

**Written submissions with country specific information that  
contributes to the review of second State Party reports pursuant  
to Convention on the Rights of the Child**

**2022**

**The League For Persons With Disabilities,  
R. O. C(TAIWAN)**

CONTENTS :

Article 2 (Non-Discrimination) 、

Article 12(Respect for the Views of the Child) 、

Articles 19(Abuse and Neglect, including Physical and Psychological Recovery and Social Reintegration) 、

Article 2(Disabled Children) 、

Article 24(Health and Health Services) 、

Article 28(Education, including Vocational Training and Guidance) 、

Article 31(Leisure, Recreation and Cultural Activities)

Completion Date 2022-02-09

Consenting information is simultaneously published on ROC's CRC official website (<https://crc.sfaa.gov.tw/>)

# Index

- 《Convention on the Rights of the Child》 Article 12 、 Article24 ..... 1
- 《Convention on the Rights of the Child》 Article 19 ..... 1
- 《Convention on the Rights of the Child》 Article 23 ..... 1
- 《Convention on the Rights of the Child》 Article23 Article 31 ..... 2
- 《Convention on the Rights of the Child》 Article 28 ..... 3

《Convention on the Rights of the Child》 Article 12 、 Article24

1. State report did not cover the protection of the rights of expression for children with disabilities in health and public health disposal

**2. Recommendations:**

(1) When applying medical and health-related treatments such as surgical treatment, determination of physical sex, vaccine administration, etc., children's right to express their opinions should be protected. Medical and health treatments such as the "Principles of Common Recommendations for Corrective Surgery for Minor Intersex Persons" should be amended to protect children. The "informed consent" for juvenile should conform to the spirit of CRPD and CRC (The Committee on the Rights of the Child), while providing legal and procedural protection.

(2) Raise the awareness of parents and children regarding disabled LGBTI juveniles and related issues such as sex education and physical autonomy

《Convention on the Rights of the Child》 Article 19

3. The number of victims of gender-based violence among special education students is increasing every year, and the sexual violence prevention and control system plan has not formulated strategies for the needs of the persons with disability and the specificity of institutional sexual assault . According to the regulation, everybody in the institution is responsible for reporting sexual assaults and criminal acts , but in practice, the notification and the investigation process of suspected cases is often delayed. The notification will not be executed until the number of victims has accumulated. Many teaching or administrative staffs have already aware of the situation, but they still delayed the report. No punishment for those who concealed it and failed to report . There is also a lack of discussion of other forms of exploitation, such as financial exploitation, psychological abuse, neglect, abandonment, etc

**4. Recommendations:**

For the notification of suspected sexual assault cases, a whistleblower mechanism should be established. For those who failed to report, administrative responsibilities should also be pursued to strengthen the implementation of the statutory notification mechanism and establish a post-incident resettlement process. Other forms of mistreatment besides violence should also be defined and included in prevention and treatment.

《Convention on the Rights of the Child》 Article 23

5. Regarding healthcare service for the children with delayed development in rural

communities, state report only revealed a growth in the total number of services. It failed to reflect the variations and gaps in the service utilization rate between urban and rural areas. There are obvious differences in service utilization rates among counties and cities, while a certain percentage of people has not received early treatment services.

**6. Recommendations:**

In addition to increasing the quota in early treatment deployment, all families with potential needs should be taken as project targets. The differences in the density of early treatment resources in each administrative district should be counted, gaps in key areas should be identified with improvement schedules.

7. The campus still lacks a lot of support for the emergency medical needs of children with special needs.

**8. Recommendations:**

Ministry of Education (MOE) should establish a standard operating procedure for schools to deal with the emergency medical needs of children with special needs.

《Convention on the Rights of the Child》 Article 23 Article 31

9. Sports Administration of the MOE has set out the "Sports Policy White Paper" to present various policies of school sports, sports for general publics, competitive sports, international and cross-strait sports, sports industry, etc., and the goals for the promotion of sports with disabilities in the future, such as: the improvement timeframe for the elimination of discrimination in sports venues.

**10. Recommendations:**

The Sports Administration MOE should reveal the status of the "Sports Adaptation in the School Promotion Plan", prepare a budget and formulate strategies to improve the sports plight of students with disabilities, actively cultivate adaptive physical education teachers and promote adaptive sports, including increasing the participation of adaptive physical education teachers in IEP meetings and host adaptive sports ratio , to improve the knowledge and ability of personnel.

11. MOHW has not yet set the regulations and applicable ages for the inclusive children's playgrounds actively promoted by local governments, and the setting information has not been fully promulgated.

**12. Recommendations:**

The state should invite persons with disabilities and representatives of relevant groups by 2023 to develop guidelines for the design of inclusive playgrounds, and set up an information integration platform for inquiries.

《Convention on the Rights of the Child》 Article 28

13. There were several incidents of school illegal rejection or improper treatment in 2020, but state report did not respond to the problem . The proportion of children aged 2 to 3 years with retarded development who are enrolled in kindergartens is very low , and children with severe developmental retardation lack appropriate kindergartens.

**14. Recommendations:**

(1) Under the goal of zero rejection of enrollment, the state should formulate penalties in the next four years to ensure that schools at all levels under national compulsory education have sufficient integration and special education resources to protect the right to education of every students with disability. MOE should review of the distribution of special education resources in rural areas and gradually improve the uneven distribution.

(2) State should increase the number of kindergartens and ensure that children with disabilities are given priority registration in school. Relevant services for children with severe developmental retardation should be established to integrate special education and treatment services. Children with speaking or communication difficulties should have reasonable adjustment strategies, such as: increasing speaking time, providing relevant photos or diagrams and materials, so that children can participate in individualized education programs (IEP) conference.

15. In order to achieve integrated education, it is not enough for regular class teachers to participate a minimum of three-hour special education workshop each year. The survey also showed that more than 30% of students are not aware of special education services.

**16. Recommendations:**

(1) MOE should invite scholars and experts in the field of special education and representatives of non-governmental organizations to examine whether the times and content of special education-related trainings meet practical needs.

(2) MOE should analyze the users and target of special education services, formulate strategies to ameliorate the challenges of education among persons with disability, and raise the awareness of students and their families on various special education services.

(3) MOE should formulate an awareness-raising plan for the next four years and evaluate the effectiveness of its implementation to ensure that all educators on campus have sufficient awareness about disabilities.

17. Current practice of arranging the persons with disability in ordinary classes is simply a kind of "concordance", such as the deployment of assistants and an accessibility environment, however, there is still a lack of resources to actively promote "integration", such as: the awareness of disabilities among teachers and students, reasonable adjustments of education process and so on. Students with special needs often encounter difficulties when they participate in learning activities, such as sports and outdoor teachings.

**18. Recommendations:**

MOE should supervise schools at all levels to implement IEPs for students with disability, and implement a mechanism for inviting students and their parents to engage, link resources, and meet learning needs and integration goals as much as possible. In addition to providing assistive learning aids, student assistants, extend examination time, and academic performance adjustments, it should also focus on the establishment of interpersonal relationships and other enhancements.

19. The general guidelines of "Curriculum Guidelines of 12- Year Basic Education" does not explicitly mention the concept of universal design ; although courses can be set according to the needs of students for special education, it does not meet the universal goal of learning together for all. Reasonable adjustments were not substantially implemented. There is no standard for the schools to revising the assessment methods and adjusting the work loadings.

**20. Recommendations:**

(1) MOE should invite scholars and experts in the field of special education and representatives of non-governmental organizations and school teachers to jointly draft universal design application manual, and assist in promoting and encouraging teachers to apply this concept to teaching content, in order to promote the understanding and communication between regular and special students.

(2) MOE should amend Article 19 of the Special Education Act to conform with the principle of "reasonable adjustment", and include other objective needs and support services.

21. MOE has provided "special education student assistants" to supplement personal assistants, and commissioned respective schools to coordinate the services. However, due to difficulties in finding manpower, assistance-hour shortage and insufficient awareness of assistants, parents often need to recruit additional assistance at their own expense.

**22. Recommendations:**

The state should reserve training budget for "special education student assistants" to improve their professional knowledge. Meanwhile, provide a recommendation list of potential candidates and pre-school circuit counseling professionals as resources for respective schools.

23. Teachers can access supplementary textbooks, reading lists, and digital learning. However, due to the lack of formats, equipment, and software for students with visual or learning disabilities to read, the issue of information access and digital gaps for students with disabilities remained unsolved. In addition, there are insufficient resources for special

education in rural areas with poor accessibility, which makes it impossible for students with special learning needs to obtain appropriate education. Even providing material subsidies or expense reimbursement still cannot solve the problem.

**24. Recommendations:**

MOE should reserve budget for the promotion of barrier-free digital information systems and increase the proportion of schools utilize multiple media teaching materials. Teaching content should be developed in the direction of "universal textbook". Enable students with disabilities and regular students to learn simultaneously, avoiding students who use special textbooks and got stigmatized.

25. Although the laws and regulations stipulate that schools must not deny admission on the grounds of disabilities. However, after entering the higher education system, students often face the situation of not knowing how to make reasonable adjustments and insufficient hardware and software support . The resources for adult continuous education also lack the design that allows persons with disability to participate.

**26. Recommendations:**

(1) MOE should coordinate respective universities and colleges to propose practical mechanisms to resolve the challenges of integrating persons with disability into higher education, encourage students to take the initiative to submit reasonable adjustment applications, and set a quota for the number of applications and appeal channels to supervise the implementation of the right for education.

(2) When continuous education center at each university, MOE, and local governments set up community colleges, it should incorporate curriculums which meet the needs of adult education for the persons with disability. Meanwhile, the venue and learning should have assistive measures for accessibility.