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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent Authorities
III. Principle areas of concern and recommendations A. General principles and obligations (arts. 1-4) 8. 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. 9. 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.		8 & 9 Ministry of Health and Welfare (hereinafter referred to as MOHW), Social and Family Affairs Administration (SFAA) Various agencies
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>The legislative process in the Republic of China (hereinafter referred to as Taiwan) has shifted from charitable relief to a rights-based approach. At the present time, in addition to reviewing derogatory terminology and pejorative language as well as conforming its substantive orientation to the CRPD, Taiwan is also strengthening the awareness of disabilities among government agency officials and emphasizing the inclusion of organizations of persons with disabilities (OPDs) in the relevant processes. The endeavors are described as follows:</p> <p>A. The Welfare Law for Handicapped Persons was passed in 1980 with an aim to help persons with disabilities sustain their lives through relief provision. In 1997, the Physically and Mentally Disabled Citizens Protection Act was enacted, emphasizing the “obstacles” encountered in society and the environment, which replaced the previous concept of “handicapped” that focused on bodily structure and functions; moreover, the law codified regulations concerning medical rehabilitation, education, employment, and welfare services. The People with Disabilities Rights Protection Act, introduced in 2007, recognized persons with disabilities as independent individuals and emphasized the importance of enabling them to maintain their dignity and protecting their basic rights and interests, as well as ensuring their economic security, the availability of diversified and ongoing services, a friendly living environment, and social participation of these individuals. The process of law amendment reveals that in Taiwan, ideas regarding the treatment of persons with disabilities have progressed from a philanthropic viewpoint to a right-based standpoint. In addition to facilitating the provision of services that satisfy these individuals’ diversified needs throughout their course of life, amended laws and regulations have regarded persons with disabilities as subjects of rights whose basic rights to social participation must be guaranteed.</p> <p>B. Taiwan enacted the Act to Implement the Convention on the Rights of Persons with Disabilities (hereinafter referred to as the CRPD Implementation Act) on December 3, 2014. According to Article 10 of the CRPD Implementation Act, government agencies at all levels shall submit a priority review list 2 years after the implementation of the CRPD Implementation Act. Laws and administrative measures that do not comply with the CRPD should be amended, abolished, or improved within 3 years of the implementation of the CRPD Implementation Act. The formulation, amendment, or abolition of the</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none"> Continuously compile the priority review list containing laws, regulations, and administrative measures that have not been amended, abolished, or improved, and posting regular updates concerning the progress of amendments on the official CRPD website. (SFAA) Incorporate local government CRPD education and training and awareness-raising courses into the 2019 social welfare performance evaluation index. (SFAA) Plan the second inspection procedure for laws and regulations and administrative measures in December 2018. (SFAA) <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none"> Request that competent authorities complete the amendment, abolition, and improvement of laws, regulations, and administrative measures before December 3, 2019. (SFAA) Organize CRPD-related courses in 2019 to strengthen the awareness of and sensitivity to the rights of persons with disabilities in various ministries and among local government officials. (SFAA) Draft a review form for the impact assessment of disability rights. Subsequently, use current laws and regulations or those in the process of amendment, improvement, or abolishment as examples, and then organize a briefing session to instruct various agencies how to complete the form. Ensure that each agency incorporates the principles of the CRPD and equal rights for persons with disabilities into policy development and implementation when formulating and promoting major projects, laws, regulations, and administrative measures. (SFAA) <p><u>Medium-term objectives (to be completed between 2021 and 2022)</u></p> <p>Request every ministry to complete the review form for the impact assessment of disability rights (draft). After collecting and compiling the opinions of various ministries (agencies) and OPDs, invite scholars and experts to discuss and revise the “Disability Rights Impact Assessment Mechanism” (draft). (SFAA)</p>	<p>Structural indicators: Establish a disability rights impact assessment mechanism. (SFAA)</p> <p>Process indicators:</p> <ol style="list-style-type: none"> Organize at least one session of CRPD-related education and training for central ministry personnel every year. (SFAA) Include the implementation states of the CRPD education and training and awareness-raising courses organized by local governments in the assessment indicators of social welfare performance. (SFAA) Organize briefing sessions on disability rights impact assessment to strengthen government personnel’s awareness of and sensitivity to the rights of persons with disabilities. (SFAA) Incorporate the impact assessment review form for disability rights into current regulations and the gender impact assessment checklist. (SFAA) <p>Outcome indicators:</p> <ol style="list-style-type: none"> Amend 85% of the laws, regulations, and administrative measures in the priority review list. (SFAA) Complete the disability rights impact assessment when formulating or

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Concluding Observations		Competent Authorities
III. Principle areas of concern and recommendations		8 & 9
A. General principles and obligations (arts. 1-4)		Ministry of Health and Welfare (hereinafter referred to as MOHW), Social and Family Affairs Administration (SFAA)
8. 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.		Various agencies
9. 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.		
remaining laws and regulations and the improvement of other administrative measures should be completed within 5 years of the implementation of the CRPD Implementation Act. The priority review list consisting of 372 items and 674 articles has been published on the exclusive website for the CRPD (https://crpd.sfaa.gov.tw). Amendment of the 372 items should have been completed by December 2, 2017; however, only 130 items and 194 articles (29% of the task) had been amended as of July 10, 2018. The amendments of the remaining 242 items and 480 articles (71% of the task), including those that have been sent to the Executive Yuan and Legislative Yuan, are still under deliberation.	<u>Long-term objectives (cannot be completed before the second international review)</u> In coordination with the planning direction of the Executive Yuan, adopt a comprehensive method to incorporate human rights concepts such as CRC, CRPD, and CEDAW into current regulations and gender impact assessment checklists, or incorporate the Assessment Table of Disability Rights Impact into the aforementioned checklist, which is to be completed by each ministry while formulating or amending laws and regulations. (SFAA)	amending regulations. (SFAA)
C. To fast track the amendment of laws and regulations in the priority review list, the MOHW convened a conference on June 5, 2018, requesting that relevant competent authorities manage the task according to the following three stages: (1) Laws and regulations that contain purely derogatory terminology and pejorative language shall be submitted to the Executive Yuan for review before June 15, 2018. (2) Laws and regulations that have a substantive effect on the rights and interests of persons with disabilities shall be submitted to the Executive Yuan for review before August 31, 2018. (3) Amendments for laws and regulations that do not need to be submitted to the Legislative Yuan for review shall be completed before October 31, 2018. The aforementioned priority review list shall be reviewed by having the respective competent authorities inspect the regulations and administrative measures that they have formulated or introduced. Additionally, a review and reporting system for regulations was established for private organizations and individuals to report articles containing clearly derogatory terminology and pejorative language or articles that violate the CRPD. Because civil organizations have indicated that guardianship, compulsory hospitalization, and compulsory community treatment imposed on persons with disabilities are inconsistent with the tenets of the CRPD, it is necessary to review articles governing multiple aspects and having complicated connotation. In the event that they violate the regulations of the CRPD, the articles will be subject to further review and revision.		
D. To strengthen public officials’ awareness of the CRPD, the Committee for the Promotion of the Rights of Persons with Disabilities, Executive Yuan, approved the CRPD Promotion Project on February 16, 2015 and has requested agencies at all levels to cooperate in the launch of education, training, and joint promotion concerning the CRPD. However, new officials are only required to complete 2 hours of basic training in		

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E. To ensure that all laws and regulations comply with the tenets of the CRPD, in addition to implementing the aforementioned education, training, and promotion of the CRPD and developing principles for the amendments of laws, regulations, and administrative measures, all competent authorities must consult OPDs in accordance with Paragraph 3 of Article 10 of the CRPD Implementation Act when formulating, amending, or abolishing laws or regulations to enable persons with disabilities to actively participate in the decision-making process of policies and programs. However, the aforementioned mechanism may remain inadequate for examining whether the wording and purposes of the amended laws and regulations conform with the tenets of the CRPD.		

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Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>The IRC is concerned with how a human rights model can be adopted in the classification system for persons with disabilities in Taiwan to avoid overlooking obstacles caused by environmental factors. Additionally, the IRC is also concerned with ensuring the full and effective social participation of persons with disabilities on a foundation of equality in light of the recognition that “disability” is an evolving concept. Thus, the evolution of the classification system for persons with disabilities, the qualifications for disability certification, and the future development of the Functioning Disability Evaluation Scale (FUNDES) are described as follows.</p> <p>A. Taiwan’s first definition of persons with disabilities appeared in the Welfare Law for Handicapped Persons, which was passed in 1980. However, the definition did not reference the International Classification of Impairments, Disabilities, and Handicaps published by the World Health Organization (WHO). Subsequent revisions broadened the scope of the definition of disability in Taiwan, with the categories of disabilities being expanded from 7 to 11 and then to 16 types in 1997. To conform with the international community as well as highlight the importance of ensuring the dignity and protecting the basic rights and interests of persons with disabilities, the Welfare Law for Handicapped Persons, then known as the Physically and Mentally Disabled Citizens Protection Act, underwent comprehensive amendment in 2007 and was renamed the People with Disabilities Rights Protection Act. It referenced the International Classification of Functioning, Disability, and Health (ICF) published by the WHO, defining persons with disabilities as individuals with impaired or incomplete bodily structures or functions that affect their social functioning. The ICF sought to incorporate more factors related to disabilities and become a broad biopsychosocial model, which is a relatively objective tool that can clearly identify individuals requiring service and which services should be provided to identified persons with disabilities. Therefore, Taiwan adopted the ICF identification model as the basis for the administrative definition of persons with disabilities, and those who meet the qualifications are issued with a disability certification. The identification of persons with disabilities is closely linked with the payment structure, and those who have acquired disability certification can obtain various welfare</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <p>1. Evaluations in the New System for Disability Assessment and Needs Evaluation are conducted by physicians on the basis of “bodily structure and functions (bs code)” and “activity participation and environmental factors (de code).” The de code evaluation includes areas such as cognition, walking, self-care, getting along with others, home activities, work and learning, social participation, environmental factors, and action activities. (DONAHC)</p> <p>2. The inclusion of de code in the criteria for identifying persons with disabilities was deliberated through the project entitled “Incorporation of FUNDES Scores in the Policy Evaluation and Impact Analysis of Comprehensive Grade Judgement” that took place between 2017 and 2018. Three seminars that included participation by OPDs that incorporated the FUNDES scores in the comprehensive grade judgement and two expert focus group meetings have been conducted to understand the views and opinions of experts, persons with disabilities, family members of persons with disabilities, and related caregivers. (DONAHC)</p> <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <p>The content of the report “Incorporation of FUNDES Scores in the Policy Evaluation and Impact Analysis of Comprehensive Grade Judgement” in 2017-2018 and the results of interviews with OPDs and experts (incorporating activity participation and environmental factors [de code] in the comprehensive grade judgment to analyze factors that may impact persons with disabilities and government welfare budgets) will serve as a reference for the policy decision to include the de code in the comprehensive grade judgement in the future. (DONAHC)</p>	<p>Process indicators:</p> <p>According to the results of “Incorporation of FUNDES Scores in the Policy Evaluation and Impact Analysis of Comprehensive Grade Judgement,” recommendations for the comprehensive grade judgement strategies that comply with the fairness of the identification system are formulated to serve as the basis for subsequent policy decision-making. (DONAHC)</p>

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services (including insurance premium and tax reductions, public transport fare discounts, etc.). This identification mechanism is related to Taiwan’s overall national conditions and institutional design for decades. Other countries such as Australia and Ireland have investigated the prevalence of populations with disabilities using questionnaire surveys with different definitions of disabilities. However, such survey results are typically used to understand the current situation of persons with disabilities in the country in which the survey is conducted and are unrelated to an individual’s eligibility for welfare services or cash allowances; moreover, a person with disabilities cannot obtain all the welfare benefits based on the identification result of a single time. (SFAA)		
B. For individuals who are unwilling to undergo the ICF identification or who fail to meet the criteria for identification as disabled but believe that they are facing obstacles in their studies or employment, according to relevant laws and regulations such as the Special Education Act, Labor Standards Act, Occupational Safety and Health Act, and Act for Protecting Workers from Occupational Accidents, assistance or service shall be provided on the basis of whether such individuals are facing disabilities and is not limited to those with a disability certificate. For individuals who need social assistance or welfare services, they can also receive immediate assistance through social welfare service centers. (SFAA)		
C. The New System for Disability Assessment and Needs Evaluation, which was officially implemented on July 11, 2012, entails that evaluations be conducted on the basis of aspects such as an individual’s physical structures, functional activities, and social participation, and designates a person as having a disability according to whether the disability affects the individual’s life. Evaluations are performed by physicians and evaluators who designed FUNDES on the basis of “bodily structure and functions (bs code)” and “activity participation and environmental factors (de code)” as a means by which to verify an individual’s disabilities. Activity participation in FUNDES consists of “performance” and “capability,” the difference between which is used to determine the level of obstacle caused by environmental factors to persons with disabilities. Thus, this is consistent with Article e in the preamble of the CRPD: “...disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinder their full and effective		

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participation in society on an equal basis with others.” According to the conceptual framework of ICF, some limitations on activities and participation in society are caused by environmental factors; thus, the participation of persons with disabilities in society will be affected if environmental factors change. This is consistent with the statement in the CRPD that “disability is an evolving concept.” Additionally, government policies aim to enhance the social participation of persons with disabilities, particularly through providing support measures to overcome environmental obstacles, respecting personal intention, and safeguarding the right to full and equal social participation in society by persons with disabilities. Influenced by the ICF, the Taiwanese government has gradually established community-based daytime social participation programs in recent years to support the right to social participation of persons with disabilities (SFAA, MOHW).		
D. According to Article 14 of the People with Disabilities Rights Protection Act, the longest period for which a disability certificate can remain valid is 5 years. This is in consideration of the facts that disability is an evolving concept and the need of persons with disabilities to be reassessed and confirmed at least every 5 years or when they face changes in their lives. However, because of differences in the allocation of resources around the country and the influence of the traditional residual concept, the exercise of social participation rights must still be promoted. For persons who believe they have disabilities but fail to meet the relevant criteria for such a designation or disagree with the results of the disability evaluation and needs assessment, their rights are still protected by the government according to Article 13 of the People with Disabilities Rights Protection Act. Thus, they can submit a written application to the social affairs bureau of the local government in the municipality or county (city) of their registered permanent residence within 30 days commencing from the next day after receipt of the results and apply for re-evaluation and reassessment. Only one such application is permitted. (SFAA)		

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Concluding Observations		Competent Authorities
A. General principles and obligations (arts. 1-4) 12. The IRC is concerned that there is a lack of legal definition and understanding of the meaning and application of universal design. 13. 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).		12 & 13 Ministry of the Interior (hereinafter referred to as MOI) Ministry of Education (hereinafter referred to as MOE) MOHW Ministry of Transportation and Communications (hereinafter referred to as MOTC) Ministry of Justice (hereinafter referred to as MOJ) Judicial Yuan
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>Universal design involves a wide range of aspects. The current definitions of accessible environments and universal design as well as disabled-accessible medical, judicial, educational, and transportation facilities/environments are described as follows.</p> <p>A. Definitions of accessible environments and universal design (MOI, MOHW)</p> <p>(A) Article 52 of the People with Disabilities Rights Protection Act stipulates that the competent authorities of a municipality and/or county (city) shall provide an accessible environment to assist in the social participation of persons with disabilities. The CRPD further emphasizes the concept of universal design because universal design means that features of an environment are designed with an intent to maximize its accessibility to all individuals regardless of disability status to avoid or minimize the need for postdesign modifications. Universal design can help integrate every individual into society, which naturally enables persons with disabilities to achieve autonomy with respect to accessibility and reduces the economic costs of postdesign improvements. Therefore, it is necessary to incorporate the principle of universal design into relevant laws and regulations in the future.</p> <p>(B) Promote the construction of accessible environments in new buildings and implement gradual improvements of existing buildings: In accordance with the evolution of laws and regulations governing the rights of persons with disabilities, the Building Technical Regulations have incorporated the relevant requirements regarding accessible design since 1988. To promote full accessibility, publicly- and privately-owned buildings and newly built public and private buildings are required to install accessible facilities beginning from January 1, 2013. In addition, to promote the improvement of existing public buildings, the “Operation Directions for Submitting Alternative Improvement Plans for Accessible Facilities in Existing Public Buildings” was established on August</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none">By 2018, subsidies were provided to Public Health Bureaus in 22 counties and cities to promote age-accessible cities and to 100 community health development centers to establish cross-department (cross-unit) collaboration and combine community resources and academic groups to promote age-accessible communities. (HPA)As of June 2018, 469 health care institutions had acquired the certification for age-friendly health care institutions. (HPA)The approved version of the Taiwan Railways Administration Universal Design Guidelines for Vehicles was completed in February 2018. (MOTC) <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">Complete and announce relevant provisions on universal design in the People with Disabilities Rights Protection Act. (SFAA)Incorporate and promote the concept of universal design when compiling an accessible medical environment reference manual for hospitals. (DOMA)Promote the establishment of an accessible environment by the 370 public health centers country-wide through the HPA. (DOMA)Adopt a cross-division approach and encourage clinics to establish accessible medical environments through the issuance of accessible clinic certifications by the HPA and the provision of health insurance financial incentives by the National Health Insurance Administration. (DOMA)Complete first-phase amendment of the Universal Design Specifications for Railway Stations and Transfer Facilities by the Taiwan Railways Administration by 2021. (MOTC) <p><u>Medium-term objectives (to be completed between 2021 and 2022)</u></p>	<p>Structural indicators:</p> <ol style="list-style-type: none">Incorporate universal design into the People with Disabilities Rights Protection Act. (SFAA)Develop (revise) the definition of universal design and incorporate it into the Design Specifications for Accessible and Usable Buildings and Facilities. (MOI)Promote the development of Universal Design Guidelines for Vehicles and Universal Design Specifications for Railway Stations and Transfer Facilities by the Taiwan Railways Administration. (MOTC)Incorporate universal design into the Special Education Act. (MOE) <p>Process indicators:</p> <ol style="list-style-type: none">Develop an accessible medical environment reference manual, which includes the concept of universal design, for hospitals.

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7, 1997 to promote the gradual improvement of accessible facilities. Publicly and privately-owned public buildings are required to be improved according to the staged improvement project planned by local building authorities, regardless of their public or private ownership. (C) The accessible design of buildings considers the needs of persons with disabilities, and thus emphasizes the adoption of universal design: To guide the implementation of accessible environments in buildings, the Design Specifications for Accessible and Usable Buildings and Facilities were established on April 10, 2008 take into account the needs of persons with disabilities to use various facilities in buildings. Individuals who may have difficulty navigating the built environment include those with congenital or acquired physical disabilities, visual impairment, or hearing impairment and persons with temporary disabilities due to short-term reasons that cause limited mobility (e.g., pregnant women and patients with fractured bones). Design must consider ease and simplicity of use, must provide easy identification of accessibility features, and provide facilities of appropriate scale for persons with disabilities. (D) Establish a safe and accessible pedestrian environment: The Design Directions for Urban Roads and Accessory Works was promulgated on April 29, 2009, targeting the planning and design principles of public spaces such as roads, sidewalks, and accessible facilities. It contains a special chapter that introduces relevant provisions for accessible facilities; establishes designs for the clear width of the accessible passage, slope, pavement, curb slope, and accessible ramp; and specifies accessibility features to accommodate persons with visual impairment. Its objectives are to enhance the accessibility of urban roads and establish high-quality and unobstructed pedestrian spaces, thereby serving as a reference for county (city) governments and the planning and design personnel of consulting companies.	1. Amend Article 18 of the Special Education Act to clarify that special education and its relevant services and facilities should conform to the principles of universal design. (MOE) 2. Formulate a universal design reference guide for special education that includes communication and information delivery equipment such as electronic braille bulletin boards. (MOE) <u>Long-term objectives (cannot be completed before the second international review)</u> Complete and submit the second phase of the Universal Design Specifications for Railway Stations and Transfer Facilities by the Taiwan Railways Administration to the MOTC by 2022. (MOTC) 1. Invite persons with disabilities, parents, OPDs, teachers, experts and scholars, and administrative staff to jointly discuss the inclusion of universal design definition into the laws or the development of reference guides, manuals, and other related topics. (MOE) 2. According to the schedule of universal design concept addition to the People with Disabilities Rights Protection Act, invite OPDs, experts and scholars, and relevant agencies (groups) to jointly develop (revise) the inclusion of the definitions of universal design into building-related provisions. (MOI)	(DOMA) 2. Develop a reference guide for universal design in special education. (MOE) 3. Continue subsidizing local governments in the promotion of age-friendly cities and age-friendly community projects. (HPA) 4. Continue assisting health care units under local government authority in the promotion of the certification of age-friendly health care institutions and health-promoting hospitals (with its content covering the principles of universal design to comply with the mandate to provide accessible design for persons with disabilities). (HPA) 5. Through education and training programs, continuously promote the application and maintenance of universal design concepts to indoor and outdoor spaces and passages of prosecuting

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B. Accessible medical environment facilities (MOHW) (A) To ensure that persons with disabilities can use accessible medical facilities, the Establishment Standards for Medical Institutions contain the following provisions related to accessible facilities: 1. Hospitals (1) Exclusive ramps for wheeled stretchers or wheelchairs should be installed at the main walkways and stairways. (2) Public facilities such as bathrooms, walkways, and public telephones should contain special designs for persons with disabilities. 2. Clinics with rehabilitation treatment facilities should install accessible facilities: (1) Elevators or ramps should be installed. However, buildings that only use the first floor are exempt. (2) Exclusive ramps for wheeled stretchers or wheelchairs should be installed at main walkways and stairways. (3) Public facilities such as bathrooms, walkways, and public telephones should contain special designs for persons with disabilities. 3. Medical institutions such as physiotherapy institutes and occupational therapy institutions should connect their main entrances to accessible passages. Additionally, lifting equipment, ramps, and accessible bathrooms should be installed for institutions not located on the first floor. (B) Current medical institutions are still at the stage of improving their accessible medical environment. Moreover, the Establishment Standards for Medical Institutions only contain provisions for accessible facilities and do not include the concept of universal design (Department of Medical Affairs; DOMA). (C) According to a monthly report on social welfare statistics in 2016 by the Department of Statistics, MOHW, a large proportion of persons with disabilities in Taiwan are over 65		authorities to ensure equal access to justice. (MOJ) 6. Convene a Universal Design Promotion Committee of the Taiwan Railways Administration to assist in formulating relevant regulations. (MOTC) 7. Apply the latest version of the Design Specifications for Accessible and Usable Buildings and Facilities to any new construction, extension, reconstruction, or repair of offices at the Judicial Yuan and its affiliated agencies. (MOJ)

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years old (39.8%) and are physically disabled (32%). In response to the aging population, the MOHW has been actively promoting health-promoting hospitals, age-accessible cities, and medical institutions that provide holistic physical and mental health services; an accessible environment and services can improve the provision of services to persons with disabilities (HPA). (D) Since 2010, the Taiwanese government has referenced the WHO age-friendly cities guide, which consists of eight aspects, including accessible public space and buildings, in order to subsidize local governments in the promotion of the Age-Friendly Cities project for older adults. The project has been gradually promoted to the community level since 2017. Additionally, the certification of age-friendly medical institutions was established in 2011, and the Health Promoting Hospital Certification and Age-Friendly Health Care Institution Certification 2.0 (Public Health Center Version and Long-Term Care Institution Version) were further introduced in 2017 based on the service features of each institution. Among these certifications, standard 6.1 of the Health Promoting Hospital Certification and standard 3.2 of the Age-Friendly Health Care Institution Certification 2.0 contain universal design principals. (HPA)		
C. Judicial and educational environments (Judicial Yuan, MOE) (A) At the time of their construction, buildings of prosecuting authorities were not designed to be accessible because relevant building regulations did not mandate such design. In recent years, the authorities have been actively promoting the installation of accessible facilities such as ramps, guidance signs, accessible bathrooms and emergency buttons, accessible facilities and tactile walking surface indicators at the entrance of investigation rooms, and braille and voice guidance features in elevators. Additionally, volunteers are also provided to assist persons with disabilities. At citizen service centers, personnel on site can provide assistance, such as guidance and conversation by		

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writing. From the perspective of universal design concepts such as accessibility, operability, and shared use, the indoor and outdoor spaces as well as passages of prosecuting authorities will be further improved and maintained to construct a barrier-free environment that allows every one equal access to justice. (B) To implement the judicial protection of persons with disabilities and facilitate their access to judicial agencies and attend to judicial affairs, the Judicial Yuan and its affiliated agencies have made the following improvements to facilities and hardware: 1. Improve facilities and equipment in accessible spaces by eliminating height differences (e.g., remove the door sill at the office entrance) in existing buildings and installing ramps, accessible bathrooms, and braille and service buttons in elevators. 2. The district courts newly completed in Qiaotou, Hsinchu, and Changhua in recent years are public buildings, and their facilities and equipment have been designed and installed according to the universal design principles in the latest Design Specifications for Accessible and Usable Buildings and Facilities (age- and children-friendly; e.g., reducing counter height and installing a nursery). Moreover, these district courts only obtained their building use permits after they passed the on-site inspections by disability welfare and professional construction associations. 3. On January 4, 2019, the Ministry of the Interior amended the “Design Specifications for Accessible and Usable Buildings and Facilities,” came into effect on July 1, 2019. Any new construction, extension, reconstruction, and repair of offices at the Judicial Yuan and its affiliated agencies shall follow the latest regulations. Additionally, court transcripts have been completely digitalized, and the courts has also adopted technological equipment for trials. Each party’s seat has a computer screen on which statements and litigation files are displayed. The page size of the digital dossier and its built-in functions can be adjusted for reading according to interrogation needs. Persons with hearing impairment can also project their writings onto the screen in the courtroom		

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<p>through an image projector. (Judicial Yuan)</p> <p>(C) Although the concept of universal design is not included in the laws and regulations for education, it is entailed in inclusive education. This includes adjusting the curriculum, hours of study, and number of credits for students with disabilities according to their needs on the basis of the 12-year compulsory education curriculum.</p>		
<p>D. Transportation (MOTC)</p> <p>The installation of accessible facilities on various means of transportation by their corresponding transportation systems is based on the Regulations Governing the Installation of Disabled Facilities on Public Transportation, which has been amended twice according to practical needs. Accessible facilities at transportation terminals follow the regulations of Building Design and Construction under Building Technical Regulations by the MOI and the Design Specifications of Accessible and Usable Buildings and Facilities, and the current status and results are as follows:</p> <p>(A) Shipping port: The Specifications for Accessible Facilities and Equipment on Passenger Ships, announced and came to effect on January 9, 2017, require that new passenger ships install accessible facilities in accordance with the Regulations for Administrating Passenger Ships.</p> <p>(B) Taiwan Railways: Operation Directions Governing Services Provided to Passengers with Disabilities were amended to provide assistive services to passengers in ticket purchasing and boarding, including pushing wheelchairs, helping them to arrive at or leave platforms, and guiding passengers with visual or hearing impairment.</p> <p>(C) Aviation: According to the Safety Factors for Persons with Disabilities Traveling on a Domestic Air Transport Enterprises , apart from the stipulated safety factors, airlines may not require persons with disabilities to accept special restrictions or refuse to provide them transportation services.</p>		

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(D) Barrier-free vehicles: To ensure persons with disabilities who use wheelchairs to have safe barrier-free vehicles, the relevant social welfare groups, associations, and manufacturers are invited to engage in discussion to announce the amended Wheelchair Accessible Vehicle Provision of the Safety Testing Standards for Vehicles and to amend the Regulations Governing Road Traffic Safety under the premise of complying with Chinese National Standard (CNS)13575-2 Wheelchairs—Maximum Overall Dimensions. (E)Wheelchair accessible bus: The Disposal Directions Governing the Review of Applications for Continuing Business of Regional Highway Scheduled Bus Service and the Disposal Directions Governing the Review of Applications for the Continued Operation of Regional Automobile and Bus Routes were amended. When applying for renewed route operation, operators are required to deploy at least one wheelchair accessible bus with a fixed shift to increase the proportion of wheelchair accessible buses on the route. (F)Bus stops: Bus stops are one of the items of road furniture detailed in the Design Directions for Urban Roads and Accessory Works by the MOI. According to Item 4.8 (Road Furniture) of Chapter 4 (Planning and Design Guidelines) in the Urban Road Sidewalk Design Manual by the Construction and Planning Agency (CPA), “all potential users should be given a fair opportunity to use” bus stops. The Directorate General of Highways, MOTC, has already requested that county (city) governments refer to the aforementioned design guidelines when installing bus stops, and the relevant requirements have been included in the subsidy plan.		

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Concluding Observations		Competent Authorities
III. Principle areas of concern and recommendations A. General principles and obligations (arts. 1-4) 14. 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. 15. 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.		14 & 15 MOHW (SFAA) Various agencies
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>Article 3 of the CRPD contains eight general principles that should guide the country in formulating regulations, policies, and practices. The current situation in Taiwan regarding regulatory review, the coordination and supervision mechanism for promoting the CRPD, and the strategies for implementing the principles of the CRPD under the ICF disability identification model are described as follows.</p> <p>A. To comply with the CRPD and the nation’s immediate obligations, Taiwan proposed a priority review list on December 3, 2014, containing a total of 372 items (674 articles) according to its regulations. The list mainly consists of clear derogatory terminology and pejorative language as well as articles that violate the CRPD, as reported by various groups. Because civil organizations have indicated that guardianship, compulsory hospitalization, and compulsory community treatment imposed on persons with disabilities are inconsistent with the tenets of the CRPD, it is necessary to review articles governing multiple aspects and having complicated connotation. In the event that they violate the regulations of the CRPD, the articles will be subject to further review and revision. Additionally, the budget allocated for persons with disabilities has risen annually from NT\$51.1 billion in 2016 to NT\$55.9 billion in 2018, signifying proactive promotion of projects related to persons with disabilities through an increase in the relevant budget. Moreover, the Committee for the Promotion of the Rights of Persons with Disabilities, Executive Yuan, was established on January 1, 2015 to be in charge of the coordination and supervision of CRPD promotion. Its members include scholars and experts, OPDs (institutions), persons with disabilities, and institutional representatives.</p> <p>B. As of July 10, 2018, only 130 items/194 articles (29% of the overall work) had been amended, and the remaining 242 items/480 articles (71% of the work), including those that have been sent to the Executive Yuan and Legislative Yuan, are still under deliberation for amendment. To enable the competent authorities to implement legislative amendments in accordance with the CRPD and the CRPD Implementation Act, the MOHW has deployed the Government Project Management Network to manage the aforementioned laws and regulations, and the competent authorities are required to report their amendment progress on a quarterly basis on the system. Additionally, in accordance with Article 10 of the CRPD, the MOHW has mandated that OPDs should be consulted while amending laws and regulations.</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none"> Continue to monitor the laws, regulations, and administrative measures in the priority review list that have not been amended, abolished, or improved, and regularly update the progress of revisions on the official CRPD website. (SFAA) Commission the formulation of the Human Rights Indicators and Regulatory Impact Analysis Mechanism for Persons with Disabilities in Taiwan in 2017 and 2018, and establish the Human Rights Indicators Framework for Persons with Disabilities in Taiwan (Draft) by the end of 2018. (SFAA) Launched the second inspection of regulatory and administrative measures in December 2018. (SFAA) <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none"> The relevant competent authorities are requested to complete the amendment, abolishment, and improvement of laws, regulations, and administrative measures before December 3, 2019. (SFAA) Convert the eight general principles in Article 3 of the CRPD into clear and actionable evaluation items to serve as the human rights indicators for persons with disabilities in Taiwan, and include the indicators in the Assessment Table of Disability Rights Impact (draft). Current laws and regulations or those in the process of amendment, improvement, or abolishment will be used as examples, and a briefing session will be held to instruct the various agencies how to answer the form. Ensure that each agency will incorporate the principles of the CRPD and equal rights for persons with disabilities into policy development and implementation when formulating and promoting important projects, laws, regulations, and administrative measures. (SFAA) <p><u>Medium-term objectives (to be completed between 2021 and 2022)</u></p> <p>Request every ministry to complete the Assessment Table of Disability Rights Impact (draft). Collect and compile opinions from various ministries (agencies) and OPDs, and subsequently, invite scholars and experts to discuss and revise the disability rights impact assessment mechanism (draft). (SFAA)</p>	<p>Structural indicators: Establish a disability rights impact assessment mechanism according to the third principle of the CRPD. (SFAA)</p> <p>Process indicators:</p> <ol style="list-style-type: none"> Organize a review and briefing session on the regulatory impact analysis of laws concerning persons with disabilities to strengthen the awareness and sensitivity of government officials toward the rights of persons with disabilities. (SFAA) Incorporate the Assessment Table of Disability Rights Impact into current regulations and the gender impact assessment review form. (SFAA) <p>Outcome indicators:</p> <ol style="list-style-type: none"> To complete 85% of the laws, regulations, and administrative measures in the priority review list. (SFAA) To complete disability rights impact assessment before formulating or amending laws and regulations. (SFAA)

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The amended laws and regulations must be approved by the Committee for the Promotion of the Rights of Persons with Disabilities, Executive Yuan, to ensure that their amendments comply with the tenets of the CRPD. During the amendment and abolishment of the relevant laws and regulations, to ensure that the eight general principles and established in Article 3 of the CRPD and the perspective of equal rights to persons with disabilities are integrated into the policy development and implementation process, the MOHW proposed to develop a mechanism to assess the impact on the rights of persons with disabilities with reference to its experience in promoting the Bill and Gender Influence Assessment/Review Form. However, the aforementioned mechanism is a government supervision mechanism devised after the formulation of relevant regulations and intended to ensure that law amendments and abolishments comply with the CRPD spirit. In the future, a systematic approach for investigating the factors hindering the implementation or improvement of the rights of persons with disabilities should be established to serve as an essential foundation for act and policy amendments or reforms. C. According to the CRPD, disability is an evolving concept that does not even include the concept of classification. In Taiwan, the ICF identification model was adopted as the basis for defining the population with disabilities from an administrative perspective. The IRC has recommended the establishment of Human Rights Indicators to ensure that laws and regulations can effectively reflect the tenets of the CRPD and protect the common rights of persons with disabilities, including those who have not obtained a disability certification. A review of Taiwan’s current laws and regulations reveals that the Special Education Act, the Labor Standards Act, the Occupational Safety and Health Act, and the Act for Protecting Worker of Occupational Accidents are meant to safeguard the interests of individuals who do not have a disability manual or certificate but still require disability services. Assistance and services are provided according to the obstacles they face in schooling and employment and are not limited to those who have a disability certification.	<u>Long-term objectives (cannot be completed before the second international review)</u> In coordination with the planning direction of the Executive Yuan, a comprehensive method will be adopted to incorporate human rights concepts such as those in the CRC, CRPD, and CEDAW into current regulations and gender impact assessment checklists or incorporate the Assessment Table of Disability Rights Impact into the aforementioned checklist, which is to be completed by each ministry when formulating or amending laws and regulations. (SFAA)	

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Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators

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<p>Committees for promoting the rights and interests of persons with disabilities have been established in government agencies of all levels. They serve as the crucial mechanism through which persons with disabilities and their representative organizations can participate in the discussion and promotion of public policy and rights issues. The basis for establishing the aforementioned committees and the assistive measures provided for guaranteeing effective participation of persons with disabilities in meetings are described below.</p> <p>A. Pursuant to Article 10 of the People with Disabilities Rights Protection Rights, committees for promoting the rights and interests of persons with disabilities have been established in a central government entity (MOHW) and 22 local governments. The committee members consist of government agency representatives, experts and scholars on the welfare of persons with disabilities, and persons with disabilities and their organizational representatives. Functions of the committees include rights and welfare promotion through planning and consulting, mediation of disputes regarding infringement of the rights and interests of persons with disabilities, and safeguarding welfare. Additionally, each gender should make up at least one-third of the total number of committee members to ensure the participation of OPDs representatives and women in the decision-making process of legislation and public policy planning.</p> <p>B. The Establishment Directions for the Committees for Promoting the Rights and Interests of Persons with Disabilities only specify the gender ratio of the members without specifying the participation of persons with disabilities by their disability category or organizations of minorities with disabilities (e.g., indigenous peoples). Additionally, the Directions do not set a limitation that only representatives from organizations meeting the definition of OPDs in general comment No. 7 of the CRPD can serve as committee members.</p> <p>C. To promote the effective participation of relevant groups in public affairs, in 2018, a study was conducted to collect information regarding mechanisms for encouraging civic engagement by persons with disabilities in other countries, and focus group interviews were conducted to compile the opinions of persons with various categories of disabilities and women with disabilities. The information was then used to develop a mechanism for the appointment of representatives of persons with disabilities, which was subsequently implemented and evaluated in terms of its efficiency.</p> <p>D. Strengthening the use of multiple open channels such as the Internet to ensure information transparency enables persons with disabilities to obtain relevant information. Additionally, nongovernmental organizations are subsidized to organize training courses to enhance the</p>	<p><u>Short-term objectives (to be completed before 2021)</u> Complete the research project entitled “Exploring the Model of Civic Engagement for People with Disabilities” by June 2019, wherein preliminary suggestions to expand the mechanism for facilitating persons with disabilities engaging in public affairs shall be proposed. Before December 2019, invite local governments to discuss feasible approaches for applying the aforementioned suggestion to the committees for promoting the rights and interests of persons with disabilities (including assistive mechanisms). (SFAA)</p> <p><u>Medium-term objectives (to be completed between 2021 and 2022)</u> The committees for promoting the rights and interests of persons with disabilities in the Executive Yuan and MOHW will refer to the aforementioned civic participation mechanism in the appointment of committee members. (SFAA)</p>	<p>Structural indicators: Using research results to incorporate relevant engagement mechanism in the Establishment Directions for the Committees for Promoting the Rights and Interests of Persons with Disabilities of various levels of government. (SFAA)</p> <p>Process indicators: Using the results of the research project “Exploring the Model of Civic Engagement for People with Disabilities” to facilitate the participation of persons with disabilities in public decision-making. (SFAA)</p> <p>Outcome indicators: The ratio of engagement mechanism inclusion in the Establishment Directions for the Committees for Promoting the Rights and Interests of Persons with Disabilities of various levels of government. (SFAA)</p>

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Concluding Observations		Competent Authorities
IV. Principle areas of concern and recommendations A. General principles and obligations (arts. 1-4) 18. The IRC is concerned about the inadequate translation of the CRPD into traditional Chinese, including the terms “accessibility” and “reasonable accommodation”. 19. The IRC recommends that the State update the CRPD translation, including the terms “accessibility” and “reasonable accommodation”.		18 & 19 MOHW (SFAA)
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>After the Legislative Yuan passed the CRPD Implementation Act on August 1, 2014, the MOHW held eight discussion sessions concerning the traditional Chinese translation of the CRPD with scholars and experts, nongovernmental organizations, and government agencies between September and October of the same year. The participants had different opinions on the translations of several important terms, chiefly “accessibility” (無障礙) and “reasonable accommodation” (合理調整) mentioned in the concluding observations. The final Chinese translation of the CRPD was based on the following principles.</p> <p>A. Stay faithful to the original text as much as possible and provide a comprehensive explanation in the interpretation of the convention articles in the future if a need for elaboration arises.</p> <p>B. The translation of the same terms should be consistent, and, as necessary, adjustments should only be made to ensure the fluency of the overall Chinese text.</p> <p>C. Chinese translations that have been consistently used in each field can be referenced and applied.</p> <p>The MOHW has already provided further explanation of the meaning of relevant terms in publications on regulatory summaries in 2018. However, the IRC and the public believed that the Chinese translation of the CRPD did not fully express the meaning of the original text and that the tenets of the CRPD cannot be properly implemented if its connotations are misunderstood by the relevant departments.</p>	<p><u>Projects to be conducted in or completed by 2018</u> Solicit and collect opinions regarding revisions from various fields, and hold discussion meetings on laws and regulations amendment before December 2018. (SFAA)</p> <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u> Send an official letter to the Executive Yuan in December 2019 to request it to forward the information to the Legislative Yuan for relevant laws and regulations amendment and announcement. (SFAA)</p>	<p>Structural indicators: Revise the Chinese translation of the CRPD. (SFAA)</p>

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Concluding Observations		Competent Authorities
<p>V. Principle areas of concern and recommendations</p> <p>A. General principles and obligations (arts. 1-4)</p> <p>20. The IRC is concerned at the absence of a plan and/or commitment to transpose CRPD obligations to local governments and administrative entities.</p> <p>21. 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.</p>		<p>20 & 21</p> <p>MOHW (SFAA)</p> <p>MOI</p> <p>MOE</p> <p>National Development Council (hereinafter referred to as NDC)</p> <p>Various agencies</p>
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>The CRPD promotional projects formulated in Taiwan, the performance evaluation mechanisms for each department regarding project implementation, and the key aspects pertaining to the promotion of accessible environment and education are described as follows.</p> <p>A. CRPD promotion project (MOHW)</p> <p>(A) Following the implementation of the CRPD on December 3, 2014, the MOHW formulated a CRPD promotion project that includes regulatory review, national reports, education and training, and multichannel advocacy. Additionally, the MOHW has also requested local governments to collaborate in reviewing the relevant standard operating procedures in accordance with the CRPD regulations, examining whether the corresponding laws and regulations have violated the CRPD, and conducting educational training and publicity activities.</p> <p>(B) To enable local governments and administrative agencies to undertake their CRPD obligations, the concluding observations are incorporated into the promotion project and government officials at all levels are encouraged to organize educational trainings to raise awareness concerning the importance of CRPD concepts such as equality, nondiscrimination, and accessibility. Additionally, local government implementation of the relevant regulations should also be examined through the appraisal indicators for evaluating annual social welfare performance and field and written assessment mechanisms.</p> <p>B. Performance evaluation mechanism for the plans of each ministry (NDC)</p> <p>Each ministry establishes relevant performance evaluation indicators during the formulation stage to serve as the evaluation target for the implementation of the project in order to understand and ensure the implementation of laws and regulations in the projects of each ministry. The ministries are encouraged to incorporate the performance evaluation indicators specified in the relevant CRPD provisions to facilitate subsequent management.</p> <p>C. Accessible environment (MOI)</p> <p>(A) The CPA enacted and announced the Operation Directions for Submitting Alternative Improvement Plans for Accessible Facilities in Existing Public Buildings, Design Directions</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none">1. Request local governments to draft a CRPD promotion project and send it to the MOHW for review before December. Additionally, include local governments’ performance in organizing CRPD educational training and awareness enhancement courses as well as in establishing mechanisms for regular reviews of laws and regulations and for making appeals in the “2019 social welfare performance evaluation indicators. (SFAA)2. Develop first-phase teaching materials for important CRPD concepts to serve as a reference for various agencies and local governments. (SFAA)3. Continue monitoring the progress of amending items in the priority review list. (SFAA)4. Promote the spirit and regulations of the CRPD at relevant occasions such as local education executive meetings or administrative coordination meetings. Additionally, hold related workshops to enable local governments and their relevant agencies to understand the scope of general CRPD obligations. Subsidies are provided for special education funding in municipalities and county (city) governments to assist in the establishment of accessible environments and provide various special support services to comply with the CRPD regulations. (MOE)5. Promote the CRPD obligations that apply to local governments through the national conference for special education section chiefs organized each year to ensure compliance with the CRPD. Additionally, establish relevant enforcement provisions (including appeal and re-appeal systems) to ensure that local governments have the capacity to supervise the promotion of the CRPD in schools and their affiliates and to ensure that students with disabilities are not discriminated against at schools. (MOE)6. Pursuant to the Regulations Governing Subsidies from the Ministry of Education to the Municipalities and County (City) Governments for Personnel and Business Expenses of Promoting Education for Persons with Disabilities and Regulations Governing Subsidies from the K-12 Education Administration of the Ministry of Education for Improving the Accessibility on Campus, governments receiving subsidies are required to submit special education work plans that incorporate the principles of the CRPD to establish accessible environments and provide various special education support services. (MOE)7. The barrier-free campus environment has been included in the regular assessment indicators	<p>Structural indicators:</p> <ol style="list-style-type: none">1. Revise the evaluation mechanism for the “Project of Supervising the Accessibility of the Living Environments in Public Buildings,” the “Evaluation Project of Urban Road Maintenance and Management and Sidewalk Accessibility,” and the “Supervision of Accessibility in Urban Parks and Green Spaces.” (MOI)2. Review and amend the appeal regulations or measures applicable to the failure to execute CRPD-related obligations. (MOE) <p>Process indicators:</p> <ol style="list-style-type: none">1. Local governments are requested to establish and implement the CRPD promotion project, and project implementation results are included in the assessment indicators. (SFAA)2. Develop teaching materials for key CRPD concepts. (SFAA)3. Monitor the progress of amendments of the laws and regulations in the priority review list. (SFAA)

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Concluding Observations		Competent Authorities
V. Principle areas of concern and recommendations A. General principles and obligations (arts. 1-4) 20. The IRC is concerned at the absence of a plan and/or commitment to transpose CRPD obligations to local governments and administrative entities. 21. 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.		20 & 21 MOHW (SFAA) MOI MOE National Development Council (hereinafter referred to as NDC) Various agencies
for Urban Roads and Accessory Works, and Design Standards for Accessible Facilities in Activity Venues Under the Jurisdiction of the Ministry of the Interior on August 7, 1997, April 29, 2009, and October 22, 2015, respectively. In accordance with these regulations, measures such as the Supervision Project for Building Accessible Environment, Urban Road and Sidewalk Environment Accessibility Assessment, and Supervision of Accessible Environment in Urban Park Green Space are implemented for the regular supervision and assessment of the establishment of public accessible facilities in all municipalities, counties, and cities. (B) OPDs are constantly requested to recommend members to establish assessment and supervision committees with experts, scholars, and other relevant organizations to monitor accessible living environments in public buildings, urban road accessible environments, and urban park accessibility for the regular implementation of public accessible environmental supervision projects and relevant publicity operations. Additionally, to encourage and promote the improvement of accessible environments, extra points are given in the supervision project for the addition of hardware- and software-related measures and equipment or services as a means to facilitate buildings in meeting the use requirements and to strengthen the various facilities or services. (C) OPDs, experts, and scholars are invited to form an assessment committee to undertake the Project of Supervising the Accessibility of the Living Environments in Public Buildings under which six municipalities and 13 county (city) governments will be assessed once per year, and Penghu County, Kinmen County, and Lienchiang County will be evaluated once every 2 years. (D) The Evaluation Project of Urban Road Maintenance and Management and Sidewalk Accessibility will be continued to assess local governments annually for their policies and practices. (E) Regarding the Supervision of Accessibility in Urban Parks and Green Spaces, a 2-year National Accessible Environment Supervision Project will be organized and two large-scale seminars will be held each year for relevant promotion and communication activities.	for special education schools and local governments’ operation of special education. (MOE) <u>Short-term objectives (to be completed before Jan. 1, 2021)</u> 1. Amend and implement the CRPD promotion plan by December 2019. (SFAA) 2. Develop the second-phase teaching materials for important CRPD concepts before December 2019 to serve as the reference for local governments and agencies at all levels. (SFAA) 3. Continue monitoring the amendment progress of the priority review list for CRPD and complete the amendment in December 2019. (SFAA) 4. Include the organization of CRPD educational training and awareness enhancement courses as well as the establishment of regular regulatory inspections and appeal mechanisms by local governments in the 2021 social welfare performance evaluation indicators. (SFAA) 5. Urge municipalities and county (city) governments to conduct a comprehensive review of the special education appeal regulations to determine whether they cover the appeals for incidents of failure to execute CRPD obligations, whether they establish an operational procedure for appeals and re-appeals, and whether it is in actual operation. If not, instruct corresponding governments to complete the amendments of relevant laws and regulations or measures within 2 years. (MOE) <u>Medium-term objectives (to be completed between 2021 and 2022)</u> 1. Develop third-phase teaching materials for important CRPD concepts. (SFAA) 2. Conduct a rolling review of the implementation of the CRPD promotion project. (SFAA)	4. Continue implementing “the Project of Supervising the Accessibility of the Living Environments in Public Buildings,” “Evaluation Project of Urban Road Maintenance and Management and Sidewalk Accessibility,” “Sidewalk Suitability Evaluation,” and “Supervision of Accessible Environment in Urban Parks Under the Jurisdiction of Counties and Cities in Taiwan.” (MOI) 5. Include the implementation of CRPD obligations in the relevant assessment indicators for supervising or evaluating local governments and their subordinate agencies. (MOE) 6. Continue implementing the Project of Supervising the Accessibility of Living Environments in Public Buildings, Evaluation Project of Urban Road Maintenance and Management and Sidewalk Accessibility, Sidewalk Suitability Evaluation, and Supervision of Accessible Environment in Urban Parks Under the Jurisdiction of Local
D. Education (MOE) Through holding relevant meetings with the chief of the Special Education Section, the MOE		

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<p>V. Principle areas of concern and recommendations</p> <p>A. General principles and obligations (arts. 1-4)</p> <p>20. The IRC is concerned at the absence of a plan and/or commitment to transpose CRPD obligations to local governments and administrative entities.</p> <p>21. 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.</p>		<p>20 & 21</p> <p>MOHW (SFAA)</p> <p>MOI</p> <p>MOE</p> <p>National Development Council (hereinafter referred to as NDC)</p> <p>Various agencies</p>
<p>further advocates local governments’ obligations for CRPD promotion. Moreover, related workshops are organized to enable local governments and other relevant agencies to understand the meaning of the CRPD’s general obligations. The implementation of these obligations is assessed through the evaluation and supervision of local governments and their subordinate agencies, and the results of promoting the CRPD are regularly monitored by the agencies of the MOE. To ensure that local governments and administrative agencies undertake their CRPD obligations, the central government has enacted regulations governing the subsidization of local governments for the promotion of education for persons with mental and physical disabilities. Such subsidies aim to help local governments realize an accessible environment and provide special education-related support services that satisfy CRPD regulations.</p>		<p>Governments in Taiwan. (MOI)</p> <p>Outcome indicators:</p> <p>1. Conduct a rolling review of the implementation of the CRPD promotion project. (SFAA)</p> <p>2. 85% of the laws, regulations, and administrative measures in the priority review list is completed and comply with the CRPD. (SFAA)</p>
<p>E. Prevention of employment discrimination (Ministry of Labor; MOL)</p> <p>The MOL incorporated the CRPD into the national training seminar for the labor affairs administrative staff-turned seed teachers of workplace equal rights, which was held on November 28 and 29, 2018. Additionally, the ministry also sent official letters to local labor administration authorities on November 16, 2018, exhorting them to plan CRPD-related educational training and promotion activities for their respective labor administration personnel and members of the Employment Discrimination Review Committee. This planning is included in the MOL’s evaluation indicators of local labor administration authorities’ performance in the promotion of employment equality.</p>		

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Equality and Non-discrimination (art. 5) 22. The IRC is concerned that: (a) Current disability legislation does not adequately stipulate the State’s positive duties to ensure substantive equality; 23. The IRC recommends that the State: (a) 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;		22 & 23(a) MOHW (SFAA) MOJ MOE MOL MOI Ministry of Examination (hereinafter referred to as MOEX) Judicial Yuan
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>Equality is closely related to nondiscrimination. Article 5 of the CRPD requires the State to recognize that persons with disabilities are entitled to equal protection and equal rights under the law without any discrimination. Despite the absence of separate antidiscrimination legislation, Taiwan has enacted the People with Disabilities Rights Protection Act and other regulations relevant to this group’s education rights, examination rights, and housing rights. The status of antidiscrimination act is described below.</p> <p>A. The People with Disabilities Rights Protection Act (SFAA) (A) Article 16 of the People with Disabilities Rights Protection Act provides that the dignity and legal rights and interests of people with disabilities shall be respected and guaranteed. People with disabilities shall not be discriminated against with respect to rights and interests concerning education, examination participation, employment, residence/housing, migration, and medical care. Paragraph 2 of the same article states that any person who operates public places or facilities/installations shall not prevent people with disabilities from fairly using and enjoying the facilities/installations and equipment or infringe upon their rights because of their disability. Additionally, Paragraph 3 of the same article also provides that when attending to public exams, all public and private organizations (institutes), corporations, schools, and enterprises should provide multiple appropriate means of assistance to test-takers with disabilities. With the two legislative provisions, the equality of rights and interests of persons with disabilities are expected to extend to substantive equality and that the requirements be implemented by both the public and private sectors. Article 19 of the act specifies that the competent authorities of individual levels and the competent authorities in charge of specific businesses shall, based on the results of service needs assessment, provide individualized and diversified services to people with disabilities. Article 39 provides that unreasonable restrictions on the grade of anthropological status requirement to persons with disabilities occurred in the examinations for government employees (civil servants/public officials) should be removed. Paragraph 1 of Article 40 specifies that departments (agencies and organizations) that employ people with disabilities shall abide by the principle of “same</p>	<p><u>Projects conducted or completed by 2018</u></p> <ol style="list-style-type: none">1. Being commissioned to conduct a study entitled “Whether Taiwan Should Enact a Comprehensive Antidiscrimination Act and Relevant Legislative Suggestions” in May 2018. (MOJ)2. Conduct a review project to determine whether the central laws and regulations contain discriminatory provisions and the implementation status of existing antidiscrimination regulations: According to the official letter yuan-renquan-zi No. 10714500520, the MOJ requested that relevant agencies reply before May 31, 2018 to facilitate result collection and the creation and submission of a detailed review list. (MOJ)3. To improve the autonomy of persons with disabilities in litigation and to avoid secondary harm in criminal proceedings and protect the litigation rights of persons with disabilities, a draft amendment to the Code of Criminal Procedure was completed (regarding Litigation Participation and Protection Provisions for Crime Victims) and submitted to the Executive Yuan on March 20, 2018. This included the appointment of a defense attorney by the presiding judge to serve as the legal representative for litigation participants who are unable to make a complete statement due to psychiatric disorder or other mental deficiencies and have not retained a defense attorney. (Judicial Yuan)4. On May 31, 2018, the 169th meeting of the Judicial Yuan passed the addition of Article 211-1 in the draft amendment for the Taiwan Code of Civil Procedure, stating that if technological equipment that enables audio and video transmission with the court is present at the location of the involved party, a motion may be filed with the court to conduct long-distance interrogation to accommodate the involved party and ensure the efficiency of the trial. The draft was submitted to the Legislative Yuan for further review on July 16, 2018. If the draft act is approved, persons with disabilities who are unable to attend a court session may follow the aforementioned provisions. (Judicial Yuan)5. Draft amendment for the Juvenile Delinquency Act: Collaborated with the Executive Yuan to send the draft to the Legislative Yuan for deliberation on October 24, 2018 and requested the Legislative Yuan to complete the legislative procedure as soon as possible. (Judicial Yuan)	<p>Structural indicators:</p> <ol style="list-style-type: none">1. Discuss the amendment of the Precautionary Matters on Handling Civil Procedure and urge the courts to give special consideration to persons with disabilities during their trial period to provide them with more time to prepare their response. (Judicial Yuan)2. The Precautionary Matters on Handling Administrative Litigation Cases are subject to timely deliberation and amendment in coordination with the schedule of administrative litigation amendment to meet the requirements of the convention concerning reasonable accommodation being a positive obligation. (Judicial Yuan)3. Article 211-1 has been added to the draft amendment of the Taiwan Code of Civil Procedure and the draft was submitted to the Legislative Yuan on July 17, 2018 for deliberation. After the draft is approved, if

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<p>pay for same work” and treat them without any discrimination. Article 82 mandates that if the provision of arranged housing for persons with disabilities in a community faces opposition from the residents in the area, the competent municipal and county (city) governments shall provide assistance to expel the opposition. Additionally, Articles 53 and 54 of the Housing Act state that housing is a fundamental human right and no one may reject or interfere with renovations made to make a residence or public space accessible that are paid for by residence users. Article 5 of the Employment Service Act and Article 4 of the Educational Fundamental Act guarantee the equality of employment opportunities and access to education, respectively, for nationals of Taiwan. This indicates that Taiwan’s legislation on the rights and interests of persons with disabilities has encompassed numerous aspects; however, the implementation of these acts has been inadequate in the past. To prevent persons with disabilities from facing disadvantageous situations or treatments, government agencies of all levels are requested to constantly abide by the nondiscriminatory tenets of the CRPD.</p> <p>(B) Currently, the MOJ is commissioning a project to determine whether the Republic of China should introduce a comprehensive antidiscrimination act and relevant legislative suggestions. If the research results recommend the amendment of existing laws and regulations to enhance individual equality and achieve the objective of antidiscrimination, then the People with Disabilities Rights Protection Act should be amended to ensure the substantive equality of persons with disabilities.</p> <p>B. Education rights (MOE)</p> <p>(A) To ensure the substantive equality of persons with disabilities in education, the following major regulations have been enacted in the Special Education Act:</p> <ol style="list-style-type: none">Article 1 states that persons with disabilities have the right to receive an appropriate education.Article 22 stipulates that all schools and test centers must not reject student admission on the grounds of disability and must offer appropriate test services.Article 18 specifies that the provision of special education and related services and facilities should be based on appropriateness, individualization, localization, accessibility, and inclusion.Article 19 states that the curriculum, materials, methods, and assessment in special education should be flexible to the extent that they meet the needs and suit the characteristics of individual students.Article 21 provides that a complaint can be made to the authorities concerning controversy over a student’s diagnosis, placement, and counseling services, and that the authorities concerned should offer complaint services. <p>(B) The MOE has issued a clear reminder that school admission guidelines must not make</p>	<ol style="list-style-type: none">To review laws and regulations in which the MOHW serve as the competent authority to determine whether they contain discriminatory regulations as well as to monitor the implementation of existing antidiscrimination regulations in coordination with the schedule formulated by the MOJ. (SFAA)In line with the development trend of international human rights, review the relevant provisions concerning restrictions on the eligibility to attend public service personnel examinations from the direction of “duty necessity and minimum restrictions” at the agencies of employment. Because the rights of nationals to participate in public examinations and serve in public posts are protected by the Constitution, provisions regarding failing the physical examination should be reviewed and amended. On February 13, 2018, the Examination Yuan amended and issued the Civil Service Special Examination Regulations for Judges and Prosecutors in which the regulation on “severe physical disabilities” as a ground for failure of the physical examination is removed, enabling persons with severe physical disabilities to have the opportunity to become judicial officers. (MOEX)Article 12 of the Compulsory Education Act was amended in 2018. In addition to revising the derogatory terminology and pejorative language, provisions such as delayed enrollment for students with disabilities and exemption from compulsory education for persons with severe mental disabilities were removed, enabling students with disabilities to share the same status as other nationals in terms of their rights and obligations to receive an education. (MOE)Appropriate courses, teaching materials, teaching methods, and assessment methods should be designed for special education implemented in schools below the senior high school level, and individualized education programs (IEPs) or individualized counselling programs for special students should be integrated. Additionally, the special education courses implemented in schools below the senior high school level should be subject to flexible adjustment of courses and hours of study according to individual needs of students. The courses should be reviewed and approved by the school’s special education promotion committee. Adjustments to the aforementioned courses include those related to the learning content, course of learning, learning environment, and assessment methods. The courses and assessment methods designed for special education students should be specified in the students’ IEPs, and flexible adjustments should be made with respect to the courses and hours of study. The personnel involved in formulating the IEPs should include the school’s administrators and special education–related teachers as well as students’ parents. Relevant professionals and students themselves should be invited to participate if necessary, and parents may also invite related personnel to accompany them to achieve the objective of inclusive education. Additionally, reviews are to be conducted at least once per semester to subject students’ individualized education program to rolling correction to comply with the goal of adaptive education. (MOE)Continue promoting the Implementation Plan for Improving Inclusive Education in Senior High Schools. This involves promoting the understanding of school administrators, teachers,	<p>technological equipment that enables audio and video transmission with the court is present at the location of the involved party, a motion may be filed with the court to allow long-distance interrogation, thus accounting for the inconvenience of the involved party and the efficiency of the trial. (Judicial Yuan)</p> <ol style="list-style-type: none">A draft amendment to the Code of Criminal Procedure has been completed (regarding litigation participation and protection provisions for crime victims). (Judicial Yuan)Promote the completion of the legislative procedure of the draft amendment for the Juvenile Delinquency Act. (Judicial Yuan)Amend Article 12 of the Compulsory Education Act, revising its derogatory terminology and pejorative language while removing the provisions that delay or exempt the compulsory enrollment of students with disabilities. (MOE) <p>Process indicators:</p> <ol style="list-style-type: none">Complete the review list for existing central regulations regarding the presence of discriminatory provisions and the implementation of antidiscrimination regulations. (MOJ)

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<p>disability a ground for rejecting an admissions test. However, several NGOs have still noted that the admission guidelines of some schools still specified the rejection of test applications from students under specific disability categories.</p> <p>C. Examination rights (MOEX)</p> <p>(A) Since 1991, special venues have been established in which candidates with disabilities can take various national examinations. The Protection Guidelines for Disabled Rights in National Examinations were enacted in February 2009, specifying various assistance measures and measures to be provided for candidates with disabilities during national examinations. Additionally, a review committee charged with maintaining the rights and interests of examinees with disabilities was established to review disputes concerning the maintenance of the rights and interests of examinees, and the review results are then submitted to the examination organizer for subsequent execution. Moreover, based on the authorization of the Examination Affairs Act, the Regulations Governing Rights Protection for Persons with Disabilities Attending National Examinations were enacted and announced on December 22, 2017, with the intention to safeguard the examination rights and interests of persons with disabilities and prohibit discrimination. The assistive care measures that can be applied for by examinees with disabilities are as follows:</p> <p>1. Measures not involving examination fairness, such as preparing special test venues or providing flat desks, sloping desks, wheelchairs, chair cushions, liftable computer chairs, desktop video magnifiers, a light with magnifying glass for people with disabilities, table lamps, large font posters, and voice calculators. These assistive care measures can be directly provided to the examinees.</p> <p>2. Measures involving examination fairness: for applications for rights protection measures such as magnified examination cards and computers (including braille computers) to facilitate question answering or extend examination time, the review committee’s consideration is to be based on the diagnostic certificate provided by examinees, the type of exam questions, and the answering approach. Rights protection measures are provided under the premise that they do not affect the fairness of the examination but help examinees overcome difficulties reading and answering the questions.</p> <p>D. Housing rights (MOI)</p> <p>(A) According to the housing rent and loan interest subsidy guidelines in Paragraph 2, Article 71 of the People with Disabilities Rights Protection Act, the CPA has served as the supervising competent authority following the amendment of the act on June 11, 2012, and the required subsidy funds are included in the budgets of the municipalities and county (city) competent authorities. In 2017, housing rent subsidies for a total of 11,972 households of persons with disabilities were approved, and housing loan interest subsidies for 163 households were</p>	<p>students, and the public of students with disabilities through school subsidies that can be used to organize knowledge and skills learning for special education as well as to display promotion videos regarding special education commissioned by the K-12 Education Administration of the MOE. (MOE)</p> <p>11. To subsidize the handling of cases regarding the improvement of accessible facilities in existing housing by municipal and county (city) governments, the MOI issued the 2018 Preliminary Plan for Improving Accessible Facilities in Existing Dwellings to encourage people to file relevant applications to construct accessible facilities in their houses and establish demonstration cases. Before the end of March 2018, 11 subsidized local governments had announced applications they had accepted, and the improvements were expected to be completed by the end of 2018. (MOI)</p> <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <p>1. The commissioned research project entitled “Whether the Republic of China Should Introduce a Comprehensive Antidiscrimination Act and Relevant Legislative Suggestions” should be completed in May 2019, after which the relevant policy directions will be discussed according to the results and social consensus. (MOJ)</p> <p>2. To establish a disabled-person-friendly judicial environment and guarantee that persons with disabilities enjoy equal litigation rights while making adjustments in consideration of individual differences, the amendment of the Precautionary Matters on Handling Civil Procedure was discussed. The courts are urged to provide special consideration to persons with disabilities during their trial period and give them more time to prepare for a case. (Judicial Yuan)</p> <p>3. To comply with the statement that “litigation-related laws should contain provisions for reasonable accommodation” in the CRPD, the Precautionary Matters on Handling Administrative Litigation Cases will be amended in coordination with the schedule of administrative litigation amendment to meet the requirements of the convention on reasonable accommodation as a positive obligation. (Judicial Yuan)</p> <p>4. All schools are requested to review their admission and examination guidelines, and any discriminatory provisions or regulations that refuse the admission of candidates with specific disability categories shall be removed immediately. (MOE)</p> <p>5. Continue promoting the Integrated Housing-Subsidization Program, applications for which are accepted between July and August each year, and complete the relevant reviews by the end of December. The municipal and county (city) governments shall allocate the rent subsidies on a monthly basis beginning in the following January. (MOI)</p> <p>6. Pursuant to Paragraph 2, Article 71 of the People with Disabilities Rights Protection Act, Subsidy Regulations for House Rent and House-Purchasing Loan Interest for Persons with Disabilities shall be formulated to enable the implementation of said subsidies. (MOI)</p>	<p>2. Review the results of the admission examination for persons with disabilities to provide a basis for adjusting it to reflect a substantive and equal education policy. (MOE)</p> <p>3. Continue implementing the Integrated Housing Subsidization Program to provide rent subsidies. Additionally, assist municipal and county (city) governments in handling rent subsidies for persons with disabilities. (MOI)</p> <p>4. Promote the Preliminary Plan for Improving Accessible Facilities in Existing Dwellings, which publicly subsidizes the improvement of accessible facilities in houses and thereby establishes demonstration cases. (MOI)</p> <p>Outcome indicators:</p> <p>Complete the report on whether the Republic of China should introduce a comprehensive antidiscrimination act and relevant legislative suggestions. (MOJ)</p>

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<p>approved.</p> <p>(B) Article 1 of the Housing Act provides that protecting citizens’ right to housing is one of the legislative purposes of the act. To enable all citizens to live in suitable housing and protect their housing rights, Paragraph 1, Article 54 of the Housing Act specifies that “no one may reject or interfere with the following actions of residence users: 1. Necessary barrier-free renovations of a residence or public space at their own expense; 2. Keeping of a guide dog by persons with disabilities; 3. Legally using spaces, facilities, equipment and services in exclusive parts of their residence and nonexclusive public spaces.” Article 55 also states that “In the event the condition in the preceding article occurs, the residence user may file a complaint with the municipal or county (city) competent authority within 1 year of the event’s occurrence. When handling the complaint mentioned in the preceding paragraph, the municipal or county (city) competent authority shall invite the participation of no less than one-third of representatives of socially or economically disadvantaged persons and social welfare scholars.” Additionally, Article 56 provides that “In the event a violator of Article 54 who is handled in accordance with Article 55 is ordered by the competent authority to improve the condition within a specific time period but fails to make said improvement, a penalty between NT\$100,000 and NT\$500,000 shall be imposed for each violation. These regulations aim to improve the convenience of living for disadvantaged people and older adults through stipulating accessibility-oriented renovations of public spaces.</p> <p>(C) To assist municipal and county (city) governments in handling cases regarding the improvement of accessible facilities in existing housing, the MOI issued the 2018 Preliminary Plan for Improving Accessible Facilities in Existing Housings on August 25, 2017. The plan has subsidized eight cases of accessible facilities improvement and lift installation (subsidizing 45% of the expense, up to NT\$1.16 million) in the public space of existing housing under five floors for 11 municipal and county (city) governments (including New Taipei City, Taichung City, Tainan City, Kaohsiung City, Hsinchu County, Chiayi City, Kinmen County, Nantou County, Chiayi County, Pingtung County, and Hualien County). Additionally, it has also subsidized 19 cases of accessible facility improvement in the public space of existing housing buildings with lifts (subsidizing 45% of the expense, up to NT\$260,000).</p> <p>(D) The MOI enacted the Operation Directions for Submitting Alternative Improvement Plans for Accessible Facilities in Existing Public Buildings on August 7, 1997, which required multiple dwelling units with fewer than five floors and more than 50 households to improve facilities such as outdoor passages, emergency shelter ramps and handrails, and emergency shelter entrances and exits. The same improvements were also required for multiple dwelling units with more than six floors.</p> <p>F. Judicial Rights (Judicial Yuan)</p>	<p><u>Medium-term objectives (to be completed between 2021 and 2022)</u></p> <ol style="list-style-type: none">1. Commission research to review the results of the admission examination of students with disabilities to clarify whether a specific measure leads to beneficial results or inadvertently results in discriminatory effects to determine whether any changes to its implementation are required. (MOE)2. Article 9 of the Enforcement Rules of the Special Education Act is amended to include special education students in the individuals participating in the development of the individualized education plan, thereby achieving substantive equality through self-advocacy. (MOE)3. Revise the Curriculum Adjustment Handbook for Students with Disabilities following the official implementation of the 2019 Curriculum Guidelines of 12-Year Basic Education. Appropriate courses are compiled for students with disabilities who have impaired learning functions, and the curriculum adjustment principles are detailed for the reference of onsite educators to assist them to design appropriate course content, course of learning, and assessment methods for students under different disability categories as well as to arrange a suitable education environment. All adjustments must be discussed before being finalized and recorded in the students’ IEPs. Major adjustments shall be implemented after undergoing discussion in the Special Education Promotion Committee. (MOE) <p><u>Long-term objectives (cannot be completed before the second international review)</u></p> <p>Based on research, if the admission examination system for students with disabilities requires changes or law amendments, then persons with disabilities, NGOs, experts, and scholars will be invited to jointly discuss the revisions. (MOE)</p>	

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<p>(A) The civil justice system has adopted specific measures and protections for persons with disabilities, and have incorporated mechanisms of reasonable accommodation. For example, Paragraphs 1 and 2, Article 51 of the Taiwan Code of Civil Procedure provide that any person who intends to conduct litigation against another person but is without the capacity to litigate or wishes to initiate an action but is without the capacity to litigate may appoint a special representative. Subparagraph 3, Paragraph 4, Article 5 of the Legal Aid Act specifies that a defendant who is unable to make full statements due to damage or impairment of the structures of the nervous system or because of impaired psychological or mental functions and did not retain a legal representative during a trial in which retaining a legal representative was deemed necessary by the presiding judge belongs to the category of “people who are unable to receive proper legal protections for other reasons” under the Legal Aid Act. Accordingly, a legal representative is to be appointed by the Legal Aid Foundation to conduct civil litigation on behalf of the defendant to protect the defendant’s rights and interests. Additionally, Article 76, Paragraph 2 of Article 207, and Article 314 of the Taiwan Code of Civil Procedure, all of which apply <i>mutatis mutandis</i> to Article 31 of the Non-Litigation Law, also advocate the appointment of assistants who can conduct all litigation activities to be performed by the defendant on the date of argument. Where a witness is under the age of 16 or is mentally disabled and unable to understand the meaning and effect of a written oath, he/she shall not be ordered to sign a written oath. The court shall adopt judicial protection measures such as appointing an interpreter where a person who participates in an argument does not understand Chinese or has hearing or speech impairments.</p> <p>(B) To protect the rights and interests of persons with psychiatric disabilities or other mental deficiencies, the Code of Criminal Procedure has the following provisions: 1. Paragraph 3 of Article 27 states that if an accused or suspect is unable to make a complete statement due to psychiatric disorder or other mental deficiencies, a statutory agent, spouse, lineal blood relative, collateral blood relative within the third degree of kinship, head of household, or family member shall be notified to retain a defense attorney for the accused or suspect. 2. Subparagraph 3, Paragraph 1 of Article 31 specifies that if an accused is unable to make a complete statement due to psychiatric disorder or other mental deficiencies, the presiding judge shall appoint a public defender or attorney for the defendant. Paragraph 5 of the same article also stipulates that if an accused or suspect is unable to make a complete statement due to psychiatric disorder or other mental deficiencies and has not retained a defense attorney during an investigation, the prosecutor, judicial police officer, or judicial police should notify a legally established legal aid agency to assign an attorney to represent the defense of the accused or suspect. 3. Paragraph 3 of Article 35 specifies that if an accused or suspect is unable to make a complete statement due to psychiatric disorder or other mental deficiencies, he/she shall be accompanied by an assistant, an authorized agent, or a social</p>		

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<p>worker appointed by a governmental agency or a relevant social welfare organization or accompanied by another professional. 4. Article 99 states that if an accused has a hearing or speech impairment or is not conversant with the language, an interpreter may be used; such an accused may also be examined in writing or ordered to make a statement in writing. 5. Subparagraph 2, Paragraph 1 of Article 186 states that a witness will not be ordered to make an affidavit if he is unable, because of psychiatric disorder, to understand the meaning and effect of an affidavit.</p> <p>(C) The Administrative Litigation Act provides appropriate procedural treatment measures for persons with disabilities and serves the function of providing judicial protection, which is described as follows:</p> <p>1. Respect for differences in different systems: Articles 55 (permits the attendance of assistants), 64 (service upon a person without the capacity to litigate), 101 (litigation <i>in forma pauperis</i>), and 150 (a witness with psychiatric disorder will not be ordered to make an affidavit) are designed for different litigation systems based on a respect for differences.</p> <p>2. Appropriate procedural treatment measures: (1) Article 55 states that if a person with disabilities is unable to make a statement in court, an assistant can be appointed to make the statement on his behalf by filing a petition that requests the appointment of an assistant with the court. (2) Article 64 stipulates that for persons with disabilities without the capacity to litigate, service of litigation documents should be directed to their statutory agents; this respects the differences of witnesses and provides accommodation in different litigation systems. (3) According to Article 101, the court should approve a motion for litigation <i>in forma pauperis</i> if a person with disabilities meets the relevant requirements. (4) Article 150 stipulates that a person with disabilities shall not be ordered to make an affidavit if he/she does not understand its meaning and effects.</p> <p>(D) The Juvenile and Family Court Organization Act does not violate Article 2 of the CRPD (i.e., discrimination due to the denial of providing reasonable accommodation to persons with disabilities). Additionally, family matter proceedings consist of numerous procedural safeguards for persons with disabilities. For example, when attending matters and making statements, a persons with disabilities shall be accompanied by a social worker, a guardian ad litem, or a translator or an interpreter; interrogations or statements may be conducted in writing; and those who do not understand the meaning of an affidavit shall not be ordered to make one when testifying under the Taiwan Code of Civil Procedure. These procedures safeguard the access to justice of persons with disabilities.</p> <p>(E) On October 24, 2018, the Judicial Yuan and Executive Yuan issued an official request to the Legislative Yuan to review the amendment of articles in the Juvenile Delinquency Act. These amendments included providing children with juvenile mental health or other professional assistance, translation service, and interpretation service for juveniles who are unable to make a complete statement due to psychiatric or other mental disorders.</p>		

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<p>Additionally, articles were added to strengthen the protection of procedural rights such as the right to having statutory agents present at court, an expansion of matters related to the right to notification, and being kept in isolation from suspects or defendants of general criminal cases.</p> <p>(F) The 2017 Presidential Office National Conference on Judicial Reform passed a resolution on “ensuring that the judicial vulnerable groups fully understand the matters related to the right to notification and reviewing the competency to stand trial of said individuals” and “discussing the use of interpreters or audio transcription for persons with a hearing or speech impairment, or who do not understand a specific language to improve the quality of interpretation.” The Committee on Criminal Procedure Rules of the Judicial Yuan included the aforementioned resolutions in its agenda and will conduct deliberation in due course to safeguard the rights and interests of the judicial vulnerable groups.</p> <p>G. Formulating the antidiscrimination act (MOJ)</p> <p>(A) Relevant suggestions</p> <p>1. In the first CEDAW national report, foreign experts suggested in the Discussion section that “Even though all countries address discrimination against sex, gender, religion, and ethnicity in their Constitutions, not all 185 CEDAW states party have laws combating discrimination. Nevertheless, many countries have laws, be it one overall law or separate laws, eradicating discrimination.” Additionally, the second item of the sixth point in the Conclusion and Recommendations of the Review Committee in the Review of Taiwan’s Second Report on the Implementation of CEDAW states that “The Review Committee reiterates the recommendation of the International Group of Independent Experts on ICCPR and ICESCR issued in Taipei on 1 March 2013, that the government enact comprehensive legislation covering all fields of gender equality...”</p> <p>2. In Item 27 of the Concluding Observations and Recommendations Adopted by the International Group of Independent Experts in the Review of Initial Reports of the Government of Taiwan on the Implementation of the International Human Rights Covenants, the experts recommended “the enactment of comprehensive legislation covering all fields of gender equality, with a view to implementing gender mainstreaming and gender budgeting;...” Additionally, Items 19 and 20 in the Concluding Observations and Recommendations Adopted by the International Review Committee in the Review of the Second Report of the Government of Taiwan on the Implementation of the International Human Rights Covenants state that “...while anti-discrimination clauses are scattered in several acts, there is no comprehensive anti-discrimination legislation covering</p>		

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<p>all grounds of discrimination in all contexts.” Thus, the committee recommended that the Government consider enacting a comprehensive anti-discrimination act. “This act should cover all grounds of direct and indirect discrimination, and positive obligations that are binding on both the public and private sectors and placing an obligation on the government to ensure de-jure and de-facto equality.”</p> <p>(B) Problem analysis</p> <p>1. During the 16th conference of the fourth session of the Seventh Legislative Yuan, 22 legislators, including Li-wen Cheng and Chiung-ying Yang, drafted an Act of Equality, the content of which complies with the concepts of antidiscrimination. The MOI produced a Draft of Ethnic Equality Act in 2009 and held two public hearings on October 7 and December 1, 2009 to solicit opinions from various sectors and use them as a legislative reference. However, the society did not reach a consensus regarding whether to enact special regulations governing this issue as well as what contents should be regulated in that draft. The MOJ requested government agencies to convey their opinions on whether or not to enact special regulations on equality (or antidiscrimination) in Taiwan in 2010. According to the survey results, 20 agencies had no opinion, 13 agencies opposed the enactment or believed the enactment of the regulation should be suspended, and 13 agencies supported the formulation of the special regulations; thus, no consensus was reached.</p> <p>2. Taiwan has numerous laws and regulations that guarantee equality, such as the Labor Standards Act, the Employment Service Act, the Act of Gender Equality in Employment, the People with Disabilities Rights Protection Act, the Communicable Disease Control Act, the Immigration Act, the Senior Citizens Welfare Act, the Indigenous Peoples Employment Rights Protection Act, and the Gender Equity Education Act. The aforementioned acts provide protection against discrimination on the basis of age, gender, gender traits, gender identity, sexual orientation, disabilities, nationality, ethnicity, color, place of birth, language, religion, or appearance. However, is such a scope of protection sufficient? Do the relevant government agencies implement the regulations according to the aforementioned acts? If the existing laws, regulations, and systems fail to promote equality and prohibit discrimination, how can it be resolved? In other words, if the overall scope of protection of Taiwan’s existing equality protection and antidiscrimination acts is still inadequate, should Taiwan immediately formulate a comprehensive and holistic antidiscrimination act, or should Taiwan amend existing laws and regulations to formulate individual equality protection provisions to extend protection to fields uncovered? If enacting an antidiscrimination act is necessary, what content should it cover? By contrast, if existing laws and regulations are to be amended, or individual equality protection acts</p>		

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<p>are to be formulated, how should they be conducted? These questions have become an urgent issue to be tackled in Taiwan.</p> <p>H. Current situation</p> <p>1. In consideration that the enactment of a comprehensive antidiscrimination act requires time for further review, on November 6, 2017, Ping-Cheng Lo, Minister without Portfolio of the Executive Yuan, held a meeting with representatives of the MOI, MOE, MOJ, MOL, MOHW, Council of Indigenous Peoples (CIP), and Department of Gender Equality to discuss topics such as the necessity of enacting an antidiscrimination act, the time required for consolidating the laws and regulations, and the relevant division of work. Their decisions are as follows: (1) The MOJ would draft a proposal for “A Commissioned Study on Whether Taiwan Should Enact a Comprehensive Antidiscrimination Act,” which was then submitted to the Human Rights Protection and Promotion Council of the Executive Yuan for discussion to solicit the opinions of the committee members and study its feasibility. (2) The MOJ would request the central authorities to review whether their regulations contain any discriminatory provisions, after which the relevant results would serve as a reference for the aforementioned commissioned research project.</p> <p>2. Based on the aforementioned resolutions, the MOJ requested the Human Rights Protection and Promotion Committee of the Executive Yuan to hold the 31st council meeting to discuss the matter, and the following resolutions were made by the chairperson: (1) Regarding the commissioned study on whether Taiwan should enact a comprehensive antidiscrimination act, the MOJ would temporarily serve as the organizing agency, and the relevant funds would be jointly provided by the seven competent authorities or units (Department of Gender Equality, MOI, MOE, MOJ, MOL, MOHW, and CIP) that are currently in charge of antidiscrimination or equality protection laws. (2) The MOJ was requested to coordinate the inspection of antidiscrimination acts and regulations, and the review results can serve as a reference for the commissioned research project.</p>		

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<p>Equality and Non-discrimination (art. 5)</p> <p>22. The IRC is concerned that:</p> <p>(b) 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; and</p> <p>23. The IRC recommends that the State:</p> <p>(b) Define in its national legislation and regulations the principle of reasonable accommodation in all areas in line with article 2 of 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; and.</p>		<p>22 & 23(b)</p> <p>Judicial Yuan</p> <p>MOJ</p> <p>MOHW (DOMA)</p> <p>MOHW (SFAA)</p> <p>MOE</p> <p>MOL</p> <p>MOI</p> <p>Financial Supervisory Commission (hereinafter referred to as FSC)</p> <p>National Communications Commission (hereinafter referred to as NCC)</p> <p>MOEX</p> <p>Co-organizing agencies: various agencies</p>
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>Reasonable accommodation involves a wide range of issues. It is included in the People with Disabilities Rights Protection Act and applies to examinations, education, employment, litigation, financial services, Internet communication, and the environment of medical institutions, each of which is described below.</p> <p>A. People with Disabilities Rights Protection Act (SFAA)</p> <p>(A) The People with Disabilities Rights Protection Act does not clearly define “reasonable accommodation” or expound on the concept that “the denial of reasonable accommodation constitutes discrimination.” However, Article 16 of the act stipulates that all public and private organizations (institutes), corporations, schools, and enterprises should provide multiple appropriate means of assistance to test-takers with disabilities to safeguard their exam opportunities. Articles 27 and 30 specify that schools may not refuse admission to people with disabilities because of their disabilities, because the institution/organization lacks the necessary equipment/facilities for accommodation, because of other reasons and must provide necessary assistance and support such as special teaching materials, educational assistive devices, and assistants, according to the condition/status of people with disabilities and their learning requirements, to guarantee their opportunities to receive an education. Article 33 states that individualized occupational reconstruction services such as occupational guidance</p>	<p><u>Projects conducted or completed by 2018</u></p> <p>1. To improve the autonomy of persons with disabilities in litigation and to avoid secondary harm in criminal proceedings and protect the litigation rights of persons with disabilities, a draft amendment to the Code of Criminal Procedure was completed (regarding litigation participation and protection provisions for crime victims) and submitted to the Executive Yuan on March 20, 2018. This included the appointment of a defense attorney by the presiding judge to serve as the legal representative for litigation participants who are unable to make a complete statement due to a psychiatric disorder or other mental deficiencies and who have not retained a defense attorney. (Judicial Yuan)</p> <p>2. On May 31, 2018, the 169th meeting of the Judicial Yuan passed the addition of Article 211-1 in the draft amendment for the Taiwan Code of Civil Procedure, stating that if technological equipment that enables audio and video transmission with the court is present at the location of an involved party, a motion may be filed with the court to conduct long-distance interrogation as an accommodation of the involved party and to ensure the efficiency of the trial. The draft was submitted to the Legislative Yuan for further review on July 16, 2018. If the draft act is approved, persons with disabilities who are unable to attend a court session may follow the aforementioned provisions. (Judicial Yuan)</p> <p>3. Draft amendment for the Juvenile Delinquency Act: Sent the draft to the Legislative Yuan</p>	<p>Structural indicators:</p> <p>1. Incorporate “reasonable accommodation” and “the denial of reasonable accommodation constitutes discrimination” into the relevant national laws and regulations such as the People with Disabilities Rights Protection Act. (SFAA)</p> <p>2. Amend the Special Education Act or Educational Fundamental Act and establish provisions for “reasonable accommodation” and “the denial of reasonable accommodation constitutes discrimination.” (MOE)</p> <p>3. Discuss the amendment of the Precautionary Matters on</p>

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<p>assessment, occupational training, and occupation redesign should be provided for persons with disabilities to ensure their equal opportunity to participate in the labor market.</p> <p>(B) Although the aforementioned articles have emphasized the individual needs of persons with disabilities, necessary support and assistance, and the spirit of accommodation such as job redesign, there is no clear definition of the right to request “reasonable accommodation” for persons with disabilities or the responsibility of the other party to assume the obligation. Therefore, to ensure that the public and private sectors actively implement all appropriate methods to achieve equality and eliminate discrimination, thereby guaranteeing the rights of persons with disabilities in all aspects such as education, employment, health care, and public transportation, it is necessary to clearly define the concept of reasonable accommodation and its corresponding rights and obligations in the relevant laws and regulations in the future.</p> <p>B. Examination rights (MOEX)</p> <p>(A) Pursuant to Article 33 of the Examination Affairs Act that describes the rights and interests of persons with disabilities in national examinations, the Examination Yuan issued the Regulations Governing Right Protection for Persons with Disabilities Attending National Examinations on December 22, 2017, and these regulations provide for the maintenance and reasonable accommodation of persons with disabilities so they can participate in national exams fairly.</p> <p>(B) To take into account the fair examination opportunities of persons with disabilities and the assessment function of examinations, it is necessary to set an appropriate intensity of review, according to the impact intensity of the provided measures, on the evaluation function and fairness of national examinations. To assess the various types of applications defined in the regulations, a Review Committee for Right Protection of Persons with Disabilities Attending National Examinations has been established to conduct reviews.</p> <p>(C) Compared with the Directions for Establishing Right Protection Measures for Examinees with Disabilities Attending National Examinations, the aforementioned regulations added some measures protecting rights and interests. In addition to providing the necessary examination assistance measures according to the conditions of persons with disabilities, the regulations also permit an application for an extension of examination time for examinees who may have difficulties in reading or writing exam papers due to visual impairment, upper limb disabilities, poor body coordination, disabilities in both upper extremities, or muscle atrophy or for examinees who have major difficulties writing due to physical or functional disabilities. The extended time varies according to the length of the exam subject: exams that are less than 2 hours are limited to an extension of 20 minutes, exams that require more than 2 hours but less than 3 hours are eligible for a 30-minute extension, and exams that are longer than 3 hours can have a maximum of 40-minute extension. The specific extension of the</p>	<p>jointly with the Executive Yuan for deliberation on October 24, 2018 and requested the Legislative Yuan to complete the legislative procedure as soon as possible. (Judicial Yuan)</p> <p>4. Organized a “reasonable accommodation” workshop before the end of December 2018 to assist the relevant competent authorities to study the standards of reasonable accommodation in their respective fields. (SFAA)</p> <p>5. A National Examination Rights Maintenance Review Committee for Persons with Disabilities has been established since January 1, 2018, with its members composed of relevant experts, scholars, representatives from OPDs, and heads of examination organizers. When reviewing the examinees’ applications, the committee considers the maintenance of the fairness and impartiality of the national examination as well as reasonable accommodation and preservation of the applicants’ rights and interests in attending national examinations, and they then decide the specific measures to be provided. (MOEX)</p> <p>6. Invite OPDs to hold discussions and encourage finance-related associations to establish the Principle for Friendly Financial Service, which will continue to require relevant businesses to provide friendly financial services to persons with disabilities. Appropriate measures will be provided according to individual needs, with its scope encompassing accessible measures such as environment, communication, services, products, and information. Additionally, discriminatory behaviors are prohibited, and a Q&A for the Principle and Practice of Friendly Financial Service is established (FSC).</p> <p>7. Item 2.1.2 of the 2018 Hospital Accreditation Standard states that “the medical team should communicate with patients and provide appropriate explanations regarding their conditions, treatment, and therapy. In particular, operation specifications should be clearly defined and consent forms should be signed when performing an invasive examination or treatment.” Use words that patients can understand easily and supplement them with appropriate pictures or written materials, and use conversation by writing, writing boards, communication boards, accompanying personnel, sign language interpretation for persons with hearing impairment, and lip language services to support explanations. (DOMA)</p> <p>8. To implement zero rejection, promote inclusive education, and enable students with disabilities to receive a comprehensive and appropriate high-school education, the Implementation Plan of Improving Inclusive Education in Senior High Schools was amended on June 5, 2018, with an aim to improve the professional competence of providing special education to senior high school teachers, to foster the atmosphere of humanitarianism on campus, to strengthen the operations of the administrative support network, and to realize teachers’ provision of counseling and support service to students with disabilities, thereby complying with policies that promote equal education opportunities and adaptive development. (MOE)</p> <p>(1) Subproject A—Solve the staffing problem at teaching sites: qualified special education teachers, resource class counselors, and special education–related professionals.</p>	<p>Handling Civil Procedure and urge the courts to provide special consideration to the trial period of persons with disabilities in order to give them more time to prepare for the case. (Judicial Yuan)</p> <p>4. To comply with the CRPD’s principle that “litigation-related laws should contain provisions for reasonable accommodation,” the Precautionary Matters on Handling Administrative Litigation will be amended in coordination with the amendment schedule of the Administrative Litigation Act to meet the requirements of the convention on reasonable accommodation as a positive obligation. (Judicial Yuan)</p> <p>5. Article 211-1 in the draft amendment of the Taiwan Code of Civil Procedure specifies that if technological equipment that enables audio and video transmission with the court is present at the location of the involved party, a motion may be filed with the court to conduct long-distance interrogation to accommodate the involved party and ensure the efficiency of the trial. (Judicial Yuan)</p> <p>6. Complete the draft amendment to the Code of Criminal Procedure (regarding litigation participation and protection</p>

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<p>examination time shall be determined by the National Examination Rights Maintenance Review Committee. Additionally, examinees who apply for oral examinations due to physical or functional disabilities are originally required to make audio or video recordings, with the exam invigilator writing the answers on their behalf. After the implementation of the aforementioned regulations, a new measure was introduced whereby a typist is appointed for synchronized computer input, enabling the examinee to simultaneously see the input content on the screen. Thus, these regulations comply with the CRPD requirement to provide a wide range of adaptive examination measures for persons with disabilities.</p> <p>C. Education rights (MOE)</p> <p>(A) Article 4 of the Educational Fundamental Act provides that education for persons with disabilities should be provided with considerations of their autonomy and special characteristics in accordance with relevant laws and regulations to support their development.</p> <p>(B) The relevant laws and regulations in the Special Education Act specify that appropriate accommodations should be provided according to the needs of students with disabilities. The accommodations apply to curriculum, teaching materials, teaching and assessment methods, grade arrangement, education venues, and implementation methods, all of which should be flexible and suitable for the physical and psychological characteristics and needs of students with disabilities. Additionally, students’ years of study can also be adjusted (shortened or extended). The Examination Service Regulations for Students with Disabilities state that reasonable accommodation consisting of various examination service measures should be provided, such as considering the characteristics of the subjects for which the examinees are being tested, the advantageous learning channels of the examinees, and their individual needs; and providing necessary services such as appropriate exam site services, assistive services, exam question (paper) accommodation services, and answering method accommodation services.</p> <p>D. Labor rights (MOL)</p> <p>According to Article 33 of the People with Disabilities Rights Protection Act, the competent authorities of individual levels in charge of labor should consider the employment willingness of persons with disabilities and evaluate their capacities and needs before consolidating relevant resources to provide individualized occupational reconstruction programs for persons with disabilities. To promote fair employment opportunities for persons with disabilities in the integrated and open labor market, the MOL has implemented various employment assistance and occupational reconstruction services through public–private partnerships according to Articles 34, 35, 36, and 37 of the People with Disabilities Rights Protection Act. The assistance and services include occupational reconstruction case management, employment counseling and evaluation, occupational training, occupation redesign, and entrepreneurship</p>	<p>(2) Subproject B—Deepen teachers’ professional competence in special education: special education competence workshops for principals and mentors, and reference manuals.</p> <p>(3) Subproject C—In-depth learning programs for adaptive counseling: seed teacher training and professional community development project for special education teachers.</p> <p>(4) Subproject D—Strengthen the incorporation of humanitarianism on campus: special education workshops organized by individual school and promotional videos for special education.</p> <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <p>1. Collect and establish relevant cases of reasonable accommodation in Taiwan. (SFAA)</p> <p>2. Complete and issue the amendment of articles related to reasonable accommodation in the People with Disabilities Rights Protection Act. (SFAA)</p> <p>3. To continue establishing a friendly judicial environment, ensuring that persons with disabilities enjoy equal litigation rights, and providing accommodations in consideration of individual differences, the amendment of the Precautionary Matters on Handling Civil Procedure is proposed, and the courts are urged to give special consideration to the trial period of persons with disabilities to provide them with sufficient time to prepare their response. (Judicial Yuan)</p> <p>4. To comply with the principle that “all laws related to litigation should contain specifications for reasonable accommodation” as stated in the CRPD, the Precautionary Matters on Handling Administrative Litigation Cases will be amended in coordination with the amendment schedule of the Administrative Litigation Act to meet the requirements of the convention on reasonable accommodation as a positive obligation. (Judicial Yuan)</p> <p>5. Adopt a cross-division approach and encourage clinics to establish friendly medical environments through the issuance of friendly clinic certifications by the HPA and the provision of national health insurance–based financial incentives by the National Health Insurance Administration; these measures will safeguard the provision of medical care to persons with disabilities. Additionally, promote relevant education and training courses for medical personnel. (DOMA)</p> <p><u>Medium-term objectives (to be completed between 2021 and 2022)</u></p> <p>1. Supervise the responsible ministries in incorporating the principle of reasonable accommodation into their regulatory amendments. (SFAA)</p> <p>2. Develop an accessible medical environment reference manual that includes a disability resource table to serve as a reference for medical institutions to meet the different clinical needs of persons with disabilities. (DOMA)</p> <p>3. Invite relevant experts, scholars, OPDs, and other NGOs to jointly discuss provisions such as the obligation of providing reasonable accommodation in education for persons with</p>	<p>provisions for crime victims). (Judicial Yuan)</p> <p>7. Promote the completion of the legislative procedure of the draft amendment for the Juvenile Delinquency Act. (Judicial Yuan)</p> <p>8. Comply with the general principles and obligations of the CRPD. (DOMA)</p> <p>9. Establish a practical manual for curriculum accommodation. (MOE)</p> <p>Process indicators:</p> <p>1. Conduct a rolling review of the Principle for Friendly Financial Service and evaluate the implementation of the Regulations Governing Business Solicitation, Policy Underwriting, and Claims Adjusting of Insurance Enterprises in accordance with the principle of “the denial of reasonable accommodation constitutes discrimination.” (FSC)</p> <p>2. Review the Regulations Governing Right Protection for Persons with Disabilities Attending National Examinations in accordance with the principle of “the denial of reasonable accommodation constitutes discrimination.” (MOEX)</p> <p>3. Of the total number of hospitals</p>

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<p>guidance. Occupation redesign is a service measure that guides and assists employers in removing work barriers for persons with disabilities (please refer to Art. 27, Work and Employment, 68 & 69(b)). Additionally, Articles 38, 39, 43, and 103 of the Act also hold employers accountable for appropriate employment of persons with disabilities.</p> <p>E. Litigation rights (Judicial Yuan, MOJ)</p> <p>(A) The civil justice system provides specific measures and protections for persons with disabilities and has incorporated reasonable accommodation mechanisms. For example, Paragraphs 1 and 2 of Article 51 in the Taiwan Code of Civil Procedure specify that a special representative may be appointed for any person who intends to conduct litigation against another person but who is without the capacity to litigate or for a person who needs to initiate an action but is without the capacity to litigate. Subparagraph 3, Paragraph 4, Article 5 of the Legal Aid Act specifies that a defendant who is unable to make full statements due to damage or impairment of the structures of the nervous system or of psychological or mental functions and did not retain an attorney or legal representative during a trial in which retaining a legal representative was deemed necessary by the presiding judge belongs to the category of “people who are unable to receive proper legal protections for other reasons” as described in the act. Therefore, to protect their rights and interests, such individuals may apply for the Legal Aid Foundation to appoint a legal representative to conduct civil litigation on their behalf. Additionally, Article 76, Paragraph 2 of Article 207, and Article 31 of the Non-contentious Matters Law all apply <i>mutatis mutandis</i> to Article 314 of the Taiwan Code of Civil Procedure, also advocating the appointment of assistants who can represent disabled defendants in all litigation matters. Where a witness is under the age of 16 or is mentally disabled and is thus incapable of understanding the meaning and effect of a written oath, he/she shall not be ordered to sign a written oath. The court shall adopt judicial protection measures such as appointing an interpreter where a person who participates in an argument does not understand Chinese, or has hearing or speech impairments.</p> <p>(B) To protect the litigation rights of persons with physical disabilities, psychiatric disorders, or other mental deficiencies, the Code of Criminal Procedure includes the following provisions:</p> <p>1. Paragraph 3, Article 27: If an accused or suspect is unable to make a complete statement due to a psychiatric disorder or other mental deficiencies, a statutory agent, spouse, lineal blood relative, collateral blood relative within the third degree of kinship, head of household, or family member shall be notified to retain a defense attorney for the accused or suspect.</p> <p>2. Subparagraph 3, Paragraph 1 and Paragraph 5 of Article 31: (1) If an accused is unable to make a complete statement due to psychiatric disorder or other mental deficiencies and has not retained a defense attorney, the presiding judge shall appoint a public defender or attorney for the defendant.</p>	<p>disabilities according to their needs, and the principle that the denial of reasonable accommodation constitutes discrimination as stipulated in the Special Education Act and Educational Fundamental Act. (MOE)</p> <p>4. Revise the Curriculum Accommodation Handbook for Students with Disabilities following the official implementation of the 2019 Curriculum Guidelines of 12-Year Basic Education. Appropriate courses are compiled for students with disabilities who have impaired learning functions, and the curriculum accommodation principles are detailed for the reference of onsite educators to design appropriate course content, course of learning, and assessments for students under different disability categories and to arrange suitable education environment. The relevant accommodations should be determined after discussion and included in the students’ individual education programs (IEPs). If major accommodations are involved, they can be implemented after discussion by the Special Education Promotion Committee. (MOE)</p> <p>5. Amend the Prison Act to protect the right of prisoners with disabilities to have accessible facilities in prisons and adopt appropriate measures for reasonable accommodation. (MOJ)</p>	<p>applying for hospital accreditation, 80% of the hospitals can meet the requirement of item 2.1.2 in the Hospital Assessment Standard. (DOMA)</p> <p>Outcome indicators: Complete the amendment of the Prison Act and specify that prisons should guarantee the right to accessibility of prisoners with disabilities and adopt appropriate measures for reasonable accommodation. (MOJ)</p>

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<p>(2) If an accused or suspect, who is unable to make a complete statement due to psychiatric disorder or other mental deficiencies, has not retained a defense attorney during an investigation, the prosecutor, judicial police officer, or judicial police should notify a legally established legal aid agency to assign an attorney for the accused’s or suspect’s defense.</p> <p>3. Paragraph 3, Article 35: If an accused or suspect is unable to make a complete statement due to psychiatric disorder or other mental deficiencies, he/she shall be accompanied by an assistant, authorized agent, or social worker appointed by a governmental agency or a relevant social welfare organization or be accompanied by other professionals.</p> <p>4. Article 99: If an accused has hearing or speech impairments, or is not conversant with the language used in the court, an interpreter may be used; such an accused may also be examined in writing or ordered to make a statement in writing (to implement the ICCPR and ICESCR, legislators have proposed to amend some of the provisions in the Code of Criminal Procedure). The draft amendment of this article provides that if the defendant has hearing or speech impairments, or is unfamiliar with the language used, the court should assign an interpreter to protect the defendant’s litigation rights. The draft amendment was reviewed and approved by the 11th meeting of the sixth session of the Judiciary and Organic Laws and Statutes Committee of the ninth Legislative Yuan on October 31 and November 1, 2018, after which it was submitted for cross-party consultation.</p> <p>5. Subparagraph 2, Paragraph 1, Article 186: A witness shall not be ordered to make an affidavit if he is unable to understand the meaning and effect of an affidavit due to a psychiatric disorder.</p> <p>(C) The Administrative Litigation Act provides appropriate treatment measures for persons with disabilities and ensures judicial protection:</p> <p>1. Design different systems as a means of respecting differences: Articles 55 (permits the attendance of assistants), 64 (service upon a person without the capacity to litigate), 101 (litigation <i>in forma pauperis</i>), and 150 (a witness with psychiatric disorders will not be ordered to make an affidavit) are designed for different litigation systems to respect differences.</p> <p>2. Provide appropriate procedural treatment measures: (1) Article 55 states that if a person with disabilities is unable to make a statement in court, an assistant can be appointed to make the statement on his behalf by filing a petition to the court that requests the appointment of the assistant for specific reasons. (2) Article 64 stipulates that for persons with disabilities without the capacity to litigate, service of litigation documents should be directed to their statutory agents, an act of respecting the differences through designing different litigation systems. (3) According to Article 101, the court should approve a</p>		

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<p>motion for litigation <i>in forma pauperis</i> if a person with disabilities meets the relevant requirements. (4) Article 150 stipulates that a person with disabilities shall not be ordered to make an affidavit if he does not understand its meaning and effects.</p> <p>(D) No violations of Article 2 of the CRPD (regarding the provision that the denial of providing reasonable accommodation to persons with disabilities constitutes discrimination) has been identified after a review of the Juvenile and Family Court Organization Act. Additionally, family matter proceedings consist of numerous procedural safeguards for persons with disabilities. For example, persons with disabilities can attend court and make statements accompanied by social workers, guardians ad litem, and translators and interpreters, or they can make statements in writing. Moreover, to safeguard the access to justice for persons with disabilities, those who do not understand the meaning of an affidavit shall not be ordered to make one when testifying under the Taiwan Code of Civil Procedure.</p> <p>(E) On October 24, 2018, the Judicial Yuan and Executive Yuan issued an official request to the Legislative Yuan to review the amendment of articles in the Juvenile Delinquency Act, in which provisions to protect the right of expression were added. These include providing children and juvenile offenders mental health or other professional assistance, translation, and interpretation if they are unable to make a complete statement due to psychiatric or other mental disorders. Additionally, articles were amended to strengthen the protection of procedural rights such as allowing the presence of statutory agents at court, expanding matters related to the right to notification, and providing isolation of disabled juveniles from suspects or defendants in general criminal cases.</p> <p>(F) The 2017 Presidential Office National Conference on Judicial Reform passed a resolution on “ensuring that the vulnerable groups in judicial proceedings fully understand the matters related to the right to notification and reviewing the competency to stand trial of said individuals” and “discussing the use of interpreters or audio transcription for persons with hearing or speech impairments, or who do not understand a specific language used in the court to improve the quality of interpretation.” The Committee of Criminal Procedure Rule of the Judicial Yuan has included the aforementioned resolutions in its agenda and will conduct deliberation in due course to safeguard the rights and interests of vulnerable groups in judicial proceedings. 2014-2</p> <p>F. Financial services (FSC)</p> <p>(A) Supervise financial industry–related associations in publishing friendly finance service guidelines in accordance with the tenets of the CRPD and the People with Disabilities Rights Protection Act. The guidelines have included the following accessibility measures:</p> <p>1. Environment: accessible facilities and equipment in the business premises of financial institutions shall comply with the Design Specifications of Accessible and Usable Buildings and Facilities and the Operation Directions for Submitting Alternative Improvement Plans for</p>		

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<p>Accessible Facilities in Existing Public Buildings promulgated by the CPA (e.g., installing accessible service counters and service bells and providing guidance services).</p> <p>2. Communication: persons with disabilities should be fully informed of the required information when given financial products or services, assistance should be provided to fill in the relevant application documents, and complete product information should be provided.</p> <p>3. Service: financial institutions should provide appropriate friendly service measures according to the needs of persons with different categories of disabilities.</p> <p>4. Information: web portals of financial institutions should meet the first priority level of the Web Content Accessibility Guidelines and provide accessible content.</p> <p>(B) Further consolidate the friendly finance service measures currently implemented by the relevant industry operators and problems often reflected by OPDs, and publish the Q&A for the Principle and Practice of Friendly Financial Service, which covers the reference practices for handling various financial operations with respect to customers with various disabilities (e.g., visual, hearing, speech, physical, psychiatric, and mental disabilities).</p> <p>G. Webpage communication (NCC)</p> <p>In coordination with the development of webpage development technology and to timely reflect the needs of persons with disabilities, expert and scholar symposiums are organized annually to determine reasonable accommodations and improve relevant regulations concerning website accessibility testing.</p> <p>H. Medical institution environment (DOMA)</p> <p>To ensure the rights and interests of persons with disabilities, relevant regulations for installing accessible facilities have been established in the aforementioned Establishment Standards for Medical Institutions. However, the standards have not met the expectation of OPDs, and cross-division resources are being consolidated to improve the arrangement of medical environments. The relevant action plans are described in 64 & 65(a) and 44 & 45(a).</p>		

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Equality and Non-discrimination (art. 5) 22. The IRC is concerned that: (c) There is no independent mechanism to monitor compliance with disability legislation. 23. The IRC recommends that the State: (c) 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.		22 & 23(c) MOHW (SFAA) Co-organizing agencies: MOJ, Judicial Yuan
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>The relevant monitoring mechanisms, relief measures, and judicial litigation processes in Taiwan, as well as the measures specially designed to provide relief for persons with disabilities, are described below.</p> <p>A. Independent monitoring mechanisms and relief measures (SFAA)</p> <p>(A) The monitoring mechanisms include administrative supervision, appeal mechanisms, independent human rights monitoring agencies outside the administrative system, and judicial protection. Currently, the central ministries and local governments have established public appeal mechanisms, and local governments have also established coordination mechanisms for persons with disabilities whose rights and interests are violated, enabling them to seek protection of their rights and interests if they face discrimination and unequal treatment. However, further analysis is still required regarding the operation of the coordination mechanisms for persons with disabilities whose rights and interests are violated, the number of cases processed, the number of cases established, and the types of cases.</p> <p>(B) Taiwan has no independent institution for human rights supervision and lacks a dedicated human rights agency with substantive power and resources, which leads to difficulties formulating, adjusting, and integrating disability-related legislation and policies. To ensure that all laws and regulations comply with the principles of the CRPD, government officials’ awareness of the CRPD must be strengthened and relevant educational training and promotion activities must be organized. Additionally, principles for amending laws, regulations, and administrative measures have been formulated for the reference of the relevant competent authorities in enacting, revising, or abolishing laws and regulations. However, there is currently no mechanisms to supervise in advance whether the text and connotation of the regulations are in line with the principles of the convention.</p> <p>(C) To protect the litigation rights of all nationals, the Judicial Yuan has enacted the Legal Aid Act that is aimed at “people who are indigent or are unable to receive proper legal protections for other reasons” and entrusts the Legal Aid Foundation to handle relevant matters. To expand services for persons with disabilities who are below certain financial capabilities but do not meet the standard set by the Legal Aid Foundation, the MOHW has deemed it necessary to formulate the Project of Legal Aid for Persons with Disabilities</p>	<p><u>Projects to be conducted in or completed by 2018</u> Commissioned the Legal Aid Foundation to handle legal counseling services for persons with disabilities in September 2018. (SFAA)</p> <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">1. Provide legal aid services (including legal counseling and litigation) for persons with disabilities and calculate the number of litigation cases related to the rights and interests of persons with disabilities, the number of cases resolved through alternative dispute resolution, and the types of the cases, as a reference for supervision. (SFAA)2. Formulate a Disability Rights Impact Assessment Review Form (draft) and use existing, amending, or abolished laws and regulations as examples for completing the form. A briefing session will be held to instruct the various agencies how to complete the form to ensure that each agency will incorporate the principles of the CRPD and equal rights for persons with disabilities into the policy development and implementation process when formulating and promoting important projects, laws, and regulations. (SFAA)3. Regularly collect cases involving the public’s use of the coordination mechanisms that central ministries and local governments have established for persons with disabilities whose rights and interests are violated in order to supervise the execution status in the central ministries and local governments regarding rights and interests protection for persons with disabilities. Additionally, collect and analyze relevant case information to discuss the possibility of producing teaching materials concerning the human rights of persons with disabilities. (SFAA)4. Accomplish these tasks in coordination with the schedule of the Legal Aid Foundation for staffing and the establishment of prestige software and other operations. The foundation is expecting to adopt the following staged approach: (Judicial Yuan)<ol style="list-style-type: none">a. Stage 1: Legal counseling services for persons with disabilities were commenced on October 15, 2018, with CRPD education and training being planned for the foundation staff, review committees, and legal aid lawyers during the preliminary stage.b. Stage 2: Legal aid applications for persons with disabilities are expected to be available in the first half of 2019. The need for and content of legal consultation will be organized in coordination with the planned development and establishment of the prestige software	<p>Structural indicators: Establish a disability rights impact assessment mechanism. (SFAA)</p> <p>Process indicators:</p> <ol style="list-style-type: none">1. Provide legal aid services (including legal consultation and litigation service) to persons with disabilities and analyze the number and types of cases. (SFAA)2. Incorporate the Assessment of Disability Rights Impact into existing laws and the Assessment Table of Gender Impact. (SFAA)3. Collect cases of violated rights and interests of persons with disabilities and develop teaching materials concerning the human rights of persons with disabilities. (SFAA)4. After the commencement of the Project of Legal Aid for Persons with Disabilities Managed by the Legal Aid Foundation, continue monitoring the legal aid provided by the foundation to safeguard the rights and interests of persons with disabilities. (Judicial Yuan)

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Managed by the MOHW. The objective is to enable persons with disabilities to receive the required support to exercise their legal capacity when they experience harm to their rights and interests due to their disabilities, thereby implementing the CRPD and its principle of protecting the basic human rights of persons with disabilities. (D) In September 2017, the MOHW established the Project of Legal Aid for Persons with Disabilities Managed by the MOHW, in which the “indigent standard” of the Legal Aid Act was relaxed by 1.5 times to provide legal aid (including legal consultation and litigation services) for persons with disabilities to protect their rights and interests. B. Judicial litigation (Judicial Yuan, MOJ) (A) The provisions of the Code of Criminal Procedure related to relief procedures such as appeals, counterappeals, and retrials are applicable to all involved parties regardless of whether or not they are persons with disabilities. Regarding whether an effective mechanism has been established for the comprehensive supervision of the legislation related to disabilities, it is ultimately decided by the competent authority. (B) To guarantee the litigation rights of defendants with psychiatric disorders or other mental deficiencies, the Administrative Litigation Act contains the following provisions to provide appropriate litigation assistance when filing an administrative case: (1) Assistant: the involved party or agent ad litem may, with the permission of the presiding judge, be present with the assistant on the date of the court session (Paragraph 1, Article 55). (2) Litigation <i>in forma pauperis</i> : when the involved party is incapable of bearing litigation costs, the administrative court shall, in accordance with a motion, grant the request to proceed <i>in forma pauperis</i> (Article 101). (C) If a person with disability is an involved party or relevant party in a juvenile or family matter, he or she may express opinions or indict in accordance with the procedures established in the Juvenile Delinquency Act or Family Act. If he or she is dissatisfied with the court judgment, he or she may also seek relief according to the procedures of appeal, counterappeal, and motion of objection established in the respective acts. (D) The Judicial Statistics page on the website of the Judicial Yuan has collected statistics on the types of family matters related to the rights and interests of persons with disabilities (e.g., order of commencement of guardianship and assistance, Mental Health Act motions; see Judicial Yuan / Service Overview / Judicial Statistics / “Annual Report / 2017 / District	and operations system. The service will be officially commenced following the organization of educational training at various locations. <u>Medium-term objectives (to be completed between 2021 and 2022)</u> 1. Continue tracking the effectiveness of legal aid services for persons with disabilities, and conduct rolling corrections based on the actual conditions. (SFAA) 2. Request all ministries to assist in completing the Assessment Table of Disability Rights Impact (draft). After collecting and consolidating the opinions of each ministry (agency), experts and scholars will be invited to propose amendments for the Disability Rights Impact Assessment Review Mechanism (draft). (SFAA) <u>Long-term objectives (cannot be completed before the second international review)</u> Incorporate the human rights concepts of the CRC, CRPD, and CEDAW into existing laws and the Assessment Table of Gender Impact in accordance with the planning direction of the Executive Yuan, or incorporate the Assessment Table of Disability Rights Impact into the aforementioned assessment table for the ministries to complete during the formulation and amendment of laws and regulations. (SFAA)	

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Court_22. Procedures of Family Case Terminated by the District Courts—by Organ, 36. State of Filings and Dispositions of Family Non-contentious Cases in the District Courts—by Organ 37. State of Filings and Dispositions of Family Non-contentious Cases in the District Courts—by Year” and “Monthly Report / September 2018 / 33. Procedures for Family Cases Terminated by the District Courts—by Organ”). Additionally, for the handling of family matters, a system has been established whereby persons with disabilities may be accompanied in legal proceedings by social workers or appointed guardians ad litem. The statistics of cases in which the court sessions involved the accompaniment of social workers or appointment of guardian ad litem between January 2017 and October 2018 in each district (juvenile and family) court are presented in the following table: (continue to next page)		

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<div>Number of family cases where social workers were present at court sessions that were terminated by District Courts—by type of case— Data period: 2017↕ Unit: cases; number of times↕</div> <table><tr><th>Type of Case↕</th><th>Number of family cases terminated ↕</th><th>Number of cases where social workers were present during court sessions↕</th><th>Number of court sessions where social workers were present↕</th></tr><tr><td>Total↕</td><td>146,195</td><td>1,475</td><td>1,649↕</td></tr><tr><td>Marriage↕</td><td>7,100</td><td>61</td><td>67↕</td></tr><tr><td>Parent-child relation↕</td><td>8,143</td><td>87</td><td>108↕</td></tr><tr><td>Adoption↕</td><td>2,998</td><td>27</td><td>27↕</td></tr><tr><td>Guardianship and assistance↕</td><td>9,381</td><td>39</td><td>43↕</td></tr><tr><td>Protection and placement↕</td><td>4,537</td><td>83</td><td>84↕</td></tr><tr><td>Petition based on the Mental Health Act↕</td><td>101</td><td></td><td>↕</td></tr><tr><td>Petition for protection orders ↕</td><td>26,437</td><td>1,039</td><td>1,168↕</td></tr><tr><td>Other↕</td><td>87,498</td><td>139</td><td>152↕</td></tr></table> <div>Description: 1. Family cases wherein the involved party was accompanied by a social worker during court sessions have been compiled from the trial system on a monthly basis since September 2014.↕ 2. The information in this table is for internal use and has not been made public.↕ 3. The types of cases in this table are input according to the prefix in the serial number of a case. The corresponding prefixes are as follows:↕ (1) Marriage: "Hun (geng)" and "jia-hun-sheng."↕ (2) Parent-child relation: "Qin (geng)" and "jia-qin-sheng."↕ (3) Adoption: "Yang-sheng."↕ (4) Guardianship and assistance: "Jian-xuan" and "fu-xuan," respectively.↕ (5) Placement and protection: "Hu." This only includes cases that involve an application for suspension or continuation and extension of placement in accordance with the Protection of Children and Youths Welfare and Rights Act and the Child and Youth Sexual Exploitation Prevention Act, as well as cases that involve an application for protection and placement in accordance with the People with Disabilities Rights Protection Act. ↕ (6) Petition based on the Mental Health Act: "Wei." Such cases refer to those applying for emergency treatment and suspension of emergency treatment or compulsory hospitalization. ↕ (7) Petition for protection orders: "Jia-hu," "zan-jia-hu," and "jin-jia-hu."↕ (8) "Other" refers to family cases that are not included in the aforementioned categories; for example, mediation procedures, temporary injunctions, property management for missing persons, pronouncement of death, nonlitigation succession, advice, injunctive procedures, and public disclosure dunning.↕</div>			Type of Case↕	Number of family cases terminated ↕	Number of cases where social workers were present during court sessions↕	Number of court sessions where social workers were present↕	Total↕	146,195	1,475	1,649↕	Marriage↕	7,100	61	67↕	Parent-child relation↕	8,143	87	108↕	Adoption↕	2,998	27	27↕	Guardianship and assistance↕	9,381	39	43↕	Protection and placement↕	4,537	83	84↕	Petition based on the Mental Health Act↕	101		↕	Petition for protection orders ↕	26,437	1,039	1,168↕	Other↕	87,498	139	152↕	
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(E) In terms of providing legal aid for persons with disabilities when their rights and interests are violated, Paragraph 1, Article 8 of the Act to Implement the Convention on the Rights of Persons with Disabilities states that “persons with disabilities protected by the Convention and the relevant regulations that have their rights infringed, which cannot or may only with difficulty be implemented, shall make an appeal, file a claim or other way of petitioning to protect their rights.” Paragraph 2 of the same article specifies that when persons with disabilities appoint an attorney to represent them in defending the rights in the preceding paragraph, the government shall provide legal aid according the act. The processing affairs of legal aid shall be entrusted to the Legal Aid Foundation or other private organization. The foundation has been continuously collaborating with the MOHW, MOL, and CIP to organize the Project of Legal Aid for Persons with Disabilities Managed by the MOHW.		

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Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
A. Background To safeguard the rights and interests of persons with disabilities and to guarantee their equal opportunities to participate in social, political, economic, and cultural affairs, Taiwan strives to facilitate their independence and development and has enacted the People with Disabilities Rights Protection Act to that end. However, there is currently no additional plan to promote equal rights for women and girls with disabilities. Additionally, items 23, 29, 43, and 57 in the Concluding Observations and Recommendations of the third national CEDAW Report state that to achieve substantive equality in all aspects of life, national strategies and multi-year plans should be formulated, with special attention given to women (including women and girls with disabilities) in disadvantaged situations, such as situations involving gender-based violence, education, and labor. B. Personal safety (A) Ensure that women with disabilities are protected from sexual exploitation and assault. (MOHW, MOI, MOE, MOJ, CIP) 1. The implementation of personal safety is described in Item 47. (MOHW) 2. According to Article 75 of the People with Disabilities Rights Protection Act, no one shall commit physical and mental abuse on persons with disabilities. Articles 76 and 78 of the same Act provide that when informed of persons with disabilities who have encountered physical and mental abuse, the municipal and county (city) competent authorities shall conduct visits and investigations. Article 78 specifies that the relevant competent authorities shall provide urgent protection, temporary settlement, or other necessary protective measures if persons with disabilities are in immediate danger of harm to their lives, body, or freedom. 3. In consideration of the various disability categories, the MOHW has planned to include “physical and mental conditions” in the Sexual Assault Crime Case Report Form. Furthermore, respondents can select multiple answers as their disability categories. According to the statistics of the MOHW’s Sexual Assault Crime Case Report, between 2013 and 2017, the suspected number of persons with disabilities who experienced sexual assault was 1,157, 1,100, 1,116, 955, and 1,080, respectively, totaling 5,408, among which 83% were women and 16% were men. Analyzed according to their age, 45% of the victims were under 18 years old and 54% of them were over 18 years old. Based on the data	<u>Projects to be conducted in or completed by 2018</u> 1. A study entitled Discussion on the Mechanism and Model of Empowerment for Women with Disabilities was conducted in 2018. (MOHW) 2. Senior high schools should provide appropriate placement quotas in coordination with the education policies of the competent authorities and the needs of students in the school districts. The admission quota for each school is composed of the originally approved classes for exam-free enrollment and practical skills programs, with an addition of 1 student in ordinary high schools, 1.5 students in comprehensive high schools, and 2 students in vocational schools for each class. However, if the admission quota of a school is less than 1.2 times the number of graduates without disabilities from junior high schools in the district that year, the K-12 Education Administration may arrange for an increase in the number of admissions at senior high schools in that district, thereby exempting them from the limitations of the aforementioned additional quota in each class. (MOE) 3. The Briefing on Adaptive Counseling and Placement of Students with Disabilities for the 2019 Academic Year will be held on November 30, 2018, and the participants will be composed of seed teachers from junior high schools and the organizing schools in each district. Additionally, district briefings will be held by the organizing schools in each district between December 14 and 28, 2018, with the participants consisting of students with disabilities, parents, and junior high school teachers. (MOE) 4. To respond to the rearrangement needs of students with disabilities, the MOE has enacted the Directions for Rearrangement of Senior High School Students with Disabilities, which specifies that schools should provide a minimum of 3 months of counseling for students who display maladaptation. For students who do not show any improvement, their legal representatives may apply for relocation to a different class or school. (MOE) 5. Continue implementing the Implementation Plan for Improving Inclusive Education in Senior High Schools, which encourages the classmates of students with disabilities to learn about accepting these students using a special education short film commissioned by the K-12 Education Administration. It can be incorporated into the teaching of relevant courses and used in conjunction with the learning sheet, thereby eliminating discrimination against students with disabilities. (MOE) 6. Continue implementing human rights education courses and teaching through the three-level counseling system and the counseling groups for human rights education in primary and	Structural indicators: 1. The course content of Personal Assistant Class is amended according to Article 17 of the Regulations on Selection and Training of the Professional Workers Providing Welfare Service for the Disabled, and the syllabuses for Health Maintenance Assistance and Health and Safety of Persons with Disabilities are included. (MOHW) 2. Amend the regulations concerning subsidizing schools to improve accessible environments and include nursing beds as a subsidized item. (MOE) 3. Perform rolling correction of the Regulations on Housing Subsidies for Rent and Loan Interest for Self-Construction and Self-Purchase, Regulations on Housing Subsidies for Repair Loans and Easy Repair Expenses, and Regulations on Subsidization of Rent or Loan Interest for the Disabled to Rent or Purchase Housing in coordination with practical situations. (MOI) 4. Adjust subsidy provisions related to barrier-free public

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analyzed according to the victim’s disability category, persons with intellectual disability represented the highest proportion (49%) of victims, followed by patients with psychiatric disorders (20%). 4. To protect women with disabilities from sexual assault and sexual exploitation and to train them to understand their rights and preventive measures, the MOHW has proposed the following prevention strategy based on a three-level prevention concept: (1) Primary prevention: (i) Strengthen the awareness of gender violence prevention through organizing educational promotion activities such as community-based projects and establishing the anti-gender violence resource network. Additionally, produce promotional brochures on sexual assault prevention and distribute them to schools and agencies to strengthen the basic knowledge of primary caregivers, school faculty, and personnel of relevant agencies regarding the prevention of sexual assault for persons with disabilities. Furthermore, these brochures are also expected to enhance the sensitivity of these personnel to sexual violence and thereby, to reduce the risk of persons with intellectual disabilities to sustain sexual violence. (ii) The Principles and Precautions of Suspected Sexual Assault Incidents for Disabled Welfare Institutions is enacted to strengthen the promotion of sexual assault prevention education in residential schools and placement and correctional institutions for persons with disabilities. (2) Secondary prevention: (i) Organize training for onsite mandated reporters to improve their knowledge of and sensitivity to incidents of sexual violence. Prevent and reduce violence through early intervention and counseling as well as early notification. Social workers and education or childcare personnel who are aware of suspected sexual assault incidents while performing their duties should notify authorities within 24 hours. (ii) In addition to local police agencies’ implementing attendance and visit registration as well as information provision, schools, kindergartens, social welfare agencies, medical institutions, and sheltered workshops of all levels should also review the registered data of perpetrators when hiring personnel and volunteers according to the laws and regulations to comprehensively prevent sexual assault. (3) Tertiary prevention: (i) Follow the special provisions of the People with Disabilities Rights Protection Act and conduct visits within 24 hours of receiving notice of a possible crime against a person with disabilities, and then submit an investigation report within 4 days after handling the case. Victims of sexual assault can apply for protection and support measures such as medical examination and treatment, limited repetitions of	secondary schools. (MOE) 7. Revise the Response/Statistical Management System of Sexual Assault, Sexual Harassment, and Sexual Bullying on Campus: The supervising units for the students with disabilities are requested to provide classification information concerning the students’ disabilities and to propose the statistical analysis items and specific content for distinguishing students with disabilities according to the requirements of the units’ operations. These shall serve as the basis for revising the aforementioned system, enabling the aforementioned supervising units to analyze the effectiveness of preventing gender-related problems among students with disabilities in accordance with their operational needs. (MOE) 8. The 2018 (Preliminary) Training Workshop for Curriculum and Instruction Seed Teachers in the Gender Equity Education Resource Centers of Senior High Schools for northern and southern Taiwan was held on June 12–15, 2018, and a total of 27 special education teachers were trained to become seed teachers of curriculum and instruction. Additionally, the 2018 (Advanced) Training Workshop for Curriculum and Instruction Seed Teachers in the Gender Equity Education Resource Centers of Senior High Schools will be held on September 27–28, 2018, during which time teaching plans will be designed according to different subjects and students’ disability categories to train eight seed teachers for special education schools. (MOE) <u>Short-term objectives (to be completed before May 2019)</u> 1. New assessments are to be conducted on inmates when they first enter correctional institutions. If inmates are assessed to be persons with disabilities, they are to be provided with emotional support and assistance in their daily life and treatment adaptation during their detention according to the category and level of their disability as well as their actual needs. (MOJ) 2. Properly arrange the room allocation of inmates to avoid inmates with disabilities being bullied or discriminated against by peers due to their actions or inadequate verbal expression. Roommates assigned to such inmates with disabilities should be carefully screened, and compassionate and patient individuals who can assist in their daily care are preferable. Additionally, intensive monitoring and protection are to be implemented when necessary. (MOJ) 3. Continue with relevant training on the interrogation (questioning) of children or victims of sexual assault with disabilities to implement the provisions in Article 15-1 of the Sexual	transportation according to implementation experience, international trends, and social needs. (MOTC) Process indicators: 1. Complete the mechanism and model for empowering women with disabilities, provide marriage and childbirth support, and enhance their social participation willingness and self-determination opportunities. (MOHW) 2. Complete the amendment of the Gender Equality Policy Guidelines and formulate relevant action plans. (Department of Gender Equality) 3. Ensure that the completion rate of visit and investigation reports exceeds 95% within 4 days after the local government receives the notification a of personal safety case. (MOHW) 4. Schedule two sessions of Basic- and Advanced-Level Training Courses for Professionals on Woman and Child Safety are every year, and schedule six sessions for both classes a before the second CRPD International review (2021). (MOI)

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victim statements, legal aid, psychological rehabilitation, medical subsidy, life reconstruction, and shelter placement. (ii) According to the Sexual Assault Crime Prevention Act, relevant professionals should be present on site to assist in interrogations if deemed necessary by the judicial or police units to ensure that disadvantaged witnesses can effectively receive judicial protection. So far, 102 professionals have been trained for deployment in the courts, MOJ, and the National Police Agency of the MOI. (iii) To improve the relevant knowledge of organization staff members and in consideration of the nature of their work, online courses such as Understanding Sexual Assault, Understanding the Perpetuators of Sexual Assault, Understanding Sexual Trauma, and Sexual Assault Prevention Practices for Juvenile Placement Institutions have been developed to facilitate their self-learning within organizations. 5. The MOHW convenes the Domestic Violence and Sexual Assault Prevention Committee meeting every quarter and requests scholars, experts, and representatives from NGOs and relevant institutions to participate in policy planning and implementation. Representatives of national OPDs are also invited to serve as committee members who play an important supervisory role. 6. According to the third CEDAW National Report, the average rate of sexual assault against women with disabilities is 0.18%, which is 2.6 times that of women in general; the average rate of sexual assault against women with disabilities under 18 years old is 1.76%, which is 6.8 times that of women under 18 years old in general. 7. Taiwan has enacted the following acts related to gender violence: the Child and Youth Sexual Transaction Prevention Act (enacted in 1995, it was amended and retitled the “Child and Youth Sexual Exploitation Prevention Act in 2015 and implemented on January 1, 2017), Sexual Assault Crime Prevention Act, Domestic Violence Prevention Act, Criminal Code Offences Against Sexual Autonomy Chapter, Act of Gender Equality in Employment (enacted in 2002 and amended in 2008), Children and Youth Welfare Act (enacted in 2003, amended and retitled as The Protection of Children and Youths Welfare and Rights Act in 2011), Gender Equity Education Act, and Sexual Harassment Prevention Act. 8. The National Police Agency actively collaborates with competent authorities to establish an interministerial safety protection network for women and children, which comprises departments in charge of social affairs, medical care, justice, education, and police affairs. Additionally, the National Police Agency employs a three-level prevention and investigation framework for the careful planning of investigation and prevention	Assault Crime Prevention Act. (MOJ) <u>Short-term objectives (to be completed before Jan. 1, 2021)</u> 1. Provide sexual and reproduction health–related websites and educational materials to municipal and county (city) governments for the provision of marriage and fertility counseling to persons with disabilities. (MOHW) 2. To improve the reproductive health knowledge of women (including women with disabilities), conduct diversified promotional activities to enhance their awareness of the need to receive prenatal examination on a regular basis. (MOHW) 3. To improve the skills and awareness of personal assistants in supporting the independence of persons with disabilities, the Personal Assistant Class is revised to include a syllabus on Health Maintenance Assistance in the Study on Knowledge and Assistance Methods for Persons with Disabilities (including practical exercises) and to incorporate health education information related to health examinations and health maintenance for persons with disabilities. Moreover, a syllabus on Health and Safety of Persons with Disabilities is added to Crisis Response to train personal assistants to pay attention to the health of persons with disabilities according to different conditions when they are providing assistance. (MOHW) 4. Collect the needs of women and girls with disabilities and recommence the investigation into how to provide an accessible medical environment in medical institutions, the results of which are to be subsequently published for the reference of these persons in seeking medical advice. (DOMA) 5. Encourage clinics to establish friendly medical environments through an interdepartmental collaboration that involves the provision of friendly clinic certifications and health insurance incentives by the HPA and National Health Insurance Administration, respectively. Additionally, discuss the promotion of friendly medical treatment services for women with disabilities in medical institutions. (DOMA) 6. Refer to the accessible format or relevant regulations for specific persons with disabilities enacted by the MOE, and discuss their inclusion in the reference for the relevant health education promotional materials to be produced by the HPA. (MOHW) 7. Invite experts, scholars, persons with disabilities, and relevant groups to analyze existing statistics to understand the enrollment rate, dropout rate, and the mode of education (including homeschooling) of different genders at different education stages. Additionally, develop active affirmative measures to eliminate the causes hindering women with	5. Continue promoting the awareness and understanding by nationals and foreigners regarding human trafficking. Plan a minimum of two sessions of educational training on human trafficking prevention each year. (MOI) 6. Revise the Response/Statistical Management System for Sexual Assault, Sexual Harassment, and Sexual Bullying on Campus, and include disability-related classification information. (MOE) 7. Increase the educational training hours for social workers’ participation in domestic violence– and sexual exploitation–related courses (CIP). 8. Organize promotion sessions concerning domestic violence and sexual exploitation and increase the number of participants. (CIP) 9. Continue reviewing the laws and regulations on detention centers and conduct rolling revision based on actual conditions to ensure the protection of the rights and interests of women and girls with disabilities under detention. (MOI)

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reinforcement in cases involving women and girls with disabilities; then, the rate at which crimes are solved can be increased, and the number of these crimes can be reduced. 9. In 2017, The police handled a total of 471 cases involving children or persons with mental disabilities who were victims of sexual assault. Eighty-two out of 471 cases (17.4%) had relevant professionals present to assist in interrogations onsite during the investigation or at the trial stage, pursuant to Paragraph 1, Article 15-1 of the Sexual Assault Crime Prevention Act. 10. To ensure that women with disabilities are protected from sexual exploitation and assault, the following projects are consistently promoted: (1) Conduct the commissioned research entitled the “Assistance Measures Police Agencies Adopt to Protect Victims” in 2019, and organize relevant seminars upon its completion. (2) Relevant laws and regulations on detention centers under the authority of the National Immigration Agency (NIA) guarantee that women and girls with disabilities are exempt from detention in such centers, effectively protecting their rights and eliminating discrimination. (3) Organize various types of trainings: (i) Recommend the relevant personnel who handle sexual assault cases in each police agency on a yearly basis to participate in the 32-hour beginner- and advanced-level training courses for professionals, the content of which includes challenges and strategies for interrogation in sexual assault cases (involving children), challenges and strategies for interrogation in sexual assault cases (involving persons with disabilities), judicial practice for sexual assault cases involving children and persons with disabilities, investigation practice for sexual assault cases essentials for professionals’ court appearances, an outline on forensic interviews, applications of forensic interviews, essentials of forensic interviews, evaluation and operation of forensic interview transcripts, practical rehearsal of forensic interviews with children, results and experience consolidation of forensic interviews with children, evaluation of others’ forensic interview videos, characteristics of sexual assault cases involving persons with intellectual disability, common questions regarding sexual assault cases involving persons with intellectual disability, practical rehearsal of forensic interviews with persons with intellectual disability, and comprehensive discussion and written test evaluation. (ii) Recommend the relevant personnel who handle sexual harassment cases in each	disabilities from attending schools to improve the enrollment rate of women and girls with disabilities. (MOE) 8. Invite more representatives for women with disabilities or OPDs to conferences related to disability education. (MOE) 9. Revise the Subsidization Guidelines for Improving Barrier-free campus Environments and include subsidization of nursing beds, prioritizing the subsidization of schools where women with disabilities and limited mobility are enrolled, in order to facilitate the convenience of women and girls with disabilities at school. (MOE) 10. Investigate the reasons why girls with disabilities are not attending schools, and invite persons with disabilities, NGOs, experts, and scholars to jointly formulate special measures to facilitate their enrollment in schools. (MOE) 11. Strengthen preservice preparation services and vocational training for women with disabilities who are undergoing occupational reconstruction. (MOL) 12. Strengthen employment services for women with disabilities, develop flexible job opportunities, enhance the success rate job matching, and use employment promotion tools and relevant aid (subsidy) measures to help women with disabilities make preemployment preparations and stabilize their employment, thereby improving the success rate job matching. (MOL) 13. Continue implementing the Integrated Housing Subsidization Program, which is open for application between July and August every year. After reviews are completed by the end of December, municipal and county (city) governments will allocate rent subsidies in the following January on a monthly basis. (MOI) 14. Formulate provisions regarding subsidies for rent and loan interest for persons with disabilities according to Paragraph 2, Article 71 of the People with Disabilities Rights Protection Act, providing subsidies for housing to persons with disabilities. (MOI) <u>Medium-term objectives (to be completed between 2021 and 2022)</u> 1. Amend the Gender Equality Policy Guidelines and formulate relevant action plans (Department of Gender Equality). 2. Include the identity of persons with disabilities as an item of the 2019 Report on Women’s Living Condition Survey. and consider a feature analysis of the living conditions and needs of women with disabilities; the report is scheduled to be completed in 2020. (MOHW) 3. Subsidize the 2019 Training Program on Marriage and Childbirth Support of Women with	10. Continue implementing investigations of new inmates and providing reasonable accommodation to room allocation at correctional institutions. (MOJ) 11. Provide sexual and reproductive health-related websites and health education materials prepared by the HPA to municipal and county (city) governments to enable them to provide marriage and fertility counseling services for persons with disabilities. (MOHW) 12. Update the accessible environment information of medical institutions according to relevant needs. (MOHW) 13. Continue providing prenatal examination services to pregnant women (including women with disabilities), achieving an antenatal care coverage (defined as using at least 8 times of the service) of more than 90% by 2020. (MOHW) 14. The hours and course content of the Healthy Tribe educational training, and the states of other training and relevant contact reported by local governments.

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police agency on a yearly basis to participate in the beginner- and advanced-level trainings for investigators handling sexual harassment cases. (iii) Organize the Beginner- and Advanced-Level Training Course for Professionals Protecting the Safety of Women and Children every year. (4) Integrate relevant ministerial and private resources to strengthen the awareness and understanding of nationals and foreigners of human trafficking issues through multichannel and multilanguage advocacy. Additionally, each department is requested to arrange courses related to human trafficking prevention in their respective professional fields to improve their performance in this regard. Two sessions of general education and training on human trafficking prevention and two workshops for human trafficking prevention seed personnel were held in 2017. (5) Implement the Human Trafficking Prevention Act to protect women with disabilities from sexual exploitation. (MOI) (6) Implement the relevant provisions in Items 3, 6, and 7 of the Directions on Relieving Victims of Sexual Assault from Making Repeated Statements. If the victims of sexual assault cases are persons with a mental disorder, social workers shall, in accordance with the physical and mental conditions of the victims and the needs of the investigation of the case, assess the appropriate interrogation time for the victim and provide it to the police and prosecutors. Victims who are relieved from making repeated statements based on the social workers' assessment during their visits are then interrogated by prosecutors in person or through video conference. Alternatively, they can be interrogated by the judicial police (officer), in which case the transcripts and relevant information are reported to the prosecutor by fax, email, or other means. If the prosecutor deems the information to be inadequate, he or she shall direct the judicial police (officer) to update the relevant information. (7) Implement the provision in Paragraph 1, Article 15-1 of the Sexual Assault Crime Prevention Act: Whenever considered necessary by a judicial policeman, judicial police officer, prosecuting officer, prosecutor or judge at the investigation or trial level, if the victim of a sexual assault incident is a child or has mental disabilities, such a person may be interrogated (examined) with the assistance of relevant professionals at their side. This provision is not applicable when the judicial policeman, judicial police officer, prosecuting officer, prosecutor, or judge has received relevant professional training. (8) Establish a licensing system for professionals protecting the safety of women and children	Disabilities to gradually improve the social participation of women with disabilities. (SFAA) 4. All-day accommodation institution: described in 47. (SFAA) 5. Complete the certification of 100 friendly clinics every year beginning in 2020. (DOMA) 6. Encourage the participation of women with disabilities or relevant groups and caregivers in arts and cultural activities through subsidy programs. (MOC) <u>Long-term objectives (cannot be completed before the second international review)</u> A performance hall with both general seats and special seats for persons with disabilities has been planned in the National Kaohsiung Center for the Arts (Weiwuying), a venue by the MOC. In the future, relevant reconstruction cases in venues affiliated with the MOC will be evaluated for the suitability of adopting similar designs. (MOC)	(CIP) 15. Continue implementing the Integrated Housing Subsidization Program and provide rent and loan interest subsidies for self-purchased housing and home improvement loans; assist municipal and county (city) governments to provide subsidies for housing rent loans to persons with disabilities. (MOI) 16. Implement the Project of Comprehensive Promotion for Highway Public Transport by conducting reviews and providing subsidies according to the needs of local governments. (MOTC) 17. Encourage the participation of women with disabilities and relevant groups or caregivers to participate in arts and cultural activities through subsidy programs and hardware improvement. (MOC) 18. Issue annual announcements of the application time regarding subsidies for sports and leisure activities for persons with disabilities, and commence review meetings to approve the relevant subsidies. (MOE)

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25. 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.		Various agencies
in the police administration, and develop a Manual on Women and Children Safety in Police Administration and relevant operating procedures, the latter of which are subject to continuous rolling revision according to legislative amendments and practical needs.		19. Achieve a minimum participation rate of 40% for women with disabilities in disability activities organized by national groups in relation to the total number of participants of activities for persons with disabilities. (MOE)
(9) Employment of relevant professionals is budgeted by police agencies annually according to the number of sexual assault cases involving children or persons with mental disorder that they handle.		20. Organize five sessions of promotional activities in conjunction with local governments and NGOs, in which approximately 450 people participate. (MOHW)
11. Sexual assault, sexual harassment, and other harms still occur among students with disabilities, indicating that concepts such as gender equality and respect for others on campuses and at resettlement institutions need to be strengthened.		21. Increase the funds for preservice preparations and vocational training beginning 2020 and invest these in services related to women with disabilities. (MOL)
12. According to the statistical analysis of on-campus sexual assault, sexual harassment, and sexual bullying (gender equity-related cases) by the MOE, overall, the incidence of gender equity-related cases is higher among ordinary students and those with disabilities during junior and senior high school. However, the number of gender equity-related cases among students with disabilities at colleges and universities is significantly lower than ordinary students. The current notification system for gender equity-related cases lacks classifications such as categories of students with disabilities and urban and rural classification and is thus incapable of being further analyzed with respect to identifying the differences between different disability categories, between ordinary students and those with disabilities, and between genders. It is also difficult to analyze the effectiveness of preventing gender equity-related cases among students with disabilities. (MOE)		22. Analyze the possible causes that hinder women with disabilities from attending schools through human rights-oriented statistics and formulate appropriate solution measures. (MOE)
13. Unlike in the culture of the Han people, domestic violence among indigenous peoples cannot be explained primarily by patriarchal thoughts. Cultural disintegration under colonial rule, the loss of land and exploitation of labor under capitalism, the family pressure caused by economic hardship, and the prevalence of alcoholism have given rise to a dynamic confluence of factors that lead to a domestic violence that is more complex than the situation in Han Chinese society.		23. Implement education on important human rights issues according to the 9-year integrated curriculum outline. (MOE)
14. After experiencing domestic violence, indigenous women tend to face difficulty escaping the violent environment due to their economic dependence on their husbands' families and general paucity of resources. Coupled with the traditional family values and pressure derived from public opinion in their communities, these factors have caused indigenous women to be afraid of asking for help. According to the statistics in 2018, the total national population was 23,574,274, and the indigenous population was 562,395. Statistics by the MOHW's protective information systems indicate that by the end of June 2018, domestic		24. Invite women with disabilities to meetings in which policies or

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violence reports by indigenous people accounted for 5.3% of national domestic violence incidents, which is higher than the percentage of the indigenous population relative to the national population (2.38%). 1. The CIP has long been concerned about domestic violence and sexual exploitation in indigenous areas and has established the Table of Division of Labor for Actions Promoting the Prevention of Domestic Violence and Sexual Assault Among Indigenous Persons jointly with the MOHW to promote relevant action plans: (1) Establish a Disability Rights Committee: In consideration of the needs of multi-ethnic groups, when establishing the committee, recommend experts and scholars with indigenous identity or those who are familiar with indigenous cultures as committee members to ensure the prevention of domestic violence and sexual exploitation of people with disabilities and an indigenous identity. (2) Enhance the knowledge of professionals and improve the quality of service provided: Enhance the professional knowledge of social workers in the Indigenous Family Service Centers, and plan and develop the working skills of persons with disabilities who experience domestic violence and sexual exploitation. (3) Promote prevention in indigenous communities: Plan and produce educational materials on domestic violence prevention for promotion and use in indigenous areas according to different age and status. (B) Protect the personal safety of female inmates with disabilities 1. Migrant detention centers (MOI) (1) Human rights of inmates are respected by Taiwan, and to fully protect these human rights, Article 38-1 of the Immigration Act states that an individual’s detention sanction may be temporarily suspended and an alternative to detention may be imposed. Instances in which alternatives are appropriate are specified in Subparagraph 1 (an alien who is mentally impaired or physically sick, and the detention could affect treatment or endanger his/her life), Subparagraph 2 (an alien who has been pregnant for 5 months or longer, or has given birth or had a miscarriage for less than 2 months), Subparagraph 3 (an alien who is a child under 12 years old), and Subparagraph 5 (an alien who is unable to take care of himself/herself due to senility or physical or mental disability); under Paragraph 1 of the Article, all the foregoing circumstances exempt an alien from detention. Additionally, the relevant social welfare organizations and medical institutions should be informed to provide social welfare and protect the rights and interests of the inmates.		programs related to disability education are decided. (MOE) Outcome indicators: 1. Complete the 2019 Report of Women’s Living Conditions Survey. (MOHW) 2. Implement the Healthy Tribe project in at least 200 tribes, and train at least 200 Healthy Tribe volunteer teams. (CIP) 3. Organize at least 400 sessions of promotional education such as health promotion, accident injury prevention, and traditional medical knowledge of indigenous peoples. (CIP) 4. Formulate a friendly medical care process for women and girls with disabilities to serve as a reference for hospitals. (MOHW) 5. Achieve a 100% enrollment rate in junior high schools for girls with disabilities. (MOE) 6. Achieve an estimated increase in the area coverage rate of highway public transport service in rural areas to 88% and an improvement in the ratio of wheelchair accessible buses in urban areas to 55% by 2020. (MOTC) 7. By the end of 2019, guide 1,000 community care bases to provide

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(2)The relevant provisions on women’s protection under the Regulations Governing the Detention of Aliens and Handbook for Detention Management are as follows: i. Female inmates should be subjected to body security inspection by female officers upon entering a detention center. ii. Interrogation of female inmates should be performed in the presence of female officers or security personnel; it should not be performed by male staff alone. iii. One should behave appropriately when guarding a female inmate. iv. When a female inmate is hospitalized due to illness, she should be monitored by at least one female employee or security personnel to ensure her personal safety. (3)The affairs corps of the NIA in each district advocates human rights awareness and strengthens their training using team meetings and preservice education, the number of which amounted to 373 sessions in 2017. (4)The NIA groups detention centers, special teams in each municipality and county (city), and relevant units within the jurisdiction to establish a joint security prevention mechanism to strengthen horizontal integration. The goal is to understand the abnormal movement at locations where migrants tend to gather or frequent, thereby enabling rapid investigation and provision of assistance to unidentified foreign workers who have been mistreated or exploited. 2. Correctional institutions (MOJ) (1) Correctional institutions are the main body that execute criminal policies overall. Correctional institutions provide passive isolation measures for inmates as well as serve an active function in correcting and educating inmates. Additionally, they institute various disciplinary methods and treatment measures to ensure that they are in accordance with international human rights specifications and refrain from subjecting inmates to violent, inhuman, or degrading treatment during detention. (2) According to Article 85 of the People with Disabilities Rights Protection Act, while persons with disabilities are institutionalized in correctional facilities, the competent authorities in charge of law shall make necessary improvements upon considering the characteristics of the correctional facility, current installations of the facilities, and the special needs of persons with disabilities. (3) According to the statistics gathered by the MOHW over the past 10 years (2008–2017), sexual assault case notification peaked at 14,229 cases in 2014 (for comparison, 2008 only had 8,521 cases). Although the trend has eased in recent years, sexual assault cases		care services that prevent and delay disabilities, and establish Tier-C long-term care stations in residential alleys and lanes. (MOHW) 8. Achieve a 2% increase in the successful job-matching rate for women with disabilities within 2 years compared with that in 2018. (MOL) 9. Subsidize at least one case of arts and cultural activity related to vulnerable women, groups, or caregivers. (MOC) 10. Promote the Integrated Housing Subsidization Program (including rent subsidy, loan interest subsidy for self-constructed and self-purchased housing, and loan interest subsidy for housing repair) and subsidize 10,000 families with members with disabilities every year. (MOI)

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notified still reached11,060 cases in 2017, indicating that the nation’s overall incidence of sexual assaults remains high. Because the victims of sexual assault crimes are mostly women and children, physical and psychological trauma after the incidents cause irreparable damage to their life development, which poses great harm to the safety of women and children in society. Therefore, the problem of sexual assault should be addressed and efforts aimed at its prevention should be strengthened. (4) The Sexual Assault Crime Prevention Act was enacted and implemented in 1997, and is currently under the administration of the MOHW. The competent authorities of various purposes and undertakings actively plan the necessary protection, prevention, and promotion measures in accordance with the needs of sexual assault prevention within their scope of responsibilities. The factors that contribute to the large number of unreported sexual assault cases are hidden within the process of handling such cases by the police, prosecutors, and the courts. Sexual assault victims tend to be unwilling to report incidents to the authorities because of fear that their statements will not be believed, fear of retribution from the perpetrators and other related individuals, shame, embarrassment, lack of support in their isolated living environment, fear of being reprehended, self-reproach, lack of confidence and trust in police and the judicial system, and fear of secondary harm (Fan, Hsieh, Chen, & Chou, 2012). (5) According to statistics as of September 17, 2018, a total of 237 women in correctional institutions were found to possess a disability certification. Correctional institutions assess inmates’ physical and psychological conditions when they are admitted and arrange appropriate medical treatment after confirming their level of severity. Additionally, the institutions also provide medical services according to their needs and provide medical treatment, follow-up tracking, and inspections (tests) according to medical orders. If an appropriate treatment is unavailable at an institution, medical treatment outside the facility under the supervision of security guards is arranged to ensure that the persons with disabilities are and remain in stable condition. For inmates who will be discharged or released on parole, release notifications are issued according to Article 31 of the Mental Health Act. 3. All-day accommodation institutions (MOHW) (1) The relevant implementation will be described in Item 47. (2) Topics on special needs and gender issues have been included in the education and training course of the institutions to strengthen the professional knowledge of the staff and		

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the self-protection mechanism of the service recipients. (3) Article 63-1 of the People with Disabilities Rights Protection Act specifies that a person who has been found guilty of sexual harassment and sexual assault shall not be in charge of a welfare care facility/institution for persons with disabilities. Employees who are involved in the aforementioned behaviors shall be terminated by transfer, severance, retirement, or termination of contract according to the relevant provisions. According to Paragraph 2, Article 6 of the Principles for Handling Suspected Sexual Assault Incidents in Welfare Institutions, when employing full-time and part-time personnel or recruiting volunteers, institutions shall apply to the relevant competent authorities to request the municipality and county (city) competent authorities to review applicants’ registration information and ensure they are not sexual assault offenders. Additionally, institutions may also request that applicants apply for a criminal background check from police agencies. The application information may be sent to the competent education authority to review whether it contains suspected sexual assault or other related incidents that makes the applicant unfit to be a teacher. (C) Facilitate the training of professionals in the judicial department (MOJ): 1. The partial amendment of the articles in the Sexual Assault Crime Prevention Act was promulgated by the president on December 23, 2015. The newly included Article 15-1 states that sexual assault victims who are children or have mental disabilities may be interrogated (examined) with the assistance of relevant professionals whenever deemed necessary. However, this provision is not applicable when the judicial policeman, judicial police officer, prosecuting officer, prosecutor or judge has received relevant professional training. The article was enacted on January 1, 2017. 2. The amendment of the aforementioned article referenced the provisions in Article 12 of the CRC and Articles 12 and 13 of the CRPD. To improve the professionalism of the administration of justice as it concerns children and persons with disabilities in relation to the specialty of sexual assault cases and to protect the rights and testimony credibility of vulnerable witnesses in judicial proceedings, the MOJ referenced <u>the provisions on vulnerable witnesses in effect in the United Kingdom and United States in accordance with the objective of the CRPD</u> to establish a system that includes experts as the judicial inquirer, thereby providing positive judicial protection measures for children or persons with disabilities who are sexual assault victims. 3. In response to the implementation of Article 15-1 of the Sexual Assault Crime Prevention		

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Act, the MOJ planned the Implementation Plan of Training and Accreditation Related to Interrogation and Questioning of Children or Victims with Disabilities of Sexual Assault, which was implemented on January 1, 2017. Additionally, the MOJ held two sessions of beginner- and advanced-level classes for the 2017 Professional Course on Interrogation (Questioning) of Children or Victims with Disabilities of Sexual Assault to improve the prosecutors’ professional capabilities of interrogating and investigating such crimes, thereby strengthening the prevention of sexual assault and protection of victims’ rights and interests. The project was implemented in 2017 according to the aforementioned training and certification, and a total of 243 certificates have been issued.		
C. Reproductive health and medical care (MOHW) (A) Taiwan has always emphasized the right to health of persons with disabilities and launched National Health Insurance in 1995, a compulsory social insurance system that promotes the health of all nationals. All individuals who meet the qualifications are required to participate in this insurance program to achieve the goal of equal rights to medical treatment and prevent the vicious cycle of “illness due to poverty” and “poverty due to illness.” Additionally, specific groups of people are eligible for partial reductions in their copayment expenses. For example, individuals with a disability certification are only charged NT\$50 for outpatient and health benefit expenses regardless of the hospital level, an amount lower than that paid by the general public (NT\$80–420). Individuals who are giving birth or who receive medical care in mountainous regions and outlying islands are exempt from paying self-bearing expenses, and individuals who seek medical treatment in areas with inadequate medical resources receive a 20% reduction in their copayment expenses. (B) Article 8 of the People with Disabilities Rights Protection Act provides that “to prevent and reduce the occurrence of disability, the competent authorities in charge of related services in all levels of government’s hierarchy shall systematically promote the prevention of disability, propagandize the knowledge of eugenics, health care education on disability-related heredity, morbidity/disease, disaster, and environmental pollution, etc.” Articles 21–26 also contain provisions concerning rights to health care, including the planning and integration of medical resources by the government to provide appropriate services concerning health maintenance and reproductive health for persons with disabilities. (C) To protect the health of women with disabilities, the MOHW provides mammography to women aged 45–69 and cervical screening for women over 30 years old. In 2016, the rate of		

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women with disabilities who underwent mammography was 31.9%, and the rate of those who received cervical screening was 42.6%. (D) To protect the rights of women and girls with disabilities and improve the awareness of cancer prevention among persons with disabilities, the MOHW has provided relevant medical services, such as providing mammography and cervical screening services, to increase the inspection rate and improve the barrier-free facilities in medical institutions for women with disabilities. (E) To increase the accessibility of medical services, the MOHW has specified that clinics with rehabilitation facilities should install accessible facilities. For example, elevators, ramps, toilets, and walkways should contain special designs for persons with limited mobility. Relevant provisions will be reviewed to continue increasing the provision of health care–related barrier-free hardware and software. (F) To assist persons with disabilities in achieving independent living, personal assistants should possess the skills to care for and assist them. The MOHW announced a 25-hour training course and outline for the personal assistant class in 2013. (G) To enable the public to obtain relevant information on assistive devices and meet their diverse needs, the MOHW has designated an area for assistive devices under the assistive device resource portal. The product classification structure of the site follows CNS15390 “Assistive Products for Persons with Disabilities—Classification and Terminology,” wherein products are categorized based on their main tasks and functions (11 major categories in total). Relevant information on assistive devices for postnatal child care and sexual activities is constantly collected as a reference for the public. (H) Studies have indicated that there are multiple reasons for developmental delays and that gender differences may lead to different types of delay. The MOHW emphasizes the substantive equality of each child with developmental delay with respect to receiving services, and supervises the health and social affairs units of local governments to handle the screening of children under the age of 6. According to the statistics of the MOHW, a total of 16,418 boys and 7,119 girls were reported to have developmental delays in 2017, an increase in both sexes compared with the 12,339 boys and 5,858 girls reported in 2013. (I) To accommodate the right to health of persons with disabilities, the following plans are constantly promoted: 1. All counties and cities are requested to integrate relevant resources and provide diverse publications for persons with disabilities and provide mammography and cervical cancer		

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screening services for women with disabilities. 2. Regarding hormonal treatment, to facilitate menopausal women’s (including women with disabilities) understanding of the benefits and risks of hormonal treatment, a Health Manual for Women’s Menopause has been produced to be used for free at local governments’ health bureaus and medical institutions. Additionally, a video titled “Menopause and Me: Should I Choose Hormone Replacement Therapy?” was completed during the 2017 session of Shared Decision Making. Apart from catering to menopausal women in need, the video also enables menopausal women with disabilities to understand relevant care knowledge through watching and listening. Moreover, the latest care information that is suitable for menopausal women with disabilities will be provided to them based on relevant empirical research. (J) Factors such as geographical environment, inconvenient traffic, cultural differences, and insufficient resources have contributed to inadequate knowledge of health concepts and deficiency of medical resources in indigenous areas. (K) The following culturally sensitive health care measures are continuously promoted: 1. Implement the Healthy Tribe Project and subsidize each tribe to organize health promotion activities that concern various key health issues, such as promotion of accident injury prevention common in tribes and dissemination of traditional medical knowledge of indigenous people through culture and health stations and indigenous family service centers. 2. Organize in-service professional growth training for the staff of culture and health stations every year, with the course content including health care models for indigenous areas, gender-friendly space arrangement for older adults, introduction to cultural safety (cultural sensitivity), and gender equality and health care. 3. Continue the collaboration with the MOHW. 4. The 3-hour introduction to cultural safety provided by the CIP for caregivers has been included in the MOHW Caregiver Training Program, and the list of teachers for the Introduction to the Cultural and Safety Issues of Indigenous People is provided to the MOHW. 5. Provide the draft syllabus of the 14-hour cultural sensitivity course for care managers, social workers, and medical staff to the MOHW.		
D. Right to education (MOE)		

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(A) The implementation of special education is divided into four stages: preschool education, national education (i.e., elementary and junior high school), senior high school education, and higher education and adult education. The national education stage, which consists of compulsory education (governed by the Compulsory Education Act), and the preschool education stage adopt the principle of community-based enrollment; however, students may be placed in other appropriate special education facilities by the competent authority if there is no suitable place within the community. After completing their compulsory education, students with disabilities can continue their education by following the general approach or advance to senior high schools through the three approaches specified in the Regulations on Furthering Education for Students with Disabilities. Among the three approaches, exam-free enrollment and featured admission both provide an additional 25% score to the student, and their number for admission is not calculated within the school’s enrollment quota stipulated by the competent authority. The third approach involves the appropriate placement of students in self-contained special education class in general schools or the vocational department of special education schools based on the principle of community-based enrollment through the arrangement of the MOE or the Committee Responsible for Identification and Placement of Gifted and Disabled Students. Schools and examination units at all levels shall not refuse a student’s admission or examination on the grounds of his or her disability.		
(B) In the 2017 academic year, a total of 124,810 students had disabilities; among these, 85,589 (69%) were male and 39,222 (31%) were female. The gender profiles of students with disabilities during each education stage are as follows: 1. Preschool education: 18,479 students—13,223 (72%) were male and 5,256 (28%) were female. 2. Elementary school education: 40,741 students—28,191 were male and 12,550 (31%) were female. 3. Junior high school education: 27,180 students—18,518 were male (68%) and 8,662 (32%) were female. 4. Senior high school education: 25,221 students—17,050 (68%) were male and 8,171 (32%) were female. 5. Higher education: 13,189 students—8,607 (65%) were male and 4,582 (35%) were female. 6. In summary, of the students with disabilities in each education stage in the 2017		

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academic year, female students accounted for approximately 30%. Women accounted for 35% of persons with disabilities aged 6–18 who held disability certificates in 2017; thus, little difference exists in the percentages of the two groups. (C) Homeschooling 1. According to the Compulsory Education Act, “In cases of school-age citizens between 6 and 15 years of age who are required to enroll in school but have not done so, or who have long-term absences, schools shall submit a report to the city, township, or district compulsory education committee to dispatch personnel for a home visit. [...] The local municipal or county (city) government shall be notified of cases in which students discontinue education, are unable to enroll, or have had long-term absences because of financial concerns or family accidents, and shall in accordance with social welfare acts, or using specific relief strategies, provide assistance to resolve their difficulties.” For school-age children who are unable to attend school for any reason, the MOE has enacted relevant notification procedures to assist in their admission. 2. The competent education authorities at all levels shall take the initiative to assist the schooling of persons with disabilities and shall actively help persons with disabilities who are receiving services from units such as a medical institution or social affairs section to solve their education-related problems. 3. Municipal and county (city) governments have established relevant guidelines or implementation plans for itinerant counseling; additionally, they can also provide appropriate special education services for students placed in different families, schools, or institutions. If the students’ physical condition has improved, the council will reassess whether to implement homeschooling or let the students return to their original schools, after which they will conduct follow-up and provide special education support services. 4. In the 2017 academic year, 1,112 students were placed in homeschool (including those in institutions); however, no gender statistics are available. (D) Various special education–related committees have provisions on the gender ratio of members. (E) Some NGOs have stated that despite accessible toilets and diaper-changing stations in schools, the lack of nursing beds is inconvenient in particular for women who use wheelchairs when they are changing their clothes, menstrual hygiene products, or back braces.		

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E. Employment participation (Ministry of Labor) (A) Studies have shown no gender difference in persons with disabilities who have received occupational reconstruction and successfully entered the general workplace. However, according to the 2016 Report of Disabled People's Living Condition and Demand Survey, the labor participation rate of men (25.27%) was higher than that of women (14.11%); moreover, the unemployment rate of men with disabilities (9.46%) was higher than that of their female counterparts (8.50%). Additionally, the proportion of women with disabilities who engaged in part-time work (25.07%) was higher than that of their male counterparts (19.95%). The main reasons for this are the following: “There is no suitable full-time job,” followed by “I can only choose part-time work because of physical limitations.” (B) Current laws and regulations 1. For laborers employed by business entities that are governed by the Labor Standards Act, the terms and conditions of any agreement between them shall not be below the minimum standards stipulated by the act. Article 21 of the act specifies that “A worker shall be paid such wages as determined through negotiations with the employer, provided, however, that such wages shall not fall below the basic wage.” The wage for regular working hours paid by business entities to persons with disabilities is guaranteed to be the same basic wage as that for nondisabled laborers. 2. Article 13 of the Act of Gender Equality in Employment provides that employers shall prevent sexual harassment and take remedial action if an incident occurs. For employers employing over 30 employees, measures for preventing and correcting sexual harassment, related complaint procedures, and disciplinary measures shall be established. All these measures shall be openly displayed in the workplace. When employers learn of the occurrence of sexual harassment, immediate and effective correctional and remedial measures shall be implemented. Employers who violate the aforementioned provisions shall, according to Article 38-1 of the same act, be fined no less than NT\$100,000 but not exceeding NT\$500,000. 3. The Act of Gender Equality in Employment is applicable to all employees with disabilities. According to its provision, employees with disabilities enjoy various measures that promote gender equality and rights protection at work. Additionally, Paragraph 1, Article 5 of the Employment Service Act specifies that employers are prohibited from discriminating against any job applicant or employee on the basis of disabilities. Those who violate the aforementioned provision shall, in accordance with		

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Article 65 of the act, be fined an amount of at least NT\$300,000 and at most NT\$1,500,000.		
4. To encourage employers to provide a childcare-friendly workplace environment for employees, Article 23 of the Act of Gender Equality in Employment specifies that employers having 100 employees or more shall provide breastfeeding (breast milk collection) rooms and childcare facilities or suitable childcare measures to assist employees in executing child care responsibilities. The aforementioned breastfeeding (breast milk collection) rooms should be convenient for the employees.		
(C) Existing measures		
1. To facilitate the appropriate employment of persons with disabilities, the various resources and measures adopted by the MOL are described as follows:		
(1) For job seekers with disabilities who have employment needs, employment information and job matching services are provided through public employment centers, the national employment network, and the 24-hour free employment service line 0800-777888 to assist in arranging employment. Currently, more than 300 employment service locations are providing relevant services all over Taiwan.		
(2) Employ an individualized employment service model and establish occupational reconstruction case management windows at each county and city government office for persons with disabilities to provide occupational reconstruction services. These include occupational counseling and evaluation services; vocational training; general, supportive, or sheltered employment; job redesign, and entrepreneurship counseling to facilitate the appropriate employment of persons with disabilities.		
2. To help women with disabilities overcome problems such as endurance and transportation capabilities, the MOL has continued providing and enhancing preemployment preparation and stable employment services for the occupational reconstruction of women with disabilities. Through guiding participation in groups or seminars and conducting individual counseling, the ministry has strengthened individualized service training, which includes community mobility/transportation capability training, orientation and mobile service training, job tolerance/sustainability training, job behavior training, job search skills training, and medical consultation services. Additionally, the MOL has provided supportive employment-intensive counseling or workplace adaptation services through individualized service models for persons with disabilities who have high support needs to improve their employment		

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competitiveness. 3. The MOL and the county and city governments have organized at least 26 sessions of the Seminar on Equal Rights in the Workplace and Sexual Harassment Prevention every year, attracting 2,600 participants. The purpose of the seminar is to strengthen employers' understanding of the provisions on the prohibition of employment discrimination, such as workplace equality, the Employment Service Act, and the Act of Gender Equality in Employment, and to promote the goals of preventing employment discrimination and ensuring equal rights in the workplace. 4. Organize lectures on employee welfare promotion and encourage business entities to consider employee characteristics and needs when planning employee welfare activities to facilitate employee participation.		
F. Social life participation (A) Housing support services for women with disabilities (MOI) 1. Since 2007, the CPA has implemented the Integrated Housing Subsidization Program, application for which are accepted between July and August each year, and the relevant reviews are completed by the end of December. The municipal and county (city) governments then allocate rent subsidies on a monthly basis beginning in the following January until the subsidization expires after the allocation of 12 subsidy installments. In terms of interest subsidies, after an approved household signs a loan contract, the lending financial institution applies to the MOI for interest subsidies to be disbursed on a monthly basis until subsidization of the approved household expires (up to 20 years for the interest subsidies for self-purchased housing loans, and up to 15 years for the interest subsidies for house renovation loans). Rent subsidies and interest subsidies for self-purchased home loans and house renovation loans are provided for families below a certain income level and without self-owned houses, regardless of the identity, gender, or age of their members. The program adopts a scoring system under which households with persons with disabilities can be weighted according to the degree of their disabilities, thus giving them priority access to subsidies. Among the households approved for rent subsidies in 2017, 14,816 households contained members with disabilities (7,083 of which contained female members with disabilities, accounting for 47.8% of the category), and 429 of the households approved for self-purchased housing loan subsidies contained members with disabilities (217 of which contained female members with disabilities, accounting for		

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50.6% of the category). Additionally, 125 of the households approved for house renovation loan subsidies contained members with disabilities (61 of which contained female members with disabilities, accounting for 48.8% of the category). 2. According to the guidelines concerning subsidies for house rent and house-purchasing loan interest established in Paragraph 2, Article 71 of the People with Disabilities Rights Protection Act following its amendment and announcement on June 11, 2012, the required subsidies shall be allocated by the municipal and county (city) government competent authorities, and applications are to be accepted in most municipalities and counties (cities) throughout the year. With respect to housing loan interest subsidies, surveys have shown that applications were accepted in New Taipei City, Taoyuan City, Yilan County, Nantou County, Chiayi County, and Penghu County throughout 2017, whereas an application deadline was set in other counties and cities. A total of 11,972 households were approved for the housing rent subsidies for persons with disabilities in 2017, and 163 households were approved for the interest subsidies for housing purchase loans. 3. Applications for the Integrated Housing Subsidization Program are accepted between July and August each year, and interest subsidies for house renovation loans are continuously provided to improve the living environment of low- and middle-income families, thereby enhancing their quality of life. (B) Barrier-free transportation (MOTC) 1. The MOTC has installed accessible facilities on the vehicles operating in the transportation systems under its jurisdiction on the basis of the regulations for the establishment of accessible equipment and facilities/installations codified in Article 53 of the People with Disabilities Rights Protection Act. Accessible facilities at transportation terminals are installed in accordance with the regulations of Building Design and Construction under the Building Technical Regulations and Design Specifications of Accessible and Usable Buildings and Facilities. 2. According to the summary analysis of the 2016 National Travel Survey by the Department of Statistics of the MOTC, in terms of gender, the public transport market share of men and women has increased for the past 8 years, with women having a higher market share than men. In 2016, women’s public transport market share was 8.6% higher than that of men, indicating that improving public transport services can attract people, in particular women, to take public transport. 3. Public road transportation		

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(1) Wheelchair accessible bus: (i) Since 2010, the MOTC has subsidized intercity bus and city bus operators, enabling them to purchase 3,287 wheelchair accessible buses (including large wheelchair accessible wheelchair accessible buses), which has substantially increased the proportion of wheelchair accessible buses operating in urban areas nationwide from 7.2% in 2009 to 52%. (ii) Among the 647 intercity bus transit routes (mainly in counties and cities where public transport is less developed), barrier-free vehicles have been deployed in 384 of them. (iii) The deployment of wheelchair accessible buses to intercity bus routes that connect to Taiwan High Speed Rail or Taiwan railway is prioritized; the Taiwan Tourist Shuttle service has commenced 30 wheelchair accessible bus routes. (2) Wheelchair accessible taxi: Since 2013, local governments have been encouraged to apply for subsidies to purchase wheelchair accessible taxis. More than 800 taxis have been purchased, and approximately 850,000 rides have been given to persons with limited mobility.		
4. Supervision-related operations (1)To produce a friendly accessible environment and facilitate convenient access for persons with disabilities when they visit the offices, accessible facilities have been installed at the Directorate General of Highway and motor vehicles offices in each district. (2)Motor vehicles offices cater to the needs of persons with hearing impairment and allow them to take driver’s license tests accompanied by sign language interpreters. Additionally, such service can be appointed at the registration office; motor vehicles offices will request assistance from nearby sign language interpretation offices or groups.		
5. Continue implementing various projects (1)To continue improving highway public transport in Taiwan, the MOTC has planned a 4-year Project of Comprehensive Promotion of Highway Public Transport (2017–2020) with a total budget of NT\$15 billion. The urban–rural gap has been considered in this project, and a financial capability grading system has been established under which a higher proportion of subsidies will be provided to counties and cities with poor financial capabilities to help local governments to effectively improve the quality of public transportation services. (2)In addition to fully subsidizing bus routes that are reporting financial losses to maintain all service routes in rural areas, the aforementioned project also promotes Happiness		

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Buses to fill the gap in rural public transportation service. This initiative enables most households in rural areas to access highway public transportation within a reasonable walking distance, which improves the convenience of ridership for residents in rural areas and narrows the gap between urban and rural development. (3) Highway public transportation (i) Request highway bus operators to deploy barrier-free vehicles when applying for route operation renewal, in accordance with the Regulations on Reviewing and Processing Applications for Continuing Business of National Highway Schedule Bus Service. (ii) Review future directions of wheelchair accessible taxi implementation, discuss the increase of drivers’ operating incentives, and determine the feasibility of subsidizing necessary inspection equipment. (iii) Continue implementing purchase subsidies for wheelchair accessible buses and wheelchair accessible taxis in the downtown and for highway transportation. (C) Cultural participation (MOC) 1. Studies have shown that when persons with disabilities choose leisure activities, “arts and cultural activities” rank lower than entertainment, social interaction, sports activities, or simply staying at home. Therefore, the MOC has promoted cultural affirmation and cultural accessibility policies to actively enhance the rate of cultural participation. 2. To avoid various forms of discrimination and prejudice and to ensure the effective and equal distribution of resources, the MOC and its affiliated agencies (institutions) have been striving to develop cultural affirmation in recent years through continuous investment of resources and energy, beginning with the location and characteristics of museums, to reduce the gap in cultural participation. (D) Sports activities for women with disabilities (MOE, MOHW) 1. According to a 2015 survey by the MOHW, a total of 497,077 women with disabilities lived in Taiwan, accounting for 4.22% of the female population. 2. To improve the quality of life of women with disabilities, the Sports Administration of the MOE has tried to strengthen their motivation to participate in sports by planning sports programs suitable for them and providing diverse sports opportunities and information. The Sports Administration subsidizes national OPDs and sports groups to organize sports and leisure activities in accordance with the Regulations on Subsidies for National Sports Associations, and the number of female participants with disabilities accounted for		

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47.18% of the total participants in 2017. Additionally, the Sports Administration also guides local governments in implementing the “Sports i Taiwan—A Sports and LOHAS Program for Persons with Disabilities,” and 45.41% of all participants in 2017 were women with disabilities. 3. The development strategy detailed in the Women’s Sports Participation Advocacy White Paper aims to “create shared opportunities of sports participation for women with disabilities,” and corresponding action plans have been established to promote implementation. 4. Subsidize national OPDs and sports groups to organize sports and leisure activities suitable for persons with disabilities, and continue collaborations with local governments to promote “Sports i Taiwan—A Sports and LOHAS Program for Persons with Disabilities” to increase the opportunities for sports participation by persons with disabilities. Additionally, sports for women with disabilities are listed as the focus of subsidization review to encourage sports participation by women with disabilities. (MOE) 5. Strengthen activity promotion and increase the channels by which women with disabilities can receive relevant sports information. Additionally, invite representatives of female athletes with disabilities to attend sports initiatives for persons with disabilities to promote sports participation by women with disabilities and encourage their participation in sports. 6. Continue implementing the action plans outlined in the Women’s Sports Participation Advocacy White Paper (Details regarding stadium facilities are described in 75(c).) (E) Currently, a total of 11,016 children’s playgrounds are available in parks, schools, and restaurants. The game facilities lack variability and are not designed according to children’s needs. Future improvement should include the promotion of featured and inclusive playgrounds, consideration of the use behaviors of community residents, inclusion of the needs and preferences of general and special children, consideration of diverse designs as well as the safety and quality of recreational equipment to ensure children’s access to recreational facilities. (F) Continue subsidizing the organization by local governments and NGOs of inclusive game activities for ordinary and special children; produce brochures, posters, promotional materials, animations, short films, and broadcasts, combined with the use of multimedia communication, to help the public to understand and appreciate the importance of specialized recreational games for disabled children.		

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(G) To develop localized long-term care services, the MOHW has been providing preventive health care services and actively guiding community care centers with service capacity to establish Tier C long-term care centers in residential alleys and lanes, which are conducted with reference to care programs for disability prevention and dementia delaying. In addition to increasing the social participation of older adults, the ministry continues supervising county and city governments to monitor community care centers with sufficient capacity to increase the number of people they serve, particularly through establishing Tier C long-term care centers in residential alleys and lanes. Moreover, the ministry is also guiding local governments in the provision of accessible healthcare services, meal sharing, and social participation programs to prevent disabilities and delay dementia among older adults. (MOHW)		

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Women with disabilities (art. 6) 26. 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. 27. 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.		26 & 27 Department of Gender Equality Various agencies
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
A. Since 2010, the Executive Yuan has invited scholars, experts, women’s groups, and government agencies at all levels to collaborate in drafting gender equality–related provisions, the result of which is the Gender Equality Policy Guidelines issued in 2011 that establish the major guiding principles for gender equality policies in Taiwan. To keep up with trends and respond to suggestions from the community, the Executive Yuan amended the Gender Equality Policy Guidelines in 2017. Since then, the Department of Gender Equality has been tasked with supervising the various agencies and promoting seven major areas of action, which are “power, decision-making, and influence,” “employment, economics, and welfare,” “education, culture, and media,” “personal safety and justice,” “health and health care,” “demography, marriage, and family,” and “environment, energy, and technology.” A total of 221 specific action measures are outlined. Each area of action has specific regulations that protect the rights and interests of persons with disabilities (a total of 15 specific action measures), and their relevant content is summarized as follows:	<u>Short-term objectives (to be completed before May 2019)</u> 1. To strengthen the connection and interaction between inmates with disabilities and their families and relatives as well as stabilize said inmates’ physical and psychological adaptation, face-to-face interviews are to be conducted in appropriate places depending on actual needs and pursuant to Article 79 of the Enforcement Rules of the Prison Serving Act. (MOJ) 2. Use appropriate occasions or timing to promote self-protection awareness to the inmates and inform them that they should seek assistance from the correctional facility staff or use the suggestion box to disclose their situation if they are bullied or improperly treated. Additionally, because it is difficult for persons with disabilities to adjust to incarcerated living conditions, correctional staff should conduct individual counseling on a regular or irregular basis and should immediately investigate if abnormalities are observed in an inmate’s emotional or physical condition during counseling. (MOJ) 3. To effectively prevent incidents such as sexual assault and sexual harassment of inmates in	Process indicators: 1. Complete the amendment of the Gender Equality Policy Guidelines and formulate action plans. (Department of Gender Equality, Executive Yuan) 2. Continue monitoring subordinate correctional institutions to implement the relevant provisions. (MOJ) 3. Organize gender equality education and relevant prevention courses for

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(A) Power, decision-making, and influence: ministries and county and city governments should enhance the representation of women with disabilities on gender equality–related committees. (B) Employment, economics, and welfare: strengthen a care-related legal system and adopt supporting measures, with the MOHW formulating universal and affordable care service policies that provide affordable, high quality, and accessible care services to persons with disabilities. (C) Demography, marriage, and family: protect the equal rights of persons with disabilities to education, employment, medical treatment, and home care, and emphasize the dual disadvantages of women with disabilities and assess their needs. The MOL provides employment services to persons with disabilities, and the MOH establishes a welfare resource network for persons with disabilities and provides them with care services; meanwhile, the MOE provides subsidies for education and the development of digital library resources for persons with disabilities. (D) Education, culture, and media: strengthen and provide capability development and training of gender equality awareness for persons with disabilities. The MOHW, MOI, and MOJ provide educational promotion and training on violence prevention for persons with disabilities and the relevant professionals, and the MOE prepares gender equality education materials and courses for special education. (E) Personal safety and justice: 1. For persons with disabilities and other vulnerable groups facing difficulties communicating information and seeking assistance, the MOHW, MOE, Council of Indigenous Peoples, Council of Agriculture (Executive Yuan), and MOC will provide protection services and counseling for victims of domestic violence and sexual assault and organize educational activities and training courses on violence prevention. 2. Strengthen professional enquiry of and support personnel for persons with disabilities to protect them from human trafficking, with the MOHW, MOI, and MOJ implementing measures such as on-the-job training and qualification inspection. (F) Health and health care: promote a gender-friendly medical environment, emphasize the needs of persons with disabilities, ensure the quality of medical services, and advocate the affirmative value of the various appearances, faces, and bodies of persons with disabilities, with the MOHW encouraging medical personnel to invest in providing gender-friendly medical services and improve the obstetricians and gynecologists’	correctional facilities, the Agency of Corrections has issued the Concrete Measures for Correctional Facilities Preventing and Processing Sexual Assault, Sexual Harassment, and Sexual Bullying of Inmates and operational procedures for handling such incidents. The relevant content includes promoting gender equality and educating correctional personnel and inmates about it, strengthening front-end prevention mechanisms such as life counseling, room allocation management, and physical examination, and establishing clear rules for postincident notification, investigation, victim protection (isolation protection, psychological counseling, legal counseling, wound inspection and evidence collection, and medical service), privacy maintenance, and referral to judicial investigation; results of initiatives centered around these can serve as a reference for relevant agencies. (MOJ) <u>Medium-term objectives (to be completed between 2021 and 2022)</u> Amend the Gender Equality Policy Guidelines and formulate action plans (Department of Gender Equality, Executive Yuan).	correctional institutions every year. (MOJ) 4. Implement the management mechanism for incident notification and tracking in the correctional institutions. (MOJ) 5. Investigate the use of gender equality materials in each county and city every year. (MOE) 6. Schools continue investigating and handling campus sexual assault, sexual harassment, and sexual bullying incidents according to the relevant prevention regulations. (MOE)

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service capacity and quality of care. (G) Environment, energy, and technology: review the convenience, friendliness, and safety of the plans and designs of public spaces as well as public transportation according to the needs of persons with reduced mobility, and encourage the development of relevant assistive devices, goods, and services that support the independence of persons with disabilities and reduce the burden of care. This mainly involves the Ministry of Science and Technology (MOST) organizing industry–academia collaborations and subsidizing research and development of relevant assistive devices for persons with disabilities and the MOTC incorporating the needs of persons with disabilities into the transportation system, transportation terminals, and transportation design. Additionally, the MOL shall assist enterprises in organizing occupational redesign based on the workplace needs of persons with disabilities, and the MOHW shall provide subsidies for purchasing assistive devices and improvement services to establish an accessible environment in homes. B. Preliminary examination shows the areas identified in general comment no. 3 of the CRPD committee are compatible with the seven major areas in the aforementioned Gender Equality Policy Guidelines except for the exemption from exploitative, cruel, inhuman, or degrading treatment; armed conflicts; and humanitarian emergencies. To comply with the amendment of the guidelines in 2017 strengthening the protection of the rights and interests of women with disabilities, relevant measures to promote issues concerning women and girls with disabilities will be reviewed and used as references when revising the Gender Equality Policy Guidelines. C. The MOE will promote the application of gender equality education materials for different disability categories in all education levels up to senior high schools and develop a reference handbook for gender equality education for special education students in colleges and universities. D. When handling sexual assault, sexual harassment, or sexual bullying on campus, schools handle the attendance record or achievement assessment of the victims with flexibility and actively assist them in their coursework. The victims are not to be subject to provisions restricting leave application and achievement assessment. Additional measures that are to be taken include respecting victims’ wishes and reducing the opportunities for interaction between the involved parties to avoid retaliation, preventing or reducing the possibility of perpetrators causing additional harm, and instituting other interventions as deemed necessary by the Department of Gender Equality.		

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Concluding Observations		Competent Authorities
Children with Disabilities (art. 7) 28. The IRC is concerned that: (a) There is a lack of a comprehensive early intervention system; 29. The IRC recommends that the State: (a) 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;		28 & 29(a) MOE MOHW (SFAA) Supporting agencies: MOHW (Health Promotion Administration [HPA], Child and Youth Welfare Section and People with Disabilities Section of the SFAA)
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>A complete early intervention system consists of three systems, namely medical care, social welfare, and education and requires the implementation of interdisciplinary reporting, the referral of children with disabilities, and the coordination of support for children with disabilities and their families. Related information is provided as follows.</p> <p>A. Early intervention system (SFAA and HPA)</p> <p>(A) The German early intervention and service system integrates professional resources such as medical care, education, psychology, and social welfare, and the system in Hong Kong encompasses the services of government agencies such as the Department of Health, Social Welfare Department, and Education Bureau to provide service measures such as prevention, discovery and notification, assessment, and treatment. Additionally, countries such as the United States, the United Kingdom, and Japan have also planned to promote service programs related to early intervention, social welfare, and education.</p> <p>(B) Taiwan’s early intervention system and services are provided by the MOE, MOHW, and local government education, health, and social administration units in accordance with the Implementation Plan for Early Intervention for Children with Developmental Delay. This entails collaboration in promoting relevant work such as discovery and screening, notification referral and case management, and joint assessment and treatment as well as in providing individual services for children with developmental delays and their families.</p> <p>(C) Pursuant to Paragraph 3, Article 31 of The Protection of Children and Youth Welfare and Rights Act, the linking and coordinating early intervention services for children with developmental delays are the joint responsibility of the MOHW and MOE. The MOHW has established an early intervention service for children with developmental delays promotion committee to facilitate communication and coordination between the two ministries. Additionally, local governments can also discuss with the committee to develop cross-unit collaboration mechanisms if they require the relevant central ministries to coordinate matters.</p> <p>(D) The Promotional Team for Children and Youth Welfare and Rights and Social Welfare</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none">1. The Workbook for Notification and Referral Centers and Case Management Centers is to be completed in 2018 to guide the relevant centers in implementing notification and case management services for children with developmental delays. (SFAA)2. The sample of quality management indicators for community intervention services (including home-based services) is to be completed in 2018. This includes the child- and family-oriented effectiveness evaluation indicators to strengthen the benefits of early intervention services in communities. (SFAA)3. Local governments and NGOs are invited to meetings to jointly develop the subsidy targets, principles, items and standards, work items, and performance calculation standards in the Support Service Plan for Family Caregivers of Persons with Disabilities. (SFAA)4. In 2018, local government health bureaus are to be subsidized to integrate medical institutions in the jurisdiction to participate in the joint assessment of childhood development, with a total of 51 medical institutions in 22 counties and cities receiving subsidies to establish a single service window. The diagnosis, assessment, and examination of children and the resulting comprehensive report about children with suspected developmental delays are to be provided by an interdisciplinary team (including pediatric neurology, child and adolescent psychiatry, rehabilitation, physical therapy, occupational therapy, clinical psychology, language and hearing, and social work). Additionally, the assessment results are to be explained by a representative of the professional team to parents to protect the children’s health rights. (HPA) <p><u>Short-term objectives (to be completed before May 2019)</u></p> <ol style="list-style-type: none">1. To support family caregivers of persons with disabilities and increase their quality of family life, the SFAA has planned to subsidize local governments to establish support service centers for family caregivers of persons with disabilities beginning in 2019 to reduce the stress of providing care through services such as caregiver support, training and workshops, and home-based services	<p>Structural indicators:</p> <p>Revise the Implementation Plan of Early Intervention for Children with Developmental Delay to strengthen the cooperation between professionals and families to promote integrated early intervention services. (SFAA)</p> <p>Process indicators:</p> <ol style="list-style-type: none">1. Establish a Workbook for Notification and Referral Centers and Case Management Centers to facilitate the strengthening of interdisciplinary service functions of the aforementioned centers by local governments. (SFAA)2. Complete the service promotion of the Three-Year Subsidization Plan for Establishing Child Development Joint Evaluation Centers for Regional Authorities in 2019, and assist in the establishment of at least one joint assessment center or

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Promotion Committee established by the Executive Yuan also supervise interministerial collaboration on early intervention. During the 26th meeting of the Social Welfare Promotion Committee on November 16, 2017, the Executive Yuan resolved to request the continued collaboration of the MOE and MOHW to establish a complete needs assessment, counseling, and tracing mechanism to effectively link early intervention and preschool special education. Additionally, the Executive Yuan invited the two ministries to discuss the delegation of responsibilities regarding the matters of early intervention on July 18, 2018; efforts are to be made in the direction of mutual assistance and support. (E) To seize the opportunities of early intervention, the HPA requested that hospitals implement a joint assessment of child development in 2010. In 2017, 47 hospitals in 22 counties and cities were commissioned to conduct the aforementioned assessment, and a total of 22,207 children were suspected to have developmental delays. Among them, the conditions of 524 children were unconfirmed because they were overseas or out of reach of the hospitals. Among the 20,379 children undergoing complete assessment, 14,580 of them were confirmed to have developmental delays (the majority of their developmental delays fell under the category of language delay, followed by perceptual motor development), 1,102 of them were developmentally normal, and 4,697 of them had suspected developmental delays that required constant follow-up.	by experts. (SFAA) 2. Continue supporting the local government health bureaus as they implement joint assessment services for child development and provide joint evaluation services for children with suspected developmental delays. The HPA is scheduled to guide each county and city in establishing at least on joint assessment center or hospital in 2019 and subsidize at least 50 medical institutions to provide relevant service resources. (HPA)	hospital in each county and city. (HPA) 3. Implement relevant workshops on a regular basis to improve school faculties’ sensitivity toward the notification and referral of children who require early intervention. (MOE) 4. Increase the number of kindergarten teachers with special education expertise. (MOE) 5. Organize at least two sessions of early intervention service courses, lectures, and exchange activities per year. (SFAA)
B. Family support system (SFAA) (A) Pursuant to the 2016 Survey Report on the Living Conditions and Needs of Persons with Disabilities, persons with disabilities who were diagnosed with developmental delays during childhood accounted for 11.57% of all disabled persons, and of the 11.57%, 7.75% of them had received early intervention. Both figures were higher than those in the 2011 survey, in which persons with disabilities who were diagnosed with developmental delays during childhood accounted for 11.19% and those who received early intervention accounted for 4.60%. Additionally, according to the 2016 survey results, persons with disabilities aged 0 to 6 years old who were diagnosed with developmental delays accounted for 82.97%, and 79.44% of them had received early intervention. Coordination and collaboration through the	<u>Short-term objectives (to be completed before 2022)</u> To achieve early intervention and improve the early results of preschool special education, the Itinerant Counseling Model and Professional Growth Project for Preschool Special Education is being developed to establish a preschool education service model suitable for Taiwan. Additionally, a program is to be developed to improve the kindergarten teachers’ special education–related expertise and their capability to discern children with developmental delays. (MOE)	Outcome indicators: 1. Offer adequate special education classes in response to the increase in the number of preschool children to promote early intervention. (MOE) 2. Develop an early intervention workbook to enhance the knowledge of professionals working to guide parents to actively participate in the intervention service program.

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early intervention system can help provide services for children with developmental delays. (B) To strengthen the family-centered early intervention services for children with developmental delays, the MOHW held an expert consultation meeting on the professional integration of family-centered early intervention services. Additionally, the ministry requested the MOE, National Health Insurance Administration, and HPA to conduct a project report at the second meeting of the MOHW’s early intervention service promotion committee for children with developmental delays in 2017 to promote cross-unit service integration. (C) To help children with developmental delays and their families successfully connect with relevant resources and professionals, a comprehensive table of early intervention units in each county and city was established for the public’s reference, and the performance of the notification and referral centers and case management centers was strengthened. Additionally, the Project of Visit and Guidance for Child Development Reporting, Referral, and Project Management Centers was implemented from December 2017 to December 2018 to enhance the effectiveness of social work professionals’ intervention in family services. (D) Currently, family-centered early intervention service models around the world have undergone diverse development paths, including routine-based intervention, family-guided routine-based intervention, activity-based interaction, learning opportunities, and participation-based services. To improve the effectiveness of services for children with developmental delays and their families, the SFAA has commissioned the Project of Developing Quality Indicators for Early Interventions and the Project of Visit and Guidance for Child Development Reporting, Referral, and Project Management Centers. Additionally, the SFAA also produced relevant work manuals and indicator examples with reference to the aforementioned practical operation modes to provide appropriate, family-centered implementation methods. (E) To improve the quality of family life of persons with disabilities and reduce the burden on family caregivers, the government has implemented family support services such as temporary and short-term care, caregiver support training and study, and family care visits based on needs assessment results. The uneven financial situation and resources of local governments have resulted in varying effectiveness in the provision of family support		(SFAA) 3. Establish samples of quality management indicators for community intervention services (including home-based services) to improve the effectiveness of family services. (SFAA) 4. Provide points that can be used at service centers for family caregivers of persons with disabilities nationwide. (SFAA)

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services for persons with disabilities. Thus, the systematic establishment of family support service resources is required. (SFAA)		
C. Education system (MOE) (A) Providing adaptive education measures and appropriate support services for children with disabilities to fully develop their potential is the primary task of special education. Article 23 of the Special Education Act stipulates that “In order for special needs children to receive early intervention, special education practices shall start as early as two years old” to protect the rights of special needs children over the age of 2 to receive special education. Moreover, preschool special education is regarded as one of the diversified early intervention services. The MOE has implemented a special education notification program that interfaces with the MOHW’s system, transferring information on early intervention for children with disabilities into the special education system. Additionally, the MOE requests counties and cities to promote early intervention for preschool children through relevant meetings and to evaluate the establishment of preschool special education classes as well as actively implement the promotion of inclusive education in kindergartens. (B) Continued projects 1. Implement early intervention and adaptive education using special education resources to meet the special education needs of children with disabilities aged 2 prior to their enrollment in primary school. 2. To fully meet the education needs of students with disabilities and expand the service capacity of preschool special education, the K-12 Education Administration has implemented the Third Five-Year Project for Improving the Service Quality of Preschool Special Education, instructing municipalities and counties (cities) to implement preschool special education according to the three major aspects planned by the project. Specific implementation projects and indicators are formulated for each work aspect, and the policy promotion results of the municipalities and counties (cities) are reviewed annually. The special human resource support services provided by the current 5-year plan include: (1) Subsidize on-the-job training of special education preschool teachers who have the		

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following qualifications: i. the educator has attended a 36-hour disability expertise workshop held by a teacher-training university or competent authority in the previous year. ii. The kindergarten in which the educator works has implemented transfer and notification of children with disabilities. For each qualified teacher, the kindergarten is provided an NT\$5,000 subsidy. (2) Subsidize the employment of qualified full-time preschool special education teachers: the subsidy is limited to the employment of qualified full-time preschool disability special education teachers who are employed for more than 1 year and whose kindergarten implements transfer and notification of children with disabilities. Kindergartens that meet the requirement (employ full-time kindergarten disability special education teachers and provide special education services and individualized education plans for children with disabilities) are provided an NT\$10,000 subsidy for each qualified teacher. (3) Provide professional services for special education teachers’ assistants and student assistants based on relevant needs: courses on special education expertise for special education teachers’ assistants and students’ assistants are held in every county and city every year, and the assistants are required to participate in the courses for a certain number of hours every semester. 3. Establish a collaborative communication platform with the MOHW’s early intervention for children with developmental delays promotion committee and recommend the recruitment of special education experts and scholars to jointly promote the overall planning of early intervention. The MOE will continue its collaboration with the MOHW.		

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Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>The handling of gender-based violence concerning children with disabilities in schools involves the collaboration of social administration, police administration, and education, judiciary, and juvenile correctional systems, which are described below.</p> <p>A. Social administration system (Department of Protective Services; DOPS)</p> <p>Article 8 of the Sexual Assault Crime Prevention Act mandates that if medical workers, social workers, and educational workers learn of suspected sexual assault incidents while performing their duties, they must report to the competent authority of the municipality or county (city) within 24 hours. After receiving a report, the competent authority of the municipality or county (city) should provide the victims with relevant protective and assistance measures such as accompanied interrogation, financial assistance, wound examination and treatment, legal assistance, and psychological counseling in accordance with the Sexual Assault Crime Prevention Act. Additionally, cooperation with network units such as police administration, health care, education, and the judiciary should be strengthened and web conferences should be used to safeguard the rights and interests of victims. Items for implementation are as follows:</p> <p>(A) Pursuant to Articles 7, 8, and 26 of the Sexual Harassment Prevention Act and Article 7, Paragraph 4 of the Sexual Assault Crime Prevention Act, the relevant authorities, troops, schools, institutions, or employers shall be responsible for implementing sexual harassment and sexual assault prevention as well as remediation after incidents. Additionally, they shall regularly organize and encourage staff to participate in educational training on sexual harassment and sexual assault prevention.</p> <p>(B) Implement professional training for child protection and sexual assault prevention to improve professionals’ expertise, and train professionals to assist judicial personnel in interrogating sexual assault victims with disabilities to protect the rights and interests of vulnerable witnesses such as children and persons with disabilities.</p> <p>(C) Developed the 113 SMS notification to assist victims of gender-based violence with hearing or speech impairment find the help they need.</p> <p>B. Police administration system (MOI)</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none">1. Because the situation in schools had stabilized, members of the MOE’s Professional Counseling Committee deemed that the short-term objectives had been achieved on December 24, 2015. The K-12 Education Administration subsequently commissioned National Changhua University of Education to implement the 2016–2018 Project of Improving Gender Equality Education in National Special Education Schools, which involves hiring scholars and experts to conduct counseling at schools to continuously monitor the improvement of overall problems at special education schools in each county. The special education school where the gender equality case occurred reported one established case of sexual assault and eight established cases of sexual harassment in the 2017 academic year. (MOE)2. To continuously monitor the implementation of gender equality education and enhance gender equality awareness in special education schools, the MOE commissions the National University of Tainan to implement the Project of Gender Inequality Prevention and Gender Empowerment in Special Education Schools in 2018; the planned duration of the project is from March 2018 to February 2020. Through visits to the national special education schools, the project aims to develop an understanding of the differences in environment, ecology, special conditions, and the needs of teachers and students of each school. Its goal is to develop a gender equality integration curriculum that meets the needs of persons with disabilities in those schools and help them establish an individualized school-based curriculum that integrates gender equality education into the curriculum, teaching, and school policies, with students as the core to enhance the students’ gender equality awareness. Additionally, a Practical Manual on Gender Equality and Counseling in Special Education Schools (chapter on students with disabilities) has been/is being developed. (MOE)3. Continue improving the promotion of and access to various complaint channels and measures. (MOE) (1) Request that special education schools inform parents of the relevant complaint channels for gender equality issues and inappropriate discipline as well as information concerning various support services and resources of special education schools. Additionally, prepare a manual on the legal liability of special education teachers involved in gender equality	<p>Structural indicators:</p> <p>Enact the Statute of Youth Correctional Institutions and establish a special chapter on “Complaint, Petition, and Statement of Objection” to ensure students in juvenile correctional institutions can fully express their opinions and seek relief. (MOJ)</p> <p>Process indicators:</p> <ol style="list-style-type: none">1. Organize two sessions of beginner- and advanced-level training classes for professionals on the safety of women and children every year. A total of six sessions are expected to be organized from this year (2019) to the second CRPD international review (2021) to improve the participants’ capability of investigating gender-based sexual violence involving children with disabilities in schools. (MOI)2. Design adaptive gender equality curriculum for special education students and incorporate them into individualized educational programs. (MOE)3. Continue implementing gender

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<p>(A) Since 1995, Taiwan has promulgated or amended laws and regulations to prevent gender-based violence. The National Police Agency has collaborated with the competent authorities to amend laws and regulations related to protecting women and children; establish an interministerial protection network involving social administration, health care, the judiciary, and education; enhance police officers’ investigatory abilities in cases concerning women and children; and improve processing procedures for cases involving women and children. These measures aim to reduce the secondary victimization of victims; prevent perpetrators from reoffending; and to strengthen crime prevention among the public to maintain the safety of women and children.</p> <p>(B) To investigate gender-based violence involving children with disabilities in schools, the following measures and plans have been devised:</p> <ol style="list-style-type: none">1. Recommend police officers who specialize in sexual assault cases to participate in beginner- and advanced-level courses and written test evaluations organized by the MOHW.2. Recommend police officers who specialize in sexual harassment cases to participate in beginner- and advanced-level professional training for investigators of sexual harassment cases organized by the MOHW (scheduled period: annually).3. Conduct national educational training and promotional works and regularly organize Beginner- and Advanced-Level Training Course for Professionals on the Safety of Women and Children every year. <p>C. Education system (MOE)</p> <p>(A) Special education schools shall investigate and report incidents in accordance with the Gender Equity Education Act and shall convene a gender equality committee after an incident and implement necessary counseling for the perpetrators and victims.</p> <p>(B) A gender equality case occurred in the dormitory of a special education school, but the incident was not reported immediately. Upon receiving the report, the MOE immediately formed a counseling committee to counsel the students involved and took disciplinary actions against the administrator responsible for the error. Additionally, the court ruled that state compensation should be made in this case. Investigation by the Control Yuan indicated that a total of 164 suspected on-campus gender-related cases occurred between 2004 and January</p>	<p>and inappropriate discipline incidents that includes information such as laws and regulations, case descriptions, and analytical methods to enable teachers to be familiar with the legal liability involved in such incidents to prevent the occurrence of such incidents.</p> <p>(2) Improve the measures undertaken by special education schools to educate students on prevention of gender-based violence and multiple complaint channels.</p> <p>(3) Place the responsibility for supervision and inspection of gender-related incidents in special education schools under the jurisdiction of municipal governments. The key policies are as follows:</p> <p>A. Supervise the municipal, county, and city governments in their oversight of the special education schools under their jurisdiction to ensure they complete the legal liability report and school safety report within the time limit.</p> <p>B. Supervise the municipal, county, and city governments as well as the special education schools under their jurisdiction to assist the investigation units to review cases and establish a relevant support network to provide follow-up counseling and guidance for victims.</p> <p>C. Supervise the municipal, county, and city governments as well as the special education schools under their jurisdiction to improve friendly and safe gender equality spaces: improve surveillance equipment, arrange regular patrols, install emergency help buttons, and provide campus safety maps.</p> <p>(4) Gradually reduce gender-based violence.</p>	<p>equality studies for dorm administrators to improve the gender equality awareness of school personnel, enabling dorm administrators to understand the reporting process after the occurrence of gender-related incidents, thereby eliminating the incidence of concealing gender-related cases and delayed reports. (MOE)</p> <p>4. The Investigation Committee of On-Campus Gender-Related Incidents should include at least one special education teacher to assist in the investigation of gender-related incidents involving special education students. (MOE)</p> <p>5. Organize gender-equality education and relevant prevention courses in correctional institutions every year. (MOJ)</p> <p>6. Implement a report and tracking management mechanism for relevant incidents at correctional institutions. (MOJ)</p> <p>7. Continue implementing educational training to improve the professional expertise of judges concerning gender-based</p>

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15, 2012. On September 23, 2011, the MOE formed the Professional Counseling and Consultation Committee, the Administrative Investigation Committee of the MOE, and the Special Administrative Supervision Committee. The subsequent actions are described below. 1. The Professional Counseling and Consultation Committee and the Special Administrative Supervision Committee jointly monitor the improvement of the schools' gender equality– and school administration–related matters. Additionally, the MOE subsidizes the establishment of a human resources integration platform for professional counseling at the university to introduce relevant professional human resources and provide follow-up psychological counseling for individuals involved in gender-related incidents (students, parents, and teachers) to help students return to their normal lives. If a student has graduated or been transferred to another university and requests counseling, the new university is also required to be included in the platform. 2. After the incident, the relevant personnel of the K-12 Education Administration (formerly the office of central Taiwan), previous presidents, school teachers, and relevant personnel were subject to administrative punishment and impeachment. 3. Follow-up on the state compensation of gender equality incidents: Of the five state compensation applications involving the school that were completed in 2012, three of them were resolved based on the negotiated terms, and two of them were resolved according to the court's ruling. The state compensation has been paid to the relevant claimants. (C) The MOE formed the Professional Counseling Committee in accordance with the proposal in the 10th meeting of the eighth education and cultural committee (Phase 4) convened by the Legislative Yuan. As of December 24, 2015, 26 meetings had been held and actual school counseling had been conducted to assist the school. (D) The investigation and handling procedures regarding on-campus gender events follow the provisions of the Gender Equity Education Act. Subparagraphs 8, 9, and 13, Paragraph 1, Article 14 of the Teachers' Act are applicable for the punishment of wrongdoers who are teachers. Regarding on-campus gender incidents that do not involve sexual assault, sexual harassment, or sexual bullying; are not severe; and are determined to have occurred from a failure of a teacher to fulfill his/her duty or a teacher's incompetence, the case shall be referred to the Teacher's Professional Review Committee for investigation as per		violence involving children with disabilities. (Judicial Yuan)

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<p>Subparagraph 14, Paragraph 1, Article 14 of the Teacher’s Act.</p> <p>D. Judicial system (Judicial Yuan)</p> <p>(A) The investigation and punishment of personnel involved in on-campus sexual assault fall under the scope of the Sexual Assault Crime Prevention Act, Gender Equity Education Act, and Regulations on the Prevention of Sexual Assault, Sexual Harassment, and Sexual Bullying on Campus. Because the aforementioned laws and regulations are not overseen by the Judicial Yuan, and the investigation and administrative punishment are conducted by the relevant administrative agencies, it is thus inappropriate for the Judicial Yuan to voice any opinions. For cases that have entered the litigation stage, the hearing of a litigation case by the court involves the judge exercising independent judgment based on the information and evidence obtained from the investigations and in accordance with law, without violating the rules of ethics. It is inappropriate for the Judicial Yuan to express any opinions on the hearing of court cases and sentencing outcomes of administrative procedures.</p> <p>(B) Juvenile courts are judicial organs that must abide by the principles of no trial without charge and presumption of innocence. For cases in which the police, special schools, juvenile reform schools, or correctional schools transfer juveniles involved in sexual violence to the court, the juvenile court should uphold the principle of evidentiary adjudication and conduct appropriate and necessary investigations. If a concluded investigation fails to prove the occurrence of behaviors that violate the law, the court may decline to hear the case. If evidence from the investigation suggests that behaviors were taken in violation of the law, the decision whether such a matter is a juvenile criminal case that should be transferred to the prosecutor is based on factors such as the severity of the crime and the age of the juvenile. If it is not to be transferred, the juvenile’s behavior and delinquency, personality, experience, mental and physical conditions, family background, social environment, educational background, and the opinions of the juvenile investigator, the juvenile, his or her legal representative, and the victim in the negotiation trial are to be considered. If a comprehensive assessment leads to the conclusion that the juvenile requires protection, appropriate protection and treatment are to be undertaken to facilitate his or her personal growth. Therefore, there should be no light punishment or impunity at the stage of court investigation and trial.</p> <p>(C) Continue implementing educational training to enhance the professional expertise of judges</p>		

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regarding gender-based violence against children with disabilities.		
<p>E. Juvenile correctional system (MOJ)</p> <p>(A) The investigation of juvenile correctional schools, juvenile reform schools, and juvenile detention houses (hereinafter known collectively as juvenile correctional institutions) regarding suspected perpetrators of sexual violence: To clarify the causes and unfolding of an incident, juvenile correctional institutions shall assign specialized personnel (teams) to investigate, interview relevant individuals (including the suspected perpetrator, victim, roommates, students in the same class, and onsite correctional supervisor), and produce interview records or statements. Additionally, the surveillance video, diagnostic certificate, and physical evidence of the relevant individuals in the incident should be collected and preserved. During the investigation of the incident, if the event-related individuals are persons with disabilities, investigators should assess whether the interviewee is incapable of understanding questions or expressing opinions clearly due to disability and provide assistance when necessary during recording of interview or taking of statements.</p> <p>(B) Punishment of sexual violence perpetrators by juvenile correctional institutions: if the perpetrator is a student, an appropriate penalty shall be imposed pursuant to Article 79 of the Act of the Establishment of Juvenile Reformatory Schools and Enforcement of Education, Article 49 of the Organic Statute of Reform Schools, and Article 36 of the Statute on the Establishment of Juvenile Detention Houses. Additional factors to consider include the reasons and motives for the offense and the physical and psychological conditions of the perpetrator as well as the Reference Standard for Inmate Violations and Punishment. However, penalties shall not be imposed on behaviors directly caused by the student’s mental illness or intellectual deficiencies. If the perpetrator is a minor, he or she shall be transferred to the juvenile court together with the relevant evidence after the investigation implicates the criminal liability of the perpetrator. If the perpetrator is an adult, the juvenile correctional institution shall collect and preserve the relevant individual’s transcripts, surveillance video information, and the certificate of verification of injury diagnosis and physical evidence and transfer them to the District Prosecutors Office in the jurisdiction.</p> <p>(C) Appeal system of juvenile correctional institutions: Pursuant to Article 8 of the Act of the Establishment of Juvenile Reformatory Schools and Enforcement of Education, when a</p>		

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student suffers from improper infringement or refuses to accept a punishment or improper disposition of his or her life or discipline given by the reformatory school, the said student or his or her legal representative may file a complaint with the appeal committee of the reformatory school verbally or in writing. However, if the Organic Statute of Reform Schools and Statute on the Establishment of Juvenile Detention Houses do not contain relevant provisions, the Agency of Corrections may notify its affiliated juvenile reform schools and juvenile detention houses that a juvenile may file a complaint if he or she refuses to accept a punishment or other disciplinary measure, providing them with a means of relief. Additionally, the Statute of Youth Correctional Institutions is being drafted, and a special chapter on “Complaints, Petitions, and Appeals” is to be added to ensure that students in a juvenile correctional institution can fully express their opinions and seek relief. If students with disabilities are incapable of understanding or making full statements due to their disabilities, the juvenile correctional institutions shall provide the necessary assistance.		
(D) Internal supervision of juvenile correctional institutions: to more effectively prevent incidents of sexual assault, sexual harassment, and bullying of inmates in correctional institutions, the Agency of Corrections has issued the Concrete Measures for Correctional Institutions Preventing and Processing Sexual Assault, Sexual Harassment, and Sexual Bullying of Inmates and operational procedures for handling such incidents. This includes strengthening the gender equality education of the correctional institution personnel and inmates and improving front-end prevention mechanisms such as life counseling, room allocation management, and physical examinations. Moreover, clear specifications regarding incident reporting, investigations, victim protection (isolation protection, psychological counseling, legal counseling, wound inspection and evidence collection, and medical services), privacy protection, and referral to judicial investigation should be established. Currently, active measures such as prevention advocacy, counseling measures, physical examinations, and intensified inspections are implemented according to the aforementioned measures, and Operations on Handling Sexual Assault, Sexual Harassment, and Sexual Bullying is included in the internal control system.		
(E) External supervision of juvenile correctional institutions: the Agency of Corrections is currently drafting the Statute of Youth Correctional Institutions, in which a provision requiring the Agency of Corrections to send officials to inspect the juvenile correctional		

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institutions at least once a quarter is to be added. Additionally, pursuant to Paragraph 3, Article 4 of the Act of the Establishment of Juvenile Reformatory Schools and Enforcement of Education and Paragraph 2, Article 2 of the Statute on the Establishment of Juvenile Detention Houses, juvenile correction schools and juvenile detention houses are subject to assessment and supervision by the courts and public prosecutor’s office.		

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Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>Important resources related to children with disabilities consist of health care, social welfare, education, transportation, and cultural systems. An overview of the support measures and resources provided by the state to eliminate urban–rural disparity is described below.</p> <p>A. Health care system (MOHW) (A) For the early detection and treatment of abnormal cases, the HPA provides seven preventive health care and health education guidance services for children under 7 years of age. In 2016, the number of uses of the National Preventive Health Care Services for Children totaled 1,129,651, achieving a utilization rate of 78.7%. If a child with a suspected developmental abnormality is discovered during a service, the child is referred to the Child Development Joint Evaluation Center of the HPA or a joint evaluation hospital established by the local government’s health bureau for confirmation. (B) At present, except for the secondary medical area in Dawu Township, Taitung County, all other locations in Taiwan contain regional hospitals. The MOHW has established the Dawu Holiday and Night-Time Emergency Medical Station at the Dawu Township Public Health Center to provide relevant services. (C) Overview of current children’s medical resources: the number of pediatricians per 10,000 children in the primary medical area in Taipei is 7.5, whereas that in the East District is 6.2.</p> <p>B. Social welfare system and labor field (MOHW, MOL) (A) Urban–rural disparity is an overall structural problem following national development and urbanization. In response to the shortage of early intervention service units and professional human resources in rural areas, the SFAA of the MOHW has promoted the Pilot Project of Home- and Community-Based Intervention Sites for Children with Developmental Delays since 2010. Additionally, the SFAA also established the Implementation Plan for Community-Based Intervention Service Sites for Children with Development Delays in 2013</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none">According to the funds allocated bon the basis of the population of children under 6 years old, land area, and the estimated number of assessment cases completed, subsidies for Taipei City and New Taipei City have been reduced compared with those in previous years due to their abundant joint assessment resources. Some rural areas with insufficient resources have received more subsidies compared with the previous years (e.g., Yilan County, Miaoli County, Changhua County, Nantou County, Pingtung County, Taitung County, and Hualien County), and the public health bureaus of local governments have received support for conducting flexible planning of community outreach services according to local needs to protect the health of rural children. (HPA)To reduce the urban–rural disparity and waiting time for evaluation as well as to increase the evaluation of accessibility, a joint evaluation center was established in Tainan City, Hsinchu County, and Nantou County in 2018. Only Taoyuan City and Changhua County did not reach the targeted number of joint evaluation centers (one center short in each county and city) in the original subsidy specifications. Subsidies or a qualification designation for the establishment of joint hospitals shall be arranged according to the financial sources of those two jurisdictions. (HPA)To supervise and ensure that local governments are investing resources in accordance with the law to promote community-based intervention services, the implementation of community-based intervention services by local governments is planned to be included in the 2019 social welfare assessment indicators. (SFAA, MOHW)To improve the accessibility of medical treatment for children with disabilities in rural areas, the National Health Insurance Administration (NHIA) has implemented the following improvement programs: (1) Promote the Improvement Plan for Areas with Insufficient Medical Resources involving Western medicine, traditional Chinese medicine, and dentistry, encouraging medical	<p>Structural indicators:</p> <ol style="list-style-type: none">Adjust the relevant subsidy provisions for accessible public transport according to reviews such as implementation experience, international trends, and social needs. (MOTC) <p>Process indicators:</p> <ol style="list-style-type: none">Encourage the public health bureaus in 22 counties and cities to implement the joint assessment of child development, and plan community outreach services in accordance with local needs to protect the health of children in rural areas. (HPA)Include social welfare assessment indicators in the community intervention services by local governments to improve their resource deployment. (SFAA)Implement the Project of Deploying Intervention

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<p>(which was changed to the Implementation Plan for Providing Community-Based Interventions for Children with Developmental Delays in 2016) to help children with developmental delays and their families receive relevant services in their communities, thereby protecting their entitlement to intervention treatment. Despite the service area being increased from 34 townships and districts in 2014 to 68 townships and districts in 2017, in areas with scarce resources, the ratio of townships and areas lacking early intervention resources in health care, social welfare, and education that should be incorporated into the service network still required further improvement.</p> <p>(B) According to a 2017 survey on the allocation of early intervention resources in counties and cities in Taiwan, 37 townships and districts lack early intervention resources in health service, social service, and education systems, indicating that the participation of more service units is to be encouraged to improve the ease of delivering early intervention services. Enhancing the coverage of community-based intervention services depends on collaboration between the central and local governments. Thus, the SFAA has requested that local governments plan their target values for community-based intervention services for 2017 during the 2016 Report on the Early Intervention for Children with Developmental Delay.</p> <p>(C) Compared with normal students or those with disabilities who have graduated from colleges and universities, junior high and senior high school graduates with disabilities (aged 15–18) are relatively disadvantaged in terms of their employability because of their lack of academic qualifications. To remedy this situation, employment referral services should be implemented together with occupational reconstruction services to target these individuals’ intentions, capabilities, and career development. Through occupational counseling and evaluation, the service can help students with career exploration and the development of employable skills while linking them with and using local employment and training resources to acquire meaningful employment opportunities.</p> <p>C. Education system (MOE)</p>	<p>institutions to provide treatment in rural townships and districts.</p> <p>(2) Implement the National Health Insurance Project for an Integrated Delivery System in Mountainous Areas and Offshore Islands, encouraging designated medical institutions to provide medical services for local residents in mountainous areas and offshore islands. Its treatment divisions and services are adjusted on the basis of the assessment and discussion of local needs by the Integrated Delivery System (IDS) project supervision committees consisting of insurers, medical professionals, local health authorities, and legislators.</p> <p>(3) Implement the Health Care Service Improvement Plan for Areas Lacking Accessible NHI Health care Resources, which provides 24-hour emergency, internal medicine, surgery, gynecology, pediatric, inpatient, and outpatient services. The maximum subsidy for the floating point value is NT\$1 per point, with a maximum and minimum amount of NT\$15 million and NT\$9 million, respectively, each year.</p> <p>5. Information on the accessible medical environment in 17,000 medical institutions nationwide is linked to the National Health Insurance Action Express mobile application and disclosed on the official website of the MOHW to serve as a reference for children with disabilities. (DOMA)</p> <p>6. The DOMA issued the Rules of Medical Diagnosis and Treatment by Telecommunications on May 11, 2018 to broaden the care targets and models of telemedicine, with the expectation of improving medical accessibility for people on offshore islands and in mountainous and rural areas. (DOMA)</p> <p>7. After the enrollment of students with disabilities in schools, provide corresponding support services such as assistive devices, tutors, and other special needs services to help them adapt to school life. (MOE)</p> <p>8. Subsidize groups that meet the specifications in the Guidelines for the K-12 Education Administration of the Ministry of Education to Subsidize Private Organizations Holding Special Education Activities for Senior High Schools or Lower, with the maximum subsidy</p>	<p>Resources in Resource-Lacking Areas and collaborate with local governments to establish professional teams to provide services for children with developmental delays and their families in areas lacking early intervention resources. (SFAA)</p> <p>4. Organize parenting workshops under the friendly campus series of activities to enhance the competency of school educators in providing referral and family support services. (MOE)</p> <p>5. Provide employment referral services according to the Guidelines for Implementation of Employment Referral Service for Persons with Disabilities. (MOL)</p> <p>6. Improve the occupational reconstruction services for persons with disabilities through the windows for occupational reconstruction service established in the counties and cities. (MOL)</p>

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<p>Article 9 of the Regulations on Support Services for Students with Disabilities stipulates that family support services such as parental counseling, parenting education, and special education–related studies and information should be provided according to the family needs of students with disabilities and parents should be assisted in their application for services from relevant agencies (institutions) or groups.</p> <p>D. Transportation system (MOTC) (A) Considering differences in the need for and development of public transport in different localities, the MOTC has been promoting highway public transport–related projects since 2010 to help local governments improve the quality of public transport services. Urban–rural equity has been a factor considered in the projects, where a financial capability grading system has been established in which a higher proportion of subsidies is provided to counties and cities with weaker financial capabilities to assist local governments to effectively improve the quality of public transport services. (B) The aforementioned projects provide full subsidies to bus routes that are reporting losses in rural areas in an effort to maintain all the routes, and the Regulations on Reviewing and Processing Applications for Continuing Business of National Highway Schedule Bus Service has been amended to require bus companies to deploy barrier-free vehicles when applying for route operation renewal. (C) Considering the scattered nature of the time and location of demand in rural areas, the Directorate General of Highways is currently implementing the Happiness Buses program to fill the gaps in public highway transport services in rural areas. This enables most rural households to access public highway transport within walking distance from home, improving the convenience of transport for people in rural areas and facilitating the ability for families with children to reach medical treatment centers. (D) To increase the travel choices of persons with disabilities, the MOTC has encouraged local governments to apply for subsidies to purchase universal taxis since 2013, and more than 800</p>	<p>being NT\$600,000 per year. The subsidy can help communities and NGOs promote special education–related workshops or lectures to jointly create a friendly space for persons with disabilities. (MOE)</p> <p>9. Every special education school has a parent’s manual that contains general life guidelines, the processing and assistance-seeking channels for gender-related events in schools, and relevant benefits for students with disabilities, such as scholarships and emergency assistance fund applications and a list of local medical and care institutions. (MOE)</p> <p>10. Subsidize county and city governments to encourage schools at all levels to organize 214 sessions of parenting workshops (with a total of 3,561 participants) on the basis of the characteristics of the parents and campus ecology to enhance the parenting capabilities of the parents of students with disabilities. (MOE)</p> <p>11. Establish a special issue on special education with an annual budget of NT\$950,000 to publish special education-related articles in the Special Education issue on the 13th page of the <i>Mandarin Daily News</i>. Additionally, a special education manual is compiled every year to include the teaching strategies of different courses for persons in different disability categories to improve the understanding of parents concerning students with disabilities to promote a correct care attitude. (MOE)</p> <p>12. Since 2018, the National Taiwan Museum of Fine Arts has been promoting the Children with Hearing Impairment–Friendly Project through the Holistic Person-Friendly Museum Project. The subproject, themed A Guide to Memes for the Hearing Impaired: A Guided Experiment for a Children-Friendly Art Museum, uses drama and games to explore nonverbal communication methods and facilitate the development of social skills in special populations. This in turn promotes communication between the general public and persons with hearing impairment and elicits the development of an alternative language for self-expression. Additionally, it also increases the diversity and richness of museum guides for persons with hearing impairment, thereby vivifying the service quality of friendly guides in the art museum. (MOC)</p>	<p>7. Implement the Project of Comprehensive Promotion of Highway Public Transport while conducting reviews and providing subsidies according to the needs of local governments. (MOTC)</p> <p>8. Achieve an increase in the coverage rate of highway public transport service in rural areas to approximately 88% in 2019. (MOTC)</p> <p>9. Encourage museums to continue organizing diverse activities suitable for children with disabilities, demonstrate the educational functions of museums, and provide more diverse options for leisure and entertainment activities. (MOC)</p> <p>10. Enact relevant laws and guidelines to achieve a multilingual culture and create a multilingual-friendly environment. (MOC)</p> <p>11. Implement projects related to the accessibility of art museums.</p>

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<p>taxis have been purchased, with approximately 850,000 rides being given to persons with limited mobility.</p> <p>E. Cultural system (MOC) (A) Museums can provide space suitable for children with disabilities to explore and organize various suitable activities; for instance, they can invite children with disabilities to visit the museums or deploy mobile museum vehicles to rural areas to reduce the urban–rural disparity and enable the dissemination of culture nationwide. (B) The objective of the MOC in promoting the National Language Development Act is to “guarantee the transmission, revitalization, and development of the national language facing the crisis of inheritance.” However, while promoting the act, the ministry discovered that in addition to general spoken language, visual language (sign language) is also undergoing rapid loss. After convening meetings with relevant consultants, the MOC determined that both urban and rural areas are facing severe inheritance crises:</p> <ol style="list-style-type: none">Many children with hearing impairment are born into ordinary families, and their parents do not have the language or cultural backgrounds of persons with hearing impairment. Therefore, they are unable to teach their children sign language, causing children with hearing impairment to miss the crucial developmental period in which to learn sign language.Students with hearing impairment have mainly attended the Taipei School for the Hearing Impaired in the past. However, most of these types of students have returned to general schools in recent years, and their learning outcomes have declined because of their inability to understand language through listening. Additionally, students with hearing impairment have gradually lost the opportunity to learn and use sign language, causing many of them to be incapable of communicating through sign language.Children with hearing impairment face difficulty in obtaining a comprehensive cultural experience due to the lack of software, hardware, and relevant resources.	<p><u>Short-term objectives (to be completed before May 2019)</u></p> <ol style="list-style-type: none">Complete the enactment of the National Language Development Act. (MOC)Implement the diversified language (including sign language) services promoted by the various museums affiliated with the MOC. (MOC) <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">The MOHW has commissioned the National Health Research Institutes to implement the Children’s Medical and Health Research Center Project. To address the problem of children’s health care due to urban–rural disparity, the medical and health care problems of children with disabilities will be included in the project’s assessment to assist in the planning of improvement strategies. (DOMA)Compile the medical needs of children with disabilities, complete the second-stage information update concerning accessible environments in hospitals (including information on rural areas), publish it on the official website of the MOHW, and upload it to the app system of National Health Insurance Action Express to provide medical reference. (DOMA)Establish a friendly medical treatment process for children with disabilities to serve as a reference for hospitals. (DOMA)Employ the Medical Care Development Fund in areas with inadequate medical resources and deploy doctors specializing in acute illness to improve local medical care capability. Additionally, provide guidance to counties and cities without an advanced emergency responsibility hospital (e.g., Taitung, Nantou, and Miaoli), plan relevant projects, and establish a regional joint prevention mechanism to guide the upgrade of local hospitals to advanced emergency responsibility hospitals, thereby strengthening the medical capacity for emergency and critical illness care in the areas. (DOMA)Encourage public health bureaus of local governments to implement joint assessment services for children’s development, and adjust the fund allocation and the number of child	<p>(MOC)</p> <p>Outcome indicators:</p> <ol style="list-style-type: none">Achieve a 100% coverage rate for townships and districts that simultaneously lack intervention resources in health care, social welfare, and education in 2019. Additionally, achieve a 100% coverage rate for townships and districts that lack two of the three aforementioned early intervention resources in 2021. (SFAA)Provide relevant medical services based on the exisiting medical institutions and their levels of medical specialties offered. For areas without such institutions, alternative plans are to be provided. (DOMA)Establish friendly medical treatment process for children with disabilities to serve as a reference for hospitals. (DOMA)Help relevant personnel in schools to more effectively

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<p>4. In addition to concerns concerning the establishment of favorable social welfare, the aforementioned problem will also affect the development of multiculturalism in Taiwan. Therefore, to promote the language and cultural affirmation, the MOC has included “Taiwan Sign Language” in the protective scope of the National Language Development Act. In the future, the relevant ministries shall formulate more affirmative measures in accordance with the provisions of the act to improve cultural accessibility for children with hearing impairment.</p> <p>5. To adapt to a diversified social and ethnic development, the MOC has implemented cultural accessibility-related projects to promote and safeguard the public’s equal rights to cultural accessibility and to ensure that the rights of nationals to participate in art and cultural activities are not deprived due to individual differences.</p> <p>(C) The National Taiwan Museum of Fine Arts incorporates the perspective of art therapy into its major annual exhibitions and plans cross-disability category and interschool and interage art learning workshops, providing a secure learning and exploration space for special education students, which enables them to express themselves and learn to accept and appreciate each other through art. Such activities will continue to compensate for the lack of art therapy courses for special education students because of the focus on from school credentialism.</p> <p>1. A sign language interpretation guidance event has been organized every month since 2014 to increase the opportunities of the target audience to participate in cultural activities. Additionally, the general audience and those with hearing impairment are jointly invited in the interest of enabling audiences with hearing and speech impairments to have a closer understanding of art, thereby facilitating social integration. Apart from arranging volunteers for guided tours, the museum has also invited artists to personally conduct guided tours of major annual solo exhibitions in order to slowly discover talented individuals among persons with hearing impairment and provide them with training opportunities, after which these individuals can host guided tours.</p> <p>2. The Art Action—Affirmation and Acceptance—Learning Project for Students with</p>	<p>development joint evaluation centers according to the implementation and problems encountered in the counties and cities in 2018. Additionally, encourage the health bureaus to collaborate with district hospitals according to their need to provide community outreach services to reduce the resource gap between urban and rural areas. (HPA)</p> <p>6. Use the Information Platform of Employment Referral for Persons with Disabilities of the MOHW and the Special Education Transmit Net of the MOE to provide employment referral services from the window of occupational reconstruction case management for persons with disabilities. Additionally, integrate the relevant service resources according to need or employ promotional measures such as workplace learning and readjustment subsidies and employment grant allowances to encourage the employment of persons with disabilities by enterprises. (MOL)</p> <p>7. Supervise that county and city governments regularly hold meetings on employment referral contacts, improve horizontal connections, and provide service resources according to the needs of youths with disabilities. (MOL)</p> <p>8. Investigate and assess the extent to which the families of students with disabilities in rural or remote areas understand special education resources, and calculate the application and provision ratio of various support services. (MOE)</p> <p>9. To enable the families of students with disabilities to acquire needed special needs resources, school educators are required to inform parents of the relevant rights and interests when students with disabilities enroll in schools and assist parents to apply for the relevant resources. (MOE)</p> <p>10. Implement the 4-Year Project of the Comprehensive Promotion of Highway Public Transport (2017–2020) with a budget of NT\$15 billion to assit local governments in promoting the Happiness Bus, support universal taxis, and maintain all routes in rural areas to provide better public transport service quality. (MOTC)</p> <p>11. Enact the Enforcement Rules of the National Language Development Act, including a clear specification of the competent authority for Taiwanese sign language and the scope of</p>	<p>provide support for the families of students with disabilities. (MOE)</p> <p>5. Every year, provide employment referral service to 400 persons with disabilities aged 15–18 who have not continued their studies. (MOL)</p> <p>6. Increase the willingness of children and youths with disabilities to visit museums. (MOC)</p> <p>7. Complete the enactment of the National Language Development Act and its relevant laws and regulations to ensure the legacy and development of Taiwanese sign language and to enhance the its cultural accessibility for persons with hearing impairment. (MOC)</p> <p>8. Increase the participation of county and city resource centers and special education teachers in art therapy activities for special education students and provide</p>

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Learning Difficulties has been implemented every year since 2015, and special education students from resource classes in rural schools have been invited to participate in art appreciation and creation courses. The project has received wide support and participation from the special education teachers and students of Taichung Special Education Resource Centers as well as other schools and units.	responsibility of the relevant competent authority. (MOC) 12. Promote the MOC Grant Directions for Linguistic Diversity and Multilingual Environment–Friendly and the MOC Grant Directions for Native Language Creation and Application to actively implement public service for multiple languages and safeguard the right of all ethnic groups to use their mother tongue and sign language in public. (MOC) <u>Medium term objectives (to be completed between 2021 and 2023)</u> 1. To reduce the urban–rural disparity in early intervention resources, implement the Project of Deploying Intervention Resources in Resource-Lacking Areas (2019–2021) and incorporate the 2019 Public Welfare Lottery Indicator Project. Counties and cities with areas lacking intervention resources are expected to be combined to establish early intervention service teams, and a counseling mechanism will be established to ensure the implementation of the plan. (SFAA) 2. To help children with disabilities in remote areas who lack special education resources, invite persons with disabilities, NGOs, experts, and scholars to jointly formulate special measures to eliminate urban–rural disparities. (MOE)	special education students with opportunities to participate in art therapy activities. (MOC) 9. Increase the diversity and richness of exhibition guides for persons with hearing impairment in museums, and improve museum/cultural venue accessibility for children with hearing impairment. (MOC)

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent Authorities
Children with Disabilities (art. 7) 28 The IRC is concerned that: (d) Children with particular requirements are unable to attend school because of lack of trained staff to respond to medical emergencies. 29. The IRC recommends that the State: (d) 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.		28 & 29(d) MOE Supporting Agencies: MOHW (HPA)
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>The enrollment of children with special needs in school involves the deployment of health care workers in school, compliance with provisions of the Early Childhood Education and Care Act, and surmounting issues such as the cleaning, suction, and removal of secretions in the oral cavity (before the uvula section) and artificial airway tubes. If students are unable to enroll in schools, to protect their right to education, county and city governments have enacted the Homeschooling and Itinerant Counseling Service Program to provide adaptive special education services for homeschooled students with severe and profound disabilities. The relevant measures are described below.</p> <p>A. At present, all schools, in accordance with the School Health Act, have appointed units or specialized personnel to promote health care in schools, deployed full nursing staff, and established health centers to serve as the locations for emergency injury treatment. Additionally, Article 3 of the Principles of School Emergency Injury Treatment by the Ministry of Education stipulates that the term “emergency injury treatment” means that a school shall provide students and faculty with first aid and care for accidental injuries and illnesses that occur in schools. Additionally, Article 6 of the act specifies that schools shall assist faculty and students in receiving a minimum of a regular 4-hour basic cardiopulmonary resuscitation training course and emergency drill and encourage them to establish first-aid clubs (teams).</p> <p>B. Article 32 of the Early Childhood Education and Care Act mandates that new educate personnel in kindergartens shall complete at least 8 hours of basic cardiopulmonary resuscitation training within 1 year of employment. They shall take at least 8 hours of basic cardiopulmonary resuscitation training, 3 hours of courses on safety education, and at least one emergency drill every 2 years during their period of employment. To enable the faculty of special education schools to assist in handling the possible emergencies that may befall students with disabilities, workshops on the use of automated external defibrillators, cardiopulmonary resuscitation, and emergency treatment of epilepsy are to be regularly organized for school faculty.</p> <p>C. Phlegm suction is an invasive procedure that is conducted by nurse practitioners under the supervision of physicians. Conversely, because the cleaning, suction, and removal of secretions in the oral cavity (before the uvula section) and in the artificial airway tubes does</p>	<p><u>Short-term objectives (to be completed before 2022)</u> Training on the cleaning, suction, and removal of secretions in the oral cavity (before the uvula section) and artificial airway tubes is expected to be conducted in 2019 to meet the training needs of municipal and county (city) governments and special education schools. (MOE)</p>	<p>Process indicators: 1. Request each school to continue organizing workshops on emergency nursing competence for school educators. (MOE) 2. Reduce the number of homeschooled special needs students by 1% every year. (MOE)</p> <p>Outcome indicators: Equip school personnel with relevant medical knowledge on basic emergency treatment. (MOE)</p>

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not involve the judgment of medical professionals and is a case-based physical care service instead of medical care, it can be performed by nonmedical personnel. In the official letter wei-bu-zhao-zi No. 1061563112 regarding the “Standardized Course and Training Unit Regulations and Recommendations on the Cleaning, Suction, and Removal of Secretions in the Oral Cavity (Before the Uvula Section) and Artificial Airway Tubes Performed by Caregivers” issued on November 16, 2017 to the MOHW, the HPA stated that “...the relevant units that plan to conduct training for organizational personnel may also refer to the standardized courses and recommendations specified for training units stated in this announcement for course planning and training.” Thus, the training and certification of special education teachers, educare personnel, and teaching assistants in the county and city governments as well as special education schools shall be conducted in accordance with the aforementioned announcement. The MOHW shall subsequently provide a list of qualified medical institutions to meet the training needs of municipal and county (city) governments and special education schools.		
D. Implemented projects: (MOE) (A) To enable special education school personnel to assist in possible emergencies that may befall students with disabilities, workshops on the use of automated external defibrillators, cardiopulmonary resuscitation, and emergency treatment of epilepsy are regularly organized for school faculty. (B) Homeschooling: counties and city governments have enacted the Homeschooling and Itinerant Counseling Service Program to provide adaptive special education services for homeschooled students with severe and profound disabilities. Details of the program are described below: 1. Counseling method: A team service model is adopted for the counseling of homeschooled students, with the team mostly composed of tutors and relevant professionals. Appropriate teaching content and strategies are formulated according to the students’ individualized education plans, and student learning outcomes are evaluated through diverse assessment approaches. Additionally, relevant professional consultations and assessments are conducted on a regular basis, with the consultation and assessment items subject to adjustments based on student needs. If a student is deemed to be capable of returning to school following his or her assessment, transition counseling measures shall be conducted to facilitate student adaptation to school life within the shortest period possible.		

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2. Counseling items: assistance in applying for or borrowing learning devices; and provision of appropriate teaching materials and teaching aids, parenting education courses, psychological counseling, guidance and training on students’ self-care abilities, rehabilitation consultation and assessment, social welfare information and consultation, and transition counseling and services. 3. Counseling sessions: 1-2 sessions per week, 1-2 periods of teaching service per session. 4. The number of homeschooled students in the 2017 academic year itinerant counseling program for students below senior high school totaled 1,115 (including institutional and bedside teaching), which consisted of 225 preschool students, 441 primary school students, 313 junior high school students, and 135 senior high school students.		

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Concluding Observations		Competent Authorities
Awareness-raising (art. 8) 30. The IRC is concerned that: a) Is concerned about the persistence of negative stereotypes of persons with disabilities and discriminatory language in the mass media; 31. The IRC recommends that the State: a) Eliminate discriminatory and pejorative language concerning persons with disabilities in all areas of life;		30 & 31(a) NCC MOHW (SFAA) Various agencies
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>Because the IRC is concerned with the stereotypes of persons with disabilities causing harm and negative influence, relevant promotional and educational programs should be implemented to improve the understanding and awareness of the rights and interests of persons with disabilities by various professionals and the general public. The following is a description of the promotional and educational training for public officials, education professionals, and the general public.</p> <p>A. The management of media in Taiwan is conducted by various agencies depending on the type of media. The Fundamental Communications Act and the National Communications Communication Organization Act designate the National Communications Commission (NCC) as the supervisory organization for radio and television media, with content management conducted in accordance with the Radio and Television Act and the Satellite Broadcasting Act. The aforementioned acts also specify that the MOC and social administration units are responsible for print media. Because the management of Internet content is similar to that of content in the real world and is handled by the competent authorities as provided by various laws and regulations, mass media management thus involves different ministries. (NCC)</p> <p>B. To avoid discriminatory reporting by the media, Article 23 of the Mental Health Act mandates that reports by communication media outlets may not use any discriminatory forms of address or descriptions related to mental illness or produce reports that obscure facts or mislead readers and listeners such that they ultimately develop discriminatory attitudes against mental health patients. Communication media outlets that violate Article 23 of the act shall be fined between NT\$100,000 and NT\$500,000 and be requested to make corrections within a specific period of time. Article 74 of the People with Disabilities Rights Protection Act specifies that when reporting on people with disabilities or those suspected of having disabilities, no discriminative title or description shall be used by the media and no nonfactual or misleading report that may direct an audience to discriminate against or prejudice people with disabilities is allowed. Anyone who violates the regulations of Article 74 will be fined a sum no less than NT\$100,000 and no more than NT\$500,000 by the competent authority in charge of the specific business. (NCC)</p> <p>C. To avoid the improper use of discriminatory and pejorative language, the NCC has urged the radio and television industry to exercise self-discipline and implement internal controls. Broadcast news channels have established a self-regulatory mechanism and invited external</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <p>1. The MOE promotes human rights education through a three-level counseling mechanism comprised of the central government, local governments, and schools. The counseling group for human rights education in primary and secondary schools continues to assist the MOE in establishing central and local counseling groups, training counselors for central and local human rights education courses and teaching, and establishing talent pools for central and local human rights education courses and teaching. In addition, the group assists local teaching and counseling groups in integrating the manpower and resources of Compulsory Education Counseling Groups for Human Rights Issues, forming a regional alliance and establishing a mechanism for discussing human rights education and different learning fields. Moreover, the group develops an integration model with other learning fields and formulates specific strategies for integrating human rights education into other learning fields to achieve the implementation of human rights education in schools. (MOE)</p> <p>2. The counseling group for human rights education has organized 11 human rights education–related activities in 2018, including three committee growth activities, four workshops, three district alliance exchange activities, and one annual seminar and attracting a total of 349 participating teachers. These teachers help the Compulsory Education Counseling Groups in each municipality and county (city) improve teacher competency. (MOE)</p> <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <p>Respect for and understanding of persons with disabilities to avoid discrimination or stereotypes is critical. Therefore, workshops and seminars are held to educate radio and broadcast media professionals and improve their awareness regarding the problem of using inappropriate language to prevent them from misusing discriminatory or pejorative language while producing relevant content under unknown circumstances. (NCC)</p>	<p>Structural indicators: Implement human rights education according to the major issues in the Grade 1–9 Curriculum Guidelines. (MOE)</p> <p>Process indicators: Organize three seminars every year to prevent radio and television media from producing discriminatory reports and enhance the awareness and sensitivity of media professionals regarding the rights and interests of persons with disabilities.</p>

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scholars and experts or NGOs to participate in the internal inspection of programs and customer complaints to reduce the occurrence of discriminatory and pejorative language. Additionally, the NCC also gives administrative guidance to the industry and requests that the Association of Wireless Television Networks and the Satellite Television Broadcasting Association list the relevant self-regulatory bylaws and regulations to which news report on persons with disabilities are subject to prevent discriminatory and pejorative language or labeling of persons with disabilities by physical or psychological traits. (NCC).		
D. In the event of a discriminatory or pejorative address or description in the content produced by the radio and television industry, the NCC shall refer the case to the MOHW if it falls under the scope of the Mental Health Act. If the case involves the People with Disabilities Rights Protection Act, the NCC shall first request the MOHW to offer a professional opinion. The case is then submitted to the Consultation Meeting on Radio and Television Programs and Advertising, which is composed of experts and scholars from the psychological, social science, and legal fields, as well as NGOs composed of persons with disabilities, parents, children, and youths for discussion. The results of such discussions are subject to a final review by the NCC. Investigations have revealed no record of disciplinary actions taken against radio and television media because of the use of discriminatory or pejorative language in news reports in recent years. (NCC)		
E. The MOHW has also enacted the Code of Media Reporting About Mental Disease, which the NCC has forwarded to the media union and associations, requesting that the industry follow the relevant regulations to protect the rights and interest of persons with disabilities and jointly improve the awareness of the general public concerning the rights of persons with disabilities. (NCC)		
F. The Grade 1–9 Curriculum Guidelines have included human rights education as a major topic, with “detecting and avoiding personal prejudice and discriminatory attitudes or behaviors” being listed as a capability indicator. Human rights education courses and teaching shall be implemented using the three-level counseling system in conjunction with the counseling group for human rights education in primary and secondary schools. (MOE)		
G. Following the abolition of the Publishing Act in 1999, the government has no specific law under which to manage the print media. Out of respect for the freedom of speech and the role of the news media as the fourth estate, news reports by the print media are mainly regulated through self-discipline in conjunction with other laws. If the print media violate relevant laws and regulations, such a case is handled in accordance with the related protection acts.		

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For print media that violate Articles 23 and 24 of the Mental Health Act and Article 74 of the People with Disabilities Rights Protection Act, the relevant penalties shall be determined by the municipal and county (city) governments of their place of registration. Each year, the MOC will request that municipal and county (city) governments overseeing the print media notify the relevant unions and associations of the print media to inform their members of the requirement to comply with the relevant laws and regulations to avoid penalties and actively fulfill their social responsibility. (MOC)		

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Concluding Observations		Competent Authorities
Awareness-raising (art. 8) 30. The IRC is concerned that: b) 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. 31. The IRC recommends that the State: b) 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.		30 & 31(b) MOHW (SFAA) Various agencies
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>To reduce negative stereotypes of persons with disabilities, Taiwan has consistently organized awareness-raising and promotion activities for the mass media, public servants, and the general public as well as conducted educational and promotional activities on campuses, which are described below.</p> <p>A. Awareness-raising and promotion activities (MOHW)</p> <p>(A) Taiwan passed the Promotion Plan to Implement the CRPD on February 16, 2015, requesting that government agencies at all levels and schools implement CRPD-related awareness-raising and promotion activities and publish their results once every 6 months. The results indicate that the promotion targets included public servants and the general public.</p> <p>(B) The MOHW has produced CRPD videos, broadcasts, posters, brochures, children’s picture books, and regulation outlines to present the relevant information in an easy-to-understand manner to improve the public’s awareness of persons with disabilities. Additionally, the MOHW has also been collaborating with organizations of persons with disabilities and promoting their educational and promotional trainings through approaches such as awards and subsidies.</p> <p>(C) The “Human Rights Series Lectures—Feature Series on the CRPD” is organized every year for judges at all levels to enable them to understand the rights and interests of persons with disabilities. The MOHW organized seed teacher training courses for central and local government personnel and social service–related practitioners from July 2015 to March 2016 to extensively train and improve CRPD-related awareness. However, such educational training has not been implemented for police and other law enforcement, medical care staff, or education department personnel.</p> <p>(D) In the educational training and promotional activities for public officials, the participating public servants are required to complete a 2-hour basic training on “Human Rights Issue Recognition and Development.” Additionally, to enhance their CRPD awareness and sensitivity, the Civil Service Development Institute has established the Workshop on Protecting the Rights of Persons with Disabilities and CRPD online digital learning courses. However, considering that senior public officials are usually decision makers, they</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <p>Leverage the educational promotion function of print media (e.g., <i>Mandarin Daily News</i>) to enable the general public to receive relevant information and understand the development of special education. A total of 46 articles on special education issues were expected to be published in 2018. (MOE)</p> <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">1. Continue to develop and produce educational training and promotion materials on stereotypes: using important CRPD concepts (e.g., nondiscrimination, reasonable accommodation, accessibility) as the foundation, persons with disabilities and relevant organizations are invited to develop appropriate content from their perspectives and to design and plan accessible formats to ensure their effective use by the general public and persons with disabilities of all ages. The resulting designs are to be subsequently provided to each ministry for references and application, thereby facilitating the development of educational training materials suitable for each profession. (SFAA)2. Establish an evaluation mechanism for promotional effectiveness: determine the promotional results of government agencies at all levels through the effectiveness evaluation mechanism on a regular basis to review approaches for promoting effectiveness. (SFAA)3. Organize educational training for police, law enforcement, health care, and education personnel to improve their understanding of the rights and interests of persons with disabilities. (SFAA) <p><u>Medium-term objectives (to be completed between 2021 and 2022)</u></p> <ol style="list-style-type: none">1. Provide educational training materials for important CRPD concepts to the National Academy of Civil Service and Civil Service Development Institute for human rights education training given to senior public officials in order to raise their awareness of the rights and interests of persons with disabilities to facilitate the formulation of policies that uphold human rights. (SFAA)2. Enhance the awareness of professionals in communications, finance, justice, social service, and education departments regarding persons with disabilities and the appropriate manner	<p>Process Indicators:</p> <ol style="list-style-type: none">1. Establish an effectiveness evaluation mechanism (SFAA)2. Produce educational training and promotional materials on stereotypes, and ensure that they are effectively used by the general public and persons with disabilities of all ages.. (SFAA)3. Have agencies of all levels xxxorganize at least two educational training involving various fields every year. (SFAA)4. Incorporate the spirit of the Act to Implement the Convention on the Rights of Persons with Disabilities when urging, in writing, schools to promote special education to prevent the right to education of students with disabilities from being affected because of stereotypes. (MOE)5. Recommend public servants of agencies or institutions under the MOE and those of schools who look after affairs related to persons with disabilities to participate in the workshop for the protection of the rights of persons

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<p>Awareness-raising (art. 8) 30. The IRC is concerned that: b) 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.</p> <p>31. The IRC recommends that the State: b) 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.</p>		<p>30 & 31(b) MOHW (SFAA) Various agencies</p>
<p>should also participate in the relevant training courses to enable them to actively review whether a policy implements the spirit of the CRPD during policy formulation.</p> <p>(E) Posttraining questionnaires and test evaluation mechanisms have been established for the training and digital courses attended by public officials at the Civil Service Development Institute of the Directorate-General of Personnel Administration, Executive Yuan. However, the effectiveness of other educational training and promotional outcome are more difficult to assess, and appropriate effectiveness evaluation mechanisms have not yet been developed.</p> <p>B. On-campus special education promotion (MOE) (A) To avoid students with disabilities from being subject to negative stereotypes, special education promotion committees are established in schools up to the senior high school–level to promote on-campus special education. (B) NGOs are encouraged to assist in the promotion of disability rights education and promotion in accordance with the Directions Governing the MOE, K-12 Education Administration Awards for Private Sector–Operated Special Education Activities at Educational Levels Up to and Including the Senior High School Level: 1. Special education student counseling and parenting education promotion. 2. Short-term studies for special education staff. 3. Promotion, research, and development of special education. 4. Study and promotion of accessible environments in education facilities. 5. Publication of special education books. 6. Other matters related to the promotion of special education. (C) Organize or recommend that staff members to participate in relevant educational training (47 staff were encouraged to participate in relevant training in 2018) to enable the personnel in the MOE and its affiliated institutions (organizations) and schools to acquire a correct understanding of persons with disabilities, which can then be reflected in work practices. (D) Promote inclusive education programs, produce microfilms, and conduct school-wide promotion to establish a friendly inclusive education environment.</p>	<p>with which to interact with them to avoid harm or negativity. (SFAA)</p>	<p>with disabilities hosted by the Civil Service Development Institute. (MOE)</p> <p>Outcome indicators: 1. Use the effectiveness evaluation mechanism to verify whether the educational training and promotion materials elevate the participants’ awareness of the rights of persons with disability. (SFAA) 2. Create a friendly campus for persons with disability by promoting special education and improving stereotypes. (MOE)</p>

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Concluding Observations		Competent Authorities
Accessibility (art. 9) 32. The IRC is concerned that: (a) Current legislation and enforcement measures for accessibility by the State remain <i>ad hoc</i> and do not adequately address the lack of accessibility in the State. 33. The IRC recommends that the State: (a) 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; and		32 &33(a) MOL MOI MOTC Public Construction Commission MOHW (DOMA) MOJ
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>An accessible environment is an essential condition for ensuring equal opportunities for persons with disabilities to fully participate in social activities. The Physically and Mentally Disabled Citizens Protection Act promulgated in 1997 provides a clear basis for the construction of accessible environments, make a distinction between new and old buildings, and outlines work, penalties, and enforcement procedures regarding the promotion of accessible environments. The act aims for all responsible government agencies to provide accessible environments. Supervision mechanisms require local governments to establish committees related to the promotion of accessible environments, and the act establishes an institutionalized promotion system for local governments instead of only temporary provisions or measures. Important aspects of accessible environments such as buildings, pedestrian environments, and urban park green spaces as well as the traffic environment, medical institution environments, and correctional agency environments are described below.</p> <p>A. Accessible environments (A) Buildings (MOI)</p> <p>1. The People with Disabilities Rights Protection Act requires that accessible facilities be installed in public buildings, with penalties available for noncompliance: Articles 57 of the act specifies that facilities and equipment that facilitate the movement of and use by each category of persons with disabilities should be planned and installed in public buildings, and construction permits shall not be issued for new construction of public buildings that fail to meet the requirements. Additionally, Article 88 stipulates that for existing public buildings that show no improvement, fail to submit an alternative improvement plan, or fail to complete necessary improvements within the time limit specified in the approved improvement plan, the competent authorities may stop using the buildings and fine the owner or the principal of the management department/agency a sum between NT\$60,000 and NT\$300,000 and order improvement within a stipulated time limit. If said improvement is not completed within the stipulated time limit, the competent authorities may continue to issue fines until the improvement is completed and may cut the water or electricity supply or shut them down completely and demolish the building coercively where necessary. The</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none">1. The MOHW commissions the Assistance Project of Establishing Accessible Medical Environments and invites representatives of organizations of persons with disabilities to participate in the relevant meetings of the project, complete the analysis of the requirements, prepare the reference manual draft, and organize two benchmark learning activities and four educational training courses. (DOMA)2. Information concerning accessible medical environments of approximately 17,000 medical institutions in Taiwan is linked to National Health Insurance Action Express and published on the official website of the MOHW to serve as a medical facility reference for persons with disabilities. (DOMA) <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">1. Review the future implementation of universal taxis, discuss the increment of drivers’ operating incentives, and determine the feasibility of subsidizing necessary inspection equipment to enhance the effectiveness of universal taxi subsidies and implement the inspection mechanism (before end of 2020). (MOTC)2. Implement the 4-year Project of Comprehensive Promotion of Highway Public Transport (2017–2020) with a budget of NT\$15 billion to conduct reviews and provide subsidies according to the needs of local governments, increasing the proportion of urban accessible buses to 59%. (MOTC)3. Initiate the Directions for Accessibility Subsidies for Public Transport Vessels and Shore Facilities in Pingtung County, Taitung County, and Penghu County with a total budget of NT\$135 million (before end of 2019). (MOTC)4. Assist the Taichung City Government in conducting a trial of a bus reservation and waiting system that entails use of an application by persons with visual impairment to reserve bus rides from specific routes and travel to their intended stops (with a budget of NT\$13 million). When a person with visual impairment approaches a bus stop, the stop will automatically broadcast the arrival information of the reserved route, and the mobile device will notify him or her of the arrival information while on the bus (before the end of 2019). (MOTC)	<p>Structural indicators:</p> <ol style="list-style-type: none">1. Revise the evaluation mechanism of the Project of Supervising the Accessibility of the Living Environments in Public Buildings. (MOI)2. Revise the evaluation mechanism of the Evaluation Project of Urban Road Maintenance and Management and Sidewalk Accessibility. (MOI)3. Revise the evaluation mechanism of the Supervision of Accessibility in Urban Parks and Green Spaces. (MOI) <p>Process indicators:</p> <ol style="list-style-type: none">1. Continue implementing the Project of Supervising the Accessibility of the Living Environments in Public Buildings. (MOI)2. Implement the Evaluation Project of Urban Road Maintenance and Management and Sidewalk Accessibility and Sidewalk Suitability Evaluation. (MOI)

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competent authorities shall establish a fund into which fines are deposited to improve and promote accessible equipment and facilities. 2.Promote accessibility in newly constructed buildings and building additions, and promote gradual improvement of existing buildings: the MOI has evolved in accordance with the laws and regulations on persons with disabilities. Since 1988, the Building Technical Regulations have included provisions on accessible design. To promote full accessibility, newly constructed and add-on public and nonpublic facilities have been required to install accessible facilities since January 1, 2013. Additionally, to promote the improvement of existing buildings, the Operation Directions for Submitting Alternative Improvement Plans for Access-Free Facilities in Existing Public Buildings was enacted on August 7, 1997 to gradually promote improvements. Depending on the use of a building, facilities such as outdoor passages, emergency shelter ramps and handrails, emergency shelter entrances and exits, indoor entrances and exits, indoor corridors, stairs, lifts, toilets and bathrooms, wheelchair seating areas, and parking space should be improved to promote an accessible environment. 3.Develop an accessible environment assessment plan for public buildings and arcades and actively promote its implementation: In order to establish an accessible living environment in public buildings, municipal and county (city) governments as well as the competent construction authorities designated by the MOI are urged to implement their review and improvement responsibilities. Thus, an assessment committee for accessible living environments in public buildings is formed to evaluate the works of municipal and county (city) governments as well as the competent construction authorities designated by the MOI to implement the results. The assessment items are as follows: 1. Administrative measures (improvement of consultation and review committees, inspection operations concerning accessible facilities, staged improvement plans, utilization of accessible facility improvement funds, and provision of a restaurant list with more than 300 m ² of business area). 2. Improvement results (number of cases with completed improvements during the evaluation period, completion rate of alternative improvement plans, violations of Article 88 of People with Disabilities Act Protection Act). 3. Other active measures (case compilations	<div>5. Comprehensively identify the needs of persons with disabilities, complete the second-stage update regarding accessible environments in hospitals, publish the information on the official website of the MOHW, and simultaneously upload it to the National Health Insurance Action Express app system to serve as a medical reference for the general public. (DOMA)</div> <div>6. Adopt a cross-division approach and encourage clinics to establish friendly medical environments through the issuance by the HPA of friendly clinic certifications and the provision of health insurance financial incentives by the NHIA to ensure the medical needs of persons with disabilities are accounted for. Additionally, promote relevant education and training courses for medical personnel. (DOMA, HPA, NHIA)</div> <div>7. Develop a reference manual for establishing accessible medical environments that is suitable for hospitals. (DOMA)</div> <div>8. Complete the improvement of 11 accessible hiking trails in national parks (a total length of approximately 10 km) by the end of 2019. (MOI)</div> <div>Medium-term objectives (to be completed between 2021 and 2022)<div>1. Complete 100 friendly clinic certifications every year beginning in 2020. (DOMA, HPA)</div><div>2. Implement the expansion, relocation, and reconstruction projects of three correctional institutions such as the Bade minimum security prison between 2018 and 2023, after which the problem of overcrowding can be resolved. Additionally, the new building will comply with the specifications of accessible design published by the CPA. (MOJ)</div></div> <div>Long-term objectives (cannot be completed before the second international review)<div>1. Increase the number of routes with barrier-free vehicles in the Taiwan Tourist Shuttle service every year, achieving an 80% coverage rate for the 37 accessible routes by 2023. (MOTC)</div><div>2. The Taiwan Railways Administration is currently implementing the Six-Year Railway Safety Improvement Plan (2015–2022) with a total budget of NT\$27.522 billion. The leveling of railway platforms and carriages is estimated to be completed before the end of 2022. (MOTC)</div><div>3. Terminal 3 of the Taoyuan International Airport is currently under construction, and the plan for establishing facilities for persons with reduced mobility in terminal 3 has specified a single guiding path, vertical accessibility lifts, and tactile paving materials as well as</div></div>	<div>3. Continue promoting the supervision of accessible environments in urban parks under the jurisdiction of local governments in Taiwan. (MOI)</div> <div>4. Continue convening committee meetings for accessible environment promotion. (MOTC)</div> <div>5. All units to establish accessible environments according to the allocated budget in the accessible environment promotion project. (MOTC)</div> <div>6. Update the accessible environment information concerning medical institutions if necessary. (DOMA)</div> <div>7. Develop a reference manual for establishing accessible medical environments that is suitable for hospitals. (DOMA)</div> <div>8. Continue implementing expansion, relocation, and reconstruction projects for correctional institutions. (MOJ)</div> <div>Outcome indicators:<div>1. Complete the improvement of 11 accessible hiking trails in national</div></div>

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<p>and general rules, briefing session on accessible living environment laws, training rate of construction personnel, report on absence of accessible living environments, and active behaviors) and onsite assessments (newly constructed public buildings, existing public buildings, leveling of pedestrian arcade). The assessment items and content are reviewed and revised annually in accordance with practical needs. The performance of and results for each evaluated organization will be sent to the respective organization to be included in the year-end performance appraisal reward or punishment. The assessment results will be included in the next year’s general grant to the municipalities and counties (cities) approved by the central government under the Directorate General of Budget, Accounting, and Statistics (20%), and a press release shall be issued for media coverage. The results will then be sent to the assessed organization to be included in the year-end performance appraisal reward or punishment.</p> <p>4. Invite experts, scholars, and organizations of persons with disabilities to form the assessment committee for accessible living environments in public buildings: In order to understand the effectiveness of accessibility promotion and implementation, the CPA continues to invite organizations of persons with disabilities, experts, scholars, and other relevant organizations to form an assessment committee, which assesses six municipal and 13 county (city) governments once per year. Additionally, the committee also evaluates Penghu County, Kinmen County, and Lienchiang County once every 2 years. The committee focuses on reviewing the promotion of accessible environments, which involves onsite assessment of accessible facility installation and improvement in newly constructed public buildings and existing public buildings as well as leveling of pedestrian arcades, after which reviews and suggestions are proposed.</p> <p>(B) Road construction and the pedestrian environment (MOI)</p> <p>1. Accessibility assessment of urban road pedestrian environments: According to Article 4 of the Urban Road Act, the MOI is the central competent authority for urban roads and should urge local governments to focus on the quality of urban road maintenance, promote the construction of accessible environments for urban roads and sidewalks, and monitor that municipal and county (city) governments implement inspection and improvement works. In the future, the MOI shall continue implementing the Urban Road Accessible Design</p>	<p>considered the needs for orientation and mobility training and emergency evacuation routes to facilitate the movement of persons with reduced mobility (to be completed before 2024; budget currently under revision). (MOTC)</p>	<p>parks (a total of 10 km) by the end of 2019. (MOI) 2. Increase the number of accessible facilities. (MOTC)</p>

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<p>Workshop and revising the Human-Oriented Traffic Planning and Design Manual to promote road design regulations. Additionally, it shall increase the subsidy for design reviews and commission Mackay Medical College to conduct further studies and invite organizations of persons with visual impairment and other disabilities to develop intersection positioning facilities for persons with visual impairment.</p> <p>2.Promote educational training on urban road accessible facilities: National Central University has been commissioned to organize the Urban Road Accessible Design Workshop since 2016, with Design Directions of Urban Roads and Accessory Works and accessible design-related provisions as the main topic and scope of the course content. The training is targeted at local government and private sector personnel involved in road construction and the planning, design, and construction of accessible facilities, and its objective is to promote the implementation of accessible design concepts among junior staff. A total of 23 workshops have been organized, and 1,305 persons have been trained.</p>		
<p>(C) Accessible environments in urban park green space (MOI)</p> <p>1. Enact specifications on accessible facilities: The Principles on Accessible Facilities for Main Entrances and Exits of Urban Park Green Spaces was adopted on August 29, 2014 to serve as the basis for local governments and their affiliated management agencies of urban park green space to review and improve the facilities at each main entrance and exit. Additionally, the Design Standards for Accessible Facilities in Activity Venues Under the Authority of the Ministry of the Interior was adopted on October 22, 2015 to address common items and specifications for accessible facilities and equipment at outdoor activity venues such as parks, green spaces, and plazas that are developed for use in urban planning.</p> <p>2. Supervise local governments in amending the Regulations on Park Management and Autonomy and conduct supervision and observation: Discuss adding regulations prohibiting vehicles from entering parks and penalties to eliminate the negative influence of vehicles entering parks following the removal of entrance and exit barriers. A total of 12 county (city) governments have established penalties associated with banning vehicles from entering parks, and nine county (city) governments are still formulating relevant provisions. Since 2014, NGOs have been invited to appoint members to participate in a 2-year program that supervises the accessibility of urban park green space and conducts onsite inspection of</p>		

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<p>green space in parks under the jurisdiction of municipal and county (city) governments, the results of which are published to enable supervision of management authorities' improvement implementation outcomes. Additionally, two large-scale seminars are organized every year, with experts and scholars being invited to conduct research and exchange with county and city government personnel.</p> <p>(D) Accessible hiking trails in national parks (MOI)</p> <p>1. Considering that national parks are mostly located in rugged mountainous areas and forests, coastal areas or water areas, the establishment and overall improvement of their accessibility can be challenging. In response to the needs of an aging society and persons with reduced mobility, the CPA issued the Overall Improvement Plan for Accessible Environments in National Parks in 2010 to promote the making of improvements in areas where it would be feasible. A long-term project was added in 2015 to plan for the installment of at least one accessible hiking trail every year between 2016 and 2019 to create a friendly environment in the national park system.</p> <p>2. The buildings in national parks are to be improved in accordance with the Building Technical Regulations and the Operation Directions for Submitting Alternative Improvement Plans for Accessible Facilities in Existing Public Buildings. Additionally, the improvement, inspection, and announcement of activity venues are to be improved according to the Design Standards for Accessible Facilities in Activity Venues Under the Authority of the Ministry of the Interior. As of the end of April 2018, the accessibility of existing buildings and their surrounding areas in the park had been improved, five accessible hiking trails with a total length of 5 km had been installed, and three accessible activity venues had been announced. A high-quality accessible sightseeing hiking trail with a total length of more than 10 km is expected to be installed by the end of 2019.</p> <p>(E) Incorporation of accessible environment standards into the Public Construction Plan (PCP)</p> <p>1. The Government Procurement Act and the Guidelines for the Review of Public Construction Plans and Budgets, which incorporate the PCP, are meant to make accessibility a major aspect of the processes of construction procurement and public construction planning undertaken by the government. The design of construction undertaken by each implementing agencies shall follow the accessible environment standards established by the competent</p>		

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<p>authorities (e.g., buildings are overseen by the MOI), and technical service providers are requested to incorporate accessible design considerations. Additionally, the basic design of the PCP shall include a description of the planning and design concepts for the friendly environment for persons with disabilities to protect their rights and interests.</p> <p>2. An amendment to the template of the public construction technical service contract was announced on June 15, 2016, with Paragraph 2, Article 6 of the Regulations for the Selection and Fee Calculation of Technical Services Providers Entrusted by Entities being added to Paragraph 1, Article 9 of the template: ... the technical services commissioned by this case includes designers, [and] the designs provided by Party B should comply with the objectives of energy conservation, greenhouse gas emission reduction, environmental protection, resource conservation, and economic durability[] and consider factors such as landscape, natural ecology, life aesthetics and gender, disabilities, older adults, and children [when] designing [a] user-friendly environment. The sample has been provided to various agencies.</p> <p>3. For agencies that adopt the aforementioned template, if the design results provided by the technical service provider violate the provisions of the law or the contract, relevant penalties have already been established in the sample, including Paragraph 4 of Article 5 (suspension of contract payment) and Paragraph 1 of Article 16 (termination or rescission of the contract if the violation of the case is considered to be serious in nature) to encourage the fulfillment of the contract.</p>		
<p>B. Traffic environment (MOTC) (A) The Promotion Committee for an Accessible Traffic Environment of the Ministry of Traffic and Communications was established on January 7, 2011, and representatives of organizations of persons with disabilities, experts, and scholars were invited to serve as members. Committee meetings are held twice a year, at which time accessibility improvements by the affiliated agencies of each ministry and other relevant issues are discussed. Improvements that do not meet the relevant requirements are required to improve within a specific period of time, with follow-up inspections being conducted to continue to improve the accessibility of facilities. The affiliated agencies of the relevant ministries have also established their own accessibility task force to coordinate and integrate their respective</p>		

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<p>units to promote accessible transportation environments. Additionally, organizations of persons with disabilities have been invited to inspect whether the relevant accessible facilities meet the requirements of universal design and determine whether improvement measures have been formulated appropriately.</p> <p>(B) Pursuant to Article 99 of the People with Disabilities Rights Protection Act, domestic air transport enterprises that restrict access to or refuse to provide transport services to persons with disabilities, charge these persons amounts that are not in compliance with the regulations, or transportation companies violating relevant regulations and failing to improve or submit an alternative improvement plan or failing to improve within the time limit specified in the improvement plan will be fined and required to complete any necessary improvement within a specified time.</p> <p>(C) The implementation of accessible public transportation is to be done as follows:</p> <ol style="list-style-type: none">Shipping port: The addition of the Specifications for Accessible Facilities and Equipment on Passenger Ships to the Regulations for Administrating Passenger Ships was implemented on January 9, 2017, and accessible facilities are to be installed in newly constructed ships according to the aforementioned specifications. The Directions for the Accessibility Subsidy for Public Transport Vessels and Shore Facilities was issued on March 26, 2018 to assist local governments to improve shore facilities and supervise the improvement of service providers in their jurisdiction.Taiwan High Speed Rail: Accessible facilities are located in the seventh carriage of high-speed rail trains, providing four accessible seats and accommodating two electric wheelchairs and two folding wheelchairs. Additionally, accessible toilets have been installed on the Taiwan High Speed Rail.Taiwan Railways: The Tze-chiang limited express contains four accessible seats and four accompanying seats. The first-stage of the project to level the Taiwan Railway carriages and platforms has been completed (the carriages have been modified to only contain one stair step, and the platforms are elevated to 92–96 cm), and accessible elevators have been installed at 131 stations.Universal taxis: The Subsidy Regulations for Universal Taxis were adopted to provide more options to persons with reduced mobility in terms of autonomy of action, and local		

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governments have been encouraged to apply for subsidies to help companies purchase vehicles since 2013. More than 800 universal taxis have been purchased, and approximately 850,000 rides have been given to persons with reduced mobility. 5. Accessible buses: Considering that many highway bus routes pass through hillsides and highways or expressways, the road conditions of which are different from those on which urban buses travel, and considering that their schedules are less frequent than those of urban buses, the Directorate General of Highways amended the Regulations on Reviewing and Processing Applications for Continuing Business of National Highway Schedule Bus Service. Under the regulations, highway bus companies are required to deploy barrier-free vehicles when applying for route operation renewal to increase the number of barrier-free vehicles. Additionally, highway public transportation–related projects have been implemented since 2010, with subsidies for more than 3,000 accessible buses being approved and the proportion of urban accessible buses exceeding 52%. 6. Highway bus stations: Among the 64 stations for highway buses, 63 of them have had accessible facilities installed. 7. Tourism: Installation of accessible facilities in vehicles is listed as the key scoring item when selecting routes for the Taiwan Tourist Shuttle service. For example, the 2019 and 2020 Application Requirements for Taiwan Tourist Shuttle Route Selection specifies that at least one accessible transportation service (wheelchair accessible buses or accessible lift equipment) must be deployed on the route being applied for. If wheelchair accessible buses cannot be operated on the route due to special circumstances, relevant meeting records and improvement plans should be submitted to improve the route accessibility of the Taiwan Tourist Shuttle service. At the same time, information regarding the shuttle buses on routes that deploy barrier-free vehicles is provided on the official website of the Taiwan Tourist Shuttle service for public use and inquiry. At present, barrier-free vehicle services are provided on 30 Taiwan Tourist Shuttle routes. 8. Service areas: According to the volume and needs of highway service areas, 126 accessible parking spaces and 72 accessible public toilet rooms have been installed for the convenience of the general public.		

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<p>C. Medical institution environment (DOMA) (A) Despite the Medical Institution Establishment Standard containing relevant accessible facilities regulations, the regulations have not met the expectations of the organizations of persons with disabilities. The relevant action plans are detailed in 64, 65(a) and 44, 45(a). (B) According to the survey findings regarding accessible medical environments, most large hospitals have achieved more satisfactory performance than small- and medium-sized hospitals and clinics because the latter mostly are housed in old buildings and their existing space constraints lead to difficulties complying with the new regulations of the Design Specifications for Accessible and Usable Buildings and Facilities. In accordance with the principle “no penalty without a law” to the aforementioned specifications and to facilitate the provision of an accessible medical environment by medical institutions, the MOHW has requested that the public health bureaus of local governments increase their supervision of regional hospitals to assist in improving the accessibility of medical environments and continue implementing educational training courses for medical personnel.</p>		
<p>D. Correctional institution environments (MOJ) 1. The correctional institutions in Taiwan are mostly old buildings that have been built for more than 40–50 years, and their existing space design and planning are inconsistent with the current standards. Additionally, due to the complexities of housing the inmates, the limited detention space, and the unresolved problem of overincarceration, the correctional institutions are currently flexibly adjusting the use of space and facilities according to the detention situation to accommodate actual detention needs, with facilities being updated and replaced based on their usage. Investigations have shown that the institutions are still capable of planning and installing basic accessible facilities and providing relevant assistive devices according to their detention situations, and that persons with reduced mobility and disabilities are mostly accommodated in wards or rooms in lower-floor areas to facilitate their mobility. Additionally, individual inmates with special needs can also file reports with the authorities through normal channels to seek adjustments and improvements.</p>		

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Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>To ensure persons with disabilities can access various financial services, banks should assist persons with disabilities by providing them with friendly financial measures, ATM locations and specifications, and accessible webpages, measures which are described below.</p> <p>A. Banks have been requested to provide friendly financial measures for persons with disabilities, including providing an accessible environment and service specialists at each bank and accessible ATMs for wheelchair users and voice ATMs for persons with visual impairment. Banks are required to prioritize the installation of ATMs that are suitable for persons with disabilities when installing or replacing ATMS and shall prioritize locations such as bus stations, department stores, and convenience stores.</p> <p>B. To enable the installation of accessible ATMs to meet the needs of persons with disabilities, on Feb. 19, 2014, the Banking Bureau of the FSC has invited personnel from the office of Yang Yu-Xing, a member of the Legislative Yuan, eight organizations of persons with disabilities of different categories, the Ministry of Economic Affairs, the CPA, the Bankers Association of the Republic of China, the National Federation of Credit Cooperatives, and 13 banks to jointly discuss the improvement of financial services for persons with disabilities and to establish ATM specifications. The meeting explored issues such as the enhancement of ATM use efficiency by persons with visual impairment, the need to customize general specifications for ATMs, and the improvement of financial services usage by persons with hearing impairment. This indicated that the FSC has always focused on assisting persons with disabilities to use various financial services and has invited relevant organizations to engage in communication. As of the end of May 2018, domestic banks had established a total of 28,438 ATMs, among which 24,500 ATM models complied with the requirements of wheelchair users, accounting for 86% of the total number of ATMs. Additionally, the proportion of ATMs located in the same location of a public space that meets the needs of wheelchair users has reached 90%. Moreover, a total of 1,253 ATMs with voice functions have been established for persons with visual impairment by domestic banks. Financial institutions are also urged to prioritize the needs of organizations of persons with visual impairment and provide ATMs in convenient locations (e.g. near service agencies for persons with visual impairment, transportation stations, and hospitals). Credit card</p>	<p><u>Short-term objectives (to be completed before May 2019)</u> Supervise the Bankers Association in its effort to assist banks in adjusting their mobile applications in accordance with the Development Guidelines on Mobile Application Accessibility. (FSC)</p> <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u> 1. Supervise the Financial Industry Association and encourage it to focus on the relevant issues of the CRPD and strengthen the educational training it provides to improve the quality of service provided by financial practitioners to persons with disabilities. (FSC) 2. In addition to enacting the Principle for Friendly Financial Service and the Q&A for the Principle and Practice of Friendly Financial Service, the Financial Industry Association will also conduct rolling reviews and continue its communication with organizations of persons with disabilities as well as regularly inspect the accessibility of environments provided by the financial industry. (FSC)</p>	<p>Process indicators: To implement a friendly financial environment for persons with disabilities, the FSC shall supervise the efforts of the Financial Industry Association to strengthen training provided to relevant personnel and regularly review the provision of accessible environments by the financial industry to improve friendly financial services. (FSC)</p>

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companies have provided voice services for relevant needs (lost credit cards can be reported on the behalf of persons with visual impairment). Additionally, to provide convenient services for persons with hearing impairment, the Bankers Association has been requested to establish a dedicated consultation channel for them, and banks are required to provide online credit card activation and loss reporting services.		
C. Bank websites have provided accessible webpages for disclosing public information such as interest rates and exchange rates to provide friendly financial services for persons with disabilities. Currently, all domestic commercial banks and the Chunghwa Post have acquired the A+ certification mark or higher concerning accessible webpages for public information. The Taiwan Securities Association and securities firms with a net worth of more than NT\$10 billion modified their official websites to accessible webpages on January 1, 2017, establishing “disability-friendly financial service sections” on their homepage and obtaining A+ certification marks. Insurance companies have similarly established friendly financial service sections on their homepages, and some of them have established accessible webpages.		
D. To ensure the basic rights, equality, and provision of reasonable financial services for persons with disabilities, the Financial Industry Association has established the Principle for Friendly Financial Service and the Q&A for the Principle and Practice of Friendly Financial Service. Financial companies shall provide appropriate friendly service measures based on the individual needs of persons with disabilities, with the scope covering environment (accessible facilities or special services provided at the business premises), communication (feedback forms and customer service personnel), service (account opening services available online or outside the business premises, and guide persons with disabilities to adopt suitable transaction methods), products, and information (announce information and statistics related to friendly financial measures on the official website; if the company has not established a website, the relevant information should be published at the business premises). Additionally, discriminatory conduct is prohibited, and the items listed in the Principle for Friendly Financial Service should be inspected every year. In terms of financial products or services, financial institutions are required to provide appropriate forms of assistance, including exclusive consulting services such as sign language interpretation, remote video, or other communication aids or provide appropriate friendly service measures according to the needs of persons with different categories of disabilities, such as online appointments and		

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Concluding Observations		Competent Authorities
Accessibility (art. 9) 32. The IRC is concerned that: (b) Online banking and mobile applications are still not accessible to persons with disabilities, in particular to those with visual impairments. 33. The IRC recommends that the State: (b) 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.		32 & 33(b) Financial Supervisory Committee (FSC)
at-home service. E. In the future, in addition to the continued supervision of financial institution efforts to implement and provide relevant financial friendly service measures, the FSC will also require the Financial Industry Association to inform its members to conduct educational training for their new employees on friendly financial services aimed at persons with disabilities. Additionally, groups of persons with visual impairment have noted that the ratio of voice ATMs suitable for persons with visual impairment is relatively low and have thus suggested financial institutions make relevant improvements.		
F. Regarding the provision of accessible mobile apps, in the official letter jin-guan-yin-guo-zi No. 10620002360 issued on June 3, 2017, the FSC has requested that the Bankers Association inform its members to refer to the draft Development Regulations on Mobile Accessible Webpages that are currently being considered by the NCC and to complete relevant improvements within 6 months of the regulations being announced. Additionally, the NCC also announced the Development Guidelines on Mobile Application Accessibility on December 20, 2017, and the FSC has requested the Bankers Association to assist banks in understanding its content to make relevant adjustments.		

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Right to life (art. 10) 34. The IRC is concerned that: 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). 35. 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.		34 & 35 MOJ
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>This topic concerns human rights protection and law-based administration, the content of which is extremely complex. The relevant legal provisions and a comparison of the subjects referred to in the CRPD are described below.</p> <p>A. According to Article 465 of the Code of Criminal Procedure, “the highest judicial authority may order [the suspension of] the execution if it is found [that] the one [against] whom [the] death penalty is pronounced is insane;” “the highest judicial authority may order [the suspension of] the execution of a sentence of capital punishment on a pregnant woman before she delivers;” and “unless ordered by the highest judicial authority, [a suspended sentence of] capital punishment pursuant to the preceding two paragraphs may not be resumed after the subject recovers or delivers.” According to Articles 2 and 3 of the Implementation Guidelines for Reviewing Death Penalty Execution, the execution of death penalty cases must be repeatedly reviewed by the Supreme Prosecutors Office and MOJ to confirm that such a case will not be suspended due to reasons such as retrial, extraordinary appeal, request of interpretation by the Grand Justices, prisoner insanity as provided for in Article 465 of the Code of criminal Procedure, and the grant of amnesty by the president; after confirming the inapplicability of all these circumstances, the Minister of Justice may authorize the execution. Therefore, the death penalty can only be suspended due to the aforementioned reasons or if an individual is found to be insane or pregnant.</p> <p>B. Pursuant to Paragraph 2, Article 1 of the CRPD, persons with disabilities include those who have long-term physical, mental, intellectual, or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others. Insanity as a reason for suspending the death penalty according to Article 465 of the Code of Criminal Procedure does not seem to cover persons with disabilities who have long-term physical, mental, intellectual, or sensory impairments as required by the CRPD. Thus, except for individuals with mental impairments who are deemed to be “insane,” the current Code of Criminal Procedure in Taiwan does not seem to include persons with disabilities who have long-term physical, intellectual, or sensory impairment.</p> <p>C. As a country under the rule of law, administration by law is the basic principle in Taiwan</p>	<p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <p>Article 465 of the Code of Criminal Procedure, which provides for suspension of the death penalty in the case of insanity, does not seem to include persons with social, psychological, or intellectual disorders referred to by the IRC. To comply with the CRPD, amending the articles in the Code of Criminal Procedure shall be considered by relevant authorities, after which the results shall be submitted to the Judicial Yuan. The administrative regulations of the Implementation Guidelines for Reviewing Death Penalty Execution shall be reviewed and revised according to the progress of amendment to Article 465 of the Code of Criminal Procedure. (MOJ)</p>	None

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and is also the consistent position of the MOJ and the basic principle of its administration. The Implementation Guidelines for Reviewing Death Penalty Execution issued by the MOJ is an administrative guidance document governing the internal order and operation of the agency; thus, it shall not contravene the law in accordance with the principle of legal supremacy. The Code of Criminal Procedure currently does not forbid the execution of the death penalty on persons with disabilities who have long-term physical, mental, intellectual, or sensory impairments. Yet, the Implementation Guidelines for Reviewing Death Penalty Execution is only an administrative regulation in terms of its legal level and thus may not contravene Article 465 of the Code of Criminal Procedure. D. Before the provision regarding the suspension of the execution of death penalties by the highest judicial authority, as stated in Article 465 of the Code of Criminal Procedure, is amended, the MOJ is incapable of amending the provisions in the Implementation Guidelines for Reviewing Death Penalty Execution due to the aforementioned reasons and difficulties.		

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Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
I. Background A. Taiwan enacted the Disaster Prevention and Protection Act (hereinafter referred to as the DPPA) to establish a comprehensive disaster prevention system and reinforce disaster prevention effectiveness, thereby protecting lives and property. The DPPA provides regulations governing disaster prevention and protection (DPP) organizations in Taiwan, DPP plans, and measures for disaster prevention, response, and recovery. The central competent authorities responsible for DPP as well as municipal and county (city) governments promote and implement said measures accordingly. Chapter 3 of the DPPA, namely Plans of Disaster Prevention and Protection, and Articles 7–9 in the Enforcement Rules of the Disaster Prevention and Protection Act specify the priority, content, authorization and reporting process, and review procedures of basic plans, operation plans, and regional plans for DPP, which are summarized as follows. (A) Basic plans of DPP refer to essential policy documents required under the DPPA and which are guidance plans for nationwide DPP strategies. The DPPA specifies the strategies and goals of the DPP agenda in Taiwan to ensure that prevention and relief efforts in each stage, including disaster mitigation, prevention, response, and recovery, can be implemented. Basic plans authorized by the Central Disaster Prevention and Protection Council shall be provided in written format by the Executive Yuan to all central competent authorities of DPP operations as well as municipal and county (city) governments so they can handle DPP affairs appropriately. Additionally, the Central Disaster Prevention and Protection Commission shall review said plans once every 5 years or when necessary. (B) All central competent authorities shall develop operation plans of DPP according to said basic plans and their DPP responsibilities. The developed plans shall be enacted after being authorized by the Central Disaster Prevention and Protection Council. All municipal and county (city) governments shall devise regional DPP plans in accordance with basic plans,	<u>Short-term Objectives (to be completed before 2022)</u> A. Central competent authorities, namely the MOI, COA, MOEA, MOTC, EPA, MOHW, and AEC, intend to invite relevant experts and groups to participate in the amendment process of DPP operating plans and review of existing plans pursuant to Procedures of Reviewing Disaster Prevention and Protection Plans in order to protect the rights of persons with disabilities. B. Local governments will invite relevant experts, scholars, and groups to participate in the amendment of regional DPP plans, consult said entities for amendment advice, and review the existing plans in accordance with Procedures for Submitting the Files of Regional Disaster Prevention and Protection Plans to a Competent Authority for Reference. Therefore, the safety of persons with disabilities during the occurrence of natural disasters can be guaranteed. C. The ODM intends to consider the rights of persons with disabilities when promoting DPP-related works at DPP councils in all municipalities and counties (cities). Specifically, the authority allows persons with disabilities to participate in plan amendments, promotes disaster-prevention education, conducts disaster-prevention drills, creates a list of persons with disabilities, assists said persons to evacuate during disasters, improves the accessibility of shelters, and instructs said persons to use accessible communications technologies to receive timely information regarding the status of said persons. D. When adopting disease prevention measures such as increasing the budget for public vaccinations in the Biological Disaster Prevention and Response Plan (Fifth Version), the Taiwan Centers for Disease Control of the MOHW considers the different morbidity risks of infectious diseases between various groups. Accordingly, the Centers for Disease Control provides accessible services, improves health education for high-risk groups, and assigns nursing care institutions/caring institutions, long-term nursing institutions, settlement	Process indicators 1. The MOI, COA, MOEA, MOTC, EPA, and AEC incorporate said content into DPP plans. 2. The MOI, COA, MOEA, MOTC, EPA, MOHW, and AEC review the content relevant to regional DPP plans. 3. The ODM is responsible for policy communication at local DPP councils and promotion of DPP works.

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relevant operation plans, and local disaster characteristics. The devised plans shall be implemented after being authorized by the Central Disaster Prevention and Protection Council and shall be submitted to the Council for reference. Additionally, regional plans shall be reviewed once every 2 years and timely reviewed when necessary. (C) The aforementioned plans shall specify disaster prevention works, response measures, recovery measures, and works deemed necessary by other administrative authorities and public utilities as well as municipal, county (city), and township (county-administered city) DPP councils. B. When reviewing and amending DPP operation plans, the Executive Yuan (Office of Disaster Management (ODM)) shall request all competent authorities to include content and measures associated with the rights of persons with disabilities during the review process pursuant to the Procedures for Reviewing Disaster Prevention and Protection Plans. When reviewing and amending regional plans of DPP, the Executive Yuan (ODM) and all central DPP competent authorities shall, according to the Procedures for Submitting the Files of Regional Disaster Prevention and Protection Plans to a Competent Authority for Reference, help review and ensure that the plans in question have incorporated content and measures related to the rights of persons with disabilities. The 22 types of disasters stipulated in DPP plans shall be handled by central competent authorities as follows: (A) The Ministry of the Interior (MOI) shall be responsible for windstorm, earthquake (including soil liquefaction), fire, explosion, and volcanic disasters. (B) The Ministry of Economic Affairs (MOEA) shall be responsible for mining disasters; flooding; drought; public gas, fuel pipeline, and power transmission line failures; and industrial pipeline disasters. (C) The Ministry of Transportation and Communications (MOTC) shall be responsible for airplane crashes, shipwrecks, and land traffic accidents.	(residential) institutions, correctional institutions, or other similar entities to report specified infectious diseases or symptoms, efforts which can reduce the occurrence of infectious diseases and maintain patients’ health.	

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<p>Situations of risk and humanitarian emergencies (art. 11)</p> <p>36. The IRC is concerned about:</p> <p>(a) 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;</p> <p>37. The IRC recommends that the State:</p> <p>(a) 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;</p>		<p>36.37(a)</p> <p>Office of Disaster Management (ODM), Executive Yuan</p> <p>MOI</p> <p>Council of Agriculture (COA)</p> <p>Ministry of Economic Affairs (MEA)</p> <p>Environmental Protection Administration (EPA)</p> <p>MOTC</p> <p>MOHW</p> <p>Atomic Energy Council (AEC)</p>
<p>(D) The Ministry of Health and Welfare (MOHW) shall be responsible for biological disasters.</p> <p>(E) The Environmental Protection Administration, Executive Yuan (EPA) shall be responsible for toxic chemical materials and suspended particulate disasters.</p> <p>(F) The Council of Agriculture, Executive Yuan (COA) shall be responsible for frost, animal and plant diseases, debris flow, and forest fires.</p> <p>(G) The Atomic Energy Council, Executive Yuan (AEC) shall be responsible for radiation disasters.</p> <p>C. Pursuant to Article 27(4) of the DPPA, governments of all levels shall execute emergency response measures by providing temporary shelters and rescue for affected people and specific protections for disadvantaged individuals. Disadvantaged individuals refer to individuals who have relatively poor disaster response competence, such as low income households, older adults living alone, persons with reduced mobility or persons requiring the assistance of others (e.g., those who are bedridden or requiring a wheelchair or walking cane), children, pregnant women, and persons with visual impairment, hearing impairment, or mental disorders.</p>		
<p>II. Problem Analysis</p> <p>A. Improvement is required with respect to assistance for persons with disabilities provided in existing DPP plans adopted by governments of all levels.</p> <p>To facilitate all DPP works, strengthen DPP response, and improve DPP effectiveness, all operation plans shall include promotion and implementation provisions concerning disaster reduction, prevention, and protection, preparedness and training, and disaster response to achieve plan goals. Despite varying types and locations of disasters, plans must always place human safety as the top priority. In the future, the protected individuals of said plans (various organizations representing persons with disabilities are invited to list detailed requirements of the persons with disabilities they serve and assist the persons to use accessible</p>		

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communications technology) will be incorporated into specific operating regulations suitable for the site in question. Disaster prevention works are to be promoted and implemented by local governments and supervised, assessed, or evaluated by central authorities to comprehensively improve the disaster and prevention abilities of the Taiwanese public. B. Disaster-resistant communities shall be established to strengthen the disaster response competence of disadvantaged groups. To facilitate the DPP plans developed by governments of all levels and improve the response competence of disadvantaged groups during disasters, all central authorities, bureaus and departments of local governments, and township (district) offices have jointly promoted the project of developing disaster-resistant communities for years; for example, the Debris-Flow Self-Prevention Community Program promoted by the Soil and Water Conservation Bureau, COA, Executive Yuan, Flooding Self-Prevention Community Program promoted by the Water Resources Agency, MOEA, and Disaster Prevention and Protection Strengthening Program—Resilient Communities promoted by National Fire Agency, MOI. The development of disaster-resistant communities is currently promoted based on villages and jointly facilitated by DPP assistive teams (e.g., National Taiwan University, National Central University, National Cheng Kung University, and Feng Chia University). Said communities mainly aim to develop risk awareness, reach a consensus for disaster prevention, investigate the status of protected households, establish disaster-prevention strategies, create disaster-prevention teams, hold disaster-prevention education and training, and conduct DPP military simulation and drills, as well as help community residents design disaster-prevention plans. Specifically, evacuation strategies, action plans, and sheltering measures have been developed for disadvantaged groups of disaster response. C. DPP works shall be implemented through a monitoring–assessment mechanism (A) Annual assessment of DPP operations: To reinforce the promotion and implementation of DPP operations among all local governments, the Executive Yuan demands that the 22 DPP		

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competent authorities (e.g., the MOI, MOEA, COA, MOTC, EPA, MOHW, and AEC) and relevant authorities (e.g., Ministry of National Defense, MOE, and Council of Indigenous Peoples) assess the DPP operations in all local governments and exchange experiences with and learn from one another—the results have been excellent. In the future, the Taiwanese government will consult organizations representing persons with disabilities concerning suggestions on DPP works and instructions for using accessible communications technologies, which will be included as assessment items to ensure comprehensive implementation. (B) Annual DPP drill: All municipal and county (city) governments shall separately perform DPP drills, and the drills shall be assessed by corresponding competent authorities to help evaluate existing DPP plans. Therefore, the feasibility and smoothness of DPP works regarding their safety procedures for persons with disabilities can be guaranteed. (C) Central DPP competent authorities shall develop relevant assessment plans and conduct DPP work evaluations on municipal and county (city) governments by incorporating the aforementioned measures into the assessment plans. D. DPP competent authorities will continue to facilitate measures as follows. (A) MOI requests competent authorities to implement DPP operation plans for which they are responsible, such as windstorm, earthquake (including soil liquefaction), fire, explosion, and volcanic DPP plans. Additionally, the MOI shall invite organizations of persons with disabilities to engage in reviewing the existing plans in the future. (B) Articles 22 and 27 of the DPPA stipulate disaster reduction items for governments of all levels to facilitate DPP relief and protection measures for disadvantaged groups and demand that governments of each level incorporate the aforementioned relief and measures into DPP plans according to their responsibilities. In the future, the MOI will request local governments to invite organizations of persons with disabilities to participate in the review sessions of regional DPP plans, thereby reinforcing the protection measures and safety for persons with		

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disabilities in the event of natural disasters. (C) The COA officially launched the Debris Flow Disaster Prevention and Response Operation Plan on June 15, 2018, stating that “Local governments may invite disadvantaged individuals, such as persons with disabilities, older adults, persons with illness, pregnant women, children, foreign nationals, and persons with reduced mobility, to engage in the process of planning emergency shelters and evacuation routes or provide suggestions.” Through such engagement, the effectiveness of disaster evacuation plans among local governments can be enhanced. (D) The MOEA shall devise DPP plans for corresponding statutory disasters. Moreover, the MOEA shall command, monitor, and coordinate relevant administrative agencies as well as public utilities to implement all works associated with disaster prevention, emergency response, and postdisaster recovery. When revising some of the DPP plans, the MOEA has already invited competent authorities of disadvantaged groups to participate in and help said groups express their opinions. (E) Considering the characteristics of different disasters, the MOEA has requested local governments to incorporate investigations related to persons with disabilities into DPP operation plans. The Water Resources Agency of the MOEA guides and monitors local government efforts to develop the Project of Ensuring Security in Areas with Flood Potential annually, demanding local governments to complete investigations and report the results back prior to the flood season. Data regarding protected individuals collected under said project (i.e., patients with chronic illnesses, older adults living alone, and persons with reduced mobility or disabilities who require escort support), shelter locations, evacuation maps, and reporting personnel information shall be rapidly applied to evacuation operations to reduce human life and property losses. (F) Regarding regional DPP plans for municipal and county (city) governments, the MOEA continues to suggest that municipal and county (city) governments ensure complete		

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participation of persons with disabilities according to the planning of the ODM. Additionally, perspectives from women with disabilities, children, and indigenous people shall be considered, particularly the perspectives of persons with psychosocial and/or intellectual disabilities (mental disorders), hearing impairment, and visual impairment. (G) The MOTC outlined the procedures requested by the central government when amending DPP plans for land traffic accidents, airplane crashes, and shipwrecks. (H) The MOTC provides guidance on DPP-related plan development and emergency response procedures for local governments of all levels, the Taiwan Railways Administration, Railway Bureau, Freeway Bureau, Directorate General of Highways, Tourism Bureau, Civil Aeronautics Administration, Maritime and Port Bureau, airport operators, port management authorities (institutes), public utility authorities (institutes), highway bus companies, civil airlines, and shipping companies. (I) Unlike earthquakes that occur abruptly, nuclear accidents are progressive. In the event of equipment incidents in nuclear power plants affecting the public nearby, competent authorities normally have dozens of hours to a few days to implement preventive measures for the public (including warning issuances, indoor sheltering notices, preventive evacuations, and iodine tablet administration). The AEC and local governments have launched censuses of disadvantaged groups (populations staying at places such as hospitals, nursing homes, or senior care centers). Specifically, New Taipei City, Keelung City, and Pingtung County governments have completed the census. With the census data, governments can deploy suitable carriers (e.g., ambulances, rehabilitation buses, and other transport carriers) to preventively evacuate persons to sheltering schools or other shelters 16 km from the affected power plant. E. Accessible communications technologies Although not a DPP competent authority, the NCC is in charge of communications operations. To help transmit messages using the Public Warning System (PWS) and		

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command mobile broadband service operators using the third generation (3G) mobile telecommunications systems or phone systems to provide PWS messaging service, the NCC amended relevant management rules, system validation technology guidelines, and terminal equipment technology guidelines, requiring telecommunications operators to abide by regulations on PWS testing. Pursuant to the relevant acts, the NCC has imposed requirements on telecommunications operators as follows. (A) The NCC amended The Third Generation Mobile Telecommunication Terminal Equipment Technical Specifications and Technical Specifications for Mobile Broadband Business Terminal Equipment on December 22 and December 25, 2015, respectively. The amended Specifications provide that 3G and 4G phones shall ring and vibrate for incoming disaster alarm messages, thus notifying users and persons with impairment. The amended Specifications came into force on March 1, 2016. (B) The NCC amended the Technical Specifications for Mobile Broadband System Verification on December 29, 2015, specifying testing methods of the PWS; additionally the PWS codes were revised and cell broadcast centers were constructed for future disaster prevention. (C) The NCC partially amended the Regulations for Administration of Mobile Broadband Business by adding an obligation that telecommunications operators must cooperate with the testing of the disaster prevention PWS. (D) Telecommunications operators completed the construction of cell broadcast centers on January 15, 2016 and the construction of remote backup services in 2017. (E) To simulate and test the actual scenarios of various disasters, the National Science and Technology Center for Disaster Reduction, all DPP competent authorities, 4G operators, and the NCC jointly administered 70 tests between January 2016 and November 30, 2018, during which time the 4G operators conducted self-tests 18 times. These operations have successfully assisted the DPP competent authorities to send PWS messages.		

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Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
A. Taiwan enacted the DPPA to establish a comprehensive disaster prevention system and reinforce disaster prevention effectiveness as a means of protecting the safety of its people’s lives, bodies, and property. The DPPA contains provisions regarding prevention and protection organizations involved in disaster relief, DPP plans, and relevant prevention, response, and recovery measures. The central competent authorities responsible for DPP plans as well as municipal and county (city) governments promote and implement said measures. 【The subsequent text identical to 36 and 37 (a) is omitted】 B. Pursuant to Articles 23 and 27 of the DPPA, governments of all levels, depending on their responsibilities, shall undertake preparation activities, training, drills, and other emergency preparedness affairs. Governments shall, depending on their responsibilities, incorporate all DPP plans and provide temporary shelters and social rescue for affected people and specific protection for disadvantaged individuals. C. The Executive Yuan annually carries out a national DPP assessment, national DPP drill, and large events on National Day for Disaster Preparedness (September 21) to supervise the implementation of DPP operations. Additionally, the Executive Yuan guides all central competent DPP authorities and relevant agencies to conduct disaster prevention operation assessments on local governments to comprehensively examine the results of all disaster preparedness affairs. Central ministries and agencies also engage in regular supervision and visits and engage in daily observations of local governments and rate them during joint assessments, thereby encouraging governments of all levels to implement comprehensive DPP plans. Regarding the national DPP drill, local governments are responsible for devising disaster scenarios; holding military simulations and DPP drills to implement each measure for disaster preparedness, response, and recovery; improving emergency response efficiency and disaster relief capacity of local governments; and reinforcing the disaster coordination–contact mechanism between each authority.	<u>Short-term objective (to be completed before 2022)</u> The Executive Yuan (ODM) annually carries out a national DPP assessment, national DPP drill, and National Day for Disaster Preparedness on September 21 to determine aspects of DPP requiring improvement to ensure accessible environments for persons with disabilities; areas that are assessed include environmental conditions during disaster prevention promotion and drills, preparedness, response, and shelters. Accordingly, the Executive Yuan supervises the implementation of governments of all levels (ODM, MOI, COA, MOEA, MOTC, EPA, MOHW, and AEC).	Process indicator: The ODM incorporates measures that consider the perspectives of persons with disabilities, women, children, and disadvantaged groups into DPP operations assessment and national DPP drills.

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D. Said operational assessment and assessment items for drills include disaster prevention, preparedness, and response. For example, the revised content of DPP plans, preparedness for each disaster response (e.g., evacuation, sheltering, training, and drill), and status of DPP responses shall all be assessed by competent authorities. E. Competent DPP authorities shall continue to facilitate measures as follows. (A) Regarding operational DPP plans for windstorms, earthquakes, fires, explosions, and volcanic disasters, the MOI has introduced regulations regarding disaster relief, special protection, sheltering, and settlement for disadvantaged groups including older adults, foreign nationals, infants, pregnant women, and persons with disabilities. In emergency shelters, local governments have designated areas for men, women, families, and persons with disabilities and constructed accessible facilities as well as stocked supplies such as diapers and powdered milk. The MOHW supervises and assesses local government efforts. (B) The MOI specifies the equipment to be provided by local governments in emergency shelters, and the local governments shall provide adequate living conditions and health care for disadvantaged groups in emergency shelters and temporary shelters. Specifically, said governments shall allow priority accommodation for disadvantaged groups in temporary shelters, build temporary shelters for older adults or persons with disabilities, and hold promotion, drill, and training activities related to disaster prevention, enabling the public to familiarize themselves with information such as relevant acts, evacuation routes, and shelter locations. (C) The Council of Indigenous Peoples assigns indigenous commissioners to supervise and assist indigenous people in mountainous areas with matters including life settlement, daily necessity preparations and supplements, and emergency medical services for residents. (D) The disaster prevention, response, and recovery matters stated in operating plans for debris flows aim to protect persons living within the area of a debris warning. Therefore, said plans do not solely focus on protecting women with disabilities and indigenous people as stated in the IRC concluding observations. Said plans have already		

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complied with the mandate that local governments shall invite the public, including women with disabilities and indigenous people, to participate in disaster prevention evacuation planning or provide suggestions. The COA continues to promote the development of community self-prevention against debris flow; said efforts have already incorporated the input of protected individuals. (E) The MOEA has requested local governments to incorporate investigations related to persons with disabilities into part of the DPP operating plans. The Water Resources Agency of the MOEA guides and monitors local governments under the Project of Ensuring Security in Areas with Flood Potential annually. The data regarding protected individuals covered under said project (i.e., patients with chronic illness, older adults living alone, and persons with reduced mobility or disabilities who require escort support), shelter locations, evacuation maps, and reporting personnel shall be rapidly applied during evacuation operations to reduce human life and property losses. (F) Concerning the DPP plans for public gas, fuel pipelines, and power transmission line failures, industrial pipeline disasters, and flooding developed by municipal and county (city) governments, the MOEA continues to suggest that said governments ensure that persons with disabilities can fully participate in the plan development process and that the perspectives of women with disabilities, children, and indigenous people be considered, particularly the views of those with psychosocial and/or intellectual disabilities (mental disorders), hearing impairment, and visual impairment. (G) The MOTC has considered the preparedness and response mechanism of disaster information transmission (e.g., evacuation and sheltering) for disadvantaged groups, older adults, persons with disabilities, and foreign nationals and provided a reference for competent DPP authorities and local governments to react in the event of land traffic accidents. Said DPP plans have specified that all competent authorities and local governments for land accidents shall design standard operating procedures for DPP emergency responses, including procedures for search and rescue operations, evacuations, and medical services. (H) To manage the risk of airplane crashes and humanitarian emergency, the MOTC has		

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developed the Airplane Crash Prevention and Protection Operating Plan, in which emergency response mechanisms have been established from the perspectives of persons with disabilities, women, children, and disadvantaged groups. In the section of Temporary Shelters, said plan specified that local governments shall consider all disaster types and scope, population distribution, and landforms and designate suitable places as temporary shelters for affected people in advance. Additionally, local governments shall regard assistance of disadvantaged groups in a disaster to be a priority; specifically, they shall care for older adults, infants, pregnant women, persons with disabilities, and foreign nationals. Local governments shall instruct the public about said matters and regularly conduct disaster prevention drills with residents.		
(I) Unlike earthquakes that occur abruptly, nuclear accidents are progressive. In the event of equipment-related incidents in nuclear power plants that affect the public nearby, competent authorities normally have dozens of hours to a few days to implement preventive measures for the public (including issuing warnings, indoor sheltering notices, undertaking preventive evacuations, and dispensing iodine tablets). According to the statistics compiled by the International Atomic Energy Agency on the Fukushima Daiichi nuclear disaster, no individual died from radioactive material leakage. However, numerous older adults or persons requiring ventilators died on their way to distant evacuation destinations. To avoid this problem, the AEC and local governments have launched censuses of individuals in emergency response areas with assistance needs, such as kindergarten children, elementary and junior high school students, and disadvantaged groups (population staying at places such as hospitals, nursing homes, or senior care centers). Specifically, New Taipei City, Keelung City, and Pingtung County governments have completed the census. With the census data, governments can deploy suitable vehicles (e.g., ambulances, rehabilitation buses, and other transport carriers) to convey people with accessibility needs away from disaster sites and to preventively evacuate persons to sheltering schools or other shelters 16 km from the affected power plant.		
(J) The AEC regularly selects one designated area with a nuclear power plant emergency		

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response plan in which to investigate household preparedness through home visits. Focusing on new immigrants to Taiwan and persons with disabilities or reduced mobility, the AEC records and summarizes information concerning households with needs, and the data serve as a reference for local governments in the event of an emergency; data can help them prioritize individuals to target in the disaster response. (K) The AEC has devised a DPP operation plan for suspended particulate disasters and emergency response mechanisms from the perspectives of persons with disabilities, women, children, and disadvantaged groups. In the section on Temporary Shelter, said plan demands that local governments consider all disaster types and scope, population distribution, and landforms and designate suitable places as temporary shelters for affected people in advance. Additionally, local governments shall regard the assistance of disadvantaged groups such as older adults, toddlers, pregnant women, persons with disabilities, and foreign nationals as a priority. (EPA)		

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I. Background A. To achieve the disaster reduction goals and complete the priority projects detailed in the Sendai Framework for Disaster Risk Reduction 2015–2030, the Taiwanese government has observed global disaster trends and global disaster prevention strategies and integrated its findings into basic DPP plans. Therefore, governments of all levels can develop implementation measures for DPP plans to reinforce the DPP system in Taiwan. B. Regarding the disaster reporting and response coordination between the central and local governments, Article 35 of the DPPA states that “Unless otherwise provided by other laws, the classification, content, method, and announcement timing of alarm signals needed during emergency response shall be drawn up by each central disaster prevention and protection operation regulating authority and subject to the approval of the Central Disaster Prevention and Protection Council.” Furthermore, the Guidelines for Central Emergency Operation Centers and Regulations Governing the Procedures of Disaster Emergency Reporting (the latter was proposed by the Executive Yuan) both specify that governments of all levels shall conform to the procedural regulations concerning disaster reporting and response coordination. C. The Disaster Prevention and Protection Expert Consultation Committee, Executive Yuan has proposed practical suggestions and approaches for developing strategies pertaining to the Sendai Framework for Disaster Risk Reduction 2015–2030. The 38 th Meeting of the Central Disaster Prevention and Response Council on May 25, 2018 passed a resolution to require all competent DPP authorities to incorporate said disaster reduction suggestions and approaches into their DPP plans. II. Status quo and problems A. Pursuant to the Meeting of the Single Contact Window Coordination for Housebound Life Support Equipment Users with Disabilities in the Event of Power Outage held on November 27, 2014, the MOHW engages in supervision and training via telephone pop quizzes. Therefore, upon receiving 911 calls about accidents involving persons with	<u>Short-term Objective (to be completed before 2022)</u> Regularly review and amend Guidelines for the Central Emergency Operations Center, Regulations Governing the Procedures of Disaster Emergency Reporting, and the Classification, Content, Method, and Announcement Timing of Alarm Signals Needed During the Emergency Response promulgated by competent authorities; and strive to improve disaster reporting and response coordination between the central and local governments and review and amend said regulations when necessary (ODM, MOI, COA, MOEA, MOTC, EPA, DOLTC, and AEC).	Process indicator: When necessary, the ODM reviews and amends relevant regulations and incorporates the amended regulations into DPP plans to reinforce disaster reporting and response coordination between the central and local governments. (ODM)

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disabilities, fire agencies can effectively report and transfer an emergency task to the corresponding contact windows among county (city) governments (MOI).		
B. Continue to review and revise disaster strategies according to disaster cases and corresponding responses worldwide to improve disaster reporting and response coordination between the central and local governments. The improved coordination mechanism has been incorporated into amendments to DPP plans for windstorms, earthquakes (including soil liquefaction), fires, explosions, and volcanic disasters. (MOI)		
C. On June 15, 2018, the Debris Flow Disaster Prevention and Response Operation Plan was enacted and includes sections on landslide prevention, emergency disaster response, and disaster recovery. To improve disaster reporting–response coordination between the central and local governments, the COA will follow the orders of the Executive Yuan and adopt relevant disaster reduction measures in addition to promoting and supervising the debris flow prevention and protection efforts of local governments according to approved operation plans.		
D. Incapacitated persons with disabilities of all ages are included in the Long-term Care 2.0 plan in Taiwan. To fulfill the needs of long-term care recipients during disasters, the DOLTC requests that local counseling service agencies provide high-quality services without interruptions. To meet the needs of incapacitated persons with disabilities, the MOHW has granted funds for the development of service resources to local governments through the 10-Year Long-Term Care 2.0 plan. Moreover, the MOHW has launched a long-term care contracting system, in which long-term care institutions are encouraged to participate. To ensure the fulfillment of the needs of incapacitated persons with disabilities during disasters, the DOLTC has incorporated the concept of uninterrupted service into Standard Form Contracts for Long-Term Care (draft) and requested that local governments actively guide service providers to implement alternative mechanisms with different service patterns and times during a period of abnormal service (e.g., disaster), and service interruption without a valid cause is not allowed. Therefore, persons with disabilities can		

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receive uninterrupted and suitable care services. (DOLTC)		
E. To protect the rights of persons with disabilities, the NCC has requested that competent authorities of all levels and functions provide accessible public information to facilitate social participation from persons with disabilities, pursuant to Article 52 of the People with Disabilities Rights Protection Act. The NCC has implemented various administrative measures to safeguard the rights of persons with disabilities. On December 31, 2015 and January 7, 2016, the NCC gave television broadcasters formal written notice that when broadcasting essential government news, broadcasters must ensure that the sign language interpreter on the news reporting site appears on the screen at a sufficient size. The size of the sign language interpreter on the screen shall be no smaller than 1/6 of the screen, consistent with the requirement of the government of the United Kingdom. Additionally, the view of the interpreter on the screen shall not be obstructed. (NCC)		
F. To encourage television broadcasters to fulfill their social responsibility duties, the NCC considers media accessibility for persons with vision or hearing impairments as an assessment item in license renewal applications of wireless television broadcasters and a bonus item in applications for the establishment of a satellite channel.		
G. Concerning the emergency response plan for nuclear power plant incidents, the AEC plans to notify the public to adopt protective measures through televisions, radio transmission, location-based SMS service, and cell broadcast service in addition to issuing nuclear incident warnings to affected areas. Local governments shall also assist the AEC by using resources such as the public address system, vehicle broadcasting, display of real-time information on electronic billboards, local wireless television broadcasting, and Facebook pages; the combination of these efforts can create an effective mechanism of public information dissemination.		
H. The central and local governments have integrated DPP systems with regional DPP plans and will send messages through the public protection broadcasting system of the National Police Agency, MOI when necessary to timely send nuclear warnings to persons with		

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visual or hearing impairment (AEC). I. To reinforce the disaster reporting and response coordination with local governments, the MOEA has developed the Regulations Governing the Procedures of Disaster Emergency Reporting for the MOEA in addition to abiding by the Regulations Governing the Procedures of Disaster Emergency Reporting and Guidelines for Central Emergency Operation Centers promulgated by the Executive Yuan. Furthermore, the MOEA assists local governments in carrying out drills for all disaster types. When an emergency operations center is created, the MOEA also ensures robust contact, coordination, and support dispatching capabilities using various approaches such as telephones and faxes, aiming to complete disaster relief within the shortest time. (MOEA)		

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<p>In the event of disasters, ensuring the safety of individuals depending on ventilators and other electronic life support equipment can be achieved by implementing contact systems that reduce the risks faced by homebound persons relying on life support equipment during disaster-caused power outages. These systems are described as follows.</p> <p>A. The DPPA governs the prevention and protection organizations involved in disaster relief, drafting DPP plans and relevant prevention, response, and recovery measures. The central competent authorities responsible for DPP plans as well as municipal and county (city) governments implement said measures. Governments of all levels then propose and implement all DPP plan elements according to the DPPA. Relevant authorities must document life support equipment users and provide small generators and fuel in disaster response plans. (Office of Disaster Management)</p> <p>B. To reduce the risk of power outages during disasters knocking out the life support equipment used by housebound persons with disabilities, the MOHW held multiple meetings in 2013–2014 with relevant authorities, county (city) governments, and organizations of persons with disabilities. In these meetings, practical approaches for managing emergency response, lists of housebound persons with disabilities, generator preparedness, and regular/emergency points of contact for housebound persons with disabilities relying on life support equipment were discussed. On August 4, 2014, the MOHW sent the flowchart of “Procedures of Power Outage Management for Housebound Persons with Disabilities Using Life Support Equipment in Daily and Emergency Situations” to relevant central authorities and local governments in writing and demanded that all local governments flexibly apply it and adjust the procedures to safeguard persons in need when necessary. The 2017 Assessment Indicators of Disaster Prevention and Protection Visits prepared by the MOHW (Social Affairs) detailed disaster response measures for housebound life support equipment users with disabilities as assessment items (e.g., whether authorities have developed response mechanisms, relevant information, and lists of points of contact as well as housebound persons with disabilities). Several counties and cities have appointed district office staff members to make household visits or conduct phone interviews to understand the resource</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none">Forward MOEA’s updates on portable generator statistics (provided by subordinate authorities and to be used by ventilator users during power outage emergencies) to all municipal and county (city) governments. (DOSAASW)Amend the 2019 Assessment Indicators of Disaster Prevention and Protection Visit (prepared by the MOHW (Social Affairs)) by revising the rating criteria of “whether to establish a response mechanism of power outage for housebound life support equipment users with disabilities” and “whether to notify relevant information to the public” and stipulates written documents required for said assessment. (DOSAASW)Request that all local governments comply with the “Procedures of Power Outage Management for Housebound Persons with Disabilities using Life Support Equipment in Daily and Emergency Situations” enacted by the MOHW. Additionally, create subsidy lists comprising housebound patients with rare diseases relying on ventilators according to Regulations on Subsidies for Rare Diseases Health care, serving as a reference for local governments to grant subsidies pursuant to “Procedures of Power Outage Management for Housebound Persons with Disabilities using Life Support Equipment in Daily and Emergency Situations,” thereby adopting suitable response and protection measures for patients with rare diseases in question (SFAA and HPA).	<p>Process indicators:</p> <ol style="list-style-type: none">According to annual DPP operation indicators, the DOSAASW supervises and assesses local governments regarding the response measures for housebound persons with disabilities relying on life support equipment in the event of power outage. (DOSAASW)Pursuant to Regulations on Subsidies for Rare Diseases Health care, the HPA sends written notices to the county (city) governments in charge of the registered residence of persons with rare diseases according to said name lists. (HPA)

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needs of applicants during power outages. Some county and city governments have also posted relevant information on the websites of departments (sections) of social welfare or released official documents regarding electricity subsidization approvals to inform the public. The MOEA handles power outage issues according to the Procedures of Power Outage Management for Housebound Persons with Disabilities Using Life Support Equipment in Daily and Emergency Situations enacted by the MOHW. Taiwan Power Company has created a reporting mechanism for district-based rolling blackouts. Additionally, the company has created a list of names of users of life support equipment on the basis of lists provided by county and city governments and will notify households on the list prior to blackouts one by one (Department of Social Assistance and Social Work [DOSAASW] and MOEA).		
C. Considering that some housebound persons with disabilities require life support equipment and assistive devices, since 2010, the MOHW has granted household electricity subsidies for persons with disabilities relying on life support equipment and assistive devices according to need, household financial conditions, and urgency. All local governments regularly update their lists of housebound persons with disabilities relying on life supply equipment and request that branches of Taiwan Power Company and district offices transfer the lists to chiefs of corresponding villages SFAA).		
D. Regarding the grant of subsidies to housebound patients with rare diseases relying on ventilators pursuant to the Regulations on Subsidies for Rare Diseases Health care, Articles 15 and 16 of the Personal Information Protection Act specify that upon consent of the persons in question, the HPA can create a list of names and send it in written form to the county (city) government of the jurisdiction in which the listed persons are registered. The county (city) government then acquires the person’s customer number, which is added to the name list. Subsequently, the county (city) government sends a written notice to the corresponding branch of Taiwan Power Company. In the event of a power outage, Taiwan Power Company shall adopt suitable response and protective measures for said persons in accordance with relevant response mechanisms. (HPA)		
E. The AEC has included disadvantage groups (e.g., students, older adults living alone, housebound persons with disabilities, and residents of nursing care institutions) in preventive		

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evacuation measures in response to a nuclear emergency. Local governments then incorporate emergency response procedures into protection and response plans for the public living near a nuclear incident site to determine the need for life support equipment or emergency power systems, transport carriers, rehabilitation buses, and ambulances. The AEC holds drills of possible scenarios to allow participants to familiarize themselves with response measures and also convenes annual seminars. (AEC)		

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Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>Article 12 of the CRPD emphasizes equal recognition of all individuals before the law. Taiwan’s efforts to implement the CRPD requirements, provide training of judicial personnel, and respect the freedom of expression among inmates with disabilities in correctional institutions are described below:</p> <p>A. Guardianship System (MOJ)</p> <p>(A) General Comment No. 1 of the UN CRPD stipulates that states parties are obliged to abolish deprivation of legal capacity on grounds of disability because it is discriminatory. States parties must also review the laws governing guardianships and trusteeships and take action to develop laws and policies to replace regimes of substitute decision-making (others shall make decisions in the best interest of the person) with supported decision-making (assistance may be given to support the will and preferences of the person).</p> <p>(B) Paragraph 3, Article 12 mandates that States Parties shall take appropriate measures to provide access by persons with disabilities to the support they may require in exercising their legal capacity. Some scholars assert that guardianship systems that permit guardians to replace or represent the person under guardianship in making decisions violates the CRPD. A person in a persistent vegetative state must have others make decisions on his or her behalf, but in less extreme situations, such substituted decision-making could be improper. Therefore, legislation that fails to distinguish between decision-making capacity with respect to assignment of a guardian with full decision-making authority violates the CRPD. Legislation shall prioritize supported and assistive decision-making. Substitute decision-making can be adopted (as in the case of a persistent vegetative state) only if assistive decision-making is insufficient. Pursuant to Paragraph 1, Article 14 of the Civil Code, any person who is unable to make a declaration of intention, receive a declaration of intention, or who lacks the ability to discern the outcome of the declaration of intention due to mental disability may be subject to court-ordered guardianship at the request of the applicant. The existing system in Taiwan</p>	<p><u>Project Conducted in or Completed by 2018</u></p> <p>The Executive Yuan requested that the Judicial Yuan cosign the amendment of the adult guardianship system detailed in the Civil Code drafted by the MOJ on October 12, 2018, and the Executive Yuan requested that the draft be submitted to the Legislative Yuan for review after being cosigned by the Judicial Yuan. Said draft was approved by the Judicial Yuan on December 3, 2018 at the 174th meeting. On December 21, 2018, the cosigned draft was submitted to the Legislative Yuan for review.</p> <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">Regarding the section stating “When formulating a research group is necessary for supported/assistive decision-making issues, the Ministry of Health and Welfare invites MOJ and Judicial Yuan personnel to join the group,” and the Judicial Yuan provides its suggestions on matters related to its responsibilities or assign attendees to attend group meetings. (Judicial Yuan)The MOJ proposes draft amendments to the adult guardianship system detailed in the family law section of the Civil Code that enables each person with disabilities to reach an agreement (when the person still has sound mental capacity) to designate a guardian upon the issuance of a guardianship declaration instead of allowing the court to assign a guardian in accordance with its functions and powers. Thus, said person is permitted to appoint a guardian at his/her discretion according to the decision made beforehand should he/she lose mental capacity, thereby safeguarding the person’s human dignity and right to self-determination.	<p>Structural indicators:</p> <ol style="list-style-type: none">The Executive Yuan requests that the Judicial Yuan cosign draft amendments to the adult guardianship system in the Civil Code proposed by the MOJ, after which the draft is submitted to the Legislative Yuan for review. The draft is approved by the Judicial Yuan on December 3, 2018 at the 174th meeting. On December 21, 2018, the cosigned draft is submitted to the Legislative Yuan for review. (Judicial Yuan)After completing draft amendments to the adult guardianship system in the Civil Code provisions on family, the MOJ submits the draft to the Executive Yuan for approval, and requests the Executive Yuan to submit the approved draft to the Legislative Yuan for review. (MOJ)

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<p>identifies persons subject to guardianship as persons who persistently lack judgement due to mental disability or impairment, such as persons in a persistent vegetative state, those with severe intellectual disability or mental disorders, or persons lacking verbal ability and with noticeable cognitive decline (in reference to the 2017 Civil Ruling of jian-xuan-zi No. 120 by the Hsinchu District Court). However, persons having the ability to engage in simple social interactions but with noticeable disorientation with respect to identifying the time, places, and persons or noticeable disabilities in memory, concentration, or judgement do not meet the criteria for guardianship (referring to the 2017 Civil Ruling of jian-xuan-zi No. 80 by the Taipei District Court).</p> <p>(C) Persons subject to guardianship in Taiwan are generally persons who are nearly unable to make a declaration of intention or understand a declaration of intention. Therefore, Article 15 of the Civil Code specifies that if a person subject to a declaration of guardianship has no capacity to perform any juristic act, such a person requires a guardian to make and receive a declaration of intention on his/her behalf. This regulation aims to protect persons lacking mental capacity instead of limiting and obstructing such persons from exercising their rights. Additionally, most persons subject to a declaration of guardianship are unable to make a declaration of intention on their own. Therefore, having the capacity to make a declaration of intention through supported or assistive decision-making is unlikely. Such a circumstance corresponds to the aforementioned “should assistive decision-making be insufficient [then] substitute decision-making [can] be adopted” and is inconsistent with Paragraph 3, Article 12 of the CRPD. Furthermore, Paragraph 5, Article 12 of the CRPD recognizes the right of legal representatives and indicates that States Parties must adopt all suitable and effective measures to ensure the equality of persons with disabilities; yet, the article does not demand that states fully prohibit guardianship systems from recognizing guardians as legal representatives. Moreover, the existing guardianship system in Taiwan applies to persons in a persistent vegetative state, patients with severe mental disorders, and persons lacking verbal ability and with noticeable cognitive decline. Thus, the existing guardianship system in Taiwan shall not</p>		<p>Process indicators:</p> <p>1. Continue to examine whether the guardianship system in Taiwan is able to protect persons with disabilities in terms of their exercise of rights. (MOJ)</p> <p>2. Continue to provide courses highlighting the rights of persons with disabilities, thereby strengthening judges’ awareness of the mental and legal capacity of persons with disabilities. (Judicial Yuan)</p>

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be abolished. (D) In a situation where a person with disabilities decides to select a person he/she is familiar with and trusts to make a declaration of intention on his/her behalf, the MOHW has drafted the “adult guardianship system” in the Family Law of the Civil Code to respect the person with disabilities right to self-determination. Therefore, the person is able to reach an agreement with an appointee when the person still has sound mental capacity and to name the appointee as the person’s guardian upon the making of the guardianship declaration instead of waiting for the court to assign a guardian in accordance with its functions and powers. Thus, should said person lose mental capacity, a guardian can still be appointed at the person’s discretion according to the decision made before he/she lost mental capacity. This will safeguard the person’s human dignity and right to self-determination. (E) The MOJ will continue to implement the project as follows: 1. The MOJ continues to observe and study whether the guardianship system in Taiwan is able to protect the rights of persons with disabilities by consulting scholars, experts, NGOs, research and publications of other governmental agencies, and relevant opinions and feedback. 2. The MOJ held the Rights of Patients with Dementia Forum on August 30, 2018. Kate Swaffer, the Chair and CEO of Dementia Alliance International, was invited to deliver a keynote speech. A former Justice of the Constitutional Court, the Secretary General of the Taiwan Alzheimer Disease Association, and two experienced attorneys were invited as panelists. These speakers shared and exchanged their experiences and held a general discussion with the attendees, explaining to the attendees key information about dementia and relevant health care practices. 3. As stated in Concluding Observation (38) of the CRPD International Review, the IRC argued that legal transaction capacity and mental capacity are two distinct concepts that involve legal and applicability problems. The MOJ has thus commissioned practicing attorneys who have long engaged in and focused on said issues to provide research opinions on the practical and		

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<p>legal applicability problems involved in said issues. The solicited opinions can serve as a reference for the MOJ.</p> <p>B. Judicial Personnel Training (Judicial Yuan)</p> <p>(A) The annual training programs for personnel of agencies affiliated with the Judicial Yuan are determined after the Judges Academy identifies the training demand of all departments (offices) under the Judicial Yuan at the end of each year. Programs are launched after being approved by the Training Committee of the Judges Academy. All affiliated agencies can also hold independent trainings or submit training requests to a department or office subordinate to the Judicial Yuan according to their demand. The training associated with the CRPD can also be applied in accordance with the aforementioned description.</p> <p>(B) The Judges Academy annually launches training programs on rights protection for persons with disabilities for judicial personnel, including the 36-hour seminar open to judicial personnel in charge of family affairs in 2018 (alternative courses are arranged for judicial personnel handling criminal cases).</p> <p>(C) Administrative litigations aim to review and correct illegal administrative actions, and the defendants are mostly governmental agencies. Consequently, no specific rules have been created for litigants (or related parties) with disabilities. Judicial personnel nevertheless must understand and respect the rights of persons with disabilities. For example, in March 2017, the Legal Study of the People with Disabilities Rights Protection Act was offered as a course during the Workshop on Administrative Litigation Associated with Social Welfare and Social Insurance, aiming to reinforce awareness of the CRPD among judges of the administrative courts and impart the spirit of the CRPD into court proceedings.</p> <p>(D) The Judicial Yuan will continue to offer courses associated with the rights of persons with disabilities to reinforce judges’ awareness of the mental and legal transaction capacity of persons with disabilities.</p>		

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C. Expressing Opinions in Correctional Institutions (MOJ) (A) Correctional institutions hold a life and work evaluation meeting every 3 months at which sentenced persons are allowed to express their opinions on their treatments or life. The opinions expressed are processed by corresponding authorities, and follow-up actions are tracked, with results thereof announced. Sentenced persons at each prison workshop are considered representatives attending said meetings. When a sentenced person with disabilities is scheduled to attend the meeting, the correctional institution shall provide necessary assistance, such as offering a mobility assistive device or assigning another sentenced person to accompany the person. Thus, the person can fully participate in the meeting and express his/her opinions. When a sentenced person with disabilities is not a representative scheduled to attend the meeting, his/her opinions can still be passed in verbal, written, or other forms to the correctional institution. The correctional institution shall inform the sentenced person with disabilities of any responses in an accessible manner in light of his/her conditions. (B) In addition to the aforementioned life and work evaluation meeting, sentenced persons can submit reports, complaints, and petitions in verbal, written, or other communication forms to express their opinions. When sentenced persons with disabilities cannot understand or clearly describe their thoughts due to their disabilities, correctional institutions shall provide accessibility assistance according to their conditions. Correctional institutions shall provide at least one suggestion box in each workshop and cell; the box shall be placed in a concealed position where sentenced persons can deposit letters with ease. Sentenced persons are allowed to report situations of being bullied or any other problems.		

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Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>To ensure that persons with disabilities have full and equal access to the civil justice system, training for judicial personnel and police personnel is imperative in addition to measures and safeguards for such persons, of which the details are described as follows.</p> <p>A. Prosecuting authorities and correctional institutions (MOJ)</p> <p>(A) The Act to Implement the Convention on the Rights of Persons with Disabilities was enacted later than the Act to Implement the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights and the Enforcement Act of the Convention on the Elimination of All Forms of Discrimination against Women. Therefore, judicial authorities are less familiar with the CRPD, and the results of relevant education efforts have been unsatisfactory. According to the concluding observations proposed by the IRC, the competent authorities shall have a deep understanding of the CRPD and develop CRPD-related policies. Because CRPD promotion is at an early stage, the MOJ suggests proactive efforts to induce compliance by competent authorities.</p> <p>(B) To enable its employees and the public to understand the CRPD, the MOJ has requested its subordinate departments and prosecuting authorities to develop CRPD promotion plans, hold orientations or workshops, and offer CRPD e-learning courses in accordance with the Implementation Plan of CRPD Promotion proposed by the MOHW. The MOJ then regularly presents the results of said CRPD activities (written format) to the MOHW.</p> <p>(C) The Judges Academy of the MOJ also provides training programs related to the rights of persons with disabilities, and these are regarded as orientation training programs for judges, prosecutors, and prosecutor investigators.</p> <p>B. Specific measures and safeguards provided by the justice system to persons with disabilities (Judicial Yuan)</p> <p>(A) The civil justice system in Taiwan already provides specific measures and safeguards for persons with disabilities. Specifically, Paragraphs 1 and 2, Article 51 of the Taiwan Code of Civil Procedure mandate that any person who intends to conduct litigation against another person but is without the capacity to litigate or [any] person [who] needs to initiate an action but is without the capacity to litigate may appoint a special representative for him/herself. Subparagraph 3, Paragraph 4, Article 5 of the Legal Aid Act stipulates that when a defendant</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none">To reinforce on-the-job training for prosecutors and prosecutor investigators, the MOJ holds seminars between June and August 2018 at which prosecutor authorities of all levels assign head prosecutors, prosecutors, and prosecutor investigators to participate. Said seminars focus on the CRPD, relevant implementation acts, and litigation cases associated with persons with disabilities as well as topics related to litigation assistance and accompanying defenders or assistants in trials. (MOJ)The MOJ provides a 2-hour course for personnel who passed the qualification tests of third-level prison officers (population = 34; trained in late January–September 2018) and fourth-level prison officers (population = 151; trained in late March–July 2018) in 2017 called “An Introduction to the Convention on the Rights of Persons with Disabilities and Convention on the Rights of the Child.” Similarly, the MOJ plans to provide a 3-hour course titled “An Introduction to the Convention on the Rights of Persons with Disabilities” for personnel who passed the qualifications tests of third-level prison officers (population = 33; trained in late January–September 2019) and fourth-level prison officers (expected population = 700; trained in two groups, of which the first group was trained in late March–July 2019 and the second is to be trained in late July–November 2019) in 2018. Subsequently, a questionnaire survey is to be conducted to explore the thoughts and opinions of the attendees. Workshops involving interactions and classes delivered by experts will be held to help the attendees have a deep understanding of the CRPD. (MOJ)The Judges Academy holds 13 training programs associated with the rights of persons with disabilities in 2018, attracting 626 participants (counts for judges and actual attendee are 301 and 290, respectively).Pursuant to the added Article 211(1) of the Taiwan Code of Civil Procedure (approved at the Judicial Yuan 169th Meeting on May 31, 2018), when there is equipment available for audio–video transmission at the court and wherever a disabled person is located, the person may send a request to the court for remote interrogation. The amended article can prevent the inconvenience of traveling to the court and the interrogation time. On July 16, 2018, the Judicial Yuan submits the amendment to the Legislative Yuan for review. If the amendment draft is passed, persons with disabilities who have difficulties visiting a court may apply for remote interrogation according to the aforementioned regulation. (Judicial Yuan)	<p>Structural indicators:</p> <ol style="list-style-type: none">The Judicial Yuan amends Precautionary Matters on Handling Civil Procedure, under which the court is required to allow longer time for litigation preparation for cases involving persons with disabilities. (Judicial Yuan)The Judicial Yuan has proposed amendments to Article 211(1) of Taiwan Code of Civil Procedure. When the draft is passed, a person may apply for a remote interrogation when there is equipment available for audio–video transmission between the court and the persons’s location. The amended article can prevent the inconvenience of traveling to court and the interrogation time. (Judicial Yuan)The Judicial Yuan timely amends Precautionary Matters on Handling Administrative Litigation Cases according to the amendment agenda to the Administrative Litigation Act, thereby making “reasonable accommodation” a CRPD

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<p>is unable to make full statements due to damage to or impairment of the structures of the nervous system or of psychological or mental functions and did not retain a legal representative during a trial in which retaining a legal representative was deemed necessary by the presiding judge, the defendant shall be considered a person who is “unable to receive proper legal protections for other reasons.” In such circumstances, the Legal Aid Foundation may be requested to appoint a representative to conduct civil litigation for the person to protect his/her rights. Article 314, which provides an assistant system, of Taiwan Code of Civil Procedure is applicable to Articles 76 and Article 207(2) of the Code of Civil Procedure, and Article 31 of the Noncontentious Cases Act. An appointed assistant may conduct all aspects of litigation for the appointing parties on the date of a court hearing. Where a witness is unable to understand the meaning and the effect of a written oath due to psychiatric disorders, he/she shall not be ordered to sign a written oath. The court shall provide judicial protection measures by appointing an interpreter where a person who participates in the hearing is unable to hear or is mute.</p> <p>(B) To safeguard the litigation rights of defendants with psychiatric disorders or other mental deficiencies, The Code of Criminal Procedure and Precautionary Matters on Handling Criminal Procedure (hereinafter PMHCP) have provided several regulations as follows.</p> <p>1. Defendants</p> <p>(1) Pursuant to Paragraph 3, Article 27 of The Code of Criminal Procedure and Point 7 of the PMHCP: If an accused or suspect is unable to make a complete statement due to psychiatric disorders or other mental deficiencies, a legal representative, spouse, lineal blood relative, collateral blood relative within the third degree of kinship, head of household, or family member may independently retain a defense attorney for the accused or suspect.</p> <p>(2) Pursuant to Paragraphs 1 and 5, Article 31 of The Code of Criminal Procedure and Points 6 and 34 of PMHCP:</p> <p>① Where the accused is unable to make a complete statement due to psychiatric disorders or other mental deficiencies and has not retained a defense attorney during a trial, the presiding judge shall appoint a public defender or attorney for the accused.</p> <p>①② Where the accused or suspect is unable to make a complete statement due to psychiatric disorders or other mental deficiencies and has not retained a defense</p>	<p>5. The Amendments to the Juvenile Delinquency Act cosigned by the Judicial Yuan and Executive Yuan is submitted to the Legislative Yuan on October 24, 2018 for review. The amended articles state that if a person is unable to make a complete statement due to psychiatric disorders or other mental disorders, experts in juvenile mental health or with relevant expertise shall help the person. When the juvenile is audibly or verbally challenged or has multiple disorders, statements or expressions using text, sign language, or any suitable approach is required in addition to the recruitment of interpreters.</p> <p>6. The MOI has issued the Guarantee of Litigation Procedure During Police Interrogation for Persons with Disabilities to serve as a reference for police personnel. (MOI)</p> <p><u>Short-term objectives (to be completed before May 2019)</u></p> <p>1. Request new employees in correctional institutions (i.e., qualified third-level and fourth-level prison officers) to take a course called “An Introduction to the Convention on the Rights of Persons with Disabilities and Convention on the Rights of the Child”; distribute a subsequent questionnaire distributed to the course attendees to solicit their thoughts and opinions; to hold workshops involving interactions and classes delivered by experts to help the attendees acquire a deep understanding of the CRPD. (MOJ)</p> <p>2. To enhance awareness of the rights of persons with disabilities among judicial personnel in administrative courts, offer a course known as “The Needs of Persons with Disabilities from the Perspective of the Convention on the Rights of Persons with Disabilities” for judicial associate officers and court clerks of all levels in administrative courts and administrative personnel in all departments of the Judicial Yuan; and provide similar courses to allow said personnel to be made aware of the litigation rights held by persons with disabilities. If such persons are available, the Judicial Yuan will also hold a workshop with an expert panel to discuss the topics of gender-based violence and gender sensitivity. (Judicial Yuan)</p> <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <p>1. Provide relevant courses for current employees on the provisions of the CRPD. (MOJ)</p> <p>2. To continue constructing a friendly judicial environment that safeguards the litigation rights of persons with disabilities, amend the Precautionary Matters on Handling Civil Procedure to allow a longer time for litigation preparation for cases involving persons with disabilities. (Judicial Yuan)</p>	<p>requirement with positive obligations. (Judicial Yuan)</p> <p>4. The Judicial Yuan facilitates amendments to the Juvenile Delinquency Act. (Judicial Yuan)</p> <p>Process indicators:</p> <p>1. The MOJ continues to incorporate workshops related to the rights of persons with disabilities into orientations and on-the-job training for prosecutors and prosecutor investigators. (MOJ)</p> <p>2. The MOJ continues to reinforce the training for correctional institution personnel by administering relevant education and questionnaire surveys, which are subject to rolling reviews and timely revisions. (MOJ)</p> <p>3. The Judicial Yuan continues to provide courses regarding the rights of persons with disabilities for relevant personnel, thereby enhancing their awareness. (Judicial Yuan)</p> <p>4. The Judicial Yuan promotes and supervises efforts to safeguard</p>

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<p>attorney during an investigation, the prosecutor, judicial police personnel, or judicial police shall notify a legally established legal aid agency to assign an attorney for the accused’s or suspect’s defense.</p> <p>2. Assistant</p> <p>Pursuant to Article 35(3) of The Code of Criminal Procedure and Point 7 of PMHCP: If the accused or suspect is unable to make a complete statement due to psychiatric disorders or other mental deficiencies, he/she shall be accompanied by an assistant or by an authorized agent or a social worker appointed by a governmental agency or a relevant social welfare organization or accompanied by other professionals.</p> <p>(C) In addition to the aforementioned articles in The Code of Criminal Procedure and PMHCP, other regulations provide protection as follows.</p> <p>1. Article 99 of The Code of Criminal Procedure states, “If an accused is deaf or dumb or not conversant with the language, an interpreter may be used; such an accused may also be examined in writing or ordered to make a statement in writing.”</p> <p>2. Subparagraph 2, Paragraph 1, Article 186 of The Code of Criminal Procedure provides that where a witness is unable to understand the meaning and the effect of a written oath due to psychiatric disorders, he/she shall not be ordered to sign a written oath.</p> <p>(D) In 2017, the Presidential Office National Conference on Judicial Reform proposed resolutions “ensuring that [in] judicial [proceedings,] disadvantaged [individuals] fully understand the notification of rights they receive and their competence to stand trial [is reviewed]” and “requiring that interpretation or transcription services be provided for persons who are audibly or orally challenged or not conversant with the language.” The Committee of Criminal Procedure Rules of the Judicial Yuan has already decided to include the aforementioned resolutions in its agenda and timely discuss them to safeguard the rights of judicially disadvantaged individuals.</p> <p>C. Training of judicial personnel and police personnel Judicial Yuan and MOI</p> <p>(A) Administrative litigation aims to review and correct illegal administrative actions in which the defendants are mostly governmental agencies. Consequently, no specific rules have been created for litigants (or related parties) with disabilities. To enable persons with disabilities to enjoy judicial rights, enhancing judicial personnel’s awareness of said rights is necessary. Plaintiffs in administrative litigation are mostly citizens, but extremely few of them have been</p>	<p>3. Timely amend the Precautionary Matters on Handling Administrative Litigation Cases according to the amendment agenda of the Administrative Litigation Act, thereby making “reasonable accommodation” a CRPD requirement with positive obligations. (Judicial Yuan)</p>	<p>the rights of persons with disabilities by courts. (Judicial Yuan)</p> <p>Outcome indicator:</p> <p>The MOI has provided training involving the rights of persons with disabilities for all police personnel (popularization rate = 100%) by December 2020. (MOI)</p>

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Responses Regarding the Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent Authorities
Access to justice (art. 13) 40. The IRC is concerned: (a) 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; 41. The IRC recommends that the State: (a) 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;		40.41(a) MOJ Other agencies concerned: the Judicial Yuan and MOI
persons with disabilities since the launch of the administrative court system in Taiwan. Additionally, plaintiffs with disabilities have been mostly accompanied by assistants or represented by agents ad litem during trials. Today, administrative courts hold various trials because of rapidly changing administrative acts, and judges and other judicial personnel in administrative courts should strive to maintain their proficiency in all substantive law and procedure acts by attending relevant training to fully safeguarding the public’s litigation rights. Therefore, providing training programs on human rights focusing on gender sensitivity for all police personnel is more urgent than those for personnel in the administrative court system.		
(B) To encourage judges to attend training programs on the rights of persons with disabilities, the Judges Academy can incorporate training related to the rights of persons with disabilities into orientations for judges, professional training for judges in juvenile and domestic courts, and other professional courses. Unfortunately, attending said training programs cannot be made mandatory because relevant law are lacking.		
(C) The MOI has improved the effectiveness of CRPD-related training for police personnel that enables the police to have a deep understanding of the CRPD, thereby achieving the goals stated in the Promotion Plan for Facilitating the Convention on the Rights of Persons with Disabilities. Specifically, the MOI requires all police authorities to promote the CRPD in various forms according to the core concepts, status quo in Taiwan, and applicable international rules of the CRPD. Relevant actions that may improve the effectiveness of CRPD promotion include inviting experts and scholars to seminars, holding book discussion clubs, creating elective e-learning courses related to the CRPD, providing regular training, promoting the CRPD concepts during internal meetings of each department, and engaging in multimedia promotion (e.g., electronic billboards, ticker displays, wireless television, and the Internet).		
(D) The MOI continues to invite human rights experts and scholars to deliver keynote speeches on the CRPD, aiming to enhance CRPD awareness of police personnel. The MOI also annually develops human rights teaching materials according to human right-related issues of the year, providing a reference for all police departments to facilitate regular training.		
(E) The Judicial Yuan has provided training programs involving the rights of persons with disabilities for juvenile and domestic division chief judges, judges, judicial associate officers, investigation (protection) officers of juvenile affairs, investigation officers for domestic		

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affairs, court clerks, and mediators on domestic affairs, thereby enhancing their awareness of the rights and protections of persons with disabilities and ensuring appropriate use of such awareness.		

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Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>Regarding the measures and safeguards for victims of sexual violence in the civil justice system, the resources invested in aspects including prosecuting authorities, judicial personnel, military systems, and police personnel are described as follows.</p> <p>A. Prosecuting authorities (MOJ)</p> <p>(A) All district prosecutors offices of subordinate district courts of the MOJ are required to establish a Task Force on Women and Children Protection or assign prosecutors to handle cases involving women and children, including cases of domestic violence, sexual assault, sexual harassment as well as cases related to the Child and Youth Sexual Exploitation Prevention Act. To increase their expertise in and awareness of gender equality among prosecutors in charge of said cases, the MOJ annually holds a Workshop on Protection of Women and Children and Gender Equality and the course of Justice and Gender Equality for Women and Children. Said workshop and course aim to introduce the friendly justice environments as well as physical–mental characteristics and problems encountered by disadvantaged victims (e.g., migrant workers, women, children, and persons with mental disorders) to prosecutors. Awareness of gender issues, antidiscrimination, and cultural diversity can be fostered, thus avoiding the development of gender and cultural stereotypes and myths during trials and investigations; and safeguarding the rights of victims. Note: the Workshop of Protection and Gender Equality for Women and Children was held between May 9 and 11, 2018, and the topics included gender equality and friendly justice, which were discussed from the perspective of gender stereotypes.</p> <p>(B) The MOJ continues to supervise subordinate prosecuting authorities by requesting that human trafficking cases be handled by prosecutors from ad hoc groups. The MOJ also holds an annual Workshop on Practices Associated with Human Trafficking, enabling prosecutors to understand nationality-caused cultural differences and the problems encountered by migrant workers in Taiwan. The course titled Effectiveness and Introspection of Social Work Services in Human Trafficking Prevention was separately delivered in 2016 and 2017, which aimed to enhance the cultural sensitivity and skills of prosecutors investigating cases involving</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none">1. Reinforce supervision mechanisms by replacing the original Reporting System for Cases of Women and Children of Police Administration with a newly built Management System for Cases of Women and Children of Police Administration. (MOI)2. The Judges Academy organizes five CEDAW workshops attracting 1,161 participants, and 11 gender-related workshops attracting 2,608 participants in 2018. In accordance with the Training Program on Gender Mainstreaming in the Judicial Yuan and Subordinate Authorities, training sessions are hosted by the Judges Academy or other authority. Trainees are also welcome to engage in training held by other authorities (institutes) or entities. Types of training are as follows: workshop training, class auditing, e-learning, keynote speeches, and group discussion. (Judicial Yuan)3. Reach a gender education penetration rate of 100% in 2018. (Judicial Yuan)	<p>Process indicators:</p> <ol style="list-style-type: none">1. The MOJ continues to host the Workshop on Protection of Women and Children and Gender Equality and Workshop on Practices Associated with Human Trafficking as well as to encourage prosecutors, prosecutor investigators, and court clerks responsible for sexual violence cases to take gender mainstreaming courses. (MOJ)2. The Judicial Yuan assigns the Judges Academy to hold annual workshops associated with sexual assault cases, in which gender awareness courses are included. (Judicial Yuan)3. The Judicial Yuan enhances the gender sensitivity of personnel in the Judicial Yuan and subordinate authorities, aiming to foster their awareness of gender equality and build a friendly justice environment. (Judicial Yuan)4. The Judicial Yuan continues to

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<p>multicultural groups. Said course was set to be held in December 2018.</p> <p>(C) The MOJ subordinate prosecutors, prosecutor investigators, and court clerks in charge of sexual violence cases are encouraged to take gender mainstreaming courses. Such courses were held in 22 district court prosecutors offices in 2017. A total of 2,142 people attended said courses, 705, 544, and 893 of whom were prosecutors, prosecutor investigators, and court clerks, respectively.</p>		<p>incorporate gender awareness courses into workshops when appropriate, thereby enabling justice personnel to develop relevant expertise and foster gender awareness. (Judicial Yuan)</p> <p>5. The Judicial Yuan encourages courts to safeguard the litigation rights of persons with disabilities in accordance with laws and supervises said courts. (Judicial Yuan)</p> <p>6. The MOI annually organizes two sessions of Beginner and Advanced Training Programs for Women and Children Safety Professionals. A total of 6 sessions are to be hosted prior to the second CRPD International Review in 2021. (MOI)</p>
<p>B. Judicial personnel (Judicial Yuan)</p> <p>(A) The matters associated with the recommendation provided by the IRC (i.e., “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”) are incorporated into the Sexual Assault Crime Prevention Act enacted by the MOHW, and the Judicial Yuan respects the decisions made by the MOHW. Nevertheless, the Judicial Yuan annually assigns the Judges Academy to launch professional workshop programs on sexual assault cases, and gender awareness courses have been included in said programs. To implement the promotion of and training on human rights and gender equality in the Judicial Yuan and subordinate authorities, the Judges Academy has launched training programs for judicial personnel to increase relevant expertise and foster gender awareness. Said training programs have been incorporated into workshops, except for several special programs. The programs are incorporated in orientations and on-the-job training for judges, judicial associate officers, notary publics, investigation and protection officers of juvenile affairs, court clerks, court police, clerk assistants, court attendants, psychological test specialists, psychology counselors, all administrative personnels, and mediators. These programs were incorporated into 80 courses between 2016 and 2017, totaling 2,400 attendees.</p> <p>(B) Measures and safeguards are provided by the justice system for victims with disabilities of domestic violence (including those of sexual violence) in family affairs ensuring the victim’s safety when appearing in court. Furthermore, when the personal safety of a victim is likely</p>		<p>Outcome indicator: Police personnel annually spend 1 to 2 hours on training programs on gender issues and gender mainstreaming (changed to 2 hours after January 1, 2018), and the penetration rate shall reach 100%.</p>

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<p>threatened, the court shall, on motion or its own initiative, arrange personal safety protection, separate interrogation, and a social worker escort. When a separate interrogation is necessary, the interrogation can be conducted outside the court or be conducted via audio–video transmission or other suitable separation measures. The victim is also allowed to apply for the escort of social workers, psychologists, other experts, or family members, and the accompanying individuals can express their opinions. All county (city) governments have established domestic violence service sections in district courts to provide services associated with consultation and escort during trials for domestic violence victims.</p> <p>(C) The Judges Academy has launched training programs that promote human rights and gender equality among the personnel in the Judicial Yuan and subordinate authorities. Training programs have been incorporated into workshops, except for several special programs. The programs are incorporated into orientations and on-the-job training for judges, judicial associate officers, notary publics, investigation and protection officers of juvenile affairs, court clerks, court police, clerk assistants, court attendants, psychological test specialists, psychology counselors, all administrative personnel, and mediators. The Judges Academy also added gender awareness programs into 80 courses between 2016 and 2017, totaling approximately 2,400 attendees. By August 2018, said programs features 43 courses, totaling approximately 1,700 attendees, and aims to increase the expertise of judicial personnel and reinforce gender awareness among them.</p> <p>(D) The Judicial Yuan will continue to implement the following projects:</p> <ol style="list-style-type: none">1. The Judicial Yuan annually assigns the Judges Academy to hold professional workshop programs on sexual assault cases and include gender awareness courses.2. Pursuant to the enacted Training Program of Gender Mainstreaming in the Judicial Yuan and Subordinate Authorities, the Judicial Yuan arranges relevant training to increase gender sensitivity among personnel in the Judicial Yuan and subordinate authorities, foster gender equality awareness among judicial personnel, and establish a friendly justice environment. Gender awareness courses are continually implemented for judicial personnel. The Judges Academy will proceed to add gender-related courses into orientations and on-the-job training.		<p>(MOI)</p>

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<p>3. The Judicial Yuan aims to encourage courts to safeguard the litigation rights of persons with disabilities in accordance with laws and conduct supervision of said courts.</p>		
<p>C. The military system and police personnel Ministry of National Defense (MOND) and MOI (A) Before the Code of Court Martial Procedure was amended in 2013, the court martial was responsible for the investigation, trial, and execution of cases involving sexual offenses. To protect the physical and mental health and litigation rights of victims during military trials, the MOND enacted Precautionary Matters on Handling Sexual Assault Offenses for Court Martial. Following the amendments to the Code of Court Martial Procedure in 2013, said cases were transferred to judicial authorities and prisons. In the event of sexual assault offenses, sexual assault prevention centers of all municipalities and counties (cities) will be notified to handle the offenses in accordance with the Sexual Assault Crime Prevention Act. (B) Although the MOND no longer investigates judicial cases, legal centers in northern and southern Taiwan still summon military law officers of all ranks to on-the-job training on gender equality. The Convention on the Elimination of All Forms of Discrimination Against Women can be adopted, and relevant programs and professional courses on sexual harassment prevention and sexual assault cases handling can be reviewed, thereby sharpening the officers’ skills in handling cases associated with gender equality. (C) To create a society in which all individuals are equal, no one shall be discriminated against or unfairly treated on the basis of gender, religion, ethnicity, or cultural background. Particularly, problems of gender equality are commonly seen in all aspects in society and are most likely to be ignored compared to other problems. Law enforcement personnel of the MOI are the frontline personnel serving the public and shall have a deep understanding of gender equality. The MOI thus annually and regularly provides national training and promotion projects, including Beginner and Advanced Training Programs for Women and Children Safety Professionals, strengthening gender equality awareness among said personnel. Pursuant to the regulations stated in an official document, namely the Training Program on Gender Mainstreaming for All Civil Servants (yuan-tai-xingping-zi No. 1070163622; revised February 7, 2018) issued by the Executive Yuan, average civil servants</p>		

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shall receive at least 2 hours of training. Additionally, the MOI actively creates courses related to gender mainstreaming and holds annual regular training to which gender equality experts are invited.		
<p>D. Other aspects (A) Since 1995, Taiwan has enacted or amended acts associated with sexual violence, namely the Child and Youth Prostitution Prevention Act (enacted in 1995; changed to the Child and Youth Sexual Exploitation Prevention Act following an amendment in 2015 and enacted on January 1, 2017), Sexual Assault Crime Prevention Act (enacted in 1997 and amended seven times to date), Domestic Violence Prevention Act, Sexual offenses listed in the Criminal Code of the Republic of China, Gender Equality in Employment Law (enacted in 2002 and changed to Act of Gender Equality in Employment in 2008 following an amendment), Children and Youth Welfare Act (enacted in 2003 and changed to The Protection of Children and Youths Welfare and Rights Act in 2011 following an amendment), Gender Equity Education Act, and Sexual Harassment Prevention Act. Following its competent authority, the National Police Agency has studied regulations concerning women and children, constructed cross-authority protection networks concerning social affairs, health care, justice, and education, improved the skills of investigating cases involving women and children among police personnel and the procedures with which all case involving women and children are handled, reduced the occurrence of secondary victimization and recidivism, educated the public about prevention, and actively safeguarded the personal safety of women and children. (MOI) (B) In 2017, all municipal and county (city) Domestic Violence and Sexual Assault Prevention Centers provided protection and assistance services for 274,529 victims of sexual assault, offering funds totaling NT\$176,156,082. The tertiary measures to prevent sexual violence against persons with disabilities are described as follows (MOHW). 1. The MOHW designed and printed promotional leaflets concerning sexual assault prevention and distributed them to all relevant schools and institutions. The leaflets aimed to reinforce knowledge of the basic concepts concerning and sensitivity of sexual</p>		

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assault prevention with respect to persons with disabilities among primary caregivers, school faculty, and relevant institutional staff members, thereby reducing the risk of sexual assault against persons with disabilities. Moreover, the MOHW enacted Principles and Precautions of Suspected Sexual Assault Incidents for Disabled Welfare Institutions to further promote sexual assault prevention efforts in boarding schools and settlement and education institutions for persons with disabilities.		
2. In response to the requests of all county (city) governments, the MOHW established the 113 Women and Children Protection Hotline to provide 24-hour support for people seeking help. Social workers and education or care personnel shall report a suspected sexual assault case within 24 hours upon discovery while on duty.		
3. Injury diagnosis and treatment, procedures to avoid repeated statements, and relevant protection assistance services (e.g., legal aid, psychological rehabilitation, Medicare subsidy, life rehabilitation, and shelter settlement) are available for sexual assault victims with disabilities. Furthermore, in the actual investigation of sexual assault offenses, victims with disabilities may have difficulty completing case statements due to their limitations in cognitive ability, memory, and verbal ability. Therefore, regulations concerning assistance for victims during interrogation or questioning provided by professionals were added to Article 15(1) of the Sexual Assault Crime Prevention Act, which came into effect on January 1, 2017. Said regulations mandate that whenever considered necessary by justice, prosecutors, police authorities, or professionals with relevant expertise shall accompany and assist a victim when being questioned (interrogated), guaranteeing judicial safeguards for the disadvantaged individual.		
(C) The MOI holds a regular meeting of the Task Force on Gender Equality every 4 months, at which authority representatives, scholars, and experts jointly discuss gender issue in the interest of promoting and supervising operations related to gender equality to ultimately build an environment free of gender discrimination. (MOI)		

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Concluding Observations		Competent Authorities
Access to justice (art. 13) 40. The IRC is concerned: (c) That the justice system does not adequately provide age-appropriate or procedural accommodations. 41. The IRC recommends that the State: (c) Implement measures such as, but not limited to: <ul style="list-style-type: none">• 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.		40.41(c) MOJ Other agencies concerned: the Judicial Yuan
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>The measures and safeguards for persons with disabilities provided by Taiwan’s prosecuting authorities and civil justice system are described as follows.</p> <p>A. Prosecuting authorities (MOJ) (A) To safeguard the rights of persons with disabilities, such persons are entitled to hire sign language interpreters or use text communication during investigation. Individuals with hearing or speech and language impairment are entitled to make interrogation statements using text in addition to hiring an interpreter. Furthermore, the application form for interpretation services is available from all prosecuting authorities for persons (or related parties) involved in criminal cases to complete. Existing procedural laws also provide regulations on oral reading of records, allowing persons with visual impairment to obtain record content. Currently, 14 sign language interpreters with a Level C certificate and nine with a Level B certificate have contracted with prosecutors offices in Taiwan for the period between November 1, 2017 and October 31, 2019 (contracts signed for 2-year durations). During their contract term, said interpreters are requested to attend workshops held by prosecutors offices of all courts. Additionally, if substantive criminal law or procedural law is amended, prosecutors offices shall provide training when appropriate to improve interpretation quality. When their contracts expire, interpreters must attend workshops to extend their contracts. Any person who is unqualified is prohibited from receiving a contract extension. Prosecutors offices and courts of all levels reserve the right to terminate said contracts at any time.</p> <p>(B) Age-appropriate support for children with disabilities: Following the added Article 15(1) of the Sexual Assault Crime Prevention Act, the MOJ developed the Implementation Plan for Organizing Training and Certification Concerning Interrogating (Questioning) Victims of Sexual Assault Who Are Children or Persons with Mental Disorders, which was approved and enacted on January 1, 2017. From June 7 to 9 (first session) and from October 18 to 20 (second session), 2017, the MOJ hosted the 2017 Beginner’s Professional Course on Interrogating (Questioning) Victims of Sexual Assault Who Are Children or Persons with</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none">1. Pursuant to Article 211(1) added to the Taiwan Code of Civil Procedure (approved at the Judicial Yuan 169th Meeting on May 31, 2018), when there is equipment available for audio–video transmission between the court and the location at which a disabled person is located, the person may send a request to the court for a remote interrogation. The amended article can prevent the inconvenience of traveling to court and save interrogation time. On July 16, 2018, the Judicial Yuan submitted the amendment to the Legislative Yuan for review. If the amendment draft is passed, persons with disabilities who have difficulties visiting a court may apply for a remote interrogation according to the aforementioned regulation. (Judicial Yuan)2. To fulfill the goals stated in the ICCPR and ICESCR, legislators propose an amendment to The Code of Criminal Procedure, proposing that the court appoint interpreters for defendants who are deaf, dumb, or not conversant with Chinese to protect their litigation right. The draft amendment was passed at the 11th all-member meeting of the 6th Judiciary and Organic Laws and Statutes Committee organized by the 9th legislators between October 31 and November 1, 2018, and then proceeds to the process of consultation among political parties. (Judicial Yuan)3. To enhance the autonomy of victims in litigation, the Judicial Yuan passes an amendment draft to The Code of Criminal Procedure on March 14, 2018 (engagement of victims of crimes in litigation). Specifically, the draft provides that when a litigant is unable to make full statements due to psychiatric disorders or other mental deficiencies and did not retain a legal representative, the presiding judge shall assign an attorney as the representative for the litigant. This draft has been submitted to the Executive Yuan for cosigning and will be submitted to the Legislative Yuan for review upon cosigning. (Judicial Yuan)4. The Amendments to the Juvenile Delinquency Act cosigned by the Judicial Yuan and Executive Yuan are submitted to the Legislative Yuan on October 24, 2018 for review. The amendment adds that when a youth is unable to make a complete statement due to psychiatric disorders or other mental disorders, experts in juvenile mental health or another relevant field shall provide assistance; and when a juvenile is audibly or verbally challenged or is challenged in multiple aspects, statements or expressions using text, sign language, or another suitable	<p>Structural indicator:</p> <ol style="list-style-type: none">1. The Judicial Yuan plans to amend Precautionary Matters on Handling Civil Procedure, under which the court is required to allow longer time of litigation preparation for cases involving persons with disabilities. (Judicial Yuan)2. Pursuant to Article 211(1) added to the Taiwan Code of Civil Procedure (approved at the Judicial Yuan 169th Meeting on May 31, 2018), when there is equipment available for audio–video transmission between the court and a person with disabilities is located, the person may send a request to the court for a remote interrogation. The amended article can prevent the inconvenience of traveling to the court and extensive interrogation time. On July 16, 2018, the Judicial Yuan submitted the amendment to the Legislative Yuan for review. (Judicial Yuan)3. In 2017, the Presidential Office

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<p>Access to justice (art. 13)</p> <p>40. The IRC is concerned:</p> <p>(c) That the justice system does not adequately provide age-appropriate or procedural accommodations.</p> <p>41. The IRC recommends that the State:</p> <p>(c) Implement measures such as, but not limited to:</p> <ul style="list-style-type: none">• 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.		<p>40.41(c)</p> <p>MOJ</p> <p>Other agencies concerned: the Judicial Yuan</p>
<p>Mental Disorders; the advanced courses were held on July 6–7 (first session) and December 8 (second session), 2017. Pursuant to the aforementioned Implementation Plan, the MOJ granted 243 certificates to individuals completing said training. The aforementioned training helps prosecutors improve their expertise to better protect said victims.</p> <p>B. Specific measures and safeguards provided by the justice system to persons with disabilities (Judicial Yuan)</p> <p>(A) The civil justice system in Taiwan already provides specific measures and safeguards for persons with disabilities. Specifically, Paragraphs 1 and 2, Article 51 of the Taiwan Code of Civil Procedure provide that any person who intends to conduct litigation against another person but is without the capacity to litigate or needs to initiate an action but is without the capacity to litigate, may appoint a special representative. Subparagraph 3, Paragraph 4, Article 5 of the Legal Aid Act specifies that when a defendant is unable to make full statements due to damage or impairment of the structures of the nervous system or of psychological or mental functions and did not retain a legal representative during a trial in which retaining a legal representative was deemed necessary by the presiding judge, the defendant shall be considered a person who is indigent or unable to receive proper legal protections for other reasons. Under such circumstances, such a person may apply for legal aid from the Legal Aid Foundation, which would then appoint a representative to conduct civil litigation for the person. Article 314 of Taiwan Code of Civil Procedure is applicable to Articles 76 and Article 207(2) of the Code of Civil Procedure as well as Article 31 of the Noncontentious Case Act, in which the assistant system is eligible. The appointed assistant may conduct all acts of litigation for the represented party during court hearings. Where a witness is unable to understand the meaning and the effect of a written oath due to psychiatric disorders, he/she shall not be ordered to sign a written oath. The court shall provide judicial protection measures by appointing an interpreter where a person who participates in a hearing is unable to hear or is mute.</p> <p>(B) To safeguard the litigation rights of defendants with psychiatric disorders or other mental deficiencies, the Code of Criminal Procedure and Precautionary Matters on Handling</p>	<p>approach is required in addition to the recruitment of interpreters. (Judicial Yuan)</p> <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <p>To continue to construct friendly judicial environments and safeguard the litigation rights of persons with disabilities, amend Precautionary Matters on Handling Civil Procedure, under which the court is required to allow a longer time for litigation preparation in cases involving persons with disabilities. (Judicial Yuan)</p>	<p>National Conference on Judicial Reform proposed resolutions “ensuring that judicially disadvantaged individuals fully understand the notification of rights they received and have their competence to stand trial reviewed” and “requiring that interpretation or transcription services be provided for persons who are audibly or orally challenged or not conversant with the language.” The Committee on Criminal Procedure Rules of the Judicial Yuan has already decided to include the aforementioned resolutions in its agenda and to timely discuss them to safeguard the rights of judicially disadvantaged individuals. (Judicial Yuan)</p> <p>4. To fulfil the human rights goals stated in the ICCPR and ICESCR, legislators proposed an amendment to The Code of Criminal Procedure, proposing that the court shall appoint interpreters for defendants who are deaf, dumb, or not conversant</p>

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<p>Criminal Procedure (PMHCP) enforce the following regulations.</p> <p>1. Defendants</p> <p>(1) Pursuant to Paragraph 3, Article 27 of The Code of Criminal Procedure and Point 7 of the PMHCP: If an accused or suspect is unable to make a complete statement due to psychiatric disorders or other mental deficiencies, a legal representative, spouse, lineal blood relative, collateral blood relative within the third degree of kinship, head of household, or family member may independently retain a defense attorney for the accused or suspect.</p> <p>(2) Pursuant to Article 31(1) and Article 31(5) of the Code of Criminal Procedure and Points 6 and 34 of PMHCP:</p> <p>① Where an accused is unable to make a complete statement due to psychiatric disorders or other mental deficiencies and has not retained a defense attorney during a trial, the presiding judge shall appoint a public defender or attorney for the accused.</p> <p>② Where an accused or suspect is unable to make a complete statement due to psychiatric disorders or other mental deficiencies and has not retained a defense attorney during an investigation, the prosecutor, judicial police personnel, or judicial police shall notify a legally established legal aid agency to assign an attorney for the accused’s or suspect’s defense.</p> <p>2. Assistants</p> <p>Pursuant to Paragraph 3, Article 35 of The Code of Criminal Procedure and Point 7 of PMHCP: If an accused or suspect is unable to make a complete statement due to psychiatric disorders or other mental deficiencies, he/she shall be accompanied by an assistant, an authorized agent, or a social worker appointed by a governmental agency or a relevant social welfare organization be or accompanied by other professionals.</p> <p>3. In addition to the aforementioned articles in the Code of Criminal Procedure and PMHCP, other protective regulations are being enforced, as shown below:</p> <p>(1) Article 99 of the Code of Criminal Procedure states, “If an accused is deaf or dumb, or not conversant with the language, an interpreter may be used; such accused may also be interrogated in writing or ordered to make statements in writing.”</p>		<p>with Chinese to protect their litigation rights. The draft amendment was passed at the 11th all-member meeting of the 6th Judiciary and Organic Laws and Statutes Committee organized by the 9th legislators between October 31 and November 1, 2018, and then proceeded to the process of consultation among political parties. (Judicial Yuan)</p> <p>5. To enhance the autonomy of victims in litigation, the Judicial Yuan passed a draft amendment to The Code of Criminal Procedure on March 14, 2018 (engagement of victims of crimes in litigation). Specifically, the draft provides that when a litigant is unable to make full statements due to psychiatric disorders or other mental deficiencies and did not retain a legal representative, the presiding judge shall assign an attorney as the representative for the litigant. This draft has been submitted to the Executive Yuan for cosigning and will be</p>

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<p>(2) Subparagraph 2, Paragraph 1, Article 186 of the Code of Criminal Procedure stipulates that where a witness is unable to understand the meaning and the effect of a written oath due to psychiatric disorders, he/she shall not be ordered to sign a written oath.</p> <p>4. The protective regulations for persons with disabilities in the Code of Criminal Procedure are added as follows.</p> <p>(1) To fulfill the goals stated in the International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social and Cultural Rights (ICESR), legislators proposed an amendment to the Code of Criminal Procedure, proposing that the court shall appoint interpreters for defendants who are deaf, dumb, or not conversant with Chinese to enable them to litigate. The draft amendment was passed at the 11th all-member meeting of the 6th Judiciary and Organic Laws and Statutes Committee organized by the 9th legislators on October 31 and November 1, 2018 and then proceeded to the process of consultation among political parties.</p> <p>(2) To enhance the autonomy of victims in litigation, the Judicial Yuan passed an amendment draft to the Code of Criminal Procedure on March 14, 2018 (engagement of victims of crimes in litigation). Specifically, the draft provides that when a litigant is unable to make full statements due to psychiatric disorders or other mental deficiencies and did not retain a legal representative, the presiding judge shall assign an attorney as the representative for the litigant. This draft was submitted to the Executive Yuan for cosigning on Mar. 20, 2018 and will be submitted to the Legislative Yuan for review upon cosigning.</p> <p>(C) Administrative litigation aims to review and correct illegal administrative actions, and defendants are mostly governmental agencies. Consequently, no specific rules have been created for litigants (or related parties) with disabilities. To enable persons with disabilities to exercise their judicial rights, enhancing the awareness of judicial personnel of those rights is necessary. For example, in March 2017, the Legal Study of the People with Disabilities Rights Protection Act was offered as a course during the Workshop of Administrative Litigation Associated with Social Welfare and Social Insurance, aiming to reinforce awareness of the CRPD among judges of administrative courts and bring the CRPD spirit to each trial. Regarding adjustment for accessibility, the application of alternatives, or other</p>		<p>submitted to the Legislative Yuan for review upon cosigning. (Judicial Yuan)</p> <p>6. The Judicial Yuan submits the Draft Amendment to the Juvenile Delinquency Act cosigned by the Executive Yuan to the Legislative Yuan for review, and the following regulations are added: “When a juvenile is unable to make full statements due to psychiatric disorders or other mental disorders, the court shall appoint an expert in child and youth psychological health or other relevant field to provide assistance when deemed necessary” and “When the juvenile is audibly or verbally challenged or is challenged in multiple aspects, statements or expressions using text, sign language, or any suitable approach is required in addition to the recruitment of interpreters.” (Judicial Yuan)</p> <p>Process indicators: 1. The MOJ continues to implement</p>

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<p>measures, a trial judge will, according to the situation, question the assistant or agent ad litem accompanying the litigant instead of the litigant with disabilities, thereby providing assistance to the litigant. However, because the number of cases involving persons with disabilities in administrative litigation is extremely low, basic investigations or intervention evaluations in litigation cases for which administrative courts are responsible do not provide any actual benefits.</p>		<p>the Plan for Organizing Training and Certification Concerning Interrogating (Questioning) Victims of Sexual Assault Who Are Children or Persons with Mental Disorders, thereby helping prosecutors improve their expertise; this can better protect the target victims of said plan. (MOJ)</p> <p>2. To safeguard the rights of audibly or verbally challenged persons or persons not conversant with Chinese, the Judicial Yuan has adopted a contract system for interpretation services since 2006 and will continue to provide said interpretation services. (Judicial Yuan)</p>
<p>(D) To respect disadvantaged litigants with disabilities and allow them to engage in litigation with effectiveness, equality, and accessibility, the Family Act established systems such as social worker accompaniment, interpretation services, guardian ad litem appointment, assistance from experts of child and youth psychology or relevant fields, and declaration of guardianship or assistance after interrogating an expert witness. The written oath regulation of the Taiwan Code of Civil Procedure (“where a witness is unable to understand the meaning and the effect of a written oath due to psychiatric disorders, he/she shall not be ordered to sign a written oath”) is also applicable. The Juvenile Delinquency Act regulates systems of presentence investigations, assistant appointment, treatment at an appropriate facility, and diversion programs. Regulations in the Code of Criminal Procedure, namely interpretation service provision, written oath exemption, defender appointment, request for attorney assignment by legal aid institutions, and social worker accompaniment, are also applicable. The Judicial Yuan submitted the Amendment Draft to the Juvenile Delinquency Act cosigned by the Executive Yuan to the Legislative Yuan for consideration, and the following regulations were added: “When a juvenile is unable to make full statements due to psychiatric disorders or other mental disorders, the court shall appoint an expert of child and youth psychological health or relevant fields to provide assistance when deemed necessary” and “When the juvenile is audibly or verbally challenged or is challenged in multiple aspects, statements or expressions using text, sign language, or another suitable approach is required in addition to the recruitment of interpreters.”</p>		
<p>(E) To safeguard the rights of persons with hearing or language impairment and persons not conversant with Chinese, the Judicial Yuan has adopted the contract system of interpretation services since 2006. Currently, interpretation services for 21 languages are available, with</p>		

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<p>236 candidate interpreters on the list, among which 17 are sign language interpreters.</p> <p>(F) Content on the official website of the Judicial Yuan is accessible except for a few sections involving dynamic features.</p> <p>(G) The Judicial Yuan will continue to implement the following projects:</p> <p>1. The Presidential Office National Conference on Judicial Reform in 2017 proposed resolutions “ensuring that judicially disadvantaged individuals fully understand the notification of rights they received and have their competence to stand trial reviewed” and “requiring that interpretation or transcription services be provided for persons who are audibly or orally challenged or not conversant with the language.” The Committee on Criminal Procedure Rules of the Judicial Yuan already decided to include the aforementioned resolutions in its agenda and timely discuss them to safeguard the rights of judicially disadvantaged individuals.</p> <p>2. To safeguard the rights of audibly or verbally challenged persons or persons not conversant with Chinese, the Judicial Yuan has adopted a interpretation service contract system since 2006 and will continue to use this system.</p>		

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Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>Balancing the health needs, personal freedom, and the ability to function in society of persons with psychiatric disorders is complex and covers multiple issues. The process of amending the Mental Health Act and ensuring safeguards to protect the freedom of persons with disabilities is described as follows.</p> <p>A. Amendments to the Mental Health Act (MOHW)</p> <p>(A) Aggressive or self-harming behavior is often seen in patients with severe psychiatric disorders because of anosognosia, insufficient access to suitable medical treatment, or irregular physician visits. To protect such persons and ensure appropriate care, the Mental Health Act established a system of involuntary hospitalization. The Mental Health Act was enacted in 1990 and specified that a patient must be compulsorily admitted to a hospital upon the diagnosis of two psychiatrists. The act was amended on July 4, 2008 to increase safeguards for patients and introduced a requirement for third-party review during an application for involuntary hospitalization. Additionally, the documents required for the application, the review process, and a remedial mechanism regarding involuntary hospitalization that restricts personal freedom are specified. Prior to the 2008 amendment, the number of involuntary hospitalization cases ranged from 3,000 to 4,000, but the number has dropped to 750–800 in the last 3 years.</p> <p>(B) Pursuant to the Mental Health Act and its 2008 amendments, competent regional health authorities may request that psychiatric institutions arrange for the emergency placement, mandatory assessment, and involuntary hospitalization of patients with severe psychiatric disorders who have harmed others or themselves or are threatening harm and refusing inpatient hospitalization and treatment. Involuntary hospitalization applications for patients with severe disorders must be reviewed by the Mental Illness Mandatory Assessment and Community Treatment Review Committee founded by the central competent health authority. Members of the Review Committee shall include specialist physicians, registered nurses, occupational therapists, psychologists, social workers, representatives of organizations advocating for patients’ rights and interests, legal experts, and other relevant professionals. All applications shall be reviewed at meetings by the Review Committee. When convening</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none">Pursuant to the Mental Health Act, which applies to all medical institutions, a patient or his/her guardian is notified concerning all medical procedures to be undertaken and relevant treatment measures, and their consent is obtained. The system of informed consent already exists (DOMAOH).During diagnosis, a patient’s condition, care, and treatment shall be appropriately documented and the patient’s consent must be obtained according to relevant regulations. Said requirements have been included as indicators for assessing psychiatric hospitals (DOMAOH).Prior to the completion of the amendment of the Mental Health Act, the DOMAOH continues to request all local departments of health to promote the solicitation of informed consent upon hospitalization and develop remedial solutions for involuntary hospitalizations and community treatments, thereby safeguarding the rights of patients with psychiatric disorders. (DOMAOH)Prior to the complete amendment of the Mental Health Act, the DOMAOH, in addition to making visits to community patients with psychiatric disorders, shall actively develop resources for community services for said patients; such services will include crisis management, community support, respite care for caregivers, and multiple community lifestyle projects. (DOMAOH)The amendment draft to the Mental Health Act was submitted to the MOHW for review, after which a gender equality assessment was conducted. The draft was set to be submitted to the Executive Yuan by the end of December 2018 (DOMAOH).The DOMAOH held a meeting with the Judicial Yuan to discuss whether courts should rule on and coordinate cases involving involuntary hospitalization and involuntary community treatment. The Judicial Yuan has independently hosted meetings to collect data from all parties involved. (DOMAOH)During the process of amending the Mental Health Act, the Judicial Yuan plans to propose ideas in accordance with the Concluding Observations provided by the IRC and the fundamental requirements stated in the interpretation of the Principle of Retention for Judge’s	<p>Structural indicator: The DOMAOH amends regulations on involuntary hospitalization and informed consent in the Mental Health Act and changes the authority responsible for reviewing and ruling on involuntary hospitalizations, prolonged hospitalizations, and involuntary community treatment to the court. (DOMAOH)</p> <p>Process indicator:</p> <ol style="list-style-type: none">During the process of amending the Mental Health Act, the DOMAOH invites organizations including the Judicial Yuan and human rights groups to discuss the procedural safeguards for the review of involuntary hospitalizations and community treatment. (DOMAOH)The DOMAOH designs manuals related to health education on psychiatric disorders, aiming to increase the knowledge of mental health among the public. (DOMAOH)The DOMAOH annually assigns psychiatric institutions to hold

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review meetings, the Review Committee may summon the patients involved and stakeholders to attend to provide testimony and propose solutions. When the patients or their guardians refuse involuntary hospitalization, they may seek administrative and judicial remedies by filing a petition with the court concerned or applying for the termination of emergency placement and involuntary hospitalization; this appeal process is intended to protect the patients’ human rights. (C) The Mental Health Act aims to safeguard the health and personal safety of persons with psychiatric disorders. The system of involuntary hospitalization is not a medical procedure that specifically is related to disability. The system is adopted to protect patients with severe psychiatric disorders (short-term) from harming themselves or others. (D) Numerous countries have determined that consequences such as suicide death, homicide, or other harm to others are grievous enough to warrant involuntary hospitalization. Specifically, countries including the United States of America, Canada, and Australia hold their opinions on the interpretation of Article 14 of the CRPD made by the Office of the High Commissioner for Human Rights of the United Nations. (E) To reflect the spirit of Article 14 of the CRPD, which calls for reducing restrictions on personal freedom, the MOHW plans to amend the regulations on involuntary hospitalization, prolonged hospitalization, and the involuntary community treatment mechanism in the Mental Health Act by changing the entity responsible for reviewing and ruling on said hospitalizations and treatments to the courts. Amendments will also consider the human rights and health of persons concerned.	Decisions and the guarantee of due process provided by the Judicial Yuan pursuant to the guarantee of personal freedom specified in Article 8 of Constitution of the Republic of China (Taiwan). (Judicial Yuan) <u>Short-term objectives (to be completed before May 2019)</u> 1. Following the Principle of Retention for Judge’s Decisions and the spirit of the CRPD, the DOMAOH amends the Mental Health Act by changing the party responsible for reviewing and ruling on cases of involuntary hospitalization and involuntary community treatment from administrative authorities to the court in order to reinforce procedural safeguards. The draft amendment will be submitted to the Executive Yuan. 2. The DOMAOH continues to develop resources for community services for said patients. <u>Short-term objectives (to be completed before Jan. 1, 2021)</u> Complete the amendment of the Mental Health Act and collaborate with the Judicial Yuan in developing supporting measures related to the review of involuntary hospitalization cases. (DOMAOH) <u>Mid-term objectives (to be completed in 2021–2022)</u> Adjust and complete the amendments to minor regulations associated with the Mental Health Act in accordance with the CRPD and promote these to local departments of health and medical institutions. (DOMAOH)	four seminars to which human rights groups are invited and the rights and remedial procedure of persons subjected to involuntary hospitalization are highlighted. (DOMAOH) 4. Informed consent and protection of the rights of patients are included as indicators for the assessment of psychiatric hospitals. (DOMAOH) 5. The MOHW conducts assessments on psychiatric care institutions according to said indicators. (DOMAOH) Outcome indicators: 1. The DOMAOH completes the amendments to the Mental Health Act and subordinate regulations; the Judicial Yuan establishes relevant procedural safeguards. (DOMAOH) 2. Medical staff, the public, and patients with psychiatric disorders as well as their guardians are informed of legal remedies, including habeas corpus. (DOMAOH) 3. The DOMAOH achieves the
B. Freedom safeguards for persons with psychiatric disorders (Judicial Yuan) (A) In Taiwan, an application for habeas corpus and termination of emergency placement, involuntary hospitalization, or other procedures that might deprive the personal freedom of persons with psychiatric disorders shall be filed with a court in accordance with the Habeas Corpus Act and Mental Health Act. This process fulfills the fundamental requirements stated in the Principle of Retention for Judge’s Decisions and the guarantee of due process provided by the Judicial Yuan pursuant to the guarantee of personal freedom specified in Article 8 of the Constitution of the Republic of China (Taiwan).		

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1. Although the nature of emergency placement and involuntary hospitalization specified in the Mental Health Act is distinct from that of criminal detention, said measures nevertheless restrict persons concerned to a specific place for a certain period of time and isolate them from the outside world. Similar to criminal detention, emergency placement and involuntary hospitalization entail the deprivation of personal freedom and are consequently compulsory measures that substantially infringe upon the personal freedom of people. Pursuant to Paragraph 1, Article 8 of the Constitution of the Republic of China (Taiwan), due process is a right. Criminals and noncriminals are subject to different procedures and regulations with respect to deprivation of freedom. (J.Y. Interpretations No. 392, 588, and 708).		target of 95% of psychiatric hospitals fulfilling the following indicator: “establishing policies or regulations regarding patient protection and helping patient families and employees to understand and respect said patients’ rights. (DOMAOH)
2. Patients with severe psychiatric disorders are regarded as noncriminal defendants under the Mental Health Act, and the current Taiwanese systems of emergency placement and involuntary hospitalization aim to treat their disorders and protect their rights (see the rationale stated in Article 1 of the Mental Health Act). Therefore, these systems are protective rather than punitive or rehabilitative. In his article titled <i>The Intersection Between Disposition Custody and Involuntary Hospitalization</i> , Professor Mau-Sheng Lee stated, “The involuntary hospitalization provision stated in the Mental Health Act is an administrative disposition whereby local governments can order the admission of persons with psychiatric disorders who may pose a risk of committing self-harm or harm to others to psychiatric hospitals. Said disposition was originally intended as a compulsory treatment for the sake of people’s psychiatric health, but it has strayed from its original purpose today.” Accordingly, the judicial procedures or other due process provisions applicable to ruling on emergency placement and involuntary hospitalization shall not be identical to those applicable to criminal detention or penalties that require a court ruling.		4. In accordance with the concerns and suggestions stated in Concluding Observations 42(a),(b) and 43(a),(b) by the IRC, competent health authorities intend to establish procedural safeguards for persons with psychiatric disorders during involuntary placement, including regulations on immediate legal assistance, informed consent, and guaranteed freedom of choice. (Judicial Yuan)
3. Pursuant to the Mental Health Act, when municipal and county (city) competent authorities order a psychiatric hospital to initiate an emergency intake, when the Review Committee rules on an involuntary hospitalization, and during an emergency placement or involuntary hospitalization, the person with a severe psychiatric disorder, his/her guardian, or representatives of organizations advocating for patients’ rights and interests that have been recognized by the central competent authority are entitled to apply for		

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habeas corpus and termination of emergency placement or involuntary hospitalization. The rules in Taiwan are more rigorous than those set in Japan, the United Kingdom, and other countries. (B) Following are the concerns and recommendations provided by the IRC in Concluding Observations 42 and 43. 1. The IRC is concerned that the current provisions for emergency placement or involuntary hospitalization lack an administrative review mechanism; during an involuntary hospitalization, persons with psychiatric disorders also have limited access to a desirable environment, psychological consulting services, immediate legal aid, and personal freedom and are deprived the opportunity to give informed consent. At a seminar held by the Taiwan Association of Human Rights (Seminar Series on Human Rights Plus: Human Right Issues in the Legislative Yuan (first seminar)—Is involuntary hospitalization the only choice for persons with severe psychiatric disorders? And how to amend the Mental Health Act to fulfill Article 14 of the Convention on the Rights of Persons with Disabilities?), the manager of Hotline for Caregivers of Patients with Psychiatric Disorders operated by the Eden Social Welfare Foundation explained that some patients with psychiatric disorders refuse to be hospitalized because of anosognosia as well as fear of stigmatization, side effects, hospital environments, visit restrictions, treatment approaches, and other concerns. Additionally, several NGOs recommend that hospitals allow persons subject to involuntary hospitalization to meet with their attorneys to seek immediate legal assistance and remedies. 2. The IRC is concerned about the procedural safeguards available during involuntary hospitalization for patients with psychiatric disorders; therefore, Taiwan has amended the relevant acts and policies in accordance with the Concluding Observations. Procedural safeguards were created, including regulations on immediate legal assistance, informed consent, and freedom of choice. Said amendments are intended to improve the medical environment and policies on the health care side of involuntary hospitalization. Yet, changing the responsible party for oversight of involuntary hospitalization from the Review Committee to courts cannot solve the existing problems. Furthermore, such a change does not respond to the concern expressed in 43(a) of the Concluding		

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Observations of the IRC, namely prohibiting involuntary hospitalization on the basis of disability. 3. Responding to the IRC recommendation to protect the freedom of choice for patients with psychiatric disorders stated in Concluding Observation 43(b), the competent health authorities have made efforts to determine the necessity of establishing various alternatives to involuntary hospitalization for relevant patients, such as investing resources to empower peer support organizations or following Western countries to create integrated departments consisted of medical, social work, and psychological professionals, thus providing an alternative to medical institutions and community treatment for patients in the high-risk acute stage of a disorder. Such an alternative can help avoid the need to directly proceed to involuntary hospitalization, thus fulfilling the concept advocated by Covenants Watch in its CRPD parallel report published in 2017. Changing the party responsible for overseeing involuntary placement on the basis of disability to the courts in an amendment to the Mental Health Act does not appropriately address the concern regarding personal freedom stated in Concluding Observation 43(b) or solve the problem of deprivation of freedom. (C) In conclusion, competent health authorities shall create procedural safeguards for patients with psychiatric disorders during involuntary placement in accordance with Concluding Observations 42(a),(b) and 43(a),(b), including regulations on immediate legal assistance, informed consent, and freedom of choice. Said action can guarantee human rights and health care right among patients with psychiatric disorders and appropriately respond to the IRC recommendation. The Judicial Yuan plans to assess whether involuntary arrangements should be implemented on the basis of disability, whether immediate legal assistance and voluntary informed consent are guaranteed, whether multiple alternative solutions emphasizing freedom of choice are provided for said patients prior to involuntary hospitalization, and whether the nature of the involuntary hospitalization system is for protective purposes, guarantees health rights, or achieves a rehabilitative function. To take various suggestions from all fields, the Judicial Yuan has held consultation group meetings. The Judicial Yuan then proceeded to discuss the collected suggestions pursuant to the Concluding Observations as well as the Principle of Retention for Judge’s Decisions and due process in J.Y. Interpretations based on		

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Article 8 of the Constitution of the Republic of China (Taiwan). Subsequently, the Judicial Yuan will summarize its opinions, with the expectation of devising a means to safeguard the rights of persons with disabilities in health care. (D) The Judicial Yuan will continue to implement the following projects: During the amendment of the Mental Health Act, the Judicial Yuan plans to propose ideas in accordance with the Concluding Observations provided by the IRC and the fundamental requirements stated in the interpretation of the Principle of Retention For Judge’s Decisions and the guarantee of due process provided by the Judicial Yuan pursuant to the guarantee of personal freedom specified in Article 8 of the Constitution of the Republic of China (Taiwan).		

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Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>The People with Disabilities Rights Protection Act, community services providing personalized behavioral consultation, services providing family support, nursing homes, and psychiatric health care, and the Long-Term Care Services Act have been enacted to avoid the deprivation of freedom of patients on the basis of the perceived dangerousness of persons with disabilities and their alleged need for care, treatment or detention, which are described as follows.</p> <p>A. Analysis of legal aspects (MOHW) (A) Pursuant to Article 75 of the People with Disabilities Rights Protection Act, government actions limiting the freedom of persons with disabilities are prohibited (SFAA). (B) Article 44 of the Long-Term Care Services Act specifies, “Long-term care institutions and their personnel shall provide proper care and protection for the users of long-term care services and shall not abandon, physically or mentally abuse, discriminate [against], harm, restrict [the] physical freedom [of], or engage in any other matters that infringe upon [the] interests [of patients].” Long-term care institutions that violate Article 44 shall, in accordance with Article 47, “be subject to a fine of not less than NT\$60,000 and not more than NT\$300,000.” Pursuant to the Regulations Governing the Assessment of Long-Term Care Institutions, long-term care institutions shall be assessed every 4 years, and the assessment items shall include safeguards for the rights of the persons concerned, thereby improving the quality of long-term care and providing more long-term care choices for the public (DONAHC).</p> <p>B. Situation analysis of various long-term care institutions (A) Disabled welfare institutions: the guidance form for assessing disabled welfare institutions specifies that institutions shall not impose inappropriate mobility limitations or physical restrictions on their residents. In the event of sudden emotional lability, said institutions shall not impose additional mobility limitations or physical restrictions on persons with disabilities who do not have psychiatric disorders, except as protective measures to prevent self-harm or harm to others. To safeguard said persons’ freedom of choice, institution staff members should mostly guide them using positive behavioral support. For persons with autism exhibiting lower cognitive functions and those with multiple disabilities, materials including paintings and books are to be used for assistance (SFAA).</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none">To help solve problems related to emotional behaviors of institutionalized individuals, the MOHW uses funds from the public welfare lottery to subsidize training programs on positive emotional behavior support. Additionally, the MOHW has incorporated principles of reinforcement and positive emotional behavior into the qualification training for direct service providers (i.e., educare givers and life service providers). (SFAA)The Department of Nursing and Health Care (DONAHC) conducts an assessment of nursing homes in 2018 to determine whether the 305 assessed nursing homes respect their residents’ freedom according to the Management and Right Safeguards for Nursing Home Residents and continues to encourage such homes to respect personal freedom through assessment, supervision, and relevant measures. <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">Regulations governing care institutions have already included Rights Safeguards for Persons Concerned as a statutory assessment item, thereby emphasizing the freedom of choice of institution residents. The DONAHC plans to protect the rights of residents in nursing homes by improving the criteria by which such homes are assessed in the future. (DONAHC)Pursuant to the Regulations Governing the Assessment of Long-Term Care Institutions, the MOHW schedules an announcement of the assessment criteria for residential long-term care institutions in June 2019. Specifically, the MOHW intends to emphasize the inclusion of freedom of choice and personal freedom of long-term care receivers in the assessment items associated with rights safeguards for persons concerned. (DOLTC)	<p>Outcome indicators:</p> <ol style="list-style-type: none">The DONAHC verifies whether the assessed 305 average nursing homes respect their residents’ freedom on the basis of the Management and Right Safeguards for Nursing Home Residents.In accordance with the concerns and suggestions stated in Concluding Observations 42(a),(b) and 43(a),(b) proposed by the IRC, competent health authorities establish procedural safeguards for persons with psychiatric disorders during involuntary placement, including regulations on immediate legal assistance, informed consent, and freedom of choice. Therefore, the human rights and health care rights of said persons can be protected (Judicial Yuan).

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(B) Nursing homes: The DONAHC mandates that nursing homes shall respect the freedom of their residents (e.g., respect their freedom of religion, diet preferences, and choice of hospice care) in the section on the Management and Safeguard of Rights for Nursing Home Residents, Criteria of 2018 Assessment. (DONAHC) C. The following supportive services for persons with disabilities are provided to avoid care-caused limitations of their freedom. (A) The SFAA launched the 2019 Pilot Plan for the Positive Support Integration Model for Persons with Disabilities Exhibiting Serious Emotional Behaviors. The Plan was designed for persons with disabilities who are subject to severe emotional behaviors and requires that teams with cross-disciplinary professionals provide personalized consultations and family support services for such persons, including evaluation and consultation, development of behavioral consultation plans, onsite consultations, and resource connections. Therefore, said persons can continue living in their communities and avoid being involuntarily admitted to institutions or deprived of freedom due to serious emotional behaviors. (SFAA) (B) To ensure the continual availability of services for patients with mental disabilities or psychiatric disorders from hospital admission to outpatient clinic visits and community care, the MOHW has been applying for health care development funds since 2015 and generated the Plan of Psychiatric Health care Improvement for Persons with Mental Disabilities. The MOHW helps provide effective psychiatric health care to improve the quality of life for patients and caregivers by creating outpatient clinics for the treatment of psychiatric disorders of persons with mental disabilities, integrating psychiatric hospitals and disabled welfare institutions, and establishing school service networks. (DOMAOH). D. (Please refer to 42 and 43(a) for the details of liberty safeguards for persons with psychiatric disorders)		

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Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>The informed consent safeguards for persons with disabilities are currently governed by relevant health care acts, health care assessment criteria, and the Mental Health Act, which are described as follows.</p> <p>A. The Medical Care Act and hospital assessment criteria (DOMA)</p> <p>(A) Health care regulations are enacted to improve health care quality and citizen’s health, safeguard patients’ rights, and ensure that all patients can make decisions and grant consent after being fully informed of medical procedures and treatment information. Details are as follows.</p> <ol style="list-style-type: none">Pursuant to Article 81 of the Medical Care Act, “When treating the patient, the medical institution shall inform the patient or his/her legal agent, spouse, kin, or interested party of his/her condition, course of treatment, disposition, medication, expected condition, and possible ill effects.”Pursuant to Article 64, medical institutions shall explain an invasive examination or treatment regulated by the central competent authority to the patient or his/her legal agent, spouse, kin, or interested party and must obtain his/her consent and signature on the letter of consent before commencing the procedure. Furthermore, Article 63 specifies, “medical institutions shall explain the reasons for [a] surgical operation, [its] success rate, [and] possible side effects and risks to the patient or his/her legal agent, spouse, kin, or interested party and must obtain his/her consent and signature on letter of consent for surgery and anesthesia before commencing [the] surgical procedure. However, in case of emergency, [these] provisions shall not apply.”To ensure that patients receive notification from medical institutions and grant their consent, Article 107 of the Medical Care Act commands, “Those who violate any of the provisions of...Paragraph 1of Article 63 and Paragraph 1 of Article 64...shall be penalized.” Said offenders shall be penalized by corresponding local health departments according to law.The provisions requiring giving an explanation to a patient or his/her legal agent, spouse, kin, or interested party and receiving informed consent shall be applicable to all patients regardless of their ethnic backgrounds. All county (city) health departments shall supervise hospitals and ensure that these hospitals do not violate the principles of the	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none">Announce amendments to the format of consent for surgery and that of consent for anesthesia on November 2, 2018 and requests that all county and city health departments instruct medical institutions to apply the amended format. (DOMA)Devise the Hospital Assessment Criteria and Evaluation Items in 2018, of which item 2.1.2 specifies that hospitals shall “communicate with and explain the illness situation, care, and treatment to the patient. Particularly, in the event of invasive examination or treatment, the hospital shall stipulate operational regulations and obtain the patient’s signature on a letter of consent.” Hospitals shall also provide explanations to patients using understandable words and pictures or written data when appropriate. Assistive methods shall be adopted for persons with disabilities according to their need, such as having conversations conducted in writing and on writing boards or communication boards, being accompanied by relevant personnel, and being provided sign language interpretation or lip reading services. (DOMA)Develop the Psychiatric Hospital Assessment Criteria and Evaluation Items in 2018, where item 2.1.2 specifies that a hospital shall “explain the illness situation, care, and treatment to patients during the treatment process and obtain the patients’ consent according to corresponding regulations.” This project is to be completed in 2018 and compliance assessment will be followed-up in the short-term, mid-term, and long-term agendas. (DOMA) <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">Send written requests to all healthcare professional organizations requesting them to give priority to, when recruiting instructors to give continuing education lessons on health care involving persons with disabilities for medical personnel, experts on the list of Seed Instructors of Cases Involving Persons with Disabilities created by the SFAA. The target number of such courses is 200, with an aim to attract 2,200 participants. (DOMA)Launch training programs for medical personnel by applying regional consultation plans, reinforcing personnel training regarding diagnosis for persons with disabilities and informed consent safeguards for said persons prior to treatment. A total of 12 training programs are set to be held between 2019 and 2020, and the expected number of participants is 600. (DOMA)Organize accessible health care research plans and establish a template for informed consent forms as a reference for medical professionals. (DOMA)	<p>Structural indicator: The DOMAOH stipulates a provision allowing patients to make decisions where they are fully informed about the health care procedure and treatment information. This is incorporated into psychiatric institution assessments. (DOMAOH)</p> <p>Process indicators:</p> <ol style="list-style-type: none">When amending hospital assessment criteria, the DOMA refers to suggestions provided by organizations of persons with disabilities. (DOMA)The DOMAOH regularly conducts assessments on psychiatric hospitals. (DOMA) <p>Outcome indicators:</p> <ol style="list-style-type: none">Among the hospitals applying for assessment in 2018, 80% of them fulfilled the requirements of the assessment criteria and item 2.1.2 (DOMA).More than 90% of psychiatric hospitals fulfill the indicator of “explaining the illness situation, care, and treatment during patient diagnosis and obtaining

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<p>CRPD.</p> <p>(B) Ensuring that persons with disabilities acquire comprehensive medical and treatment information, can make decisions, and grant consent is pivotal. Safeguarding rights of persons with disabilities has been mandated in the Medical Care Act and relevant regulations such as hospital assessment criteria. However, said regulations do not meet the expectations of NGOs. The MOHW, therefore, decides to immediately take relevant actions to improve them.</p> <p>B. The Mental Health Act (DOMAOH)</p> <p>(A) Article 36 of the Mental Health Act states, “as patients are treated or hospitalized, psychiatric institutions shall explain to patients and/or their guardians matters related to the illness conditions, treatment policies, aspects of prognosis, reasons for hospitalization, rights to which the patients and their guardians are entitled, and so on” as well as obtain their signature on a hospitalization consent form. Nevertheless, there are concerns that patients with psychiatric disorders may not be able to make decisions because of incomplete information about their hospitalization or treatment.</p> <p>(B) For patients with severe psychiatric disorders who may harm others or themselves or pose a risk of harm and have received a diagnosis by a specialist physician indicating that inpatient hospitalization is necessary, pursuant to Article 41 of the Mental Health Act, the review mechanism for emergency placements and involuntary hospitalizations shall only be activated when the patient refuses to accept hospitalization or is unable to express a decision after being asked for an opinion. Additionally, during the review of an involuntary hospitalization, members of the Review Committee shall host a remote or telephone conference with the patient, allowing the patient to make statements. Therefore, said patients with disabilities can acquire complete information regarding medical treatment procedures.</p>	<p>4. Encourage 370 public health centers in Taiwan to create citizen-friendly environments through the HPA. (DOMA)</p> <p>5. By adopting cross-department and cross-administration cooperation, provide a certification service for friendly clinics; the NHIA provides health insurance incentives to encourage clinics to build patient-friendly environments. (DOMA)</p>	<p>the patient’s consent according to relevant regulations” (DOMAOH).</p>

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Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>Regarding special residential arrangements, including residential social welfare institutions, nursing homes, psychiatric health institutions, and long-term care institutions that provide individual care services, the measures adopted to ensure respect of persons and humane treatment are described as follows.</p> <p>A. Social welfare institutions, nursing homes, psychiatric health institutions, and long-term care institutions</p> <p>(A) Disabled welfare institutions (SFAA)</p> <p>1. To avoid torture and other cruel, inhumane, or degrading treatment or punishment on persons with disabilities, competent authorities shall comprehensively regulate and inspect subordinate disabled welfare institutions. Currently, Regulations Governing the Guidance Assessment of and Rewards for Disabled Welfare Institutions demands that competent authorities regularly provide guidance to subordinate institutions and conduct at least two surprise inspections each year. Competent authorities shall reinforce guidance of and conduct extra inspections on institutions receiving a C or D or having poor management; at least one inspection shall be conducted monthly. Therefore, zero violations of the aforementioned regulations can be guaranteed. Local competent authorities must submit quarterly inspection reports to the SFAA; at the end of the year, said authorities must submit their annual reports. In the event of violations of law among said institutions, competent authorities shall issue injunctions requiring improvement within a specific period. Reporting mechanism shall also be reinforced. Specifically, any torture, inhumane treatment, sexual harassment, or sexual assault shall be completely reported in accordance with Article 76 of the People with Disabilities Rights Protection Act and relevant acts. Upon being informed of an incident, the competent authority must launch an investigation and complete an investigation report within the required period of time pursuant to relevant regulations and initiate response measures according to relevant acts.</p> <p>2. Disabled welfare institutions shall develop personalized service programs for their residents. During the process of development, said institutions shall allow engagement of the person with disabilities in question, his/her family, and institution staff. After a service program is developed, the discussion results can serve as a reference for future</p>	<p><u>Short-term objectives (to be completed before May 2019)</u></p> <p>1. Continue to amend items required in guidance assessment forms, quarterly reports, and annual reports of disabled welfare institutions; through submission of forms and reports, ensure that local authorities annually conduct assessments of such institutions at least twice and inspections on institutions failing to fulfill assessment criteria additional times. (SFAA)</p> <p>2. Through said assessment, ensure that personnel who discover incidents of torture, inhuman treatment, sexual harassment, or sexual assault report to competent authorities in accordance with relevant regulations; additionally, continue to ensure an explicit procedure for conferences to develop personalized service plans and assess the effectiveness of developed plans; and by providing assistive devices to persons with disabilities, reinforce the mechanism of engagement and self-choice among said persons. (SFAA)</p> <p>3. By subsidizing fire prevention equipment and simplifying the assessment procedure, help reduce the burden on relevant personnel as well as the occurrence of inhumane behaviors. (DONAHC)</p> <p>4. Include “Providing safeguards for rights of students (residents)” as a requirement for establishing psychiatric rehabilitation institutions; and continue to supervise said institutions by conducting assessments. (DOMAOH)</p> <p>5. Demand that local health departments actively conduct regular assessments or random inspections of all psychiatric care institutions to determine whether said institutions treat their patients in a humane manner. (DOMAOH)</p> <p>6. To maintain the service quality of long-term care institutions and comply with the enactment of the Long-Term Care Services Act, develop Regulations Governing the Assessment of Long-Term Care Institutions, whereby regular assessments or surprise inspections are conducted to maintain the quality of services for incapacitated persons with disabilities. (DOLTC)</p> <p><u>Mid-term objectives (to be completed in 2021–2022)</u></p> <p>1. Conduct random inspections in counties and cities by paying visits to randomly selected institutions, thereby determining progress in meeting the assessment criteria by local authorities and preventing inappropriate restrictions or torture in said institutions. (SFAA)</p> <p>2. Continue to reinforce the mechanism of engagement and self-choice for persons with</p>	<p>Structural indicator: The DONAHC examines and amends the establishment standards of nursing institutions.</p> <p>Process indicators:</p> <p>1. The SFAA organizes random supervision and assessment of public safety, ensuring that local competent authorities arrange random inspections on institutions within their jurisdictions. (SFAA)</p> <p>2. The SFAA carries out assessments on organizations of persons with disabilities to ensure that these organizations allow persons with disabilities to participate in the development of personalized service programs. (SFAA)</p> <p>3. The DOMAOH assesses psychiatric care institutions in accordance with assessment indicators. (DOMAOH)</p> <p>4. The MOE helps increase the knowledge of toilet training among personnel in workshops for teaching assistants and dormitory supervisors. (MOE)</p> <p>5. The MOE pays random visits</p>

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planning of subsequent self-training, community adjustment, and training programs. For example, toilet training will be added to daily training for persons with a need for toilet training; that is, inhumane treatment such as forced diapering will not be imposed only because it is requested by a resident’s family. Upon assessment, the assessment committee will review the planning conferences and effectiveness of personalized service programs. (B) The DONAHC has adopted the following measures associated with human rights safeguards (including personal safety) to guarantee the personal safety and quality of care for residents in nursing homes. 1. Article 23-1 of the Nursing Personnel Act demands that central competent authorities conduct nursing institution assessments. Competent municipal and county (city) authorities shall conduct regular inspections and assessments of the practices of nursing institutions situated within their jurisdictions. Nursing homes must not evade, hinder, or refuse said assessment required by central competent authorities or the supervision and assessment required by local authorities. 2. Surprise inspections have been conducted since 2016 according to the Implementation Plan for Public Safety Supervision Spot Checks in Social Welfare Institutions and Nursing Homes. In 2016, 38 nursing homes in 19 counties and cities were randomly inspected, 14 nursing homes in seven counties and cities were randomly selected in 2017, and 14 nursing homes in eight counties and cities were inspected in 2018. The inspection results revealed no inhumane environments or care. Only a few homes had recruited fewer social workers than the number required. This demonstrates that unannounced and random inspections of nursing homes can reveal the actual situation. 3. Residents of nursing homes are provided with various services and interventions such as rehabilitation, daily activities, and assistive devices. With the assistance of professionals or care providers, nursing homes help these residents maintain or improve their quality of life and independence, thereby avoiding inhumane treatment. (C) The DOMAOH has regarded “measures to protect the rights of residents in psychiatric care institutions” as an assessment item in its supervision of compliance with regulations in the Mental Health Act among said institutions. (D) Incapacitated persons with disabilities of all age are included in the Long-Term Care 2.0 plan in Taiwan. Individuals who are considered to have long-term care needs by care	disabilities in disabled welfare institutions by facilitating joint discussions on activities they engage in and community adjustment choices, thereby preventing scenarios where the institution subjectively or with a patient’s family’s consent chooses services for said persons. (SFAA) 3. Gradually incorporate self-support care into residential service institutions to strengthen the connection between incapacitated persons with disabilities and the outside world and increase the autonomy of said persons. (DOLTC)	and hosts workshops to avoid incidents of disrespect of students in special schools and actively creates student-friendly campuses. (MOE) Outcome indicator: The DOMAOH demands that care institutions fulfill the requirements of relevant settings per year and regularly receive supervision assessments conducted by health departments as well as achieve a 100% qualification rate on the MOHW assessment. (DOMAOH)

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managers can apply for long-term care services in accordance with the authorized quota. To ensure care service resources for incapacitated persons with disabilities, the DOLTC has added services for said persons, including daily care, family support, senior resident zones in disabled welfare institutions, improved service capacity of local assistive technology centers, and an increased number of vehicles for persons with assistive devices. (E) To enhance 24-hour care quality in institutions for incapacitated persons with disabilities, the care skills of professionals shall be reinforced and the services for persons with disabilities shall be considered in light of the provisions in Long-Term Care 2.0 addressing services for persons with disabilities (DOLTC).		
B. Special schools (MOE) (A) To meet the needs of students with disabilities, each county or city shall have at least one special school. Currently, 28 special schools have been founded, among which 16 schools have dormitories for students with distant residences or difficulties commuting. In said dormitories, no disrespect of persons or inhumane treatment may occur. Aiming to improve the self-care ability of resident students, said special schools provide toilet training or remind students to toilet at night instead of implementing forced diapering. (B) The MOE continues to implement the following projects: 1. Develop self-care courses and instructing students to engage in self-care according to their special needs. 2. Increase the knowledge of rights of persons with disabilities among dormitory supervisors during workshops to eradicate incidents involving disrespect of persons in the dormitories of special schools. 3. Pay random visits to said schools to establish an assessment mechanism for teaching assistants and dormitory supervisors.		

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Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15) 44. The IRC is concerned that: (c) Prisoners with disabilities are not ensured reasonable accommodations during their confinement in State custody. 45. The IRC recommends that the State: (c) Develop, implement, and adequately resource measures to ensure the provision of reasonable accommodations to prisoners with disabilities during their confinement in State custody.		44.45(c) MOJ Other agencies concerned: MOHW (DOMA and National Health Insurance Administration [NHIA])
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>The mechanisms for medical treatment, outpatient clinic visits, self-paid premiums of National Health Insurance (NHI), compassionate release, and guard-escorted medical release for prisoners with disabilities are described as follows.</p> <p>A. In addition to medical treatments applicable to all prisoners (e.g., health examinations for newly admitted prisoners, blood tests, and NHI-covered outpatient clinic services), correctional institutions in Taiwan arrange appropriate health care for prisoners with special needs and continually track and manage the illness conditions of such prisoners by requiring them to take medicine according to medication orders. Whenever quarantine, transfer, testing (examination), medication, or other medical treatments are required by medical orders, correctional institutions shall provide appropriate arrangements pursuant to regulations in the official document fajiaooshu-yi-zi No. 10406000890 issued by the Agency of Corrections, MOJ on June 15, 2015.</p> <p>B. The medical specialties of outpatient clinics and visits allowed in correctional institutions are set and flexibly adjusted according to the actual needs of prisoners as long as the local medical resources and hospitals can provide them. The monthly count of visits to outpatient clinics among all Taiwanese correctional institutions has exceeded 2,300, and 28 medical disciplines are available at these clinics, including areas of all Western medicine, dentistry, and traditional Chinese medicine. The count of visits to in-prison outpatient clinics has accounted for 96.5% of total outpatient clinic visits among all prisoners. Whenever outpatient clinic demand is beyond the capacity of a correctional institution, the institution may cooperate with other counterparts to provide outpatient clinic services.</p> <p>C. Considering situations where prisoners cannot regularly pay the NHI premiums or prisoners cannot make clinic visits due to limited mobility, the National Health Insurance Act prior to 2013 mandated that prisoners who had engaged in rehabilitation tasks or programs or received punishments for more than 2 months in jails were excluded from the NHI system. This regulation, however, did not respect the basic right to health of prisoners, particularly those with disabilities. Therefore, an amended National Health Insurance Act (i.e., second generation NHIA) was promulgated on January 26, 2011 and includes all prisoners (approximately 60,000 individuals) in the NHI system; their NHI premiums are fully covered</p>	<p><u>Short-term objectives (to be completed before May 2019)</u></p> <p>1. Reasonable accommodation of treatment for prisoners with disabilities</p> <p>(1) Health care services Treatment zones for patients with psychiatric disorders are established specifically for prisoners with disabilities who are subjected to situations that they cannot handle because of unstable emotions or behaviors, dangers of self-harm or harm to others, or delusional or disturbed thoughts (e.g., auditory hallucinations, hallucinations, and delusions) or behaviors. Therefore, not only can negative effects on the prisoner in question and other prisoners be avoided but suitable health care can also be administered. In said zones, appropriate evaluations for patients with psychiatric disorders are available, whereby physicians examine and evaluate the condition of patients. Wherever an illness is confirmed to be mitigated and stable and no subsequent treatment is required, the prisoner can be sent back to the original institution.</p> <p>(2) Guard-escorted medical release During guard-escorted medical release for prisoners with disabilities, physical restraints shall not be used on those with severe physical disabilities (e.g., impaired mobility–related functions and structures of muscles and skeletons). Prisoners with disabilities subjected to said release are accompanied by staff of correctional institutions, enabling them to go to a hospital.</p> <p>(3) Rehabilitation activities An outpatient rehabilitation clinic has not yet been founded for prisoners. Wherever persons with disabilities are diagnosed by physicians to need rehabilitation treatment, such persons can receive rehabilitation through guard-escorted medical release. Jails will be requested to determine the necessity of adding rehabilitation outpatient centers to improve the rehabilitation services offered in correctional institutions.</p> <p>(4) Prison cells Accessible facilities or assistive devices are provided in cells for prisoners with disabilities. Alternatively, said prisoners are assigned to wards or low-floor cells for their convenience. Additionally, said prisoners’ roommates are assigned in accordance with their self-statements, appearance, interactions with others, and data from relevant</p>	<p>Process indicator: By collaborating with the MOHW, the MOJ and DOMA continue to manage medical affairs for prisoners and adjust or provide health care services at the in-prison outpatient clinic according to prisoners’ actual needs. (MOJ, MOHW, and DOMA)</p> <p>Outcome indicator: Including prisoners in the NHI system not only upholds the universal value of human rights but also effectively and economically safeguards the right to health among prisoners with disabilities. Essentially, Taiwan has surpassed numerous advanced countries by incorporating prisoner health care into the mainstream health care system, thereby fulfilling the fundamental spirit of the CRPD and marking a milestone in human rights protection in Taiwan (NHIA).</p>

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by the government. Since 2013, the year when said amended Act was enacted, the right to health of prisoners with disabilities has thus been comprehensively safeguarded (NHIA). D. For prisoners with limited mobility who cannot make clinic visits, the MOHW launched the Plan of Medical Services Covered by National Health Insurance for Prisoners in Correctional Institutions on January 1, 2013, and the plan is now in the second phase (implementation period between 2016 and 2018). In 2018, a total of 110 contracted hospitals were engaged in the plan. This plan was designed to encourage contracted hospitals to provide in-prison health care services covered by NHI. Whenever compassionate release or guard-escorted medical release is deemed necessary, correctional institutions shall arrange visits to suitable hospitals according to physicians’ suggestions and the prisoners’ actual medical needs (DOMA).	investigations or examinations to ensure the selected roommate does not bully or discriminate against prisoners with disabilities due to limited mobility or verbal expression skills. (5) Visitation arrangement In accordance with the need of each prisoner with disabilities, the MOJ allows deregulation of personal visitations, increased visitation allowances, and prolonged visitations or face-to-face visitations at suitable places to accommodate the physical and mental health of the prisoners. (MOJ) 2. Regularly examine the collaboration between correctional institutions and hospitals in accordance with the Plan of Medical Services Covered by National Health Insurance for Prisoners in Correctional Institutions. (MOJ) 3. Continue to manage medical affairs involving prisoners in correctional institutions pursuant to the Plan of Medical Services Covered by National Health Insurance for Prisoners in Correctional Institutions and have initiated the 2019 review of the plan. (NHIA and DOMA)	

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Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
I. Exploitation issues: Pursuant to the Human Trafficking Prevention Act of Taiwan, exploitation patterns include sexual exploitation and labor exploitation. A. Human trafficking prevention operations (MOI) (A) The prevention policies and operations against human trafficking in Taiwan were developed in accordance with the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children ratified by the United Nations in 2000, relevant labor conventions adopted by international labor organizations, and the actual situation in Taiwan. Taiwan has obtained a Tier 1 ranking for 9 consecutive years in the annual Trafficking in Persons Report released by the United States Department of State, in which the human trafficking situations in 190 countries worldwide are investigated. Crucial milestones of said policies and operations are described as follows. (B) In January 2007, the Taiwan High Prosecutors Office founded the Supervision Group for Human Trafficking Prevention that hosts regular meetings to supervise the management of human trafficking cases in all prosecutors offices. Furthermore, the group aims to strengthen connections between authorities, evaluate human trafficking problems, and develop investigation solutions. (C) Enacted on June 1, 2009, the Human Trafficking Prevention Act focuses on safeguarding victims of human trafficking. The act primarily governs operations such as human trafficking prevention, identification and protection of human trafficking victims, issuance of short-term temporary visitor permits and work permits, and imposition of heavy penalties on offenders. Pursuant to Article 9 of the Human Trafficking Prevention Act, whenever personnel associated with human trafficking prevention operations discover suspected cases of human trafficking, they are obliged to issue a timely report. Such personnel may include police	<u>Projects to be conducted in or completed by 2018</u> 1. Organize quarterly meetings for the Domestic Violence and Sexual Assault Prevention Committee at which operations and policies associated with exploitation, violence, and torture prevention undergo drafting, coordination, and supervision and are subject to consultation and integration. (DOPS) 2. Launch a Training Program for Protective Social Workers, requiring that newly recruited personnel complete a 10-hour beginner course and an advanced course and those serving for more than 1 year shall complete a 20-hour on-the-job training program. In addition to introductions to service knowledge, resource application, and practical skills, said courses and program emphasize the work ethic and cultural awareness of protection practices for persons with disabilities as well as discussions on relevant events and topics. In 2017, the MOHW coorganized beginner and advanced courses for newly recruited employees with all local governments. A total of 51 courses were arranged with 1,282 attendees; for on-the-job training, a total of 26 programs were hosted, attracting 492 participants. In 2018, the DOPS continues to cooperate with all local governments to hold beginner and advanced courses and on-the-job training. (DOPS) 3. The program of training and retaining judicial inquiry personnel recruited 94 professionals by 2017 (64 in the training group and 30 in the referral group). In 2017, the DOPS commissioned a third party to organize a two-part course for in-service professionals’ training. In 2018, the DOPS of the MOHW plan to continue to recruit more professionals and reinforce the on-the-job training for in-service professionals. (DOPS) 4. Host 20 sessions of multicultural training in 2018, where the training rate among social workers of all municipal and county (city) governments exceeds 70%. (DOSAASW) 5. Invite relevant professional organizations to opine on ways to improve the quality of gender	Process indicators: 1. The rate of investigation reports completed within 4 days after receiving a protection reportg for a person with disabilities among local governments reaches 95% (DOPS). 2. The DOSAASW helps social workers to have gender equality perspectives through multicultural training programs for social workers of all levels and divisions. (DOSAASW) 3. The SFAA commissions experts and scholars to collect literature and pay actual visits to institutions with an aim to observe and understand the difficulties, problems, and demands of sexual assault prevention. Subsequently, the SFAA develops suitable operating modes and print work manuals for said institutions and offers training to complete

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officers, immigration officers, labor affairs personnel, social affairs personnel, and medical personnel. Upon identification of any individual as a victim of human trafficking, the Taiwanese government immediately activates the assistance mechanism to provide assistance in the form of victim settlement as well as initiates multiple other protection services, such as services to protect personal safety and provide necessary medical and legal assistance, interpretation assistance, and psychological counseling. The MOI National Immigration Agency (NIA) builds shelters for trafficking victims. In 2017, the NIA provided medical assistance for 270 individuals, interpretation services for 1,048 individuals, legal assistance for 24 individuals, and counseling services for 739 individuals. (D) The MOI did not identify any persons with disabilities after conducting a census of the victims of human trafficking in all shelters. No written regulations have been drafted or enacted concerning the treatment of persons with disabilities in the Action Plan Against Human Trafficking. Nevertheless, if a trafficking victim is in possession of a disability manual or certificate or can be readily identified as having disabilities, special care is provided in accordance with regulations on the protection of rights of and safeguards for persons with disabilities.	equality courses. (DOMA) 6. Send an official document to all departments hosting continuing education courses on nursing by August 2018; and encourage said departments to design courses concerning the awareness of violence problems faced by persons with disabilities and reporting procedures for these problems as well as gender equality issues in accordance with the CRPD. (DONACH) 7. Add (1) courses related to sexual assault and harassment as well as (2) procedure development and reporting rules for sexual assault as items for regular and random inspections on child/youth settlement institutions; and report the inspection results to the MOHW on January 15 each year. (SFAA) 8. For organizations of persons with disabilities: (1) Increase the frequency of inspections of all municipal and county (city) governments, (2) Clarify the reporting rules for personnel responsible for reporting in organizations by requiring that such personnel report to the competent authority in the event of suspected incidents; the competent authority shall complete an investigation report within the specified time, (3) Review and formulate training programs involving gender issues of persons with disabilities, and (4) Allow organizations having residents with severe emotional and behavioral problems to apply for assistance from a guidance team that instructs the organizational staff to take actions. (SFAA) 9. Continue to host relevant training programs to increase the awareness of sexual violence and gender sensitivity among judicial personnel. (Judicial Yuan) 10. Following training programs and assessment plans associated with the Training Program of Gender Mainstreaming in the Executive Yuan and Subordinate Authorities and CEDAW, actively arrange a gender mainstreaming course; and annually cooperate with the Education Division of the National Police Agency to organize regular training and invites gender	prevention tasks. (SFAA) 4. The SFAA ensures that all municipal and county (city) governments fulfill the inspection goals by reviewing reports of guidance on inspections. (SFAA) 5. The SFAA creates a mechanism for relevant personnel to report incidents. (SFAA) 6. The SFAA supports the development and provision of training programs and guidance teams. (SFAA) 7. The DOMA annually offers 800 continuing education courses related to gender equality that attract 10,000 participants in 2019 and thereafter. (SFAA) 8. The MOI offers two sessions of both the Beginner and Advanced Training Programs for Safety of Women and Children Professionals. Prior to the second CRPD international review (2021), the MOI plans to host six
B. Employment and workplaces (MOL) Pursuant to the results of the 2016 Survey on the Living Status and Demand of Persons with Disabilities, the proportion of women who can only accept part-time jobs because of limited physical fitness and time constraints was higher than that of men. In 2017, the Workforce Development Agency of the MOL analyzed the employment situations and difficulties encountered by persons with disabilities through an independent study comparing the vocational rehabilitation service outcomes of men and women. The results demonstrated that women with disabilities required orientation training, particularly for occupations associated with physical fitness and endurance and commuting ability.		

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II. Violence and torture issues: Protective cases involving violence and torture in Taiwan as well as procedures for reporting them are governed by the following acts: the Domestic Violence Prevention Act, Sexual Assault Crime Prevention Act, Protection of Children and Youths Welfare and Rights Act, Senior Citizens Welfare Act, and People with Disabilities Rights Protection Act. A. Status, supervision mechanism, and assistance measures (the Department of Protective Services of the MOHW; hereinafter DOPS) (A) Of the persons with disabilities subjected to violence and torture in Taiwan, most were subject to violence by family members (26.09%). Violence in child and youth protection cases were the second most common (25.89%), followed by intimate partner violence cases (21.81%), sexual assault cases (8.80%), cases of victims aged >65 years tortured by their lineal descendants (7.13%), and cases violating Article 75 of the People with Disabilities Rights Protection Act (4.22%). (B) Supervision mechanism establishment 1. To improve the effectiveness of processing reported cases, the DOPS created a protection information system to serve as a platform for the assessment, intervention, and management of reported cases involving persons with disabilities. Municipal and county (city) governments shall investigate a case within 24 hours of being informed of it and release an investigation report within 4 days of case acceptance to ensure timely administration of aid. 2. The DOPS hosts quarterly Steering Group for Domestic Violence and Sexual Assault Prevention meetings, during which scholars, experts, NGOs, and relevant authorities are invited to participate in policy making and task implementation. Moreover, the group members invite representatives of national organizations of persons with disabilities to supervise said meetings.	equality experts to give lessons. (MOI) 11. To continue to promote and supervise gender equality operations of police authorities and build an environment free of gender discrimination, host a regular meeting of the Task Force on Gender Equality every 4 months at which authority representatives, scholars, and experts jointly discuss gender issues. (MOI) 12. Enable Taiwanese and foreigners to know of and understand human trafficking problems by integrating resources of each department and those of private entities, adopting multiple approaches, and making promotional materials available in various languages. (MOI) 13. Host the 34st Coordination Meeting on Human Trafficking Prevention of the Executive Yuan on June 14, 2018, coordinating and requesting relevant authorities to handle human-trafficking-related efforts. The next meeting is scheduled to be hosted in the second half of 2018. (MOI) 14. Organize a training program on human trafficking prevention on May 8, 2018, aiming to increase the awareness and sensitivity of human trafficking prevention as well as the frequency of case reporting among relevant personnel. Another session is scheduled to be held in the second half of the year. (MOI) 15. Reinforce supervision mechanism by replacing the original Reporting System for Cases Involving Womenand Children of the Police Administration with the newly built Management System for Cases Involving Women and Children of the Police Administration. (MOI) 16. Host national training and promotional efforts and annually offer regular Beginner and Advanced Training Programs for Safety of Women and Children Professionals. (MOI) 17. Conitnue to assign the Taiwan High Prosecutors Office to form Task Forces on Protection of Women and Children and organizes supervision meetings, thereby supervising the operations of all district prosecutors offices. (MOJ) 18. Continue to organize a Workshop on Protection of Women andChildren and Gender Equality.	training programs, starting in 2019. (MOI) 9. The MOI annually holds at least two sessions of training on human trafficking prevention to fulfill the spirit of the CRPD. (MOI) 10. The Taiwan High Prosecutors Office founds Task Forces on Protection of Women and Children. Prosecutors from said task forces or appointed prosecutors in district prosecutors offices are responsible for handling cases involving women and children. Therefore, authorities can strengthen their connections with counterparts, increase efficiency of case handling, and provide judicial safeguards for women and children. (MOJ) 11. The MOJ hosts a Workshop on Protection of Women and Children and Gender Equality each year, thereby increasing

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<p>3. The DOPS arranges the assessment of social welfare performance twice per year. Quality control of case service operations involving persons with disabilities is regarded as an assessment item, facilitating central-to-local supervision.</p> <p>(C) Special assistance services have been designed for persons with disabilities: the Implementation Plan for Professional Training and Data Retention, required under Article 15-1 of the Sexual Assault Crime Prevention Act, was promulgated in 2016. The plan aims to train judicial personnel to provide assistance for victims of sexual assault with disabilities when being questioned (interrogated) during an investigation or trial.</p> <p>B. Police personnel and personnel involved in human trafficking prevention operations (MOI)</p> <p>(A) Because police personnel are the front-line personnel interacting with the public, they must have comprehensive knowledge of gender equality. Police personnel must respect gender equality while on duty in compliance with national policies.</p> <p>(B) The MOI (National Police Agency) continues to study regulations concerning women and children, construct cross-authority protection networks of social affairs, health care, justice, and education, and host various training workshops to improve the skills of investigators assigned to cases involving women and children and the procedures with which cases involving the protection of women and children are handled. Other training aims to highlight gender equality among police personnel. Therefore, the occurrence of secondary victimization and recidivism can be reduced, the public can learn about prevention measures, and the agency can actively safeguard the personal safety of women and children. Following is the data derived from cases reported in 2017: the number of domestic violence cases was 70,861, that of sexual assault cases was 4,092, that of child/youth protection cases was 11,089, and that of high-risk family cases was 6,558.</p>	<p>(MOE)</p> <p>19. Continue to manage the Project of Gender Inequality Prevention and Gender Empowerment in Special Education Schools, aiding all special schools to develop gender equality courses on the basis of their characteristics; and train personnel with investigative competence who are able to consult students with disabilities through said Project, thereby safeguarding the rights of students with disabilities. (MOE)</p> <p>20. Increase the awareness of violence problems and the reporting and understanding of gender equality among teachers, the MOE has decided to implement the following projects.</p> <p>(1). Launch the Promotion Plan for a Support and Consultation Team for Positive Behavior in Students from National Special Education Schools, whereby onsite visits, consultation services, and expert workshops are adopted as the means by which to supervise and guide national special schools to implement interventions for behavioral functions of students with administrative support. The plan aims to increase the positive consulting competence and knowledge of faculty members, improve the handling mechanism in schools, and build a student-friendly campus environment. (MOE)</p> <p>(2). Launch the 2016–2018 Gender Equality Education Refinement Plan for National Special Education Schools, whereby scholars and experts were invited to provide consulting services in schools. The inspection visit results identifying aspects requiring improvement will be sent in writing to all schools, which will be requested to improve said aspects immediately. The MOE will also continue to supervise and instruct all national special schools to make comprehensive improvements and offer workshops to increase special education knowledge for school investigators. (MOE)</p> <p>21. Following the development of gender equality policies by the Executive Yuan, execute plans for gender equality promotion (2019–2022) and incorporate said plans into the agenda item of “promoting school bullying prevention, creating a student-friendly campus, and actively</p>	<p>expertise in investigating cases involving women and children and gender equality awareness among prosecutors. (MOJ)</p> <p>12. The MOE establishes a talent pool of professionals specializing in school sexual assault, harassment, or bullying investigations, with more than 40 individuals acquiring special education expertise.</p> <p>13. The MOE organizes experience-exchange seminars for the operations of gender equality education committees in colleges, universities, and senior high schools and attracts 400 attendees per year. (MOE)</p> <p>14. From 2020, the MOL begins to receive a budget for preemployment preparations and employment stabilization services for persons with disabilities that is 20% higher than that of the previous year.</p>

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C. Prosecuting and judicial authorities (MOJ and Judicial Yuan) (A) In accordance with the Project to Strengthen Judicial Protection of Women and Children launched by the MOJ, the MOJ and Judicial Yuan founded Task Forces on Protection of Women and Children in all district prosecutors offices or assigned prosecutors to handle cases involving women and children, including cases of domestic violence, sexual assault, sexual harassment, and cases related to the Child and Youth Sexual Exploitation Prevention Act. Said authorities also formed the Supervision Group for the Protection of Women and Children at the Taiwan High Prosecutors Office, which is in charge of supervising the process of handling cases involving women and children received by all district offices. (B) To increase expertise in and awareness of gender equality among prosecutors belonging to said Task Forces, the MOJ annually arranges training programs such as Workshop on the Protection of Women and Children and Gender Equality and Workshop on Practices Associated with Human Trafficking. The MOJ invites social workers, experts, scholars, members from the Gender Equality Committee, Executive Yuan, and other experts to deliver speeches at said workshops to introduce the concept of friendly justice environments, reinforce gender awareness, and enable attendees to assist in overcoming the problems faced by migrant workers in Taiwan, including cultural differences. Said workshops can therefore help prosecutors increase their gender awareness and gender sensitivity, which can lead to friendly justice environments. (C) The Judges Academy and other authorities shall organize training for relevant personnel to increase their understanding of gender equality. (D) Pursuant to the Training Program for Gender Mainstreaming in the Judicial Yuan and Subordinate Authorities enacted by the Judicial Yuan, the MOJ and Judicial Yuan continue to organize all types of training, aiming to foster judicial personnel’s awareness of sexual	providing aid to sexually diverse peers and those with disabilities.” (MOE) 22. Launch a project for organizing parent–teacher workshops on human rights and gender equality known as Operations and Consulting Works for a Student-Friendly Campus; and annually assign special schools to organize said workshop, aiming to increase the knowledge of human rights education among special education instructors. (MOE) 23. The Judges Academy offers five CEDAW specialized courses and 11 gender equality-related courses in 2018, attracting 1,161 and 2,608 participants, respectively. (Judicial Yuan) 24. Promulgate a Training Program on Gender Mainstreaming in the Judicial Yuan and Subordinate Authorities on April 2, 2018, specifying that paid permanent employees, contract-based employees, and appointed personnel who are legally employed or assigned by the Judicial Yuan and subordinate authorities complete their first-year of service shall annually receive 3 hours of training. The Judges Academy or all authorities can either arrange training by themselves or suggest that their employees attend training programs offered by other authorities (institutes) or groups. Types of training are as follows: workshop training, class auditing, e-learning, keynote speech attendance, and group discussions (Judicial Yuan). Accordingly, the Judicial Yuan and subordinate authorities have been actively managing gender mainstreaming training and keynote speeches since 2018. By November 19, 2018, the Judicial Yuan and subordinate authorities have trained 85% of judges and 84% of other personnel. (Judicial Yuan) 25. The gender education penetration reaches 100% in 2018. (Judicial Yuan) <u>Short-term objectives (to be completed before May 2019)</u> 1. According to the Implementation Plan for Training for Social Workers (Level 1) in the Social Safety Network Reinforcement—Multicultural Sensitivity Course (including ethnic and gender issues), relevant personnel shall receive such training for at least 2 hours. The	(MOL) 15. The Judicial Yuan continues to plan and offer relevant training that helps increase the awareness of sexual violence and sensitivity among judicial personnel. (Judicial Yuan) Outcome indicators: 1. The DOMA requests newly recruited physicians to receive 2-year PGY training and provides such training for 1,300 physicians per year from 2019. 2. The SFAA provides training for more than 80% of institutional staff members, including supervisors, social workers, nursery governesses, and life assistants. 3. The DONAHC increases the rate of training regarding gender equality and violence problems and reporting for registered nursing personnel in Taiwan.

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violence and gender sensitivity. (E) The Judges Academy continues to implement the following project: incorporating gender-related courses into orientations and on-the-job training to increase judicial personnel’s awareness of sexual violence and gender sensitivity. D. School environment (MOE) (A) The MOE has created a supervision mechanism for school bullying. Pursuant to the School Bullying Prevention Principles, schools shall formulate a team responsible for preventing, investigating, and confirming incidents of bullying as well as for providing counseling and other relevant services. Response teams in schools higher than the junior high level shall consist of at least one student delegate. During meetings of said teams, schools shall, when necessary, invite professional counselors with sufficient knowledge of bullying prevention; members of the Gender Equality Committee; legal professionals; delegates from the police, health and welfare, and legal authorities; and student delegates to join. Input from all these professionals can help students in learning and career development and safeguard their right to an education. (B) The MOE has established a supervision mechanism for school sexual violence. As specified in the Gender Equity Education Act and pursuant to the Interpretation Letter of the MOE issued on July 15, 2015, when investigating and handling incidents of campus sexual assault, harassment, or bullying where students with disabilities are the victims, gender equality committees of schools shall consider the disability category and characteristics of the student victim involved and recruit a professional with relevant special education expertise to join the investigation team with the aim of uncovering the facts of the matter. Response measures shall consider the disabled student’s individual education plan and individual support plan. (C) Paragraph 1, Article 21 of the Gender Equity Education Act mandates mandatory actions to	DOSAASW plans to hold one training session and expects to train 200 individuals. (DOSAASW) 2. To increase the gender equality awareness of long-term care professionals, the common course on long-term professional training (Level 1) comprises the curriculum of Gender Cultural Perspective of Long-term Care, in which the meaning of sexual violence is introduced to increase the gender sensitivity of professionals when provide care services. (DOLTC) 3. The MOE aims to create a talent pool of professionals specializing in school sexual assault, harassment, and bullying investigations and also identify professionals with special education expertise, enabling the assembly of an investigation team equipped to consider the needs and rights of persons with disabilities when investigating cases involving said persons. (MOE) <u>Short-term objectives (to be completed before Jan. 1, 2021)</u> 1. As specified in the Implementation Plan for Training for Social Workers (Level 1) in Social Safety Network Reinforcement—Multicultural Sensitivity Course (including ethnic and gender issues), social workers at level 1 are required to receive training for at least 2 hours. In 2018, all level 1 personnel engaged in the plan; the number of plan attendees exceeded 800. In 2019, all level-1 personnel are scheduled to engage in the plan and the expected number of attendees is over 1,300 (the maximum number of attendees equals the number of plan participants). (DOSAASW). 2. Hold more than 20 multicultural training per year; the training rate of social workers from all municipal and county (city) governments is set to reach 70% or above. (DOSAASW) 3. Offer more than 800 continuing education courses related to gender equality, with the target of attracting 10,000 participants. (DOMA) 4. Beginning August 1, 2019, newly recruited physicians shall first receive 2-year PGY training	4. Police personnel take 1-2 hours of training programs (2 hours from 2019) covering gender topics and gender mainstreaming, and the training rate reaches 100% (MOI).

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increase the awareness of violence problems and reporting among teachers and their understanding of gender equality. Paragraph 1, Article 21 states that “If the principal or president, or a teacher, non-teaching staff member, or other worker at an educational institution becomes aware that an incident of suspected sexual assault, sexual harassment, or sexual bullying has occurred on the campus where they are employed, they shall immediately report the incident in accordance with their responsibilities set out in the prevention regulations of that educational institution, and in accordance with the provisions of the Sexual Assault Crime Prevention Act, the Protection of Children and Youths Welfare and Rights Act, the People with Disabilities Rights Protection Act, and of other relevant legislation. They shall also report the incident to the educational institution and to the local special municipality, county, or city level competent authority no later than twenty-four hours after becoming aware of the incident.” Subparagraph 1, Paragraph 3, Article 36 provides that any principal, teaching staff member, or laborer failing to report such an incident to the school and the competent authority of the municipality, county (or city) with direct jurisdiction within 24 hours shall be subject to a fine of not less than NT\$30,000 and not more than NT\$150,000. All administrative authorities in the education system shall ensure compliance by the faculty of the schools in their jurisdictions with the relevant regulations. (D) To increase the understanding of gender equality among educators, the MOE hosts experience exchange seminars for gender equality education committees at schools. During the seminars, gender equality education and relevant reporting rules are introduced to committee presidents, executive secretaries, and members. (E) The MOE continues to promote the use of gender equality and sex education teaching materials designed for persons with disabilities by sending links to websites containing such materials in formal notices to all schools.	before proceeding to specialist training. The PGY training will cover gender-related courses, case discussions, and an introduction to preliminary treatment and reporting of child torture cases. (DOMA) 5. Offer at least 450 gender equality courses for nursing personnel and 200 courses introducing violence problems, reporting procedures, and awareness. The DONAHC also plans to increase the annual participation rate of said courses. (DONAHC) 6. For child/youth settlement institutions, plans to (1) incorporate the prevention handling process and reporting procedure of sexual assault, harassment, and mistreat incidents in institutions and relevant training programs as items in the social welfare assessment in 2019; and (2) launch a plan known as Operating Mode of Sexual Assault Prevention in Child/Youth Settlement and Residential Institutions as well as host relevant training and print work manuals to increase sensitivity to sexual assault incidents among institutional staff, reduce the occurrence of such incidents, and protect youth and children from sexual assault. (SFAA) 7. With respect to organizations of persons with disabilities, plan to attain the following objectives: (1) incorporate problems of employee sexual harassment and assault into on-the-job training, create a prevention mechanism against in-institution sexual assault and harassment incidents, and require relevant personnel to report cases of sexual violence in accordance with specified rules. Failure to report such cases shall be considered a special circumstance that warrants a deduction from the total score in institutional assessments; (2) arrange training that covers topics related to persons with disabilities, enabling employees at organizations of persons with disabilities to acquire basic case handling skills. (SFAA) 8. A coordination meeting on human trafficking prevention hosted by the Executive Yuan is scheduled to be held every 6 months; relevant departments will be coordinated and requested to manage human trafficking prevention efforts. (MOI) 9. Continue to offer training on human trafficking prevention each year, aiming to increase the	

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<p>E. Training of other relevant staff</p> <p>(A) The Training Program for Protective Social Workers designed by the DOPS, MOHW demands that social workers with less than 1 year of service complete a 10-hour beginner course and an advanced course. The advanced course is provided according to case types, namely a 40-hour session on child/youth protection, a 20-hour session on domestic violence prevention, a 10-hour session on older adults’ protection, and a 10-hour session on protection of persons with disabilities. For social workers serving for more than 1 year, the program requires that they compete a 20-hour on-the-job training program each year. Said courses introduce social work services and skills regarding resource application and practices. In addition, these courses emphasize the cultural awareness necessary for protection of persons with disabilities as well as present discussions on relevant events and topics. (DOPS)</p> <p>(B) On November 11, 2010, the MOI initiated Level-Based Training Programs for Social Workers in its official document neishou-zhongshe-zi No. 0990700886. By establishing professional training of different levels for social workers, the MOI demands that all county and city governments design level-based training for social workers to increase the relevant expertise and skills possessed by social workers of all levels. Specifically, the Multicultural Course aims to increase the understanding of individuals from distinct groups and of different genders in Taiwan, thereby helping personnel to reflect on attitudes toward and valuing of different cultures. Therefore, the trainees can boost their multicultural competence. Additionally, assessment of social welfare performance is conducted to supervise all county and city governments concerning the management of said course (DOSAASW).</p> <p>(C) The Executive Yuan approved the Plan for Social Safety Network Reinforcement on February 26, 2018. Furthermore, to increase the expertise of social workers, the Executive Yuan launched the Implementation Plan for Training of Social Workers (Level 1) in Social Safety Network Reinforcement. Specifically, the Multicultural Sensitivity Course aims to</p>	<p>awareness of and sensitivity to human trafficking prevention and efficiency of reporting human trafficking incidents. (MOI)</p> <p>10. Continue to facilitate settlement and protection operations in shelters for victims of human trafficking, aiming to repair their physical and mental health, prevent them from secondary victimization, and assist case investigations. (MOI)</p> <p>11. Provide preemployment preparation and employment stabilization services for women with disabilities prior to vocational rehabilitation. Services will aim to guide them to engage in group activities or forums, provide individual consulting service, and reinforce individual services and training, such as training in community mobility/commuting ability, orienteering and mobility training, and training involving work endurance/continuity, work behavior, and job search skills. Medical consultation service will also be available. (MOL)</p>	

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<p>enhance the multicultural sensitivity of trainees by encouraging them to reflect on the values of different cultures and changing their attitudes on such cultures (DOSAASW).</p> <p>(D) The Regulations Governing the Registration and Continuing Education of Medical Personnel designate gender-related courses as mandatory for earning continuing education credits. In 2017, the number of gender-related courses in continuing education for medical personnel exceeded 500 (DOMA).</p> <p>(E) To enhance competence in independent health care practice and holistic health care among medical graduates, the MOHW has implemented general medical training for postgraduate-year-1 residents (i.e., PGY training). Approximately 1,300 students attend PGY training each year. New physicians must complete PGY training before proceeding to specialty studies. PGY training requires trainees to submit at least one gender-related report and complete a 2-hour (or more) course related to gender and health issues. In addition, pediatrician training programs include preliminary treatment and reporting of child torture (DOMA).</p> <p>(F) Article 13 of the Regulations Governing Registration and Continuing Education of Medical Personnel specifies that “to be eligible for practice, medical personnel shall receive the following continuing education programs: ... Credit requirements of the aforementioned continuing education programs for medical personnel per 6 years are as follows: ... (a) Shall receive at least 120 credits. (b) The aforementioned second to fourth required programs shall total at least 12 credits, which must include courses related to infection control and gender issues (for those having obtained more than 24 credits, the recognized credits are regarded as 24).” Thus, under the requirements, medical personnel must acquire at least 120 credits every 6 years, and several credits must be earned from gender-related programs. By the end of 2017, the number of licensed nurse practitioners was 163,736, indicating that roughly 27,000 applicants must attend said programs (= 163,736 individuals/6 years). According to data</p>		

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derived from the Information Management System of Annual Average Nursing and Midwifery Credits compiled by the MOHW, the number of gender equality courses for nursing personnel reached 438 in 2017, with 38,425 attendees; this count was 1.4 times as high as the number of nurses required to take such courses in 2017. A total of 194 courses associated with violence problems and the case reporting process were opened for nursing personnel, attracting 9,363 attendees. This attendance number was only 35% of the required number, indicating that the promotion of such training courses requires further improvement (DONAHC).		
(G) Persons residing in disabled welfare institutions, senior citizen welfare institutions, child/youth settlement institutions, residential institutions, and other social welfare institutions tend to be isolated from the outside world. Consequently, misconduct among residents including teasing, bullying, and exclusion are likely to occur in such places because of different admission times or different intellectual and self-care competence between the bully and bullied or because the bully has a deviant personality and is inclined to cause physical and psychological trauma to the bullied resident. In daycare centers, children can be subject to physical and psychological trauma or accidents because of torture, negligence, or inappropriate care by caregivers. In addition, when the staff in said institutions are overworked and lack expertise and sensitivity, they might fail to report sexual assault, torture, negligence, or similar incidents, thereby negatively affecting the rights of care receivers (SFAA).		
1. Disabled welfare institutions (1) Pursuant to Article 76 of the People with Disabilities Rights Protection Act, Medical staff, social workers, educational workers, police-officers, village (neighborhood) secretaries, and other personnel who implement disability welfare business Shall report the suspicious case in any one of all clauses in the preceding Article to the municipal and		

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county (city) competent authorities in charge of specific business no later than 24 hours. (2) Article 3 of Schemes for Report and Process on Protection of Persons with Disabilities regulates the reporting process for staff in charge of services for persons with disabilities. Article 4 also specifies that any person being informed is entitled to report the incident to the competent municipal or county (city) authority. (3) To assist in the support of all disabled welfare institutions in sexual assault prevention, the SFAA formulated the Principles and Precautions Concerning Suspected Sexual Assault Incidents in Disabled Welfare Institutions to provide a reference for all institutions for systemically managing operations to prevent sexual assaults. (4) The SFAA has requested municipal and county (city) governments to reinforce orientations and on-the-job training of institutional professionals to emphasize the institutional professionals’ responsibility to report said incidents at institutional joint meetings. 2. Senior citizen welfare institutions (1) Pursuant to Article 12 of the Regulations on the Qualifications and Training of Professionals in Senior Citizen Welfare Institutions, on-the-job training for professionals shall include introduction courses to laws involving gender equality, sexual assault, and sexual harassment as well as courses to increase the gender sensitivity of institutional professionals caring for older adults. (2) The SFAA shall guide said institutions to develop procedures for handling accidents or emergency incidents. In the event of torture or negligence, the institution shall report the incident to competent authorities in accordance with its emergency response procedures. (3) The SFAA shall guide said institutions to develop regulations and procedures for handling sexual harassment and sexual assault incidents. Said institutions shall also state in work manuals that sexual assault against residents is prohibited.		

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(4) The SFAA shall provide guidance and verify whether said institutions have preventive measures, regulations, and procedures for handling sexual harassment and sexual assault incidents (including reporting and transfer procedures), actually follow these rules, preserve records of said incidents, and are able to analyze the process for improvement. Improvement requests are issued to institutions that fail to implement the aforementioned rules, improvement works are tracked, and guidance is provided until matters are improved. (5) Paragraph 1, Article 48 of the Senior Citizens Welfare Act provides that failure to report torture in senior citizen welfare institutions that undermines the physical and mental health of older adults will be subject to a fine of NT\$60,000–NT\$300,000 and issuance of an improvement order with a deadline. 3. Child/youth settlement institutions (1) Pursuant to Article 22 of Regulations for Governing Qualifications and Trainings of Professional Personnel of Children and Youth Welfare Institutes, professionals shall annually receive at least 18 hours of on-the-job training. Article 22 highlights the importance of professional expertise development, including sensitivity to sexual assault or bullying incidents, and its provisions help prevent and timely discover the occurrence of such incidents. (2) The aforementioned mechanisms, including training hours for professionals and the procedure of handling suspected sexual assault incidents, have been included as indicators in regular guidance assessments,. (3) To help all child/youth settlement institutions prevent sexual assault incidents, the MOHW developed the Standards Governing the Response to Sexual Assault Incidents in Child/Youth Settlement and Residential Institutions to provide a reference for all child/youth institutions to implement operations to prevent sexual assault. Similarly,		

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<p>bullying incidents can be handled using the same standards.</p> <p>4. Daycare centers</p> <p>(1) The SFAA has requested that all local governments pay visits to daycare centers at least once per season or every 6 months and conduct daycare center assessments once every 3 years. The key indicator for center visits shall be emergency incident management. Assessment items shall include personnel qualifications, human resource management, professional training, emergency incident management, and reporting indicators. Furthermore, the SFAA invites local governments to actively track and guide the improvement of institutions receiving a C or D grade.</p> <p>(2) For torture, negligence, or inappropriate care incidents, the SFAA has requested that local competent authorities, upon the occurrence of such incidents, complete the Accidental or Emergency Incident Handling and Reporting Form by providing information documenting the incident and how it was handled and subsequently managed and then return the form to the MOHW.</p> <p>(H) To train excellent long-term care professionals and design consistent, continual, and comprehensive training programs, the DOLTC developed a training program for long-term care professionals (Level I), enabling such professionals to acquire basic knowledge and develop fundamental and intensive skills in long-term care.</p>		

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<p>Protecting the integrity of the person (art. 17)</p> <p>48. 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.</p> <p>49. 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.</p>		<p>48.49</p> <p>Competent authority: MOHW (HPA and DOMAOH)</p> <p>Other agency concerned: Judicial Yuan</p>
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>The Mental Health Act aims to safeguard the health benefits and personal safety of persons with psychiatric disorders and does not regulate specific treatment for pregnant women with psychiatric disorders. Measures such as abortion shall be governed by the Genetic Health Act. To date, the Taiwanese government has not yet received any petitions involving patients with psychiatric disorders subjected to coerced abortion. All psychiatric institutions provide care services for pregnant patients in accordance with relevant acts. The Genetic Health Act is described as follows (DOMAOH and HPA of the MOHW).</p> <p>A. Paragraph 2, Article 9 of the Genetic Health Act specifies that abortion for unmarried minors or women under guardianship or declaration of assistance pursuant to Paragraph 1, Article 9 shall be subject to the consent of their legal representative or assistant.</p> <p>B. The decisions of the sixth meeting of the fifth division at the National Conference on Judicial Reform, held on May 18, 2017, advised amending Article 9 of the Genetic Health Act regarding the regulations governing abortion decision-making for minors and women with spouses to promote autonomy of women. Furthermore, when disputes occur, judicial or administrative settlement mechanisms may be adopted.</p> <p>C. Long-term communication is required because of disputes over controversial amendments, including changing the legal age limit of abortion discretion to 18, requiring spousal consent for married women, providing for third-party intervention in the discretion of abortion, and mandating a waiting period.</p> <p>D. (Regarding safeguards for the freedom of patients with psychiatric disorders, please refer to 42 and 43(a))</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <p>1. Design a third-party mechanism for ensuring abortion discretion. This mechanism allows appropriate interventions when disputes occur between a dysfunctional family member or minor and their legal representative, whereby the Judicial Yuan, MOE, SFAA, DOPS, experts, and NGOs are invited to jointly discuss the matter in question. (HPA)</p> <p>2. Include abortion and tubal ligation problems for persons with disabilities in the agenda of the Consultation Meeting for the Genetic Health Act Promulgated by the MOHW. The suggestions proposed by experts are to serve as a reference for subsequent amendments. (HPA)</p> <p><u>Mid-term objective (to be completed within 2–4 years):</u></p> <p>To ensure social harmony and avoid disputes between individuals holding different opinions, continue to create social communication mechanisms; host two meetings per year and invite groups with different opinions to discuss topics in the Genetic Health Act that have not reached a consensus yet, including amending the legal age limit for abortion discretion and establishing a third-party system; and implement amendments to the Genetic Health Act on the basis of the consensus reached by all parties in society. (HPA)</p>	<p>Process indicators:</p> <p>1. The HPA develops a third-party-intervention mechanism by following the decisions made at the National Conference on Judicial Reform. (HPA)</p> <p>2. The Judicial Yuan revises the amendment agenda according to competent authorities and proposes judicial opinions. (Judicial Yuan)</p> <p>Outcome indicators:</p> <p>If a patient is willing and the relevant act allows, psychiatric care institutions shall administer suitable medical treatment to patients with disabilities and achieve the goal of receiving no petitions challenging coerced abortion from patients or their families. (DOMAOH)</p>

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Concluding Observations		Competent Authorities
Liberty of movement and nationality (art. 18) 50. The IRC is concerned that there are restrictions on the entry and citizenship in Taiwan by persons with disabilities and their families. 51. 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.		50.51 MOI
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
A. Pursuant to the Nationality Act, acquisition of Taiwanese (ROC) shall primarily be determined according to <i>jus sanguinis</i> and secondarily determined according to <i>jus soli</i> . Any individual can acquire Taiwanese nationality regardless of sex, religion, race, status, political opinion, place of birth, or disability. The Nationality Act is equivalently applicable to persons with disabilities regarding the acquisition, loss, restoration, and revocation of nationality. Pursuant to Subparagraph d, Paragraph 1, Article 18 of the CRPD, “States Parties shall recognize the rights of persons with disabilities to liberty of movement, to freedom to choose their residence and to a nationality, on an equal basis with others, including by ensuring that persons with disabilities are not deprived, arbitrarily or on the basis of disability, of the right to enter their own country.” B. Pursuant to Subparagraph 8, Paragraph 1, Article 18 of the Immigration Act, an alien is prohibited from entering Taiwan if he/she “has suffered from a contagious disease, a mental disease, or other diseases that may jeopardize public health or social peace.” No cases of refused entry have occurred since 2013. To safeguard the rights of persons with disabilities, the Taiwanese government guarantees that no alien will be subject to refused entry due to mental disease prior to the completion of an amendment to the act.	<u>Short-term objective (to be completed before 2022)</u> Delete the term “mental disease” from Subparagraph 8, Paragraph 1, Article 18 of the Immigration Act by following the amendment agenda of said act. (MOI)	Structural indicator: The MOI completes an amendment to the Immigration Act, safeguarding the freedom of movement for persons with disabilities. (MOI)

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Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>The topics of independent living by and community integration of persons with disabilities are associated with the historical development of disability welfare institutions in Taiwan, relevant supplementary measures, and future long-term planning. The demographic profile of persons with disabilities; policy development of organizations of persons with disabilities (OPDs); subsidization of community expenses, social housing rents and loans, and long-term care resources; and establishment of nursing homes, psychiatric care, and special education schools in Taiwan are described as follows.</p> <p>A. Demographic profile of persons with disabilities (MOHW) By the end of 2017, the population of persons with disabilities in Taiwan was approximately 1.16 million, of which 62,071 were incapacitated, and that of long-term care providers reached 113,706. Presently, the population of staff in residential OPDs only accounts for 1% of that of persons with disabilities. The 2016 Survey on the Living Status and Demand of Persons with Disabilities reported that only 5.22% of persons with disabilities live in residential and nursing institutions, whereas 94.66% of said persons live at home. The aforementioned data indicate that the proportion of people using institutional services is low. Moreover, the population living in residential and nursing institutions was 1.6% lower than that recorded in 2010 (i.e., 6.82%), implying that the proportion of persons with disabilities in residential institutions has gradually declined because of the maturity of community services.</p> <p>B. Policy development of OPDs (MOHW) (A) Since the 1960s, western countries have been reviewing various modes of isolated nursing adopted by conventional large nursing institutions and initiated a series of deinstitutionalization movements, hoping to enable patients with psychiatric disorders or those with disabilities to return to community living. Such a series of reforms is aimed to solve problems such as resident-unfriendly living spaces, lack of privacy, socially isolated living arrangements, and denial of the individual right to make choices by emphasizing the concept of deinstitutionalization. Although the population of persons with disabilities living</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none">During review meetings, continue to suggest that nursing homes that admit residents with dementia and favorable mobility adopt the concept of unit care and design a home-like space. (DONAHC)Sent a document to all local health departments on December 25, 2017 requesting that they promote institutional downsizing in an effort to comply with the policy of providing community-based care for patients with psychiatric disorders. In a downsized institution, interactions between residents and rehabilitation service can be improved. Additionally, newly established institutions or institutions applying for service expansion shall limit service to 40 beds or fewer. (DOMAOH)Regarding institutions applying for subsidies for personnel service fees, the subjects receiving such services shall be confirmed to have institutional service needs for the personnel be counted for subsidization (SFAA).Plan to include the growth rate of community-based services as a social welfare assessment indicator in 2019, thereby encouraging local governments to improve services. (SFAA)Since 1995, the NHIA has launched home health care measures covered by NHI, including General Home Care, Hospice Home Care, and the Pilot Plan for Dental and Other Specialized Health care Services—Home Care. Said home care services are provided for patients (including those with disabilities) who are confirmed by physicians as having health care needs and being unable to visit a hospital because of limited mobility. Expenses are covered by NHI, including fees for visits by nurses and physicians and the cost of special materials. In 2017, said services served 970,000 individuals, and 402,000 persons were served between January and June in 2018. (NHIA)Launch the Community Rehabilitation for Patients with Psychiatric Disorders initiative, which provides services such as treatments administered by physicians or other psychiatric professionals for patients with catastrophic chronic psychiatric disorders. (NHIA) <p><u>Short-term objectives (to be completed before May 2019)</u></p> <ol style="list-style-type: none">Plan to reduce the number of subsidized beds in newly built institutions to encourage them to pursue institutional downsizing and community integration. (SFAA)	<p>Structural indicators:</p> <ol style="list-style-type: none">The DONAHC prohibits residential from setting and revising the establishment standards of nursing institutions in accordance with the Nursing Personnel Act. (DONAHC)The DOMAOH develops multiple community living solutions for patients with psychiatric disorders and reinforces the community integration among persons with disabilities. (DOMAOH)The SFAA amends the allocation standards of facilities and personnel in disability welfare institutions and enables said institutions to downsize and attain community integration. (SFAA) <p>Process indicators:</p> <ol style="list-style-type: none">The SFAA enables downsizing and community integration of institutions through support systems. (SFAA)The SFAA requests demand evaluations be conducted,

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53. The IRC recommends that the State: a) 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;		
in residential institutions in Taiwan is not high, they are disadvantaged by such a living arrangement. Therefore, indicators to assess the performance of such institutions will be revised to promote the adoption of resident-friendly spaces, respect for residents' privacy and their right to make choices, and support for social integration. (B) Social welfare development in Taiwan is deeply affected by Western thinking. Overall, policies on institutional development have long focused on community integration and organizational downsizing. In summary, the Taiwanese disability institutions typically serve fewer than 200 individuals, whereas several institutions even aim to serve no more than 29 individuals. Located inside townhouses or buildings, these institutions are strongly connected to their surrounding communities. Only few institutions situate in places isolated from surrounding communities. However, amendments requesting organizational downsizing shall be developed to facilitate normalization and individualization of services provided by all institutions. (C) During the process of deinstitutionalization in the United States, numerous instances of patients becoming homeless after returning to community living because of insufficient psychiatric rehabilitation centers occurred. Therefore, community service planning is pivotal when large institution construction is no longer considered as an approach to providing for the welfare of persons with disabilities. To prevent such persons or their families from prioritizing institutional services, the MOHW has strived to expand resources for community-based services. By the end of 2017, a total of 536 community service centers that can accommodate 5,895 individuals had been constructed. However, the number is still lacking and requires further expansion of community-based resources to fulfill the demand of persons with disabilities. Concerning OPDs, requirements shall be set for persons choosing a residential institution. Specifically, the person eligible for living in an institution must be age 18 or older (pursuant to the Regulations Governing Individual Care Services for Persons with Disabilities) and must be regarded as having a need for institutional services on the basis of an assessment. Said assessment must be rigorously conducted to ensure that persons without institutional service needs select community-based services. Institutions will provide services for those considered to have unfavorable family support and to require professional assistance. The SFAA intends to provide assistance to persons living in	2. Intend to commission scholars to collect and analyze the current situation and relevant data concerning deinstitutionalization in various countries. (SFAA) 3. Decide to amend assessment criteria or design new indicators, enabling nursing homes to build dementia zones, adopt the concept of unit care, and create a home-like environment with mobility designs such as wandering corridors. (DONAHC) 4. Implement the Development Project for Multiple Community Living Solutions for Patients with Psychiatric Disorders. (DOMAOH) 5. Aim to incorporate persons with disabilities aged ≤49 years into the Long-term Care 2.0 plan. Said persons are eligible to receive various services after they are approved by a care management center and designated as having long-term care needs. Higher expense coverage is allowed for persons receiving five stars or higher on the rating system developed by the Centers for Medicare and Medicaid Services and persons with disabilities subject to care difficulties. (DOLTC) <u>Short-term objectives (to be completed before Jan. 1, 2021)</u> 1. Continue to promote deinstitutionalization policies and community service solutions and encourage and support independent community living for patients with psychiatric disorders. (DOMAOH) 2. Offer more resources for disability services: to meet the service demand of incapacitated persons with disabilities, allocate more resources for said persons, develop courses on serving persons with special needs, and design subsidy incentives, encouraging long-term care units to serve incapacitated persons with disabilities and special needs. (DOLTC) 3. Implement the Pilot Plan for the Positive Support Integration Model for Persons with Disabilities Exhibiting Serious Emotional Behaviors. Specifically, aims to oversee four pilot counties and cities in developing effective service delivery models and procedures. Teams with cross-discipline professionals will provide personalized behavior consulting services and family support services for persons with disabilities who exhibit severe emotional and behavioral problems. Therefore, the living quality of the person concerned and his/her family can be improved, and they may continue to live in the community. (SFAA) 4. Encourages local governments and NGOs to develop various supportive services for	making persons with disabilities give priority to community-based services. (SFAA) 3. The SFAA examines and revises the service models of disability welfare institutions. (SFAA) 4. The SFAA develops a positive support integration model for persons with disabilities exhibiting serious emotional behaviors. (SFAA) 5. The DONAHC incorporates the assessment criteria of average nursing homes into community integration and engagement operations for persons with dementia. (DONAHC) 6. The DOMAOH continues to encourage all local governments to assess newly establishment or service expansion applications of psychiatric rehabilitation institutions by requiring that the service capacity shall be 40 beds or lower. (DOMAOH) 7. The DOMAOH launches the Development Project of Multiple Community Living

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<p>disability welfare institutions and encourage them to actively blend into community living, attend community adjustment activities, and avoid becoming isolated from the community due to institutional residency.</p> <p>C. Community expense subsidies (MOHW) The government spent approximately NT\$25.1 billion in 2017 to provide various care and supportive welfare services for persons with disabilities to help them live in the community. Specifically, the central government granted NT\$280 million in subsidies for NGOs to provide the services of community-based daycare, adult foster care, community and independent living support as well as to build community operational facilities. The government will strive to increase the budget if a funding shortage is reported. The central government also encourages local and NGOs to develop various supportive services for community living. Furthermore, the government intends to launch the 2019 Supportive Service Program for Home Care Visits to Adults with Mental Disorders and gradually promote the program if appropriate.</p> <p>D. Rent and loan subsidies for social housing (MOI) (A) As a “recyclable” resource supplied by the government, social housing aims to reduce the financial burden on persons with disabilities, older adults, low-income households, families in hardship, and fresh graduates by providing housing at below-market rent. For example, the rent for social housing in New Taipei City, Taiwan is 80% of the average rent. For financially or socially disadvantaged groups, the rent is 64% of average rent. In the Songshan district of Taipei City, rent is subsidized according to the lessee’s income and housing type. The social housing in Linkou, formerly an athletes’ village, charges lessees (administrative cost included) depending on their identity as well as housing type and size. Specifically, the rent for priority households is 64% or lower than average, whereas that for general households is 80% or lower than average. (B) Since 2007, the CPA has overseen the Implementation Project for Resource Integration for Housing Subsidies in July and August each year, providing subsidies for interest incurred for self-purchased housing loans or housing repairs. In addition to having a high probability of</p>	<p>community living (SFAA).</p> <p>5. In 2020, the government will implement a pilot policy using welfare lottery funds. Specifically, more than one large institution with 200 or more residents will be requested to create an operational model whereby said institutions shift to providing community-based services.</p> <p>6. Host workshops instructing dormitory supervisors to help resident students gain living experiences through nighttime activities; and instruct these supervisors on how to design appropriate optional activities for resident students depending on their disabilities. (MOE)</p> <p>7. Collaborate with universities and community clubs near special schools to design programs that enable students with disabilities living in special schools to acquire experiences interacting with surrounding communities and become more likely to blend in. (MOE)</p> <p>8. To allow special school students to have more chance to stay with their families and mitigate the negative effects of centralized dormitory management, increase the number of shuttle vehicles and travel routes. Therefore, said students can mostly live with their families and have a healthy family lifestyle. Concerning students subject to accommodation, develop self-care training programs through which students may gradually achieve self-care abilities prior to graduation. (MOE)</p> <p><u>Mid-term objectives (to be completed between 2022 and 2024)</u></p> <p>1. Continue to utilize welfare lottery funds to expand projects that enable eligible persons living in all-day residential institutions to switch to community-based services. (SFAA)</p> <p>2. Discuss the possibility of service mode changes in the future with OPDs and institutions. (SFAA)</p> <p>3. Analyze the results of individuals receiving community integration services and continue to expand resources for community-based care services. (SFAA)</p> <p>4. Continue to amend and promote the Pilot Plan for the Positive Support Integration Model for Persons with Disabilities Exhibiting Serious Emotional Behaviors depending on its results. (SFAA)</p> <p>5. Change the allocation standards for facilities and personnel in disability welfare institutions in two phases. In the first phase, reduce the accommodation capacity limit of residential</p>	<p>Solutions for Patients with Psychiatric Disorders and community independent living solutions. (DOMAOH)</p> <p>8. The DOMAOH reinforces service resources for incapacitated persons with disabilities, develop courses of serving persons with special needs, and design subsidy incentives, encouraging long-term care providers serve incapacitated persons with disabilities. Therefore, the goal of integration between systems of long-term care and disability services can be achieved. (DOMAOH)</p> <p>9. Special school dormitories assist resident students to live independently and allow students to choose lifestyles when appropriate. (MOE)</p> <p>10. The MOE offers experiences of community interaction for resident students from special schools, increasing the possibility of social accommodation. (MOE)</p>

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receiving subsidies due to receiving bonus points in the assessment, persons with disabilities are eligible for a lower interest rate (Category 1; 0.562%) once their applications are approved, thereby relieving the burden of interest. (C) Paragraph 2, Article 71 of the People with Disabilities Rights Protection Act governs subsidies for rental and housing purchase loan interest payments of persons with disabilities; the content of the article was amended on June 11, 2012. The MOI serves as the primary competent authority, and all municipal and county (city) competent authorities are responsible for allocating the budget of said subsidies. Persons with disabilities can thus contact the competent municipal or county (city) government to apply for said subsidies.	institutions to 100 residents and that of daycare institutions to 60 persons. In the second phase, transform said requirement into a common requirement (i.e., ensure that the number of residents in residential institutions does not exceed 100 and that in daycare institutions remains under 60 individuals) where appropriate. (SFAA) 6. Design and arrange community activities for resident students in special schools according to the particular characteristics of the special schools to enable students to engage in surrounding community activities. To allow special school dormitories to provide self-care instruction and community-based services for students with disabilities, emphasize broadening resident students’ life experience in competence workshops for dormitory supervisors. (MOE) 7. Special school dormitories may also cooperate with community clubs, colleges, or universities to arrange nighttime activities to enrich students’ life experiences. (MOE)	Outcome indicators: 1. The SFAA increases the number of centers providing community-based care services to 707 by the end of 2020. (SFAA) 2. Over 90% of psychiatric rehabilitation institutions have service capacity of 40 beds or lower. (DOMAOH) 3. At least 30% of counties and cities launch the Development Project of Multiple Community Living Solutions for Patients with Psychiatric Disorders. (DOMAOH) 4. More than one large residential institution with 200 residents creates operational models focusing on changing their businesses to community-based services. (SFAA) 5. The MOE helps improve self-decision-making of students with disabilities during their dormitory life in special schools and increase their experiences of community interaction through suitable activities. (MOE)
E. Long-term care resources (DOLTC) Providing various options for incapacitated persons with disabilities, the Long-Term Care 2.0 plan focuses primarily on home- and community-based services and alternatively on institutional-based services, aiming to attain the policy goal of community integration. The plan is supported by the long-term care fund, offering long-term care resources in all counties and cities. Said plan enables incapacitated persons with disabilities to live at home or in a community as alternatives to institutional living and reduces the care burden on the persons’ families. Additionally, to achieve the goals of aging in place, service downsizing, and community integration, Article 15 of the Establishment Standards for Long-term Care Institutions limits the number of residents in said institutions to 200 and requires that professionals caring for incapacitated persons with disabilities acquire relevant training certificates in order to maintain quality of care.		
F. Nursing home (DONAHC) As of March 2018, the number of registered nursing homes in Taiwan was 532. Pursuant to the Long-Term Care Services Act (hereinafter LTCSA) promulgated on June 3, 2017, nursing homes may no longer be founded. Any entity seeking to provide long-term services as stated in the LTCSA shall apply to establish a long-term care institution accordingly; that is, the number of nursing homes will not increase. Since the promulgation of the LTCSA, no application to establish a nursing home has been received. Residents in existing nursing		

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homes are mostly categorized as bedridden individuals with severe disabilities on the basis of impaired ability to perform activities of daily living and those requiring highly cautious care. These persons are different from the persons with disabilities targeted for social integration and active engagement in community activities. Regarding residents with dementia and favorable mobility, nursing homes shall, as required by the inspection committee, design a dementia zone, follow the concept of unit care, and design a home-like space with mobility designs such as wandering corridors, thereby making their residents feel at home. However, such a request is neither governed by law nor assessment and is only a general request during the inspection on nursing home establishment. By April 2018, the number of beds in dementia zones was 180, with 109 residents.		
G. Establishment of psychiatric care institutions and special schools (MOHW and MOE) (A) Presently, care services are provided according to a patient’s condition and danger of attacks; available services include psychiatric outpatient clinic treatment, emergency medicine, hospitalization with acute and chronic care, daytime hospitalization, community-based psychiatric rehabilitation, and home care. Furthermore, continual service mechanisms are available, such as emergency and patient escort services for community-based patients with psychiatric disorders or those suspected of psychiatric disorders, reporting of patients with severe conditions, preparation for hospital discharge, and community follow-up protection. (B) Policies and measures for deinstitutionalization have been promoted, such as community integration of psychiatric care. The MOHW and MOE instituted a regulation in 2014 ruling that all applicants seeking to establish a psychiatric rehabilitation institution or expand service can only provide 50 beds at maximum. Said authorities also assisted applicants to handle relevant matters. By the end of 2017, 85.31% of psychiatric rehabilitation institutions had become institutions with 50 beds or less. (C) Regarding community rehabilitation and home health care, the government launched home health care measures covered by NHI in 1995; these include General Home Care, Hospice Home Care, and the Pilot Project for Dental and Other Specialized Health care Services—Home Care. Said home care services are provided for patients (including those		

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with disabilities) who are confirmed by physicians as having health care needs and being unable to visit a hospital because of limited mobility. Expenses are covered by NHI, including fees for visits by nurses and physicians and the cost of special materials. These services served 970,000 individuals in 2017 and 402,000 persons between January and June 2018. The government also launched Community Rehabilitation for Patients with Psychiatric Disorders, which provides services such as treatments administered by physicians or other psychiatric professionals for patients with catastrophic chronic psychiatric disorders. (D) Special education schools must comply with regulations in The Special Education Act and fulfill the educational needs of students with disabilities. Each county or city currently has at least one special school. However, because some counties and cities are large, which makes commuting difficult, special schools in these counties and cities offer accommodations for students to safeguard their right to education. Such accommodations increase students’ willingness to go to school and help them improve self-care skills. Taiwan has 28 special education schools, with 16 schools offering accommodations. Resident students are divided into groups according to type of disability, namely intellectual disability, hearing impairment, visual impairment, and physical disabilities. (E) To increase social interactions between students with disabilities, special schools request that surrounding colleges, universities, or community clubs design nighttime activities, such as after-school tutoring programs, group activities, talent and skills development activities, or community adjustment activities, which can help develop said students’ potential. Festivals are also held on holidays to increase students’ skills at blending into society. Said activities help students acquire living experience through dormitory life and social interactions.		

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Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>The IRC is concerned about inadequate community engagement by persons with disabilities and various problems. To provide support for persons with disabilities to live and actively participate in the community, the government shall prioritize overcoming transportation and mobility problems faced by persons with disabilities, create accessible living environments, and develop various community assistive solutions. Additionally, the government shall ensure that special schools founded pursuant to The Special Education Act that safeguard students’ right to education allow their resident students to vigorously interact with society and develop their potential. Existing community assistive solutions, special education schools, transportation facilities, and accessible living environments are described as follows.</p> <p>A. Community assistive solutions (MOHW)</p> <p>(A) According to the 2016 Survey on the Living Status and Needs of Persons with Disabilities, persons with disabilities living in communities accounted for 94.66% of the total disabled population. To ensure suitable support and community engagement for said persons, the MOHW continues to actively increase budget allocations for local governments to develop convenient community-based services for individuals, including community daycare, adult foster care, community daytime operational facilities, community living facilities, life rehabilitation centers, independent living support services, and rehabilitation buses. However, because resources allocation is uneven among counties and cities and each service center serves few individuals due to the goals of community integration and downsizing, improvement in resource development and service capacity is still required. Care services reached 14.87% of persons with disabilities and care needs who lived in communities in 2017. The MOHW will thus continue to guide local governments to allocate resources and increase service capacity.</p> <p>(B) The MOHW created independent living support centers as a pilot program in northern, central, and southern Taiwan in 2018 to help persons with disabilities independently make decisions and choices and be responsible for their decisions or choices, to promote community living, and to promote the equal right to social participation. These centers provide support for independent living and empowerment of persons with disabilities as well as recruit and train personal assistants. Moreover, each center</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none">1. Request all local governments to review the current construction of community-based service centers and conduct regular reviews and amendments as appropriate. (SFAA)2. Facilitated on-the-job training for professionals to promote the concept of community integration. (SFAA)3. To subsidize all municipal and county (city) governments to implement projects of registered housing accessibility improvement, promulgate the 2018 Initial-Phase Plan for Registered Housing Accessibility Improvement on August 25, 2017, aiming to encourage citizens to apply for improvement, improve household accessible facilities, and establish an exemplary model. The 11 subsidized local governments announce that improvement grants are open for application in March 2018 and plan to process all applications by the end of 2018. (MOI)4. To encourage students with disabilities to engage in social interactions, special schools offer social integration courses each semester such as shopping in community supermarkets, visiting cultural and artistic sites, and providing cleaning services for the community. Schools also invite surrounding colleges, universities, or community clubs to design after-school tutoring programs, group activities, talent and skills development activities, and community adjustment activities, aiming to help students enhance their social accommodation competence, thereby enabling students with disabilities to take part in off-campus resources (MOE). <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">1. Amend the subsidized items and subsidization standards of community-based services, creating incentives for NGOs to provide services in remote areas such as indigenous regions and offshore islands. (SFAA)2. Host workshops for dormitory supervisors in special schools, whereby supervisors help resident students to gain life experience by designing nighttime activities and design optional activities based on types of disabilities of those students. (MOE)3. Special schools are requested to cooperate with surrounding universities and community clubs to increase dormitory living and social interaction experiences for resident students and prevent them from being isolated. (MOE)	<p><u>Process indicators:</u></p> <ol style="list-style-type: none">1. The SFAA annually reviews the plans of care resources for persons with disabilities provided by all local governments in the next 5 years (2016–2020). (SFAA)2. The SFAA offers on-the-job training associated with community integration concepts. (SFAA)3. The SFAA increases subsidies for services provided in remote areas such as indigenous regions and offshore islands. (SFAA)4. The MOTC reviews and amends subsidization regulations for accessible public transportation according to implementation experience, international trends, and social demand. (MOTC)5. The MOTC implements the Project for the Comprehensive Promotion of Highway Public Transport and offers review and subsidies for local governments as necessary. (MOTC)6. The MOI continues to implement the Plan for Social

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comprises two rooms for independent living, in which an individual can develop independent living skills through the actual experience of activities according to his/her type of disabilities. Said centers will design service models for various disabilities, thereby enabling provision of suitable support for persons with disabilities and aiding them to participate in community living. (C) To avoid separation and isolation of persons with disabilities when using community-based services, the MOHW requests that suitable support be provided for service users to encourage them to actively participate in community living. However, the effectiveness of this measure is largely dependent on the expertise of relevant professionals. Presently, the SFAA annually subsidizes NGOs to implement projects involving counseling visits and propose actual suggestions to service providers to enhance service quality. Additionally, pursuant to the Regulations on Selection and Training of the Professional Workers Providing Welfare Service for the Disabled, professionals serving persons with disabilities shall undergo on-the-job training programs in disability welfare services for at least 20 hours per year to increase their expertise. (D) For persons who are hospital-bound for a long time, exhibit stable conditions with partial functional degradation, have rehabilitation potential, do not require hospitalization, but require intensive rehabilitation treatment, the MOHW intends to provide desirable community integration services as well as continual and comprehensive transition services in the form of community rehabilitation. Therefore, the MOHW has been actively promoting rehabilitation policies for community integration of patients with psychiatric disorders since 2010, including developing multiple community care models for patients with psychiatric disorders and encouraging NGOs and groups to engage in and provide community-based care services. To strengthen community-based services for patients with psychiatric disorders, support their community living, and reduce crises caused by unstable conditions the MOHW adopted welfare lottery funds in 2019 to pay for planning and managing the Development Project for Multiple Community Living Solutions for Patients with Psychiatric Disorders, through which the MOHW will provide community living consultation, family support, and self-care instructions that may help them achieve community and independent living.	4. Allocate a 4-year budget worth NT\$15 billion for the Project for the Comprehensive Promotion of Highway Public Transport (2017–2020). Considering the problem of the urban–rural gap, said project categorizes subsidization into different levels and provides counties and cities with less desirable financial conditions with higher subsidies. Through this project, aim to assist all local governments to effectively improve the quality of public transportation services. (MOTC) 5. Pursuant to the Disposal Principles for Application Review of Continuing Business of Regional Highway Schedule Bus Service, highway bus operators shall deploy barrier-free vehicles when they apply as a continuing business. (MOTC) 6. Continue to subsidize purchases of urban and highway wheelchair accessible buses and general purpose taxis. (MOTC) <u>Mid-term objectives (to be completed between 2022 and 2024)</u> 1. Instruct all local governments to draft plans of care recourse for persons with disabilities in the next 5 years (2016–2020), whereby local governments shall determine the demand for community-based services among persons with disabilities within their jurisdictions and allocate resources accordingly. (SFAA) 2. By 2020, accomplish the first-phase goal of providing 40,000 government-constructed housing units and 40,000 private units with subletting and entrusted management, totaling 80,000 social housing units. (MOI) 3. Finish the second phase by 2024 to achieve the goal of providing 120,000 government-constructed housing units and 80,000 private units with subletting and entrusted management, totaling 200,000 social housing units. (MOI) 4. Continue to host social interaction activities in special schools by inviting surrounding colleges, universities, or community clubs to design nighttime activities, such as after-school tutoring, group activities, talent and skills development activities, or community adjustment activities, suitable for resident students. Therefore, students with disabilities can develop their potential. (MOE) 5. Regularly assign surrounding colleges or universities to hold large events to celebrate special holidays, such as a Christmas eve party, thereby increasing the chance of successful social adjustment by said resident students. Students with disabilities also have a chance to adopt off-campus resources. (MOE)	Housing Construction and assists local governments to acquire lands as well as provides relevant subsidies. (MOI) 7. The MOI launches the 2018 Initial-Phase Plan for Registered Housing Accessibility Improvement, subsidizing citizens to improve housing accessibility and creating an exemplary model. (MOI) 8. The MOI continues to allocate funds and facilitates subsidization in accordance with the Implementation Regulations of the Central Urban Regeneration Fund Subsidies for Renewal Projects. Additionally, the MOI organizes seminars on urban renewal to promote policies and encourage citizens to apply for urban renewal. (MOI) Outcome indicators: 1. Care service coverage for persons with disabilities increases year by year. (SFAA) 2. The number of community-based service centers increases to 707 by the

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B. Special education schools (MOE) (A) To fulfill the education needs of students with disabilities, the MOE requests that at least one special school be built in each county and city. Accommodation is provided for students in special schools situated in large counties or cities where commuting is difficult to ensure the students’ right to education. Providing accommodation can not only increase the enrollment rate of students with disabilities but also create a chance for students to develop self-care skills. (B) The MOE requests colleges, universities, or community clubs near special schools to design nighttime activities such as after-school tutoring, group activities, talent and skills development clubs, and community adjustment activities for resident students, aiming to enable students with disabilities to develop their own potential. Moreover, big events are to be held on special holidays to help said students adapt themselves to society as well as allow students to take advantage of off-campus resources. (C) Each special school dormitory is managed by supervisors who can provide suitable support (including daily activity assistance) as necessary. Curricula are also designed to enable students to flourish in community living and active community participation. Resident students in special schools can thus develop their potential through school curricula or after-school activities.	<u>Long-term objective (cannot be completed prior to the second international review)</u> Develop service resources for social integration and community living by persons with disabilities. Specifically, resources are allocated for all individual and family support services. By 2022, these services shall be provided to 24% of the total population of persons with disability. (SFAA)	end of 2020. (SFAA) 3. Highway public transportation services are expected to cover 88% of remote areas in 2020; the proportion of urban wheelchair accessible buses is expected to increase to 55% of the total of urban buses. (MOTC) 4. The MOI planned to subsidize 27 projects of registered housing accessibility improvement in 11 municipalities and counties (cities) in 2018. (MOI) 5. The MOI expects to construct social housing complexes for 80,000 households by 2020 and construct those for 200,000 households by 2024. (MOI)
C. Transportation facilities (MOTC) (A) All transportation systems are to comply with Article 53 of the People with Disabilities Rights Protection Act, governing accessible facilities. Accessible facilities in MOTC-governed transportation terminals are to be installed in accordance with the Part of Design and Construction, Architecture Technology Standard and Design Specifications for Accessible Facilities. (B) To provide convenient public transportation for persons with disabilities, transportation-related authorities have enacted a standard operating procedure for serving passengers with disabilities and an operating procedure for accessible facilities. Additionally, authorities regularly offer service courses to train their employees in facility operations. The MOTC subordinate authorities also convene accessibility ad hoc groups that invite organizations of persons with disabilities to review accessible		

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facilities and provide suggestions on service improvement. (C) Results of said measures are summarized as follows. 1. Wheelchair accessible bus: Since 2010, the MOTC has subsidized intercity and urban bus businesses to purchase 3,287 wheelchair accessible buses (including large general purpose buses). The proportion of wheelchair accessible buses in urban areas has increased to 52% compared with 7.2% in 2009, and that of wheelchair accessible buses traveling highway routes has reached 59%. 2. General purpose taxi: Since 2013, the MOTC has been encouraging local governments to offer subsidies for the purchase of general purpose taxis. Currently, the number of such taxis exceeds 800, serving more than 850,000 passengers with disabilities in total. The MOTC promulgated amendments to the Regulations Governing Subsidies for General Purpose Taxis pursuant to the Plan for Highway and Public Transportation Diversification, in which the performance indicator shall be 50 trips, the minimum trip count for passengers with disabilities; yet, local governments are allowed to adjust the count according to local conditions. Local governments shall manage cases involving taxi operators failing to meet said trip count pursuant to administrative contracts and request the return of subsidies on a proportional basis according to their operational periods. 3. The Directorate General of Highways, MOTC and motor vehicles offices in all regions are equipped with accessible facilities to provide accessibility for persons with disabilities when they visit the offices for vehicle-related business. Any citizen with hearing impairment is allowed to take a driving test in the company of a sign language interpreter. Registration desks of said offices provide booking services, whereby motor vehicles offices can refer hearing impaired individuals to companies or organizations offering sign language interpretation services.		
D. Accessible living environment (MOI) (A) The MOI primarily encourages governmental agencies to construct affordable housing. 1. To solve domestic housing problems, the Taiwanese government has been actively promoting a policy of making social housing available for rent but not purchase, aiming to lease 200,000 social housing units within 8 years. The Plan for Social Housing Construction was ratified by the Executive Yuan in March 2017, under		

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which the government plans to construct social housing complexes for 120,000 households and allow subletting and entrusted management of 80,000 vacant private units to reach the target number of 200,000 rental housing units. 2. The CPA has requested that all local governments, during social housing construction, consider the facility demands of older adults, children, women, and persons with disabilities. Designs of indoor and outdoor public spaces shall comply with the regulations stated in the MOI-promulgated Design Specifications for Accessible Facilities and Regulations on Design Standards and Encouragement of Barrier-Free Housing and be granted with an accessible housing certificate. 3. As of May 22, 2018, all municipal and county (city) governments reported that a total of 119 construction projects had been launched to build 41,691 homes. Specifically, 83 projects expected to build 26,851 units were in the planning process, 25 projects equating to 11,897 units were in the construction process, 13 projects had been completed with 2,943 units built, and 7,259 units had been leased (i.e., existing households) by 2016, totaling 48,950 homes. (B) The MOI helps improve accessible living environments in old houses. 1. To subsidize all municipal and county (city) governments to implement projects of registered housing accessibility improvement, the MOI promulgated the 2018 Initial-Phase Plan for Registered Housing Accessibility Improvement on August 25, 2017. The Plan is intended to grant subsidies for 11 municipal and county (city) governments (i.e., New Taipei City, Taichung, Tainan City, Kaohsiung City, Hsinchu County, Chiayi City, Kinmen County, Nantou County, Chiayi County, Pingtung County, and Hualien County). Pursuant to the plan, these governments can facilitate partial improvement of eight publicly accessible facilities and elevators in registered apartments with five floors or less and no elevator (45% of expenses are subsidized, with a maximum of NT\$1.6 million). The MOI also subsidizes partial improvement of 19 accessible facilities in apartments with elevators (45% of expenses are subsidized, with a maximum of NT\$260,000). 2. The MOI has adopted an urban renewal subsidization system to provide subsidies for citizens to install elevators through urban renewal projects. With urban renewal demand, citizens who live in 20-year-old legitimate apartments with fewer than five floors and with a foundation size that conforms to the renewal unit designation		

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criteria regulated by the competent local government and who handle relevant matters in accordance with the Urban Renewal Act are entitled to submit an urban renewal application to the competent municipal and county (city) authority pursuant to the Implementation Regulations of Central Urban Regeneration Fund Subsidies for Renewal Projects. Citizens are also allowed to apply for elevator installment subsidies when applying for renewal project subsidies, and the maximum amount granted shall be 45% of the project cost.		

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To help persons with disabilities engage in self-determination, independently make choices, be responsible for their decisions, adapt to community living, and have equal access to social participation as that of nondisabled individuals, the MOHW allocates welfare lottery funds to subsidize local governments hosting the Plan for Independent Living Support and Services for Persons with Disabilities. Results of said plan and a problem analysis are described as follows. A. Amount of subsidies granted and service effectiveness in 2016–2018 <table><tr><th colspan="2">Project/year</th><th>2016</th><th>2017</th><th>2018 (Q3)</th></tr><tr><td colspan="2">Amount of subsidies</td><td>24,687,000</td><td>28,704,000</td><td>34,581,195</td></tr><tr><td colspan="2">Implementation efficiency</td><td>85.4%</td><td>75.5%</td><td>To be calculated at the end of 2018</td></tr><tr><td rowspan="4">Personal assistant</td><td>Number of personal assistants who provided services</td><td>303</td><td>336</td><td>320</td></tr><tr><td>User count</td><td>351</td><td>456</td><td>420</td></tr><tr><td>Service frequency</td><td>25,916</td><td>31,366</td><td>10,050</td></tr><tr><td>Service hours</td><td>81,588</td><td>97,205</td><td>31,714.5</td></tr><tr><td rowspan="4">Peer supporter</td><td>Number of peer supporters who provided services</td><td>109</td><td>107</td><td>63</td></tr><tr><td>User count</td><td>271</td><td>327</td><td>133</td></tr><tr><td>Service frequency</td><td>1,069</td><td>1,265</td><td>277</td></tr><tr><td>Service hours</td><td>2,208.5</td><td>2,399</td><td>461</td></tr></table> B. Demand evaluation and personal assistant service provision for persons based on their types of disabilities are as follows: in 2017, demand evaluation confirmed that 3,065 individuals required said service. Specifically, 508 individuals used independent living support, with a service coverage rate of 16.5%. This result indicated that initiative promotion and		Project/year		2016	2017	2018 (Q3)	Amount of subsidies		24,687,000	28,704,000	34,581,195	Implementation efficiency		85.4%	75.5%	To be calculated at the end of 2018	Personal assistant	Number of personal assistants who provided services	303	336	320	User count	351	456	420	Service frequency	25,916	31,366	10,050	Service hours	81,588	97,205	31,714.5	Peer supporter	Number of peer supporters who provided services	109	107	63	User count	271	327	133	Service frequency	1,069	1,265	277	Service hours	2,208.5	2,399	461	<u>Projects to be conducted in or completed by 2018</u> 1. Trial operations of independent living support centers: Establish one independent living support center each for northern, central, and southern Taiwan. By providing independent living services such as advocacy and promotion, actual experience, peer support, and personal assistance, the SFAA seeks to train persons with disabilities to develop an awareness of independence and living skills, thereby increasing their independent living competence in the community. (SFAA) 2. Establishment of an independent living laboratory living support centers: Establish said laboratories to help persons with disabilities acquire independent living skills. (SFAA) <u>Short-term objectives (to be completed before Jan. 1, 2021)</u> 1. Create a talent pool of personal assistants and peer supporters: Help persons with disabilities to choose personal assistants who meet their needs (including accessibility) on the Internet. (SFAA) 2. Develop E-course for peer supporters: Design a 7-hour online course according to the needs of different disability categories to provide an accessible learning environment for the training and empowerment of persons with different disabilities. (SFAA) 3. Develop a personal assistant recruitment manual for persons with disabilities in which relevant regulations, documents, and forms are attached to reduce the difficulty of hiring a personal assistant. (SFAA) 4. Offer an empowerment program for persons with disabilities and a training program for the personal assistants they hire. (SFAA) 5. Amend the personal assistant training program developed by the MOHW in 2013 and incorporate the theory and practice courses of the CRPD into the amended program. Specifically, practice courses shall instruct attendees in methods and skills of aiding persons		Process indicator: 1. Launch plans for independent living support services for persons with disabilities and improve all services included. (SFAA) 2. Create a talent pool of personal assistants and peer supporters. (SFAA) Outcome indicators: Annual increase of the employing rate of personal assistants by persons with disabilities who use independent support services. (SFAA)
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accessibility of the service still required improvement. In addition, the total number of persons with disabilities applying for personal assistant service was 427 in 2017, and of these, seven individuals had intellectual disabilities. Three had autism, nine had psychiatric disorders, 40 had visual impairment, 267 had physical disabilities, 93 had multiple disabilities, and eight had other types of disabilities. C. A review of the aforementioned results revealed that the low rate of persons with disabilities using said services might be caused by the following reasons. (A) Having difficulty meeting a suitable personal assistant dispatched by the service provider. <ol style="list-style-type: none">1. Persons with disabilities cannot choose personal assistants by themselves. Consequently, the personalities and skills of assigned assistants might not meet their needs.2. Persons with special requirements of time or living in rural areas may not be able to find an assistant. (B) Persons with disabilities remain unfamiliar with the concept and skills of independent living. <ol style="list-style-type: none">1. Persons with disabilities might lack independence awareness and skills, which causes failure to make decisions according to personal needs, living environment, and preferences.2. Training is still required for primary caregivers or the general public in terms of persons with disabilities living independently in the community. (C) Personal assistance provided is undesirable and insufficient. <ol style="list-style-type: none">1. Personal assistance is not available for all types of disabilities. Consequently, persons with particular disabilities cannot choose an independent living support service. Specifically, most peer supporters who have obtained workshop certificates specialize in physical disabilities, whereas their peers specializing in other disability categories or limited mobility attend workshops less frequently. Hence, the	with mental disorders, physical disabilities, visual impairment, and other disability categories, thereby training personal assistants to provide services for said persons on the basis of disability category. (SFAA) 6. Produce nonpractice e-course for personal assistants: Encourage more personal assistants to undertake training through timely updated, accessible, and convenient e-learning courses. (SFAA) <u>Mid-term objectives (to be completed between 2021 and 2022)</u> <ol style="list-style-type: none">1. Develop a service model with empirically proved effectiveness for independent living centers and gradually promote such a model using the following approaches.<ol style="list-style-type: none">(1) Establish a mechanism for assessing counseling results in independent living centers: the SFAA will invite experts to review the existing service approaches and continually amend assessment indicators to ensure that the service model that is applied nationwide has the desired empirical effectiveness.(2) The SFAA will create an operations manual for independent living centers for all local governments to adopt. (SFAA)2. Launch the service model whereby all persons with disabilities can hire personal assistants on their own. (SFAA) <u>Long-term objectives (cannot be completed before the second international review)</u> Promote said independent living center service model nationwide. (SFAA)	

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B. Specific rights (arts. 5-30) Living independently and being included in the community (art. 19) 52. The IRC is concerned that: c) The provision of personal assistance services to persons with disabilities does not comply with the UN CRPD Committee’s General Comment No. 5. 53. The IRC recommends that the State: c) 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: <ul style="list-style-type: none">● 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.		52.53(c) MOHW (SFAA)
availability of peer counseling service for other disability categories is relatively low. 2. Because of inadequate labor condition safeguards, the number of personal assistants remains low. Hence, a limited number of existing personal assistants fail to meet various needs of persons with disabilities. D. The aforementioned reasons indicate that improvement is required for service provision. To change the existing pattern of dispatching to direct appointment of personal assistants by persons with disabilities, the government invited experts, scholars, and national OPDs to participate in five consultation meetings in 2017 to discuss the planning directions. Five other meetings will be convened in 2018 to discuss specific support measures. In addition, the government will handle relevant matters in accordance with the CRPD concluding observations (e.g., respecting individual needs of persons with disabilities and their right to choose personal assistants, providing customized services, and subsidizing personal assistance expenses) and will comprehensively promote policies on the basis of the resultant meeting resolutions. E. To increase the interaction between students with disabilities and the society, special schools offer social accommodation courses each semester, including shopping in nearby supermarkets, visiting cultural and artistic sites, and providing cleaning services for the community. Moreover, those schools request nearby colleges, universities, or community clubs to design after-school tutoring programs, group activities, talent and skills development activities, community accommodation activities, and similar activities to facilitate the social adjustment of these students and to take advantage of off-campus resources.		

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Personal mobility (art. 20) 54. The IRC is concerned that: (a) A large number of persons with disabilities do not benefit from advances in assistive 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; and 55. The IRC recommends that the State: (a) 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; and		54.55(a) MOHW (SFAA, DONAHC, and DOLTC) Other agencies concerned: MOE, MOL, and MOEA
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>The IRC is concerned that a restriction on the number of assistive devices granted per person with disabilities can affect their ability to live independently and be included in the community. The needs among said persons can vary depending on their age, educational attainment, employment, community engagement, and accessibility to medical services. Additionally, national standards associated with assistive devices shall be developed. The aforementioned problems are described as follows.</p> <p>A. Devices for daily life and medical assistance (MOHW)</p> <p>(A) The current assistive device policies focus on subsidizing device purchases as well as effectively using secondhand devices.</p> <ol style="list-style-type: none">1. To safeguard the financial stability of persons with disabilities, the government annually allocates funds to them according to their demand. Additionally, the government may provide subsidies for persons with disabilities according to their household financial status to purchase assistive devices. Therefore, said persons can use assistive devices to increase their mobility and reduce the burden on caregivers. Depending on the financial status and affordability of persons with disabilities and, low income households are fully subsidized, low-middle income households are 75% subsidized, and average income households are 50% subsidized in assistive device purchases. In 2017, more than 90,000 persons with disabilities received assistive device subsidies, with the subsidies worth NT\$800 million.2. The upper limit for the subsidy on assistive device purchases for each person with disabilities is four devices every 2 years. To encourage citizens to buy used devices to increase resource effectiveness and reduce purchasers' financial burden, the government allows that recycled devices or devices transferred by other authorities (institutes) be excluded from said limitation.3. Persons with special and urgent needs are entitled to apply for project-based subsidies from competent county (city) governments if the years of use of their devices have not reached the required period of time, if they have exceeded the limitation of four subsidies within 2 years, or if they do not meet the subsidy requirements.	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none">1. The SFAA aimed to launch the Plan for Increasing the Service Capacity of Local Assistive Device Centers and constructed 33 centers and 36 assistive device service points by the end of 2018.2. The DONAHC of the MOHW collected information on the subsidization of medical assistive devices in 2018 to provide a reference for relevant regulation amendments.3. The MOEA amended 15 disability assistive device standards in 2018. <p><u>Recent objective (to be completed before May 2019)</u></p> <p>The DOLTC of the MOHW has incorporated assistive device services into the newly enacted subsidy payment system, aiming to diversify choices for incapacitated persons with disabilities. Since 2018, the long-term care subsidy payment system has incorporated assistive device services. Subsidies of up to NT\$40,000 every 3 years are available to each qualified person, with the number of covered items having been increased from 34 to 68. Through central and local governmental subsidization systems, citizens are entitled to apply for subsidies for assistive device purchases, depending on their necessity levels as determined by care managers and approved subsidy levels. Therefore, the adoption rate for assistive device services can be increased, strengthening the assistive device services required in long-term care for incapacitated persons with disabilities.</p> <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">1. The SFAA plans to initiate the Plan for Increasing the Service Capacity of Local Assistive Device Centers, with an aim of opening 38 assistive device centers and 111 assistive device points.2. The SFAA intends to collect information about subsidies and feedback on all types of assistive devices provided.3. The DOLTC aims to offer rental of assistive devices. To provide suitable devices to citizens, the DOLTC will add the rental service into the existing subsidy payment system, aiming to provide affordable and high-quality devices for persons with disabilities. Additionally, special needs of incapacitated persons with disabilities can be accommodated.	<p>Process indicators:</p> <ol style="list-style-type: none">1. The SFAA annually allocates funds to help local governments implement the Plan for Increasing the Service Capacity of Local Assistive Device Centers.2. To provide assistive devices required in long-term care for persons with disabilities, the DOLTC plans and develops device rental services, thereby protecting the right of incapacitated persons with disabilities to use assistive devices and optimizing device service effectiveness.3. The DONAHC continually amends the Regulations on Subsidies for Rehabilitation and Assistive devices for Persons with Disabilities pursuant to the resource allocation results from medical assistive device subsidies.4. The MOL annually allocates funds to subsidize local governments concerning redesign services for workplace assistive devices for persons

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(B) People's demand for assistive devices is expected to increase considerably due to population aging; therefore, the capacity to provide assistive devices must be enhanced. 1. To provide accessible, convenient, and professional services for persons with disabilities or incapacitation, all county (city) governments have founded assistive device centers and recruited social workers, device evaluators, and device technicians to provide relevant services. By July 2018, 30 assistive device centers had been established to provide frontline services such as assistive device consultation, evaluation, maintenance and repair, recycling, and rental. 2. To increase service accessibility, assistive device centers provide a house call evaluation service for persons with severe disorders, mobility difficulties, limited outdoor mobility, or other special conditions. In addition, to increase service capacity, the MOHW allocated a budget of NT\$44 million to help all county and city governments purchase assistive device service vehicles in 2017. A total of 19 vehicle purchases were subsidized. The vehicles travel around and provide assistive device services such as evaluation, maintenance and repair, recycling, and rental, thereby improving service accessibility and flexibility. To expand service coverage, the MOHW allocated NT\$20 million in 2017 to help county and city governments with a large area or inadequate resources; a total of four assistive device centers were subsidized. 3. The 10-Year Long-Term Care Plan was implemented in 2008, in which assistive device services were included as an official item of service. Based on this, Long-Term Care 2.0 aims to increase service capacity and provide a NT\$30,000–40,000 subsidy for each person with disabilities to purchase or rent devices. By June 2018, rental service for long-term care assistive devices and housing improvement service for a barrier-free environment had benefitted 15,753 individuals. 4. Subsidies for medical assistive devices are governed by the Regulations Governing Subsidies for Medical Expenses and Assistive Devices Adopted by Persons with Disabilities During Rehabilitation pursuant to Article 26 of the People with Disabilities Rights Protection Act. Said Regulations were enacted on July 11, 2012, entitling persons with disabilities with a disability identity card or disability certificate to submit applications to competent municipal and county (city) authorities for assistive device	4. According to the actual subsidization situations of medical assistive devices, the DONAHC plans to identify the top five devices with the highest subsidies as well as identify priority items for subsidies among person with disabilities. The DOLTC will also, depending on individuals' experiences using medical assistive devices, review and discuss the feasibility of maintenance subsidy issuance or subsidy adjustment within the subsidization period. 5. The MOEA intends to achieve the goal of amending 13 disability assistive device standards in 2019. <u>Mid-term objectives (to be completed between 2021 and 2022)</u> 1. The SFAA continues to adopt various approaches for increasing the accessibility of services to citizens, including constructing assistive device centers, service points, and service vehicles according to population growth, transportation convenience, and the development of human resource professionals with knowledge of assistive devices in each county and city. 2. The SFAA will review and discuss the device subsidization mechanism on the basis of collected information. 3. The MOE continues to manage educational assistive device centers for students with visual and hearing impairment and physical disabilities. After evaluations are conducted by professionals, students with disabilities in senior high school, vocational high schools, colleges, and universities are entitled to acquire assistive devices for free. 4. The problem of graduates retaining educational assistive devices is associated with multiple departments and ministries as well as matters of governmental asset transfer. Therefore, this problem is set to be jointly reviewed and discussed by departments of social affairs and labor affairs and disability NGOs (MOE). 5. The MOEA intends to collaborate with relevant associations to timely increase national standards for benefits. Specifically, associations may apply for group subsidies for standardization movements, and national standards for disability assistive devices are to be drafted and opinions are collected. 6. The MOEA intends to encourage relevant associations to become standardization groups approved by the Bureau of Standards. Therefore, said associations would be allowed to help amend drafts of national standards for disability assistive devices as well as collect opinions. 7. The MOEA strives to allocate funds for drafting national standards for disability assistive	with disabilities. 5. The MOL annually allocates funds to subsidize assistive devices for daily living and rehabilitation purposes for laborers subject to occupational accidents. 6. The MOEA actively collects information on disability assistive device standards enacted in international and regional communities or those in other countries. Later, the MOEA gradually completes national standards on disability assistive devices. Outcome indicators: 1. By 2012, free assistive devices will be available for all students with disabilities in senior high schools, vocational high schools, colleges, and universities (MOE). 2. The MOEA amends national standards for disability assistive devices. Said standards are optional for all entities. These standards also serve as criteria for businesses in product design and manufacturing, contract signing, delivery, and inspection; as a

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subsidies. Subsidies are available for 16 types of devices and the subsidy amount varies according to household income. The subsidization duration ranges from 6 months to 5 years, during which the maintenance or adjustment fees are not subsidized. 5. Between July 11, 2012 and December 31, 2017, local government provided subsidies for 32,077 individuals with a total expense of NT\$354,854,902, an average of NT\$64,519,073 per year. The subsidies for continuous positive airway pressure ventilators topped the list, with a total of NT\$168,268,961 (47%; 8,335 individuals), followed by those for oxygen generators totaling NT\$103,251,715 (29%; 8,116 individuals), bilevel positive airway pressure machines totaling NT\$41,945,178 (12%; 886 individuals), sputum suction machines totaling NT\$20,844,089 (6%; 7,957 individuals), and pulse oximeters totaling NT\$10,831,700 (3%; 3,556 individuals). The aforementioned top-five subsidized assistive devices are high-cost devices, indicating that said subsidization project conforms to the tenets of the CRPD because subsidies have made assistive devices affordable to persons with disabilities. Regarding subsidy applicants, 96.6% of them came from average-income households, followed by those from low income households (2.4%) and those from low-middle income households (1.0%). B. Assistive devices in schools (MOE) (A) All assistive devices for students are provided for free. Article 33 of The Special Education Act mandates that schools shall provide support services, including educational assistive devices, for students with disabilities on the basis of their learning and living demands in schools. (B) Devices in senior high schools and universities: The MOE has founded assistive device centers for students with visual impairment, hearing impairment, and physical disabilities to provide educational assistive devices in colleges, universities, vocational high schools, and senior high schools. Professionals evaluate device demand, make purchases, manage and transfer devices, maintain and repair devices, and provide operational training and user experience follow-up. Said devices are offered to students for free. Assistive device centers also offer free maintenance and repair services, except for damage caused by improper use. The devices are passed to another student when the original borrower	devices, opinion collection, and other similar matters.	reference for the public in product selection; and as a law enforcement reference for competent authorities.

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graduates. Approximately 2,200 assistive devices are in circulation each year at schools. (C) Assistive devices in junior high and elementary schools: Assistive devices required by students with disabilities in junior high and elementary schools are offered by all county and city governments, and additional expenses are covered by the K-12 Education Administration. (D) Physical, occupational, and language therapists are assigned to students with severe disabilities in special schools, and they instruct their students on how to use their devices and help them attain self-care and effective learning abilities (MOE). (E) Assistive devices for adults' life-long education: any nonstudent adults who require educational assistive devices at life-long educational institutions may submit applications to receive such devices for free to the educational institution concerned. (F) Devices for use in the workplace shall be specifically tailored to the persons requesting them through job redesigning to enhance the workplace accommodation and improve the employability of persons with disabilities.		
C. Assistive devices in the workplace (MOL) (A) The MOL offers a job redesign service. In 2017, a total of 1,262 subsidies were issued for assistive devices, among which the number for wheelchair subsidies was the highest (142 subsidies; 14%), followed by that for hearing aids (132 subsidies; 13%), video magnifiers (45 subsidies; 4%), and electronic screens (44 subsidies; 4%). According to the MOL's process of subsidization of job redesign for persons with disabilities, an employer or person with disabilities may apply for a workplace assistive device when the person with disabilities encounters any obstacles at work. The MOL has created five job redesign departments in Taiwan; said departments then form redesign teams with all local governments. Upon request, a redesign team will visit the workplace where the person with disabilities in question works to identify his/her needs, select a suitable assistive device, and provide device trial or rental to the person. After the person purchases a suitable device, the team improves the product design accordingly, aiding the person to overcome obstacles at work. To maximize the benefits of these assistive devices, the MOJ created a mechanism for workplace device recycling, allowing persons with disabilities to reuse recycled devices after they change jobs.		

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(B) To safeguard the financial stability of laborers who have undergone occupational accidents, the MOL offers these laborers subsidies to purchase assistive devices for daily living and rehabilitation. Based on Article 8 of the Act for Protecting Workers from Occupational Accidents, the MOL promulgated the Regulations for the Allowance and Approbate of Grants for Workers with Occupational Accidents. Said Regulations were enacted on April 28, 2002, providing subsidies for 105 assistive devices for daily living and rehabilitation purposes. The allowable subsidy per person is NT\$60,000 at maximum, and the number of subsidized devices is four at maximum, regardless of income level. By December 2017, subsidies worth more than NT\$80.21 million had been provided to 8,367 individuals.		
D. National standards for assistive devices (MOEA) (A) The Bureau of Standards of the MOEA allocated a budget of NT\$1,120,000 in 2015, NT\$1,110,000 in 2016, and NT\$3,310,000 in 2017 for operations associated with persons with disabilities. The Bureau also amended 101 national standards associated with assistive devices and accessibility for persons with disabilities, among which 65 standards concerned assistive devices (33 for wheelchairs, nine for canes and walkers, 14 for prostheses and orthoses, and nine for disability-related products), 31 concerned accessibility, and five concerned accessible facilities. A total of 50 relevant national standards were developed in 2012–2017. (B) A total of 12 national standards concerning information and communication technology accessibility were developed by 2017 (including CNS15321, namely the Guide for information and communications accessibility technology—General).		

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Personal mobility (art. 20) 54. The IRC is concerned that: (b) Persons with epilepsy are not eligible to apply for driver’s licenses. 55. The IRC recommends that the State: (b) Revise regulations for issuing driver’s licenses to persons with epilepsy.		54.55(b) MOTC
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>Issuing driving licenses to persons with epilepsy is associated with balancing human rights and road safety. Existing regulations, points from discussions between all interested parties, and resultant resolutions are described in the following.</p> <p>A. Taiwan emphasizes the right of persons with disabilities to drive motor vehicles as well as road safety. Persons with innate or acquired disabilities are entitled to attend driving tests using vehicles with suitable modifications. Therefore, regulations governing the application procedure for car and scooter driving licenses for persons with disabilities were developed to fulfill said persons’ needs.</p> <p>B. Because epileptic attacks are unpredictable, drivers with epilepsy are at risk of losing control when driving in the event of having such an attack, and the consequences of such an attack have potential to be catastrophic for themselves and other drivers. Therefore, Articles 62 and 64 of the Rules on Road Traffic Safety specify that persons with epilepsy are not eligible to apply for driving licenses. Allowing persons with epilepsy to apply for driving licenses could thus be a major evolution in driving license management and road safety. In August 2017, a serious traffic accident occurred in Wandan Township, Pingtung County, in which the driver had an epileptic attack, causing three deaths and injuries to nine persons. On October 26, 2018, a traffic accident occurred in Puli Township, Nantou County, in which a truck hit a car and scooter after the truck driver had an epileptic attack, leaving two injured. Such incidents heightened public concerns about allowing drivers with epilepsy to drive. To reduce such concerns, the government must meticulously develop a driving license management system and present persuasive arguments and sufficient support from the health care system in order to convince the public that it is safe to loosen restrictions on persons with epilepsy obtaining driving licenses.</p> <p>C. Management and results: (A) In consideration of both the demand to drive cars or scooters among persons with mild epilepsy and public traffic safety, medical expertise and support from the medical system are required for authorities to determine whether persons with mild or different types of epilepsy shall be entitled to acquire driving licenses under controlled circumstances or with permission. The Directorate General of Highways (DGH), MOTC has commissioned the Taiwan Epilepsy Society to investigate general solutions regarding driving license operations for patients with epilepsy and to collect relevant data from advanced countries. (B) The DGH invited relevant OPDs, medical associations, and governmental agencies to</p>	<p><u>Projects to be conducted in or completed by 2018</u> The MOTC hosted a follow-up meeting with medical experts on February 2, 2018, at which the attendees agreed that persons with epilepsy exhibiting great control and having not experienced an epileptic attack within the preceding 2 years should be entitled to apply for driving licenses. On March 22, 2018, the MOTC requested that the Taiwan Epilepsy Society add said agreement into its proposal of general solutions for driving license operations involving persons with epilepsy as well as provide a comprehensive introduction to epilepsy. (MOTC)</p> <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">1. The Taiwan Epilepsy Society has experienced great internal dispute over the proposed relaxation of restrictions on driving license applications for persons with epilepsy. Although the demand to drive vehicles among persons with epilepsy is clear, members of the Society have great concerns regarding the fact that physicians may not confirm that all eligible persons have not experienced an epileptic attack within the preceding 2 years as well as the safety of driving for individuals with epilepsy. To address safety concerns, the society will hold a board of directors meeting and propose a final draft in September 2018. (MOTC)2. The Taiwan Epilepsy Society will complete the proposal of general solutions for driving license operations involving persons with epilepsy in November 2018. By referring to this proposal and the agreement reached between experts and scholars, the DGH plans to develop relevant regulations and supplementary management measures in 2019, whereby medical experts, OPDs, and relevant authorities are to be invited to join discussions and reach an agreement. Subsequently, the DGH will submit the regulation drafts to the Driver Medical Advisory Committee of the MOTC for review (MOTC).3. To reinforce the standards and review system of the medical fitness of drivers in Taiwan with respect to safety concerns, the MOTC has founded a Driver Medical Advisory Committee. This Committee comprises 14 medical and traffic safety experts and seven directors of relevant governmental agencies. The committee will also review the aforementioned proposal content, namely relaxation of restrictions on obtaining a driving license for persons with mild epilepsy, medical regulations, and supplementary management measures. (MOTC)	<p>Structural indicators: Review and propose suitable amendments to Articles 62 and 64 of the Rules on Road Traffic Safety. (MOTC)</p> <p>Process indicator: Invite OPDs, medical associations, and governmental agencies to develop relevant acts and supplementary management measures. (MOTC)</p>

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convene a meeting on November 9, 2017, at which general solutions for handling driving license matters involving persons with epilepsy were reviewed and discussed. (C) The Eden Social Welfare Foundation suggested that annual statistics of epilepsy-caused traffic accidents be released to serve as a reference for subsequent amendments to the existing acts. Traffic officers are responsible for investigating traffic violation and accidents. However, the current regulations do not require documenting physical diseases of an offending driver, leading to an absence of statistics involving offenders with epilepsy. Therefore, the DGH could only collect relevant data from news reports as an alternative.		

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Freedom of expression and opinion, and access to information (art .21) 56. The IRC is concerned that: (a) 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; 57. The IRC recommends that the State: (a) 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;		56.57(a) MOC MOHW (SFAA) MOE Other concerned agency: MOL
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>Promotion of sign language and the culture of persons with hearing impairment in Taiwan is governed by the National Language Development Act (draft) and the People with Disabilities Rights Protection Act, of which the latter covers the provision of sign language interpreters for public services and the curricular system of sign language as a subject of elective courses in Taiwan’s educational system. All these matters are described as follows.</p> <p>A. Promotion of sign language culture (MOC)</p> <p>(A) The National Language Development Act (draft) regards Taiwan Sign Language (TSL) as a national language, emphasizing equality between various cultures and equal rights for spoken and visual languages. The Act also mandates that the government develop comprehensive educational resources, reinforce public service resources, and create user-friendly environments. National languages courses shall be regarded as fundamental or mandatory in compulsory education. Article 3 of the Act draft and its first point of legislative description states, “The national languages in this Act do not refer to official languages. Said national languages are regulated from perspectives of language preservation and sustainable development. Therefore, natural languages including and (TSL) adopted by all groups in Taiwan can be passed down and preserved.”</p> <p>(B) The MOC has optimized language-related acts in Taiwan and actively promoted equal rights for all cultures and created friendly environments for persons using different languages. The aforementioned actions are expected to fulfill the requirements proposed by the IRC in this section, described as follows.</p> <p>1. The National Language Development Act recognizes TSL as a national language to safeguard is development. Pursuant to the Act, the MOC will develop public sign language services, designate sign language as an MOE-mandated subject, and handle matters associated with sign language teachers and interpreters.</p> <p>2. The MOC has enacted regulations for subsidies of national languages; all regulations have covered TSL subsidies.</p> <p>3. The MOC also launched a pilot program whereby MOC subordinate authorities are requested to promote multilingual services (sign language included).</p> <p>(C) The MOC is presently implementing the “Directions for Linguistic Diversity and</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <p>1. Request all government agencies to actively provide sign language interpretation services for persons with hearing or speech impairment when attending to administrative affairs, meetings, or events according to their demand. (SFAA)</p> <p>2. Incorporate sign language interpretation and simultaneous transcription services provided by local governments (i.e., allocating reasonable funds and creating channels for service complaints or feedback) as indicators in the 2019 social welfare performance assessment. (SFAA)</p> <p><u>Short-term objectives (to be completed before May 2019)</u></p> <p>1. Implement the Directions for Linguistic Diversity and Multilingual Environment–Friendliness and conduct relevant inspections to provide solid safeguards of the right to use native languages and TSL in public spaces for all groups. (MOC)</p> <p>2. Implement the Directions for Native Language Creation and Application and conduct relevant inspections to encourage the use of native languages and TSL. (MOC)</p> <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <p>1. Complete the enactment of the National Language Development Act. (MOC)</p> <p>2. Comprehensively promote multilingual (including TSL) services in its subordinate authorities. (MOC)</p> <p>3. Adopt various approaches to advertise said services to the public, thus ensuring that all citizens can successfully apply for the services when in need. (SFAA)</p> <p>4. Invite hearing and speech impairment organizations, experts, and scholars to confirm the requisite hours and content of training for sign language interpreters. The confirmed courses will be offered to sign language interpreters, thereby helping local governments increase the number of sign language interpreters with technical certificates. (SFAA)</p> <p>5. Establish a talent pool of sign language interpreters for local governments by December 2019. (SFAA)</p> <p><u>Mid-term objectives (to be completed between 2021 and 2022)</u></p>	<p>Structural indicators: Complete the development of the National Language Development Act. (MOC)</p> <p>Process indicator:</p> <p>1. Demand all subordinate authorities to provide multilingual (including TSL) services. (MOC)</p> <p>2. Guide and assist local governments in offering training for sign language interpreters, and subsidize hearing and speech impairment organizations to develop relevant training programs, thereby creating opportunities for the general public to learn sign language. (SFAA)</p> <p>3. Create a talent pool of sign language interpreters for local governments. (MOHW)</p> <p>4. Include the provision of sign language interpretation service of each local government as an indicator in the assessment of social welfare performance. (SFAA)</p> <p>5. Annually conduct at least one sign language promotion and</p>

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Concluding Observations		Competent Authorities
Freedom of expression and opinion, and access to information (art .21) 56. The IRC is concerned that: (a) 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; 57. The IRC recommends that the State: (a) 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;		56.57(a) MOC MOHW (SFAA) MOE Other concerned agency: MOL
Multilingual Environment-Friendliness” and “Directions for Native Language Creation and Application,” both of which regulate TSL subsidies. Additionally, the MOC has gradually requested its subordinate authorities to promote multilingual (including Taiwan sign language) tour services. Once the National Language Development Act is passed, the MOC will invite relevant authorities to explore the preservation, revitalization, and development of TSL. Furthermore, the competent authority of national languages, once confirmed, will be in charge of planning training for TSL interpreters.	1. Investigate the number and location of schools offering sign language courses. (MOE) 2. Determine subsidization regulations and encourage schools to offer TSL courses. (MOE) 3. Offer workshops in TSL for teachers in schools for the hearing impaired, thereby increasing the teachers’ expertise. (MOE) 4. Add TSL into flexible learning courses (i.e., school clubs) to promote the use of sign language. (MOE) <u>Long-term objectives (cannot be completed before the second international review)</u> List TSL as an MOE-mandated subject and request schools at all levels to offer relevant courses once TSL is listed as a national language. (MOE)	encourage schools to list TSL as an elective course. (MOE) Outcome indicators: 1. The average provision rate of sign language interpretation service at each local government center reaches 95%; cross-county and cross-city services are also made available (SFAA). 2. Incorporate national language courses as MOE-mandated courses in the Curriculum Guidelines for 12-Year Basic Education. (MOE)
B. Sign language interpretation and engagement of persons with hearing impairment (MOHW) (A) To facilitate social participation by persons with hearing or speech impairment and allow the public to learn sign language, the MOHW annually grants social welfare subsidies to hearing impairment organizations to design training programs. In the last 3 years, these programs have attracted 300 trainees. To safeguard the right to engage in public affairs of persons with hearing or speech impairment, Article 61 of the People with Disabilities Rights Protection Act specifies, “The municipal and county (city) governments shall set up an entry [sic] to provide sign language interpretation services to people with disabilities in hearing or speaking/speech function, for their actual needs.” By the end of 2017, the number of sign language interpreters for all local governments reached 304. Specifically, 260 interpreters had technical certificates in sign language interpretation, whereas 44 interpreters did not have such certificates. According to the data compiled by local governments, average interpretation service provision rate has reached 90%. However, the number of interpreters for certain local governments are insufficient. In the event of multiple service applications at the same time, a service shortage is likely to occur. Moreover, cross-regional interpretation services are currently not available, indicating that improvement is required regarding the capacity and quality of sign language interpretation services. (B) The MOHW intends to ensure that local governments conform to the requirements for sign language interpretation specified in the People with Disabilities Rights Protection Act with respect to budget amount, whether or not cross-county or cross-city services are provided, and whether complaint or feedback channels have been established. To achieve the aforementioned goals, the MOHW intends to create a talent pool of sign language interpreters for local governments, guide and assist local governments in hosting training programs,		

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advertise interpretation services to persons with hearing or speech impairment, and encourage persons with hearing or speech impairment to apply for such services when needed. Furthermore, the MOHW will include said services as an indicator of social welfare performance, utilizing onsite and written assessments to ensure that local governments have followed relevant regulations. Regarding the setting of an appropriate target number to the trainees of the TSL interpretation course, because no objective measures of estimation have been found in other countries, and matters related to the development of sign language teaching materials, teachers, and interpreters have been regulated in the draft of the National Language Development Act, the MOHW will convene a meeting with relevant authorities such as the MOC to set a number. At present, the MOHW aims to increase the average service completion rate of each local government center providing sign language interpretation services to 95%. Therefore, the MOHW can encourage local governments to increase the number of sign language interpreters year by year to expand service capacity.		
C. Educational system (MOE) In accordance with the general planning of the Curriculum Guidelines for 12-Year Basic Education, TSL currently is not an MOE-mandated subject; however, schools are entitled to consider including TSL in the school-required curriculum. Alternatively, schools may offer TSL courses in the special needs area according to students’ individual needs to encourage the use of TSL among students with hearing impairment. The MOE will also encourage colleges and universities to offer TSL courses by advocating the idea in meetings. These courses shall be developed according to the instructors available, teaching objectives, and development agenda of each college or university. Presently, eight colleges and universities offer 10 courses in total, most of which are elective courses offered by special education departments.		

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Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>The IRC is concerned that access to information and communication technologies, Braille, TSL, easy read formats, and digital communications is insufficient. Relevant aspects of this issue, including national disaster information dissemination and transportation information, are described as follows.</p> <p>A. Disaster information communication (MOI, COA, and MOEA)</p> <p>(A) Existing operational plans for wind, earthquake, fire, explosion, and volcanic (draft) disaster prevention and protection already specify relevant measures. The Provision of Disaster Information to Affected Citizens section of Operational Plans for Wind Disasters and Earthquake Prevention and Protection demands that the MOI, MOTC, local governments, and relevant public utility authorities (institutes) reinforce the maintenance of the information reporting system and communications facilities as well as equipment. Additionally, said entities shall provide disaster preparedness information for information of daily living to persons affected by disasters. Additionally, authorities shall develop alternative approaches to deliver disaster information to foreign nationals, persons with disabilities, citizens isolated during disasters, and citizens located in urban areas who cannot acquire disaster information concerning their hometowns. The MOI, MOEA, MOTC, local governments, and relevant utility authorities (institutes) shall also provide consulting services on disaster prevention. In addition, the section regarding the Provision of Disaster Information to Affected Citizens stipulates that the MOI, MOTC, MOEA, COA, MOND, CIP, local governments, and relevant public utility authorities (institutes) shall identify affected citizens’ needs, coordinate different communication media, and inform citizens regarding the weather, disaster reports, and disaster responses initiated by government agencies.</p> <p>(B) Through the built-in cellular broadcast technology in the mobile communications system, the PWS is able to instantly text disaster alerts to citizen’s cellphones, including those of</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none"> 1. Continue providing text and audio information as well as guidance on MOTC website and the websites of subordinate authorities, subsidiary venues, and mobile applications. Provide various channels, such as email and telephone, to allow persons with disabilities to make inquiries for information or propose suggestions. (MOTC) 2. Supervise the Civil Aeronautics Administration, TRA, and Freeway Bureau to complete official website adjustments or revisions and acquire the badge accredited by Web Accessibility Guidelines 2.0. (MOTC) 3. Pursuant to the NDC-promulgated Guidelines for Accessibility of General Affairs Systems of Government Authorities, an official letter was sent to the all authorities in March 2018, requesting that authorities employing staff with severe visual impairment or severe physical disabilities (i.e., those who cannot use a computer mouse) to complete barrier-free designs in official document and attendance systems in accordance with said guidelines by the end of 2018. Subsequently, said authorities shall complete barrier-free designs for their primary operations systems. (NDC) <p><u>Short-term objectives (to be completed before May 2019)</u></p> <p>Implement the following projects to promote web accessibility accreditation: (NCC)</p> <ol style="list-style-type: none"> (1) host accessibility accreditation, aiming to improve the Internet accessibility levels, (2) invite persons with disabilities to participate in said accreditation to ensure the accessibility of the websites for persons with disabilities, and (3) provide customer service and guidance for said accreditation. <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none"> 1. Complete the accreditation of 80% of government agency websites in collaboration with persons with disabilities and award qualified websites with badges of accessibility. (NCC) 	<p>Structural indicators:</p> <p>Pursuant to the Regulations for Issuing Web Accessibility Accreditation Badges for Websites of Government Agencies and Schools, conduct accessibility accreditation and random inspections with the participation of persons with disabilities to inspect the information service websites of all authorities. (NCC)</p> <p>Process indicators:</p> <ol style="list-style-type: none"> 1. Request relevant competent authorities to implement plans for wind, earthquake, fire, explosion, and volcanic (draft) disaster prevention and protection. Follows the schedule to develop the Emergency Reporting for All Citizens application. (MOI) 2. Create a website providing services associated with Internet accessibility as well as information about accessibility accreditation, including Web

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persons with disabilities, thereby enabling citizens to take refuge in advance. Since July 2016, the Soil and Water Conservation Bureau affiliated with the COA has used the PWS to send cellular broadcast messages to the public, informing them of red or yellow landslide alerts. Simultaneously, the Bureau sends particular warning messages to people living in red zones, thereby improving alert reporting effectiveness. (C) The Debris Flow Disaster Prevention and Response Operation Plan was introduced by the Executive Yuan on May 25, 2018 at the 38th Meeting of the Central Disaster Prevention and Response Council and promulgated through a written announcement on June 15, 2018. The section on the preparation of disaster data collection, reporting, analysis, and application (the second Part: Disaster Prevention) already includes disaster alert technology. Therefore, warning messages can be immediately sent to citizens in red zones, urging them to take refuge. (D) Flood Management: 1. Article 52-2 of the People with Disabilities Rights Protection Act specifies, “The websites established by all levels of government agencies (institutes) and their subsidiary agencies (institutes), and schools should obtain the first priority access-free examination and receive the certificate marks.” In addition to managing website establishment in accordance with Article 52-2, the MOEA developed disaster prevention and evacuation tools such as the Disaster Prevention website, Mobile Water Conditions application, Cellphone Number Registration, and Flood and Drought Prevention Facebook page. Specifically, the Mobile Water Conditions application features designs for persons with disabilities. For example, ringing or vibration mode can be turned on for disaster alerts. Suitable designs are also provided for persons with visual or hearing impairment. The display resolution can also be adjusted on different devices, reducing the hassle of zooming in and out on the screen or having to slide or scroll for content for persons with disabilities. 2. The Water Resources Agency, MOEA provides real-time information concerning flood warnings, reservoir water levels, and release warnings. Governmental agencies and NGOs	2. The Project for Improving the Construction of Emergency Command and Task Assignment System is a 2-year project (2018-2019). The goal in 2018 is to create a mobile application called Emergency Reporting for All Citizens. Key functions of this application enable persons with disabilities to preset their personal information and conditions to simplify the case reporting procedure. Additionally, the application features audio reporting, text reporting, positioning, and photo and video submission to 911 using easy read formats. The project is expected to be completed by December 2019 (MOI). 3. Continue revising its Disaster Prevention website and complete the revision by 2019; attain the Web Accessibility 2.0 accreditation badge for the revised website. (MOEA) 4. Supervise the Freeway Bureau, Taoyuan International Airport Corporation, and Maritime Port Bureau to adjust or revise their websites by 2019, 2020, and 2021, respectively; attain the Web Accessibility 2.0 badge for the revised website. (MOTC) 5. Collect disaster management strategies for persons with disabilities and expert interview approaches implemented in other countries for research. (NSTCDR) 6. Pursuant to Paragraph 1, Article 8 of the Enforcement Rules for the Disaster Prevention and Protection Act, recommend local governments to add easy read formats to the Debris Flow Disaster Prevention and Response Operation Plan following a biannual review. (COA)	Accessibility Guidelines, accreditation badge applications and inquiries, and accreditation results and notifications. (NCC) 3. Provide an inquiry service and guidance for web accessibility accreditation and guarantee the credibility of accreditation badges for websites. (NCC) 4. Continually amend the Guidelines for Accessibility of General Affairs Systems of Governmental Authorities and ensure that said guidelines satisfy the needs of government employees with disabilities. (NDC)
		Outcome indicators: Promote the information service websites of all government agencies and ensure that they attain the accreditation badge for accessibility. (NCC)
		Mid-term objective (to be completed between 2021 and 2022) Develop Web Accessibility Guidelines that conform to international specifications by referring to the Web Content Accessibility Guidelines proposed by the World Wide Web Consortium. (NCC)
		Long-term objectives (cannot be completed before the second international review) Continues conducting surveys on website use needs of persons with disabilities, and use the results as a reference for the development of Web Accessibility Guidelines and practical accommodations. Introducer supplementary measures to encourage private companies to actively participate in advocating for equal access to information. (NCC)

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are allowed to download said information for free from the Taiwan Water InfoShare&Exchange website, encouraging government agencies and NGOs to provide barrier-free services. 3. Since 2013, the Water Resources Agency and MOHW annually host workshops on the use of disaster prevention and evacuation tools for social welfare institutions such as residential institutions for older adults and persons with disabilities, nursing homes, and psychiatric nursing homes as well as competent authorities of junior high and elementary schools.		
B. Transportation information (MOTC) (A) Background analysis: 1. All government agencies are requested to develop their official websites in accordance with the Accessible Web Development Guidelines and Web Accessibility Guidelines 2.0, which have been announced by the NCC. Moreover, these websites must undergo an accessibility examination. 2. In the past, typhoon warning press conferences were hosted by only a weather professional who briefed the public on the latest typhoon information and disaster prevention alerts. Considering the needs of persons with hearing impairment, the MOTC has begun to provide sign language interpretation service in such conferences for said persons, enabling them to receive more accurate typhoon and disaster prevention information directly. 3. Currently, for persons with disabilities who visit motor vehicles offices on their own to handle relevant tasks (e.g., taking a driving test), offices shall arrange barrier-free facilities and assistive personnel at the registration desk and test venue as well as personnel to help these persons move between sites considering their limited mobility. For persons with hearing impairment, sign language interpreters shall be assigned to help them communicate and complete tasks. (B) Management and results:		

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1. The MOTC, Tourism Bureau, Bureau of High Speed Rail, and Taiwan International Ports Corporation Ltd. have obtained the Web Accessibility 2.0 Accreditation badge for their official websites. The Civil Aeronautics Administration, TRA, Freeway Bureau, and DGH are certified by Accessibility A+ and AA (i.e., Web Accessibility 1.0).		
2. Starting 2015, the Central Weather Bureau began to provide sign language interpretation service to typhoon warning conferences twice per day (the sessions are hosted at 11:40 a.m. and 05:40 p.m.). Sign language interpreters take turns to provide simultaneous service. By 2017, said service had been provided at 35 conferences.		
3. Special Entrance Examination of the Taiwan Railway Administration is managed by the MOEX. The MOEX shall adopt measures to protect the rights of candidates with disabilities. Pursuant to the Regulations Governing Rights Protection for Persons with Disabilities Taking National Examinations, the aid provided to candidates with disabilities shall be based on category of disabilities. The TRA developed the Regulations Governing the Operational Personnel Test to manage self-hosted tests for operational personnel. To safeguard he rights of persons with disabilities, the TRA mandates that said persons be exempted from physical fitness test. Depending on category of disability, candidates may use aids for written tests.		
4. Paragraph 5, Article 65 of the Rules on Road Traffic Safety specifies that the written test may be replaced by an oral test, and candidates with speech or hearing impairment may take the test using sign language. Paragraph 6, Article 65 provides that the interpretation of an oral test or sign language test shall be provided by an objective person assigned by the motor vehicle office. Seven motor vehicles offices in Taiwan now provide barrier-free spaces, personal assistance, specialized vehicles for persons with disabilities during driving tests, and sign language interpretation.		
5. Both the MOTC-subordinate airports and Taoyuan International Airport provide flight information using airport broadcasts, information display systems, official websites, and news tickers for passengers with disabilities. The MOTC also requests that all airline		

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check-in receptionists and flight attendants provide flight information using appropriate approaches. 6. The existing Land Traffic Disaster Prevention and Protection Operation Plan has included persons with disabilities and older adults as recipients in disaster information delivery channels. Furthermore, in the event of a disaster, the competent authority subordinated to the MOTC will text real-time disaster prevention alerts to cellphones of citizens (including those with disabilities) using PWS.		
C. Information dissemination (NCC, NSTCDR) (A) To safeguard the right of persons with disabilities to access websites and online information, the NCC requested all government agencies and schools to create accessible information service websites for persons with disabilities in accordance with the International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, the CRPD, and the People with Disabilities Rights Protection Act. (B) Pursuant to Subparagraph 1 of Article 52-2 of the People with Disabilities Rights Protection Act, “The websites established by all levels of government agencies (institutes) and their subsidiary agencies (institutes), and schools should obtain the first priority access-free examination and receive the certificate marks.” Pursuant to Subparagraph 2 of Article 52-2 of the People with Disabilities Rights Protection Act, the NCC issued the Regulations for Issuing Web Accessibility Accreditation badges for Websites of Governmental Agencies and Schools. Accordingly, the NCC conducts accessibility accreditation and inspections as well as issues accreditation badges. To increase the comprehensiveness of said accreditation and inspections, the regulations mandate that persons with disabilities be engaged in the accessibility accreditation of the aforementioned websites, thereby safeguarding the right to information access for persons with disabilities. (C) To follow the development of international Web Content Accessibility Guidelines and fulfill the criteria for accreditation and of inspections, the NCC referred to the Web Content		

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(D) Accessibility Guidelines 2.0 released by the World Wide Web Consortium to publish the Web Accessibility Guidelines 2.0 on February 15, 2017 in Taiwan. By the end of 2017, a total of 4,192 websites had received accreditation badges for accessibility. Additionally, persons with disabilities were invited to engage in random inspections of 952 of these websites, yielding a random inspection rate of 22.7%. (D) Because of the increasing dependence of citizens on the Internet, the Taiwanese web accessibility guidelines have become consistent with international guidelines. Therefore, website and webpage design has improved. The NCC will continue to observe international developments and amend the guidelines accordingly to ensure the accessibility of information service websites for users with disabilities. (E) The NSTCDR comanages the Disaster Prevention and Protection Expert Consultation Committee and completed a report in May 2018 entitled Suggestions for Implementing the Sendai Framework for Disaster Risk Reduction proposed by the 8th Disaster Prevention and Protection Expert Consultation Committee, Executive Yuan. The report was submitted to the 38th Meeting of the Central Disaster Prevention and Response Council (held on May 25, 2018), at which the Premier requested that all ministries and departments plan disaster prevention and reduction procedures according to the suggestions proposed in the report. On August 17, 2018, the Executive Yuan issued an official document to all ministries and departments (yuan-fang-zhuan-zi No. 1070016). Item 7 states, “The government shall emphasize the needs of persons with disabilities during disasters. Guidelines shall be established for disaster prevention and protection plans and drills for institutions housing individuals with special needs, including residential institutions for older adults and persons with disabilities and nursing homes.” The document also suggests that all authorities utilize existing mechanisms (e.g., the contact meetings for social welfare institutions organized by the MOHW) to create disaster risk communication platforms and systems. (NSTCDR) (F) The Department of Social Affairs (now merged with the MOHW) and NSTCDR developed the Natural Disaster Risk Evaluation Questionnaire for the Development of Social Welfare		

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Institutions in 2010, aiming to investigate the disaster prevention competence of social welfare institutions, to which the questionnaire was distributed. The questionnaire and relevant disaster management policies have been released on a website created by the NSTCDR in 2016 (https://easy2do.ncdr.nat.gov.tw/welfare) and in training programs to serve as references for social welfare institutions and local governments.		

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Freedom of expression and opinion, and access to information (art .21) 56. The IRC is concerned that: (c) The CRPD not having been translated into an easy read format or Taiwanese Sign Language; 57. The IRC recommends that the State: (c) 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;		56.57(c) MOHW (SFAA)
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
A. By collaborating with OPDs, the SFAA completed the easy read version of the CRPD with the participation of persons with disabilities by the end of 2017. In 2018, this version of the CRPD was promoted by persons with disabilities. The CRPD will also be translated into TSL by the end of 2018. B. To reinforce the promotion of the CRPD to the general public and persons with disabilities, the SFAA plans to develop other accessible formats, chiefly a Braille version and an audiobook. However, because the Braille format and audiobook of the CRPD will be translated from the Chinese version, and that the Chinese version is set to undergo revisions soon to more accurately express the intended meaning of the English text, the Braille format and audiobook are planned to be produced as soon as the revised Chinese version of the CRPD is published.	<u>Short-term objectives (to be completed before Jan. 1, 2021):</u> Finish the production of the CRPD in Braille and audiobook formats by December 2019. (SFAA)	Process indicators: Finish the development of the CRPD in easy read, TSL, Braille, and audiobook formats to ensure the right of access to information for persons with disabilities. (SFAA)

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent Authorities
Freedom of expression and opinion, and access to information (art .21) 56. The IRC is concerned that: (d) Persons with disabilities in particular living arrangements being unable to freely communicate with individuals outside those particular living arrangements; and 57. The IRC recommends that the State: (d) 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; and		56.57(d) MOHW (DOMAOH, SFAA, DONAHC, and DOLTC) Other agencies concerned: MOE and Veterans Affairs Council
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>Persons with disabilities may be receive particular living arrangements in residential social welfare institutions, nursing homes, psychiatric health institutions, and long-term institutions, where individual care services are provided. As mandated by The Special Education Act, 28 special schools have been founded in Taiwan to ensure that at least every county or city has at least one special school. Of these schools, 16 offer dormitories for students with disabilities who have difficulties commuting to school. This section describes the measures of communication implemented in these residences that protect the right to freely communicate with individuals outside for persons with disabilities.</p> <p>A. Social welfare institutions, nursing homes, psychiatric health institutions, and long-term care institutions (MOHW)</p> <p>(A) Article 25 of the Mental Health Act states that hospitalized patients with psychiatric disorders are entitled to communicate with individuals outside the hospital as well as provides penalties for violations of this provision. To safeguard the freedom of communication for patients with psychiatric disorders, the MOHW has included the rights protection measures adopted by psychiatric care institutions as an assessment item to ensure compliance with the Mental Health Act.</p> <p>(B) Some residents of disability welfare institutions, because of their conditions or at their families’ request, may be restricted or prohibited from making phone calls to individuals outside the institution at their discretion. Nevertheless, when residents have a communication need, institutional staff generally do not refuse a resident’s request. Additionally, residents are likely to experience conflicts between the time they choose for making phone calls and that of institution-scheduled activities. Therefore, freedom of choice for persons with disabilities shall be granted to the extent appropriate when safety or the group living schedule is concerned. In the future, institutional assessment indicators shall be used to guarantee residents with disabilities to have the freedom of choice and communication with individuals outside.</p> <p>(C) In nursing homes, residents are mostly bedridden with moderate and severe disabilities that impair the activities of daily living and thus require highly intensive care. In accordance with the Regulations Governing Nursing Institutions Assessment, a nursing home shall be assessed by the central competent authorities at least once every 4 years. The nursing home</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none">1. Patient privacy and rights protection (i.e., items associated with freedom of communication) have been incorporated as indicators in psychiatric care institutional assessments. (DOMAOH)2. Conduct assessment on 307 nursing homes between May 4 and October 31, 2018. Continue encouraging institutions to improve items related to “residents’ interactions with families (relatives and friends) and status of service provision,” and conduct inspections on such items. Collect information regarding the approaches that the institutions adopt to ensure their residents’ freedom to communicate with individuals outside. (DONAHC) <p><u>Short-term objectives (to be completed before May 2019)</u></p> <ol style="list-style-type: none">1. Continue safeguarding patient rights and facilitate community integration, and include said rights and integration as institutional assessment items. (DOMAOH)2. Continue requesting all local health departments to supervise and guide psychiatric care institutions under their jurisdiction for compliance with the Mental Health Act. Ensure that said institutions do not limit patients’ right to communicate with individuals outside living arrangements. Health departments must also provide compliant channels and impose penalties pursuant to Article 55 of the Mental Health Act when necessary. (DOMAOH)3. Continue offering self-training courses to help institutional residents with disabilities freely communicate with individuals outside living arrangements when appropriate. (SFAA)4. Amend and reinforce the assessment standards associated with “Enabling persons with dementia to freely choose the time or measures [with which] to communicate with individuals outside living arrangements.” (DOMAOH)5. Guide local governments to evaluate reinforcement of social participation, provision of support in independent living, and encouragement of self-expression in living arrangements when developing assessment indicators in accordance with the Long-Term Care Services Act, thereby recognizing the right to free choice of living arrangement among persons with disabilities. (DOLTC) <p><u>Mid-term objectives (to be completed between 2021 and 2022)</u></p> <ol style="list-style-type: none">1. Review training outcomes among institutions and add regulations prohibiting institutions	<p>Structural indicators: For patients with psychiatric disorders who have accepted particular living arrangements, include their freedom to choose the time to communicate with outside individuals as an item in the assessment for psychiatric care institutions. (DOMAOH)</p> <p>Process indicators:</p> <ol style="list-style-type: none">1. Conduct regular assessments of psychiatric care institutions. (DOMAOH)2. Includes the self-determination of resident students with disabilities as a workshop topic for dormitory supervisors, aiming to emphasize the right to self-determination for said students. (MOE) <p>Outcome indicators:</p> <ol style="list-style-type: none">1. Psychiatric care institutions connect their patients with community resources, thereby achieving community integration (DOMAOH).2. Institutional residents can choose the time at which they communicate with individuals outside the institution (SFAA).

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Concluding Observations		Competent Authorities
Freedom of expression and opinion, and access to information (art .21) 56. The IRC is concerned that: (d) Persons with disabilities in particular living arrangements being unable to freely communicate with individuals outside those particular living arrangements; and 57. The IRC recommends that the State: (d) 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; and		56.57(d) MOHW (DOMAOH, SFAA, DONAHC, and DOLTC) Other agencies concerned: MOE and Veterans Affairs Council
<p>assessment criteria in 2017 and 2018 included a section on Management and Rights Safeguards for Nursing Home Residents, and under which, “residents’ interactions with families (relatives and friends) and status of service provision” were specified to encourage institutions to create opportunities for their residents to interact with families and relatives (e.g., through forums, meetups, family visits, and family gatherings). The assessment results in 2017 showed that 88% of nursing homes satisfied this requirement. However, most nursing homes organized forums, meetups, and family visits, whereas only a few nursing homes organized family gatherings for residents.</p> <p>(D) Guaranteeing the right to free choice of living arrangement for incapacitated persons is indeed challenging in consideration that said persons have to reside in special institutions because of their disabilities.</p> <p>(E) Article 28 of the Mental Health Act states, “Upon the belief that mental health care institutions or their staff have infringed upon a patient’s rights and interests, patients or their protectors may file complaints in writing to the competent authorities of municipalities or counties (cities) where the mental health care institution is located.” Currently, no penalties have been assessed after local health departments have investigated said petitions and complaints submitted to the MOHW and county and city governments.</p> <p>(F) The MOHW has safeguarded patients’ rights and facilitated community integration by regarding freedom of communication as an institutional assessment item. Furthermore, the MOHW continues to request all local health departments to supervise and guide compliance with the Mental Health Act by psychiatric care institutions in their jurisdictions. Specifically, institutions are not allowed to restrain patients from freely contacting individuals outside their living arrangements. Health departments shall also provide a channel for complaints; furthermore, they shall impose penalties pursuant to Article 55 of the Mental Health Act when necessary and continue promoting patient rights.</p> <p>B. Special education schools (MOE) All schools set regular schedules of daily activities for resident students to maintain their health and safety. Prior to bedtime, students are not restricted from making phone calls or using other media to communicate with individuals outside the school. After bedtime, students are allowed to contact family members in the event of an emergency after notifying the dormitory supervisor.</p>	<p>from limiting residents’ right to communicate with individuals outside the institution. (SFAA)</p> <p>2. Special schools may not limit resident students from communicating with individuals outside the school. Resident students enjoy the freedom to contact the outside world. In addition to telephones, the MOE considers constructing other means of contact, including network connections, to provide various contact options for students. Furthermore, schools aim to increase community participation for resident students during nighttime activities. (MOE)</p>	<p>3. The MOE requests that special schools providing accommodations for students properly install telephones or payphones based on the number of resident students. Alternatively, these schools shall install wired and wireless networks for students to use to contact individuals outside the school. (MOE)</p>

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Concluding Observations		Competent Authorities
Freedom of expression and opinion, and access to information (art .21) 56. The IRC is concerned that: (e) Taiwanese Sign Language not being introduced early enough to deaf children. 57. The IRC recommends that the State: (e) Introduce Taiwanese Sign Language early enough to deaf children and their parents.		56.57(e) MOE MOHW (SFAA and HPA)
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>To introduce TSL to children with hearing impairment at an early stage, the educational system in Taiwan presently offers relevant communication training, adopts measures to promote communication in families with said children, and treats hearing problems that might cause learning disabilities; these efforts are described as follows.</p> <p>A. Educational system (MOE) Special schools for the hearing impaired host communication workshops (including those with sign language courses) for parents to learn to communicate with their hearing-impaired children.</p> <p>B. Communication in families with hearing-impaired persons (SFAA) (A) This section describes measures adopted to promote parent–child communication in families with hearing-impaired persons, particularly for families with hearing parents and hearing-impaired children. Because of the circumstances in Taiwan, hearing-impaired children communicate with their parents using cochlear implants or lip reading. However, in addition to the aforementioned technology (i.e., cochlear implants), other accessible communication solutions shall be adopted to safeguard the children’s right to language choice and guarantee smooth communication between parents and children. (B) By the end of June 2018, Taiwan had 65 early intervention institutions (including those providing early intervention as a minor business), of which 29 institutions (44.6%) admitted 168 children with hearing impairment. Specifically, daycare intervention was provided for 39 children (23.2%) and time-specific service was offered to 129 children (76.8%). According to assessment results, seven institutions offered TSL courses to 14 children with hearing impairment (eight receiving daycare service and six receiving time-specific service). (C) On September 5, 2018, the MOHW held an annual meeting with early intervention businesses for children with developmental delays, at which local governments were assigned to help train sign language personnel and increase the number of hearing-impaired children learning sign language.</p> <p>C. Reduction of learning disabilities caused by hearing problems (HPA) To prevent children from encountering communication and learning difficulties because of hearing impairment, the HPA has provided hearing screenings within 3 months of birth for infants born in Taiwan after March 15, 2012. In 2017, the MOHW subsidized screenings for</p>	<p><u>Short-term objectives (to be completed before May 2019)</u> 1. Add an annual social welfare budget item for subsidizing organizations for hearing- and speech-impaired persons that offer sign language courses for hearing parents. Additionally, subsidy priority is to be granted to parents with hearing-impaired children aged ≤6 years to promote early parent–child communication in order to foster strong relationships. (SFAA) 2. Deliberate on using an annual social welfare budget item for subsidizing early intervention institutions to develop sign language courses for institution employees to facilitate the integration of sign language communication into early intervention for children with hearing impairment. (SFAA)</p> <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u> 1. Continue offering communication (including sign language instruction) workshops for parents with hearing-impaired children. (MOE) 2. Investigate the proportion of hearing-impaired students and their parents who can use sign language. (MOE)</p> <p><u>Mid-term objectives (to be completed between 2021 and 2022)</u> 1. Provide services such as education consulting and solutions for vulnerable families comprising parents with disabilities and parents with children having disabilities or development delays to increase parents’ knowledge, aiming to strengthening family education and broadening parenting knowledge. (SFAA) 2. Add sign-language-related courses into training programs for professionals at social (family) welfare service centers to increase the understanding of hearing-impaired children and their parents. (SFAA)</p>	<p>Process indicators 1. Subsidize organizations for hearing-impaired persons to offer sign language courses to parents with hearing-impaired children. (SFAA) 2. Subsidizes local governments to manage child education services for vulnerable families. (SFAA) 3. Add sign-language-related courses into training programs for professionals at social (family) welfare service centers, thereby increasing understanding of hearing-impaired children and their parents. Provide support services for said parents. (SFAA) 4. Subsidize sign language training programs for employees working at early intervention institutions. (SFAA) 5. Organized 19 workshops in 2017 and aims to host 28 workshops in 2019. (MOE)</p>

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191,119 individuals, with a screening rate of 98.3%; 798 children were diagnosed with hearing impairment and transferred for intervention. The SFAA cooperated with other agencies to provide early intervention and social welfare resources for children with hearing impairment.		
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Concluding Observations		Competent Authorities
Respect for privacy (art. 22) 58. The IRC is concerned that: (a) The general lack of awareness regarding the protection of privacy of persons with disabilities among each of the five Yuans, including the Control Yuan; 59. The IRC recommends that the State: (a) Promote awareness on the privacy of persons with disabilities throughout the State and in each of the five Yuans, including the Control Yuan;		58.59(a) Executive Yuan (all subordinate authorities) Other agencies concerned: Control Yuan, Judicial Yuan, Examination Yuan, and Legislative Yuan
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>Taiwan separates five powers of state governance into five branches, namely the Executive, Legislative, Judicial, Examination, and Control Yuans. This section describes the regulations adopted by these Yuans to safeguard the privacy of persons with disabilities.</p> <p>A. Executive Yuan Following the enactment of the CRPD in Taiwan, the MOHW implemented plans to promote it, including legislation review, national reports, training programs, and various promotions. The MOHW has also requested government agencies of all levels to implement said plans. Increasing and reinforcing privacy safeguards for persons with disabilities are fundamental and crucial tasks. The Executive Yuan plans to request all authorities to arrange at least one session focusing on privacy when managing the annual CRPD training programs.</p> <p>B. Legislative Yuan (A) Pursuant to Article 5(6) of the Operational Procedures for Personal Information Protection and Administration promulgated by the Legislative Yuan, “In order to comply with acts, regulations, or contract obligations as well as rules set by the Legislative Yuan associated with personal information protection, and safeguard the person’s legitimate right to self-determination of personal information use, personal information protection policies are developed with the following objectives: ... f. Training programs on personal information protection education shall be arranged each year to increase safety awareness and knowledge of personal information protection among personnel in the Legislative Yuan.” (B) Pursuant to the CRPD Promotion Plan, the Personnel Department of the Legislative Yuan hosted workshops and training sessions associated with the CRPD in August 2016 and submitted resultant reports to the MOHW.</p> <p>C. Judicial Yuan (A) J.Y. Interpretation No. 603 states, “Protecting human dignity and respecting the freedom of personal development are core values of a free democracy. Although privacy is not</p>	<p><u>Short-term objectives (to be completed before May 2019)</u></p> <ol style="list-style-type: none">1. Arrange and promote training on personal information and human rights for its employees, aiming to increase their awareness of the importance of protecting the privacy of persons with disabilities. (Control Yuan)2. Continue implementing regulations related to privacy protection for persons with disabilities while exercising the control power, which are provided in the “Conclusions of Studies Exploring the Applicability of Operations Related to Investigations Launched by the Control Yuan to the Personal Information Protection Act.” (Control Yuan) <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">1. During annual adjournment, the Legislative Yuan regularly organizes training on personal information protection and incorporates concepts related to the privacy protection of persons with disabilities into such training. Said training aims to increase the awareness of the Legislative Yuan staff concerning information security and knowledge of privacy protection as these relate to persons with disabilities. (Legislative Yuan)2. The Judicial Yuan has arranged a course entitled the Discussions on Needs of Persons with Disabilities from the CRPD Perspective in 2019 for its judicial associate officers and court clerks from administrative courts of all levels as well as administrative staff from all departments. Through various forums and other occasions during which opinions are exchanged, the Judicial Yuan encourages administrative judges to protect the privacy of persons with disabilities when handling cases. (Judicial Yuan)3. The Judge’s Academy annually offers training programs on the protection of rights (including privacy) for persons with disabilities for judicial personnel handling family matters. In 2019, the Judicial Yuan plans to offer the following courses: “Practices that Ensure the Optimal Benefits for Persons with Disabilities—a Perspective from the CRPD,” “Discussing Rights protection for Persons with Disabilities from the CRPD Perspective,” “Discussing Rights protection for Persons with Disabilities from the Perspectives of the CRPD and Mental Health Act (exploration of theories and practices of guardianship declaration)”, and the “CRPD Seminar Series—Discussing Rights protection (including for those with psychiatric disorders or dementia) for Persons with Disabilities from Perspectives of the CRPD and Mental Health	<p>Process indicators:</p> <ol style="list-style-type: none">1. The Legislative Yuan organizes training programs on personal information protection, in which the fundamental concepts of privacy protection for persons with disabilities are included to implement relevant policies. (Legislative Yuan)2. The Judicial Yuan fosters awareness of the tenets of the CRPD among Judicial Yuan staff. (Judicial Yuan)3. The Examination Yuan organizes training on human rights and information security each year, with at least one session focusing on privacy protection. (Examination Yuan)4. The Control Yuan organizes and promotes training associated with privacy protection for persons with disabilities. (Control Yuan)5. When collecting, processing, and utilizing personal data of persons with disabilities, the Control Yuan follows relevant regulations provided in the “Conclusions of Studies

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<p>listed as a right in the Constitution of the Republic of China (Taiwan), a right to privacy shall be indispensable for maintaining human dignity and individual autonomy as well as ensuring freedom from personal privacy violations in daily life and self-control over personal information. Privacy is therefore protected by Article 22 of the Constitution of the Republic of China (Taiwan) (please refer to the J.Y. Interpretation No. 585).” Said Interpretation also applies to privacy safeguards for persons with disabilities.</p> <p>(B) The Juvenile Delinquency Act and Family Act apply to any juvenile with disabilities involved in juvenile delinquency or any person involved in family matters; and both acts specify that the handling of cases shall not be public and judicial documents involving youth or child shall not be made public. The Juvenile Delinquency Act includes a regulation requiring removal of records of previous cases. Any individual who violates the relevant regulations on data confidentiality shall be subject to penalties imposed by competent authorities. The person whose rights are violated is entitled to file civil or criminal damage claims in accordance with relevant acts.</p> <p>(C) The Judicial Yuan annually offers workshops and courses on the CRPD and personal information protection, aiming to increase the awareness of the rights and privacy safeguards for persons with disabilities among judges and administrative employees. The Judicial Yuan continues to offer relevant training to encourage respect of privacy as stated in the CRPD.</p>	<p>Act.” Said courses aim to increase awareness among relevant professionals of the need to safeguard the rights (including privacy) of persons with disabilities. (Judicial Yuan)</p> <p>4. In coordination with the schedule for the amendment of the Administrative Litigation Act, the Judicial Yuan reviews and amends the Precautionary Matters on Handling Administrative Litigation Cases when appropriate, thereby reinforcing judicial protection for persons with disabilities concerning their privacy during litigation. (Judicial Yuan)</p>	<p>Exploring the Applicability of Operations Related to Investigations Launched by the Control Yuan.” (Control Yuan)</p> <p>Outcome indicators</p> <p>1. The MOHW requests governments of all levels to include at least one session on privacy protection topics when organizing CRPD training. (MOHW)</p> <p>2. The Control Yuan increases the awareness of privacy protection for persons with disabilities among its members and employees. (Control Yuan)</p> <p>3. The Judicial Yuan follows the amendment schedule of the Administrative Litigation Act to review and revise the Precautionary Matters on Handling Administrative Litigation Cases, thereby reinforcing judicial protection of the privacy of persons with disabilities during litigation. (Judicial Yuan)</p>
<p>D. Examination Yuan As a part of human rights protection, privacy protection for persons with disabilities involves access to, processing, and application of personal information. The Taiwanese government has strived to develop policies aimed at safeguarding human rights and personal information. Furthermore, the growth of information technology in recent years has created a clear nexus between personal data protection and information security. Therefore, the Examination Yuan organizes training that focuses on human rights topics and information security (including personal information protection) each year, aiming to increase its employees’ awareness of the rights (including privacy) of persons with disabilities.</p>		

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<p>E. Control Yuan To ensure compliance with the Personal Information Protection Act, when the Control Yuan collects, processes, or utilizes personal data while exercising its control power, it shall abide by the “Conclusions of Studies Exploring the Applicability of Operations Related to Investigations Launched by the Control Yuan to the Personal Information Protection Act”, which was formulated in the 67th meeting of the 4th Control Yuan members on January 14, 2014. Therefore, when publishing investigation reports, corrective files, censure files, and impeachment files wherein the Personal Information Protection Act can be applied, the Control Yuan may evaluate the public benefits brought by exercise of control power against the effects on investigated individuals to publicize information to an appropriate extent. Names and other identifiable personal information shall be publicized or partly concealed according to the processing principles proposed by said Conclusions. Therefore, in investigations involving the protection of privacy for persons with disabilities, personal information shall be concealed in accordance with the processing principles proposed by said Conclusions.</p>		

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Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>Taiwan has enacted the Personal Information Protection Act to regulate the collection, processing, and use of personal data to prevent the violation of personal rights and promote the reasonable use of personal data. Data involving identity protection (including privacy) for persons with disabilities shall be stored and used in accordance with the Personal Information Protection Act, which is described as follows.</p> <p>A. Pursuant to Paragraphs 1 and 2 of Articles 22, the CRPD, “States Parties shall protect the privacy of personal, health and rehabilitation information of persons with disabilities on an equal basis with others.” This corresponds with Article 1 of the People with Disabilities Rights Protection Act (hereinafter refers to as the Protection Act in this section,): “This Act aims to protect the legal rights and interests of people with disabilities, secure their equal opportunity to participate in social, political, economic, and cultural activities fairly, while contributing to their independence and development.” Paragraph 1 of Article 2 specifies the central competent authority: “The competent authorities refer to the Ministry of Health and Welfare at the central level...” Subparagraph 1, Paragraph 3 of Article 2 further states its responsibilities: “The competent authorities are responsible for the planning, implementation and supervision of the affairs/issues concerning the related legal rights and interests of people with disabilities...” Paragraph 1 of Article 16 emphasizes the respect of the identity and rights of persons with disabilities and states, “The dignity and legal rights and interests of people with disabilities shall be respected and guaranteed.” Paragraph 1 of Article 71 regulates the process of acquiring personal information for subsidization: “The competent authorities shall ask relevant organizations (institutions), groups, juristic corporates, or individuals to provide information required for processing the subsidies mentioned in the preceding article. The abovementioned respondents have an obligation to provide the information required. The competent authorities shall duly perform the duty of care of information obtained in accordance with the provisions of the preceding paragraph, and possess, process and use that information according to the provisions of the Personal Information Protection Act” (NDC).</p> <p>B. The Personal Information Protection Act in Taiwan only provides general regulations. Regarding regulations associated with personal rights (including privacy) of persons with disabilities, the MOHW shall, when necessary, propose plans regarding awareness</p>	<p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">1. Promote the concept of personal information protection for students with disabilities at conferences such as the national conference for special education division chiefs and that for school principals. To use students’ personal information, consent must be granted by their legal representatives; to protect students’ privacy, only designated uses are allowed. (MOE)2. Design technology-related courses (including daily life technology and information technology) in the newly developed 2019 curriculum guidelines for special education in order to increase the information and technology literacy of students with disabilities as well as their awareness to protect their privacy. (MOE)	<p>Process indicators:</p> <p>The MOHW stores and uses personal information of persons with disabilities in accordance with the Personal Information Protection Act, thereby protecting their privacy. (MOHW)</p>

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Concluding Observations		Competent Authorities
Respect for privacy (art. 22) 58. The IRC is concerned that: (b) 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; and 59. The IRC recommends that the State: (b) 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; and		58.59(b) NDC Other agencies concerned: MOJ and all authorities
enhancement for privacy protection for said persons and add them into the People with Disabilities Rights Protection Act (NDC). C. When data transfer is necessary between governmental agencies, the balance between the privacy of persons with disabilities and the collection of statistical information shall be deliberated in amendments of the Personal Information Protection Act and the People with Disabilities Rights Protection Act. The Judicial Yuan provides its suggestions to competent authorities when appropriate. When processing information involves juvenile delinquency, the authority in question shall comply with Paragraph 1, Article 83 of the Juvenile Delinquency Act: “No one may disclose in media, information, or make public records or photos related to juvenile delinquent protection or a juvenile criminal action, so that a reader may have sufficient data to identity a juvenile being investigated or tried in a juvenile delinquent protection or a defendant in a criminal action” (Judicial Yuan). D. Article 31 of the CRPD also emphasizes privacy protection by requesting governments to “comply with legally established safeguards, including legislation on data protection, to ensure confidentiality and respect for the privacy of persons with disabilities.” Although Taiwan has enacted the Personal Information Protection Act to safeguard personal rights and ensure reasonable data use, incidents involving personal data circulation that affects citizens’ rights still occur. Data transfer between government agencies remains necessary for national policy development, and the government must balance the privacy of persons with disabilities and the collection of statistical data. By referring to the Personal Information Protection Act, the MOHW will meticulously review applications for nonspecific use of personal information of persons with disabilities (e.g., for statistical analysis or study purposes) submitted by government agencies or academic institutions. Additionally, the MOHW encourages to provide deidentified data to protect citizens’ privacy. Moreover, if articles are added into the Personal Information Protection Act to safeguard specific groups, the MOHW will determine whether amendment to the People with Disabilities Rights Protection Act is necessary. E. The MOHW stores and utilizes personal data of persons with disabilities according to the regulations stated in the Personal Information Protection Act. If articles are added to the Personal Information Protection Act to safeguard specific groups, the MOHW will determine whether amendment to the Protection Act is necessary. F. The MOE provides online IEPs on websites of the State Department Special Education		

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent Authorities
Respect for privacy (art. 22) 58. The IRC is concerned that: (b) 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; and 59. The IRC recommends that the State: (b) 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; and		58.59(b) NDC Other agencies concerned: MOJ and all authorities
Network Center developed by the K-12 Education Administration and that of the MOE-developed Integration Education of Love with No Limit. However, using and uploading online IEPs are currently not mandatory. Said websites only serve as IEP platforms for teachers to use and refer to. Teachers may choose to use online IEPs or conventional written IEPs.		
G. Results of privacy protection for persons with disabilities (MOE) (A) Relevant matters are handled in accordance with the Cyber Security Management Act, Enforcement Rules for the Cyber Security Management Act, and Paragraph 2, Article 11 of the Regulations Governing the Rating of Cyber Security Responsibilities. (B) Security settings for log-in accounts and passwords: 1) Notifications of password changes are set to regularly pop up, demanding that users change their passwords. 2) Passwords must contain at least twelve characters with lowercase and uppercase letters, numeric digits, and special characters. 3) If the wrong password is entered five times, the current password becomes invalid, requiring the user to reapply for a new password. 4) An on-screen keyboard is provided on websites, allowing the user to enter the account and password without using an actual keyboard. 5) An additional column is added for the user to enter a randomly generated verification code. (C) Presently, when school teachers seek to download student data from the Special Education Transmit Net, a notice saying “Shall be processed in accordance with the Personal Information Protection Act” appears. In the future, such a notice will pop up before the login page appears, reminding teachers and relevant staff using the website of compliance with said Act. Attendees of annual trainings are also reminded of said request. (D) Data exchanged between ministries and agencies: data in specific columns are to be exchanged according to the aforementioned meeting Conclusions and regulations involving personal information, and information security protocols shall be followed.		

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent Authorities
Respect for privacy (art. 22) 58. The IRC is concerned that: (c) 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. 59. The IRC recommends that the State: (c) Strictly implement article 24 of the Mental Health Act and protect the privacy of persons with psychosocial disabilities, including their treatment histories.		58.59(c) MOHW (DOMAOH)
Background and Problem Analysis	Action Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>The press tends to attribute citizen attacks to mental illness. The press even releases treatment histories of perpetrators to increase news viewership. Consequently, the public mistakenly believes that such attacks are synonymous with mental illness. To prevent public discrimination and bias against persons with psychological disabilities and to demand correct reporting of news associated with such disabilities, several measures have been adopted and are detailed as follows.</p> <p>A. The MOHW proposed the Six “Dos” and Four “Don’ts” Principle of Reporting News Involving Mental illness. The six things to do are the following: 1) Have a deep conversation with the person concerned or a mental health treatment expert. 2) Tell the truth by selecting reliable sources. 3) Place the report inside the paper instead of on the front page. 4) Emphasize objectivity and impartialness. 5) Respect the privacy of the person concerned and his/her family. 6) Attach hotline numbers, community resources, and health education information related to mental health services. Four things not to do are the following: 1) Do not report the news using dramatic or sensational approaches. Just focus on the facts. 2) Do not imply that the person concerned has mental illness. 3) Do not address or describe the person with mental illness in a discriminative or stigmatizing way. 4) Do not provide details that can be easily taken out of context or lead to overgeneralizations. Said principle was officially recognized on March 24, 2014 and presented to the NCC on March 25 with the request to the NCC to inform all news media of the principle and to provide aid in promoting it to protect the rights of persons with psychological disabilities. To protect the privacy of said persons and prevent leaks of their treatment histories, privacy protection has been included as an assessment indicator for psychiatric hospitals, rehabilitation institutions, and nursing homes.</p> <p>B. The Mental Health Act amendment draft includes regulations on mass media news reporting that provide that competent authorities shall supervise mass media and impose penalties for violations of matters related to their responsibilities.</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none">1. The DOMAOH requests all local health departments to collaborate with organizations advocating for patients’ rights in order to hold promotional activities aiming to destigmatize mental illness. Such activities introduce mental illness to the public and gradually destigmatize them and reduce associated discrimination, thereby increasing public understanding and acceptance of persons with mental illness. (DOMAOH)2. The DOMAOH has produced and printed a series of promotional materials called the Mental Health Collection that presents various mental health issues and introduces psychological disabilities, common problems caring for such disabilities, treatments, and relevant medical resource support, aiming to share correct knowledge and concepts regarding psychological disabilities with professionals not working in the psychiatric clinic, patients with psychological disabilities and their families, and the public. The Mental Health Collection has been sent to various sectors and uploaded to the DOMAOH website where it is available for download. (DOMAOH) <p><u>Short-term objectives (to be completed before May 2019)</u></p> <p>The DOMAOH requests all local health departments to supervise medical institutions and stress the importance of protecting the privacy of patients with psychological disabilities to the public. (DOMAOH)</p> <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <p>The DOMAOH plans to offer training programs that introduce mental illness, the CRPD, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights to all civil servants, including those in the five Yuans. (DOMAOH)</p> <p><u>Mid-term objectives (to be completed between 2021 and 2022)</u></p> <p>The DOMAOH will cooperate with NGOs and all relevant authorities to complete the Management System for Care Information for Patients with Psychological Disabilities developed by the Ministry of Justice, which is designed to store the data of patients with psychological disabilities in a manner that complies with the CRPD. The DOMAOH will also ensure the security of said data. (DOMAOH)</p>	<p>Process indicators:</p> <ol style="list-style-type: none">1. Include privacy protection for patients with psychological disabilities, particularly their treatment information, as an assessment item, and conducts such assessment. (DOMAOH)2. Introduce mental illness to the public and government agencies (including the five Yuans) and emphasize the importance of privacy protection for said patients to destigmatize mental illness. (DOMAOH)3. Request that all ministries and agencies that conduct information system interconnection and data matching must comply with the Personal Information Protection Act and the principle of proportionality (DOMAOH)

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Concluding Observations		Competent authorities
B. Specific rights (arts. 5-30) Respect for home and the family (art. 23) 60. The IRC is concerned that the State: a) Lacks empirical data regarding the incidence of sterilization of persons with disabilities; 61. The IRC recommends that the State: a) Investigate and publish data regarding the incidence of sterilization of persons with disabilities, and educate health care providers on the requirement of informed consent;		60.61(a) MOHW (HPA) MOHW (DOMA, DONAHC) Other agencies concerned: MOHW (NHIA, SFAA)
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
Regulations governing surgical sterilization and its actual practice, including whether health care personnel provide sufficient explanation to the person receiving the surgery and obtain his or her consent before performing the surgery, are detailed separately as follows. A. Paragraph 1, Article 9 of the Genetic Health Act permits a pregnant woman to choose to abort a pregnancy if she has been diagnosed with any of the specified conditions. Paragraph 2, Article 9 of the same act states that the consent of a legal representative or guardian/assistant is required before an abortion may be performed on an unmarried minor or a woman under guardianship or assistance. The Genetic Health Act mandates that an abortion or ligation may only be conducted under the consent of both the pregnant women and the statutory agent or assistant. Therefore, performing forced abortions or ligations on women with disabilities is illegal. (HPA) B. The present regulations do not authorize the reporting or registration of ligation. Moreover, because ligation is not covered by NHI, no relevant data are available. The meeting of the Genetic Health Advisory committee of the MOHW on September 14, 2018 resolved that the Report of Disabled People’s Living Condition and Demand Survey, which is conducted every 5 years, may include an investigation of the performance of ligation and surgical sterilization procedures despite the inability to determine whether such surgeries were forced. The competent authority may combine the results of such an investigation with the health records of persons with disabilities contained in the National Health Insurance Research Database to determine the prevalence of surgical sterilization among them. (HPA) C. To ensure that patients are well-informed of the medical procedures and treatments they are to receive before making medical decisions and giving consents, Article 81 of the Medical Care Act provides that medical institutions shall inform the patient or his/her legal agent, spouse, kin, or interested party of his/her condition, course of treatment, disposition, medication, expected condition, and possible ill effects. (DOMA) D. Article 63 of the Medical Care Act mandates that medical institutions shall explain the reasons for surgical operations, the success rate of such procedures, possible side effects and risks to the patient, his/her legal agent, spouse, kin, or interested party and must obtain his/her signature on a letter of consent for surgery and anesthesia before commencing with the	<u>Completed projects and projects conducted since 2018</u> 1. Providing leaflets and pamphlets on the ligation of persons with disabilities nursing personnel, which are produced by the MOHW and other relevant authorities, to nursing personal for friendly explanation and health care education. In addition to providing instructions and health care education to statutory agents of patients, nursing personnel should focus on educating persons with various disabilities on informed consent and the importance of patient autonomy. (DONAHC) 2. Sent an official letter to course-offering units of each hospital before August 2018 to promote the development of continuing education courses for nursing personnel to learn about providing sufficient explanations and obtaining consent prior to performing ligations on persons with disabilities in accordance with the CRPD. (DONAHC) 3. Supervise relevant domestic professional organizations to help improve the quality of courses on communication with persons with disabilities. (DOMA) 4. Item 2.1.2 of the 2018 Hospital Accreditation Criteria and Assessment Items states that health care personnel should communicate with patients and adequately explain the medical condition, the treatment, and treatment options. Specifically, in a case where an invasive examination or treatment is to be administered, hospitals shall abide by operational regulations and obtain a consent form signed by the patient. Moreover, nursing personnel should communicate with patients using simple words and suitable pictures or written information. Assistive methods should also be devised to meet the needs of patients with disabilities, and these methods might consist of conversation by writing, a writing board, a communication board, the presence of a third party, and sign language/lip reading for people with hearing impairment. (DOMA) 5. Schedule a meeting to discuss topics concerning the performance of ligations and surgical sterilizations to persons with disabilities. The results of the discussion may serve as references for policy planning. (HPA). 6. The Taiwan Society for Adolescent Medicine and Health (TSAM) was commissioned in 2018 to produce online interactive learning materials to provide knowledge and skills regarding adolescent-friendly health services. The curriculum covers knowledge required for medical personnel to promote adolescent health care, covering a general introduction to	Process indicators: 1. Schedule a meeting to discuss topics concerning surgical sterilization and the performance of ligation. The results of the discussion may serve as references for policy planning. (HPA) 2. Present existing teaching materials concerning sexual and reproductive health or those under development to municipality and county (city) governments, relevant authorities, and professional associations. These materials may serve as references for training caregivers, social workers, and medical personnel as well as implementing continuing education courses. (HPA) Outcome indicators: 1. In 2018, 80% of the hospitals that applied for assessment fulfilled the requirements specified in Item 2.1.2 of the 2018 Hospital Accreditation Criteria and Assessment Items.

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61. The IRC recommends that the State: a) Investigate and publish data regarding the incidence of sterilization of persons with disabilities, and educate health care providers on the requirement of informed consent; surgical procedure. In addition, Article 13 of the Regulations Governing the Registration for Practice and Continuing Education of Medical Personnel proposed by the MOHW provides that medical personnel shall take the following courses for continuing education... [and the]... accumulated points that must be completed every 6 years are as follows: (a) a minimum of 120 points and (b) the accumulated points for continuing education curriculum mentioned in subparagraphs 2–4 in the previous paragraph should total up to at least 12 points, involving courses on infection control and gender issues. A maximum of 24 points may be accumulated. Accordingly, medical personnel should accumulate a minimum of 120 points every 6 years, including gender issue courses. By the end of 2017, the number of people registered as medical personnel was 163,736. An average of 27,000 people—the result of 163,736 divided by six—are required to take relevant courses each year (DONAHC). E. The continuing education curriculum for nursing personnel does not cover the topic of providing sufficient explanation of the planned surgery to surgery patients with disabilities and obtaining their consent before commencing with surgical sterilization. However, there are courses related to providing sufficient information to surgery patients and obtaining their consent. A total of 183 such courses were offered in 2017. A total of 8,449 participants took such courses, representing 31% of the nursing personnel who were required to pass such a course. This shows that more nursing personnel should be encouraged to participate in education and training on informing patients about surgical procedures and respecting patient autonomy (DONAHC).	adolescent medicine and health, a case discussion on shared decision-making in adolescent health services, Taiwan’s ethical regulations and policies for adolescent health services, the integration of adolescent-friendly health services and community resources, sexual and reproductive health education for adolescents and international quality standards for adolescent-friendly health services, and mental health of adolescents. (HPA)	(DOMA)
	<u>Short-term objectives (to be completed before Jan. 1, 2021)</u> 1. Because of the government’s limited budget and the non-repetition of resources, the HPA should collect existing teaching materials on sexual and reproductive health education for persons with disabilities provided by the MOE to determine the current state of sex education resources for persons with disabilities. In addition, experts/organizations focusing on health, sex education for persons with disabilities, and special education and persons with disabilities will gather together to discuss these topics. Areas that require improvement or enhancement will be identified by these experts, and on such a basis, health care authorities may plan new teaching materials and develop resources. Related government units are advised to provide different formats of teaching materials for persons with different types of disabilities (including mental disorders), and based on these, teaching materials in the easy read format concerning reproductive health information for persons with disabilities may be developed. (HPA) 2. Present existing teaching materials concerning sexual and reproductive health to municipality and county (city) governments, relevant authorities, and professional associations. These materials may serve as references for training caregivers, social workers, and health care personnel as well as implementing continuing education courses. (HPA) 3. Continuing education courses for medical personnel, focusing on communication regarding health care for persons with disabilities, will be continually implemented. The goal is to offer 100 courses from 2019 to the end of 2020 to train at least 1,000 medical professionals. (DOMA) 4. A minimum of 200 gender equality courses will be established annually for nursing personnel to increase the participation rate and the number of nursing personnel taking such courses. (DONAHC) 5. The competent authority shall acquire health records of persons with disabilities through connecting to the National Health Insurance Research Database before June of 2020 to compare the number of hysterectomy performed on persons with and without disabilities.	2. From 2019 to the end of 2020, a total of 100 courses focusing on communication regarding health care for persons with disabilities will be developed, training at least 1,000 persons in total. (DOMA) 3. Increase the percentage of registered nurse practitioners in Taiwan who take courses or receive training on providing sufficient explanations to patients and obtaining their consent before performing a surgery. (DONAHC)

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Concluding Observations		Competent authorities
B. Specific rights (arts. 5-30) Respect for home and the family (art. 23) 60. The IRC is concerned that the State: a) Lacks empirical data regarding the incidence of sterilization of persons with disabilities; 61. The IRC recommends that the State: a) Investigate and publish data regarding the incidence of sterilization of persons with disabilities, and educate health care providers on the requirement of informed consent;		60.61(a) MOHW (HPA) MOHW (DOMA, DONAHC) Other agencies concerned: MOHW (NHIA, SFAA)
	(HPA, NHIA) <u>Medium-term objective (to be completed between 2021 and 2022)</u> Add more questionnaire items to the Report of Disabled People’s Living Condition and Demand Survey in 2021 to explore the practice of ligation and surgical sterilization among persons with disabilities. (SFAA)	

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Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human right indicators
Taiwan’s sexual and reproductive health education for persons with disabilities is mainly conveyed through the following two systems, the health administration and social welfare system and the education system, which are respectively detailed in the following. A. Health administration and social welfare system (MOHW) (A) Article 50 of the People with Disabilities Rights Protection Act mandates that the municipal and competent authorities of the county (city) shall provide marital and reproductive health consultation for persons with disabilities to satisfy their needs for individual support and care. Moreover, Article 43 of the Regulations Governing Individual Care Services for Persons with Disabilities provides that marital and reproductive health counseling shall be provided by family educators, professional personnel of medical institutions, social workers, professional workers of social welfare organizations, and other related service providers. (B) Article 30-2 of the People with Disabilities Rights Protection Act specifies that textbooks verified by the MOE shall be transformed into accessible formats for persons with visual impairment, learning disabilities, hearing impairment, and other sensory impairments to meet their learning needs. (C) To promote sexual health among adolescents, the HPA created a sex education website for	<u>Projects to be conducted in or completed by 2018</u> 1. The Taiwan Association for Sexuality Education was commissioned to implement the Service Plan for Promoting Adolescent Sexual Health. An expert group of psychiatrists, obstetricians, psychologists, professors, and representatives of professional organizations specializing in sex education was formed to assist with verifying and updating the sex education website for adolescents. By April 2018, six health education articles and information to refute rumors have been placed on the website for viewing and downloading. (HPA) 2. The State Department Special Education Network Center of the K-12 Education Administration under the MOE published the Handbook on Sex Education Teaching Materials for Special Education Students (the Disability Category). Hyperlinks were provided in the “treasure box for teaching materials” section on the website of the HPA to direct users to the teaching materials database page of the National Special Education Information Network. (HPA) 3. Courses on gender equality among persons with disabilities were included in advanced courses for caregivers at institutions for the welfare of persons with disabilities. (SFAA) 4. Regarding the assessment indicators for the professional services of welfare institutions for persons with disabilities, the design of appropriate sexual equality education programs	Process indicators: 1. Set up hyperlinks on the “treasure box for teaching materials” sections of the sex education website for adolescents established by the HPA, directing users to the teaching materials database page of the National Special Education Information Network. (HPA) 2. Relevant government agencies are provided with teaching materials of reproductive and sexual health that are existing or under development, which may serve as reference for planning

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adolescents (http://young.hpa.gov.tw). Targeting adolescents at different ages and their parents, this website offers teachers and parents teaching approaches and resources for implementing sexual and reproductive health education. Moreover, a section is reserved for adolescents to offers information and consulting services regarding sexual and reproductive health. In accordance with regulations of the NCC and the Web Content Accessibility Guidelines 2.0 (WCAG 2.0), the website has undergone an inspection and received an AA level certificate, proving its accessibility to persons with hearing or visual impairment.	according to these persons’ physiological development and demand for interaction as well as the keeping of program implementation records were included in the assessment criteria. (SFAA)	education and training materials for caregivers, social workers, and staff of welfare institutions for persons with disabilities. (HPA)
B. Education system (MOE) (A) Research has confirmed that the implementation of sex education in schools is effective in improving adolescent sexual health. To effectively combine domestic sexual education resources, the MOE partnered with other relevant departments, the Centers for Disease Control of the Ministry of Health and Welfare, the HPA, experts/scholars, and local governments to develop a plan for implementing sex education (including AIDS control and treatment) in schools. With the goal of treating both the symptoms and the disease, the plan covers physiological, psychological, social, and spiritual aspects of sex education. (B) Experts were invited to edit the Handbook on Sex Education Teaching Materials for Special Education Students (the Disability Category) and design relevant teaching materials and teaching plans according to different educational stages to assist onsite special education teachers to offer students with disabilities appropriate content and guidance of sex education. The manual covers topics such as awareness of primary and secondary sex characteristics, identification of sexual harassment and how to seek help, learning about gender and household tasks, online dating, proper perspectives on romantic relationships, and life after marriage. Such comprehensive content provides material for holistic teaching by special education teachers and onsite educators. (C) In terms of sex and reproductive health education designated in the learning area of the curriculum guidelines, gender equality teaching materials for students with intellectual disabilities that are compiled by the K-12 Education Administration can be used to teach these students sexual and reproductive health knowledge. Different levels of teaching materials and methods are available to meet the needs of students at different developmental levels and possessing various levels of comprehension. Teaching methods can take the form of role playing, storytelling, acting, discussion, and computer-assisted multimedia instruction. For students with hearing impairment, gender equality teaching materials for students with	<u>Short-term objectives (to be completed before Jan. 1, 2021)</u> 1. Because of the government’s limited budget and wish to avoid producing redundant resources, the HPA should collect existing teaching materials for sexual and reproductive health education for persons with disabilities produced by the MOE to determine the current state of sex education resources for persons with disabilities. In addition, experts/organizations focusing on health, sex education for persons with disabilities, and special education as well as persons with disabilities will gather together to discuss such topics. Areas that require improvement or enhancement will be identified and suggested by these experts, and health care authorities may plan new teaching materials and develop resources on the basis of their recommendations. Government units are advised to provide various formats of materials for persons with different types of disabilities (including mental disorders), on the basis of which teaching materials in the easy read format concerning reproductive health information for persons with disabilities may be developed. (HPA) 2. The existing teaching materials on sexual and reproductive health education for persons with disabilities will be promoted through various channels such as schools for students with disabilities and related organizations, the MOE and the social administration units, and the website of the HPA. Moreover, these materials may serve as references for medical personnel in hospitals who perform prenatal screening to assist with their skills in caring for women with disabilities and as teaching materials to train caregivers and social workers. (HPA)	3. Provide references to hospitals regarding prenatal screening to assist them in caring for women with disabilities. (HPA) 4. Health-promoting universities are to be subsidized annually by the MOE to encourage their promotion of sex education. (MOE) 5. A workshop is held every 2 years to promote sex education among newly recruited administrative personnel in universities, with the aim of advocating for safe sex. (MOE) 6. Select universities at which to promote sex education every year and hire experts and scholars to assist the selected universities in constructing a friendly campus and promoting AIDS care, providing consultation and guidance services, and developing a sex education curriculum and teaching materials. In addition, demonstration conferences will be held by the selected
	<u>Medium-term objectives (to be completed between 2021 and 2022)</u> 1. Sex education teaching materials for students with hearing impairment, visual impairment, and mental disorders should be presented as images with subtitles and translated into sign language, Braille, and audio versions to accommodate various categories of disability. (MOE) 2. Plan for implementing sex education (including AIDS control and treatment) in schools (MOE) (1) Objective: to enhance the effectiveness of sex education and cultivate students’ ability to handle issues related to sex. Guide schools and teachers that promotes sex education on	

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Concluding Observations		Competent authorities
B. Specific rights (arts. 5-30) Respect for home and the family (art. 23) 60. The IRC is concerned that the State: b) Lacks sexual and reproductive health education for persons with disabilities, especially persons who are deaf or who have intellectual disabilities; and 61. The IRC recommends that the State: b) Provide sexual and reproductive health education to persons with disabilities, especially persons who are deaf or who have intellectual disabilities		60.61(b) MOHW (HPA) MOE
hearing impairment compiled by the K-12 Education Administration may be used in conjunction with written texts and sign language. Special education teachers can also compile teaching materials according to the various needs of such students and incorporate gender education into various subjects and learning areas. (D) Sex education is one of the top ten topics for promotion, and the MOE has established gender education indicators for the Grade 1-9 Curriculum to ensure that all sex education courses comply with the students’ psychological age and brain function. To enhance student understanding of affective education, sex education courses that cater to the needs of students with various disabilities are currently being researched and designed. Moreover, characteristics of different disabilities are being considered when compiling gender equality teaching materials for student with disabilities, and a notice has been sent to each school to inform them of the website (https://www.gender.edu.tw/web/index.php/m5/m5_05_07_index) where they can apply for teaching materials for sexual and gender equality in special education (disability category).	campus to help cultivate appropriate attitudes and values toward sex among students. (2) Implementation strategies and methods: a. Include sex education as a required topic in health-promoting universities: Since 2013, sex education (including AIDS control and treatment) has been included as a required topic in such schools and is subsidized annually by the MOE. b. Compile an instruction manual and reference teaching materials for sex education in colleges and universities (including AIDS control and treatment): professional teams will be commissioned to compile an instruction manual and reference teaching materials for sex education in colleges and universities (including AIDS control and treatment) for reference and application. c. Hold workshops for the dean of student affairs, counselors, dean of health and sanitation, nursing personnel, and other administrative personnel. d. Encourage a minimum of 1 hour of sex education (including AIDS control and treatment) during freshman orientation. In addition, universities should collaborate with health authorities of all level and NGOs to jointly promote sex education (including AIDS prevention and control). e. Provide universities with consultation and referral services for sex education (including AIDS prevention and control). The courses or activities should advocate safe sex and acceptance of people with AIDS to develop appropriate attitudes and values among faculty and students. f. Select health-promoting universities, offer guidance from experts and scholars, and hold demonstration conferences to present the achievements.	universities throughout the country to present promotional outcomes. (MOE) Outcome indicators: The number of visitors to the sex education website for adolescents is expected to exceed 30,000 each year. (HPA)

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B. Specific rights (arts. 5-30) Respect for home and the family (art. 23) 60. The IRC is concerned that the State: c) Does not provide adequate support for parents with disabilities, resulting in the children of those parents being removed from the home. 61. The IRC recommends that the State: c) 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.		60.61(c) MOHW (SFAA , HPA, DOSAASW, Department of Prevention, Rehabilitation and Protection) MOE
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>Taiwan has endeavored to support the parenting abilities of parents and foster parents with disabilities to ensure proper child-rearing as well as to enable professional service providers to understand the rights and abilities of women with disabilities. Such efforts are mainly achieved through the health administration and social welfare system and the education system, detailed separately in the following.</p> <p>A. Health administration and social welfare system (MOHW)</p> <p>(A) The 2016 Report of Disabled People’s Living Condition and Demand Survey issued by the MOHW made the following findings. Among all persons with disabilities aged ≥15 years, 75.06% are married (includes persons who are married, cohabitating, divorced, or widowed), indicating that a high percentage of persons with disabilities have married. Among persons with disabilities aged ≥18 years, 72.63% have had children; 40.69% of them have had three to five children and 20.06% of them have had two. A cross-analysis of the age of persons with disabilities and the number of children they have revealed that 21% of the persons with disabilities aged from 18 to under 45 years have had children; this is not a low percentage.</p> <p>(B) The Civil Code mandates that the following conditions be met if a person is to be adopted: mutual agreement of the two parties, meeting the established minimum age difference, not violating the regulations on consanguinity and rank difference or coadoption between husband and wife, and not being simultaneously adopted by two persons. In a case where either a husband or wife is being adopted, the consent of the spouse shall be obtained. Couples meeting the aforementioned requirements and verified by the court may become adopters. Persons with disabilities who are sterile or have genetic/reproductive risks may adopt children following the regulatory procedures; thus, their rights to family life are protected and not deprived due to their disabilities.</p> <p>(C) In general, parents and foster parents without disabilities require education and resources to assist them in child-rearing and parenting. It is highly possible that parents and foster parents with disabilities are even more likely to face challenges such as a lack of caring ability or social resources when rearing children. Child-rearing subsidies for unemployed parents or childcare subsidies for children aged 0–2 years are currently available to reduce the burden of family care according to the financial condition of each family. Moreover, resources such as</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none">1. The SFAA includes support services that adoption agencies have developed by themselves or in collaboration with external resources and offer to diverse adoptive families (including those with persons with disabilities) as an indicator in the assessment of adoption agencies, through which indicator to guide adoption agencies to develop services needed by adoptive families with persons with disabilities and to enhance the families’ parenting capabilities. (SFAA)2. The HPA subsidizes the Taiwan Association for Sexuality Education to hold an academic conference entitled “Special Education Designed Especially for You: Sex Education for Persons with Disabilities” on May 26, 2018. Sex educators are invited to the conference to share experiences regarding the needs and challenges of providing sex education to persons with disabilities, their parents, and their teachers. A total of 250 participants, including personnel from health and medical institutions, counselors, social workers, parents concerned about this topic, and OPDs, are expected to attend the conference. (HPA)3. The HPA commissions the Taiwan Association for Sexuality Education to implement the 2018-2019 Service Plans for Promoting Adolescent Sexual Health, in which sexual and reproductive health education for persons with disabilities was incorporated. The association invites experts to discuss the needs of sex education for persons with disabilities (including those with hearing impairment and mental disabilities), particularly women and girls, and develop relevant teaching materials. The objective is to improve sexual and reproductive health education for persons with disabilities. (HPA)4. The DOSAASW continues offering a course entitled “Introduction to the People with Disabilities Rights Protection Act and the CRPD” to qualified public social workers on a yearly basis. In 2018, one such course lasting for 2 hours is planned to be offered, and at least 80 social workers are trained each year. (DOSAASW)5. The MOE holds skill-strengthening workshops for parents of students with disabilities to enhance their parenting capacities and inform them of related rights. (MOE) <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">1. Review the subsidy mechanism and encourage adoption agencies to enhance supporting services for diverse adoptive families, including those with persons with disabilities. (SFAA)	<p>Process indicators:</p> <ol style="list-style-type: none">1. Incorporate knowledge regarding parents of persons with disabilities (including their rights) into the curriculum for training professionals at Family Welfare Service Centers. (SFAA)2. Conduct assessments of adoption agencies to examine the support services they provide for diverse adoptive families, including those with persons with disabilities. (SFAA)3. Based on the suggestions of experts and the existing reproductive health counseling conditions, develop special versions of the Maternal Health Booklet and Children’s Health Booklet for persons with disabilities. (HPA)4. Offer a course entitled “Introduction to the People with Disabilities Rights Protection Act and the CRPD” every year to equip public social workers with CRPD-based perspectives, thereby enhancing the quality of their services. (DOSAASW)

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B. Specific rights (arts. 5-30) Respect for home and the family (art. 23) 60. The IRC is concerned that the State: c) Does not provide adequate support for parents with disabilities, resulting in the children of those parents being removed from the home. 61. The IRC recommends that the State: c) 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.		60.61(c) MOHW (SFAA , HPA, DOSAASW, Department of Prevention, Rehabilitation and Protection) MOE
parenting education and instructions for caring children aged 0–2 years are available for parents. Professionals in social service are expected to understand the physical and mental characteristics of persons with disabilities and help plan or suggest disability-friendly childcare environments and offer support to enhance the parenting and child-rearing capabilities of parents and foster parents with disabilities. (D) Article 43 of the Regulations Governing Individual Care Services for Persons with Disabilities mandates that marriage and fertility counseling services shall be provided by family educators, professional personnel at medical institutions, social workers, professional workers at social welfare organizations, and other related service providers. (E) To meet the needs of parents in this new generation, online versions of the Maternal Health Booklet (https://mhb.hpa.gov.tw/) and Children’s Health Booklet (https://chb.hpa.gov.tw/) were created for the convenience of being read on mobile devices. To enable persons with disabilities (e.g., visual impairment, hearing impairment, physical impairment, cognitive disorders, and mental disorders) to access such information, the aforementioned websites have undergone the assessment of web content accessibility and received an AA level certification on the testable success criteria of the WCAG 2.0 by the end of June 2018. Persons with visual impairment may employ assistive devices when browsing the websites. (F) A free care hotline for pregnant women was established. The hotline is staffed by professionals with expertise in prenatal, pregnancy, and postpartum care, instructions for breastfeeding, postpartum nutrition and weight management, parent–child health, physical and mental adjustment, adjustment to pressure, mental support for emotional distress, and referral consulting services. Persons with disabilities can also benefit from this service. (G) The CRPD course was first integrated into the training for qualified public social workers in 2016; this training was for those who passed the 2015 Civil Service Special Examination for local government personnel. To date, four sessions of this course have been held, with 390 social workers trained. B. Education system (MOE) (A) Article 9 of the Regulations on Students with Disabilities mandates that schools provide household support, including workshops and information on parent consultation, parenting education, and special education, according to the household needs of students with disabilities. Moreover, schools shall assist with parents’ applications for such services.	2. Provision of special versions of the Maternal Health Booklet and the Children’s Health Booklet for persons with disabilities will be discussed in expert consultation meetings. Areas identified by experts as insufficient or needing reinforcement will be amended to produce versions of the aforementioned booklets that cater to persons with specific categories of disabilities who need such resources. (HPA) 3. Offer a minimum 2-hour course entitled “Introduction to the People with Disabilities Rights Protection Act and the CRPD” in 2019, with at least 80 participants trained each year. (DOSAASW) 4. Data on parents or foster parents of students with disabilities will be collected, including the number of such parents, gender, education level, residence, total hours of parenting education received, type of supportive service received, and whether they are separated from their children. (MOE) 5. The parenting guide issued by the MOE will be translated into images with subtitles or sign language, easy read format, Braille, and audio versions and distributed to parents with disabilities by kindergartens, schools, special education schools, and NGOs for use by persons with disabilities. (MOE) <u>Medium-term objectives (to be completed between 2021 and 2022)</u> 1. Local governments will receive subsidies to implement the childcare guidance service program for vulnerable families. Such services are to include home-visit childcare guidance, programs to enhance parenting knowledge, and childcare consultation for parents with disabilities. (SFAA) 2. Continue assisting adoption agencies to provide support service to diverse adoptive families, including those with persons with disabilities. (SFAA) 3. Incorporate knowledge regarding parents of persons with disabilities and their rights into the curriculum for training professionals at social (family) welfare service centers to enhance the professionals’ understanding of parents with disabilities. (SFAA)	5. Complete the investigation on parenting education among parents or foster parents of students with disabilities by the end of 2019. (MOE) 6. Offer a minimum of 120 parenting education workshops or activities for parents of persons with disabilities by the end of 2019. (MOE) 7. The Me and My Child Booklet, a parenting guide for early childhood and preschooler care, published by the MOE will be translated into images with subtitles or sign language, easy read format, Braille, and audio versions by the end of 2022 for the convenience of parents or foster parents of persons with disabilities. (MOE) Outcome indicators: 1. Ensure that the provision rate of childcare guidance service in all counties and cities reaches 100%. (SFAA) 2. Ensure that all adoption agencies provide support services to diverse adoptive families, including those with persons with disabilities. (SFAA)

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(B) According to Article 13 of the Family Education Act, Article 50 of the People with Disabilities Rights Protection Act, and Articles 42–44 of the Regulations Governing Individual Care Services for Persons with Disabilities, the MOE proposed the Implementation Guidelines for Measures and Priority Targets of Family Education Service, with families that include a person/persons with disabilities listed as priority service targets. At present, teaching materials for parenting are rarely translated into Braille, digital text files, or easy read versions.		3. Ensure that all professionals at family welfare service centers participate in relevant training and educational programs. (SFAA)

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Education (art. 24) 62. 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: (a) 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; 63. The IRC recommends that the State: (a) 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;		62.63(a) MOE
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>A. Regulation: Article 18 of the Special Education Act mandates that the provision and programming of special education shall be based on inclusion. The MOE has been promoting inclusive education throughout the years.</p> <p>B. Curriculum guidelines: The MOE released the Curriculum Guidelines of 12-Year Basic Education in November 2014, which features the global trend of inclusive education including curriculum arranged for students with special needs and talents. Meaningful curriculum should be offered to all students, regardless of their level of disability. Mainstream education curricula should be adjusted in accordance with a tailored IEP or individualized guidance plan. Other additional courses and related support may also be provided to students with disabilities to increase the possibility of them learning with students without disabilities, thereby accomplishing the educational objective of nurture by nature advocated by the said guidelines.</p> <p>C. Progression to the next education level and completion of education: Because the belief that “inclusion equals reduced educational quality” persists, students with disabilities are often accused of affecting the development and performance of a school as their number gradually increases in the mainstream education system. Therefore, it is necessary to determine whether the percentage of students with and without disabilities progressing to the next education level and completing their education actually differ. Data collection, calculation, and analysis are required to determine the factors.</p> <p>D. Inclusion rate and resource allocation: (A) For education below the senior high school level, the proportion of students with disabilities who were placed in a resource class, itinerant class, or special education program of a mainstream school (hereinafter inclusion rate) was 83% in the 2017 academic year, whereas 17% of students with disabilities were placed in segregated classes or attended special education schools. In terms of education level, the inclusion rate was 93% in preschools, 87.6% in elementary schools, 80.45% in junior high schools, and 63.7% in senior high schools. This shows that the inclusion rate decreases with educational attainment. In addition, whether bedside teaching and homeschooling should be regarded as inclusive education requires clarification.</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none"> 1. The MOE schedules to announce the Medium-Term Project for Special Education (2018–2022) in August 2018, which includes implementation strategies focusing on practicing inclusive education and enhancing adaptive guidance. (MOE) 2. The MOE forms a project team comprising representatives of students with disabilities and their parents, experts and scholars with expertise in special or mainstream education, NGOs, and competent education authorities of all levels to promote inclusive education. The objective is to jointly devise practical implementation strategies, plans, and assessment indicators. (MOE) 3. Aiming to implement the zero reject policy and promote inclusive education, the MOE plans to revise the Implementation Plan for Improving Inclusive Education in Senior High Schools on June 5, 2018 to ensure that students with disabilities receive adaptive, holistic senior high school education. To comply with the tenet of offering teachers’ guidance and support to students with disabilities, the plan aims to enhance the expertise of special education teachers, improve humanistic literacy at the schools, and facilitate the operation of administrative support networks, all of which resonate with policies aimed at facilitating equal educational opportunities and adaptive development. (MOE) The said plan contains four subplans: <ol style="list-style-type: none"> (1) Subplan A—meet the demand for education practitioners: qualified special education teachers, counselors for resource classes, and other professionals of special education. (2) Subplan B—enhance special education expertise among teachers: special education workshops for principals and teachers as well as reference manuals. (3) Subplan C—increase courses for adaptive guidance: develop plans to train seed teachers and develop professional communities for special education teachers. (4) Subplan D—strengthen inclusive education on campus: each school should offer workshops on enhancing special education expertise and play short films promoting special education. <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p>	<p>Structural indicators: Inclusive education affairs that require legislative regulations should be specified in the Special Education Act by the end of 2022. (MOE)</p> <p>Process indicators: <ol style="list-style-type: none"> 1. Increase the national budget for promoting inclusive education by 10% by the end of 2020. (MOE) 2. Performance indicators in the Medium-Term Project for Special Education are amended on a rolling basis. (MOE) </p> <p>Outcome indicators: Calculate the percentage of various groups of students with disabilities who progress to the next education level and those who complete their education. (MOE)</p>

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63. The IRC recommends that the State: (a) 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;		
(B) Although most students with disabilities are now enrolled in mainstream education schools, the spirit of inclusion merely applies to placement. Current provision of supplementary services (i.e., resource rooms and itinerant instruction) in conjunction with regular class placement are measures that separate the students from their original classes. Whether such a practice can be considered inclusive education requires further discussion. In addition, national special education resources are mainly devoted to segregated special education classes, resource/itinerant classes, and special education schools.	1. The MOE, the K-12 Education Administration, and local departments of education all examine each point of General Comment No. 4 on the right to inclusive education proposed by CRPD Committee of the United States and incorporated them into educational planning. Based on the opinions of General Comment No. 4 and the current state of inclusive education promotion, the inclusive education project team assembled by the MOE will cooperate with education authorities of all level to jointly discuss and examine each education project, measure, and human rights indicator. Accordingly, the Medium-Term Project for Special Education may be amended with rolling corrections. (MOE)	
(C) The majority of current resource class placements in Taiwan provide separate, additional, and team teaching for students with disabilities. Schools should arrange appropriate course content, implementation methods, and evaluation according to the actual needs of the students. The inclusion of students with moderate-to-severe disabilities in regular education classes through resource class placement can be arranged according to the actual situation of the students. For example, cooperative teaching may be implemented for curriculum arrangement rather than full-time separate teaching. At present, inclusive education in Taiwan can be divided into two categories: receiving special education in conjunction with regular class placement and special education class placement in a mainstream education school. Such placement is determined by the needs of the student with disabilities, aiming to provide a learning environment with the least restrictions.	2. To examine the proportion of students with disabilities who progress to the next education level and those who complete their education, the MOE will collect data on each education level and classify them by disability category and severity, gender, location (urban or rural area), and identity (indigenous person or new immigrant). The MOE will also compare mainstream schools with different types of special education schools, such as schools for the visually impaired or the hearing impaired, in terms of the proportion of students progressing to the next education level. The determination of the difference between mainstream students and students with different disabilities will enable the development of improvement strategies. (MOE)	
(D) Article 25 of the Special Education Act mandates that special education schools and classes shall be kept at a small scale and that admission for students with a severe level of disabilities or multiple disabilities is prioritized. Schools for the hearing impaired mainly enroll students with hearing impairment, and schools for the visually impaired enroll students with visual impairment. Students with both visual and hearing impairments may be placed in a special education school, a school for the hearing impaired, or a school for the visually impaired depending on factors such as transportation and other special needs. Special education teachers and resources in these schools shall provide professional services, such as special courses including orientation and mobility training and sign language, to students with hearing or visual	3. To comply with the implementation of the Curriculum Guidelines of 12-Year Basic Education for academic year 2019, the Curriculum Accommodation Handbook for Students with Disabilities will be revised to offer an accommodated curriculum for students with disabilities who also have learning disabilities. Accommodation principles will be detailed and employed as a reference for educators, enabling them to design adaptive courses, develop learning courses and evaluations, and arrange appropriate learning environments for students with different disabilities. All accommodations must be specified in IEPs and confirmed after discussion. Major adjustments require the verification of the Special Education Promotion Committee before implementation. (MOE) 4. Demand each school to further promote the channels of appealing for students with disabilities. In addition to approaches for reporting identification and placement problems, approaches for the expression of general opinions should be provided. Students should be	

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(E) impairment according to their needs. Moreover, itinerant teachers for students with visual or hearing impairment are invited to such schools to provide professional support. There are currently three admission channels for students with disabilities to enroll in senior high school (including special education schools), namely adaptive placement, exam-free admission, and special enrollment. Article 25 of the Special Education Act mandates that special education schools for the hearing impaired be established mainly for students with hearing impairment and special education schools for the visually impaired be primarily for students with visual impairment. Moreover, Article 29 of the same act mandates that for education levels below senior high school, the strengths, aptitude, special education needs, and career development of students with disabilities be considered to ensure the provision of appropriate counseling for students to progress to the next education level. Article 3 of the Regulations on Providing Assistive Measures such as Student Number Reduction and Extra Personnel in Response to the Enrollment of Students with Disabilities in Regular Classes of Schools Under Senior High School states that after evaluating the needs of students with disabilities when they are enrolled in a mainstream education class, the Committee Responsible for Identification and Placement of Gifted and Disabled Students shall provide the following personnel and assistance according to need: 1. Students with disabilities in need of special education: resource or itinerant class teachers are responsible for delivering special education. 2. Students with disabilities who have problems with self-care or emotional behaviors: assistants are assigned to help the special education teacher or student according to their needs. 3. Students with disabilities in need of service provided by a professional team: arrange professionals with expertise in special education to provide consultation, treatment, or training according to their needs. 4. Students with disabilities in need of assistive devices for learning: provide educational aids according to their needs. 5. Students with disabilities in need of accommodations for taking tests: assign	fully informed of available relief channels and resources, and the MOE should calculate the number of complaints for analysis. (MOE) 5. Authorize the project team to evaluate/examine the learning outcomes of students receiving special and inclusive education and reference international implementation experiences to determine implementation methods. (MOE) 6. To achieve inclusive education and provide more comprehensive support services to students with disabilities, the K-12 Education Administration has invested large amounts of money in special education assistants. For example, the subsidy for special education assistants amounts to NT\$317 million in 2018. To determine the provision of special education assistants for students with disabilities across the nation, a national investigation was conducted from March to April 2018 to examine the efforts of the K-12 Education Administration and local governments in ensuring the supply and performance of special education assistants for students before entering senior high school. Data of local governments were analyzed and reviewed, on the basis of which amendments were made to ensure the optimal efficiency is achieved in hiring these assistants to fulfill the needs of students with disabilities. The Education Bureau of Taichung City Government was commissioned to develop a Training Program for Cleaning, Aspiration, and Removal of Secretions in the Mouth (Before Reaching the Palatine Uvula) and in the Endotracheal Tube to improve the quality of care provided by special education assistants and the safety of care receivers. Meanwhile, the compensation for these assistants is to be adjusted in 2019 according to the determination of the MOL. (MOE) <u>Medium-term objectives (to be completed between 2021 and 2022)</u> 1. Hold workshops or activities advocating the concept of inclusive and equitable quality education, mentioned in Goal 4 of the UN sustainable development goals (SDGs), to change attitudes and values, particularly those of teachers. (MOE) 2. To evaluate inclusive education from a comprehensive perspective, special education topics are divided into the categories of teachers, barrier-free environment, assistive devices, and transition. Problems regarding these categories will be collected for holistic discussions and consideration to develop strategies for gradual implementation. (MOE)	

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E. Relief: NGOs claim that students with disabilities and their parents tend to be unfamiliar with how to make an appeal in the event of a lack of implementation of special education policies in school. Such situations include schools that do not offer full support and those that directly or indirectly deny the participation of students with disabilities in classes or activities.	<p>personnel to help with audio-supported reading, offer adjusted examination sheets, sign language interpretation, and answer changes according to their needs.</p> <p>3. One strategy to promote inclusive education may be to reduce the number of resource classes where students with disabilities are temporarily separated from their original class to receive special education. Experts in each field (e.g., inclusive education team) will be invited to discuss the sufficiency of special education human resources (e.g., special education assistants and assistants for students with disabilities) and whether or not to increase the number of preschool special education teachers in resource classes. In addition, NGOs suggest that plans that include cooperative teaching between mainstream and special education teachers in inclusive education classes, engagement of special education teachers in the Committee of School Curriculum Development, and conferences on subject/field teaching be brought into discussion or be kept at a small scale if they are to be implemented as a trial. Details about the ranking and salary of teacher assistants are in 62.63(e). (MOE)</p> <p><u>Long-term objectives (cannot be completed before the second international review)</u></p> <p>1. To fully implement inclusive education, the MOE will discuss matters including the role of special education schools, their direction of development, and school name changes. (MOE)</p> <p>2. A comprehensive review of the existing special education service and measures for the continuation of studies shall be devised. For example, it will be determined whether receiving special education in a vocational high school or being admitted to senior high school/college through an admission exam exclusively for students with disabilities is a form of discrimination and whether these mechanisms should be canceled or reformed. (MOE)</p>	

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Education (art. 24) 62. The IRC is concerned that: (b) 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; 63. The IRC recommends that the State: (b) Immediately recognize the right of students with disabilities to participate in regular classes within regular schools, including eliminating restrictions on vocational or professional training;		62.63(b) MOE
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>A. The “Regulations Governing Instructional Principles and Guidance for Students with Disabilities in Mainstream Education Classes Before Senior High School” and the “Regulations on Human Resources and Assistance to Solve the Reduced Number of Students With Disabilities Enrolled in General Education Classes” were established to assist students with disabilities to study in mainstream education classes and provide them with guidance.</p> <p>B. NGOs point out that the existing senior high school placement mechanism for students with disabilities is still based on disability category. In addition, there are still senior/vocational high schools that directly or indirectly reject admission of students with disabilities using excuses such as safety and physical fitness. Such situations should be reviewed.</p> <p>C. For education under the senior high school level, the routes to and from some specialized classrooms as well as the height of desks and chairs, computer equipment, and tables and benches (for the use of equipment such as microscopes, cookware, and art supplies) are inaccessible for students with disabilities. In addition, some schools may directly or indirectly exclude such students from experiments, internships, and hands-on courses using excuses such as their safety or lack of certain operating skills. These schools often end up arranging unrelated substitute activities for students with disabilities or requesting the presence of their parents in class.</p> <p>D. The K-12 Education Administration of the MOE developed the Directions for Subsidizing Learning Assistance Programs for Students Below the Senior High School Education Level. Such programs include assistance in admission, employment, proficiency certification, life, leisure, fitness, and professional consultation. According to the individual learning problems or other special needs of each student with disabilities, differentiated instruction or remedial education is provided using diverse resources to ensure effective learning and render education more flexible, thereby stimulating learning intentions of students.</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none">1. The Special Education Act mandates that special education be implemented through a decentralized resource program and itinerant program for students with disabilities placed in mainstream education classes. Schools without the aforementioned two programs may develop special education programs and file an application with competent authorities. Schools must formulate IEPs for students with disabilities placed in mainstream education classes and offer them special education support services. (MOE)2. Hold special education workshops to enhance relevant expertise among mainstream education teachers. After participating in such workshops, teachers should be inspired to encourage adaptive development among students with disabilities and develop a curriculum featuring accommodation for special education, thereby enabling these students to achieve their full potential and develop their strengths. (MOE)3. Local governments and senior or vocational high schools are subsidized to hold special education workshops every year. Moreover, the “Regulations on Special Education Assessment by Municipality and County/City Competent Authorities” and “the Regulations Governing Assessment of Special Education in Elementary and Junior High Schools” were established to assess the performance of special education implementation.4. Encourage students with disabilities to enroll in mainstream education classes in mainstream schools, with special education services provided as assistance. Adaptive placement is a mechanism for placing students according to a comprehensive view of the student’s willingness (to guarantee right to autonomy), life adaptation, and disability category/severity as well as proximity between the school and the student’s home, special education resources available at the school, and the barrier-free environment of the learning environment. (MOE) <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">1. Relevant committees will supervise local governments to ensure thorough implementation of the mainstreaming policy. The Special Education Students Diagnosis and Placement Counseling Committee (DPCC) of each county and city should respect students with disabilities and their parents regarding their choice of school and enhance communication with the parents. (MOE)	<p>Structural indicators:</p> <ol style="list-style-type: none">1. Revise the content regarding the offering of elective courses specified in the Curriculum Guidelines of 12-Year Basic Education to facilitate students with disabilities taking the necessary courses in the mainstream education system. (MOE)2. Modify the regulations regarding adaptive placement for senior high school, develop corresponding measures, and gradually abolish articles that violate the principles of the CRPD. (MOE) <p>Process indicators:</p> <p>Ensure that at least 70% of mainstream education teachers are equipped with special education expertise (MOE).</p>

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
Education (art. 24) 62. The IRC is concerned that: (b) 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; 63. The IRC recommends that the State: (b) Immediately recognize the right of students with disabilities to participate in regular classes within regular schools, including eliminating restrictions on vocational or professional training;		62.63(b) MOE
	<div>2. Compile the vacancies for entrance examinations at each school to determine whether the available vacancies cover a variety of career paths. (MOE)</div> <div><u>Medium-term objectives (to be completed between 2021 and 2022)</u> 1. Evaluate the adaptive placement mechanism for senior/vocational high schools and determine and improve the factors impeding admission of students with disabilities, particularly to vocational high schools. (MOE) 2. Improve measures at all schools regarding the provision of barrier-free equipment to disabled students for hands-on classes and internships in vocational high schools. Teachers for each specialized course will devise the internship and hands-on courses for students with disabilities, design assistive devices, and make necessary changes to the work flow, thereby ensuring that knowledge conveyed in these courses is conducive to students’ future careers. (MOE) 3. Examine the admission brochure and regulations on adaptive placement of each school. Regulations violating the CRPD must be cancelled gradually in stages and measures of replacement must be developed. All requirements must be completed in 4 years except in special cases. (MOE)</div> <div><u>Long-term objectives (cannot be completed before the second international review)</u> Examine diagnostic criteria for the placement of students with disabilities as provided in Article 16 of the Special Education Act. Because both placement and replacement require verification by the DPCC, the MOE will examine the resolutions of conflicts between the DPCC and students with disabilities or their parents. Such conflicts include situations where the DPCC makes a decision placing a student in a special education class, but the student or parents had hoped for a placement in a mainstream education class. Another consideration is whether regulations should specify that special education students be placed in a school on the basis of the principle of proximity to where they live and that the school has no right to reject their admission. (MOE)</div>	

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
Education (art. 24) 62. The IRC is concerned that: (c) Expresses concern that students with disabilities are not permitted to participate in the formulation and monitoring of their own Individual Education Plans; 63. The IRC recommends that the State: (c) 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);		62.63(c) MOE
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
Article 28 of the Special Education Act mandates that parents of students with disabilities shall be invited to participate in the development of IEPs. When necessary, parents may invite related persons to accompany them. Article 9 of the Enforcement Rules of the Special Education Act provides that students with disabilities may be invited to participate in IEP development. According to past experience, parents of children with disabilities often act on behalf of their children, assuming their rights and responsibilities.	<p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">Article 9 of the Enforcement Rules of the Special Education Act will be amended to include students with disabilities as one of the developers of their own IEPs. (MOE)Supervise elementary and junior high schools to invite students with disabilities to participate in IEP development. (MOE)Hold workshops and activities to advocate for special education. Materials in barrier-free formats, such as the easy read version of the IEP advocating the rights and responsibilities of children with disabilities, should be provided to students with disabilities according to their physical and psychological maturity, cognitive ability, and special needs. Through dissemination of materials comprehensible to such students, the implications of IEPs (including their importance) and the knowledge required to participate in IEP development are delivered. IEP development begins in preschool and parents are welcome to participate. (MOE)Invite experts and teachers to jointly discuss the definition of “participating in” IEP development. Such engagement should not be narrowly defined as attending meetings but rather widely defined according to the student’s physical and mental condition. (MOE) <p><u>Medium-term objectives (to be completed between 2021 and 2022)</u></p> <p>Collect data regarding children with disabilities who participated in IEP development and classify them by disability category, namely physical, sensory, intellectual, or psychiatric disabilities (MOE).</p>	<p>Structural indicators: Article 9 of the Enforcement Rules of the Special Education Act will be amended to include students with disabilities as one of the developers of their own IEPs. (MOE)</p> <p>Process indicators: All students with disabilities can participate in the development of their own IEPs; achieving a 100% participation rate. (MOE)</p> <p>Outcome indicators: All students with disabilities are fully aware of their right to participate in IEP development. (MOE)</p>

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
Education (art. 24) 62. The IRC is concerned that: (d) 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; 63. The IRC recommends that the State: (d) 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;		62.63(d) MOE
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
Education (art. 24) 62. The IRC is concerned that: (d) 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; 63. The IRC recommends that the State: (d) 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;		62.63(d) MOE
A. Universal design: (A) Regarding school facilities, comprehensive consideration should be given to planning, designing, and setting up facilities and equipment to create a barrier-free campus for persons with disabilities. In terms of personal assistance, persons with disabilities should be provided adequate opportunities to equally participate in school life. The school should at minimum establish a complete, unobstructed, and safe accessible path for students to attend their classes. Open spaces designated for activities and leisure (not occupied by buildings) on campus should also be included in accessibility planning to protect the rights of persons with reduced mobility. B. Universal Design for Learning: (A) UDL is associated with the diversity of teaching materials, differences between learning subjects, activity design, and reasonable accommodations. The needs and heterogeneity of all people should be considered, and UDL must be applied to the mainstream education system. A set of guidelines must be developed as a reference for educators, students, and parents. (B) Some advanced or online lessons in vocational education are delivered through video; however, they lack subtitles, a sign language interpretation window, or audio descriptions, rendering them unusable for learners with hearing or visual impairment. In addition, many printed materials at the higher education level are not converted into electronic files, which prevents persons with visual impairment from using them. (C) Adaptive physical education: 1. Despite the trend of inclusive education, elementary and junior high schools continue to be challenged to implement adaptive physical education because of the lack of teachers and personnel. This affects the right of students with disabilities to receive physical education (Sports Administration). 2. Some NGOs claim that adaptive physical education teachers severely lack expertise in designing a curriculum, employing teaching methods, and accommodating facilities (e.g., setting the temperature of a heated swimming pool to 28 degrees) for students with disabilities and teaching skills, rendering such teachers unable to accommodate the students' individual needs. Using the excuse of safety, health and physical education teachers often request that students with disabilities engage in alternative activities that are unrelated to the course in another classroom, an office, or the library. Special education schools also require that parents be present in physical education classes; otherwise, their children with disabilities will not be allowed to participate in adapted aquatic activities. C. Reasonable accommodation: (A) Article 8 of the Regulations Governing the Implementation of Teaching and	<u>Projects to be conducted in or completed by 2018</u> 1. To ensure students' equal status in learning and evaluation, elementary and junior high schools should have an in-depth understanding of the special needs of students with disabilities when formulating IEPs. Such substantive equality is realized by adopting various assessment methods. The supplementary provision section of the Curriculum Guidelines of 12-Year Basic Education mentions that the curriculum designed by the MOE and schools may be adjusted in accordance with the Special Education Act. In other words, students with disabilities are placed in an inclusive educational environment where they are offered courses accommodated from regular education courses according to their IEPs. In addition, they might be provided with other special needs courses and related supportive services. Because UDL cannot be implemented at present, efforts to achieve equity in education should first be pursued through curricular accommodations. (MOE) 2. The MOE and K-12 Education Administration should continue issuing special funds and establishing directions for subsidizing colleges/universities, senior/vocational high schools, and local governments (MOE: junior high and elementary schools) to develop safe, accessible, easy-to-use, and barrier-free environments and facilities for general use in accordance with the Design Specifications of Accessible and Usable Buildings and Facilities to protect students' rights. Meanwhile, conferences on barrier-free campuses are held annually to explore and strengthen the concept of accessibility using case studies. Every conference or meeting (e.g., conferences for special education directors and meetings of principals) should advocate barrier-free and universal design to create a campus environment friendly to persons with disabilities. (MOE) 3. At the annual meeting of university presidents, joint meeting of university academic and institutional affairs supervisors, and joint meetings of academic and institutional affairs supervisors of technological and vocational colleges, propose and discuss agenda that advocate the incorporation of universal design concepts and topics into teaching, workshops, and conferences. The MOE has requested that each school conform to the Building Technical Regulations and Design Specifications of Accessible and Usable Buildings and Facilities when designing buildings. Such standards also apply to the verification of conceptual plans of regular public universities. Taking accessibility into consideration when designing buildings is conducive to the construction of a barrier-free campus friendly to students with disabilities. (MOE) 4. To enhance expertise in adaptive physical education among teachers, the Sports Administration initiated the Program for Promotion of Adaptive Physical Education. Over the years, the program has held workshops and provided instructions for skill enhancement among teachers, held activities and competitions, and subsidized schools to increase their budget for special education equipment. (MOE)	Structural indicators: 1. Amend government and school regulations the regarding complaints of students with disabilities to include provisions governing disputes over reasonable accommodations. (MOE) 2. Amend regulations governing adaptive placement for senior/vocational high schools. Regulations in violation of the CRPD must be gradually cancelled in stages, and supporting measures of replacement must be developed. (MOE) Process indicators: 1. Competent education agencies of all levels should hold at least one conference or workshop on UDL and reasonable accommodations. (MOE) 2. UDL and reasonable accommodations should be advocated for at a minimum of one meeting of important higher education supervisors. (MOE) 3. Increase the number of teachers equipped with knowledge of adaptive physical education by 10%. (MOE) Outcome indicators: Develop at least one set of guidelines for UDL and reasonable accommodations. (MOE)

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
Education (art. 24) 62. The IRC is concerned that: (e) Expresses concern that many families either provide or pay for individual school-related supports without which their children are unable to attend school; 63. The IRC recommends that the State: (e) Provide the individual school-related supports required to enable children with disabilities to attend school and receive an effective education;		62.63(e) MOE
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>A. Article 33 of the Special Education Act states that schools shall provide support such as assistive devices, teaching materials, personnel, and an accessible environment to special education students. Education agencies at all levels provide education assistive devices for learners with disabilities; assistants to special education teachers and students (including sign language interpreters and real-time transcriptionists); materials in Braille, large print, or audiobook format; accessible environments; and supporting services every year. The MOE and the K-12 Education Administration issue special funds each year for assistive technology resources centers to produce appropriate assistive devices, for schools to hire assistants for teachers and students, and for the production of textbooks in various forms (e.g., Braille, large print, and audiobooks) to the needs of students with disabilities.</p> <p>B. Some NGOs have indicated that students with disabilities often cannot receive the special learning materials they need (e.g., Braille and audiobooks) at the start of a school year. In addition, existing audiobooks provided by the government and schools are designed according to the needs of the visually impaired. Students with learning (reading) disabilities have different needs and thus require another version. Other researchers also contend that proper assistive technology devices may facilitate students’ reading. In some cases, students have requested an assistive device but were not provided with one.</p> <p>C. Some NGOs have determined that the number of hours a special education student is accompanied by an assistant—verified and subsidized by the government—falls far short of student’s actual need. The lack of quantifiable calculation standards and verification principles results in considerable variation among schools.</p> <p>D. After receiving adaptive placement, students with disabilities may have to attend senior/vocational high school in an administrative division different from their residence. A considerable gap still exists between the government’s transportation subsidies and students’ actual needs.</p>	<p><u>Short-term objectives (to be completed before May of 2019)</u></p> <ol style="list-style-type: none">1. Investigate the special education support services prepared or purchased by each family for children with disabilities (e.g., hiring assistants and purchasing assistive devices) as well as cases where required assistive devices are not provided to students with disabilities. Meanwhile, elementary and junior high school students with disabilities will be surveyed to determine their satisfaction with their support services, including assistants and transportation. (MOE)2. Investigate the timeliness with which each school provides supports (e.g., Braille, large-print texts, and audiobooks) and determine the reasons behind failures to provide such supports in time. The MOE investigates the government’s verification principles and mechanism for designating the number of hours a special education student is accompanied by an assistant. (MOE) <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">1. An official letter will be sent to elementary and junior high schools requesting that they provide to students with disabilities descriptions of their relevant rights and interests before holding an IEP meeting at which the special needs of such students will be confirmed. After the establishment of IEPs, schools are asked to assist students with applications for special education supporting services. (MOE)2. Elementary and junior high school students with disabilities who need help with transportation to school will receive subsidies. For administrative divisions that are in close proximity (e.g., the Taipei–New Taipei–Keelung metropolitan area), the subsidy standards for students with disabilities may be set at the same level after horizontal coordination between the administrative agencies. (MOE)3. The MOE will invite competent authorities to discuss the feasibility of a rank-based payment scheme and sources of funds for teacher assistants. (MOE) <p><u>Medium-term objectives (to be completed between 2021 and 2022)</u></p> <p>Assistive technology resources centers and schools at all levels must ensure that the provided education assistive devices conform to students’ IEPs, thereby ensuring that students’ needs are fully satisfied. (MOE)</p>	<p>Process indicators: Senior or vocational high school Students with disabilities who require transportation assistance to go to a school in an administrative division different than that of their residence shall receive transportation subsidies. (MOE)</p> <p>Outcome indicators: Education assistive devices listed by students in their IEPs as being required are fully provided. (MOE)</p>

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
Education (art. 24) 62. The IRC is concerned that: (f) Expresses concern at the lack of teacher training to support students with disabilities in regular classrooms; and 63. The IRC recommends that the State: (f) Revise pre-service and in-service teacher training to support students with disabilities in regular classrooms; and		62.63(f) MOE
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
A. Appropriate education and consultation should be provided to elementary and junior high school students with disabilities who are enrolled in regular classes. Therefore, preservice teacher training courses and in-service training should be constantly updated to enhance special education expertise among teachers B. In 2017, the K-12 Education Administration granted a subsidy of NT\$21 million to special education workshops targeting administrative staff of local governments, teachers, and parents. According to the 2017–2019 Implementation Plan for Improving Inclusive Education in Senior High Schools, special education counseling groups in northern, central, and southern Taiwan were established to arrange visiting counselors to examine each workshop, supportive service, and assessment method. Through statistical analysis and review, these counseling groups may determine the effectiveness of the workshops to improve future implementation.	<u>Projects to be conducted in or completed by 2018</u> 1. To enhance the knowledge of inclusive education among preservice teachers, universities with teacher training programs are encouraged to follow Indicator 2—understand and respect learners’ development and learning needs—in the Indicators of Teachers’ Professional Competence and incorporate inclusive education into preservice teacher training programs. (MOE) 2. Local governments and senior high schools investigate the list of participants for workshops and encourage full-time teachers who have not participated in expertise enhancement training to engage in special education training workshops. (MOE) <u>Short-term objectives (to be completed before Jan. 1, 2021)</u> 1. Continue supervising universities with teacher training programs to ensure they incorporate inclusive education into preservice teacher training programs. (MOE) 2. Promote counseling and expertise enhancement implementation plans for elementary and junior high schools. The introduction of an inclusive education course into workshops may enhance teachers’ competency in inclusive education. (MOE) 3. The MOE subsidizes the Plan for Local Educational Guidance Work Organized by Universities That Offer Teacher Training Programs to encourage these universities to hold inclusive education activities for teachers’ professional growth and to enhance their competency in this subject matter. (MOE) 4. Continue subsidizing local governments and senior high schools to hold special education workshops that cover inclusive education, differentiated education, resolutions to parents’ disagreement with school decisions, and other topics. (MOE) 5. Examine the effectiveness of annual in-service 3-hour special education training for regular education teachers in regular education schools. (MOE)	Structural indicators: Establish Indicators of Teachers’ Professional Competence and Standards for Preservice Teacher Training Curriculum to incorporate inclusive education into the preservice teacher training curriculum. (MOE) Outcome indicators: At least 80% of preservice teachers should enroll in inclusive education courses to obtain competency in this subject matter. (MOE)

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
Education (art. 24) 62. The IRC is concerned that: (g) Expresses concern at the lack of instruction of Taiwanese Sign Language in the education system. 63. The IRC recommends that the State: (g) Introduce and promote the teaching of Taiwanese Sign Language in the education system.		62.63(g) MOE
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>A. The communication training curriculum specified in the Curriculum Guidelines for Students with Special Needs includes sign language training.</p> <p>B. According to the Curriculum Guidelines of 12-Year Basic Education, schools may offer students TSL courses.</p> <p>C. The development of sign language education in Taiwan began in 1975, at which time the MOE invited people specialized in sign language to compile a sign language catalog and continued editing and revising it over time. In 1998, the MOE assembled a sign language research team comprising experts and scholars, experienced sign language teachers of schools for the hearing impaired, and representatives of hearing loss organizations/persons with hearing impairment to select textbook materials. A sign language catalog and dictionary (including an app) have been released by the group. Schools for the hearing impaired were commissioned to train sign language teachers in addition to offering sign language courses to persons without disabilities.</p> <p>D. Sign language education has been implemented for decades, during which time several disputes have arisen. Some NGOs (whose members include the deaf) have claimed that the sign language catalog and teaching materials published by the MOE are in manually coded Chinese, which is translated word by word or sentence by sentence on the basis of Chinese grammar. This system is different from the “natural sign language (their native language)” widely used by deaf persons. Natural sign language is considered by persons with hearing impairment to be their official language established through long-term development. Regarding the production of teaching materials for natural sign language, a national university has released a Reference Syntax for Taiwanese Sign Language and a Taiwan Sign Language Dictionary. The university also established an electronic database platform for TSL and a Taiwan Sign Language Online Dictionary.</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none">1. On August 14, 2018, the MOE invited members of the Presidential Office Human Rights Consultative Committee, members of the Project Team for Promoting Rights of Persons with Disabilities Governed by the Executive Yuan, scholars and experts, NGOs for the hearing impaired (deaf persons), experienced sign language teachers, and representatives of schools for the hearing impaired to jointly discuss the instruction of TSL in a meeting at which the following consensus was reached: TSL is defined by the National Language Development Act (draft) as “the visual presentation of the natural language used between persons with speech and language impairment or hearing impairment in the form of gestures” and commonly referred to as “natural sign language.” Manually coded Chinese is the demonstration of Chinese grammar using gestures, and is termed signed Chinese. In addition, the MOE assembled a project team to promote TSL. (MOE)2. The Project Team for Promoting Taiwanese Sign Language Instruction was developed by the MOE in November 2008. The team is composed of NGOs for persons with disabilities, scholars, persons with hearing impairment (including deaf persons), experts in sign language instruction (all of them are hearing impaired and two are deaf), representatives of schools for the hearing impaired, and members of the MOE/related education administrations (over one-third of them are hearing impaired and four are deaf). The deputy minister of the MOE is the convener and the director general is the deputy convener of said project team. (MOE) <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">1. The Project Team for Promoting Taiwanese Sign Language Instruction will discuss topics regarding Taiwanese’s sign language instruction, such as the required supply of teachers, curriculum, teaching materials, and certification. According to actual needs, personnel concerned may be invited. (MOE)2. Continue enriching sign language teaching materials; expand online dictionaries and develop sign language apps, e-books on optical discs, and catalogs. Moreover, related workshops will be held to improve teaching methods. During summer and winter vacations, teachers at three schools for the hearing impaired will engage in training to enhance their expertise. (MOE)3. Develop statutory requirements that teachers in schools for the hearing impaired shall possess a certain degree of sign language skill. (MOE)	<p>Structural indicators: By the end of 2021, relevant regulations should mandate that teachers in schools for the hearing impaired possess a certain degree of sign language skill. (MOE)</p> <p>Process indicators:</p> <ol style="list-style-type: none">1. Establish the Project Team for Promoting Taiwanese Sign Language Instruction. (MOE)2. Continue organizing competitions and activities to promote TSL, thereby encouraging its usage. (MOE)3. Clearly announce the content and venues of TSL courses. (MOE)4. Ensure that teachers in schools for the hearing impaired, including preservice teachers, possess a certain degree of sign language skill. (MOE)

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	<div>4. To promote the use of sign language, sign language communication training is listed as one of the special needs of students with hearing impairment. In addition, the K-12 Education Administration holds an annual national language contest for the hearing impaired that includes a spoken and sign language category and a sign language category, with the participants ranging from children (elementary school group) to adults (adult group). (MOE)</div> <div>5. Encourage schools and community colleges at all levels to offer TSL courses. (MOE)</div> <div><u>Medium-term objectives (to be completed between 2021 and 2022)</u></div> <div>Corresponding measures should be established for teachers of schools for the hearing impaired who lack TSL competency to help them obtain a certain degree of sign language skill. (MOE)</div> <div><u>Long-term objectives (cannot be completed before the second international review)</u></div> <div>1. Entrust relevant organizations to conduct sign language documentation, preservation, and transmission. Through film shoots and other methods of documentation, TSL may be transmitted to future generations. Sign language vocabularies used by deaf persons in Taiwan are collected to expand and update the sign language dictionary, which will be popularized through an online platform, apps, and other technologies. (MOE)</div> <div>2. Discuss the integration of sign language into Taiwanese language curriculum. (MOE)</div> <div>3. Discuss the development of an all-sign-language learning environment in schools for the hearing impaired to encourage the deaf community to develop a language-based identity. (MOE)</div>	
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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
Health (art. 25) 64. The IRC is concerned that: (a) 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; 65. The IRC recommends that the State: (a) Ensure inclusive design and equipment for all medical diagnoses and treatment, particularly for women and girls with disabilities;		64.65(a) MOHW (DOMA)
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>A. The existing Standards for the Establishment of Medical Institutions and Design Specifications for Accessible Facilities have not mandated the integration of universal design and equipment into the medical diagnosis and treatment process. Results of an investigation on medical environment accessibility revealed that most large hospitals perform better than small and medium-sized hospitals and clinics. Because the majority of small and medium-sized hospitals have old buildings, these hospitals have difficulties conforming to the Design Specifications for Accessible Facilities due to spatial limitations. Moreover, approximately 60% of the buildings are not self-owned, rendering the planning of facility improvement difficult.</p> <p>B. The medical needs of women and girls with disabilities are mainly in obstetrics and gynecology. Therefore, the main focus should be to offer such patients an improvement plan for easy access getting on/off an examination couch or a treatment table.</p> <p>C. The role of persons with disabilities in hospital accreditation:</p> <p>(A) To ensure that healthcare professional organizations understand hospital accreditation operations and plan medical service environments and conditions from the perspective of medical service users, the MOHW (formerly known as the Department of Health, Executive Yuan) invited healthcare professional organizations to appoint representatives as observers in 2007 and subsequently included medical service users as observers in 2010. Examining accreditation operations from these diverse perspectives may yield more specific suggestions to improve the accreditation standards and scoring system.</p> <p>(B) Both healthcare professional organization representatives and medical service users serve as observers for hospital accreditation, with the objective of observing the medical service process through their own experience. Additionally, these observers may observe the hospital environment from the perspectives of service users on the basis of their past experience with the hospital. The MOHW thus receives suggestions regarding relevant policies rather than evaluations of hospital accreditation outcomes. Because the accreditation committee members are selected by professionals and given long-term rigorous training, they are dissimilar to observers who are appointed by each interest group. These accreditation committee members rarely reach consensus regarding confidentiality and data interpretation in the appraisal process during their discussions or communications.</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none">1. Data on the accessibility of 17,000 hospitals in Taiwan have been included in the National Health Insurance app and announced on the MOHW website as a reference for women with disabilities. (DOMA)2. For the MOHW-commissioned Assistance Plan for Establishing Accessible Medical Environments, representatives of OPDs have been invited to participate in related meetings to study and analyze the needs of persons with disabilities, draft a reference manual, hold two benchmarking activities, and develop four education and training courses. (DOMA) <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">1. Investigate the needs of women and girls with disabilities to complete the second stage of the update on the accessibility of hospitals. The updated data will be simultaneously uploaded to the MOHW website and the NHI app to serve as a reference for the general public. (DOMA)2. Promote the establishment of an accessible environment by the 370 public health centers country-wide through the HPA. (HPA)3. Adopt a cross-division approach and encourage clinics to establish accessible medical environments through the issuance of accessible clinic certifications by the HPA and the provision of health insurance financial incentives by the NHIA. (DOMA, HPA, NHIA)4. Establish medical procedures that are friendly to women with disabilities, and suggest hardware and software improvements to medical institutions. (DOMA)5. Compile a reference manual featuring the concept of inclusive design for hospitals to use to create an accessible environment for patients with disabilities. (DOMA) <p><u>Medium-term objectives (to be completed between 2021 and 2022)</u></p> <p>Devise a subsidy plan for the subsequent stage of improving the accessibility of environments provided by medical institutions. (DOMA)</p>	<p>Process indicators: Update data on the accessibility of hospitals according to actual needs. (DOMA)</p> <p>Outcome indicators:</p> <ol style="list-style-type: none">1. Establish medical procedures that are friendly to women and girls with disabilities and make recommendations to hospitals regarding hardware and software improvements. (DOMA)2. Complete the certification of accessibility for 100 friendly clinics nationwide by 2020. (HPA)

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
Health (art. 25) 64. The IRC is concerned that: (b) Women and girls with disabilities lack equal access to sexual and reproductive health care as mandated by the UN CRPD Committee’s General Comment No. 3; 65. The IRC recommends that the State: (b) Increase the training and sensitivity of health care professionals on providing sexual and reproductive health care services to women and girls with disabilities consistent with the UN CRPD Committee’s General Comment No. 3;		64.65(b) MOHW (HPA, DONAHC) Other agencies concerned: MOHW (DOMA)
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
A. Women with disabilities have rights and deserve respect equal to their counterparts without disabilities in relation the provision of sexual and reproductive health care service. Article 43 of the Regulations Governing Individual Care Services for Persons with Disabilities mandates that marriage and fertility counseling services be provided by family educators, professional personnel for medical institutions, social workers, professional workers of social welfare organizations, and other related service providers. Therefore, competent authorities should improve the training of related professionals and other service providers according to the actual promotional needs. Personnel education and training methods as well as evaluation indicators of training effectiveness shall be established to ensure that marriage and fertility counseling services for persons with disabilities can be provided as planned. B. Article 13 of the Regulations Governing Registration and Continuing Education of Medical Personnel mandates that medical personnel shall receive courses on infectious disease control and gender-related topics in their continuing education. At present, medical personnel in Taiwan are required to complete courses on gender-related topics in order to renew their practice licenses. By the end of 2017, a total of 89 courses concerning sexual and reproductive health care services had been offered to nursing personnel.	<u>Projects to be conducted in or completed by 2018</u> 1. The HPA subsidizes the Taiwan Association for Sexuality Education to hold an academic conference entitled “Special Education Designed Especially for You: Sex Education for Persons with Disabilities” on May 26, 2018. Sex educators are invited to the conference to share experiences regarding the needs and challenges of providing sex education to persons with disabilities, their parents, and their teachers. A total of 250 participants, including personnel from health and medical institutions, counselors, social workers, parents concerned about this topic, and OPDs, are expected to attend the conference. (HPA) 2. The HPA commissions the Taiwan Association for Sexuality Education to implement the 2018-2019 Service Plans for Promoting Adolescent Sexual Health, in which sexual and reproductive health education for persons with disabilities was incorporated. The association invites experts to discuss the needs of sex education for persons with disabilities (including those with hearing impairment and mental disabilities), particularly women and girls, and develop relevant teaching materials. The objective is to improve sexual and reproductive health education for persons with disabilities. (HPA) 3. The HPA commissions the TSAM to carry out the Plan for Training Adolescent-Friendly Health care Personnel. This plan includes holding a minimum of eight training sessions in adolescent-friendly health care across the country for physicians, nursing personnel, psychologists, and other medical personnel. Moreover, the TSAM should produce online interactive learning materials to provide knowledge and skills regarding adolescent-friendly health services, encompassing topics such as relevant conventions and ethical regulations and policies. (HPA) <u>Short-term objectives (to be completed before May of 2019)</u> 1. Continually encourage continuing education programs to offer sexual and reproductive health courses for nursing personnel. (DONAHC) 2. Ask healthcare professional organizations in Taiwan to offer 50 courses on sexual and reproductive health from January to April 2019, attracting an estimated number of 1,000 participants. (DOMA) <u>Short-term objectives (to be completed before Jan. 1, 2021)</u> 1. Ask healthcare professional organizations to offer 100 courses on sexual and reproductive	Process indicators: Present the existing or in-production teaching materials concerning sexual and reproductive health to relevant authorities for use as references in training medical professionals. (HPA) Outcome indicators: Increase the number of medical personnel taking courses on sexual and reproductive health care for women and girls with disabilities by 10% every year from 2021. (DOMA)

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Concluding Observations		Competent authorities
	health each year, attracting an estimated number of 2,200 participants. (DOMA) 2. Jointly discuss the needs of persons with disabilities through focus groups and interviews with parents or caregivers of persons with disabilities, PODs, and medical personnel. Create easy read version or an illustrated book of sexual and reproductive health for persons with disabilities by extracting and simplifying concepts from existing teaching materials. The easy read version or illustrated book thus produced can be used by parents or health care professionals. (HPA)	

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
Health (art. 25) 64. The IRC is concerned that: (c) Persons with disabilities are denied their right to informed consent to medical diagnosis and treatment; 65. The IRC recommends that the State: (c) Ensure that persons with disabilities give informed consent to medical diagnoses and treatment;		64.65(c) MOHW (DOMA)
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>A. The Medical Care Act was enacted to improve the quality of medical care, protect the rights of patients, and promote national health. Meanwhile, the act aims to ensure that patients’ make decisions and give consent after being sufficiently informed of the medical procedures and treatments they are to receive. Relevant articles of the act are as follows.</p> <p>(A) Article 81 of the Medical Care Act specifies that when treating a patient, the medical institution shall inform the patient or his/her legal agent, spouse, kin, or interested party of his/her condition, course of treatment, disposition, medication, expected condition, and possible ill effects.</p> <p>(B) Articles 63 and 64 of the Medical Care Act mandate that medical institutions explain the reasons for an invasive examination or treatment to the patient, his/her legal agent, spouse, kin, or interested party and must obtain his/her signature on a letter of consent before commencing the procedure. Likewise, medical institutions shall explain the reasons for a surgical operation, its success rate, possible side effects and risks to the patient or his/her legal agent, spouse, kin, or interested party and must obtain his/her signature on a letter of consent for surgery and anesthesia before commencing the surgical procedure. However, in an emergency, the provisions above shall not apply.</p> <p>B. To ensure that hospitals provide patients with sufficient explanations and obtain their consent prior to a surgery, Article 107 of the Medical Care Act mandates that hospitals that violate Paragraph 1 of Article 63 or Paragraph 1 of Article 64 of the same act shall receive a penalty imposed by the public health bureau of the local government according to the regulations.</p> <p>C. It is important to ensure that persons with disabilities are sufficiently informed of their health care/treatment and that they can make decisions and give consent on that basis. Therefore, the informed consent right of persons with disabilities has been protected by relevant regulations. Nevertheless, NGOs are still unsatisfied with the current system and request that the MOHW adopt all measures necessary for improvement.</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none"> 1. A revised surgery consent form and anesthesia consent form have been released and used by local public health bureaus in accordance with the Directions for Medical Institutions to Inform the Subject and Obtain Their Consent for Surgery and Anesthesia. The consent forms are available for download on the MOHW website. (DOMA) 2. Local health departments are required to encourage medical personnel to provide information to patients and obtain consent from their kin, legal agents, and interested parties. Encourage persons under guardianship, children and adolescents to express their thoughts and opinions. (DOMA) 3. Item 2.1.2 of the 2018 Hospital Accreditation Criteria and Assessment Items provides 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 to be administered, hospitals shall formulate operational regulations and obtain a consent form signed by the patient.” Moreover, hospitals should communicate with patients using simple words in conjunction with suitable pictures or written information. Assistive methods should also be devised to meet the needs of patients with disabilities, and these might consist of conversation by writing, a writing board, a communication board, accompaniment by a relevant person, and sign language or lip reading for people with hearing impairment. (DOMA) 4. Article 79 of the Medical Care Act provides that when conducting human subject research on a person with limited mental capacity, medical institutions shall obtain the consent of both the patient and his/her legal representative, and for a subject entirely lacking mental capacity, only the consent of his/her legal representative is required. Medical institutions are instructed to inform patients of their disease condition in a manner comprehensible to them and encourage the subjects to express their willingness. (DOMA) <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none"> 1. Encourage healthcare professional organizations to invite experts from the seed teacher training program initiated by the SFAA to serve as speakers when offering courses on health care for persons with disabilities in continuing education courses for medical personnel. The goal is to offer 200 courses from 2019 to 2020, enrolling a total of 2,200 people. (DOMA) 2. Deliver a minimum of 12 training sessions for medical personnel from 2019 to 2020 under the Regional Consultation Plan to ensure that medical personnel assume their proper role in 	<p>Outcome indicators:</p> <ol style="list-style-type: none"> 1. Eighty percent of the hospitals that applied for assessment conformed to Item 2.1.2 of the 2018 Hospital Accreditation Criteria and Assessment Items. (DOMA) 2. By December 31, 2020, a total of 200 courses on health care for persons with disabilities will have been offered to medical personnel for continuing education, with the expected number of participants being 2,200. (DOMA)

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
Health (art. 25) 64. The IRC is concerned that: (c) Persons with disabilities are denied their right to informed consent to medical diagnosis and treatment; 65. The IRC recommends that the State: (c) Ensure that persons with disabilities give informed consent to medical diagnoses and treatment;		64.65(c) MOHW (DOMA)
	<div>the informed consent process prior to commencing medical diagnosis and treatment on persons with disabilities. (DOMA)</div> <div>3. Emphasize medical personnel’s informing persons with disabilities (regardless of their disability category) on health education and obtaining their consent in addition to providing health care education and explanation to their legal agent, so that the right to medical autonomy of said persons is guaranteed. (DOMA)</div> <div>4. Conduct the Research Plan for Accessible Medical Service and formulate an informed consent template to serve as a reference for the medical field. (DOMA)</div> <div>5. Promote the provision of accessible environments in 370 public health centers in Taiwan through the efforts of the HPA. (DOMA)</div> <div>6. Adopt a cross-division approach and encourage clinics to establish accessible medical environments through the issuance of accessible clinic certifications by the HPA and the provision of health insurance financial incentives by the NHIA. (DOMA, HPA, NHIA)</div>	

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
Health (art. 25) 64. The IRC is concerned that: (d) Medical personnel are not trained as part of their standard training courses to provide health care to persons with disabilities; 65. The IRC recommends that the State: (d) Revise standard medical training so that it includes modules on how to provide health care to persons with disabilities;		64.65(d) MOHW (DOMA)
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
The Regulations Governing Registration and Continuing Education of Medical Personnel mandate that “medical personnel in practice shall receive continuing education.” To improve the quality of training for doctors’ specialty, the MOHW established standards for curricula in each medical specialty to regulate the content of training courses for medical specialists.	<u>Short-term objectives (to be completed before May of 2019)</u> 1. Request relevant professional organizations in Taiwan to improve the quality of courses they have offered on taking care of persons with disabilities. (DOMA) 2. Regarding course offering, ask experts on the list of seed teachers for disability-related topics, a list compiled by the SFAA, to be the instructors first. Fifty courses have been offered from January to April of 2019, enrolling a total of 500 people. (DOMA) <u>Short-term objectives (to be completed before Jan. 1, 2021)</u> 1. From 2019 to 2020, associations of medical professionals in Taiwan will offer 200 courses on health care for persons with disabilities for continuing education of medical personnel. In total, 2,200 people are expected to participate. (DOMA) 2. The PGY program for medical doctors should incorporate the needs of persons with disabilities, such as empathy training and rehabilitation for children with disabilities, into patient care training. Institutions such as centers for intellectual disabilities, centers for developmental disabilities, accessible homes, and special needs centers may serve as venues for community medicine training. (DOMA)	Process indicators: The number of courses on taking care of persons with disabilities taken by medical personnel from 2019 to 2020 is expected to reach 200. (DOMA) Outcome indicators: Increase the number of medical personnel taking courses on health care for persons with disabilities by 20% every year from 2021. (DOMA)

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
Health (art. 25) 64. The IRC is concerned that: (e) Insurance companies discriminate against persons with disabilities in their pricing and coverage; 65. The IRC recommends that the State: (e) 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;		64.65(e) FSC
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
1. Business operations of the insurance industry (1) Insurance companies assess the insurance risk of each insured person using actuarial and statistical data and decide whether to underwrite an insurance contract according to the insurable risk. Based on their risk assessment and risk management ability, each insurance company decides whether to underwrite an insurance contract regardless of whether the prospective insured is disabled. No additional restrictions are imposed on insured persons with disabilities, and their contracts are handled equally to any other insurance contract in accordance with the general underwriting rules. (2) An insurance company’s underwriting operation is based on the overall situation of the insured person (e.g., physical condition and financial capability). The Handling Principles for Underwriting Clients with Disabilities of Insurance Companies established by the Life Insurance Association of the Republic of China (LIAROC) and the Non-Life Insurance Association of the Republic of China (NLIAROC) regulates the underwriting guidelines for persons with disabilities (underwriting rules for persons with physical disabilities are the same as those for general cases, whereas reasonable conditions should be set for those with a mental disorder according to their reasonable interests and characteristics of the insurance). Because the underwriting standards are associated with a company’s risk management policy and its risk-taking ability, setting a consistent underwriting standard for the entire industry is difficult. The underwriting decision should thus be made case by case according to each insurance company’s rule. (3) According to statistics compiled by the LIAROC and the NLIAROC, the total income from life, health, and personal injury insurance premiums for coverage of persons with disabilities was approximately NT\$4.4 billion in 2017. Group insurance, annuity, and travel safety insurance do not require the insured person to reveal their disabilities; moreover, the underwriting process is the same as those for general cases. Therefore, the number of persons with disabilities covered by business insurance plans are not included in the statistics. 2. Statistical database established by the Taiwan Insurance Institute To assist insurance companies in underwriting disability insurance contracts, the Taiwan Insurance Institute established a statistical database in 2012. Persons with disabilities are classified by their disability category in the database. The FSC authorized the Taiwan Insurance Institute to continually collect statistics concerning the persons for whom	<u>Short-term objectives (to be completed before Jan. 1, 2021)</u> 1. To increase coverage for persons with disabilities, the Standards for Provision of Life Insurance and Non-Life Insurance Guaranty Funds were revised in July 2017 to include premium income from life insurance for persons with disabilities as an indicator; that is, insurance companies with more insured persons with disabilities may be subject to a lower amount of guaranty funds. (FSC) 2. Except in the case of a person who have been placed under guardianship and such guardianship has not been withdrawn, insured persons who made a valid insurance contract before the amendment to Article 107-1 of the Insurance Act may apply for a contract modification. After the insurance company underwrites the policy, insured persons may increase the policy value reserve or purchase another policy to increase the coverage amount without the need to amend the act or provide equity compensation measures. The FSC will send a notice to the LIAROC and the NLIAROC demanding them to inform affiliated companies to properly handle valid insurance contracts made before the amendment of Article 107-1 of the Insurance Act, thereby ensuring that the rights of insured persons are protected. (FSC) 3. Continue monitoring insurance companies to ensure that they follow the Standards of Disability Friendly Insurance Service established by the LIAROC and the NLIAROC and verified by the FSC. According to the needs of persons of different disability categories, insurance companies are expected to offer appropriate assistive service measures such as online reservation service or arrangement of special personnel to help persons with disabilities. Insurance companies should also guide said persons in accessing insurance services through appropriate transaction methods and operating procedures. Implementation of such measures is included as a criterion in the annual assessment of compliance with the Principle for Financial Service Industries to Treat Clients Fairly. (FSC)	Outcome indicators: Regarding the indicator of “income from premiums for life insurance for persons with disabilities,” 25% of life insurance companies are expected to be classified in the first level (the highest standard) and 50% are expected to be categorized in the first to third level by 2021. In the future, the rate of insured persons with disabilities will be tracked to identify relevant trends in coverage, thus determining the effectiveness of measures taken to protect the rights of insured persons with disabilities. (FSC)

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Concluding Observations		Competent authorities
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insurance companies underwrite disability insurance contracts. These data may serve as a reference for insurance companies setting insurance product prices. To determine the reasons for the denial of a policy to a person with disabilities by an insurance company, the Taiwan Insurance Institute was commissioned to establish a database exclusively for such statistics. Officially launched in February 2018, this database will not only comprise statistics on persons with disabilities covered by insurance plans but also statistics on those being denied an insurance policy. Before the completion of this database, insurers are requested to reference the rates provided by international reinsurance companies and make appropriate adjustments to insurance contracts according to the health status of Taiwanese nationals to meet the insurance needs of Taiwanese people.		
3. Implementation of other insurance services (1) Even though insurance pricing, underwriting, and coverage are based on the expertise of the insurance industry, whether such services are fair and friendly to persons with disabilities still requires further clarification. Service quality, data collection, and database robustness will be continually improved to ensure that the rights of persons with disabilities are guaranteed. (2) In June 2016, the LIAROC and the NLIAROC were requested to inform their member companies to conduct in-service training for their employees on topics mentioned in the CRPD. Insurance agents were required to abide by the CRPD and respect the rights of persons with disabilities. Meanwhile, the LIAROC and the NLIAROC will continue supervising the implementation of relevant training among the insurance industry. (3) In June 2016, the LIAROC and the NLIAROC established an insurance complaint line for persons with disabilities and requested each member company to designate a contact person to properly handle relevant complaints in a timely manner to enhance service quality. (4) To avoid insurance denial due to discrimination and unfair practices against persons with disabilities, the FSC revised Article 7 of the Regulations Governing Business Solicitation, Policy Underwriting, and Claim Adjusting of Insurance Enterprises, which now mandates that the internal underwriting system and procedure of an insurance enterprise shall prohibit treating an insurance applicant unfairly simply because of his or her disability. Denials of policies shall be provided in written form to persons with disabilities. The LIAROC and the NLIAROC established the Handling Principles for Underwriting Clients with Disabilities in November 2016 to provide a means of		

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Concluding Observations		Competent authorities
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supervising insurance companies and their insurance agents. The objective is to ensure that business solicitation, policy underwriting, and claim settlement are conducted with fairness and without discrimination. The FSC has clearly stated its position against discriminating persons with disabilities. Insurance companies that have been accused of and confirmed to have engaged in unfair or discriminatory treatment of persons with disabilities shall receive a punishment in accordance with the relevant regulations.		

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
Health (art. 25) 64. The IRC is concerned that: (f) Prisoners with disabilities in State confinement lack access to health care. 65. The IRC recommends that the State: (f) Ensure equal access to health care by prisoners with disabilities in State confinement.		64.65(f) MOJ Other agencies concerned: MOHW (NHIA)
Background and Problem Analysis	Actions Plans and Scheduled Deadline of Completion	Human Rights Indicators
<p>The International Covenant on Economic, Social and Cultural Rights mandates that States create conditions that assure the provision of medical service and medical attention to all in the event of sickness. Basic data concerning treatment conditions and health care services in correctional facilities in Taiwan are separately detailed in the following.</p> <p>A. As of October 2018, correctional facilities housed 2,773 inmates, with 1,137 being in the first category, 217 in the second category, 97 in the fourth category, 49 in the fifth category, 41 in the sixth category, 1,130 in the seventh category, and 22 in the eighth category. The purpose of solitary confinement is not to punish but to protect, quarantine, and prevent hazards in the understanding that some inmates may not be suitable for or are unable to adjust to community life; for example, inmates that have contracted an infectious disease, are disruptive and could be security risks to other inmates, or are at a high risk of harming themselves or others. Correctional facilities in Taiwan do not place inmates in solitary confinement because of their disabilities.</p> <p>B. Since the implementation of Taiwan’s second generation NHI plan in 2013, the level of medical care in correctional facilities has greatly improved. Inmates with a sentence of more than two months are covered by NHI. After the inmates are insured, professional medical teams offer outpatient services in these correctional facilities. In a case where referral is required, inmates may be transferred to an appropriate hospital for further medical treatment through the out-of-prison method under guard. Inmates can therefore receive the same medical service covered by NHI as the general public. This shows that Taiwan has already included the incarcerated population into the mainstream health care system.</p> <p>C. Article 1 of the National Health Insurance Act provides that the said insurance is compulsory social insurance. Benefits shall be provided during the insured term under the provisions of the act in the case of illness, injury, or maternity of the beneficiary. Patients with disabilities seeking outpatient service, regardless of hospital level, are always charged NT\$50 (clinic level); this same rule applies to inmates with disabilities to ensure that they have equal access to the medical services covered by NHI. Based on the mechanism provided in the NHI program, the MOHW will regularly review the appropriateness the of medical services provided by correctional facilities.</p>	<p><u>Short-term objectives (to be completed before May of 2019)</u></p> <p>1. To enhance the medical care provided by correctional facilities to inmates with mental disorders, the cooperating medical institutions may be asked to adjust the number of outpatient services provided according to the number of outpatients and their needs to increase the number of patients receiving medical care. (MOJ)</p> <p>2. Consultation and referral for placement of discharged inmates (MOJ):</p> <p>(1) Inmates aged ≥65 years: Regardless of severity, an inmate with disabilities in need of a placement should be placed in a nursing institution with the assistance of the social affairs bureau of the inmate’s place of household registration. Moreover, the local after-care association will be notified of such a case.</p> <p>(2) Inmates aged <65 years in need of a placement:</p> <p>a. For an inmate with disabilities who is unable to practice self-care and is given a disability manual, a notice should be sent to the social affairs bureau of the inmate’s place of household registration to assist with his/her placement in a care facility. Moreover, the local after-care association will be notified of such a case.</p> <p>b. An inmate with disabilities who is unable to practice self-care and is without a disability manual should be appropriately assisted to obtain the manual according to their actual needs.</p> <p>(3) Inmates with severe mental illness that require placement: An inmate with severe mental illness who might cause harm to self or others requires placement. A notice should be sent to the public health bureau and social affairs bureau of the inmate’s place of household registration requesting compulsory treatment and subsequent placement/residential care, respectively. Moreover, the local after-care association will be notified of such a case.</p> <p>(4) Inmates confined to bed by severe illness who require placement: For an inmate who is still confined to bed due to long-term or sudden illness on the day of discharge, a notice must be sent to the public health bureau and social affairs bureau of the inmate’s place of household registration applying for medical subsidies for an economically vulnerable citizen and subsequent placement/residential care, respectively. In addition, the local after-care association will be notified of such a case.</p> <p>3. Increase social and family support (MOJ): Because family support plays a crucial role in preparing inmates to return to the community, correctional facilities actively use external social resources to conduct family support</p>	<p>Process indicators: Provide reasonable accommodations for inmates with disabilities to ensure that they receive the same care as disability-free inmates. (MOJ)</p> <p>Outcome indicators: NHI also covers inmates housed in correctional facilities. Thus, these inmates have the same right as the general public to enjoy medical services covered by NHI, and this availability of insurance complies with Article 25 of the CRPD. (MOHW)</p>

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Concluding Observations		Competent authorities
Health (art. 25) 64. The IRC is concerned that: (f) Prisoners with disabilities in State confinement lack access to health care. 65. The IRC recommends that the State: (f) Ensure equal access to health care by prisoners with disabilities in State confinement.		64.65(f) MOJ Other agencies concerned: MOHW (NHIA)
	<p>activities. Because inmates with disabilities are in particular need of family support to assist them in reconnecting with society and family, each correctional facility investigates inmates’ needs for physical, mental, and family support when they are newly admitted in order to offer relevant treatments. For example, correctional facilities may connect family members of the inmates with resources in fields such as social affairs, labor, health, and education during face-to-face visits and family days, thereby increasing social and family support.</p> <p>4. Provide appropriate medical treatment (MOJ): Conduct mental health screening of newly housed inmates. Inmates serving a long-term sentence or classified as high risk inmates (e.g., those with mental disorders, long-standing mental illnesses, or who have experienced sudden changes in their families), should be screened every six months or according to a timeframe as deemed necessary. Inmates who are suspected of having mental disorders, or those who granted a disability manual/certificate, catastrophic illness card, or a psychiatric diagnosis report will be registered for management. Moreover, psychiatrists will be arranged to evaluate and treat these inmates, prescribe psychiatric medication, arrange follow-up appointments according to the patients’ conditions, arrange out-of-prison medical treatments, or transfer patients to subsidiary medical units to ensure that the patients are well attended to.</p> <p>5. Reasonable accommodations for treatment of inmates with disabilities (MOJ): (1) Medical service: Establish a psychiatric rehabilitation center for inmates with mental disorders, such as emotional and behavioral instability, who are at risk of harming themselves or others, or who have become disconnected with the reality and exhibit relevant behaviors (e.g., auditory hallucinations, illusions, and delusions). In the event an inmate is unable to take care of him/herself, he/she should be transferred to the psychiatric rehabilitation center for treatment to avoid causing negative effects on community life as well as to receive proper medical care. The rehabilitation center shall have an appropriate assessment mechanism for inmates who are also psychiatric patients and whose conditions are regularly verified and evaluated by psychiatrists. Inmates whose conditions have improved and stabilized and for whom ongoing treatment is unnecessary should be returned to their correctional facility to serve their sentence.</p> <p>(2) Out-of-prison medical treatments: Inmates with severe physical disabilities (e.g., musculoskeletal disorders and relevant dysfunctions) who require out-of-prison medical service shall be exempt from the use of physical restraints. In addition, correctional facility staff must monitor the entire process</p>	

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	<p>to ensure that inmates with disabilities receive medical attention smoothly.</p> <p>(3) Rehabilitation activities: Rehabilitation clinics have not been established in correctional facilities. Therefore, inmates with disabilities who are diagnosed by doctors as needing to receive rehabilitation treatments may be transferred to medical institutions through the out-of-prison method. In the future, correctional facilities may evaluate the feasibility of establishing a rehabilitation clinic to enhance the provision of rehabilitation services.</p> <p>(4) Cell arrangements: To facilitate the movement of inmates with disabilities, facilities with basic barrier-free environment are planned and established according to the accommodation capacity, auxiliary equipment is provided, and medical units and cells on a lower floor are offered. Cell mates should be assigned on the basis of information regarding inmates’ self-description, appearance and representation, and their interaction with others to ensure that inmates with disabilities are not bullied or discriminated against by their cell mates due to their behaviors or poor verbal expression.</p> <p>(5) Visit arrangements: Reduce restrictions on visitors, the number of visits, and the duration of visits or arrange a proper place for face-to-face visits according to the individual needs of each inmate. Lifting such restrictions can facilitate the inmates’ physical and mental adaptation.</p> <p>6. Based on the Plan for Providing Medical Care with National Health Insurance to Inmates in Correctional Institutions, the MOHW will examine the cooperation of health and justice authorities on a regular basis. (MOJ)</p>	

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Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>The topic of convenient access to rehabilitation service for persons with disabilities is associated with regulations under the National Health Insurance Act and the Medical Care Act, existing medical services, medical institution environments, and early intervention benefits, each of which is detailed in the following.</p> <p>A. Article 1 of the National Health Insurance Act provides that NHI is compulsory. Benefits shall be provided during the insured term under the provisions of the act in the event of a beneficiary experiencing illness, injury, or maternity. Patients with disabilities seeking rehabilitation treatments shall receive benefits in accordance with the Standards for Medical Benefit Items and Payment Schedules Covered in National Health Insurance. However, Article 51 of the same act states that transportation fees for patients are not covered by insurance.</p> <p>B. Regulations of the National Health Insurance Act that guarantee medical services for persons with disabilities in rural areas:</p> <p>(A) Reduced basic outpatient copayment:</p> <p>1. When seeking medical treatment at any level of hospital, persons with a disability manual/certificate are always charged NT\$50 as the basic copayment (the amount charged at the clinic level), which is lower than the amount for the general public (NT\$80–NT\$420 for various levels of medical institutions).</p> <p>2. Patients seeking medical treatment in mountainous or offshore island areas are exempt from the copayment, and those seeking medical treatment in areas lacking medical resources are only required to pay 80% of the copayment.</p> <p>(B) To enhance medical accessibility for persons with disabilities in rural areas, the following improvement plans have been established:</p> <p>1. Promote NHI improvement plans in areas with insufficient medical resources with respect to Western medicine, traditional Chinese medicine, and dental care. Hospitals and clinics are encouraged to make medical tours to rural areas.</p> <p>2. Promote the National Health Insurance Improvement Plan for Efficient Medical Benefit Provision in Mountainous and Offshore Island Areas. Contracted medical institutions are encouraged to visit mountainous and offshore island areas and provide medical services to the local residents. The medical specialties to be included in the provided medical services are determined at the annual meeting of the Integrated Delivery System supervision team. The team comprises representatives of the insurer, medical profession, and local public</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <p>1. Data on the 17,000 hospitals in Taiwan that have established a barrier-free environment have been included in the NHI app and announced on the MOHW website for the reference of patients with disabilities seeking medical attention. (DOMA)</p> <p>2. By far, all medical care regions have been equipped with regional hospitals except for the Tawu Subregion in Taitung. Therefore, the MOHW established the Tawu First Aid Treatment Station in the Public Health Center of Tawu Township to offer holistic medical services even on weekends and at night. (DOMA)</p> <p>3. The Rules of Medical Diagnosis and Treatment by Telecommunications was released on May 11, 2018 and reduced the restrictions on subjects of care and methods with respect to the use of telemedicine. This is expected to facilitate medical accessibility for people residing in mountainous areas, offshore islands, and rural areas. (DOMA)</p> <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <p>1. According to the task indices for medical centers, the DOMA regularly assesses medical centers as a means of indirectly elevating the medical standard of other hospitals. Furthermore, consultation and assistance are provided to regional hospitals, encouraging them to provide medical services to mountainous and offshore island areas. (DOMA)</p> <p>2. Complete the second stage of data updating regarding the barrier-free environment of hospitals, including that of rural areas. The updated data will be simultaneously uploaded to the MOHW website and the NHI app to serve as a reference for disabled persons seeking medical treatments. (DOMA)</p> <p>3. In the first quarter of 2019, experts and scholars, the MOE, NGO representatives, and local governments were invited to participate in a meeting to jointly discuss the provision of help to areas lacking early intervention resources for children with developmental delays. A mechanism for sharing resources between the MOHW and the MOE was developed. (SFAA)</p> <p>4. In 2019, experts and scholars, NGO representatives, the NHIA of the MOHW, and local governments will be invited to participate in a meeting to jointly discuss subsidies for early intervention of children with developmental delays. The objective was to develop a suitable and appropriate implementation method. (SFAA)</p>	<p>Structural indicators:</p> <p>1. Medical services should be provided by hospitals and clinics in each sub-region of medical care. Regions without hospitals or clinics should provide an alternative plan. (DOMA)</p> <p>2. To enable persons with disabilities in rural areas to access rehabilitation and medical services, the following plans are implemented: National Health Insurance Improvement Plan in Areas with Insufficient Western Medicine Resources, National Health Insurance Improvement Plan in areas with inadequate Chinese medicine outpatient services, National Health Insurance Improvement Plan in areas with Inadequate Dental Outpatient Services, National Health Insurance Improvement Plan for Efficient Medical Benefit Provision in mountainous and offshore island areas, National Health Insurance Improvement Plan in areas with insufficient medical resources to elevate medical services, and National Health Insurance Improvement Plan for Provision of Medical Benefits of Early Intervention Outpatient Services.</p>

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health bureaus as well as legislators, all of whom evaluate and discuss local needs every year and make adjustments to the divisions of medical services accordingly. 3. Promote the National Health Insurance Improvement Plan in Areas with Insufficient Medical Resources to Elevate Medical Services. This plan covers outpatient and hospitalization services in pediatrics, obstetrics and gynecology, general medicine, general surgery, and emergency medicine for persons with disabilities regardless of age and sex in rural areas. Regarding the floating value of points, the maximum subsidy amount for each point is NT\$1, with the maximum subsidy amount being NT\$15 million and the minimum subsidy amount being NT\$9 million. (C) The National Health Insurance Improvement Plan for the Provision of Early Intervention Outpatient Services aims to encourage the provision of integrated health services in rural areas. Additionally, the plan established the Family-Based Integrated Early Intervention Fee, which includes an incentive worth 20% of hospital revenue for participating hospitals located in mountainous or offshore island areas. In the National Health Insurance Improvement Plan in Areas with Insufficient Medical Resources to Elevate Medical Services, hospitals and clinics that provide early intervention services in community care units through medical tours may receive an incentive amount worth 30% of their revenue. C. Article 88 of the Medical Care Act provides that the central competent authority shall divide medical regions, establish a medical level system, and create a plan for a medical care network to promote the balanced development of medical care resources, conduct overall planning of existing public and private medical institutions, and appropriately distribute manpower. These measures may reduce the medical treatment gap between urban and rural areas, thereby increasing medical accessibility and medical service efficiency. D. Data compiled by the Department of Statistics of the MOHW reveal that in 2017, the number of Western medicine physicians per 10,000 people was 19.65, and specifically, Hualien had 25.79 while Taitung had 13.48. In the same year, the number of physical therapists and occupational therapists per 10,000 people was 3.00 and 1.27 nationwide, respectively, with 3.43/10,000 (physical therapists) and 2.64/10,000 (occupational therapists) in Hualien and 2.09/10,000 (physical therapists) and 0.91/10,000 (occupational therapists) in Taitung. In the action plan, the MOHW has established additional improvement plans targeting medical service in rural areas. E. The Standards for the Establishment of Medical Institutions demands the provision of accessible facilities not only in hospitals but also in clinics that provide rehabilitation therapy. Patients with disabilities can thus experience a more accessible environment in		(NHIA) Process indicators: Establish a cooperative mechanism between the Ministry of Education and Ministry of Health and Welfare in areas lacking early intervention resources for children with development delay, thereby assisting these children and their families in obtaining the required services. (SFAA)

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hospitals or clinics when receiving rehabilitation treatments. F. To reduce the financial burden of early intervention for children with developmental delays, the MOHW has cooperated with local governments to provide early intervention subsidies to registered preschool children with developmental delays (developmental disabilities). For low-income households, each such child is subsidized with a maximum of NT\$5,000 per month, whereas non-low-income households may receive a maximum of NT\$3,000 per month per child.		

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Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>Mechanisms for assisting persons with disabilities of all age levels to obtain rehabilitation services, including the acquisition of peer support and assistive devices, in rural areas is detailed in the following.</p> <p>A. Article 1 of the National Health Insurance Act provides that NHI is compulsory. Benefits shall be provided during the insured term under the provisions of the act in the event of a beneficiary experiencing illness, injury, or maternity. Patients with disabilities seeking rehabilitation treatments shall receive benefits in accordance with the Standards for Medical Benefit Items and Payment Schedules Covered in National Health Insurance. However, Article 51 of the same act states that transportation fees for patients are not covered by insurance.</p> <p>B. The National Health Insurance Act specifies the assistance available for persons with disabilities to obtain rehabilitation services in rural areas:</p> <p>(A) Reduced basic outpatient copayment:</p> <ol style="list-style-type: none">Persons with a disability manual/certificate seeking outpatient services are always charged NT\$50 (clinic level) as the basic copayment (the amount charged at the clinic level), which is lower than the amount for the general public (NT\$80–NT\$420 for various levels of medical institutions).Patients seeking medical treatment in mountainous or offshore island areas are exempt from the copayment, and those seeking medical treatment in areas lacking medical resources only pay 80% of the copayment. <p>(B) To assist persons with disabilities to conveniently access rehabilitation services and medical treatments in rural areas, the following home care plans have been established:</p> <ol style="list-style-type: none">NHI has promoted home care, including general home care and home-based palliative care, since 1995; additionally, the National Health Insurance Home-Visiting Dentistry Plan for Patients with Special Needs is available. These services mainly cater to the needs of homebound patients, such as persons with disabilities, who require medical treatment but have difficulty leaving the house. The scope of benefits includes the expense of care visits, doctor’s visits, and special materials. In 2017, a total of 970,000 patients received such home care. From January to June of 2018, 402,000 patients benefited from such services.Community-based rehabilitation for persons with mental disorders: offer home-based rehabilitation services for patients with chronic mental disorders classified as	<p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">Assemble a pool of candidate peer supporters and a matching platform: create an online platform for persons with disabilities to select and hire personal assistants who satisfy their individual needs (e.g., accessibility). By creating a service model that enables persons with disabilities to select their personal assistants, a personalized independent living service may be provided. (SFAA)Formulate a digital course for peer supporters: a 7-hour digital course will be designed according to the needs of different disability categories, thereby providing an accessible learning environment for empowerment training of persons with different disabilities. (SFAA)	<p>Structural indicators: To help persons with disabilities in rural areas gain access to rehabilitation and medical services, the following plans are implemented: general home care, home-based palliative care, community-based rehabilitation for persons with mental disorders, National Health Insurance on Home-Visiting Dentistry Plan for Patients in Special Needs, and National Health Insurance on Integrated Home Care Plan. (NHIA)</p> <p>Process indicators: Establish a talent pool of personal assistants and peer supporters. (SFAA)</p>

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<p>catastrophic illnesses. Such services include treatments provided by doctors or mental health professionals. In 2017, a total of 87,000 patients received such rehabilitation services.</p> <p>3. Integrated Home Care Plan: integrate different types of home care medical plans and enhance the connection between medical care resources and the referral system, thereby providing integrated patient-oriented care. The Integrated Home Care Plan has been administered since 2016 for the integration of community-based home care targeting homebound patients who have difficulties leaving the house due to disabilities or diseases but still have clear needs of medical treatments. From January to August of 2018, 212 teams and 2,301 hospitals participated in this plan, collecting data on 46,584 patients whose age and sex distributions are detailed in the following table.</p> <table><tr><th>Age (years)</th><th>≤17</th><th>18–44</th><th>45–64</th><th>65–74</th><th>≥75</th><th>Total</th></tr><tr><td>Male</td><td>108</td><td>796</td><td>3,067</td><td>3,236</td><td>13,987</td><td>21,191</td></tr><tr><td>Female</td><td>79</td><td>435</td><td>2,051</td><td>3,319</td><td>19,509</td><td>25,393</td></tr><tr><td>Total</td><td>187</td><td>1,231</td><td>5,118</td><td>6,555</td><td>33,493</td><td>46,584</td></tr></table> <p>(National Health Insurance Administration)</p> <p>4. The percentage of persons with disabilities receiving rehabilitation treatments: according to the 2016 NHI records, the number of insured persons with disabilities was 1.21 million, among whom 220,000 received rehabilitation treatments for a rehabilitation treatment rate of 18%. Regarding the percentage of persons with disabilities in rural areas receiving rehabilitation treatments, 30,000 out of 200,000 people received rehabilitation treatments for a rehabilitation treatment rate of 15%.</p> <p>C. Persons with disabilities requiring peer support may obtain assistance from the support service of Independent Living; however, the lack of peer supporters in rural areas makes it difficult for persons with disabilities to find a peer supporter.</p> <p>D. Taipei City, Changhua County, and Pingtung County received subsidies in 2018 from the MOHW to establish Centers for Independent Living, with one of the main tasks being to advocate and promote the spirit of independent living as well as cultivate independent living skills. Empowerment activities (e.g., peer lectures, peer support groups, and workshops) were provided as well as information on and referrals and consultation services for independent living by persons with disabilities. In addition to participants in the Independent Living Plan, persons with disabilities not included in the plan are also welcome to join. In</p>						Age (years)	≤17	18–44	45–64	65–74	≥75	Total	Male	108	796	3,067	3,236	13,987	21,191	Female	79	435	2,051	3,319	19,509	25,393	Total	187	1,231	5,118	6,555	33,493	46,584	
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the case of persons with disabilities of different age levels in rural areas requesting peer support when obtaining rehabilitation services, they may participate in independent living empowerment activities and apply for peer counseling service after a needs assessment. Peer supporters who meet the needs of applicants are selected from a candidate pool for matching. E. Persons with disabilities in rural areas who require and qualify for assistive device grants may apply for a subsidy. After approval of the application, applicants may purchase the needed assistive device to enhance their adaptation to community life. In addition, the MOHW assisted local governments to develop assistive device service centers and purchase vehicles exclusively for assistive device services, thereby enhancing the accessibility and flexibility of assistive device services. [Measures for providing transportation to hospitals and schools in rural and offshore islands areas are detailed in 28 and 29(c).]		

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Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>A. In 2010, the SFAA of the MOHW began trial implementation of home-visiting services for children with developmental delays and community-based service centers in response to the lack of early intervention service units and professional manpower in rural areas. Since the establishment of the Implementation Plan for Providing Community-Based Interventions for Children with Developmental Delays in 2013, the scope of service has expanded from nine counties/cities and 34 townships in 2014 to 11 counties/cities and 68 townships in 2017. However, the percentage for townships simultaneously lacking early intervention resources in health, social welfare, and education to be included in the service network still needs improvement.</p> <p>B. An examination of the allocation of early intervention resources across the country in 2017 revealed that 37 townships were simultaneously lacking early intervention resources in health, social welfare, and education. This indicates that more service units should be encouraged to join the plan to enhance the accessibility of early intervention service.</p> <p>C. Increasing the coverage of community-based early intervention services relies on cooperation between central and local governments. In 2016, the SFAA of the MOHW developed the Committee for Affairs Regarding Early Intervention in Children with Developmental Delays, inviting local governments to set the goal value of community-based early intervention services starting from 2017.</p> <p>[The early intervention system and services for children with developmental delays are detailed in 28.29(a).]</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <p>1. To ensure that local governments invest resources to promote community-based intervention services according to relevant regulations, local government promotion of community-based intervention services will be included as a performance indicator of social welfare in 2019. (SFAA)</p> <p>2. An example of quality management indicators for community-based treatment services was established in 2018, including effectiveness evaluation indicators in child and household dimensions. The objective is to enhance the effectiveness of community-based early intervention services. (SFAA)</p> <p><u>Medium-term objectives (to be completed between 2021 and 2022)</u></p> <p>Implementation of the Project of Deploying Intervention Resources in Resource-Lacking Areas from 2019 to 2021 aims to reduce the early intervention resource gap between urban and rural areas. Moreover, the 2019 Indicative Plan for the Feedback Fund of the Public Welfare Lottery aims to link all counties/cities in lack of intervention resources to develop a project team for early intervention service. A guidance mechanism will be established to ensure the plan is thoroughly implemented. (SFAA)</p>	<p>Process indicators:</p> <p>1. Include local governments’ promotion of community-based intervention services as a performance indicator of social welfare to ensure the appropriate deployment of local government resources. (SFAA)</p> <p>2. Conduct the Project of Deploying Intervention Resources in Resource-Lacking Areas and cooperate with local governments to create a project team to serve children with delay development and their families in areas lacking early intervention resources. (SFAA)</p> <p>Outcome indicators:</p> <p>1. Enhance the coverage of community-based early intervention service in townships simultaneously lacking early intervention resources in health, social welfare, and education to 100% in 2019. Moreover, enhance the coverage in townships lacking two types of intervention resources to 100% in 2021. (SFAA)</p> <p>2. Establish exemplar quality management indicators for community-based treatment</p>

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		services (including home-visiting services) to enhance the effectiveness of family services. (SFAA)

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Concluding Observations		Competent authorities
Habilitation and rehabilitation (art. 26) 66. The IRC is concerned that: (d) That prisoners with disabilities, particularly those with Attention Deficit Disorder, do not receive rehabilitation services while in State confinement. 67. The IRC recommends that the State: (d) Provide rehabilitation services to all prisoners with disabilities in State confinement.		66.67(d) MOJ Other agencies concerned: MOHW (NHIA)
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>The IRC worries that inmates with disabilities are unable to receive rehabilitation services. Article 1 of the National Health Insurance Act provides that NHI is compulsory. Benefits shall be provided during the insured term under the provisions of the act in the event of illness, injury, or maternity. Patients with disabilities seeking rehabilitation treatments shall receive benefits in accordance with the Standards of Medical Benefit Items and Payment Schedules Covered in National Health Insurance. In addition, patients with a disability manual are always charged NT\$50 (clinic level) when seeking outpatient service regardless of hospital level. This charge is lower than the amount for the general public (NT\$80–NT\$420).</p> <p>The extent of medical service provided by correctional facilities is determined by the medical needs of inmates and community resources:</p> <p>A. Correctional facilities may coordinate with hospitals to offer necessary outpatient care according to the actual needs of inmates. After careful evaluation, the Medical Treatment Special Quarter of Taichung Prison may also establish a rehabilitation outpatient clinic to meet the needs of inmates and provide them with medical services.</p> <p>B. After psychological screening, inmates who are suspected to have mental disorders and are granted a disability manual/certificate, catastrophic illness card, or a psychiatric diagnosis report will be registered for management. Moreover, psychiatrists will be arranged to evaluate and treat these inmates, prescribe psychiatric medication for illness control, and arrange follow-up appointments or out-of-prison medical treatments according to the patients’ conditions.</p> <p>C. Arrange a weekly psychiatric outpatient clinic. Inmates receiving a diagnosis of acute and severe illness by a psychiatrist and needing to be transferred to the psychiatric rehabilitation center of the medical unit shall be moved in accordance with regulations on prisoner transfer.</p> <p>D. Correctional facility personnel training for guarding and controlling inmates with mental disorders is conducted annually in each region. Cooperating and sharing experiences with the national psychiatric care network can enhance the expertise of frontline staff concerning mental disorders and related prevention and treatment methods. Increasing the sensitivity to and awareness of mental disorders among correctional facility staff may enable them to further identify potential signs of mental disorders. Each correctional facility should endeavor to promote mental health education to enrich their staff’s expertise in mental disorders.</p>	<p><u>Short-term objectives (to be completed before May 2019)</u></p> <p>1. Implemented reasonable accommodations for the treatment of inmates with disabilities. (MOJ)</p> <p>(1) Medical service: Establish a psychiatric rehabilitation center for inmates with mental disorders, such as emotional and behavioral instability, those at risk of harming self or others, and those who have become disconnected with the reality and exhibit relevant behaviors (e.g., auditory hallucinations, illusions, and delusions). In special circumstances where inmates are unable to take care of themselves, they should be transferred to the psychiatric rehabilitation center for treatment to prevent negative effects on community life as well as to provide proper medical care. The rehabilitation center has an appropriate assessment mechanism for such psychiatric inmates whose conditions are regularly verified and evaluated by psychiatrists. Inmates whose conditions have improved and stabilized and do not need to continue treatment should be sent back to their correctional facility to serve their sentence.</p> <p>(2) Out-of-prison medical treatments: Inmates with severe physical disabilities (e.g., musculoskeletal disorders and relevant dysfunctions) who require out-of-prison medical service shall be exempt from the use of physical restraints. In addition, correctional facility staff must monitor the entire process to ensure that inmates with disabilities receive medical attention smoothly.</p> <p>(3) Rehabilitation activities: Rehabilitation clinics have not been established in correctional facilities. Therefore, inmates with disabilities who have received a doctor’s order for rehabilitation treatment may be transferred to medical institutions through the out-of-prison method. In the future, correctional facilities may evaluate the feasibility of establishing a rehabilitation clinic to enhance their rehabilitation services.</p> <p>(4) Cell arrangements: To facilitate the movement of inmates with disabilities, basic barrier-free facilities are planned and set up according to the accommodation capacity. Auxiliary equipment is provided, and medical units and cells are offered on a lower floor. Assignment of cell mates should be based on information regarding inmates’ self-description, appearance and representation, and their interactions with others to ensure that inmates with disabilities are not bullied or discriminated against by their cell mates due to their</p>	<p>Process indicators: Provide reasonable accommodations to inmates with disabilities, thereby providing them with care equivalent to that of inmates without disabilities. (MOJ).</p>

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
Habilitation and rehabilitation (art. 26) 66. The IRC is concerned that: (d) That prisoners with disabilities, particularly those with Attention Deficit Disorder, do not receive rehabilitation services while in State confinement. 67. The IRC recommends that the State: (d) Provide rehabilitation services to all prisoners with disabilities in State confinement.		66.67(d) MOJ Other agencies concerned: MOHW (NHIA)
	behaviors or poor verbal expression. (5) Visit arrangements: Reduce restrictions on visitors, the number of visits, and the duration of visits, and arrange a proper place for face-to-face visits according to the individual needs of each inmate. Lifting such restrictions can facilitate the inmates’ physical and mental adaptation. 2. Based on the Plan for Providing Medical Care with National Health Insurance to Inmates in Correctional Institutions, the MOHW will examine the cooperation between health and justice agencies on a regular basis (MOJ). 3. Inmates who seek out-of-prison medical treatments should pay for their own registration, copayment, and transportation expenses. The correctional facility may also deduct the payment from inmates’ money in custody or their labor compensation or remind/inform their family members to pay on behalf of the inmates. Inmates meeting the criteria for poverty may apply for subsidies. (MOJ)	

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities																
Concluding Observations										Competent authorities						
Work and Employment (art. 27) 68. The IRC is concerned that: (a) Labor market participation of persons with disabilities, especially women, is disproportionately lower than that of persons without disabilities;										68.69(a) MOL						
69. The IRC recommends that the State: (a) Develop measures, intensify efforts, and allocate sufficient resources to promote the employment in the open labor market of persons with disabilities, especially women;																
Background and Problem Analysis					Actions Plans and Scheduled Deadlines for Completion					Human Rights Indicators						
A. Labor participation rate refers to the proportion of a country’s working-age population (≥15 years) that engages in the labor market (including employed and unemployed individuals). In 2016, the labor participation rate of persons with disabilities was 20.41%, which was slightly higher than the number in 2014 but still lower than that of the total population (58.75%).					<u>Short-term objectives (to be completed before Jan. 1, 2021)</u> 1. Enhance services of vocational rehabilitation case management and supported employment and assist with the integration of measures such as public childcare service and family support, thereby reducing the burden of family care on persons with disabilities. Persons with disabilities are also encouraged to participate in group activities, symposia, or individual counseling to overcome family factors and increase their willingness to enter the workplace. Public occupational service units are responsible for increasing the effective placement rate for female with disabilities. By using employment promotion tools and relevant incentives, these units can offer job seekers preservice preparation to help stabilize employment. (MOL) 2. Enhance individualized service training, including the topics of community mobility, orientation and mobility, work tolerance/sustainability, work behavior, job search techniques, and medical consultation. (MOL) 3. Improve the promotion and utilization of the employment service provided by the MOL and adequately promote the government’s channels for employment service. For example, the section for job seekers with disabilities on the Taiwan Jobs website offers online job matching and job information. The MOL also supervises local governments and demands that they cooperate with organizations of social welfare, health, and persons with disabilities, thereby encouraging labor force nonparticipants with disabilities to enter the labor market. (MOL) 4. To enhance job adaptations for persons with disabilities, the MOL has employed various resources and measures detailed as follows (MOL): (1) Public employment service centers, Taiwan Jobs, and a 24-hour toll-free employment service line (0800-777888) offer job seekers with disabilities employment information and a matching service to assist them with finding employment. Currently, more than 300 employment service centers provide related services. (2) Using individualized employment service models to set up management counters in local governments to provide vocational rehabilitation services to persons with disabilities, including vocational assessment, vocational training, job redesign, entrepreneurship consultation, and general, supported, or sheltered employment, thereby assisting with job adaptations for persons with disabilities. (3) Provide job redesign services according to the employment needs of individuals with disabilities, and assist them in removing barriers in interviews, the workplace, and					Outcome indicators: 1. Increase the rate of effective applicants placed for females with disabilities by 2% within 2 years of 2018. (MOL) 2. In 2020, the budget for preservice preparation and employment stabilization for persons with disabilities will increase 20% compared with the previous year. (MOL)						
Yea r	Persons with disabilities											Total population				
	Labor partici pation rate	Emplo yment rate	Labor partici pation rate (female)	Emplo yment rate (female)								Labor partici pation rate	Emplo yment rate	Labor partici pation rate (female)	Emplo yment rate (female)	
	2014	19.70%	17.53%	13.14%								11.76%	58.54%	56.22%	50.64%	48.83%
	2016	20.41%	18.53%	14.11%								12.91%	58.75%	56.44%	50.81%	49.00%
B. Regarding labor force participation rate, statistics from the 2016 Report on Disabled People’s Living Conditions and Needs Survey are compared with those from the Yearbook of Manpower Survey Statistics. Among all persons with disabilities, 79.6% were labor force nonparticipants, and that the nonparticipation rate for women was 11.16% higher rate than that for men. In the total population, 49% of people are nonparticipants in the labor force, and more women than men are nonparticipants, with a difference of 16.25%.																
Year (%)	Persons with disabilities				Total population											
	Popula tion aged ≥ 15 years	Employ ed	Unemp loyed	Labor force nonpar ticipant	Populat ion aged ≥ 15 years	Employ ed	Unemp loyed	Labor force nonpar ticipant								
Total	100	18.53%	1.87%	79.60%	100	56.45%	2.30%	41.25%								
fema le	100	12.91%	1.20%	85.89%	100	48.99%	1.81%	49.20%								

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities									
Concluding Observations								Competent authorities	
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male	100	22.88%	2.39%	74.73%	100	64.24%	2.81%	32.95%	
Perc entag e diffe rence betw een two gend ers									
		-9.97	-1.19	11.16		-15.25	-1.00	16.25	
C. The investigation in 2016 identified the reasons that persons who are capable and willing to work are unemployed. The majority of them cannot find a suitable job (31.68%), followed by those who cannot meet the physical requirements of a job (21.94%) and those who are rejected for a job (21.54%). A comparison between men and women indicates that the percentage of women who are unemployed due to family factors (housekeeping) is 12.63%, which is 7.88% higher than of the percentage of men citing that reason.									
Reason s for unempl oyment	Total	Cannot find a suitabl e job	Cannot meet the physic al require ments	Rejecte d for a job	Enrolle d in school or prepar ing to pursue contin uing educati on (includ ing 1 year after gradua tion)	Family factors (house keepin g)	Receivi ng rehabil itation and treatm ent	Do not need a job due to financi al situatio n at home	

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Concluding Observations								Competent authorities	
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Total	100	31.68%	21.94%	21.54%	9.43%	7.59%	6.93%	0.88%	
Female	100	34.46%	22.05%	17.18%	7.01%	12.63%	4.43%	2.25%	
Male	100	30.10%	21.88%	24.00%	10.81%	4.75%	8.34%	0.11%	
Statistics from the 2014 Report on Disabled People’s Employment Condition (MOL), the 2016 Report on Disabled People’s Living Conditions and Needs Survey (MOHW), and the Yearbook of Manpower Survey Statistics (Directorate General of Budget, Accounting, and Statistics of the Executive Yuan)									
D. To enhance the employment rate of persons with disabilities, the public employment service agencies and vocational rehabilitation service providers of local governments offer job matching service according to individual needs. The vocational rehabilitation case management model provides individualized and continual professional services to persons with disabilities. Vocational assessment tools for job fit may also be employed to determine their occupational orientation. Accordingly, diversified vocational training, employment services, entrepreneurship consultation, and job redesign measures can be offered. In 2017, a total of 25,473 persons with disabilities became employed through such services.									

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
Work and Employment (art. 27) 68. The IRC is concerned that: (b) 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”; 69. The IRC recommends that the State: (b) Mandate the provision of reasonable accommodation in the workplace; further, correct State translations of reasonable accommodation in the CRPD;		68.69(b) MOL MOHW (SFAA)
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>The IRC demands that employers make reasonable accommodations to workplace environments for persons with disabilities. Relevant measures concerning job redesign and the amendment schedule for mistranslations of reasonable accommodation in the CRPD are separately detailed as follows:</p> <p>A. To eliminate barriers to employment for persons with disabilities, increase their work efficiency, and facilitate employment, the MOL developed the Guidelines for Implementation and Subsidies of Job Redesign for Persons with Disabilities on the basis of the People with Disabilities Rights Protection Act. Local governments are authorized to provide job redesign service. Job redesign is an effective method of reasonable accommodation to eliminate environmental barriers encountered by persons with disabilities in the workplace. In addition to planning a reasonable space, job redesign involves restructuring elements of work including the workplace environment, facilities, and conditions; purchasing required assistive devices for work; and adjusting the method of working. (MOL)</p> <p>B. In the most recent 3 years, 6,653 job redesign cases have been subsidized, with a total of 8,000 individuals benefiting from this service. For example, the MOL subsidized supportive measures for job redesign promotion, training, and auditing and advising for 131 workshops in 2017. In addition, a total of 3,203 persons with disabilities received the job redesign service, of whom 93 (2.9%) had their workplace environment improved, 93 (2.9%) had their facilities or machine tools improved, 1,191 (37.2%) received new assistive devices, and 71(2.2%) received recycled assistive devices. Another 1,292 (40.3%) received sign language interpretation service, 134 (4.2%) received real-time transcription service, 108 (3.4%) received help from visual assistants, 26 (0.8%) persons with severe physical disabilities or with multiple disabilities involving a severe physical disability received help from workplace assistants, 140 (4.4%) had their work methods adjusted, and 55 (1.7%) received assistance in other forms. Moreover, to provide timely reasonable accommodations in the workplace for persons with disabilities, the MOL promoted small-scale job redesign in supported employment to quickly remove workplace obstacles encountered by persons with disabilities; a total of 1,151 cases have been processed in the last 3 years. (MOL)</p> <p>C. To highlight job redesign and develop a workplace friendly to persons with disabilities,</p>	<p><u>Projects to be conducted in or completed by 2018</u> Opinions from all sectors were collected before December of 2018 to call for meetings on the amendment of Chinese edition of the CRPD. (SFAA)</p> <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">1. In December 2019, the Executive Yuan will submit the draft amendments to the Chinese edition of the CRPD to the Legislative Yuan for approval and release. (SFAA)2. Promote the job redesign service for persons with disabilities: encourage employers of persons with disabilities to make reasonable accommodations to workplace environments. Employers, self-employed workers with disabilities, public/private vocational training units, and government-authorized vocational training units or home-based employment service agencies are subsidized to apply for job redesign. The subsidies reduce the burden of the increased employment cost entailed by job redesign. Each year, a maximum of NT\$100,000 is granted to every employer who hires an employee with disabilities, self-employed worker with disabilities, and employed person with disabilities. This limitation shall not apply in cases where special needs are required and have been approved in the form of project evaluation. (MOL)3. Integrate with supported employment service: Offer professional employment workers assistive tools and small-scale subsidies (≤NT\$2,000) to remove or mitigate the barriers faced by persons with disabilities entering the workplace. The objective is to increase employer willingness to hire persons with disabilities, thereby facilitating employment for persons with disabilities. (MOL)4. Enhance individualized professional services: Select and assign institutions or organizations specializing in job redesign evaluation and development as the project team responsible for conducting job redesign. They make onsite visits to service units for persons with disabilities to gain an understanding of the utilization of communication and transportation resources necessary for work. According to the relationship between disability category and barriers to work, these professionals help integrate public transportation resources—for example, the development of the cross-region Fu-Kang bus service—in response to applications for assistive devices for transport and mobility. For those still unable to commute independently when an integrated public transportation network is provided—such as persons with visual impairment—orientation and mobility	<p>Outcome indicators:</p> <ol style="list-style-type: none">1. The number of people served was no fewer than 3,000, and is expected to increase by 5% in 2019. (MOL)2. Starting from 2019, vocational rehabilitation case managers, employment workers, and job redesign personnel will be invited to hold at least two cross-domain training workshops on job redesign for persons with disabilities. (MOL)3. Creativity contest for job redesign is held every 2 years. (MOL)4. Modify the Chinese edition of the CRPD. (SFAA)

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Concluding Observations		Competent authorities
Work and Employment (art. 27) 68. The IRC is concerned that: (b) 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”; 69. The IRC recommends that the State: (b) Mandate the provision of reasonable accommodation in the workplace; further, correct State translations of reasonable accommodation in the CRPD;		68.69(b) MOL MOHW (SFAA)
the MOL holds a creativity contest every 2 years to select outstanding job redesign projects that are both creative and appropriate. This activity is expected to enhance the public’s understanding of job redesign, thus reducing employers’ concerns about hiring persons with disabilities. (MOL) D. The Legislative Yuan passed the Act to Implement the Convention on the Rights of Persons with Disabilities on August 1, 2014. From September to October of the same year, the MOHW convened eight meetings to discuss the translation of the CRPD into traditional Chinese. Meeting participants included experts/scholars, NGO representatives, and representatives of government agencies; thus, different opinions were proposed regarding the translation of important nouns. After sufficient discussion, a consensus has been reached that the Chinese translation of CRPD be conducted according to the following principles (SFAA): (A) Stay faithful to the source text. For content that requires elaboration, sufficient explanation will be provided in the interpretation of provisions. (B) Word choice should be consistent throughout; adjustments shall only be made to maintain the smoothness of the Chinese. Established Chinese glossaries in each domain may be adopted. The mistranslations of reasonable accommodation in the CRPD will be amended according to the amendment procedure of laws and regulations. E. The MOL will continue to implement the following projects: (A) Continue to promote job redesign for persons with disabilities: encourage employers and persons with disabilities to make reasonable accommodations to workplace environments. Provide subsidies for job redesign to employers, self-employed workers with disabilities, public/private vocational training units, and government-authorized vocational training units or home-based employment service agencies to reduce their concern of increased employment cost due to job redesign. Each year, a maximum of NT\$100,000 is granted to each employer who hires an employee with disabilities or a self-employed worker with disabilities. This limitation shall not apply to cases where special needs are required and have been approved through project evaluation. (B) The MOL offers a supported employment service and provides small-scale subsidies (≤NT\$2,000) for job redesign to facilitate the employment of persons with disabilities. (C) Improve service provision: In response to the uniqueness and the service needs of each category of disability, cross-domain training is provided to job redesign personnel such as employment service workers and personnel in job redesign project units.	training for developing mental maps of workplace environment and transportation routes, job redesign, and supported employment services may be provided. (MOL) 5. Intensify professional training: In response to the uniqueness and the service needs of each disability category, cross-domain training is provided to job redesign personnel, such as employment workers and personnel in job redesign project units. (MOL) 6. Strengthen the connections between persons with disabilities, employers, employment workers and optimize reasonable accommodations to educate employers about job redesign, thereby preventing a service information gap. (MOL)	

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Concluding Observations		Competent authorities
Work and Employment (art. 27) 68. The IRC is concerned that: (b) 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”;		68.69(b) MOL MOHW (SFAA)
69. The IRC recommends that the State: (b) Mandate the provision of reasonable accommodation in the workplace; further, correct State translations of reasonable accommodation in the CRPD;		
(D) Refine the service system: strengthen the connections between persons with disabilities, employers, and employment workers and optimize employer education about reasonable accommodations and job redesign to eliminate the service-related information gap.		
(E) Continue to promote job redesign services for persons with disabilities to help employers implement reasonable accommodations for their employees with disabilities. In response to the problem of transportation to work, the MOL commissioned five project teams with professionals specializing in job redesign. These professionals make field trips to the units where said persons with disabilities service to gain an understanding of the extent to which the required resources for work, such as communication systems, public transport, transportation equipment, and parking lots, were used. According to the disability category of the employees and their barriers to work, these professionals help to integrate public transportation resources (e.g., the development of the cross-region Fu-Kang bus service) to solve the transport and mobility problem for these employees, and in term, eliminating their need to apply for relevant assistive devices. For those still unable to commute independently in an integrated public transportation network, such as persons with visual impairment, orientation and mobility training to develop mental maps of the workplace environment and transportation routes, job redesign, and supported employment services may be provided.		

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
Work and Employment (art. 27) 68. The IRC is concerned that: (c) Persons with disabilities cannot access vocational training as preparation for employment; 69. The IRC recommends that the State: (c) Ensure that persons with disabilities can access vocational training as preparation for employment;		68.69(c) MOL
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>A. The 2016 Report on Disabled People’s Living Condition and Needs Survey conducted by the MOHW indicated that the percentage of persons with disabilities requiring vocational training was 21.57%, and 22.58% of persons with disabilities capable of and willing to work but not in the labor force expect the government to offer vocational training. In addition to providing vocational training courses specifically designated to persons with disabilities, the MOL provides channels for persons with disabilities to receive inclusive vocational training, for which their test scores are multiplied by 1.03 to ensure their right to participating in vocational training.</p> <p>B. To help persons with disabilities to become employed, various courses are offered according to their needs. With the objective of improving job seekers’ vocational skills and knowledge, the MOL established the Implementation Plan for Vocational Training for Persons with Disabilities. The MOL works with branches of the Workforce Development Agency and local governments to review and modify the plan content according to the actual needs of persons with disabilities.</p> <p>C. To provide training venues conforming to the Design Specifications for Accessible and Usable Buildings and Facilities, the MOL has investigated local governments’ vocational training centers for their facility accessibility improvement every year since 2014, and discovered that the number of centers violating the mentioned design specifications decreases each year. Barrier-free equipment and a barrier-free environment have been included as an assessment criterion or an item that earns bonus points to encourage the vocational training organizers to provide proper facilities, thereby preventing the facility itself from being a barrier to training participation.</p> <p>D. Problems and obstacles encountered by persons with disabilities participating in vocational training: (A) Vocational training organizers lack understanding of the characteristics of each disability category. (B) Limitations resulting from congenital defects in persons with disabilities. (C) Lack of occupation variety in the vocational training. (D) Lack of assistance with posttraining job interviews for persons with disabilities. (E) Certain disability categories are excluded from the definition of disability, such as learning disabilities, resulting in the inability to obtain disability certifications.</p> <p>E. A total of 8,800 persons with disabilities participated in vocational training in 2017 (including in-service training). After receiving the training, 2,880 of them obtained a job,</p>	<p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">1. To familiarize workers in vocational training units with the characteristics of persons with disabilities, workshops on such topics are to be held. Workers and lecturers in vocational training units can thereby gain an understanding of the characteristics and needs of persons with disabilities when they participate in vocational trainings, and provide appropriate vocational training accordingly. (MOL)2. In vocational training, provide job redesign services timely, such as sign language interpretation and visual assistant service. Furthermore, workplace personal assistance services and transportation escorts to work are provided to persons with severe physical disabilities or those with multiple disabilities, including a severe physical disability, to ensure their ability to participate in the training. Promote job redesign services smore actively to enable vocational training centers to aptly provide various services to remove barriers to training participation for persons with disabilities. (MOL)3. For persons with disabilities who have difficulty leaving the house to participate in vocational training, the Open Study online learning platform was developed to improve their vocational skills. Help from online assistants and teachers as well as diverse digital courses on technician certifications enable these homebound persons with disabilities to learn at home and enhance their vocational skills. (MOL)4. Encourage persons with mental disabilities to participate in vocational training and develop their potential. Moreover, depending on the needs of persons with disabilities, experiential activities are held for them to explore different occupations. During these activities, professionals conduct competency assessments of persons with disabilities. (MOL)5. To ensure that persons with disabilities can successfully find a job after vocational training, training centers provide posttraining employment guidance, accompany job seekers with disabilities to interviews, and provide diverse employment information. Persons with disabilities who are still unemployed 3 months after training should be referred to the vocational rehabilitation provider of the local government, where they can receive individualized vocational rehabilitation services. Vocational training centers should increase connections with employment service centers and vocational rehabilitation service providers. (MOL)6. In response to the problem some persons with certain disability categories have of being unable to obtain a disability certification, inclusive vocational training for various	<p>Process indicators: The percentage of persons with disabilities participating in inclusive preservice training shall reach 6% for 2018. (MOL)</p> <p>Outcome indicators: The number of persons with disabilities participating in vocational training shall reach at least 8,800 in 2018. The participation rate is expected to increase by 1% each year beginning in 2019. (MOL)</p>

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Concluding Observations		Competent authorities
reaching an employment rate of 59%. Targeting persons with disabilities, a total of 121 courses were offered, among which 103 were development programs and 18 were in-service programs.	occupations should be offered to meet the needs of training for diverse occupations. (MOL) 7. To protect the rights of persons with disabilities to participate in vocational training, the participation rate of persons with disabilities in inclusive vocational training has been included as one of the annual key performance indicators for branches of the Workforce Development Agency, and the evaluation results are reviewed every year for improvement. (MOL)	

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
Work and Employment (art. 27) 68. The IRC is concerned that: (d) 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; 69. The IRC recommends that the State: (d) 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;		68.69(d) MOL Other agencies concerned: MOE
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>The employment needs of people with disabilities, the method to develop professional skills in school, and the transition from school to workplace are detailed as follows.</p> <p>A. The 2016 Report on Disabled People’s Living Conditions and Needs Survey indicated that most unemployed persons with disabilities hope to work as elementary laborers (32.50%), followed by service and sales workers (19.57%) and clerical support workers (18.1%). Moreover, the majority of them wish to work full time (73.22%). A reevaluation indicated that persons with disabilities require the government to provide job information, job matching (including an online service), and vocational training.</p> <p>B. According to the results of the previous investigation, the average monthly regular income of employees with disabilities (aged ≥15 years) is NT\$25,939. During the same period (December 2016), the average monthly income in Taiwan was NT\$39,729, with 78.5% of labor force participants holding typical employment and 21.5% atypical employment. The main reason for doing atypical work was being unable to find a suitable job (58.33%), followed by being unable to meet the physical requirements (28.75%) of a job. In response to the difficulty in finding a suitable full-time job and the problem of low pay encountered by persons with disabilities, the MOL continues to investigate the employment conditions of persons with disabilities and proactively promotes a quota-based employment system and vocational rehabilitation services. These actions enable the MOL to provide diversified, individualized services according to different disability categories and severity levels, thereby assisting persons with disabilities to enhance their development in adaptive employment. Article 9 of the Labor Standards Act regulates that a contract for continuous work should not be a fixed-term contract. Employers may not sign a fixed-term contract with persons with disabilities for continuous work. Employers are also prohibited from using the expiration of a fixed-term contract to dismiss an employee. A contract for temporary, short-term, seasonal, or specific work may be made as a fixed-term contract but shall not be used for differential treatment to persons with disabilities.</p>	<p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">1. Continue implementing the Supported Employment Service Plan for Persons with Disabilities to aid persons with disabilities aging ≥15 years but are still incapable of performing job tasks independently in the competitive labor market. The plan includes providing job opportunities, individualized training to facilitate career preparation, and one-on-one intensive guidance for workplace support. The objective is to enhance job adaptations for persons with disabilities. (MOL)2. Continue providing employment transition services for persons with disabilities. In particular, cooperate with the MOL to enhance the employment of persons with disabilities and high educational attainment. By strengthening the connection between vocational rehabilitation services and university resource classrooms, employment transition services for university students with disabilities may be reinforced. Early intervention on campus may improve the outcomes of employment transition services for persons with disabilities. (MOL)3. Continue providing vocational rehabilitation case management service by evaluating the barriers that prevent persons with disabilities from entering highly competitive labor markets and providing individualized vocational rehabilitation service plans to assist individual job seeker. (MOL)4. Review the adaptive senior high school placement mechanism for junior high school graduates with disabilities, and determine whether the programs offered by vocational high schools comply with the adaptive placement of persons with disabilities. (MOE) <p><u>Medium-term objectives (to be completed between 2021 and 2022)</u></p> <ol style="list-style-type: none">1. Provide subsidies and assistance to universities for the provision of vocational guidance and referral plans. According to students’ vocational skills and needs, special needs courses with an experimental nature and breaking existing frameworks and restrains will be offered to students with disabilities to enhance the employability of students with different types of disabilities. (MOE)2. Conduct follow-up studies on high school and university graduates with disabilities, collect data on their job types and employment stability, and establish a database of their employment status. The investigators may thereby determine reasons for unemployment or	<p>Process indicators:</p> <ol style="list-style-type: none">1. Encourage schools to enhance guidance, referral, and visits for students with disabilities who cannot adapt to off-campus internships. (MOE)2. Continue subsidizing the employment of vocational counselors at vocational transition and guidance service centers to provide relevant services for students with disabilities. (MOE)3. Subsidize the career guidance and transition plan programs in at least two schools. (MOE)4. Establish a database of the employment status of graduates with disabilities, and include the information of whether the graduates had obtained jobs through internships. (MOE) <p>Outcome indicators:</p> <ol style="list-style-type: none">1. Hold a minimum of 20 orientation camps for university students with disabilities every year beginning in 2019. At least 500 participants are expected to attend the events. (MOL)2. Provide supported employment services to no fewer than 3,500 persons with disabilities in 2018, and the number is expected to increase by

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Concluding Observations		Competent authorities
Work and Employment (art. 27) 68. The IRC is concerned that: (d) 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; 69. The IRC recommends that the State: (d) 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;		68.69(d) MOL Other agencies concerned: MOE
C. Guidelines for Implementation of an Employment Referral Service for Persons with Disabilities provide that local competent authorities of labor affairs invite education authorities, local special education schools/classes, and schools at senior/vocational high school level or above with students with disabilities to attend the meeting held every 6 months to discuss employment referral, thereby ensuring persons with disabilities receive employment referral services. In 2017, 1,839 students were referred. After evaluating the need for such service, the program was put into practice, and a total of 697 people were employed or participated in vocational training.	accepting temporary/part-time work. Possible reasons may include a preference for such work and unequal pay for performing the same amount of work (compared with persons without disabilities); identified reasons may serve as references for establishing policies to increase the percentage of disabled persons acquiring a professional job. (MOE)	5% each year beginning in 2019. (MOL)
D. Off-campus internships are an extension of school education. Article 24 of the Enforcement Rules of the University Act states that curriculum arrangement is a matter of university autonomy and that universities shall plan the curriculum according to their features of development. Departments planning to offer internship courses must properly coordinate with cooperating agencies and arrange the content according to the attributes of their academic fields. Furthermore, the department should develop relevant supporting regulations with respect to internship venues, credits, and insurance, which are mandatory prerequisites for student participation. Schools should also arrange counselors and industry teachers to co-teach practical techniques as well as screen and evaluate internship agencies. A cooperation agreement should be signed between the school and the internship agency to ensure that the content of internships complies with the disciplinary expertise and the students' need for developing a future career path.		
E. Article 6-1 of the Regulations Governing the Implementation of the Industry–Academia Cooperation for Junior Colleges or Higher Level mandates that the following matters be included in a written contract prior to the commencement of the internship: schools and cooperating enterprises must hold safety lectures, plan the configuration of safety equipment in the venue, employ relevant safety measures, enroll student interns in insurance plans, and devise methods to handle and coordinate disputes. In addition, Article 3 of the Regulations Governing Evaluation of Internship Curriculum of Junior Colleges or Higher Level provides that performance appraisals be administered that focus on criteria such as maintenance of intern safety, consultation or referral mechanism for ill-adapted interns, and operational mechanisms for guidance and visits. Article 6 of the same regulations also specifies that the MOE may adjust a school's		

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F. development scale and funding according to the evaluation outcomes. In the preservice education stage, students are expected to cultivate professional competence and simultaneously obtain theoretical and practical knowledge, thereby attaining the optimal outcome of learning-by-doing and doing-by-learning. School education can thereby be extended to off-campus activities. Technical and junior college students may be arranged to do off-campus internships in enterprises to accumulate practical experience. During an internship, students can develop workplace ethics and attitudes, gain experience in the workplace, explore future career directions, and identify skills they lack at an early stage. They can compensate for their deficiencies through learning to enhance their employability. The MOE also encourages all technical and junior colleges to promote off-campus internships. These colleges can thus improve the practical skills and employability of all students.		
G. The Regulations Governing Referral Guidance and Service for Students with Disabilities at Each Educational Stage mandate that schools be in charge of guidance and service for student referral. Career referral plans shall be included in students’ IEPs or special education programs. Schools should also cooperate with local competent authorities of labor affairs to improve students’ vocational education, development of vocational skills, and workplace internships. In addition, the Guidelines for Implementation of Employment Referral Service for Persons with Disabilities mandate that local competent authorities of labor affairs invite education authorities, local special education schools/classes, and schools of senior/vocational high school level or above with students with disabilities to attend the meeting held every 6 months to discuss employment referral, thereby ensuring persons with disabilities receive employment referral series. In 2017, 1,839 students were referred. After evaluating the need for such service, the program was put into practice, and a total of 697 people were employed or participated in vocational training.		
H. The vocational referral and guidance service center established by the K-12 Education Administration cooperates with large-scale enterprises (currently with Uniqlo). Thirty-four occupational counselors in 27 service center branches served 82 schools in 2018, and experiential vocational activities were held for students with disabilities across the country, retail store internships were offered, and job vacancies across the country were provided. The number of graduates in 2017 with employment potential,		

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Work and Employment (art. 27) 68. The IRC is concerned that: (d) 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; 69. The IRC recommends that the State: (d) 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;		68.69(d) MOL Other agencies concerned: MOE
I. those employed through placement programs, and those with steady employment were 964, 685, and 530, respectively, leading to a job matching rate of 71% (685/964) and a steady employment rate (employed for at least 3 months) of 77% (530/685). Special education schools are equipped with professional teams of occupational therapists to assist students with relevant assessments when taking vocational courses or doing internships. Based on evaluation results, suitable career options are recommended to students. In addition, occupational therapists offer assistive devices for students with disabilities and in need of such support for employment. According to students' employment needs, job redesign and vocational rehabilitation are implemented.		
J. To provide individualized and professional internship opportunities, career counseling, and workplace placement services for students with disabilities, the K-12 Education Administration initiated the Plan for Implementation of Transportation Grants Provided by the K-12 Education Administration of the MOE for Off-Campus Internships of High School Centralized Special Education Class. The objective is to increase employment stability of students with disabilities through appropriate career placement, in-service training, and continual support/guidance. This plan subsidizes the transportation fees for off-campus internships, workplace visits, and providers of career guidance, thereby improving students' workplace internship experience and increasing their employability.		
K. Universities offer students with disabilities career assessments and tests (e.g., career exploration tests and vocational aptitude tests), preservice preparation (e.g., interviews, job hunt experience-sharing, alumni symposiums, and internship guidance), workplace visits, and employment growth groups with the objective of increasing these students' employability and adaptation to jobs.		

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Work and Employment (art. 27) 68. The IRC is concerned that: (e) Persons with disabilities lack sufficient legal remedies to challenge discrimination in the labor market; 69. The IRC recommends that the State: (e) Enforce disability employment rights, and provide resources for legal action by civil society to also enforce disability employment rights;								68.69(e) MOL																																								
Background and Problem Analysis					Actions Plans and Scheduled Deadlines for Completion					Human Rights Indicators																																						
<p>A. Legal basis: Paragraph 1, Article 5 of Employment Service Act prohibits employers from discriminating against any job applicants or employees with disabilities. Article 65 of the same act states that an employer who violates this prohibition shall be fined at least NT\$300,000 and at most NT\$1,500,000. An applicant or employee who suspects that an employer is in violation of employment discrimination rules may file a complaint with the local competent administrative authorities of labor affairs where his or her worksite is located. The complaint is examined by the Committee on Employment Discrimination on the basis of facts. If a violation against the law is determined, the violator will be fined at least NT\$300,000 and at most NT\$1,500,000 according to Article 65 of the act.</p> <p>B. Procedure for handling complaints of employment discrimination from persons with disabilities:</p> <p>(A) Statistics on complaints: amount per complaint</p> <table><tr><th>Year</th><th>Num ber of comp laints proce ssed</th><th colspan="4">Outcomes</th><th>Amou nt of fine (NT\$)</th><th rowspan="6">Note</th></tr><tr><th></th><th></th><th>Resol ved</th><th>Dis miss ed</th><th>Oth er</th><th>Unr esol ved</th></tr><tr><td>2015</td><td>25</td><td>3</td><td>16</td><td>6</td><td>0</td></tr><tr><td>2016</td><td>16</td><td>0</td><td>11</td><td>5</td><td>0</td></tr><tr><td>2017</td><td>18</td><td>0</td><td>6</td><td>5</td><td>7</td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr></table> <p>(B) Analysis of reasons for dismissal of complaints:</p> <p>1. No specific evidence of illegal behavior was found after investigation.</p> <p>2. The application requirements were bona fide occupational qualifications.</p> <p>3. The complaint was not directly associated with differential treatment: The disability (of the applicant or employee) was unknown to the employer at the time the discrimination occurred; the reason for the complaint was verbal misunderstanding and a settlement had been reached between the disputing parties; or workplace verbal abuse, workplace conflicts, and other employer–employee</p>					Year	Num ber of comp laints proce ssed	Outcomes				Amou nt of fine (NT\$)	Note			Resol ved	Dis miss ed	Oth er	Unr esol ved	2015	25	3	16	6	0	2016	16	0	11	5	0	2017	18	0	6	5	7							<p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <p>The promotion team for the training and employment of persons with disabilities regularly invites NGOs representing different types of disabilities to discuss vocational training and employment service plans/programs for persons with disabilities. (MOL)</p>					<p>Process indicators:</p> <p>Establish a promotion team to regularly convene meetings on the enhancement of vocational training and employment for persons with disabilities. (MOL)</p>
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Concluding Observations		Competent authorities
Work and Employment (art. 27) 68. The IRC is concerned that: (e) Persons with disabilities lack sufficient legal remedies to challenge discrimination in the labor market; 69. The IRC recommends that the State: (e) Enforce disability employment rights, and provide resources for legal action by civil society to also enforce disability employment rights;		68.69(e) MOL
disputes occurred that are not defined as employment discrimination in the relevant regulations. 4. The differential treatment was based on the employer’s rational supervisory behaviors. 5. The reason for the complaint was unrelated to the recruitment process or the relationship of employment. 6. Illegal behaviors were unauthorized by the employer. 7. The statute of limitations had expired. C. Establish a team to promote training and employment for persons with disabilities, and invite NGOs representing different disability categories to offer opinions as a reference for policy review and planning. Local governments will establish disability advocate teams (e.g., Consultation Committee for Employment of Persons with Disabilities and Steering Committee for Protecting Rights of Persons with Disabilities) according to the needs of persons with disabilities within the scope of their governance.		

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
Work and Employment (art. 27) 68. The IRC is concerned that: (f) The quota system, which has long dominated employment policies for persons with disabilities, has been ineffective; 69. The IRC recommends that the State: (f) Analyze the current quota system and consider alternative options, including an affirmative action scheme;		68.69(f) MOL Other agencies concerned: MOEA, Ministry of Finance
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
A. The amendment of the Welfare Act for Persons with Disabilities in 1990 changed the employment quota system from an incentive to a mandatory duty and mandated that firms in both the public and private sectors with a certain number of employees recruit a certain percentage of persons with disabilities. Employers who do not hire a sufficient number of persons with disabilities shall periodically pay the difference subsidies to the Disabled Employment Fund. In 1997, the addition of the provision that “a person with severe disabilities shall be calculated as two in the calculation of obligatory employees with disabilities” to the aforementioned Act opened up employment opportunities for persons with severe disabilities. In 2007, the threshold and rate regarding the employment of persons with disabilities for agencies/organizations with the obligation to employ people with disabilities (obligatory agencies/organizations) in the People with Disabilities Rights Protection Act were reviewed and changed. The total numbers of employees in the obligatory agencies/organizations where the employment quota system is applied were changed from 50 for public agencies and 100 for private organizations to 34 and 67, respectively; moreover, the percentage of employees with disabilities based on the total number of employees was 3% and 1%, respectively, for the public sector and the private sector. B. The statistics compiled by the MOL indicate that the employment quota system for persons with disabilities lead to the employment of 82,436 persons with disabilities in 2017. By disability category, 40% of the employed persons had physical disabilities, followed by those with dysfunction of primary organs (14.8%), intellectual disability (11.2%), hearing impairment (9.8%), psychiatric disorders (6.4%), and multiple disabilities (5.7%). These figures were mostly consistent with those of people with each category of disability in 2017. Moreover, the number of employees with disabilities in 2017 exceeded the statutory quota by 25,632 (45.12% of the total employees with disabilities). C. Compared with the number of obligatory agencies/organizations in 2007 (9,800), that in 2017 (17,180) had a 75% increase. Among the 17,180 agencies/organizations, 1,577 (9.2%) are with unfilled employment quota, which was a decrease from 10.8% in 2007. The percentage of obligatory public agencies with an unfilled employment quota decreased from 1.8% in 2007 to 0.8% in 2017, and that of obligatory private organizations with an unfilled quota decreased from 15.82% in 2007 to 12.07% in 2017. In 2017, 25 obligatory public agencies (75.8%) and 1,268 obligatory private organizations (82.0%)	<u>Short-term objectives (to be completed before Jan. 1, 2021)</u> 1. Commission the investigation of obligatory agencies’ and organizations’ employment of persons with disabilities and analyze Taiwan’s employment quota system to provide a reference for future policy development. (MOL) 2. For obligatory agencies/organizations that require proactive guidance because they have failed to meet their employment quotas, cooperate with local governments to review the reasons for such failure. Offer individualized guidance plan to obligatory agencies/organizations that have long failed to meet the requirements to increase job opportunities for persons with disabilities. (MOL) 3. Post regular announcements: issue a monthly press release and disclose the list of obligatory agencies/organizations with unfilled employment quotas on the Workforce Development Agency website. (MOL) 4. Supervise local governments: continue to assist local governments in understanding the reasons for unfilled employment quotas in individual obligatory agency/organization and provide guidance for improvement. (MOL) 5. Provide employment assistance to persons with disabilities according to their individual needs and enhance the integration of vocational rehabilitation case management, assessment tools for job fit, job redesign, diversified vocational training, individualized employment services, and other proactive measures. In addition, employer service measures are implemented to motivate employers and increase their willingness to hire persons with disabilities. (MOL)	Outcome indicators: 1. Starting in 2019 and on a monthly basis, help 100 agencies/organizations that do not hire a sufficient number of persons with disabilities to meet the statutory requirement. (MOL) 2. Finish the Report on Obligatory agencies/organizations in the Employment Condition and Quota System for Employees with Disabilities by 2020. (MOL)

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<p>were short of one employee with disabilities.</p> <p>D. In 2014, the MOL commissioned an investigation on the employment conditions of persons with disabilities employed by obligatory private organizations in Taiwan. The obtained statistics were compared with those of all employees with disabilities in Taiwan. For employees with disabilities in obligatory private organizations and all employees with disabilities, the average monthly income was NT\$35,292 and NT\$24,340, respectively; the average years of service were 11.7 and 9.8, respectively; and the atypical work rate was 10.3% and 32.5%, respectively. The mentioned statistics indicate that job opportunities created by the employment quota system provide relatively satisfactory workplace conditions because they must comply with the regulations governing labor rights and the prohibition of employment discrimination. However, more support measures are required to enhance the employment of persons with disabilities.</p>		
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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
Work and Employment (art. 27) 68. The IRC is concerned that: (g) Sheltered workshops do not facilitate transition by persons with disabilities to the open labor market; and 69. The IRC recommends that the State: (g) 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; and		68.69(g) MOL Other agencies concerned: MOEA, Ministry of Finance
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
A. Since the amendment of the People with Disabilities Rights Protection Act in 2007, sheltered workshops have become another option for the employment of persons with disabilities, providing them with a separate workplace. Moreover, relevant labor acts and regulations are applicable to the employment relationship between the shelter workshop and employees, guaranteeing the right-to-work of persons with disabilities. Articles 34 and 35 of the People with Disabilities Rights Protection Act mandate that the municipal and county (city) competent authorities of labor affairs are obligated to provide sheltering employment services to persons with disabilities who lack employment competency skills or require long-term employment support by establishing sheltered workshops. B. Article 6 of the Standards for Management and Subsidies of Sheltered Workshops for Persons with Disabilities provides that persons with disabilities shall comprise at least 50% of the employees of a sheltered workshop. The aforementioned regulation entails that in addition to persons with disabilities who work under sheltering employment, sheltered workshops may also employ persons without disabilities. Furthermore, sheltered workshop may guide sheltered employees to transition into general employees. This demonstrates that sheltered workshops are part of the open labor market. C. To ensure that sheltered employees receive reasonable pay, Article 40 of the People with Disabilities Rights Protection Act mandates that the pay of employees with disabilities must be set according to employee productivity and reported to local competent authorities of labor affairs for verification. The MOL established the Directions for Setting Wages of Sheltered Employees with Disabilities According to Productivity, according to which the competence and productivity of sheltered employees are evaluated item by item. When necessary, professionals shall be invited to provide assistance in conducting such evaluations. Employers must reevaluate the productivity of sheltered employees at least once a year and adjust the original pay accordingly. If the pay is reduced, reasons must be stated and reported to the local competent authorities of labor affairs for verification. D. A research report commissioned by the MOL revealed that the willingness of sheltered employees and their parents to transition to the open labor market plays a significant role in whether or not such transition will be successful. In 2017, 59 sheltered employees successfully entered the open labor market.	<u>Short-term objectives (to be completed before Jan. 1, 2021)</u> 1. To help sheltered employees transition to the open labor markets, sheltered workshops are obligated to conduct occupational competency assessments at least every 2 years and produce the Guidance Handbook for the Transition From a Sheltered Workshop to the Open Labor Market for reference purposes. The MOL offers funds to reward sheltered workshops that assist sheltered employees with transitioning to the open labor market. (MOL) 2. To increase the willingness of sheltered employees to enter the open labor market, staff of a sheltered workshop and parents of the employees are responsible for guiding the transition service. Parents of the sheltered employees are invited to participate in the employee transition and provide them positive encouragement and support. To reduce concerns of sheltered employees about being unable to adapt to the open labor market, they are allowed to return to the sheltered workshop within the first 2 months of the transition with no conditions attached. (MOL) 3. Employ the individualized employment service model to provide vocational rehabilitation services. Supported employment services, such as vocational assessment and job redesign, may be offered to encourage the transition of sheltered employees from sheltered workshops to the open labor market. (MOL)	Process indicators: The number of sheltered employees who entered the open labor market should be no fewer than 60 in 2018 and is expected to have a 2% annual increase starting in 2019. This rate was determined on the basis of the number of sheltered employees who entered the open labor market in 2017; the number is expected to increase each year. (MOL)

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
Work and Employment (art. 27) 68. The IRC is concerned that: (h) Persons with disabilities do not seek employment for fear of losing their means-tested disability pensions. 69. The IRC recommends that the State: (h) Remove disincentives to employment by persons with disabilities created by means-tested disability pensions.		68.69(h) MOHW (SFAA) Other agencies concerned: MOHW (DOSAASW, Department of Social Insurance) MOL
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>Asset investigation originated from the English Poor Laws and has been implemented in Taiwan for decades. Under this system, the benefits distributed through the social welfare system are considered to adequately meet the needs of financially disadvantaged people. All existing allowances issued by the Taiwanese government require an investigation to determine the assets of the applicant. The number of family members to be included in the calculation of household income and the calculation method mostly comply with the regulations of the Public Assistance Act. Preferential treatment under the Public Assistance Act in situations unfavorable to persons with disabilities as well as adjustments to the Rules Governing the Provision of Livelihood Subsidies to Persons with Disabilities are detailed separately as follows.</p> <p>A. Social assistance is provided by the government to low-income and semi-low-income households to enable them to maintain a basic standard of living. Eligibility for the subsidy is determined by an asset investigation. However, the current Public Assistance Act presumes that persons with disabilities are incapable of being employed and thus excludes work competency from eligibility verification. For persons with disabilities who are capable of working, their income is calculated as 55% of the income of an ordinary laborer to prevent overestimating the income, which could disqualify them and thus prevent them from obtaining the subsidies. To facilitate financial independence among low-income and semi-low-income households, the additional income received by participating in government-provided guidance and employment service may be exempted from the calculation of total household income. As an incentive, eligibility for social assistance may be retained for a maximum of 3 years and can be extended for an additional year to encourage applicants to enter the labor force. (DOSAASW)</p> <p>B. To encourage low-income and semi-low-income households to enter the labor market and secure a stable job, Article 15 of the Public Assistance Act mandates that municipal and county (city) competent authorities shall offer employment or referral services, vocational training, or work relief programs to improve the competency of disabled individuals and assist them in returning to the workplace. Moreover, the increased income due to employment (including self-employment) within a specified period may be exempted from the calculation of total household income. To encourage persons with disabilities to participate in the labor force, to develop work habits and obtain a stable income, future</p>	<p><u>Projects to be conducted in or completed by 2018</u> Before December 2018, invite relevant agencies and local governments to discuss the feasibility of adding articles that exempt employment income earned within a specified period and up to a certain amount from the calculation of total household income to the Rules Governing the Provision of Livelihood Subsidies to Persons with Disabilities. (SFAA)</p> <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u> Amend and publicly disclose the Rules Governing the Provision of Livelihood Subsidies to Persons with Disabilities, focusing on exempting employment income earned within a specified period and up to a certain amount from the calculation of total household income. (SFAA)</p>	<p>Structural indicators: Finish amending the Rules Governing the Provision of Livelihood Subsidies to Persons with Disabilities. (SFAA)</p>

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adjustments to the Rules Governing the Provision of Livelihood Subsidies to Persons with Disabilities shall follow the direction indicated above. (SFAA) C. Regarding National Pension Insurance, pension payments (basic guaranteed pension payment) for persons with disabilities target insured persons diagnosed as having a severe mental/physical disability and thus being unable to work. That is, a designation of “unable to work” is an eligibility requirement for subsidies. Therefore, the situation that asset investigation reduces the willingness of persons with disabilities to pursue a career is unlikely to occur. (Department of Social Insurance)		
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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
Work and Employment (art. 27) 70. The IRC is concerned that: (a) Persons with disabilities live in poverty at a higher rate than the general population; 71. The IRC recommends that the State: (a) Mandate that the eligibility criteria for persons with disabilities to obtain financial assistance and subsidies be independent of their and their families’ means;		70.71(a) MOHW (SFAA) Other agencies concerned: MOHW (Department of Social Insurance, DOSAASW, DONAHC), MOI, MOL, MOE, and Ministry of Finance
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>All existing allowances issued by the Taiwanese government require an investigation into the assets of the applicant. The number of family members to be included in the calculation of household income and the calculation method mostly comply with the regulations of the Public Assistance Act. Such regulations have been followed for decades. To promote the financial independence of persons with disabilities, the examination of and adjustment to subsidies for living expenses, such as housing and assistive devices, must be conducted. Details are presented as follows.</p> <p>A. Regulations (MOHW)</p> <p>(A) Regarding the economic security of persons with disabilities, two methods have been employed to determine an applicant’s eligibility for allowances. First, National Pension uses an individual asset investigation to determine an applicant’s eligibility for basic guaranteed pension payments for mental/physical disability included in the National Pension. Such an asset investigation is conducted to ensure that the annual income of an applicant is lower than NT\$500,000 and that the value of owned land and real estate is lower than NT\$5 million. Household financial status is not examined in individual asset investigations. Second, the eligibility of low-income and semi-low-income households and persons with disabilities for livelihood subsidies is determined by the asset investigation of a household. To be more specific, the assets of lineal relatives are included in the calculation of total household income. Because Article 1114 of the Civil Code establishes a mutual obligation between lineal relatives to support each another, lineal relatives within one degree of kinship are counted as members of a household for evaluating the eligibility of the livelihood subsidy for persons with disabilities.</p> <p>(B) A flexible option is available for special situations. For example, Article 14 of the Rules Governing the Provision of Livelihood Subsidies to Persons with Disabilities provides that the method of calculation of total household income comply with the Public Assistance Act. In addition, subparagraph 9, Paragraph 3, Article 5 of the Public Assistance Act regulates that in the case where individuals who have failed to carry out their obligation due to special reasons and have consequently caused the applicant to live in hardship, the entire case must be reviewed and evaluated by the municipal or county (city) competent authority. Usually, such family member is not suggested to be</p>	<p><u>Projects to be conducted in or completed by 2018</u> Collect data on subsidies granted for medical assistive devices in 2018 and continue exploring the allocation of subsidy resources to serve as a reference for adjusting subsidy scope. (DONAHC)</p> <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">1. All local governments will continue to allocate budget to subsidize the expenses of rehabilitation and assistive devices for persons with disabilities in 2019. (DONAHC)2. Perform rolling corrections of the Regulations on Subsidies for Rehabilitation and Assistive Devices for Persons with Disabilities in 2019. (DONAHC)	<p>Process indicators: Perform rolling corrections of the Regulations on Subsidies for Rehabilitation and Assistive Devices for Persons with Disabilities. (DONAHC)</p>

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<p>listed in the calculation of the number of members living in the household.</p> <p>(C) The Public Assistance Act regulates that the certification of a low-income or semi-low-income household shall apply to the household and the income and assets of family members should be included in the calculation. The inclusion of a spouse and relatives within one degree of kinship as family members is based on Part IV: Family of the Civil Code—the mutual obligation of lineal relatives to support each other—as well as the emphasis on family ethics and mutual support between relatives in Taiwanese culture. To accommodate alternative family structures and functions, a household member shall be excluded from the calculation if any of the nine situations specified in Paragraph 3, Article 5 is applicable, including the case where individuals have failed to carry out the support obligation due to special reasons and has consequently caused the applicant to live in hardship.</p> <p>(D) Verification of eligibility for subsidies and allowances targeting persons with disabilities conforms to the existing method of investigating individual assets used by the National Pension to determine the basic guaranteed pension payment for mental/physical disability. Therefore, 70.71(a) provides no plan to make relevant adjustments.</p>		
B. Individual items for living (MOHW) (A) Authorized under Article 26 of the People with Disabilities Rights Protection Act, the Regulations on Subsidies for Rehabilitation and Assistive Devices for Persons with Disabilities came into effect on July 11, 2012 for persons with disabilities holding a disability manual or certificate, entitling them to apply to competent authorities in the municipal or county (city) level for medical assistive device subsidies. These subsidies cover a total of 16 medical assistive devices and are available to three income categories, namely low-income households, semi-low-income households, and general households. Each category has a maximum subsidy amount; the provision of subsidies conforms to the Public Assistance Act and the subparts of the People with Disabilities Rights Protection Act. (B) Authorized by Article 8 of the Act for Protecting Workers from Occupational Accidents, the Regulations on Allowance and Appropriated Grants for Workers Having Occupational Accidents were established to offer workers grants for occupational		

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injuries or diseases; 105 types of assistive and rehabilitation assistive devices are eligible for subsidization. Each applicant is allowed to apply for at most four types of assistive devices each year, and the total value of grants shall not exceed NT\$60,000. Such subsidies are awarded regardless of the economic status of the worker.		
(C) Education subsidies for students with disabilities cover academic performance awards and transportation fees. An applicant’s eligibility for such subsidies is not subject to household financial status, and the relevant regulations are detailed as follows: 1. The Regulations Regarding Special Education Students’ Subsidy Awards mandate that an applicant must be enrolled in school and possess a valid special education student identification certificate issued by a competent authority for the academic year in which the application is made. According to the academic system, the applicant may attach relevant documents certifying outstanding academic performance in the current semester or achievements in competitions. This subsidy is granted to students according to their grades. 2. The Regulations Governing Implementation of Transportation Service for Students Incapable of Commuting to School Independently Due to Disability mandate that this subsidy is only granted after confirming the incapability of a student with disabilities to commute to school independently through professional evaluation and that the school he/she attends cannot provide transportation services. This subsidy is granted to the applicant in accordance with his/her inability to commute to school on his/her own. [Please refer to 70.71(d) for more details on housing subsidies.]		

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Adequate Standard of Living and Social Protection (art. 28) 70. The IRC is concerned that: (b) Current retirement regulations and the Labor Insurance Act reduce or render ineligible persons with disabilities for retirement pensions; 71. The IRC recommends that the State: (b) Revise current retirement regulations and the Labor Insurance Act so that persons with disabilities are eligible for retirement pensions;		70.71(b) MOL Other agency concerned: Ministry of Civil Service
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
A. Legal basis (A) Regulations of the Labor Insurance Act: 1. Old-age benefit: An insured person who is at least 60 years old and has 15 or more years of insurance coverage may claim the old-age benefit. Laborers with an insurance period less than 15 years may claim a lump-sum payment of the old-age benefit. An insured person who has 15 or more years of insurance coverage but has not reached the stipulated claiming age may claim the old-age benefit at 55 years old at the earliest. 2. Permanent disability benefit: According to regulations, workers with disabilities are allowed to apply for the permanent disability benefit, which may be claimed in advance if certain requirements are fulfilled. An insured person who has experienced injury or illness, become stabilized after treatment but is unable to recover fully with further treatment, has been diagnosed to be permanently disabled, and meets the standards for receiving disability benefits may be entitled the disability benefit. For example, an insured person whose disability conditions qualify for the “permanent inability to work” payout item may apply for the disability pension. Because of the different levels of reduced productivity associated with each disability category, disability pension coverage was increased on August 13, 2013. For example, an insured person who has been assessed by an individualized professional evaluation to have ≥70% reduced productivity and cannot return to the workplace may apply for the disability pension. No age restriction shall apply to applicants of the disability pension, and those with family dependents who comply with certain requirements may receive up to 50% extra. (B) Regulations of the Labor Standards Act (old Labor Pension System): When a worker applies for voluntary or mandatory retirement upon fulfilling all necessary conditions for retirement, his/her employer must pay the pension in accordance with this act. (C) Regulations of the Labor Pension Act (new Labor Pension System): Under this new system, the employer contributes 6% or more of a worker’s monthly wage into an individual pension account overseen by the Bureau of Labor Insurance. Upon reaching 60 years of age, a worker may apply directly to the Bureau of Labor Insurance to receive the pension. B. Current implementation conditions: (1) The Labor Insurance Act has mandated the provision of old-age and permanent disability benefits to persons with disabilities. By the end of 2017, a total of 56,708 persons with	<u>Projects to be conducted in or completed by 2018</u> The Labor Standards Act, the Labor Pension Act, and the Labor Insurance Act regulate claims for old-age benefits, permanent disability benefits, and the pension for persons with disabilities (MOL).	N/A

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disabilities had applied for the old-age benefits of the labor insurance, with the average age being 61.81 years and the average benefit amount received being NT\$15,911. (2) By August 2018, 721 persons with disabilities had applied for the early lump-sum pension payout specified in Article 24-2 of the Labor Pension Act, with the pension payouts totaling NT\$163,318,125.		

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Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
A. National Pension Insurance was initiated on October 1, 2008 to ensure the basic economic security of citizens not adequately covered by other social insurance programs, namely military personnel insurance, civil servant insurance, labor insurance, and farmer’s health insurance. Payments to the insured persons during the validation of the insurance when contingencies happen include old age pension payments, maternity payments, mental/physical disability pension payments, death payments, and surviving family pension payments. B. Regulations of the National Pension Act protecting persons with disabilities: (A) Persons with disabilities are offered a relatively high subsidy percentage for the premium: Article 12 of the National Pension Act provides that central competent authorities shall pay 40% of the premium for the insured person, and 55%, 70%, and 100% of the premium is paid by the government for persons with mild, medium, and extremely severe disabilities, respectively, to reduce the burden of premiums on insured persons with disabilities and help them accumulate the period of insurance. Upon reaching 65 years of age, an insured person may apply for the old-age pension according to his/her period of insurance. Moreover, an insured person who is originally granted a basic guaranteed pension payment for mental/physical disability may apply for old-age pension depending on which one is higher in amount. (B) An insured person with severe disabilities and no ability to work may be entitled to a basic guaranteed pension payment for mental/physical disability: Article 33 of the National Pension Act provides that an insured person diagnosed within the national insurance coverage period with severe disabilities and no ability to work may apply for the mental/physical disability pension payment. In addition, Article 35 of the same act states that an insured person diagnosed as having a severe mental/physical disability with no ability to work before enrolling in National Pension Insurance and who has lived in Taiwan for more than 183 days per year for three consecutive years may apply for mental/physical disability basic guaranteed pension payments. The aforementioned articles have no restrictions on years of service or work experience. (C) The mental/physical disability basic guaranteed pension payment is adjusted according to the growth rate of the consumer price index: insured persons who have a relatively short period of insurance cover and are entitled to a payment lower than the basic guaranteed amount (NT\$4,872 in 2017) should be granted the basic guaranteed amount.	<u>Short-term objectives (to be completed before Jan. 1, 2021)</u> Article 54-1 of the National Pension Act provides that the basic guaranteed amount of the mental/physical disability pension and the basic guaranteed pension for mental/physical disability be adjusted every 4 years by the MOHW with reference to the annual growth rate of the most recent year’s consumer price index. However, no adjustment will be made when the growth rate of the consumer price index is zero or negative. This systematic adjustment mechanism guarantees the basic living standard of persons with disabilities. The next adjustment will take place on January 1, 2020 (Department of Social Insurance).	Structural indicators: Regulations provide that the pension (basic guaranteed pension) for persons with disabilities be adjusted according to the price index. Therefore, the payment can be insulated from the adverse effect of inflation in the long term, ensuring the ongoing purchasing power of the pension. By fully subsidizing the National Pension for persons with extremely severe disabilities, the government helps them accumulate the period of insurance coverage. Upon reaching 65 years of age, these persons are entitled to apply for the old-age pension or disability pension, whichever is higher in amount of benefit (Department of Social Insurance).

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Moreover, the amount of payment increases with the accumulated period of insurance coverage to ensure basic economic security of the insured person. For example, an insured person with 40 years of insurance coverage may be entitled to NT\$9,507. Article 54-1 of the National Pension Act mandates that the basic guaranteed pension payment for mental/physical disability shall be adjusted every 4 years with reference to the growth rate of the consumer price index to ensure the purchasing power of the pension.		
C. Current implementation of National Insurance: (A) Statistics on the enrollment into and payments by National Insurance: In December 2017, a total of 231,029 persons with disabilities were enrolled in National Insurance. Among these people, 94,018 had an extremely severe disability, followed by those with a moderately severe disability (74,781) and those with a mild disability (62,229). In total, 6,752 people were entitled to a mental/physical disability pension, and 2,879 people received the basic guaranteed pension for mental/physical disability. (B) The mental/physical disability basic guaranteed pension payment is adjusted in accordance with the growth rate of the consumer price index: the amount was adjusted from NT\$4,000 to NT\$4,700 in January 2012 and then to NT\$4,872 in January 2016.		
D. Other insurance benefits or allowances available to persons with disabilities: (A) Insurance: disability benefits for military personnel, farmers, civil servant and school staff, and laborers. (B) Allowances (Please refer to 71.a of Article 27 Work and Employment provisions of the CRPD for more details): livelihood subsidies for persons with disabilities, subsidies for medical assistive devices, occupational accident compensation for laborers, education subsidies for students with disabilities (including subsidies for academic performance awards and transportation fees).		
E. The IRC is concerned about the insufficiency of the national pension to cover basic food costs. Existing regulations require that the mental/physical disability basic guaranteed pension payment be adjusted in accordance with the growth rate of the consumer price index. Moreover, a premium-reducing mechanism is available to insured persons with disabilities to reduce their burden and help them accumulate the period of insurance eligibility. Because the pension increases with the accumulated period of insurance, it		

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guarantees the right of persons with disabilities to maintain an adequate standard of living. Increasing the pension in a short period of time inevitably requires increasing the premium rate to avoid reducing the financial security of the investment fund. This, in turn, increases the cost to insured persons, thus burdening them.		
F. Gradually improve the National Pension system through pension reform: (A) Current financial assessment proposal by the Legislative Yuan: 1. In 2017, Legislator Tuan Yi-kang inquired about what the increased financial burden would be if the Type A old-age pension payment was increased to NT\$7,000 under the current national insurance system. The MOHW estimated that this adjustment would require an additional NT\$37.5 billion per year, with the number of insured persons estimated to be 927,552 in 2018. Moreover, an increase of the basic guaranteed pension payment for mental/physical disability up to NT\$8,000 would require an additional NT\$240 million in the budget per year, with the number of insured persons estimated to be 6,052. Thus, the aforementioned adjustments would impose a NT\$37.7 billion burden on the government. Because the total number of recipients of the old-age and mental/physical disability pensions is currently growing by more than 100,000 each year, the required expenditure will continue to increase each year. 2. On May 26, 2017, Legislator Lee Yen-hsiu and 16 other legislators proposed a draft Basic Pension Act, which employs a universal tax-based basic pension system. Older adults aged 65 years or older are granted a monthly subsidy of NT\$8,000. Based on the number of older adults, as determined in December 2017 (<i>n</i> = 3,268,013), a budget of NT\$313.7 billion would be required each year. After deducting the difference payment of the national insurance for old-age pension payment (NT\$30 billion), the old-age basic guaranteed pension payment (NT\$27.9 billion), and the welfare allowance for elderly farmers (NT\$48.2 billion), the government would still need to cover an additional general budget expense of NT\$207.6 billion each year. The basic pension amount for persons with extremely severe disabilities should also be increased. That is, a monthly subsidy of NT\$10,000 should be granted to persons with extremely severe disabilities. The 2017 statistical data compiled by the SFAA indicated that 336,147 individuals had extremely severe disabilities and pensions for them would require a budget of NT\$40.3 billion per year. After deducting the livelihood subsidy for persons with disabilities (NT\$21.3 billion) and the basic		

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guaranteed amount of the mental/physical disability pension payment (NT\$1.5 billion), the government would still have to cover an additional general budget expense of NT\$17.5 billion . The aforementioned adjustments would increase government expenditure by NT\$225.1 billion each year , which is a considerable financial burden on the government and should therefore be carefully considered.		
(B) In addition to the National Pension, other social insurance (e.g., civil servant/teacher insurance and labor insurance) are also associated with the economic security of older adults with disabilities. The national interministerial meeting on pension reform held by the President’s National Pension Reform Committee on January 22, 2017 reached a consensus to include the National Pension system in the medium- and long-term reform plans. To ensure that the orientation of policies concerning the national pension system is consistent overall, the MOHW will handle the amendment of the National Pension Act in accordance with the overall direction set by the Executive Yuan. The objective is to provide continual care to persons with disabilities and ensure their basic economic security.		

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Adequate Standard of Living and Social Protection (art. 28) 70. The IRC is concerned that: (d) 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. 71. The IRC recommends that the State: (d) 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.		70.71(d) MOI
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
A. Affordable accessible housing: (A) To solve domestic housing problems, the Taiwanese government has been actively promoting a policy of providing social housing that is only for rent and not for sale, aiming to lease 200,000 social housing units within 8 years. The Plan for Social Housing Construction was ratified by the Executive Yuan in March 2017 and calls for the government to construct social housing complexes for 120,000 households and allow subletting and entrusted management of 80,000 vacant private units to achieve the targeted number of 200,000 rental housing units. (B) The CPA has requested that all local governments, during social housing construction, consider the facility demands of older adults, children, women, and persons with disabilities. Designs of indoor and outdoor public spaces must comply with the regulations stated in the MOI-promulgated Design Specifications for Accessible Facilities and Regulations on Design Standards and Encouragement of Accessible Housing and be granted an accessible housing certificate. (C) As of August 2, 2018, all municipal and county (city) governments reported that a total of 135 construction projects had been launched to build 47,087 homes. Specifically, 94 projects expected to build 32,018 units were in the planning process, 25 projects to build 11,601 units were in the construction process, 16 projects had been completed, with 3,468 units built, and 7,259 units had been leased (i.e., existing households) by 2016, totaling 54,346 homes. (D) The CPA of the MOI began implementing the Integrated Housing Subsidization Program in 2007. Limited housing subsidy resources have prevented the commencement of interest subsidization for self-build loans. Only one household with a building occupation permit used over 10 years was provided with an NT\$800,000 interest subsidy for the housing repair loan, which was the most favorable loan amount. The category of housing repair includes constructing accessible facilities to improve the living environment of low- and middle-income families, thereby enhancing their quality of life.	<u>Projects to be conducted in or completed by 2018</u> Help improve the accessibility of living environments in old dwellings: 1. To subsidize the handling of cases regarding the improvement of accessible facilities in existing housing by municipal and county (city) governments, the MOI issued the 2018 Preliminary Plan for Improving Accessible Facilities in Existing Dwellings to subsidize people to improve accessible facilities in their houses and establish demonstration cases. Before the end of March 2018, 11 subsidized local governments had announced applications they had accepted, and the improvements were expected to be completed by the end of 2018. (MOI) 2. The MOI has enacted the Implementation Regulations for Central Urban Regeneration Fund Subsidies for Renewal Projects to continue handling subsidies for self-managed renewal cases. For example, legal buildings with a housing age of ≥20 years and old apartments with five or fewer floors that have base areas complying with the demarcation standard for a renewal unit set by the local government may be handled as an urban renewal rehabilitation and reconstruction project if most owners agree to do so. Projects must comply with the Urban Renewal Act. In addition to applying for subsidies for urban renewal projects as mentioned previously, people may also apply for subsidized elevator equipment installation, and the upper limit for the latter subsidy is 45% of the installation cost. (MOI) 3. The MOI aims to continue implementing the Integrated Housing Subsidization Program. The application period is open from July to August each year to provide interest subsidies for housing repair loans to improve the living environment of low-income and middle-income families, thereby enhancing their quality of life. (MOI) <u>Short-term objectives (to be completed before Jan. 1, 2021)</u> Appropriate rental subsidies for persons with disabilities and households comprising persons with disabilities will be provided (MOI): 1. Continue implementing the Integrated Housing Subsidization Program. The application period is open from July to August each year, and recipient selection will be completed by the end of December. Approved applicants will be granted a monthly rental subsidy by	Structural indicators: The Regulations of Housing Subsidies for Repair Loan and Easy Repair Expenses have been established, governing the subsidization of items such as accessible facility repair and maintenance. (MOI) Process indicators: 1. Continue to implement the Plan of Social Housing Construction to assist local governments to obtain land and provide relevant subsidies. (MOI) 2. Continue conducting the Integrated Housing Subsidization Program to provide rental subsidies and interest subsidies for housing repair loans. (MOI) 3. Continue assisting municipal and county (city) governments in handling rental subsidies for persons with disabilities. Moreover, implement a trial of the Preliminary Plan for Improving Accessible Facilities in Existing Dwellings to encourage applications from the general public in hopes of improving household accessible facilities and establishing demonstration cases. (MOI) 4. Continue to allocate funds for subsidies

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Concluding Observations		Competent authorities
Adequate Standard of Living and Social Protection (art. 28) 70. The IRC is concerned that: (d) 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. 71. The IRC recommends that the State: (d) 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.		70.71(d) MOI
B. Appropriate rental subsidies for persons with disabilities and households comprising persons with disabilities: (A) The MOI commenced the Integrated Housing Subsidization Program in 2007. Regardless of identity, sex, or age, households with an annual income under the 20% income bracket/lower than 1.5 times the minimum living expenses and without a self-owned residence may be granted a rental subsidy. Based on a point system, the scores of households comprising persons with disabilities may be weighted according to disability severity, thereby ensuring that they are prioritized to receive the subsidies. Among the approved subsidy applicants in 2017, 14,816 households comprised persons with disabilities. (B) Based on Paragraph 2, Article 71 of the People with Disabilities Rights Protection Act, Regulations Governing the Interest Subsidies for House Rent and House-Purchasing Loans for Persons with Disabilities were established. The regulations were amended and released on June 11, 2012, and since then, the MOI has been supervising the implementation. The funds for subsidies came from the budget decided by the competent authorities of local governments. In 2017, a total of 11,972 households were granted house rent subsidies for persons with disabilities. (C) Article 1 of the Housing Act mandates the protection of the citizens’ right to housing as one of its legislative objectives. To allow all citizens to enjoy suitable housing and protect their right to housing, Paragraph 1, Article 54 of the same act states that “no one may reject or interfere with the following actions of residence users: 1. Necessary accessible renovations of their residence or public space at their own expense. 2. Keeping a guide dog for persons with disabilities. 3. Legally using spaces, facilities, equipment and services in exclusive parts of their residence and non-exclusive public spaces.” Article 55 of the same act provides that “in the event the condition in the preceding article occurs, the residence user may file a complaint to the municipal or county (city) competent authority within one year of the event’s occurrence. When handling the complaint mentioned in the preceding paragraph, the municipal or county (city) competent authority shall invite the participation of no less than one thirds [sic] of representatives of socially or economically disadvantaged persons and social	municipal and county (city) governments starting from January of the subsequent year. 2. Based on Paragraph 2, Article 71 of the People with Disabilities Rights Protection Act, Regulations Governing Interest Subsidies on House Rent and House-Purchasing Loan for Persons with Disabilities were established to handle matters concerning rental subsidies for persons with disabilities. <u>Medium-term objectives (to be completed between 2021 and 2022)</u> 1. In the first stage, the government aims to directly construct social housing complexes for 40,000 households and allow subletting and entrusted management of 40,000 vacant private units, achieving the goal of providing 80,000 housing units by 2020. (MOI) 2. In the second stage, the government aims to directly construct social housing complexes for 120,000 households and allow subletting and entrusted management of 80,000 vacant private units, achieving the goal of providing 200,000 housing units by 2024. (MOI)	in accordance with the Implementation Regulations for Central Urban Regeneration Fund Subsidies for Renewal Projects. Moreover, urban renewal workshops are to be held to advocate the policy and encourage self-managed renewal. (MOI) Outcome indicators: 1. Eleven local governments are expected to receive subsidies to handle 27 cases of accessible facility improvement in existing dwellings in 2018. (MOI) 2. It is estimated that 80,000 social housing units will be completed by 2020 and 200,000 social housing units will be completed by 2024. (MOI)

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Concluding Observations		Competent authorities
Adequate Standard of Living and Social Protection (art. 28) 70. The IRC is concerned that: (d) 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. 71. The IRC recommends that the State: (d) 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.		70.71(d) MOI
welfare scholars.” Article 56 of the same act mandates that “in the event a violator of Article 54 handled in accordance with Article 55, who is ordered by the competent authority to improve the condition within a specific time period, but fails to make improvement, a penalty between NT\$100,000 and NT\$500,000 shall be imposed for each violation.” Accessibility renovations of public spaces enhance the mobility of disabled people and older adults. For example, having received five applications, Taipei City should assemble the Taipei City Residential Dispute Case Review Committee to discuss and handle relevant matters in accordance with the Directions for the Operation of the Taipei City Residential Dispute Case Review Committee.		
C. Assistance with improving the accessible living environment of old dwellings: (A) To subsidize the handling of cases of accessible facility improvements in existing dwellings by local governments, the MOI adopted the 2018 Preliminary Plan for Improving Accessible Facilities in Existing Dwellings on August 25, 2017. The plan aims to subsidize 11 local governments, namely New Taipei City, Taichung City, Tainan City, Kaohsiung City, Hsinchu County, Chiayi City, Kinmen County, Nantou County, Chiayi County, Pingtung County, and Hualien County. The 11 subsidized governments will handle eight projects to improve accessible facilities in the shared space of existing apartments with five or fewer floors and install elevators as well as 19 projects to improve accessible facilities in the shared space of apartment complexes equipped with an elevator. The maximum subsidy for all projects is NT\$260,000 (45% of the total cost). (B) In response to the trend of population aging, the MOI revised the Implementation Regulations of the Central Urban Regeneration Fund Subsidies for Renewal Projects in 2014 to continue handling subsidies for self-managed renewal cases. For example, legal buildings with a housing age ≥20 years and old apartments with five or fewer floors whose base area complies with the demarcation standard of a renewal unit set by the local government may be handled as urban renewal rehabilitation and reconstruction projects. Such projects must comply with the Urban Renewal Act. In addition to subsidies for urban renewal projects as		

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mentioned previously, people may also apply for a subsidy for elevator equipment installation that does not exceed 45% of the total project cost. To reduce the financial burden on people and increase the incentives for urban renewal, the Implementation Regulations for Central Urban Regeneration Fund Subsidies for Renewal Projects were amended on February 23, 2016. Local governments may now designate additional funds and set subsidy rates for rehabilitation and reconstruction projects. Factors that affect the people’s willingness to apply for such subsidies include insufficient self-raised funds and space for elevator installation and the unwillingness of low-rise building residents to install elevators. No application has been submitted for subsidized elevator installation in accordance with the mentioned regulations. (C) On August 7, 1997, the MOI adopted the Operational Procedures and Directions for Improvement Plans for Accessible Facilities in Existing Public Buildings and Facilities, demanding that condominiums with five or fewer floors and ≥50 households must improve the accessibility of facilities, including outdoor passageways, evacuation ramps/handrails, and evacuation exits of the refuge story. Condominiums with six or more floors should improve the accessibility of the aforementioned facilities as well as the elevator.		

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Concluding Observations		Competent authorities
Participation in political and public life (art. 29) 72. The IRC is concerned that: (a) 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; 73. The IRC recommends that the State: (a) Enable persons with disabilities to vote on an equal basis with others, and amend election rules to this effect;		72.73(a) MOI Other agencies concerned: Central Election Commission
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
A. Subparagraph a of Paragraph 1, Article 29 of the CRPD requires that States Parties guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others. Representatives are chosen directly or freely to ensure that persons with disabilities can effectively and fully participate in political and public life, including having the right and opportunity to vote and be elected. (MOI) B. In 72(a) of the concluding observations for the state report regarding the CRPD, the IRC expresses concern over the deprivation of the right of persons with disabilities to vote under Taiwan’s current regulations that prohibit persons under guardianship to vote. As mentioned in 72(a), the IRC recommends that Taiwan amend existing election-related regulations to ensure that persons with disabilities have equal rights as others in exercising the right to vote. (MOI) C. Paragraph 1, Article 14 of the Civil Code mandates that “with respect to any person who is not able to 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 court may order the commencement of guardianship at the request of the person in question, his/her spouse, any relative within the fourth degree of kinship, a prosecutor, a competent authority or an organization of social welfare.” Article 14 of the Civil Servants Election and Recall Act states that “any citizen of the ROC reaching 20 years of age shall have the right of suffrage, unless the declaration of guardianship has yet been revoked.” Article 11 of the Presidential and Vice Presidential Election and Recall Act states that “any citizen in [a] free region of [the] ROC reaching 20 years of age shall have the right of suffrage, unless the declaration of guardianship has yet been revoked.” Persons placed under guardianship (previously interdiction) have been deemed to have no capacity to vote, as regulated by the aforementioned two election and recall acts since their establishment in 1980. Such regulations are based on the Civil Code, which states that persons placed under guardianship have no capacity to perform any juristic act and shall therefore not be granted suffrage, a right that can influence public interests. Statistical data collected until November 27, 2017 by the Department of Household Registration, MOI revealed that 21,747 of the resident population aged ≥20 years were under guardianship. (MOI) D. At present, the United Kingdom, Japan, and New Zealand do not restrict the right of a person under guardianship to vote, whereas suffrage in other countries is still determined by a person’s ability to declare intention and legal capacity. Allowing persons under	<u>Long-term objectives (cannot be completed before the second international review)</u> Cooperate with the MOI to hold symposia and review the implementation process. (Central Election Commission)	Process indicators: 1. Collect information and legislative examples in other countries regarding the voting rights of persons placed under guardianship. (MOI) 2. Hold symposia to discuss whether to amend or maintain the limitation on the voting rights of persons placed under guardianship. (MOI)

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Concluding Observations		Competent authorities
Participation in political and public life (art. 29) 72. The IRC is concerned that: (a) 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; 73. The IRC recommends that the State: (a) Enable persons with disabilities to vote on an equal basis with others, and amend election rules to this effect;		72.73(a) MOI Other agencies concerned: Central Election Commission
E. guardianship to vote requires court appraisal of the guardianship declaration and is associated with election operations. The MOI will consult the opinions of experts from different disciplines to undertake a careful determination concerning such issues. (Ministry of the Interior)		
F. The decision to amend the current legislative restrictions on suffrage for persons under guardianship is to be made after assessing how the courts handle guardianship declarations, behavioral patterns of persons under guardianship, the legal capacity of persons under guardianship, and actual election practices. On October 16, 2018, the MOI held a symposium on problems concerning suffrage for persons under guardianship, to which scholars/experts, different party groups from the Legislative Yuan as well as representatives of the Judicial Yuan, the MOJ, the Central Election Commission, the MOHW, local governments, and NGOs were invited for discussion. Most participants agreed that amendments to the current regulations are necessary. (MOI)		
G. The right to vote is the political franchise guaranteed by the Constitution of the Republic of China (Taiwan), whereas the declaration of guardianship is associated with the disposition and management of private law relations, including property and contracts. In the amendments to articles of the Civil Servants Election and Recall Act and the Presidential and Vice Presidential Election and Recall Act, the MOI removed the existing restriction on voting for persons under guardianship. The Executive Yuan submitted the amendments to the Legislative Yuan for review on December 14, 2018. (MOI)		
G. Both Article 11 of the Presidential and Vice Presidential Election and Recall Act and Article 14 of the Civil Servants Election and Recall Act restrict the suffrage of persons whose declaration of guardianship has yet been revoked. Allowing persons under guardianship to vote involves amendments to the provisions of election and recall acts and must be discussed extensively. Only after amendments to election and recall acts can the suffrage of persons under guardianship be allowed (Central Election Commission).		

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Participation in political and public life (art. 29) 72. The IRC is concerned that: (b) 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; and 73. The IRC recommends that the State: (b) Encourage candidates with disabilities to seek election, and gather and retain data related to public office seekers or elected officials with disabilities; and		72.73(b) Central Election Commission
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
A. To encourage persons with disabilities to participate in public servant elections, candidate registration information should be made accessible to all. Persons with disabilities can thus have easy access to such information, which facilitates their participation in elections. B. Article 16 of the Personal Information Protection Act mandates that government agencies should use personal information in accordance with the scope of their job functions provided by laws and regulations and be limited to the specific purpose of collection. During the registration process, candidates are not required to provide personal information regarding their disabilities, and such information does not affect a candidate’s eligibility or election results. The Central Election Commission has not been authorized by law to collect personal information of candidates/elected candidates with disabilities and thus cannot provide statistics.	<u>Recent objective (to be completed before May of 2019)</u> The accessible election section on the Central Election Commission website offers candidates with registration information. By making information regarding civil servant elections accessible to all, the Central Election Commission may increase the participation of persons with disabilities in elections as candidates. (Central Election Commission)	Process indicators: The accessible election section on the Central Election Commission website offers candidates with registration information in an open document format as well as offering voting information in the easy read format. (Central Election Commission)

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
Participation in political and public life (art. 29) 72. The IRC is concerned that: (c) 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. 73. The IRC recommends that the State: (c) 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.		72.73(c) Central Election Commission
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
A. Timely distribution of appropriate information before an election ensures the rights of persons with disabilities to vote. Therefore, past elections have enacted the following measures: (A) Audio versions of the election bulletin were recorded for voters with visual impairment to ensure that they were informed of the political view of each candidate. Local election committees recorded the content of printed election bulletin on digital versatile discs or cassette tapes, which were distributed to voters with disabilities by organizations of persons with visual impairment, township (city) Offices, or village administrations within each administrative division to provide access to election information. (B) To ensure the right of persons with hearing impairment to learn pertinent election information, the Central Election Commission and the election committees integrated sign language interpretation to television broadcasts of political presentations. A simultaneous sign language interpretation window occupied one-third of the television screen. (C) The Central Election Commission printed 200,000 brochures advocating for assistive measures for voters with disabilities. Local election committees distributed the assigned number of brochures to social affairs agencies and relevant OPDs. Ninety national NGOs advocating for persons with disabilities were invited to promote such assistive measures among pertinent members. (D) The accessible election section on the Central Election Commission website provides voters with easy access to election information. B. To supervise election committees in the selection of polling station venues with accessible facilities, the Central Election Commission established the Precautionary Matters for Selecting Polling Stations with Accessible Facilities and Checklist for Assessing the Accessibility of Polling Station Facilities. After receiving the notice of request, local election committees investigated the location of polling stations to ensure that they conformed to the accessibility requirements. Plans should be initiated to search for alternative locations to replace venues in violation of accessibility requirements, and such venues should no longer serve as polling stations.	<u>Medium-term objectives (to be completed between 2021 and 2022)</u> 1. Continue to record audio versions of the election bulletin, hire sign language interpreters to provide simultaneous interpretation in television broadcasts of political presentations, and update the accessible election section on the Central Election Commission website to meet the needs of persons with different disability categories to provide necessary election information before elections. (Central Election Commission) 2. An accessibility assessment of the polling station facilities conducted by the Central Election Commission has attained initial achievements. In 2016, 88.07% of the polling stations for the election of president and vice president as well as legislators conformed to the requirements of the accessible facility assessment. However, particular attention should be paid on preventing an urban–rural gap when conducting the assessment. Local election committees should ensure the accessibility of polling station facilities. (Central Election Commission) 3. Once the legislative process of the draft amendment to Paragraph 3, Article 18 of the Civil Servants Election and Recall Act is completed, the Central Election Commission will operate subsequent elections in accordance with the newly amended act. Furthermore, the Central Election Commission will incorporate the amended content into the manuals and workshops for polling station staff to ensure thorough promotion. (Central Election Commission)	Structural indicators: Amend Paragraph 3, Article 18 of the Civil Servants Election and Recall Act. (Central Election Commission) Outcome indicators: The percentage of polling stations conforming to the requirements of accessible facility assessment should be increased to 90%. (Central Election Commission)

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Concluding Observations		Competent authorities
Participation in political and public life (art. 29) 72. The IRC is concerned that: (c) 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. 73. The IRC recommends that the State: (c) 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.		72.73(c) Central Election Commission
C. Paragraph 3, Article 18 of the Civil Servants Election and Recall Act provides that “after having received the ballot, the electors shall mark the ballot and vote by themselves. However, if an elector cannot vote by himself/herself due to disability but can express his/her will, a family member (relative) may accompany at the request of the elector and provide assistance or vote on behalf according to the will of the elector. In absence of relatives, an administrator and a supervisor may provide assistance or vote on behalf [of the elector] according to the will and at the request of the elector.” Electors with disabilities may not appoint anyone outside of family members (relatives) to provide assistance or vote on their behalf.		

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Concluding Observations		Competent authorities
Participation in cultural life, recreation, leisure and sport (art. 30) 74. The IRC is concerned that: (a) The absence of programmes and projects with budgets to promote participation of persons with disabilities in sport; 75. The IRC recommends that the State: (a) 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;		74.75(a) MOE
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
A. The National Sports Act was amended in accordance with the CRPD and was enacted on September 20, 2017. B. In the Sports White Paper, the MOE established a medium-term plan entitled “iSports Taiwan” to assist local governments in promoting sports for persons with disabilities, including experiential sports camps, demonstration performances, and vitality boosting classes. [Please refer to 62-63(d) for more details on adaptive physical education in schools] C. The MOE subsidizes national sports organizations to hold sports events for persons with disabilities according to the Regulations Governing Institutional Subsidies for Privately Organized National Sports Events. D. The MOE subsidizes assistive devices for use in sports by persons with disabilities according to Directions for Cultivating and Caring for Athletes with Disabilities Using Subsidies from the MOE Sports Development Fund. [Please refer to 74-75(c) for more details on the accessibility of sports complexes] E. The MOE will continue to implement the following projects: allocate funds every year to promote sports events for persons with disabilities in accordance with the National Sports Act and the tenets of the CRPD. By engaging persons with disabilities in sports, the MOE may enhance their quality of life.	<u>Medium-term objectives (to be completed between 2021 and 2022)</u> 1. According to the Regulations Governing the Subsidization of National Sports Associations, the Sports Administration subsidizes national organizations of disabled persons and associations for sports and physical education to hold leisure sports events for persons with disabilities in categories of swimming, croquet, bocce, baseball, wheelchair dance, and bowling. In 2018, more than 10,000 people participated in such events. Based on the same regulations, the Sports Administration will continue the subsidization of such events, and the number of participants is estimated to reach 15,000 in 2020. (MOE) 2. The Sports Administration will grant subsidies to 21 counties/cities to implement the iSports Taiwan—LOHAS Accessible Exercise Plan, which includes multisport events, individual competitions, experiential camps, demonstration workshops, multisport events, sports vitality boosting classes, and swimming activities held by welfare institutions. In 2018, more than 200 events are planned to be held. The medium-term plan—iSports Taiwan—will be implemented from 2016 to 2021 and will continue to help local governments implement the LOHAS Accessible Exercise Plan. The objective is to host a total of 250 events in 2021. (MOE) 3. With the objective of engaging persons with disabilities in sports activities, the Research Center for Exercise, Health, and Adaptive Physical Education for Persons with Disabilities within the Special Education Center of National Taiwan Normal University is commissioned to hold events promoting exercise among persons with disabilities. Persons with disabilities and their representative organizations will be invited to advocacy activities including online/actual press conferences, symposia, and small-scale forums to be held from 2018 to 2020 to promote the engagement of persons with disabilities in physical activities. (MOE) 4. According to the annual plan needs of specific sports OPDs, the MOE will subsidize sport-exclusive assistive devices for athletes with disabilities who are competent and continue receiving training for sports, so that these athletes can fully realize their potential and obtain greater achievements. (MOE)	Process indicators: 1. Based on the National Sports Act and the tenets of the CRPD, the MOE allocates a fund every year to assist with local government in implementation of the iSports Taiwan—LOHAS Accessible Exercise Plan as well as to subsidize national OPDs and associations for sports and physical education to hold leisure sports events targeting persons with disabilities. These events may provide persons with disabilities opportunities to engage in sports. According to relevant regulations, the MOE assists specific accessible sports organizations to propose appropriate annual plans, and subsidize sport-exclusive assistive devices on the basis of their actual needs. (MOE) 2. The MOE will hold an advocacy symposium for persons with disabilities and their representative organizations to promote their engagement in sports activities. (MOE) 3. The MOE assists local governments to implement the iSports Taiwan—LOHAS Accessible Exercise Plan. The goal is to conduct 250 accessible sports events every year. (MOE)

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		4. Subsidize national OPDs and sports organizations to hold leisure sports events targeting persons with disabilities, which are expected to attract 15,000 participants each year. (MOE)
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Concluding Observations		Competent authorities
Participation in cultural life, recreation, leisure and sport (art. 30) 74. The IRC is concerned that: (b) 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; 75. The IRC recommends that the State: (b) 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);		74.75(b) MOC Other agency concerned: Department of Lifelong Education, MOE
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>Regarding open access publications required by persons with visual impairment or physical disabilities, details of publication provisions, accessible reading materials, and copyright are presented separately as follows.</p> <p>A. Publications (MOC) (A) To achieve cultural equality, the MOC proposed the Directions Governing Subsidies for Encouraging the Development of the Digital Publishing Industry, which request that publishers receiving subsidies for digital publications shall grant use authorization to National Taiwan Library (national depository library) without charge to allow persons with visual impairment, learning disabilities, hearing impairment, and other sensory disabilities to gain access to these digital publications. In 2017, a total of 828 digital publications were donated through this project, which facilitates the use of digital publications by persons with disabilities.</p> <p>(B) Because of freedom of the press, the government cannot interfere with the content, type, or form of commercial publications. In terms of digital publishing, the MOC proposed the aforementioned directions to request that publishers receiving subsidies offer persons with disabilities free access to digital publications as well as encourage audiobook releases. In the past 3 years, audiobook production and audio learning app/digital platforms have been subsidized under the provisions of the directions. The MOC may further extend implementation by amending regulations and evaluation measures for subsidies, focusing on providing incentives for audiobook releases and other publications friendly to persons with disabilities. Regarding the section on providing support for persons with concurrent vision and hearing impairment to enhance their reading as well as guidance for required publications, the MOC will collect more relevant materials and discuss them with relevant agencies.</p> <p>(C) According to Article 30-1 of the People with Disabilities Rights Protection Act, the MOE established the Regulations Governing the Utilization of Accessible Digital Library Resources. Article 9 of the Regulations states that depository libraries shall collect information on the digital library resource formats and services used by other countries to study how to implement and promote digital library resources. The depository libraries may also cooperate with welfare institutions for persons with disabilities, schools, and relevant agencies/groups or entrust them with implementation. In addition, Article 7 of the</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none">1. Complete acceptance and review for 2018 applications pursuant to the Directions Governing Subsidies for Encouraging the Development of the Digital Publishing Industry mandate that publishers receiving subsidies to release digital publications must grant use authorization to National Taiwan Library (national depository library) without charge to enrich the accessible library holdings. The MOC also encourages audiobook releases, and the donation operations are expected to be completed by the end of 2018. (MOC)2. Establish Directions for Subsidizing Dialect Creation and Application to subsidize literary, illustration, digital, and other forms of publications or cultural creations using TSL. (MOC). <p><u>Medium-term objectives (to be completed between 2021 and 2022)</u></p> <ol style="list-style-type: none">1. The MOC plans to amend the Directions Governing Subsidies for Encouraging the Development of the Digital Publishing Industry in 2019, particularly focusing on encouraging the release of audiobooks. (MOC)2. The MOC will continue to implement the Directions for Subsidizing Dialect Creation and Application in 2019, particularly focusing on policy promotion to encourage applications from organizations promoting sign language or representing persons with hearing impairment. (MOC)3. National Taiwan Library has become one of the nine depository libraries in which all government publications should be archived and made available to the public. In addition to the current PDF format for authorized usage of digital government publications, which is stipulated in the Regulations Governing Government Publications, the MOC is planning to include EPUB as another format for submissions. (MOC)	<p>Structural indicators: The MOC promotes cultural equality by establishing the Directions Governing Subsidies for Encouraging the Development of the Digital Publishing Industry and the Directions for Subsidizing Dialect Creation and Application. (MOC)</p> <p>Process indicators: Subsidize the National Taiwan Library to implement the Medium-Term Development Plan to Enhance Utilization of Digital Library Resources Among Persons with Disabilities from 2016 to 2019 to encourage persons with disabilities to utilize digital library resources. (MOE)</p>

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Regulations Governing the Collection, Reproduction, Provision, and Production Skills of Special Versions of Publications for Persons with Disabilities mandates that libraries reproduce published works for users with disabilities into special versions: for example, Braille, sound recording, digital transformation, verbal imagery, and accompanying sign language versions. The Directions Governing Subsidies for Encouraging the Development of the Digital Publishing Industry proposed by the MOC demand that digital publications be in the format of EPUB (version 3.0 or higher) or value-added application software; thus, National Taiwan Library only has to make slight adjustments to or organize the publisher-provided digital publications before providing them to readers with disabilities. Thus, actual implementation may be based on the regulations of the depository library. (D) Because of freedom of the press, publishers do not need to register with the government when publishing works. Some publishers, when publishing books, must apply to the National Central Library for an International Standard Book Number (ISBN) due to distribution needs. On the other hand, digital publishing does not have such a requirement, and works can be published in various types and sold through various platforms. To select recipients for publication subsidies, the MOC will increase incentives for releasing accessible publications. Subsequently, follow-up investigations will be conducted to ensure that the subsidized digital publications comply with the requirements concerning accessible publications as well as the implementation of donations to promote cultural equality.		
B. Accessible reading materials (MOE) (A) Suggestions made by the IRC are summarized as follows: 1. All publication formats should be governed by law. Universally accessible electronic and audio files should be available to persons with disabilities, including those with mobility impairment that causes them to have difficulty turning the pages of a book, without charge. 2. The government should establish regulations governing easy read information: Easy read versions of real-life/online information should be made available. Patterns, symbols, colors, and letters enable persons with mental disorders to identify and comprehend information more easily, which helps them adapt to community life. (B) Under Paragraph 1, Article 30-1 of the People with Disabilities Rights Protection Act, the MOE has designated National Taiwan Library as the library for persons with vision		

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impairment. Moreover, the amendment to Paragraph 1, Article 30-1 was adopted on June 4, 2014 to extend its applicability to persons with particular disabilities, such as learning disabilities, hearing impairment, and other sensory disabilities. The Regulations Governing the Utilization of Accessible Digital Library Resources were amended and adopted to designate National Taiwan Library as the library for persons with vision impairment and the agency for executing the aforementioned Regulations. That is, National Taiwan Library is responsible for collecting resources, cataloging, archiving, providing library services regarding, promoting, and studying digital publications for persons with visual impairment as well as coordinating interlibrary cooperation. (C) The MOE continue to implement the following projects: 1. Every year, accessible information platforms for the visually impaired and the Chinese-based E-Library for the Visually Impaired are entrusted with translating 1,000 books into Braille format, thereby enriching digital library resources for persons with visual impairment. (MOE) 2. National Tsing Hua University is commissioned to continually produce audiobooks of various types, which can be loaned to persons with disabilities without charge. (MOE) C. Copyright (MOEA) (A) The Intellectual Property Office, MOEA is the competent authority for copyright affairs and is particularly concerned with the global development trend regarding the rights of persons with disabilities. To conform with the tenets of the Marrakesh Treaty, Articles 53, 80-2, and 87-1 of the Copyright Act were amended and adopted by presidential decree on January 22, 2014. The amendments are summarized as follows: 1. Local or central government agencies, NGOs, and all levels of legally established schools are now allowed to reproduce published works into accessible versions for persons with vision/hearing impairment. (MOEA) 2. Persons with vision/hearing impairment and their agents are now allowed to reproduce published works for personal and nonprofit use. 3. Technological protection measures employed by copyright owners to prohibit or restrict others from accessing works may be disarmed, destroyed, or circumvented for the purpose of producing the aforementioned reproduced works. 4. To facilitate resource sharing of reproduced works and avoid resource waste from repeated production, legally reproduced works may be shared among the		

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aforementioned agencies, organizations, schools, and persons with vision/hearing impairment as well as imported from abroad for exclusive use by persons with vision/hearing impairment. (B) To enhance people’s understanding of the aforementioned provisions, the Intellectual Property Office, MOEA has released Instructions for the Reasonable Application of Copyright for Persons with Disabilities, which is available on its website (https://www.tipo.gov.tw/ct.asp?xItem=619206&CtNode=7803&mp=1). (C) In the responses to Paragraph 75(b) of the concluding observations, the IRC suggests that Taiwan release accessible publications in accordance with the Marrakesh Treaty to facilitate access to published works for persons who are blind, visually impaired, or otherwise prevented from reading print due to disability. Based on the Marrakesh Treaty, the Copyright Act in Taiwan provides relevant institutions, organizations, schools, and persons with disabilities as well as their agents legal permission to produce and use accessible versions of published works.		

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Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>A. Paragraph 2, Article 16 of the People with Disabilities Rights Protection Act mandates that “any person who operates public places or facilities/installations, shall not prevent people with disabilities from fairly using and enjoying the facilities/installations, equipment, and rights only because of their disability.” Article 100 of the same Act stipulates that anyone who violates the regulations referred to in Paragraph 2, Article 16 will be ordered to make improvements within a stipulated time period. If improvements are not made by the designated deadline, the offending party shall receive a fine of no less than NT\$10,000 and no more than NT\$50,000 and be ordered to participate in a 4-hour training. Article 11 of the Enforcement Rules for the People with Disabilities Rights Protection Act states that the public places mentioned in Paragraph 2, Article 16 include parks, sports centers, government agencies, and social education institutions. Relevant regulations have been established for legal enforcement. In practice, local governments have also punished operators of public places after receiving complaints from persons with disabilities. Examples of offending behaviors include requesting that persons with disabilities must be accompanied by an escort to enter a sports center, requiring the escort to have a certain qualification or to take full legal responsibility for the person being escorted, and denying entry to a sports center to persons with mental disorders. Because some sports centers clearly have not complied with regulations, local governments should continue to be supervised by the relevant authority to ensure law enforcement.</p> <p>B. Among the seven articles of acts/local government regulations concerning persons with disabilities being denied entry into parks, amusement parks, and sports centers, as specified in Taiwan’s list of regulations to be reviewed with priority, four have been amended and amendments to the remaining three remain under consideration.</p> <p>C. To regulate the design, manufacture, installation, inspection, and maintenance of various facilities in playgrounds, the MOHW issued the Management Regulations on Playground Facility Safety on January 25, 2017. The regulations are based on the responsibilities of central competent authorities as specified in the Protection of Children and Youths Welfare and Rights Act and demand that staff members responsible for playground equipment fully comply with the provisions. The Implementation Program for Children and Youth Safety proposed by the Executive Yuan requests that competent authorities report the implementation status at coordinative meetings for the prevention of accidents and injuries to</p>	<p><u>Projects to be conducted in or completed by 2018</u> The Sports Administration, MOE called the first meeting to eliminate discrimination by sports centers or their imposition of restrictions against persons with disabilities on October 5, 2018. NGOs and local governments were invited to attend the meeting. Local governments were demanded to prevent blocking the entry/exit of persons with disabilities, improve the expertise of sports center staff, and offer adaptive, age-appropriate, accessible, and certified sports facilities that function under normal use. This requirement ensures that everyone has equal rights to access sports center facilities. (MOE)</p> <p><u>Short-term objectives (to be completed before May of 2019)</u> Three articles of acts/local government regulations concerning persons with disabilities being denied entry into parks, amusement parks, and sports centers, as specified in the CRPD list of regulations to be reviewed with priority, should be amended by competent authorities under the supervision of the MOHW. (MOHW)</p> <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u> The MOE will review the self-governance ordinances and administrative rules governing access to sports centers and amend provisions that involved discrimination or restrictions against persons with disabilities before June 30, 2019. The rules for such amendments are as follows: based on the Amendment Principles for Regulations and Administrative Measures Concerning the CRPD proposed by the MOHW, inappropriate and discriminatory words such as feeble-minded, mentally retarded, madness, idiocy, and epileptic should be removed. Moreover, denying access to sports centers to individuals with a specific disease (e.g., mental disorders or epilepsy) shall be prohibited in conformance with the central tenet of the CRPD—preventing discrimination against persons with disabilities. Amendments to policies of preferential treatment for persons with disabilities regarding parking space charges and sports center space requirements should be based on the People with Disabilities Rights Protection Act and the CRPD to protect the fundamental human rights of persons with disabilities. (MOE)</p>	<p>Process indicators:</p> <ol style="list-style-type: none">1. The MOE will hold four meetings to which NGOs and local governments are to be invited to jointly review and amend regulations for improvement. (MOE)2. Continue to supervise local governments’ implementation of safety management assessments in places under their authority on a yearly basis. (MOI)3. Continue to conduct supervision and sampling inspections of overall status of accessibility equipment in parks every 2 years. (MOI) <p>Structural indicators:</p> <ol style="list-style-type: none">1. Revise all regulations associated with 74.75(c) on the priority list of regulations to be reviewed. (MOHW)2. Eliminate provisions that constitute discrimination and restrict persons with disabilities from accessing sports centers. (MOE)

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children and youth on a regular basis. D. The diverse public recreational facilities located at parks, schools, scenic areas, restaurants, and hospitals may be divided into mechanical amusement facilities, large-scale inflatable amusement facilities, sports facilities, physical fitness facilities, and amusement facilities for children. Such venues may provide movement-based (e.g., spinning, sliding, swaying, swinging, climbing, balancing, jumping, and running), sense-stimulating, and socialization-facilitating facilities. Facility establishment should be based on physical fitness and age appropriateness. To ensure children’s basic safety when establishing facilities, the MOEA adopted CNS12642 and CNS12643, the MOI adopted the Regulations on Establishment and Inspection Management for Mechanical Recreation Facilities as well as the Regulations on Safety Management of Large Inflatable Recreation Facilities and Non-Stationary Mechanical Facilities, and the MOE issued the Regulations on Establishment and Management of Public Sport Facilities. E. To ensure that public spaces, including parks and green spaces, are accessible to persons with disabilities or reduced mobility, the MOI established the Design Standards for Accessible Facilities at Activity Venues under the Authority of the Ministry of the Interior on the basis of Paragraph 2, Article 57 of the People with Disabilities Rights Protection Act. Article 6 of the Design Standards mandates that the observation deck, recreational area, dining area, children’s play area, and fitness area of an activity venue shall incorporate space to accommodate entry/exit/temporary stops by users in wheelchair or with auxiliary devices or other relevant usage, thereby meeting the accessibility requirement. The MOI has also developed a plan to conduct supervision and sampling inspections of overall environments every 2 years and to hold annual educational seminars. F. Parks are often equipped with playground and fitness equipment for public use. According to the Management Regulations on Playground Facility Safety and the Regulations on Establishment and Management of Public Sport Facilities, the MOI continues to supervise local governments in the implementation of safety management assessments in places under their authority. The MOI should continue to monitor places with poorly designed or damaged facilities and demand rapid improvement. Citizen participation and accessible environments should be the focus of such improvement projects. G. The MOI should continue to amend the Regulations on Establishment and Inspection Management for Mechanical Recreation Facilities and the Regulations on Safety		

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Management of Large Inflatable Recreation Facilities and Non-Stationary Mechanical Facilities to improve the safety standards for recreational facilities. H. The MOI should continue to supervise the establishment of accessible parks and green spaces as well as provide education and training to improve the expertise of competent authorities for parks. I. Regarding sports center facilities, various acts of discrimination and unfair treatment against persons with disabilities still occur despite implementation of the People with Disabilities Rights Protection Act examples of unfair practices include requesting that persons with disabilities be accompanied by an escort to enter a sports center, requiring the escort to have certain qualifications or take full legal responsibility for the person being escorted, and denying entry into the sports center to persons with mental disorders. Such discriminatory rules deprive persons with disabilities of the right of equal access to sports center facilities.		

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Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
A. The design, manufacture, installation, inspection, and maintenance of playground facilities must comply with national standards and relevant regulations. According to the responsibilities of the central competent authorities specified in the Protection of Children and Youths Welfare and Rights Act, the MOHW issued the Management Regulations on Playground Facility Safety on January 25, 2017 to maintain the safety of playground facilities for children. The MOI will supervise local governments to ensure thorough implementation of safety management assessments in places under their authority. The MOI should continue monitoring places with poorly designed or damaged facilities and demand their rapid improvement. (MOI) B. To regulate the design, manufacture, installation, inspection, and maintenance of various facilities in playgrounds, the MOHW issued the Management Regulations on Playground Facility Safety on January 25, 2017. The regulations are based on the responsibilities given to the central competent authorities as specified in the Protection of Children and Youths Welfare and Rights Act and demand that staff members responsible for playground equipment fully comply with the provisions. The Implementation Program for Children and Youth Safety proposed by the Executive Yuan requests that competent authorities report the implementation status on a regular basis at coordinative meetings for the prevention of accidents and injuries to children and youth. (MOI) C. The diverse public recreational facilities located at parks, schools, scenic areas, restaurants, and hospitals may be divided into mechanical amusement facilities, large-scale inflatable amusement facilities, sports facilities, physical fitness facilities, and amusement facilities for children that feature movement-based (e.g., spinning, sliding, swaying, swinging, climbing, balancing, jumping, and running), sense-stimulating, and socialization-facilitating facilities. Facilities should be built to allow fun for a variety of levels of physical fitness and ages. To ensure children’s basic safety when establishing facilities, the MOEA established CNS12642 and CNS12643, the MOI promulgated the Regulations on Establishment and Inspection Management for Mechanical Recreation Facilities as well as the Regulations on Safety Management of Large Inflatable Recreation Facilities and Non-Stationary Mechanical Facilities, and the MOE issued the Regulations on Establishment and Management of Public Sport Facilities. (MOI) D. To ensure that public spaces, including parks and green spaces, are accessible to persons with disabilities or reduced mobility, the MOI established the Design Standards for Accessible Facilities at Activity Venues under the Authority of the Ministry of the Interior on the basis	<u>Projects to be conducted in or completed by 2018</u> 1. Subsidize local governments or NGOs to hold workshops for playground administrators. (SFAA) 2. Educate the public on the right of children with special needs to play and its importance. (SFAA) <u>Short-term objectives (to be completed before Jan. 1, 2021)</u> Collate the statuses of management and inspection of playgrounds in various sites pursuant to the Management Regulations on Playground Facility Safety. (SFAA) <u>Medium-term objectives (to be completed between 2021 and 2022)</u> 1. Subsidize local governments or NGOs to advocate the right to play for children with disabilities. Encourage organizing experiential or promotional activities using inclusive playgrounds where children of all abilities can play with one another to elevate the inclusive culture in Taiwan. (SFAA) 2. Conduct an investigation on the current conditions of Taiwan’s park playgrounds as well as analyze the demands for playgrounds to determine the number and distribution of different types of recreational facilities in all 22 park playgrounds managed by local governments. This investigation may reveal whether the playground configurations meet the needs of children with and without disabilities. (SFAA) <u>Long-term objectives (cannot be completed before the second international review)</u> Provide the conclusions of the medium-term research project to relevant agencies and local governments to serve as a reference for planning inclusive playgrounds that meet the needs of children with and without disabilities, thereby protecting the right to play for all children. (SFAA)	Process indicators: 1. Continue to supervise local governments’ implementation of safety management assessments in parks and green spaces under their authority on a yearly basis. (MOI) 2. Continue to conduct supervision and sampling inspections of the overall accessibility of equipment in parks every 2 years. (MOI)

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E. Parks are often equipped with playground and fitness equipment for public use. According to the Management Regulations on Playground Facility Safety and the Regulations on Establishment and Management of Public Sport Facilities, the MOI continues to supervise local governments in their implementation of safety management assessments in places under their authority. The MOI should continue monitoring places with poorly designed or damaged facilities and demand their rapid improvement. In such improvement projects, citizen participation and the provision of accessible environment should be central. (MOI)		
F. The MOI should continue to amend the Regulations on Establishment and Inspection Management for Mechanical Recreation Facilities and the Regulations on Safety Management of Large Inflatable Recreation Facilities and Non-Stationary Mechanical Facilities to improve safety standards for recreational facilities. (MOI)		
G. The MOI should continue to supervise the establishment of accessible parks and green spaces as well as provide education and training to improve the expertise of competent authorities of parks. (MOI)		
H. By the end of 2017, 11,016 playgrounds had been established in parks, schools, and restaurants; 2,969 are in parks. These park playgrounds offer nonpowered, fixed recreational facilities for children under the age of 12 years. Free of charge and available for use at any time and for any length of time, park playgrounds are the most fundamental play areas for children in Taiwan. However, most existing park playgrounds have been criticized for providing identical mass-produced equipment that fails to stimulate children’s development. Moreover, a lack of accessible equipment deprives children with disabilities of their right to play. (SFAA)		
I. Based on Paragraph 2, Article 57 of the People with Disabilities Rights Protection Act, the MOI established the Design Standards for Accessible Facilities at Activity Venues under the Authority of the Ministry of the Interior. In addition, adding content concerning design and planning of accessible playgrounds to Article 6 of the Design Standards is recommended. (SFAA)		

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J. To engage children with and without special needs in games, integrated education that enables parents and their children to learn to interact/play with peers who have disabilities should be promoted. Integrated education would help to guarantee children with disabilities their right to play. (SFAA)		

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C. Specific obligations (arts. 31-33) Statistics and data collection(art. 31) 76. 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. 77. 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.		76.77 MOHW (SFAA, Department of Statistics) MOJ MOE MOL Directorate-General of Budget, Accounting, and Statistics, Executive Yuan Other authorities
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
A. Overall aspect of statistical investigation (A) To ensure that the State collects living condition information on persons with disabilities in a systematic manner to be able to protect their rights, Article 11 of the People with Disabilities Rights Protection Act was revised on July 11, 2007. The revision requests that governments of all levels conduct investigations on the needs of persons with disabilities regarding living conditions, health care, special education, employment and vocational training, transportation, welfare, and other services. Among such investigations, the Report on Disabled People’s Living Conditions and Needs Survey (previously Report on the Survey of Living Conditions of Physically and Mentally Disabled Citizens in the Taiwan-Fuchien Area) was first conducted in 1994 and then in 1995, 2000, 2003, 2006, 2011, and 2016. In addition, competent authorities in each sector conduct sector-based investigations. However, relevant statistics on persons with disabilities are still collected by respective governmental departments according to their duties and thus are not subject to comprehensive inspection and integration. Statistical analysis of political participation, access to justice, and violence still requires supplementation in order to meet the requirements of the Human Rights Indicators adopted by the UN. (SFAA) (B) Statistical investigations in Taiwan protect personal privacy in accordance with the Statistics Act. OPDs or experts are invited to provide opinions on questionnaire content and investigation results. However, the IRC still contends that the collection and usage of relevant data did not follow a human rights–based approach. Specifically, some indicators lack detailed classification of data. (MOHW)	<u>Projects to be conducted in or completed by 2018</u> 1. The MOHW has commissioned a preliminary investigation of human rights indicators for persons with disabilities and an impact assessment mechanism for acts. Regarding the investigation on human rights indicators for persons with disabilities, extensively review relevant literature on human rights indicators proposed by the UN and research reports on human rights indicators created by other countries, international organizations, and NGOs on the basis of the CRPD. By the end of 2018, a human rights indicator framework (draft) based on the situation and needs of persons with disabilities is expected to be established. (SFAA) 2. Review statistical data collected from investigations on persons with disabilities and extracted from other official statistics. (MOHW) 3. Propose a systematic approach to classify persons with disabilities through referencing the CRPD. (MOHW) <u>Short-term objectives (to be completed before Jan. 1, 2021)</u> 1. Hold briefings on human rights indicators for persons with disabilities to enable competent authorities and local governments to fully understand their content. After collecting and collating different opinions from various sectors, scholars and experts will be invited to discuss the amendment to the human rights indicator framework (draft). (SFAA) 2. Establish the systematic classification of statistics on persons with disabilities by September 2019, and subsequently, develop a section exclusively for inquiring statistics on persons with disabilities. (MOHW) 3. Continue to collect and review data on persons with disabilities by September 2019. (MOHW) 4. Add students with disabilities as a new category in the statistics of various human rights indicators developed by the MOE, including student–teacher ratio, gross enrollment ratio, mean years of schooling, and percentage of female students in schools of all	Process indicators: 1. Conduct briefings on human rights indicators for persons with disabilities to enable competent authorities and local governments to revise their existing statistics or investigations. (SFAA) 2. Establish a systematic approach for classifying data on persons with disabilities. (MOHW) 3. Publicize a report analyzing the allocation of educational resources among different groups of students with disabilities with indicators such as the percentage of female students with disabilities and rural area students with disabilities who have completed their studies. (MOE)
B. Individual aspect of statistical investigation (A) The MOE has established a periodic reporting system to update public affairs statistics and the Special Education Transmit Net for schools of all levels to routinely collect information about special education. The Yearbook of Special Education Statistics is published every year and includes data on education level, sex, disability category, county/city in which the		

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C. Specific obligations (arts. 31-33) Statistics and data collection(art. 31) 76. 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. 77. 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.		76.77 MOHW (SFAA, Department of Statistics) MOJ MOE MOL Directorate-General of Budget, Accounting, and Statistics, Executive Yuan Other authorities
<p>respondent attends school, and registered residence. Various demographic information of students with disabilities and statistical data have been disclosed, but cross-analysis of different categories of data has rarely been conducted. (MOE)</p> <p>(B) In the labor statistics by community type on the Labor Statistics Network, a special section for persons with disabilities (https://www.mol.gov.tw/statistics/2462/19476/) was established exclusively for conducting investigations on employment services, employment quota implementation, and occupational status. To determine the labor and employment conditions of persons with disabilities as well as their needs for vocational training and services, the Report on Disabled People’s Employment Condition is routinely prepared, and this effort is expected to continue in 2019. (MOL)</p> <p>(C) When an inmate is newly admitted, a correctional institution must arrange a health check, blood screening, NHI-supported ambulatory care, and other services according to the Prison Act. Such arrangements apply to all inmates, and the correctional institution must provide proper medical treatment and care in compliance with medication medical order when an inmate with disabilities is in need of special medical care or treatment. As of July 31, 2018, a total of 62,475 inmates were being held in correctional institutions, and 2,675 of them had disabilities. (MOJ)</p> <p>At present, raw material entered into statistical compilations are from relevant information collected by statisticians from court judgments. Data collected during the trial period refers to the data of trial system maintenance. The statistics section on the Judicial Yuan website contains data on domestic cases (e.g., adjudication of guardianship/assistantship and petitioned cases specified in the Mental Health Act) relating to the rights of persons with disabilities. The aforementioned statistics are available on the external network of the Judicial Yuan (please visit the service overview/Official Statistics/“Yearbook/2017/District Courts_22 .Procedures of Family Case Terminated by the District Courts – by Organ; 36. State of Filings and Dispositions of Family Non-contentious Cases in the District Courts – by Year and Type; and 37. State of Filings and Dispositions of Family Non-contentious Cases in the District Courts – by Organ” and “Monthly Bulletin/September of 2018/33.</p>	<p>education levels. In addition, include place of residence (urban or rural area) and aboriginal identity (with or without) as subcategories of students with disabilities in the existing Special Education Transmit Net for data collection. (MOE)</p> <p>5. Entrust scholars to conduct cross-analysis of categorical variables using data on students with disabilities obtained from Special Education Transmit Net. The scholars may thereby determine the educational resources allocated to each group of students with disabilities, which can then serve as a reference for the government in policy formulation and adjustment. (MOE)</p> <p><u>Medium-term objectives (to be completed between 2021 and 2022)</u></p> <p>1. With reference to human rights indicators, request competent authorities and local governments to examine relevant investigations or statistics to identify omissions, and to correct or supplement the missing items to facilitate routine tracking of human rights development progress. (SFAA)</p> <p>2. Continue to review information regarding persons with disabilities. (MOHW)</p> <p>3. Evaluate, improve, and expand statistical data on persons with disabilities. (MOHW)</p> <p><u>Long-term objectives (cannot be completed before the second international review)</u></p> <p>Request all competent authorities and local governments to use investigations or statistics in which human rights indicators have been incorporated to assess the extent of CRPD implementation in Taiwan. This helps optimize the human rights quantitative data system in Taiwan. (SFAA)</p>	

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Procedures of Family Case Terminated by the District Courts – by Organ”). In some family cases, accompaniment in court by a social worker or an appointed guardian ad litem is allowed. Persons accompanied or under guardianship may have disabilities and these family cases should be taken into account; specifically, statistics of family cases in which a person with disability is accompanied by a social worker or an appointed guardian ad litem in district court or juvenile and family court in 2017 and January–October 2018 (Please refer to Paragraphs 22 and 23(c) for detailed statistics on the aforementioned cases). (D) Revealing one’s disability is not mandatory in pleadings and decisions. Moreover, persons without a disability manual may nevertheless have hidden disabilities that do not manifest in their behaviors or appearance. Collection of such data involves the confidentiality of personal information and should be based on the willingness of persons with disabilities to divulge it. As a result, considerable difficulties and limitations impede actual efforts to comprehensively collect statistical data on persons with disabilities. (Judicial Yuan)		

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Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>This paragraph focuses on the increase in respect for the human rights of persons with disabilities achieved through international cooperation activities. Taiwan’s participation in international cooperation activities, provision of assistance to engage domestic OPDs in international exchanges, extension of subsidies for research on rights of persons with disabilities, and the draft of the SDGs are detailed separately in the following:</p> <p>A. International cooperation activities (SFAA) Taiwan proactively participates in international cooperation activities. Since the APEC established the Group of Friends on Disability (GOFD), Taiwan has been sending representatives to attend its annual meeting to ensure the employment rights of domestic and foreign persons with disabilities through such international exchanges. In April of 2018, the GOFD proposed a plan entitled “Applying Best Practices of Reasonable Accommodation of Persons with Disabilities Across the APEC Region,” which Taiwan supported.</p> <p>B. Assistance to engage domestic OPDs in international exchanges (MOFA) (A) The MOFA incorporated the content of the SDGs set by the UN into the White Paper on Foreign Aid Policy: Partnerships for Progress and Sustainable Development during the white paper revision. (B) The MOFA held the following international cooperation activities. Based on the needs of diplomatic allies and humanitarianism, Taiwan assisted the government of the Dominican Republic to build three Centers for Comprehensive Care for the Disabled to provide education, rehabilitation, and care services to 0- to 10-year-old children with disabilities (e.g., Down syndrome, cerebral palsy, and autism) to enhance their quality of life. The government of Paraguay received financial support from Taiwan to open a telephone relay center for the deaf, thereby helping the deaf adapt to society. The aforementioned international assistance conforms to the SDGs set by the UN, specifically with respect to ensuring healthy lives, promoting well-being for all persons at all ages, ending poverty in all its forms everywhere, and reducing inequality within countries. (C) The MOFA has assisted domestic OPDs in international cooperation engagement, including the following accomplishments:</p>	<p><u>Projects to be conducted in or completed by 2018</u></p> <ol style="list-style-type: none">1. Subsidize NGOs received to hold the East Asia Disability Studies Forum in Taiwan in October 2018, where foreign scholars and experts familiar with the CRPD are to be invited to exchange opinions on significant topics of the CRPD with the Taiwanese government and NGOs. (MOHW)2. Assist Eden Social Welfare Foundation in holding the 15th International Conference on Mobility and Transport for Elderly and Disabled Persons in Taiwan from November 12 to 15 in 2018. (MOFA)3. Assisted/will assist Eden Social Welfare Foundation in implementing the 3-year Prosthetic Limb Donation and Skills Training Program in Myanmar from 2018 to 2020. (MOFA)4. Pu-Hsein Educational Foundation from Taiwan has donated wheelchairs and other disability aids loaded in nine twenty-foot containers. The MOFA and overseas embassies will pay for the freight, arrange tax clearance exemptions, contact the recipient organizations, and hold a public donation ceremony on a selected date to enable persons with disabilities in the recipient countries to benefit from the donation. The entire process is planned to be completed in November 2018. (MOFA) <p><u>Short-term objectives (to be completed before May of 2019)</u></p> <ol style="list-style-type: none">1. Continue to support the APEC in engaging persons with disabilities in economic affairs. (MOHW)2. Collect information on how nongovernmental OPDs promote international cooperation, participate in international activities, and organize relevant exchange events. Provide policy support to these organizations for engaging in international organization events, with a goal of supporting at least two such events every year. (MOE)3. Incorporate special education cooperation/exchange into the agenda when discussing possible cooperation in education with countries included in the New Southbound Policy. (MOE) <p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u> Participate in 2019 meetings of APEC on disability topics to facilitate the engagement of</p>	<p>Process indicators:</p> <ol style="list-style-type: none">1. Subsidize at least 10% of the organizations that apply to arrange international cooperation events aiming to enhance the human rights of persons with disabilities and relevant topics. (MOHW)2. Organize international exchange activities every 2 years. (MOHW)3. Ensure that the percentage of students with disabilities receiving adaptive placement remains at 100%. (MOE)4. Subsidize schools or NGOs to participate in/hold at least two international meetings, conferences, and exchange activities regarding disability topics. (MOE)5. Achieve the goal of serving 3,300 students with disabilities at career transition and consultation service centers. (MOE)6. Increase the number of unemployed disadvantaged people who attend preservice training. (MOL)7. Enhance the employment of persons with disabilities through placement programs. (MOL) <p>Outcome indicators:</p> <ol style="list-style-type: none">1. The percentage of livelihood subsidy

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		Other authorities
1. In 2018, the Taichung Sports Federation for Individuals with Disabilities was subsidized to attend the 11th Taiwan–Korea Sports Event for Persons with Disabilities held in Korea.	persons with disabilities in economic affair cooperation. (MOHW)	recipients out of the total population with disabilities. (MOHW)
2. The Miaoli County Welfare Promotion Association for the Visually Impaired was subsidized to participate in the 2018 Boston Marathon in the United States.		2. Increase the enrollment and employment rates of college/university students with disabilities up to 55%. (MOE)
3. The Taiwan Defective Vision Road Run Association was subsidized to enter the 2018 Boston Marathon Visually Impaired/Blind Division in the United States.		3. Increase the percentage of Taiwan Railways stations with a matching height between the platform and train floor. (MOTC)
4. Junior Chamber International (JCI) Taipei was subsidized to hold the 9th Ahgan Road Running Event and Exchange Meeting with JCI Japan and Korea in Taiwan.		4. Increase the percentage of Taiwan Railway stations with improved accessible elevators (the percentage of total passengers being served). (MOTC)
5. The Taichung Welfare Promotion Association for the Disabled was subsidized to attend the 2018 Para Table Tennis Open held in Jakarta, Indonesia.		5. Increase the number of Taiwan High Speed Rail trains comprising accessible seats that include sockets for charging electric wheelchairs. (MOTC)
6. The MOFA collaborated with Pu-Hsein Educational Foundation to donate wheelchairs and other disability aids to Asian, African, and Latin American countries.		6. The percentage of wheelchair accessible buses in urban areas. (MOTC)
7. In 2018, the MOFA donated 64 wheelchairs to the Social Security Agency of San Pedro Sula, Honduras and 20 electric wheelchairs as well as walking frames and rehabilitation equipment to Macara, Ecuador.		
C. Subsidy for research on rights of persons with disabilities (MOST)		
(A) The 2017–2020 Assistive Technology Research Project is currently in the planning and development stage. Integrating research strengths in information communication, sensing components, mechanical control, the Internet, biotechnology, and clinical medicine with platforms such as product verification and safety evaluation laboratories and preclinical testing, this project aims to promote research and development (R&D) of assistive technology. This project collaborated with the Assistive Technology for Life exhibition and associations concerned to hold two promotional and academic activities that entailed 25 research teams participating in a poster exhibition and 14 conducting onsite demonstrations of R&D outcomes. The exhibition attracted more than 50,000 visitors, including domestic/overseas government officials, members of academic institutions relating to assistive technology, staff of social administration/labor/education/health care units as well as representatives from medical assistive device centers, institutions/organizations of disabilities/older adults, and older		

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adults/persons with disabilities and their families. Such a collaboration effectively promotes and facilitates industry–academia collaboration and technology diffusion. In the future, the R&D of the Assistive Technology Research Project will be continually implemented and the industry will be invited to examine the outcomes and promotion of MOST projects.		
(B) The MOST has numerous mechanisms to support the exchange of global talents advocating for the rights of persons with disabilities:		
1. Academic institutions are subsidized to hold international conferences in Taiwan to facilitate the exchange of skills and talents in medical engineering. In 2018, the MOST subsidized eight international conferences held in Taiwan.		
2. There are numerous subsidies available for talent exchange, including subsidies for researchers to participate in international conferences, for the recruitment of technology talents, and for postdoctoral researchers/doctoral and graduate students to enroll in short-term study abroad program.		
D. Draft of the SDGs (National Council for Sustainable Development governed by the EPA of the Executive Yuan)		
(A) Lin Chuan, former President of the Executive Yuan, ordered that the National Council for Sustainable Development (NCSD) of the Executive Yuan call the 29th council meeting on November 3, 2016. The objective was to devise draft SDGs for Taiwan on the basis of the SDGs set by the UN. At the 30th council meeting held on November 20, 2017, upon the order of the President of the Executive Yuan, Lai Ching-te, the draft was approved in principle. Of the SDGs set by the UN, the following six targets are related to disability: Target 1.3, implement nationally appropriate social protection systems and measures for all, including the poor, and by 2030 achieve substantial coverage of the poor and the vulnerable (corresponding to target 1.3 of Taiwan’s SDGs); Target 4.5, by 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples, and children in vulnerable situations (corresponding to target 4.5 of Taiwan’s SDGs); Target 4.a, build and upgrade education facilities that are child, disability, and gender sensitive and provide safe, nonviolent, inclusive, and effective		

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<p>learning environments for all (corresponding to target 4.a of Taiwan’s SDGs); Target 8.5, by 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value (corresponding to target 8.5 of Taiwan’s SDGs); Target 10.2, by 2030, empower and promote the social, economic, and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion, economic status, or other status (corresponding to target 10.2 of Taiwan’s SDGs); and Target 11.7, by 2030, provide universal access to safe, inclusive, and accessible green and public spaces, particularly for women and children, older persons, and persons with disabilities (corresponding to target 11.7 of Taiwan’s SDGs). After ratification, Taiwan developed its own targets and corresponding indicators for SDGs on the basis of those set by the UN for sustainable development. Regarding the indicators of SDGs, Indicator 4.a.2 has been included in paragraph 55(a), Indicators 8.5.3 and 10.2.2 have been covered in paragraph 69, and Indicators 11.7.1 and 11.7.2 have been covered by paragraphs 32 and 33, respectively. Therefore, they will not be included in this paragraph.</p> <p>(B) Based on the SDGs set by the UN, the NCSD developed Taiwan’s own SDGs to be consistent with local customs. The following targets of Taiwan’s SDGs are associated with disability:</p> <p>1. Target 1.3 of Taiwan’s SDGs: improve the national social insurance system comprising labor insurance, health insurance, and pension, particularly for the disadvantaged, as well as enrich the long-term care system with the objective of enhancing resource distribution and service provision to continually provide livelihood support to older adults, children, and adolescents.</p> <p>(1) Indicator 1.3.9 of Taiwan’s SDGs: the percentage of livelihood subsidy recipients out of total population with disabilities.</p> <p><u>Current statistical data:</u> In 2016, 30% of the population with disabilities received livelihood subsidies.</p> <p><u>Short-term goal to be completed by 2020:</u> Increase the percentage of livelihood subsidy recipients out of the total population with disabilities to 30%.</p> <p>(C) Target 4.5 of Taiwan’s SDGs: ensure that all levels of education and vocational training</p>		

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are provided to the disadvantaged, including persons with disabilities, indigenous people, and children in vulnerable situations.		
1. Indicator 4.5.3 of Taiwan’s SDGs: the percentage of adaptive placement recipients out of the total of students with disabilities.		
<u>Current statistical data:</u>		
In 2016, 100% of students with disabilities received adaptive placement.		
<u>Short-term goal to be completed by 2020:</u>		
Ensure that the percentage students with disabilities receiving adaptive placement remains at 100%.		
2. Indicator 4.5.6 of Taiwan’s SDGs: the operating status of career transition and consultation service centers targeting students with disabilities		
<u>Current statistical data:</u>		
Career transition and consultation service centers are currently distributed among 28 divisions, with 35 professional counselors who are responsible for career transition and consultation for students with disabilities from public/private vocational high schools and public special education schools. In 2017, the total number of students served was 3,180.		
<u>Short-term goal to be completed by 2020:</u>		
It is expected that career transition and consultation service centers will continue be distributed among 28 divisions, with 35 professional counselors who are responsible for career transition and consultation for students with disabilities from public/private vocational high schools and public special education schools. By 2020, the total number of students served is expected to be 3,300.		
3. Indicator 4.5.8 of Taiwan’s SDGs: the enrollment/employment rate of college/university graduates with disabilities.		
<u>Current statistical data:</u>		
In 2016, the employment rate of college/university students with disabilities one year after graduation was 50%.		
<u>Short-term goal to be completed by 2020:</u>		
Increase the employment rate of college/university graduates with disabilities up to 55%.		
4. Indicator 4.5.9 of Taiwan’s SDGs: help engage unemployed disadvantaged people in		

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preservice training. <u>Current statistical data:</u> By 2016, 23,272 unemployed disadvantaged people have received training. <u>Short-term goal to be completed by 2020:</u> The goal is to have engaged 112,000 unemployed disadvantaged people in preservice training by 2020.		
(D) Target 4.a of Taiwan’s SDGs: build and upgrade the Internet-based information environment among senior high schools and schools of lower education levels; provide relevant facilities to students with disabilities to ensure effective learning.		
1. Indicator 4.a.3 of Taiwan’s SDGs: the assistive device borrowing rate among students of senior high school and lower education levels after assistive device application. <u>Current statistical data:</u> In 2016, the assistive device borrowing rate among students of senior high school and lower education level after assistive device application was 75%. <u>Short-term goal to be completed by 2020:</u> Increase the assistive device borrowing rate among students of senior high school and lower education level after assistive device application to 80% or higher.		
(E) Targets 9.3 and 11.3 of Taiwan’s SDGs: increase the percentage of accessible public transport vehicles, equipment, and facilities.		
1. Indicators 9.3.1 and 11.2.1 of Taiwan’s SDGs: the percentage of wheelchair accessible buses in urban areas. <u>Current statistical data:</u> By 2016, the percentage of wheelchair accessible buses in urban areas was 50.2%. <u>Short-term goal to be completed by 2020:</u> Ensure that 58.2% of the buses in urban areas are accessible.		
2. Indicators 9.3.2 and 11.2.2 of Taiwan’s SDGs: the percentage of Taiwan Railways stations with a matching height between the platform and train floor. <u>Current statistical data:</u> (1) By 2015, 189 stations (82.89%) had completed the platform height elevation project (increase the platform to 92–96 cm), reducing the height difference to only “one step.” (2) Since 2015, projects to renovate train carriages and to complete the second stage of		

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platform height elevation (height increase to 115 cm) have been conducted with the objective of attaining the goal of stepless platforms. <u>Short-term goal to be completed by 2020:</u> (1) Stepless-entry carriages (2) Ensure that 110 out of 241 (45.6%) Taiwan Railways stations have matching height between the platform and train floor.		
3. Indicators 9.3.3 and 11.2.3 of Taiwan’s SDGs: increase the percentage of Taiwan Railway stations with improved accessible elevators (the percentage of total passengers being served). <u>Current statistical data:</u> By 2016, a total of 128 stations had been improved, serving 91.9% of all passengers. <u>Short-term objective to be completed by 2020:</u> The goal is to complete 182 projects to improve the main structure of accessible elevators in Taiwan Railways stations (75.5% of the stations will be improved), serving 98.5% of all passengers.		
4. Indicators 9.3.4 and 11.2.4 of Taiwan’s SDGs: increase the number of Taiwan High Speed Rail trains with accessible seats that include sockets for charging electric wheelchairs. <u>Current statistical data:</u> The first train with such equipment was completed and officially entered service in March 2017. <u>Short-term objective to be completed by 2020:</u> In response to passenger demand, Taiwan High Speed Rail Corporation aims to equip 34 trains with accessible seats that include sockets for charging electric wheelchairs, with the achievement rate being 100%.		
5. Target 10.2 of Taiwan’s SDGs: continue to implement employment programs for indigenous people to increase their income; improve employment opportunities for persons with disabilities to improve their socioeconomic status.		
6. Indicator 10.2.2 of Taiwan’s SDGs: employment referral for persons with disabilities. <u>Current statistical data:</u> From 2014 to 2016, an average of 17,207 persons with disabilities received employment referral assistance per year, constituting an employment-through-referral rate of 63%.		

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Short-term objective to be completed by 2020: Achieve the objective of helping 66,000 job seekers with disabilities get hired through referral from 2017 to 2020, constituting an employment-through-referral rate of 65%.		

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National implementation and monitoring(art. 33) 80. The IRC is concerned that: (a) 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); 81. The IRC recommends that the State: (a) 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;		80.81(a) MOHW (SFAA)
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
A. Paragraph 1, Article 33 of the CRPD mandates that the State establish an agency to govern implementation of the CRPD. Such agencies in Taiwan are the MOHW and SFAA at the central authority level and local governments at the local authority level. To implement the CRPD and policies/affairs concerning the rights of persons with disabilities, the MOHW and the SFAA have hired project managers to handle relevant matters. Persons in charge and their supervisors should receive training to enhance their human rights consciousness on a regular basis. B. To implement the CRPD, the Promotion Team for the Rights and Interests of Persons with Disabilities of the Executive Yuan (PTRIPDEY) was established on January 1, 2015 as the task force of the Executive Yuan. Governing the MOHW and SFAA, the PTRIPDEY is mainly responsible for formulating and implementing policies regarding the CRPD, relevant education and training, and promotion efforts and proposing a national report. Each agency related to the central government entities should appoint a person to be in charge of the CRPD and rights of persons with disabilities. Local governments have also established teams/units to advocate for the rights and interests of persons with disabilities.	<u>Short-term objectives (to be completed before Jan. 1, 2021)</u> Continue to solicit the input of professionals and budgetary funds for the PTRIPDEY to ensure that the team can effectively implement the CRPD. (SFAA)	Outcome indicators: Continue to promote the CRPD and ensure that the PTRIPDEY fully coordinates the functions of different departments at different levels of authority. (SFAA)

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
National implementation and monitoring(art. 33) 80. The IRC is concerned that: (b) 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; 81. The IRC recommends that the State: (b) 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;		80.81(b) MOHW (SFAA)
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
Based on the Act to Implement the Convention on the Rights of Persons with Disabilities, the PTRIPDEY was designated by the government as the coordinator of CRPD implementation. Its responsibilities include coordination, research, review, consultation, promotion/education and training concerning the convention, supervising governments at all levels implementing the CRPD, research and investigation of the current status of the rights of persons with disabilities, proposing national reports, handling complaints about convention violations, and handling other matters associated with the convention. Members of the PTRIPDEY are currently serving their second terms, and the team’s establishment guidelines, member list, and meeting minutes are available online.	<u>Short-term objectives (to be completed before May of 2019)</u> 1. Disclose the composition and responsibilities of the PTRIPDEY via digital media to public and private sectors. (SFAA) 2. Disclose meeting minutes of the PTRIPDEY on the CRPD Information Website of the SFAA to ensure that all interested parties can access relevant information. (SFAA) <u>Short-term objectives (to be completed before Jan. 1, 2021)</u> Formulate the procedure for filing complaints with the PTRIPDEY and relevant regulations; meanwhile, use social media and other media to publicize the information. (SFAA)	Structural indicators: Establish a procedure for filing complaints with the PTRIPDEY and relevant regulations. (SFAA) Process indicators: Ensure that information regarding the composition and responsibilities of the PTRIPDEY is disclosed online and its coordination mechanism is enhanced. (SFAA)

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Responses Regarding Follow-Up Actions Pertaining to the Concluding Observations Undertaken by the Competent Authorities		
Concluding Observations		Competent authorities
National implementation and monitoring(art. 33) 80. The IRC is concerned that: (c) 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; and 81. The IRC recommends that the State: (c) 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; and		80.81(c) MOJ The Control Yuan
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
A. Background (A) Provisions of international agreements: the Paris Principles are the conclusions drawn from the first international conference on national institutions for promoting and protecting human rights held by the UN Human Rights Council in Paris from October 7 to 9, 1911. The Principles emphasize that the organization and responsibilities of such national human rights institutions should be stipulated by constitution or law. In addition to an extensive commission and clear responsibilities, national human rights institutions must meet the requirements of being independent, having a diverse membership, providing for stable tenure, and receiving clear and sufficient funding. (B) The IRC suggested that the national report on the International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights (collectively, the two Covenants) should fully conform to the Paris Principles in order to establish a completely independent and diverse national human rights committee. B. Implementation (A) During his first term in 2002–2006, President Chen Shui-bian submitted the following three human rights acts to the Legislative Yuan for review: draft amendment to Article 17-1 of the ROC Office of the President Organization Act, which proposed an addition of a human rights committee, enactment of the Organization Act of the National Human Rights Commission, and the enactment of the Authority Exercise of National Human Rights Commission Act. All three acts failed to become laws. Former President Ma Ying-jeou ratified the two Covenants and announced their enforcement in 2009 as the legal basis for facilitating human rights protection. Moreover, the Presidential Office established the Human Rights Consultative Committee in 2010. In January of 2011, former convener of the Human Rights Consultative Committee and former Vice President Siew Wan-chang mentioned in an online video journal during his term that the “Human Rights Consultative Committee will gradually develop a national human rights institution that meets the requirements of the Paris Principles.” (B) To study, plan, and establish Taiwan’s human rights institution, the Presidential Office Human Rights Consultative Committee approved the plan to establish a National Human	<u>Short-term objectives (to be completed before Jan. 1, 2021)</u> 1. The Control Yuan has established a project team to discuss various programs for establishing a national human rights institution conforming to the Paris Principles as well as to discuss topics on legal system establishment. With such discussions, the Control Yuan may provide corresponding programs and legal act drafts once the president makes policy decisions. (Control Yuan) 2. To include more opinions, the Control Yuan will gather together members of the Presidential Office Human Rights Consultative Committee, representatives of relevant NGOs, and experts/scholars specializing in human rights according to actual needs. This will enable the provision of consultation/advice and mutual communication, both of which contribute to reaching a consensus. (Control Yuan) 3. The Control Yuan may utilize the existing mechanism to continue strengthening its responsibility to protect and promote human rights. Meanwhile, task forces such as the Presidential Office Human Rights Consultative Committee and the Executive Yuan Human Rights Promotion Team should continue to improve their consultative function. (Control Yuan) <u>Medium-term objectives (to be completed between 2021 and 2022)</u> 1. Because establishing a national human rights institution in accordance with the Paris Principles is a major decision concerning the state system, the president should first set the policy direction. Based on the president’s decision, the Control Yuan will aptly propose corresponding programs and acts in a timely manner. (Control Yuan) 2. Article 33 of the CRPD mandates that States Parties, in accordance with their system of organization, shall designate one or more independent supervisory mechanisms to monitor the implementation of the present Convention. An ombudsman institution is globally perceived as a form of national human rights institution. The central government in Taiwan is divided into five distinct branches. Under this five-power constitutional system, the Control Yuan (the highest-level ombudsman institution) is highly independent. In addition to responsibilities equivalent to those of a national human rights institution in other countries (e.g., handling complaints, investigations, making suggestions for improvement, and	Structural indicators: 1. Propose to establish corresponding programs and acts according to the president’s policy decision. (Control Yuan) 2. Establish a diverse, independent national rights institution. (Control Yuan) Process indicators: 1. The Control Yuan forms a project team, which conducts discussions with representatives of all fields with the objective of reaching a consensus. (Control Yuan). 2. Reinforce the Control Yuan’s responsibility of protecting and promoting human rights. (Control Yuan).

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<p>Rights Institutions Planning Group (hereinafter NHRIPG) at the eighth meeting in June 2012. The former convener of the Human Rights Consultative Committee and former Vice President Wu Den-yih appointed Huang Mab and four other people from the consultative committee to be members of the NHRIPG in March 2013. The Executive Yuan appointed the MOJ to be the staff unit to proactively commence relevant research and planning.</p> <p>(C) In addition to six conferences, the NHRIPG called for four advisory conferences to consult with foreign ambassadors, government agencies, NGOs, and scholars/experts in 2013. In the same year, the NHRIPG visited Canada to investigate the country’s implementation experience as well as referenced other approaches employed by other countries including the United States, the United Kingdom, France, Australia, New Zealand, South Africa, and members of the European Union. Regarding the section on establishing Taiwan’s national human rights institution, the NHRIPG emphasized the necessity of developing an independent national human rights institution conforming to the Paris Principles at the 16th Presidential Office Human Rights Consultative Committee meeting on December 5, 2014. Such an independent institution is termed a National Human Rights Committee and is designed on the basis of the following principles: (1) is to be established without amending the constitution, (2) is to serve as a dedicated authority that operates independently, (3) is to meet the requirements of the Paris Principles in terms of function, (4) is to effectively exert its authority, (5) is to avoid overlapping/conflicting with the function of existing agencies, (6) is to compensate for human rights deficiencies in existing agencies and provides assistance, (7) is to promote the protection of human rights, and (8) is to integrate the focuses of domestic and overseas human rights affairs and make plans accordingly. At the aforementioned meeting, the NHRIPG also suggested the following three plans and three corresponding regulations: Plan A, neither governed by the Office of the President nor by the Executive Yuan; Plan B, governed by the Office of the President; and Plan C, governed by the Executive Yuan.</p> <p>(D) At the 20th meeting of the Presidential Office Human Rights Consultative Committee meeting on January 8, 2016, the Control Yuan proposed a feasible plan and regulations for establishing a National Human Rights Committee conforming to the Paris Principles under the Control Yuan. The 9th Legislators Yu Mei-nu and Koo Li-hsiung conducted raising and joint signature of establishing the National Human Rights Committee under the</p>	<p>monitoring follow-up), the Control Yuan may effectively monitor the implementation of the CRPD and take necessary actions to ensure implementation, including mandating corrective measures and instituting impeachment and censure. Before the president makes a decision regarding policy direction, the Control Yuan will continue to strengthen its monitoring mechanism in accordance with Article 33 of the CRPD. (Control Yuan)</p>	

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Office of the President and the Control Yuan, respectively. (E) In response to the aforementioned six plans—Plans A, B, and C and plans proposed by the Control Yuan, Legislator Yu Mei-nu, and Legislator Koo Li-hsiung—the Meeting Affairs Division of the Presidential Office Human Rights Consultative Committee issued opinions analyzing the respective merits and deficiencies of each. The six acts were combined into one for discussion at the 22nd meeting of the Presidential Office Human Rights Consultative Committee on July 22, 2016, and the following conclusion was reached: Taiwan should establish its National Human Rights Committee in accordance with the Paris Principles as soon as possible. The three potential plans regarding the committee establishment were put to a vote, with “governed by the Office of the President” receiving the most votes, followed by “governed by the Control Yuan,” and “operates as a completely independent national human rights institution.” The voting results of the meeting have been submitted to the President for further action. (F) During The Asia Pacific Forum of National Human Rights Institutions in November 2017, Rosslyn Noonan and two other international human rights experts proposed preparing reports to assess Taiwan’s plans for establishing a National Human Rights Committee and argued that “establishing the committee under the Office of the President or the Executive Yuan is against the fundamental rule of Paris Principles on independence. Moreover, from a constitutional perspective, establishing an independent institution outside the five-power constitution system could lead to difficulty in management, such as its status relative to five branches (Yuans).” International experts opined that under Taiwan’s five-power constitution system, establishing the National Human Rights Committee under the Control Yuan is the most suitable and feasible choice. In the future, the Control Yuan’s duty to promote and protect human rights may be enhanced through regulation amendments. This will entrust the Control Yuan with the statutory duty to protect human rights in addition to its original responsibility to ensure good governance, thereby promptly achieving the policy objective of establishing a National Human Rights Committee conforming to the Paris Principles. (G) Having taken account of the suggestions made by the international experts in the assessment report, the 29th meeting of the Presidential Office Human Rights Consultative Committee on November 22, 2017 reevaluated the advantages and disadvantages of the two		

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plans (establishing the human rights committee under the Control Yuan) as well as the regulation amendments. The meeting submitted the Human Rights Consultative Committee’s comments on the act along with the appendices to the president as a reference for decision-making. The documents were also forwarded to the Control Yuan for reference in its deliberations. (H) In March 2018, the Control Yuan established a project team responsible for considering various plans and developing corresponding regulations to establish a National Human Rights Committee conforming to the Paris Principles. To include more opinions and reach a consensus, the Control Yuan will engage representatives of different sectors in discussions according to actual needs. The consultation/advice provided may facilitate the President’s policy decision, after which the Control Yuan will provide corresponding plans and acts in a timely manner.		
C. Current state of affairs and problem analysis (A) To protect human rights, the Presidential Office Human Rights Consultative Committee was established by Taiwan’s President to provide guidance on human rights affairs. The Human Rights Promotion Team was established under the Executive Yuan to examine and supervise the implementation of human rights protection policies among its ministries, with human rights teams established for each ministry. The Committee on Human Rights Protection was established under the Control Yuan to facilitate the protection of human rights. However, the majority of existing mechanisms for human rights protection are task forces and consultative committees. Taiwan has yet to establish a National Human Rights Committee that meets all the requirements of the Paris Principles. (B) The establishment of an independent National Human Rights Committee is a priority for the government. The Presidential Office Human Rights Consultative Committee proposed three possible plans that received the most votes (the order of preference is presented above). Prior to a confirmed policy decision, a comprehensive and in-depth study was conducted to analyze the potential derivative disputes regarding the scope of authority among the executive, judicial, and control powers and concerns regarding the overlapping responsibilities of administrative agencies.		

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Concluding Observations		Competent authorities
National implementation and monitoring(art. 33) 80. The IRC is concerned that: (d) That the involvement and participation of persons with disabilities and their representative organizations in the monitoring process is limited by a percentage quota. 81. The IRC recommends that the State: (d) 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.		80.81(d) MOHW (SFAA)
Background and Problem Analysis	Actions Plans and Scheduled Deadlines for Completion	Human Rights Indicators
<p>The teams or committees advocating for the rights and interests of persons with disabilities established by governments at all levels serve as channels for persons with disabilities and their representative organizations to participate in the supervision process. The proportion of members with disabilities in the aforementioned teams or committees as well as relevant assistance provisions are detailed as follows.</p> <p>A. Taiwan established the Executive Yuan Committee for the Promotion of the Rights of Persons with Disabilities, and its establishment guidelines mandate that scholars/experts and representatives of OPDs must comprise at least half the total membership. Among the 25 current (second-term) members of the Committee, five have disabilities. In addition, the MOHW established the MOHW Committee for the Promotion and Protection of Rights of Persons with Disabilities, and its establishment guidelines state that representatives of persons with disabilities or their guardians and the disability NGOs/organizations shall hold at least one-third of the committee seats. Of the 33 current (sixth-term) members of the MOHW Committee for the Promotion and Protection of Rights of Persons with Disabilities. Local governments have also established Committees for the Protection of the Rights of Persons with Disabilities, and those establishment guidelines provide that representatives of persons with disabilities, their guardians, and their representative NGOs/groups shall comprise at least one-third of the membership. Regarding the Taipei City Committee for the Protection of the Rights of Persons with Disabilities, 10 of 25 of the current (second-term) members of the Committee have disabilities, whereas such committees in other counties/cities only have 0–4 members with disabilities.</p> <p>B. Central competent authorities also established committees similar to those mentioned above. The MOI established the Committee for Supervising the Accessibility of Living Environments in Public Buildings (of 28 members, nine have disabilities). The MOE established the Project Team for Promotion of Accessible Environments (of eight members, one is disabled). The MOTC established the MOTC Committee for Promotion of Accessible Transportation (of 19 members, six have disabilities). The MOL established the Committee for Promotion of Vocational Training and Employment for Persons with Disabilities (of 20 members, two have disabilities). The MOEX established the Review Panel to Protect the Right of Persons with Disabilities to Attend National Examinations (of 17 members, two have disabilities). The aforementioned committees always invite organizations advocating</p>	<p><u>Short-term objectives (to be completed before Jan. 1, 2021)</u></p> <ol style="list-style-type: none">1. Complete the research project entitled “Project to Research Public Participation by Persons with Disabilities” by June 2019. Provide preliminary suggestions on mechanisms to enhance public participation by persons with disabilities, thereby helping them to participate in the monitoring process. Invite local governments by December 2019 to jointly develop a feasible method through which to apply the suggestions gathered in the aforementioned project to the committees for the promotion and protection of rights of persons with disabilities. (SFAA)2. Continue to subsidize OPDs to enable them to participate in the monitoring process. (SFAA) <p><u>Medium-term objectives (to be between 2022 and 2024)</u></p> <p>The government will continue to pursue the same goals as listed in the short-term objectives. In addition, the SFAA is in favor of the establishment of a National Human Rights Committee to supervise the government’s adherence to the CRPD in each field and to ensure that opinions of persons with disabilities are incorporated into the monitoring process will be entertained. (SFAA)</p>	<p>Structural indicators: Use research results to include public participation mechanism in the guidelines for governments of all levels to establish committees for the promotion and protection of rights of persons with disabilities. (SFAA)</p> <p>Process indicators: Use research results of the “Project to Research Public Participation by Persons with Disabilities” to facilitate participation of persons with disabilities in the policy making and monitoring process. (SFAA)</p> <p>Outcome indicators: The percentage of governments of all levels to include public participation mechanisms in their establishment guidelines of committees for the promotion and protection of rights of persons with disabilities. (SFAA)</p>

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for the welfare of persons with disabilities to attend their meetings to ensure that persons with disabilities participate in all aspects of implementation of the CRPD. General Comment No. 7 of the UN CRPD Committee states that an organization of persons with disabilities is composed mainly of members with disabilities and is directly governed by a decision maker with disabilities. At present, the proportion of members with disabilities on committees established by the central competent authorities and local governments still has not reached the threshold expected by organizations with disabilities.		
C. In addition, the government subsidized OPDs to enable them to supervise the government’s implementation of the CRPD. The central tenet of the CRPD encourages OPDs to participate in the development of policies for persons with disabilities as well as to proactively engage persons with disabilities in setting public policy. A more open and transparent public participation mechanism must be developed to ensure that persons with disabilities have an equal opportunity to participate in public policy debates.		