

**Supplementary Statements of  
Taiwan NGOs for CRC to the Taiwan  
Government's Reply to the List of Issues  
Raised by the Review Committee on the  
Second State Report**

**September 30, 2022**

## List of Members (in alphabetical order)

Child Welfare League Foundation

ECPAT Taiwan

Good Neighbors Taiwan

Good Shepherd Social Welfare Foundation

Hualien County Growth Holistic Care Association

NTU Children and Family Research Center

Parents' Association for Persons with Intellectual Disability, Taiwan

R.O.C. Probation Association

Taiwan Association for Sexuality Education

Taiwan Fund for Children and Families

The John Tung Foundation

World Vision Taiwan

Zhi-Shan Foundation Taiwan

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## Chapter I General Measures of Implementation

Para	List of Issues	Supplementary Statements of Taiwan NGOs for CRC
1.1	<p>Para. 7 and 4. Please provide information on the progress made in amending Implementation Act of the CRC so that it enables precedence over conflicting domestic law. Please explain in more detail the position regarding ratification of the Optional Protocols to the CRC on the Children Involved in Armed Conflicts and on the Sale of Children, Child Prostitution and Child Pornography, specifying in particular if any elements of either Protocol would cause problems for full implementation in Taiwan.</p>	<p>1. The Government has a narrow understanding of OPSC; there is more than the definition of child sexual exploitation in the OPSC. Besides, the domestic regulation about child sexual exploitation has not met the standard of OPSC either. Furthermore, if the Government claims that the municipal law has already embodied the spirit of the OPSC, there is no reason for the Government to refuse to join the OPSC.</p>
1.2	<p>Para. 17. Please give further information on the National Plan of Action for children 2021-2025 regarding its development, endorsement, comprehensiveness, vision, goals, targets, budget, implementation mechanism and regular evaluation.</p>	<p>2. Although paragraph 17 in the national report outlined 4 issue statements as part of the national action plan, there is a continued lack of education programs on children’s rights tailored to the children themselves. According to the observations of Good Neighbors Taiwan during their services and interactions, only one-third of students in elementary schools have heard of children’s rights. Even so, these children are not sure what the term children’s rights specifically entail. To fully integrate</p>

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		<p>the teaching and learning of children’s rights into the national action plan, the government should create partnerships with civil society organizations to facilitate a better learning experience.</p> <p>3. Air pollution is detrimental to human health. Especially for children, air pollution may cause irreversible damage to the brain and early childhood development. In Taiwan, the central and southern regions face severe air pollution. Many studies have shown a strong correlation between air pollution and children's health diseases. However, this type of issue hardly gets any attention in the public policy realm. By examining the current legislation in Taiwan, loose regulation of air pollution and lack of protective measures are threatening the health of our children. Additionally, there is currently no budget for schools to install indoor air quality monitors or upgrade to better equipment. As a result, Taiwan should reconsider the harm of air pollution to children's health and include better solutions in the national action plan.</p> <p>4. Regarding children’s rights implementation in Taiwan, the Child and Youth Welfare and Rights</p>

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		<p>Committee from the Executive Yuan should comply with its responsibilities to coordinate and advance the implementation of the Convention. The committee should periodically evaluate government entities' proper compliance with the Convention. In addition, the committee should respect the views of the children. To better understand the current landscape and environment of children's rights in Taiwan, the committee should conduct random sampling to collect children's perspectives as the baseline of their research analysis. Doing so can better equip the committee to apprehend the development of children's rights empowerment in Taiwan. Furthermore, the experience of conducting survey sampling domestically can also create opportunities to form children's rights research partnerships with neighboring countries such as South Korea to increase practical collaboration.</p>
1.3	<p>Para. 18. Please provide additional information on the nature and outreach of the Child Rights Group as the child coordination mechanism, especially regarding</p>	<p>5. Although the establishment of the Child Rights Group is mandated by law, this group serves only as a task force, not a permanent agency with responsible personnel.</p>

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	its institutional capacities and regular function.	6. Resolutions of Child Rights Group meetings on child related issues and policies do not entail compulsory enforcement. Proposals made by children and NGOs from the Group usually lead to meeting follow-ups with no clear responses or actions from the authorities, limiting their effects on inter-ministerial coordination and integration of child policies. It is recommended to establish a permanent agency under Executive Yuan dedicated to children's affairs.
1.4	Para. 21. Please provide information on plans to rebalance budget allocations to children, to provide more resources for social protection, child friendly justice, the child's access to good quality counseling services and child protection from violence and harmful practices.	7. Even though the Government is pressing ahead with the child-friendly court policy, there are situations where child victims encounter the perpetrators during the break time in court. The Government should provide child-friendly judicial measures and an environment to prevent children from secondary victimization during the investigation and trial process.
1.5	Para. 24 and 25. Please specify role of international organizations and other countries in international cooperation and explain how do children in ROC benefit from exchange of knowledge and information.	8. Paragraph 24 and 25 in the national report aims to leverage international cooperation with non-profit, medical, and international humanitarian organizations to support and assist children. In addition, the government also intends to form international



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		<p>collaborations between international non-governmental organizations and children's welfare groups in Taiwan. These types of partnerships are essential to families and children across the country. However, Taiwanese children are unfamiliar with the resources and assistance available. Most of the time, they can only get information from news broadcasting and the media. The government should be more attentive in assisting youth and providing resources during international collaboration. Ensure children are benefiting from knowledge and information exchange during global interactions. Meanwhile, work with civil societies to expand the topics and issues for more children to get adequate exposure:</p> <p>(1) In 2021, civil societies in Taiwan introduced Korea's experience as one of Asia's most successful children's rights empowerment case studies-where Korea has the highest number of children-friendly cities compared to other Asian countries. Suppose the local governments join the Child Friendly City Initiative (CFCI) held by the United Nations. In that case, it will showcase the government's</p>

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		<p>commitment to strengthening the rights-based framework and governance of the CRC in Taiwan.</p> <p>(2) The partnership with international non-governmental organizations facilitates youth exchange and global citizenship education, such as the Good Neighbors International program, where 9 Asian countries, including Taiwan, have formed the Global Youth Network. This platform allows youth to learn about United Nations Sustainable Development Goals (SDGs) and understand the current sustainable development of other nations. Simultaneously, the youth can continue to be engaged and raise innovative ideas on how countries can achieve their sustainability goals and action plans in face of a global climate crisis.</p>
1.6	<p>Para. 26. Please provide information on the effectiveness of the National Human Rights Commission in overall promotion of the rights of the child and in addressing cases of violation of the rights of the child, in light of the basic requirements for a visible, child friendly, accessible, and well budgeted child rights.</p>	<p>9. There is no response to Paragraph 1.6 from the National Human Rights Commission of Taiwan. Though the National Human Rights Commission was established in 2020, its primary focus has been establishing the reporting/recourse mechanism. Nevertheless, there is still a lack of clear and child-friendly reporting mechanisms available at the moment. Additionally, the recourse mechanism</p>

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		<p>for K-12 education and facilities of children placement is accepted on a reactive basis. The National Human Rights Commission lacks preventive and proactive intervention strategies to assist children in need of rights protection. The National Human Rights Commission under the Control Yuan and the Child and Youth Welfare and Rights Committee under the Executive Yuan are both government organizations. However, in between supervision and administration, the respective authority, task delegation, and responsibilities are ambiguous between the two entities. As a result, the agency to oversee children's rights seems to lack the required independency in policy implementation. Meaning, the National Human Rights Commission needs to clarify its role in comparison to Executive Yuan's role as a policy execution agency to maximize responsibility to safeguard the best interests of all children. Recommendations for the government are the following:</p> <p>(1) There shall be an independent child rights division or an office of the children's ombudsman; or a committee on the rights of the child</p>

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		<p>shall be appointed, which shall have an active mandate to:</p> <p>a. Actively investigate whether the procedure and decisions made in legislative, administrative, and judiciary entities are aligned with the children's best interests. In addition, propose any advice, policy recommendation, or legislative amendment to further strengthen children's rights.</p> <p>b. The children's rights oversight unit should have the authority to enter both public and private children welfare institutes or transition (halfway) schools to evaluate children's treatment and needs within these placements.</p> <p>c. The oversight unit should provide the necessary support to children when needed. For example, connect children with service providers such as non-governmental organizations or other family assistance. Additionally, to provide consulting services on family.</p> <p>(2) Provide children with an accessible and diversified platform to file complaints. The government should strengthen publicity and advocacy to ensure the resources and information to file complaints are</p>

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		<p>widely disseminated to children in all areas. In addition, reassure the children that an independent office will manage these complaints with legitimate authority. The competent authority should be objective and unbiased when ruling the cases. All privacy information during the procedure will be protected.</p> <p>(3) The children's rights oversight unit should consistently publish an annual children's rights report, including the current progress on children's right to express.</p>
1.7	<p>Para. 33 and 34. Please provide additional information on plans to extend training and education on the rights of the child to all professionals dealing with children, including social work, teachers, medical profession, informal education as well as to parents, caretakers, young children and youth.</p>	<p>10. To achieve successful implementation of CRC, our government should incorporate CRC education into the mandatory pre-employment training for social and healthcare workers so as to ensure they have sufficient knowledge when working with children. At the same time, the government should develop systematic CRC training programs with a group of trained professionals who can deliver the training so that all professionals are receiving consistent and accurate content.</p> <p>11. In addition, for informal education personnel (such as parents and caregivers) and children, there is a gap in the CRC training and</p>

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		<p>educational resources available to them. Recommendations for the government are the following:</p> <p>(1) The primary beneficiary of the CRC - children and youth from primary and secondary schools are currently learning the oversimplified version of CRC in their textbooks. As a result, it is recommended that at least one class per semester should be devoted to children's rights education; please refer to the information regarding Good Neighbors Taiwan's in-class teaching experience in Taiwan.</p> <p>(2) Children's rights education should be practiced and implemented in daily life. For parents and caregivers' CRC education, it is recommended to set up children's rights educational resource centers in counties and cities. Additionally, encourage the participation of civil organizations to advocate for children's rights through activities and workshops. Lastly, promote the learning of children's rights education through online platforms to disseminate the information to greater audiences. For instance, the Superman School created by Good Neighbors is an excellent example of</p>

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		<p>online interactive learning.</p> <p>(3) The government should encourage local authorities, such as county and city governments, to value the importance of implementing children's rights and become child-friendly cities such as those promoted by UNICEF.</p>
1.10	<p>Please elaborate on the procedures available for receiving complaints from children in relation to education, social care, juvenile justice and health and explain how these are independent, confidential, accessible and child friendly and how do children realize their right to a remedy.</p>	<p>12. No matter on the state report or on the government's reply to the list of issues, there still lacks specific measures when indigenous children are discriminated against in schools. The operation procedures for discrimination complaints in schools at all levels need to be established urgently.</p> <p>13. In March 2022, in Taichung an Amis student fell from a school building and died because he was too fearful to be penalized by the school after fighting with his classmates because of being scolded as "dead indigenous". In this case, a significant campus discrimination against different ethnic identities, in addition to exploring personal factors, the system should be reviewed and corrected.</p> <p>14. It is suggested that in schools, the Ministry of Education should follow the Regulations Governing</p>

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		<p>Prevention and Control of Bullying on Campuses, set up campus discrimination prevention and control guidelines in accordance with Article 2 of the Regulation for Petitions against Discrimination against People Residing in the Taiwan Area, establish channels and processing procedures for complaints of discrimination on campus, so that students who suffer from discrimination can be protected, and abusers can learn to be responsible for their words and deeds, respect differences between different ethnic groups, and reiterate to teachers and students the importance and determination of anti-discrimination.</p>



### Chapter III General Principles

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3.2	<p>Para. 56 Please provide further details as to how the obligations in the Education Act for Indigenous Peoples 2019 are monitored and enforced.</p>	<p>15. The government lacks an effective tracking and monitoring mechanism after the implementation of <i>The Education Act for Indigenous Peoples</i>. For example: Paragraph 2 of Article 6 of <i>The Education Act for Indigenous Peoples</i> clearly stipulates that educational institutions shall make use of administrative activities and campus spaces to promote education about indigenous peoples and multicultural education. However, only a few schools have done well, and the overall effect is not good. It is suggested that the Ministry of Education should be more active. Try to promote the experimental program of indigenous and multicultural education in specific types of schools. By establishing a baseline and corresponding observation indicators, track the program's effectiveness, find an excellent operation mode, and then expand to more schools.</p> <p>16. In addition, the discrimination and impact caused by the long-standing policy of bonus points for indigenous students should also be further discussed and studied, and</p>

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		appropriate supporting measures should be added to reduce its negative effects.
3.3	Para. 68 Please clarify how the causes of child deaths (including suicides) are recorded, whether and how they are investigated and provide an explanation for the very high infant mortality rates in some counties.	<p>17. In 2019, it was added to <i>The Protection of Children and Youths Welfare and Rights Act</i> that central competent health authority shall conduct retrospective analyses of the deaths of children under 6. However, until 2021, only 8 out of 22 counties and cities of Taiwan had conducted retrospective analyses of the deaths of children.</p> <p>18. In regard of the enforcement of retrospective analyses of the deaths of children under 6 in Taiwan, “severe child and youth abuse incidents” have been exempted. The analyses are only performed on incidents of deaths related to home environment safety and traffic accidents. Currently there is a lack of comprehensive investigation or analysis on all causes of deaths of children in Taiwan.</p>
3.5	Paras. 73 and 80 Please provide further details as to how the participation in local government and in the curriculum review is working? Please include details about how children are selected to participate and what steps are taken to ensure that the groups are	19. How children are selected in each local government is different. Most selection process are led by adults without child participation; children are selected by adult committees in a “top-down” approach. Therefore, most children in local governments lack “representativeness.” Moreover,

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	<p>as representative as possible. Please provide examples of how participation is monitored and what impact, if any, children had on policy and practice.</p>	<p>due to the lack of dissemination of information, most children have not received any information of the child representative selection and thus were not able to participate in the process.</p> <p>20. In regard of participation of children in minority groups, the governments are not able to provide inclusive child participatory environment or relevant resources. For instance, child representatives with disabilities often encounter difficulty in attending physical meetings due to lack of inclusiveness of the venue.</p> <p>21. Moreover, current means for child representatives to express their opinions are limited to one way, attending adult meetings to “make proposals.” However, those who have the capacity to formulate a formal proposal tend to be high-achieving students. Also, there are no child-friendly documents or regulations available for these meetings, raising the bar for child representatives to understand the topics and express their views accordingly.</p>

## Chapter IV Civil Rights And Freedoms

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4.4	<p>Para. 97 Please clarify whether any measures have been taken to assess the effectiveness of the filtering systems adopted on the Taiwan Academic Network to regulate content not suitable for children and youth, and whether there is a central governmental body with responsibility for protecting children from harmful content and practices such as cyber bullying, grooming and violations of privacy on the internet and other forms of media.</p>	<p>22. Since iWIN is an office commissioned by the Government, without public power, it can only notify the Internet service provider to take down the inappropriate content after receiving reports. Besides, there is no central competent authority for online content, each competent authority is responsible for different topics, but no one is particularly responsible for children's online safety, and there is a lack of coordination mechanisms among government agencies. Neither the recent draft of the Digital Services Act mentioned this issue.</p>

**Chapter V Protection Of Children From Violence**

<b>Para</b>	<b>List of Issues</b>	<b>Supplementary Statements of Taiwan NGOs for CRC</b>
5.1	<p>Para. 110 Please provide more information on legal definitions of the abuse and neglect, as well as information on the contents of the trainings on prevention and treatment of victims of abuse and neglect. Also, please provide more information on research and analysis (other than statistical data) that point to the root causes of abuse and neglect and solutions to incidents of abuse and neglect within families of young children, children with disabilities, and children of minority groups. Please explain effects of the Strengthening Social Safety Network Program, highlighting areas of progress as well as factors and difficulties that hamper its realization.</p>	<p>23. Regulations under the competent authority of education of the Taiwanese government has included articles of prohibition of inflicting corporal punishment or abuse on students. However, <i>The Protection of Children and Youths Welfare and Rights Act</i> has yet been amended to include prohibition of corporal punishment.</p> <p>24. In the Strengthening Social Safety Network Program, the government has taken back its duty of running most child abuse prevention projects, which limits the space for experienced civil society organizations to provide child abuse prevention services. Moreover, the professional trainings and turnover rates for social workers in the government-led program are not steady, which causes current child abuse prevention program to be less efficient.</p> <p>25. Upon completion of the first stage of Strengthening Social Safety Network Program, the government did not conduct effectiveness evaluation and policy review before moving forward to the second stage. The overall</p>

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		<p>program noticeably weakens the role of the civil society, which hinders the implementation of primary and secondary child abuse prevention mechanism.</p>
5.2	<p>Para. 129-133 Please explain discrepancies in information on reporting and addressing violence in schools, state care, penitentiary, correctional and other state institutions. Please provide information on any research that analysis ratio between violence occurrence and reported cases. Please provide information on analysis of barriers that prevent children and others to report violence in any setting.</p>	<p>26. In regard of the three laws on prohibition of corporal punishment mentioned in Paragraph 129 of the National Report, <i>Educational Fundamental Act</i> prohibits education personnel from conducting corporal punishment, while <i>Teacher's Act</i> and <i>Early Childhood Education and Care Act</i> only propose punitive measures on persons who conduct corporal punishment to cause severe injuries. Therefore, when students receive corporal punishment at school, only when the punishment causes “severe physical or mental injuries” would the inflictors undergo punitive measures. If the level of severity of the corporal punishment is mild, reporting usually is ineffective.</p> <p>27. Moreover, of all laws prohibiting corporal punishment, they do not safeguard children in every setting. No law prohibits corporal punishment in home-based care, daycare centers, out-of-home care institutions, and other settings. Even though the Concluding Observations on the</p>

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		<p>Initial Report (No.56) mentioned that corporal punishment in the family setting should be prohibited, paragraph 127 of the Second Report still overlooked the recommendations from the Review Committee and insisted on that current regulations which merely prohibit the corporal punishment that would cause severe physical and mental injuries are sufficient and there is no need to prohibit mild corporal punishment. (Please refer to the Taiwan NGOs for CRC Alternative Report 3.1, p.20)</p>
5.3	<p>Para. 118-120 Please provide information on the further measures taken to make the content of the Child and Youth Sexual Exploitation Prevention Act known to children, parents and relevant professionals. Furthermore, please provide information on the measures taken to provide relevant professionals with training to understand the Act and on how it should be implemented.</p>	<p>28. At present, children, parents and teachers need more education on the <i>Child and Youth Sexual Exploitation Prevention Act</i>, to understand more about the risks children may face online, how to deal with them, and how to seek help. Meanwhile, some professionals still have prejudices against child victims, victim-blaming words such as “the child knows him/her made mistakes”, “the child felt regret”, as well as “the child needs to be disciplined” can be found in the case reports. Furthermore, front-line law enforcement officers lack basic knowledge of cybercrime and refuse to take the reports because children are not able to identify the online</p>

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		perpetrator or when whose IP address is overseas.
5.5	Para. 137. As Taiwan faces increase of sexual violence that occurs online, including high incidents of cyber bullying, please provide information on legal protection and assistance to victims in such cases, in particular victims of online grooming.	29. Currently, there is no comprehensive law to prevent online grooming in Taiwan, thus, relevant statistics are also lacking. Online grooming should be seen as a standalone offence, instead of being punished only as an aspect of another sexual crime. Also, it is necessary to criminalize the process of online grooming and authorize law enforcement officers to do an undercover investigation.
5.6	Para. 140. As an indication that a child has been exposed to violence represents an important opportunity for protection, justice and recovery, please provide information on efforts to protect children victims and witnesses of crime by enabling their safe and confidential participation in the proceedings. Please provide information on how protection of child victims and witnesses of crime is understood as shared responsibility of many different actors including medical and psychological support. Finally, could you please explain your plans to integrate child protection, medical interventions, therapeutic	30. Currently, the eliminating repeated statements procedure only applies to victims of sexual assault. The Government should ensure that all child victims and witnesses can be protected during the judicial proceeding and prevent the children from secondary victimization.



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	<p>interventions and criminal investigation and the investigative child interview, enabling multidisciplinary approach in a child friendly and participatory environment, inclusion, professionalism, and interagency collaboration.</p>	
5.7	<p>Para. 121-125 Could you please provide more information on legal and administrative measures to provide recovery and social reintegration of children victims of violence, in particular sexual exploitation, child pornography and child prostitution, as well as the victims of trafficking for sexual exploitation? Please provide additional information on availability of helplines for children, their accessibility, effectiveness and evaluation of their overall place in assisting children victims of violence</p>	<p>31. There are still practices in placement settings that violate the rights of victims of child sexual exploitation; children are restricted to contact with their families, prohibited to go to school or participate in the courses due to the lack of accompaniment or equipment, and forced to follow religious rituals. Even more, they will be isolated in a room for days as a punishment for fighting.</p> <p>32. The Government should ensure the child placement agencies follow the CRC principles, take the children’s opinions into consideration and ensure the children fully understand the reasons and meanings of the placement decisions. The Government should also provide an individualized education program for each child sexual exploitation victim.</p> <p>33. Additionally, employment assistance for disadvantaged adolescents is insufficient, leading to the difficulty</p>

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		for them to reintegrate into society, even worse, becoming the victims of fraudulent syndicates.

## Chapter VI Family Environment And Alternative Care

Para	List of Issues	Supplementary Statements of Taiwan NGOs for CRC
6.1	<p>Para. 92 Please specify the categories of information lawfully required and held by the Child and Juvenile Adoption Information Centre and the conditions under which such information can be accessed, including by the child or adult adoptees concerned. Please clarify if this database covers both domestic and intercountry adoptions as well as, currently or potentially, donor-conceived children and those born through surrogacy arrangements if these children's data are not being held in an analogous entity. Please also describe any guidance and/or support available for adoptees and others seeking to establish their origins through the Centre.</p>	<p>34. Since the 2019 amendment of <i>The Protection of Children and Youths Welfare and Rights Act</i> adding Article 21-1 search and reunion service, the government has not proposed any budget, service, or inter-ministerial coordination action plans to implement the mechanism.</p> <p>35. The Child and Juvenile Adoption Information Center only passively stores data of the adoption parties while its budgets and manpower cannot meet the needs of search and reunion services nationwide. For people in need of search and reunion services and victims of past child trafficking incidents, the government should act more proactively in providing search and reunion service.</p> <p>36. According to current regulations, children conceived through assisted reproduction are not able to identify their birth parents. They can only apply for the Kinsfolk Relation Record at the household registration office when they plan to get married, adopt or be adopted.</p>
6.3	<p>Para. 159 Understanding that the 2019 Act has, inter alia, established an order in which</p>	<p>37. Under the core value of safeguarding the best interests of children, according to Article 10 of the</p>

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	<p>placement options are to be considered – from kinship, through foster care to residential care – please indicate if decision-makers are provided with clear criteria when asked to assess which option to propose. Please also clarify the nature and role of “group home services” which appear to be the final option to be considered if foster care and ordinary residential care are eliminated (§ 162).</p>	<p><i>Enforcement Rules of the Protection of Children and Youth Welfare and Rights Act</i> amended on February 20, 2020, the placement of children and youth shall be in the following order: (1 ) proper relatives. (2) Third parties of a long-term positive and stable attachment with the children and youth. (3) Foster families qualified upon registration. (4) Placement and educational institutes for children and youth passed upon registration. (5) Other placement institutes.</p> <p>38. It needs to follow the law and consider the best interests of children and youth when coordinating placement units for children and youth. Therefore, the social and administrative unit will conduct multiple and detailed investigation and evaluation; The third party in the relationship or close to the original living environment of the child is the first priority, and then consider alternative services such as foster families, placement organizations, and group families.</p> <p>39. The relative placement is specified as the first priority in the rules, but no specific corresponding policy are provided for increasing the relative placement ratio. Therefore, it is</p>

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		<p>recommended that kinship placement is also regarded as a foster family, and the competent authorities of kinship placement and family foster care can jointly agree and establish a consensus on alternative care measures and support services for out-of-home replacement (such as: placement fees, training courses, family counseling) etc.) to integrate the two sets of standards. A guide for matchmakers is also provided to assist in making the most suitable assessment.</p> <p>40. It is recommended that the central authority making policies to support local governments in increasing the relative placement subsidy budget, and establish a subsidy standard for children and youth by grades and classifications with the family foster care model, and increase the incentives and willingness for relative placement to increase the relative placement ratio.</p>
6.7	Para. 174 Please specify if the Civil Code sets out the grounds – other than the best interests of the child in general – that can justify the termination of an adoption, and in that case, in particular, if such grounds include “better conditions	41. In light of Taiwanese culture, termination of adoption is often applied when relationships change in kinship adoption and step-parent adoption families. The government should provide all applicants of termination of adoption with proper

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	<p>being available with the original family” and “requests by the biological father that a child’s original surname be restored”. Please also specify which persons are competent to submit an application to terminate an adoption.</p>	<p>evaluation and services to protect adoptees’ rights and welfare in the process.</p>
6.8	<p>Para. 179 Please give an estimate of the proportion of total cases of illicit transfer of children abroad that would be covered by the Memorandum of Understanding with the USA.</p>	<p>42. Through MOU between the AIT and the TECRO in the US on Cooperation on International Parental Child Abduction, services and resources such as assisted visitation can be accessed under the condition that the abducting parents give their consent. The MOU does not entail compulsory enforcement of child handover.</p> <p>43. Children in Taiwan who experience illicit transfer abroad are mostly to China or Southeast Asian countries. However, currently Taiwan only signs agreement of Judicial Assistance in Civil Matters with Vietnam. Moreover, this agreement has yet generated any enforcement rules, which creates difficulty in providing practical services for cases of illicit transfer of children.</p>
6.9	<p>Para. 180-182 In addition to the information already given here in relation to the detention of pregnant women and facilities for</p>	<p>44. It is observed in practice that mothers with young children accompanying them in detention required parenting services but could not receive</p>

<b>Para</b>	<b>List of Issues</b>	<b>Supplementary Statements of Taiwan NGOs for CRC</b>
	<p>children accompanying their mothers in detention, please indicate if there are any sentencing guidelines or other official texts that encourage or allow for alternatives to a custodial sentence for women with young children.</p>	<p>adequate parenting support. Detention centers or social affairs bureaus would not voluntarily follow up on the care condition of children accompanying their mothers in detention.</p> <p>45. Parenting resources and facilities are not adequate in detention centers. For instance, due to safety regulations, detention center cannot provide hot water. Mothers can only make milk for their babies with lower temperature water. The nursery staff to demonstrate childcare details and the establishment of outdoor playgrounds for children mentioned in paragraph 182 of the National Report are not provided in all detention centers.</p> <p>46. Moreover, according to current regulations, children accompanying their mother in detention must leave the centers once they turn 3 years old. Some children may face parent-child separation that may affect their mental health. Explanations of the response measures should be provided by the responsible entities.</p>

## Chapter VII Disability, Basic Health And Welfare

Para	List of Issues	Supplementary Statements of Taiwan NGOs for CRC
7.1	<p>Para. 184 Beyond the measures listed in paras 212 and 213, please clarify whether any additional measures have been taken to address any gaps in the availability, accessibility, acceptability and quality of physical and mental health care services for children in rural areas relative to urban areas.</p>	<p>47. The Implementation Plan for Community Care Services for Children with Developmental Delays mentioned in paragraph 212 does not comply with the particular subsidy scheme for children who are part of the indigenous groups or live in rural areas. Thus, the existing rural-urban divide, including the associated high cost and time consumption of transportation, create a challenge for children with developmental delays to access proper care.</p> <p>48. The Deployment plan for intervention in areas lacking resources mentioned in paragraph 213 prioritizes the subsidies of social welfare resources. However, early intervention for children with developmental delays requires each ministry's three-legged stools of health, social welfare, and education resources. The current coverage rate of the deployment plan isn't legitimate enough to prove the sufficient availability of health and education resources to children with disabilities.</p>
7.6	<p>Para. 219 Please clarify whether the increase in mental care services for children and young</p>	<p>49. Outside of the home, school is the avenue where children spend most of their time throughout the day</p>



<b>Para</b>	<b>List of Issues</b>	<b>Supplementary Statements of Taiwan NGOs for CRC</b>
	<p>people satisfies the demand for these services and whether any disaggregated data is collected on the number of children suffering from mental health conditions.</p>	<p>interacting with peers and teachers. Therefore, the National Mental Health Program will include children's mental health in the schools' health promotion programs. According to the counseling resources data collected by a civil society group in Taiwan, 41.9% of students indicated that "the school has no mental health-related publicity and activities at all." It shows the lack of preventive methods on mental health-related issues and the absence of mental health advocacy on campus.</p> <p>50. In addition, nearly 80% of students are reluctant to go to the counseling room to seek help. Reasons for reluctance to ask for help include: not wanting to talk to the counselor, lack of time, the counseling room being too far from the classroom, lack of privacy protection, fear of being found out by classmates, and thinking that the counselor cannot help, etc. Many internal and external barriers make campus counseling resources less accessible.</p> <p>51. On the other hand, the National Mental Health Program failed to specify issues about the mental health of children and youth, resulting in the schools' difficulties in fully</p>

<b>Para</b>	<b>List of Issues</b>	<b>Supplementary Statements of Taiwan NGOs for CRC</b>
		<p>implementing the program with the guidance of the law. Recommendations are:</p> <p>(1) Ministry of Education should provide contextualized materials on life skills. Replacing treatment with prevention to improve the emotion adjustment ability of children and youth and to boost self-esteem by cultivating their mental health literacy. When encountering setbacks, children and youth will be able to overcome the problems instead of resorting to self-injury or committing suicide. In addition, LST helps students to be better equipped with communication skills. Hence, children and youth would be able to solve interpersonal interaction issues properly. The effect of prevention should also be derived from empirical studies.</p> <p>(2) Upgrade the training and enhance the sensitivity of teachers and homeroom teachers to strengthen the preventive function of the campus to better prevent tragedies from happening.</p> <p>(3) Lowering the barriers or reasonings where children are reluctant to seek help.</p>

Para	List of Issues	Supplementary Statements of Taiwan NGOs for CRC
7.7	<p>Para. 221-222 Please clarify whether any longitudinal disaggregated data is available on the rate of children and young people smoking traditional cigarettes and electronic cigarettes and whether the sale and distribution of both these types of products to children is illegal.</p>	<p>52. Correction of <i>Tobacco Hazards Prevention Act</i> has been postponed for 14 years and is still not completed. Currently no regulations are governing new tobacco products, which leads to high prevalence of e-cigarettes. Research of Health Promotion Administration showed that junior and senior high students' usage of e-cigarettes has risen from 1.9% and 3.4% respectively in 2018 to 3.9% and 8.8% respectively in 2021. The average rates of teenager usage of e-cigarettes showed a jump from 2.7% to 6.6% within 3 years since 2018, which endangered children's health.</p> <p>53. Although current draft of Executive Yuan's <i>Tobacco Hazards Prevention Act</i> amendment which is undergoing review in Legislative Yuan bans e-cigarettes completely, heated tobacco products are not banned if they pass the "health risk evaluation." Heated tobacco products are governed by the Act through "control over prohibition." However, while the standard of health risk evaluation is not clear, the harm of heated tobacco products on health is not less than of e-cigarettes. In Japan, teenagers consuming heated tobacco products</p>

Para	List of Issues	Supplementary Statements of Taiwan NGOs for CRC
		<p>have increased 8 times in 4 years; Korea 19 times in 3 years. Therefore, current draft of the Executive Yuan's <i>Tobacco Hazards Prevention Act</i> amendment cannot truly safeguard children's health.</p>
7.8	<p>Para. 223 Please clarify the nature of the measures used in 'multiple media' to reduce alcohol consumption among young people and whether they have been involved in efforts to develop policies to reduce the rate of drinking among young people.</p>	<p>54. According Child Welfare League Foundation's 2022 survey, 10.8% children often consume alcoholic drinks. For those who consumed alcohol, 40.7% were invited by friends; 40.3% were invited by adults; 23.2% consumed when in emotional distress.</p> <p>55. With the variety of social media platforms children go on, the ways they use social media have changed considerably. The advertisements government puts out cannot effectively reach children. Moreover, campaign of prevention of children consuming alcohol usually ties up with prevention of cigarettes, drugs, or betel nuts, which may not deliver clear messages to children. Also, child participation is missing in related policymaking process.</p> <p>56. Taiwan has extremely high accessibility to alcoholic drinks, but the control is very loose. As long as the merchandisers register for alcohol sale, they can sell it. The government</p>

<b>Para</b>	<b>List of Issues</b>	<b>Supplementary Statements of Taiwan NGOs for CRC</b>
		<p>throws the responsibility of not selling minors alcoholic drinks on clerks or storeowners who do not have the power of law enforcement. Moreover, conditions to establish punitive measures for the sellers are strict, which allows minors to have access to alcoholic drinks easily. The government should review the regulations, punitive measures and procedures to address the harm of drinking among young people.</p>

## Chapter VIII Education, Leisure And Cultural Activities

Para	List of Issues	Supplementary Statements of Taiwan NGOs for CRC
8.1	Please provide further details of the supports given to students with disabilities and children in remote areas to ensure that they had continued access to education, including access to online education during school closures related to the pandemic. What is the plan for possible future lockdowns?	57. According to the 2020 Yearbook of Special Education Statistics, 950 students with disabilities from K-12 in the general and special education schools are given hospital instructions or homeschooling. However, the second national report did not mention the resources and support given to students with disabilities during the pandemic.
8.2	Please provide details on policy/ measures taken to ensure that students are not subjected to bullying from teachers and coaches.	58. Since the 2020 amendment of <i>Anti-Bullying School Guideline</i> where students bullied by teachers, principals or school personnel were added to the bullying categories, issues over the choice of laws have not been addressed. The line between teachers bullying students and teachers inappropriately disciplining students is blurred, while two different laws are applied, which leads to confusion in practice. Even if cases of teachers bullying students are accepted (very low rate), the punitive measures stated in the Guideline may also encounter conflicts with punishment stated in the Teacher's Act, which leads to the result of no following actions will be made for the investigation mandated by law.

<b>Para</b>	<b>List of Issues</b>	<b>Supplementary Statements of Taiwan NGOs for CRC</b>
		<p>59. Moreover, the category “teachers bullying students” is not included in the general definition of bullying in the international society (generally bullying is among students). Addressing teachers inappropriately disciplining students with handling bullying procedure would create problems in practice, research and cross-country comparison. Teacher and student relationships inherit power-imbalance, which contradicts the expectations of handling bullying incidents between teacher and student as two equal parties. It is not appropriate to apply the procedure which was designed to handle bullying among students on incidents of teachers inappropriately disciplining students. (Please refer to the Taiwan NGOs for CRC Alternative Report 3.4, p.31 Recommendation 2)</p>

**Chapter IX Special Protective Measures**

<b>Para</b>	<b>List of Issues</b>	<b>Supplementary Statements of Taiwan NGOs for CRC</b>
9.3	Para. 312: please provide information about the number of workshops on indigenous culture and cultural diversity provided by local governments and the number of children participating in these workshops for the years 2019 - 2021. Who is the competent authority and what entails her/his supervision?	60. The government should propose a more specific and effective action plan for the implementation of <i>The Education Act for Indigenous Peoples</i> , rather than hasty communication in the form of workshops and lectures. Even if it is conducted in the form of seminars and lectures, in addition to recording the number of workshops and lectures and the number of participants, it should also report the review of effectiveness and advantages and disadvantages.
9.10	Para. 119 Who has the authority to ask the platform provider to remove inappropriate images of children which appear online? What measures can be taken if the provider refuses to remove the images?	61. As per current regulations, if the platform providers are domestic providers, local government can order the providers to add protective mechanism or remove the inappropriate images of children. If the domestic platform providers failed to follow the orders, fines would be imposed. However, if the platform providers located overseas, only Institute of Watch Internet Network (iWIN) can notify the foreign providers to add protective mechanism or remove the inappropriate images of children. For foreign providers who did not follow



Para	List of Issues	Supplementary Statements of Taiwan NGOs for CRC
		<p>the instructions, iWIN would report the case to Ministry of Education and anti-virus companies to put the providers on the blacklist and block, so users of anti-virus software and school networks cannot connect to the platforms. (Please refer to the responses from Taiwan NGOs for CRC to the question list 4.4)</p> <p>62. Since the amendment of Article 46 <i>The Protection of Children and Youths Welfare and Rights Act</i> prompting the establishment of content protection institution, the entity has only served as a semi-official institution without actual authority. Due to the absence of a leading child online safety response agency and the unclear role of National Communications Commission, the institution fails to effectively facilitate cross-sectoral coordination among the government, law enforcement, corporates and the third sector, nor can it create a mechanism to timely notify the platform providers to remove inappropriate content in line with new forms of online crimes.</p>