NGOs 在國家報告審議機制中的角色 The Role of NGOs in CEDAW Reporting Mechanism in Taiwan

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- 台灣的CEDAW運動——民間團體做了什麼?
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前言 Introduction

- 背景 Background
- · 秘書處的關鍵角色 Secretariat-crucial role
- 我們將討論 We'll discuss:
 - 1.台灣CEDAW運動發展的脈絡 CEDAW Movement in Taiwan
 - 2.確認NGOs在國家報告機制中的角色 making sure the role of NGOs in CEDAW reporting mechanism in Taiwan

台灣的CEDAW運動 ——民間團體做了什麼? CEDAW Movement in Taiwan: What NGOs really do

What NGOs really do (1/5)

- 解嚴前後,社會運動蓬勃發展
 At the end of martial law, social movement flourish
- 九〇年代末期,參與國際會議益發積極 At the end of 1990, actively participate international meeting and conference.
- 與國際接軌,從性別主流化開始。
 Connected with international society
 from Gender Manstreaming

CEDAW Movement in Taiwan: What NGOs really do (2/5)

- 2003年開始才討論CEDAW Start to discuss CEDAW in 2003
- 2004年,台灣民間CEDAW聯盟成立。 "The League for CEDAW" established in 2004
- 提出CEDAW 公約「四年(2006-2009)工作計畫綱領」, 委由婦權委員送進國參組中討論。

The League for CEDAW sketched out "the 4-year Platform for Action of Implementation of CEDAW in Taiwan", and was proposed to group on International participation of Committee of women's rights Promotion

CEDAW Movement in Taiwan: What NGOs really do(3/5)

- 四年工作計畫綱領之第一期:檢視法令規章與習俗, 完成性別預算分析及性別影響評估,製作宣導短片與 手冊,並協助NGOs相關議題的串連整合。
- 1st period (2006-2007): viewing laws, customs and regulations, completing gender budget and gender impact assessment, and making advocacy video and manual. At the same time support NGOs to combination on the issues.
- 第二期:完成第一期法規檢視的後續修法,推動人權教育課程。支持民間團體與國際組織的連結
- 2nd period(2008-2009), Amending the law, promoting human rights education support the connection between NGOs and INGOs

CEDAW Movement in Taiwan: What NGOs really do (4/5)

- 推動簽署、批准CEDAW以及後續通過CEDAW國內施 行法,都是民間團體強力要求下的成果。
- NGOs urge Taiwan government to sign and ratify CEDAW, including the follow Act to implement the CEDAW.
- 如今CEDAW的合法地位已被確認,CEDAW施行法 2012年1月生效。
- The Legitimacy of CEDAW is confirmed. 2012/01/01 begin the Act to implement the CEDAW.

CEDAW Movement in Taiwan: What NGOs really do (5/5)

- 更大的問題是:如何確立人權監督的機制。
- But, how to establish monitoring mechanism of human rights is a big issue!
- 我們迫切需要具有獨立型的秘書處。由於我們不是聯合國正式的成員,因此,成立秘書處成爲我們落實人權保障至關緊要的問題。
- We urgent need a independent Secretariat. Just because Taiwan is not the officially member of United Nations. So the Secretariat is our specific problem.

NGOs在台灣CEDAW國家報告中的角色定位 The Role of NGOs in CEDAW country report in Taiwan

1.秘書處的獨立性 1.The Independence of Secretariat 2.獨立的基金會:NGOs捍衛人權的基石

2.independent Secretariat: a cornerstone of defending human rights

3.如何組織影子報告/平行報告?—政策倡議的新路 3.how to organize shadow /parallel report?_ a new way to policy advocacy 條約機構 treaty bodies

人權報告制度

Reporting Mechanism

締約國政府 States parties

非政府組織 NGOs

三方各司其職

three parties play their own roles

- 締約國政府應該好好地撰寫國家人權報告,誠實檢視國內的人權落實情況。
- States parties: submit its state report, and honestly face the domestic human rights situation.
- 非政府組織也必須時刻保持監督政府的態度,從民間的角度撰寫影子報告或替代報告,揭露政府不願面對的人權現況。
- NGOs: submit their shadow reports and expose human rights violations in their country.
- 聯合國的條約機構,無疑扮演獨立客觀的角色,必須多方 蒐集資訊,才有可能審視國家人權報告,並給予具體的結 論建議。
- treaty bodies: play the independent role.

婦女權益促進發展基金會應扮演獨立的秘書處 FWRPD should be the independent secretariat (1/2)

- 大幅修改其組織架構
 Modify the structure of organization
- 基金會中具有決策權的董事會,應完全排除官派之人員,或者只有少數官派人員作爲代表,但其不能具有實質決策權,不能投票,而僅代表政府列席董事會議。
 officer could attend, but can not decision-making.
- 改革後的董事長和執行長,應由獨立公正人士來擔任。
 Those from the independent and impartial as chairperson and CEO.

婦女權益促進發展基金會應扮演獨立的秘書處 FWRPD should be the independent secretariat (2/2)

- 我們建議,政府不應以基金來源來自政府,而對基金會之內部決策與運作進行干預。
 - The government should not interven the decisionmaking in the Foundation
- 為了讓婦權基金會的定位與方向更清楚,我們也建議 將CEDAW國家人權報告審查制度列為主要的宗旨與 任務。

To confirm the purpose of FWRPD make the reporting mechanism mainly goal and Task.

獨立秘書處的基本條件

Basic conditions of independent secretariat(1/2)

- 不得爲官方組織。
- It can not be an official organization.
- 秘書處應獨立運作,不受政府或其他第三方勢力所影響。
 It can nor be influenced by the third-party forces.
- 秘書處之經費資源,由政府提撥但不得介入秘書處的運作。
 - The Budget comes from the Government, but the government should not intervene the function of foundation.
- 秘書處應長期關注各種人權和性別平等議題。 The Secretariat should long-term concern the issues of human rights and gender equality.

獨立秘書處的基本條件

Basic conditions of independent secretariat(2/2)

秘書處應熟悉聯合國人權報告制度的運作程序,最好 是與聯合國的關係密切,能夠協助台灣邀約適當的人 選作爲審查委員。

Secretariat should be familiar with the reporting mechanism of UN. It can help to offer suitable person to be Taiwna as reviewing committee

應與台灣國內的非政府組織建立密集且暢通的聯繫,讓秘書處能有充分的管道獲得有關台灣的所有資訊,包括來自非政府組織、國際非政府組織等機構的訊息資料,在一定程度上要很瞭解台灣的情況。

Secretariat should establish dense and smooth contact with NGOs, INGOs

獨立秘書處的重要工作

Important task of independent Secretariat

- 為專家委員蒐集、準備所需的資料文件。
 Information collect and prepare for the experts
- 彙整來自各方的文件、報告、與資料,包括來自個人、政府、聯合國組織、非政府組織、以及國際非政府組織。
 Gathering documents, reports and relative data from individual, government, NGOs and INGOs
- 協助專家委員起草文件,包括議題清單、結論觀察意見等 文書作業。 Draft the documents, including list of issues, concluding comments
- 安排專家委員與非政府組織聯繫與會面。Arranging the meeting between experts and NGOs
- 其他行政工作。 Other works

獨立秘書處還可以做什麼? What else can be secretariat done?

- 影子報告翻譯。 Translation of shadow reports
- 建立NGO工作者與專家委員之間通暢的溝通管道。
- Establishing the channels of communications between NGOs and experts
- 協助非政府組織的意見能夠在民間社會有更高的能見度, 包括架設網站平台、舉辦活動讓更多民眾瞭解國際公約與 人權報告制度的意義。
- 出版相關議題的刊物。
- Publishing relative journals, etc.
- 建立相關議題的資料庫。 Establishing database of relative issues

NGOs在國家報告審議中的角色 The Roles of NGOs in reporting review

- 非政府組織與締約國政府之間,彼此應該是平等的地位。
 - NGOs is equal to the states parties.
- 專家委員應該在審查國家報告前主動諮詢NGOs的意見,讓NGOs參與會前工作組。
 - **Expert Committee should be** Initiative to consult NGOs opinion and invite NGOs to participate presession.
- 允許NGOs提出民間觀點的議題清單,讓專家委員在 公佈議題清單前,可以有參考依據。
 - Allow NGOs to raise the list of issues.

如何組織影子報告/平行報告?

——一條政策倡議的新路

How to organize shadow /parallel report? a new way to policy advocacy (1/2)

- 過去民間團體努力的催生國家報告,影子報告在國家報告審查會議之後才出爐。
 - In the past ,because NGOs try hard to promote country report, and help to training the officer, so shadow report complete after that.
- 連結NGOs共同撰寫影子報告並不容易,除非借重政 策倡議型的組織作爲中介,共同協同合作。
 - It is hard to call for Direct service-oriented NGOs to write shadow report. We need combination with Direct service-oriented NGOs Policy initiatives of NGOs based.

如何組織影子報告/平行報告?

——一條政策倡議的新路

How to organize shadow /parallel report? a new way to policy advocacy (1/2)

- 為什麼我們需要CEDAW?
 Why we need CEDAW in Taiwan?
- 何以NGOs需要通力合作撰寫影子報告? Why NGOs must cooperate to write shadow report?

結語 / Conclusion (1/2)

- 民間團體是CEDAW、ICCPR與ICESCR主要的鼓動與催生者。
 - Civil society is the mainly roles, who encouraged and fostered CEDAW, ICCPR and ICESCR.
- 儘管我們不是聯合國的會員國,促進人權保障的實現,應 該是大家共同的目標!
 - Although we are not Member States of the United Nations, to promote the realization of human rights protection, should be our common goal!
- 惟有獨立不受官方干預的秘書處,才能確保監督的迴圈成型。
 - Only independent from official intervention, the Secretariat can ensure the monitoring mechanism.

結語 / Conclusion (2/2)

政府願意藉由國家報告提出自我評估以及所面臨的困境,民間團體運作影子報告,予以監督。再找來有豐富審查經驗的國際專家,給我們建議。懸而未解政策可以有了方向,何樂而不爲?

By the self-assessment of government and showing the difficulty.



NGOs shadow report-present the concrete situations.



Experienced experts => Difficulty can be resolved.

謝謝你的聆聽~ Thanks for Your Kind Attention! Danke für Ihre Aufmerksamkeit!