

Implementation of the Convention on the Rights of the Child

Second Report Submitted under Article 44 of the Convention
Republic of China (Taiwan)



November 2021

Contents

Abbreviations	1
INTRODUCTION.....	2
Chapter I GENERAL MEASURES OF IMPLEMENTATION	3
A. Reservation and Declaration	3
B. Harmonizing National Laws and Policy with the Provisions of the Convention.....	3
C. National Action Plan.....	6
D. Child and Youth Policy Coordination Mechanisms	6
E. Statistics on Resource Allocation and Implementation	6
F. International Cooperation.....	7
G. National Human Rights Institution.....	7
H. Dissemination and Awareness Enhancement	10
I. Child and Youth Rights and Enterprises	10
Chapter II DEFINITION OF THE CHILD	12
Chapter III GENERAL PRINCIPLES	13
A. Non-Discrimination Principle	13
B. Best Interests of the Child	16
C. The Right to Life, Survival and Development	16
D. Respect for the Views of the Child.....	19
Chapter IV CIVIL RIGHTS AND FREEDOMS	23
A. Name and Nationality.....	23
B. Preservation of Identity	23
C. Freedom of Expression.....	23
D. Access to Appropriate Information.....	23
E. Freedom of Thought, Conscience, and Religion	24
F. Freedom of Association and Peaceful Assembly	24
G. Protection of Privacy.....	25
Chapter V PROTECTION OF CHILDREN FROM VIOLENCE	26
A. Abuse and Neglect.....	26
B. Measures for the Elimination of All Forms of Adverse Customs.....	29
C. Sexual Exploitation and Sexual Abuse.....	29

D. The Right Not to Be Subjected to Torture or Other Cruel, Inhuman, or Degrading Treatment or Punishment.....	31
E. Physical and Psychological Recovery and Social Reintegration.....	34
Chapter VI FAMILY ENVIRONMENT AND ALTERNATIVE CARE.....	36
A. Respecting Parental Guidance and the Progressive Development of Children and Youth	36
B. Parental Responsibilities.....	36
C. The Right Not to Be Separated from Parents	37
D. Family Reunification.....	38
E. Recovery of Maintenance for the Child.....	38
F. Children Deprived of a Family Environment.....	39
G. Periodic Review of Placement	40
H. Adoption	41
I. Illicit Transfer and Nonreturn of Children and Youth.....	42
J. Protection of Children with Fathers / Mothers in Prison or Living with Mothers in Prison ...	43
Chapter VII DISABILITY, BASIC HEALTH, AND WELFARE	44
A. Survival and Development.....	44
B. Disabled Children and Youth.....	44
C. Health and Health Services.....	48
D. Social Security and Child Care Services and Facilities	55
E. Standard of Living	56
Chapter VIII EDUCATION, LEISURE AND CULTURAL ACTIVITIES.....	58
A. Education and Vocational Training	58
B. Aims of Education	64
C. Cultural Rights of Indigenous and Minority Children and Youth	65
D. Leisure, Recreation, and Cultural Activities	67
Chapter IX SPECIAL PROTECTIVE MEASURES	70
A. Children in Emergency Situations / (a) Refugee Children.....	70
A. Children and Youth in Emergency Situations / (b) Children in Armed Conflict.....	70
A. Children and Youth in Emergency Situations / (c) Street Children.....	70
B. Children Belonging to Minorities or Indigenous Groups.....	71
C. Children and Youth in Situations of Exploitation / (a) Economic Exploitation (Including Child Labor).....	72
C. Children and Youth in Situations of Exploitation / (b) Drug Abuse.....	73

C. Children and Youth in Situations of Exploitation / (c) Prevention of Sexual Exploitation and Sexual Abuse	75
C. Children and Youth in Situations of Exploitation / (d) Sale, Trafficking, and Abduction...	76
C. Children and Youth in Situations of Exploitation / (e) Other Forms of Exploitation.....	76
D. Children in Conflict with the Law / (a) The Administration of Juvenile Justice	76
D. Children in Conflict with the Law / (b) Children Deprived of Their Liberty (Including All Forms of Detention, Imprisonment, or Placement in Custodial Settings).....	80
D. Children in Conflict with the Law / (c) The Prohibition on Sentencing Juveniles to Capital Punishment and Life Imprisonment.....	81
D. Children in Conflict with the Law / (d) Training of Juvenile Justice Professionals	81
Chapter X FOLLOW-UP ACTIONS ON OPTIONAL PROTOCOLS	82
A. Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography	82
B. Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict.....	82
Comparison Table for the <i>Concluding Observations on the Initial Report of the Republic of China (Taiwan) on the Implementation of the UN Convention on the Rights of the Child</i> and the <i>Second Report</i>	83

Abbreviations

Implementation Act of the CRC	Implementation Act of the Convention on the Rights of the Child
CRC	Convention on the Rights of the Child
Child Rights Group	Executive Yuan's Children and Youth Welfare and Rights Promotion Group
educare services	education and care services
iWIN	Institute of Watch Internet Network
COVID-19	Coronavirus disease
2019 Curriculum Guidelines	12-Year National Basic Education Curriculum Guidelines
CRPD	Convention on the Rights of Persons with Disabilities
ARC	Alien resident certificate
NIA	National Immigration Agency
IEPs	Individualized education plans
BNT	BioNTech
HBIG	Human hepatitis B immunoglobulin
HIV	Human immunodeficiency virus
AIDS	Acquired immunodeficiency syndrome
IDS	Integrated delivery system
IPCA	International Parental Child Abduction
CNS	National Standards of the Republic of China
WHO	World Health Organization
SIM	Subscriber identity module
IRB	Institutional review board
ICF	Informed consent form
ICT	Information and communication technology
IT	Information technology
GDP	Gross domestic product

INTRODUCTION

1. The Implementation Act of the Convention on the Rights of the Child (hereinafter the Implementation Act of the CRC) was promulgated in 2014. Taiwan published its initial national report in 2016. The government submitted this (second) *National Report* in 2021 to describe the implementation of the measures for the Convention on the Rights of the Child (hereinafter “the CRC”) and its progress from 2016 to 2020.
2. During the compilation of this *National Report*, 13 meetings were held to collect opinions from the private sector and to review the final version of the report. The government held wide-ranging consultations with civil groups, as well as children and youth, and the final version of the report was approved by the Executive Yuan’s Child and Youth Welfare and Rights Promotion Group (hereinafter the “Child Rights Group”).
3. This *National Report* is compiled in accordance with the *Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties and the Treaty-specific Guidelines Regarding the Form and Content of Periodic Reports to be Submitted by States Parties* under Article 44, Paragraph 1 (b), of the Convention on the Rights of the Child. It contains follow-ups to the concluding observations of the initial national report without incorporating the policies and measures that were implemented up to the issuance of the initial national report.

Chapter I GENERAL MEASURES OF IMPLEMENTATION

A. Reservation and Declaration

Concluding Observation 10 / Acceptance of Optional Protocol (4)

4. Taiwan has not joined the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict and the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. However, laws and regulations related to military service and child and youth sexual exploitation prevention¹ have been passed or amended to align with the spirit of the aforementioned protocols. See Chapter 5, Section C and Chapter 9, Section A (b) and Section C (d), for relevant information.

B. Harmonizing National Laws and Policy with the Provisions of the Convention

5. To make sure that domestic laws comply with the CRC, all laws, regulations, and directions have been reviewed, and those that were not compliant with the CRC have been addressed on a case-by-case basis. See Attachment 1-1.

Concluding Observation 8 / Child and Youth Rights Impact Assessment (6)

6. A two-stage child and youth rights impact assessment mechanism and its indicators have been created,² while 11 government ministries and agencies have been assigned to carry out related pilot plans concerning 19 laws from 2021 to 2024.

Concluding Observation 9 / Law Amendment to Specify the Prior Application of the CRC (7)

7. A consensus has not yet been reached on whether Article 9 of the Implementation Act of the CRC should be amended to specify that, in the event of any conflict between domestic laws and the CRC, the latter shall prevail. This is because doing so touches upon regulations concerning the consistent applicability of international conventions over the hierarchy of laws in Taiwan. Domestic laws and regulations have been reviewed and ensured to be compliant with the CRC, and assessments on the impact of laws on the rights of children and youth rights have been undertaken. As such, the CRC is applied in practice.

1 Military service regulations: Recruitment guides of military schools and colleges and national defense education curricula; regulations on prevention of sexual exploitation of children and youth including the Child and Youth Sexual Exploitation Prevention Act and Human Trafficking Prevention Act.

2 During the drafting or amendment of laws and regulations, the competent authority with purview over the bill and experts on the rights of children and youth jointly conduct an initial impact assessment. Public hearings, surveys, and investigations are carried out to supplement or correct any insufficiencies in the collection of information, inadequate participation of children and youth in the drafting of laws and regulations, concerns about the adverse effects of the bill on rights and interests of children and youth, or other insufficient supporting measures.

Laws and Regulations Pertaining to the Welfare, Rights, and Protection of Children and Youth

8. The Protection of Children and Youths Welfare and Rights Act and its derived regulations³ amended in 2021 specify that railway trains shall be equipped with priority seats for pregnant women and children and that children's minibuses older than 10 years may not be used. See Paragraphs 68, 108, and 110 for the reinforcement of child and youth protection, and Paragraphs 73, 79, 92, and 185 for the promotion of developmental rights of children and youth.
9. The entire Child and Youth Sexual Exploitation Prevention Act was amended in 2015 to extend the scope of child and youth protection. In addition to the issue of engaging in sexual intercourse or obscene acts with a child or youth in exchange for payment—which was covered in the previous version of the act—now, causing a child or youth to engage in sexual intercourse or obscene acts for others to watch, filming a child or youth engaged in sexual intercourse or obscene acts or producing objects that show a child or youth engaged in sexual intercourse or obscene acts, or using a child or youth as a host / hostess in a bar or club or for such services as tour escorts or song / dance companions that involve sexual activities are also included in the regulations. See Chapter 5, Section C, for relevant prevention measures.
10. The Implementation Act of the CRC was amended in 2019 to specify the ratio of children and youth participating in the Child Rights Group.

Laws and Regulations Regarding Child and Youth Education

11. The Act for Education Development of Schools in Remote Areas was passed in 2017 to realize equal opportunity to education and ensure the balanced development of education in all areas by enhancing educational measures, expanding budgets, utilizing personnel in a flexible manner, and improving teachers' benefits at schools in remote areas. See Paragraphs 253 and 254.

3 The Protection of Children and Youths Welfare and Rights Act, the Enforcement Rules of the Protection of Children and Youths Welfare and Rights Act, Permit and Management Regulations for Children and Youth Adoption Service Providers, Registration and Management Regulations for Family Child Care Services Agencies, Supervision and Management Regulations for Preschool Buses, Drivers, and Bus Guardians, Regulations for Reporting, Differential Processing, and Investigating Cases of Children and Youth Protection, Regulations for Reporting and Assisting Children and Youth in Vulnerable Families, and for the Collection, Use, and Process of the Related Information; Standards for Establishing Children and Youth Welfare Institutes, and the Establishment and Management Regulations for After-School Care Classes and Centers were reviewed and amended. Ten derived regulations were established accordingly, including regulations for identifying and reporting unsuitable personnel in afterschool care classes and centers, and for the collection, inquiry, processing and utilization of related information and regulations for identifying unsuitable personnel at child and youth welfare institutions, and for the collection, inquiry, processing, and utilization of related information.

12. The Early Childhood Education and Care Act was amended in 2018 to specify the disqualification of personnel other than individuals providing education and care services (hereinafter “educare services”) to young children. It also specifies that the responsible person(s) for and personnel at educare institutions shall not perform any of the prohibited actions described in the Protection of Children and Youths Welfare and Rights Act, inflict corporal punishment, or commit sexual harassment against children and youth. See Paragraphs 129 and 130.
13. The Teachers’ Act was amended in 2019 to specify that teachers violating the Child and Youth Sexual Exploitation Prevention Act will be dismissed and, depending on the circumstances, banned from teaching from one to four years or permanently.
14. The Family Education Act was amended in 2019 and its Enforcement Rules were amended in 2020 to specify that the government must increase the number of professional staff at family education centers and provide information on family life to parents of newborn children and new elementary school students. It also specified that a social welfare authority may refer any person in need to a family education center and / or educational institution that provides pertinent services, such as family education programs, consultation, or counseling. See Paragraph 142.
15. Guidelines for preventing bullying in schools were amended in 2020 to now include different types of cyberbullying—expanding the scope of bullying to include that of students by teachers; specifying the reporting obligations and procedures of principals, teachers, and staff; stating that investigations may not be affected by anonymity on the part of applicants or their agents, adding the stipulation that anyone may report bullying incidents to a school; deleting several mandatory provisions for investigation applications or reports to reduce the psychological stress of reporting persons; and adding that persons involved are not to be directly confronted by the reporting persons or witnesses. See Paragraph 134.

Laws and Regulations Regarding Juvenile Justice and Correction

16. The Juvenile Justice Act was amended in 2019 to remove provisions regarding children breaking the law and to establish a mechanism for the prioritized administrative counseling of at-risk youth. The amended act adds enhancements to necessary legal processes and diverse dispositions, and states that a court may integrate resources for juvenile needs, transfer juveniles for rehabilitation, and order juveniles to be sent to a juvenile detention center for assessment. See Chapter 9, Section D (a).

C. National Action Plan

Concluding Observation 11 / Comprehensive National Action Plan (17)

17. The four issues of focus and implementation from 2021 to 2025 are: alternative care primarily for family environments, prevention of all types of violence toward children and youth, sexual health and fertility health of children and youth, and making the juvenile justice system more comprehensive.

D. Child and Youth Policy Coordination Mechanisms

Concluding Observation 12 / Coordination Work of the Child Rights Group (18)

18. The Child Rights Group has been established according to the Implementation Act of the CRC to coordinate child and youth policies that require a joint effort of various authorities. The focus of work, duration of implementation, expenses, and human resource deployment are reviewed annually, at which time those for the following year are proposed. Between 2016 and 2020, the Child Rights Group implemented reviews of laws and regulations, trained professional staff, publicized the CRC, drafted follow-up plans for addressing concluding observations, and supported children and youth to take part in government decision-making.
19. Cross-system coordination for major national policies:
 - (a) The Strengthening Social Safety Net Program has been implemented since 2018. Under the program, regular cross-functional communication platform meetings have been convened to remove obstacles to using services that draw on different systems. See Paragraph 111.
 - (b) Regulations governing liaison between juvenile courts and related agencies on handling juvenile justice matters were introduced in 2020. When a court handles juvenile justice matters, lateral communications are strengthened via a three-level communication mechanism, the deployment of resources, and provision of appropriate treatment.

Concluding Observation 13 / Establishment of Committee for Children (20)

20. The Legislative Yuan has created the Committee for Children in stages by building a database of experts and scholars on children's rights. Experts, scholars, or representatives of children's groups to provide opinions on laws that might affect children's rights to serve as reference or lawmakers when reviewing laws.

E. Statistics on Resource Allocation and Implementation

Concluding Observation 18 / Resource Allocation (21 to 22)

21. Related budgets allocated by governments at all levels are increased annually. See Attachment 1-2.

22. Plans for child and youth participation in budget allocation have been developed in collaboration with nine civil society groups to increase knowledge of public budgeting among children and youth of different age groups and to provide them with budgeting practice on a small scale. Promotional methods adopted by other countries and local governments have also been collected and serve as reference for the public.

Concluding Observations 19 and 20 / Data Collection (23)

23. A section on child and youth statistics broken down by age, gender, region, ethnic group, and other qualifiers has been set up on the CRC website to provide one-stop inquiry services.

F. International Cooperation

24. For Taiwan's international cooperation and assistance for children and youth, see Attachment 1-3.
25. Assistance on sexual exploitation cases involving foreign children:
- (a) Taiwan provides children involved in sexual exploitation cases who have been trafficked with safe placement and protection, interpreting services, meals, and medical services in accordance with the law before sending them back to their country of origin. A list of public and private sector resources in Southeast Asian countries involved in the prevention of child and youth sexual exploitation was drawn up to improve transitions and follow-up counseling for victims.
 - (b) Taiwan signed agreements or memoranda of understanding concerning cooperation in immigration affairs and human trafficking prevention with eight countries between 2016 and 2020.

G. National Human Rights Institution

Independent National Human Rights Institution

Concluding Observations 14 and 15 / Independent Supervision (26)

26. The Control Yuan National Human Rights Commission was established in 2020 in accordance with the Paris Principles. The commission consists of 10 members (including the president and nine members of the Control Yuan) from a variety of backgrounds and with differing areas of expertise (including the rights of children and youth). The functions and powers of the commission include: handling and investigating cases that involve torture, human rights violations, or various forms of discrimination; making recommendations or reports for the human rights policies and actions of government agencies; assisting in the incorporation of international human rights instruments; conducting systematic studies of the Constitution and domestic statutes based on international human rights standards and making recommendations;

publishing thematic reports on human rights or annual reports on the state of human rights in the nation; offering independent opinions for national reports prepared in accordance with international human rights treaties; monitoring the development of human rights education; and promoting domestic and foreign information exchange and collaboration regarding human rights.

Appeal Mechanism

Concluding Observations 16 and 17 / Appealing Procedures; Concluding Observation 82 / Student Appeal Mechanism (27 to 31)

27. The Control Yuan receives and investigates complaints by and on behalf of children and youth. It can now receive complaints via videoconferencing.
28. Where an educare institution harms a young child's rights or interests, parents or guardians may file an appeal with the institution in line with the Early Childhood Education and Care Act. If parents or guardians are dissatisfied with the response to the appeal, they may then appeal to the local competent authority where the educare institution is located. If dissatisfied with the decision of the competent authority, parents or guardians may proceed with litigation or appeal in accordance with the law.
29. Appeal mechanism on campus:
 - (a) Judicial Yuan Interpretation No. 784 (2019) stipulates that a student, regardless of the level of his/her affiliated institution, may access legal remedies before an administrative court has the school, based upon its competence, adopt a teaching, disciplinary, or other measure against him/her that infringes upon his/her right to learn, right to education, or any other fundamental right. However, schools enjoy discretion. Furthermore, extremely minor measures do not amount to infringements of rights.
 - (b) The Primary and Junior High School Act and the Senior High School Education Act specify that schools must establish a student appeal system, that appeal cases must be reviewed by an independent student appeals committee, and that the protection of child and youth privacy must be ensured. Students who perceive school disciplinary measures to be illegal, inappropriate, or in violation of their rights and interests may lodge an appeal with the school in writing; if unsatisfied with the school's decision regarding the appeal, they may lodge a further appeal with the competent authority. See Attachment 1-4 for relevant data. A Student Affairs and Guidance Group⁴ has also been set up to supervise

4 The Student Affairs and Guidance Group founded in 2015 provides annual competence training on student affairs and assists schools in promoting relevant projects and dealing with conflicts and crises on campus. The Group also invites experts, scholars, schools, students, and parents for quarterly consultations, guidance, and assessment meetings to discuss each accepted appeal and, if necessary, visits schools for investigation. Appeals discussed are filed and managed appropriately for follow-up actions.

schools' maintenance of smooth appeal channels and to visit schools to provide assistance if necessary.

- (c) With regard to transition schools⁵ that offer placement for children and youth who were (or are suspected of having been) sexually exploited, independent transition schools have established systems regarding rewards / penalties and appeals by students in accordance with regulations governing the implementation of education by transition schools; collaborative transition schools have the same appeal system as placement institutions for children and youth. See Paragraph 30.
 - (d) An appeals review committee for students working outside schools under cooperative education programs has been organized for independent review, and has set up regulations governing recusal, review in secret, and confidentiality. Since 2018, all petition letters or emails are sent to the secretary group authorized by the appeal review committee to make decisions on the manner of processing, and the results of processing must be submitted to the appeals review committee for reference. See Attachment 1-5 for petition data.
30. Placement institutions for children and youth as well as the competent authority are to create internal and external appeal systems so that multiple appeal channels are available. The investigation of appeals shall comply with the principle of confidentiality.
31. A juvenile correctional institution may refer to or be subject *mutatis mutandis* to the Prison Act and the Detention Act in accordance with the status of the detained juvenile:
- (a) A juvenile shall be informed of important regulations regarding his/her rights and obligations, including information on appeal channels and procedures.
 - (b) Where a detained juvenile perceives that his/her rights or legal interests have been harmed or where disputes involving payment of property arise from the detention and treatment based on public laws, the juvenile may lodge an appeal, and may appoint an attorney as his/her agent or appoint an assistant if necessary. An institution shall not render discriminatory treatment or unreasonable punishment in response to such appeal, and the content of the appeal shall be kept confidential.
 - (c) Among the nine members of the appeals review group, six are external experts and scholars or independent community representatives. An institution shall make a decision on the appeal according to the conclusions of this group. The detained juvenile, appointed agent, and assistant shall be informed of and be present at the review to give their views.

⁵ A transition school is a school that the central education authority and the central competent authority establish in coordination with the competent authority at the special municipality or city / county level to offer placement for children and youth who were (or are suspected of having been) sexually exploited.

H. Dissemination and Awareness Enhancement

Concluding Observation 98 / Publicization (32)

32. For the publicization of the CRC carried out by government authorities, see Attachment 1-6.

Concluding Observations 21 and 22 / Awareness-raising and Training (33 to 34)

33. The CRC Education, Training, and Effectiveness Evaluation Program was implemented in 2019. All levels of government are organizing training, conducting evaluations, and utilizing the CRC question bank for evaluation in the hope of training 20 percent of government employees and 60 percent of professionals dealing with matters related to children and youth from 2020 to 2026. See Attachment 1-7 for statistics concerning all levels of government.
34. Courses for enhancing awareness of the rights of children and youth are arranged for personnel engaged in matters related to children and youth. See Attachment 1-8 for the content of training.

I. Child and Youth Rights and Enterprises

Concluding Observations 23 and 24 / Collaboration with Civil Society and Business Sector (35 to 41)

Protection of the Employment Rights of Children and Youth

35. The government is ensuring that enterprises implement measures for child and youth labor protection. See Chapter 9, Section C (a).

Maintenance of Audiovisual and Internet Safety for Children and Youth with Media Self-regulation

36. The Institute of Watch Internet Network⁶ (hereinafter “iWIN”) has encouraged internet platform service providers to establish a self-regulation mechanism as well as appeal channels and has provided them with relevant guidance. iWIN also holds activities on internet safety for children and youth on a regular basis and convenes meetings of interested parties to collect opinions so that self-regulation guidelines may be developed and providers requested to follow them. See Paragraph 137 for cyberbullying prevention by online platform providers.

6 The Protection of Children and Youths Welfare and Rights Act stipulates that the competent authority in charge of communications and audiovisual media shall call upon the competent authorities of relevant industries to entrust civil groups with the establishment of content protection institutions and performance of the following tasks: 1. Observation of the use of the internet by children and youth. 2. Establishment and implementation of appeal mechanisms. 3. Promotion and review of content rating systems. 4. Development and promotion of filter software. 5. Promotion of online safety for children and youth. 6. Encouragement of internet platform providers to establish self-regulation mechanisms. 7. Establishment and promotion of other protection mechanisms.

37. The media has developed appropriate guidelines to protect children and youth from being affected by harmful information. See Paragraphs 107 to 113, 286, and 287 in the initial national report, and Paragraphs 45 and 98 in this *National Report*.

Health Maintenance for Children and Youth

38. Food safety for children: The Act Governing Food Safety and Sanitation specifies sanitation standards⁷ for various foods and food utensils and containers and stipulates that penalties be imposed on businesses violating relevant provisions.
39. Dietary supplement and infant food advertisement: In 2018, the maximum fine for violating the advertising provisions of Article 45 of the Act Governing Food Safety and Sanitation was increased. The Regulations Governing Criteria for the Label, Promotion and Advertisement of Foods and Food Products Identified as False, Exaggerated, Misleading, or Having Medical Efficacy were created and promulgated in 2019.
40. Trials of vaccines for children by companies:
- (a) Coronavirus disease (hereinafter “COVID-19”): Following the example of the R&D model of western countries, trials prioritize adults and high-risk groups and then include lower age groups in descending order.
 - (b) Enterovirus: In principle, clinical trials start with older children. After safety is ensured, younger children may take part in trials.
41. Noise control: Fines for violations of the Noise Control Act, where the noise is within 50 meters of facilities where students under the age of 18 gather (e.g., schools), have been made double those specified in regulations on premises, construction sites and facilities in breach of noise control standards.

⁷ These include the Sanitation Standard for Microorganisms in Foods, which includes foods for infants, created in 2020 and entered into force in July 2021 and the Sanitation Standard for Contaminants and Toxins in Food created in 2018 to specify the maximum levels of heavy metals (lead, cadmium, tin), mycotoxins, benzo(a)pyrene, and erucic acid in foods for infants and young children. Maximum levels of glycidyl fatty acid esters in infant formula, follow-up infant food, and food for special medical purposes intended for infants and young children were specified in 2021 in consideration of dietary risks to infants, young children, and other special sensitive babies.

Chapter II DEFINITION OF THE CHILD

42. See Attachment 2-1 for the population overview of children and youth in Taiwan.

Legal Age and Minimum Age for Engagement and Marriage

Concluding Observations 25 and 26 / Minimum Marriageable Age (43)

43. The Civil Code, Enforcement Act of the Part of General Principles of the Civil Code, and Enforcement Law for Part IV, Family Law of the Civil Code were amended in 2021 to align the minimum ages for engagement and marriage of men and women, which are 17 and 18 years of age, respectively. The amendment will go into effect in 2023. The age of majority was adjusted downward from 20 to 18. Bills related to the adjustment of the age of majority to 18 were also reviewed and amended.⁸

Minimum Age for Personal Liberty Restrictions Due to Judicial Protection

44. The Juvenile Justice Act was amended in 2019 to specify that the minimum age for juvenile detention or corrective education in juvenile protection matters is 12 years of age; children between seven and 12 years old who have broken the law may not be subject to judicial penalties.

Media Classification

45. The Television Programs Classification Handling Regulations were amended in 2016 to classify television programs into the following categories: “General” (suitable for viewing by all audiences), “Protected” (not suitable for viewing by children under the age of six; but children over six and under the age of 12 can view such programs if accompanied by parents, teachers, or other adults), “Parental guidance-12” (not suitable for viewing by children under the age of 12), “Parental Guidance-15” (not suitable for viewing by people under the age of 15), “Restricted” (not suitable for viewing by people under the age of 18). These ratings are consistent with ratings for movies, videotapes, and gaming software in Taiwan.

Minimum Voting Age for Referendums

46. The Referendum Act was amended and promulgated in 2018 to state that any national over 18 years of age not under guardianship shall have the right to vote in referendums.

Minimum Age for Participation in Political Parties

47. The Political Parties Act was promulgated and came into force in 2017 to specify that no political party may enroll citizens under the age of 16 as party members.

⁸ The minimum age threshold for participating in daily life (buying a mobile phone, renting a house, signing a contract), business (acting as a founder or director of a company), government services (applying for a household registration certificate, paying national health insurance premiums in installments), litigation (civil or administrative), and formation of associations (acting as a member of a civil organization) was adjusted downward from 20 to 18. The courses to be taken in different areas at the age of 18 are incorporated into the National 12-Year Basic Education Curriculum. These are designed for each area / subject within the framework of general curriculum guidelines.

Chapter III GENERAL PRINCIPLES

A. Non-Discrimination Principle

Concluding Observations 27 and 28 / Nondiscrimination Measures (48 to 59)

48. The Casebook for Child and Youth Anti-Discrimination was compiled in 2020. It includes issues related to discrimination based on gender, sexual orientation, disability, and age, as well as of indigenous peoples, people in placement, and juvenile delinquents. It is provided for personnel engaged in work related to children and youth. A survey of living conditions of children and youth in 2018 included questions about feelings of being discriminated. The result showed that 91.5 percent of interviewees have never felt discriminated against and 8.5 percent have felt discriminated against. (There were high proportions of the incidents of discrimination associated with appearance or skin color (2.9 percent) and personal opinions or views (2.9 percent).)
49. The Early Childhood Education and Care Act specifies that appropriate educare services shall be prioritized for children from offshore islands or remote areas and children needing assistance due to economic, physical, mental, cultural, or ethnic factors.
50. The Employment Service Act specifies that employers are prohibited from discriminating against job applicants or employees on the basis of race, class, language, thought, religion, political party, place of origin, place of birth, gender, sexual orientation, age, marital status, appearance, facial features, disability, astrological sign, blood type, or past membership in any labor union.
51. The Cultural Fundamental Act was promulgated in 2019 and specifies that people are not to be subject to discrimination or unfair treatment due to their ethnicity, language, gender, sexual orientation, age, location, religious beliefs, physical or mental state, socioeconomic status, or other conditions when enjoying their cultural rights. See Chapter 8, Section C, for the promotion of cultural rights.

Gender Equality

52. The Curriculum Guidelines of 12-Year Basic Education (hereinafter the “2019 Curriculum Guidelines”⁹) incorporate human rights and gender equality issues into courses.
53. Response measures for obstacles to dealing with gender diversity issues:
 - (a) A gender equality education resource center was established for senior high schools in 2018 to organize workshops to train seed teachers and develop and select teaching plans related to gender diversity issues.

⁹ These are the new curriculum guidelines that have been implemented since 2019.

- (b) Through collaboration with local governments, gender equality education workshops have been organized as part of a program aimed at creating friendly campuses.
 - (c) Schools have been requested to provide a gender-inclusive learning environment and integrate gender diversity issues in various elective courses. When a school discriminates against students on the basis of gender, personality, identification, or orientation, the competent authority will conduct an investigation and request the school to make improvements.
 - (d) Students are encouraged to form gender equality clubs and arrange lectures as well as interschool activities.
 - (e) Parents are invited to attend gender equality courses for clarification of doubts and positive communication.
 - (f) Short guides are prepared to promote gender equality to the public through the internet, radio, newspapers, and publications.
54. Eliminating gender stereotypes and bias is considered to be one of the most important gender equality issues. Increasing people's understanding and acceptance of LGBTI and the diversity of families (including same-sex marriage, single-parent families, cohabitation families, etc.) has been set as a gender equality target. From 2019 to 2022, several strategies have been implemented: amendment and enforcement of laws; media promotion and literacy; relevant promotions and activities organized through integrating the resources of local governments and the private sector; and the encouragement of more positive female portrayals in media and advertising without gender stereotypes.

Minority Children and Youth

55. The International Convention on the Elimination of All Forms of Racial Discrimination was signed in 1966 and came into force in 1971. A plan for promoting this convention was approved in 2020.
56. The Education Act for Indigenous Peoples was amended in 2019 to encourage all levels and types of school to teach indigenous students in their native languages and to use teaching methods that suit their cultures. Public preschools, nonprofit preschools, and community and tribal cooperative educare service centers are to be widely established in regions where indigenous people live. When deemed necessary, indigenous schools and / or classes at any level may be created. The competent educational authority at all levels is to promote educational policies that enhance citizens' awareness of and respect for indigenous peoples. See Paragraph 283.

57. Refer to Chapter 8, Section C and Chapter 9, Section B for special protective measures for the cultural rights of indigenous peoples and minorities.

Children and Youth with Disabilities

58. The People with Disabilities Rights Protection Act was amended in 2021 to include the principle of reasonable adjustment to allow government authorities, schools, institutions, corporations, or groups to make adjustments based on the requirements of people with disabilities.
59. Refer to Chapter 7, Section B for measures for ensuring the welfare, education, protection, and labor rights of children and youth with disabilities.

Stateless Children and Youth

Concluding Observation 33 / Stateless Children and Youth (60)

60. Refer to Paragraph 91 for procedures for nonnational children and youth in need. Efforts concerning their welfare and right to medical services and education include:
- (a) The cost of placement has been subsidized since 2017.¹⁰
 - (b) The National Health Insurance Act was amended in 2017 to specify that nonnational (including stateless) newborns born in Taiwan are to be enrolled in the National Health Insurance scheme from their date of birth without having first established a registered domicile in Taiwan for at least six months.¹¹ Routine preventive vaccination identical to that provided to national children is also offered.
 - (c) After being granted an ARC, nonnational children and youth may attend elementary, junior, and senior high schools (hereafter “senior high schools and below”). Local governments are to assist them in enrolling in elementary and junior high schools before they acquire their ARC.

Measures for Helping Economically Disadvantaged Children and Youth

61. Refer to Paragraph 113 for support measures for vulnerable families; refer to Paragraphs 144, 236, and 237 for education savings accounts and public assistance measures arranged for economically disadvantaged children and youth; refer to Paragraphs 250 to 252 for measures for supporting disadvantaged senior high school students.

¹⁰ As of the end of 2020, 73 nonnational children and youth in need had received placement subsidies totaling NT\$15,767,922.

¹¹ The number of foreign (including stateless) newborns participating in the National Health Insurance scheme was 342 in 2018, 256 in 2019, and 432 in 2020.

B. Best Interests of the Child

Concluding Observation 29 / Best Interests of Children and Youth as a Priority (62 to 63)

62. A casebook for the best interests of children and youth was compiled to provide medical, welfare, judicial, and educational case studies as reference for workers dealing with affairs related to children and youth.
63. Judicial process protection of the best interests of children and youth include:
 - (a) The Juvenile Justice Act stipulates that juvenile justice matters are subject to special requirements, including pretrial investigations, assistants, undisclosed procedures, diversion action, protective measures, data confidentiality, and record removal. See Paragraph 344.
 - (b) The Family Act specifies that family matters are subject to protective measures, including the presence of social workers in court, undisclosed procedures, identity confidentiality, privacy protection, guardians *ad litem*, premediation, preliminary injunctions, meeting or communicating with children, special requirements for the compulsory handover of the children, and other matters.
 - (c) Professional training courses related to the best interests of children and youth are provided to judges and relevant staff on a rolling basis.

C. The Right to Life, Survival and Development

64. The Household Registration Act governs the registration of the deaths of children and youth. Refer to Attachments 3-1 to 3-3 for relevant data.
65. See Attachment 3-4 for statistics on the deaths of children and youth due to communicable diseases. See Attachment 3-5 for statistics on the unnatural deaths of children and youth. See Attachment 3-6 for statistics on the deaths of children and youth in accidents and refer to Paragraph 69 for preventive measures. See Attachments 3-7 and 3-8 for statistics on death by suicide among children and youth and refer to Paragraphs 70 to 72 for preventive measures. See Attachment 3-9 for statistics on the deaths of children and youth in criminal cases.
66. The Criminal Code specifies that the death penalty or life imprisonment may not be imposed on an offender under the age of 18.
67. To prevent moral hazard and protect minors' right to life, the Insurance Act was amended in 2020 to specify that if an insured is a minor under 15 years of age when a life insurance contract is entered into, all death benefits other than funeral expense benefits shall take effect from the date the insured reaches 15 years of age. The insured amount for the funeral expenses shall not exceed one half of the funeral expense deduction allowed for estate tax under the Estate and Gift Tax Act.

68. The Protection of Children and Youths Welfare and Rights Act specifies that a review of deaths of children under the age of six is to be conducted and reported on a regular basis. To continually improve analysis and operational processes, three programs were implemented in 2020 on development of criteria for case review and case selection,¹² counseling teams for child death review in cities and counties,¹³ and modeling for high-risk group prediction and identification.¹⁴

Accident and Injury Prevention

69. In recent years, the leading cause of accidental deaths among children and youth¹⁵ has been traffic accidents. See Attachment 3-5. Traffic safety is being further ensured by implementing the following measures:
- (a) Traffic safety education: A website on road safety information has been developed. Cultivation and teaching models for basic road safety for students at senior high schools and below have been established to be included in schools' curricula or incorporated into courses in 2021.
 - (b) Students' routes to schools: Schools are creating commuting lanes, improving pickup areas, and expanding pedestrian areas.
 - (c) Traffic laws and law enforcement: The Road Traffic Safety Regulations were amended in 2020 to specify that when taking children under the age of six by bicycle, a cyclist must be at least 18 years old and use qualified pedal bicycles or power-assist electric bicycles, either of which must be equipped with qualified child seats. Law enforcement is also to enhance policing of underage and unlicensed driving.

12 Achievements in 2020 included the enhancement of the standard operating procedure for medical records and information collection regarding child death reviews, design of forms for medical records, and development of training materials. Training for physicians in pediatric and emergency medicine was provided in 2021.

13 (a) The manual for child death reviews was completed in 2020. It contains a standard operating procedure and is used as reference by local governments. Since 2021, a two-stage review process has been implemented in those counties and cities that have more cases of child deaths.

(b) In 2020, the review process was first implemented in eastern counties where children are at a higher risk of death and then extended to other regions in 2021 in the expectation of expanding the program to a total of five to eight counties and cities.

14 Literature reviews on the issues of child death, children at risk, and prediction models were completed. The results showed that logistic regression and random forest models have the best predictive power. It is suggested that verification of the prediction models should be done with updated data and the appropriateness of the tool developed should be examined.

15 The causes of accidents that lead to the deaths of 20 or more children and youth include accidental drowning and accidents related to breathing. Concerning safety in the water, the government incorporates swimming and lifesaving skills in education at schools, promotes understanding of water safety in recreational activities, and ensures the allocation of facilities, devices, and lifeguards at swimming pools. Concerning safety at home, the competent authorities conduct checks and inspections of toys and other items for use by children, organize promotional activities and workshops on protecting children from falling, provide educational training for personnel in charge of the inspection of environmental safety for child care services, and hold related review meetings. See Paragraph 147 for health education and supporting services for newborns.

Suicide Prevention

Concluding Observation 30 / Child and Youth Suicide Prevention; Concluding Observations 62 and 63 / Mental Health Services (70 to 72)

70. The National Suicide Prevention Center analyzes the trends of deaths by suicide among children and youth in the past 10 years. It also holds regular interministerial suicide prevention consultations to seek the opinions of children and youth and request ministries to further promote mental health enhancement measures and training, identify and assess suicide risks in campuses, communities, and workplaces, and connect individuals with mental health resources in their areas. See Attachment 3-10 for causes of children and youth suicide. Refer to Paragraph 219 for mental health promotion services.
71. The Suicide Prevention Act was promulgated in 2019 to specify persons to notify, establish reporting mechanisms for suicide prevention, allow care and visits for children and youth with suicidal intent, and restrain the media from reporting or producing content that encourages suicidal behavior.
72. Schools should follow the Three Level Student Self-Harm Prevention Work Plan. Suicide and self-harm prevention at three levels is implemented by the central and local governments and schools to enhance lateral communication as well as interministerial communication and coordination mechanisms. See Attachment 3-11 for statistics on reported student suicides and self-harm and the amount of related budgets. Strategies for further preventing suicide and self-harm in schools include:
 - (a) Developmental guidance and ability enhancement workshops are organized for teachers to allow school staff to identify potential high-risk students and improve their crisis management competency.
 - (b) The number of full-time school counselors and professional counselors increases annually. The knowledge and competency of these individuals are enhanced through workshops and regular training.
 - (c) The central government supervises the governments of cities and counties having higher suicide and self-harm rates in convening project review meetings and developing improvement strategies on a quarterly basis.
 - (d) School facilities inspected during safety inspections are logged, while any hazards on third floors and higher on campuses are identified and eliminated.

D. Respect for the Views of the Child

Concluding Observations 31 and 32 / Implementation of the Right of Children and Youth to Express Views (73 to 86)

73. The Protection of Children and Youths Welfare and Rights Act and the Implementation Act of the CRC specify that representatives of children and youth accounting for a certain percentage of the total participants shall be invited to government decision-making and coordination processes. See Attachment 3-12 for the participation of children and youth representatives invited by local governments.
74. Six strategies for training children and youth to take part in public affairs have been developed in cooperation with governments at all levels, children and youth, and related groups: expanding participation channels for children and youth; promoting legal guarantees for the participation of children and youth; spreading social awareness of respecting the opinions of children and youth; protecting the rights of children and youth in special circumstances to express themselves and to participate; developing the ability of children and youth to participate; and offering supportive measures for the participation of children and youth. Strategies and guidelines on the protection of the right of children and youth to express views have also been prepared and provided to all authorities (institutions) for reference.

On Campus

75. During the process of amending the Guidelines for Preventing Bullying in Schools in 2020, representatives of children and youth were invited to participate in local public hearings.
76. A platform for meetings involving senior high school student representatives and the Director-General of the K-12 Education Administration was created in 2018,¹⁶ while a website for student affairs and activities of senior high schools was launched in 2019. Both of these enable students to understand the rules and regulations of senior high schools overseen by the Ministry of Education so that suggestions on practical operations can be made.
77. Basic guidelines for the K-12 Education Administration to convene child and youth advisory committees were developed in 2019, and meetings are held on a regular basis. At present, 14 youth members have been selected.¹⁷

16 A total of 122 issues, including organization of student councils, participation of students, allocation of resources to campuses, the rights of students, and student appeals were put forward for discussion.

17 In 2019, four regular meetings and three preparatory meetings were held by the first committee. There were 34 proposals in total, six of which were eliminated. The remainder were being considered by the second children and youth advisory committee in 2020. At the second children and youth advisory committee, 90 proposals were made, 37 of which were considered at regular meetings. Regulations concerning school affairs meetings as mentioned in Article 25 of the Senior High School Education Act were proposed to specify the proportion of elected student representatives, promote innovative reviews of curriculum and academic records, and implement three-level counseling to reduce the suicide rate of students.

78. In 2020, dress code regulations for students at senior high schools and below were established, specifying that schools are to form a standing committee or task-oriented committee on clothing to accept a wide range of opinions from students by holding internal public hearings and information meetings and conducting schoolwide questionnaire surveys.

Concluding Observation 77 / Students' Participation in Curriculum Reviews (79 to 80)

79. The Protection of Children and Youths Welfare and Rights Act specifies that the curriculum design process shall involve the participation of children and youth. Student representatives are to be included in the school curriculum development committee.¹⁸
80. Regulations governing the means for forming and operating school curriculum review committees for senior high schools and below stipulate opening registration to students to select student representative members,¹⁹ as well as regulations specifying the quotas for both genders, indigenous people, children of new immigrants, and people with disabilities.

Concluding Observation 76 / Students' Participation in School Affairs (81 to 82)

81. The Senior High School Education Act was amended in 2021 to specify that elected student representatives are ex officio attendees of school affairs meetings, that the number of representatives may not be less than eight percent of the total number of meeting attendees, and that such representatives have the right to discuss, review, and vote on proposals. A website with an information exchange platform for self-governing organizations of senior high school students has also been set up, allowing students to exchange information or raise questions about participation in school affairs meetings.
82. The Guidelines for Senior High Schools to Give Counsel on the Operation of Student Councils and Other Related Self-Governing Organizations were established in 2018, supporting senior high schools' establishment of student councils and other related self-governing organizations through election by all students and offering other necessary assistance.²⁰

18 All curriculum development committees in Taiwan have incorporated student representatives.

19 Three meetings were held for the selection of student representative members in 2016. Four representatives for the review committee and 18 representatives for group review meetings were elected. One meeting was held for the selection of student representative members in 2017. Two representatives were elected for group review meetings covering the continuing education department and practical skills program. Meetings for the selection of student representative members were held upon the expiration of the incumbents' term in 2020; 24 representatives were selected.

20 The student council participates in accordance with democratic procedures and establishes articles of association in line with the democratic spirit. The achievement rate in 2021 was 100 percent.

Judicial Processes

83. According to the Juvenile Justice Act, when a youth is found to display behaviors that harm his/her own sound development,²¹ people may turn to the Youth Counseling Committee for help. Furthermore, in the draft regulations governing the establishment and implementation of youth counseling committees, it is specified that the Youth Counseling Committee may ask relevant agencies for help based on the needs of the counseled youth.
84. According to the Juvenile Justice Act, in conducting an interview with or interrogation of a youth, statutory agents, persons in charge of protecting youth, or other appropriate persons are to accompany the youth. Where a juvenile is incapable of making a complete statement due to a psychological disorder or other mental disability, where necessary, he / she is to be assisted by experts in children's or adolescent health or other fields. Where the youth being interviewed or interrogated is not familiar with the language used, he / she is to be assisted by an interpreter. Where the youth has hearing, language, or multiple disabilities, he / she is to be permitted to be interviewed or interrogated by using writing, sign language, or other appropriate means. In addition, the youth is to be informed of the facts of the criminal offense and the exposure to danger. If there are changes, the youth is to be informed again and may remain silent and apply for legal aid in accordance with laws and regulations.
85. With the Implementation Plan of the Ministry of Justice for the Training and Authentication of Interviews or Interrogations with Child Victims or Victims with Mental Disabilities of Sexual Assault, relevant educational training is provided regularly to enhance the prosecutors and prosecutorial investigators' professional knowledge and competency of interviewing or interrogating victims so as to boost the credibility of testimonies.

Placement in Institutions

86. Institutions for the placement of children and youth shall convene family meetings on a regular basis²² to train children and youth to raise questions or give opinions, letting them take part in the decision-making process based on their mental age. It is specified that the competent authority has the duty to conduct inspections. For children or youth who are in protection and placement, when their parents or guardians apply for a visit and meeting or communication, the institution shall respect the will of the child or youth.

21 (1) Habitually carrying weapons and firearms without justifiable cause; (2) Using narcotics or hallucinogenic drugs even though such an act does not constitute a punishable statutory offense; (3) Preparing or attempting to commit a crime that is not punishable under the law.

22 To create a family atmosphere in placement institutions for children and youth and take care of them in a way suited to their age and personality, many groups are created in institutions based on the age and needs of children and youth. Family meetings are held on a regular basis.

Medical Aspects

Concluding Observations 60 and 61 / Children and Youth's Right to Autonomy in Medical Aspects (87 to 90)

87. According to the Patient Right to Autonomy Act, a patient has the right to be informed of the diagnosis of his/her disease, treatment options, and the potential effectiveness and risks thereof, and has the right to make relevant decisions. The accreditation standards for children's hospitals specify policies and regulations regarding the human rights and other rights of children.
88. According to the Hospice Palliative Care Act, a minor diagnosed as a terminally ill patient by physicians may sign a letter of intent for hospice palliative care or choice of life-sustaining treatment with the consent of his/her legal representative. When there is a disagreement between the legal representative and the minor, the medical team will hold family meetings for communication to provide medical care based on the best interests of the patient.
89. According to the Genetic Health Act, induced abortion on a minor shall be subject to her and her statutory agent's consent, and the government is to provide assistance and counseling to pregnant minors. See Paragraphs 203 and 229.
90. The implementation guidelines and initiation of COVID-19 vaccination on campuses require students and their parents / guardians to understand the benefits of vaccination and the potential reactions to vaccination. Vaccination is only conducted when both parties have agreed and signed a letter of intent.

Chapter IV CIVIL RIGHTS AND FREEDOMS

A. Name and Nationality

Concluding Observation 33 / The Rights of Stateless Children and Youth (91)

91. See Paragraph 88 in the initial national report for the reporting and registration of nonnational newborns. For nonnational children and youth whose parents cannot be identified, the competent authority will help search for the child or youth's mother in accordance with the list and process for the application for identification as a stateless person for nonnational children and youth born in Taiwan and standard operating procedures for issuing ARCs to nonnational children and youth. Placement of children and youth will be arranged during the search and a provisional ARC is to be issued with reference to the nationality of the mother. Adoption and naturalization may be arranged if the mother is not found and the child or youth is identified as a stateless person.²³ (See Paragraph 60 for the rights of nonnational helpless children and youth.)

B. Preservation of Identity

92. The Protection of Children and Youths Welfare and Rights Act expressly requires the government to provide adoption and kin finding services. The Child and Juvenile Adoption Information Center has been established to preserve adoption information and provide kin finding services.

C. Freedom of Expression

Concluding Observation 34 / Freedom of Expression on Campus (94)

93. See Chapter 3, Section D regarding respect for the views of children and youth; see Section F of this chapter for the rights to association and assembly.
94. The government promotes national student publication competitions on an ongoing basis and supports students' issuing of publications on campus. See Attachment 4-1 for related statistics. Directions governing the establishment of student reward and punishment regulations by senior high schools require that the issuance of publications without permission may not be a condition for punishment.

D. Access to Appropriate Information

95. Mobile broadband penetration reached 126.1 percent as of September 2021.²⁴

²³ Through the end of December 2020, the National Immigration Agency had issued 72 ARCs to helpless children and youth. Of these, 51 were issued with reference to the nationality of the mother and 21 were determined to be stateless. There were 16 cases involving naturalization as a citizen of the Republic of China (Taiwan).

²⁴ Mobile broadband penetration=mobile subscribers / population.

96. According to the 2019 Curriculum Guidelines, courses in the field of technology shall be provided as Ministry of Education-mandated courses at elementary and junior high schools; IT and media knowledge shall be the core focus of cultivation at senior high schools. To solve the problem of having qualified teachers open related courses in remote areas, the competent authority coordinates with universities to give courses via distance learning, colearning through livestreaming, and e-learning.
97. In 2019, filtering systems against improper access were installed on the Taiwan Academic Network at the county and city level to effectively block pornographic, bloody, and violent content that is not suitable for children and youth.
98. The Television Programs Classification Handling Regulations stipulate that the advertisement contents and time slots of the channels or programs with children as the main audience shall conform to the requirements of the *Protected* or *General* rating. A warning message is to be shown depending on the sensitivity of content and a parental lock corresponding to the classification labels or broadcasting time slots is to be offered. See Paragraph 45 for the classification of television programs. See Attachment 4-2 for game rating improvement data.
99. The competent authority builds public libraries,²⁵ promotes a morning reading activities program for elementary and junior high school students involving modeled sustained silent reading on an ongoing basis, and sets up coreading stations in communities. The number of childcare resource centers increased to 166 in 2020. These centers have purchased children's picture books and encourage parents to accompany their children in reading.

E. Freedom of Thought, Conscience, and Religion

100. Directions governing external support for senior high schools and below for teaching or other activities require that any outside persons invited to teach, lecture, or conduct other activities may not promote any political or religious organization or have any business or other conflict of interest.

F. Freedom of Association and Peaceful Assembly

Concluding Observations 35 and 36 / Freedom of Assembly and Peaceful Assembly (101 to 102)

101. The Assembly and Parade Act does not limit the age of people who may participate in assemblies or parades. However, the person responsible for an assembly or parade takes on the legal obligation to act for the assembly or parade. Since children and youth do not have full capacity to perform legal acts, they may not be asked to bear the liability by acting as a responsible person.

²⁵ Through 2020, the government had built 544 public libraries and 230 external service stations. They had gathered 57,934,472 items (including books, periodicals, newspapers, nonbook materials, and electronic resources) and set up 97,431 seats for readers.

102. Implementation guidelines for curricula of student club activities of senior high schools under the Ministry of Education established in 2018 explicitly provide that class and grade shall not constitute a restriction imposed on student club membership; the number of student clubs is, in principle, to be 1.2 to 1.5 times the total approved number of classes.

G. Protection of Privacy

Concluding Observation 37 / Protection of Privacy (103 to 105)

103. A 2018 survey shows that students at senior high schools and below identify to a high degree with the policies or regulations of schools on the protection of personal privacy.
104. Directions governing regulations on teachers' guidance and discipline of students as established by schools explicitly provide that neither teachers nor schools shall search any student or his/her personal belongings except as otherwise specified in law or unless the student in question is suspected of committing a crime or carrying contraband and there are appropriate reasons and proof, or where such a search is necessary to prevent an emergency. Senior high schools and below may not inspect the personal belongings or exclusive personal areas of students on campuses unless the student in question is suspected of committing a crime or carrying contraband such as firearms, ammunition, knives, or drugs, and a safety inspection is deemed necessary based on a reasonable suspicion.
105. If a school acts in violation of the guidance and discipline measures or seriously infringes upon the privacy of students, the Student Affairs and Guidance Group will visit the school to provide assistance where necessary in addition to requesting that the school make improvements. The event will be taken into account in the evaluation of the principal or the allocation of subsidies. See Attachment 4-3 for the number of high school staff members punished due to invasion of privacy.
106. Health examinations schools arrange for students are to meet the principles of informed consent and privacy protection specified in the Student Health Examination Handbook for Senior High Schools and Below. The place where examinations of the chest (thoracic cavity and appearance), belly, and genitals are held must be separate, or screens or other protective measures must be used.
107. Placement institutions for children and youth are to put in place regulations governing the protection of privacy of children and youth. See Paragraph 30 for the appeal channel.
108. The Protection of Children and Youths Welfare and Rights Act explicitly provides that baby care centers install surveillance video equipment. In consideration of privacy, however, the central competent authority is authorized to establish regulations governing the setup and management of this equipment.

Chapter V PROTECTION OF CHILDREN FROM VIOLENCE

A. Abuse and Neglect

109. See Attachments 5-1 to 5-8 for statistical data on the protection of children and youth, the number and type of victims, and placement.
110. The amended Protection of Children and Youths Welfare and Rights Act incorporates the following protection measures:
- (a) Early judicial involvement: If a social worker calls upon the police department due to difficulties in an interview but the police department cannot discover the whereabouts of an individual and there is a suspicion of criminal involvement, the case can be referred to a prosecutor's office. See Attachment 5-9 for the implementation effectiveness of police departments in different regions.
 - (b) Offender punishment record database: Negatory qualifications are placed on offending personnel at welfare institutions for children and youth; the competent authority has the obligation to conduct a verification of its own accord, and is to create a punishment record database open to schools and welfare institutions.
 - (c) Retrospective analysis of the deaths of children: Prior to the termination of a judicial postmortem case involving the death of a child under the age of six, the public prosecutor shall, together with the forensic pathologist (examiner), complete a checklist on the cause of death for children under the age of six to specify the actual cause of death. See Paragraph 68.
 - (d) Increased punishment: Raising the upper limit on fines imposed for committing specific offenses against children and youth and for failing to report or delaying the reporting on the part of the person obligated to make the report.
 - (e) Amendment of the Regulations for Reporting, Differential Processing and Investigating Cases of Children and Youth Protection: The competent authority under the local government must conduct an assessment within 24 hours upon learning of or receiving a report concerning the protection of children and youth. It must also assign personnel to handle the situation and submit an investigation report within the given timeframe.
 - (f) Protection of and childcare for infants: A person who has committed domestic violence shall not serve as a caregiver for five years from the time of the incident; infant care centers shall set up and manage surveillance video equipment.

Concluding Observations 52 and 53 / Prevention of All Types of Violence Inflicted on Children and Youth (111 to 116)

111. A stronger social safety net program was approved in 2018 to build a better basic service network in communities through contributions by multiple agencies. The purpose of this program is to combine the mutual aid resources of communities to build a complete social safety net. See Attachment 5-10 for the diagram of overall child and youth protection.
112. The stronger social safety net program specifies increasing the number of public-sector social workers to 662 to protect children and youth. To ensure the professionalism and retention of public-sector social workers, subsidies are being granted to all social workers over a three-year period, while a hazard allowance is offered depending on the nature of their caseload. See Attachment 5-11 for annual employment needs. Salaries for these social workers are therefore somewhat higher than for those dealing with ordinary matters. Other measures are in place as well to enable them to do their jobs. A professional service fee is given to social workers attached to civil organizations based on their seniority and exposure to risk to promote cooperation between the public and private sectors. The second phase of the program, implemented starting in July 2021, calls for continued hiring of social workers to reach a total of 980.

Concluding Observation 39 / Extension of Support Services to Single-Parent Families and Low-Income, High-Risk Families (113 to 115)

113. Deployment of social welfare service centers and integration of public assistance and welfare services:
- (a) Local governments, in collaboration with communities and civil society groups, implement the following service projects:
 - i. The government provides vulnerable families with welfare consultations, guidance on household affairs, marriage and family counseling guidance, respite care, and other support services. See Attachments 5-12 and 5-13 for the results achieved by the family welfare service centers.
 - ii. The government implements the support service program for children and youth in communities. It enables professional social workers to contact families and provide required services by way of temporary after-school nursery and care services. See Attachment 5-14 for the results of implementation.
 - iii. The competent authority implements the Active Care Program for Disadvantaged Children Under the Age of Six (Paragraph 184 of the initial national report) to refer or report cases to local social affairs units so that visits and guidance may be

provided in a timely manner. See Attachment 5-15 for the results of implementation. For families needing guidance on the upbringing of babies, the government provides this at the family residence in addition to offering parenting consultations and group classes that can improve the parenting abilities of parents or main caregivers.

114. Integration of protective services with high-risk family services:

- (a) The government has established the Social Safety Net E-care Reporting Platform and created a centralized filtering and allocation mechanism. By connecting cross-system data, families' risk factors can be tracked to ensure that child and youth protection cases are assigned within 24 hours of being reported.
- (b) Using this interfaced data, a family registration flowchart has been built to aid the management of files. This helps social workers understand the overall situation and risks associated with a particular family when taking up a case.
- (c) Seven regional child and youth protection integrated medical centers received subsidies since July 2018. This was increased to 10 centers in 2021. The centers implement injury assessment and treatment measures and initiate early judicial intervention for suspected cases of serious child abuse. The subsidies provided compensate for expenses relating to the injury assessment, medical treatment, and physical and psychological recovery of abused children. See Attachment 5-16 for the operations of regional child and youth protection integrated medical centers.

115. Upon receiving an adult protection notification, the relevant local government domestic violence and sexual assault prevention center must file an online domestic violence witness notice within the protection information system and forward it to a school if assessments indicate that a child or youth of school age witnessed the offense. Depending on the physical and mental state of the student, the school may hold a meeting about the case, if needed, and provide three types of guidance and counseling.

116. When handling a family or domestic violence case involving a minor child, a court may, depending on the particulars of the case, refer to the local government family cases service center or domestic violence service center covered by the jurisdiction of the court, or request that the competent authority appoint a social worker or other appropriate person to accompany or help accompany the child or youth to appear in court. The opinions of the minor child may be heard either inside or outside the court using whatever methods are appropriate, taking such factors as age, cognitive ability, and other physical and mental conditions into account. See Attachment 5-17 for a statistical summary of instances of persons being accompanied in court.

B. Measures for the Elimination of All Forms of Adverse Customs

117. The review does not indicate that any traditional customs practiced by Taiwan's various ethnic groups are adverse to children or youth.

C. Sexual Exploitation and Sexual Abuse

Prevention of Sexual Exploitation

118. The competent authorities governing targeted sectors conduct three-level prevention education and outreach pursuant to the Child and Youth Sexual Exploitation Prevention Act and review the implementation of such activities at advisory meetings on the prevention of sexual exploitation of children and youth. To address and guard against grooming, the competent authorities have worked with civil society groups to develop the *Handbook for Professionals Dealing with Child and Youth Sexual Exploitation on the Internet*.
119. See Attachment 5-18 for cases received by iWIN concerning the distribution of inappropriate images of children and youth from 2018 to 2020. Since 2018, all cases taken on regarding the distribution of intimate images must be handled within one day after the appeal is received. If these images appear on an online platform within Taiwan, the platform provider is reminded to remove the images in the first instance and then notify police authorities, retaining the relevant data for at least 90 days for investigative purposes. If the images appear on an online platform outside Taiwan, the platform provider will be contacted and asked to remove the images, and the case, if needed, will be transferred to the US National Center for Missing and Exploited Children for assistance; members of the International Criminal Police Organization will also be asked to remove any content. If it is not possible to have images removed, the website address is added to the blacklist of websites unsuitable for children and youth.
120. The work of police departments is integrated to aid the investigation and prevention of such crimes as the sexual exploitation of children and youth, sexual assault, and sexual harassment. See Attachment 5-19 for the number of cases identified, suspects, and victims rescued by police departments. See Attachment 5-20 for the status of investigations concluded by district prosecutors offices with respect to violations of the Child and Youth Sexual Exploitation Prevention Act. See Attachment 5-21 for the first instance decisions of criminal cases at district courts involving defendants acting in violation of Articles 31 to 40, 42, and 45 of the Child and Youth Sexual Exploitation Prevention Act.

Protective Measures for Children and Youth Victimized by Sexual Exploitation

Concluding Observations 92 and 93 / Emergency Placement in Sexual Exploitation Cases (121 to 125)

121. The local competent authority must apply to a court to request the continuous placement of victims assessed as needing such support and arrange for the placement of children and youth in welfare institutions, foster families, or transition schools or provide them with other suitable services in accordance with the court's decision. See Attachment 5-22 for court decisions regarding protective placements, continuous placements, extended placements, and the termination or revocation of placements.
122. During judicial proceedings, children and youth identified as victims in sexual exploitation cases are afforded a range of services. This includes being accompanied by professionals or family members during questioning (interrogation) or examination and being heard in a friendly court environment or questioned away from the court. If the public procurator or judge deems it necessary, the relevant provisions of the Witness Protection Act may apply *mutatis mutandis*.
123. When hearing sexual exploitation cases involving children and youth, the court may take appropriate action as to how evidence is presented in order to protect the privacy of the children and youth in question.
124. For victims assessed as being able to return home without the need for placement, the competent authority must assess the needs of children and youth and implement home-based treatment accordingly, and may instruct the parents or guardians of the victim or other caregivers to take parenting education and guidance courses of a length not less than eight hours and not more than 50 hours.
125. Regardless of whether placement services are required, the victims in sexual exploitation cases involving children and youth must, upon returning home, be provided with support to aid their studies, employment, and independent living, as well as any other support required, for at least one year or until reaching the age of 20.

Prevention of Sexual Assault and Harassment

126. Measures to prevent the sexual assault and harassment of children and youth in specific locations:
 - (a) Campuses: Includes the reduction of unmonitored blind spots on campus and the installation of adequate lighting, clear signage, and emergency assistance systems to actively prevent incidents on campuses. See Attachment 5-23 for the number of confirmed victims in sexual assault and harassment cases from 2016 to 2020 as investigated pursuant to the Gender Equity Education Act.

- (b) Placement institutions: Includes improvements to the sensitivity of workers in child and youth placement institutions to sexual assault and harassment and the installation of surveillance equipment and searchlights in blind spots to avoid the occurrence of incidents.
- (c) Workplaces: The Act of Gender Equality in Employment explicitly requires that employers prevent sexual harassment in the workplace and take effective correction and remedial measures without delay upon learning of any such incident having occurred in the workplace.

D. The Right Not to Be Subjected to Torture or Other Cruel, Inhuman, or Degrading Treatment or Punishment

Concluding Observations 56 and 57 / Prohibition of Corporal Punishment (127 to 128)

Prohibition of Parents Inflicting Corporal Punishment

127. Article 1085 of the Civil Code stipulates that “parents may, within the limit of necessity, inflict punishment upon their children.” Regarding the suggestion that this provision be removed:
- (a) The provision specifies that parental rights of discipline allow for punishing children within the limit of necessity for the purpose of protection and education. What is deemed necessary must be determined in consideration of both the family environment, gender, age, health, and personality of the child concerned and the severity of their offense. Parental rights shall be deemed to have been abused if a parent inflicts cruel or brutal bodily harm upon a child, endangers the child’s life, or psychologically harms the child through verbal abuse, beyond the limit of necessity. In such cases, parental rights may be suspended pursuant to the Civil Code or the Protection of Children and Youths Welfare and Rights Act. Such behavior may also constitute an offense of causing bodily or serious bodily injury under the Criminal Code of the Republic of China.
 - (b) Article 286 of the Criminal Code of the Republic of China explicitly prohibits the mistreatment of children and youth under the age of 18 and the impairment of their physical development as a result. Timely intervention is allowed pursuant to the Domestic Violence Prevention Act and the Protection of Children and Youths Welfare and Rights Act. Further provisions in the Civil Code, the Criminal Code of the Republic of China, and other laws aim to protect minor children from inappropriate parental punishment, both physical and mental. Hence, it is not necessary to remove the provision governing parents’ right to discipline children in the Civil Code.
128. In 2020, child and youth protection cases involving alleged improper discipline imposed by parents, guardians, or caregivers accounted for 36 percent of the total child and youth protection cases filed. As of 2021, April has been designated child and youth protection

promotion month. Promotional activities are organized to improve awareness regarding disciplining children and youth and to cultivate positive understanding about such concepts among citizens.

Prohibition of Corporal Punishment on Campuses

Concluding Observation 81/Supervising the Prohibition of Corporal Punishment on Campuses (129 to 131)

129. The Educational Fundamental Act, Teachers' Act, and Early Childhood Education and Care Act prohibit the corporal punishment or bullying of any student. Teachers (including principals) who inflict corporal punishment upon or punish any student in violation of the law shall be subject to disciplinary proceedings or dismissed if a student suffers serious physical or mental injury. See also Paragraph 13. See Attachment 5-24 for the administrative penalties imposed on teachers in cases of unlawful punishment (corporal punishment). To eliminate corporal punishment on campuses, the central government grants local governments subsidies to organize workshops attended by educational personnel at schools under their jurisdiction and designed to enhance understanding of positive guidance and discipline. The government also holds national student affairs meetings to enhance the promotion and implementation of its zero corporal punishment policy. Subsidies for private schools in violation of the Private School Law or relevant laws and regulations are reduced in accordance with the implementation guidelines for the Ministry of Education's rewards to and subsidies for private high schools.
130. A survey was conducted on campuses to understand the status of corporal punishment inflicted on students. See Attachment 5-25 for relevant data; see Attachment 5-26 for statistics on the penalties imposed due to violations of the Early Childhood Education and Care Act.
131. See Paragraph 29 for remedial measures to be taken for children and youth who have been assaulted on campus.

Prohibition of Corporal Punishment in Correctional and Placement Institutions

Concluding Observations 38 and 94 / Protection of Children Deprived of Their Liberty (132 to 133)

132. Corporal punishment is strictly prohibited in juvenile correctional institutions. Juveniles may not be punished for violations of discipline unless permitted under applicable laws. When punishment is inflicted, individual counseling is conducted, and the individual's parents, guardians, or next of kin are notified; the court in charge of the juvenile is also contacted. The government is developing a draft enforcement act for detention and treatment in juvenile correctional institutions. Referencing the CRC and the United Nations rules for the Protection

of Juveniles Deprived of their Liberty (“Havana Rules”), the draft prohibits the solitary confinement of detained juveniles at correctional institutions and stipulates that certain mandatory measures be followed in terms of preventing and handling unlawful assaults on detained juveniles.

133. From 2016 to 2020, an annual average of six incidents were reported and filed of improper discipline or physical abuse being inflicted upon detained children and youth by the staff of placement institutions. To avoid the recurrence of such incidents, the competent authority organizes annual in-service training for professional staff to enhance their awareness and implementation of the CRC. The counseling checklist for child and youth placement institutions was modified in 2020 to incorporate the regular inspection of placement institutions, thus ensuring that children or youth are not subject to torture or other forms of cruel, inhuman, or degrading treatment or punishment.

Prevention of Bullying on Campuses

Concluding Observation 54 / Prevention of Bullying on Campuses (134 to 136)

134. Taiwan’s guidelines for preventing bullying in schools were amended in 2020. To increase the willingness of bullied students to file applications or for whistleblowers to report bullying, the requirement that the ID number of students or whistleblowers be filed has been rescinded, and the names of the alleged perpetrator, victim, informant, witnesses, and investigators, as well as other identifying details, are to be kept confidential. In addition, the scope of what counts as bullying has been widened to include the behavior of teachers to students, including that of principals and any school staff at the same or another school to students on or outside campuses (see Paragraph 15). The bullying behavior of teachers to students may be investigated by a school’s bullying prevention task force. Depending on its severity, the case may be transferred to a teacher evaluation committee, teacher performance evaluation committee, or other committees organized according to the law.
135. Schools have been encouraged to establish olive branch centers and introduce peace circles through the correct application of the concepts and techniques of restorative justice. The parties in the conflict are encouraged to talk to each other and restore their relationship. See Attachment 5-27 for the results of such activities; see Attachments 5-28 and 5-29 for statistics on the reporting, confirmation, and type of bullying cases occurring in schools; see Attachment 5-30 for service statistics for the School Bullying Prevention Hotline (0800-200-885) and the School Bullying Prevention Section (Website) Message Board.

136. The government is dedicated to improving teachers' and students' awareness and knowledge of bullying prevention and jointly managing classroom safety. It has developed best practice examples of safe classrooms, including the planning of safe classroom environments, the modeling of successful cases of classroom management by teachers, and the development of campus-friendly curricula and teaching plans.

Prevention of Cyberbullying

Concluding Observation 55 / Prevention of Cyberbullying and Appeals (137)

137. The Institute of Watch Internet Network (iWIN) helps online platform providers establish more accurate self-discipline guidelines and procedures for the prevention of cyberbullying. It also provides appeals channels for the reporting of serious cases of cyberbullying.

E. Physical and Psychological Recovery and Social Reintegration

138. Juvenile correctional schools and their branches provide junior and senior high school courses pursuant to the 2019 Curriculum Guidelines. If a juvenile placed in a juvenile detention center has yet to graduate, the school they are attending must retain their student registration data in accordance with the law. The juvenile detention center must also inform the school whenever the individual enters and leaves the detention house. In accordance with the K-12 Education Administration's directions governing the subsidies for correctional education, the government supports juvenile correctional schools to place students and provide counseling by granting subsidies to correctional schools to hire teachers and professional counseling staff. See Attachments 5-31 and 5-32 for the number of children and youth detained in correctional schools and juvenile detention centers; see Attachment 5-33 for results concerning the implementation of juvenile correction and counseling measures.
139. Children and youth and their families must receive the welfare services they need should they fall under the remit of the Juvenile Justice Act. See Attachment 5-34 for data on children and youth and their families undergoing at least one year of follow-up guidance following the termination, suspension, or waiving of placement counseling or corrective education or being referred for counseling in accordance with the Juvenile Justice Act. In addition to carrying out follow-up counseling and independent living transition and processing services in accordance with the relevant guidance on juveniles leaving correctional schools at the termination of their correctional education (Attachment 5-35), the competent authority has established a national child and youth placement and follow-up case management system to oversee the assignment and acceptance of cases and the digitization of service records, and thus maintain better oversight over the lives of and guidance provided to children and youth leaving correctional institutions (schools).

140. The government established the Association for Victims Support, which, in addition to protecting persons and family members whose lives, physical well-being, and sexual autonomy have been harmed as a result of a crime, protects children and youth who have been victims of offences additional to these crimes. The association provides legal assistance, financial support, counseling and guidance, rehabilitation services, and other assistance.
141. See Paragraph 353 and Attachment 9-24 for details regarding the employment of disadvantaged juveniles returning to society and living independently upon the termination of placements.

Chapter VI FAMILY ENVIRONMENT AND ALTERNATIVE CARE

A. Respecting Parental Guidance and the Progressive Development of Children and Youth

142. See Paragraph 14 for major amendments to the Family Education Act in 2019. The network resources of schools, family education centers, and communities have been integrated to provide adequate resources and reference services for families in need of family education. Senior high schools and below provide students with family education for at least four hours in every academic year, and arrange parenting education in cooperation with parent associations. Schools provide family education courses (e.g., counseling, guidance, discussion) for the parents of students who have acted in serious violation of regulations. E-learning media and manuals for parenting education have also been developed; these promote such issues as positive discipline and coparenting. See Attachments 6-1 and 6-2 for statistics on family education center services.
143. Child preventive health services and the distribution of child health handbooks provide parents with neonatal health education guidance services and promote parenting guidance service programs. See Paragraph 113 and Attachment 7-23 for more details.

B. Parental Responsibilities

144. To support parents with children, the government provides financial support (emergency and regular living assistance to disadvantaged children and youth and assistance for families in difficulty), medical assistance (exemption from outpatient and inpatient copayments for children under the age of three; subsidies for the National Health Insurance premium for children and youth from low- to middle-income households; subsidies for the inpatient treatment and care of disadvantaged children and youth; and dedicated funds for children and youth suffering from rare disorders, hemophilia, and HIV / AIDS), education assistance (subsidies for after-school care services and financial support for indigenous families with children enrolled in preschool), and friendly workplace measures (parental leave allowance). See Attachments 6-3 to 6-11 for more information.
145. See Paragraph 113 for support services for vulnerable families; see Paragraphs 212 to 214 for early intervention services.

Concluding Observations 71 to 73 / Affordable Premium Educare and Childcare Services (146)

146. A program of countermeasures is being promoted to address Taiwan's low birth rate. Families with children are receiving the fullest possible support through the implementation of three

strategies: the strengthening of public support for private institutions, the creation of quasi-public mechanisms, and the increasing of child-raising allowances. Funding for the care of children from birth to the age of six was increased from NT\$15.4 billion in 2016 to NT\$55.7 billion in 2021. A further increase to NT\$85 billion is planned for 2023. See Attachment 6-12 for the results of the implementation of this policy.

147. The Income Tax Act stipulates special deductions for preschool children. In 2012, the deduction per child per year was increased from NT\$25,000 to NT\$120,000. See Attachment 6-13 for more information.
148. During the COVID-19 pandemic, schools suspended courses and parents had to stay home to take care of children. Family livelihoods were affected as a result. To reduce the financial burden on parents, the government granted a pandemic prevention allowance to families with children in elementary schools and preschools and to students with disabilities in junior and senior high schools. The allowance amounted to NT\$10,000 per child or student.

C. The Right Not to Be Separated from Parents

149. An implementation plan for community-based family mediation services was put into practice in 2020. When receiving mediation or counseling, parents are directed to work together in exercising and sharing the burden of raising children in such a way as to place the interests of children first. See Attachment 6-14 for the statistics on these services.
150. Service centers provide parenting education courses for family cases involving minor children in accordance with regulations on the handling of family matters. See Attachment 6-15 for statistics on these services.
151. Undocumented migrant workers who give birth in Taiwan are, in principle, to be safely repatriated to their countries of origin together with their children. The NIA founded three shelters in 2020; these provide temporary accommodation when an undocumented migrant worker cannot be housed elsewhere due to pregnancy or accompanying children. In 2020, 72 people (of whom 35 were children) stayed in shelters managed by the NIA.
152. A structured decision-making model has been introduced into the child and youth protection case handling process that allows safety assessments to be conducted as an auxiliary tool (see Attachment 6-16). The model guides social workers in identifying family protection factors and thereby reducing unnecessary out-of-home resettlements. From 2016 to 2020, the need for resettlements due to assessments identifying unsafe circumstances was reduced; see Attachment 6-17 for associated statistics. To avoid inappropriate resettlements as part of applications instigated by parents, the competent authority assesses the necessity of taking such action in accordance with municipal and county (city) government procedures for

accepting child and youth placements. See also Paragraph 165. In 2020, 82.4 percent of placement applications were assessed through the aforementioned mechanism.

153. In addition to providing family reunification services for children placed outside of the home and their families, the government assists such families in improving their care abilities, enhancing parental capabilities, repairing child-family relationships, arranging visits during placements, and offering progressive home-return services to help children and youth return to their original families at the earliest possible juncture. See Attachment 6-18 for associated statistics.
154. The Statute on the Establishment of Juvenile Detention Houses and the Act of the Establishment of Juvenile Reformatory Schools and Enforcement of Education entitle juvenile inmates and reform school students to receive visits and correspondence from family and friends. Juvenile correctional institutions may also arrange family visitations and organize family visit days; see Attachment 5-33. Correctional institutions assist foreign juveniles in making outside contact and arrange meetings or correspondence by providing written material or translation assistance.
155. See Attachment 6-19 for statistics on children living with mothers in prison (detention centers). See also Paragraph 182 for associated measures.
156. The government amended the Regulations Governing the Residency, Long-Term Residency, or Residency for Naturalization of the People of the Mainland China Area Living with a Relative in the Taiwan Area in 2019 to allow divorced spouses with household registration in Taiwan who are involved in raising and maintain contact with their own minor children, or whose forced deportation may bring about serious and irreparable harm to their children, to maintain continued residence in Taiwan.

D. Family Reunification

157. See Attachment 6-20 for the number of visas issued to foreign minors who are the children of R.O.C. nationals with household registration in Taiwan. For spouses from mainland China who have successfully applied for long-term residency or settled in Taiwan, any children who were brought to Taiwan for the first time when they were less than 16 years old and have legally resided in Taiwan for four consecutive years and legally stayed in Taiwan for 183 days every year may also apply for long-term residence. Spouses from mainland China attaining household registration in Taiwan may apply for long-term residence for any of their own children under the age of 20.

E. Recovery of Maintenance for the Child

158. Parents are to bear the costs of raising children and youth. See Paragraphs 153 and 157 in the initial national report.

F. Children Deprived of a Family Environment

Concluding Observations 42 to 45 / Alternative Care with the Family as the Center (159 to 164)

159. Per amendments to the Protection of Children and Youths Welfare and Rights Act in 2019, children and youth may be settled with a relative or third party as an alternative to settling them with foster families or placement institutions. To improve such relatives' capabilities, best practices and service plans have been developed for supporting their provision of family care. See Attachments 5-4 and 5-5 for data on placement with relatives.
160. In 2019, the government established a working group to review the current status of and develop alternative care policies for children and youth. Completed in 2021, the policies developed give priority to supporting family functions, preventing unnecessary resettlement, developing family-based care alternatives, improving the quality of care alternatives, protecting the rights and interests of children and youth, cultivating independence in children and youth, and enhancing supporting resources.
161. The competent authority provides foster families with professional allowances, respite care services, home support, health examinations, counseling, and support for the care of children and youth who have special needs. See Attachment 6-21 for related results. See Attachment 6-22 for data on foster families.
162. Children and youth are provided with group home services if assessed as being unsuitable for placement in institutions or foster families due to disabilities, specific illnesses, abnormal patterns of behavior, or severe emotional distress.
163. See Attachments 6-23 and 6-24 for the number of children and youth placed in institutions. The following measures are taken to ensure the quality of child and youth placement institutions:
- (a) The competent authority is required to inspect each institution at least three times a year, or four if the institution has been assessed as grade *B* or less.
 - (b) Central and local governments conduct regular joint assessments and provide guidance to institutions assessed as grades *C* and *D* to support their improvement or order them to close.
 - (c) The competent authority conducts assessment benchmarking optimization studies to improve assessment benchmarks.
 - (d) Institutions group children and youth into units according to age and needs. Family meetings are held regularly for each unit. See Paragraph 86.

164. Regulations subsidizing the professional service fees provided to child and youth placement institutions are amended annually to increase the amount. Conducting financial audits also helps create a consistent accounting system and care cost calculation standard for institutions; the government discusses reasonable placement fees with local competent authorities on this basis.

Concluding Observation 46 / Placement upon Decision of the Court (165)

165. An assessment and decision-making mechanism has been established to oversee the intervention of administrative agencies in parents' applications for commissioned placement. Municipal and county (city) government procedures for accepting commissions for child and youth placements were established in 2019 (Attachment 6-25). When parents, guardians, or interested parties apply to have a child or youth resettled, the competent authority works with professional teams to assess the family's functionality and social support systems, while also paying particular attention to the opinions of the child or youth. If the assessment shows that placement is unnecessary, resources appropriate to the needs of the child or youth and their family are provided on a case-by-case basis. The competent authority also maintains a thorough check on the number of children and youth accepted by placement institutions within its jurisdiction, and, through team-based decision-making and assessment, provides services supporting the independence or return home of children and youth. As of the end of 2020, the number of children and youth accepted by institutions was reduced from 408 in 2016 to 76.

G. Periodic Review of Placement

Concluding Observations 47 and 48 / Assessment of Placement Necessity (166)

166. Regular application of placement assessment mechanisms:

- (a) Commissioned placement: A regular assessment of child and youth placement and the implementation status of family treatment is conducted every three months after the confirmation of a placement. A group decision-making meeting is held prior to the termination of a placement to assess if placement continues to be needed.
- (b) Placement upon decision of the court: Such placements should, in principle, not exceed one year and be subject to regular three-monthly assessments and regular three-monthly visits to the original family. If long-term placement is needed, a long-term treatment plan is developed. As with the placement itself, regular assessments must be conducted every three months to review the appropriateness of the treatment plan. The opinions of children and youth must be taken into account during the placement process. See Attachment 6-26.

167. See Attachment 6-27 for statistical data on children and youth returning home after placement in institutions and foster families.

Concluding Observation 49 / Follow-up Services after Termination of Placements (168 to 169)

168. Building life skills and cultivating independence among juveniles who cannot return home must be promoted during placements so that individuals develop the capacity to live an independent life in the community.
169. Social workers provide at least one year of follow-up counseling to children and youth returning home after the conclusion of out-of-home placements, helping them adapt to their homes, recover relationships with their original families, and connect to resources that provide family support services and thereby prevent any recurring need for out-of-home placement. Juveniles who have no home to return to are provided with schooling, employment, medical, and other services as required for their independence. See Attachments 6-28 and 6-29 for the status of such services.
170. The competent authority provides family maintenance services after children and youth return home following the conclusion of a placement. At least two visits are made per month in the first three months of an individual returning home. More visits may be made if necessary.

H. Adoption

171. The Veterans Affairs Council's directions governing allowances to dependents of veterans under the fully government-paid home-care placement system were amended in 2019 to remove the provision that allowances be limited to one adopted child and extend the same rights to both biological and adopted children.

Concluding Observation 50 / Advocacy for Domestic Adoption of Children with Special Needs (172 to 173)

172. As of 2020, five adoption service providers had worked with nine countries to arrange intercountry adoption services. See Attachments 6-30 to 6-32 for an overview of adoptions:
- (a) From 2016 to 2020, approximately 85 percent of the 4,748 children and youth registered for adoption were adopted domestically. Domestic adoption involving nonkin relationships increased from 42.66 percent in 2016 to 51.43 percent in 2020.
 - (b) More than 97 percent of nonkin relationship adoption of children and youth without special needs occurred domestically. For children and youth with special needs (including older children and children with disabilities or special family backgrounds), approximately 30 percent were adopted domestically, while the remaining 70 percent were intercountry adoptions because no adoptive families were found in Taiwan.

173. People's willingness to adopt children and youth with special needs is raised through such approaches as media outreach, the provision of subsidies to adoption service providers to implement programs that facilitate the adoption of children and youth with special needs, and the appraisal of associated operations.

174. Regarding the termination of adoptions:

- (a) According to the Civil Code, adoptions and the termination of adoptions are to be decided by courts based on the best interests of the adopted child. See Attachments 6-33 and 6-34 for information about terminated adoptions.
- (b) A 2017 study indicated that the most common reasons for terminating adoptions were divorce, better conditions being available with the original family, disciplinary issues, and requests by the biological father that a child's original surname be restored.
- (c) Social workers receive annual professional training to enhance the assessment and review of the adoption of minor children and the termination of adoptions. An activity to develop multidisciplinary consensus between judicial personnel and social workers was also organized in 2019.

Concluding Observation 51 / Acceptance of the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (175)

175. To ensure the compliance of intercountry adoption with the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, Taiwan's Permit and Management Regulations for Children and Youth Adoption Service Providers stipulate that an adoption service provider applying for a permit to provide intercountry adoption services must already have been engaged in the provision of domestic adoption services for more than three years with an evaluation result of grade A or higher. The applicant must submit a legal certificate, to be reviewed by the government, showing that its cooperating partner is recognized and authorized to operate in that country. When engaging in intercountry adoption of children and youth, the adoption service provider must submit documentation proving that priority was given to arranging a domestic adoption.

I. Illicit Transfer and Nonreturn of Children and Youth

176. See Attachments 6-35 and 6-36 for investigations based on and the implementation of Articles 241 and 242 of the Criminal Code of the Republic of China by district prosecutors offices with respect to the forcible abductions of minors under the age of 20.

Concluding Observations 40 and 41 / Acceptance of the Hague Convention on the Civil Aspects of International Child Abduction to Deal with the Illicit Trafficking of Children and Youth and Their Return Home (177)

177. Taiwan's Procedures to Assist in Searching for Missing Children or Youth Due to Parental (or Familial) Child Abduction follow the spirit of the Hague Convention on the Civil Aspects of International Child Abduction. See Attachment 6-37. Preventing children from being taken overseas is ensured by helping search for missing children and issuing temporary injunctions. The status of children already taken overseas can be understood through diplomatic missions or mutual judicial assistance systems. See Attachments 6-38 and 6-39.
178. From 2016 to 2020, 980 cases filed by social workers involved missing children and youth taken away by parents or relatives without official permission. Almost 90 percent of individuals were found. See Attachments 6-40 to 6-42 for associated statistics.
179. Taiwan and the United States signed a Memorandum of Understanding on Cooperation on International Parental Child Abduction in 2019. A joint committee held meetings in May 2019 and November 2020 to enhance communication, coordination, and information sharing.

J. Protection of Children with Fathers / Mothers in Prison or Living with Mothers in Prison

180. Correctional institutions must engage in advocacy and review work to ensure the care and support of the minor children of inmates. They must ensure the care of children under the age of 12 and report to the local competent authority if any assistance is needed. See Attachment 6-43.
181. The Prison Act and Detention Act were amended in 2020 to stipulate that whenever a child enters or leaves prison (detention center) with his or her mother, the local competent authority to whose jurisdiction the child's household registration applies must be notified to determine the best interests of the child, and with assistance being extended to the family where necessary.
182. Correctional institutions must operate nurseries, purchase associated supplies, and provide lectures or courses on parental and child development. Women's prisons must hire nursery staff to provide childcare demonstration; they must also build outdoor playground facilities for children and safeguard children's educational opportunities by implementing Taiwan's study plan for children aged two or older attending day nurseries. See Attachment 6-19 for statistics on children who accompany their mothers to prison (detention center).

Chapter VII DISABILITY, BASIC HEALTH, AND WELFARE

A. Survival and Development

183. See also Chapter 3, Section C; Chapter 5, Sections A, D, and E; and Sections C and E of this chapter regarding the right to survival. See also Chapter 4 and Chapter 8 for the right to development.
184. A children's healthcare improvement program²⁶ was approved in 2020 to enhance primary care and health management; improve medical care for perinatal, emergency, and critical patients; and reduce the preventable mortality of newborns and children.
185. The Protection of Children and Youths Welfare and Rights Act explicitly stipulates the establishment of notification and processing systems for shortages of specific medicines and medical devices needed for the treatment of premature babies, children suffering from serious illnesses, and children in life-threatening conditions. To provide hospitals with assistance in applying for or consulting on shortages of medicines and medical devices for children, the government has established a center dedicated to clinically indispensable but difficult-to-access children's medicines and medical devices.

COVID-19

186. To mitigate the impact of the COVID-19 pandemic on the lives of children and youth in disadvantaged families, an additional monthly subsidy of NT\$1,500 was granted for each child during the periods of April to June 2020 and May to July 2021.
187. To avoid cluster infections in child and youth placement institutions, the competent authorities have helped institutions within their jurisdiction establish an antipandemic preparation and response plan, plan accommodation arrangements and care personnel scheduling for confirmed cases, and use IT systems to regularly check and compare personnel lists to understand the risk of infection in a timely manner.

B. Disabled Children and Youth

188. In accordance with the Act to Implement the Convention on the Rights of Persons with Disabilities, the second state report on the implementation of the act was published in December 2020. Its preparation gave due consideration to the participation of persons with disabilities of all ages and regions and their representative groups.

26 The program's remit includes improving perinatal healthcare systems; building a multilevel, multiregional emergency care network for children; integrating hospital resources and strengthening the capacity to deal with and quality of care of critical and undiagnosed rare diseases; developing a professional referral team and care network for critically ill children; planning a national platform for handling undiagnosed diseases for children; training professionals in pediatric care, promoting innovation, and translating research; developing a family-based system of pediatricians; and promoting parenting guidance for vulnerable families.

189. See Attachment 7-1 for statistics on children and youth categorized by disability.²⁷

Personal Safety

190. Taiwan's guidelines on searches for missing persons were amended in 2019 to extend the age criterion for emergency searches for persons certified as disabled from seven years of age to 12 years of age.

Concluding Observations 58 and 59 / Data on Support and Development Services for Children and Youth with Disabilities, Inclusive Education (191 to 201)

Support and Development

191. Since 2020, children and youth with disabilities have had access to both a living allowance and daycare subsidies. See Attachments 7-2 to 7-6 for statistics on the beneficiaries of subsidies and services for children and youth with disabilities, the number of children and youth with disabilities living in institutions, and the beneficiaries of support services for the family caregivers of children and youth with disabilities.

Special Education

192. The Special Education Act guarantees special education for children and youth with disabilities. Compulsory education at elementary and junior high schools is subject to the Compulsory Education Act. At less than 0.08 percent, the drop-out rate for students with disabilities is lower than that of students without disabilities. Local authorities must establish committees to oversee the appraisal, placement, repeat placement, and counseling of special education students. Various support services are also provided, including professional and assistive services, educational assistive technologies, and Braille books and audio textbooks, as well as reductions in or exemption from tuition fees. The Enforcement Rules of the Special Education Act stipulate that schools must formulate individualized education plans (IEPs) for students with disabilities based on their characteristics. To aid students' transitions between each stage of education, the original institution or school must provide transition documents to the new institution or school on convening IEP meetings. See Attachment 7-7 for statistics on the schooling of children and youth with disabilities, Attachment 7-8 for statistics on applications for professional services for preschool students with disabilities, and Attachment 7-9 for the ratio of students to teachers in centralized special education classes.

²⁷ In this report, "people (persons) with disabilities" means persons who have filed applications of their own accord according to the People with Disabilities Rights Protection Act and been qualified upon evaluation and assessment. Statistics represent only the reporting rate of persons willing to apply for government subsidies who have been through the appraisal process, and do not reflect the actual prevalence of persons with long-term physical, mental, intellectual, or sensory impairments.

193. A medium-term special education plan (for the academic years 2019 to 2023) and an implementation plan for improving student inclusion and education at senior high schools have been established. The percentage of students enrolled in special education schools dropped from 7 percent in 2010 to 5 percent in 2019, and special education implementation committees have been established at all regular schools. The competent educational authorities at all levels operate special education resource centers; teachers hired to teach regular classes must complete related courses before starting their jobs, as well as participate in annual workshops on special education.
194. Taiwan's teaching principles and counseling guidelines for students with disabilities enrolled in regular classes at senior high schools and below were amended in 2020:
- (a) The principal of the school must coordinate with school units to accomplish special education tasks, and it is clearly stipulated that the school must proactively build links to external support networks and that all relevant units within the school must handle special education tasks.
 - (b) Schools must plan and provide professional continuing education courses for teachers engaged in teaching and counseling students with disabilities.
 - (c) Schools must review their teaching and counseling of students with disabilities on a regular basis to understand the effectiveness of their efforts.
195. Both the competent authorities and schools work to strengthen the appraisal of gifted students with disabilities and their counseling. Nevertheless, since no fixed appraisal regulations exist, in practice the quality and implementation of placement and counseling differ among counties and cities. Given low identification rates for gifted students with disabilities and the incomplete state of counseling and support systems, a plan to improve the identification and counseling of gifted students with disabilities has been established as a guide for best practice.
196. Taiwan's Regulations for Establishment and Management of After-school Care Service Classes and Centers for Children require that special education teachers or professional personnel be hired for children and youth with disabilities according to their needs, and that equal opportunity be ensured in the use of buildings, facilities, and equipment. See Attachment 7-10 for statistics on children and youth with disabilities enrolled in after-school care and service centers for children; see Attachment 7-11 for subsidies for children and youth with disabilities attending after-school care classes for children.
197. With the establishment of a campus accessibility management system in 2016, schools are supervised in improving accessible facilities in accordance with design regulations for accessible buildings and facilities. See Paragraph 69 of the *Second National Report on the Convention on the Rights of Persons with Disabilities* (hereinafter the "CRPD"). See

Paragraph 158 of the *Second National Report on the CRPD* for the provision of assistive devices.

198. To provide transition guidance and services for students with disabilities, schools formulate career transition plans and recommendations on individual needs in combination with students' IEPs. The schooling rate is increased by arranging appropriate support and placement for students with disabilities. The graduation rate of students with disabilities has reached 80 percent. See Attachment 7-12 for statistics on people with disabilities aged 15 to 18 receiving vocational training. See also Paragraph 240 of the *Second National Report on the CRPD*.

Culture and Recreation

199. The accessibility of spaces at children's playgrounds in parks is being improved by evaluating the accessibility of urban parks and greenbelt environments and encouraging local authorities to plan inclusive playgrounds with the participation of children and organizations representing people with disabilities. Playground facilities and spaces must meet the CNS requirements and the Ministry of the Interior's design standards for accessible equipment and facilities. See Attachment 7-13 for statistics on playgrounds in parks. See also Paragraphs 267 and 270 of the *Second National Report on the CRPD*.
200. See Attachment 7-14 for the activities organized by subordinate agencies of the Ministry of Culture and the National Palace Museum for children and youth with disabilities. See also Paragraphs 258 to 273 of the *Second National Report on the CRPD* for the participation of children and youth with disabilities in cultural life and entertainment, leisure, and sports activities.

Children and Youth in Out-of-Home Placement and Correctional Institutions

201. Preschoolers with disabilities in placement institutions are provided with early intervention treatment. Children and youth with disabilities enter the special education system upon reaching school age. Schools provide individualized care service plans to complement the special education resources available. Schools also provide support services for children and youth with special needs or disabilities. In 2019, the government implemented a plan to improve alternative care resources for the out-of-home placement of children and youth, subsidizing local authorities to form local multidisciplinary assessment teams that assess and integrate resources and professional development for medical services, special education, early intervention treatment, and psychological support. The government also subsidizes institutions in providing accessible facilities and equipment. As of 2020, subsidies had reached more than NT\$53.82 million. See Attachment 6-21 for the results of these services.
202. In recent years, correctional schools and juvenile detention houses have introduced special education resources and comprehensive counseling resources for students with disabilities,

established a three-level counseling system, enhanced communications with juvenile courts, and developed draft regulations on the implementation of detention and treatment in juvenile correctional institutions.

C. Health and Health Services

Prenatal and Postpartum care

203. Since 2017, the government has implemented a care plan for high-risk pregnant women and newborns, providing health education, follow-up care, and referral services from pregnancy to between six weeks and six months after delivery to improve the health of mothers and newborns at high risk.²⁸ See Attachment 7-15 for the plan's implementation efficiency and inclusion criteria analysis. Since July 2021, the number of prenatal examinations provided to expectant mothers has increased from 10 to 14, covering additional gestational diabetes mellitus and anemia testing and two ultrasonic examinations.
204. See Attachment 7-16 for the utilization rate of prenatal examinations. See Attachment 7-17 for the utilization rate of subsidies for prenatal genetic testing. See Attachment 7-18 for the maternal mortality rate of pregnant women and statistics on the leading causes of pregnancy-related deaths. See Paragraph 308 for transport subsidies supporting prenatal examinations for indigenous women.

Improving the Quality of Medical Care for Children and Youth

205. As of August 2021, the government had funded the cultivation of 637 medical students—including 21 obstetrics and gynecology specialists (including some still under training), 25 pediatric specialists, and 187 midwives—to serve in local placements. Following graduation, the students were reassigned to their hometowns, and, after serving out their initial contracts, almost 70 percent have continued to serve in these indigenous and offshore areas. The number of practicing pediatric specialists increased from 3,340 in 2008 to 4,469 in 2020 for a growth rate of 33 percent, with the number of pediatric specialists for every 10,000 children increasing from 6.42 to 18.99. To improve the quality of services, from 2015 to 2017 the government subsidized hospitals to implement incentive programs for pediatric medical teams focusing on critical, intractable, and rare diseases. See Paragraphs 184, 185, and 206 for details of the 2020 program.

28 Covers health risk factors (mother's use of tobacco and alcohol, multiple births, or diagnoses of gestational hypertension or gestational diabetes mellitus in combination with an educational background lower than senior or vocational high school, indigenous or new immigrant status, membership of high-risk groups for substance abuse, or mental health problems), socioeconomic risk factors (mother under the age of 20, from low / low- to middle-income household, or victim of domestic violence who has not had prenatal checkups), and newborns whose mothers did not receive prenatal checkups for the duration of their pregnancy.

206. In 2020, to develop a family-based child healthcare model and enhance primary healthcare services for children under the age of three, six counties and cities having jurisdiction over 202 medical institutions received subsidies to implement a pilot scheme employing early childhood physicians.

Preventive Health Checkups and Vaccinations for Children and Youth

207. See Attachment 7-19 for the percentage of infants born with low weight; see Attachment 7-20 for the weight, gestational age, and birth defects of infants born through assisted reproduction; see Attachment 7-21 for statistics on hearing screening for newborns; see Attachment 7-22 for statistics on the screening of congenital metabolic diseases in newborns; see Attachment 7-23 for the utilization rate of children's preventive health checkups; see Attachment 7-24 for statistics on vision screening for preschoolers.

208. Taiwan's current program of preventive vaccinations includes nine routine and flu vaccines covering 15 infectious diseases. The coverage rate of the routine vaccinations for children exceeds 96 percent for the basic shot and exceeds 93 percent for the booster shot; see Attachment 7-25. The annual government-funded flu vaccination covers children and adolescents aged six months through 18 years. School-based vaccination programs are also conducted.

209. Vaccination policies introduced in the last five years:

- (a) In 2017, the use of the cell-cultured live attenuated Japanese encephalitis vaccine took over as a substitute for the inactivated Japanese encephalitis vaccine prepared using mouse brains.
- (b) In 2018, the hepatitis A vaccine was incorporated into the routine preventive vaccination program, subsidies were expanded to cover fees for the routine vaccination of children, and vaccination health education and HPV vaccination services were promoted among first-year female students in junior high schools.
- (c) In 2019, the government extended government-funded hepatitis A vaccination to sixth-grade students or lower in elementary schools from low- and low- to middle-income households, extended the Human Hepatitis B Immunoglobulin (HBIG) vaccination to newborns whose mothers exhibit a positive HBsAg (s-Antigen) test result, and changed to the use of quadrivalent influenza vaccines.
- (d) In 2021, the competent authority arranged for youth aged 12 to 17 (inclusive) to receive BNT COVID-19 vaccinations on campuses or at contracted medical institutions.

210. Preventive or therapeutic care is provided to HIV-positive pregnant and parturient women (infants) during pregnancy, labor, and the postnatal period, including drugs to prevent

mother-to-child transmission, medical subsidies to receive caesarean sections for HIV-positive expectant mothers not covered by the National Health Insurance system, substitutes for breast milk to avoid mother-to-child transmission due to breast-feeding, and subsidies for regular examinations and the hiring of personnel to monitor medication. There were no cases of mother-to-child transmission in Taiwan in 2020.

211. Medical expenses for the treatment of HIV / AIDS are covered by the National Health Insurance system. In accordance with the HIV Infection Control and Patient Rights Protection Act, the government must budget for the medical expenses of persons for two years following a confirmed diagnosis and commencement of treatment; medical expenses are covered by the National Health Insurance system thereafter. See Attachment 7-26 for the number of confirmed cases of HIV-positive children and youth; see Attachment 7-27 for the living conditions of HIV-positive children and youth; see Attachment 7-28 for statistics on youth affected by sexually transmitted diseases.

Early Intervention Treatment

212. Community-based services are made available to children with developmental delays in accordance with an associated implementation plan. The number of serviced areas increased from 34 townships in 2014 to 92 townships in 2019. See Attachment 7-29 for the implementation of subsidies for early intervention treatment expenses.
213. Mitigating the difference in early intervention treatment resources between urban and rural areas:
- (a) In 2019, the government formulated a 2019-21 deployment plan for intervention in areas lacking resources. Deployment in all 37 townships lacking health, social welfare, and education resources was completed in 2020; deployment in the 130 townships lacking two of these types of resources is in progress; and deployment has been completed in 123 townships, with a coverage rate of 94.61 percent.
 - (b) Under plans to add measures for consolidated family-based early intervention care fees as part of Taiwan's program of improved National Health Insurance payments for early intervention outpatient services, a 20 percent markup is granted to institutions located in mountainous areas and on offshore islands; see Attachment 7-30 for implementation results. Under a separate National Health Insurance program also designed to improve healthcare benefits in mountainous areas and on offshore islands, a 30 percent markup is granted to institutions providing mobile early intervention services at community-based service stations.
214. See Paragraphs 39 to 40 of the *Second National Report on the CRPD* for early intervention measures.

Prevention and Management of Obesity

Concluding Observation 64 / Prevention and Management of Obesity (215 to 216)

215. See Paragraph 106 on protecting students' privacy during health examinations.

216. The prevalence of overweight and obese students in elementary schools decreased from 28.1 percent in 2016 to 27.1 percent in 2019, while the prevalence of overweight and obese students in junior high schools increased slightly from 29.5 percent to 31.3 percent during the same period; see Attachment 7-31. Measures for preventing and managing obesity are described below:

- (a) Referencing the WHO Ending Childhood Obesity Guidelines, a 2020-21 childhood obesity prevention and intervention pilot program provided intervention strategies for schools, families, hospitals, and communities. A 2020-21 childhood health and obesity prevention and management system-building pilot program implemented front-end preventive controls and back-end follow-up referrals based on the historical growth curves of children. Furthermore, attempts to develop medical institutions that promote child and youth health have drawn on previous efforts to promote healthy body types, with accreditation, operational processes, and assessment methodologies for treating children and youth modelled on prevailing health hospital certification standards.
- (b) Good health is promoted in schools based on the concept of “85210.”²⁹ Learning about healthy body types is a mandatory part of the curriculum at senior high schools and below.
- (c) Nutritional standards for school lunches and nutritional standards and recipe examples for preschool lunches have been amended. A plan to develop food education materials for elementary schools has also been implemented to provide suitable food education materials, enhance the promotion of healthy body types on campuses, and provide classes on controlling body weight or individual counseling services.

Physical Fitness of Students

217. Taiwan's national physical fitness testing regulations require schools to conduct at least one physical fitness test every academic year; the Ministry of Education's Sports Administration must regularly publish current national physical fitness norms. The percentage of students passing the basic threshold (i.e., ranking in the 25th percentile or better in four physical fitness activities) during the 2016 to 2019 academic years were 59.95 percent, 60.38 percent, 60.76 percent, and 59.8 percent, respectively.

²⁹ This refers to getting eight hours of good sleep per day, consuming five servings of fruits and vegetables per day, using the four most common electronic devices (TV, computer, games console, cellphone) for less than two hours per day, getting at least 30 minutes of exercise in one day, and consuming regular drinking water instead of sugared beverages (i.e., “zero” sugared beverages).

218. A program designed to ensure that children receive at least 150 minutes of exercise at schools has been established, requiring that senior and vocational high schools and below: (1) implement morning, recess, or after-school fitness classes; (2) use flexible classes to implement sports activities, integrated with school club activities, if needed; (3) provide support to establish a range of sports clubs; and (4) promote interclass competitions.

Promoting Mental Health

Concluding Observations 62 and 63 / Efficacy of Mental Health Services (219 to 220)

219. Taiwan's national mental health plan stipulates the following measures for children and youth:

- (a) In 2019, mental health was added as a subsidized option for local governments in their management of health promotion programs at schools under their jurisdiction. Mental health education became mandatory at junior and senior high schools as of the 2021 academic year.
- (b) A mental health learning platform has been established to promote the dissemination of mental health education, informed mental health awareness, and provide related educational training.
- (c) Local health counseling services are available. As of 2020, 311 townships and cities provide free or discounted psychological counseling services. In addition to providing psychological counseling services, the 1925 Hotline also assesses referrals or links to other service resources.
- (d) Juvenile correctional schools have been adding counselors, special education teachers, and counseling personnel since August 2021 to implement mental health promotion programs covering student counseling, career planning, suicide prevention, and abstinence.

220. See Paragraphs 70 to 72 for child and youth suicide prevention measures.

Promoting and Using Health Knowledge

221. The Regulation for the Implementation of Smoking Cessation Education was amended in 2020 to diversify smoking cessation education channels and methods. In addition to physical classes, schools also provide courses or counseling services via the internet and other media. Smoking cessation education must exceed two hours; more time may be required for smokers under the age of 18 who relapse within one year.

222. Outreach regarding the harmfulness of electronic cigarettes focuses on second-hand smoke, third-hand smoke, smoking cessation, and the fundamental danger of the habit. To increase effectiveness, outreach is implemented through a combination of TV and radio programming, online social marketing events, and outdoor and print media.

223. The juvenile drinking rate increased slightly from 25.7 percent in 2009 to 27.7 percent in 2017. Estimates indicate that approximately 415,000 young people have consumed at least one alcoholic beverage. The message that there is no lower limit to safe alcohol consumption and information about alcohol intolerance is communicated via multiple media. The continued implementation of an integrated cigarette, alcohol, and betel nut prevention program is also strengthening combined efforts to deter consumption.
224. To improve the ability of children and their caregivers to prevent and treat nearsightedness, the competent authority uses multiple media to promote digital products and eyecare. Directions recommending that warning indicators be placed on consumer electronics have been established to suggest how students should foster good habits and use digital products properly.
225. A diverse range of health education methods is employed to communicate disease prevention know-how and promote and implement such habits as frequent hand washing with soap, cough etiquette, and staying home when ill. Picture books about COVID-19 and other diseases have also been published to improve children's understanding of diseases and associated prevention measures.

Sexual and Reproductive Health

Concluding Observations 65 to 67 / Sexual and Reproductive Health Plan (226 - 229)

226. Sexual and reproductive health measures taken by schools:
- (a) Sexual and reproductive health has been incorporated into curriculum guidelines, and curriculum review committees have student representatives gather the opinions of children and youth.
 - (b) Taiwan's 2019 Curriculum Guidelines explicitly require the appropriate incorporation of gender equity education and other issues into the design of curricula, including such issues as biological sex traits, sexual orientation, gender traits, and respect for different gender identities. Schools may select or compile suitable teaching materials depending on regional variation and the characteristics and needs of their students.
227. Schools establish health and physical education counseling groups and central counseling teams to improve the professional competence of health education teachers at elementary and junior high schools. A three-level counseling system formed by the central and local governments and schools provides professional advisory services on such issues as health education curricula, teaching materials, teaching, measurement, and behavioral research.

228. Measures to improve knowledge of sex education among children and youth and their parents:
- (a) A gender awareness and growth digital handbook and CD have been published for parents to use in self-learning and in parenting education activities.
 - (b) The Health 99+ Education Resource website established by the Health Promotion Administration provides high-quality health education resources through relevant articles.
 - (c) A counseling hotline available to both parents and youth provides counseling services on a range of sex-related issues.

229. Assistance for pregnant minor students:

- (a) Upon discovering that a minor student is pregnant, a school must form a task force and provide various forms of assistance. In addition to providing pregnant students or student mothers with a well-rounded and well-tailored education, it must also provide counseling and assistance regarding transfers, placement, healthcare, employment, family support, financial security, and legal matters. It must also be flexible regarding regulations dealing with such students' grading and status on the school roll.
- (b) In 2020, registration and outpatient expenses for miscarriages and childbirths were incorporated into the insurance benefits covered under the Group Insurance of Students at Schools at Senior Secondary Level or Below and Young Children at Educare Service Institutions Act.
- (c) A national counseling hotline for pregnant minors and 257085.sfaa.gov.tw, a website providing associated support and advice, have been established. Projects providing integrated services have been subsidized; associated training for professional personnel is also available.

Concluding Observations 90 and 91 / Assessment of the Effectiveness of Dealing with Drug Abuse / Drugs as a Health Issue Rather than a Criminal Issue (230 to 231)

Medical Assistance for Drug Abusers

230. See Attachment 7-32 for statistics on the drug addiction treatment services provided by the Taoyuan and Changhua branches of Chengjheng High School in 2017 in accordance with Taiwan's integrated drug addiction treatment and improvement plan for correctional institutions. In 2018, the government began to provide juvenile correctional institutions with treatment-oriented courses focusing on seven areas, including the concepts of addiction and abstinence strategies, pursuant to a science-based drug offender treatment model. This was subject to an effectiveness evaluation and improvement plan in 2020.

231. In 2019, subsidies were granted to private sector institutions in the drug addiction treatment community managing a total of 69 beds. To encourage related medical institutions to develop addiction treatment models for juveniles, a preliminary pilot scheme to establish integrated addiction treatment demonstration centers was launched in the same year. In 2020, the government provided subsidies for 50 persons under a scheme to subsidize addiction treatment expenses and established a management system for drug and alcohol addiction treatment cases.

Environmental Monitoring and Outreach

Concluding Observation 68 / Environmental Quality Monitoring (232 to 234)

232. A drinking water management and inspection control plan has been implemented in accordance with the Drinking Water Management Act and associated regulations to oversee the work of local environmental protection agencies in implementing inspection controls. Unlisted pollutants are to be sampled subject to tiered controls and an annual program of sequential testing and monitoring.

233. Environmental safety mechanisms in senior high schools and below:

- (a) Schools conduct man-made and natural disaster drills. Police, firefighting, social, and civil administration units and parents are invited to such drills.
- (b) The Ministry of Education has established measures and emergency response processes to address sudden deteriorations in air quality at senior high schools and below, including preschools.

234. The gradual expansion of environmental information-gathering and convenient early warning services is helping the public better understand the current quality of the environment. The Environmental Hormones Management Plan also continues to reduce people's exposure to environmental hormones.

D. Social Security and Child Care Services and Facilities

Social Security Measures

235. See Attachment 7-33 for the number of children and youth covered by National Health Insurance.

236. See Attachment 7-34 for the number of children and youth from low- and low-to-middle-income households. The Savings Account Plan for the Future Education and Development of Children and Youth launched in 2018 enables parents and local governments to jointly use savings accounts to accumulate funds for the future education and career development of children and youth. See also Attachments 7-35 to 7-37 for the implementation results and living subsidies for children and students from low-income households.

237. Subsidized lunches are provided to students in need pursuant to the Directions Governing Central Government Disbursements to Cover Local Governments' Costs of Subsidizing School Lunches. The mechanism benefits elementary and junior high school students who come from low- and low-to-middle-income households and are unable to pay lunch fees due to sudden factors affecting the family or other circumstances confirmed by a teacher during a home visit, including the involuntary unemployment or unpaid leave of parents for more than one month or if either parent is disabled.
238. The government announced in 2019 that, in accordance with the Employment Service Act, it will dedicate more efforts toward promoting employment among youth over 15 and under 18 who are neither in school nor employed. Such youth are eligible for an allowance for vocational training, job-hunting transportation, or a temporary job, and a subsidy for technician certification training. The government also provides them with on-the-job training and readaptation opportunities, as well as other allowances and subsidies.

Concluding Observations 71 to 73 / Affordable Premium Educare and Child Care Services

Child Care and Educare Service Measures

239. The government has implemented strategies, such as a national child care policy, for children six years old and under, increasing the scale of affordable educare services and reducing school fees. See also Paragraph 146. Some child care-sharing measures in the private sector are as follows:
- (a) A pilot program for companies and agencies (institutions) to provide employees with child care services was established in 2018. It requires that companies and agencies (institutions) investigate the needs of employees for child care services and provide them in the form of at-home child care or access to home nursery services or baby care centers.
 - (b) The government has amended the Regulations on Subsidy and Standards for Establishing Breastfeeding (Breast Milk Collection) Rooms, Child Care Facilities and Measures to increase the frequency of subsidization to twice a year and loosen the subsidy application criteria for child care fees. See Attachment 7-38 for the status of the subsidization. In addition, the government has increased the upper limit of subsidies for employers to build child care facilities to NT\$3 million. See Attachment 7-39 for statistics on child care facilities or measures of business entities with more than 100 employees.

E. Standard of Living

240. See Attachment 7-40 for statistics on households receiving interest subsidies for mortgages and rental subsidies. See Paragraph 147 for the impact of special tax deductions for preschool children.

241. The Housing Act was amended in 2021 to increase the percentage of social housing that must be rented to economically or socially disadvantaged persons, including persons with three or more minor children, from 30 percent to 40 percent.
242. See Paragraph 60 for living standard assurances for foreign children and youth.

Chapter VIII EDUCATION, LEISURE AND CULTURAL ACTIVITIES

A. Education and Vocational Training

Guaranteeing Equal Opportunity to Receive an Education

243. The student-teacher ratio of preschools must be no less than 15:1 in classes for children between three and five years of age or 8:1 in classes for children two years of age. See Attachments 8-1 to 8-3 for the number of full-time teachers and student-teacher ratios in primary schools, and junior, senior, and vocational high schools; the number of substitute teachers in primary schools, and junior, senior, and vocational high schools; and the average enrollment rates at different levels of education. See Attachment 8-4 for the net enrollment rate of children between six and 14 years of age.
244. The Enforcement Act for Non-school-based Experimental Education at High School Level or Below provides that parents of students in elementary and junior high schools may select an education method other than school-based education. Senior high school students may choose to keep their student identification registration or obtain student IDs issued by the competent authority and participate in non-school-based experimental education. For students lacking student identification registration, regulations have been established to protect their rights to education. See Attachment 8-5 for the number of participants.
245. When the government decides to close and merge schools, it must address the rights of students in the plan. It also requires the establishment of a mechanism for the financial monitoring and auditing of private senior high schools and follow-up actions on the improvement of the liability management of schools, as well as the provision of necessary counseling, maintenance of the schools' sound operation, and protection of the students' right to education.
246. Schools may use synchronous, nonsynchronous, or mixed online teaching methods during the COVID-19 pandemic to ensure that students can engage in remote learning at home. During the suspension of classes, special education schools must make online classes available for students with disabilities and with special needs and create appropriate individualized education programs for them. Teachers should use multiple teaching methods and check to see how much the students have learned. They may also use a learning-assistance program to enhance the learning of students. The government supports students in remote areas and from economically disadvantaged families by making available mobile devices, 4G SIM cards, and routers for online learning. The Ministry of Education brings together digital learning resources and courses from the public and private sectors so as to offer online learning support via the educloud platform. Students returning to Taiwan on a short-term basis may study at schools in the district of their household registration.

247. See Paragraph 229 for the right to education of pregnant students. See Attachment 8-6 for figures on the number of pregnant senior high school students who remain in school.

248. Assistance measures for disadvantaged students in senior high schools:

- (a) Cooperative education classes have been provided since the 2018 academic year. The practical technical program is free of miscellaneous charges.
- (b) Miscellaneous charges and other schooling related fees are reduced or canceled for students with special needs.
- (c) The competent authority provides scholarships to outstanding students in need and financial assistance with respect to tuition for students from low-income households, as well as emergency funds and work-study grants.
- (d) Schools accept applications for education savings accounts and introduce private funds to assist students in receiving an education.
- (e) The Ministry of Education has built the HelpDreams platform to integrate information on scholarships and grants offered by the government and civil society groups.

Concluding Observations 69 and 70 / Student Loans (249 - 252)

249. The competent authority is responsible for setting tuition fees, miscellaneous charges, and collection and payment service fees. Agent fees are collected by the parents' association with the representatives of impartial persons present. The principle of a balanced budget must be followed, and an announcement must be made prior to the collection of fees.

250. Vocational high school students are exempt from tuition fees, including students in senior high schools and from families with an annual income of less than NT\$1.48 million.³⁰ A fixed subsidy is granted to students studying in private senior high schools. See Attachment 8-7 for tuition subsidies for senior and vocational high school students; see Attachment 8-8 for the tuition fees of senior high schools.

251. At this stage, the number of students in senior high schools applying for student loans account for less than 1.6 percent of the total number of senior high school students. The average amount of the loans per semester amount to less than 2.5 percent of the national average income.

³⁰ The total annual household income of NT\$1.48 million is calculated with reference to the most generous standard in Taiwan specified in the household income standards for the sale and rent of public housing promulgated in 2015.

252. The low-interest loan system for students at senior high schools or above has five payment postponement measures.³¹ See Attachments 8-9 and 8-10 for the statistics on student loans. The interest rate has been reduced to mitigate the impact of the COVID-19 pandemic. In 2020, the competent authority lowered the low-income threshold for deferred payment, doubled the period during which only interest is paid, and increased the time to apply for payment postponement.

Concluding Observation 74 / More Educational Resources in Remote Areas (253 to 257)

253. The percentage of subsidized students from offshore islands, remote areas, and indigenous communities approved in accordance with regulations governing government grants for the training of teachers and their assignment, and with reference to requirements for state-financed teachers reported by local governments, typically reaches up to 70 percent every academic year. However, in the last two years, this percentage has fallen to 60 percent due to the need to teach teachers in special areas using government funds. In accordance with the Act for Education Development of Schools in Remote Areas and the Teacher Education Act, postgraduate teacher education programs were provided for teachers in remote areas in the 2021 academic year.

254. The Act for Education Development of Schools in Remote Areas was promulgated in 2017, and the Ministry of Education's implementation guidelines for education subsidies for schools in remote areas and those not categorized in remote or urban areas were adopted in 2019. Close attention is paid to schools in remote areas to better ensure that they have adequate resources. The standards for the recognition and classification of schools in remote areas classify schools into three categories (remote areas, especially remote areas, and extremely remote areas) and provide them with subsidies accordingly. Implementation measures are as follows:

- (a) Subsidies for after-school care are granted to students from low-income households, with disabilities, or from indigenous families or other disadvantaged backgrounds.
- (b) Full subsidies for learning assistance classes may be granted to elementary and junior high school students in remote areas.

31 The grace period allows students to wait to repay a loan until one year after graduation or leaving the army. The interest-only period allows borrowers to apply for deferred payment of the principal; the postponement period must be at least one year per application and a total of four deferment applications are allowed. The deferred payment period allows low and low-to-middle income households with an average monthly income of less than NT\$40,000 to apply for deferred payment of the principal without interest; the postponement period must be at least one year per application and a total of four deferment applications are allowed. The extended repayment period allows borrowers to apply for an extension of up to 1.5 times the original period, except for low and low-to-middle-income households, which can apply for an extension of up to two times the original period. The deferred payment of the principal without interest due to a serious disaster allows application for deferred payment of the principal without interest in case of a serious disaster as determined by the Ministry of Education; the postponement period must be at least one year per application, and a total of three applications are allowed.

- (c) Subsidies for full-time contracted substitute teachers are granted to senior high schools in remote areas and those not categorized in mountainous or urban areas.
- (d) Newly added funded items include integrated funds for county and city governments to formulate an overall plan for the development of education in remote areas and funds granted to schools in remote areas for facilities and equipment, teachers' professional development, and exploration of diversified learning for students.

255. In 2021, the government plans to invest NT\$3.5 billion in the construction of central kitchens, formation of strategic food material purchase alliances, and subsidization of wages, transport, operation, and maintenance to ensure the consistent and stable supply of food materials for the lunches of students in remote areas.

256. Regulations for the establishment and management of after-school care classes stipulate that public elementary schools in offshore islands, remote areas, indigenous areas, or special areas may have priority to set up after-school care classes and must first enroll children from low-income households, with disabilities, or from indigenous families. See Attachment 6-8 for the status of the subsidization.

257. The competent authority organizes the English Teaching Volunteer Service Program for Overseas Youth and works with overseas compatriot youth to improve education and provide English teaching resources for children and youth in remote areas. See Attachment 8-11 for the status of the implementation.

Concluding Observations 87 and 88 / Children and Youth from Indigenous Families to Study in Cities (258)

258. The supporting measures for students from indigenous families to study in cities:

- (a) The directions of the K-12 Education Administration of the Ministry of Education governing grants and accommodation subsidies to indigenous students in senior high schools and below and the Council of Indigenous Peoples' implementation guidelines regarding grants to impoverished indigenous students in elementary and junior high schools require the provision of schooling and accommodation subsidies and grants.
- (b) The competent authority has implemented an after-school support plan for indigenous students and a subsidization plan for encouraging indigenous students to develop multiple intelligences. It has also established the urban indigenous peoples development plan to provide preschools with subsidies and academic counseling measures.

Encouraging Regular School Attendance and Lowering Dropout Rates

Concluding Observation 78 / Resources for Dropouts and Students Discontinuing Education (259 to 264)

259. The competent authority has established a three-level dropout prevention mechanism. The Ministry of Education's dropout reporting and resumption management system allows elementary and junior high schools to report dropouts, search for them, and restore their student status. Dropouts who are unable to adapt to a regular school curriculum after resuming their education can choose to pursue other diversified education counseling measures with the same functions. See Attachment 8-12 for statistics on dropouts at the end of academic years.
260. Police, immigration, and social affairs units work with local governments to check the data on missing students via the reporting system every day and participate in the vulnerable family cases management platform with the support of the local governments.
261. The Ministry of Education's enhancement strategy for providing resumption counseling to elementary and junior high school dropouts requires a monthly summary of the increase and decrease of dropouts and review meetings. A dropout affairs communication meeting must be held every six months to supervise and direct schools under each local government that have a higher number of dropouts and a higher dropout rate.
262. Local governments supervise junior high schools within their respective jurisdictions to hold meetings prior to the graduation of students and assess students who have previously dropped out and are unwilling to advance to higher schools or do not have obvious aptitude. Such students should be encouraged to transfer to the career exploration program for youth³² as early as possible. See also Paragraph 266.
263. The competent authority executes the implementation plan of stable schooling measures for students in senior high schools and assists schools in planning and implementing numerous flexible or aptitude exploration courses and follow-up counseling. The competent authority and schools work together to introduce different network resources to help students attend school in a stable manner.
264. The implementation guidelines regarding preventive follow-up for dropouts from senior high schools and resumption counseling were amended in 2020, requiring access to relevant resources to help dropouts. The competent authority works with labor, legal, police, and social affairs units so as to make resource dissemination lists and provide them to schools and local governments for reference. See Attachments 8-13 and 8-14 for statistics on the number of students discontinuing education and the discontinuation rate.

32 The Care and Assistance Program for Junior High School Graduates Neither Enrolled nor Employed was renamed in December 2020.

Enabling All Children and Youth to Have Access to Educational and Vocational Information and Guidance

265. The 2019 Curriculum Guidelines incorporate career planning in the design of curricula to help students understand their interests, aptitudes, and capabilities and to instill a work ethic in them.
266. The competent authority helps youth plan their careers and prepare themselves for employment:
- (a) Implementation of the career exploration program for youth:
 - (i) For youth who do not advance to higher education or obtain employment after graduating from junior high schools, the government uses such approaches as resource integration, multiple searches, counseling and assistance, and follow-up care to assist them in exploring careers, attending other schools, or obtaining a job. See Attachment 8-15 for the status of the implementation.
 - (ii) Short-term job opportunities are provided taking into consideration that the minds and interests of youth are not stable yet. The government also offers allowances to encourage them to finish work and provides job training or employment assistance or other supporting resources, depending on individual requirements.
 - (b) The government organizes employment-related events and provides career counseling, resume consultation, practice interviews, and one-stop customized employment services. In addition, it arranges vocational training or job referrals based on employability. See also Attachment 8-16.
 - (c) The competent authority promotes the correct concepts of labor insurance, employment insurance, labor pension, and related remedies through different channels.
267. Protection of student participants' rights:
- (a) The Act of the Cooperative Education Implementation in Senior High Schools and the Protection of Student Participants' Right specifies the protection of student participants' rights, including monthly living allowance payments, arrangement of training schedules, regulations on rest time and leave, conclusion of contracts, labor insurance, implementation of school counseling and interviews, and coordination and appeal.
 - (b) The Act of the Cooperative Education Implementation in Senior High Schools and the Protection of Student Participants' Right requires that schools provide student participants with basic and preservice training, help them acquire basic skills in professional areas, emphasize safety and health, and focus on ethics and labor rights.
 - (c) The directions of the K-12 Education Administration of the Ministry of Education governing the subsidization of senior high schools to implement cooperative education were amended in 2019. The directions require that schools provide courses in the introduction of labor rights and interests and cooperative education prior to job training.

- (d) The competent authority holds cooperative education application information meetings or competence and knowledge improvement workshops every year to enhance awareness among administrative staff members on labor rights in cooperative education.

268. A survey on senior high school graduate enrollment and employment is held every year to understand the development of the graduates. See Attachment 8-17 for statistical data.

International Cooperation and Exchanges

269. See Attachments 8-18 and 8-19 for statistics on elementary and junior high school students participating in international exchange programs and international assistance for child and youth education and job training.

B. Aims of Education

Human Rights Education

Concluding Observation 75 / Human Rights Education (270 to 273)

270. The 2019 Curriculum Guidelines incorporate the topic of human rights in the aims, core competencies, and major learning items of social studies curricula. A handbook on integrating such issues has been compiled for reference. It contains detailed basic concepts, learning aims, core competencies, learning themes, and the substantial content of human rights education, helping teachers integrate such issues in a variety of courses and subjects.
271. The Ministry of Education's human rights and civic education mid-range plan was amended in 2016 to incorporate four approaches: creating friendly school environments that respect human rights and encourage public participation; developing and providing human rights and civic education courses and teaching materials; strengthening teachers' professional ethics and understanding of human rights, civic knowledge, and the rule of law; and widely disseminating and promoting human rights and civic education concepts and practices.
272. Taiwan's guidelines regarding teacher professionalism: Stages of preservice teacher education and criteria governing preservice teacher education programs were promulgated in 2018. It guides teacher-training universities on integrating key issues, including human rights and children's rights, in the preservice education curricula for teachers.
273. The Ministry of Education established an implementation plan for the creation of central and local teaching counseling networks. Accordingly, central human rights education counseling groups and central and local human rights education counseling teams were set up to form a three-tiered counseling system. These groups and teams hold human rights education workshops, develop teaching resources, and formulate human rights teaching materials based on the different ages of learners.

Concluding Observation 79 / Provision of Guides to Schools and Detailed Punishment Measures (274 to 275)

274. The Directions Governing the Regulations on Teacher's Counseling and Discipline of Students Established by Schools were amended in 2020. They lay out the aims and principles of discipline and require deliberation of situations and basic considerations. The directions also list the normal and positive disciplinary measures that may be taken. See Paragraph 129 for more information on corporal punishment, illegal punishment, or inappropriate discipline of students by teachers.
275. The principles on the establishment of dress codes for senior high school students have been amended to provide that counseling or disciplinary measures may be taken for students in violation of dress codes corresponding to violation severity. However, these measures are limited to positive discipline, verbal corrective feedback, listing in the daily performance record, notification to a guardian for assistance, written self-examination, and sitting for introspection.
276. See Paragraph 29 for student appeals.

Concluding Observation 80 / Military Instructors' Withdrawal from Campus (277)

277. Military instructors have not been incorporated in schools since 2017, and 3,935 other professional personnel have been trained to help manage student affairs and campus security. Funds are budgeted every year to support senior high schools and above to hire such personnel.

C. Cultural Rights of Indigenous and Minority Children and Youth

Concluding Observation 86 / Cultural Diversity (278 to 279)

278. Taiwan had 3,615,967 children and youth in 2020, with 136,758 of them being of indigenous descent, 41 of Mongolian descent, and 110 of Tibetan descent. The number of Hakka children and youth has been estimated to be about 710,000, but comprehensive data is not available.
279. The 2019 Curriculum Guidelines first incorporated local languages (including Holo, Hakka, indigenous languages, and Eastern Min) in Ministry of Education-mandated courses, requiring at least one class every week in elementary schools. Starting in the 2022 academic year, they also incorporated local languages for students in Grades 7 and 8, requiring at least one class every week. Such classes are flexible for Grade 9 students. See Attachment 8-20 for the number of classes and participating students. See Attachments 8-21 to 8-23 for statistics on children and youth aged 19 or under passing the Holo, Hakka, and indigenous language proficiency certificate examinations.

280. The Development of National Languages Act promulgated in 2019 requires the transmission, revitalization, and development of natural and sign languages used by different ethnic groups in Taiwan. The government has amended the 2019 Curriculum Guidelines accordingly.
- (a) The competent authority has been training instructors in national languages since the 2020 academic year. It has surveyed students to determine the level of student interest to learn Taiwanese sign language, estimate the demand for instructors, arrange support personnel training, and initiate plans for the compilation of textbooks and animated drawings.
 - (b) National languages have been incorporated as Ministry of Education-mandated courses since the 2020 academic year and will be provided at senior high schools and below in the future.
281. The Indigenous Peoples Basic Law was passed to protect the basic rights of indigenous peoples in education, language, culture, and media communication. The Act for the Establishment of the Indigenous Peoples Cultural Foundation stipulates that indigenous broadcasting and TV stations must broadcast news and child and youth programs in the languages of the 16 indigenous groups.
282. The government subsidizes educare service centers and provides children and preschool educators with opportunities to learn indigenous languages and cultures. See Paragraph 56. The competent authority has implemented a social education and learning plan for parenting and family education to provide indigenous peoples with opportunities for participation, learning, and growth.
283. The Education Act for Indigenous Peoples calls for respect to be given to the cultures and values of indigenous peoples when selecting and compiling teaching materials for indigenous education curricula. In addition to offering indigenous language courses, senior high schools and below arrange and encourage teachers to teach in indigenous languages pursuant to the 2019 Curriculum Guidelines. Governments at all levels must provide students in preschool and the 12-year basic education system with opportunities to learn the languages, history, science, and cultures of indigenous peoples. Local governments also subsidize elementary and junior high schools to offer indigenous language courses.
284. Regulations on the arrangement of some classes to provide experimental education for indigenous peoples in public senior high schools and below were promulgated in 2020. They stipulate that the development of curricula and assessments for indigenous peoples be based on the special characteristics of their knowledge and cultures.
285. The K-12 Education Administration of the Ministry of Education formulated directions governing subsidies to indigenous student clubs in senior high schools and below to provide subsidies for the establishment of indigenous student clubs and promotion of the understanding of and respect for cultural diversity.

286. The Hakka Basic Act amended in 2018 provides a legal basis for Hakka children and youth to receive education in their native language. The regulations on the training, qualification, and employment of Hakka language instructors in senior high schools and below and preschools require prioritized employment of qualified teachers or educators who possess a Hakka proficiency certificate of high-intermediate level or above. The regulations also stipulate the selection and compilation of digital teaching materials (including teaching creativity handbooks) for preschool children and reduction of the adjustment time for teachers with a native language other than Hakka or coming from urban or non-Hakka regions.
287. Outstanding teaching plans on multicultural education are selected every year to encourage teachers to integrate cultural diversity into curricula. Local governments are also subsidized to organize multicultural events or international days for new immigrants. The government promotes the instruction of the languages of new immigrants in elementary and junior high schools, compilation of teaching materials, training of instructors, subsidization of children of new immigrants to obtain experience at international workplaces, and implementation of international culture exchange programs between senior and vocational high school students in Taiwan and Southeast Asia. See Attachment 8-24 for statistics on New Immigrants Development Fund subsidies for multicultural and language and cultural learning for new immigrants and their children.

D. Leisure, Recreation, and Cultural Activities

Flexible and Diversified Courses

288. The Ministry of Education has established the Implementation Plan for Inspection of Normalized Teaching in Junior High Schools to have local governments supervise schools in their jurisdiction to standardize teaching with respect to class grouping, curriculum planning and implementation, teaching activities, assessment, and administrative measures.
289. The 2019 Curriculum Guidelines require that schools consider their vision for development, the needs of the community, and the overall status of industries to design curricula that meet the needs of students and comply with the guidelines.

Concluding Observations 83 and 84 / Sufficient Free Activity Time for Children and Youth at Schools and Instruction for Parents and Teachers (290 to 293)

290. The government encourages schools to take measures favorable for students to physically exercise. See also Paragraph 218.

Concluding Observation 77 / Pressure of Schoolwork (291 to 293)

291. Ministry of Education guidelines on planning schedules for students in senior high schools were established to ensure the normal daily routines of students. If a complaint is received from a student, a counseling team will intervene and provide counseling services, as needed.
292. The Ministry of Education organizes a national student affairs meeting every year and urges schools at all levels to help parents understand the importance of the rights of children and youth to have adequate sleep, rest, and recreation.
293. Teachers are encouraged to reduce repetitive writing assignments and develop diverse, innovative, and meaningful assignments and activities. The guidelines on practice tests provided by junior high schools or competent authorities for entrance to a higher school or comprehensive assessment program stipulate that junior high schools may give practice tests only to third-year students and may not request that these tests be taken in the first week after the summer or winter vacation.

Playground Equipment Safety

Concluding Observation 85 / Rights to Rest and Leisure of Children and Youth (294 to 300)

294. See Attachment 6-9 for statistics on after-school care centers for children. In accordance with the Establishment and Management Regulations for After-School Care Classes, these centers must have spaces for playing and resting. Audits of their safety measures must also be conducted at least once every year.
295. See Paragraphs 199 and 200 for more on the way of life and recreation of children with disabilities.
296. Improvement status of campus playgrounds:
- (a) A plan for the improvement of playgrounds in public and private preschools was created to speed up the improvement and inspection of playgrounds in public and private preschools. A total of 521 public preschools have been subsidized, and 1,480 private preschools have received subsidies to improve their playgrounds.
 - (b) From 2018 to 2022, the government also granted subsidies to 1,845 public elementary schools to improve playgrounds.

Participation of Children and Youth in Cultural Activities

297. National social education institutions provide opportunities for children and youth to participate in learning through exhibitions, demonstrations, guided tours, camp events, book lending, and the production and broadcasting of radio programs. See Attachment 8-25 for statistics on children and youth visiting social education institutions. Such institutions promote arts education from a multicultural approach, plan permanent and cultural exhibitions, and

organize performing arts programs. See Attachment 8-26 for statistics on children and youth visiting the venues. See Attachment 8-27 for statistics on public venues provided by central government agencies and local governments.

298. The government organized the Together We Experience Art program in 2018 through cross-agency cooperation and by subsidizing art and culture venues, art and culture organizations, persons engaged in art and culture work, and schools to work together and develop interactive courses.
299. The Ministry of Education encourages schools at all levels, social education institutions within its remit, and civil society groups to apply for subsidies for their arts education activities. In accordance with the ministry's directions regarding subsidies for art education activities, the subsidization is applicable to traveling exhibitions and shows, courses, and teaching activities provided by art and culture organizations and senior high schools and below.
300. In 2020, the K-12 Education Administration of the Ministry of Education created an implementation plan for the subsidization of senior high schools and below to found local culture clubs. Since 2018, the Youth Performing Arts League has been subsidized to implement The Kite Project to enhance measures supporting diversified education and improve the adaptability of students at schools through drama education incorporated into curricula.

Chapter IX SPECIAL PROTECTIVE MEASURES

A. Children in Emergency Situations / (a) Refugee Children

301. The government has not established a refugee act. Applications for asylum are handled on a case-by-case basis. The government will give appropriate assistance to an applicant in full consideration of international practice and national legislation. Thus far, no person has been repatriated to a country or region where they may be subject to torture or inhuman treatment.
302. See Attachment 9-1 for information on international assistance.

A. Children and Youth in Emergency Situations / (b) Children in Armed Conflict

303. The Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict is used as a reference for the formulation of recruitment guides of military schools and colleges and determination of persons to be recruited and their qualifications. The Curriculum Guidelines are also used as a standard to design the curriculum of the Chung Cheng Armed Forces Preparatory School. To be recruited voluntarily, one must be 18 years of age or above.
304. The purchase of T65K2 rifles used for teaching purposes in senior high schools and above was discontinued in 2018. As of the end of 2020, 70 percent of these rifles had already been removed.

A. Children and Youth in Emergency Situations / (c) Street Children

305. The Protection of Children and Youths Welfare and Rights Act makes illegal the abandonment of children and youth. Any person discovering such a case may report it to the local competent authority. The competent authority will then investigate the case and the needs of the family involved and assign the case to a domestic violence and sexual assault prevention center or a social welfare service center. Social welfare service centers provide support services for families that move more than three times in a year due to such circumstances as weak care systems, the insufficient resources or knowledge of the caregiver, and the resultant unstable living conditions of their children and youth.
306. The dropout reporting and resumption management system of elementary and junior high schools and the dropout reporting system of senior high schools within the education systems, as well as the child and youth protection network information exchange platform and the vulnerable family management platform within the social affairs system, are linked to better manage cases. See Paragraph 142 for relevant service resources.

307. The competent authority provides living assistance to youth who do not have the ability to earn a living or who are in school without a legal supporter or are cared for by a legal supporter incapable of making a living, assists youth with schooling and medical care, grants them medical subsidies, and helps them become capable of living independently. The competent authority gives assistance to youth unable to return home after termination of placement for their independent living and adaptation. See also Paragraphs 168 and 169.

B. Children Belonging to Minorities or Indigenous Groups

Concluding Observations 87 and 88 / Special Protective Measures for Children and Youth from Indigenous Families (308 to 317)

Reduction of Infant Mortality Rate

308. The regulations on subsidies for transportation expenses for indigenous peoples to access medical or social welfare resources were amended in 2019 to add subsidization for the transportation costs of pregnant women traveling to medical institutions for prenatal examination and childbirth services.
309. The competent authority encourages health departments of local governments to coordinate with medical institutions within their respective jurisdictions to provide outreach services to children for preventive health checkups. It also implements the Follow-up Care Plan for Pregnant Women and Infants at High Risk. See Attachment 7-15 for the plan results. There is a child healthcare optimization program that also requires the creation of follow-up and care programs for children with low birth weight so as to reduce preventable deaths. See also Paragraph 184.
310. The government has subsidized the National Health Insurance premiums of indigenous peoples since 2020 in order to reduce financial barriers to medical services. See Attachment 9-2 for relevant data.

Indigenous Culture Instructors and Labor Power

311. See Chapter 8, Section C for the rights to culture and education of indigenous and minority groups.
312. The government has organized workshops on indigenous culture and cultural diversity since 2018 to help teachers and students understand indigenous peoples, uphold the rights of indigenous students, and respect differences:
- (a) The competent authority supervises local governments in providing opportunities for workshops on indigenous culture and cultural diversity in accordance with the Education Act for Indigenous Peoples. It also arranges in-service training courses for instructors of key indigenous schools, including full-time indigenous language teachers and other personnel.

- (b) The government subsidizes local authorities to support indigenous language teachers. A total of 151 full-time indigenous language teachers from 15 counties and cities received subsidies in the 2019 academic year, and 181 full-time indigenous language teachers from 16 counties and cities received subsidies in the 2020 academic year.

Assistance in Schooling of Indigenous Children and Youth

313. The government provides assistance to indigenous children and youth to ensure they can obtain an education. See Paragraph 258.

Joint Creation of Tribal Preschools

314. The authorities may facilitate intertribal mutual help to render educare services for indigenous children, giving them opportunities to learn the language, history, and culture of their tribe and manifest the spirit of mutual concern. See Paragraph 56.

Alternative Care in Compliance with Culture and Convention

315. The Protection of Children and Youths Welfare and Rights Act allows placement of children and youth with a suitable third party. See also Paragraph 159. An indigenous child or youth may be placed with a person in the tribe with whom he or she has a dependency relationship.
316. When placing an indigenous child or youth, top priority will be given to placing him / her in an indigenous foster family. To cultivate cultural sensitivity among foster families, courses on multicultural issues must be incorporated in the educational training of foster families. See Attachment 9-3 for statistics on indigenous foster families. See Attachment 9-4 for statistics on indigenous children and youth staying with foster families and in placement institutions.

Parenting Education and Support Services in Line with Culture

317. In 2018, the government established the Parenting Education Assessment and Counseling Guide for the Protection of Children and Youth to provide appropriate and meaningful services that meet the special needs of indigenous parenting education.

C. Children and Youth in Situations of Exploitation / (a) Economic Exploitation (Including Child Labor)

Concluding Observation 89 / Child and Youth Labor Protection (318 to 323)

318. The number of youth 15-17 years of age and covered by labor insurance decreased from 29,008 at the end of 2016 to 21,387 at the end of 2020. If categorized by industry, most of these youth were engaged in the accommodation and food service industries (41 percent), followed by the wholesale and retail trade industry (27 percent). See Attachment 9-5. See Attachment 9-6 for statistics on children below 15 years of age allowed by local competent authorities to work. See Attachment 9-7 for statistics on apprentice-training contracts for youth.

319. To better uphold children and youth labor rights, the competent authority has formed a cross-agency child and youth workplace safety and health rights group with four policy directions: enhancing labor inspection, providing educational training, optimizing related public education and counseling, and enhancing cross-agency and interdepartmental cooperation.
320. The central authority organizes a national workplace safety and health week to enhance awareness of workplace safety and health with respect to children and youth. The Occupational Safety and Health Act stipulates that persons below 18 years of age must not be engaged in dangerous or harmful work and that this must be a key element of labor inspections. The preventive measures for accidents commonly seen in the industries that most youth / child laborers and apprentices are engaged in were incorporated in key inspection items in 2021. Businesses that often hire youth must be inspected in order to understand the labor conditions of students and laborers working part-time jobs there. The competent authority enhances the workplace safety and health inspection of hypermarkets, supermarkets, food service industries, and construction sites and supervises businesses in enhancing facilities and measures to better ensure the safety and health conditions of workplaces.
321. The basic wage requirements apply to laborers, regardless of age, who are hired by businesses subject to the Labor Standards Act, which also requires that employers of child laborers keep the letters of consent from the legal guardians and age certificates of such laborers on file. The number of cases in violation of this stipulation of the act decreased from seven in 2019 to five in 2020.
322. Regarding labor-management disputes, youth may file complaints using the 1955 Hotline 24 hours a day or the online public opinion mailbox. Local governments also provide appeal channels such as the 1999 hotline and a complaint service counter, as well as a mediation service mechanism, to assist in resolving labor-management disputes.
323. The rights of overseas compatriot students participating in cooperative education programs are protected in the same way as their classmates from Taiwan. See Paragraph 267.

C. Children and Youth in Situations of Exploitation / (b) Drug Abuse

Preventing Children and Youth from Using Illegal Drugs

324. Education policies focus on the subjectivity of students and whole-person wellness. Thus, a three-level preventive measure has been planned for drug abuse on campus, while incorporating drug education in the health and physical education aspects of curriculum guidelines.

325. Schools use a variety of promotional channels to educate students about drugs and tactics for refusing them. See Attachment 9-8 for the percentage of students in schools at all levels receiving such antidrug messages in 2020.
326. A total of 138 students at the senior high school level and below sought help for using drugs (self-admitted) in 2020. This was 29.94 percent of the total drug abuse cases reported. (A total of 461 students were reported in the entire year.)
327. Schools at all levels work with police departments to form hotspot patrol networks and increase the frequency of patrols in high-risk places where youth gather regularly, whether through school inspections, patrols of areas near schools, regular police patrols, or the establishment of patrol boxes. The results are reviewed every quarter.
328. The Protection of Children and Youths Welfare and Rights Act requires the contact person on duty to report immediately upon learning of a child or youth using drugs or controlled substance. Local governments must proceed with the classification and rating procedure and submit an investigation report within 24 hours. There were 944 reported cases in 2020.
329. Follow-up treatment of children and youth using drugs:
- (a) Children using Category 1 and Category 2 narcotics and youth using Category 1 to Category 4 narcotics were subject to handling by the juvenile court from 2016 to 2019 in accordance with the Juvenile Justice Act.
 - (b) Provisions on children in conflict with the law were deleted in 2020 in accordance with amendments to the Juvenile Justice Act made in 2019. Instead, children using narcotics are now subject to school guidance rather than juvenile court proceedings.
 - (c) Youth using Category 3 and Category 4 narcotics are no longer considered offenders but rather at-risk youth. The Youth Counseling Committee, as well as relevant school and social affairs units, must provide them with counseling services.
 - (i) For teenagers not attending school, a local government may, independently or in cooperation with civil society groups, provide guidance. In addition, Article 102 of the Protection of Children and Youths Welfare and Rights Act stipulates that parents receive parenting education and acquire support for accompanying their children.
 - (ii) Schools must form campus antidrug units to provide guidance, improve student access to resources, and enhance referral and follow-up services once guidance is discontinued. The authorities have created multiple related education activities for cases on campus that need more attention and involve drug abuse. See Attachment 9-9 for statistics on students using drugs reported by schools.

(iii) In 2019 and 2020, the percentage of reported recidivism of youth drug offenders within six months after local governments closed guidance cases was 1 to 2 percent on average, indicating the positive effect of such guidance.

(d) The Narcotics Hazard Prevention Act stipulates that teenagers caught using Category 1 and Category 2 narcotics enter into a rehabilitation center for observation or rehabilitation.

(e) See Attachment 9-10 for statistics on youth involved with narcotics (including use, sale, and transport) and subject to protective measures or penalties imposed by district courts pursuant to the Juvenile Justice Act.

330. See Attachment 9-11 for statistics on juvenile reformatory schools' treatment of youth using narcotics.

331. The government has implemented relevant plans using a drug control fund since 2019. See Attachment 9-12 for the outcomes of the plan.

Preventing Children and Youth from Being Used to Engage in the Production, Selling, and Trafficking of illegal drugs

332. The government has implemented a safe living and drug investigation plan and strategic antidrug actions for the new generation, which focuses on such issues as buildings and communities used as hideouts by drug traffickers; criminal organizations involved in drugs and the sale of drugs by gang members on campus; places where drug users use drugs together; places where youth are easily enticed to use drugs; hotspots where drugs are traded; enhanced suppression of amphetamine, ketamine, and new psychoactive substances; investigation of drug sources; and the protection of children and youth from narcotics and psychotropic drugs specified in relevant international treaties. From 2016 to July 31, 2021, a total of 1,744 suspects in drug-related crimes were uncovered, two of them being under the age of 18. See Attachment 9-13 for the status of drug manufacture, sale, and transportation cases investigated by district prosecutors' offices.

C. Children and Youth in Situations of Exploitation / (c) Prevention of Sexual Exploitation and Sexual Abuse

333. Children and youth found suffering sexual exploitation or suspected of being sexually exploited are handed over to the competent authority of the county (city) government for assessment within 24 hours. An emergency placement for 72 hours will be arranged, if needed. If long-term placement is found needed upon reassessment, the competent authority will apply to the court for the placement decision. Placement may not exceed three months. If extension of placement is found needed upon reassessment prior to the termination of the initial placement, the competent authority must apply to the court again for an extension, with a

maximum of one year. Hence, in addition to the expert assessment, the decision of the court based on the trial is needed for the placement of children and youth in situations of sexual exploitation. See Attachments 9-14, 9-15, and 9-16 for statistics on the number of placement cases from 2017 to 2020.

334. See Paragraphs 169 and 170 for counseling measures for children and youth returning home upon conclusion of placement.

C. Children and Youth in Situations of Exploitation / (d) Sale, Trafficking, and Abduction

335. See Paragraph 25 for information on cooperation on human trafficking prevention. See Attachment 9-17 for the number of sexually exploited children and youth who are found to be trafficking victims as uncovered by judicial police departments.

C. Children and Youth in Situations of Exploitation / (e) Other Forms of Exploitation

336. The Human Subjects Research Act and Medical Care Act protect the rights of human research subjects. See Paragraph 344 of the initial national report. For persons participating in the biobanks of specific groups, the person building the biobank must acquire consent from the legal representatives of children under seven years of age. Where minors over seven years of age are involved, the consent of both the minor and their legal representative is needed. A plan must be made available to govern the use of the data and information in the biobank, including the applications of researchers. The use of such information is subject to review by an ethics committee that governs biomedical research.

337. For research applications involving a detained juvenile, a notice will be sent to remind the researcher that written consent forms from the youth, his/her legal representative, and the juvenile court handling the case are needed. After receipt of the written consent forms, together with the research protocol, interview outline or questionnaire, and the institutional review board certificate, the application will be examined for approval. Counselors must be present to offer assistance during the research.

D. Children in Conflict with the Law / (a) The Administration of Juvenile Justice

Concluding Observations 95 to 97 / The Administration of Juvenile Justice (338 to 354)

338. The Juvenile Justice Act was amended in 2019 with the following focuses:

- (a) Deletion of provisions involving children in conflict with the law; provisions with regard to status offense and delabeling of at-risk youth; restrictions on the grounds for judicial intervention in cases of at-risk youth (which was replaced by a mechanism for prioritized administrative counseling)

- (b) Respect for the right of subject and the right to procedural guarantees of youth
- (c) Introduction of restorative justice

Administrative Priority for Children in Conflict with the Law and At-risk Youth

339. The government established regulations for the prevention and counseling of juveniles' delinquent behavior in 2020 to plan the work division among social, education, and police authorities, as well as youth counseling committees, and assist in the integration of prevention and counseling resources.
340. Youth in conflict with the law are reported to the competent education or social affairs authorities depending on their student registration data. The education counseling mechanism includes the following elements:
- (a) In 2020, letters were sent to schools on the flowchart to counsel students over seven and under 12 years of age for deviant behavior; individualized needs assessment, counseling intervention, and result checklist; and the implementation plan for prevention and counseling of students over seven and under 12 years of age for deviant behavior. The letters require schools to launch three-tiered counseling mechanisms, enhance their management system and supporting mechanisms, and engage in online transfer cooperation.
 - (b) The government provided empowerment courses for educational personnel in 2020. Following the amendment of the Juvenile Justice Act, local governments were invited to hold conferences on the prevention and counseling of children's deviant behavior. The government developed curricula to improve the professional competence of teachers and school staff members on handling deviant behavior of children and relevant teaching materials.
 - (c) The competent authority has established a school safety system (internal safety center or external student living counseling committee) to provide school contacts that can receive police department notices. Local governments will notify school contacts to arrange student counseling, contact parents, and integrate resources of related agencies (institutions) to provide assistance.
341. District courts transferred 118 children who were under 12 years of age and with cases pending in these courts to social affairs units for assessment and counseling in accordance with the Juvenile Justice Act as implemented in 2020. The government provides vulnerable families with support services and treatment services to protect children after assessing their physical and mental development and family circumstances. Such services were provided in 70 cases, with 33 cases being transferred to educational units to provide guidance.

Respect for the Right of Subject and the Right to Procedural Guarantees of Youth

342. See Attachment 9-18 for statistics on juvenile criminal cases. See Paragraph 84 for the right of children and youth to express views during the judicial process. See Attachment 9-19 for the number of juvenile cases that the Legal Aid Foundation approved for aid involving the violation of criminal laws as specified in Article 3, Paragraph 1, Subparagraph 1 of the Juvenile Justice Act. See Attachment 9-20 for the cause analysis of juvenile cases approved for aid.
343. To safeguard the sound self-development of juveniles, enhance their growth environment, and build up their character, the government has established the Juvenile Justice Act to address juveniles in conflict with the law. During trial, a judge must decide which treatment would be most favorable to a juvenile in consideration of his/her need for protection.
344. The Juvenile Justice Act makes a distinction between juvenile protection matters and juvenile criminal cases. (A case may be addressed in criminal procedure only when the juvenile is at the age of 14 when committing a crime, has the ability to take criminal responsibility, and meets specific requirements.) It explicitly specifies various aspects and systems including juvenile investigation officers, juvenile probation officers, pretrial investigations, diversion actions, diverse protective measures other than criminal punishment, undisclosed procedures and data confidentiality, assistants, removal of previous case records, parenting education counseling, and adjudication relief proceedings.

Judicial Diversion—Diverse Measures Depending on the Case and the Severity of the Violation

345. See Paragraphs 339 and 340 for the diversion measures for children in violation of laws and at-risk youth.
346. See Attachments 9-21 and 9-22 for child and juvenile criminal offenders and status offenders investigated by district courts and transfer to guidance. See Attachment 9-23 for the number of offenders subject to the protective measures of placement and guidance.
347. To ensure the smooth operation of independent transition schools and the coverage of subsidies for full-time care of students and meet the requirements for the extended transfer to placement specified in the amended Juvenile Justice Act, the competent authority plans to have transition schools reorganized to provide placement for children and youth transferred by courts and provide diverse protection services. Guidelines on the subsidization for independent transition schools have also been established to protect the right to education of students.
348. The competent authority is promoting the transformation of reform schools into juvenile reformatory schools that officially incorporate counselors, special education teachers, social

workers, and psychologists in the organizational roster. A coordination group for the transition of student registration data of children and youth and the education upon their return to school has been formed to deal with transition and resumption affairs.

349. The government amended the draft of the enforcement act for the detention treatment in juvenile correctional institutions in accordance with the Juvenile Justice Act. See also Paragraph 132.
350. The Juvenile Justice Act was amended so that psychologists, social workers, and correctional officers may jointly participate in the assessment process and related work of juvenile detention centers. They help provide assessment reports to juvenile courts for trials involving juveniles.
351. To enhance the ability of child and youth placement institutions to take care of children in conflict with the law, the competent authority has implemented an enhancement plan to provide alternative care resources for the out-of-home placement of children and youth and has been providing cross-discipline support and resources. It has also implemented a child and youth placement quality improvement plan to provide diversified professional services and provide educational training regarding care services to professional personnel. See Attachment 9-24 for the number of children and youth transferred by juvenile courts to placement centers and educational institutions for placement.
352. Prior to leaving an institution (school), a juvenile must coordinate with the local government to attend a meeting on his/her transition with the placement counseling office. The staff member in charge of the follow-up duties must connect with the juvenile beforehand and develop a plan for his/her return home, independence, case assignment, and follow-up guidance. See also Paragraph 139.
353. The competent authority provides job placement services to juveniles who are transferred by a judicial unit and in need of employment. It assists them by providing programs such as career exploration classes and workplace exploration opportunities. See Attachment 9-25 for results.

Restorative justice

354. The Juvenile Justice Act stipulates that the juvenile court, upon finding a delinquency to be inconsequential, may decide not to submit the matter for a hearing, but instead may, depending on the circumstances and with the consent of the juvenile and his/her statutory agent and the victim, transfer the juvenile to an appropriate organization, institution, group, or individual for reform counseling and transfer the juvenile to a welfare or cultivation institution for appropriate guidance.

D. Children in Conflict with the Law / (b) Children Deprived of Their Liberty (Including All Forms of Detention, Imprisonment, or Placement in Custodial Settings)

355. The Juvenile Justice Act explicitly stipulates that the detention of a juvenile is only allowed for cases where a juvenile cannot be ordered for custody or an order for custody would be clearly inappropriate. The detention period may not exceed two months. Should the detention need to be extended, the extended duration may not exceed one month. In 2019, the Juvenile Justice Act was amended, adding a provision specifying that detained juveniles, their statutory agents, the persons currently protecting the juveniles, or their assistant may at any time submit an application for the juvenile court to pronounce a custody arrangement so as to terminate the juveniles' detention.
356. According to the rules for protecting juveniles under investigation and the detention letter, juvenile courts should do their best to arrange for custody or other forms of placement rather than opt for detention. In cases where a juvenile court decides to send a juvenile to placement and knows that the juvenile has special circumstances or there are other matters to be noted, the juvenile court must indicate them in the detention letter for the attention of the juvenile detention center. It must also keep close contact with the juvenile detention center in order to continuously assess the necessity of detention. The Juvenile Justice Act also stipulates that a juvenile defendant may not be detained unless there are no alternatives.
357. In Taiwan, the (imprisonment) institutions for children and youth under 18 years of age who are accused or have been confirmed of having acted in violation of the Criminal Code are called juvenile correctional institutions. There are currently four juvenile reformatory schools and 21 juvenile detention centers (two dedicated detention centers, 16 coworking offices, and three ancillary branches).
358. Juvenile detention centers in the form of coworking offices or ancillary branches must separate the living areas and routes for detained juveniles and adults. The measures for separation from the adult detention area also apply during the temporary detention of juvenile inmates.
359. Juvenile reformatory schools implement measures related to the detention of juveniles in accordance with the Act of the Establishment of Juvenile Reformatory Schools and Enforcement of Education and the CRC. They also protect the right to education of detained juveniles based on the 2019 Curriculum Guidelines. See also Paragraph 138.
360. See Paragraph 132 for the prohibition of corporal punishment and solitary confinement in juvenile correctional institutions.

361. The competent authority has established principles for the implementation of employment promotion services for detained juveniles in juvenile correctional institutions so as to improve their skills. Each year they are required to conduct investigations of the needs for the next year and provide occupational training classes. See Attachment 9-26 for the number of participants.
362. From 2016 to 2020, the courts terminated the placement of 453 children and youth whom the courts ordered to be placed pursuant to the Juvenile Justice Act. See Attachment 9-27 for the age, gender, and average placement period. See Attachment 9-28 for the average detention time of youth leaving correctional institutions and juvenile detention centers.

D. Children in Conflict with the Law / (c) The Prohibition on Sentencing Juveniles to Capital Punishment and Life Imprisonment

363. The Criminal Code specifies that the death penalty or life imprisonment may not be imposed on offenders who are under the age of 18.

D. Children in Conflict with the Law / (d) Training of Juvenile Justice Professionals

364. See Paragraphs 33 and 34 for the participation of police personnel, personnel of prosecutorial authorities, correctional officers, and personnel of the Judicial Yuan in CRC training. See also Attachment 1-8.
365. See Paragraph 85 for the implementation plan regarding training for interviews or interrogations of child victims or victims with mental disabilities of sexual assault.
366. Workshops on protecting juveniles have been held since 2019. See Attachment 9-29 for in-service training of personnel of juvenile correctional institutions.
367. Training workshops for juvenile affairs police have been provided since 2019 to improve the professional knowledge of police officers of local police departments in addressing cases involving juveniles, enhance the coordination and communication between units, and improve the effectiveness of the operations.

Chapter X FOLLOW-UP ACTIONS ON OPTIONAL PROTOCOLS

A. Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography

Concluding Observation 10 / Acceptance of Optional Protocols (368 to 369)

368. The Child and Youth Sexual Exploitation Prevention Act incorporates the offenses listed in the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography in terms of scope of protection. It recognizes the vulnerability of child victims and provides support services.

369. See Chapter 5, Section C and Chapter 9, Section C (d) for the prevention of child and youth sexual exploitation and human trafficking efforts conducted by authorities.

B. Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict

Concluding Observation 10 / Acceptance of Optional Protocols (370)

370. Students at military schools and colleges in Taiwan usually become military officers when reaching the age of 18. See also Paragraphs 26 and 291 in the initial national report.

371. See Chapter 9, Section A (b) for the implementation of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict.

Comparison Table for the *Concluding Observations on the Initial Report of the Republic of China (Taiwan) on the Implementation of the UN Convention on the Rights of the Child and the Second Report*

Point	Concluding Observations	Paragraph
I.	Introduction	
1	In June 2014, the Legislative Yuan of the Republic of China (Taiwan) passed the Implementation Act of the Convention on the Rights of the Child (“the Implementation Act”). The Act came into force on 20 November 2014 and provides the framework for domestic harmonization of the CRC. On 22 April 2016 Taiwan’s Legislative Yuan passed a Bill to support the adoption of the CRC paving the way for the President to sign the Instrument of Accession to the CRC in May 2016.	N / A
2	The Executive Yuan, according to the Implementation Act, published the initial State report in November 2016 and its English version was made available in March 2017. In order to review its initial State report, the Government of Taiwan invited five independent international children’s rights experts to form an International Review Committee (‘Review Committee’). They were Jaap Doek (Chairperson) (The Netherlands), Judith Karp (Israel), Nigel Cantwell (United Kingdom / Switzerland); Laura Lundy (Northern Ireland) and John Tobin (Australia).	N / A
3	The Review Committee examined the initial report of Taiwan which was submitted to the Review Committee in March 2017. The Review Committee received reports from civil society organizations including children’s organizations and groups of children. The Review Committee submitted a List of Issues to Taiwan in June 2017 and received detailed written replies in September 2017. The Review Committee also received a number of additional reports from civil society in response to the List of Issues and the State’s replies to the List of Issues.	N / A
4	As part of the review on 20 November 2017, the Review Committee held private meetings with children and members from civil society. On 21 and 22 November 2017, the Review Committee engaged in a public dialogue with the Government delegation. The Review Committee adopted the present Concluding Observations and presented them on 24 November 2017.	N / A

Point	Concluding Observations	Paragraph
5	The Review Committee acknowledges the serious and sincere efforts of the Government of Taiwan to implement the CRC. The Review Committee greatly appreciates the constructive dialogue with the Government during the review, which was attended by representatives from all relevant ministries and government bodies. The active participation of civil society and in particular children was also essential to the review process.	N / A
6	The Review Committee expresses its appreciation to the Ministry of Health and Welfare, and particularly its CRC team, for providing the Review Committee with substantive and logistical support.	N / A
II.	Recognition of International Human Rights Treaties	
7	The Review Committee welcomes the decision of Taiwan to adopt not only the CRC but also the following international human rights treaties: (a) International Covenant on Economic, Social and Cultural Rights; (b) International Covenant on Civil and Political Rights; (c) Convention on the Elimination of All Forms of Discrimination against Women; and (d) Convention on the Rights of Persons with Disabilities.	N / A
III.	Main Areas of Concern and Recommendations	
A. General Measures of Implementation (Articles 4, 42, and 44 (6))		
Legislation		
8	The Review Committee notes with appreciation that the CRC was accepted without reservations and that a special Act was adopted for the implementation of the CRC. The Review Committee recommends that the Government undertake a process of child rights impact assessment as it continues to review its domestic laws with a view to harmonizing them with the provisions of the CRC.	● Paragraph 6 (Section B, Chapter 1)
9	The Review Committee recommends that the Implementation Act should be amended to provide a clear statement that the provisions of the CRC prevail in the case of a conflict with domestic legal provisions.	● Paragraph 7 (Section B, Chapter 1)

Point	Concluding Observations	Paragraph
10	The Review Committee encourages the Government to adopt the Optional Protocols to the CRC on the Involvement of Children in Armed Conflict and on the Sale of Children, Child Prostitution and Child Pornography.	<ul style="list-style-type: none"> ● Paragraph 4 (Section A, Chapter 1) ● Paragraphs 368 and 369 (Section A, Chapter 10); Paragraph 371 (Section B, Chapter 10)
Comprehensive National Plan of Action		
11	The Review Committee recommends that the Government develop and implement a national and comprehensive plan of action for the implementation of the CRC, with the involvement of regional and local authorities, civil society organisations, relevant professionals, children, and parents.	<ul style="list-style-type: none"> ● Paragraph 17 (Section C, Chapter 1)
Coordination		
12	The Review Committee welcomes the establishment of the Promotional Team for Children and Youth Welfare and Rights tasked with coordination and promotion of policies regarding the rights and welfare of children and youth, and of the Executive Yuan's promotional group for Child and Youth Welfare and Rights. The Review Committee recommends that the Government ensure that these groups have sufficient power to execute their tasks and are provided with adequate human and financial resources.	<ul style="list-style-type: none"> ● Paragraph 18 (Section D, Chapter 1)
13	The Review Committee recommends that a children's committee be established in the Legislative Yuan. This committee should consult with children, relevant professional bodies and civil society in the development of proposals for legislation that affects children and their human rights.	<ul style="list-style-type: none"> ● Paragraph 20 (Section D, Chapter 1)
Independent Monitoring		
14	The Review Committee notes with concern that Taiwan has not yet established an independent National Human Rights Institution ('NHRI').	<ul style="list-style-type: none"> ● Paragraph 26 (Section G, Chapter 1)

Point	Concluding Observations	Paragraph
15	The Review Committee recommends the establishment without delay of either an NHRI with a dedicated division for the monitoring of the rights of the child or a children's ombudsman's office or children's rights commissioner, in accordance with the recommendations made by the CRC Committee in its General Comment No 2 (2002). This body should comply with the "Paris Principles" and, in particular, be able to receive, investigate and address complaints notified by or on behalf of children, relating to the public and private sector, in a child-sensitive manner, ensuring the privacy and protection of complainants.	
Complaints Procedures		
16	The Review Committee notes with appreciation the information provided on the opportunities for children to make complaints in the settings of education, social welfare, health and juvenile justice.	● Paragraphs 27 to 31 (Section G, Chapter 1)
17	The Review Committee recommends that all children receive information about the opportunities and procedures for making complaints. The Government should ensure that the procedures are child-friendly, that the child is provided with adequate support (including where appropriate by parents or competent NGOs) and that the privacy of the child is protected. Furthermore, it recommends that the Government take the necessary measures to protect children who make complaints, and those who do so on behalf of a child, from retaliation, intimidation or other negative repercussions. The complaints procedure must be subject to independent review.	
Resource Allocation		
18	The Review Committee commends the Government for introducing its first Child Budget. It recommends that, in line with the Committee on the Rights of the Child's General Comment No. 19 on Public Budgeting (2016), the Government ensure transparent and participatory budgeting through public dialogue, including with children, and establishes mechanisms to monitor and evaluate the adequacy, efficacy and equitability of the distribution and use of resources, including at the level of local authorities.	● Paragraphs 21 and 22 (Section E, Chapter 1)

Point	Concluding Observations	Paragraph
Data Collection		
19	The Review Committee appreciates the provision of statistical information regarding the implementation of the rights of the child in areas such as family environment and alternative care, health and welfare, education, and special protective measures.	● Paragraph 23 (Section E, Chapter 1)
20	In the light of the Committee on the Rights of the Child's General Comment No. 5 on General Measures of Implementation, the Review Committee recommends that the Government further improves its system of data collection and considers establishing a central data collection unit. The information collected should cover all areas of the Convention and be disaggregated by gender, age, urban / rural, and indigenous and ethnic backgrounds, as well as, where relevant and appropriate, disability, nationality and sexual orientation.	
Awareness-raising and Training		
21	The Review Committee notes the training on children's rights provided at the central level by various ministries and at the local level. However, the Review Committee is concerned at the lack of information on the quality and effectiveness of training and that the focus appears to be mainly on civil servants.	● Paragraphs 33 and 34 (Section H, Chapter 1)
22	The Review Committee recommends that the Government ensure training in children's rights for all professionals working with or for children such as teachers, social workers, medical professionals, professionals working in residential and foster care and in the field of special protective measures for children, police, judges and prosecutors and others working in the field of juvenile justice. In all training, special attention should be given to the general principles of the CRC, the right to non-discrimination, the best interests of the child as a primary consideration, the right to life, survival and development, and the right to be heard, as well as the principle of evolving capacities. All training should be monitored and evaluated on an ongoing basis. Parents should also receive information about children's rights through schools, local government, welfare and health services, and through the media.	

Point	Concluding Observations	Paragraph
Cooperation with Civil Society and the Business Sector		
23	The Review Committee commends the positive relationships and open dialogue between the government and civil society organisations. It encourages this cooperation as a means of furthering the realisation of children's rights in Taiwan.	● Paragraphs 35 to 41 (Section I, Chapter 1)
24	With reference to the CRC Committee's General Comment No. 16 (2013) on State Obligations Regarding the Impact of Business on Children's Rights, the Review Committee recommends that the Government establish and implement regulations to ensure that the business sector complies with the rights of the child, particularly in the area of children's employment and working conditions, media (including social media and the internet) and protection of the environment.	
B. The Definition of the Child		
25	The Review Committee notes that the age of majority in Taiwan is 20. The Review Committee's mandate is restricted to persons under the age of 18. However, it wishes to highlight the fact that the implementation of the CRC in Taiwan may generate some inconsistencies and confusion on the applicability of rights to youth 18 or 19 years old.	● Paragraph 43 (Chapter 2)
26	The Review Committee notes with appreciation that the Government has committed to enacting legislation which will harmonize the current minimum ages for marriage, setting them for both boys and girls at 18 in accordance with the recommendations of international treaty bodies.	
C. General Principles		
Non-discrimination (Article 2)		
27	The Review Committee notes with appreciation the information provided on various legal provisions for the prevention and protection against discrimination of especially vulnerable children such as indigenous children, LGBTI children, children with disabilities and stateless children. However, the Review Committee is concerned at the lack of information on the effectiveness of the policies and programs to ensure the implementation of these provisions and to address resistance to the implementation of the Gender Equity Education Act.	● Paragraphs 48 to 59 (Section A, Chapter 3)

Point	Concluding Observations	Paragraph
28	The Review Committee recommends that the State continue, in on-going consultation with children, professionals working with or for children and civil society, to promote and support awareness-raising campaigns on the right to nondiscrimination of especially vulnerable children, and to take the necessary measures to ensure the full implementation of the various legal provisions prohibiting discrimination of children.	
The Best Interests of the Child as a Primary Consideration (Paragraph 1 of Article 3)		
29	<p>The Review Committee notes that legislation related to the protection of children and the Civil Code requires that decisions by courts or other authorities should be based on the best interests of the child. The Review Committee recommends that the Government ensure that this right is:</p> <p>(a) interpreted consistently with the Committee's General Comment No 14 on the best interests of the child; and</p> <p>(b) integrated and applied consistently in all legislative, administrative and judicial proceedings and decisions and in all policies, programs and projects that are relevant to and have an impact on children, including immigration and juvenile justice laws and regulations.</p>	● Paragraphs 62 and 63 (Section B, Chapter 3)
The Right to Life, Survival, and Development (Article 6)		
30	The Review Committee notes that the State acknowledges the high rate of suicides and attempted suicides among children and recommends that it assess and address the causes of suicide among children and youth and extend its current efforts to reduce the very high levels of child suicide.	● Paragraphs 70 to 72 (Section C, Chapter 3)
The Right of the Child to be Heard (Article 12)		
31	The Review Committee welcomes the steps that have been taken to include children as members of school and local government committees and commends in particular the inclusion of children in the review of the National Curriculum guidelines. However, the Review Committee expresses its concern that sociocultural attitudes continue to restrict children from freely and safely expressing their views in the home, in schools and in the wider community.	● Paragraphs 73 to 86 (Section D, Chapter 3)

Point	Concluding Observations	Paragraph
32	<p>The Review Committee draws the Government's attention to the CRC Committee's General Comment No. 12 on the right of the child to be heard and recommends that it take measures to strengthen the implementation of this right in accordance with Article 12 of the Convention. It recommends that the Government:</p> <ul style="list-style-type: none"> (a) undertake research to identify the issues that are most important to children and how their views might be best heard on those issues in all settings; (b) undertake training programs and awareness-raising activities with parents, teachers, social workers, judges and others working with or for children, to promote the meaningful and empowered participation of all children within the family, schools and community; (c) strengthen the participation of children at the national level by establishing a mechanism that will allow for the views of children to be heard in the legislative and policy making process; and (d) take measures to ensure the effective implementation of legislation, recognizing the right of the child to be heard in relevant administrative and legal proceedings, including by ensuring that children are informed of their right to be heard and are supported to exercise it meaningfully. 	
D. Civil Rights and Freedoms		
The Right to Acquire a Nationality (Paragraph 1 of Article 7)		
33	<p>The Review Committee welcomes the efforts of the government to enable more stateless children who are not adopted to acquire the nationality of the Republic of China / Taiwan. The Review Committee has noted in particular reports of problems associated with the entitlements and status of children born to migrant mothers and unknown fathers when the mother returns to her home country without the child. The Review Committee recommends that the Government take all appropriate measures to ensure that these children are not left stateless or deprived of any services and benefits to which other children in Taiwan are entitled.</p>	<ul style="list-style-type: none"> ● Paragraph 60 (Section A, Chapter 3) ● Paragraph 91 (Section A, Chapter 4)

Point	Concluding Observations	Paragraph
The Right to Freedom of Expression (Article 13)		
34	The Review Committee is concerned at reports that exercise of the right to freedom of expression may be restricted in practice, particularly in schools, due to negative attitudes on the part of adults and the children's fear of punishment. It recommends that the Government ensure that children can enjoy their right to freedom of expression in all settings, and promote and support e.g. the production and distribution of student newspapers or bulletins or other publications in and outside schools.	● Paragraph 94 (Section C, Chapter 4)
The Right to Freedom of Association and to Freedom of Peaceful Assembly (Article 15)		
35	The Review Committee notes with concern that children and young people below the age of 20 cannot establish their own association and can only become a member of an existing association if they have the permission of their parents or guardians. This position is not consistent with the child's right to freedom of association and fails to respect the evolving capacities of the child.	● Paragraphs 101 and 102 (Section F, Chapter 4)
36	The Review Committee recommends that the Government take the necessary legislative and other measures to ensure that children, in accordance with their age, maturity and evolving capacities, can fully enjoy, without any discrimination, their right to freedom of association and to freedom of peaceful assembly, including the right to peaceful protest.	
The Right to Privacy (Article 16)		
37	The Review Committee notes with concern reports that teachers have carried out searches of students' personal belongings for reasons other than those stipulated by law, and have released children's confidential information. The Review Committee recommends that the Government take all necessary measures to protect children from such unlawful and arbitrary interference with their right to privacy. Teachers should be informed of the relevant regulations and be subject to disciplinary proceedings when they violate these regulations.	● Paragraphs 103 to 105 (Section G, Chapter 4)

Point	Concluding Observations	Paragraph
The Right Not to Be Subjected to Torture or Other Cruel, Inhuman and Degrading Treatment (Article 37 (a))		
38	The Review Committee also expresses concern about the use of solitary confinement and restraints in correctional and other residential facilities. It recommends that the Government ensure that the regulations governing the use of solitary confinement and the conditions under which it is carried out are in full conformity with Article 37 of the Convention and the UN Rules on the Protection of Juveniles Deprived of Liberty (“Havana Rules”) (para 67) and to take all necessary measures to guarantee respect for those regulations. Furthermore, it recommends that the Government review the regulations governing use of restraints to ensure that they correspond to standards set out in the Havana Rules (paras 63 & 64).	● Paragraphs 132 and 133 (Section D, Chapter 5)
E. Family Environment and Alternative Care (Articles 5 and 9-11; Paragraphs 1 and 2 of Article 18; Articles 20, 21, and 25; and Paragraph 4 of Article 27)		
Family Support		
39	While welcoming the various measures in place to support parents in their childrearing responsibilities, financially and otherwise, the Review Committee notes reports that single-parent households (including following a divorce) and some low-income, high-risk households may not be able to access adequate support. The Review Committee urges the Government to take all feasible measures to widen access to appropriate and necessary support to include all such households.	● Paragraphs 113 to 115 (Section A, Chapter 5)
Illicit Transfer and Non-return (Article 11)		
40	The Review Committee notes the information that reporting of illicit transfer of a child is not mandatory and that the number of reports may reflect only part of the number of children who are victims of illicit transfer. Furthermore, the legislative provisions seem insufficient for preventing such transfers.	● Paragraph 177 (Section I, Chapter 6)
41	The Review Committee recommends that Taiwan adopt The Hague Convention on Civil Aspects of International Child Abduction (1980) as a binding document for dealing with cases of illicit transfer and (non-) return of children.	

Point	Concluding Observations	Paragraph
Children Deprived of Family Environment and Alternative Care (Paragraphs 1 and 20 of Article 9)		
42	The Review Committee is concerned about the use of residential care and the way it is organized. It notes that measures have been taken by the Government to reduce the placement in residential care facilities of children who are or have to be separated from their parents / family. It also notes that the number of children in residential care is not falling significantly while the number of non-State residential care providers continues to grow. The Review Committee is concerned that quality assurance may not be effectively carried out under the present system of authorization, inspection, and audits. The Review Committee understands that resources currently made available to private facilities may not enable the latter to recruit and retain qualified staff in adequate numbers. The Review Committee is concerned that overcapacity may create an incentive to place children in residential care facilities instead of family-based care. The Review Committee recommends that the Government examine the reasons for this overcapacity and allocate resources in ways that ensure the most appropriate placement of children in need of alternative care, consistent with the UN Guidelines for the Alternative Care of Children.	● Paragraphs 159 to 164 (Section F, Chapter 6)
43	The Review Committee welcomes the Government's target of increasing the proportion of children in formal kinship care. The Review Committee suggests that the Government examine the extent to which an ongoing increase in kinship care can be facilitated by alleviating certain onerous requirements regarding eligibility and access to subsidies for potential kinship carers.	
44	The Review Committee also welcomes the Government's policy to promote foster care, including in relation to caring for children with special needs and the increased training and support for foster care givers that this implies. The Review Committee recommends that the Government continue and strengthen this policy.	
45	The Review Committee recommends that, in line with the UN Guidelines for the Alternative Care of Children, the Government draw up a comprehensive and costed strategy to deinstitutionalize the alternative care system by, among other things, supporting and strengthening families in order to prevent the need for placements, and promoting and facilitating the use of family-based alternative care, in particular kinship care, for these children.	

Point	Concluding Observations	Paragraph
46	Furthermore, the Review Committee recommends that the Government take the necessary legislative measures to ensure that all placements of children in alternative care are based on a decision of the family court, that the term of such placement is set by law and that extending the duration of the placement should be a decision of the court and meet criteria set by law. A particular concern of the Review Committee is that parents can arrange the placement of their children without any involvement of the court in assessing whether the placement is necessary and in the best interests of the child.	<ul style="list-style-type: none"> ● Paragraph 165 (Section F, Chapter 6)
47	The Review Committee notes that children who are maltreated and face imminent and serious risk can be put in protective placement for up to 72 hours, and that this placement can be extended repeatedly for 3 months by a decision of the court. The Review Committee is concerned that only after a stay of 2 years in an emergency residential facility are the authorities required to make a long-term treatment plan if the child cannot return to her / his family.	<ul style="list-style-type: none"> ● Paragraph 166 (Section G, Chapter 6) ● Paragraphs 168 and 169 (Section G, Chapter 6)
48	The Review Committee recommends the Government establish an effective system of regular review of all placements of children in alternative care in accordance with Article 25 of the CRC and the UN Guidelines for the Alternative Care for Children. Special attention should be given to the review of placements in emergency centers and residential facilities by assessing, at least every year, whether the placement is still necessary in the best interests of the child and / or whether the child can be placed in a family-based form of alternative care. The Government should also take the necessary measures to prevent the frequent moving of children from one alternative care setting to another.	
49	Finally, in line with the UN Guidelines for the Alternative Care of Children, the Review Committee emphasizes the importance of having in place an effective and suitable policy and program for children leaving the alternative care system, preparing them (and, where applicable, their families) for the leaving care process and providing all necessary after-care support for an appropriate period.	

Point	Concluding Observations	Paragraph
Domestic and Intercountry Adoption (Article 21)		
50	The Review Committee notes that the annual number of domestic adoptions is lower than that of adoptions of Taiwanese children abroad, but notes with concern the high rate of terminations of intrafamilial and step-parent adoptions. The Review Committee recommends that the causes of these terminations be analyzed, that remedial action be taken so as to reduce their rate, and that all necessary efforts be made to ensure appropriate care for any child involved. While the Review Committee recognizes that domestic adopters may often be unwilling to take responsibility for children with special needs (including those with disabilities and older children) and that intercountry adoption may therefore be seen as the only solution for the latter, it urges the Government to raise awareness and promote the adoption of these children domestically.	<ul style="list-style-type: none"> ● Paragraphs 172 and 173 (Section H, Chapter 6) ● Paragraph 175 (Section H, Chapter 6)
51	The Review Committee is concerned about the level and effectiveness of the Government's oversight of the intercountry adoption procedure, including the authorization and monitoring of private adoption agencies. It recommends that Taiwan adopt The Hague Convention on Protection of Children and Cooperation in Intercountry Adoption (1993) as a binding document for dealing with cases of intercountry adoption from and into Taiwan.	
F. Violence against Children (Article 19; Paragraph 3 of Article 24; Paragraph 2 of Article 28; and Articles 34, 37 (a), and 39)		
52	The Review Committee welcomes the various actions taken by the Government to address violence against children, in particular related to corporal punishment and bullying, and the programs providing service to high-risk children and youth and to disadvantaged children aged 6 or under.	<ul style="list-style-type: none"> ● Paragraphs 111 to 116 (Section A, Chapter 5)
53	The Review Committee recommends that the Government: (a) continue and strengthen these and other activities and develop and implement, taking into account the guidance and recommendations of the CRC Committee in its General Comment No 13 (2011), a multiyear comprehensive national plan of action for the prevention of and the protection of children against all forms of violence in all settings, including the family; and	

Point	Concluding Observations	Paragraph
53	(b) provide the necessary human and financial resources for the implementation of this plan of action which include national and local and NGO activities that contribute to ending all forms of violence against children by 2030, a goal of the Sustainable Development Goals (target 16.2.).	
54	<p>The Review Committee welcomes the Guidelines for Prevention of Bullying on Campus, however it is concerned at the lack of concrete information about their implementation and the ineffective reporting by victims or others and follow-up mechanisms. The Review Committee recommends that the Government:</p> <ul style="list-style-type: none"> (a) review its monitoring and reporting processes in consultation with children to ensure they are effective; (b) enhance the understanding and awareness of both teachers and students of the negative impact of bullying on the child victim and the school community; (c) reinforce teachers' ability to create safe classrooms and encourage victims and witnesses to report incidents of bullying; and (d) provide effective counselling and restorative practices for children who are victims, perpetrators, and other children who may be affected by bullying. 	● Paragraphs 134 to 136 (Section D, Chapter 5)
55	In relation to cyberbullying the Review Committee recommends that the Government urge platform operators to develop and strengthen appropriate services and mechanisms for handling prevention and cyberbullying complaints.	● Paragraph 137 (Section D, Chapter 5)
56	The Review Committee welcomes the information that corporal punishment has been prohibited by law in schools and institutions. However corporal punishment in the family setting has not been prohibited and the use of corporal punishment in schools continues.	● Paragraphs 127 and 128 (Section D, Chapter 5)
57	<p>The Review Committee recommends that the Government:</p> <ul style="list-style-type: none"> (a) adopt an explicit prohibition on corporal punishment in the home, consistent with the CRC Committee's General Comment No 8; (b) conduct awareness-raising and educational campaigns on the negative impact of corporal punishment and other forms of degrading and humiliating treatment and provide information on alternative methods for promoting positive behavior; 	

Point	Concluding Observations	Paragraph
57	<p>(c) take all appropriate measures to ensure that all people working in public and private schools and institutions refrain from the use of corporal punishment; and</p> <p>(d) educate all professionals working with or for children on the importance of reporting all suspected incidents of violence against children to the appropriate authorities.</p>	
G. Disability, Basic Health, and Welfare (Article 6; Paragraph 3 of Article 18; Articles 23, 24, and 26; and Paragraphs 1-3 and 33 of Article 27)		
The Rights of Children with a Disability (Article 23)		
58	<p>The Review Committee urges the Government to implement the recommendations of the Review Committee for the Convention on the Rights of Persons with a Disability. It further recommends that the Government ensure the collection of accurate disaggregated data on children with a disability and take appropriate measures to ensure that such children:</p> <p>(a) can access appropriate schooling in rural areas;</p> <p>(b) transition into meaningful employment after the completion of their schooling;</p> <p>(c) enjoy access to meaningful play, leisure, and recreation opportunities by, for example, the development of all-abilities playgrounds; and</p> <p>(d) receive appropriate support services for themselves and their families.</p>	<p>● Paragraphs 191 to 201 (Section B, Chapter 7)</p>
59	<p>The Review Committee is concerned at the high number of children with disabilities living in residential facilities. It welcomes the fact that the Government has adopted a five-year strategy to increase the number of children with disabilities living in community-based settings and having access to mainstream inclusive schools.</p>	

Point	Concluding Observations	Paragraph
The Right to Health (Article 24)		
60	The Review Committee is concerned that all children must obtain the consent of their parents in order to receive medical treatment, irrespective of their capacity. This position is inconsistent with the view of the Committee on the Rights of the Child which has explained that a child of sufficient understanding is capable of providing consent to medical treatment including in circumstances where her / his parents are unwilling to provide consent.	● Paragraphs 87 to 90 (Section D, Chapter 3)
61	The Review Committee recommends that the Government amend the relevant laws to ensure that the consent required for medical treatment of a child is consistent with the CRC, especially Articles 5 and 12. It also recommends that the Government consider the implementation of the recommendation of the CRC Committee in its General Comment No 12 (para 102) that states adopt legislation which provides for a fixed age at which the right to consent transfers to the child.	
62	The Review Committee welcomes efforts by the Government to provide specialist mental health services for children, including the provision of community mental health clinics, specialist mental health professionals and hotlines for children. However, the Committee is concerned about the incidence of children experiencing problems with their mental health, especially the high suicide rate and the effectiveness of the services provided.	● Paragraphs 70 to 72 (Section C, Chapter 3) ● Paragraphs 219 and 220 (Section C, Chapter 7)
63	The Review Committee recommends that the Government: (a) continue to collect data on children with mental health conditions and youth suicide which, where possible and appropriate, is disaggregated according to the nature of the condition, age, gender, rural / urban location, indigenous status, and sexual orientation; (b) monitor and evaluate the effectiveness of the services provided to children, including data on the referral rate and outcomes of children who access helplines	

Point	Concluding Observations	Paragraph
63	<p>(c) ensure mental health services, including child-friendly preventative services, are available, accessible, acceptable and of appropriate quality consistent with General Comment No 15 on the Right to Health of the CRC Committee; and</p> <p>(d) actively seek the views of children, consistent with article 12 of the CRC, to assist with the development, implementation and monitoring of mental health services for children.</p>	
64	<p>The Review Committee welcomes the range of initiatives adopted by the Government to address the issue of childhood obesity. However, it recommends that:</p> <p>(a) the Government evaluate and monitor the effectiveness of such initiatives; and</p> <p>(b) exercise caution when weighing children in schools, to ensure that this process is undertaken in a way that protects a child's right to privacy and does not subject a child to humiliation.</p>	● Paragraphs 215 and 216 (Section C, Chapter 7)
65	<p>The Review Committee notes that, since 2011, the Government has adopted a progressive program to deliver education on sexual and reproductive health to children. It also notes that significant concerns are held by various groups with respect to the effectiveness and appropriateness of this program; that the incidence of sexually transmitted diseases remains high and is increasing for some diseases and that there are still a significant number of teenage pregnancies.</p>	● Paragraphs 226 to 229 (Section C, Chapter 7)
66	<p>The Review Committee recommends that the Government review the current program to evaluate whether any amendments are required to improve its effectiveness and ensure its appropriateness. This review should consult all interested parties including children and adolescents, parent groups, health professionals and educators.</p>	
67	<p>The Review Committee further recommends that the review assess whether the current sexual and reproductive health program:</p> <p>(a) is consistent with the recommendations of the Committee on Economic Social and Cultural Rights regarding adolescents in its General Comment 22 on Sexual and Reproductive Health and the recommendations of the CRC Committee in its General Comments on Adolescent Health and Development (GC 4) and the Rights of Adolescents (GC 20);</p> <p>(b) is age appropriate and evidence based;</p>	

Point	Concluding Observations	Paragraph
67	<p>(c) is designed to protect the right to sexual and reproductive health of all children, including children who identify as LGBTI and children with a disability;</p> <p>(d) accommodates the views of children in the design, delivery and evaluation of the program, consistent with article 12 of the CRC;</p> <p>(e) includes information on respectful relationships and measures to empower children before they engage in sexual activity;</p> <p>(f) provides appropriate information and support services to a girl who becomes pregnant; and</p> <p>(g) educates parents to understand a child's right to sexual and reproductive health.</p>	
68	<p>The Review Committee heard concerns from children with respect to the quality of the environment and the potential for this to harm their health, and recommends that the Government take measures to monitor the impact of the environment on children's health. The Review Committee also recommends that the Government develop systems or processes that enable children to express their concerns to the Government regarding the environment or other matters relevant to children's health, and address these concerns with adequate legislative and other actions, taking into account the recommendations of the UN CRC Committee following its 2016 Day of General Discussion on Children's Rights and the Environment.</p>	<p>● Paragraphs 232 to 234 (Section C, Chapter 7)</p>
H. Education, Leisure and Cultural Activities (Articles 28-31)		
The Right to Education (Articles 28-29)		
Closing the Gap		
69	<p>The Review Committee welcomes the fact that compulsory education between the ages of 6 and 15 is free of tuition fees. Nevertheless, the Review Committee is concerned with the growing need of students at private vocational and senior high schools to apply for loans to pay tuition and other learning costs and living expenses.</p>	<p>● Paragraphs 249 to 252 (Section A, Chapter 8)</p>

Point	Concluding Observations	Paragraph
70	The Review Committee recommends that the Ministry of Education ('MOE') undertake an overall review of the tuition rates of private vocational and senior high schools, and establish a review system in this regard to protect economically disadvantaged students from being charged excessively by private schools. The Review Committee further recommends that the Government introduce appropriate programs to assist students who experience difficulties in the repayment of their debt.	
Preschools		
71	The Review Committee is concerned at the shortage of public and non-profit preschools and the high financial burden for parents enrolling their children in private preschools. The Committee is also concerned by the need of local authorities for additional human and financial resources to enable them to comply with Article 7 of the Early Childhood Education and Care Act.	<ul style="list-style-type: none"> ● Paragraph 146 (Section B, Chapter 6) ● Paragraph 239 (Section D, Chapter 7)
72	The Review Committee welcomes the Maximizing the Public Education and Care Services Project (2017-2020) to assist local governments to establish more public preschools enabling more parents to access high-quality education and care for their children at a fair cost.	
73	The Review Committee encourages the Government to evaluate the effectiveness of the implementation of this project with regard to the increase in the number of public preschools and the proportional increase in the number of trained preschool teachers, and to revise their wages to address the high staff turnover rate. The Review Committee recommends that the Government aim to achieve free tuition for public preschools and affordable tuition for private preschools.	
Budget Allocation for Education in Remote and Rural Areas		
74	The Review Committee acknowledges that the Government is committed to allocating additional resources to the education of children in remote and rural areas. However, the Review Committee remains concerned that the allocation of these resources may not always be sufficient to ensure a quality education for children in these areas. The Review Committee recommends that the Government continue to provide additional resources for rural and remote education and adopt measures to monitor the extent to which children enjoy their right to education, consistent with articles 28 and 29 of the CRC.	<ul style="list-style-type: none"> ● Paragraphs 253 to 257 (Section A, Chapter 8)

Point	Concluding Observations	Paragraph
Children's Rights and Civic Education		
75	The Review Committee recommends that human rights and, in particular, the rights of the child be made a mandatory part of the curriculum in all forms and at all levels of education, including the National Curriculum. The Review Committee further recommends that accessible materials be produced for all ages and abilities of children, and that knowledge and training in children's rights be a prerequisite for teachers. The Review Committee further recommends that the MOE support activities concerning children's empowerment in civic and citizenship education.	● Paragraphs 270 to 273 (Section B, Chapter 8)
Student Representation in School Affairs		
76	The Review Committee acknowledges that the High School Education Act provides for the creation of self-governing students organizations, but it is concerned that the Act is not effectively implemented. The Review Committee recommends that the MOE monitor the establishment of self-governing student organizations in all schools, including private schools, without the intervention of school personnel in their elections or functions. The Review Committee further recommends that self-governing organizations be effectively represented in all school committees dealing with school affairs and students' educational interests.	● Paragraphs 81 and 82 (Section D, Chapter 3)
Reform of the Curricula Guidelines		
77	The Review Committee is concerned about the stress caused to students as a result of the pressure for high academic attainment, where a strong emphasis is placed on examinations and the curriculum lacks flexibility, leaving students with limited scope to pursue their own educational interests. The Review Committee welcomes the ongoing review by the MOE of the curricula with a view to making it more flexible, more compatible with students' interests and less stressful for students. The Review Committee encourages the MOE to continue this review process with the effective participation of students.	<ul style="list-style-type: none"> ● Paragraphs 79 and 80 (Section D, Chapter 3) ● Paragraphs 291 to 293 (Section D, Chapter 8)
Dropout Students		
78	The Review Committee is concerned that not all services for students who drop out of school are integrated. The Review Committee recommends that the Government integrate these services and ensure the sufficient allocation of resources to support such students.	● Paragraphs 259 to 264 (Section A, Chapter 8)

Point	Concluding Observations	Paragraph
Disciplinary Measures		
79	The Review Committee notes that schools can draw up their own guidelines for the discipline of students and is concerned that this could expose children to arbitrary and unlawful disciplinary measures such as collective punishment. The Review Committee recommends that the Government provide and publicise a directive to schools which outlines those disciplinary measures which are compatible with children's rights.	● Paragraphs 274 and 275 (Section B, Chapter 8)
80	The Review Committee is concerned at the employment of military training officers in schools and recommends that this practice be phased out as expeditiously as possible.	● Paragraph 277 (Section B, Chapter 8)
Corporal Punishment		
81	The Review Committee is concerned that the ban on corporal punishment in schools is not adequately monitored and enforced. It recommends that all necessary measures be taken by the MOE to ensure the effective implementation of the ban, and that teachers who use this measure be appropriately sanctioned.	● Paragraphs 129 to 131 (Section D, Chapter 5)
Mechanism of Appeals		
82	The Review Committee is concerned with the effectiveness of the existing appeal procedures for students' complaints. It recommends that the Government set up an independent mechanism providing a confidential and safe reporting process to address individual appeals on wrongful administrative decisions or measures taken by all schools, including private, reform, correctional, and transition schools. Students should be entitled to be heard in such hearings and receive independent representation, including from NGOs.	● Paragraphs 27 to 31 (Section G, Chapter 1)
The Child's Right to Rest, Play, Leisure (Article 31)		
83	The Review Committee is deeply concerned about the very long hours that children spend at school or in other formal educational settings outside school. It notes that the Government has reformed the state examination system in the hope that this may reduce the pressure on children in relation to academic attainment.	● Paragraphs 290 to 293 (Section D, Chapter 8)

Point	Concluding Observations	Paragraph
84	The Review Committee recommends that the Government review and regulate the structure of the school day in order to ensure that schools provide children with adequate and regular periods of free time. Furthermore, it recommends that the Government undertake measures to educate parents and teachers about the harmful effects of a lack of adequate sleep and of access to play and leisure on children's learning and development and physical and mental health.	
85	The Review Committee commends the Government's efforts to increase children's access to play space in urban environments through the provision of safe playgrounds. It stresses that the Government should ensure that all children, including children with disabilities, have access to play and that children should be able to enjoy that right in the natural environment. With reference to General Comment No. 17 (2013) on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts, the Review Committee recommends that the Government, as well as local authorities, implement measures to guarantee the right of the child to rest and leisure and to engage in play and recreational activities appropriate to the age of the child, including by adopting and implementing play and leisure policies with sufficient and sustainable resources. The Review Committee recommends that Government fully involve children in planning, designing, and monitoring the implementation of play policies and activities relevant to play and leisure, at the community, local and national levels.	● Paragraphs 294 to 300 (Section D, Chapter 8)
86	The Review Committee notes the existing efforts to ensure that all children can learn about diverse cultures, including indigenous cultures and languages. It encourages the Government to review and extend these activities in consultation with children, their families and minority communities.	● Paragraphs 278 and 279 (Section C, Chapter 8)
I. Special Protection Measures (Articles 22, 30, 32, 33, 34, 35, 36, 37 (b) and (d), and 38-40)		
Indigenous Children (Article 30)		
87	The Review Committee welcomes the numerous measures taken by the Government to protect the rights of indigenous children and the important role played by the National Council of Indigenous Peoples.	● Paragraph 258 (Section A, Chapter 8)

Point	Concluding Observations	Paragraph
88	<p>The Review Committee recommends that the Government continue to implement, monitor, and evaluate the effectiveness of special measures to protect the rights of indigenous children in collaboration with indigenous communities including children from such communities. The Review Committee further recommends that the Government pay special attention to:</p> <ul style="list-style-type: none"> (a) measures to reduce the infant mortality rate among indigenous children; (b) the ability of indigenous children to receive instruction in their indigenous language by appropriately qualified teachers; (c) the assistance provided to indigenous children when they move from rural to urban areas to undertake education; (d) measures to support the development of preschools by tribal co-operatives, including the allocation of adequate resources and the involvement of indigenous community members in the development, staffing and operation of such preschools; (e) supporting customary alternative care arrangements in indigenous communities; and (f) the provision of culturally appropriate parenting education and support services. 	<ul style="list-style-type: none"> ● Paragraphs 308 to 317 (Section B, Chapter 9)
Child Labour (Article 32)		
89	<p>The Review Committee notes with concern reports that children, including younger children, are working in conditions that often involve long hours and / or may be harmful to their health and development. The Review Committee recommends that the Government:</p> <ul style="list-style-type: none"> (a) collect data on the number of children working, disaggregated according to the nature of the work, age, gender and whether the child comes from an indigenous, rural or urban background; and (b) take appropriate measures to protect the rights of such children. 	<ul style="list-style-type: none"> ● Paragraphs 318 to 323 (Section C, Chapter 9)
Drug Abuse (Article 33)		
90	<p>The Review Committee welcomes the various measures taken to prevent drug abuse, such as the establishment of local Abuse Prevention Centers and the project “say-no-to-drugs,” and the designation of medical treatment institutions for the treatment of children addicted to drugs. However, the Review Committee is concerned at the lack of information on the effectiveness of these measures.</p>	<ul style="list-style-type: none"> ● Paragraphs 230 and 231 (Section C, Chapter 7)

Point	Concluding Observations	Paragraph
91	The Review Committee recommends that the Government regularly conduct evaluations of the implementation of these measures and their effectiveness with the involvement of child and adolescent drug users, in order to adjust or strengthen these measures where necessary. In addition, the Review Committee recommends that the Government treat the use of drugs as a health problem and not as a crime.	
Sexual Exploitation and Sexual Abuse (Article 34)		
92	The Review Committee welcomes the adoption in 2015 of the Child and Youth Sexual Exploitation Prevention Act, which entered into force on 1 January 2017, and the related plans for the prevention of sex trade involving children and for the reinforcement of sex crimes investigations. However, the Review Committee is concerned that an emergency placement of a child victim of sexual exploitation or sexual abuse can be extended for a long period of time while it is not clear what the grounds for the extension are. Furthermore, the Review Committee is concerned that the protection of a child victim of sexual abuse as a witness in a judicial (criminal) proceedings against the alleged perpetrator is not always in full compliance with international human rights standards and recommendations.	● Paragraphs 121 to 125 (Section C, Chapter 5)
93	The Review Committee recommends that the Government specify by law the grounds for the extension of an emergency placement of a child victim of sexual exploitation or sexual abuse, and that it review and amend, where necessary, the existing provisions on the protection of child victims as witnesses in judicial proceedings in order to comply with the rules set in Article 8 Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography and the recommendations in Resolution 2005 / 20 of the UN Economic and Social Council on Justice in Matters involving Child Victims and Witnesses of Crime.	
Conditions of Detention (Article 37)		
94	The Review Committee is concerned by reports of the mistreatment of children while deprived of their liberty and recommends that the Government take effective measures to ensure:	● Paragraphs 132 and 133 (Section D, Chapter 5)

Point	Concluding Observations	Paragraph
94	<ul style="list-style-type: none"> (a) full compliance with article 37 of the Convention and the UN Rules on the Protection of Juveniles Deprived of their Liberty; (b) that all staff working with children deprived of their liberty are informed about the rights of such children; and (c) that all allegations of mistreatment of children deprived of their liberty are fully investigated. 	
Juvenile Justice (Article 40)		
95	<p>The Review Committee notes with appreciation the measures taken by the Government to prevent juvenile delinquency and the establishment, based on the Juvenile Delinquency Act, of a well-structured juvenile justice system. However, the Review Committee is concerned with:</p> <ul style="list-style-type: none"> (a) the use of different age limits and categories in the Juvenile Delinquency Act which lead to the appearance of children aged 7 to 12 in the juvenile (criminal) justice statistics, and the lack of clarity regarding children aged 12 and 13 due to the fact that the minimum age of criminal responsibility (MACR) is set at 14; (b) criminalizing problematic behaviour of children by including such behaviour in the criminal law as status offences; and (c) the de facto lack of legal or other assistance to children and juveniles in conflict with the criminal law throughout the juvenile justice proceedings, due to the fact that legal assistance has to be paid for in most instances. 	<ul style="list-style-type: none"> ● Paragraphs 338 to 354 (Section D, Chapter 9)
96	<p>In light of the CRC Committee's General Comment No 10 on Children's Rights in Juvenile Justice, the Review Committee recommends that the Government bring the juvenile justice system fully into line with the CRC and other relevant standards. In particular, the Review Committee recommends that the Government:</p> <ul style="list-style-type: none"> (a) deal with children below the age of 14 who have been alleged as, accused of or recognized as having infringed the criminal law, under the Protection of Children and Youth Welfare and Rights Act and not under the Juvenile Delinquency Act, and undertake the necessary legislative and other measures to that effect; 	

Point	Concluding Observations	Paragraph
96	<p>(b) abolish status offences and provide children with problematic behaviour with the necessary support and protection in the context of the Protection of Children and Youth Welfare and Rights Act;</p> <p>(c) ensure the provision of qualified and independent legal aid to children in conflict with the criminal law from the beginning, and throughout the legal proceedings;</p> <p>(d) require by law that pre-trial detention is reviewed regularly by a court / judge, preferably every two weeks, in order to ensure that pre-trial detention does not last any longer than is strictly necessary; and</p> <p>(e) ensure that sentences involving deprivation of liberty are a measure of last resort.</p>	
97	The Review Committee notes that no restorative justice mechanism is in place within the juvenile justice system and there are limited diversionary measures. The Review Committee recommends that the Government explore the possibility of introducing restorative justice measures and promote genuine diversionary measures which occur before court proceedings.	
J. Dissemination		
98	The Review Committee recommends that the initial report, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.	● Paragraph 32 (Section H, Chapter 1)



行政院

Executive Yuan



Child and Youth Welfare and Rights Promotion Group