

A Parallel (Shadow) Report on the Second International Review of Civil
Participation of the Convention on the Rights of the Child

(Public Report)

Institution : National Alliance of Presidents of Parents Association
(NAPPA)

March 30th, 2022

A Parallel (Shadow) Report on the Second International Review of Civil Participation of the
Convention on the Rights of the Child

I. Report Title: Basic Concept Advocacy & Comprehensive Review of Regulations

II. Related Provisions :

Convention on the Rights of the Child (CRC) Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, color, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

III. Institution: National Alliance of Presidents of Parents Association (NAPPA)

IV. Report Completion Date: March 29th, 2022

V. Note: Public Report

Institution: National Alliance of Presidents of Parents Association (NAPPA)

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Corresponding Points: Concluding observations on articles 27 and 28/Chapter 3: Non-discrimination Measures, Section A (48-59)

Current Issue: The Kinmen Department of Education rejects students from Mainland China who are stranded in Kinmen due to the pandemic to return to school. Based on the Regulations on Student Status Management of Kinmen Primary School Article 3 Subsection 1 Item 4 (Unless otherwise stipulated by law, there shall be no inbound students, exchange students, guest

students, and repeat students. However, foreign students or current students who have undergone a major catastrophe with the approval of the government are not subject to the restrictions). However, foreign students do not include mainland Chinese students, which affects children's right to education and violates the principle of non-discrimination of CRC. Regulatory review in accordance with Article 9 of the CRC Implementation Law, referring to the First National Report Article 50-The welfare and education measures for children in Taiwan do not discriminate against children, parents or guardians and Article 57- If children in stateless or non-permanent residence status need medical treatment, education, or care. Based on the Protection of Children and Youths Welfare and Rights Act Article 22, the Primary and Junior High School Act, and the Regulations for Subsidizing Life Assistance as well as Nursery and Medical Expenses of Disadvantaged Children and Youth, all children are ensured to have equal rights.

Feedback: Concluding Remark No. 11/Chapter 1, Section C, Point 17

Current Issue: Mainland Chinese residents enter Kinmen, Matsu, or Penghu with permit on arrival has created cross-national marriage, second marriage, and illegal minor immigrant issues. There was a case in Kinmen, children on independent travel couldn't return to Mainland China due to the Pandemic. The organizational autonomy regulations of Kinmen County restricted them to study in Kinmen, which affected their right to receive education. There is a concern of violating CRC in related regulations of the Ministry of Education, the Mainland Affairs Council, and the Kinmen County Department of Education.

Feedback: Concluding Remark No. 33/ Chapter 3, Section A, Point 60; Chapter 4, Section A, Point 91

Current Issue: A child was strangled by a teacher in Kinmen last year. The shortage of advocacy of education for teachers on offshore islands led the public made harsh comments on the child, but positive comments on the teacher. Both the child and the family suffered from the negative public opinion. It's suggested that CRC education and advocacy should be particularly highlighted for offshore islands and remote villages.

Feedback: Concluding Remark No. 12

Coordination 12. The Committee welcomes the establishment of a team to coordinate and promote policies for children's welfare and rights protection, and the establishment of the Child and Adolescent Welfare and Rights Promotion Group by the Executive Yuan. The Committee suggests that the government ensures the team and the group have adequate powers and are equipped with sufficient human and financial resources to carry out their duties
Opinion: It is recommended that every local government unit shall understand CRC. There is a

need for a comprehensive review of local government autonomy regulations that violate CRC.

Feedback: Chapter 1 General Reinforcement Measures F. International Cooperation

Opinion: Under international cooperation, children should be recognized as the assets of the world and should not be discriminated against their nationality, therefore, when formulating laws and regulations, it is inappropriate to distinguish children from across the country or other countries, and CRC is a special law and should take precedence over all other domestic law.

Analysis:

1. The general public, government agencies and even educational institutions have insufficient concepts of CRC, and the government should increase publicity.
2. Visa on arrival of Kinmen, Mazu, and Penghu areas are open to Mainland Chinese, but there are no supporting measures for CRC. More cases like Kinmen can be foreseen in the future.
3. The inadequate concepts of government agencies and schools in remote areas have made it difficult to evaluate legal compliance, and the violation of CRC regulations.
4. Failure in promoting and implementing CRC regulations.
5. Concluding Remark No. 27 and 28/Regarding non-discrimination measures, the chairman mentioned requesting the National Education Administration whether the assess can be on a case-by-case basis. What is the result? Whether the government department responsible for CRC has followed up its implementation.
6. Kinmen Case-Because most people in Kinmen do not know about CRC, people who restated CRC implementation to Kinmen Department of Education were bullied online, and the student who was corporally punished by the teacher and parents were harassed by cyberbullying again.

Recommendations:

1. A short promo video can be run during TV commercials, which can be viewed by elderly and children from time to time.
2. Encourage alliances (associations) to develop and execute implementation plans, and give rewards or subsidies.
3. Government employees, school staff and students are required to take CRC-related courses for 12 hours each year.
4. Besides counting the number of participants and sessions handled by the government to publicize the effectiveness of the CRC, it is suggested to apply the effective implementation method to know the feedback of the participants, and provide individualized services to the groups in need.
5. Enhance the mechanism of participation and communication between authorities and civil society organizations, publicize med-term and long-term plans, and use multiple channels to provide information to relevant civil organizations when releasing various policies to the

public.

6. Regarding the visa on arrival for people from Mainland China to Kinmen, Mazu, and Penghu areas, children visa need to be carefully evaluated.
7. The laws and regulations must be comprehensively reviewed, especially for the offshore islands and remote villages. The authorities responsible for CRC will take the initiation and use questionnaires to understand the public awareness of CRC.
8. The authorities of central government and county and city governments must strictly implement the law. In addition to inviting NGOs to participate in the National Report, counties and cities should make annual review reports and invite NGOs to jointly participate. The authorities in remote areas and offshore islands should attend and support.