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Article 1, Article 2, Article 3 & Article 4

Purpose, Definitions, General principles & General obligations

8 & 9

The IRC is concerned that, despite some changes in derogatory terminology and pejorative language, the laws of the State primarily recognize persons with disabilities as being in need of protection rather than as rights holders.

The IRC recommends that the State expedite the review of its terminology and approach in laws, policies, and practices to enable the paradigm shift that recognizes persons with disabilities as full holders of all human rights and fundamental freedoms, and provide a timeline for completing such review.¹

1. To incorporate the perspective of equal rights for people with disabilities into policy development and implementation, the MOHW devised the Regulatory and CRPD Impact Assessment Checklist in 2018, the assessment items of which were designed on the basis of Article 3 (General principles) of the CRPD. In March 2020, the MOHW requested government agencies to refer to these assessment items during the enactment and amendment of relevant rules and regulations and to ensure their compliance with CRPD principles. Additionally, the MOHW, following the launch of the National Human Rights Action Plan, intends to develop a standard system of human rights impact assessments for acts and medium- and long-term projects by 2024.
2. The government has been reviewing and revising legislation and administrative measures not in compliance with the CRPD since December 2016 to ensure the

¹The content displayed in each box presents the Concluding Observations on the Initial Report of the Republic of China (Taiwan) on the CRPD Adopted by the International Review Committee.

elimination of discriminatory terms toward people with disabilities and substantial effects on the rights of people with disabilities. As of September 2020, 423 pieces of legislation and administrative measures had been amended (92 percent), and 39 amendments (8 percent) were under review or had been submitted to the Legislative Yuan for approval. Other measures concerning amendments that had yet to be completed by December 2019 were also proposed and made public.²

10 & 11

The IRC is concerned that the State utilizes a medical approach to determining disability using the International Classification of Functioning, Disability and Health (ICF) of the World Health Organization and focuses on conditions arising from inherent personal or medical impairment; it overlooks environmental factors as barriers, and fails to recognize an evolving concept of disability in the CRPD, reinforced by its reply to the List of Issues stating an unwillingness to change.

The IRC recommends that the State introduce in national legislation the concept of a human rights model of disability which stresses the human dignity of all persons with disabilities and the interactions with various barriers that may hinder their full and effective participation in society on an equal basis with others.

3. Disability classification in Taiwan was first proposed in the Welfare Law for Handicapped Persons promulgated in 1980, with an emphasis on medically based

² The priority review list and second-stage review list revealed that 462 laws, regulations, and administrative measures required amendment; notification letters containing corresponding measures and future amendment plans for those yet to be amended shall be sent to relevant authorities and made public in keeping with the intent of the CRPD. This point responds to Points 8, 9, 14, and 15 in the Concluding Observations of the Initial Report of the Republic of China (Taiwan) on the CRPD.

classification of specific disease categories, physical impairments, and functional constraints. In 2007, said act was renamed the PDRPA, in which the human-rights-based approach specified in the Convention on the Rights of Persons with Disabilities (hereinafter referred to as the CRPD) was adopted, emphasizing that disability is an evolving concept, encompassing a diversity of experiences. The PDRPA is expected to provide a more favorable classification model, as it is based on the International Classification of Functioning, Disability and Health (hereinafter referred to as the ICF) published by the World Health Organization. The PDRPA defines people with disabilities as those with a specific deviation or loss resulting from physical or mental impairments who are thus limited or restricted to be engaged in the ordinary living activities and participation in the society. The act also specifies that each disability ID shall be effective for no longer than five years. Where a person's disability condition changes, they are entitled to apply for reappraisal and a needs assessment at any time.

4. Eligibility assessment of people with disabilities in Taiwan is closely aligned with the national welfare scheme framework, which provides for various welfare services for individuals with a valid disability ID (including health insurance, tax relief, and public transportation discount). Moreover, people with severe disabilities are entitled to higher cash grants. Under the provision and funding principles of personal care and family support services for people with disabilities, the level of disability is irrelevant. Because activity participation and environmental factors differ considerably between individuals, the bodily structure and functions of individuals are prioritized as indicators in disability

eligibility assessments. Along with the needs assessment system,³ the disability assessment system in Taiwan aims to provide appropriate services for individuals in need.

5. To ensure the feasibility of the ICF system and that the system meets the requirements of people with disabilities and to strengthen the link between needs assessment and the subsequent provision of services, the Ministry of Health and Welfare (hereinafter referred to as the MOHW) continued communicating with people with disabilities and their representative organizations⁴ in 2020 and plans to review the Interview Guide and Procedures of Welfare and Service Needs Assessment for People with Disabilities in 2021. This will allow for more comprehensible information on relevant welfare services to be provided, allowing people with disabilities to autonomously select suitable services.

12 & 13

The IRC is concerned that there is a lack of legal definition and understanding of the meaning and application of universal design.

The IRC recommends that the State amend legislation to include a definition of universal design and how it will be regulated in areas such as: education, health, transportation, access to justice, and the built environment (both public and private).

6. The Design Specifications of Accessible and Usable Buildings and Facilities

³ The needs assessment must be performed by personnel holding an academic degree in social work, special education, rehabilitation counseling, clinical and counselling psychology, or medical affairs and a certificate in assessment training; assessments are not performed by hospital personnel.

⁴ Namely the representative organizations of persons with disabilities in general comment No. 7 of the CRPD.

were amended and enacted in January and July 2019, respectively, with the principles of perceptible information, low physical effort, and size and space for approach and use added. The act serves as the basis for accessible facility design of buildings and aims at creating a comprehensive accessible environment. The Ministry of the Interior (hereinafter referred to as the MOI) plans to add appropriate universal design principles when necessary.

7. The second edition of the Handbook on Humanity-Oriented Urban Transportation Planning was finalized in October 2018, adding universal design principles and indicators applicable to pedestrian walkways. Specifically, equitable use, simple and intuitive, tolerance for error, low physical effort, perceptible information, and size and space for approach and use have been included in the handbook as principles for establishing pedestrian walkways on urban roads, thereby facilitating the construction of convenient and accessible pedestrian facilities.
8. In 2020, the draft of the amendment to the PDRPA included principles of universal design, and the amended act is scheduled to come into effect in 2021. To promote construction of user-friendly accessible transportation systems for everyone, including people with disabilities, the elderly, and people with mobility difficulties, all public transportation systems must follow the Regulations Governing the Installation of Disabled Facilities in Public Transportation. Regulations for accessible facilities are specified in the building design and construction regulations of the Building Technical Regulations and the Design Specifications of Accessible and Usable Buildings and Facilities.

9. Universal design principles are included in both general and special education settings and curricula; for instance, in the basic concepts, teacher training, and student promotion specified in the Curriculum Guidelines of 12-Year Basic Education: General Guidelines.
10. The MOHW is currently implementing universal design initiatives, such as promoting certification of ageing-friendly healthcare institutions, encouraging clinics to construct patient-friendly environments, devising a handbook on providing an accessible environment in medical institutions, developing patient-friendly medical service procedures, and guaranteeing medication safety for people with visual impairment.

14 & 15

The IRC is concerned that the State has not taken sufficient measures to ensure the effective realization of the principles established in article 3 of the CRPD in all its laws, policies and practices.

The IRC recommends that the State establish a legal framework to ensure a comprehensive enactment and application of article 3 of the CRPD including amending and reforming existing policies and practices.

11. Same as Points 8 and 9 in the concluding observations on the Initial Report.

16 & 17

The IRC is concerned about the lack of consultation with organizations of persons with disabilities in drafting legislation, as well as the level of non-conditional support

by the State to national and local associations of persons with disabilities.

The IRC recommends that the State establish a formal mechanism to ensure the effective participation of persons with disabilities and their representative organizations at the local and national levels. Effective participation must include family-based organizations, organizations of women, children, indigenous persons and other marginalized populations of persons with disabilities, and include all impairment types. The State must meaningfully consult with organizations of persons with disabilities in the design, implementation and monitoring of laws, public policies, budgeting and action plans that have an impact on the decisions that affect their lives to ensure their autonomy and self-determination.

12. At present, governments at all levels have established ad hoc groups to advocate for the rights of people with disabilities; such groups constitute a critical mechanism for people with disabilities and their representative organizations to engage in relevant legislative and policymaking processes. In 2020, the draft to the PDRPA amendment stipulated that the number of people with disabilities in such groups must be at least a quarter of the total number of group members, thereby guaranteeing the participation of said people.

18 & 19

The IRC is concerned about the inadequate translation of the CRPD into traditional Chinese, including the terms “accessibility” and “reasonable accommodation”.

The IRC recommends that the State update the CRPD translation, including the

terms “accessibility” and “reasonable accommodation”.

13. In 2019, the government invited disability studies experts and relevant authorities to amend the Chinese version of the CRPD, after which the revised text, attempting to fully convey the depth of meaning of the original CRPD text, was submitted to the Legislative Yuan in June 2020..

20 & 21

The IRC is concerned at the absence of a plan and/or commitment to transpose CRPD obligations to local governments and administrative entities.

The IRC recommends that the State develop a plan to transpose CRPD obligations to local government and administrative entities in order to ensure that the provisions of the CRPD are being respected in all parts of the State without limitations or exceptions.

14. To raise disability awareness among personnel at government agencies and to ensure compliance with the CRPD obligations of local governments and administrative authorities, the MOHW requested local governments to establish a CRPD promotion initiative in 2018. In 2019, the Ministry prioritized disbursing grants for disability training schemes and disability awareness campaigns, encouraged local governments and social welfare organizations to promote relevant programs, and allowed the provision of courses related to the CRPD training scheme and awareness raising as a social welfare performance indicator for local governments. On the basis of the foregoing, they assessed the results of CRPD promotion by governments at all levels.

Article 5

Equality and Non-discrimination

22a) & 23a)

Current disability legislation does not adequately stipulate the State's positive duties to ensure substantive equality.

Enact laws that prohibit discrimination on the basis of disability, and ensure substantive equality for all persons with disabilities, including individuals with multiple and inter-sectional identity status.

15. Article 7 of the Constitution states that all citizens of Taiwan, irrespective of sex, religion, race, class, or party affiliation, shall be equal before the law; Article 159 specifies that all citizens shall have equal opportunity to receive an education. Similarly, Article 184 of the Civil Code provides that a person who, intentionally or negligently, has wrongfully damaged the rights of another is bound to compensate him for any injury arising therefrom. Article 5 of the Employment Service Act specifies that an employer is prohibited from discriminating against any job applicant or employee on the basis of disability and anyone who violates this article shall be fined between NT\$300,000 and NT\$1,500,000.
16. The PDRPA stipulates that the dignity and legal rights and interests of people with disabilities shall be respected and guaranteed. Such persons shall not be discriminated against and anyone who violates the regulations is subject to a fine. Article 82 of the PDRPA assigns local governments the responsibility for quelling community opposition to welfare care facilities/institutions when they

provide residence arrangement service for people with disabilities in a community. Between 2015 and 2019, four cases related to community opposition to the establishment of welfare care facilities/institutions for people with disabilities were reported, which were resolved with the aid of local governments; these governments also promoted and enhanced public understanding of people with disabilities and their right to live on an equal basis with others.

17. The Gender Equality Committee of the Executive Yuan, the MOI, the Ministry of Education (MOE), the Ministry of Labor (MOL), the MOHW, the Council of Indigenous Peoples, and the Ministry of Justice (MOJ) have handled matters related to violations against antidiscrimination or equality protection rules under their jurisdiction. To improve antidiscrimination legal protection in Taiwan, the MOJ commissioned the research paper *Whether Taiwan Should Enact a Comprehensive Antidiscrimination Law and Recommendations for Legislation* in June 2019. The research advanced a draft of the *Equality Act*, which provides specific definitions of direct and indirect discrimination and stipulated related remedial procedures, including complaints, objections, applications for review, and appeals.

22b) & 23b)

The State confirms in its replies to the List of Issues it has not explicitly defined reasonable accommodation or legally defined that the denial of reasonable accommodation constitutes discrimination.

Define in its national legislation and regulations the principle of reasonable

accommodation in all areas in line with article 2of the CRPD, ensure the legal recognition that the denial of reasonable accommodation constitutes a form of discrimination, and ensure their application in practice in both the public and private sectors.

18. Parts of provisions, such as the Educational Fundamental Act, the SEA, Regulations Governing National Examination Rights for the Disabled, and Guidelines for the Implementation of and Subsidies for Job Accommodation for People with Disabilities, conform to the spirit of reasonable accommodation. The Prison Act and Detention Act, both amended in 2019, stipulate that prisons and detention centers shall protect the rights and interests of inmates and defendants with disabilities, adopt appropriate measures like reasonable accommodation, and provide accessible assistive measures keeping in mind prison characteristics, the condition of existing facilities, and the individual needs of inmates with disabilities. Drawn up in 2020, the draft amendment to the PDRPA states that when handling a case, government agencies, schools, institutions, juridical persons, and organizations shall provide necessary and appropriate reasonable accommodation that does not impose a disproportionate or undue burden and accords with the needs of people with disabilities on the grounds of their individual conditions (refer to Table 5.2. for relevant regulations).
19. The concept of reasonable accommodation has been included in Article 4 of the Educational Fundamental Act, which stipulates that special protection for the education of people with disabilities shall be provided keeping in mind their autonomy and particular characteristics in accordance with relevant laws and

regulations to support their development. In 2019, the government commissioned research on the amendment of the SEA, discussing the obligation of reasonable accommodation as well as regulations on how the denial of reasonable accommodation constitutes discrimination. Regarding curricular accommodation, the Curriculum Guidelines of 12-Year Basic Education: General Guidelines incorporates essential concepts of the CRPD, mandating that schools make appropriate modifications and adjustments in line with the specific needs of students and avoiding the imposition of a disproportionate or undue burden on the school, teacher(s), or government. Moreover, the Handbook on the 12-Year Basic Education Curriculum Accommodation of All Learning Areas for Students with Disabilities is available for teachers as a reference. Based on the Implementation Regulations Governing Special Education Curricula, Teaching Materials, Teaching Methods, and Assessments, schools are permitted to flexibly adjust courses and course duration to meet individual student needs.

20. The Regulations Governing National Examination Rights for the Disabled were established to ensure fairness and equal rights for people with disabilities. Under these regulations, students with disabilities may apply for disability-related testing accommodations. In cases where such accommodations are deemed reasonably necessary and do not impair examination integrity, the review committee for the protection of national examination rights for the disabled will approve the provision of testing accommodations.
21. To help employees with disabilities eliminate work obstacles, the MOL established the Guidelines for Implementation of and Subsidies for Job

Accommodation for People with Disabilities, which offers affected persons the possibility of attaining an improved workplace environment, equipment, and conditions and covering the costs of necessary assistive technologies at work and working method adjustments. Upon application by an employer or disabled person, the MOL performs a document review and conducts an onsite visit, after which it may authorize a subsidy of at most NT\$100,000 for each case. Where applicants dispute the approved subsidy amount, they are entitled to apply for a secondary review from the unit granting approval or submit a petition.

22. To help personnel at government departments at all levels understand that reasonable accommodation is a necessary and appropriate modification needed in a particular case by people with disabilities and legitimate conditions, the MOHW hosted four workshops in 2018 with 150 attendees in total. In 2020, the MOHW organized education and training programs for local government personnel and developed first-stage guides and teaching materials for reasonable accommodation as a reference for entities in all fields.

22c) & 23c)

There is no independent mechanism to monitor compliance with disability legislation.

Establish an effective mechanism to monitor all aspects of compliance with disability-related legislation, including making it possible for persons with disabilities to seek redress and commensurate compensation.

23. Please refer to Paragraph 1 for details regarding the use of the Regulatory and CRPD Impact Assessment Checklist in the formulation and amendment of laws.

24. The Constitution and various acts codify the rights of the people. These rights are protected by Taiwan's judicial system. Administrative courts and intellectual property courts are responsible for resolving public law disputes and intellectual property disputes involving litigation, respectively. Juvenile and family courts hear cases concerning the rights of women and children. In the event an individual does not agree with the decision of the court of first instance, he/she may appeal to a higher court for judicial review under relevant statutory provisions. Those with doubts concerning the constitutionality of any act or final and binding decision of a court may file a petition with the Constitutional Court seeking an interpretation; such interpretations are binding on all government agencies and people in Taiwan.
25. In addition to the remedies stated under Article 16 of the Constitution, when people with disabilities have sought a legal remedy but are denied relief, they may make an appeal, file a claim, or otherwise petition to protect their rights based on Article 8 of the Act to Implement the Convention on the Rights of Persons with Disabilities. The MOHW has entrusted the Legal Aid Foundation with providing legal advice since September 2018 and representation services since December 2019. As of June 2020, legal advice and representation have been provided in 7,343 and 77 cases, respectively. The Judicial Yuan regularly reviews performance reports of the Project of Legal Aid for People with Disabilities submitted by the Legal Aid Foundation and requests improvements accordingly, thereby protecting the litigation rights of people with disabilities.

Article 6

Women with disabilities

24 & 25

The IRC is concerned about the lack of programmes, including affirmative action measures, to promote the rights of women and girls with disabilities, especially intersecting forms of identity status.

The IRC recommends that the State design and implement effective programs including affirmative action measures to promote the rights of women and girls with disabilities and eliminate discrimination in all aspects of their lives.

26. The Gender Equality Policy Guidelines in Taiwan focus on the rights of women with disabilities to go to school, apply for a job, seek medical care, and receive home care services as well as their right to juridical services after having been subjected to sexual abuse. To keep up with trends and respond to suggestions from persons from all walks of life, the Executive Yuan is revising the Gender Equality Policy Guidelines by combining them with the Convention on the Elimination of All Forms of Discrimination Against Women (hereinafter referred to as CEDAW), the Concluding Observations and Recommendations of the Third Report on the CEDAW, the Concluding Observations of the Initial Report on the CRPD, and also Sustainable Development Goal 5: achieve gender equality and empower all women and girls. In particular, the Executive Yuan aims to expand the protection of underprivileged groups' rights (i.e., indigenous peoples, new immigrants, minors, the elderly, people with disabilities, women living in rural or remote areas, and sexually diverse populations) to respond to social changes and international trends.

27. Regarding affirmative action for women with disabilities, a subsidy item about care beds was added to the Application Procedures for Subsidies to Improve Accessibility of Campus Environments in 2019. This prioritizes disbursement of subsidies to schools admitting women with physical disabilities and increases women's mobility when engaging in school activities.

28. To help women with disabilities find jobs, the MOL has improved case management on vocational rehabilitation and supported employment services and has helped arrange public childcare family support services, thereby reducing these women's family care burden. Furthermore, the MOL encourages them to attend group discussions, relevant activities, and counseling to help them overcome family-related difficulties and enhance their willingness to seek employment; moreover, funds for preemployment preparation and employment stabilization services have increased year by year. A budget of roughly NT\$9.1 million was granted for said services in 2020, a 20 percent increase compared with the amount in 2019. Employment service centers throughout Taiwan actively provide relevant services for said women by creating flexible job opportunities depending on family care requirements. Specifically, these centers provide individualized employment preparation services (e.g., interview training and resume writing) as well as awards and subsidies; the number of job referrals is considered an indicator of these centers' performance; the aim of these efforts is to encourage employers to employ women with disabilities. In 2019, the job referral rate was 66.5 percent, representing an increase of 2.3 percentage points compared with 64.2 percent in 2018. Pursuant to the MOL Directions for

Establishing the Committee on Training and Employment Promotion for People with Disabilities, a committee comprising 16 to 20 members shall be established, with each member serving a tenure of two years. Five to seven members shall be representatives of people with disabilities, and representation of a diversity of disabilities shall be considered. To enable women with disabilities to engage in the planning and launching of policies for employment promotion among people with disabilities, the government amended said directions in 2019.

26 & 27

The IRC is concerned about the lack of a comprehensive range of provisions to protect the rights of women with disabilities in the State's Gender Equality Policy Guidelines.

The IRC recommends that the State amend its Gender Equality Policy Guidelines to incorporate provisions that fully address all the requirements of women and girls with disabilities on an equal basis with others, and align the Gender Equality Policy Guidelines with General Comment No. 3 of the UN CRPD Committee.

29. Please refer to Paragraph 26 for the approach to deliberation on amendments to the Gender Equality Policy Guidelines.

Article 7

Children with Disabilities

28a) & 29a)

There is a lack of a comprehensive early intervention system.

Establish a comprehensive system of early intervention for interdisciplinary reporting and referral of children with disabilities and coordination of supports to children with disabilities and their families.

30. In 1993, the government implemented acts addressing early childhood intervention for children with developmental delays. In 1997, in accordance with the Child Welfare Act (now known as the Protection of Children and Youths Welfare and Rights Act, hereinafter referred to as the PCYWRA), social administration authorities collaborated with education and health authorities to jointly found a promotion committee for children with developmental delays. The Implementation Plan for Early Intervention for Children with Developmental Delays was also drafted to establish a mechanism to facilitate collaboration, communication, and coordination of early intervention services between central and local governments, enabling the provision of multifaceted professional services.
31. As stipulated in the PCYWRA, the government shall establish a development assessment mechanism for children age six years and younger and offer special care for early intervention, medical treatment, schooling, and family support to developmentally delayed children as needed. The central competent authority, together with the authorized agencies in charge of health and education, shall plan and implement bridging and coordinating mechanisms for screening, reporting, assessment, treatment, education, and other services associated with early intervention. The MOHW, MOE, and local governments must comply with the PCYWRA and, in line with their corresponding responsibilities, are to launch

relevant services such as reporting of children with developmental delays, case management, and joint assessment. For those children who do not demonstrate improvement following an intervention, a disability assessment is to be conducted per the PDRPA to provide individual and family care support for caregivers of people with disabilities.

32. Statistics from 2019 early intervention services for children with developmental delays and service recipients are as follows:

- (1) A total of 28 reporting and referral centers have been founded. These centers together received 26,471 reports of children having or suspected of having developmental delays, representing a 10.5 percent increase over the 23,953 cases in 2018.
- (2) A total of 54 case management centers have been founded, and these centers opened 55,266 cases in 2019, an 8.2 percent increase from 51,094 in 2018. These centers also organized parent-child activities and parenting events as well as provided family support services in transition, respite care, emotional support, and development consultation. Moreover, the Work Rules Handbook on the Reporting and Referral Centers and Case Management Centers was published in 2019, with the aim of improving services provided by each department specialized in handling affairs related to cases.
- (3) In 2019, a total of 51 joint assessment centers for child development were founded, where 25,496 children suspected of developmental delays were assessed, among whom 16,784 were confirmed as having developmental delays (Table 7.1).

- (4) The MOHW supervises local governments in providing various services including NHI-covered early intervention, at-home intervention, community-based intervention, part-time intervention, and daytime intervention at early intervention institutions in accordance with the PCYWRA. As a result, children with developmental delays and their families can receive appropriate resources according to their needs.

- (5) The MOHW continues to promote the Implementation Plan for Providing Community-Based Interventions for Children with Developmental Delays in Remote Areas by providing childhood intervention, family support, community prevention, and community empowerment services through teamwork with social welfare, health, and education professionals. In 2019, these services were offered in 92 counties, townships, and districts, representing an increase of 13.6 percent over the 81 recorded in 2018. The Project of Deploying Intervention Resources in Areas with Fewer Resources (2019-2021) was also launched in 2019 and spans 12 counties, townships, and districts. Furthermore, the MOHW commissioned expert teams to write the ebooks *Guidelines for Community Intervention Services (Including at-Home Interventions)* and *Indicator Examples for Community Intervention Services (Including at-Home Interventions)*; these works provide frontline staff with family-centered, community-based expertise and practical strategies.

- (6) To reduce the cost of intervention for children with developmental delays, each child may receive an allowance of NT\$3,000 to NT\$5,000 per month depending on his/her family's financial status. In 2019, a total of 53,814

children received such an allowance, a 3.5 percent increase from the 51,973 in 2018. Allowance disbursements totaled NT\$472.24 million in 2019, a 6.8 percent increase from NT\$442.22 million in 2018.

28b) & 29b)

The sexual abuse of children with disabilities is widely reported in segregated special schools, and there is a protracted or lack of response, particularly in cases affecting children with intellectual disabilities.

Take steps to investigate, respond to and redress the sexual abuse of children with disabilities in school settings.

33. Countermeasures against sexual violence incidents involving CYDs on campuses (including at special education schools) are as follows:

- (1) The MOE has requested that all schools concerned consider students' disability types and characteristics and invite professionals with a special education background to form an investigative team to help uncover the truth and determine the educational intervention or assistance that will meet the concerned party's needs.
- (2) In 2018, the Project of Gender Inequality Prevention and Gender Empowerment in Special Education Schools was launched to help schools establish student-centered individualized programs that incorporate gender equality education into curricula, teaching, and school policies, thereby enhancing the gender equality competence of students.
- (3) The reported numbers of sexual violence incidents at special education

schools were 48, 55, and 37 in 2016, 2017, and 2018, respectively. In the event that a student with disabilities experiences sexual violence in schools, special education professionals are to be assigned to the investigative team. Various gender equality and self-protection courses as well as relevant guidance measures are included into the Individualized Education Program (hereinafter referred to as IEP). Additionally, a professional team comprising counseling psychologists, clinical psychologists, and licensed social workers is to be formulated to assist the student in question with subsequent guidance and support.

28c) & 29c)

There is a disparity in the availability of resources to children with disabilities between urban and rural settings.

Eliminate the distinction between resources available to rural and urban families.

34. Please refer to Paragraph 32(5) for details regarding the continual execution of the Implementation Plan for Providing Community-Based Interventions for Children with Developmental Delays in Remote Areas.
35. Promulgated in 2019, the Promotion Project of Preschool Special Education (to be implemented from the 2019 through the 2023 academic year) aims to improve teachers' professional competencies, enhance educational opportunities and learning outcomes, strengthen support systems and learning environments, and enrich special education resources in remote areas and offshore islands, thereby

optimizing preschool education quality, increasing opportunities for young children to receive education, expanding inclusive education, and enhancing learning outcomes and quality.

36. In the Directions for the Ministry of Education Subsidizing Municipalities and County (City) Governments for Disability Education, the base rates for the transportation allowance for itinerant teachers and professionals differ between counties and cities (urban and rural areas) because of varying traffic conditions. Subsidies for local governments to handle special education administrative work also vary between counties and cities, with subsidies being higher in remote areas. Hourly pay for special-education-related professionals serving in remote areas is also scheduled to be increased.

28d) & 29d)

Children with particular requirements are unable to attend school because of lack of trained staff to respond to medical emergencies.

Train school personnel to be able to respond to emergency situations faced by children with particular requirements, such as epilepsy, so that the children can participate in all aspects of school life.

37. Teaching assistants and special education student assistants shall receive orientation training of 36 hours or more and on-the-job training of nine hours or more. The MOE has collaborated with the MOHW to host a training program on the cleaning, suction, and removal of secretions within the oral cavity (the portion in front of the uvula) and artificial airways to improve the abilities of teaching

assistants and special education student assistants.

Article 8

Awareness-raising

30a) & 31a)

The IRC is concerned about the persistence of negative stereotypes of persons with disabilities and discriminatory language in the mass media.

Eliminate discriminatory and pejorative language concerning persons with disabilities in all areas of life

38. To combat negative stereotypes of people with disabilities, the government regulates mass media to prevent biased news reports under various acts and relevant regulations. Moreover, public and private sector entities have collaborated to organize disability awareness training and campaigns, aiming to increase the understanding of disability as diversity among the public and mass media.

39. To prevent the use of derogatory or discriminatory language in the radio and television industry, the PDRPA and Mental Health Act mandate that discriminative titles or descriptions may not be used and reports that are nonfactual or mislead audiences to discriminate or hold prejudices against people with disabilities are not permitted. Channels that broadcast news are required to establish self-regulatory mechanisms, in which external scholars and experts or NGOs participate in the internal inspection of programs and customer complaints with the aim of reducing the occurrence of discriminatory language.

40. The National Communications Commission (NCC) has forwarded the Code of Media Reporting about Mental Illness released by the MOHW to media unions and associations, requiring that media businesses adhere to relevant regulations, thereby raising public awareness of issues including the right of people with disabilities to communication.
41. Between 2016 and 2019, local governments fined three online platforms for the use of discriminatory language. Cases concerning the use of discriminatory titles or descriptions by those in the radio and television industry and in violation of the Mental Health Act are forwarded to the MOHW by NCC. For cases that potentially violate the PDRPA, the NCC seeks professional advice from the MOHW and submits feedback for discussion by the Consultation Committee on Radio and Television Programs and Advertising, which is composed of experts and scholars from the fields of psychology, social science, and law as well as NGOs composed of people with disabilities or parents of people with disabilities, and civic groups; the results of such discussions are then subject to a final review by the NCC. Between 2016 and 2019, the NCC submitted three cases involving the use of discriminatory language to the committee and resolved to require businesses violating the prohibition of discriminatory language to undertake improvements.

30b) & 31b)

The IRC expresses concern that the State's public education and media programs have not addressed harmful disability stereotyping, nor has the impact of such programs

been addressed.

Develop and implement public awareness and education programs which specifically target negative stereotypes of persons with disabilities. Furthermore, conduct training of the mass media, public officials, including in the justice system, the police and law enforcement sector, health and social services, education and the general public, in close collaboration with organizations of persons with disabilities, and conduct impact assessments of the above.

42. Please refer to Paragraph 38 for Taiwan's measures to reduce negative stereotypes toward people with disabilities.
43. Between 2016 and 2019, Taiwan implemented a training scheme on the important principles underlying the CRPD for its senior and executive civil servants to raise their awareness of the rights of people with disabilities and facilitate compliance with the CRPD during policy making, attracting 84,797 participants.
44. The Judges Academy annually hosts training programs for judicial personnel to study the protection of the rights of people with disabilities. Examples of such programs include 36-hour and 42-hour courses that were open to judicial personnel in charge of family matters in 2018 and 2019, respectively. Alternative courses are arranged for judicial personnel handling criminal cases, and education and training seminars for candidate interpreters (on-the-job training) are organized, including a lecture series on human rights.
45. To increase the understanding of law enforcement personnel concerning the

rights of people with disabilities and to enable them to apply their knowledge during police interrogations, the MOI has developed CRPD annual training materials, provides data on relevant integration processes, requests police units (authorities) nationwide to improve promotion of relevant training, and requires compliance with the Code of Criminal Procedure, Domestic Violence Prevention Act, Sexual Assault Crime Prevention Act, and PCYWRA during police interrogation proceedings involving people with disabilities. Additionally, 18 workshops were held for criminal case personnel from 2016 to 2019, attracting 930 trainees for a coverage rate of 30 percent (the target trainees of these workshops were criminal case workers throughout the nation, totaling 3,095 people). The aforementioned workshops familiarize police officers with the importance of protecting the rights of people with disabilities, which will hopefully manifest in an appropriate attitude toward people with disabilities during the performance of duties and tasks.

46. Social work training is provided to personnel including civil servants who have passed a certification examination for social workers and comprises an introduction to the PDRPA and CRPD. The Protective Service Social Worker Training Project specifies that newly recruited personnel and in-service personnel must complete a training session of a specified number of hours. From 2017 to 2019, 17 training sessions were hosted (Table 8.1), attracting 1,340 participants in total. In 2019, the Implementation Project of Grade-Based Training for Social Worker (Supervisors) at Social Welfare Service Centers entailed introducing the rights of people with disabilities into courses, aiming to

strengthen the professional competencies of social workers when serving said people and improve service quality.

47. To educate children about diversity beginning in early childhood, schools at all levels host in-class informational sessions, encourage coparticipation of students with disabilities and non-disabled students in class, and implement similar activities to help non-disabled students to understand people with disabilities. Teachers have begun to attend special education workshops to improve their competencies in inclusive education and creating a disabled-friendly campus. In 2018, the concepts of the right to equal participation, accessible environments, and sport activities for people with disabilities were used to design two children's picture books. A reading reflection competition was also held, with 851 participants in total. Furthermore, the picture books were adapted into animated short films, which were broadcast 2.45 million times on a commissioned basis. In 2019, four parent-child sessions of presentations of children's dramas adapted from picture book stories were organized with people with disabilities being invited to campus campaigns, attracting 1,000 sets of parents and children in total.
48. The MOE declares human rights education crucial in the Curriculum Guidelines for 12-Year Basic Education: General Guidelines. By creating curricula for elementary and junior high schools and implementing the tertiary counseling system, the MOE continues to help the Counseling Group for Human Rights Education to hold human rights-focused educational events, including member growth activities, county (city) workshops, district alliance exchange activities, annual seminars, and regional seminars. The MOE hosted 20 and 16 such

activities in 2018 and 2019, respectively, with nearly 600 participants each year.

49. To increase understanding of disability culture among the public and mass media, the MOHW subsidizes local governments and social welfare organizations to jointly host CRPD awareness-raising campaigns each year (Table 8.2). Between 2015 and 2019, the ministry annually subsidized 420 such events, spending an amount totaling approximately NT\$14 million. For example, the MOHW subsidized disabled people's organizations (hereinafter referred to as DPOs) to shoot three documentaries centering on the daily life of a woman with visual impairment in 2018, a man with a psychosocial disability, and a pupil with physical disabilities; the three documentaries have been shared by 1,339 accounts on social media platforms.

50. To promote the importance of respecting the rights of people with disabilities, Taiwan continues to produce films, publications, and radio programs focusing on inclusive education, creating an inclusive campus, and preventing workplace discrimination. The government also gives out the Golden Wingspan Award and the Golden Eagle Award: A Celebration of Excellent People with Disabilities to convey to the public that disability can be part of everybody's life, that stereotypes about people with disabilities must be avoided, and that is imperative to respect one another.

Article 9

Accessibility

32a) & 33a)

Current legislation and enforcement measures for accessibility by the State remain *ad hoc* and do not adequately address the lack of accessibility in the State.

Draft a comprehensive action plan with consistent standards, monitoring and enforcement mechanisms including penalties for noncompliance, timelines and budget for implementation of uniform accessibility across the public and private sectors in urban as well as rural areas regarding offices, workplaces, infrastructure, pedestrian environments, and public transport including taxis. The implementation of this plan must be periodically evaluated and revised by an independent body consisting of, among others, persons with disabilities and their representative organizations.

51. Taiwan promulgated the Physically and Mentally Disabled Citizens Protection Act in 1997, providing a strong legal basis for the establishment of accessible environments. Competent authorities in the fields of construction, social welfare, education, health care, and transportation supervise and improve provision of such accessible environments. Local governments are to convene committees responsible for promoting the construction of accessible environments.
52. The interior design of care institutions, senior citizen welfare institutions, disabled welfare institutions, and mental health care institutions shall meet the Design Specifications of Accessible and Usable Buildings and Facilities. Assessment indicators for accessible facilities were added to the 2020 assessment standards of said institutions to ensure the implementation of appropriate spatial and facility designs, and to ensure structure and facility designs comply with environmental and individual needs of people with disabilities as well.

Accordingly, design of accessible facilities at such institutions will be improved.

53. Each education authority issues special funds for schools to improve campus accessibility every year, and schools also raise funds independently. For the period 2016-2019, expenses for campus accessibility improvement reached NT\$2.1 billion (Table 9.4), of which NT\$1.983 billion was subsidies from government agencies. In 2018, the MOE commissioned the Disclosure Platform of Information on School Accessible Environments Project. The first stage involved higher education institutions, where students with disabilities and nondisabled students, NGOs, and experts in accessibility design were tasked with jointly identifying, registering, and publishing accessible facilities, services, and relevant information at schools, aiming to create disabled-friendly campus environments. As of 2019, information on 24 schools, 724 buildings, and 9,185 accessible facilities had been published, and numerous promotional videos had been uploaded to YouTube for public viewing.

54. Correctional institution facilities are mostly old, at an average age of 40-50 years. Such buildings are outmoded with respect to modern principles of incarceration, however, institutions can plan and construct basic accessible facilities to meet inmates' needs and provide inmates in need with assistive technologies (e.g., wheelchairs, crutches, and walkers). Inmates with physical impairments or disabilities are mostly housed in patient wards, wards on lower floors, and special zones with centralized workshops and housing, enabling the provision of centralized care services. In addition to helping incarcerated patients to get out-of-prison medical treatment, correctional institutions may, in accordance with the

Prison Act, apply for prisoner transfers to critical care or psychiatric rehabilitation centers or medical treatment on bail. Where the inmate in question has special needs, the correctional institution will provide appropriate accessible facilities, assistive technologies, or other suitable assistance; the inmate may also request that the institution make reasonable accommodations.

55. The MOI hosts the Evaluation Project of Urban Road Maintenance and Management and Sidewalk Accessibility every year, inviting people with disabilities and their representative organizations, experts and scholars, and the MOTC to form evaluation teams to perform onsite and policy assessments. These assessments are aimed at prompting local governments to emphasize maintenance of urban roads, effectively promote the construction of urban accessible sidewalks, and promote the idea of public rights of way. Through these efforts, pedestrian safety can be guaranteed. Local government data shows that the prevalence of sidewalks increased from 37 percent in 2016 to 42 percent in 2019.

32b) & 33b)

Online banking and mobile applications are still not accessible to persons with disabilities, in particular to those with visual impairments.

Through the Financial Supervisory Commission, and in close cooperation with persons with disabilities and their representative organizations, introduce more effective enforcement methods for expediting the accessible use of all financial services offered to the public.

56. The FSC has promulgated the Friendly Finance Service Guidelines and the Q&A for the Practice of Friendly Financial Services to instruct financial institutions in providing suitable and friendly services that meet the individual needs of people with disabilities, including the provision of an accessible environment, services, communications, products, and information, and to exhort them to refrain from any discriminatory behavior. The FSC engages with people with disabilities and their representative organizations and reviews all matters covered in the Friendly Finance Service Guidelines; moreover, they request financial institutions to provide suitable consultation services in relation to the financial product or service requirement in question as well as user-friendly measures to meet the needs of people with disabilities, such as online bookings and in-home service.
57. In 2019, the FSC requested that the BARC, Taiwan Securities Association, Securities Investment Trust and Consulting Association of the Republic of China, Chinese National Futures Association, the Non-Life Insurance Association of the Republic of China, and the Life Insurance Association of the Republic of China to notify their members that newly recruited employees should receive education and training on providing friendly financial services to people with disabilities. The number of attendees at related programs over the past two years is listed in Table 9.15.
58. To provide basic financial services to people with disabilities, the FSC has required that banks add functions for designated and non-designated account transfers to their accessible online banking websites and apps. In the future, the FSC will continue encouraging banks to expand friendly financial services to

meet the needs of people with disabilities.

Article 10

Right to life

34 & 35

Aligned with the recommendations of the Second Review of ICCPR and ICESCR (20 January 2017), the IRC is concerned that the State has not abolished the death penalty. The IRC also is concerned about the immediate lack of clear procedural safeguards preventing administration of death penalties for persons with psychosocial and/or intellectual disabilities (mental disorders [*sic*]).

The IRC recommends that the State abolish the death penalty, and until such time that the Department of Justice establishes clear provisions in the Guidelines for Execution of Death Penalty Cases, ensure that death penalties are not enforced for persons with psychosocial and/or intellectual disabilities.

59. Because the execution of the death penalty is irreversible, the MOJ exercises utmost caution in reviewing death penalty cases and the implementation of the capital punishment. Only when every remedy procedure has been exhausted does the MOJ approve the performance of an execution. After obtaining the complete case files and evidence in a death penalty case as per a Supreme Prosecutors Office order, the MOJ appoints a counselor to comprehensively review all files related to the case, so as to ensure that the Supreme Prosecutors Office has complied with related procedures. The procedure requires the Office to reexamine the presence of any conditions to trigger a retrial, extraordinary appeal,

or petition for constitutional interpretation (including pending petitions), as well as the mental state of the death row inmate in question. The MOJ then forms a review committee to assess whether the implementation of death penalty is appropriate. Subsequently, the MOJ, per the Implementation Guidelines for Reviewing Death Penalty Execution, queries the Judicial Yuan, Taiwan High Court, Supreme Prosecutors Office, and correctional institutions to determine whether a petition for constitutional interpretation, retrial, or extraordinary appeal is necessary or whether the inmate should be spared due to insanity, psychological disorder, or intellectual disability. Only when the MOJ confirms that no pardon is to be granted after consulting with the Office of the President does it approve an execution. To protect the rights of death row inmates, the aforementioned process is conducted with the utmost meticulousness.

60. To prevent injustice, the MOJ has promulgated the Directions of Prosecutorial Authorities Reviewing Finalized Conviction Cases. The ministry has established a committee for finalized conviction cases at the Taiwan High Prosecutors Office, with the aim of reviewing rejected retrial motions and extraordinary appeals. The chief prosecutor convenes the committee and invites other relevant chief prosecutors or appointed head prosecutors, prosecutors, forensic pathologists, crime scene investigators, criminal law scholars, attorneys, and retired judges or prosecutors to join the committee. The Taiwan Bar Association, regional bar associations, and other groups or organizations aiming to protect legal and human rights may urge the committee to review a finalized conviction case and to determine whether grounds for a retrial or extraordinary appeal exist as provided

by the Code of Criminal Procedure. Regarding finalized death sentences, relevant organizations or groups may submit an opinion letter specifying their doubts about the case in question to the Taiwan High Prosecutors Office, which is reviewed by the aforementioned committee.

61. The Criminal Code of Taiwan accommodates individuals with mental disorders or intellectual disabilities by providing reduced punishments, including exemption from punishment and commutation. Where a defendant or inmate is deemed insane during the trial or pending imposition of the death penalty, the trial or execution shall be ceased. In accordance with the Guidance for Reviewing Death Penalty Cases, the MOJ shall meticulously review each death penalty case with great discretion and the mental health status of the inmate shall be given special attention. In the event of any doubt as to mental fitness, the death penalty shall not be imposed until the doubt is resolved. In collaboration with the Judicial Yuan, the MOJ actively engaged in amending Articles 465 and 467 of the Code of Criminal Procedure.

Article 11

Situations of risk and humanitarian emergencies

36a) & 37a)

The absence of systematic involvement and participation of persons with disabilities and their representative organizations in the design, implementation and evaluation of disaster risk reduction measures.

Ensure the systematic involvement and participation of persons with disabilities

and their representative organizations in the design, implementation and evaluation of disaster risk reduction measures including the use of accessible technology for communication purposes.

62. To protect the rights of people with disabilities during disasters and emergencies, the central government has stipulated plans for disaster prevention and protection (DPP)⁵ pursuant to the Disaster Prevention and Protection Act and by referring to the Sendai Framework for Disaster Risk Reduction. In these plans, the Measures to Strengthen Disaster Prevention and Protection for Underprivileged and Low-Income Groups are specified in their own chapter, with the aim of satisfying the unique needs of people with disabilities during disasters. Since 2020, people with disabilities and their representative organizations have been invited to amend respective DPP plans⁶ adopted by governments at all levels, thereby increasing the feasibility of implementation.

36b) & 37b)

The lack of perspectives of women, children and indigenous people with disabilities in these measures, and specifically persons with intellectual and/or psychosocial disabilities, and deaf and deafblind people.

Reflect the perspectives of women, children and indigenous people with disabilities, and specifically persons with intellectual and/or psychosocial

⁵ Basic plans for DPP are devised in accordance with the Disaster Prevention and Protection Act, enacted upon approval by the Central Disaster Prevention and Response Council chaired by the Premier of the Executive Yuan, and revised once every five years. The latest plans were announced in 2018; please visit the website of the council for more detail.

⁶ DPP plans adopted by governments at all levels comprise DPP operating plans for 22 types of disasters adopted by central competent authorities and regional DPP plans adopted by 22 municipal and county (city) governments.

disabilities, and deaf and deafblind people in these measures.

63. Please refer to Paragraph 62 for how governments of different levels have included people with disabilities in their disaster rescue plans and the representative groups' perspectives on the inclusionary strategies.
64. To accelerate disaster response for people with disabilities, Taiwan organizes national disaster drills and provides simple online instructions for appropriate action during earthquakes on a dedicated website. The government provides easy-to-understand images of actions as well as posters that share information on how to respond to disasters with people with physical impairments (those relying on crutches, assistive technologies, or wheelchairs). The government also requires long-term care institutions and other institutions housing vulnerable people to employ emergency exit signs that flash or that both flash and emit sound, with the aim of improving emergency guidance for vulnerable populations.
65. To safeguard the right to know during disasters, the government has adopted the following measures to achieve disaster warning and information provision:
- (1) The government has established the website called Easy to Do, which includes a disaster management platform for long-term care institutions and provides strategies of disaster risk reduction and response related to typhoons, floods, and earthquakes. The platform is aimed at strengthening disaster risk awareness as well as disaster management capabilities of staff working for social welfare institutions, nursing homes, and other similar institutions; the goal is to improve the effectiveness of disaster response and evacuation.

- (2) During emergencies, people with disabilities may acquire disaster information and the latest updates through phone calls, sign language simultaneous interpretation on television broadcasts, radio broadcasting, the internet, social networking sites, the Platform for Disaster Prevention and Protection Information, and exclusive websites concerning the disaster information in question. The government has implemented accessible disaster prevention and warning services for people with visual and hearing (speech and language) impairment, including screen readers, voice assistants, and vibration alerts.
- (3) To protect the rights of people with disabilities, the government created the 119 emergency app in 2020, which allows users to send text messages to the 119 emergency center. Furthermore, the app enables cellphone buttons to flash and helps people with hearing (speech and language) and visual impairment make emergency calls. Icons for emergency call shortcuts are intuitive (e.g., icons of a fire and of an ambulance), enabling individuals with dementia or intellectual disabilities to use the app. In 2019, the government designed images for earthquake drill practices and posters for people relying on crutches, assistive technologies, or wheelchairs to serve as a reference for people with disabilities.
- (4) During the COVID-19 pandemic, the MOHW has been posting news releases, leaflets, and videos on mass media and social media such as Facebook, LINE, and Instagram to notify the public of the current pandemic status and epidemic prevention measures. The MOHW has also established the 1922 hotline for epidemic prevention and the Disease Control Butler, a chatbot on the LINE

platform (available for real-time responses) for people with hearing, speech, or language impairments to inquire about epidemic-related information. For people with hearing, speech, or language impairment who undergo home isolation, local governments contact them using flexible approaches such as the LINE Bot, Health Reporting E-System, and two-way messaging.

36c) & 37c)

The fragmented responsibilities regarding disaster information and response among different actors regarding natural disasters.

Strengthen disaster risk governance to manage disaster risk in line with the Sendai Framework for Disaster Risk Reduction 2015-2030, in particular through improved response coordination, including disaster reporting and coordination of responses between central and local governments.

66. Same as Points 36a) and 37a) in the concluding observations on the Initial Report.

36d) & 37d)

The safety of persons who use respirators and other powered life sustaining equipment in times of disasters, when the provision of emergency electricity supply, which is essential for their life support, cannot be guaranteed.

Include an emergency electricity supply system for life support equipment in central and local disaster rescue and relief plans, which includes the establishment of a list of users of life support equipment as well as provision of small generators and fuel.

67. To prevent health problems or life-threatening consequences befalling people

with disabilities on life support equipment due to power outages, local governments regularly update their lists of housebound people with disabilities using life support equipment and notifies nearby branches of Taiwan Power Company and borough chiefs to provide for real-time assistance.

Article 12

Equal recognition before the law

38 & 39

The IRC is concerned that the State has yet to harmonize domestic laws with Article 12 of the CRPD as it has been interpreted by the UN CRPD Committee in its General Comment No. 1. Among these domestic laws are the Civil Code, the Trust Code, and all associated laws. The IRC specifically highlights the prevalent situation in which individuals with disabilities placed under guardianship are denied their legal capacity to express their will, preferences or autonomy. Such situations include, but are not limited to, marriage, electoral rights, public service, disposition of property, access to financial services, employment, and informed consent to medical procedures, including sterilization. The IRC is further concerned that the State has conflated the concepts of legal capacity and mental capacity.

The IRC recommends that the State amend all relevant laws, policies, and procedures and that a system of supported decision-making be put into place that is compliant with the UN CRPD Committee’s General Comment No. 1, including the provision of adequate resourcing for such a new system. Legal capacity and mental capacity are distinct concepts. The IRC recommends the

training of all civil servants, including judges, on the following concept: Legal capacity is the capacity to hold rights and duties (legal standing) and to exercise those rights and duties (legal agency). Mental capacity refers to the decision-making skills of a person, which naturally vary from one person to another and may depend on many factors including environmental and social factors.

68. People with disabilities are protected by the Civil Code and have legal capacity the same as other persons. The Civil Code provides for the commencement of a guardianship system to protect individuals who cannot make declaration of intention, receive declaration of intention, or who lacks the ability to discern the outcome of the declaration of intention due to mental disability. The Civil Code also establishes the assistance system to protect people who have insufficient capacity to make declaration of intention, receive declaration of intention, or who lack the ability to discern the outcome of the declaration of intention due to mental disability. This prevents such people from taking on legal obligations due to poor physical and mental health. Pursuant to the Civil Code, when electing guardians, for the best interest of the ward, the court shall first take the ward's opinion and every other things into consideration. The Civil Code specifies that when enforcing guardianship relating the ward's life, treatment, and financial management, the guardian shall respect the ward's intent following the order of commencement of guardianship. The aforementioned regulations fulfill the spirit of supported decision making and respect individual rights, will, and choices as required under the CRPD. For the number of cases on commencement of guardianship or assistance in the period 2016-2019, please refer to Table 12.1.

69. In 2019, the adult guardianship by agreement system was added to the Civil Code, allowing people concerned who still have mental capacity to draft an agreement with an agent and to name the agent as the person's guardian upon the commencement of guardianship instead of waiting for the court to select a guardian in accordance with its responsibilities; should said people lose their mental capacity, a guardian can still be appointed at the person's discretion according to the decision made before they lost mental capacity. According to their will and preferences, the people may appoint a guardian and decide the guardian's powers and methods when handling relevant matters, all of which can be prewritten in the adult guardianship agreement; this system respects personal will, choices, and human dignity.

Article 13

Access to justice

40a) & 41a)

That the State has not yet provided adequate measures and safeguards to persons with disabilities in all interactions with both the criminal and civil justice systems.

Develop, implement, and adequately resource measures that will ensure equal access to both the criminal and civil justice systems including the mandatory training of judges, law enforcement and prison staff on the human rights of persons with disabilities

70. Please refer to Paragraphs 44 and 45 for details regarding human rights education and training for judicial and law enforcement personnel.

71. Gender equality and sexual violence training programs for judicial, police, medical, and social work personnel are as follows:

(1) To increase human rights expertise and gender awareness among judicial personnel, professional courses related to special consultations for people with disabilities are included in orientation and on-the-job training centers for judges, associate judicial officers, notaries public, investigation and protection officers of juvenile matters, court clerks, court police, clerk assistants, court attendants, psychological test specialists, psychological counselors, administrative personnel, and mediators. These courses introduce the trauma responses of sexual assault victims with disabilities, consultation practices, and communication essentials, aiming to improve consultation competences of said personnel. The Judges Academy offered 192 gender awareness courses between 2016 and 2019, with a total of 10,049 participants.

(2) The processing of sexual violence incidents involving children with disabilities is related to collaboration between social administration, police, educational, judicial, and youth correctional systems. To increase gender sensitivity toward children and underprivileged victims among relevant professionals, the Judges Academy hosted courses and workshops on juvenile case interrogation skills for judges in 2019. For the period 2016-2019, 22 basic and nine advanced Training Courses for Professionals on Women and Children Safety were held, with 1,041 and 427 attendants, respectively. At present, 241 out of 256 domestic violence prevention

officers (94 percent) in 161 police precincts and 215 out of 469 members (46 percent) from the Women's and Children's Protection Division (including personnel, accounting, and general affairs officers) have completed basic training.

- (3) To improve police officers' competence in transcribing police interrogations involving child victims and victims with mental disorders related to sexual assault, police authority personnel were recommended to attend the judicial interview training organized by the MOHW in 2017. Among approximately 1,944 sexual assault case officers, 213 completed the training (11 percent). The MOI training and certification projects were launched in 2018, since when relevant training has been held twice every year. A total of 100 sexual assault case officers from police authorities have been trained, with the intention that the judicial rights of victims of sexual violence and other underprivileged groups will be safeguarded.
- (4) Centralized training is conducted annually for qualified public social workers, including courses on the Domestic Violence Prevention Act and civil protection orders, laws and practices on sexual assault and sexual exploitation prevention, and women's welfare and gender equality (including CEDAW) and relevant practices. These training programs are intended to develop social workers' understanding of violence problems, reporting, and gender equality. For the period 2016-2019, a total of seven training sessions were held with 551 persons attending (Table 16.2).
- (5) The MOHW requires institutional staff to receive training on sexual assault

prevention once every year, devised the Practice Handbook on Three Level Prevention of Sexual Assault Incidents in Disabled Welfare Institutions in 2018, and commissioned the holding of 11 training sessions for institutional staff in 2019. In 2020, the MOHW commissioned the compilation of the easy-to-read version of the Practice Handbook on Primary Prevention of Sexual Assault Incidents in Disabled Welfare Institutions as well as the implementation of a pilot project aimed at empowering disabled welfare institutions to develop teaching materials on sexual assault primary prevention to improve said institutions' competencies in tailoring teaching materials on sexual assault prevention for various people with disabilities. In 2019, the MOHW published the Handbook on Sexual Assault Prevention in Child and Youth Placement and Educational Institutions, and hosted six training sessions for institutional staff that attracted 732 attendants, yielding training coverage of 43.8 percent.

- (6) To cultivate long-term care talents, the Regulations for the Training, Certification, Continuous Education Program, and Registration Conditions for Long-term Care Personnel stipulate that Level I general courses on long-term care shall comprise courses on gender and cultural perspectives in long-term care to enhance professionals' awareness of gender equality. The guidelines focus on gender violence prevention and increasing gender care sensitivity and the competencies of relevant professionals. In 2018 and 2019, 22,656 and 20,869 individuals attended Level I courses, respectively.
- (7) Various medical personnel regulations require that medical personnel attend

continuing education for a certain number of hours every six years to renew their license. For the continuing education program, gender issues is a mandatory course; therefore, medical personnel must complete a gender issues course. As of December 2019, the number of practicing nurses was 175,195; a total of 1,380 courses related to gender equality were offered from 2016 to 2019, with 204,861 attendees. There were 1,934 courses related to exploitation avoidance, violence reporting, and abuse during this period, attracting 140,080 attendees in total (Table 16.3). To reinforce nurses' understanding of exploitation, abuse, case reporting of disabilities, and gender equality of people with disabilities, the MOHW requested local governments and nursing associations offering courses to incorporate the topics mentioned above into continuing education curricula for licensed nursing personnel in 2018 and 2019.

- (8) Gender equality training programs for education professionals include parent-teacher gender equality workshops, experience exchange seminars concerning the operations of gender equality education committees at higher education institutions, workshops on understanding and handling campus intimate partner violence, and training of professional investigators of gender equality incidents. In 2019, the aforementioned courses attracted 1,277 attendees. Teaching materials such as teaching materials on gender equality education for students with disabilities and the reference manual on gender equality education for counselors in resource rooms of higher education institutions were devised for organizers offering online courses or workshops;

the materials are evaluated and revised after onsite teaching trials.

40b) & 41b)

At the inadequacy of such measures and safeguards in relation to persons subjected to sexual violence during interactions with both the criminal and civil justice systems.

Develop, implement, and adequately resource measures that will ensure equal access for and protection of persons subjected to sexual violence including, but not limited to, sex and gender sensitive human rights training among all personnel working in both the criminal and civil justice systems.

72. Please refer to Paragraph 71 for details regarding training on gender equality and gender violence for judicial, police, medical, and social work personnel.

40c) & 41c)

That the justice system does not adequately provide age-appropriate or procedural accommodations.

Implement measures such as, but not limited to:

- **the use of accessible and alternative formats for utilizing and conveying information,**
- **sign language interpretation,**
- **supported decision-making, and**
- **age-appropriate support for children with disabilities,**
- **within the justice system with a view to providing adequate adjustments.**

73. To safeguard human rights enumerated in the International Covenant on Civil

and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the PDRPA, Article 99 of the Code of Criminal Procedure was amended and promulgated in 2020, specifying that where an accused has a hearing or speech impairment or has difficulties in understanding the language used, the service of an interpreter shall be used to safeguard the accused's access to justice. Following the amendment to the Code of Criminal Procedure, the MOI regulated that during police interrogations, where the victim has a disability, his/her legal representative, spouse, lineal blood relative, collateral blood relative within the third degree of kinship, parent, family member, physician, psychologist, counselor, social worker, or other person the victim trusts, with the consent of the victim, may be present alongside the victim during the trial. The police officer may, upon petition of the victim or on his/her own authority, employ appropriate isolation facilities to prevent the victim from being seen by the accused or a third party, thereby protecting the victim's privacy. Where the suspect, witness, or victim has a hearing or speech impairment or has difficulties in understanding the language used, an interpreting service shall be used during police interrogation; such persons may also be examined using written words or ordered to make a statement in writing.

74. Amended and enacted in 2019, the Juvenile Justice Act provides protective measures for youth with disabilities, including pretrial investigation (including into physical and mental states); the companionship and assistance of adults or experts during the interrogation or questioning of the youth in question; rights notification; isolated interrogation for adults and youth; prohibition of

continuous and nighttime interrogations; protection of the rights to be heard and know judicial proceedings; assessment of physical and psychological conditions and behavioral observation in juvenile detention centers; placement of the youth in an appropriate institution to receive guidance and reformatory education as per the classification of the youth according to his or her condition, including physical and mental states; management of data confidentiality; and removal of criminal records. The amendment added that experts in child or adolescent mental health or other fields may be assigned if the youth is incapable of making a complete statement due to psychiatric or other mental disorders. Youth with hearing, speech and language, or multiple disabilities shall be provided with interpreting services to safeguard their right to be heard as well as other measures for the protection of rights in legal proceedings, such as the accompaniment of legal representatives, expanded breadth of rights notification, and separate custody from suspects or defendants in ordinary criminal matters.

75. Since 2006, the Judicial Yuan has adopted a contract system for interpretation services; high courts and their branches, high administrative courts, and intellectual property courts periodically recruit and contract with interpreters of various languages. At present, these courts have recruited 221 candidate interpreters, of whom 17 are sign language interpreters. Moreover, the service of real-time translation was added, with a list of candidate caption writers recommended by hearing impairment associations having been submitted to the Legislative Yuan for reference in May 2019.

76. The draft of the amendments to the Code of Civil Procedure adds Article 211-1,

which stipulates that if technological equipment that enables audiovisual transmission is available at the court and at the location of the involved party, a motion may be filed with the court to conduct remote interrogation. The draft Adjudicating Rules Governing the Constitutional Court stipulates that when the Constitutional Court deems appropriate, remote adjudication may be conducted for the convenience of people having difficulties appearing in court and to address adjudication efficiency concerns. To ensure equal rights to litigation for people with disabilities and provide adaptations for individual differences, the Precautionary Matters on Handling Civil Procedures, amended in January 2020, requires that the court provide special consideration for people with disabilities during trials and give them more time to prepare for a case. In June 2020, the Precautionary Matters on Handling Administrative Procedure were amended, and for courts subject to the guidance document, judges are requested to fulfill their duty to ensure that litigation-related laws should contain provisions for reasonable accommodation as stated in the CRPD.

77. Statistics compiled by correctional institutions show that the number of people with disability IDs was 2,696 as of December 2019. In 2019, 50 individuals were spared imprisonment because of age, disability, or incapacity. Inmates with disabilities at MOJ-affiliated correctional institutions are to receive appropriate treatment pursuant to the Prison Act. Where inmates require medical treatment, the institution in question has them visit the outpatient clinic within the institution and arrange for subsequent health care services according to medical orders, such as prison-based follow-up outpatient treatment, medical treatment under escort,

transfer to subsidiary medical units, and medical treatment on bail. A request for reasonable accommodation may be filed with the institution in question for inmates with special needs.

78. Following the initiation of the guardianship-by-agreement system specified in the Civil Code, the government amended Articles 164 and 165 of the Family Act by adding two statements on declaration of guardianship: matters concerning the contract termination of guardianship by agreement and those pertaining to guardian dismissal. The amended articles specify that a person subject to a guardianship declaration shall have the capacity to represent himself in proceedings during matters concerning guardian reelection, changes, and dismissal and contract termination of guardianship, thereby protecting said person's right to procedural autonomy and to a fair trial. The amendment came into effect in June 2019.

Article 14

Liberty and security of the person

42a) & 43a)

With the content and application of the Mental Health Act, specifically that the system of forced detention and medical treatment currently in place systemically violates the human rights of persons with disabilities. The Mental Health Act currently permits arbitrary and compulsory detention of individuals with disabilities in medical and institutional facilities and in the community, while also providing inadequate procedural safeguards for those individuals to access administrative review of such

detention.

Amend all relevant laws and policies, including the Mental Health Act, so that involuntary detention on the basis of disability is prohibited, and that a system of procedural safeguards, including immediate access to legal assistance, be put into place, including ensuring the free and informed consent of the individual.

79. The Mental Health Act was formulated to promote patients' health rights and safety. Matters pertaining to mandatory hospitalization are not specifically related to disability but are to protect patients with severe, short-term psychiatric disorders from harming themselves or others. The duration of emergency placement shall not exceed five days and attention shall be paid to the protection of the rights of patients with severe conditions. Mandatory examinations are to be completed in two days counting from the date of emergency placement. Emergency placement shall be terminated when the examination does not indicate the necessity of mandatory hospitalization or when permission for mandatory hospitalization is not obtained during the aforementioned five day duration. The Enforcement Rules on the Mental Health Act stipulate that the identity as a severe patient is terminated by a specialist physician after examination. This means that the termination process can only be initiated by a specialist physician. The problem regarding the lack of a time limit for autonomous termination of patients' identity with severe psychiatric disorders was addressed by introducing regulations to the draft amendment to the Health Mental Act. Because the mandatory hospitalization system may deprive an individual of personal freedom, protective measures for severe patients have

been specified; the patient in question or their protector may, pursuant to the Mental Health Act, apply for legal remedies from a court. In 2014, the Habeas Corpus Act was revised to enable habeas corpus applications in the context of mandatory hospitalization; persons objecting to a mandatory hospitalization ruling may seek a remedy through filing a petition for administrative review (Table 14.1). The number of mandatory hospitalization cases decreased from 791 in 2016 to 725 in 2019 (Table 14.2). To establish a system for protecting the human rights of people with psychiatric disorders, the Judicial Yuan notified local governments they are to encourage psychiatric institutions to post contact information for relevant parties that may assist in appeals and petitions from hospitalizations (e.g., phone numbers of the Legal Aid Foundation and patient rights associations). Additionally, the central government is to supervise and assess compliance with said requests as an indicator during county and city government assessments. When requested by patients, medical institutions shall appoint personnel to assist with application form completion and submission. To strengthen rights protection for patients with psychiatric disorders, the government plans to amend regulations concerning mandatory hospitalization and community treatment, the amendment drafts of which are still pending because consensus has yet to be reached among the authorities on specific issues.

80. The Mental Health Act specifies the process for handling cases involving mandatory hospitalization that limits personal freedom. To protect patients with psychiatric disorders, necessary treatment and protection are to be provided during mandatory hospitalization (i.e., emergency placement period). To

safeguard said patients, ensure their living environment is adequate and they enjoy basic living conditions and medical treatment, and to prevent their being mistreated, specific guidelines and operating regulations are provided in the Psychiatric Hospital Accreditation Criteria, with the aim of safeguarding the right to medical treatment for people with disabilities. To achieve medical treatment or prevent abuse, accidents, suicide, or self-inflicted injury, psychiatric and care institutions may restrain patients' bodies or limit their freedom of activity to specific protection facilities; necessity of continuing such patient restraint or curtailment of freedom of activity is to be regularly evaluated per relevant criteria. The MOHW stipulates in the Psychiatric Hospital Accreditation Criteria that an evaluation shall be performed once at least every 15 minutes, the compliance rate of which was 96 percent, 91.7 percent, and 100 percent in 2017, 2018, and 2019, respectively. The MOHW also has local governments conduct regular and random inspections of the implementation of said evaluations at various psychiatric care institutions. During hospitalization, where patients or their protectors perceive that a patient's rights are being violated by the psychiatric care institution in question, they may file a written appeal to the local government where the institution is located. The competent local authorities shall then investigate and process the appeal and notify the applicant of the results.

42b) & 43b)

About deprivation of liberty on the basis of perceived dangerousness of persons with disabilities alleged need for care, treatment or detention.

Uphold the freedom to make one's own choices as a principle in article 3 (a) of the CRPD and absolutely ban the deprivation of liberty on the basis of actual or perceived impairment.

81. Please refer to paragraphs 79 and 80 for details regarding Taiwan's protection of the personal freedom of patients with mental health difficulties.
82. The LTCSA regulates that long-term care institutions and their personnel shall provide proper care and protection for the users of long-term care services and shall not...restrict physical freedom or engage in any other matters that infringes upon their interests; violations of said provision are subject to a fine. Governments at all levels have incorporated the concepts of reinforcement of social participation, provision of support in independent living, and encouragement of self-expression in living arrangements when developing assessment indicators of long-term care institutions. Similarly, the Regulations Governing the Accreditation of Nursing Institutions have included rights safeguards for persons concerned as a statutory assessment item, thereby securing institutional residents' freedom of choice.
83. Personal care institutions providing particular living arrangements for people with disabilities, including residential social welfare institutions, nursing homes, mental health care institutions, and long-term care institutions, shall allow their service recipients to freely communicate with individuals outside those particular living arrangements; the aforementioned regulation is specified as one of the institutional assessment indicators.

Article 15

Freedom from torture or cruel, inhuman or degrading treatment or punishment

44a) & 45a)

The State has not yet taken measures to ensure that persons with disabilities receive adequate support to make decisions with fully informed consent regarding medical procedures and treatments.

Develop, implement, and adequately resource measures so that persons with disabilities receive adequate support to make decisions with fully informed consent regarding medical procedures and treatments.

84. The 2019 Hospital Accreditation Criteria and Assessment Items provide that hospitals should communicate with patients and adequately explain their disease conditions and treatment processes and methods. In particular, in a case where an invasive examination or treatment is involved, hospitals shall formulate operational regulations and obtain a consent form signed by the patient. Moreover, training sessions for medical personnel under the Regional Facilitation Project have included the above topics to ensure that medical personnel assumes their proper role in the informed consent process before commencing medical diagnosis and treatment of people with disabilities. Taiwan commissioned the establishment of the Accessible Medical Treatment Center in 2019; the center is responsible for developing easy-to-read versions of health education teaching materials (e.g., samples of commonly used consent forms) for medical practitioners to use.

85. According to the Mental Health Act, As patients are treated or hospitalized,

psychiatric institutions shall explain to patients and or their guardians matters related to the illness, treatment policies, aspects of prognosis, reasons for hospitalization, rights of patients and their guardians, and so on.

44b) & 45b)

Individuals with disabilities in particular living arrangements are exposed to degrading and inhuman treatment, such as forced diapering instead of assistance with toileting.

Ensure regular reviews of the conditions in particular living arrangements, including through unannounced inspections.

86. To safeguard service recipients' rights and the quality of services provided by long-term care, disabled welfare, and nursing institutions, the MOHW, per the LTCSA, Nursing Personnel Act, and PDRPA, established regular assessments as well as random inspections, which are to occur once or twice annually. Through these measures, the MOHW can ensure that improper mobility and physical restraints and torture are absent from said institutions.

87. Disabled welfare institutions must tailor service plans (e.g., toilet training) to each service recipient to satisfy their obligations. The 2017 and 2020 Assessment Indicators for Disabled Welfare Institutions specify that institutions shall provide toilet training for service recipients or help them use the toilet. The government performs random inspections to ensure compliance with said regulations to ensure the provision of services that fit the individual needs of people with disabilities.

44c) & 45c)

Prisoners with disabilities are not ensured reasonable accommodations during their confinement in State custody.

Develop, implement, and adequately resource measures to ensure the provision of reasonable accommodations to prisoners with disabilities during their confinement in State custody.

88. Please refer to Paragraphs 18 and 77 for regulations concerning reasonable accommodation for criminal with disabilities.

Article 16

Freedom from exploitation, violence and abuse

46 & 47

The IRC is concerned with the extent of gender-based violence and that the State has not put into place an adequate monitoring system in line with Article 16 (1).

The IRC recommends that the State amend all relevant laws and policies and establish a system of monitoring that addresses all forms of exploitation, violence and abuse. Further, that the State increase its efforts to educate law enforcement and judicial officers, social workers, healthcare personnel, and teachers regarding violence issues and attendant reporting. Further, that the State increase its efforts to educate all relevant actors about gender equality and develop resources for assistance and protection.

89. Provisions on reporting cases concerning protection from violence or abuse are

specified in the Domestic Violence Prevention Act, Sexual Assault Crime Prevention Act, PCYWRA, Senior Citizens Welfare Act, and PDRPA. Reporting, case treatment, management, and statistical research can be performed via the Protection Information System. Where a reported case involves an individual with disabilities, local government must investigate within 24 hours after being notified or receiving the report and prepare an investigation report within four days after case processing to provide immediate assistance. In 2019, the Operating Rules on the Management System for Cases of Women and Children of the Police Administration were established for the newly established management system, facilitating comprehensive tracking of reported cases related to women and children.

90. The MOHW regularly convenes meetings of the Domestic Violence and Sexual Assault Prevention Committee and recruits scholars, experts, and representatives from NGOs and relevant institutions to participate in policy planning and implementation. Representatives of national DPOs are also invited to serve as committee members; these play an important supervisory role.
91. In 2020, the draft of the amended PDRPA⁷ included an addition that, in the event that social welfare institutions discover that people with disabilities under their care have been abandoned or experience physical or mental abuse, they shall report such circumstances to the local competent authorities. Violators of said reporting regulation are subject to punishment. The Principles and Precautions Concerning Suspected Sexual Assault Incidents in Disabled Welfare Institutions

⁷ The Act is scheduled to be amended and announced in 2021.

were revised in 2019, mandating that regulated institutions make inquiry with local governments whether a candidate employee or volunteer has a record of having committed sexual assault. If the competent authorities at any level discover that the staff of an institution has committed violent crimes, sexual harassment, or sexual assault and pled guilty to a charge of disorderly conduct that severely infringed upon the rights of people with disabilities, they shall—in accordance with the PDRPA—request the institution to suspend this staff member and order the transfer, layoff, or retirement of such persons or the termination of their labor contract according to relevant provisions. If the staff member is in charge of an institution, they shall no longer serve as the head of any disability institution.

92. Social welfare, long-term care, and nursing institutions have established a reporting system for sexual assault and sexual harassment and conducted reporting training and promotional education for relevant personnel. To reinforce the expertise and reporting responsibility of staff of disabled welfare institutions, the Assessment Indicators for Disabled Welfare Institutions specify that said institutions shall set up a prevention and reporting system for sexual assault incidents as well as include sexual assault prevention topics (including reporting) in on-the-job and promotional training.

93. The Regulations Governing Prevention and Control of Bullying on Campuses, Gender Equality Education Act, and Regulations on the Prevention and Handling of Sexual Assault, Sexual Harassment, or Sexual Bullying on Campus establish a prevention system and relevant measures, processing procedures, and remedies

for addressing campus violence (bullying) and sexual violence incidents (including sexual violence) and require the reporting of a suspected incident within 24 hours of notice being given to the MOE-established Campus Security Report Center. In 2018, the MOE launched the Solution for Promoting Pilot Anti-bullying Schools and promulgated the Implementation Plan of Campus Anti-bullying in Schools at All levels. In 2020, the MOE amended and enacted the Regulations Governing Prevention and Control of Bullying on Campuses by considering principals and faculty as targets of regulation and expanding the enumerated types of campus bullying, thereby adapting the principles to current situations, establishing effective prevention mechanisms, and improving problem solving on relevant issues. The MOE Gender Equality Education Committee sets an annual agenda and handles sexual violence incidents accordingly every year. Specifically, to prevent sexual incidences on campus and promote effective investigations of such, the MOE hosts roughly eight training sessions for professionals every year, which attract 500 participants on average, and includes those completing the training in a talent pool. The number of trainees with a special education background has increased by 50 annually on average.

94. Please refer to Paragraph 71 for details regarding training on gender equality and gender violence for judicial, police, medical, and social work personnel.

Article 17

Protecting the integrity of the person

48 & 49

The IRC is concerned that the Eugenic Health Act and the Mental Health Act permit coerced abortion and sterilization of persons with disabilities, and note the impact upon girls and women with disabilities, especially those with intellectual and/or psychosocial disabilities.

The IRC recommends that the State amend the Eugenic Health Act and the Mental Health Act such that legal, procedural, and social protections, including but not limited to, freely accepted supported decision-making and legal representation, are put into place to prevent coerced medical procedures against persons with disabilities.

95. The Genetic Health Act stipulates that induced abortion or tubal ligation cannot be performed without a woman's consent. If the woman is under guardianship or assistance, the consent of her statutory agent or assistant must also be obtained. In addition, the doctor performing the induced abortion or tubal ligation shall offer appropriate pre- and post-operative consultation services to ensure the recipient's right to informed consent. Under the act, forced abortion and tubal ligation are not permitted. The MOHW has deliberated the revision and amendment of the Genetic Health Act and its renaming to the Reproductive Health Act with the removal of the article requiring that physicians advise their patient to receive sterilization or induced abortion. In addition, the MOHW adopted a resolution of the National Conference on Judicial Reform in 2017 regarding the implementation of an adequate judicial or administrative dispute resolution mechanism to safeguard the right of minors and married women to choose abortion.

96. The Mental Health Act aims to protect the right of patients with psychiatric disorders to health and safety; no special treatment for pregnant women with psychiatric disorders is addressed in the act. The MOHW, following investigations by each local government, has confirmed that psychiatric care institutions, with the patient's willingness and in accordance with relevant provisions, have administered reasonable medical treatment to pregnant women with psychiatric disorders; the ministry has not received any petitions challenging coerced abortions by patients or their families.

Article 18

Liberty of movement and nationality

50 & 51

The IRC is concerned that there are restrictions on the entry and citizenship in Taiwan by persons with disabilities and their families.

The IRC recommends that the State repeal all laws and provisions that restrict the right to movement, liberty and acquisition of citizenship of persons with disabilities and their families.

97. The existing regulations on entry into and departure from the nation allow entry or departure as long as the person in question presents the required documents and is not subject to any restrictions on entry to or exit; the regulations equivalently apply to people with disabilities without discrimination. Notably, Article 18 of the Immigration Act requires that the government shall prohibit an alien from entering the nation if they have a contagious disease, a mental disease,

or other diseases that may jeopardize public health or social peace. An investigation revealed that no cases of refused entry due to a mental disease have occurred since 2013. Nevertheless, to safeguard the liberty of movement for people with disabilities, the government has removed terms including mental disease in the draft amendment to the Immigration Act, which was approved after a review by the Executive Yuan in March 2019; upon enactment, the government will enforce the amendment.

Article 19

Living independently and being included in the community

52a) & 53a)

Persons with disabilities are denied the right to live, be included, and actively participate in the community on an equal basis with others; further, there exists a high incidence of institutionalization and heavy dependence on family members whereby individuals are denied choice as to their place of residence, and forced into particular living arrangements.

Develop a time limited plan for the phasing out of residential institutions and other particular living arrangements of all sizes, ensure choices on where, how, and with whom to live in the community, and promote independent living, including adequately increased financial resources to support a full range of community-based services.

98. For people with disabilities and care needs living in communities, the government provides home care, daily living assistance, residence/housing in

community (group home) settings, day care, home care services, and supportive service for independent living. Service coverage increased from 14.84 percent in 2017 to 32.05 percent in 2019 (Table 19.3). In 2020, the central government introduced the innovative residence/housing in community (group home) and living service program to encourage local governments to develop innovative service models for people with disabilities living in their jurisdiction, such as providing training to prepare for independent living and outreach services for people with intellectual disabilities.

99. Taiwan has launched plans for community integration and organizational downsizing in the care of people with disabilities (2016-2020) and plans to establish community-based service centers. Between 2016 and 2019, government investment increased year by year (Table 19.4). The number of such centers grew from 543 to 726 (Table 19.5) for a growth rate of 33.7 percent, and the number of service recipients surged from 9,581 to 11,763 for a 22.8 percent increase. Additionally, the number of individuals receiving home care expanded from 30,182 to 44,780, representing an increase of 48.37 percent. To provide services for community residents in need and institutional residents with the intention to live in communities, the government plans to annually strengthen the capacity of community-based care by providing services for an additional 1,250 individuals. Between 2020 and 2029, sufficient capacity is expected to serve an additional 12,500 individuals.
100. Between 2016 and 2019, only one residential facility for people with disabilities was founded, representing growth rate of 0.6 percent, whereas the number of

service recipients slightly decreased from 13,411 to 13,311 or 0.75 percent (Table 19.6). To achieve community integration and organizational downsizing, the MOHW lowered the limit on subsidized beds, stipulating that the maximum number of subsidized beds be reduced from 150 to 99 for newly established facilities. In 2019, the MOHW prepared the Plan for Disabled Welfare Institutions to Meet Article 19 of the CRPD. In 2020, the ministry developed the Project to Accommodate Disabled Welfare Institutions for Community Integration to adjust institution service models and establish a system enabling people with disabilities to return from residential institutions to community living.

101. Nursing homes mostly house bedridden individuals with medium to severe levels of incapacity and high-intensity care needs. For residents with dementia and some mobility, competent authorities require the establishment of a dementia area for the care of such people, the adoption of the unit care concept, and the design of a homelike space. The government plans to incorporate indicators on community integration and engagement operations for people with dementia into nursing home assessments and to ensure compliance by nursing homes.
102. To help people with vision loss regain their independent living capacity during the critical rehabilitation phase and to increase their social participation, the central government has supervised local governments in providing daily living reconstruction services for people with visual impairment since 2012. According to the needs of the person in question, professionals provide daily living reconstruction services including orientation and mobility training, life skills training, Braille computer operating instructions, assistive technology

evaluations and operating instructions, functional vision and optometric assessments, and social activity and interpersonal skills training.

103. Regarding people with disabilities who live in the community and experience severe emotional problems, the central government subsidized eight counties/cities to host the Pilot Project on Positive Behavioral Support Model for people with Disabilities Subject to Severe Emotional Problems between 2019 and 2020. Cross-disciplinary teams are recruited to provide personalized behavioral counseling and family support, help family caregivers and professional community-based service providers to develop their ability to provide positive behavioral support, and prevent people with disabilities from being forced to live in residential institutions because of insufficient support.
104. A care difficulty allowance has been added to the Long-term Care Payments and Benefits Standards, with the aim of encouraging long-term care departments to invest in people with special service needs and expand service coverage for incapacitated people with disabilities.
105. In addition to developing curricula in special education schools, Taiwan attempts to create a living environment with the least restrictions by subsidizing shuttle buses and planning accessible routes for them. Staff members accompany the students on the bus, allowing the students to remain fully engaged with their families and communities. Additionally, accommodations are provided only from Monday to Friday for students with accommodation needs, thereby enabling them to return home. Currently, 17 of the 28 special education schools have dormitories for students with disabilities, housing roughly 23 percent of the

schools' students. The schools teach everyday life skills to them, including how to eat and dress properly, use public transportation, maintain their hygiene and health, and stay home safety, thus helping the students become more independent. The schools also encourage students to attend community activities and festivals to strengthen the bonds between the students and their communities.

106. All higher education institutions comply with the SEA and CRPD by offering individualized services for each student with disabilities according to their needs, including improving dormitory accessibility and giving priority in housing applications, floor change applications, and requests for a classmate or family member (assistant or caregiver) to live with the students. Amenities are designed according to the needs of the students, including accessible toilets, accommodations, everyday life facilities (e.g., shower rooms, common rooms, laundry rooms, and furniture), and elevators, as well as traffic flow controls. Also available are the rental and installation of assistive technologies, such as electric wheelchairs, adjustable tables, electric beds, and bedroom warning lights (alarms). Higher education institutions are requested to hold gatherings for dormitory residents as well as lectures or workshops on the essentials so as to gain a better understanding of the needs of all dormitory residents (with and without disabilities) and dormitory managers. Some institutions seek out private landlords and subsidize the renovation of their properties so as to provide accessible facilities.

107. Under the Integrated Housing Subsidization Program, the MOI regards family income and various underprivileged conditions as major considerations when

making a determination to grant housing subsidies for rent subsidy, interest subsidy for housing purchase loans, or interest subsidy for housing repair loans (Table 28.5). For families with members having physical or mental disabilities, depending on their disability level, the benefit value can be increased. Statistics for 2019 revealed that among recipients of the aforementioned benefits, the number of families with physically or mentally challenged members that received the rent subsidy, interest subsidy for housing purchase loans, and interest subsidy for housing repair loans, respectively, were 11,379 (accounting for 15.8 percent of a total 782,044 households), 116 (accounting for 2.1 percent of a total 5,403 households), and 40 (accounting for 6.5 percent of a total 613 households).

52b) & 53b)

Persons with disabilities do not receive adequate support to live and actively participate in the community, including assistance with activities of daily living, and are thus isolated and segregated, preventing the realization of their full human potential.

Develop a time limited plan for providing persons with disabilities adequate support to live and actively participate in the community and prevent their isolation and segregation.

108. Aiming to encourage private organizations to provide services in remote areas, the government increased the allowance for service providers and the rate of facility subsidization in 2019. As of 2019, a total of 68 community-based service centers had been established in indigenous areas, offshore islands, and remote

areas.

109. Please refer to Paragraphs 98, 99, 105, and 106 for details regarding community service resources for members with disabilities and support services for students with disabilities.

52c) & 53c)

The provision of personal assistance services to persons with disabilities does not comply with the UN CRPD Committee's General Comment No. 5.

Incorporate the budget for personal assistance services into the official national budget to ensure stability, predictability and transparency, and that the provision of personal assistance include:

- **direct payments to the individual based on an individual needs assessment sufficient to secure independence in the activities of daily living, for purchasing assistance services and for employing one's own personal assistants at competitive wages, without co-payment by the individual;**
- **customizing services by the individual, if necessary with supported decision-making over recruiting, training, and supervising assistants to fit one's individual requirements, life circumstances, and preferences; and**
- **a one-on-one relationship between the individual and personal assistants where assistants are not shared with other users. Personal assistance must be sufficient in quality and quantity to enable persons with disabilities to be free**

from dependence on others and to ensure the realization of their full human potential.

110. Since the inclusion of independent living support in the social welfare fund under the national government budget⁸ starting in 2012, the independent living support budget increased from roughly NT\$24.68 million in 2016 to approximately NT\$61.90 million in 2020, or growth of 150 percent.
111. To reduce the cost burden of personal assistants for people with disabilities, the nation provides subsidies based on an individual's economic status. In 2019, Taiwan covered all the costs of personal assistants for 34 percent of personal assistant service users (201 out of 592 individuals), and 46 percent of these users (274 out of 592 individuals) had to pay only 10 percent of the entire cost. The subsidization ensured the provision of personal assistant service for people with disabilities.

Article 20

Personal mobility

54a) & 55a)

A large number of persons with disabilities do not benefit from advances in assistive

⁸ Pursuant to the Budget Act, governmental (unit) budgets and budgets for funds (subordinate unit) are regarded as parts of the general budget. Therefore, their annual revenues and annual expenditures must be compiled into the general budget and handled according to the planning, compilation, review, formation, and implementation procedures specified in the act. As per the Directions for Utilization and Management of Public Welfare Lottery Feedback Funds, all feedback funds from public welfare lotteries shall be compiled into the budget of annual revenues by the Ministry of Finance. Subsequently, authorities shall compile the funds into their annual budget and apply these funds for the exclusive purposes of employment services for underprivileged groups, social welfare promotion, research and development of public welfare lottery feedback systems, and image building. Since 2007, competent authorities of all types have been granted specific allowances. Therefore, the Public Welfare Lottery Fund constitutes a resource for the entire government budget with a legitimate and stable funding source.

technology, including personal mobility devices; this is due to a restriction in the number of assistive devices granted per person (four items within two years), as well as a co-payment requirement that adversely affects the ability of persons with disabilities to live independently and be included in the community, in particular persons with multiple and extensive disabilities.

Establish for all persons with disabilities the mandatory provision, maintenance and adaptation of assistive devices that are affordable or free of charge according to those persons' means and choice.

112. Having provided for assistive technology services and the improvement of home accessibility in the Long-term Care Payments and Benefits Standards, the MOHW provides an allowance of NT\$40,000 every three years for incapacitated people with disabilities to purchase and rent assistive technologies as well as have renovations. In 2020, local governments spent NT\$646.86 million in total on assistive technology purchase/rental and home accessibility improvements, thereby reducing the cost burden of assistive technologies on said people and improving their mobility.

113. In 2019, the MOHW invited scholars and experts to discuss the feasibility of subsidizing maintenance or adjustment fees for medical assistive technologies within the specified subsidization period. Presently, it has been ensured that people with disabilities can afford the maintenance or adjustment fees for the minimum subsidization duration and warranty period. The government also established a system whereby people can rent high-cost technologies instead of buying them. The existing regulations on subsidies remain unchanged to

facilitate effective resource use. Between 2016 and 2019, the amount of subsidies totaled NT\$280 million, benefiting 42,879 people (Table 20.3).

114. To respond to the continuing release of assistive technologies and the varying needs of people with disabilities, the MOHW regularly reviews the rules for providing subsidies for assistive technologies and has commissioned National Yang Ming University to determine the situation on use of assistive technologies and collect relevant opinions. The MOHW plans to discuss and verify the collected data with relevant departments and expects to amend existing rules by 2021 to mitigate the burden of assistive technologies use on people with disabilities.

115. To improve service accessibility, the MOHW continues to instruct local governments to confirm the need for assistive technologies and available resources within their jurisdiction, actively establish assistive technology centers and service centers, recruit professionals, and strengthen service access as well as apply flexibility through adopting various approaches, such as having vehicles travel to provide assistive technologies services. By 2019, 33 assistive technology centers and 88 service centers had been established, with the budget having been elevated from NT\$21.18 million in 2016 to NT\$108.38 million in 2019 (Table 20.4). The government aims to increase the number of these two types of centers to 39 and 134, respectively, by 2023. Additionally, the government has established an assistive technology resource portal, convened regular liaison meetings on disability assistive technology integration, provided a communication and exchange platform between technology development and

industry promotion sectors, and strengthened sharing and integration of relevant resources between government agencies.

116. To safeguard the financial stability of laborers who have had occupational accidents, the MOL offers such individuals subsidies to purchase assistive technologies for daily living and rehabilitation, providing subsidies for 105 assistive technologies for daily living and rehabilitation purposes according to the Act for Protecting Worker of Occupational Accidents. The maximum allowable subsidy per person per year is NT\$60,000, and the number of subsidized technologies is four at most, regardless of income level. In the period 2016-2019, subsidies amounting to more than NT\$30.53 million were provided to 2,373 individuals.

117. On the basis of their learning and living needs at schools, the government and schools, by determining students' needs through professional assessment pursuant to the SEA, provide educational assistive technologies. Through providing an annual subsidy to local governments, the MOE allows local resource centers and schools to purchase suitable assistive technologies for preschool, elementary school, and junior high school students. Regarding senior high schools and universities, the government has established three educational assistive technology centers, from which services are provided by aligning the assistive technology expertise of local governments with a process comprising needs assessment, provision of assistive technologies according to user need, and circulation, maintenance, and professional consultation on assistive technologies; professional assessments are conducted to identify students' needs and all

technologies are provided free of charge (Table 20.5).

118. From 2004 to 2020, the MOHW announced 1,000 recognition standards for medical devices, including international standards for medical assistive technologies (e.g., the ISO 7176 series of wheelchair standards). The MOEA amended 119 national standards concerning disability assistive technologies and accessibility from 2015 to 2018, including 72 assistive technology standards (31, 9, 14, and 18 standards were related to wheelchairs, canes and walkers, prosthetics and orthotics, and other assistive products for people with disabilities, respectively), 42 accessibility design standards (including 15 on accessible information and communication technologies), and five accessible equipment standards. The ministry plans to continue amending relevant standards.

54b) & 55b)

Persons with epilepsy are not eligible to apply for driver's licenses.

Revise regulations for issuing driver's licenses to persons with epilepsy.

119. Taiwan attaches great importance to the right of people with disabilities to drive vehicles. People with innate or acquired disabilities are permitted to attend driving tests using vehicles with suitable modifications. Therefore, the Disposal Directions for Obtaining Car and Motorcycle Driving Licenses for People with Disabilities were developed to fulfill related needs.

120. Concerning driving license issuance for patients with epilepsy, relevant regulations strive to balance human rights protection and road safety, and have adopted major revolution in driving license management in Taiwan. The MOTC

commissioned the Taiwan Epilepsy Society to collect relevant data from advanced countries and investigate general solutions to handle driving licenses for patients with epilepsy. The ministry invited medical experts, people with disabilities, their representative organizations, and relevant authorities to three joint discussions between 2017 and 2019, during which attendees agreed that people with epilepsy who have not experienced an epileptic attack within the preceding two years should be entitled to apply for a driver's license. This decision to loosen restrictions on people meeting this condition was later approved by the Driver Medical Advisory Committee of the MOTC in 2019, after which the MOTC announced an amendment to the existing regulations in September 2020.

Article 21

Freedom of expression and opinion, and access to information

56a) & 57a)

The lack of recognition and support of the specific cultural and linguistic identity of persons who are deaf through the promotion of Taiwanese Sign Language and deaf culture.

Recognize Taiwanese Sign Language as an official language and allocate adequate funding for professional training and hiring of Taiwanese Sign Language interpreters in the area of public services, set a sufficient number of Taiwanese Sign Language interpreters to be trained, and include Taiwanese Sign Language as an elective language in the school curriculum, enabling both deaf

and hearing students to learn it.

121. Taiwan enacted the Development of National Languages Act in January 2019, designating Taiwan Sign Language a national language. The MOE created the Project Team for Promoting Taiwan Sign Language Instruction in 2018; the team had 14 members and was composed of people with disabilities and their representative organizations, scholars, people with hearing impairment, representatives of schools for the hearing impaired, and members of the MOE and related education administrations, among whom seven were people with a hearing impairment (including four deaf people). The team members jointly discussed topics regarding Taiwan Sign Language instruction, such as the necessary supply of teachers, the curriculum, and teaching materials. Pursuant to the Development of National Languages Act, starting from 2022, Taiwan Sign Language will formally be a course mandated by the MOE. Sign language courses will be offered according to students' needs and can be taken by both the deaf and hearing students; these courses are expected to promote Taiwan Sign Language. If necessary, schools will provide suitable sign language interpreting services for students with hearing impairment. The MOE plans to develop a learning project on Taiwan Sign Language for preschool children (aged 2–6 years).
122. Regarding sign language training and workshops, universities with teacher training programs have incorporated sign language courses into the syllabus of preservice special education teacher training programs; moreover, these universities have included compulsory sign language courses into the curricular

framework of hearing and speech specialty courses in line with the Development of National Languages Act. To train a sufficient supply of qualified teachers of sign language, the government is training people in Taiwan Sign Language instruction; deaf and hearing people have been recruited, who then received systemic training and tests. Qualified individuals were then hired to teach Taiwan Sign Language. The government continues offering Taiwan Sign Language workshops for all teachers and workshops on communications training for the hearing impaired (including sign language communication) that parents are welcome to attend. Sign language clubs have been founded at universities and senior high schools, allowing students who are interested in learning sign language to join. Currently, 16 museums affiliated with the MOC have improved public services and interpreter training in all national languages including Taiwan Sign Language.

123. Pursuant to the PDRPA, local governments have signed service contracts for sign language interpretation and realtime translations to facilitate public affairs participation by people with hearing or speech and language impairments. The MOHW added two indicators to the 2019 social welfare performance assessment of local governments [i.e., (1) the opening of a jurisdiction-wide application for sign language interpreting and realtime translation and (2) an annual budget higher than that of the previous year] and required compliance by local authorities. Because of fewer cases, the local governments of offshore islands expanded their service capacity by cooperating with professional civil groups and launching remote services. The MOHW has subsidized national and local groups

to hold on-the-job training in sign language interpretation and offer communication access realtime translation courses and established a human resources database of sign language interpreters for local governments, allowing local authorities to regularly access basic information (including certificates) of registered interpreters since 2020. The numbers of sign language interpreters and communication access realtime translation caption writers as well as applications for their services slightly grew from 2016 to 2019; data related to said services in local governments are listed in Tables 21.1 and 21.2.

124. To encourage the public to learn sign language as well as to foster early communication between parents and children with hearing impairment, the MOHW, between 2016 and 2019, subsidized organizations for people with hearing impairment to host sign language workshops (subsidies were prioritized for sign language courses targeting parents with children with hearing impairment aged six years and younger) or offer training programs in sign language interpreting. These workshops and programs were attended by a total of 1,756 people. Aiming to create diverse language-friendly environments, the MOC adopted the Directions for Linguistic Diversity and Multilingual Environment-Friendliness and Directions for Native Language Creation and Application in 2018, which comprise rules for Taiwan Sign Language grants. By 2019, subsidies of NT\$1.644 million had been granted to nine sign language projects having 11,037 participants.

56b) & 57b)

The lack of access to information and communication technologies (ICTs), Braille, Taiwanese Sign Language, easy read formats, and digital communication, including all government documents and information, public and private websites, news broadcasting, and information on emergencies and disasters.

Adopt and take the necessary measures to enforce legislation on access to all public and private information and communication so as to facilitate access in all formats and technologies appropriate to all kinds of disabilities.

125. Since 2018, the MOHW has facilitated training for government personnel at all levels for the introduction to and promotion of the easy-to-read concept. The MOHW, Ministry of Culture (hereinafter referred to as the MOC), Central Election Commission, and nine local governments (including Taipei City) have produced easy-to-read publications on education, employment, election, cultural lifestyles, the Concluding Observations of the Initial Report of the Republic of China (Taiwan) under the CRPD, and COVID-19 epidemic prevention measures,⁹ thereby protecting the right of access to information of people with disabilities.

126. When delivering an emergency alert to people with disabilities, the alert must produce a unique warning sound with vibration for rapid recognition when transmitted to the cellphone or terminal device of such a person. This function has been listed as a necessary item in product testing; a cellphone or terminal device must satisfy this requirement to be launched into the market. As of

⁹ Easy-read publications refer to an accessible format of public information translated for people with disabilities.

September 2020, type approval concerning the Public Warning System had been granted to 779 cellphone models. Please refer to Paragraphs 65(2)-(4) for relevant information.

127. The PDRPA stipulates that the municipal and county (city) competent authorities, at all levels and for all purposes, shall provide access to public information to help people with disabilities participate in society. When managing cases of litigation pertaining to people with hearing or speech and language impairment, the court may request the local government to recommend qualified interpreters. During 2015 and 2016, the NCC requested that when television broadcasters relay essential government news, the sign language interpreter (if any) shall appear on the screen unobstructed and at a sufficient size: no smaller than one sixth of the screen (consistent with the requirement of the United Kingdom government). Per certain requirements, competent authorities may also require the size of the sign language interpreter on the screen to be enlarged; for example, it has been enlarged to one third of the screen by the Central Election Commission for presentations produced by political parties prior to an election.
128. To encourage broadcasters to fulfill their social responsibility, the NCC has listed media accessibility for people with visual or hearing impairment as an assessment item in license renewal applications of terrestrial television broadcasters and a bonus item in applications for the establishment of a satellite channel.
129. Domestic banks have established accessible websites: 34 of 36 domestic banks as well as Chunghwa Post have acquired the Public Information Web

Accessibility 2.0 Badge with an A mark or higher. 32 banks with online services have acquired the Online Banking Accessibility 2.0 Badge with an A mark or higher. The government also supervises the Bankers Association of the Republic of China in assisting banks to change their banking apps per the Development Guidelines on Mobile Application Accessibility.

130. In 2017, the Guidelines for Accessibility of Systems for Government Authorities were promulgated to help authorities that employ people with severe visual impairment or severe physical impairment (i.e., those who cannot use a computer mouse) to implement accessibility design in government systems. In 2019, the public release accessibility design of the official document system and that of the attendance system were published for governments at all levels.

56c) & 57c)

The CRPD not having been translated into an easy read format or Taiwanese Sign Language.

Translate the CRPD into an easy read format in cooperation with persons with intellectual disabilities, and into Taiwanese Sign Language in cooperation with the deaf community.

131. To publicize the provisions of the CRPD to the public and people with disabilities, the government, in collaboration with people with disabilities and their representative organizations, published easy-to-read and Taiwan Sign Language versions of the CRPD in 2017 and 2018, respectively. In 2019, the government invited disability studies experts and relevant authorities to amend the Chinese

version of the CRPD, after which the revised text, attempting to fully convey the depth of meaning of the original CRPD text, was submitted to the Legislative Yuan in June 2020. Other accessible formats of the CRPD, including Braille books and audiobooks, are expected to be completed in 2021.

56d) & 57d)

Persons with disabilities in particular living arrangements being unable to freely communicate with individuals outside those particular living arrangement.

Ensure that persons with disabilities in particular living arrangements can freely communicate with individuals outside those particular living arrangements at times of their own choosing.

132. Please refer to Paragraph 83 for details regarding housing arrangements for people with disabilities aimed at providing them freedom and facilitating their communication with the mainstream society.

56e) & 57e)

Taiwanese Sign Language not being introduced early enough to deaf children.

Introduce Taiwanese Sign Language early enough to deaf children and their parents.

133. Please refer to Paragraphs 121, 122, and 124 for details regarding Taiwan's promotion of Taiwan Sign Language.

Article 22

Respect for privacy

58a) & 59a)

The general lack of awareness regarding the protection of privacy of persons with disabilities among each of the five Yuans, including the Control Yuan.

Promote awareness on the privacy of persons with disabilities throughout the State and in each of the five Yuans, including the Control Yuan.

134. To raise awareness of privacy protection for people with disabilities, the Executive, Legislative, Judicial, Examination, and Control Yuans offer relevant training programs every year. The Judicial Yuan continues to urge administrative judges to protect the privacy of people with disabilities when handling cases. In 2014, the Control Yuan implemented the Conclusions of Studies Regarding the Application of PDPA to Investigation Practices to ensure compliance with privacy principles during the course of investigations involving the privacy of people with disabilities.

58b) & 59b)

The lack of protection of privacy of persons with disabilities under the Personal Information Protection Act, and in particular, arbitrary sharing of personal information amongst different ministries and agencies.

Revise the Personal Information Protection Act to fully ensure the privacy of persons with disabilities, and also require written consent from persons with disabilities as a condition for the sharing of any personal information.

135. While there is a need to connect data across various authorities for national policy development purposes, a balance between the privacy of people with disabilities

and statistical data collection is imperative. In accordance with the PDPA, the MOHW meticulously reviews requests submitted by government agencies and academic institutions to use and connect the personal data of people with disabilities and provides deidentified data for approved requests. When conducting statistical investigations according to relevant regulations, personnel must keep the personal data of those being investigated confidential to protect citizens' privacy pursuant to the Enforcement Rules of the Statistics Act. When collecting the personal data of students with disabilities according to relevant regulations, the MOE and schools shall abide by the Cyber Security Management Act and the PDPA and add relevant reminders to data compilation systems.

58c) & 59c)

The lack of enforcement of article 24 of the Mental Health Act that protects the privacy of persons with psychosocial disabilities, resulting in their treatment histories being disclosed in the public domain, including the press.

Strictly implement article 24 of the Mental Health Act and protect the privacy of persons with psychosocial disabilities, including their treatment histories.

136. According to the Psychiatric Hospital Accreditation Criteria, an organization's IT department must cooperate with clinical and administrative departments to establish a comprehensive operational system and ensure favorable cross-system connections and external contact systems to safeguard information security and protect patient privacy; the criteria also stipulate emergency responses. Between 2015 and 2019, the percentage of hospitals meeting said criteria was 96.67 percent.

137. The MOHW has requested that local governments incorporate training programs into CRPD promotion projects and cover at least one privacy protection topic annually. The ministry hosts annual basic training for community care visitors and public health nurses, through which the importance of protecting the privacy of patients with psychosocial disabilities is emphasized. In 2019, the MOHW devised the Safety Manual of Community Care and Case Management and stressed privacy protection in case management and services; the ministry has also requested local health administrations to improve supervision of medical institutions and raise public attention of the importance of privacy protection for patients with psychiatric disabilities.

Article 23

Respect for home and the family

60a) & 61a)

Lacks empirical data regarding the incidence of sterilization of persons with disabilities.

Investigate and publish data regarding the incidence of sterilization of persons with disabilities, and educate healthcare providers on the requirement of informed consent.

138. At present, regulations are not in place to govern the establishment of a surgical sterilization reporting system, and such surgery is not covered by NHI; nevertheless, the MOHW investigated the status of women with disabilities receiving a total hysterectomy using NHI data compiled between 2000 and 2016.

The results revealed that although the total percentage of women with disabilities receiving a total hysterectomy (3.95 percent) was higher than that of nondisabled women (2.62 percent), the percentage of both groups decreased year by year. The percentage of women with disabilities receiving such surgery in 2015 and 2016 was lower than that of nondisabled women (0.13 percent). The MOHW will continue tracking trends and changes. In 2021, several items will be added to the Survey Report of Living Condition and Needs among People with Disabilities, with the aim of determining the status of women with disabilities who receive surgical sterilization; the results shall be reported along with the CRPD national report issued every four years.

139. The Medical Care Act stipulates that medical care institutions shall inform the patient or his/her legal representative, spouse, kin, or interested party of the reasons for a surgical operation, its success rate, and possible side effects and risks and must obtain their consent and signature on a consent letter for surgery and anesthesia before commencing. Regarding continuing education courses related to providing sufficient information to surgery patients (including surgical sterilization) and obtaining their consent, 358 courses between 2016 and June 2019 were offered; the MOHW requested local health administrations and nursing societies/associations that offered said courses twice in 2018 and 2019 to incorporate the aforementioned topics into continuing education curricula for nursing personnel (Table 23.1).

60b) & 61b)

Lacks sexual and reproductive health education for persons with disabilities, especially persons who are deaf or who have intellectual disabilities.

Provide sexual and reproductive health education to persons with disabilities, especially persons who are deaf or who have intellectual disabilities.

140. The MOHW commissioned professional associations to create a manual on sexual and reproductive health education for parents of teenagers with intellectual disorders and teaching materials for public health nurses. In 2019, the MOHW accomplished the needs assessment concerning care for pregnant women with disabilities, the results of which have served as a reference for the easy-to-read manual on pregnancy care of women with disabilities.

141. The MOE developed the Handbook on Teaching Materials for Sex Education for Students with Disabilities, which contains lesson plans on sex education from preschool to senior high school levels. The ministry also published the Teaching Materials on Sex Education for Students with Disabilities: Instructional Adjustments and Recommendations, in which the learning characteristics at each education level are introduced and posted to websites related to special education that are accessible by teachers, parents, and relevant personnel. Teachers may use the aforementioned handbook when teaching students with disabilities about sex; alternatively, teachers may adapt its content for required teaching activities according to the instruction scenario and produce suitable teaching materials. By preparing and compiling said publications, the MOE has made an effort to focus teachers' attention on sex education for students with disabilities, raise public awareness of the right to education of students with special needs, and convey

appropriate sex-related knowledge to students with disabilities.

60c) & 61c)

Does not provide adequate support for parents with disabilities, resulting in the children of those parents being removed from the home.

Provide adequate support to ensure that biological and adoptive parents with disabilities can fulfil their role as parents and raise their children, and educate social service professionals regarding the rights and capabilities of parents with disabilities.

142. Please refer to Paragraph 140 for details regarding teaching materials on childbirth health education for people with disabilities.

143. Pursuant to the Family Education Act, Regulations for Schools K-12 to Provide Family Education and Counseling Support, and the SEA, schools shall provide students with disabilities and their families' relevant information, services, and support. Furthermore, the MOE, by confirming the existence of financial, physical, mental, cultural, and ethnic needs and granting priority access to family education services upon finding one of these needs, offers suitable family education courses and services in collaboration with various government agencies; doing so strengthens parenting education, the development of family relationships and knowledge about family life, and the provision of appropriate family education courses and services. As stated in the Implementation Program for Subsidizing Local Governments in Promoting Family Education Services with Priority, the MOE provides family education support for various groups

including people with disabilities in accordance with their actual needs by collaborating with public and private sector entities. The Accessible Reading Information System has been developed by the National Taiwan Library for parents and children as have been digital picture books for children. The MOE has commissioned the development of easy-to-read parenting manuals for family education centers and relevant professional organizations and intends to promote the use of such manuals among families with people with disabilities.

144. To encourage people to adopt children and youth with special needs (including CYDs), the government added two indicators to the assessment of adoption matching service agencies in 2018, namely the development of the adoption matching service agency and alignment of external resources with supportive services for diverse adoptive families (including those with people with disabilities). Since 2019, the government has subsidized said agencies to provide supportive services for adoptive families (including those whose members include people with disabilities), instructed the agencies to organize group work, courses, and activities, reinforced the understanding and acceptance of children and youth with special needs among domestic adoptive families, provided adoptive families with services including family psychological counseling, guidance, parenting education (instruction) along with respite care and early intervention, with the aim of improving the parenting abilities of families adopting individuals with disabilities.

Article 24

Education

The IRC expresses concern that the State has not fully committed to ensuring a fully inclusive education system at all levels. The State has not addressed the issues raised in the UN CRPD Committee’s General Comment No. 4 to become fully inclusive, and in particular fails to distinguish between exclusion, segregation, integration, and inclusion. Likewise, the State has not addressed the implications of Goal 4 of the Sustainable Development Goals which calls for “inclusive and quality education.” The IRC:

62a) & 63a)

Expresses concern at the lack of a time-limited plan to transform the education system to comply with UN CRPD Committee General Comment No. 4

In close cooperation with persons with disabilities, their families, and their representative organizations undertake a thorough review of both the regular education system and the special education system and develop a time-limited plan to transform and unify the existing systems to become fully inclusive and thus conform to UN CRPD Committee General Comment No. 4

145. The SEA is designed to protect the right to appropriate education of people with disabilities. Through professional assessment and identification, those deemed to have special needs are offered special education from the age of two years through higher education. The SEA specifies that schools must not reject student admission or test participation on the grounds of disability. When consulting, planning, and discussing special education policies and measures, education authorities and schools shall invite people with disabilities and their representative organizations, scholars, and experts to join. An IEP must be

designed for each student with disabilities and detail educational goals, curricular accommodations, and relevant resources; during said IEP design, students and parents may express their opinions and discuss content decisions or changes with relevant teachers and administrative staff, after which the IEP is implemented upon parents' approval.

146. To systemically leverage the strengths of inclusive education, the MOE put forward the Medium-Term Project for Special Education (2019-2023 academic years). With educational inclusion and nurture by nature as a blueprint, the ministry launched the Implementation Plan of Improving Inclusive Education for Students in Senior High Schools to achieve zero rejections, inclusive education, equal opportunity, and appropriate development policies. To boost the development of special education expertise, teachers of normal classes must complete special education courses during job orientation and attend special education workshops for at least three hours per year. An investigation reported that the percentages of teachers meeting said requirement were 79 percent, 77 percent, 76 percent, and 76 percent, respectively, between 2016 and 2019.

147. Special education in Taiwan aims for full inclusion. The amendment to the SEA in 1997 specified the least restrictive environment and guaranteed appropriate assistance for students with disabilities in general classes. The 2009 amendment mandated that special education achieve individualization, community-based, accessibility, and inclusive education and be provided close to home and in regular schools to the extent possible. To provide appropriate special education, a committee responsible for identification and placement of gifted and disabled

students has been established by governments at all levels, specializing in identifying the learning needs of each student concerned. With the consent of the student's guardian or legal representative, the committee enrolls the student in a suitable school and class. In 2019, 95 percent students with disabilities studied with nondisabled students at general schools (84 percent were enrolled in general classes, and 11 percent were in self-contained classes; students studying in self-contained classes also spent some time taking a class or attending activities with regular class students). The remaining five percent of such students studied at special education schools (Table 24.1). With Taiwan actively promoting inclusive education, the percentages of students with disabilities who studied at special education schools decreased from 9.5 percent to seven percent and then to five percent in 1999, 2010, and 2019, respectively. Regular schools have teachers who handle special education matters, and each school has established a special education promotion committee. Furthermore, competent education authorities at all levels have set up special education resource centers to provide special education professional support for regular schools.

62b) & 63b)

Expresses concern that the State restricts the participation of students with disabilities in regular classes within regular schools, and imposes limits on students with disabilities in vocational and professional training.

Immediately recognize the right of students with disabilities to participate in regular classes within regular schools, including eliminating restrictions on

vocational or professional training.

148. Please refer to Paragraph 147 for details regarding the school attendance of students with disabilities.

149. The Curriculum Guidelines of 12-Year Basic Education: General Guidelines published by the MOE in 2014 apply to all students and are designed around the fundamental concepts of universal design and reasonable accommodation. The curriculum for students with disabilities must be adaptively designed and adjusted according to each student's IEP; accommodation in their assessment must also be developed. Reasonable accommodation in and universal design of vocational and hands-on courses (e.g., computer operation, cooking, and experimental) for students with disabilities are to be continually promoted in vocational schools; implementation of subsidy programs for these schools is to be accelerated as well. Concerning universal design for lifelong learning, community colleges, under the supervision of local governments, are to incorporate principles of universal design, universal design for learning, and reasonable accommodation into relevant courses.

62c) & 63c)

Expresses concern that students with disabilities are not permitted to participate in the formulation and monitoring of their own Individual Education Plans.

Enable students with disabilities to participate in the formulation and monitoring of their own Individual Education Plans, consistent with Article 7 (evolving capacity of children) and Article 12 (legal capacity).

150. Please refer to Paragraph 145 for details regarding the amendment made in 2020 to the Enforcement Rules of the Special Education Act specifying educational institutions' responsibility to involve students and their parents in establishing their own individualized education plans.

62d) & 63d)

Expresses concern that the education of children, youth and adults with disabilities in regular educational facilities is hindered by, among other things, the lack of universal design, universal design for learning, and reasonable accommodations in all academic and social aspects of student life.

Ensure the education of children, youth and adults with disabilities in regular educational facilities by providing, among other things, universal design, universal design for learning, and reasonable accommodations in all academic and social aspects of student life.

151. Please refer to Paragraphs 146 and 149 for details regarding the inclusion of students with disabilities into education and the use of universal designs and reasonable accommodation in education.

62e) & 63e)

Expresses concern that many families either provide or pay for individual school-related supports without which their children are unable to attend school.

Provide the individual school-related supports required to enable children with disabilities to attend school and receive an effective education.

152. Support for special education entails behavioral support within the special

education system and support from relevant professional teams. To positively prevent special education students with emotional or behavioral challenges from having difficulties with social adjustment, an emotional and behavioral support team is established. Special education teachers receiving professional training in positive behavioral support are appointed as itinerant specialists, who then provide relevant services for schools within the jurisdiction of the competent authority concerned. Through collaboration between professionals, schools assist with the assessment, teaching, and counseling of students with disabilities and assign teaching assistants and special education student assistants to assist said students with school learning and daily life (Table 24.5). Most expenses are covered by the MOE, and students with disabilities do not need to pay additional fees. The subsidy amount increased from NT\$568 million in 2016 to NT\$784 million in 2019. Moreover, relevant professional service centers have been established to provide counseling, guidance, and other professional services.

153. According to the needs of students with disabilities, Taiwan provides educational assistive technologies, appropriate teaching materials (e.g., Braille books, enlarged text books, and audio textbooks) and scholarships and grants, improves environmental accessibility, and offers tuition reductions or exemptions as well as transportation or transportation subsidies for those who cannot go to school on their own. Additionally, examination services and accommodations are available, including exam papers with enlarged font, Braille test papers, Braille computers, audio reading of test items, and exam transcription.

62f) & 63f)

Expresses concern at the lack of teacher training to support students with disabilities in regular classrooms.

Revise pre-service and in-service teacher training to support students with disabilities in regular classrooms.

154. Please refer to Paragraph 146 for details regarding general pre-service and in-service teacher training.

62g) & 63g)

Expresses concern at the lack of instruction of Taiwanese Sign Language in the education system.

Introduce and promote the teaching of Taiwanese Sign Language in the education system.

155. Please refer to Paragraphs 121 and 122 for details regarding Taiwan's promotion of Taiwan Sign Language teaching.

Article 25

Health

64a) & 65a)

The State has not provided equal access for persons with disabilities to medical services in a range of facilities across rural and urban locations of Taiwan.

Ensure inclusive design and equipment for all medical diagnoses and treatment, particularly for women and girls with disabilities.

156. Regarding preventive cancer screening for women with disabilities, medical

institutions (and mobile mammography vehicles) within the jurisdiction of local health administrations have mammography equipment with a liftable inspection platform, and participants with disabilities can be accompanied by staff to reduce their difficulties. Considering that the space within an accessible mammography vehicle is limited, the MOHW recommends that people with disabilities go for examinations at medical institutions. The MOHW has been investigating the physical space restrictions affecting mammography equipment at medical institutions; this will provide relevant information for women with disabilities.

64b) & 65b)

Women and girls with disabilities lack equal access to sexual and reproductive healthcare as mandated by the UN CRPD Committee's General Comment No. 3.

Increase the training and sensitivity of healthcare professionals on providing sexual and reproductive healthcare services to women and girls with disabilities consistent with the UN CRPD Committee's General Comment No. 3.

157. Please refer to Paragraph 140 for details regarding the provision of teaching materials that familiarize care professionals with childbirth information for people with disabilities.

158. Concerning courses aiming at improving health care for people with disabilities, particularly courses involving training and raising awareness of sexual and reproductive health care for care providers, 244 continuing education courses involving sexual and reproductive health care services were offered between 2016 and June 2019. The number of continuing education courses for medical

staff on gender equality exceeds 800 every year; these attract 10,000 participants. Between 2019 and 2020, 200 courses on health care for people with disabilities were offered in the continuing education curriculum for medical staff, attracting 2,000 trainees. In 2019, 442 and 944 individuals completed basic and advanced training, respectively, in providing dental health care to people with disabilities. According to various laws, medical staff must complete a certain number of continuing education hours every six years to keep their license current. As part of this continuing education, gender is a compulsory topic that medical staff must complete before renewing their licenses; the curriculum covers issues related to the sexual and reproductive health of people with disabilities and their health care services. In August 2019, the regulation was amended and required a newly licensed physician to receive training in such areas as rehabilitation for people (including children) with disabilities, gender issues, and case studies during their two-year postgraduate training. Additionally, training in community medicine must include intellectual disability and development centers as the training venue.

64c) & 65c)

Persons with disabilities are denied their right to informed consent to medical diagnosis and treatment.

Ensure that persons with disabilities give informed consent to medical diagnoses and treatment.

159. Same as Points 44a) and 45a) in the concluding observations on the Initial Report.

64d) & 65d)

Medical personnel are not trained as part of their standard training courses to provide healthcare to persons with disabilities.

Revise standard medical training so that it includes modules on how to provide healthcare to persons with disabilities.

160. Please refer to Paragraph 158 for details regarding training aimed at improving professionals' care of people with disabilities.

64e) & 65e)

Insurance companies discriminate against persons with disabilities in their pricing and coverage.

Review and amend the pricing and coverage policies of insurance companies so that persons with disabilities have equal access to and equal pricing of insurance coverage.

161. The FSC requires that insurance companies may not avoid soliciting and granting policies to people with disabilities without cause. The Regulations Governing Business Solicitation, Policy Underwriting, and Claims Adjusting of Insurance Enterprises specify that when handling policy underwriting, the operating procedure for evaluating risks and the calculation and collection of insurance premiums shall be based on actuarial science and statistical data. The insurance enterprise may not treat a specific applicant or policyholder unfairly because of his or her disability. Those violating said regulation are subject to a fine or correction order.

162. The FSC continues to instruct and encourage insurance companies to cover

people with disabilities through the following strategies:

- (1) In 2017, the FSC amended the Standards for the Levy Rates of Life Insurance and Non-Life Insurance Guaranty Funds to include premium income from life insurance for people with disabilities as a management and operations performance indicator that determines the rate of life insurance guaranty funds. The rate is adjusted every year.
- (2) In 2020, the implementation of assistive service measures for people with disabilities was included as a criterion in the annual assessment of compliance with the Principle for Financial Service Industries to Treat Clients Fairly. Insurance companies that perform favorably in this respect will receive public recognition.
- (3) The FSC has requested that insurance companies create service environments that are friendly to people with disabilities, facilitating insurance transactions by these people. Insurance companies should also encourage their sales staff to help people with disabilities purchase insurance policies and ensure the implementation of disabled-friendly measures.
- (4) The FSC has requested that insurance companies send a written notice specifying the reason for declining to underwrite a prospective insured with disabilities.
- (5) The FSC has asked the Life Insurance Association of the Republic of China and the Non-Life Insurance Association of the Republic of China to establish an appeal hotline for people with disabilities as well as emergency contacts

for all insurance companies to handle appeals in real time.

- (6) The commission has urged the Taiwan Insurance Institute to create an empirical statistical database for policyholders with disabilities, and the FSC conducts statistical analysis on stored data to determine the number of insured and noninsured people with disabilities. As of 2019, the number of life insurance contracts for people with disabilities underwritten by insurance companies exceeded 224,000. The insured/noninsured status of people with disabilities for the past two years is detailed in Table 25.5. Noninsured cases can be categorized into cases involving disease and those involving nonphysical conditions (e.g., the client suspended the underwriting process; the client did not submit additional documents, did not revise documents as requested, or did not complete the underwriting process before the deadline; or the client did not accept the policy terms and conditions). The aforementioned analysis revealed that risk is the major concern when insurance companies underwrite a policy rather than the policyholder's identity.

163. To understand why insurance applications for individuals with disabilities were declined, a statistical database of underwriting involving people with disabilities has been online since February 2018. The database contains statistics on people with disabilities who were refused insurance. Taiwan continues to perform statistical analysis on data related to insurance companies underwriting policies for people with disabilities. In addition to this database, which serves as a reference for relevant supervision and policymaking, the government has

requested that insurance companies meticulously verify the experience rating used by foreign insurers and adjust the rating according to the health of local citizens to protect people with disabilities' right to insurance.

64f) & 65f)

Prisoners with disabilities in State confinement lack access to healthcare.

Ensure equal access to healthcare by prisoners with disabilities in State confinement.

164. Upon admission to a correctional institution, inmates with disabilities receive health checks and blood screening. Where a physician determines that subsequent treatment or rehabilitation is required, the correctional institution shall provide the inmate with medical care in accordance with the medical order. Where a physician determines that, based on the review of objective facts, the individual lacks cognitive abilities due to his/her physical or mental condition and cannot take care of him/herself or the individual cannot take care of him/herself in prison due to frailty or disability, the institution may refuse to accept the inmate according to the physician's evaluation. Under such circumstances, the prosecutor may transfer the inmate to a hospital, guardianship, or other suitable facility. Following the initiation of the second generation of the NHI program in 2013, inmates are covered by NHI and are entitled to receive outpatient clinic services provided by health care teams at correctional institutions. If a transfer is necessary, an inmate may be sent to a suitable hospital accompanied by a guard escort. Inmates are allowed to receive health care services equivalent to those enjoyed by the general public, making Taiwan one

of the few countries to achieve mainstreaming of health care in prison.

Article 26

Habilitation and rehabilitation

66a) & 67a)

That persons with disabilities in rural areas are required to travel great distances at personal cost in order to access rehabilitation services.

Provide adequate rehabilitation services to persons with disabilities in rural areas without additional costs.

165. To improve access to medical care access in rural areas and local health care services in mountainous areas, offshore islands (50 townships), and areas with limited medical resources (73 townships), NHI beneficiaries who receive medical care in a mountainous region or an offshore island shall be exempt from any copayment. People undergoing medical treatment in areas with limited medical resources enjoy a 20 percent discount on their copayment. In both 2016 and 2017, a budget of NT\$800 million was allocated that was increased to NT\$950 million in 2018. The Point Value guarantee policy has been adopted to improve medical services in hospitals with insufficient resources in specific areas; the policy subsidizes the floating point system by at most NT\$1 per point for clinics and hospital services outpatient and inpatient undertaken, including those in pediatric, gynecological/obstetric, internal medicine, surgical, and 24-hour emergency services at these hospitals. The subsidy for each eligible hospital is NT\$15 million at maximum so as to improve medical services and community-

based preventive healthcare. In 2019, a total of 92 hospitals received subsidies. The government also encourages physicians, practitioners of Chinese medicine, and dentists to establish clinics or provide healthcare service in mountainous areas, offshore islands, and areas with limited medical resources on a roving basis.

166. Concerning long-term care services, Taiwan has introduced restorative care and overall care instructions according to the physical and mental status and motivation of people with disabilities. A pickup service for the disabled to travel between their home and the hospital for medical care or rehabilitation is available. Such services complement NHI medical services, thereby satisfying the rehabilitation needs of people with disabilities living in rural areas.

66b) & 67b)

About the lack of support measures, including peer support, for rehabilitation services for persons with disabilities of all ages in rural areas.

Provide adequate support measures for rehabilitation services, including peer support, to persons with disabilities of all ages in rural areas.

167. Please refer to Paragraph 166 for details regarding the provision of rehabilitation services for people with disabilities living in remote areas.

66c) & 67c)

About the slow implementation of the “Community healthcare and home care for children with delay programme” by the Social and Family Administration of the Ministry of Health and Welfare.

Immediately implement all aspects of the “Community healthcare and home care for children with delay programme” beyond the pilot program.

168. Please refer to Paragraph 32(5) for details regarding the execution of the Implementation Plan for Providing Community-Based Interventions for Children with Developmental Delays.

66d) & 67d)

That prisoners with disabilities, particularly those with Attention Deficit Disorder, do not receive rehabilitation services while in State confinement.

Provide rehabilitation services to all prisoners with disabilities in State confinement.

169. Same as Points 64f) and 65f) in the concluding observations on the Initial Report.

Article 27

Work and Employment

68a) & 69a)

Labor market participation of persons with disabilities, especially women, is disproportionately lower than that of persons without disabilities.

Develop measures, intensify efforts, and allocate sufficient resources to promote the employment in the open labor market of persons with disabilities, especially women.

170. According to industry characteristics, employment and human resource requirements, and occupations preferred by people with disabilities, the MOL

hosts, commissions, and subsidizes vocational training programs. These training programs include cleaning and maintenance services, massage, culinary arts, information and computer science, materials processing, marketing communications, cosmetology and hairdressing, agronomy, textile design, and caregiving, and the aim is to improve the occupational competencies of people with disabilities and help them enter the labor market. To help people with disabilities attend training, the central government regards accessibility of the training venue as a bidding assessment indicator and hosts workshops for training personnel to understand the characteristics of and service resources needed by people with disabilities. Between 2016 and 2019, 46 training sessions were organized with 2,138 participants. Services including sign language interpretation and visual aids were provided for trainees with disabilities according to their needs. For those who could not or had difficulties attending training in person, an accessible e-learning website was established on which online courses were available, such as those offering instruction in computer science basics, web design, word processing, occupational skills, and certification, thereby providing various options for people with disabilities and helping them improve occupational competencies (Tables 27.3 and 27.4).

171. Please refer to Paragraph 28 for details regarding career assistance provided to women with disabilities.

68b) & 69b)

The work environment poses barriers to persons with disabilities, yet the State has not

required the provision of reasonable accommodation in the workplace; further, the State has erroneously translated reasonable accommodation as “reasonable arrangement of the space”.

Mandate the provision of reasonable accommodation in the workplace; further, correct State translations of reasonable accommodation in the CRPD.

172. Please refer to Paragraph 13 for revisions in the Mandarin version of the CRPD.

68c) & 69c)

Persons with disabilities cannot access vocational training as preparation for employment.

Ensure that persons with disabilities can access vocational training as preparation for employment.

173. Please refer to Paragraph 170 for details regarding vocational training dedicated to people with disabilities.

68d) & 69d)

Workers with disabilities are more often employed in part-time or temporary positions than workers without disabilities, are underrepresented in professional work, and earn lower wages.

Review labor market practices and eliminate obstacles for persons with disabilities to professional work, full-time employment and equal pay for equal work; increase opportunities for students and job seekers with disabilities through measures such as internships, hands-on experience, subsidized

workplace adaptation including assistive technology, and job coaching.

174. Through the Pilot Project of Career Transition and Counseling for College Students with Disabilities (between September 2018 and September 2021), the MOL integrates vocational assessment resources at city/county labor departments, performs vocational assessment based on case referral, and strengthens the connection between vocational rehabilitation services at each local government and college resource rooms. By doing so, the MOL seeks to develop an operational model of transition services for students with disabilities in higher education institutions, thereby helping them transition from school to workplace environments.
175. Vocational counselors at vocational transition and guidance service centers of each region provide professional support such as interschool career transition counseling, development and evaluation of internship workplaces (including job analysis), and guidance for student internships and evaluations. The MOL connects the vocational rehabilitation services provided by local governments with students for occupational competency assessments, shares information on post-graduation job matching career transition and disability resources, and has established an online reporting system for vocational counseling. The aforementioned measures facilitate seamless an internship-to-career transition for students and help vocational and senior high school students with disabilities adapt to society and the workplace.

68e) & 69e)

Persons with disabilities lack sufficient legal remedies to challenge discrimination in the labor market.

Enforce disability employment rights, and provide resources for legal action by civil society to also enforce disability employment rights.

176. Please refer to Paragraph 25 for details regarding legal resources provided to people with disabilities.

68f) & 69f)

The quota system, which has long dominated employment policies for persons with disabilities, has been ineffective.

Analyze the current quota system and consider alternative options, including an affirmative action scheme.

177. In December 2019, the number of institutions obliged to recruit employees with disabilities, as defined in Article 38 of the PDRPA, was 17,673, an increase of 4.7 percent compared with 16,881 in December 2016; the number of employed persons in the same period reached 84,693, an increase of 3.3 percent compared with December 2016. Of employed persons, 16,648 were afflicted with severe disabilities (accounting for 19.7 percent of total recruited employees). The total of 84,693 was 42.4 percent greater than the numerical target under the law (59,460; Table 27.10). Moreover, 8,858 institutions hired more people with disabilities than mandated by law, accounting for 50.1 percent of all institutions; this percentage in 2019 was 10.1 percent more than that (40 percent) in 2009. The results indicate that the employment quota policy provides effective and

positive protection and encourages employment of people with disabilities. By contrast, 1,764 institutions (accounting for 10.0 percent of all institutions) failed to recruit the specified number of people with disabilities; the percentage was slightly lower than the 12.9 percent reported in 2009, and the improvement in the last three years has been slow. To solve this problem, the MOL continues regarding compliance with the employment quota policy as an indicator in local government performance assessments and regularly publishes the names of institutions failing to meet the target quota. Furthermore, the MOL, together with local governments, identifies reasons for such failure by cooperating with local governments, helps the institutions in question improve job matching for people with disabilities, and provides various measures to assist service differentiation (e.g., employment subsidies, job accommodation for employers) to stimulate employment willingness; moreover, employees with disabilities are referred to MOL-announced institutions failing to meet the specified quota through the supported employment service. The ministry provided assistance to 135 institutions on average per month in 2019 and commissioned surveys on these matters in 2020 to accurately measure the effectiveness of the quota policy as well as identify difficulties and possible solutions.

68g) & 69g)

Sheltered workshops do not facilitate transition by persons with disabilities to the open labor market.

Develop and implement a plan to phase out sheltered workshops while also

facilitating the transition by persons with disabilities employed by sheltered workshops to the open labor market.

178. The 2007 amendment to the PDRPA defined a sheltered workshop as a workplace providing a work space for employees with disabilities, and local governments have promoted the establishment of these sheltered workshops, which are distinguished from an isolated workplace. Sheltered employees work in an open, inclusive space. Nearly 70 percent of sheltered workshops are located in metropolitan areas, offering community-based jobs including catering, baking, product sales, car washing, and cleaning for people with disabilities. The pay of sheltered employees is set according to employee productivity, and relevant labor acts apply. For sheltered employees with improved competencies who are willing to compete in the labor market, sheltered workshops may provide job transfer services according to a work manual devised by the MOL in 2020. The ministry also provides a grant of NT\$10,000 per person for sheltered employees who transition to the competitive labor market (Table 27.6).

68h) & 69h)

Persons with disabilities do not seek employment for fear of losing their means-tested disability pensions.

Remove disincentives to employment by persons with disabilities created by means-tested disability pensions.

179. The basic guaranteed pension payment for the disabled from the national Pension Benefit Payments for people with disabilities targets insured people diagnosed as

having a severe mental/physical disability who are thus incapable of working. Therefore, it is unlikely that an asset investigation reduces the willingness of people with disabilities to pursue a career. The MOHW amended and promulgated the Rules Governing the Provision of Livelihood Subsidies to People with Disabilities, adding that employment income earned within a specified period and up to a certain amount is exempt from inclusion in total household income. The article came into effect in 2020, aiming to encourage recipients of subsidies with disabilities to enter the labor market and thus enjoy an adequate standard of living to a similar extent as others.

Article 28

Adequate Standard of Living and Social Protection

70a) & 71a)

Persons with disabilities live in poverty at a higher rate than the general population.

Mandate that the eligibility criteria for persons with disabilities to obtain financial assistance and subsidies be independent of their and their families' means.

180. To safeguard the financial stability of people with disabilities, the government has adopted two approaches to determine an applicant's eligibility for subsidies. First, the National Pension is granted according to individual asset review results. Second, the eligibility of low and middle-low-income households and people with disabilities for livelihood benefits (Table 28.1B) is determined by the asset review of a household. However, a flexible approach may apply to

households under extraordinary circumstances. As of 2019, the number of individuals with disabilities receiving social aid reached 436,672 [268,683 men (61.53 percent) and 167,989 women (38.47 percent); Table 28.2], accounting for 36.79 percent of the total population with disabilities. Moreover, the local competent authorities may add the subsidy amount for low-income people with disabilities who are under special protection, although the additional amount must not exceed 40 percent of the original amount. As for underprivileged groups who are not protected by law, the government has collaborated with the private sector to provide various forms of emergency aid. To safeguard the basic living of people with disabilities, the central government established the rate adjustment policy for social welfare allowance and National Pension payments; specifically, the government adjusts the rates for allowance and pension payments once every four years beginning in 2012 (in line with changes in the consumer purchase index). When the index growth is zero or negative, however, the rate remains unchanged.

70b) & 71b)

Current retirement regulations and the Labor Insurance Act reduce or render ineligible persons with disabilities for retirement pensions.

Revise current retirement regulations and the Labor Insurance Act so that persons with disabilities are eligible for retirement pensions.

181. Regarding retirement protection policies, the National Pension Act states that any insured aged 65 years or older may apply for an old age pension payment. In 2019, people with disabilities accounted for 10.53 percent of such payment

applicants (Table 28.6). The Labor Insurance Act contains provisions concerning old age pension payments for laborers with disabilities to safeguard their financial stability and living after retirement (Table 28.7). The Labor Pension Act states that any laborers aged 60 years or older may apply for a retirement pension (Table 28.8). It further stipulates that people with disabilities may claim early retirement pensions. Between 2016 and 2019, 811 people with disabilities applied for lump-sum early retirement pensions (Table 28.9), amounting to roughly NT\$211.39 million. The Civil Service Retirement, Severance, and Survivor Relief Act, which took effect in July 2018, stipulates that a civil servant aged at least 55 years of age and whose seniority exceeds 15 years may apply for voluntary retirement with a fully paid monthly pension if they are found to be semi-incapacitated or have a more severe disability under the Civil Servant and Teacher Insurance Disability Benefit Standards, or identified as having a severe physical or mental disability as defined by the central competent health authority. Between July 2018 and December 2019, five civil servants submitted such applications for voluntary retirement due to disability with monthly pension payments (Table 28.10).

70c) & 71c)

Persons with disabilities without a work history are eligible for only a disability pension under the national pension scheme which by itself is inadequate to cover basic food costs.

Revise the national pension scheme so that persons with disabilities without a

work history are eligible for a disability pension at a level that insures a dignified life in the community.

182. To ensure adequate food and clothing for financially underprivileged people, local governments, by cooperating with the private sector, have established food banks and issued food coupons to provide food and clothing for households on the threshold of poverty. Taiwan's social protection system comprises social insurance, social aid, and welfare services. Welfare services are specified in relevant laws, whereas social insurance programs, in addition to the NHI, are separately established in line with occupation and governed by the corresponding competent authority.¹⁰ The Directions Governing Social Insurance Premium Subsidies for Disabled Persons stipulate that the subsidy for persons with disabilities for premiums shall be 25 percent, 50 percent, or a full subsidy, depending on the person's level of disability. Unemployed people may join the National Pension Insurance scheme, which offers pension payments (a basic guaranteed pension payment) to people with severe disabilities who are unable to work. Taiwan established the minimum cost of living for social aid provision in 2010; the minimum is 60 percent of the median monthly income per capita in each region; the rate is adjusted if the amount acquired in the new fiscal year exhibits a difference of greater than or equal to five percent from the existing minimum living expense.

70d) & 71d)

¹⁰ For example, NHI, occupation-based civil servant and teacher insurance, labor insurance, farmers' insurance, insurance for military personnel, and retirement insurance.

Accessible housing is available mainly in social housing and not in public and private, newly constructed and old housing; moreover, the current Housing Act impedes renovation of existing housing for the purposes of rendering it accessible.

Prioritize accessible and affordable new residential construction in the public and private sector; construction subsidies should be increased for making existing housing accessible; binding regulations that stipulate accessibility in all residential new construction, public or private, should be adopted; effective rent subsidies to persons with disabilities and households with disabled members should be introduced; and obstacles in the current Housing Act that impede renovation of existing housing to render it accessible, should be removed.

183. Regarding the Plan for Social Housing Establishment approved by the Executive Yuan, the MOI launched a project to establish 200,000 social housing units within eight years by building social housing units for 120,000 households and commissioning housing leasing and management for 80,000 households. Per the Housing Act, at least 30 percent of social housing will be leased to economically or socially disadvantaged persons. As of October 2020, the number of social housing dwellings built under the first-phase plan (2017-2020) was 41,987 (Fig. 28.1), among which 6,483 were existing social housing units, 10,208 were newly built dwellings, 18,091 were under construction, and 4,095 were being planned. As of June 2020, 10,208 dwellings were occupied; among them, 4,579 dwellings were resided in by financially disadvantaged groups (44.9 percent of total dwellers), including 1,501 households with people with disabilities (27.3 percent; Table 28.3). By September 2020, housing leasing and management services were

made available to 27,800 households and were matched with 11,055 households, among which 6,633 were financially disadvantaged. In 2019, the government issued rent subsidies to 11,453 households having people with disabilities (NT\$5,400 maximum per household). Subsidies for interest on housing purchase loans were provided to 206 households, with the provision that the loan amount does not exceed NT\$2.2 million in principle (Table 28.4).

184. Please refer to Paragraph 107 for details regarding the housing subsidy system for people with disabilities.

Article 29

Participation in political and public life

72a) & 73a)

The right of persons with disabilities to vote is violated due to election rules that prohibit individuals who have been placed under guardianship from exercising their franchise.

Enable persons with disabilities to vote on an equal basis with others, and amend election rules to this effect.

185. In 2018, the MOI invited DPOs, experts, scholars, and government agencies to attend the Symposium on Problems Concerning Suffrage for people Under Guardianship; the outcome of the symposium was a decision to remove existing restrictions on voting for people under guardianship from the Presidential and Vice Presidential Election and Recall Act and the Civil Servants Election and Recall Act; however, at that time, necessary amendments were not immediately

made through the legislative process. In 2020, Taiwan did amend these two acts and specified that voters with disabilities may select companions other than their family members when voting. Thus, the conditions of the CRPD are satisfied.

72b) & 73b)

The State does not encourage candidates with disabilities to seek election; further, the State neither gathers nor retains data related to public office seekers or elected officials with disabilities.

Encourage candidates with disabilities to seek election, and gather and retain data related to public office seekers or elected officials with disabilities.

186. To lower the barriers for people with disabilities to run for election, the MOI examined the feasibility of reducing the deposit for female candidates with disabilities in 2019. After consulting the Central Election Commission, the MOI decided not to make such an amendment due to equality concerns, as the government also encourages political participation by other groups, including men with disabilities, indigenous peoples, new immigrants, youths, and women without disabilities.

72c) & 73c)

The right of persons with disabilities to participate equally in political and public life is violated by inadequate and untimely information being disseminated in advance of voting, inaccessible polling places, and an absence of supported decision-making for those persons with disabilities requiring such support.

Revise its policies so that adequate and timely information is widely disseminated

in accessible formats in advance of voting, all polling stations are made accessible, and supported decision-making be provided to voters with disabilities who require such support.

187. To increase access to information about election candidates for voters, the government has adopted various promotional approaches to provide voters with disabilities relevant election information. Local election commissions produce audio versions of candidate bulletins (in Mandarin, Taiwanese, and Hakka) based on the written version and deliver them to voters with visual impairment through various channels within their jurisdiction, including NGOs for the people with visual impairment, township/city/district offices, and village administrative organizations. The Central Election Commission and its affiliated election commissions broadcast party platform presentations on television and appoint simultaneous sign language interpreters. Since 2018, the commission has published easy-to-read voting manuals, informing voters with disabilities of the voting process and relevant notices.

188. To safeguard the voting rights of people with disabilities, the Central Election Commission promotes accessibility at polling stations and provides voting aids for voters with disabilities. Each polling station offers voting auxiliaries for people with visual impairment, allowing said people to independently and autonomously cast a secret ballot. Moreover, each station has voting booths for people with disabilities, allows companions of these individuals to provide assistance during voting or to vote on the person's behalf, and allows these people priority preference in queuing. These measures are detailed in work manuals for

polling station staff, and the training of election officers is designed to cover such measures. To ensure the appropriateness of polling station locations, the commission established the Precautionary Matters for Selecting Polling Stations with Accessible Facilities and Checklist for Assessing the Accessibility of Polling Station Facilities for relevant inspection. During the latest election in 2020, 92.02 percent of polling stations met the specified accessibility regulations (compared with 88 percent in 2016). For the remaining 7.98 percent of stations that failed to meet accessibility requirements, alternatives were adopted, such as installation of simple accessible facilities¹¹ or provision of assistance by designated people on site, to help voters with disabilities cast their vote.

Article 30

Participation in cultural life, recreation, leisure and sport

74a) & 75a)

The absence of programmes and projects with budgets to promote participation of persons with disabilities in sport.

Revise the National Sport Act in compliance with the CRPD in order to promote the participation of persons with disabilities in sport and establish programmes and projects promoting the participation of persons with disabilities in sport.

189. Amended and promulgated in 2017, the National Sports Act mandates that all authorities, institutions, schools, legal persons, and organizations protect the right

¹¹ The costs of easy-read voting manuals, voting booths for people with disabilities, voting auxiliaries for people with visual impairment, and simple accessible facilities at polling stations were NT\$331,000, NT\$1.728 million, NT\$980,000, and NT\$4.199 million, respectively.

of people with disabilities to participate in sports and to design accessible sports facilities, activities, and courses to adhere to the CRPD. Through the Project of Adapted Physical Education, the MOE tailors physical education curricula for students with disabilities through the establishment of digital platforms, selection of pilot schools, promoting skills enhancement of teachers, and launching campaigns and promotions. The project provided students with disabilities equal opportunities to participate in sports activities as nondisabled students. In the period 2017-2020, the MOE designated eight pilot schools for adapted physical education, created professional communities of adapted physical education teachers across schools, organized counseling and teaching demonstration workshops, compiled 1,531 adapted education talents in the human resources database, hosted 36 skills enhancement workshops for teachers, and attracted 40,000 views of its adapted education platform, thus sharing adapted education topics with 560,000 people.

190. Pursuant to the Regulations for Public Sports Facilities Setting and Management, local governments shall establish sport facilities according to regulations that protect the rights of people with disabilities and offer adaptive, age-appropriate, accessible, and certified sports facilities functioning normally. In 2017, the government launched the Creation of Sports and Leisure Environments, a subproject affiliated with the Forward-Looking Infrastructure Program: Urban and Rural Construction. Under the subproject, facilities that are friendly to women, people with disabilities, and elderly adults are regarded as having priority for subsidization by local governments when establishing/renovating

sports facilities. Therefore, the subproject helps improve existing accessible facilities and equipment at sports venues, creates safe and accessible sports spaces, and protects the right to participate in sports for all ethnic groups. Between 2019 and 2020, the MOE initiated the project Creating Sports Environments Friendly to Groups with Special Needs by collaborating with academia and DPOs to remove discriminatory regulations at sports venues and improve service quality for people with disabilities when playing sports. The MOE also established the iPlay website for citizens to make inquiries about sports venue by name, description, available facilities and accessible facilities, contact information, and transportation options.

191. The MOE continues to promote inclusive sports experiences by encouraging local governments and national organizations to offer people with disabilities the opportunity to attend mainstream sports events. Furthermore, the MOE has produced documentaries, through development of initiatives and practices, to promote the concept of Together We Move. The MOE implemented the Sports in Taiwan Sports Project for people with disabilities, under which they approved subsidies totaling NT\$118.44 million to support 1,430 sport activities (Table 30.2) to facilitate sports promotion for people with disabilities between 2016 and 2019. The MOE founded the Facebook group Sports without Disabilities: Sports Resource Sharing for People with Disabilities, in which information, news, details, and feedback related to parasports are shared. This group enables the widespread sharing of parasports information in Taiwan and abroad through county/city organizations and professionals.

74b) & 75b)

The small number of digital books available, making it difficult for persons who are blind, visually impaired and otherwise print disabled, to have access to published materials.

Promote publications in accessible formats in line with the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled, administered by the World Intellectual Property Organization (WIPO).

192. MOE-affiliated social education institutions offer discount admission tickets for people with disabilities; museums annually host activities on issues related to people with disabilities, including tours, exhibitions, lectures, and workshops. Libraries have created designated areas for people with disabilities, digital teaching materials, and various publications. National Taiwan Library has been appointed the competent library for people with disabilities. The library has proceeded to expand accessible platform services and develop staff members' service literacy to assist these people, thereby more effectively satisfying their learning needs. Digital publishers funded by the government are to offer free publications to the National Taiwan Library. In 2018 and 2019, the library received 568 and 500 digital publications for free.

74c) & 75c)

The discriminatory regulations and practices at both national and local levels by parks, amusements centers and sports centers discriminating on the basis of disability,

including against those with psychosocial and intellectual disabilities with respect to their admission and participation.

Eradicate discriminatory regulations and practices at both national and local levels by parks, amusement centers and sports centers rejecting persons with disabilities, including persons with intellectual and psychosocial disabilities, by strengthening relevant acts including the People with Disabilities Rights Protection Act and the Civil Code.

193. Please refer to Paragraph 190 for details regarding sports venues dedicated to people with disabilities.

74d) & 75d)

The lack of access to playgrounds for children with disabilities.

Develop playgrounds based on universal design to allow children with disabilities to participate in leisure and recreation.

194. To ensure that children with disabilities have an equal opportunity to play, the central government provides subsidies to local authorities and social welfare organizations to organize workshops for playground managers and inclusive education campaigns to promote an inclusive parent-child culture. The government has commissioned research to determine the number and distribution of amusement facilities at playgrounds for children throughout parks nationwide (including facilities for general use and those for children with special needs). The research was completed in 2020, and each relevant authority and local government can refer to it during playground planning.

195. To ensure the accessible environment of parks and green spaces, the MOI promulgated the Design Standards of Barrier-Free Equipment and Facilities for Ministry of the Interior Authoritative Gathering Places in 2015 and inspects the accessible environment of urban parks and green spaces every two years. The ministry considers the accessibility of playgrounds to be a crucial assessment indicator. In 2019, the MOI conducted inspections on 12 local governments and 36 urban parks and green spaces, since which time local authorities having excellent performance have been rewarded. To provide safe playgrounds for children with disabilities, local governments implement regular inspections of playgrounds in parks, relevant follow-up inspections, and guidance for improvement. In 2019, a total of 1,172 playgrounds were inspected.

Article 31

Statistics and data collection

76 & 77

The IRC is concerned about the methodology used by the State for the collection of all forms of data, including but not limited to the census, national household surveys, and disaggregated data, with regard to persons with disabilities. The currently utilized methodologies do not follow a human rights-based approach, and fail to reflect the removal of barriers as part of their criteria.

The IRC recommends that the State systematically collect data, across all sectors, including health, education, employment, political participation, access to justice, social protection, violence, and rural populations, and develop human

rights-based indicators to provide accurate information on the implementation of the CRPD.

196. To compare statistics on populations with disabilities and nondisabled populations and comply with CRPD principles during data collection, the MOHW, in collaboration with people with disabilities and their representative organizations, proposed a human rights indicator framework (draft) in 2019 and held relevant workshops in 2020. The aforementioned framework serves as a reference for governments at all levels to revise their statistical or survey methods, include disability survey items, and facilitate the development of localized human rights indicators. To achieve the goal of developing five to 10 human rights indicators by 2024 as mentioned in the National Human Rights Action Plan, the MOHW intends to regularly monitor the CRPD implementation.

Article 32

International Cooperation

78 & 79

The IRC is concerned that the State lacks a cross-cutting policy to promote the rights of persons with disabilities in all of its international cooperation activities, including its efforts aimed at implementing Agenda 2030.

The IRC recommends that the State develop a cross-cutting policy to promote the rights of persons with disabilities in all of its international cooperation activities; and ensure the adoption of a disability-rights perspective in all efforts aimed at implementing Agenda 2030 and the Sustainable Development Goals.

197. Intending to engage in international exchanges and cooperation on issues related to people with disabilities, the MOHW is regularly present at the Rehabilitation International World Congress and the Asian Conference on Mental Retardation. In 2019, the ministry subsidized six DPOs to join government delegates in attending the 24th Asian Conference on Mental Retardation, and they won the right to host the 2027 conference. In 2018, the MOHW subsidized social welfare organizations to hold the East Asia Disability Studies Forum as well as attend the Group of Friends on Disability Issues conferences in 2016 and 2017 convened by Asia-Pacific Economic Cooperation group members. In 2017 and 2018, the ministry subsidized people with disabilities and their representative organizations to visit Japan to study the assistive technologies in use by the nation's disabled welfare organizations, support and care for independent living, and resource integration.

Article 33

National implementation and monitoring

80a) & 81a)

About the lack of the formal designation of a national focal point, which includes staff trained on the human rights of persons with disabilities, under CRPD article 33 (1).

Formally designate a national focal point with immediate effect, and that such national focal point include staff trained on the human rights of persons with disabilities.

198. The central and local competent authorities for implementing CRPD are the

MOHW and local governments, respectively. These authorities have established relevant committees per the CRPD, which are responsible for promoting disability policies. To implement policies and affairs in accordance with the CRPD, the MOHW employs specialists responsible for managing relevant affairs; case officers and their supervisors regularly attend awareness raising training regarding the rights of people with disabilities. The ministry continues to provide funding and to recruit professionals to serve as staff members of the Committee for the Promotion of the Rights of People with Disabilities (hereinafter referred to as CPRPD), Executive Yuan, and promoting the CRPD.

80b) & 81b)

That the Promotion Team for the Rights and Interests of Persons with Disabilities of the Executive Yuan currently functioning as the designated coordination mechanism is not well known within the State or by civil society.

Fully disseminate information about the role and responsibilities of the Promotion Team for the Rights and Interest of Persons with Disabilities of the Executive Yuan as the designated coordination mechanism both within the State and civil society.

199. The Executive Yuan's CPRPD, established pursuant to the Act to Implement the Convention on the Rights of Persons with Disabilities, is a cross-ministerial coordinator. Through regular meetings, research, review, and consultations, the committee is responsible for CRPD promotion and relevant training, supervision of CRPD implementation by all levels of authorities, preparation of a national report, and handling of CRPD violation complaints and relevant matters. CRPD

information is concurrently updated on Taiwan's CRPD website for public reference. The Executive Yuan Directions for the CPRPD in Handling Complaints of CRPD Violation were approved in June 2020, authorizing the committee to handle general matters pertaining to CRPD violations with regard to existing regulations, policies, and systems.

80c) & 81c)

That the State lacks an independent monitoring mechanism such as a National Human Rights Institution or similar body, in conformity with all the requirements set out in the Paris Principles, despite discussions on this topic for over five years.

Immediately establish an independent monitoring mechanism in the form of a National Human Rights Institution or similar body, in conformity with all the requirements set out in the Paris Principles, thus mandating that the independent monitoring mechanism be fully independent and therefore not within the Presidential Office, the Control Yuan, or any part of the government structure.

200. To strengthen the ability of the Control Yuan to promote and safeguard human rights, three bills, including the Organic Act of the Control Yuan National Human Rights Commission, were passed and amended in December 2019. On August 1, 2020, the Control Yuan National Human Rights Commission was officially established. Among the seven ex officio members of this commission with diverse human rights expertise, two are representatives from the rights protection field for people with disabilities. The commission is divided into three divisions, namely research and planning, monitoring visits and operation, and education

and exchange divisions, which are responsible for handling matters related to human rights protection of people with disabilities. In this way, the commission aims to fulfill the requirements of the Paris Principles and effectively monitor government compliance with the CRPD.

80d) & 81d)

That the involvement and participation of persons with disabilities and their representative organizations in the monitoring process is limited by a percentage quota.

That organizations of persons with disabilities are able to participate fully in the monitoring process as required by CRPD article 33(3), and that the State provide organizations of persons with disabilities with adequate financial and human resources to enable them to participate in national implementation and monitoring of the CRPD.

201. The CPRPDs established by governments at all levels allow people with disabilities and their representative organizations to participate in supervision of relevant matters. At present, experts, scholars, and DPOs on any of such committees shall be no less than a certain quota of the total number of the committee members,¹² and each gender shall be no less than one third of the total number of committee members. To encourage DPOs to participate in supervision, the government continues to offer subsidies, thereby providing

¹² The percentage of experts, scholars, people with disabilities, and their representative organizations shall be no less than half of the total number of the Executive Yuan's CPRPD members. At present, no less than one third of the total committee seats on any CPRPD shall be held by such parties; the government is attempting to amend existing regulations and stipulate that people with disabilities must constitute at least one-quarter of the total seats.

resources to advocate for the rights of people with disabilities for people with disabilities and their representative organizations.