希望符合人權和法治的性別法律承認能納入結論性意見，<u>並保持某種程度的開放性、資訊透明與審議民主</u>。</p>

### 三、針對雙多胞胎母親

1. 雙多胞胎母親的權益必須被清楚提出與規劃。
2. 雙多胞胎母親的健康權、工作權、生育照顧權等都需要被關切。
3. 雙多胞胎家庭福利服務納入少子女化政策。居家喘息服務、健康照顧服務、相關教養諮詢、特殊托育補助、小額貸款服務、交通運輸服務等。
4. 建議政府建立雙多胞胎母親與家庭建立資料納入正式統計中，也提供正式對雙胞胎母親照顧的各種跨部會方案，關心雙多胞胎母親的特殊處境，容易產後憂鬱、家庭失和、經濟困境、子女和母親本身健康照顧等問題，或保母費用過高導致強迫雙胞胎母親辭職離開工作的問題。
5. 雙多胞胎母親生育權亦須有特別規劃。

總結：

我國在對女性健康的努力上仍屬不足，雖然有婦女政策綱領的要求，國家也在 2008 年通過婦女健康政策，但因為沒有中長程計畫搭配，以致於並無真正落實以促進女性健康理念所設計的各種婦女健康政策。

因此建議：婦女健康政策要有行動綱領，正式的中長程計畫，定期督考，有性別統計、性別分析、性別預算、不單單是現在只做 3-5 年中長程計畫的性別影響評估，更要開始進行各種計劃的事後性別影響評估其成效，需重視跨部會工作。各類工作人員都須有性別敏感訓練。

1. 衛福部要擔負起發展具性別平等的政策，切實能提升女性健康。
2. 衛福部要落實促進女性身心健康的責任。

	<p>二、需要重視女性的心理健康，只針對 GR24 重視的產後憂鬱:</p> <ol style="list-style-type: none"><li>1. 產後憂鬱並沒有正式的政策，只有方案，不持續性。缺少憂鬱於心理健康素養中。須落實健康促進渥太華憲章的行動綱領，建構社區參與、個人能力增進、改善健康服務的內涵與方式。</li><li>2. 婦女健康需重視跨部會工作。產後憂鬱防治應該是國健署與心理健康司合作，並都負全責、規劃與資源分配，並須融在相關孕產婦健康業務中，尤其在心理健康工作項目中產後憂鬱不能只在自殺防治中才提出。</li><li>3. 心理健康統計要有產後憂鬱資料，需有性別統計並進行分析。 既有的衛生統計無法得知產後憂鬱的發生情形為何，應將其列為年度必須公告的性別統計指標，並分析生產結果（順產、死產、流產）、胎兒性別（男女）、生產方式（自然產、剖腹產）、胎次（第一胎、第二胎、第三胎以上）、單多胞胎（雙多胞胎）、產婦年齡（高齡、適齡、未成年）、族群（新移民、原住民）、婚姻關係。</li><li>4. 產前、產中與產後照顧納入產後憂鬱健康素養，憂鬱評估，對象除孕婦外，亦必須包括配偶。</li><li>5. 醫療院所產科人員與臨床心理師，必須定期接受產後憂鬱症在職教育，訓練內容除生理實證醫學的了解外，必須融入社會性別因素促發憂鬱，防治策略須具性別敏感度。並有能力於產中產檢、產後住院、產後一個月回診時主動提供服務。</li><li>6. 產後憂鬱的衛教與心理健康資訊必須是有可近性的。新移民的多語言版、網頁關鍵字即可查詢到的產後憂鬱，內容不應該一味只是建議就醫，缺乏同理與性別敏感度。</li></ol>
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消除對婦女一切形式歧視公約(CEDAW)  
中華民國第二次國家報告國外專家審查暨發表會議

### 委員與非政府組織會議發言單

發言者姓名：張珣

代表團體：心理健康行動聯盟、台北市雙胞胎協會

使用語言：中文

發言資訊	
發言場次	場次 3 【發言順序：12】
主要條文	第 11、12 條
一般性建議	第 24 號
發言摘要	<p>一、在整體婦女健康方面：</p> <p>1. 我國在對女性健康的努力上仍屬不足，雖然有婦女政策綱領的要求，國家也在 2008 年通過婦女健康政策，但因為沒有中長程計畫搭配，以致於並無真正落實以促進女性健康理念所設計各種婦女健康政策。</p> <p>2. 性別統計很豐富，但是對呈現數字進行性別分析仍不足</p> <p>(1) 例如 p237 表 12-12 孕產婦死亡率，2012 年 35 歲以上非常高，居然沒有被提出討論，有待加強。</p> <p>(2) 又如喘息服務 利用率 p242 表 12-22 性別統計其實無法看到受惠男女的人數。</p> <p>(3) 性別工作平等法中，配偶陪產假的天數，由三天增加為自然產五天，剖腹產七天，流產兩天。</p> <p>因此建議：婦女健康政策要有行動綱領，正式長期計畫、督考、統計、性別分析、需重視跨部會工作。各類工作人員都須有性別敏感訓練。</p>

## 二、農村婦女教育訓練和參與

2014 是聯合國頒布的國際家庭農業年，女性在農業與食物系統的角色在世界各地都有高度的認可與討論。以今年三月在匈牙利布達佩斯召開的家庭農業論壇與博覽會為例，主席總結強調了一個核心議題：我們都知道女性是家庭農業的基石，但女性很大一部分的貢獻，未能正確地、如實地獲得認可，包括勞力換取的收入、能接觸到生產資源與資產的管道相對貧乏。

因此，在這場國際論壇中，增加女性在農村地區的決策參與，以及為女性爭取獲得生產資源、專業技術、網絡、教育的平等管道，成為了各國需共同推動的共識。

以國際家庭農業年以及 CEDAW 第十四條下對農村婦女權益的關注為基礎，回到台灣，以台灣具體經驗而言，農事技術、農場經營管理等訓練課程，主要對象為男性、而非家庭女農或青年女農。我們想提出問題是，女性在農業的角色是否有如實地被認可？在農村地區，女性是否和男性一樣，有同等接觸資源、專業訓練機會、教育的管道？特別是在決策過程，女性的參與和意見是否與男性同等重要？

## 委員與非政府組織會議發言單

發言者姓名：鍾怡婷、蘇之涵

代表團體：台灣農村陣線

使用語言：英文

發言資訊	
發言場次	場次 3 【發言順序：11】
主要條文	第 14 條，農村婦女角色
一般性建議	
發言摘要	<p style="text-align: center;"><b>一、農業部門家政預算</b></p> <p>台灣的農業單位（今日的農委會）自 1956 年開始，在各地農村陸續推動家政推廣教育工作。由於早期農家婦女接受教育機會較少，因此農業主管單位透過台灣各級農會輔導成立家政班，培訓班幹部與班員，每月召開班會、安排課程，以傳授各種家政知識與政策命令的推廣。希望藉由健全的組織與家政教育，加速整體環境與農家婦女人力素質的提升。</p> <p>過去 60 年來，台灣的農村發展，包括 50 年代的家庭計畫推廣、60 年代居家衛生改善、70 年代慢性疾病的防治，以及近年來為農村婦女開創副業，以當地農產品發展地方特色餐飲的「田媽媽」，都有農委會家政推廣預算在背後的支持。</p> <p>然而過去七、八年來，農委會家政預算大幅刪減，萎縮的程度超過 50%，卻未見到政府單位有完整的說明。為了促進家庭農業推廣、農村女性在農村生活、農家經濟上的參與，希望政府單位能針對此預算提出刪減說明，並回復預算編列的可能。</p>

## 委員與非政府組織會議發言單

發言者姓名：何碧珍

代表團體：台灣婦女團體全國聯合會

使用語言：中文

發言資訊	
發言場次	場次 3 【發言順序：10】
主要條文	第 14 條
一般性建議	
發言摘要	<ol style="list-style-type: none"> <li>1. 在「農會」、「漁會」、「水利會」等象徵農村權力核心的組成及運作上，要求政府採行明確的「暫行特別措施」，如婦女提名及當選名額保障、組織評比獎勵……等，以儘速提升農村女性的公共參與落差。</li> <li>2. 農村是潛藏及複製性別刻板的最大溫床，但非不能是不為也，要求各業務部會參照內政部的喪禮文化改革模式，檢視各類證照取得、建立平等規範、提供作業範本、加強性別教育……等積極作為，逐步消除農村中既有的性別刻板事項，包括政府的獎勵、課程、活動，以及民間的文化、習俗等。</li> <li>3. 要求正視農村醫療資源使用的長期不便及不公，在政府推動長照保險政策前，應先完成多元普及、近便平價的「小規模多機能長照服務體系」的建置，要採取社區合作參與、因地制宜的彈性規劃，協助服務場所的取得，避免照顧的醫療化及商業化，以滿足農村的在地老化需求，減輕婦女照顧負擔。</li> </ol>

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中華民國第二次國家報告國外專家審查暨發表會議

**委員與非政府組織會議發言單**

發言者姓名：李碧琪

代表團體：財團法人天主教善牧社會福利基金會

使用語言：

發言資訊	
發言場次	場次 3 【發言順序：8】
主要條文	第 10、11、12、13、14 條
一般性建議	
發言摘要	<p>居住原鄉之原住民婦女因交通不便、不住在人口集中處，環境限制讓她們選擇受限，面對更大挑戰。</p> <ol style="list-style-type: none"><li>1. 都會區原住民婦女可能投入工廠或營造工作，但在原鄉，她們只能投入季節性農務工作，並無勞保、職災意外險等工作保障，國家忽視對部落的規劃及支持。政府政策應落實非典型雇用工作者的勞動權益，尤其應加強讓雇主確切落實的作法。另外，更應強化現行就業促進服務與原住民族在地文化及脈絡的連結性。</li><li>2. 對於偏鄉托育照顧措施部分，多因部落設備未能符合安檢規定而撤除，也未有進一步規劃。政府應落實發展部落托育照顧措施，重視原鄉原住民婦女權益及孩子的文化權利。</li><li>3. 在遺產繼承上，雖民法規定男女皆有繼承權利，但實際生活上仍以男性繼承為主，女性常被迫簽屬放棄同意書，且認為女性會「嫁出去」，因而被剝奪土地繼承權，政府應落實女性在民法上的繼承權利。</li></ol>

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委員與非政府組織會議發言單

發言者姓名：丘愛芝

代表團體：國際陰陽人組織-中文版

使用語言：

發言資訊	
發言場次	場次 3 【發言順序：7】
主要條文	第 12 條
一般性建議	
發言摘要	<p>我是一個陰陽人，也是台灣唯一以陰陽人為單一主體的團體創辦人，致力於尋找並傾聽陰陽人的聲音，目前社群集結仍稀少，仍然缺乏社群集體的聲音與論述，我們願意耐心接引、等待與陪伴，我們相信沒有主體對話討論作為基礎所形成的政策不僅是空談且可能是傷害。</p> <p>2008 年德國陰陽人團體提出 CEDAW 影子報告未獲德國政府聆聽，反推出為陰陽人團體所反對的出生性別增加第三欄的政策，無異加速父母為避免選擇第三欄而為陰陽兒選擇生殖器手術，因此我們呼籲政府在陰陽人政策上必定以聆聽陰陽人主體聲音為原則，避免代言與誤導。</p> <p>違反陰陽人人權的關鍵議題是未經同意的、非醫療必要的、不可逆的「生殖器切除」手術，此名為幫助實為傷害之舉也發生在台灣，也是我的親身經驗。我們希望政府協助幫助醫療界傾聽陰陽人的聲音，幫助醫療人員學習實踐維護人權的醫療，給陰陽人真正的醫療幫助。</p>

## 二、聯結 CEDAW 與 CRC 公約，提升年輕女孩的健康:納入男孩參與

1. 聯結 CEDAW(12 條健康權)與 CRC(24 條醫療和保健服務)公約於青少年懷孕議題的聯合行動已是國際趨勢，特別納入男孩之參與，才能有效促進青少年之健康權益。
2. 高中、職男學生對青少年懷孕議題的觀點有差異：高中男學生態度傾向於不贊成青少年階段發生性行為，考量現階段年齡與身心狀況、社會條件，擁有足夠的現實感免於衝動行為後的代價。高職男學生傾向於討論行為發生的保護或事後處理。如：買保險套、吃避孕藥、買驗孕棒、強迫女方墮胎等等，有些認為，要負責任，將孩子生下，卻沒想到寶寶的未來，打工就可以解決問題。「吃避孕藥或強迫女方墮胎」反映性別規範，仍有再教育的空間。
3. 培力以行為發生前的態度為主，改善「社會決定因素」(如，貧困和社會經濟狀態、暴力和歧視、性別規範、公共政策和法律、文化規範)產生的性別健康結果不平等。
4. 建置統計分析評估進展，並設定改善的相關指標；
5. 降低宣導防制對象的年齡，由高中到初中男孩；
6. 進行全國未成年懷孕的公共交通和媒體宣導運動。

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委員與非政府組織會議發言單

發言者姓名：嚴祥鸞

代表團體：中華心理衛生協會

使用語言：中文

發言資訊	
發言場次	場次 3 【發言順序：5】
主要條文	第 11 條
一般性建議	
發言摘要	<p><b>一.檢視台灣非正式經濟婦女勞動概況</b></p> <p>CEDAW 公約第十一條第一項第五點旨消除在就業方面對婦女的歧視，以保證她們享有社會保障的權利 <b>11.1.5</b></p> <ol style="list-style-type: none"><li>1. 老人年金，若以發放現金津貼的方式，有強化(女性)家內無給照顧責任之疑慮，比起永續的公共服務，民眾/照顧者/家戶可能選擇眼前的現金。然而，公共服務缺乏，私營照顧服務機構費用過高的狀況，現金津貼不足以支付，照顧責任還是回到照顧者及其家庭身上，女性就反更容易轉進非正式部門，同時兼顧家庭照顧需求。</li><li>2. 國家應分擔家庭照顧責任，無論是幼托或長照，普及、價格合理的、可近性高的公共服務才是可長可久的策略；建立良好的支持系統將照顧責任公共化，才能減輕女性非正式經濟勞動者的負擔。</li><li>3. 國內目前非正式經濟勞動者的社會保險是國民年金，但無法解決她們當下的生活困境。這些被隱藏在最底層的非正式經濟勞動者，社會資源非常有限，連基本生存都有問題，更不可能繳納保險費。</li><li>4. 建立非正式勞動經濟工作者的性別統計資料庫，包括家務照顧者和無酬家屬的需求，進而規劃歸特定措施，符合她們所需資源。</li></ol>

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### 委員與非政府組織會議發言單

發言者姓名：王淑芬

代表團體：勵馨基金會

使用語言：中文

發言資訊	
發言場次	場次 3 【發言順序：4】
主要條文	第 10、11 條
一般性建議	第 9 號
發言摘要	<p>第 10 條</p> <ol style="list-style-type: none"><li>1. 有關懷孕青少年受教權因公部門統計基礎嚴重偏誤，僅以在學少女持續就讀比例為論述，忽略之前已因此休學主動離校之女孩，因此此部份的統計數量與實際青少年生育數有極大落差，無法反應真實情況。</li><li>2. 對於台灣懷孕青少年教育程度低於平均值，政府應有具體措施增進懷孕青少年的教育程度。</li><li>3. 對於青少年父母應有以促進年輕家庭的穩定與健全的具體之福利措施。</li></ol> <p>第 11 條</p> <ol style="list-style-type: none"><li>4. 政府目前的平價托育、托嬰措施或補助非常不足，難以促進擔任母職照顧的弱勢婦女（懷孕少女）就業或就學。同時，政府的勞政與社政、教育應有促進弱勢婦女就業為目標的整合的具體政策與措施。</li></ol>

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### 委員與非政府組織會議發言單

發言者姓名：鄭筑羚、沈芳竹

代表團體：社團法人中華民國殘障聯盟

使用語言：中文

發言資訊	
發言場次	場次 3 【發言順序：3】
主要條文	第 11、12 條
一般性建議	
發言摘要	<p><b>第 11 條-就業</b></p> <p><b>現況：</b> 障礙女性就業比例遠低於一般女性與障礙男性，從事的工作多是基層技術工及體力工，為非正式或自營工作。從事這類工作者無一定雇主，無法加入《就業保險法》，沒有「失業給付」與「育嬰留職停薪津貼」的社會保障。</p> <p><b>具體建議：</b></p> <ol style="list-style-type: none"><li>1、國家應規劃女性障礙者就業促進措施。</li><li>2、國家應修正《勞工保險條例》加保規定，針對有工作事實的勞工都需要強制納保，並擴大《就業保險法》適用對象。</li></ol> <p><b>第 12 條-生育保健</b></p> <p><b>現況：</b> 國家報告第 12.57 點提到《身心障礙者權益保障法》提供多項服務措施，這些服務並未看見性別差異，也未能回應障礙女性需求。此外主管機關也未依《身心障礙者權益保障法》第 21 條提供追蹤服務。</p> <p><b>具體建議：</b></p> <ol style="list-style-type: none"><li>1. 國家應針對障礙女性生育進行需求調查，並提供適切環境及服務。</li><li>2. 同時國家應考量不同障礙婦女的需求，積極去除就醫環境各種障礙，以保障獲得適切的醫療服務。</li></ol>

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**委員與非政府組織會議發言單**

發言者姓名：劉立凡

代表團體：台南市性別平等促進會

使用語言：英語

發言資訊	
發言場次	場次 3 【發言順序：2】
主要條文	第 11 條
一般性建議	第 27 號（第 11、41、47 段）
發言摘要	<p><b>居家服務人員及 CEDAW 第 11 條工作權保障之檢視</b></p> <p>1. 解決方案 建議衛生福利部應從制度上改善居服員任用狀況，例如把現在通常採用之時薪制(導致月收入不穩定)改為穩定之月薪制(月收入穩定)，以落實勞基法對居服員的保障。同時保留時薪制，讓居服員可依其意願選擇適用月薪制或時薪制。</p> <p>2. 具體做法 建議應將居服員目前時薪 180 元提高為 220-240 元，如果以每月工作 20 天(即 160 小時)計，就相當於月薪為 35,200-38,400 元。如此一來，既可保障居服員工作權益，讓居服員願意繼續提供服務，以達需服務者權利受到保障，又能穩定聘用她/他們的機構行政收支，落實長期照護。</p>

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中華民國第二次國家報告國外專家審查暨發表會議

### 委員與非政府組織會議發言單

發言者姓名：王儷靜

代表團體：台灣性別平等教育協會

使用語言：

發言資訊	
發言場次	場次 3 【發言順序：1】
主要條文	第 10、12 條
一般性建議	第 28 號
發言摘要	<p>針對議題清單第 20 點，事實上，政府研擬的性別偏見檢視基本原則中，並未見如何將多元性取向和性別認同納入。而目前的國中小課本皆未出現過 LGBT 的相關訊息，亦即現行的課本是異性戀中心的 (heterosexism)。此外，基層老師可使用的同志教育資源非常匱乏，甚且，教育部委託學者編纂的相關教師參考用書遭保守宗教團體與監察委員的打壓，同志教育的篇幅多被刪除。國家的不作為，嚴重影響青少年同志 (LGBT youth) 的校園生存和自我肯認。我們強烈建議，學校課程應涵納多樣的性別認同與相關的人權議題；性別平等教育要加入性傾向、性別認同，以及反歧視的議題。</p> <p>此外，學校的性教育依然以生理結構、婚育目的為基礎，這種「守貞」和「未見不同性取向」的意識形態，既缺乏性別敏感度，也未能貼近青少年的性主體與真實生活。我們建議國家的性教育課程應強調正向性教育的觀點，積極規劃與推動具性別敏感度的性健康與性教育方案。</p>

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中華民國第二次國家報告國外專家審查暨發表會議

委員與非政府組織會議發言單

發言者姓名：耿雙雙

代表團體：財團法人台北市婦女救援社會福利事業基金會

使用語言：中文

發言資訊	
發言場次	場次 2 【第二輪對話】
主要條文	第 6 條、第 10 條
一般性建議	
發言摘要	<p>一、針對問題清單 20：</p> <p>「慰安婦」議題雖已被納入我國高中歷史課綱，但並未納入中小學教科書中，而中小學為我國義務教育，若完成義務教育後未繼續升學高中者，將無法學習「慰安婦」歷史與戰爭中對女性人權侵害議題。</p> <p>二、針對問題清單 13：</p> <p>人口販運不法所得難查扣，且目前以人口販運防制法定罪之判決為數不多，故被害人即使被鑑別為人口販運被害人，也無法申請犯罪被害所得作為賠償。</p>

消除對婦女一切形式歧視公約(CEDAW)  
中華民國第二次國家報告國外專家審查暨發表會議

### 委員與非政府組織會議發言單

發言者姓名：阮俊達

代表團體：台灣原住民族政策協會 (ATIPP)

使用語言：

發言資訊	
發言場次	場次 2 【發言順序：5】
主要條文	第 7 條
一般性建議	第 23 號
發言摘要	<ol style="list-style-type: none"><li>1. 我國法律（公職人員選舉罷免法第 68 條、地方制度法第 33 條）有保障原住民族女性在地方法民意代表選舉中的當選名額：每四人要有一個女性當選名額。然而，在縣市議員選舉的層次，僅台東、花蓮、屏東三地的選區劃分有足夠席次產生婦女保障名額。即其他縣市未能實現這項對婦女參政權的保障，我們建議檢討原住民選區的婦女保障名額計算基準及產生方式。</li><li>2. 2012 年的政府公開資訊顯示，具備原住民身分的公務人員中女性僅佔 28.6%，比全國公務員的女性 39.9% 低了許多；在原民會中，女性簡任人員僅佔 16.2%，也低於全國平均的 27.9%；原民會處長級以上的高階主管，更無一人是女性。數據顯示，原住民族女性擔任政府公職的情況並不理想，我們要求原民會對此現象進行解釋，並且說明應對的辦法。</li><li>3. 村里長、社區組織、教育機構或國營事業等其他原住民族女性公共參與數據及調查非常欠缺，使得我們無法判斷相較過去，原住民族女性較難參與公共事務的不利處境改善？以及原住民族婦女參政對族群之影響評估？希望原民會對此能提出完整的報告。</li></ol>

消除對婦女一切形式歧視公約(CEDAW)  
中華民國第二次國家報告國外專家審查暨發表會議

委員與非政府組織會議發言單

發言者姓名：邱伊翎

代表團體：台灣人權促進會

使用語言：英文

發言資訊	
發言場次	場次 2 【發言順序：4】
主要條文	第 9、11、15 條
一般性建議	第 21、26 號
發言摘要	<p>我國國籍法雖並未明文強制婦女必須因婚姻而改變國籍。但，由於我國許多社會福利、保險及權利行使，皆與身份證息息相關，使得外籍人士若要享有相關的社會保障，就必須要歸化取得我國國籍。但依據我國國籍法之規定，欲歸化者，必須先放棄其母國國籍，經過審查後，才能歸化，造成許多女性外籍配偶因此成為無國籍者。離婚之無國籍配偶，其處境更糟、無法工作、無健康保險、甚至可能無居處。</p> <p>女性外籍移工多為家庭看護工，她們皆不受到我國〈勞動基準法〉之保障，而無工時限制、基本工資保障，導致她們往往超時工作、甚至被扣留護照薪資等，又難以對外申訴，加上我國有「不得轉換雇主」之限制，使得她們經常成為逃跑外勞或人口販運的受害者。</p>

消除對婦女一切形式歧視公約(CEDAW)  
中華民國第二次國家報告國外專家審查暨發表會議

委員與非政府組織會議發言單

發言者姓名：張裕焯

代表團體：財團法人臺灣省天主教會新竹教區

使用語言：中文

發言資訊	
發言場次	場次 2 【發言順序：3】
主要條文	第 9 條
一般性建議	
發言摘要	<p>一 女性外籍配偶：她們的貞操被《國籍法》明文約束，為可能尚失我國國籍身分的條件。亦即自入境起，直到取得我國國籍後 5 年間，將近 10 年的時間，她們必須對婚姻忠誠，並在我國境內不能發生任何刑事犯罪紀錄，反之其我國國籍將被註銷。</p> <p>二 外籍配偶的非婚生子女：尤其是母國為越南的女性，當她們在取得國籍前或被註銷國籍後懷孕生下父不詳的子女，該孩子便以非我國國籍，又不是法定「無國籍」的身分生存在我國境內，無社會保險資格、無國民教育證書，極度弱勢，形同幽靈。</p> <p>這群人是飽受我國政策歧視的女性與孩子，其人數無法明確統計，尤其是孩子，為 NGO 團體長期抗爭的議題，亦為我國及越南政府不願積極處理的問題。</p>

消除對婦女一切形式歧視公約(CEDAW)  
中華民國第二次國家報告國外專家審查暨發表會議

委員與非政府組織會議發言單

發言者姓名：林美薰、王秋嵐

代表團體：現代婦女基金會

使用語言：中文

發言資訊	
發言場次	場次 2 【發言順序：2】
主要條文	第 9 條
一般性建議	第 19、28 號
發言摘要	<p>1.入出國及移民署應准許外國人有照顧與國人所生親生子女事實，或有子女監護權者，可以在台居留。另為保障未成年國人之外籍父母居留權，外交部應直接核發居留簽證。</p> <p>2.司法院應檢視目前實務未成年子女監護權裁定原則方向，其運用於新住民離婚與子女監護案件是否有與本國人標準不一之交叉歧視、性別歧視與多元文化盲之情事，並督促各級法院監督其調解委員、司法事務官與法官是否有前述情事，且予以糾正與懲戒。</p>

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中華民國第二次國家報告國外專家審查暨發表會議

委員與非政府組織會議發言單

發言者姓名：李萍、藍云均

代表團體：中華民國基督教女青年會協會

使用語言：中文

發言資訊	
發言場次	場次 2 【發言順序：1】
主要條文	第 9 條
一般性建議	第 19 號一般性建議
發言摘要	<p>政府放寬規劃申請之標準，然在財力的審核、戶籍之辦理上，中央與地方，地方與地方間卻有所差異，敬請審查委員於總結建議中要求臺灣政府：</p> <p>應強化各政府承辦人員對外籍配偶國籍歸化法規概念及案例分析之在職訓練，以避免因台灣各地執行單位在審核國籍歸化的標準不一，致外籍配偶權益受損。</p>

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委員與非政府組織會議發言單

發言者姓名：梁玲菁

代表團體：臺灣婦女團體聯合會

使用語言：

發言資訊	
發言場次	場次 1 【發言順序：23】
主要條文	第 14 條與全體縮影
一般性建議	
發言摘要	<p>ICA 與 UN 公開宣告，合作社企業網絡有助於消除貧窮、創造就業，建立美好生活，如報告之圖 1,2.4 列示。甚如美國資本主義社會，國會在 2011 年簽署「全國合作社發展法案」，令財政部編列 2012-16 年間之逐年預算達美金 2,500 萬元。2012 年，白宮與 NCBA 合作界 150 人代表對話，涵蓋消費、農業、儲互社、電力、保險、住宅、勞動者，以及孩童醫療、照顧、婦女、學生合作社之未來發展。因此亟須政府運用此一社會經濟模式來培植婦女自助、互助，並追趕國際步伐。提出以下具體政策建言：</p> <ol style="list-style-type: none"><li>1. 尊重 ICA 合作七大原則，國際間憲法保障合作社之立法架構思維，國家應落實憲法第 145 條獎勵合作事業發展，並積極制定「合作經濟發展政策」，共同推動「第三部門經濟與融資機制」，建置合作社發展基金、合作社創業平台以及風險保證等機制，以保障國民經濟安定，平衡財團市場壟斷弊端。如 ICA(2012)、聯合國準則(2001)鬆綁法規，創造有利的合作社發展環境。</li><li>2. 納婦女的合作經濟為國家經濟推動的重要一環，整合各部會合作社業務工作，提升中央主管部門位階，提出具體合作教育、業務策略及步驟，召開「婦女與合作經濟」國家/國際論壇會議，加強民間學習，協助婦女組織各類的合作事業。如國際勞工組織第 193 建議文，促進合作社發展。</li></ol>

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委員與非政府組織會議發言單

發言者姓名：陳堯、曾巧忻

代表團體：LIMA 台灣原住民青年團

使用語言：中文

發言資訊	
發言場次	場次 1 【發言順序：22】
主要條文	第 1~6 條
一般性建議	
發言摘要	<ol style="list-style-type: none"><li>1. 主流社會對原住民之觀感，在近代沒有太多改善，特別是原住民婦女的刻板印象。其中非常重要的成因在於媒體慣以物化女性的作風，以及放大檢視、報導有關原住民族裔的社會事件及新聞，加劇原住民族女性在社會上面臨族裔與性別的雙重歧視壓迫。</li><li>2. 長期以來政府未對原住民族有細緻的調查與盤點，忽視原住民族的文化、社會複雜性結構與特殊性，更將不同原住民族婦女視為同質化群體，使得婦女政策流於形式，背離文化脈絡和價值，更加衝擊原住民族婦女權益。</li><li>3. 原住民族內部本具有回應性別分工、權利協處的機制，例如：卑南族的巴拉冠制度，政府與社會大眾不但應尊重並承認之，更應參考原住民族經驗智慧，在制定性別政策時，反映原住民族的文化慣習。(請參考 27-35 段)</li></ol>

消除對婦女一切形式歧視公約(CEDAW)  
中華民國第二次國家報告國外專家審查暨發表會議

### 委員與非政府組織會議發言單

發言者姓名：葉若瑛

代表團體：台灣性別不明關懷協會

使用語言：

發言資訊	
發言場次	場次 1 【發言順序：21】
主要條文	第 2、5、10、11、12、15 條
一般性建議	
發言摘要	<p>本會在此回應國家報告：台灣政府宣稱已著手改善跨性別者之處境，但跨性別社群完全沒有感受到。</p> <ol style="list-style-type: none"><li>1. 在戶籍謄本上的性別變更紀錄依舊清楚可辨識，警方、聯徵中心仍可輕易取得此一極為隱私之資料。</li><li>2. 政府雖有委託民間出版認識多元性別議題之讀物，但推廣不力，社會仍對跨性別者極度不瞭解乃至恐懼，導致跨性別者在工作權、受教權等各方受到嚴重損害。</li><li>3. 政府表示看到並承認外國籍 X 性別主體(gender X)的存在，但是對於本國國民，政府仍然尚未表達任何開放選擇的可能性，厚此薄彼。</li><li>4. 跨性別女性蔡雅婷於 2002 年申請身分證時，因照片為長髮女樣被拒絕，隔年其又因社會排擠，謀生不易而自殺身亡。政府未能記取血的教訓，惡意忽視跨性別者對於取得自我認同的法定性別身分之殷切期待，罔顧人權，天理難容。</li></ol>

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委員與非政府組織會議發言單

發言者姓名：丘愛芝

代表團體：國際陰陽人組織-中文版

使用語言：

發言資訊	
發言場次	場次 1 【發言順序：20】
主要條文	第 5 條
一般性建議	
發言摘要	<p>僅限於二元的性別刻板印象在台灣社會仍未消除，這不僅壓迫一般外型非主流正典的女性，更壓迫生理與心理非典型的跨性別與陰陽人身上。</p> <p>我本身就是台灣唯一公開現身的陰陽人女性，天生男性化的身體使得我的法定性別與典型女性角色的特徵不一致，這樣的事實與可能性一直未受到社會的正面接納與認識，導致自我認識、接納困難；天生非女性典型的較大陰蒂因而在六歲時被切除；以安全中性的裝扮卻會被誤解為假裝男生，以符合法定性別的裝扮卻會有被視為男扮女裝的風險；上女廁卻經常擔心會被當男生趕出來；進入職場更擔心無法符合社會對性別角色的裝扮期待而精神緊張，還要不時受到周遭人士的好意指教，雖然我已經以陰陽人身份公開現身，但這些壓迫仍然沒有一刻不壓在我身上。雖然擁有高學歷，但這些尚未消除的性別角色偏見仍使得基本生存對我來說極為不易。</p> <p>性別不論在生理、心理與社會三方面都是多樣變化的事實與認識仍須台灣政府在教育、法律、職場、空間設計上積極具體推動，以消除因二元性別角色刻板印象所帶來的歧視。</p>

消除對婦女一切形式歧視公約(CEDAW)  
中華民國第二次國家報告國外專家審查暨發表會議

委員與非政府組織會議發言單

發言者姓名：陳薇真

代表團體：跨性別倡議站

使用語言：中文

發言資訊	
發言場次	場次 1 【發言順序：19】
主要條文	第 1、6 條
一般性建議	第 28 號
發言摘要	<p><b>第一條 有關「婦女」定義</b></p> <p>我國的性別平等處也開始討論 CEDAW 對 SOGIE 的適用性，即對 woman 的解釋是採本質的或是交織性（包括 SOGIE, CEDAW 委員會 2010），決定了是否能獲得 CEDAW 的承認和保障。我們敦請政府保持對 woman 的開放性。</p> <p><b>第六條</b></p> <p>不論在台灣與全球，性交易與人口販運是兩端的論辯。將性交易網路訊息入罪化的情況下，台灣底層的跨性別性工作者面臨比原生理女性性工作者更高的人身暴力與疾病風險。建議委員留意性交易論辯的兩面性，選擇適切的兩全方案。</p>

消除對婦女一切形式歧視公約(CEDAW)  
中華民國第二次國家報告國外專家審查暨發表會議

委員與非政府組織會議發言單

發言者姓名：黃筑鈺

代表團體：台灣同志家庭權益促進會

使用語言：中文

發言資訊	
發言場次	場次 1 【發言順序：18】
主要條文	第 1、2、3、4 條
一般性建議	
發言摘要	<ol style="list-style-type: none"><li>1. 政府是否落實同志家庭婦女依照 CEDAW 規範，在收養子女、人工生殖、親子關係、國家福利體系/法制設計等領域，與婚姻家庭有相等保障？</li><li>2. 對於帶有歧視同志婦女的法院與收出養機構媒合人員致使同志家庭難以收養子女的現狀，政府應該如何在教育上著力以避免相關問題？（第 1, 3 條）</li><li>3. 對於現有人工生殖法致使單身女性和女同志無法使用而獲得子女的現狀，政府應該如何修正？（第 1, 2 條）</li><li>4. 對於現有因同志家庭無婚姻等法律關係，致使女同志家庭非生母或非收養者的另一伴侶方的親權受損，和帶來的家庭傷害，政府應該如何處理？（第 1, 4 條）</li><li>5. 政府在國家福利體系和法制設計是否有具體措施，確保女同志家庭當中的親子和伴侶關係？（第 1, 2 條）</li></ol>

	<p>建議：應該積極將正確的性別統計呈現。</p> <p>4. 如 2.36 彌補方式是人工流產前有告知配偶，形同虛設 p13 建議：取消此條文</p> <p>5. p32 保護母性特別措施 4-12, 4-14 並無特別為雙胞胎母親有特別設計。 建議：對安胎、產檢次數、育嬰假等要有另外設計。</p>
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消除對婦女一切形式歧視公約(CEDAW)  
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### 委員與非政府組織會議發言單

發言者姓名：張珽

代表團體：心理健康行動聯盟、台北市雙胞胎協會

使用語言：中文

發言資訊	
發言場次	場次 1 【發言順序：17】
主要條文	第 1~5 條 (第 11、12、14 條)
一般性建議	第 24 號
發言摘要	<p>1.目前國家規定各項 3-5 年中長程計畫在通過前都要進行性別影響評估，但是這只是事前瞭解這計畫有無注意到性別的差異，有時根本沒有性別統計也無從評估。</p> <p>現在更應積極推動，各種已經進行的計劃，都能有事後的性別影響評估，來評量 evaluation 其成效，對男女的影響。</p> <p>2.各類工作人員都須有性別敏感訓練。統計部門要與業務部門互動，切實落實數字的分析</p> <p>例如：衛生方面性別統計很豐富，但是對呈現數字進行性別分析仍不足</p> <p>(1) 如 p237 表 12-12 孕產婦死亡率,2012 年 35 歲以上非常高，居然沒有被提出討論，有待加強。</p> <p>建議：孕產婦並未有一套高齡分析後的方案。</p> <p>(2) 又如喘息服務 利用率 p242 表 12-22 性別統計其實無法看到受惠男女的人數。沒有分母。</p> <p>3. 特殊群體如農村女性，呈現資料為北中南東，並非農村概念，pp262-263 表 14-13, 表 14-14, 表 14-15 等，我們無法得知其現況，但是它又是反映出老人、原住民的處境，這內容是不夠的。看不出是否在鄉村醫療資源可近性不高才有問題，所以也沒既有方案來改善。</p>

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委員與非政府組織會議發言單

發言者姓名：陳秀峯

代表團體：台南市性別平等促進會

使用語言：英語

發言資訊	
發言場次	場次 1 【發言順序：15】
主要條文	第 2、11 條
一般性建議	第 27 號（第 11、41、47 段）
發言摘要	<p><b>居家服務人員及 CEDAW 第 11 條工作權保障之檢視</b></p> <p>關於交叉歧視的產生</p> <p>1. 問題核心 居家服務員多為女性，都為 45-59 歲之中高齡以上、其社經階層較低，且工作性質屬密集勞動服務，其收入較少者。</p> <p>2. 補充說明 居家服務是長期照護的一個重要項目，在高齡化時代，對年長者及需照顧者的照顧有其必要性。依統計資料，需照顧者以女性居多，而提供服務者也以女性居多，是一個有關女性工作權的議題。</p>

## 委員與非政府組織會議發言單

發言者姓名：沈芳竹、蘇瑞臻

代表團體：社團法人中華民國殘障聯盟

使用語言：中文

發言資訊	
發言場次	場次 1 【發言順序：10】
主要條文	第 2、10 條
一般性建議	第 19 號
發言摘要	<p><b>第 2 條-對身心障礙婦女的暴力</b></p> <p><b>現況：</b> 障礙女性是遭受暴力的高危險群，回應國家報告第 2 條 2.42 至 2.44.16 報告我國家庭暴力之防治，未提及身心障礙婦女遭受暴力之狀況，無從得知國家如何預防暴力與強化被害人保護之政策規劃。</p> <p><b>具體建議：</b></p> <ol style="list-style-type: none"><li>1. 國家應提供相關性教育，讓障礙女性可以察覺到各種情境下的危險。</li><li>2. 國家應加強第一線服務人員的敏感度，了解障礙者的特殊處境，可以早期發現與介入，並提供適切服務。</li></ol> <p><b>第 10 條-教育平權</b></p> <p><b>現況：</b> 根據國內統計，不論是義務教育或高等教育，身心障礙女性教育程度普遍低於男性，且教育資源分配不均的問題依舊存在，校園環境缺乏無障礙，使得部分障礙者無法就近上學，或只能在家自學。</p> <p><b>具體建議：</b></p> <ol style="list-style-type: none"><li>1、國家應去除障礙女性接受教育的困難。</li><li>2、國家應普及特殊教育資源、改善無障礙交通及校園無障礙環境。</li></ol>

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### 委員與非政府組織會議發言單

發言者姓名：林以加 / 台灣性別平等教育協會(代讀)

代表團體：人本教育文教基金會

使用語言：中文

發言資訊	
發言場次	場次 1 【發言順序：13】
主要條文	第 2、10 條
一般性建議	第 19、28 號
發言摘要	<p>根據監察院的報告，發生在南部某特教學校的集體性侵事件，至少有 92 位學生捲入，其中有多位學生是從被害人轉為加害人。日前有五個案家提出國家賠償請求，三個協議完成，一個判決確定，還有一個仍在訴訟中。法院在國賠判決文提及校方怠於執行職務，然而，政府顯然不以為然，甚至在媒體上還說「依律師見解以及彈劾案文來看，責任不在老師身上」，也難怪該校教職員並不怕被監察院彈劾，更放任校園性平事件一再發生。一個完全失靈的體制，無法扛責，無能保證學生安全，遑論提供優質教育給特教生。在這情況之下，我們認為，不如將每年花在該校的經費，用來讓特教生就近入學。該校人事經費，足可讓學生另聘一位專任教師。給特教生的資源本來就有限，不應浪費，更不應用來讓孩子受苦。</p>

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委員與非政府組織會議發言單

發言者姓名：許秀雯

代表團體：台灣伴侶權益推動聯盟

使用語言：英文

發言資訊	
發言場次	場次 1 【發言順序：12】
主要條文	第 5 條
一般性建議	
發言摘要	<p>1. CEDAW 國家報告完全未提及 2013 年國際人權專家對台灣兩公約國家報告作成的第 78 點及第 79 點結論性建議(認為現行民法只保障異性戀婚姻，剝奪了同性伴侶與同居伴侶許多權益，已構成歧視，因此建議我國政府應修改民法給予多元家庭法律承認，專家更特別提醒台灣政府：人權的實現不應取決於公共意見), CEDAW 國家報告稱法務部規劃就此議題召開座談會，以「形成共識」，顯然完全無視前述兩公約審查結論。</p> <p>2. 目前反對婚姻平權草案的宗教組織不斷在台灣各地推動刻板的性別與家庭觀念（例如家庭就是應該一夫一妻、夫唱婦隨、男女各守本分等主張），甚至有地方政府如桃園縣政府補助宗教組織 2014/3/16 的「幸福家庭」義走新台幣五萬元，另外，婚姻平權法案遲遲未能排入立法議程，也跟基督教會基於宗教理由而提倡刻板「性別角色」進而阻撓立法密切相關。請問台灣政府面對上述地方政府以及宗教組織這些明顯違背 CEDAW 第五條（a）的行為，有何因應措施？</p>

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委員與非政府組織會議發言單

發言者姓名：王儷靜

代表團體：台灣性別平等教育協會

使用語言：

發言資訊	
發言場次	場次 1 【發言順序：11】
主要條文	第 2 條
一般性建議	第 28 號
發言摘要	<p>針對議題清單第 2 點，我們認為，將性取向和性別認同的概念納入 CEDAW 培訓課程，是提昇公務人員瞭解「何謂基於性取向和性別認同所產生的歧視」之有效途徑。然而，在國家舉辦的培訓課程中，這兩個概念的課程稀少，難以讓官員理解異性戀霸權和多元性別氣質歧視對婦女處境的影響。此外，高層官員比基層公務人員較少接受相關訓練，也致使政策決策者欠缺相關人權意識。再者，在台灣，對於性取向與性別認同的歧視往往被包裝在「多元性」或「差異性」的說詞中，舉例來說，教育部在今年(2014年)聘請了公開反對同志與同志教育的人選進入全國最高層級的「性別平等教育委員會」擔任委員，經民間團體抗議後，教育部仍以「尊重多元聲音」為藉口，不做任何回應與改變。此舉明顯違反《性別平等教育法》精神，也是性別平等教育的反挫。</p>

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### 委員與非政府組織會議發言單

發言者姓名：李碧琪

代表團體：財團法人天主教善牧社會福利基金會

使用語言：

發言資訊	
發言場次	場次 1 【發言順序：10】
主要條文	第 2、5 條
一般性建議	
發言摘要	<p>我們訪談了超過 80 位原住民婦女，受訪者回饋反映現行政策多以經濟利益為考量，忽視區域獨特需求，剝奪部落及族人的文化權益，社會對原住民的歧視與貶抑仍存在，影響平等權益獲得的機會外，政府對偏鄉及部落需求的忽視，更對原住民婦女形成壓迫。</p> <ol style="list-style-type: none"><li>1. 原住民婦女面對就業甄選、勞動權益仍因性別及族群而遭受歧視，在申請公部門扶助時，直接遭受承辦人員的歧視與辱罵，影響平等權益獲得的機會，國家應加強公部門基層員工反種族歧視的訓練與督導，並提出實質成效。</li><li>2. 因著上述歧視壓力，當原住民女性勞動權益受到剝奪時，往往因對舉證投訴感到惶恐，而放棄自己應有的權益。國家應說明原住民婦女運用救濟途徑人數、事由及後續情形，並改善現行服務體系，友善原住民婦女使用正式資源或救濟途徑的服務措施作法，亦應在部落內設立救濟申訴與協助管道。</li></ol>

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委員與非政府組織會議發言單

發言者姓名：彭滄雯

代表團體：高雄市婦女新知協會

使用語言：

發言資訊	
發言場次	場次 1 【發言順序：9】)
主要條文	第 6 條
一般性建議	
發言摘要	<ol style="list-style-type: none"><li>1. 國家報告【表 6-19】只呈現社維法修法後，各警察機關對違反社維法 80 條者裁罰的案件數、人數及罰金。由於數據呈現的只是總數，很難看出警方執法有無選擇性執法和階級歧視的問題。根據彭滄雯（2008）的研究論文，警方執行社維法的取締對象中，46%被逮捕者為 40 歲以上的從娼者；超過 30 歲以上者更高達 74%。這個數據顯示底層性工作者明顯成為警察取締性交易的主要對象。因此警政署應當持續對取締績效數字，進行年齡和性別的複分類統計並加以公佈，以瞭解性交易取締究竟對誰造成影響。</li><li>2. 本協會參訪中南部一所中途學校，發現由於法律上對「性交易」定義的模糊，造成部分受性侵害的青少女，被誤認為從事性交易的不幸少女，只因為加害者在性侵害少女後，給予受害者少許金錢或甚至是物品當作補償或封嘴，而被害者在無助的情況下收下，就此構成法院認知的對價之性交或猥褻行為。類似的情形應當被重視與處理，而受害少女應得到妥善的協助。</li></ol>

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## 委員與非政府組織會議發言單

發言者姓名：張凱強

代表團體：財團法人台北市婦女救援社會福利事業基金會

使用語言：中文

發言資訊	
發言場次	場次 1 【發言順序：8】
主要條文	第 2 條、第 6 條
一般性建議	第 19 號（第 12、13、15、24(d)段）、第 28 號（第 21、28、38(e)段）
發言摘要	<p>針對問題清單 8、11、12、14：</p> <ol style="list-style-type: none"> <li>1. 缺乏有效法律防治女性遭網路性別暴力犯罪。</li> <li>2. 對遭性剝削女童及遭家暴婦女，法律仍未禁止媒體公布被害人個資；性侵害及人口販運法案雖已禁止，但媒體仍經常違法揭露，主管機關亦未落實監督裁罰。</li> <li>3. 檢警單位將人口販運或女性賣淫案件之蒐證影像提供媒體拍攝。</li> <li>4. 缺乏應尊重性別暴力被害女性之媒體守則，媒體常以歧視方式報導人口販運或女性賣淫案件。</li> <li>5. 經網路使兒童賣淫、性侵案件比例高，但未有專職調查之檢警單位，且網路誘拐兒童外出性侵案件僅罰實害犯。</li> <li>6. 安置機構中約 40%~60% 賣淫被害兒童曾施用或遭毒品控制，但調查資料難以核對。</li> <li>7. 法院對與兒童為性交易之嫖客判決刑度偏低。</li> <li>8. 政府委託民間單位受理民眾檢舉色情網站，但鮮少裁罰。</li> <li>9. 賣淫即是對女性之剝削，但現行政策使許多經濟困境而賣淫女性遭裁罰，應改採罰嫖不罰娼模式。</li> </ol>

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### 委員與非政府組織會議發言單

發言者姓名：張裕焯

代表團體：財團法人臺灣省天主教會新竹教區

使用語言：中文

發言資訊	
發言場次	場次 1 【發言順序：7】
主要條文	第 6 條
一般性建議	
發言摘要	<p>自 1999 年起迄今，長達 15 年的時間，有 20 萬的女性外籍移工從事家庭照顧工作者不受《勞動基準法》保障，並且取代的《家事勞工保障法》自 2003 年提出迄今亦無法通過立法。自始她們必須忍受低薪、高工時、無休、無個人空間的生活，為沒有名字的勞動機器。</p> <p>如果她們不願意忍受，多會選擇逃離原雇主於我國境內非法居留、非法工作者，而為勞力剝削、性剝削，被販運的高風險群。</p> <p>幸運者一但遭受警察查獲，在司法審判期間享有暫時的合法停留權、工作權。但是，這有限的權力並不包括：</p> <ol style="list-style-type: none"><li>一 投保社會保險的權力，及勞工保險與健康保險。</li><li>二 生產後，孩子的醫療費用補助。</li><li>三 性工作所得的追討。</li><li>四 返國後身分的持續隱密。</li><li>五 容易取得的心理諮商與輔導資源。</li></ol> <p>因此，她們短暫的停留與工作權，只是政府誘其作證的吝嗇條件。並且政府並未自女性移工的「國家剝削」因素做改善。</p>

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委員與非政府組織會議發言單

發言者姓名：李萍、藍云均

代表團體：中華民國基督教女青年會協會

使用語言：中文

發言資訊	
發言場次	場次 1 【發言順序：6】
主要條文	第 2 條
一般性建議	第 19 號一般性建議
發言摘要	<p>外籍配偶受到家暴比例為本國籍配偶之 4.75 倍，敬請審查委員於總結建議中要求臺灣政府：</p> <ol style="list-style-type: none"><li>1. 應針對外籍配偶高家暴之比例、成因進行深入調查與研究，政府應提出具體作為與因應策略，並期提出評估報告，並於下次審查會中針對新移民人身安全議題提出具體改善作為與措施。</li><li>2. 充分提供外籍配偶人身安全教育及家暴處遇之資訊、資源與訓練，以增強外籍配偶自我保護及自助助人的能力。</li></ol>

消除對婦女一切形式歧視公約(CEDAW)  
中華民國第二次國家報告國外專家審查暨發表會議

委員與非政府組織會議發言單

發言者姓名：賴芳玉、王秋嵐

代表團體：現代婦女基金會

使用語言：中文

發言資訊	
發言場次	場次 1 【發言順序：5】
主要條文	第 2、5 條
一般性建議	第 19、28 號
發言摘要	<p>1. <u>提升性侵害被害者的訴訟參加權</u>：我國目前訴訟地位全面向被告傾斜，造成易遭交互歧視之性侵害之被害女性在司法上更形弱勢，建議法律上應提升被害人訴訟地位，增列資訊對等權(閱卷、勘驗在場權、同時收取書狀繕本等)、調查證據權、交互詰問權、辯論權與上訴權。</p> <p>2. 建議修法增列偵辦或審理時，得為關於禁止性/性別歧視之相關處置：建議修法，規定 <u>性侵害犯罪之被告或其辯護人對被害者有任何性別歧視之陳述與作為，如有必要，審判者應予即時制止或限制辯護。</u></p> <p>3. 為加強性侵害犯罪被害人人身安全保護，並規範被告於法庭外利用媒體散佈被害人資訊、隱私與性別歧視之言論，建議修正性侵害犯罪防治法修法及犯罪被害人保護法，設立禁制令制度與監督裁罰機制，保障被害人人權。</p>

消除對婦女一切形式歧視公約(CEDAW)  
中華民國第二次國家報告國外專家審查暨發表會議

委員與非政府組織會議發言單

發言者姓名：杜瑛秋

代表團體：勵馨基金會

使用語言：中文

發言資訊	
發言場次	場次 1 【發言順序：4】
主要條文	第 2 條
一般性建議	第 19 號
發言摘要	<p>第 2 條</p> <ol style="list-style-type: none"><li>1. 性侵害被害人女性佔 80%-85%，18 歲以下被害人有近 7 成，佔近 9 成。對於遭受亂倫或校園性侵害被害人需接受 5 次以上社政、教育及司法調查，但實務上社政、學校與司法的調查證據卻無相互使用，被害人只能不斷重複被調查與偵訊、審判，且調查訴訟冗長，造成被害人多次二度創傷。政府應整合調查審理的證據、程序與速度，以避免造成被害人進入司法後的二度創傷。</li><li>2. 受暴婦女因家暴而需經常搬遷，政府應保障居住權，並有主責政府單位，提供可行的住宅輔導。</li></ol>

消除對婦女一切形式歧視公約(CEDAW)  
中華民國第二次國家報告國外專家審查暨發表會議

**委員與非政府組織會議發言單**

發言者姓名：廖書雯

代表團體：社團法人台灣防暴聯盟

使用語言：英文

發言資訊	
發言場次	場次 1 【發言順序：3】
主要條文	第 2 條
一般性建議	第 12、9 號
發言摘要	針對性侵害議題至今仍有認定不易、論刑過低、訊問無效、治療不足，保護欠缺，但國家報告對此無積極性措施，請說明針對前述議題之對策與階段性改善措施？

消除對婦女一切形式歧視公約(CEDAW)  
中華民國第二次國家報告國外專家審查暨發表會議

委員與非政府組織會議發言單

發言者姓名：施逸翔

代表團體：台灣人權促進會

使用語言：中文

發言資訊	
發言場次	場次 1 【發言順序：2】
主要條文	第 2、3、9、11 條，以及回應議題清單第 2 點、第 4 點
一般性建議	第 25、28 號一般性建議
發言摘要	<ol style="list-style-type: none"><li>1. 鑑於當前台灣政府的人權機制各行其事，且多屬於無資源、專職人力的任務編組，因此台灣人權促進會肯定並重申 2013 年 3 月 1 日兩公約初次國家報告國際審查結論性意見第 8 點和第 9 點，政府應依照所規劃的時間表，依照《巴黎原則》成立獨立的國家人權委員會，以健全促進與保障婦女權利的政府機制。</li><li>2. 自 CEDAW 施行法通過以來，各級法院運用公約的比例仍非常低，依照司法判例檢索系統，僅能找到 12 筆資料，突顯出司法人員在接受落實 CEDAW 義務的培訓，仍舊非常地不足。國家報告在第 15.32 的說明，亦無法回應所有司法人員皆有接受 CEDAW 義務之訓練與培訓效果。因此本會建議：<ol style="list-style-type: none"><li>(1) 司法院應積極促進並確保司法體系適用 CEDAW 公約；</li><li>(2) 應由具備適當專業之高階專家為司法體系提供與 CEDAW 公約相關之深入、密集且實用之訓練；</li><li>(3) 司法院應於其網站持續更新所有法院援引 CEDAW 公約條款之案例清單。</li></ol></li></ol>

消除對婦女一切形式歧視公約(CEDAW)  
中華民國第二次國家報告國外專家審查暨發表會議

委員與非政府組織會議發言單

發言者姓名：陳瑤華

代表團體：中華心理衛生協會、中華民國殘障聯盟、中華民國愛滋感染者權益促進會、台北市婦女救援基金會、台南市性別平等促進會、台灣人權促進會、台灣同志家庭權益促進會、台灣婦女團體全國聯合會、台灣性別不明關懷協會、台灣性別平等教育協會、台灣伴侶權益推動聯盟、台灣防暴聯盟、台灣蠻野心足生態協會、台灣國際醫學聯盟、現代婦女基金會、勵馨社會福利事業基金會

使用語言：英文

發言資訊	
發言場次	場次 1 【發言順序：1】
主要條文	第 1、2 條
一般性建議	第 9、18、19、25、27、28 號一般性建議
發言摘要	<p>我們首先針對國家報告所呈現結構性及根本性的問題，敦請審查委員於總結建議中要求臺灣政府：</p> <ol style="list-style-type: none"><li>1. 在交叉性歧視的統計資料建置及呈現上，除考量不同群體女性間的差異外，應就原住民族、身心障礙、非正式經濟工作者等弱勢群體內的性別差距進行調查統計及分析，並針對多元性別群體進行基本調查統計。同時，確保所有調查的性別填列皆能充分尊重個人意願，以及個人隱私與各項人權之維護。</li><li>2. 針對 CEDAW 各實質條文逐一識別易受影響／脆弱群體，並確保任何重大政策及發展計畫在研擬與實施前後，皆能確實執行性別、文化及弱勢人權等影響評估。</li><li>3. 比照本次國家報告「外籍女性移工勞動權益保障」一節作法，盡速以專案方式針對原住民族、身心障礙、未成年女性及多元性別等群體之人權保障及促進提出主題報告，並將上述群體之人權列為下次國家報告主題事項。</li><li>4. 本次國家報告「性別暴力防治」一節未能具體指出現況困難所在及後續因應規劃，下次國家報告應於各條文外，另就第 19 號一般性建議獨立提出報告。</li><li>5. 敦請委員會根據臺灣政府的表現，斟酌國際重點性平指標，建議於未來四年內應達成的基準。</li></ol>

### 第三場：第 10~14 條（14:50~16:20）

- 30 王儷靜／台灣性別平等教育協會
- 31 劉立凡／台南市性別平等促進會
- 32 鄭筑羚、沈芳竹／中華民國殘障聯盟
- 33 王淑芬／勵馨社會福利事業基金會
- 34 嚴祥鸞／中華心理衛生協會  
葉珈語／中華民國愛滋感染者權益促進會(請參英文發言單)
- 36 丘愛芝／國際陰陽人組織-中文版
- 37 李碧琪／天主教善牧基金會  
黃嵩立、黃怡碧／台灣國際醫學聯盟(請參英文發言單)
- 38 何碧珍／台灣婦女團體全國聯合會
- 39 鍾怡婷、蘇之涵／台灣農村陣線  
陸詩薇／台灣蠻野心足生態協會(請參英文書面意見)
- 41 張 珏／心理健康行動聯盟、台北市雙胞胎協會

### 第四場：第 15~16 條（16:30~17:30）

- 吳芷儀／台灣性別不明關懷協會(請參英文發言單)
- 44 陳薇真／跨性別倡議站
- 45 許秀雯／台灣伴侶權益推動聯盟
- 46 黃筑鈺／台灣同志家庭權益促進會
- 47 張凱強／台北市婦女救援基金會
- 48 廖書雯／台灣防暴聯盟
- 49 陳 堯、曾巧忻／Lima 台灣原住民青年團  
官曉薇／婦女新知基金會(請參英文發言單)

# 目 次

## 第一場：第 1~6 條 (11:00~12:30)

- 1 陳瑤華／NGO 聯合發言
- 2 施逸翔／台灣人權促進會
- 3 廖書雯／台灣防暴聯盟
- 4 杜瑛秋／勵馨社會福利事業基金會
- 5 賴芳玉、王秋嵐／現代婦女基金會
- 6 李 萍、藍云均／中華民國基督教女青年會協會
- 7 張裕焯／臺灣省天主教會新竹教區
- 8 張凱強／台北市婦女救援社會福利事業基金會
- 9 彭滄雯／高雄市婦女新知
- 10 李碧琪／天主教善牧基金會
- 11 王儷靜／台灣性別平等教育協會
- 12 許秀雯／台灣伴侶權益推動聯盟
- 13 林以加(代讀)／人本教育文教基金會
- 14 沈芳竹、蘇瑞臻／中華民國殘障聯盟
- 15 陳秀峯／台南市性別平等促進會  
葉珈語／中華民國愛滋感染者權益促進會(請參英文發言單)
- 16 張 珏／台北市雙胞胎協會、心理健康行動聯盟
- 18 黃筑鈺／台灣同志家庭權益促進會
- 19 陳薇真／跨性別倡議站
- 20 丘愛芝／國際陰陽人組織-中文版
- 21 葉若瑛／台灣性別不明關懷協會
- 22 陳 堯、曾巧忻／Lima 台灣原住民青年團
- 23 梁玲菁／台灣婦女團體全國聯合會

## 第二場：第 7~9 條 (13:50~14:40)

- 24 李 萍、藍云均／中華民國基督教女青年會協會
- 25 林美薰、王秋嵐／現代婦女基金會
- 26 張裕焯／天主教會新竹教區
- 27 邱伊翎／台灣人權促進會
- 28 阮俊達／台灣原住民族政策協會
- 29 耿雙雙／台北市婦女救援社會福利事業基金會 (第二輪發言)

消除對婦女一切形式歧視公約(CEDAW)

中華民國(臺灣)第二次國家報告國外專家審查暨發表會議

# 委員與非政府組織會議

## 發言資料

時間：2014 年 6 月 23 日(星期一)11:00~17:30

地點：公務人力發展中心福華國際文教會館 14 樓貴賓廳

(台北市新生南路三段 30 號)



*Foundation for Women's  
Rights Promotion  
and Development*

財團法人婦女權益促進發展基金會