

消除對婦女一切形式歧視公約(CEDAW)第 4 次國家報告
國際審查委員會問題清單

條次	項次	問題內容(原文)	中文翻譯(初稿)
無	1	<p>Overarching question:</p> <p>COVID-19 pandemic and gender impact analysis</p> <p>1. During the COVID-19 pandemic, the world has witnessed that the pandemic brought different impacts upon people’s lives and that social inequalities have increased. Please provide information on how the pandemic has affected different groups of women in Taiwan of different ages in different areas of their lives, for example in education, employment, health, social security and marriage and family life. Please also provide information what measures were taken to mitigate the negative impacts on women, including in particular for indigenous women, women with disabilities, new immigrant women and other minority women.</p>	<p>總體問題：</p> <p>COVID-19 疫情及性別影響分析</p> <p>1. COVID-19 疫情期間，全球見證了疫情帶給大眾生活不同影響，並加劇社會不平等現象。請提供資訊說明疫情如何影響臺灣各年齡層女性的不同生活領域，例如教育、就業、健康、社會保障，以及婚姻和家庭生活。另請說明目前採取哪些措施來減輕對女性的負面影響，尤其是對於原住民族女性、身心障礙女性、新住民女性及其他少數群體女性。</p>
第 1 條	2	<p>Article 1:</p> <p>Comprehensive legislation on gender equality</p> <p>2. In 2018, the International Review Committee recommended a comprehensive legislation on gender equality including a definition of discrimination against women. According to the</p>	<p>第 1 條</p> <p>性別平等之綜合性法制</p> <p>2. 2018 年，國際審查委員會建議落實性別平等之綜合性法制，並定義何謂女性歧視。根據政府報告，已在 2019 年委託進行一項研究，立法草案預計於 2024 年完成。報告還提到，將在起草過程中蒐集各</p>

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		<p>government report, a study was commissioned in 2019 and a draft of the act to be completed in 2024. It was also explained that during the drafting process, opinions will be collected from various sectors, and reviews of the law and a gender impact assessment will be carried out. Please provide information on the current status of this drafting process, whose opinions were collected so far, what their opinions were and whether it would be possible to speed up the process.</p>	<p>部門的意見，並進行法案及性別影響評估檢視。請提供資訊說明該項草案研擬的現狀，包括目前為止已蒐集哪些部門的意見、其意見為何，以及是否可以加快此立法過程。</p>
第 2 條	3	<p>Article 2 : National human rights institution 3. With reference to the information provided in the Core Document (para. 118) on the establishment in 2020 of the National Human Rights Commission (NHRC) under the Control Yuan, according to the Organic Act of the Control Yuan National Human Rights Commission, the IRC draws attention to para. 13 of the previous Concluding Observations and Recommendations, in which the government was advised that “<i>Since such a monitoring mechanism should be fully independent, it should preferably not be established within the Presidential Office, the Control Yuan or any other part of the existing Government structure. If the Government were to decide to integrate such a body into the Control Yuan, however, it is absolutely necessary to restructure the Control Yuan and establish an independent unit within it in order to fulfill</i></p>	<p>3. 根據核心文件 (第 118 項) 提供有關 2020 年在監察院下設立國家人權委員會 (NHRC) 之資訊，以及根據《監察院國家人權委員會組織法》，國際審查委員會特別提請注意前次國家報告結論性意見與建議第 13 點：「既然此等監督機制應該完全獨立，最好不要設立於總統府、監察院或現行政府組織的任何部門內。但是，如果政府決定將此等機構併入監察院，則絕對有必要重組監察院並在其中設立獨立單位，以履行促進、監督和保護人權的任務，包括婦女權利和性別平等，並完全遵循《巴黎原則》。」在關於 CEDAW 中華民國第 4 次國家報告的獨立意見中，將國家人權委員會介紹為「致力於保護和促進人權的獨立機構」(第 1 項)。</p>

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		<p><i>the tasks of promoting, monitoring and protecting human rights, including women's rights and gender equality, in full accordance with the Paris Principles.</i>" In its Independent Opinion on Taiwan's Fourth Report on the Implementation of CEDAW, the NHRC is introduced as "an independent body dedicated to human rights protection and promotion" (para. 1).</p> <p>Please explain how this independence is guaranteed, given that it operates under the Control Yuan, and no restructuring of the Control Yuan seems to have taken place. In particular, please address the following issues: How does the NHRC operate? Who are its commissioners and officers? How are they being elected and/or appointed? What are their required qualifications? Does the NHRC have a statutorily guaranteed budget independent of the Control Yuan? In relations to its functions, please explain the reference in para. 118 to the power "to investigate human rights violations".</p> <p>Please also explain how its authority is different from the Control Yuan's general authority to review the actions of government agencies (as described in para. 119).</p>	<p>考量到國家人權委員會設置於監察院下且監察院似乎並未重組，請說明如何確保其獨立性。尤其，請針對以下問題提出說明：國家人權委員會如何運作？由誰擔任委員和官員？如何選舉及/或任命？需要什麼資格？國家人權委員會是否有獨立於監察院的法定保障預算？針對其職責，請說明第 118 點提到的「調查侵害人權案件」的權力。。</p> <p>另請說明其權力與監察院檢視政府機關作為的一般權力有何不同 (如第 119 點所述)。</p>
第 2 條	4	<p>Regulatory review</p> <p>4. Paragraph 2.1 of the National Report states that following the massive regulatory review conducted between 2014-2017, there are 11 outstanding amendments, including 8 laws and self-governing ordinances, and 3</p>	<p>法規檢視</p> <p>4. 國家報告第 2.1 項指出，經 2014-2017 年展開大規模法規檢視後，未完成的修法共計 11 件，包括 8 件法律及自治條例，以及 3 件命令及自治規</p>

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		instructions and self-governing rules. Please update on the progress of their promulgation. Likewise, please update on the progress of the one remaining amendment to the Civil Code, following the review for compliance with CEDAW's General Recommendations 29-33, given that the outcome of this review with the resulting five cases of non-compliance was already reported in the third CEDAW Convention Specific Report, para. 2.5.	則，請更新修法進展。同樣，依據國家報告共同核心文件第 2.5 點(應更正為 2.2 點)提到 CEDAW 第 29 號至第 33 號一般性建議法規檢視結果，計有 5 件不符合 CEDAW 之法規及行政措施。請更新剩餘 1 件《民法》修正案之的進展。
第 2 條	5	<p>Remedies for human rights violations</p> <p>5. Please explain what mechanisms there are for seeking redress for violations of human rights, beyond the mechanism under the Act of Gender Equality in Employment, as mentioned in para. 2.3.4 of the 2nd Report (referred to in para. 2.8 of the 4th Report) and in para 2.16.2 of the 2nd Report. The 4th Report (para. 2.9), as all the previous ones, refers to the Executive Yuan's Gender Equality Complaint Mailbox as handling gender discrimination complaints of all types. However, none of the reports explains its operation and powers, and beyond mere number of complaints files and their general categorizations. It is not clear how they are handled and what their outcomes are. Please explain in detail this mechanism, its structure, its powers, and provide information as to the outcomes of the cases, segregated by gender. Please also explain its relation to the procedures under the Act of Gender Equality in Employment, as well as the newly established NHRC.</p>	<p>人權侵害之救濟措施</p> <p>5. 請說明除《性別工作平等法》規定的機制外，還可以透過哪些機制為人權侵害案件尋求補救，如第 2 次報告第 2.3.4 點 (第 4 次報告第 2.8 點所述) 以及第 2 次報告第 2.16.2 點所述。如同先前所有報告，第 4 次報告 (第 2.9 點) 指出行政院設有性別平等申訴信箱，受理各類性別歧視申訴案件。然而，報告未說明其運作方式和權力，而非僅是申訴案件的數量和一般分類。目前尚不清楚案件的處理方式，以及結果為何。請詳細說明性別平等申訴信箱的機制、結構、權力，以及提供案件結果的資訊，並依性別區分。另請說明其與《性別工作平等法》以及新成立之國家人權委員會的程序有何關係。</p>

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第 2 條	6	<p>LGBTQI</p> <p>6. Please explain what general legal framework exists to protect LGBTQI from discrimination, beyond the areas of education and employment (under the Gender Equity Education Act and the Gender Equality in Employment Act). Are there measures being developed to protect them from discrimination in the area of services provision and from hate speech?</p> <p>Please explain whether the binary household registration is being reconsidered, especially in light of the legalization of same-sex marriages in 2019?</p>	<p>LGBTQI</p> <p>6. 請說明除教育及就業領域(《性別平等教育法》與《性別工作平等法》)外，有哪些一般法律架構可以保護 LGBTQI 免受歧視。是否正在制訂相關措施，保護他們在服務提供領域免受歧視和仇恨言論？請說明是否正在重新審議二元戶籍登記，尤其考慮到 2019 年已通過同性婚姻合法化？</p>
第 3 條	7	<p>Article 3:</p> <p>Government mechanisms to promote and safeguard the rights of women</p> <p>7. Under the establishment of guidelines for the Control Yuan Task Force on Gender Equality chaired by the Control Yuan President, please provide details of the investigation findings for each government agency highlighting the various shortcomings identified and the type of improvements they were required to make, key improvements made as well as follow-up and full compliance strategies of the Control Yuan and how the mechanism has helped to ensure GEWE across sectors in line with the principles of CEDAW Article 3.</p>	<p>第 3 條：</p> <p>促進與保障女性權利的政府機制</p> <p>7. 在監察院院長主持的監察院性別平等工作小組運作下，請提供有關各政府機關調查結果之詳細資訊，並點出不足之處及需要改善的類型、已改善的關鍵事項、監察院的後續行動和全面法規遵循策略，以及該機制如何幫助確保性別平等和婦女賦權在跨部門之間符合 CEDAW 第 3 條的原則。</p>

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第 3 條	8	<p>8. Please share the key functions and tasks of the special units for gender equality currently existing in 6 local governments and how they help to ensure implementation of the CEDAW Articles across departments and results achieved to date indicating:</p> <p>a) The exact functions of the Taiwan's gender equality workforce/employees (81 in ministries and 111 in local governments) and specific functions undertaken to promote gender equality at government ministries and local governments;</p> <p>b) Percentage of the budget used for administrative costs compared to other development programmes and activities, the impact realised and linkages between the Gender Equality Workforce to national productivity, GDP growth and economic growth projectiles in key sectors.</p>	<p>8. 請分享目前在 6 個地方政府設立的性別平等專責單位的主要職務和任務，以及其如何幫助確保跨部門執行 CEDAW 條款並實現迄今為止的成果：</p> <p>a) 臺灣性別平等人力(部會 81 人，地方政府 111 人)的確切職務，以及政府部會和地方政府為促進性別平等承擔的具體職務；</p> <p>b) 相較於其他發展計畫和活動，用於行政成本的預算百分比所產生的影響，以及性別平等人力與關鍵部門的國家生產力、GDP 成長和經濟成長預測之間的關聯。</p>

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第 3 條	9	<p>Promoting gender equality policy guidelines and equality and mainstreaming policies</p> <p>9. How has the promotion of publicly available childcare under the Three-in-One Policy enhanced women’s economic power in practice? Which sector-specific gender goals have been realized under the three level meeting mechanism of the Executive Yuan across Ministries, Departments and Agencies (MDAs)? How do they align with/uphold CEDAW principles? How have they contributed to promoting gender equality in public and private sector decision-making or addressed gender disparities in core economic sectors like agriculture, industry, aviation, engineering, technology, etc.?</p>	<p>推動《性別平等政策綱領》及性別主流化政策</p> <p>9. 三合一政策下的托育公共化如何在實務中增強女性的經濟權力？在行政院所屬各部會、部門、機構的三層級會議機制下，實現了哪些領域特定的性別目標？如何符合/維護 CEDAW 的原則？如何促進公私部門決策中的性別平等，或解決農業、工業、航空、工程、技術等核心經濟領域的性別差異？</p>
第 3 條	10	<p>10. Concerning the Executive Yuan’s five-year trial implementation of the revised Gender Budgeting System (GBS), please indicate what principle guides the GBS and how has it affected administrative and management systems like recruitment, performance appraisal, promotion, procurement, beneficiary incidence and impact assessment. Also besides web posting of a description of the gender budgeting situation of the Executive Yuan and its ministries and agencies by the Executive Yuan’s Gender Equality Committee since 2021, please indicate if there is an annual budget statement with clear weighting of expenditure lines/envelopes to respond to gender differential needs and whether any gender impact assessment was conducted on</p>	<p>10. 針對行政院為期五年的修正性別預算制度 (GBS) 試辦作業，請說明性別預算制度的指導原則，以及其如何影響招聘、績效考核、晉升、採購、受益人發生率 (beneficiary incidence) 和影響評估等行政與管理制度。另外，除在網上公佈自 2021 年以來行政院性別平等會對行政院及所屬各部會之性別預算編列情形外，請註明是否為回應性別差異需求，在年度預算表顯示支出項目/總額的明確權重，以及是否對計畫、專案、方案和其他干預措施</p>

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		programmes, projects, schemes and other interventions and how did they address issues relating to CEDAW standards and jurisprudence?	進行任何性別影響評估，而其又是如何處理與 CEDAW 標準和判例有關的問題？
第 3 條	11	11. Is the training for civil servants on gender mainstreaming also extended to/available for political parties, or are there any future plans for this? Besides the 336 Gender Indicators for SDG 5, are there other gender equality indicators for other SDGs besides Goal 5? While the award mechanism established to provide bonuses and administrative rewards is a good model, please explain what gender equality changes were achieved from the award mechanism on gender mainstreaming and indicate specific de-facto, substantive or transformative results recorded under this scheme, and how the Evaluation scores work, highlighting if a gender score card system is in place and how it is operated.	11. 對公務人員的性別主流化訓練是否也擴及/提供給政黨，或者是否有任何未來計畫？除了永續發展目標核心目標 5 提出 336 項性別指標外(參考國家報告 3.14 應更正為「永續發展目標」336 項對應指標)，其他永續發展目標是否有對應的性別平等指標？建立獎勵機制提供獎金和行政獎勵是一種良好的模式，但請說明在性別主流化的獎勵機制實現了哪些性別平等變化，以及該計畫下的具體事實、實質性或變革性成果，並說明評估分數如何運作，強調是否已落實性別計分卡制度，而其又是如何運作。
第 4 條	12	<p>Article 4:</p> <p>Temporary special measures</p> <p>12. With respect to the information contained in paras 4.3-4.6 in the Report, please clarify whether the measures described therein were incorporated into legislation or formal guidelines, and whether a mechanism has been built to monitor their implementation. Are there any legislated special temporary</p>	<p>暫行特別措施</p> <p>12. 針對本次報告第 4.3-4.6 項，請釐清其中所述措施是否已納入立法或正式的指導方針，以及是否已建立機制來監督其執行情況。臺灣是否有暫行特別措施相關法律？該法律是否納入三分之一的性別比例要求 (第 4.3 項)？報告中提到的這些措施，是否</p>

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		<p>measures in Taiwan? Is the one-third gender ratio requirement (para. 4.3) incorporated in law? Do any of these measures mentioned in the Report contain specific measures with respect to women from disadvantaged groups who are subjected to intersecting and multiple forms of discrimination? Have those measures been applied only to boards of directors of state-owned enterprises? Is there a proposed legislation to introduce mandatory targeted recruitment, hiring and promotion, quotas and numerical goals, in line with Recommendation 25(b) of the previous Concluding Observations? What measures are taken with respect to private companies? Where is the one-third gender ratio requirement mentioned in para. 4.3 contained, and what keeps it from progressing to 40% or even parity, as recommended in para 25(c) of the previous Concluding Observations?</p>	<p>包含針對遭受交叉和多重歧視的弱勢群體女性的具體措施？這些措施是否只適用於國營事業的董事會？是否有符合前次結論性意見第 25(b) 所建議的立法提案，針對目標對象之招聘、聘僱與晉升、配額和人數目標？對民營企業採取了哪些措施？延續前次結論性意見第 25(c) 項建議，本次報告第 4.3 項提到的三分之一性別比例要求從何實現？是什麼阻礙其達到 40% 甚至平等？</p>
第 5 條	13	<p>Article 5: Gender role stereotypes 13. Despite many good efforts of the government to change the gender stereotypes, the traditional roles and gendered division of labor still remain strong, as evidenced in the fact that women spend three times more than men on household work and childcare (para. 5.19). It was explained that “to help local governments strengthen the promotion of values such as the division of household chores, this was included in the assessment of social welfare</p>	<p>第 5 條： 性別角色刻板印象 13. 政府為改變性別刻板印象做出許多努力，但傳統的角色和性別分工仍舊根深蒂固，從女性花在家務和育兒上的時間高於男性三倍便可看出（第 5.19 點）。報告提到「為引導地方政府加強宣導家務分工等價值，納入社會福利績效 2017 年至 2020 年考核項目，引導地方政府於辦理婦女福利相關宣導時，</p>

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		<p>performance from 2017 to 2020. It serves to guide local governments to focus on breaking the traditional gender division of household chores, the rights of women with disabilities, and the rights of middle-aged and elderly women when handling women's welfare-related promotion.</p> <p>Please provide information on how this assessment of "social welfare performance" is done by the national government and what the major programs of the local governments are in this regard. Since the issue of equal sharing of household work and unpaid care work in the family is not a matter of social welfare but a matter of human rights, have there been any discussions on the two different approaches? What measures were taken to encourage or give incentives for men to share the work?</p>	<p>以打破傳統家庭性別分工、身心障礙者婦女權益、中高齡婦女權益為宣導主軸。」</p> <p>請說明中央政府如何評估「社會福利績效」，以及地方政府在這方面有哪些重要計畫。既然平等分擔家務和家庭無償照顧工作不是社會福利問題，而是人權問題，是否有就兩種不同的做法進行過討論？目前已採取哪些措施，鼓勵或激勵男性分擔工作？</p>
第 2 條	14	<p>Domestic violence _</p> <p>14. In the Review of the 3rd Report of Taiwan, the IRC pointed out and expressed concern over the persistence of high rates of gender-based violence against women in different forms. It also pointed that Domestic Violence Prevention Act does not recognize domestic violence against women as a specific crime. There is no information in the 4th Report regarding the fate of the said amendment about domestic violence. It is also reported that 70% of domestic violence and violation of "order of protection" cases known to the police receive a penalty. However, apparently, 80% of these would be very</p>	<p>14. 審查第3次國家報告時，國際審查委員會指出針對女性的不同形式性別暴力比率仍居高不下，並對此表達關切。委員會亦指出，《家庭暴力防治法》未承認對女性的家庭暴力為具體罪行。第4次報告未提及上述關於家庭暴力修法的結果。另據報告，警方已知的家庭暴力和違反「保護令」案件中，70%受到處罰。然而，顯然其中80%的處罰非常輕，這顯示家庭暴力視為輕罪。請提供有關法律中家庭暴力情況的最新資訊。</p>

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		<p>light penalties which indicate that domestic violence is treated as misdemeanor. Please provide updated information on the status of the domestic violence in the law.</p> <p>In the 4th Report of Taiwan while there is ample statistical information (para. 2.13, 2.14) that indeed reporting of domestic violence has increased, but percentage of women victims, nonetheless, stayed the same (para. 2.13). It is also reported that according to police records of domestic violence, 73% of victims of domestic violence where criminal cases were opened were women (para. 2.17); a fact that indicates that women are also more likely to be the primary victims of relatively serious forms of domestic violence. What is the government's explanation for this situation which shows that domestic violence is indeed a form of gender-based violence against women in Taiwan? Does the government have any plans to recognize this fact and amend the Domestic Violence Prevention Act accordingly? What is being done to respond to the situation effectively and expeditiously?</p> <p>An apparent disconnection between legislation, polices, and practices pertaining to measures combating violence against women underlies many matters as admitted in the 4th Report. Thus, such measures as the draft amendment to the Domestic Violence Prevention and Control Act are aimed to remedy the situation (para. 2.24). What is being done to ensure that such</p>	<p>第 4 次國家報告雖然提出充足的統計資料(第 2.13、2.14 點)，但家庭暴力的通報數量有所增加，而女性受害者的百分比卻保持不變(第 2.13 點)。另據報告，根據警察機關查獲家庭暴力引發之刑事案件被害人有 73% 是女性(第 2.17 點)。此事實顯示，女性也更有可能是相對嚴重之家庭暴力形式的主要受害者。根據以上情況，在臺灣家庭暴力確實是針對女性的一種性別暴力形式，政府對此如何說明？政府是否有計畫承認此事實，並修正《家庭暴力防治法》？目前已採取哪些措施，以有效迅速地應對這種情況？</p> <p>如第 4 次報告所承認，與打擊女性受暴問題相關的法律、政策和實務之間明顯脫節，是許多問題的根源。因此，透過《家庭暴力防治法》修正草案糾正這種情況(第 2.24 點)。目前已採取哪些措施，確保將法律中的這種意圖有效轉化為政策和實務？分配給社會政策和計畫的資源中，有多少百分比明確分配給家庭暴力和性侵害案件受害者服務？</p>

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		intent in legislation is effectively translated into policies and practices? What percentage of the resources allocated to social policies and programs are expressly allocated to domestic violence and to services for sexual assault victims?	
第 2 條	15	<p>Gender-based violence against women and marital status</p> <p>15. Gender-based violence against women appears to have increased among non-cohabiting couples (para. 2.16). What is the legal perception and treatment of such cases? Are there any reliable statistics on this matter? Is violence against women in non-cohabiting couples legally considered domestic violence or is it handled as something else? Please provide information and statistics on this matter.</p>	<p>針對女性的性別暴力及婚姻狀況</p> <p>15.未同居親密關係伴侶中，針對女性的性別暴力案件似乎有所增加(第 2.16 點)。對此類案件的法律認知及處理方式為何？是否有相關的可靠統計資料？未同居親密關係伴侶中，針對女性的暴力行為在法律上是否視為家庭暴力，還是以其他方式處理？請提供相關資訊和統計資料。</p>
第 2 條	16	<p>Gender-based violence against women and ethnicity/nationality</p> <p>16. Breakdown of the incidence of gender-based violence against women by different categories shows that the reported overall decline in gender-based violence against women is not the case in some nationality and ethnicity-based groups where such frequency has stayed more or less the same (para. 2.14, from 1.3% to 1.4). Please explain the reasons for this and elaborate on any specific policies to respond to it.</p> <p>What is being done in terms of culture-sensitive policies and measures to respond to violence against women in different ethnic or national</p>	<p>針對女性的性別暴力及族群/國籍</p> <p>16.對女性基於性別的暴力發生率，在按不同類別劃分後顯示，針對女性的性別暴力整體上呈下降趨勢，但對於部分國籍和族群幾乎保持不變(第 2.14 點，從 1.3%到 1.4%)。請說明原因為何，並詳細說明應對此問題的具體政策。</p> <p>目前已採取哪些文化敏感政策和措施，應對不同族群或國籍的女性受暴問題？就此方面，政府是否有計畫調查歷史背景下針對女性 (例如慰安婦)的性別</p>

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		<p>communities? In this context, does the government have any plans to look into incidences of gender-based violence against women in historical context (e.g., comfort women) to help shed light on the background of the matter and to raise awareness in the society?</p>	<p>暴力事件，以幫助瞭解相關背景並提升社會意識？</p>
第 2 條	17	<p>Gender-based violence against women with disabilities</p> <p>17. While the state report (para. 2.14) says violence against women in intimate relations is the same for women with disabilities and without disabilities, there is some information, from relevant NGO sources, that women with disabilities experience a higher rate of violence in intimate relations. It is also indicated that such higher rate of violence faced by women with disabilities in intimate relations is also increasing. Please provide accurate and up-to-date information in this regard.</p> <p>There is also some information that the national categorization of people with different kinds of disabilities places an unusually large number of people in “Unknown Disability” category. This prevents accurate understanding of the relationship between different kinds of disability and gender-based violence against women. Does the government intend to put in place a more inclusive statistical database that reflects the disability by sex, types of disability and other relevant characteristics?</p>	<p>針對身心障礙女性的性別暴力</p> <p>17. 雖然國家報告(第 2.14 點)指出對於身心障礙女性和非身心障礙女性之親密關係暴力受暴率並無差異，但相關非政府組織來源的資訊顯示，身心障礙女性遭受親密關係暴力的比率更高。據指出，身心障礙女性面臨的更高親密關係暴力受暴率也在增加。請提供相關的準確及最新資訊。</p> <p>還有資訊顯示，國家針對不同類型身心障礙者的分類，將異常多的人分類至「未知身心障礙」類別。這會導致無法準確理解不同類型身心障礙，與對女性之性別暴力之間的關係。政府是否有意建立更具包容性的統計資料庫，按性別、身心障礙類型及其他相關特徵反映身心障礙情況？</p>

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第 2 條	18	<p>Sexual assault</p> <p>18. The 4th Report states that while gender-based violence against women is, in general, not condoned or supported by the public (para. 2. 20), it appears that when it comes to sexual assault, public attitudes are less critical and often “victim-blaming” exists to justify it. Community-based programs by the Ministry of Health and the Welfare are implemented for prevention and awareness raising in the public, but numbers of reported sexual assault cases have not declined from 2017 to 2020 (para. 2.26). It is also reported that (para. 2.27) foreign migrant workers, particularly domestic caregivers, are the most prevalent victims. How does the government explain the slow change in this area as seen in the information provided in the 4th Report? Also, the 4th Report mentions (para. 2.31) that a draft amendment to Sexual Assault Crime Prevention Act was sent to Executive Yuan in 2018 aimed to strengthen reporting responsibilities, to bring protection orders and increase criminal penalties for violation. What has happened to that draft? Are there any plans to prioritize the issue?</p> <p>There is also some information regarding the inadequacy of the judicial response to the sexual assault cases. While there is some information about the fact that courses were designed to include the topic at the Judges Academy (para. 2.32), please provide information on the impact of these on judicial</p>	<p>性侵害</p> <p>18. 第 4 次報告指出，雖然針對女性的性別暴力一般不受民眾寬恕或支持（第 2.20 點），但談到性侵害時，民眾似乎比較不會批判，且經常以「檢討被害人」的態度合理化性侵害行為。衛生福利部推行以社區為基礎的計畫，以提升民眾的防治能力和意識，但從 2017 年到 2020 年，通報的性侵害案件數未見減少（第 2.26 點）。另據報告（第 2.27 點），外籍移工是最普遍的受害者，尤其是家庭看護。政府如何說明這方面的緩慢變革（如第 4 次報告所述）？此外，第 4 次報告（第 2.31 點）提到已在 2018 年向行政院提交《性侵害犯罪防治法》修正草案，旨在強化通報責任、建立保護令機制，並提高對違法行為的刑事裁罰。請問該草案後續如何發展？是否制訂任何計畫優先處理此問題？</p> <p>另外，也有資訊顯示性侵害案件的司法回應不足。雖然已有資訊顯示「法官學院」已就該主題規劃相關課程（第 2.32 點），但請提供其對司法態度之影響的相關資訊。</p> <p>請詳細說明是否有任何訓練計畫或民眾宣導活動，</p>

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		<p>attitudes.</p> <p>Please elaborate if any of the training programs or public campaigns approach sexual assault as a form of gender discrimination and a consequence of gender inequality. Do they elaborate the link between gender-based violence against women and sexual assault?</p>	<p>將性侵害視為一種性別歧視形式和性別不平等的結果。這些計畫或活動是否指出針對女性的性別暴力與性侵害之間的關聯？</p>
第 2 條	19	<p>Sexual assault involving authority</p> <p>19. Sexual assault cases complicated with abuse of authority are reported by the alternative sources. This matter is also acknowledged in the response of the government to the List of Issues and Questions by the previous International Review Committee. Out of the 1,263 cases of women 18 years or over who experienced sexual assault (2014–2018), 211 cases involved abuses of authority by the perpetrator over the victim. These cases, it has been reported, occurred in education, care, or occupational relationships.</p> <p>Alternative sources have claimed that this is only the “tip of the iceberg”. Does the law (Article 228 of the Criminal Code) ask for hard evidence of violation of victims’ will rather than evidence of her open consent? How does Article 228 of the Criminal Code impact the consideration of the authority relationship in judging cases of sexual assault?</p> <p>Please also provide detailed information on how sexual assault in cases involving people in positions of authority is handled by the media and how</p>	<p>涉及權勢的性侵害</p> <p>19. 其他來源報告指出濫用權勢的性侵害案件。政府在前次國際審查委員會問題清單的答覆中，也對此表示承認。在 1,263 起 18 歲以上女性遭受性侵害的案件中 (2014-2018 年)，211 起案件涉及加害者對受害者的濫用權勢。據報告，這些案件發生在教育、照護或職業關係中。而其他來源聲稱這只是「冰山一角」。</p> <p>法律(《刑法》第 228 條)是否要求提供確鑿證據來證明違反受害者的意願，而非其公開同意的證據？</p> <p>《刑法》第 228 條對於性侵害案件權勢關係的審判有何影響？</p> <p>另請提供有關媒體如何處理涉及權勢者的性侵害案件，以及如何處理受害者個人資訊的詳細資訊。媒體是否有任何此類性侵害案件的相關訓練和意識提</p>

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		the victim's personal information is treated. Are there any training and awareness raising programs about this type of sexual assault in the media?	升計畫？
第 2 條	20	<p>Stalking and Harassment Prevention Act (December 1, 2021)</p> <p>20. While the passing of the Stalking and Harassments Prevention Act is to be commended, there is a need to clarify and elaborate the operating principles this law functions in. It appears that acquiring an actual protection order in the face of stalking is difficult, and it is not clear what happens in cases of noncompliance. Please elaborate on these aspects of the new law. Also, please explain how the new law provides recovery and/or compensation to victims of stalking. Are there any measures built into the law and/or its implementation mechanisms to ensure that women who are experiencing intersecting forms of discrimination (e.g., gender and disability) are equally protected? Is the Ministry of Interior intending to conduct a review of stalking cases and their treatment under the new law?</p>	<p>跟蹤騷擾防制法 (2021 年 12 月 1 日)</p> <p>20. 雖然通過《跟蹤騷擾防制法》值得讚揚，但有必要釐清和闡述該法的運作原則。要為跟蹤取得實際保護令似乎很困難，且尚不清楚違法之情況為何。請就這部新法的這些方面提出詳細說明。另請說明新法如何幫助跟蹤行為的受害者復原及/或提供賠償。該法律及/或其執行機制是否包含任何措施，確保遭受交叉歧視（例如性別和身心障礙）的女性受到平等保護？內政部是否有意根據新法，對跟蹤案件及其處理方式進行審查？</p>
第 2 條	21	<p>Gender-based cyberviolence</p> <p>21. Information is provided as to increase in digital and cyberviolence against women and adults. The 4th Report also contains statistics on women constituting the most number of victims. As cyberviolence can impact large numbers of women in different localities (transborder included), there are complications related to the applicability of different laws. Cyberviolence is</p>	<p>網路性別暴力</p> <p>21. 目前已提供相關資訊，指出針對女性和成年人的數位和網路暴力有所增加。第4次國家報告還包含有關女性受害者比例最高的統計資料。由於網路暴力會影響不同地區（包括跨境）的大量女性，因此涉及不同法律是否適用的複雜情況。網路暴力也更</p>

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		<p>also more likely to impact the young and as well as involve child age perpetrators. There is information that existing regulations are not able to control digital/cyberviolence and the victims cannot secure protection orders for these. What are the government's plans to enact and implement specific legislation to protect the rights of victims adequately and prevent gender-based digital/cyberviolence?</p>	<p>有可能影響年輕人，並涉及未成年加害者。有資訊顯示，現行法規無法控制數位/網路暴力，受害者無法取得保護令。政府打算如何制訂和實施具體法律，以充分保護受害者的權利並防止數位/網路性別暴力？</p>
第 6 條	22	<p>Article 6: Exploitation of prostitution of women 22. Regarding the "Research Report on the Inventory of Assistance Resources and Policy Recommendations for Career Transition of the Sex Service Providers in Taiwan" (para. 6.22), please provide information on major findings of the 2020 Research and the countermeasures formulated by the relevant ministries and agencies. Please also provide information on the number of adult female sex workers who have applied for assistance under the Act of Assistance for Family in Hardship and how many of them were provided with emergency livelihood assistance. Please also provide information on any assessment so far on whether this kind of assistance is enough to help them get out of prostitution, whether there are any other proposals by the women in the sex industry themselves and whether any other additional measures are being considered. What is the result of study on the Swedish model of decriminalizing</p>	<p>第 6 條： 女性賣淫剝削 22. 針對台灣的「我國性交易服務者轉業資源盤點及政策建議研究報告」(第 6.22 點)，請提供 2020 年研究的主要發現，以及相關部會和機構制訂的應對措施。另請提供資訊說明有多少成年女性性工作者根據《特殊境遇家庭扶助條例》申請扶助，以及其中有多少人取得緊急生活扶助。也請提供資訊，說明迄今為止對此類扶助是否足以幫助其擺脫賣淫的任何評估、性產業中的女性本身是否有其他任何提議，以及是否正在考慮採取其他任何額外措施。對於瑞典將女性賣淫除罰化並提供扶助，同時透過懲罰遏制男性嫖客需求的模式，研究結果為何？是否進行社會討論將此作為替代政策？</p>

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		women in prostitution and providing assistance, while curving the need of male clients by punishing? Is there social discussion on this as an alternative policy?	
第 7 條	23	<p>Article 7: Women’s representation in political and public decision-making</p> <p>23. There is much to be commended in Taiwan’s performance regarding the implementation of CEDAW Article 7. However, some of the improvements appear to be uneven; a fact that requires serious attention by the government.</p> <p>a) Despite the 25% women required by the Local Government Act, only lower levels of representation of women among Special Municipal Mayors and Magistrates of Counties have been achieved. Have there been any studies done to explain such persistent gender inequality in local politics? Are there any plans to amend Article 33 of Local Government Act to increase women’s representation in these electoral districts?</p> <p>b) As there is persistence of women’s low representation in these districts, have any studies been conducted on the possible social or cultural reasons for the matter and/or have any policies been designed or measures implemented to counter it?</p>	<p>第 7 條： 女性在政治及公共決策中的代表性</p> <p>23. 台灣在執行 CEDAW 第 7 條方面的表現值得讚揚。然而，一些改進似乎並不均衡，政府需要予以重大關注。</p> <p>a) 《地方制度法》要求女性占比要達 25%，但在直轄市長和縣（市）長中，女性代表性極低。是否進行過任何研究，說明地方政治中持續存在的性別不平等現象？是否有計畫修正《地方制度法》第 33 條，提升這些選區的女性代表性？</p> <p>b) 這些選區的女性代表性一向偏低，是否就背後可能的社會或文化原因進行研究，及/或是否制訂任何政策或採取措施來加以應對？</p> <p>c) 一般而言，三分之一配額的原則已採用一段時日。有鑑於此門檻是女性有意義地參與政</p>

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		c) In general, the one third quota has been in operation for representative positions, for some time. Since this threshold is accepted as the minimum for women's meaningful participation in politics and decision-making structures, are there any plans to amend it to require parity?	治和決策結構的最低要求，是否有計畫對其進行修正以要求平等？
第7條	24	24. The 4th Report states that the Ministry of the Interior is working with political parties to ensure that they also allocate their funds for the training of women. Moreover, it is reported that there is a Draft Amendment to the Political Parties Act (sent to the Executive Yuan on Sept. 2020) to make parties' allocation of subsidies to women's training, obligatory. Can you provide information on what has happened with this amendment?	24. 第4次報告指出，內政部正在與各政黨合作，確保各政黨也將資金用於培育女性。此外，報告指出《政黨法》修正草案(2020年9月送交行政院)規定政黨須將一定比例之補助款用於培育女性。是否能請貴單位分享關於此修正案的後續發展？
第7條	25	25. Another problematic area of women's inequality in decision-making positions is in the judicial sector. While there is some incremental increase in the number of female judges, their absence in the highest echelons of the judiciary, including as Prosecutor General and Grand Justices, continues. What measures are envisaged to alter this situation in the near future?	25. 女性在決策職位上不平等的另一項問題領域在於司法部門。雖然女性法官的人數有所增加，但依舊未見女性擔任檢察總長和大法官等最高階的司法職位。不久的將來，預計採取哪些措施來改變這種情況？
第7條	26	26. Another area of concern is the underrepresentation of women from diverse, particularly disadvantaged, backgrounds in the making and implementation of gender equality policies. Alternative sources draw attention to the fact that women of rural, indigenous backgrounds as well as women	26. 還有另一項令人擔憂的領域，即是在制訂和實施性別平等政策時，來自多元背景的女性代表性不足，尤其是弱勢女性。其他來源特別強調在制訂性別平等政策時，缺乏農村、原住民背景的女性，以

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		with disabilities, elderly women and LGBTI+ women are not represented in the gender equality policy-making. Are there any programs to remedy this situation in a timely manner?	及身心障礙女性、老年婦女和 LGBTI+ 女性的代表性。是否有任何計畫可以及時糾正這種情況？
第 7 條	27	27. While Gender Equality Mechanisms are institutionalized in many levels of the political and public administration institutions, it is striking that no such mechanism exists in the President's Office. What is the reason behind this? As gender equality mechanisms and policies would benefit from coordination at the highest level, are there plans to incorporate such mechanism at the President's Office?	27. 雖然性別平等機制已在許多層級的政治和公共行政機構中制度化，但令人驚訝的是，總統府不在此類機制。背後的原因是什麼？由於性別平等機制和政策將受益於最高層級的協調，是否有計畫在總統府引入此類機制？
第 2 、 7 條	28	28. There is information from alternative sources that harassment of female politicians is increasing. While this is a global tendency, partly owing to the Internet and social media which provide new, effective and widespread sharing of, <i>inter alia</i> , misogynist attitudes, it needs to be countered with effective measures. In Taiwan also, there is some information about particularly women politicians being exposed to hate speech as a form of gender-based violence. Please provide information on whether there are any studies, policies and measures developed to understand and combat cyberviolence and hate speech against women politicians and/or women in high positions.	28. 其他來源的資訊顯示，對女性政治家的騷擾日益增加。雖然這是一種全球趨勢，部分原因是網際網路和社群媒體提供新的管道，可以有效且廣泛地傳播包括但不限於厭女態度，需要採取有效措施予以應對。在臺灣也有資訊顯示，女性政治家尤其會受到仇恨言論影響，這是一種性別暴力形式。請提供資訊說明是否制訂任何研究、政策和措施，以瞭解和打擊針對女性政治家及/或高階職位女性的網路暴力和仇恨言論。

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第 8 條	29	<p>Article 8:</p> <p>Women in diplomatic arena</p> <p>29. Given the existing limitations of serving as heads of mission and/or diplomatic personnel in overseas missions of Taiwan and the relatively active positions and roles to which women have been assigned in the foreign arena (as explained in para. 8.4, 8.5 8.6, 8.7), are there any plans to introduce special measures (e.g., awards, prizes etc.) to highlight women’s achievements in this area to create role models and encourage young women to join the sector?</p>	<p>第 8 條：</p> <p>外交領域的女性</p> <p>29. 有鑑於在台灣駐外機構擔任使節團代表及/或外交人員的現有限制，以及女性在國際舞台上所分配到相對活躍的職位和角色 (如第 8.4、8.5、8.6、8.7 點所述)，是否有計畫推出特殊措施 (例如，獎勵、獎品等) 以突出女性在該領域的成就，藉此樹立楷模並鼓勵年輕女性加入該部門？</p>
第 9 條	30	<p>Article 9:</p> <p>Respect for the equality and self-determination of naturalized citizens</p> <p>30. Of the total of 219 applicants for naturalization denied due to a failure to meet applicable naturalization requirements under the Nationality Act, 186 (84.9%) were women. What efforts have been made to create awareness on naturalization requirements and educate immigrant women, and what plans are in place to buttressing the need to educate and sensitize women?</p>	<p>第 9 條：</p> <p>尊重歸化國籍者平等與自決</p> <p>30. 因不符《國籍法》規定申請歸化遭駁回的 219 名申請人中，有 186 人 (84.9%) 是女性。為提升對歸化要求的認識及教育移民女性，已做了哪些努力？已制訂哪些計畫以支持對這些女性進行教育及提高敏感度？</p>
第 9 條	31	<p>New immigrant dependent visa, temporary entry, and residency rights</p> <p>31. Please explain whether the “no bad conduct” criteria for securing approval for naturalization related directly or indirectly to gender roles and social perceptions, and whether there are family laws that protect mothers and</p>	<p>新住民依親簽證、停留及居留權益</p> <p>31. 請說明核准歸化的「無不良素行」核准標準是否與性別角色和社會觀念直接或間接相關，以及是否有家庭法保護母親和女性的育兒權，無論其是否</p>

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		women's parenting rights regardless of their naturalization.	歸化。
第 9 條	32	32. Presently, it is reported that if neither the biological mother nor biological father can be identified or are stateless, a child may be identified as having R.O.C. (Taiwan) nationality. Does that mean that the Taiwanese nationality is not guaranteed? What are the implications of this for the citizenship of children (especially girls), their access to rights protection and social safety nets? What level of discrimination and stereotyping are stateless children and girls exposed to and how does this predispose them to marginalization? What level of trauma and uncertainty is associated with Alien Resident Certificate processing and renewal every three years and how is this managed?	32. 目前，據報告，如生母及生父均無可考或均無國籍者，兒少可認定為擁有中華民國（臺灣）國籍。這是否表示並不保證取得臺灣國籍？這對兒少（尤其是女孩）的公民身分、取得權利保護和社會安全網的影響是什麼？無國籍兒少和女孩面臨何種程度的歧視和刻板印象，這如何導致他們容易邊緣化？外僑居留證每三年處理和更新一次，會帶來多大程度的創傷和不確定性，而又該如何加以管理？
第 9 條	33	33. What are the major findings of the study on residency and parental rights of divorced new immigrants commissioned from 2020 to 2021 and how will it better uphold CEDAW provisions, principles and standards? Does the provision not to revoke residency if a spouse remarries the original spouse within 30 days of the divorce not promote coercive marriages and reinforce existing stereotypes on marriage contrary to CEDAW ideals?	33. 2020 年至 2021 年委託進行「新住民離婚後在臺居留及子女親權研究」，主要發現是什麼？將如何更妥善維護 CEDAW 的規定、原則和標準？配偶若在離婚後 30 天內與原配偶再婚，則不撤銷居留權的規定，是否助長強迫婚姻並強化與 CEDAW 理念相悖的現有婚姻刻板印象？
第 10 條	34	Article 10: Gender equality in education 34. There is a strong gender-based segregation in Taiwan both in the educational system and on the labour market. According to the 4 th Report, the	第 10 條： 教育中的性別平等 34. 臺灣的教育制度和勞動市場都存在強烈的性別隔離。根據第 4 次報告顯示，修畢工程、製造及營

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		<p>proportion of women graduating from education programs for engineering, manufacturing and construction has increased from 15.1 % (2016) to 18.3 % (2019).</p> <p>However, the number is still rather low. While welcoming the 464 research projects on gender, science and technology sponsored during the year 2020, what are the results of these projects and how does the government make sure that the educational institutions actively promote substantive gender equality which is their objective under the Gender Equity Education Act? How does the government follow the work of the Equity Education Committees and their implementation of Article 6 of the Act?</p>	<p>建教育課程的女性比例，從 15.1% (2016 年) 增加到 18.3% (2019 年)。但是，這樣的比例仍舊相當低。在 2020 年，補助的 464 項「性別與科技研究計畫」實施成果如何？政府如何確保教育機構根據《性別平等教育法》的目標，積極促進實質性的性別平等？政府如何追蹤性別平等教育委員會的工作，及其對《性別平等教育法》第 6 條的執行情況？</p>
第 11 條	35	<p>Article 11: Gender pay gap</p> <p>35. The gender pay gap is persistent and almost 15%. The situation has not really improved since 2018. Also the system of pension benefits reproduces the unequal situation for women. The 4th report of Taiwan (para. 11.19) gives information on efforts to formulate an “Equal pay for equal work check list” through a commissioned study. Has this study produced concrete results so far?</p> <p>The terminology regarding the concept of equal pay in the Taiwanese legislation seems to require further qualification. The Act of Gender Equality</p>	<p>第 11 條： 性別薪資差異</p> <p>35. 性別薪資差異持續存在，接近 15%。自 2018 年以來，情況並未真正改善。年金制度也再現女性的不平等狀況。第 4 次報告(第 11.19 點)提供有關透過委託研究制訂「同工同酬檢核表」的資訊。到目前為止，這項研究是否產生具體成果？</p> <p>臺灣法律中有關同工同酬概念的術語似乎需要進一步限定。《性別工作平等法》規定「[受僱者] 工作或價值相同者，應給付同等薪資。但基於年資、獎</p>

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		<p>in Employment stipulates that “Employees shall receive equal pay for equal work or equal value. However, if such differentials are the result of seniority systems, award and discipline systems, merit systems or other justifiable reasons of non-sexual or non-sexual-orientation factors, the above-mentioned restriction shall not apply.” (Article 10) The Labour Standards Act stipulates that “an employer shall under no condition discriminate between the sexes in the payment of wages. Worker shall receive equal wages for equal work of equal efficiency.” (Article 25)</p> <p>Can the wording “work of equal value” be interpreted to mean “work of equal efficiency”? What about seniority as a justification for wage differences? Are employees on maternity leave or unpaid parental leave deprived of seniority for the period of absence from work?</p>	<p>懲、績效或其他非因性別或性傾向因素之正當理由者，不在此限。(第 10 條)《勞動基準法》規定：「雇主對勞工不得因性別而有差別之待遇。工作相同、效率相同者，給付同等之工資。(第 25 條)</p> <p>是否可以將「同等價值的工作」一詞解釋為「同等效率的工作」？年資作為薪資差異的正當理由又是如何呢？休產假或育嬰留職停薪的員工是否在缺勤期間遭剝奪資歷？</p>
第 11 條	36	<p>Work-family balance</p> <p>36. The National Report mentions that already in 2018 a commissioned study recommended amending legislation to standardize the legal system governing the protection of maternity leave rights and interests in Taiwan and establish a public system for paying out maternity leave. Will the Government proceed with this project?</p> <p>The report is not very clear when it comes to fathers taking parental leave. There are some numbers provided (para. 11.36), but it is not clear when the</p>	<p>工作與家庭的平衡</p> <p>36. 國家報告提到，2018 年已委託研究建議修法，以規範臺灣產假權益保障的法律制度，並建立產假薪資公共化制度。政府是否會進行這個計畫？</p> <p>至於父親申請育嬰假的相關資訊，報告有未盡清楚明確之處。報告提供了一些數字 (第 11.36 點)，但不清楚何時由父親單獨承擔育嬰責任，何時父母雙方同時休假。請釐清父親休假所承擔的角色及相關</p>

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		father alone is taking parental responsibilities and when both parents are on leave at the same time. Please clarify the role and statistics relating to male parents taking leave. There is information that more flexibility was introduced in 2021. Is there still a need to introduce further flexibility?	統計資料。根據資訊顯示，2021 年引入更大的彈性，是否需要再進一步提升彈性？
第 11 條	37	<p>Domestic workers</p> <p>37. There are approximately 250,000 domestic (female) workers in Taiwan. Since 2011 legislation has been in the pipe-line to improve the labour conditions of domestic workers with very small results. From alternative resources there are alarming reports on gender-based violence and discrimination towards domestic workers. The government gives information that an employer who “discriminates against or arbitrarily dismisses” a migrant worker who is pregnant “will be punished by law”. Please provide information on the numbers of cases heard and punishments issued as a consequence of such behaviour.</p>	<p>家事勞工</p> <p>37. 台灣約有 250,000 名家事 (女性) 勞工。自 2011 年以來，持續制訂改善家事勞工勞動條件的法律，但成效甚微。根據其他資源，關於性別暴力及家事勞工歧視的通報數相當驚人。政府提供的資訊指出，雇主如有「歧視或任意解僱」懷孕的移工，「將依法處罰」。請提供資料說明審理的案件數量，以及因這種行為而受到的處罰。</p>
第 12 條	38	<p>Article 12:</p> <p>Women’s health action plan</p> <p>38. CEDAW Committee, in its General Recommendation No. 24, called upon the States parties to implement a “comprehensive national strategy to promote women’s health throughout their lifespan, which will include interventions aimed at both the prevention and treatment of diseases and conditions</p>	<p>第 12 條：</p> <p>婦女健康行動計畫</p> <p>38. CEDAW 在其第 24 號一般性建議中呼籲締約國實施「全面的國家策略，以促進女性終身健康，其中包括旨在預防和治療影響女性之疾病和狀況的干預措施，以及應對女性受暴問題，並確保所有女性</p>

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		<p>affecting women, as well as responding to violence against women, and will ensure universal access for all women to a full range of high-quality and affordable health care, including sexual and reproductive health services.”</p> <p>Please clarify whether the women’s health action plan approved in 2018 took the life-cycle approach, in particular addressing the issue of longer period of poor health at the end of women’s lives, as well as other requirements outlined above. Please also provide information on the process of how this action plan was formulated and whether the women’s organizations were consulted in the processes of formulation, implementation, monitoring and evaluation.</p>	<p>普遍取得高品質且負擔得起的完善醫療保健，包括性與生殖健康服務。」</p> <p>請釐清 2018 年核定的婦女健康行動計畫是否採取生命週期方法，尤其是對於解決婦女生命末期不健康期間較長的問題，以及上述其他要求。另請提供資料說明該行動計畫的制訂經過，以及在制訂、實施、監督和評估過程中是否諮詢婦女組織。</p>
第 12 條	39	<p>Health care for women with disabilities</p> <p>39. There is worrying information that women with disabilities do not have accessibility to medical facilities, for example, unable to receive pelvic examinations and pap smear screening because the examination tables are too high and transfer aids are unavailable. Has there been research on the special health care needs of women with disabilities and difficulties they are facing? Please provide information whether the current health care system is properly responding to the needs of women with disabilities and whether regular consultations are held with women with disabilities to find out what specific problems they encounter.</p>	<p>身心障礙女性的醫療保健</p> <p>39. 令人擔憂的是，有資訊指出身心障礙女性無法使用醫療設施，例如，由於檢查台太高且未提供移位輔具，無法接受骨盆檢查和子宮頸抹片檢查。是否研究過身心障礙女性的特殊醫療保健需求，以及其面臨的困難？請提供資訊說明目前的醫療保健體系是否適當滿足身心障礙女性的需求，以及是否定期與身心障礙女性進行諮詢，以瞭解其遭遇的具體問題。</p>

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第 12 條	40	<p>Sexual and reproductive health rights</p> <p>40. Considering the increasing sexual activities of adolescents aged between 13 to 15 and the decreasing use of contraception among them (para. 12.25), the various efforts to educate young people (para. 10.24) seems not working or not enough. According to the 4th Report, approximately 55,000 to 60,000 abortions were performed per year in the last three years, but no disaggregated data by age, disability or other criteria can be collected under the Personal Data Protection Act. Personal data should be protected, but at the same time policy-making should be based on facts and statistics and clear understanding of the situation. How do you resolve this conflict?</p>	<p>性與生殖健康及權利</p> <p>40. 有鑑於 13 至 15 歲青少年的性行為比例提高，以及使用避孕措施的比例減少（第 12.25 點），教育青少年的各種努力（第 10.24 點）似乎未發揮效果或是仍有不足。根據第 4 次報告，在過去三年中，每年約有 55,000 至 60,000 件墮胎，但依《個人資料保護法》無法蒐集按年齡、身心障礙或其他標準分類的資料。個人資料應受到保護，但決策也需要立基於事實和統計資料並清楚瞭解情況。請問貴單位如何解決這樣的衝突？</p>
第 13 條	41	<p>Article 13:</p> <p>Gender equality in athletics and sports</p> <p>41. Alternative sources indicate that sexism and gendering in athletics and sports create an unwelcoming environment for female participants in such activities in schools, universities and other institutions.</p> <p>We welcome the 2017 White Paper on Promoting Female Participation in Sports (para. 10.18), but we also note that progress seems to be slow, for instance regarding the number of women who exercise sports on a regular level. We also note that younger girls are quite actively taking part in athletics and sports, but the activity is clearly decreasing with age so that only 27 % of</p>	<p>第 13 條：</p> <p>運動及體育的性別平等</p> <p>41. 其他來源顯示，運動及體育的性別歧視及性別化，為學校、大學和其他機構中此類活動的女性參與者營造不友善的環境。</p> <p>我們樂見 2017 年的「推廣女性參與體育運動白皮書」（第 10.18 點），但我們也注意到進展似乎很緩慢，例如固定進行體育訓練的女性人數。我們還注意到，年輕女孩非常積極參加運動及體育，但隨著年齡增長，活動明顯減少，只有 27% 的女孩在高</p>

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		<p>girls participate in school sports in high school while the corresponding figure for boys is 73 %. Women with disabilities have further problems in this field.</p> <p>Is the government planning to come up with more effective plans and efforts in order to ensure equal opportunities for all in athletics and sports?</p>	<p>中參加學校體育活動，男孩則有 73%。身心障礙女性在此域面臨更多問題。</p> <p>政府是否有意提出更有效的計畫和行動，確保所有人在運動及體育中的平等機會？</p>
第 14 條	42	<p>Article 14:</p> <p>Awareness of equal rights; participation in decision-making and community activities</p> <p>42. Regarding performance evaluations of the farmers' associations, is the encouragement given to farmers' association sufficient to promote women's participation in the decision-making level within such association? Are there any policy guidelines, temporary special measures, legislation or regulation on inclusive leadership for agricultural and other business associations and organizations including corporation boards? Please explain the reduction in percentage of female executive officers employed by fishermen's associations from 30.0% to 22.5% and reduction of female directors/supervisors from 5.0% to 4.7%. How is this being addressed? Please provide information on the number of female executives that are part of the top management and what target ratio of females have been set for fisherman's associations.</p>	<p>第 14 條：</p> <p>平權意識、參與決策及社區活動</p> <p>42. 在農會績效評估方面，對農會的鼓勵是否足以促進女性參與農會內的決策層級？是否針對農業及其他商會和組織（包括公司董事會）的包容性領導，提出任何政策指南、暫行特別措施、法律或法規？請說明為何漁會女性總幹事比例從 30.0% 減少至 22.5%，以及女性理監事的比例從 5.0% 減少至 4.7%，怎麼解決這項問題？請提供相關資訊，說明高階管理人員的女性人數，以及為漁會設立的女性目標比例。</p>

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第 14 條	43	43. Why is the cumulative number of women in decision making in the official irrigation association less than 25% contrary to existing policy? This seems to reflect internal discriminatory practice and absence of career progression ladder for women into decision making positions in this segment of economic life. What plans are in place to redress this problem?	43. 為什麼農田水利會中，參與決策的女性累計人數少於 25%，與現行政策相悖？這似乎反映出內部歧視性做法，以及女性在此經濟生活領域擔任決策職位時缺少職業發展機會。目前有什麼計畫可以解決這項問題？
第 14 條	44	<p>Livelihood, property and economic opportunities</p> <p>44. From 2017 to 2020, the Startup Program has provided professional incubator services to 599 entrepreneurs with women accounting for 42.9% to 54.1% of all entrepreneurs. Please clarify if the service is not reinforcing traditional stereotypes on gender roles contrary to CEDAW principles and ideals? How has the "Small Business for Township Revitalization" (SBTR) program that utilizes local components in innovating business models helped in creating employment opportunities for rural women and enhanced their employability? It is also observed that 78% of Hakka language teachers recruited were female. Please provide explanation of why majority of those recruited as Hakka language teachers are female and whether any stereotype being reinforced by the higher recruitment rate for women.</p>	<p>生計、財產及經濟機會</p> <p>44. 2017 年至 2020 年，「臺灣原住民族精實創業輔導計畫」已為 599 名創業者提供專業育成服務，其中女性占創業者總數的 42.9% 至 54.1%。請釐清該服務是否未強化與 CEDAW 原則和理想相悖的性別角色及傳統刻板印象？「中小企業城鄉創生轉型輔導」(SBTR) 計畫以在地元素創新商業模式，這如何幫助創造農村婦女就業機會及提升其就業能力？另據觀察，78% 的客家語言教師為女性。請說明為什麼聘用的客家語言教師大多為女性，以及更高的女性聘用率是否強化任何刻板印象。</p>

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第14條	45	45. To provide indigenous peoples with a more robust social safety net, and to safeguard and promote their right to transparency and access to information, the Council of Indigenous Peoples has granted local government approval to set up 63 Indigenous Peoples Family Service Centers as of the end of 2020. How many of such centers have been set up and are fully operational in 2022? Also provide gender breakdown of the 631 indigenous medical personnel (including 310 physicians, 75 dentists, 186 nursing staff, and 60 other medical personnel) trained to date.	45. 為向原住民族提供更健全的社會安全網，保障及促進其對透明度和取得資訊的權利，原住民族委員會已核准當地政府在 2020 年底設置 63 處原住民族家庭服務中心。目前已設置多少像這樣的中心，並在 2022 年全面營運？另請提供迄今為止接受訓練的 631 名原住民醫務人員（包括 310 名醫師、75 名牙醫師、186 名護理師和 60 名其他醫務人員）的性別分類。
第14條	46	Health and education proposals 46. From 2017 to 2020, 72.1% of female students reportedly completed programs of their choice from the Indigenous tribal community colleges special classes. Please indicate what programs indigenous women have completed and how many acquired computer technologies skills compared to male students.	健康及教育方案 46. 據報告，從 2017 年到 2020 年，72.1% 的女學生完成其選修的原住民族部落大學特殊課程。請說明與男學生相比，原住民族女性完成了哪些課程，以及習得多少電腦技術技能。
第14條	47	47. Similarly, how did the School Subsidies Program benefit women and girls as compared to men and boys? And how has the participation of women in the Digital Opportunity Center courses enhanced the employability and livelihoods of women in rural areas?	47. 同樣，與男性和男孩相比，學校補貼計畫如何惠及女性和女孩？女性參與數位機會中心課程，如何提升農村地區女性的就業能力和生計？
第	48	48. The training debris flow of volunteer specialists, encouraging female	48. 為土石流防災專員提供訓練，並鼓勵女性農村

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14 條		village leaders to participate, is highly welcome, but how many Female Volunteer Leaders exist and in how many villages? How is this helping to change stereotypes, social norms and discriminatory practices including perceptions on gender and economic rights especially for rural women?	幹部參與，這一點值得樂見，但共計有多少名女性自願幹部，存在於多少座村莊？這如何幫助改變刻板印象、社會規範和歧視性做法，包括對性別和經濟權利的看法，尤其是對農村女性的看法？
第 15 條	49	Article 15: Access to justice and legal aid 49. With respect to paras 15.4-15, please clarify what the criteria are to receive governmental legal aid and whether the legal aid covers fully legal representation or only consultation (in person or through telephone or virtual means). Is legal aid specifically available to women survivors of domestic violence regardless of means test? With respect to data supplied in para 15.4 about the ratio of women applicants to legal aid, what explains their lower rate than 50%? Have there been efforts to raise awareness among women to this possibility?	第 15 條： 取得司法和法律扶助 49. 針對第 4 次國家報告第 15.4-15 點，請釐清接受政府法律扶助的標準是什麼，以及法律扶助是否涵蓋完整的法律代表或僅適用於諮詢（親自或以電話或虛擬方式）。無論經濟狀況調查如何，女性家庭暴力倖存者是否都能取得專門的法律扶助？針對第 15.4 點關於女性申請人取得法律扶助的比例，其比例低於 50% 的原因為何？是否有在努力提高女性對申請法律扶助之可能性的認識？
第 15 條	50	Judicial and other legal professionals training 50. With respect to information provided in para 15.5, how does the Judicial Yuan urge the Legal Aid Foundation to conduct regular educational gender training for assisting lawyers? Are these mandatory trainings? Regarding the two institutes for judicial training mentioned in paras 15.13 &	司法及其他法律專業人士訓練 50. 針對第 15.5 點提供的資料，司法院如何督促法律扶助基金會定期為扶助律師提供性別教育訓練？這些是否為強制性訓練？ 針對第 15.13 和 15.14 點所述的兩個司法訓練機

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		<p>15.14, are any of the trainings mentioned there mandatory for all judges? Are there mandatory judicial training at all? Have you considered making training on gender based sexual violence against women mandatory? Have you considered making domestic violence training mandatory for all family court judges?</p> <p>What measures have been taken in response to the previous recommendation 19(a) to “improve indicators and conduct a broad study on the prevalence of stereotypes and wrongful application of law by prosecutors and judges, as recommended in the second review”?</p> <p>Can you provide information as to the outcomes of disciplinary and other actions on the accountability of judges and prosecutors, in relation to the laws and mechanisms described in paras 15.23-15.24?</p>	<p>構，其中提到的訓練是否對所有法官都是強制性？是否有強制性的司法訓練？貴單位是否考慮過強制要求為針對女性的性別暴力提供相關訓練？貴單位是否考慮過強制要求所有家事法庭法官接受家庭暴力訓練？</p> <p>目前已採取哪些措施，針對之前的第 19(a) 點建議，「根據第二次審查的建議，改善指標並對檢察官和法官普遍存在的刻板印象和法律適用錯誤進行廣泛研究」？</p> <p>貴單位能否針對第 15.23-15.24 點所述之法律和機制，提供資訊說明法官和檢察官之問責相關懲戒及其他行為的結果？</p>
第 15 條	51	<p>Property and inheritance rights</p> <p>51. With respect to information provided in paragraphs 2.1 & 15.3, please explain what “ancestor worship guilds” are, and what the scope of the land covered by them is. Please clarify the status of the draft amendments to the Act for Ancestor Worship Guild which have been sent to the Executive Yuan for review. Since regrettably the relevant web page on the Government website does not work, please also explain the construction referred to at the end of para 15.3.</p>	<p>財產及繼承權</p> <p>51. 請針對 2.1 及 15.3 點，說明什麼是「祭祀公業」，以及其所涵蓋的土地範圍。請說明已提交行政院審查之《祭祀公業條例》修正草案的情況。由於很不幸政府網站上的相關網頁無法順利運作，也請說明第 15.3 點末尾提到的比例。</p>

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第 16 條	52	<p>Article 16: Non-judicial mutual consent divorce</p> <p>52. Only the 1st Report mentions, in passing, the option of out-of-court divorce, by simply signing a form that can be purchased in a shop and sending it to the Household Administration Authority. This procedure is done according to sections 1049-1050 of the Civil Code, following a reform in 2009. Please clarify what mechanisms there are to supervise the contents of the agreement upon which the couple is divorced, and prevent any power discrepancies. Please clarify whether there are such mechanisms to ensure that the best interest of the child is safeguarded even if no judicial overview is involved.</p>	<p>第 16 條： 非司法性雙方同意離婚</p> <p>52. 只有第 1 次報告稍微提到庭外離婚的選項，其做法是簽署可自商店購買的表格，並寄送至戶政機關。2009 年進行改革後，該程序根據《民法》第 1049-1050 條進行。請釐清有哪些機制可以監督夫妻離婚協議書的內容，並防止任何權力差異。請釐清是否有機制可以確保即使不涉及司法審查，也能保障子女的最大利益。</p>
第 16 條	53	<p>Marital Property Regimes</p> <p>53. Please provide information as to the amendment to the Civil Code mentioned in para 2.2 of the Report, prepared to conform to CEDAW's General Recommendation 29, and if possible, please provide an English version of the amendment.</p> <p>Articles 1004-1005 of the Civil Code provide for the possibility of husband and wife to contract one of the contractual regimes provided by Section 4 of the Civil Code (community or separate property), instead of the statutory regime to be applied as the default regime. How does the government ensure</p>	<p>夫妻財產制</p> <p>53. 請針對本次報告第 2.2 點所提到，為回應 CEDAW 第 29 號一般性建議所提出之《民法》修正案提供相關資訊，若可能，請提供英文版的修正案。</p> <p>《民法》第 1004-1005 條規定夫妻可以從《民法》第四節規定之約定財產制選擇其一（共同財產或分別財產），而不是預設的法定財產制。政府如何確保女性瞭解這些選項，以及不同選擇的後果？是否存</p>

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		<p>that women are aware of these options and of the consequences of these choices? Are there mechanisms in place to ensure that power differences are not abused, for instance, to induce women into contracting a separate property regime?</p> <p>Article 1030-1 of the Civil Code provides for courts to consider factors such as “household labor, caring and nurturing of the child, the collaboration of contribution to the family” when distributing the remainder of the property acquired by the couple during marriage. Have there been studies on the usage of this judicial discretion? Have there been studies on the economic outcomes of divorce? Does the amendment to the Civil Code include recognition of increased earning potential and human capital as a property to be taken into consideration and distribution upon divorce, in line with CEDAW’s GR 29?</p>	<p>在相關機制可以確保不濫用權力差異，例如，誘使女性簽訂分別財產制？</p> <p>《民法》第 1030-1 條規定，法院在分配婚後財產之剩餘財產差額時，應衡酌「家事勞動、子女照顧養育、對家庭付出之整體協力狀況」等。是否研究過這種司法自由裁量權的使用？是否研究過離婚的經濟結果？《民法》修正案是否根據 CEDAW 第 29 號一般性建議，承認提升的收入潛力及人力資本，應納入離婚的財產分配考量？</p>
第 16 條	54	<p>Illegitimate children</p> <p>54. Article 1061 of the Civil Code onwards refer to legitimate and illegitimate children. What are the consequences of defining children as illegitimate? Is there a proposed amendment to eliminate this category from the law altogether?</p>	<p>非婚生子女</p> <p>54. 《民法》第 1061 條及後續條款提及婚生和非婚生子女。將子女定義為非婚生子女的後果為何？是否提議修正案，在法律中徹底消除此類別？</p>
第 16 條	55	<p>Child custody</p> <p>55. Article 1055-1 of the Civil Code lists several variables which courts must consider when ordering child custody arrangements. Variable 6 refers to cases</p>	<p>子女監護權</p> <p>55. 《民法》第 1055-1 條列出法院裁判子女監護權時必須考慮的幾項變數。第 6 款是指父母之一方</p>

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		<p>where one parent “takes actions to hinder the other of exercising rights and assuming duties of the minor child”. What mechanisms are in place to ensure that this provision is not used to jeopardize children’s safety, in cases where a parent attempts to protect the child from the other parent’s violence? Why is there no provision of ordering courts to take into consideration situations of domestic violence in child custody decisions?</p>	<p>「有妨礙他方對未成年子女權利義務行使負擔之行為」。若父母試圖保護子女免受另一方父母施暴時，有哪些機制可以確保不動用該條款來危害子女的安全？目前未規定法院在決定子女監護權時考慮家庭暴力的情況，原因為何？</p>
第 16 條	56	<p>De-facto relations</p> <p>56. The current Report as well as the previous ones are silent on the question of <i>de-facto</i> relations (cohabitants). Please provide information on their status, and whether their economic rights and the rights of the individuals within such relations are protected, in line with CEDAW Committee’s General Recommendation No. 29.</p>	<p>事實關係</p> <p>56. 本次報告及過去的報告均未提及事實關係（同居伴侶）。請提供資訊說明他們的地位，並說明其經濟權利及在這種關係中的個人權利是否根據 CEDAW 第 29 號一般性建議得到保護。</p>