

Implementation of the International Covenant on Economic, Social and Cultural Rights

Third Report Submitted under Articles 16 and 17 of the Covenant

Republic of China (Taiwan) 



June 2020

Table of Contents

Article 1	1
Indigenous Peoples’ Right to Self-Determination	1
Article 2	1
International Cooperation and Development Aid	1
Anti-discrimination Measures	1
Article 3	4
Assessment of the Gender Impact of Laws and Policies	4
Elimination of Gender Discrimination and Enhancement of Gender Equality	4
Sexual Harassment Statistics	6
Article 4 and Article 5	6
Restrictions that Limit Rights under the Covenant	6
Article 6	6
Labor Participation	6
Laws, Regulations, and Measures Protecting Employment Rights	6
Employment Promotion	8
Employment Assistance for Specific Groups of People	8
Employment Assistance for Middle-aged and Elderly Persons	8
Employment Assistance for Women	9
Employment Assistance for Persons with Disabilities	9
Employment Assistance for Indigenous People	10
Employment Assistance for Young People	11
Employment Assistance to Laid-off and Unemployed People	11
Employment Guidance for the Homeless	12
Assistance for Non-conventional Workers	12
Article 7	13
Protection of Labor Conditions	13
Protection of Outsourced Workers’ Rights	14
Protection of the Employment Rights of Women	15
Employment and Salary Levels	15
Statutory Minimum Wage Standards	17
Working Hours and Leave	18
Prevention of Sexual Harassment in the Workplace	18
Workplace Safety and Prevention of Occupational Accidents	19
Protecting the Labor Rights of Healthcare Professionals	20

	Dedicated Clauses on Migrant Workers.....	21
	Policies on Hiring Migrant Workers.....	21
	Protection of Migrant Workers' Rights	23
	Protection of Foreign Domestic Workers' Rights	28
	Protection of Foreign Crew Members' Rights	28
	Nanfang'ao Bridge Collapse Accident	30
	Placement of Human Trafficking Victims	30
Article 8		30
	Right to Join a Labor Union	30
	Regulatory System under the Collective Agreement Act	33
	Protective Measures and Restrictions Concerning the Right to Strike	33
Article 9		34
	Social Security System.....	34
	National Pension Insurance	35
	Farmers' Health Insurance	36
	Labor Insurance and Retirement.....	37
	Protection for Workers against Occupational Accidents	38
	Insurance, Retirement, and Compensation for Surviving Dependents of Civil Servants and Staff Members of Public and Private Schools	40
	Military Personnel Discharge, Insurance, and Compensation for Surviving Dependents.....	41
	Pension Reform for Civil Servants, Staff Members of Public Schools, and Military Personnel.....	42
	Employment Insurance	43
	Other Insurance (Non-Social Insurance).....	44
	National Health Insurance	44
	Long-term Care	45
	Public Assistance and Allowances	46
	Public Assistance for Minorities	50
Article 10		52
	Self-determination in Marriage.....	52
	Protections for Pregnant Women	53
	Maternity Leave and Unpaid Parental Leave for Raising Children.....	55
	Childcare System	56
	Single Parents and Children Raised by Grandparents	58
	Support for Children and Juveniles.....	58
	Social Services for Families.....	59
	Regulations Protecting Child Workers	60

Domestic Violence Prevention Act.....	60
Prevention of Sexual Exploitation of Children and Juveniles	61
Care for the Elderly.....	61
Care and Assistance for Foreign Spouses	62
Prevention of Human Trafficking	63
Article 11.....	64
Improved Living Conditions.....	64
Waiver of Lease for the Disadvantaged	64
Right to Adequate Food	65
Food Sanitation and Safety Management	66
Right to Use Water.....	67
Right to Adequate Housing.....	68
Housing Rights of the Minority	70
Issues on Forced Relocation.....	71
Stakeholder Participation	73
Article 12	74
General Healthcare System	74
Mental Health	77
Medical Service for Persons with Disabilities	78
Healthcare for Children and Juveniles.....	79
Women’s Health Policy	80
Preventing Communicable Diseases	81
Substance Abuse	81
Assistance in the Case of Health Rights Violation	81
Article 13	82
Basic Education Program	82
Technical and Vocational Education.....	84
Tertiary Education.....	84
Cooperative Education and Protection of Interns’ Rights.....	86
Adult Education and Life-long Learning	86
Teaching of Native Languages	87
Equal Rights to Education	89
Reducing the Dropout Rate	91
Right to Education of Persons with Disabilities.....	92
Article 14	93
Compulsory Education at Elementary and Junior High School Levels	93
Article 15	93
Laws, Regulations, and Equality Measures Protecting Cultural Rights	93

Protection of the Right to Access Culture of Minorities.....	96
Preservation and Expansion of Cultural Heritage	97
International Communication and Cooperation in the Cultural Sector	98
Arts and Cultural Education	99
Protection of Intellectual Property Rights.....	99
Protection of Indigenous Culture	100

List of Tables

Table 1	Job Redesign Subsidies for People with Disabilities	9
Table 2	Hiring of People with Disabilities under the Fixed Quota System (by Gender and Indigenous People Status).....	10
Table 3	Number of Migrant Workers by Nationality and Sector as of 2019.....	22
Table 4	Taiwan Labor Unions' Participation in International Labor Union Organizations	32
Table 5	National Pension Insurance Payments to Senior Citizens by Number of Beneficiaries and Gender	36
Table 6	Lowest Living Index Standard List of Amounts for Respective Areas in 2019.....	46
Table 7	Number of People Living in Low-income and Medium-to-low- income Households and Review Approval Rates.....	47
Table 8	Social Welfare Budget and Legally Obligated Expenditures of the Ministry of Health and Welfare	51
Table 9	Domestic Violence Cases Reported by Police Authorities	60
Table 10	Victims in Reported Cases of Domestic Violence by Nationality and Status.....	61
Table 11	Victims with Disabilities in Reported Cases of Domestic Violence	61
Table 12	Beneficiaries of Social Welfare Subsidies from the New Immigrant Development Fund.....	63
Table 13	Impact of Government Measures for the Redistribution of Wealth and Income on Household Income	64
Table 14	Employment of Technical College Students.....	84
Table 15	Tuition Fee Waivers Granted for University and Technical College Students	85
Table 16	Continuing Education Admissions.....	87
Table 17	Student Pregnancies at Schools of All Levels.....	89
Table 18	Sex Ratio of Student Admissions.....	90

Article 1

Indigenous Peoples' Right to Self-Determination

1. See the third national report on the International Covenant on Civil and Political Rights (ICCPR), Notes 2 to 6.

Article 2

International Cooperation and Development Aid

2. See the common core document of the Third National Report on the ICCPR and ICESCR, Notes 158 to 165.
3. Taiwan received foreign aid from international organizations and countries such as the United States, Japan, and Saudi Arabia from 1950 to 1980, totaling approximately USD 100 million and accounting for 9% of Taiwan's GDP in the 1950s. After the economy began to thrive, Taiwan became a donor of foreign aid instead of a recipient. Taiwan now provides foreign aid to assist diplomatic allies, fulfill international responsibilities, protect people's safety and wellbeing, contribute to the international community, and provide humanitarian assistance. In 2019, the Taiwan budget for official development assistance devoted to international collaboration was roughly USD 318 million, accounting for 0.051% of the gross national income of Taiwan. In addition, Taiwan nongovernmental organization foreign aid donations totaled USD 1.06 million and donations of materials reached USD 12.40 million in 2019. Taiwan actively contributes to the international community by sharing its experience with the world and by providing foreign aid, thereby aligning Taiwan's foreign aid system with international standards.

Anti-discrimination Measures

4. People with disabilities:
 - (1) See Notes 22, 28, 31, 34, 55, 106, 139, 178, 197, 205(3), 215, 250, 251, 260, 263, and 264 of this report.
 - (2) The Ministry of Health and Welfare's Committee for Protecting the Rights of People with Disabilities has worked with the relevant agencies to consolidate these rights.
 - (3) The Mental Health Act stipulates that the dignity and legitimate rights and interests of people with mental illness should be respected and protected and that such people may

not be discriminated against. Those whose mental health is stable must not be discriminated against with regard to schooling, examinations, or employment, nor should they be subject to any other unfair treatment due to their mental illness. If people with mental illness are unfairly treated in any manner, e.g., restrictions on participation in events, they may report the discriminatory behavior to the competent health authorities. Violators may be subject to penalties. It is illegal for the media to make discriminatory remarks about or give discriminatory descriptions of mental illness. In addition, news coverage must refrain from using content that is untrue or likely to bias the audience against those with mental illness. Media broadcasting violations are subject to penalties. Between 2016 and 2019, two media outlets were penalized by county and city governments' Departments of Health and restrictions were implemented for a prescribed period. The media outlets filed appeals, but both appeals were rejected.

5. Low-income households: See Notes 28, 34, 106, 161, 181, 199(1), 200(2), 205(1), 205(2), 231, and 260 of this report. To protect the various categories of low-income households, the Public Assistance Act stipulates specific regulations for the review of qualifications of low-income households and their collection of cash payments. If a low-income household includes members who are over the age of 65, who are over three months pregnant, or who hold a disability card or disability certification, the competent authority of the special municipality, county, or city may increase the household's benefits based on the original cash payment amount. However, the maximum increase shall not exceed 40%.
6. Children: See Notes 161, 162, 205(2), 260, and 264 of this report.
7. New immigrants:
 - (1) See Notes 173 and 174 of this report.
 - (2) The Immigration Act prohibits any form of discrimination against people residing in Taiwan based on nationality, race, skin color, social status, or place of birth. The Regulation for Petitions against Discrimination against People Residing in the Taiwan Area and the Guidelines for the Establishment of the Review Team for Petitions against Discrimination against People Residing in the Taiwan Area were established in accordance with the authorization granted in the Immigration Act to process and review

complaints of discrimination. In response to the needs of people who relocate to Taiwan because of marriage, and in order to construct a friendly, multicultural society, a coordination meeting to discuss issues concerning new immigrants has been held under the Executive Yuan since 2015 to leverage an array of resources.

8. Employment rights: See Notes 17 of the third national report on the ICCPR and Notes 22, 25, and 29 of this report.
9. Right to medical care: See Notes 127 to 129, 206, 207, and 215 of this report.
10. Right to Education:
 - (1) See Notes 242, 250, and 251 of this report.
 - (2) To protect disadvantaged and marginalized students, the Primary and Junior High School Act requires elementary and junior high schools to implement mixed-ability class grouping and meet students' appropriate development requirements. The associated allocation of education, teachers, and teaching resources is the same regardless of any differences in students' race, skin color, gender, language, religion, political or other affiliations, national origin, social background, property, circumstances of birth, or other personal attributes. We ensure disadvantaged and marginalized students' the equal right to education by preventing the assigning of rankings or labels to all students regardless of their intelligence or abilities so that they can be educated with dignity and develop healthy bodies, hearts, and minds.
 - (3) The Education Act for Indigenous Peoples, the Regulations Governing Secured Admission for Indigenous Students and Government Scholarships for Indigenous People to Study Overseas, and the 5-Year Medium-Term Indigenous Education Development Project stipulate the safeguards and subsidies available. The gross enrollment rates of indigenous students in primary schools, junior high schools, senior high schools, and universities or tertiary colleges increased to 99.2%, 98.2%, 95.1%, and 53.9% respectively in the 2018 academic year.
11. Right to housing: See Notes 194, 195, and 197 of this report and Notes 105 to 108 and 111 to 116 of the response to the concluding observations and recommendations by international experts on the second national reports on the two covenants.
12. Cultural rights: See Notes 255, 259 to 264, and 272 to 274 of this report.

Article 3

Assessment of the Gender Impact of Laws and Policies

13. The Executive Yuan launched the Gender Mainstreaming Implementation Program in 2006 and gradually taught government departments to familiarize themselves with the six main tools for gender mainstreaming and incorporate gender perspectives into their operations. Since 2009, gender impact assessments have been conducted on significant medium and long-term individual projects of the state and legislature before they are submitted to the Executive Yuan for review. The purpose is to help policymakers gain a clearer understanding of how different genders are treated and set objectives to narrow the gender gap. These measures help ensure that gender perspectives are included in policies, plans, and legislation, from planning, decision-making, and execution to supervision, evaluation, review and recommendations. To increase the quality of gender impact assessments conducted by the authorities, the Executive Yuan established a gender impact assessment case study sharing website in 2015 to provide case studies as reference. Furthermore, the operating procedures for the gender impact assessments of medium and long-term individual projects were revised in October 2019.
14. Since 2016, the Organic Laws and Statutes Bureau under the Legislative Yuan has included Gender and Human Rights Impact Assessment forms in its government legislation evaluation reports in order to strengthen the mechanisms for assessing the impact of legislation on gender and human rights.

Elimination of Gender Discrimination and Enhancement of Gender Equality

15. See Note 13 of the third national report on the ICCPR for information on legislation for the elimination of gender discrimination.
16. Government authorities have reviewed regulations and administrative measures for compliance with the Convention on the Elimination of All Forms of Discrimination against Women. A comprehensive review of 33,157 items found that 228 items are in violation of the Convention; 13 regulations remained unrevised as of 2019. These ongoing rectifications are being monitored. In addition, Taiwan established the General Recommended Legislation Review Program for Article 29 to 33 of the Convention on the Elimination of All Forms of

Discrimination against Women, and government authorities reviewed a total of 723 regulations and administrative measures, of which five were found to be in violation of the Convention on the Elimination of All Forms of Discrimination against Women and the General Recommendations in Article 29 to 33 of the Convention. An amendment to one piece of legislation remained in progress as of 2019.

17. Taiwan's central government established the Gender Equality Committee of the Executive Yuan, Gender Equality Committee of the Legislative Yuan, Human Rights, Children and Youth Protection, and Gender Equality Committee of the Judicial Yuan, Gender Equality Committee of the Examination Yuan, and Gender Equality Committee of the Control Yuan. Local governments in Taiwan established Gender Equality Committees or Women's Rights Promotion Committees. In addition to supervising and promoting various tasks for gender equality and women's rights, they also propose and formulate innovative policies, measures, and plans for gender issues that have emerged in recent years and encourage governments to incorporate gender perspectives into their policies.
18. A number of measures have been introduced under the Gender Equality Policy Guidelines, such as appointing and encouraging civil associations to review gender stereotypes and discrimination in printed and electronic media, enhancing reviews and reporting channels for complaints related to gender equality and employment discrimination, and educating judicial and ombudsman personnel to prevent gender discrimination in their trials, mediations, and judgments. In addition, gender equality governance mechanisms have been established in a number of government agencies to improve the representation of indigenous peoples, new immigrants, the elderly, the disabled, laborers, and women from rural and remote areas. These mechanisms also enhance gender awareness empowerment among indigenous women and new immigrants as well as providing employment and entrepreneurship assistance and welfare services for women from a variety of backgrounds, including agriculture and fisheries workers, indigenous women, recent immigrants, women who experience violence, women living with AIDS, and women with diverse sexual orientations. The care and economic security of elderly women is also emphasized. Overall, the objective is to protect the rights of women living in a variety of circumstances and facing intersecting forms of discrimination.

Sexual Harassment Statistics

19. Refer to Note 18 of the third national report on the ICCPR.

Article 4 and Article 5

Restrictions that Limit Rights under the Covenant

20. Since the incorporation of the Covenant into domestic legislation in 2009, Taiwan has not imposed any restrictions on the rights granted in the Covenant. In addition, Taiwan has not interpreted any clauses in the Covenant to violate or infringe on any right or freedom protected under the Covenant or to limit or eliminate Taiwan's obligation to protect basic human rights, even if the Covenant does not explicitly recognize such rights or recognizes them to a lesser extent.

Article 6

Labor Participation

21. See Note 26 of the common core document of the third national reports on the two covenants for the labor force participation rate and employment rate from 2015 to 2018.

Laws, Regulations, and Measures Protecting Employment Rights

22. According to the Employment Service Act, employers may not discriminate against job applicants or employees on the basis of race, class, language, beliefs, religion, political affiliation, place of origin, place of birth, gender, sexual orientation, age, marital status, appearance, facial features, disabilities, horoscope, blood type, or past membership in a labor union. Violators shall be subject to penalties. If job applicants or employees believe they have been discriminated against, they may file an appeal or apply for legal relief. From 2015 to 2019, the three most common employment discrimination violations, according to the Employment Service Act, for which penalties were imposed were age discrimination, gender discrimination, and discrimination against past members of a labor union.

23. The Labor Standards Act, which deems termination a final resort, stipulates the legal basis for which employers may terminate laborers. The Act also includes notification requirements for the termination of the labor contract, prohibitions on termination without cause while an employee is receiving treatment for occupational accidents or is on maternity leave, and

distribution of severance pay in accordance with the Act and the Labor Pension Act. Laborers whose employment is terminated without legitimate cause may lodge a complaint with the local competent labor administration authority who has jurisdiction over their place of employment; they may also apply for labor-management dispute resolution. In the event that mediation fails, laborers may seek legal relief. The Act for Worker Protection of Mass Redundancy stipulates procedures for mass layoffs. Between 2015 and 2019, there were 1,195 cases of mass layoffs. The government allocates funds to the labor rights fund each year to provide litigation assistance for laborers and subsidies for basic living expenses during litigation. As of 2019, 32,777 labor legal assistance applications had been filed and compensation for laborers totaled NTD 3,612,040,000.

- 24.** The Labor Incident Act was promulgated on December 5, 2018, and implemented on January 1, 2020. It requires all courts to establish dedicated labor courts to resolve labor cases. The Act regulates the scope of labor incidents, the composition and special mediation procedures of labor mediation committees, the reduction of litigation obstacles for laborers, more timely labor mediation and litigation procedures, and the alleviation of laborers' provision of collateral liabilities.
- 25.** The Act of Gender Equality in Employment provides that employers shall not accord disparate treatment to job applicants or employees because of their gender or sexual orientation in the course of recruitment, screening, hiring, placement, assignment, evaluation, promotion, education, training, welfare measures, wages, retirement, discharge, severance or termination. Violators shall be subject to penalties. If job applicants or employees believe they have been discriminated against, they may file an appeal or apply for legal relief in accordance with the Act. The government has created a table to help laborers determine whether they have been discriminated against in the workplace due to pregnancy. Between 2015 and November 2019, 214 complaints were filed against employers for violations of the Act of Gender Equality in Employment with regard to discrimination against marriage, pregnancy, childbirth, or childcare. A total of 87 cases were reviewed, and 37 cases were upheld.

Employment Promotion

26. Employment information is provided to job seekers through nationwide employment service sites, the Taiwan Jobs network, the 24/7 0800-777-888 hotline, and touchscreen service systems at more than 10,000 branches of Taiwan's four major convenience stores. Mobile, one-stop tailored services and related employment promotion measures help provide extensive and diverse employment opportunities.
27. In order to encourage startup companies, the Ministry of Labor promoted microloans for female entrepreneurs aged 20 to 65 and other citizens aged 45 to 65 wishing to start their own business. No guarantor or collateral is required. The maximum loan value is NTD 2 million, and the first two years are interest free. Between 2015 and 2019, 766 events were held, attendance reached 45,760, and 19,661 people received entrepreneurship counseling. Of these, 9,135 entrepreneurs successfully started a business, 2,390 people were approved for Micro-Enterprise Start-up Loans, and 21,983 employment opportunities were created.

Employment Assistance for Specific Groups of People

28. The Ministry of Labor earmarks funds each year as required by the Employment Service Act to organize employment promotion programs for certain demographics, such as the disabled, sole breadwinners, senior or middle-aged persons, indigenous persons, members of low-income or medium-to-low-income households capable of working, long-term unemployed persons, women returning to the job market, persons who have experienced domestic violence, and former prison inmates. Transportation subsidies, temporary work allowances, and hiring subsidies, among other measures, are provided to help people find jobs. Assistance was provided to 218,661 persons in 2015, 329,356 persons in 2016, 310,095 persons in 2017, 261,989 persons in 2018, and 271,544 persons in 2019. The Ministry also provides opportunities for the homeless to participate in vocational training and offers assistance with finding temporary work as well as clothing and grooming services. Assistance was provided to 714 persons in 2015, 929 persons in 2016, 842 persons in 2017, 717 persons in 2018, and 782 persons in 2019.

Employment Assistance for Middle-aged and Elderly Persons

29. The government established the Middle-aged and Elderly Employment Promotion Act, set

for promulgation on May 1, 2020, as special legislation for persons between 45 and 65 years of age and persons over the age of 65. The Act prohibits employment age discrimination, provides for assistance to ensure employment stability for the employed and employment for the unemployed, promotes senior talent, and supports employment after retirement. Penalties are imposed for age discrimination in the workplace.

Employment Assistance for Women

30. A total of 1,244,545 women were provided with employment assistance between 2015 and 2019. Between 2015 and 2019, women comprised approximately 47% of the workforce.

Employment Assistance for Persons with Disabilities

31. Employment assistance was provided to 131,277 persons with disabilities through employment counseling and job placement services from 2015 to 2019. Vocational counseling evaluations, vocational training, protective employment, supportive employment, home-based employment, startup assistance, and occupation redesign services for rebuilding careers are provided to persons with disabilities that require individual vocational rehabilitation. From 2015 to 2019, 45,927 persons with disabilities received adaptive employment assistance. The subsidies for the preparations and the establishment of protective employment workplaces were again increased in 2016 to include practical training and electricity expenses, so as to boost the willingness to set up such workplaces and help enhance their competitive advantages. The statistics for subsidies provided for job redesign for people with disabilities between 2015 and 2019 are shown in Table 1. The effectiveness of the fixed quota system for people with disabilities between 2015 and October 2019 is shown in Table 2.

Table 1 Job Redesign Subsidies for People with Disabilities

Unit: cases; Funding: NTD thousand

Year	Item	Total	Improving work environment	Improving work equipment or tools	Providing work aids	Improving working conditions	Adjusting working methods	Other
2015	Number served	2,846	138	135	1,038	1,321	151	63
	Value of subsidies	21,576	2,320	1,190	14,753	3,308	2	3

Year	Item	Total	Improving work environment	Improving work equipment or tools	Providing work aids	Improving working conditions	Adjusting working methods	Other
2016	Number served	2,515	86	109	1,034	1,115	126	45
	Value of subsidies	19,762	1,427	1,018	15,256	2,038	13	10
2017	Number served	3,203	93	93	1,262	1,560	140	55
	Value of subsidies	23,197	2,235	931	17,796	2,235	0	0
2018	Number served	3,336	72	123	1,302	1,677	128	34
	Value of subsidies	25,271	1,943	545	19,782	2,887	114	0
2019	Number served	3,521	69	202	1,408	1,549	233	60
	Value of subsidies	23,386	1,637	850	16,791	3,905	203	0

Source: Ministry of Labor

Table 2 Hiring of People with Disabilities under the Fixed Quota System (by Gender and Indigenous People Status)

Unit: Person(s)

Year	Total number	Male	Female	Indigenous		
				Total	Male	Female
2015	79,830	51,775	28,055	1,346	867	479
2016	81,986	53,217	28,769	1,330	853	477
2017	84,171	54,289	29,882	1,435	930	505
2018	84,713	54,123	30,590	1,466	933	533
2019 (1-10)	84,635	53,663	30,972	1,577	988	589

Source: Ministry of Labor

Employment Assistance for Indigenous People

- 32.** See Note 28 of this report and Note 274 of the third national report on the ICCPR for information on the promotion of and assistance to indigenous peoples in employment and the protection of their rights to work and economic life.
- 33.** According to the Indigenous Peoples Employment Rights Protection Act and the Government Procurement Act, the workforce of contractors who were awarded tenders in accordance with the Government Procurement Act and who have more than 100 employees in Taiwan must

include at least 1% indigenous employees during the contract performance period. In 2015, the private sector employed indigenous peoples in 17,084 cases, in 2016 it employed them in 19,350 cases, in 2017 it employed them in cases 21,333, in 2018 it employed them in 22,940 cases, and as of October 2019, it had employed them in 21,685 cases.

34. Measures are available to help organize vocational training (including employment assistance for unemployed indigenous peoples and second-skill enhancement training for the employed). From 2015 to 2019, 210 courses were offered to 4,907 trainees. Indigenous peoples who are unemployed, come from low-income or single-parent households, have disabilities, or have school-age children are given priority for temporary work in reconstruction projects after natural disasters. A total of 537 people were hired from 2016 to 2018. The government commissioned or subsidized private institutions to provide 323 vocational training courses for 8,661 mountain and plain-land indigenous peoples from 2015 to 2018 to help increase training opportunities near their homes.

Employment Assistance for Young People

35. To help increase youth employment, career counseling, vocational training, and employment matchmaking were integrated into the current system to provide youth with a variety of vocational training and employment services. This helped 822,284 young people find employment from 2015 to 2019. However, youth unemployment remains higher than the overall workforce unemployment rate. The government thus implemented the Investment in Youth Employment Program to integrate the resources and measures of related government agencies and enhance the transition of youths from school to their first jobs, as well as assisting those who are currently employed, employed in non-traditional positions, or unemployed for more than six months. The objective is to reduce the youth unemployment rate for those aged 15 to 29 to less than twice the overall unemployment rate by 2022.

Employment Assistance to Laid-off and Unemployed People

36. The Act for Worker Protection of Mass Redundancy stipulates that public employment service institutions shall, after receiving information on laid-off workers, use related employment resources to help these workers find employment based on their preferences and job skills in order to help them promptly rejoin the workforce. The Employment Insurance

system covers the basic living expenses incurred by workers during vocational training and unemployment. The Employment Service Act provides for long-term unemployed persons to receive employment assistance, free vocational training, and stipends to cover basic living expenses during vocational training. Temporary work stipends are also provided as short-term support for long-term unemployed persons. From 2015 to 2019, the long-term unemployed received assistance in 109,545 cases.

Employment Guidance for the Homeless

37. Homeless people who are willing to work are evaluated based on their skills and are referred for related employment opportunities to help them gain independence. The elderly or those with poor health who are unable to re-enter the workforce are eligible to receive financial assistance through flexible and short-term work. Those that have recently lost their jobs and seek to return to work are referred to the relevant labor authorities. The number of persons transferred to employment or vocational training from 2015 to September 2019 was 3,504 in 2015, 2,832 in 2016, 3,287 in 2017, 2,036 in 2018, and 3,907 in 2019.

Assistance for Non-conventional Workers

38. The non-conventional economy consists of economic activities outside the boundaries of government regulations, mostly street vendors and unregistered factories. County and city governments have established their own regulations for street vendors and provide assistance with increasing their competitiveness, such as helping them open stalls in markets, promoting entrepreneurship training, and improving management. As of 2019, 13 special municipality, county, and city governments had established their own regulations for managing and assisting street vendors. Assistance has been provided to establish 174 centralized public and private areas for street vendors that offer a total of 16,948 spaces in order to maintain economic order, help street vendors become part of conventional economic life, and protect their current right to work. With regard to unregistered factories, a special chapter has been established in the Factory Management Act to provide assistance for the legal operations of unregistered factories and protect the labor rights, workplace safety, and health of laborers.
39. The Ministry of Labor provides localized and diverse vocational training programs that reflect regional industry characteristics and workforce demand. Disadvantaged and

unemployed persons who have been subject to major disasters, are living on their own, or have experienced sexual assault, and who qualify for special status as defined in the Employment Service Act, may attend relevant training free of charge and receive vocational training subsidies. A total of 195,749 people received pre-service training for the unemployed between 2015 and 2018, and the average employment rate after training was approximately 80%. Pre-employment training for unemployed disadvantaged persons totaled 169,850 individuals, and the average employment rate after training was approximately 79%. A total of 86,792 people received vocational training living subsidies, which amounted to NTD 2,483,389,000.

Article 7

Protection of Labor Conditions

- 40.** The government continues to review and extend the scope and application of the Labor Standards Act. Farmers' associations were included in the Act on January 1, 2015. Resident physicians employed in the healthcare services industry (excluding those hired by public medical institutions in accordance with civil service regulations) were included on September 1, 2019. And the irrigation associations of farmers' associations were included on October 1, 2020. Approximately 28,000 people have benefited from the inclusions.
- 41.** According to the Labor Standards Act, employees with special jobs, including supervisory personnel, administrative workers, professionals with designated responsibilities, and those with monitoring or intermittent jobs may, with the approval and public announcement of the central competent authority, schedule their own working hours, regular days off, national holiday vacations, and night work hours (female employees only) through agreements with their employers. These agreements shall be submitted to the local competent authorities for approval. In order to prevent the abuse of the aforementioned regulations by employers, certain categories of employees are gradually being excluded from these regulations, including specific types of medical personnel, daycare center staff, cleaning personnel at ordinary hotels, and employees above the rank of manager hired by credit cooperatives. As of 2019, workers that still met the criteria of the aforementioned regulations included:

chauffeurs for chief executives, managers, and other personnel with assigned vehicles, monitoring personnel at social welfare institutions, security guards employed in the security industry, lawyers appointed by the legal services industry, and personnel responsible for examination preparation areas for examinations organized in accordance with education regulations.

Protection of Outsourced Workers' Rights

42. The Occupational Safety and Health Act and the Act of Gender Equality in Employment stipulate that the hiring company shares the responsibility for measures adopted to ensure occupational safety and health, for the promotion of gender equality in the workplace, and for protection against sexual discrimination and harassment. In addition, related regulations added to the Labor Standards Act in 2019 stipulate that employees with non-fixed-term contracts may not be outsourced to another entity in the name of that entity. Moreover, the entity that has requested the outsourced employee shall bear supplementary wage and joint liability compensation for occupational accidents. These measures ensure more comprehensive protection of the labor rights of outsourced personnel.
43. The Executive Yuan and Subordinate Authorities (Agencies) Review of the Use of Dispatched Worker Implementation Plan was approved by the Executive Yuan on July 18, 2018. Each authority has begun to gradually reduce the use of labor dispatches and will discontinue labor dispatch use in 2021. To protect the rights of outsourced workers, the aforementioned plan stipulates that all outsourced workers hired by the original entity shall have equal job recruitment opportunities when applying for positions at the original entity. If outsourced workers are hired for permanent positions at the original entity, their previous years of service shall be included in the calculation of special paid leave. If outsourced workers are not hired for permanent positions at the original entity, the original entity shall place the outsourced workers in other positions or provide severance pay in accordance with the Labor Standards Act. These workers may not be dismissed outright. The number of outsourced workers assigned to the Executive Yuan and its subordinate authorities had declined to 2,981 individuals as of 2019, for a decrease of 4,541 individuals from 2018.

Protection of the Employment Rights of Women

- 44.** The Act of Gender Equality in Employment stipulates that female employees may take menstrual leave, which shall not be calculated as sick leave if it accounts for fewer than three days per year. Half pay will be provided for menstrual leave that exceeds the number of sick leave days. The Act also allows employees to apply for unpaid parental leave. The Act guarantees five days of paid prenatal checkup leave and five days of paid paternity leave, and requires employers with 100 employees or more to provide a breastfeeding (breast pumping) room and breastfeeding (breast pumping) time during work. Interns and dispatched workers are also protected under the Act. Reviews and amendments have been implemented in recent years to increase the scope and quantity of penalties for violation of the regulations. From 2015 to November 2019, 550 complaints were accepted for violations of the Act of Gender Equality in Employment, 269 cases were reviewed, and 106 cases were upheld. Cases involving unpaid parental leave and reinstatement after parental leave without pay accounted for the highest number of complaints with 31 cases and 25 cases, respectively.
- 45.** See Notes 155 and 156 of this report for the data on the applications for unpaid parental leave from employees of different genders.

Employment and Salary Levels

- 46.** Youth employment: The employment rate among young people aged 15 to 24 was 31.80% in 2019 (32.99% for men and 30.55% for women), an increase of 5.20 percentage points from 2015. The average monthly income from primary jobs held by youth in May 2019 was NTD 27,852, an increase of NTD 3,724 (15.43%) from 2015.
- 47.** Senior employment: The employment rate among seniors (aged 65 or above) was 8.29% in 2019 (12.79% for men and 4.49% for women), a decrease of 0.48 percentage points from 2015. The average monthly income from primary jobs held by seniors in May 2019 was NTD 35,287, an increase of NTD 2,809 (8.65%) from 2015.
- 48.** Indigenous employment: The number of indigenous persons in the workforce in 2018 was 264,958, representing a participation rate of 61.34% (70.64% for men and 53.37% for women). Of these, 254,449 were employed and 10,509 were unemployed, with an unemployment rate of 3.97% (4.06% for men and 3.86% for women). The average monthly

income from a primary job in December 2018 for employed indigenous people was NTD 29,874. People with an income between NTD 20,000 and NTD 29,999 accounted for the largest group at 37.04%. Those with an income between NTD 30,000 and NTD 39,999 were the second-largest group at 29.53%. The average monthly income from primary jobs held by indigenous men (NTD 33,042) was higher than that of indigenous women (NTD 26,336).

- 49.** Women's employment: The employment rate of women in 2019 was 49.55%, an increase of 0.56% from 2015. Women's salaries have increased yearly since 2015. In 2018, the average monthly total earnings for women were NTD 47,257, and the average monthly regular earnings were NTD 37,849, accounting for an increase of NTD 3,187 (7.23%) and NTD 2,459 (6.95%), respectively, from 2015.
- 50.** Disabled persons: As of September 2019, there were 1,182,972 people with disabilities in Taiwan. The labor force participation rate for people with disabilities aged 15 or above in May 2019 was 20.7%. The employment rate was 19.0%, an increase of 0.3% and 0.5%, respectively, from 20.4% and 18.5% in 2016. The unemployment rate was 8.1% in 2019, a 1.1% decrease from 9.2% in 2016. The average monthly regular earnings of gainfully employed people with disabilities was NTD 28,274 in 2019, an increase of NTD 2,147 from NTD 26,127 in 2016. In 2016 and 2019, the average monthly regular earnings for men with disabilities totaled NTD 27,958 and NTD 29,628, respectively. Disabled men's earnings were higher than disabled women's earnings, which were NTD 21,802 in 2016 and NTD 25,347 in 2019.
- 51.** Non-traditional employees: The average number of part-time workers from 2015 to 2019 was 367,000. Their average monthly income was approximately NTD 15,541 and their regular working hours per week were 20.2 hours. The average number of temporary or dispatched workers each year was 612,000. Their average monthly income was approximately NTD 23,518 and their regular working hours per week were 32.4 hours.
- 52.** Equal remuneration: See Note 25 of this report for regulations against discrimination in earnings and benefits. In 2018, the average monthly total earnings for male employees in the industrial and service sectors were NTD 56,903 and the average total working hours were 171.6 hours. The average hourly earnings were NTD 332. The average monthly total earnings

for female employees were NTD 47,257, and the total working hours were 166.9 hours. The average hourly earnings were NTD 283. The average hourly earnings of female employees was 85.4% that of male employees, accounting for a wage gap of 14.6% (18.6% in 2008). The gap has gradually decreased since 2008.

53. Measures encouraging businesses to raise salaries: The Company Act was promulgated and amended in 2015. It stipulates that companies must specify in their articles of incorporation the value or ratio of profits for the current year to encourage companies to engage in profit sharing with employees. In addition, the Act for Development of Small and Medium Enterprises, which was promulgated and amended in 2016, added provisions for tax incentives for small and medium enterprises if they increase the salary of entry-level employees when economic indicators reach certain levels.

Statutory Minimum Wage Standards

54. Taiwan has a basic wage (minimum wage) system. The wage agreed upon between the employer and the employee may not be lower than the basic wage. The adjusted basic wage amount was approved by the Executive Yuan following a decision by the Basic Wage Review Committee, which considered conditions of national economic development, the wholesale price index, the retail price index, national income, average individual income, the labor productivity of different industries and their employment situations, and basic living expenditures, among other indicators. The basic wage was adjusted to NTD 23,800 per month and the hourly pay to NTD 158. The basic wage applies to all areas of Taiwan. To enhance basic living standards of laborers and their families, a draft of the Minimum Wage Act has been submitted to the Executive Yuan for approval.
55. The People with Disabilities Rights Protection Act requires employers to provide the same level of remuneration to people with disabilities as would be provided to any other employee assigned to the same role. The salary paid for normal working hours must also be no less than the minimum wage. Enterprises and organizations participating in affirmative action programs should provide salaries based on the productivity of the employee and in accordance with government guidelines. Factories and workshops employing the disabled are promoted to establish public and transparent salary systems and appropriate productivity

evaluation methods in accordance with the Guidelines for the Evaluation of Salary for People with Disabilities under Protective Employment. Related domestic labor regulations also apply to people with disabilities. The percentage of people hired under protective employment arrangements between 2015 and 2018 with a salary of less than NTD 3,001 was 8.2% in 2015, 6.8% in 2016, 6.2% in 2017, and 5.4% in 2018; those with a salary of between NTD 3,001 and NTD 9,000 totaled 66.7% in 2015, 66.1% in 2016, 61.8% in 2017, and 58.4% in 2018; those with a salary of between NTD 9,001 and NTD 20,008 totaled 25.0% in 2015, 27.0% in 2016, 32.0% in 2017, and 36.2% in 2018.¹

Working Hours and Leave

56. The Labor Standards Act stipulates specific restrictions on normal daily working hours, overtime hours, and flexible working hours. For normal working hours, workers may not exceed eight hours per day, and the maximum number of normal working hours per week are capped at 40 hours. Normal working hours plus overtime may not exceed 12 hours per day. Overtime may not exceed 46 hours per month. As of March 1, 2018, with the consent of a labor union, or if there is no labor union in a business entity, with the approval of a labor-management conference, an employer may extend the number of working hours up to 54 hours a month and 138 hours every three months. The Act also stipulates the number of days afforded for special leave, as well as regulating deferred leave, wages for unused days, provisions for workers to schedule their own leave, and a system to convert overtime hours into supplementary leave. In 2018, the average total monthly working hours of all employees fell to 169.4 hours and the average number of special leave days rose to 13.5 days.

Prevention of Sexual Harassment in the Workplace

57. The Act of Gender Equality in Employment applies to all employees and job applicants. The Act stipulates regulations for the prevention of sexual harassment in the workplace. It requires the employer to seek to prevent sexual harassment in the workplace, adopt effective corrective measures and remedies when incidents occur, and publicly disclose the incidents if necessary. In the event of violations, the employee or job seeker may file a complaint and

¹When calculating percentages, the numbers have been rounded off, so there are minute differences between the sum of the detailed items and the total number. The same applies below.

seek remedies through the internal complaint channel of the enterprise, the gender equality in employment panel, or employment discrimination review committee under the local competent authority. If the employee or job applicant suffers sexual harassment in the workplace, the employer shall be responsible for damages. The Taiwan government holds at least 26 sessions of workplace equality and sexual harassment prevention across a variety of industries each year, and sexual harassment prevention in the workplace is now included in labor inspections. Between 2015 and November 2019, a total of 721 sexual harassment in the workplace complaints were processed by local labor authorities in accordance with Act of Gender Equality in Employment. Of these complaints, 418 were reviewed and 180 were upheld. In 2018, 4.6% of women and 0.6% of men had been victims of sexual harassment at the workplace. Among the victims, 26.1% of the women and 33.3% of the men filed complaints. Most conditions improved after a complaint was filed.

Workplace Safety and Prevention of Occupational Accidents

- 58.** The Occupational Safety and Health Act applies to all employed workers, self-employed persons, and all other personnel who are managed or supervised by the person in charge of their workplace. A number of mechanisms and measures have been implemented in accordance with the Act, including safety inspections of construction machinery, equipment, and devices; a chemical registration and classification management system; enhanced health protection for working mothers; empowerment of employees to evacuate themselves in case of imminent danger; and shortened reporting deadlines for occupational accidents. If a worker discovers a company to be in violation the Occupational Safety and Health Act or if a worker suffers from an occupational disease or physical or mental harm, the worker may file a complaint with the employer, the competent authority, or the labor inspection authority. The employer may not terminate or transfer an employee who files a complaint nor subject the employee to any other form of retribution.
- 59.** Labor inspection strategies are established each year to provide a safe and healthy work environment for laborers. The number of labor inspectors nationwide increased to 1,000 in 2019, and there were approximately 904 labor inspectors in December 2019. The labor inspection institutions employ a risk-based classification management system, which is used

to select companies for special examinations. In addition, local governments also organize promotional activities regarding occupational safety and health within their jurisdictions.

60. The occupational disease detection rate in Taiwan is lower than international levels. Ten occupational illness service centers and 83 hospitals within the network had been established by 2019 to provide services including the prevention, diagnosis, and investigation of occupational injuries and diseases. The detection rate of and payment rate for occupational diseases have increased significantly as a result. The approval rate for Labor Insurance occupational disease claims increased from 50% in 2016 to 59% in 2018. In 2018, lower back pain as well as arm, neck, and shoulder injuries topped the list, accounting for 61.42% of all occupational disease claims, followed by claims for pneumoconiosis (13.47%) and cerebral and cardiovascular diseases (9.11%). A total of 3,460 visits were made to the on-site occupational health service program from 2015 to 2019. The rate of occupational injuries and diseases in Taiwan has continued to decline. To continue to promote improvements, the government set the goal of reducing the occupational accident rate by 30% (10% each year) from 2018 to 2020 as compared to the average of 3.199 per thousand persons from 2014 to 2016. In 2018, the rate was reduced to an all-time low of 2.612 per thousand persons.

Protecting the Labor Rights of Healthcare Professionals

61. Labor rights of healthcare professionals

- (1) Physicians: To gradually reduce the number of working hours of resident physicians, the Resident Physician Labor Rights Protection and Working Hours Guidelines were promulgated on August 1, 2017, and included in the 2019 education hospital accreditation items. Resident physicians employed in the healthcare services industry (excluding those hired by public medical institutions in accordance with civil service regulations) were included in the scope of the Labor Standards Act on September 1, 2019. As physicians' working hours must be flexible to respond to the patients' needs, an announcement was made on August 6, 2019, allowing resident physicians with agreements on working hours with the employer, as specified in Article 84-1 of the Labor Standards Act, to schedule their own working hours, regular days off, national holiday vacations, and night working hours (female employees only). The agreements

must be submitted to the local competent authorities for approval. To protect the labor rights and interests of the physicians included in the Labor Standards Act, the government has proposed an amendment to the Medical Care Act, which includes a chapter dedicated to physicians' labor rights, including employment contracts, compensation for occupational accidents, and retirement protection. The amendment was submitted to the Executive Yuan for review in April 2019.

(2) Nurses: After nurses were no longer subject to Article 84-1 of the Labor Standards Act, which governs working hours and leave, the overall resignation rate of nurses at hospitals in Taiwan dropped from 13.14% in 2012 to 10.04% in 2018. At the same time, the rate of job vacancies dropped from 7.22% in 2012 to 4.48% in 2018. There were 175,092 nurses nationwide as of 2019, an increase of 38,677 compared to the period prior to reforms. The nursing shortage has been alleviated for the time being, but further improvements are still needed.

62. The amendment of the Medical Care Act was promulgated in May 2017. It stipulates that no one may interfere with the performance of medical care-related tasks by force, coercion, threat, public insult, blackmail, or in other unlawful ways. The offenses of obstructing medical care and damaging equipment, as well as aggravating circumstances, were added to the Act so that healthcare professionals would be free from fear and able to effectively work in a safe environment. With regard to disturbances in hospital emergency rooms, penalties were imposed in 22 cases in accordance with the Medical Care Act of 2019.

63. The Ministry of Labor performs special inspections on the working conditions in healthcare facilities each year. From 2016 to 2018, 451 inspections were conducted and violations were found in 75 institutions.

Dedicated Clauses on Migrant Workers

Policies on Hiring Migrant Workers

64. Taiwan recruits a limited number of migrant workers to supplement labor shortages in specific sectors to protect the employment rights of Taiwan's citizens and respond to domestic labor shortages. Migrant workers must undergo physical exams before and after entering Taiwan, may not work for more than a total of 12 years in Taiwan, and must enclose

a Certificate of Good Conduct in their visa application. The number of migrant workers by nationality and sector in Taiwan as of 2019 is shown in Table 3.

Table 3 Number of Migrant Workers by Nationality and Sector as of 2019

Unit: Person(s); %

Sector	Nationality						
	Indonesia	Malaysia	The Philippines	Thailand	Vietnam	Other	Total number Ratio
Total Ratio	276,411	1	157,487	59,445	224,713	1	718,058
Ratio	38.49	0.00	21.93	8.28	31.30	0.00	100.00
Manufacturing	64,993	1	124,974	56,265	193,461	0	439,694 61.23
Construction	420	0	12	2,713	1,271	0	4,416 0.62
Agriculture, forestry, fisheries, and animal husbandry	9,351	0	1,675	35	1,430	0	12,491 1.74
Domestic caregivers	197,385	0	29,046	385	17,563	0	244,379 34.03
Institution-based caregivers	3,077	0	1,210	36	10,958	0	15,281 2.13
Outreach caretakers	0	0	0	0	0	0	0 0.00
Domestic helpers	1,185	0	570	11	30	1	1,797 0.25

Source: Ministry of Labor

65. Due to differences in language, religious beliefs, culture, and customs, migrant workers may find it difficult to adapt to working and living in Taiwan. There are cases of migrant workers whose whereabouts become unknown due to environmental factors, workload, employment factors, and financial factors. As of 2019, there were 48,491 migrant workers whose whereabouts were unknown and who had not left Taiwan. To improve the situation and prevent migrant workers from becoming missing during their employment period, the Ministry of Labor has implemented preventive, investigative, and punitive measures, including enhancing pre-service training and airport entry seminars that provide information

on relevant regulations for migrant workers. The Ministry of Labor created the 1955 Hotline for labor counseling and complaints and a local government counseling service center to provide efficient complaint channels. In addition, rewards are provided for reports by the general public, regular inspections of brokerages are conducted to strengthen their management mechanisms, and strict penalties are imposed on illegal brokerages and employers who engage in illegal conduct.

66. In accordance with relevant laws, the government may assign personnel to present certification documents and conduct inspections related to missing migrant workers at places where foreigners work or places that are suspected of unlawfully employing foreigners. To provide police officers with more specific regulations on the use of guns, the Regulations Governing the Use of Firearms for Police Officers was promulgated on August 4, 2016, to supplement the Act Governing the Use of Police Weapons. Routine police technical and academic training has also been enhanced. In the case of the shooting of the Vietnamese migrant worker Nguyen Quoc Phi by a police officer in the line of duty, the court found that although the timing of the use of the firearm met regulations, the use of the firearm did not meet the principle of proportionality. The act therefore constituted negligent homicide, and the police officer was sentenced to imprisonment. The case remained ongoing as of 2019.

Protection of Migrant Workers' Rights

67. According to the Labor Insurance Act, labor insurance is mandatory for migrant workers. The employer is required to insure migrant workers under this program on the day they report for duty. The Labor Insurance Act also applies *mutatis mutandis* to workers for whom the labor insurance is not mandatory. These workers are eligible for payments for injuries, illnesses, medical services, disabilities, and death. They are also eligible for National Health Insurance in accordance with the National Health Insurance Act. A migrant worker who is the defendant in a criminal case or who cannot work because of vocational accidents or illnesses will be offered special subsidies and emergency funds between NTD 10,000 and NTD 100,000.
68. Migrant workers hired for work in Taiwan are entitled to the same rights as domestic workers and are protected by the Occupational Safety and Health Act, the Act of Gender Equality in

Employment, and related labor laws and regulations. The Labor Standards Act and the Employment Service Act prohibit employers from compelling workers to perform work by force, coercion, detention, or other illegal means. In addition, the minimum wage, working hours, and other labor conditions for both domestic and migrant workers employed by a company included in the Labor Standards Act are protected by the Act. Discriminatory treatment based on nationality is prohibited and punishable by law. In addition, the law requires employers to pay wages to foreign workers directly and in full. Failure to do so will result in penalties for the employer, and the migrant worker will be permitted to seek employment elsewhere. Inspectors appointed by local governments to oversee migrant work now routinely include the employer's payment of wages in inspections.

- 69.** The foreign brokerage fees paid by migrants shall be managed in accordance with regulations of the source country. The government recommends that source countries stipulate specific criteria for the items and amounts of fees collected by migrant worker employment brokerages and limit the brokerage fees to the migrant worker's first month's salary. Employers and migrant workers must sign foreign worker expense and wage affidavits that detail wages, airfare, legal fees, food and accommodation allowances, and loans. These affidavits must be verified by the governments of source countries before foreign workers can apply for a Taiwan work visa. In addition, the affidavits, which may not be changed to the detriment of the migrant workers, are reviewed after the workers enter Taiwan to determine whether they are being overcharged. The government advises that accommodation fees collected from migrant workers not exceed NTD 5,000. For migrant workers in the manufacturing and construction sectors, these fees ranged from NTD 2,500 to NTD 3,000 as of 2019. The majority of domestic workers were not charged for accommodation by their employers.
- 70.** The current migrant worker labor contracts specify working hours and days off. Migrant workers are permitted to freely engage in religious activities on their days off. The Employment Service Act also specifies that the employer and the employment service institution may not confiscate or illegally obtain the migrant workers' passports, resident permits, identity documents, or other related documents or property. If a foreign worker is

subject to the aforementioned violations or is falsely reported as missing by the employer, the worker may file a complaint with the local competent authority or through the 1955 Hotline for labor counseling and complaints.

- 71.** The Employment Service Act was amended in 2016 to remove the requirement for migrant workers to leave the country for one day after the expiry of their employment period. Migrant workers are no longer required to leave the country for one day after working in Taiwan for three years before entering the country again. The Directions of Foreigners Engaging in Jobs Specified in Items 8 to 10, Paragraph 1, Article 46 of the Employment Services Act Wishing to Take Leaves to Their Home Countries was enacted and promulgated in April 2017. When migrant workers take leave to return to their home countries, employers must protect the migrant workers' right to take leave and return home to be with their families.
- 72.** The Employment Service Act, which covers the stability of employment and protection of migrant workers' right to work, stipulates that migrant workers may change employers under certain circumstances and for reasons not attributable to the migrant workers. According to current laws, the change of employers may be facilitated by an agreement among the migrant worker, the original employer, and the new employer. If the original employer violates regulations, the migrant worker may reach an agreement with the new employer and change employment. In addition, to increase the freedom of migrant workers to seek new employment, the Employment Service Act also specifies mechanisms for the employer to recruit migrant workers to replace the ones who have found new employment. Related regulations also protect the right of migrant workers to seek new employment upon the expiry of their current employment permit. From 2015 to 2019, 410,864 migrant workers changed employers. Of those, 382,028 made successful transitions and applied for employment permit renewals, 936 are still in transition, and 27,900 failed to complete the transition.
- 73.** According to regulations, pregnant migrant workers may not be terminated or subject to compulsory repatriation by their employers. To protect the rights of pregnant migrant workers, the parties may agree to terminate the employment relationship. If the migrant worker requires tocolysis and cannot continue to work during the period of transitioning to another employer, she may provide a diagnosis certificate and apply for a temporary suspension on

changing employers. Once the reason for the suspension of the change to another employer is resolved, she may apply for the continuation of the change to another employer to protect her employment rights.

- 74.** In order to protect migrant workers against sexual assault and sexual harassment, the Ministry of Labor established a mechanism to strengthen the reporting of sexual assault cases involving migrant workers and created guidelines for the communication and division of labor among related brokerages. Sexual assault prevention centers, labor brokerages, and migrant worker consultation service centers under local governments all help with first responses and subsequent tasks. In addition, the competent labor administrative authorities under local governments handle matters such as disputes between employers and employees and the changing of employers. In the event that the gender equality in employment committees established by local governments determine employers to be in violation of the Act of Gender Equality in Employment, the employers shall be penalized in accordance with the Employment Service Act.
- 75.** Regulations on the Permission and Administration of the Employment of Foreign Workers require employers to provide living management services and plan accommodations for foreigners in accordance with the Foreign Workers' Living Care Service Plan. If foreigners do not wish to stay in accommodations arranged by the employer, they may choose their own accommodations. The aforementioned laws and regulations also require local governments to conduct inspections on employers' entry reports on foreigner workers and on the living arrangements provided to foreign workers by employers. The number of entry reports inspected from 2015 to 2019 was 167,282 in 2015, 175,456 in 2016, 179,676 in 2017, 169,457 in 2018, and 190,984 in 2019.
- 76.** When an employer and migrant worker terminate a labor contract early, verification must be completed at a local government agency to ascertain the intentions of the migrant worker. The employer may not deport the migrant worker unilaterally. In the event that a migrant worker is forced to terminate the employment relationship and is deported by force or if the worker needs protective placement because of infringement on personal rights, illegal utilization by the employer, or impending arbitrary deportation by the employer in violation

of the contract, the local government shall place the migrant worker in a safe location in accordance with the Operating Guidelines for Temporary Placement of Foreigners Hired for Tasks Indicated in Article 46, Paragraph 1, Subparagraphs 8 to 11 of the Employment Service Act. From 2015 to 2019, 5,366 migrant workers (2,089 men and 3,277 women) were accepted and placed under protection.

- 77.** Local governments have established service centers for foreign workers. These centers are staffed by bilingual consultants who can answer migrant workers' questions about laws and regulations, psychological consultations, daily life issues, adaption to work, disputes over wages, financial assistance for lawsuits, and referral assistance. From 2015 to 2019, there were 636,196 queries by migrant workers seeking information on laws and regulations, and 138,475 cases involving disputes were processed.
- 78.** The Operating Guidelines for Questioning by Special Municipality, County, or City Governments of Foreign Workers Accompanied by Non-Profit Organizations was established to help migrant workers fully express their opinions and claims. The Guidelines allow for migrant workers to request an interpreter during questioning or discussions. From 2015 to 2019, 1,373 statement and discussion records with accompanied migrant workers were produced. To protect the human rights and basic litigation rights of victims of human trafficking, the Legal Aid Foundation established the Human Trafficking Victim Legal Aid Program in 2008 to provide migrant workers in Taiwan with legal aid in litigation. The Program accepted 624 cases from 2015 to 2019 and provided aid in 97.27% of the cases.
- 79.** The 1955 Hotline for labor counseling and complaints was created to provide migrant workers and their employers with 24/7 service year-round, free of charge, and in four languages (English, Thai, Indonesian, and Vietnamese). Once complaints are accepted, investigations are conducted and penalties may be imposed. There were 992,959 queries from 2015 to 2019. Assistance was provided to help migrant workers change employers in 12,167 cases. Owed payments were successfully recovered in 27,695 cases and the amount totaled NTD 806,138,077.
- 80.** The Direct Hiring Service Center (DHSC) was established to help employers process the hiring of migrant workers themselves to reduce the brokerage fees borne by migrant workers.

The DHSC Official Website and Migrant Worker Hiring Helper app were used to assist employers in hiring migrant workers themselves.

81. The government promotes the service quality accreditation for brokerages and strengthens the approval and management system of brokerages. Between 2015 and 2019, a total of 327 brokerages received a C ranking. The 33 brokerages that received a C ranking for two consecutive years were not allowed to renew their permits.
82. There are dedicated service stations for foreign workers at Taiwan Taoyuan International Airport and Kaohsiung International Airport, providing migrant workers with information on pickup services and explanations of regulations. From 2015 to 2019, these stations provided pickup guidance services 1,207,084 times and provided explanations of regulations to 910,903 arrivals.
83. To demonstrate respect for immigrant culture and to promote diverse cultural exchanges, government authorities have organized or provided subsidies to local governments and private associations to organize cultural and religious festivities (e.g., Songkran for Thais, Eid al-Fitr for Indonesians, Carnival for Filipinos, and returning to mothers' homes during Lunar New Year for Vietnamese.) From 2015 to 2019, 285 such activities were organized.

Protection of Foreign Domestic Workers' Rights

84. See Notes 72 to 76 of the Response to the Concluding Observations and Recommendations by international experts on the second national reports on the two covenants.

Protection of Foreign Crew Members' Rights

85. See Notes 67 to 83 of this report for the protection of foreign crew members' rights.
86. Foreign crew members are entitled to the same national health insurance benefits as ROC nationals. Government authorities update data on foreign crew members who work in Taiwan legally on a monthly basis to facilitate verification. Those currently not enrolled will be provided with assistance for comprehensive enrollment. The government has also produced leaflets in multiple languages and placed them online to enhance education regarding the right of foreign crew members to health insurance.
87. In order to improve foreign crew members' access to labor insurance, assistance is provided to employers in enrolling foreign crew members in the labor insurance program and

collecting related premiums. In cases of reported or suspected violations, a representative is sent to conduct an investigation onsite. Penalties are imposed when violations occur.

- 88.** Since foreign crew member hired overseas cannot be enrolled in general labor insurance under the existing system, the Regulations on the Authorization and Management of Overseas Employment of Foreign Crew Members stipulates that distant water fisheries operators provide insurance policies that cover accident, medical, and life insurance for crew members. Life insurance policies may not be lower than NTD 1 million. In the event that crew members are not insured as required or receive insufficient insurance coverage, or if the employer fails to obtain the full settlement from the insurer, the employer shall bear the loss or indemnity and will be subject to penalties. As of 2019, the number of foreign crew members hired and insured by distant water fisheries operators in accordance with regulations was 21,750 individuals.
- 89.** Taiwan Kaohsiung District Prosecutors Office searched two foreign crew member temporary housing sites in Qianzhen and Xiaogang and discovered 81 foreign crew members who were being illegally deprived of their freedom. Their salaries were lower than the statutory minimum wage and they were not paid for overtime work. The Control Yuan investigations also found that the temporary lodging for the foreign crew members in this case did not provide sufficient ventilation or sunlight and lacked emergency evacuation equipment. In addition, the foreign crew members were required to sleep on the floor in crowded conditions. It was determined that the temporary lodging operator did not have a company or business registration and limited the freedom of the foreign crew members by prohibiting them from free entry and exit. The operator also installed surveillance cameras and rendered the conditions in the accommodations similar to prison. Inappropriate deductions of foreign crew members' salaries in this case was significant; the operator was inappropriately deducting salaries as a guarantee against escape. Salaries were paid to the brokerages, with the crew members generally receiving a mere USD 50 per month. Working hours were generally long. The crew members' passports and crew identifications had been seized. Workers were beaten at work and prohibited from communicating with the outside world. The Control Yuan disciplined the Council of Agriculture of the Executive Yuan and its subordinate Fisheries Agency, Kaohsiung City Government, and its subordinate Marine Bureau with regard to this case.

Nanfang'ao Bridge Collapse Accident

90. On October 1, 2019, the Nanfang'ao Bridge collapsed and significantly damaged vessels berthed in the port, causing material damage. Nine foreign crew members were injured (one severely; the other eight sustained minor injuries), and six foreign crew members were killed. The employers of the 15 crew members had enrolled them in labor insurance and national health insurance. The government assisted the 15 crew members in claiming compensation for occupational accidents, labor insurance funerary allowances, annuity for surviving dependents, accident insurance payment, and compensation in a generous, quick, and simple manner. The aforementioned payment applications were still being processed as of 2019. However, the relevant government authorities had already distributed a consolation fund totaling NTD 1,305,000 to the 15 crew members or their family members, and an emergency relief fund totaling NTD 964,000 was distributed to 16 crew members (including seven foreign crew members who were uninjured). The government has also assisted the crew members, according to their preferences, in changing careers, changing employers in the fishing industry, or reaching an agreement with their employer to terminate the labor contract and return home. The family members of the six foreign crew members who perished were provided with assistance to visit Taiwan and hold memorial services in line with their religious beliefs.

Placement of Human Trafficking Victims

91. Refer to Note 71 of the third national report on the ICCPR.

Article 8

Right to Join a Labor Union

92. The Labor Union Act specifies that laborers and teachers have the right to organize and join unions. However, active soldiers and employees of arms industries under the jurisdiction of and supervised by the Ministry of National Defense may not organize unions. The rights for laborers in private arms industries to organize unions are not limited. Although teachers may organize and join industry and professional unions, the government has not allowed the organization of corporate unions. The regulations governing associations of civil

servants and public school employees are stipulated in other laws.

- 93.** The Labor Union Act specifies behavior that constitutes unfair labor practices. The Act also, in accordance with the Act for Settlement of Labor-Management Disputes, details the organization of the Board for Decision on Unfair Labor Practices, which aims to build professional and neutral mechanisms for processing unfair labor practice cases. As of 2019, 530 cases concerning unfair labor practices had been processed. Judgments were reached in 283 cases, settlement was completed in 130 cases, 101 cases were withdrawn, and 16 cases were under review. As of 2019, penalties had been imposed in 154 cases of unfair labor practices and the penalty amount totaled NTD 14.86 million. As of 2019, among all appeals filed against decisions by the Board for Decision on Unfair Labor Practices, the Administrative Court upheld the original decision in 78.6% of the cases, withdrew the original decision in 12.2% of the cases, and upheld parts of the decision while withdrawing parts of the decision in 9.1% of the cases.
- 94.** To create an environment conducive to the organization of labor unions, the government established the Ministry of Labor Guidelines for Incentives for the Establishment of Unions, the Ministry of Labor Guidelines for Subsidies for Education and Training Provided by Newly-Established Unions, and the Ministry of Labor Guidelines for Union Subsidies to Assist Laborers in Organizing Corporate Unions and Industrial Unions to Provide Education and Training. These Guidelines provide labor organizations with incentives for organizing unions and use related education and training methods to help laborers organize unions, strengthen union negotiation power, and negotiate with employers to protect the rights of union members.
- 95.** The number of labor unions increased from 5,042 in 2011 to 5,576 in 2019 (including confederated labor unions), for an increase of 11%. (See Note 28 of the common core document of the third national reports on the two covenants for the number of labor unions at all levels and their memberships from 2015 to 2019.) In 2019, the national labor union organization rate was 32.5%, the corporate union organization rate was 15%, and the professional labor union organization rate was 42.1%. As of 2019, 68 professional teacher unions and industry associations had been established. In addition, two nationwide

confederated labor unions for teachers were established, with membership totaling approximately 130,000 people. Of all corporate and industrial unions and industry unions in 2019, the manufacturing sector accounted for the largest number with 518 unions, followed by warehousing transportation and storage with 116 unions, and finance and insurance with 58 unions. Among professional unions, craft and trade workers accounted for the largest number with 1,130 unions, followed by service and sales workers with 1,079 unions, and basic skills laborers with 538 unions.

96. An amendment to the Labor Union Act allowed non-ROC nationals to become labor union directors and supervisors. Foreign workers can now organize their own unions or join existing unions, and may serve as union directors, supervisors, and persons in charge.
97. Unions in Taiwan may form alliances with each other and take part in international labor union organizations. Taiwan Labor Union participation in international organizations is shown in Table 4.

Table 4 Taiwan Labor Unions' Participation in International Labor Union Organizations

Name of international labor union organization	Domestic labor union participation
International Trade Union Confederation (ITUC)	Chinese Federation of Labor
Education International (EI)	National Federation of Teachers Unions
IndustriALL Global Union	Taiwan Petroleum Workers Union TAIPOWER Labor Union
Building and Wood Workers' International (BWI)	National Federation of Chinese Construction Workers' Union Chinese Federation of Template Industry Unions
International Metalworkers' Federation (IMF)	Republic of China Metalworkers' Union
International Transport Workers' Federation (ITF)	National Chinese Seamen's Union Taiwan Federation of Port Cargo Handlers' Unions The Republic of China Federation of Railway Workers' Unions Labor Union of Cathay Pacific Airways Limited Taiwan Branch in Taipei China Airlines Employees' Union Taipei Association of Travel Agents
International Textile, Garment and Leather Workers' Federation (ITGLWF)	Taiwan Federation of Artificial Fiber Industry Unions Taiwan Federation of Printing, Dyeing, Finishing & Textiles Industries Unions
Public Service International (PSI)	TAIPOWER Labor Union
Union Network International (UNI)	Chunghwa Telecom Workers' Union Chunghwa Postal Workers' Union Chinese Federation of Insurance Industry Unions

Source: Ministry of Labor

Regulatory System under the Collective Agreement Act

- 98.** The Collective Agreement Act states that neither employees nor employers may reject the collective bargaining proposed by the other party without justifiable cause. The competent authorities may submit cases for arbitration to quickly resolve disputes between employers and employees. Employers who are deemed by the Central Board for Decision on the Unfair Labor Practices to be engaging in unfair labor practices may be subject to penalties.
- 99.** To help laborers exercise their right to industrial action without fear of possible civil or criminal liabilities, the Act for Settlement of Labor-Management Disputes stipulates that employers may not claim damages from industrial actions undertaken by labor unions or their members. Justifiable industrial actions undertaken by labor unions and their members that meet the requirements under the Criminal Code and other special criminal statutes are not penalized. However, this does not apply when force or threat are used and the life or body of the other party may be harmed.
- 100.** Between March 2012 and 2019, the number of enterprises with valid collective agreements increased from 72 to 772. Among them were 216 enterprise unions, 361 industry unions, and 195 craft unions.
- 101.** Among the unfair labor practice cases handled as of 2019, 102 involved collective negotiation over unfair labor practices. Judgments were issued in 43 cases, with the main type being "violation of good faith bargaining." These cases occurred most frequently in the education services industry, followed by the manufacturing industry, and the finance and insurance industry.

Protective Measures and Restrictions Concerning the Right to Strike

- 102.** According to the Act for Settlement of Labor-Management Disputes, a labor union shall not call a strike or set up a picketing line unless the strike has been approved by no less than one half of the total number of members via direct and secret balloting. In general, labor unions are entitled to call a strike. To protect the interests of the public, the following workers may not call a strike, and strikes may not be called under the following conditions:

- (1) Teachers and workers who are employed by the Department of Defense and its affiliated agencies (institutes) or schools may not call a strike. However, the mechanisms for resolving labor-management disputes in adjusted items in the Act for Settlement of Labor-Management Disputes requires the competent authority to impose mandatory arbitration in accordance with laws without requiring the approval of both employees and management. This measure was implemented as an indemnity against the deprivation of the right to strike for such personnel.
- (2) To prevent labor strikes from negatively impacting public safety, national security, or essential public interests, labor unions for water supply businesses, power and fuel supply businesses, hospitals, financial information service businesses engaging in the transfer or settlement of funds between banks, businesses involved in securities or futures trading, settlement or custody of funds, and other businesses handling payment systems may call a strike only when the labor union and the management agree on minimum service requirements. If the parties fail to reach a consensus, the labor-management dispute regarding the issue(s) of contention shall be submitted for arbitration in accordance with the Act for Settlement of Labor-Management Disputes.
- (3) A labor union may call a strike for Type I telecommunication businesses which provide fixed or mobile telecommunication services only when basic voice telecommunication services can be maintained without interruption.

Article 9

Social Security System

103. Taiwan's social security system consists of social security, public assistance, and welfare services. Social security, with the exception of the National Pension Insurance, is distributed in accordance with separate systems for different occupations. These systems include Labor Insurance, Military Personnel Insurance, Civil Servant and Teacher Insurance, Farmers' Health Insurance, and National Pension Insurance. Public assistance provides subsidies for insurance premiums or related general subsidies to protect people's right to economic security.

- 104.** The number of people insured under social security as of 2019: The number of people insured under Labor Insurance totaled 10,468,846, the number insured under National Pension Insurance totaled 3,230,918, the number insured under Farmers' Health Insurance totaled 1,084,030, the number insured under Civil Servant and Teacher Insurance totaled 591,856, and the number insured under Military Personnel Insurance totaled 217,562. In addition, the population coverage rate of insured individuals aged 25 to 64 was 63.1% for those insured under Labor Insurance, 22.7% for those insured under National Pension Insurance, 4% for those insured under Civil Servant and Teacher Insurance, 3.1% for those insured under Farmers' Health Insurance, and 7.1% for those insured under Military Personnel Insurance (including those that had retired and collected related payments and were not enrolled under any insurance schemes).
- 105.** The average monthly payment amount for old-age benefits under various social insurance schemes in 2019 was NTD 17,401 under Civil Servant and Teacher Insurance and NTD 17,444 under Labor Insurance. As the National Pension Insurance was only launched 11 years ago, pensioners collected an average monthly payment of NTD 3,782. (If the calculation were based on 40 years of insurance coverage, insured people would receive an average of NTD 9,507 per month.) The average payment per person for old-age benefits under various social insurance schemes was NTD 1,467,792 under Civil Servant and Teacher Insurance. For individuals with insurance premium payment periods beginning before the implementation of Labor Insurance, the average amount collected by each person under Labor Insurance was NTD 1,359,916.

National Pension Insurance

- 106.** The National Pension Insurance was launched in 2008 and includes citizens over the age of 25 and under the age of 65 who were not enrolled in Military Personnel Insurance, Civil Servant and Teacher Insurance, Labor Insurance, or Farmers' Health Insurance. The coverage rate is 100%. The government provides a 40% premium subsidy to the National Pension Insurance for the general populace, a 55% or 70% premium subsidy for those with mild or medium mental or physical disabilities and those whose incomes fall below certain thresholds, and a 100% premium subsidy for individuals with severe mental or physical disabilities from

low-income households. Because the insured can pay the premiums within ten years, the monthly payment rate for National Pension Insurance premiums in October 2019 was 44.23%. The cumulative payment rate from October 2008 to October 2019 was 59.69%. Approximately 120,000 insured indigenous people were expected to pay insurance premiums. Approximately 30,000 had already paid, and the payment rate was 24.47%. Table 5 shows the 2015 to 2019 demographic data for National Pension Insurance payments made to senior citizens.

Table 5 National Pension Insurance Payments to Senior Citizens by Number of Beneficiaries and Gender

Unit: Person(s)

Year	Number of beneficiaries of old-age pension payments			Number of beneficiaries of old-age basic guaranteed pension payments		
	Total	Female	Male	Total	Female	Male
2015	675,649	370,718	304,931	692,129	435,059	257,070
2016	791,022	435,718	355,304	652,187	411,268	240,919
2017	901,854	498,291	403,563	613,157	388,207	224,950
2018	1,007,715	558,162	449,553	574,008	364,436	209,572
2019	1,102,473	611,031	491,442	536,099	341,663	194,436

Source: Ministry of Health and Welfare

Farmers' Health Insurance

107. Farmers enrolled in Farmers' Health Insurance are eligible for cash payments for maternity benefits, disability benefits, funerals, and interments. As of 2019, 1,084,030 people were enrolled in Farmers' Health Insurance. A total of 233,157 cases were reviewed and approved for Farmers' Health Insurance Program payments from 2015 to 2019, amounting to more than NTD 37,379,920,000. Farmer Occupational Hazard Insurance was launched on November 1, 2018, and as of 2019, 239,855 people were insured under it. A total of 4,011 cases were reviewed and approved for Farmers' Health Insurance Program payments, amounting to over NTD 36.72 million.

108. The Farmers' Health Insurance Act does not specify coverage for pension payments. According to the Provisional Act Governing the Welfare Allowance for Elderly Farmers, the government budget is used to distribute pension payments to elderly farmers. The payments are adjusted once every four years according to the growth rate of the government Consumer

Price Index. Farmers who have been enrolled in the Farmers' Health Insurance Program for 15 years or longer may apply for NTD 7,256 per month. Those enrolled for less than 15 years may apply for NTD 3,628 per month. From 2015 to 2019, a total of 3,070,722 people (1,280,477 men, accounting for 41.70%, and 1,790,245 women, accounting for 58.30%) received pension payments for elderly farmers.

Labor Insurance and Retirement

109. Labor Insurance has been in effect since 1950. Workers are enrolled by their employer, with the premium shared among the worker, the employer, and the government. The insurance is comprehensive and covers both ordinary and occupational accidents, and provides compensation for workers in the event of maternity, illness or injury, disablement, old age, or death. It is mandatory for employees of an institution consisting of more than five persons to be enrolled in Labor Insurance. Employees of an institution consisting of four persons or fewer may apply for labor insurance; there are no restrictions on locality, gender, disability, or nationality. If not covered by labor insurance, individuals must enroll themselves in National Pension Insurance as required by the National Pension Act. When workers not covered by Labor Insurance suffer an occupational accident, they may apply for allowances and subsidies in accordance with the Act for Worker Protection of Occupational Accidents. As of 2019, there were a total of 10,468,846 people enrolled in the program, of which 5,307,005 were men, 5,161,841 were women, 9,944,121 were domestic workers, 524,725 were foreign workers, and 232,850 were persons with disabilities. The number of people enrolled in the Labor Insurance Program who were also covered by employment insurance was approximately seven million, of which 13,818 were persons employed in enterprises consisting of four or fewer persons who were only covered by employment insurance.

110. The labor pension system is governed by the Labor Pension Act. A new system was implemented on July 1, 2005, whereby employers shall, on a monthly basis, contribute an amount of no less than 6% of the worker's monthly salary to an individual labor pension account at the Bureau of Labor Insurance. These accounts are portable and will be retained even if workers change jobs. There were approximately 11.87 million people with an individual labor pension account as of 2019. During the same period, approximately 6.96

million people from roughly 520,000 employers were enrolled in the new pension system (about 3.51 million men and 3.45 million women). Between 2005 and October 2019, contributions under the labor pension system amounted to over NTD 2,166,577,430,000. As of 2019, a total of 925,363 labor pension payments had been collected by workers.

- 111.** The Labor Insurance Pension System was implemented in 2009. The pension payments are calculated based on the number of years of insurance coverage or the average monthly insured salary, whichever is more favorable to the insured, in order to ensure minimum basic coverage of NTD 3,000. Between 2015 and 2019, 697,582 people collected old-age pension benefits under Labor Insurance. A total of 194,194 people collected amounts under NTD 15,000, accounting for 27.84%; 413,606 collected amounts between NTD 15,001 and NTD 25,000, accounting for 59.29%; 80,489 collected amounts between NTD 25,001 and NTD 35,000, accounting for 11.54%; 9,293 collected amounts over NTD 35,001, accounting for 1.33%. In addition, to guarantee economic security for retired laborers, the Executive Yuan submitted partial Labor Insurance Act amendments to the Legislative Yuan for review. The amendments call for measures to open up new sources of income and cut costs to gradually build a sustainable and stable annuity system.

Protection for Workers against Occupational Accidents

- 112.** When workers insured under Labor Insurance are involved in an occupational accident, they are eligible for injury, sickness, disability, or survivors' benefits. From 2015 to 2019, 255,118 applications were filed, including 246,669 applications from domestic laborers and 8,449 applications from foreign laborers. Of these, 239,919 applications were filed for sickness benefits, 12,506 applications were filed for disability benefits, and 2,693 applications were filed for survivors' benefits. Those enrolled in the Labor Insurance system may apply for a disability pension if their disability has been determined to render them permanently incapable of working. The amount payable is calculated by the number of years insured and the average salary, with NTD 4,000 set as a guaranteed minimum. Between 2015 and 2019, 304 applications for disability pensions were filed. Of these, 194 payments were under NTD 15,000, accounting for 63.82%; 81 payments were between NTD 15,001 and NTD 25,000, accounting for 26.64%; and 29 payments were over NTD 25,001, accounting for 9.54%.

Lump-sum disability benefits are paid according to 15 different levels of disability. Eligible applicants receive a lump-sum payment of between 45 and 1,800 days according to their level of disability. From 2015 to 2019, 13,017 lump-sum occupational disability payment applications were filed. The average amount collected by level 1 applicants was NTD 1,751,454; the average amount collected by level 15 applicants was NTD 46,653; the level with the highest collection ratio was level 7, which accounted for 18.97% and averaged NTD 634,726.

- 113.** When workers who are not enrolled in Labor Insurance suffer an occupational accident, the Act for Worker Protection of Occupational Accidents shall apply. The Act stipulates that if the employer fails to provide compensation in accordance with the Labor Standards Act when workers not enrolled in Labor Insurance die or suffer a disability rated moderate or severe due to an occupational accident, the workers or their families may apply for disability or death benefits based on the minimum insured salary in accordance with the standards set forth in the Labor Insurance Act. Regulations also allow eligible applicants to apply for living allowances and subsidies, including occupational illness living allowances, disability living allowances, vocational training living allowances, nursing care subsidies, equipment subsidies, and family subsidies. The aforementioned allowances and subsidies shall be funded by the budget provided by the central government to provide workers suffering from occupational accidents and their family members with coverage. Between 2015 and 2019, 13,954 workers received occupational accident benefits in accordance with the Act for Worker Protection of Occupational Accidents (80% of recipients were men and 20% were women). The total value of benefits amounted to approximately NTD 1,260,990,000 (81% of recipients were men and 19% were women). Between 2015 and 2019, the Bureau of Labor Insurance approved 26 claims for occupational illness related to work stress.
- 114.** To strengthen safeguards for the livelihoods of workers who experience occupational accidents and for their family members, the draft of the Workers Occupational Accidents Insurance and Protection Act requires all workers (including currently-employed foreign workers) to enroll. The key points of the plan include enhancing payment benefits and integrating occupational accident prevention and rehabilitation into the coverage.

Insurance, Retirement, and Compensation for Surviving Dependents of Civil Servants and Staff Members of Public and Private Schools

- 115.** The Civil Servant and Teacher Insurance Act was promulgated in 1958. All full-time employees and civil servants in government organizations, as well as full-time teachers and staff in public and private schools are eligible for enrollment. As of 2019, 591,856 individuals were enrolled in Civil Servant and Teacher Insurance. According to the stipulations of the Civil Servant and Teacher Insurance Act, old-age benefits will be given in one lump sum to those who retire in accordance with the law, are laid off with severance pay, or have paid the insurance premium for 15 years and withdraw from the insurance at the age of 55. For each year that the premium was paid, 1.2 months of insurance pay will be paid, with the maximum being 42 months. For retirees with preferential interest deposits, however, the maximum is 36 months. Between 2015 and 2019, 79,250 claims were filed for lump-sum old-age benefits by people enrolled in Civil Servant and Teacher Insurance (44,181 claimants were men, accounting for 56%, and 35,069 claimants were women, accounting for 44%). Men collected an average of NTD 1,399,022 and women collected an average of NTD 1,396,431.
- 116.** According to the Civil Service Retirement, Severance, and Survivor Relief Act and the Act Governing Retirement, Severance, and Bereavement Compensation for Teaching and Other Staff Members of Public Schools, the payment of retirement and survivor relief shall be disbursed by the Public Service Pension Fund jointly funded by contributions from the government, civil servants, and staff members of public schools. The payment of pensions to civil servants and staff members of public schools is calculated based on their average salary. Starting July 1, 2018, the average salary for the five years prior to retirement is being gradually increased to include the average salary for the 15 years prior to retirement. In addition, the maximum retirement income replacement rate is set to be adjusted over 10.5 years from 75% of twice the base salary to 60% (based on 35 years of service).
- 117.** Beneficiaries of civil servants and beneficiaries of public school staff members can choose to receive one-time lump sum payments or annuities. Beneficiaries of employees who die while performing official duties receive an additional 10% to 50%, based on the severity of the accident, and monthly payments of 120 to 240 months.

118. According to relevant regulations in the Act Governing the Retirement, Bereavement Compensation, Discharge with Severance Pay Benefits for Teaching and Other Staff of School Legal Persons and their Respective Private School(s), all private schools and staff members must contribute to the ROC Private School Retirement and Bereavement Compensation Fund for pensions, as well as accident, bereavement, and severance pay. Compensation payouts are divided into an old system and a new system. Payments to a staff member for past employment under the old system are made from the original private school retirement and bereavement compensation fund. Under the new system, payments are made from the cumulative principal and interest paid into the staff member's individual Retirement and Compensation Fund account by the Fund Management Committee. For staff members of private schools who die while performing official duties, an additional 25% to 50% in compensation is paid as a lump sum, the amount of which depends on the severity of the accident.

Military Personnel Discharge, Insurance, and Compensation for Surviving Dependents

119. According to the Act of Military Service for Officers and Non-commissioned Officers of the Armed Forces, government and military personnel must contribute to a fund for retirement and bereavement compensation. A maximum retirement income replacement rate of 55% for years of service is set for retired military personnel who have served for at least 20 years; 2% is added for each additional year of service. Officers and non-commissioned officers may be eligible for 90% or 95% of the salary of those currently serving in the same rank. Discharged personnel may receive retirement severance pay and, except for those with a retirement severance pay of under NTD 38,990 who may receive the original amount, all other personnel, regardless of rank, shall have the sum of their original preferential interest, monthly pension, and monthly allowance calculated based on the 55% pension payment starting rate plus the 2% annual pension increase rate, which is used to calculate the baseline difference. This will be gradually reduced on a yearly basis over a ten-year period.

120. Bereavement compensation for beneficiaries of military personnel may be paid in a lump sum or in annuities. For those military personnel who die in the line of duty, the minimum lump-sum payment to beneficiaries is NTD 861,438. The minimum for annuity payments is

NTD 196,900 (monthly average of NTD 16,408), for a maximum total of NTD 1,058,338. Payments are provided to maintain the basic living standards of dependents and military personnel with disabilities.

121. Unemployed dependents of deceased veterans, surviving dependents of military personnel who received military training or died in the line duty, and surviving dependents of Anti-Communist Hero certificate holders, are entitled to benefits including emergency relief, allowances for Taiwan's three major festivals, condolence payments for funerals, condolence payments for surviving dependents, condolence payments in case of exceptional accidents, funeral subsidies, and full National Health Insurance premium subsidies. In addition, there are allowances for Taiwan's three major festivals and lunch support for the children of veterans who have lost their parents, as well as children of veterans (and their surviving dependents) determined to be living in poor conditions and who are attending elementary school or junior high.

Pension Reform for Civil Servants, Staff Members of Public Schools, and Military Personnel

122. Taiwan's pension system faces numerous challenges, including changes in the population structure (an aging population and a low birthrate), as well as unreasonable elements in the current system (low insurance premiums, insufficient allocation, and excessively high-income replacement rates). These issues cause severe imbalances in certain pension and insurance funds. The pension and bereavement compensation funds for civil servants, staff members of public schools, and military personnel are expected to be depleted by 2031, 2030, and 2020 respectively. The government actively promotes pension reforms and completed amendments to the Civil Service Retirement and Survivor Relief Act, the Act Governing Retirement, Severance, and Bereavement Compensation for Teaching and Other Staff Members of Public Schools, and the Act of Military Service for Officers and Non-commissioned Officers of the Armed Forces. Since July 1, 2018, all civil servants, staff members of public schools, and military personnel have been enrolled in the new system to delay the depletion of related retirement and bereavement compensation funds.
123. Legislation regarding pension reforms for civil servants, staff members of public schools, and military personnel was submitted for constitutional interpretation. According to Judicial

Yuan Interpretations 781, 782, and 783, legislation suspending the payment of monthly pensions for retired civil servants or military personnel employed in private schools whose total salary exceeds the basic pay of a civil servant or a second lieutenant (first rank) violates the right to equality enshrined in the constitution and was nullified on the day the interpretation was announced. Related legislation was not found to be in violation of a person's constitutional right to property, the right to hold public office, the right to live, the doctrine of legitimate expectation, or the principle of proportionality, nor was it determined to be in violation of the *nulla poena sine lege* principle.

Employment Insurance

124. The Employment Insurance system was launched in 2003 to provide workers with basic living allowances during periods of unemployment and vocational training. The system provides unemployment benefits, vocational training living allowances, early reemployment incentives, parental leave allowances, and National Health Insurance premium subsidies for unemployed insured persons and dependents enrolled with the insured person. Under the Employment Insurance Act, all employed workers must be enrolled. As of 2019, up to 7,008,923 people were covered by employment insurance, and approximately 3.49 million people were enrolled in Labor Insurance but not covered by employment insurance. When such people face unemployment, they are eligible for employment consultation, vocational training, and employment promotion programs. Unemployment benefits were paid in 1,722,296 cases in accordance with the Employment Insurance Act from 2015 to 2019, and the amount totaled NTD 39,227,708,929. Early reemployment incentives were paid in 158,313 cases, and the amount totaled NTD 7,770,107,390. Vocational training living allowances were paid in 117,056 cases, and the amount totaled NTD 2,592,121,519. National Health Insurance premium subsidies for unemployed insured persons and dependents enrolled with the insured person were paid in 2,716,520 cases, and the amount totaled NTD 2,016,093,839. See Note 155 of this report for statistics on the payment of parental leave allowances.

Other Insurance (Non-Social Insurance)

- 125.** Microinsurance provides basic insurance protection for the economically disadvantaged or those with special status in order to fill the gaps left by the social insurance and social assistance mechanisms. As of 2019, the total number of insured was 757,309, (390,964 women and 366,345 men). Of these, 26.60% were low-income and medium-to-low-income households, while indigenous people and the disabled accounted for 35.52% and 16.08%, respectively.
- 126.** As of 2019, there were 1,664,546 valid commercial annuity insurance contracts and 714,754 valid contracts for long-term care insurance. In addition, when a distant water fishery operator hires non-ROC crew members overseas, the operator is required to enroll the crew members in accident, medical, and life insurance. See Note 88 of this report.

National Health Insurance

- 127.** National Health Insurance is a compulsory social insurance program that provides coverage at designated medical care institutions for the insured in case of illness, injury, and maternity. NHI aims to provide universal coverage for all eligible individuals regardless of ROC nationality to give everyone fair access to medical care and improve national health. In 2018, the enrollment rate reached 99.82% of the overall population eligible for enrollment (most of those not enrolled are long-term overseas residents or those who have household registrations but whose whereabouts are unknown). Premiums are shared by the insured, the employers, and the government. The government subsidized the enrollment of people from disadvantaged groups for a total of NTD 128.9 billion from 2015 to 2019, with around 3.18 million people benefiting. Annual subsidies total approximately NTD 25.8 billion.
- 128.** When the National Health Insurance program was launched, it implemented a lockout system for those who failed to pay their insurance premiums to ensure the collection of insurance premiums and maintain financial stability. NHI implemented four measures to gradually disconnect the overdue NHI insurance premiums of disadvantaged people from their right to medical care. After the implementation of the Disconnection of Overdue NHI Insurance Premiums and the Right to Medical Care (Full Unlock) Project on June 7, 2016, the number of people with locked cards was reduced from a peak number of 693,000 to zero.

- 129.** Foreign nationals with documents that certify their residency shall enroll in the National Health Insurance program when they have lived in Taiwan for six months; the employed shall be enrolled in the National Health Insurance on the very first day of their legitimate employment as required. The eligibility of people from Mainland China for enrollment in National Health Insurance is determined by their purpose for being in Taiwan, length of stay in Taiwan, and their connection to Taiwanese society. There were roughly 857,000 foreign nationals and people from Mainland China, Hong Kong, and Macao (including foreign spouses and spouses from Mainland China, Hong Kong, and Macao) enrolled in NHI as of 2019. Of these, approximately 734,000 people were enrolled by their employer.
- 130.** Protection for migrants: For visitors on business trips and short-term students, if their period of stay has not exceeded six months and if they have not lived in Taiwan for an extended period of time, their enrollment in the National Health Insurance program is not compulsory. Their medical needs may be fulfilled with the purchase of a short-term commercial insurance policies instead.

Long-term Care

- 131.** Taiwan's overall population is aging rapidly. To develop a comprehensive long-term care system, the National Ten-year Long-term Care Plan 2.0 was implemented in January 2017 to provide a diverse range of continuous services for supporting family-based, home-based, community-based, and residential care and build a community-based long-term care service system. As of 2019, 182,541 individuals had applied for long-term care services, which was up from 134,823 in 2018, accounting for a 35.39% growth rate. For 2019, 284,208 people received long-term care services (43.55% men and 56.45% women). The annual service coverage rate was 47.26%. This accounted for an increase of 57.37%, or 103,548 people, from 2018.
- 132.** The Long-Term Care Services Act specifically included family caregivers in order to reduce the burden on families of caring for the elderly. The Act provides family caregivers with respite care services, creates family caregiver consultation hotlines, provides family caregivers with convenient and professional psychological consultations, case management systems, support systems, and other support services. Service was provided in 563,879 cases

in 2019. The actual number of people served in the respite care services in 2019 was 44,033, of which women accounted for 54.8% and men accounted for 45.2%.

Public Assistance and Allowances

133. Public assistance is provided in accordance with the Public Assistance Act. The Public Assistance Act specifies that low-income households and medium-to-low-income households be approved by the local government. The average divided monthly income among each person in these households must fall below the lowest living index (poverty line), and their total household assets must not exceed the amount stipulated by the central and municipal competent authorities in the year of application. The minimum living expenditure for each area is calculated as 60% of the median of monthly disposable income of each person in each area. The 2019 lowest living index standard list of amounts for respective areas is shown in Table 6.

Table 6 Lowest Living Index Standard List of Amounts for Respective Areas in 2019

Unit: Person(s); %

Lowest living index amounts announced in respective areas		Upper limit of family property	
Area	Minimum living expenditure	Movable property (savings and investment)	Real estate (land and house)
Taiwan Province	NTD 12,388	Limited to NTD 75,000 per person per year	Limited to NTD 3,500,000 per household
Taipei City	NTD 16,580	Limited to NTD 150,000 per person per year	Limited to NTD 7,400,000 per household
Kaohsiung City	NTD 13,099	Limited to NTD 75,000 per person per year	Limited to NTD 3,530,000 per household
New Taipei City	NTD 14,666	Limited to NTD 75,000 per person per year	Limited to NTD 3,620,000 per household
Taichung City	NTD 13,813	Limited to NTD 75,000 per person per year	Limited to NTD 3,520,000 per household
Tainan City	NTD 12,388	Limited to NTD 75,000 per person per year	Limited to NTD 3,500,000 per household
Taoyuan City	NTD 14,578	Limited to NTD 75,000 per person per year	Limited to NTD 3,600,000 per household
Kinmen County Lienchiang County	NTD 11,135	Limited to NTD 400,000 per household (of four members) plus NTD 100,000 for each additional member (the fifth member and onward)	Limited to NTD 2,700,000 per household

Source: Ministry of Health and Welfare and respective municipal governments

134. From the amendment of the Public Assistance Act in 2010 to September 2019, the percentage of the population in low-income households had increased from 1.19% to 1.28%. The number of people living in low-income and medium-to-low-income households in Taiwan totals 628,441 individuals. Table 7 shows the number of people living in low-income households and medium-to-low-income households between 2015 and September 2019, as well as the review approval rates. The approval rate for low-income households is lower than that of medium-to-low-income households mainly because applications for review and approval for medium-to-low-income households are filed jointly. If an application does not qualify for low-income households but does meet the requirements for medium-to-low-income households, the application may be approved for the latter; a separate application is not required.

Table 7 Number of People Living in Low-income and Medium-to-low-income Households and Review Approval Rates

Unit: Person(s); %

Year	Low-Income Households			Medium-to-low Income Households		
	Person(s)	Ratio to overall population	Review approval rate	Person(s)	Ratio to overall population	Review approval rate
2015	342,490	1.46	40.49	356,185	1.52	55.82
2016	331,776	1.41	32.03	358,161	1.52	68.16
2017	317,257	1.35	32.38	350,425	1.49	60.05
2018	311,526	1.32	35.58	338,468	1.43	65.08
2019 (1-9)	300,866	1.28	34.91	327,575	1.39	63.12

Source: Ministry of Health and Welfare

135. Low-income households and medium-to-low income households are determined according to the overall status of the household. The population in a household that should be included in the calculation is based on the stipulations set forth in the Public Assistance Act. As of 2019, after non-qualifying low-income households were eliminated, a total of 5,217 households and 11,781 persons received assistance. The Public Assistance Act also stipulates that foreign spouses and Mainland Chinese spouses without household registration, prison inmates, persons detained for a pending court case, or those held in custody as required by law are not included in the calculations. In 2019, 172 persons were removed from the list of medium-to-low or low-income households because they were serving time in prison.

- 136.** In addition to assisting low-income households and medium-to-low income households, Taiwan provides other forms of public assistance and welfare benefits to specific categories of economically disadvantaged individuals, including elderly citizens living in poverty, people with disabilities, children, and youth. In 2019, 2.81 million people (approximately 11.91%) received government assistance. Economically disadvantaged people are included in the current social welfare system. For disadvantaged individuals who do not quite meet qualifications for assistance, the government works with the private sector to provide assistance at appropriate times. There are 21 national foundations, such as Tzu Chi and Dharma Drum Mountain, which help the government organize various emergency relief services, including visits, emotional support, placement services, and disaster relief to expand the scope of services provided by the government.
- 137.** Assistance for families experiencing hardship: Economically disadvantaged individuals, such as single parents, grandparents who take on parental responsibilities, unmarried mothers, victims of domestic violence, those with a spouse serving more than one year in prison, and those undergoing other major changes in circumstance within the prior three months are eligible for emergency living allowances, living allowances for children, educational subsidies for children, medical subsidies, childcare subsidies, litigation subsidies, and subsidies for business startup loans. From 2015 to 2019, assistance for families experiencing hardship was provided to 100,740 families. Subsidies totaling NTD 2,217,351,057 were paid to 11,053 male beneficiaries and 89,687 female beneficiaries.
- 138.** Protection for economically disadvantaged senior citizens aged 65 or above:
- (1) Living allowance for mid- or low-income senior citizens: To protect the economic security of the mid- or low-income senior citizens and maintain their basic living, they are provided with living allowances of NTD 7,463 or NTD 3,731 each month depending on the economic situation of their family. The amount is adjusted every four years to correspond with the Consumer Price Index. The total number of beneficiaries between 2015 and 2019 totaled 687,356. Subsidies totaled NTD 53,960,209,247; 46% of the recipients were male and 54% were female.
 - (2) Subsidies for National Health Insurance premiums: See Note 205 (4) of this report.

139. Related subsidies and benefits for people with disabilities:

- (1) Insurance premium subsidies for social insurance: People with disabilities who are enrolled in National Health Insurance, Civil Servant and Teacher Insurance, Labor Insurance, Farmer Health Insurance, Insurance for Military Personnel or Retiree Insurance, will receive full, half, or quarter insurance premium subsidies, according to their degree of disability. See Note 205 (3) of this report for information on subsidies for National Health Insurance.
- (2) Subsidies for the cost of auxiliary appliances for people with disabilities: According to the Regulations on Subsidization for Medical Treatment and Auxiliary Appliances for the Disabled, subsidies for 172 aids are available for people with disabilities in order to them improve or maintain physical functions and body structure, as well as promoting physical activity and social participation. After being evaluated by professionals and approved by local authorities, applicants are assessed based on type of disability and their family's economic situation. From 2015 to 2019, subsidies for auxiliary appliances for people with disabilities were provided in 410,036 cases and totaled more than NTD 3,788,800,000.
- (3) Living subsidies to support people with disabilities: People with disabilities who do not accept sponsored placement by the government receive living subsidies worth NTD 3,772, NTD 5,065, or NTD 8,836 according to the degree of disability and their family's economic situation. The amount of living subsidies is regularly adjusted in accordance with the Consumer Price Index to provide reasonable basic and adequate care for people with disabilities. Living subsidies for people with disabilities were provided in 1,749,377 cases from 2015 to 2019, with subsidies totaling more than NTD 105,652,750,000. Male beneficiaries received subsidies in 1,063,782 cases, accounting for 60.81%, and female beneficiaries received subsidies in 685,595 cases, accounting for 39.19%.
- (4) Subsidies for the cost of placement and care: For people with disabilities evaluated by the government and referred for placement to social welfare institutions, mental rehabilitation institutions, nursing homes, veterans' homes, or community housing,

subsidies vary from 25% to 85%. Subsidies are granted based on age, the number of people involved in placement, and the family's economic situation. For low-income households, the government provides full support. From 2016 to September 2019, subsidies for daycare costs and accommodation-based care for people with disabilities were provided in 185,959 cases, and subsidies totaled NTD 27,567,333,000.

- 140.** Veterans: Eligible veterans who meet the applicable requirements are protected by the ROC Veterans Assistance Act, which provides for their schooling, employment, home care, and medical care, among other benefits. There were approximately 349,333 qualifying veterans as of 2019 (16,173 of whom were female). Of those applying for home care (including veterans disabled in the line of duty or war), 3,938 needed regular care, 2,951 had lost the ability to care for themselves, and 575 had dementia. They were placed at veterans' homes in their respective areas, referred to local long-term care centers, or assisted with applying for in-home care. Persons with mental disorders were referred to the veterans' health care system for therapy and rehabilitation before being returned to their families and society.

Public Assistance for Minorities

- 141.** In Taiwan, there are currently a total of 472 people of Mongolian origin in 213 households and a total of 634 people of Tibetan origin in 340 households. The Mongolian and Tibetan Foundation works with professional social workers to provide Tibetan children living in Taiwan with funds for education and disaster relief accounts. It also provides Tibetans living in Taiwan and Tibetan refugees with care and provides disadvantaged Tibetan families with assistance and subsidies for cost of living, education, medical services, employment, and emergency relief.
- 142.** The Council of Indigenous Peoples Guidelines for Assistance in Providing Emergency Relief to Indigenous Peoples was established to help indigenous peoples that are affected by emergencies, crises or disasters. Assistance is provided in the case of death, as well as for medical services, basic necessities, emergency disaster relief, and other special conditions approved on a case-by-case basis. From 2015 to 2019, 23,059 people received assistance.
- 143.** The social welfare budget of the central government between 2016 and 2019 accounted for 2.71% of GDP. The social welfare budgets of the central government and the Ministry of

Health and Welfare have shown an overall upward trend. The social welfare budget of the Ministry of Health and Welfare, in particular, increased from more than NTD 193.9 billion in 2016 to more than NTD 216.7 billion in 2019. The social welfare budget and legally obligated expenditure of the Ministry of Health and Welfare between 2016 and 2019 are shown in Table 8.

Table 8 Social Welfare Budget and Legally Obligated Expenditures of the Ministry of Health and Welfare

Unit: NTD 100 million; %

Year	Social welfare budget					Legally obligated expenditure	Legally obligated expenditure as percentage of social welfare budget
	Total	Social insurance	Social aid	Welfare service	Medical care		
2016	1,939	1,540	15	193	191	1,557	80.30
2017	2,046	1,594	13	233	206	1,605	78.45
2018	2,119	1,788	13	141	177	1,769	83.48
2019	2,167	1,795	12	182	178	1,793	82.74

Source: Ministry of Health and Welfare

Note: The legally obligated expenditure can be further divided as follows: (1) subsidies for the National Health Insurance premiums of members of the Fishermen's Association, the Irrigation Association, and other groups; (2) subsidies for the National Health Insurance premiums of residents on offshore islands aged 65 or older; (3) the statutory minimum premium borne by the government on the National Health Insurance; (4) old age basic guaranteed pension payments; (5) disability basic guaranteed pension payments; (6) insufficient national pension amounts that the central government is responsible for; (7) National Health Insurance premiums and medical subsidies for low-income households; (8) cost-of-living support and student living assistance for low-income households; (9) medical subsidies and nursing care assistance for low-to-middle income households; (10) hospital meal subsidies for low-income households; (11) medical care expenditures for notifiable communicable diseases; (12) healthcare expenditures on Yusho disease; (13) subsidies for the National Health Insurance premiums of persons with moderate to severe disabilities; (14) subsidies for the National Health Insurance premiums of people aged 70 or above from low-to-middle income households; (15) NHI subsidies for children and youth of low-to-middle-income families; (16) assistance for families experiencing hardship; (17) living allowance for low-to-middle income senior citizens; (18) living subsidies, day care, and residential care subsidies, and assistive device subsidies for the disabled from low-to-middle income households; (19) medical care subsidies for children under three years old.

Article 10

Self-determination in Marriage

- 144.** According to the Civil Code, an agreement to marry shall be made by the male and the female parties of their own accord. A marriage shall be effected in writing and requires the signatures of at least two witnesses and registration at the Household Administration Bureau. According to the Household Registration Act, the applicants for Marriage Registration shall be both parties concerned and shall visit the Household Registration Office to register their marriage of their own free will. According to the review mechanisms of the Ministry of Foreign Affairs, when a citizen marries a foreign national from Southeast Asia or certain specified countries, the couple must first complete legal marriage procedures in the foreign country and pass an interview at an ROC foreign mission before presenting the marriage documents attested by the foreign mission to the domestic household registration authority to complete the marriage registration. When minors decides to marry, they must first obtain the consent of their legal guardian. The parties to a marriage shall be required to register their marriage at the Household Registration Office. See Notes 224, 231, and 232 of the third national report on the ICCPR for information regarding same-sex marriages.
- 145.** In 2015, there were 154,346 marriages. These included 292 men between 15 and 18 years old, accounting for 0.19% of total marriages, and 1,575 women between 15 and 18 years old, accounting for 1.02% of total marriages. In 2019, 133,441 men and 135,607 women married. Of these, 222 were men between 15 and 18 years old, accounting for 0.17% of total marriages, and 1,315 were women between 15 and 18 years old, accounting for 0.97% of total marriages. These figures demonstrate that the percentage of marriages involving persons under the age of 18 remains low.
- 146.** As a high degree of autonomy is provided for marriages, the Immigration Act stipulates that international (cross-border) marriage matchmaking shall not be a business operation in Taiwan and may not involve a request for a contract or remuneration. According to a 2018 survey of foreign and mainland Chinese spouses in Taiwan, Taiwanese citizens who married a foreign spouse or a spouse from mainland China met through a variety of ways. Of these, 34.1% were introduced by relatives in the foreign country, 21.5% met through work, 18.5%

were introduced by a Taiwanese colleague or friend, 15.4% used a local matchmaking service, and 10.5% met online or through other channels. None were matched through an international (cross-border) matchmaking organization.

147. See Note 242 of the third national report on the ICCPR for information on the offshore marriage interviews of Taiwanese citizens and citizens of specific countries with immigration risks.

Protections for Pregnant Women

148. Refer to Notes 25 and 73 of this report.

149. Taiwan provides all pregnant women with comprehensive care services during their pregnancy.

- (1) Pregnant women are provided with one ultrasound screening, one Group B Streptococcus screening, two prenatal health education sessions, and 10 prenatal examinations during pregnancy. However, pregnant women with high-risk factors or medical conditions who seek medical services through the National Health Insurance program are not limited to 10 prenatal examinations. The average utilization rates for prenatal examinations from 2015 to 2019 were all above 90%, with the utilization rate for at least one prenatal examination being 98.8%. For pregnant women whose fetuses are at high risk for genetic diseases (e.g., pregnant women over the age of 34 and/or those with a family history of genetic disorders, pregnant women who, after serum screening, are determined to have a chromosomal abnormality risk greater than 1/270, and fetuses that, after upon ultrasound examination, appear to have abnormalities), subsidies of NTD 5,000 per pregnant woman will also be available for prenatal genetic screening. In addition, children with birth defects, pregnant women who are over the age of 34, living in remote areas, and/or who are from low-income households are eligible for extra subsidies of up to NTD 8,500.
- (2) Pregnant foreign nationals with legal residency in Taiwan, regardless of employment status, enjoy the same benefits afforded to pregnant Taiwanese women enrolled in National Health Insurance. Pregnant foreign nationals who are not enrolled in NHI are eligible for prenatal checkup services if their spouse has ROC nationality. Medical institutions will, on a user-pays basis, provide prenatal care for pregnant women who do not meet the above criteria.

150. Unmarried pregnant women in their second or third trimester are entitled to assistance, for up to two months after childbirth, available for families under special circumstances. This assistance includes emergency living allowances, living allowances for children, illness, injury, and medical care subsidies, and childcare allowances. A total of 10,317 people met the requirements to receive these benefits between 2015 and 2019.

151. Recuperation leave for female workers

- (1) For pregnant female employees who have been diagnosed as requiring tocolysis leave, the period in which they receive treatment and recuperate shall be counted as sick leave. However, the period of leave may not exceed a total of one year over the course of two years. When female employees request time off for tocolysis, employers may not refuse nor impose penalties, such as counting days missed as an absence from work that affects employee attendance bonuses or performance evaluations.
- (2) The Civil Service Leave Regulations, and the Employment Leave Regulations for Teachers stipulate that female civil servants and female teachers are entitled to take sick leave if they require pregnancy-related treatment or rest. They are afforded 28 days of sick leave per year (academic year) and may take additional days off as paid personal leave. A woman who needs to take extended leave may do so if the head of her agency approves it.

152. Maternity benefits: In order to prevent loss of income for women insured during childbirth, female farmers, laborers, civil servants, teachers and staff of public and private schools, military personnel, and their spouses may apply for maternity benefits (including premature birth) in accordance with relevant regulations. In 2019, maternity benefits under Labor Insurance were approved and paid in 133,413 cases, amounting to approximately NTD 8,425,970,000. From 2015 to 2019, maternity benefits under Civil Servant and Teacher Insurance were approved and paid in 46,506 cases, totaling NTD 2,848,020,000. From 2015 to 2019, maternity benefits under the national defense budget were approved and paid in 17,334 cases, totaling NTD 535,940,000.

Maternity Leave and Unpaid Parental Leave for Raising Children

- 153.** The Act of Gender Equality in Employment provides female employees and their spouses with five days of paid prenatal checkup leave and five days of paid paternity leave. The Act also requires employers to stop female employees from working and grant them a maternity leave before and after childbirth for a combined period of eight weeks. In the case of a miscarriage after being pregnant for more than three months, the female employee shall be permitted to discontinue work and shall be granted a maternity leave of four weeks. In the case of a miscarriage after being pregnant for over two months and less than three months, the female employee shall be permitted to discontinue work and shall be granted a maternity leave of one week. In the case of a miscarriage after being pregnant for less than two months, the female employee shall be permitted to discontinue work and shall be granted a maternity leave of five days. The calculation of salary during maternity leave under the Labor Standards Act for eligible female workers who have been employed for six months or more shall receive regular wages during their maternity leave, whereas those who have been employed less than six months shall receive 50% of their regular pay. If the female worker is not eligible under the Labor Standards Act, the salary shall be processed in accordance with relevant regulations or the provisions in the labor contract.
- 154.** The Civil Service Leave Regulations, Employment Leave Regulations for Teachers, and the Regulations for Leave of Officers and Non-Commissioned Officers of the Armed Forces respectively stipulate that female civil servants, female teachers, and female military personnel who are pregnant may take eight days of prenatal leave. They may apply for this prenatal leave in separate applications, but any unused prenatal leave that cannot be used after giving birth. Women under these regulations are given 42 days of maternity leave after giving birth; a woman who miscarries at or after 20 weeks of pregnancy is given 42 days of miscarriage leave; a woman who miscarries at or after 12 weeks, but less than 20 weeks into her pregnancy is given 21 days of miscarriage leave; and a woman who miscarries after less than 12 weeks is given 14 days of miscarriage leave. The regular salary is paid during each of the periods specified above. The law also entitles the respective spouses of the aforementioned female workers to five days paid paternity leave.

155. As of 2019, 705,156 people had applied for parental leave allowances in accordance with the Employment Insurance Act; 82.6% of the applicants were female and 17.4% of the applicants were male. According to the statistics on applications filed in 2011, approximately 73% of applicants for unpaid parental leave were reinstated in their original units after the end of the unpaid parental leave. From 2015 to 2019, under the Employment Insurance Act, 73,994 men applied for parental leave allowances in which their positions were retained without pay. They collected an average of NTD 19,580 per month for an average duration of 5.39 months. Women applicants totaled 342,913 and collected an average of NTD 18,891 per month for an average duration of 5.41 months. Total payments amounted to NTD 42,837,885,941. Of those applying for allowances during the period of parental leave in which their position is retained without pay, 247,500 people were working for employers with more than 30 employees, accounting for 59.4%, and 169,407 people were working for employers with 29 employees or fewer, accounting for 40.6%.

156. A total of 2,874 men applied for parental leave subsidies from 2015 to 2019 under Civil Servant and Teacher Insurance and collected an average of NTD 15,550 per month for an average duration of 5.41 months; 27,038 women applicants collected an average of NTD 15,449 per month for an average duration of 5.64 months. Total payments amounted to NTD 2,599,473,814. Under Military Personnel Insurance, 1,160 men applied for subsidies during the period of parental leave in which their position is retained without pay and collected an average of NTD 14,748 per month for an average duration of 5.72 months; 2,477 women applied and collected an average of NTD 11,291 per month for an average duration of 5.89 months. Total payments amounted to NTD 262,298,296.

Childcare System

157. In 2018, 83.9% of enterprises with more than 250 employees set up childcare facilities or provided other childcare services, accounting for an increase of 2.4% from 2016. Among enterprises with more than 100 employees or more, 65.6% had set up childcare facilities or provided other childcare services, accounting for an increase of 14% from 2016, showing an upward trend. In order to encourage employers to set up childcare facilities or provide other childcare services, the central government provided 940 businesses with subsidies amounting

to NTD 63.77 million from 2016 to 2019.

158. From 2015 to 2019, the number of children under two years of age was 415,762 in 2015, 412,880 in 2016, 393,623 in 2017, 367,832 in 2018, and 351,426 in 2019 (males accounted for approximately 51.8% and females accounted for 48.2%). The number of childcare subsidy beneficiaries was 77,721 in 2015, 83,893 in 2016, 90,133 in 2017, 95,950 in 2018, and 68,040 in 2019 (males accounted for approximately 52.1% and females accounted for 47.9%). Subsidies totaled more than NTD 8,993,540,000. The number of children under two years of age sent to childcare was 36,360 in 2015, 43,361 in 2016, 41,597 in 2017, 45,371 in 2018, and 46,841 in 2019. The percentage of children sent to childcare was 8.75%, 10.50%, 10.56%, 12.33%, and 13.33%, respectively. Among the 101 administrative regions in remote areas of Taiwan, based on the childcare conditions for children under two years of age in 2019, a total of 59 administrative regions had no home-based childcare services, while 42 administrative regions had 172 care providers who cared for 166 children under two years of age. There were no private childcare centers in the 101 administrative regions. Three public childcare centers, which cared for 29 children under two years of age, were available in two administrative regions. The central government will continue to invest resources in local governments and prioritize the establishment of community public childcare institutions in areas with greater developmental gaps and fewer resources to narrow the urban-rural gap. Three public childcare institutions were established in Hualien County and Taitung County in 2019 to provide childcare services in remote areas.

159. Strategies including the Expansion of Public Education and Childcare Service Supply, the Establishment of Quasi-Public Institutions, and the Expansion of Children Education Subsidies for Children Aged 2-4 were promoted for preschool children aged two to six to expand affordable education and childcare and reduce the burden on parents. Since the implementation of the free education program for five-year-old children, the overall enrollment rate for five-year-old children in preschools has reached 96.56%, and the enrollment rate for five-year-old children from households with an annual income of less than NTD 500,000 was 98.61%. The number of elementary schools in indigenous areas and townships that have an affiliated preschool increased from 128 in 2004 to 296 in 2019. The

2019 figure represents 85.3% of the 347 elementary schools in indigenous areas, and a growth rate of 131.25%. In addition, subsidies of NTD 17,000 and NTD 20,000 for preschool education in public and private kindergartens were provided for indigenous children aged three to five. In 2018, subsidies totaling approximately NTD 180 million were provided in 21,094 cases.

Single Parents and Children Raised by Grandparents

160. To help disadvantaged families, such as single-parent families and families with children raised by grandparents, the government provides various types of financial assistance to ease their childcare burdens and provide support services. Assistance includes living allowances for children and juveniles, as well as childcare, education, and medical subsidies. The government also actively encourages NGOs to provide community-based support services for disadvantaged families (Family Care Satellites). Between 2015 and 2019, a total of 321 implementation plans were subsidized, totaling NTD 100,926,988. In addition, subsidies were provided for 110 welfare service projects for single-parent families from 2015 to 2019, with total spending accounting for NTD 78.04 million. Economically disadvantaged single-parent families were also provided with subsidies for tuition fees and miscellaneous school expenses, as well as for the temporary care of children under 12 years of age. Between 2015 and 2019, 1,083 single parents were given financial assistance worth a total of NTD 13,784,483.

Support for Children and Juveniles

161. Living assistance and medical expense subsidies provided for children and juveniles between 2012 and 2019 were as follows:

- (1) Assistance provided to disadvantaged children and youth: If children or juveniles from medium-to-low-income households encounter difficulties, fall pregnant or give birth, or are determined by the competent county or city authorities to be either incapable of supporting themselves, not living with someone who has parental authority, or living with someone who has parental authority but is incapable of fulfilling their responsibilities, monthly living assistance of between NTD 1,900 and NTD 2,300 is

available. Between 2012 and 2019, subsidies worth more than NTD 20,831,070,000 were provided to 300,885 people.

- (2) National Health Insurance premium subsidies for children and juveniles from medium-to-low-income households: To protect the right to medical care of children and juveniles, those from medium-to-low-income households are entitled to subsidies for the monthly National Health Insurance premium. Between 2012 and 2019, subsidies worth more than NTD 8,005,970,000 were provided in 14,577,361 cases.
- (3) Emergency living assistance for children and juveniles from disadvantaged families: For families determined by social workers to be experiencing hardship and in need of support because one of the parents is unemployed, has been sentenced to prison, suffers from severe injury, disease, drug or alcohol addiction, or other special situations, subsidies of NTD 3,000 per month per person are available. While these are limited to six months in principle, up to 12 months of subsidies may be granted. In 2019, subsidies totaling more than NTD 86.02 million were provided to 4,345 people.

162. Guardians for children and youth without a competent guardian are selected according to the stipulations set forth in the Civil Code. Refer to Note 251 of the third national report on the ICCPR for information on the placement of children and youth in foster care organizations and foster families. The gradual decline in the number of foster families can be attributed to the difficult and complex issues of child maltreatment, which increases the pressure on foster parents. Due to socioeconomic changes, young people now tend to pursue self-fulfillment, which affects their willingness to provide foster care.

Social Services for Families

163. For children and juveniles who are victims of abuse or negligence, the government exercises its power and intervenes to protect them. From 2015 to 2019, 302,261 cases were reported, and 174,052 reports were processed; 53,775 people were provided with assistance, and 30,154 people were transferred to other service providers. A total of 83,929 people were provided with assistance, including 39,057 males and 44,872 females. Following interventions, victims were provided with remedial family services, and 7,068 people were placed either with relatives, in foster care, or in institutions for protection.

Regulations Protecting Child Workers

164. Refer to Notes 254 to 257 of the third national report on the ICCPR.

Domestic Violence Prevention Act

165. The Maternal and Child Case Reporting Systems help police report and inquire about domestic violence cases online. The government regularly compiles and analyzes related data on domestic violence cases handled by police departments. Domestic violence cases handled by police authorities between 2015 and 2019 are shown in Table 9.

Table 9 Domestic Violence Cases Reported by Police Authorities

Unit: incidents; occurrences

Year	Domestic violence handled (cases)	Request for restraining order (cases)	Implementation of restraining order (occurrences)	Violations of restraining orders (cases)
Total	345,126	78,748	125,735	30,462
2015	57,239	14,626	23,312	5,420
2016	66,475	15,906	25,344	5,988
2017	70,861	15,877	26,845	6,350
2018	73,477	15,723	26,514	6,261
2019	77,074	16,616	23,720	6,443

Source: Ministry of the Interior

166. From 2015 to 2019, the average number of people reported for domestic violence incidents was 98,021 each year. Men accounted for 75.22%, with 23.74% of these between the ages of 40 and 49 and 23.69% between the ages of 30 and 39 years old. The court issues restraining orders for an average of 3,114 perpetrators each year. Of these, approximately 62.7% are ordered to undergo awareness training.

167. Between 2015 and 2019, there were 6,316,339 instances in which victims of domestic violence were provided with assistance, amounting to NTD 3,559,340,000. From 2015 to 2019, a total of 633,722 cases of domestic violence were reported by the responsible personnel and general public in accordance with the Domestic Violence Prevention Act. By category, there were 337,328 cases of intimate partner violence, 97,231 cases involving children and juveniles, 45,241 cases of abuse of senior citizens, and 153,922 cases of violence between family members. Victim statistics are shown in Tables 10 and 11.

Table 10 Victims in Reported Cases of Domestic Violence by Nationality and Status

Unit: Person(s); %

Nationality Item	Total	Taiwanese		China, Hong Kong, and Macau	Foreigner	No nationality or unknown nationality
		Non- indigenous	Indigenous			
Quantity	580,509	460,444	26,567	10,073	11,310	72,115
Ratio	100.0	79.3	4.6	1.7	1.9	12.5

Source: Ministry of Health and Welfare

Table 11 Victims with Disabilities in Reported Cases of Domestic Violence

Unit: Person(s); %

Type of disability	Total	Mental	Physical	Intellectual	Hearing	Visual	Multiple	Others	among overall victims in reported cases of domestic violence
Number of people	30,188	9,685	4,864	4,288	2,408	1,970	1,312	5,661	-
Ratio	100.0	32.0	16.2	14.2	8.0	6.5	4.3	18.8	4.3

Source: Ministry of Health and Welfare

168. The District Courts processed a total of 129,956 new cases in accordance with the Domestic Violence Prevention Act between 2015 and 2019. Of these, more than 80%, or 78,511, ordinary protection orders, temporary protection orders, and emergency protection orders were issued. According to the Domestic Violence Prevention Act, after a court receives a petition for an emergency protection order, it is required to issue the order within four hours.

Prevention of Sexual Exploitation of Children and Juveniles

169. The 2017 and 2018 amendments to the Child and Youth Sexual Exploitation Prevention Act came into effect on July 1, 2018. The amendments strengthen the legal status of child and juvenile victims, improve internet crime prevention procedures, strengthen diverse treatment services, expand the scope of individuals responsible for making reports, and increase criminal penalties for perpetrators. Between 2015 and 2019, 2,380 children and juveniles were rescued by police authorities.

Care for the Elderly

170. According to the Guidelines for Reporting and Managing Protection for Senior People, in cases where it is suspected that the elderly are facing difficulties and that their lives, bodies, health, or freedom are in danger due to negligence, mistreatment, or desertion by their direct

lineal descendants or those contractually obligated to support them, the competent special municipality, county, or city authority shall handle the matter immediately after receiving a report. From 2015 to 2019, 44,393 cases were reported.

Care and Assistance for Foreign Spouses

- 171.** Spouses are divided into three categories: spouses with ROC nationality, spouses from mainland China, Hong Kong, or Macau, and spouses with foreign nationality. From 2015 to 2019, 1,420,336 people registered to be married, including 1,317,068 citizens (92.73%), 45,763 spouses from Mainland China, Hong Kong, and Macao (3.22%), and 57,505 foreign spouses (4.05%).
- 172.** From 2015 to 2019, 975,250 infants were born, including 914,827 born to mothers who were ROC citizens (93.8%), 29,357 born to mothers from Mainland China, Hong Kong, and Macao (3.0%), and 31,066 born to mothers who are foreign spouses (3.2%).
- 173.** The Committee for the Coordination of New Immigrant Affairs of the Executive Yuan regularly inspects the care service measures for new immigrants. As of 2019, local governments have established 37 new immigrant service centers. The New Immigrant Development Fund provides approximately NTD 300 million in annual budgets to help provide new immigrants and their children with care and assistance tasks. From 2015 to 2019, the Fund provided subsidies totaling NTD 1,462,154,979 to related new immigrant projects including 151 social security network service projects for new immigrants with subsidies totaling NTD 142,811,981; subsidies for 615 growth of new immigrant families, childcare, diverse cultural promotion projects with subsidies totaling NTD 523,087,857; subsidies for 113 family service center projects with subsidies totaling NTD 341,392,891; subsidies for 235 innovative services, talent training, and industrial development projects for new immigrants with subsidies totaling NTD 454,862,250. In terms of the recipient units of subsidies in the aforementioned period, the central government received the most subsidies with NTD 719,010,204 (49.17%); it is followed by subsidies for local governments with NTD 643,283,760 (44%); and subsidies for

civil associations with NTD 99,861,015 (6.83%). The subsidies for civil associations have declined each year. Beneficiaries of social welfare subsidies from the new immigrant development fund from 2015 to 2018 are provided in Table 12.

Table 12 Beneficiaries of Social Welfare Subsidies from the New Immigrant Development Fund

Unit: applications; Number of people

Year	Item	Personal safety protection	Assistance under special circumstances (number of people)	Social aid	National Health Insurance
2015		50,504	870	206	11,895
2016		39,318	513	182	14,550
2017		42,637	712	192	14,424
2018		40,084	573	153	14,417

Source: Ministry of the Interior

174. New immigrant foreign spouses receive assistance enrolling in National Health Insurance, are given comprehensive maternity care consultations, and are issued National Health Insurance cards. The fulfillment rates from 2015 to 2019 were, respectively, 100%, 99.49%, 90.37%, 90.77%, and 90.94%. In terms of prenatal and childbirth medical subsidies for foreign spouses before their naturalization, subsidies totaling NTD 26,301,868 were granted to 54,715 cases from 2015 to September 2019. There are interpretation services available during childbirth and postnatal healthcare. From 2015 to 2019, 19 and 16 counties and cities, respectively, applied for subsidies from the New Immigrant Development Fund.

Prevention of Human Trafficking

175. See Notes 67 to 72 of the third national report on the ICCPR.

Article 11

Improved Living Conditions

176. Table 13 shows the impact of government measures for the redistribution of wealth and income between 2015 and 2018. Income inequality decreased 116% in 2018.

Table 13 Impact of Government Measures for the Redistribution of Wealth and Income on Household Income

Unit: Fold(s)

Year	Quintile ratio of household income without current transfers from government (1)	Ratio difference in redistributive effects			Quintile ratio of household disposable income (1) + (2)
		With current transfers from government (social welfare subsidies)	With current transfers to government (direct taxes and fees)	Total (2)	
2015	7.33	-1.14	-0.14	-1.28	6.06
2016	7.28	-1.07	-0.14	-1.21	6.08
2017	7.25	-1.04	-0.14	-1.18	6.07
2018	7.25	-1.02	-0.14	-1.16	6.09

Source: Directorate-General of Budget, Accounting and Statistics, Executive Yuan

Waiver of Lease for the Disadvantaged

177. See Notes 39 and 40 of the Response to the Concluding Observations and Recommendations by international experts on the second national reports on the two covenants.

178. The Commodity Tax Act stipulates that wheelchair accessible vehicles (known as welfare vehicles) purchased within a specific period shall be exempt from commodity tax. The Vehicle License Tax Act specifies that vehicles owned and used exclusively by social welfare institutions or organizations that have an identification document issued by social welfare authorities; vehicles with fixed assisting equipment to carry disabled persons and those who need long-term care; and vehicles used by a disabled person, his/her spouse, or a second-degree relative in the same household if the disabled person is unable to drive a vehicle are exempted from vehicle license tax. In addition, a special tax deduction for long-term care was implemented in 2019. Taxpayers or their spouses or dependents that meet the criteria specified by the Ministry of Health and Welfare may enjoy a special deduction of NTD 120,000 for long-term care per person per year. As this measure was introduced to ease the

financial burden of low- to lower-middle-income households with family members with disabilities, those whose income exceeds a certain amount are not eligible for the deduction.

Right to Adequate Food

- 179.** The food self-sufficiency rate in 2018 was 34.6%, mainly due to the fact that agricultural products such as wheat, soybeans, and corn (feed) were imported in large quantities. The self-sufficiency rates for rice, vegetables, fruits, meat, and aquatic products were kept at 73% and above. The self-sufficiency rate for rice reached 120.1%. Nevertheless, approximately 140,000 tons of rice are imported each year, in accordance with our accession commitment to the World Trade Organization. With sufficient domestic supply and smooth imports, citizens have access to adequate food supply. Should there be inadequate supply of agricultural products in the event of a natural disaster, the government releases stock from warehouses or organizes emergency imports to maintain order in production and sales as well as stabilize prices so citizens can purchase food at reasonable prices. In addition, the government has streamlined transport and distribution processes to minimize the price gap between different levels of distribution, increase the income of farmers, and reduce cost for consumers.
- 180.** The National Spatial Plan aims to designate 740,000 to 810,000 hectares of land as farmland. By demarcating agricultural development zones, upholding land use principles, and introducing management mechanisms, the plan seeks to maintain—both qualitatively and quantitatively—adequate farmland for food production and prevent the loss of farmland resources. Approximately 1,179 hectares of farmland was polluted in 2019, but improvements have been made on 901 hectares while 278 hectares have been placed under management. The government will continue to reduce farmland pollution.
- 181.** Some local governments combine resources from civil associations by setting up food (material object) banks or providing food coupons. They also provide food, clothing, and other daily necessities to marginal households that do not qualify as low-income households. Lunch subsidies are provided for elementary and junior high school students from low- and lower-middle-income households, as well as families that experience sudden changes to their

circumstances as confirmed through home visits. A total of 510,627 lunches were provided in 2015, 497,436 in 2016, 450,752 in 2017, 413,411 in 2018, and 420,000 in 2019.

182. The Special Task Force for Prevention of Commodity Price Manipulation of the Fair Trade Commission and the Price Stabilization Committee of the Executive Yuan continue to monitor market supply and demand. Violations of laws are punished in accordance with the Fair Trade Act and related regulations. From 2015 to 2019, fines totaling NTD 5,858,860,000 were imposed in four cases of violations by suppliers of basic necessities.

183. The Factory Management Act was amended on July 24, 2019, to address the issue of factories built on farmland. The Act calls for such factories to be placed into three different categories for government management:

- (1) Factories with low-pollution or no pollution prior to May 19, 2016, will receive onsite assistance for improvements. The operator is required to submit management proposals and complete improvements to obtain a special factory registration.
- (2) Unregistered factories newly built after May 20, 2016, will have their electricity and water supply suspended, and the competent authorities for construction and land use will be notified to demolish the factories.
- (3) Existing unregistered factories not categorized as low pollution before May 19, 2016, will be required to transform their operations, relocate, or close down. The amended Act helps factories built on farmland take environmental protection and isolation measures so that food supply is not affected and food security is enhanced.

184. In response to the return of Taiwanese businesses from overseas, Taiwan Sugar Corporation made an inventory of available land totaling more than 2,000 hectares in June 2019. It plans to provide the land for the development of new industrial parks. The land is currently used for sugarcane cultivation and afforestation, or provided on short-term lease for farming purposes. It is not primary agricultural land. Internal surveys and evaluations were completed in 2019, but the sites, scope, and schedule have not been determined.

Food Sanitation and Safety Management

185. The Office of Food Safety of the Executive Yuan continues to operate and the Act Governing Food Safety and Sanitation was amended to improve food safety management. The

government has implemented a wide range of measures, including a three-pronged policy on food additives, higher criminal penalties and fines, larger rewards for whistleblowers, a central reporting hotline, border controls, a three-tier quality control system for food safety, a food traceability system, new food labeling and nutrition labeling regulations, a food business registration system, enhanced regulations on the management of processing aids, penalties for spreading rumors or misinformation concerning food safety that could cause harm to the public or others, the Five-point Food Safety Policy, the Food Safety Alliance, and recruitment of food safety volunteers. The Office of Food Safety has established special sections on government websites to prevent unwarranted rumors from spreading and to disseminate food safety information. About 400 clarifications of rumors were issued from 2015 to 2019. In the same period, the Food Safety Protection Fund was used to provide subsidies totaling NTD 14,711,378 in 16 cases to consumer protection groups. Cases where court proceedings had been completed resulted in compensation payments totaling NTD 81,157,400. At least 12,463 consumers received compensation of NTD 1,012 to NTD 40,000.

186. In order to ensure food safety and safe use of veterinary drugs, the Veterinary Drugs Control Act was amended to strengthen the management of veterinary drug use in animal husbandry. A total of 187,034 samples were examined for safe use of veterinary drugs from 2015 to 2019. The average compliant rate was 99.88%. In addition, to prevent counterfeit, prohibited, and other illegal veterinary drugs from entering the market, the government conducted 14,029 inspections on veterinary drug products from 2015 to 2019. A total of 297 violations were identified and punishment issued. Between 2015 and 2019, there were a total of 249 cases of violations of the Agro-pesticides Management Act, and 812,354 tons of illegal agro-pesticides and raw materials were seized.

Right to Use Water

187. The Water Act stipulates that the supply of water resources is prioritized for domestic and public use, followed by agricultural use, and finally industrial use. The Act also states that companies may not refuse requests for water supply from people in their service area without a legitimate cause, in order to ensure that people can access water supply services provided by public and private enterprises. Taiwan's tap water penetration rate is 94%. It was estimated

that 470,000 households did not have access to tap water in 2019. The government invested NTD 5.156 billion from 2017 to 2019 to actively improve water supply services in areas without running water.

- 188.** To protect water resources, the government has designated 114 Water Quality and Quantity Protection Zones at the source and catchment area. Their total area is larger than one quarter of the entire nation. Factories, landfill sites, and incinerators, among other facilities that pollute water and undermine water supply quality and quantity, are prohibited in these areas and violators are punished in accordance with the law. In addition, environmental water quality monitoring results are published on the Environmental Water Quality Information website.
- 189.** The Soil and Groundwater Pollution Remediation Act was enacted to ensure the sustainable use of soil and groundwater resources. The Effluent Standards were revised to expand the scope of entities to be monitored for heavy metal pollution. Enhanced effluent standards of nine regulated indicators—including copper, lead, cadmium, total chromium, hexavalent chromium, zinc, nickel, selenium, and arsenic—are imposed on the semiconductor, optoelectronics, petrochemicals, PCB manufacturing, electroplating, metal surface treatment, and basic metallurgy industries, as well as the sewage systems of science parks, petrochemical zones, and industrial zones. In addition, to encourage enterprises to enhance their processing procedures and reduce pollution risks, ammonia nitrogen controls have been tightened for public sewage systems for six selected industries as well as industrial zones that are home to metal electroplating facilities. Projects to replace lead water pipes were completed by 2016. As of March 2019, the amount of lead in drinking water had met the set standard (0.01 mg/L). Starting from January 1, 2017, the lead content in faucets is capped at 0.25% and lead leaching at 5ppb.

Right to Adequate Housing

- 190.** The government strengthens the residential rental market, provides diverse residential assistance, and improves the quality of the living environment in accordance with the Housing Act and the Overall Housing Policy approved by the Executive Yuan. A housing and related financing plan for 2019 to 2022 is in place to provide adequate housing for all citizens. The total budget for the four-year plan is approximately NTD 38.3 billion. Governments at

all levels work together to help citizens with less financial means choose suitable residences through purchase or lease based on their requirements and financial conditions. For low- and lower-middle income families who do not own their own homes, the government provides subsidies for home mortgage interest to help them purchase houses. For families with lower income who do not own their own homes, the government also provides social housing units that can only be leased but not sold, housing units subleased from private owners and managed on their behalf, as well as rent subsidies (including rent subsidies for singles as well as marriage and birth incentives).

- 191.** By checking land administration data against housing tax records, the Ministry of the Interior has set the minimum living floor space under tolerable health and security conditions at 13.07 square meters per person. Accordingly, the Ministry of the Interior published a new set of basic living standards in accordance with the Housing Act, including two indicators: (1) minimum living floor area per person; (2) key residential facilities and adequacy. Approximately 21,237 households were below the minimum standards in 2016.
- 192.** To improve transparency of real estate information, amendments were made to the Real Estate Broking Management Act, Land Administration Agent Act, and Equalization of Land Rights Act to introduce a transaction price reporting system. As of 2019, price data for 2,657,424 transactions were available. Meanwhile, the government-assessed land value has been progressively revised to more closely resemble the market value, thereby imposing a higher burden on short-term land transactions. The Income Tax Act was amended to establish an income tax system for house and land transactions based on actual transaction price. The resultant income tax revenues are distributed to cover expenditures on housing policy and long-term social care services.
- 193.** Based on the quarterly disposable household income (median) and loan payment for residential housing (median) between 2015 and June 2019, the mortgage burden fell between 38.9% and 35.12%. The figure for the second quarter of each year was 36.36% in 2015, 37.14% in 2016, 38.9% in 2017, 36.9% in 2018, and 36.06% in 2019. The residential rent index in the Consumer Price Indices by Basic Group was 99.20 in 2015, 100.00 in 2016, 100.92 in 2017, 101.79 in 2018, and 103.19 in 2019. Rent has stabilized in recent years.

Housing Rights of the Minority

- 194.** The Regulations on Design Standards and Incentives for Barrier-Free Housing and the Regulations for Grading Housing Performance have been amended to create a friendly barrier-free environment. According to the 2019-2022 urban renewal plan, a total of NTD 192 million will be allocated from the central urban renewal fund to subsidize maintenance works on aged private buildings, such as facade maintenance, addition or improvement of disabled access, and elevator construction. From 2017 to 2019, the central government provided subsidies to New Taipei City for improving 10 accessible facilities and to Kaohsiung City for one elevator construction project. In addition, Taipei City approved subsidies for 16 elevator construction projects from 2015 to 2019 as well as subsidies for 84 projects to improve existing accessible facilities in residences from 2014 to 2019.
- 195.** The Housing Act was amended to help the socially and economically disadvantaged obtain social housing and to increase the ratio of social housing leased to disadvantaged individuals to 30%. By building social housing units and establishing a private-housing subleasing and management system, the government aims to increase social housing supply to 200,000 units, accounting for 2.5% of total housing units in the country. The central and local governments are jointly implementing an eight-year construction project for 200,000 social housing units. As of 2019, 31,952 housing units had been built; and subleasing and management arrangements made for 5,753 units, 60% of which were rented to disadvantaged households. With an approval rate of applications at more than 80%, a total of 65,813 households benefited from the 2018 rental subsidy plan for disadvantaged families. Lessors of housing units rented to subsidized households enjoy deductibles for rental income in their consolidated income tax as well as exemption or reduction of the house tax and land value tax. The Preferential Housing Loans for Youth program will be implemented until the end of 2020. As of 2019, loans disbursed by state-owned banks under this preferential mortgage program totaled NTD 1,168.8 billion for 289,433 households.
- 196.** See Notes 106 to 108 and Notes 112 and 113 of the Response to the Concluding Observations and Recommendations by international experts on the initial national reports on the two covenants for information on the protection of the right to housing of indigenous peoples.

- 197.** The People with Disabilities Rights Protection Act states that people with disabilities shall not be discriminated with regards to their right of residence and violators shall be punished. The Act also states that the local government shall help overcome all forms of community resistance to the establishment of offices within the community that serve to support living arrangements for people with disabilities. In case of a violation of the no-discrimination rule, penalties can be imposed in accordance with the People with Disabilities Rights Protection Act and the Housing Act. From 2015 to 2019, social welfare associations for people with disabilities were initially unable to establish offices in three communities in Taipei City and one in Pingtung County. Local governments assisted in overcoming community opposition and in strengthening the general public's understanding of people with disabilities and awareness of equal housing rights.
- 198.** See Notes 105 and 115 of the Response to the Concluding Observations and Recommendations by international experts on the second national reports on the two covenants for protection of the right to housing of the homeless.

Issues on Forced Relocation

199. Land expropriation:

- (1) According to the Land Expropriation Act, the state may expropriate private land only for public interest, such as national defense, transportation, public utilities, water conservation, public health, environmental protection, government offices, public buildings, education, academics, culture, social welfare, and state-owned enterprises. The Act stipulates that an expropriation plan must be reviewed and evaluated in terms of its necessity and level of public interest. To protect people's rights, several remedial measures have been introduced, including protection of productive agricultural lands, a public hearing system, market price-based compensation, shelter for low- and lower-middle-income households, and provision of agricultural areas in expropriated lands for owners who wish to continue farming. Land owners and users are entitled to express opinions at hearings, and all opinions and feedback must be included in the expropriation plan and submitted to the central government authorities for review.
- (2) When land is expropriated, the Land Expropriation Examination Committee is required

to listen to both the land use applicant's and the public's opinions on the necessity and level of public interest concerning land expropriation, and conduct on-site inspections if needed. These opinions and inspections are used in follow-up discussions and reviews to help reach a decision that best strikes a balance between public infrastructure and people's rights.

200. Zone expropriation:

- (1) Out of respect for local history, culture, and people's choices, the government tries to avoid expropriating property from those who wish to continue farming operations or in areas that are already dense with buildings. These factors are taken into account in the planning and review phases of an urban plan in order to protect public interests.
- (2) The same procedures, compensations, and resettlement rules of an ordinary expropriation also apply to zone expropriations. New land users are required to devise resettlement plans if the expropriation for building improvement purposes causes low- and lower-middle-income households to relocate. The resettlement plan may include the construction of a new residence and subsidies to cover new mortgage expenses or rent, among other solutions. Details of these measures must be specified in the expropriation plan. The new land user may make other resettlement arrangements as needed on a case-by-case basis, such as planning and allocation of streets and construction sites upon which existing residents may build their new residence. These resettlement measures are provided so that fewer people are forced from their homes.

201. Urban renewal:

- (1) Urban renewal projects are to be carried out for the purpose of promoting public interests, such as community safety, public transportation, public health, security, urban functions, and prevention of major disasters.
- (2) If a reconstruction project is organized through consensual construction, the approval of all owners must be obtained and there may be no forced relocation. If a renewal project is organized through a rights transfer plan, owners must participate in the reconstruction and are allocated housing and land based on the percentage of the value of their rights after the completion of the project. As for the removal and relocation of objects above

ground, the Urban Renewal Act requires the implementer to conduct negotiations in good faith and request the competent authorities for assistance in negotiations before proceeding. The implementer may not forcibly expropriate private land or force existing occupants from their residences. In addition, budgets are allocated to the central urban renewal fund every year to subsidize and encourage reconstruction, renovation, or maintenance of old buildings, as well as to cover necessary maintenance and construction expenses. These subsidies are not designed specifically for people who are forced to relocate. As for households living in illegal structures, the government holds the implementer responsible for negotiating with the residents to develop suitable accommodation solutions, and grants a more favorable floor area ratio in return.

- (3) Amendments to the Urban Renewal Act were promulgated on January 30, 2019. Four lines of defense have been instituted to protect the rights of households with dissenting opinions. The Act stipulates that the delineation of the renewal area and criteria for designation of renewal units shall be reviewed by the Urban Planning Commission. All disputed cases shall require a public hearing and the most rigorous procedures must be adopted. In addition, demolition can only be performed after communication is conducted in good faith in accordance with the two covenants. These measures help reduce disputes in the course of execution. The Urban Renewal Act authorizes local governments to establish self-governing regulations for removal and relocation operations in relation to renewal projects.

Stakeholder Participation

- 202.** To strengthen procedural justice in all phases of urban renewal projects, amendments to the Urban Renewal Act were promulgated on January 30, 2019, strengthening the connection between urban renewal and urban planning. The amended Act requires government plans to be reviewed and approved by the Urban Planning Commission before areas can be designated for renewal. To protect the rights to hearing of parties and stakeholders, the competent authorities are required to organize hearings before they can approve disputed urban renewal projects and rights transfer plans. According to the Land Expropriation Act, the land use applicant must hold at least two public hearings to gather opinions from owners and

stakeholders. Expropriations that give rise to disputes in special agricultural zones also require public hearings. Public hearings are held in accordance with the Operating Guidelines for Public Hearings Organized by the Ministry of the Interior, promulgated on October 31, 2016. Hearings held in accordance with regulations or when deemed necessary by the authorities provide the basis for administrative decision-making on urban planning, important wetlands, coast management, urban renewal, land expropriation, and urban land consolidation.

203. The Environmental Protection Administration has established a committee specifically to review environmental impact assessment cases. Members are selected in accordance with the Guidelines for the Selection of Experts and Scholars as Members of the Environmental Impact Assessment Review Committee of the Environmental Protection Administration. In order to provide more flexibility in the selection of experts and scholars as members, the selection criteria were amended on April 2, 2019, to include three different fields of professional expertise: living environment, natural environment, and social environment. Environmental impact assessments require expertise from different disciplines. Due to the limited number of experts and scholars in specific fields, there are fewer female experts and scholars who are willing to serve as members and who are recommended by others in the field. It is thus difficult to achieve gender equality among the review committee members.

Article 12

General Healthcare System

204. See Notes 127 to 129 of this report for the National Health Insurance system.

205. Medical subsidies:

- (1) Low- and lower-middle-income households: According to the Public Assistance Act, low-income households may have National Health Insurance premiums fully subsidized by the central government authority, and lower-middle-income households may have 50% of their National Health Insurance premiums subsidized by the central government authority. Low- and lower-middle-income households, and people who lack the financial means to pay for medical treatment for injuries or illnesses suffered may apply for

medical subsidies. A total of 23,690 subsidy payments were made between 2015 and September 2019, including 4,499 in 2015, 4,779 in 2016, 5,250 in 2017, 5,062 in 2018, and 4,100 between January and September 2019.

- (2) Children and adolescents: A total of 70,488,862 medical subsidy payments were made for children under three years old between January 2015 and October 2019. Children and adolescents from low- and lower-middle-income households were provided with National Health Insurance premium subsidies in 7,251,938 cases from 2015 to 2019.
- (3) People with disabilities: For people with disabilities, National Health Insurance premiums are subsidized in accordance with the degree of disability (100% for the severely disabled, 50% for disabilities of medium severity, and 25% for disabilities of minor severity). Between 2015 and 2019, a total of NTD 20,189,010,000 in subsidies were provided, covering approximately 951,747 people per month.
- (4) Seniors citizens: Low- and lower-middle-income senior citizens aged 70 and above receive full subsidies for their National Health Insurance premiums. Between 2015 and 2019, 396,876 people received subsidies totaling NTD 3,129,437,072.
- (5) People living in remote areas: When people covered by National Health Insurance receive medical care in mountain regions or outlying islands, they are exempt from co-payment. For patients receiving medical services in regions with inadequate medical resources, the co-payment is reduced by 20%.

206. The following measures have been adopted by the government to improve quality of medical service in areas where resources are lacking:

- (1) Since 2012, medical centers have been designated the task of providing healthcare services for emergency and critical illnesses at locations that lack such medical resources. In 2016, incentives were introduced to encourage medical centers or hospitals that provide critical emergency aid to provide support on offshore islands and in areas lacking medical resources. As a result, 27 medical centers and 130 specialty doctors committed to providing healthcare services at emergency departments and critical care units on 29 offshore islands and in resource-lacking areas. Hospitals that provide emergency aid at such locations are given an additional 30% in reimbursement on

emergency care expenses and an additional 80% if such services are provided at night or during public holidays.

- (2) The number of medical practitioners per 10,000 people increased steadily between 2012 and 2019. In 2019, medical practitioners across all specialties totaled 332,662; they were mostly stationed in: Taipei City with 60,656, Kaohsiung City with 43,559, and Taichung City with 43,791. In 2017, Taiwan had 21.49 physicians per 10,000 people compared to the median of 32 for member countries of the Organization for Economic Co-operation and Development (OECD); 6.1 dentists per 10,000 people compared to the OECD average of 6.4; and 14.65 pharmacists per 10,000 people compared to the OECD median of 7.7.

207. The government collects population and health statistics from indigenous communities (including gender, age, disabilities, and other inequalities) and promotes the Action Plan to Eradicate Health Disparity in Indigenous Communities. The plan calls for the cultivation of state-financed students in indigenous communities; promotion of tribal health; and enhancement of medical resources in indigenous communities; as well as implementation of a high-risk maternal health management pilot program; tobacco, alcohol, and betel nut control plans; and plans to prevent accidental injuries, hypertension, hyperglycemia, hyperlipidemias, gastrointestinal cancer, and tuberculosis.

208. The government has established a set of age-friendly environment indicators and adopted related plans. It launched the Dementia-friendly Community plan to create friendly environments for people suffering from this disease. In 2018, four such communities were created with 32,000 dementia-friendly “angels,” more than 1,800 dementia-friendly organizations were formed, and 315 promotional activities were held. Subsidies were provided for 10 Dementia-friendly Community projects in 2019; 66,000 dementia-friendly “angels” were recruited, 5,500 dementia-friendly organizations participated, and 558 promotional activities were organized. More than 200,000 people participated in the projects. For chronic disease prevention, the government promotes screening, early detection, diagnosis, and treatment based on the principles of public health. More than 1,906,000 people utilized the chronic disease prevention services. In 2018, a high-quality medical care

network—comprising of 286 institutions for diabetes treatment and prevention and 196 institutions for renal disease treatment and prevention—provided continuous, accessible, and quality care to patients and increased their capacity for self-health management and disease control.

- 209.** Taiwan enacted the Rare Disease and Orphan Drug Act in 2000, becoming the fifth country in the world to pass a law on rare diseases and the only country to incorporate rare disease prevention and follow-up medical care into the legislation. Under this policy: (1) rare diseases are designated as catastrophic illnesses under the National Health Insurance program, and patients are exempt from co-payments; (2) as of 2019, the Ministry of Health and Welfare had announced 223 types of rare diseases, designated 108 orphan drugs, approved the import of more than 30 orphan drugs, issued 104 orphan drug licenses, and subsidized 40 special nutritional foods as well as emergency orphan drugs that are essential for life sustainment; (3) medical testing services are provided through international cooperation and are subsidized; (4) treatment for patients from low- and lower-middle-income households is fully subsidized; and (5) subsidies are provided for medical care expenses not covered by National Health Insurance, including domestic and international diagnostic testing services, rental of home medical equipment, nutrition consultation, medicine, treatment, special nutrition foods for life sustainment, and emergency medicine and medical services. The Ministry of Health and Welfare will continue to enhance the prevention, screening, and research of rare diseases, and increase medical care subsidies for rare disease patients, thereby lowering the occurrence of rare diseases and reducing the burden on patients' caretakers.
- 210.** Nurturing of medical personnel involves three stages: basic education, license renewal, and on-the-job training. In July 2007, the ministry started a tuition fee subsidy program for teaching hospitals and introduced a two-year postgraduate clinical training system for the purpose of ensuring the quality of medical service and patients' safety. Medical practitioners attended the training 1.29 million times between 2015 and 2019.

Mental Health

- 211.** The Suicide Prevention Act was promulgated on June 19, 2019. It stipulates that social resources shall be integrated and invested in suicide prevention efforts through a multi-

dimensional approach covering biology, psychology, society, economics, culture, education, and labor. It also stipulates that the central competent authority shall establish an inter-ministerial suicide prevention advisory committee. According to the government's blueprint for mental health promotion, the first two phases of a national mental health program would cover 2013 to 2021. The program provides recommendations for legislation and policy for mental health issues. It references the WHO World Mental Health Policy Survey and commissions institutions to conduct mental health research programs. The mental health public budget allocated by the central government increased from NTD 1.3 billion in 2017 to nearly NTD 2.6 billion in 2019. In addition, the central government also ordered local governments to implement the Mental Health Promotion Network Plan. As of 2019, all cities and counties in Taiwan had established mental health networks, and free (or discounted) counseling services are now available in more than half of the administrative areas in each city or county.

Medical Service for Persons with Disabilities

212. See Note 139 of this report.

213. The government has been promoting a mental health network program and expanding it stage-by-stage to enhance patient care and rehabilitation at the community level. It has also developed a mental healthcare information management system. Patients are classified by the severity of their illness and are regularly tracked and visited by one of the 2,800 public health nurses and 99 community visitors, who refer patients to the resources they may need. As of 2019, 137,184 individuals were visited.

214. The Regulations on Subsidization for Medical Expenses and Medical Aids for the Disabled stipulate subsidies for expenses for three types of medical rehabilitation and 16 types of medical aids that are not covered by National Health Insurance. Currently, there are more than 6,000 medical institutions in Taiwan that provide preventative healthcare services for adults. Stations have also been set up in communities to provide integrated screening services and increase access to medical services. The number of people with disabilities who utilized the preventive healthcare services was 160,970 in 2015, 160,527 in 2016, 140,512 in 2017, and 158,088 in 2018. The usage rate was 22.1% in 2015, 23.5% in 2016, 25.3% in 2017, and

24.3% in 2018, which was lower than the 31.1%, 30.0%, 30.2%, and 29.7% for the general population. The reason may be that people with disabilities had already received medical services for their primary diseases. A total of 103 hospitals have been designated to provide dental treatment to persons with disabilities. The list of hospitals is announced on the Internet.

- 215.** Hospitals and health centers are now required to comply with the Design Specifications of Accessible and Usable Buildings and Facilities, as well as specific establishment standards. In addition, financial incentives under the National Health Insurance program, friendly clinic accreditation, and medical service personnel training have been provided, and suitable communication education materials developed to enhance the accessible and friendly medical service environment. In 2019, 90.9% of hospitals surveyed had complied with the hospital accreditation standards for provision of service information and accessible facilities for people with disabilities.

Healthcare for Children and Juveniles

- 216.** The government provides all children below the age of seven with preventive healthcare services. Such services were provided 4.4 million times between 2015 and 2018, with an average utilization rate of 78.3%. Vision and strabismus screening services are provided for four- and five-year-old preschool children, and 1,975,103 children were screened from 2015 to 2019. Moreover, hearing screening services are provided for children above three and below four years of age at local communities or kindergarten facilities, and a total of 504,623 children were screened from 2015 to 2018. In order to help children with suspected developmental delay receive joint evaluations as quickly as possible, the central government has assisted counties and cities in establishing one to five children's development joint evaluation centers in local hospitals, based on the size of local child population, area span, and availability of medical resources. A total of 51 hospitals had set up such centers as of 2019.
- 217.** The national immunization program provides publicly funded vaccines for specific target groups including infants, young children, the elderly, and risk groups. To date, 96% and 93% of preschool-aged children have received primary vaccine series and booster doses, respectively.

218. The Tobacco Hazards Prevention Act expressly prohibits children and youth under the age of 18 and pregnant women from smoking. The parents, guardians, and other individuals with responsibilities of care are obligated to prevent children and youth from smoking. No person shall provide tobacco products to persons under the age of 18. No person shall force, induce, or use other means to cause pregnant women to smoke. The Protection of Children and Youth Welfare and Rights Act also stipulates that children, youth, and pregnant women may not smoke, drink, chew betel nut, or use drugs, illegal or controlled medicines, or other substances that might damage their physical and mental health. No one shall sell, deliver, or supply children and youth with tobacco, alcohol, or drugs as described above. Children and youth who suffer substance abuse shall be provided with drug, psychological, and social assistance for their rehabilitation by drug abuse treatment institutions. Between 2015 and 2019, local health departments conducted 3,209,523 inspections on the sale of tobacco products and organized seminars to teach children and youth the hazards of tobacco products. In addition, the government also referenced the goals and standards set by the Health Promotion for Children of the International Health Promoting Hospitals Network (HPH-CA) and developed a framework for providing healthcare institutions with youth-friendly medical services. The government organized accreditation for youth-friendly care institutions, held youth-friendly care empowerment courses, and produced youth-friendly care digital courses to improve the quality of care for youth.

219. See Notes 137 to 141 and Notes 145 to 150 of the Response to the Concluding Observations and Recommendations by international experts on the second national reports on the two covenants for enhancing youths' understanding of sexual health and AIDS prevention.

Women's Health Policy

220. To promote women's health, the government provides childbirth healthcare and is fully committed to optimizing medical services for women, promoting women's psychological health and disease prevention, and improving women's health skills to slow down aging and disabilities. See Notes 25, 73, and 149 to 154 of this report for the protective system for pregnant women.

Preventing Communicable Diseases

221. The Communicable Disease Control Act was enacted to arrest the occurrence, infection, and spread of communicable diseases. The national treatment success rate for tuberculosis was approximately 72.1% in the 2016 cohort. It failed to reach the level recommended by WHO, because more than half of the cases were senior citizens who were prone to other severe health issues, such as cancer, which might interfere with the death rate. However, the treatment success rate for persons aged below 44 was 88.8%, exceeding the global treatment success rate for TB as reported by WHO. In addition, in coordination with the communicable disease prevention policies, schools of all levels implement prevention measures and take associated preventive actions to safeguard the health of teachers and students.

Substance Abuse

222. Faced with current drug abuses and difficulties, the Executive Yuan proposed the Anti-Drug Strategy for a New Era on May 11, 2017. The strategy is aimed at preventing the entry of drug ingredients into the country, reducing the damage done to the health of drug users, decreasing the chances that a drug user will commit other crimes, forcefully tracking down and apprehending individuals engaged in the manufacture, sale, and trafficking of illicit drugs, and reducing the demand for and suppressing the supply of such drugs. The Executive Yuan plans to inject NTD 10 billion in funding from 2017 to 2020. Children and youth who suffer substance abuse are provided with drug, psychological, and social assistance for their rehabilitation by medical institutions. Taiwan has 155 rehabilitation institutions (126 hospitals and 29 clinics) and 184 alternative treatment institutions (including 74 drug dispense outlets) which provide professional medical services to drug addicts. Certain drug abuse treatment expenses are subsidized. Subsidies have also been offered to encourage civil associations and institutions to set up community-based rehabilitation programs and help drug addicts recover mentally and socially, thereby reducing the chance of relapse.

Assistance in the Case of Health Rights Violation

223. The government has established a drug injury relief system in accordance with the Drug Injury Relief Act. Relief mechanisms are provided for any person properly using approved drugs as prescribed by a physician, instructed by a pharmacist, or shown on label, but still

suffering adverse reactions due to factors unforeseeable and unpreventable by contemporary medical technologies. Between 2015 and 2019, a total of NTD 96 million was paid in relief aid in 564 cases approved by the Drug Injury Review Committee of the Ministry of Health and Welfare.

- 224.** The Communicable Disease Control Act specifies that vaccine victims may apply for relief compensation. The victim relief system is established based on no-fault compensation relief measures. Regardless of whether vaccinations are paid by the government or the recipient, all vaccines with permits issued by the central competent authority, approved for import, or qualified in inspections and written reviews are included within the scope of coverage. Between 2015 and 2019, a total of NTD 26.655 million was paid in 350 cases approved under the Vaccine Injury Compensation Program of the Ministry of Health and Welfare.
- 225.** The Childbirth Accident Emergency Relief Act was enacted for the state to bear the risks of childbirth for women, establish remedial measures, ensure prompt relief for accidents involving the mother, fetus, and newborn in the childbirth process, and reduce medical disputes. As of 2019, 850 applications had been reviewed and NTD 422.9 million had been paid.

Article 13

Basic Education Program

- 226.** The Twelve-year Basic Education program was promulgated in 2014. The first nine years of basic education for citizens aged 6 to 15 are organized by the government in accordance with the Primary and Junior High School Act and the Compulsory Education Act. This aims to make basic education universal, obligatory, mandatory, and free to all citizens. In the first nine years, students are not required to take school admission exams. The curriculum features general topics that are to be taught uniformly in all schools. The final three years comprise senior high school education for citizens aged 15 and above. This is governed by the Senior High School Education Act. Senior high school education is characterized as universal, voluntary, non-mandatory, and free to all citizens under certain conditions. It features a more diverse curriculum that covers both general knowledge and vocational education, and can take place at public or private institutions. In most cases, students are not required to take an

admission exam. The tuition exemptions based on certain criteria are implemented in accordance with the Tuition and Fee Regulations for Senior High School Students. Vocational high school students are exempted from paying tuition regardless of whether they are in public or private schools; such exemptions are not restricted to households with an annual income less than NTD 1.48 million. Senior high school students from households with an annual income less than NTD 1.48 million are also given tuition exemptions. However, these tuition subsidies are not provided for students from households with an annual income more than NTD 1.48 million who are attending public senior high schools. Fixed amounts of subsidies are provided for students who are attending private senior high schools to ease the economic burden on the family.

- 227.** Low-achieving students are provided with free small-class assistance during school hours or after school to reduce the learning gap. More than 90% of elementary and junior high schools have joined the program, with subsidies totaling NTD 9.5 billion, participation from 490,000 teachers, and assistance provided in 2.68 million cases.
- 228.** According to the Plan for the Conversion of Reform Schools to Correctional Schools, Taoyuan Reform School and Changhua Reform School were converted to the Taoyuan and Changhua campuses of Chengjheng High School, respectively, in July 2019. The reform schools and their supplementary education system have been fully converted into branch institutions of correctional schools to protect the rights to education of convicted or at-risk juveniles. Education programs for juveniles currently assigned to reform education or serving a sentence have implemented regular or technical high school curriculum adopted in schools across the country since the 2019 academic year. All correctional schools are required to appoint teachers and provide all students receiving reform education with equal and high-quality education opportunities. In addition, correctional schools are required to provide special education services for students holding valid certificates issued by the Appraisal, Placement, and Consultation Committee, in accordance with the Special Education Act and related regulations.

Technical and Vocational Education

229. The number of technical licenses obtained by male students in technical schools from the 2016 academic year to the first semester of the 2019 academic year was 128,309 in 2016, 112,491 in 2017, 100,948 in 2018, and 97,273 in 2019. The number of technical licenses obtained by female students was 195,853 in 2016, 181,633 in 2017, 159,388 in 2018, and 145,359 in 2019. The employment rate of students between the 2015 and 2018 academic years are shown in Table 14.

Table 14 Employment of Technical College Students

Unit: Person(s); %

Academic year	Item	Total number of graduates	Employment		Higher education		Foreign education		Military service		Other	
			Number of people	Ratio	Number of people	Ratio	Number of people	Ratio	Number of people	Ratio	Number of people	Ratio
2015		151,057	81,197	53.75	16,761	11.10	492	0.33	28,580	18.92	24,027	15.91
2016		148,010	83,973	56.73	15,859	10.71	470	0.32	21,975	14.85	25,733	17.39
2017		146,120	86,346	59.09	15,771	10.79	570	0.39	16,830	11.52	26,603	18.21
2018		142,490	74,701	52.43	14,690	10.31	509	0.36	19,342	13.57	33,248	23.33

Source: Ministry of Education

Tertiary Education

230. Tertiary education is widely available in Taiwan and the admission rate to tertiary institutions was above 80% from the 2016 to 2019 academic years. The Ministry of Education instituted the Multi-Star Project to reduce the urban and rural gap, encourage students to attend schools near homes, consolidate community-based senior high and vocational schools, guide the normalization of vocational school education, and guarantee admission to outstanding technical colleges for financially disadvantaged students. As of the 2019 academic year, 66 universities (including 1,784 departments) participated in the Multi-Star Recommendations Program while 51 technical colleges participated in the Multi-Star Project.

231. Tertiary education is not obligatory. To provide students with opportunities for accepting tertiary education without being affected by economic factors, the government waives, or reduces by 60%, the registration fees and test fees for students from low- and lower-middle-

income households in exams organized by technical colleges and universities through joint admission channels. Tertiary education institutions in Taiwan charge lower tuition fees than those in other developed countries. Tuition waivers granted to economically disadvantaged students from the 2014 to 2018 academic years are shown in Table 15. Between the 2015 and 2018 academic years, 2,032,167 student loan applications were filed by senior high school, vocational high school, tertiary college, and university students, for a total loan amount of NTD 84.19 billion and interest subsidies of NTD 10.111 billion. The number of student applicants and loan amount have declined due to the low birthrate and increase in academic subsidies (e.g., tuition exemptions for students from low- and lower-middle-income households).

Table 15 Tuition Fee Waivers Granted for University and Technical College Students

Unit: applications; NTD 10,000

Academic year		Item	People with disabilities and their children	Low-income households	Lower-middle-income households	Indigenous peoples	Children of distressed families
2014	Persons		114,570	57,770	28,848	41,570	9,240
	Amount		275,761	232,583	31,838	82,733	22,095
2015	Persons		109,526	55,728	33,287	41,581	9,576
	Amount		262,319	223,478	54,038	81,285	22,427
2016	Persons		104,220	52,552	38,896	41,157	8,886
	Amount		247,214	206,102	83,526	77,863	20,362
2017	Persons		99,831	48,435	40,389	40,124	8,276
	Amount		236,110	183,585	86,363	84,843	18,681
2018	Persons		95,422	46,227	40,384	41,038	7,893
	Amount		225,676	180,651	85,881	97,504	17,613

Source: Ministry of Education

232. There is no significant gender gap in Taiwan's tertiary education. However, the percentage of female students who graduated from master's and doctoral degree programs was significantly lower than the percentage of females in that age group despite an increase in the ratio of such students. The gender ratio of students enrolled in natural sciences, mathematics, and statistics; information and communication technologies; and engineering, manufacturing and construction in 2019 was 75.8% male and 24.2% female.

Cooperative Education and Protection of Interns' Rights

233. The Act of the Cooperative Education Implementation in Senior High Schools and the Protection of Student Participants' Rights clearly stipulates the rights and obligations of interns, educational institutions, and corporate partners taking part in a cooperative education program. The Act requires each educational institution to conduct an inspection on its corporate partners at least once every two weeks. Regular onsite inspections are conducted on selected corporate partners each year and 618 partners were evaluated between 2015 and 2019. Since the promulgation of the Act, a total of 21 corporate partners and two schools were penalized for violation of related regulations. According to the Implementation Regulations Governing Academia-Industry Cooperation for Educational Institutions at Junior College Level and Above, educational institutions at the college level and above are required to establish student internship committees to supervise the selection of corporate partners, internship contract, internship performance assessment, complaints, referrals, and signing of industrial-academic cooperation contracts in order to protect the rights of interns.

Adult Education and Life-long Learning

234. Supplementary compulsory education schools affiliated with elementary schools and junior high schools provide supplementary education for adults. Basic adult education workshops are designed to provide citizens and foreign spouses who have not completed elementary school with basic knowledge and skills and prepare them for enrollment in a supplementary program affiliated with an elementary school. These workshops serve more than 10,000 people each year, who after completing the program receive local government assistance in enrolling in supplementary programs affiliated with elementary schools, new immigrant learning centers, active aging learning centers, and community colleges to continue their studies. For literacy rate details, please see Note 24 of the Common Core Document of the third national reports on the two covenants.

235. Recurrent education is available through several means, such as National Open University, continuing education junior colleges, continuing education degree programs, two-year undergraduate in-service education programs, postgraduate in-service education programs, and extension education programs organized by individual universities. The number of

students admitted to continuing education between the 2016 and 2019 academic years are shown in Table 16.

Table 16 Continuing Education Admissions

Unit: Person(s)

Academic year	Regular universities		Technology institutes	
	Postgraduate in-service programs	Continuing education degree program and two-year undergraduate in-service education program	Postgraduate in-service programs	Continuing education degree program and two-year undergraduate in-service education program
2016	17,528	13,088	5,944	53,741
2017	17,219	12,606	5,954	52,652
2018	17,052	11,817	5,918	51,626
2019	16,727	10,200	5,684	49,477

Source: Ministry of Education

236. From the 2015 academic year to the first semester of the 2019 academic year, 81,445 extension education programs (degree and non-degree) were organized throughout the nation, with a total of 1,352,086 enrollments, while 28,065 extension education programs (degree and non-degree) were organized by technical colleges, with a total of 660,136 enrollments.

237. In accordance with the Lifelong Learning Act and the Family Education Act, the central and local governments actively promote lifelong learning projects and work with social education institutions under their jurisdiction, related schools, family education centers, active aging learning centers, public libraries, community colleges, National Open University, and education foundations to provide an extensive range of opportunities and channels for learning.

Teaching of Native Languages

238. See Note 5 in the Common Core Document of the third national reports on the two covenants.

239. Native languages have been included in the current nine-year junior high and elementary school curriculum since 2001. Elementary school students are required to choose one language between Hokkien, Hakka, and indigenous languages as part of their study. These language courses are optional for junior high school students. The Indigenous Language Learning Materials Levels 1-9 (including student and teacher handbooks) for 42 ethnic languages were completed in 2018. Approximately 150,000 copies were printed and schools

can apply to download the latest editions. Between the 2015 and 2018 academic year, a total of 37,521 Hakka language courses were provided for 479,618 students in elementary and junior high school, and 42,235 indigenous language courses were provided for 180,917 students.

- 240.** Preservation of indigenous languages has been a very difficult task due to a number of reasons, such as the lack of a proper environment for their use, respect for the languages, and practical linguistic applications and awareness, as well as the presence of more dominant languages. To address these challenges, the government has introduced several measures to revive indigenous languages, including appointing 114 promotional personnel to help families with immersive learning, supporting churches that use these languages, as well as promoting immersive indigenous language learning and experience activities, indigenous language learning courses, daily dialogue courses, editing of teaching materials (alphabets, daily conversation, and reading/writing), immersive indigenous language kindergartens (40 indigenous language preservation specialists have been appointed to provide 46 courses of immersive indigenous language education in kindergartens), indigenous language teacher training, indigenous language writing and symbol system, and a mentorship system to save endangered languages of the indigenous peoples (19 teachers and 33 pupils have been recruited). The Foundation for the Research and Development of Indigenous Languages was also established to help strengthen the research capacity for indigenous languages.
- 241.** In 2007, a new culture and language proficiency certification exam was introduced for indigenous people that would give them preferential treatment in advancing into higher levels of education. To date, 68,411 people have taken the exam, with 72.9% receiving a passing grade. Indigenous language proficiency certification exams at the beginner, intermediate, intermediate-advanced, advanced, and excellence levels were introduced in 2014. Students who pass the beginner and intermediate levels receive privileges in their continuing education. In 2018, a total of 3,341 people passed the beginner-level exam, 4,006 people passed the intermediate level, 225 people passed the intermediate-advanced level, 22 people passed the advanced level, and 18 people passed the excellence level, representing an overall pass rate of 42.34%.

Equal Rights to Education

242. The law protects equality in admission and access to opportunities for education for male and female students. Following the implementation of the Gender Equity Education Act in 2004, the Guidelines for Protecting Pregnant Students' Right to Education and Providing Counseling Assistance and Service Procedures for Pregnant Underage Women were established. Disadvantaged and vulnerable female students are provided with educational subsidies to ensure that their studies are not interrupted due to pregnancy or disadvantaged circumstances. Homosexual students or students with different sexual orientation or gender identity are treated with respect and accorded equal opportunities for education. All schools received an official letter in January 2019 requiring that they follow the Gender Equity Education Act to provide and maintain a friendly environment for students of different genders, gender characteristics, gender identities, and sexual orientation to learn and achieve personal development with freedom and without limits. Statistics for student pregnancies at schools of all levels from the 2015 to 2017 academic years are shown in Table 17.

Table 17 Student Pregnancies at Schools of All Levels

Unit: Person(s)

Year	Total	College and university	Senior high and vocational school	Special education school	Elementary and junior high school	Number of students who continued studies	Number of students who dropped out
Academic year 2015	744	376	231	0	137	581	163
Academic year 2016	784	446	233	0	105	528	256
Academic year 2017	1,327	1,013	238	0	76	605	599

Source: Ministry of Education

Note: As horizontal verification of data has not been completed for related departments of certain schools, the total number of students who continued studies and who dropped out does not equal the number of pregnant students.

243. The gender ratio of students at schools of all levels from the 2016 to 2019 academic years are shown in Table 18.

Table 18 Sex Ratio of Student Admissions

Unit: %

Stage of education	Kindergarten		Elementary		Junior high school		Senior high school		College		Bachelor's program		Master's program		Doctoral program	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
2016	52.30	47.70	52.23	47.77	52.38	47.62	53.69	46.31	26.77	73.23	50.05	49.95	55.20	44.80	67.53	32.47
2017	52.16	47.84	52.20	47.80	52.35	47.65	53.72	46.28	26.07	73.93	50.12	49.88	54.63	45.37	66.88	33.12
2018	52.17	47.83	52.08	47.92	52.35	47.65	53.80	46.20	25.61	74.39	50.18	49.82	54.08	45.92	66.07	33.93
2019	52.17	47.83	52.01	47.99	52.18	47.82	54.04	45.96	25.55	74.45	50.24	49.76	53.79	46.21	65.66	34.34

Source: Ministry of Education

244. Prevention of campus bullying: The Regulations Governing Prevention and Control of Bullying on Campuses specify mechanisms for preventing bullying on campus, procedures for dealing with bullying, and other requirements. Schools at all levels are required to set up a response team to handle the prevention, investigation, confirmation, counseling, and other matters related to bullying incidents that occur on campus. The Regulations Governing Prevention and Control of Bullying on Campuses are currently being amended to include non-school-based experimental education at senior high school level and below in order to protect the rights of students in experimental education programs. A total of 878 campus bullying incidents were reported between 2015 and 2019, most of which involved physical and verbal bullying. The gender ratio of those involved was approximately 77% for boys and approximately 23% for girls.

245. Prevention of sexual assault, sexual harassment, or sexual bullying: The Gender Equity Education Act specifies that when school personnel learn of suspected sexual assault, sexual harassment, or sexual bullying on campus, they shall report to the competent authority within 24 hours. Failure to do so shall incur a penalty. This requirement compels education personnel to actively report suspected incidents after learning of their occurrence. From 2015 to 2019, schools reported 8,646 suspected sexual assault cases, 26,257 suspected sexual harassment cases, and 627 suspected sexual bullying cases. The verified sexual assault cases mostly

involved consensual sexual intercourse between individuals under 16; verified sexual harassment cases mostly involved physical contact; and verified sexual bullying cases mostly involved physical bullying.

Reducing the Dropout Rate

246. The number of dropouts between 2014 and 2018 was 661 in 2014, 606 in 2015, 560 in 2016, 465 in 2017, and 510 in 2018. The dropout rate was 0.032% in 2014, 0.031% in 2015, 0.030% in 2016, 0.026% in 2017, and 0.029% in 2018.

247. The Constitution and the Primary and Junior High School Act require citizens between ages 6 and 15 to receive mandatory education. The Compulsory Education Act specify the regulations for compulsory enrollment in schools. A reporting system has been in place since 1994 to effectively help dropouts return to school and protect the right to education of school-age children. The enhanced strategies for resumption of education for dropout students in elementary and junior high school were amended in 2018 to incorporate education, interior, police, and social service authorities in related efforts. Related resources were employed to draw up measures for dropout prevention, tracking, and education resumption. The information provided through the Children and Youth Protection Network Information Exchange Platform is used by the competent social services authorities to provide necessary assistance. As students with indigenous backgrounds have a higher dropout rate than other students, local governments have been ordered to analyze the reasons and strengthen preventive measures. Schools also provide assistance or take measures to encourage students to resume education.

248. Diverse alternative education measures: In principle, dropouts from elementary and junior high schools should return to their original class in the original school. If they cannot adapt to the original environment when they are provided with assistance to return to school, arrangements may be made for them to attend alternative education institutions. Alternative education institutions in Taiwan in the 2018 academic year included: (1) the Tzu-Hui Class, with 550 students in 30 classes in 10 schools; (2) collaborative halfway class, with 248 students in 22 classes in 16 institutions; and (3) resource halfway class, with 645 students in 42 classes in 42 schools.

Right to Education of Persons with Disabilities

- 249.** In the 2018 academic year, there were 126,419 students with disabilities in preschools, elementary and junior high schools, senior high schools (vocational schools), colleges, and universities, including 86,989 (68.8%) male and 39,430 (31.2%) female.
- 250.** To effectively promote special education, the Special Education Act requires all levels of government to allocate sufficient budget for special education. The central government is required to provide no less than 4.5% of its annual education budget and local governments are required to provide no less than 5% of their annual education budget for special education. No educational institution at any level can refuse to let a student enroll or take an exam on the grounds of having a disability, gently advise a student against enrolling, or require a parent to attend school with the student. Special education, services, and facilities must be provided in an appropriate manner that is in accord with the idea of an accessible community. Students with disabilities who are verified as having special needs are entitled to special education regardless of whether they have a disability certificate. Taiwan promotes a mainstreaming system in which most students with disabilities are placed in regular schools. They are assigned to centralized special education classes, decentralized resource classes, or itinerant resource programs, or provided with special education in regular classes. In the 2018 academic year, 81.3% of students with disabilities studied in regular classes in mainstream schools at and below the senior high level.
- 251.** Students with disabilities have three ways of advancing from senior high and vocational schools to higher levels of education: suitability assessment, normal entry, and special recruitment. Students with disabilities enjoy equal access to all diverse admission programs provided for regular students. To protect and increase opportunities for tertiary education for students with disabilities, admission interviews for such students are organized each year and additional quotas are provided by universities and tertiary colleges. Universities and tertiary colleges are also encouraged to organize their own entrance exams for students with disabilities. The government subsidizes schools with funding for study and general expenses for all students with disabilities (including multiple disabilities). The annual amount of subsidy is approximately NTD 500 million covering services provided to more than 13,000 students.

Article 14

Compulsory Education at Elementary and Junior High School Levels

- 252.** According to the Primary and Junior High School Act, elementary and junior high school students are not required to pay tuition. Those with financial difficulties are provided with textbooks by the government and do not have to pay other regulatory expenses. Although Taiwan provides free primary compulsory education, the Primary and Junior High School Act stipulates that local governments may establish regulations for the payment of miscellaneous fees and other charges collected on behalf of other entities. These provisions have caused inconsistencies in payment items and standards across the country. Amendments have been proposed for the Primary and Junior High School Act and its Enforcement Rules to clarify the payment items and the definitions of tuition, miscellaneous fees, and other charges. Meanwhile, certain payment items related to education have been removed and the cost is shared by the central and local governments.
- 253.** In accordance with the Guidelines for the Implementation of Subsidies Provided for Disadvantaged Children by the K-12 Education Administration of the Ministry of Education, subsidies are provided for elementary and junior high school students who are unable to pay the charges collected on behalf of other entities. Between the 2015 and 2018 academic year, subsidies for these charges totaling NTD 476,698,047 were provided to 1,220,917 recipients, with additional subsidies for students' insurance premiums amounting to NTD 165,715,634.
- 254.** See Note 226 of this report for the free tuition policy for senior high schools and vocational high schools.

Article 15

Laws, Regulations, and Equality Measures Protecting Cultural Rights

- 255.** To protect people's basic rights, including the right to access culture, language rights, intellectual property rights, and right to participate in cultural policymaking, and to provide all people with equal access to cultural resources, Taiwan has enacted a number of important cultural regulations since 1981 to gradually establish a blueprint for cultural administration. These include the Cultural Heritage Preservation Act, Culture and Arts Reward Act,

Development of the Cultural and Creative Industries Act, Museum Act, Public Television Act, Motion Picture Act, Underwater Cultural Heritage Preservation Act, Development of National Languages Act, Organizational Act of the Taiwan Creative Content Agency, Organizational Act of the National Human Rights Museum, and Cultural Fundamental Act. The blueprint aims to promote cultural heritage preservation; cultural education; development of museums, libraries and cultural spaces; community building; cultural economics; cultural tourism; cultural technologies; cultural exchanges; protection of the rights of culture and art workers; and other cultural policies. The Cultural Fundamental Act specifies that people shall not suffer discrimination or be subject to unduly different treatment based on ethnicity, language, gender, sexual preference, age, location, religious belief, infirmity, socioeconomic status, or any other condition, in the enjoyment of their cultural rights.

- 256.** To ensure balanced regional development and equal access to culture, from 2016 to 2019, Taiwan established the National Taichung Theater, Pingtung Performing Arts Center, Taiwan Traditional Theater Center, and Tainan Art Museum, and incorporated the National Kaohsiung Center for the Arts (Weiwuying) into the National Performing Arts Center. The National Human Rights Museum was unveiled in 2018 and was the first national museum in Asia dedicated to documenting the tragic period of authoritarian rule. To expand participation by domestic cultural institutions and cultural facilities, training workshops and related international forums are organized for special groups to learn professional know-how and skills. Through the Museum and Local Cultural Venue Development Project and the Promotion of Professional Art and Cultural Venue Upgrade Plan, subsidies have been provided to 42 exhibition and performance facilities to improve accessibility and friendly services, as well as to 14 counties and cities to renovate seating areas in local performance halls. Cultural venues across Taiwan introduced comprehensive tour services in diverse languages in 2018. The National Theater and National Concert Hall completed upgrades of accessible facilities and services and seat renovations in 2017 and 2018, respectively. The Museum and Local Cultural Venue Development Project continued to be implemented in 2019 to protect the cultural rights of people in remote areas.

- 257.** According to the Library Act, public libraries established by local governments should provide the public with book and information services. They promote lifelong learning and organize reading and other cultural activities. As of 2019, there were 544 public libraries across Taiwan. Patrons made approximately 109.8 million visits to the libraries in 2018 for an average of 4.65 visits per person per year. About 80.07 million books were borrowed on a total of 22.4 million visits, for an average of 3.39 books per person per year. Under the Campus and Community Refurbishment Project launched in 2017, subsidies have been provided to 749 primary and secondary schools to set up a School and Community Reading Station. Such stations have begun services in 299 schools. Most university libraries have implemented rules to allow the entry of individuals from outside the university.
- 258.** The Act to Establish the National Culture and Arts Foundation was amended in 2017 to allocate an additional source of funding in the form of donations from the government budget, thereby providing artists with more resources, assistance, and support. The government donated NTD 445,976,000 to the foundation from 2018 to 2019. To protect the spiritual and material rights derived from cultural creation, the Art and Culture Legal Consultation Platform was established in June 2018 to provide artists with free legal counseling services. As of 2019, 143 counseling cases had been accepted and 133 hours of counseling services provided.
- 259.** To create a friendly environment for speakers of different languages, the Operating Guidelines for Subsidies to Create a Friendly Environment for Language Diversity were adopted in 2017 to channel subsidies to local governments and civil associations that provide interpretation, translation, and transcription services for domestic languages, Taiwan Sign Language, and languages of new immigrants. A total of 44 cases were approved from 2018 to 2019. Fourteen public cultural venues implemented projects to provide a friendly environment for diverse languages in 2019. To promote language equality, subsidies are provided to encourage local governments, civil associations, and creators to create, produce, translate, dub, or rework cultural contents; use them in technological applications; and publish them in print, video, audio, or digital format for distribution, public broadcast, transmission, or screening. Subsidies were provided for 72 projects from 2018 to 2019

including two video projects with translation in the Taiwan Sign Language. To increase access to video resources, the Motion Picture Act stipulates that motion pictures screened for profit domestically must meet standards for handicapped access. The Guidelines for Public Television Accessible Program Production require the Public Television Service to produce a minimum of 50 hours of programming in accessible format each quarter.

- 260.** National museums have adopted guidelines to provide free entry, 50% discount, or other preferential offers for disabled persons, preschool children, students, elderly persons aged 65 and above, and members of low- and lower-middle-income households.

Protection of the Right to Access Culture of Minorities

- 261.** Subsidies are provided for publishers and organizations to publish digital content in accordance with the Operating Guidelines for Subsidies for Assisting the Development of the Digital Publishing Industry. Archives are provided free of charge for use by people with visual or hearing impairments or learning or perceptual disabilities. Subsidies were provided for the creation of 3,976 digital publications from 2014 to 2018 and 472 items in 2019. Regulations and formats for digital publications were introduced to encourage publishers to participate in related international organizations and meet international standards.

- 262.** To increase the opportunities for new immigrants to access culture, the National Taiwan Museum recruited 30 new immigrants who speak Southeast Asian languages and arranged for the National Museum of Prehistory to train lecturers on new immigrant culture to help them serve as guides in museums and strengthen their understanding of the cultural contents. Migrant worker social groups across the country are encouraged to jointly organize exhibitions and promotional activities. New immigrant families and migrant workers from Southeast Asia are invited to participate in the activities and learn about the natural and cultural diversity of Taiwan.

- 263.** National museums actively promote friendly and equal access measures, and organize tours with verbal description of visual arts and use of 3D printed artifacts that can be experienced through touch to help people with visual impairments understand the content and cultural meaning of the exhibitions. An audio description writing program was launched in 2017 and 21 participants have since obtained beginner-level writing certificates. Subsidies are also

provided to private institutions to organize audio description training courses. In addition, the Accessible Communications and Broadcast Environment Action Plan was implemented to promote the use of the Internet, telecommunications, radio, and television by people with visual, hearing, and language impairments in order to help increase their access to public information. Domestic TV channels are encouraged to provide assistive subtitles and produce contents with translation in sign language in the event of major events or emergencies. Since 2019, subsidies have been provided for creating verbal image description services for drama, movies, or children's shows to help provide persons with disabilities access to video programs.

- 264.** The National Palace Museum provides guided tours in multiple languages. In cooperation with healthcare and social welfare systems, it has organized 30 sessions of the Arts Care Project for a total of 446 visitors, including veterans, people with mental disabilities, and children and youth placed in institutions. Between 2017 and 2018, it promoted the Friendly and Accessible National Palace Museum campaign in schools. In 2018, it designed the *Where are the Animals? Inclusive National Palace Museum Explorer's Handbook* for people with disabilities, which is available for download on its official website. The National Palace Museum organized an exhibition in 2019 dedicated to the destigmatization of people with mental disabilities. In addition, schools in remote areas were invited to view international special exhibitions at the museum's Northern Branch. A total of 5,158 teachers and students from 87 schools benefited from the arrangements in 2017 and 2019. The "Tour of Art — National Palace Museum Visits for Students in Remote Areas" organized by the Southern Branch served 14,656 visitors from 110 schools in remote areas from 2016 to 2017.

Preservation and Expansion of Cultural Heritage

- 265.** The Cultural Heritage Preservation Act was established to preserve and make good use of cultural heritage. The Underwater Cultural Heritage Preservation Act was introduced in line with the United Nations Convention on the Protection of the Underwater Cultural Heritage to incorporate the applicable content and essence of the Convention into domestic law. The Important Traditional Arts Preservation and Transmission Program was implemented in 2009. As of 2019, 61 artists had graduated from the program designed to preserve traditional

performance arts and crafts. The Executive Yuan approved the Lo-Sheng Park Development Project in 2017 and allocated NTD 1,073,334,000 in funding for the remodeling of the Lo-Sheng Sanatorium from 2017 to 2024. A national human rights park commemorating Hansen's Disease patients will be established to preserve the full history of the Lo-Sheng Sanatorium, including its medical services, architecture, and role in the development of human rights in Taiwan. The National Languages Development Act was promulgated in 2019. It serves as the legal basis for the establishment of the Public Television Service Taigi channel, which went on air on July 6, 2019, as the first TV channel with programs entirely in the Taiwanese language. As of 2019, 50 military and veteran communities had been designated as cultural heritage sites. To preserve their culture, subsidies were provided to the local government for 46 cases undertaken under the Military Community Preservation New Star Project and Remaking History Onsite Project.

- 266.** The Ministry of Science and Technology is the authority dedicated to promoting scientific and technological development. To enhance the people's knowledge of science and technology, the Ministry created the Sci-Tech Vista popular science website, publishes the *Science Development* journal, and implements the Popular Science Product Promotion Industrial-Academic Cooperation Project to produce high-quality videos on science and technology and organize multiple popular science activities.

International Communication and Cooperation in the Cultural Sector

- 267.** As of 2019, the Bureau of Cultural Heritage had acquired membership in five international cultural organizations, including the International Council on Monuments and Sites, International Council of Museums, American Institute for Conservation of Historic and Artistic Works, Japan Society for the Conservation of Cultural Property, and International Committee for the Conservation of the Industrial Heritage. The establishment of the Federation of International Human Rights Museums-Asia Pacific was announced during the International Council of Museums General Conference in Kyoto on September 3, 2019. The central government continues to provide subsidies for domestic experts and scholars to attend annual conferences of important international cultural heritage organizations and publish papers to promote the export of cultural heritage and technologies. The Bureau of Cultural

Heritage participated in international and regional forums, such as the Sixth International Congress for Underwater Archaeology and the 2017 Asia-Pacific Regional Conference on Underwater Cultural Heritage. It was awarded the right to host the 2020 Asia-Pacific Regional Conference on Underwater Cultural Heritage. The Bureau signed memorandums of understanding with Malaysia's George Town World Heritage Inc., UK-based University of Birmingham, Australia's AusHeritage Ltd., and India's Noida International University to strengthen cooperation and exchanges. It regularly organizes activities connected to the World Book and Copyright Day.

Arts and Cultural Education

268. The *Education Report of the Republic of China* published in 2011 identified the implementation of arts and art appreciation education as one of the main areas of focus. The number of arts and education departments and graduate programs in Taiwan's regular colleges and universities is summarized as follows: in the 2015 academic year, 109 universities had 677 art-related departments and graduate programs; in the 2016 academic year, 112 universities had 770 art-related departments and graduate programs; in the 2017 academic year, 114 universities had 860 art-related departments and graduate programs; in the 2018 academic year, 118 universities had 848 art-related departments and graduate programs. The number of art classes (including special art or talent classes) in elementary and secondary schools is as follows: 1,277 classes in 387 schools in the 2015 academic year; 1,297 classes in 393 schools in the 2016 academic year; 1,343 classes in 339 schools in the 2017 academic year; and 1,370 classes in 367 schools in the 2018 academic year.

Protection of Intellectual Property Rights

269. Property that meets the criteria for patent, trademark, and copyright protection is protected under the Patent Act, Trademark Act, and Copyright Act, respectively. These Acts provide owners with exclusive rights over their works and protect them from infringement, enable these owners to enjoy material benefits from their creations, and protect the spirit of their creations. However, to protect public interests, limitations are imposed on the aforementioned exclusive rights.

- 270.** In accordance with the Marrakesh Treaty established by the World Intellectual Property Organization, the Copyright Act stipulates the scope of exceptions and limitations of copyright related to persons with disabilities (including the visually impaired, learning disabled, hearing impaired, and other persons with perceptual disability). The Act allows government agencies and non-profit organizations to produce accessible format copies for disabled persons, and permits disabled persons or their representatives to produce such copies for nonprofit use by disabled persons. In addition, circulation of accessible format copies legally produced and imported exclusively for use by disabled persons is allowed under the Act, so as to facilitate the access to works for persons with disabilities.
- 271.** To better protect the rights and interests of creators, infringements against intellectual property rights are subject to civil liabilities. In addition, criminal liabilities are governed by the Trademark Act, Copyright Act, and Trade Secrets Act. Between 2015 and 2019, there were 11,424 cases of trademark violations involving 12,932 individuals; 11,138 cases of copyright violations involving 12,817 individuals; confiscation of 470,577 optical discs; and 17,497 Internet piracy cases. From 2015 to 2019, 2,725 individuals were prosecuted under the Copyright Act and 4,279 individuals were prosecuted under the Trademark Act. As of 2019, the Intellectual Property Court had processed 15,917 cases (including civil, criminal, and administrative litigation) involving IPR disputes, of which 15,398 (96.74%) were settled. The average time taken for case closure was 169.78 days, with earlier rulings in 88.76% of cases upheld at the court of the third instance.

Protection of Indigenous Culture

- 272.** Taiwan established the Council of Indigenous Peoples in 1996 and enacted the Indigenous Peoples Basic Law, Protection Act for the Traditional Intellectual Creations of Indigenous Peoples, and Regulations Governing Cultural Heritage of Indigenous Peoples. The Indigenous Peoples Cultural Foundation, Taiwan Indigenous TV and Radio Station, APC Center, Indigenous Heritage Council, and Indigenous Library Information Center were established to actively promote cultural preservation, innovative development, and dissemination and international exchange of indigenous culture.

273. The Council of Indigenous Peoples (CIP) has completed the drafts of education materials on the culture of 14 indigenous peoples; set up the Taiwan Indigenous Peoples Digital Archive Portal Site; edited and compiled the *Taiwan Encyclopedia of Indigenous History, Language, and Culture*; published 25 titles on major historical events and relocations of indigenous peoples; and completed approximately 35 volumes of township chronicles on the history of indigenous peoples in collaboration with local governments. In addition, the CIP established the Taiwan Indigenous Peoples Resource Center, which had a collection of approximately 40,000 books in Chinese and foreign languages and 10,374 multimedia volumes (items) as of 2019. Digitalization of 800 photo series and 10,800 historical records was completed to create a digital archive. The Project to Preserve Traditional Knowledge about Tattoos was launched in 2017 to document and preserve the cultural tradition. Two local governments filed nine applications for a total funding of NTD 795,709 between 2017 and 2019. In 2019, subsidies totaling NTD 3 million were provided to eight plains indigenous language revitalization organizations and subsidies totaling NTD 91,785,000 were provided to 25 plains indigenous cultural revitalization communities. Between 2017 and 2019, 11 local governments submitted 15 applications to register indigenous cultural assets and received a funding of NTD 7.48 million. A total of 185 cases and 120 items of cultural assets have been registered and recognized as intangible indigenous cultural heritage. Subsidies were provided to local governments for organizing 260 indigenous cultural heritage preservation and related census projects between 2011 and July 2019. Subsidy regulations were enacted to create the Taiwan Cultural Memory Bank and facilitate the digitalization, preservation, translation, and promotion of the culture and knowledge of indigenous peoples. Between 2018 and 2019, a total funding of more than NTD 13 million was approved for three projects related to indigenous peoples undertaken by the Miaoli, Hualien, and Pingtung county governments, and a funding of NTD 18,907,000 was approved for 14 projects implemented by civil associations.

274. The government subsidizes 180 indigenous performing arts troupes each year. Through collaboration between government agencies, schools, and indigenous communities, approximately 150 people are trained on indigenous culture and arts each year, while 125

events, including traditional sports, competitions, and rituals, are organized annually. Between 2012 and 2019, the government supported approximately 30 indigenous artists each year as resident artists in villages to promote the development of indigenous cultural industries.