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## 第一章 一般執行措施

點次	問題內容(原文)	中文參考翻譯
1.1	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.	第 7 點及第 4 點。請說明《兒童權利公約施行法》修法進度，俾使《兒童權利公約》與國內法律牴觸時，得優先適用。  請詳加解釋貴國對於加入《關於兒童捲入武裝衝突問題之兒童權利公約任擇議定書》及《關於買賣兒童、兒童賣淫和兒童色情問題之兒童權利公約任擇議定書》的立場，並特別說明，如在貴國全面施行任一議定書，可能產生的問題。

### 中文回應

- 有關修正《兒童權利公約施行法》（下稱 CRC 施行法），使《兒童權利公約》（下稱 CRC）與國內法律牴觸時，得優先適用 1 案，實務上確實存有公約、行政及司法機關法律競合之難題，事涉國內所有公約之共通一致性處理機制，具高度政策決定，爰已納入我國國家人權行動計畫之一，將進行修法諮詢會議凝聚共識，再據以研議修法事宜。同時，也持續辦理國內法規檢視，確保國內法規與 CRC 一致。
- 有關加入《關於買賣兒童、兒童賣淫和兒童色情問題之兒童權利公約任擇議定書》：
  - 我國《人口販運防制法》相關規定，係全面性包含成年及未成年之規範，其中兒少涉及人口販運情事（如勞力剝削或器官摘除）訂有相關罰則，符合該議定書規定，且國內幾乎未有兒少遭勞力剝削情事，亦無器官摘除之案件；至於遭受人口販運的兒少性剝削案件，優先適用《兒童及少年性剝削防制條例》規定。
  - 《兒童及少年性剝削防制條例》於 2015 年全文修正，即為體現《CRC》第 34 條及前揭任擇議定書之精神，性剝削的定義除原先的使兒童及少年為有對價之性交或猥褻行為外，擴大到利用兒少從事色情表演以供人觀覽，並將拍攝、製造兒少色情物品納入性剝削範疇。
- 有關加入《關於兒童捲入武裝衝突問題之兒童權利公約任擇議定書》：依《兵役法》規定，我國男子於年滿 18 歲之翌年 1 月 1 日起役，始可徵集入營服役；另依國軍各招募班隊考選簡章，考選對象均須年滿 18 歲以上，符合《CRC》保障兒少權益精神。將持續檢視招生簡章相關規範，以有效推動促進兒少權益福祉。

## 英文回應

1. For the amendment of the Implementation Act of the Convention on the Rights of the Child (hereinafter the Implementation Act of the CRC), when there is any inconsistency between Convention on the Rights of the Child (hereinafter the CRC) and domestic laws, the former shall prevail. In practice, there are indeed inconsistencies between conventions and regulations of administrative and judicial agencies, which is a high-level policy decision. Therefore, it has been included in Taiwan's national human rights action plans. A consultation meeting on the legal amendment will be held to establish a consensus, and then studied accordingly. Meanwhile, we will also continue to review domestic regulations to ensure that they are consistent with CRC.
2. Regarding acceding to the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography :
  - (a) The provisions of Human Trafficking Prevention Act covers articles regulating cases involving both adults and minors. In violation of such articles that regulate minors trafficking (labor exploitation or organ harvesting) will lead to penalties. This complies with the Optional Protocol while there are nearly no domestic labor exploitation or organ harvesting cases involving minors. As for cases involving sexual exploitation of minors, the Child and Youth Sexual Exploitation Act prevails over other regulations.
  - (b) The Child and Youth Sexual Exploitation Prevention Act was amended to the full text in 2015. It embodies the spirit of the article 34 of CRC and the Optional Protocol. Expanding the definition of sexual exploitation, in addition to any action causing a child or youth to engage in sexual intercourse or obscene acts in exchange for monetary or other considerations, child or youth pornography and filming or producing objects of a child or youth engaging in sexual intercourse or obscene acts have also been included into the definition of sexual exploitation.
3. Regarding acceding to the Optional Protocol to the CRC on the Children Involved in Armed Conflicts : According to the Act of Military Service System, a man aged 18 may only start his military service day from January 1st of the following year. According to the

recruitment regulations of national army, all candidates must be at least 18 years of age and this requirement is consistent with the protection of children and youth's rights and interests enshrined in the CRC. The government shall continue to review relevant recruitment regulations to effectively protect children and youth's rights and interests.

點次	問題內容(原文)	中文參考翻譯
1.2	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.	第 17 點。請進一步說明 2021 年至 2025 年兒童國家行動計畫之發展、認可、完整性、願景、目的、目標、預算、施行機制與定期評估。

#### 中文回應

4. 政府自 2018 年即針對《CRC》首次國家報告國際審查結論性意見（下稱首次結論性意見），逐點進行問題分析，並訂定改善目標，規劃短、中、長程行動方案，以及兒權指標監測成效，業經行政院兒童及少年福利與權益推動小組（下稱院兒權小組）核定後持續執行迄今。
5. 為回應首次結論性意見第 11 點，原擇定家庭環境為主之替代性照顧、預防兒少免受一切形式暴力、兒少性健康及生育保健、健全少年司法體系等四項議題，草擬全面性兒權國家行動計畫以實踐《CRC》，惟經評估上開議題與首次結論性意見行動方案多有重疊，爰續以該行動方案為主要推動方向，併同本次國家報告結論性意見後續推展予以檢討修正。
6. 另政府業於 2022 年 5 月發布國家人權行動計畫，其中涉及兒少平等與不歧視之行動，將調查兒少對現行反歧視生活環境之認知程度、蒐集兒少遭受歧視案例，共同研議改善作為。

#### 英文回應

4. Since 2018, the government has conducted a paragraph-by-paragraph analysis of the concluding observations of the international review of the Initial National Report of CRC (hereinafter the first concluding observations), set improvement objectives, planned short-, med- and long-term action plans, and determined the monitoring effectiveness of children's rights indicators, which have all been continuously implemented upon the approval by the Executive Yuan's Children and Youth Welfare and Rights Promotion Group (hereinafter the Child Rights Group).



5. In response to paragraph 11 of the first concluding observations, four issues were originally selected, which are respectively known as “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”. The government also draft a comprehensive national action plan on child rights to implement the CRC. However, after the evaluation, the contents of the issues mentioned above and the action plan for the first concluding observations overlapped. The government will continue to take this action plan as the main driving direction, and based on the concluding observations of the second national report to make subsequent promotion, review, and amendment.
6. In addition, the government published a national human rights action plan in May 2022, which included action on equality and non-discrimination of children and youth . The government will investigate children and youth’s awareness of the current anti-discrimination living environment, collect cases of discrimination against children and youth, and jointly study to make improvements.

點次	問題內容(原文)	中文參考翻譯
1.3	Para. 18. Please provide additional information on the nature and outreach of the Child Rights Group as the child coordination mechanism, especially regarding its institutional capacities and regular function.	第 18 點。請補充說明行政院兒童及少年福利與權益推動小組作為一個兒少政策協調機制，其性質與範圍為何，特別是關於該機制的運作量能及常規功能。

### 中文回應

7. 院兒權小組係由行政院督導跨部會業務之政務委員每 4 個月定期召開會議，可確實整合相關部會資源落實《CRC》，依據《CRC 施行法》所賦予之任務，推動宣導與教育訓練、研究與調查國內兒少權利現況、編撰國家報告與籌辦國際審查等，發揮促進兒少權益發展之功能。院兒權小組 2016 年至 2021 年重大政策成果呈現如表 1。
8. 院兒權小組委員，除召集人以外，包含 5 名兒童及少年（下稱兒少）代表、5 名專家學者代表、7 名民間團體與機構代表及 9 名機關代表。前揭機關包含司法院、內政部、教育部、法務部、交通部、衛生福利部、勞動部、原住民族委員會及國家通訊傳播委員會等與兒少權益密切關聯之部會，派任次長（副部長）以上層級長官擔任委員，具有行政指導與決策權力，可督導所管部會落實院兒權小組決議事項。
9. 兒少及民間代表可就國內推動《CRC》情形提案討論，影響與兒少權益有關之立法、公共政策或預算分配等施政方向。院兒權小組設有議案列管機制，各部會依據我國《CRC》首次國家報告結論性意見後續行動方案執行情形，以及各委員提案且經院兒權小組決議事項，各政府機關應向院兒權小組報告辦理情形，或依據決議研議與推動相關施政。例如：衛生福利部研訂「兒少替代性照顧政策」；勞動部設置「兒少職場安全衛生權益小組」，建立常態處理兒少勞動權益議題之協調平台等。

表 1、院兒權小組 2016 年至 2021 年重大政策成果

類別	2016	2017	2018	2019	2020	2021
國家報告	首次國家報告及國際審查		首次結論性意見後續行動方案執行情形追蹤			第 2 次國家報告及國際審查
檢視法規	優先檢視法規			全面檢視法規		
教育訓練				教育訓練及成效評核實施		
資源分配		兒少預算調查啟動				
禁止歧視				性別平等教育		
生命權、生存及發展權	兒少安全實施方案	兒少死因檢討機制				兒童死因回溯分析實施機制
			兒少死傷情形檢討			
尊重兒少意見		訂定學校學生服裝儀容規定原則				兒少參與政府會議友善措施
				中央兒少代表機制		兒少參與環境人權政策
公民權與自由	無國籍兒少權益保障					兒少組織支持措施
			網路直播提供兒少適當資訊			

類別	2016	2017	2018	2019	2020	2021	
保護兒少 免受暴力 侵害			強化社會安全網計畫		防範重大 兒虐事件	網路霸凌 態樣分析 與處理	
家庭環境 與替代性 照顧	家外安置 兒少生活 狀況調查			兒少替代性照顧政策			
	國內收養情形						
	地方政府與安置機構分工						
基本健康 與福利	改善兒少 網路使用 沉迷	東部醫療 資源	偏鄉公共化托育服務				
教育休閒 與文化活 動	建教合作	弱勢青少年就業服務體系			中途離校 學生就業 輔導機制		
	新住民子女就學適應				幼兒園師生比		
特別保護 措施	少年矯正機關輔導人力				少年矯正機關轉銜復學 機制		
	原住民族兒少權益數據盤點			少年勞動權益			
		性侵害案 件少年加 害人處遇 成效	網路性剝 削案件偵 辦				
		檢討父母子女認領程序					
		檢討跨國繼親收養程序					
		曝險少年及觸法兒童輔導機制					
			網路性剝削影像移除				

說明：

1. 院兒權小組自 2020 年納入兒少代表參與，兒少提案以**粗體底線**標示，後續推動情形請參閱表 4。
2. 尚在研議中的議題未於本表呈現。

## 英文回應

7. The Child Rights Group is organized by the minister without portfolio of Executive Yuan to supervise the business of inter-ministerial committees and holds regular meetings every 4 months, which can integrate the resources of relevant ministries and committees to implement CRC, and promote the implementation of CRC according to the tasks given by the Implementation Act of the CRC, promote publicity, education and training, study and investigate the current status of domestic children's rights, compile national reports and prepare of international reviews conference, etc., and play the role of promoting the development of children's rights and interests. Table 1 shows the major policy achievements of the Child Rights Group from 2016 to 2021.
8. In addition to the convener, the members of the Child Rights Group include 5 representatives of children and youth, 5 representatives of experts and scholars, 7 representatives of civil groups, and 9 representatives of government ministries and agencies. The government member include the Judicial Yuan, the Ministry of the Interior, the Ministry of Education, the Ministry of Justice, the Ministry of Transportation and Communications, the Ministry of Health and Welfare, the Ministry of Labor, the Council of Indigenous Peoples, and the National Communications Commission which are closely related to children's rights and interests, and whose Deputy Ministers serve as the members to execute powers of administrative instructions and decision-making and supervise the implementation of the resolutions of the Group.
9. The representatives of children and civil society may discuss proposals on the promotion of CRC in Taiwan to jointly determine the policy direction of legislation, public policies or budget allocation related to the rights and interests of children. The Child Rights Group has a mechanism for managing proposals. According to the Follow-up Action Plan for the Concluding Observations on the Initial Report of the Republic of China/Taiwan on the Implementation of the CRC and matters proposed and resolved by the Child Rights Group, all government agencies shall report the handling situation to the Group, or according to the Group's resolutions to promote relevant policies. For example, according to the Group's resolutions, the Ministry of Health and Welfare has developed the Policy on

Alternative Care for Children and youth; the Ministry of Labor has set the Child and Youth Workplace Safety and Health Rights Group to establish a coordination platform for the general handling of issues of children's labor rights.

Table 1. Major policy achievements of the Child Rights Group from 2016 to 2021

Type	2016	2017	2018	2019	2020	2021
National Report	Initial National Report and International Review		Tracking the implementation of the follow-up action plan for the initial concluding observations			Second National Report and International Review
Review Laws	Laws to be reviewed in priority			Laws to be reviewed comprehensively		
Education and Training				Implementation of the CRC Education Training, and Effectiveness Evaluation Program		
Resource Allocation		Launch Children and youth's Budget Survey				
Prohibition of Discrimination				Gender Equality Education		

Type	2016	2017	2018	2019	2020	2021
Right to Life, Survival and Development	Children and youth’s Safety Implementation Plan	Mechanism for Review of Causes of Death in Children and youth				Implementation Mechanism of Retrospective Analysis of Cause of Death in Children under 6 years old
			Review of Death and Injury in Children and youth			
Respect for the Views of the Child and youth		Formulation of the Principles on the Establishment of Dress Codes for students				<b>Friendly Measures for Children and youth’s Participation in Government Meetings</b>
				Mechanism of the Central Children and Youth Delegation		<b>Children and youth 's participation in environmental human rights policy</b>
Civil Rights and Freedoms	Protection of the rights and interests of stateless children and Youth					<b>Children and youth 's Organization Support Measures</b>
		Appropriate information for children and youth by online streaming				
Protection of Children From Violence			The Strengthening Social Safety Net Program	Prevention of child and youth abuse		<b>Analysis and handling of cyberbullying</b>

Type	2016	2017	2018	2019	2020	2021	
Family Environment and Alternative Care	Survey on the living conditions of children and youth placed outside the home			<b>The Policy on Alternative Care for Children and youth</b>			
	Domestic adoption situation						
	Division of labor between local governments and placement agencies						
Basic Health and Welfare	Improve children and youth's Internet addiction	Medical Resources in the Eastern Region	Public childcare services in remote areas				
Educational leisure and Cultural Activities	Cooperative education	Employment service system for disadvantaged youth			Employment guidance mechanism for dropout students		
	School adaptation programs for immigrants children				Teacher–student ratio of kindergartens		
Special Protective Measures	Counseling Manpower for Juvenile Correction Agencies				Transition and resumption affairs for Juvenile Correction Agencies		
	Data Inventory of Indigenous Children’s Rights and Interests			<b>Teenager Labor Rights</b>			
		The effectiveness of the treatment of teenager perpetrators in sexual assault cases	Investigation of Internet sexual exploitation cases				
		Review the parent-child adoption process					
		Review of the cross-border adoption process					
		Administrative Priority for Children in Conflict with the Law and At-risk Youth					
			Removal of sexual exploitation images on the Internet				



Notes:

1. The Child Rights Group has included the participation of representatives of children and youth since 2020. Their proposals are marked with bold. Please refer to Table 4 for follow-up promotion.
2. Issues under discussion are not presented in this Table.

點次	問題內容(原文)	中文參考翻譯
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.	第 21 點。請說明政府如何再平衡對兒少的預算分配，以提供更多資源在社會保護 <sup>1</sup> 、友善兒少的司法制度、優質的輔導服務、以及保護兒少免受暴力及有害做法 <sup>2</sup> 的侵害。

## 中文回應

10. 2017 年起每年調查各級政府兒少預算，預算分類係參考「CRC 定期國家報告撰寫準則」及他國 CRC 國家報告，大致分為「發展」、「福利」、「健康」、「教育」、「保護」、「其他」、「兒少相關之稅式支出」7 類。各級政府依其業務分工，或有部分業務跨涉不同類別。以兒少保護來說，涉學生事務輔導，則歸類於「教育」；涉網際網路分級管理，則歸類於「發展」；涉緊急生活扶助、社會救助，則歸類於「福利」；涉戒癮戒治醫療措施，則歸類於「健康」，各類別資源相輔相成，非絕對區隔。各類別涵蓋項目參表 2。
11. 兒少預算調查結果公告周知，並透過院兒權小組督導相關機關於預算編列過程將兒權納入考量。各部會在社會保護、友善兒少的司法制度、優質的輔導服務，以及保護兒少免受暴力與有害做法的侵害等面向均有所成長，說明如下：
- (a) **社會保護**：行政院 2018 年核定《強化社會安全網計畫（2018-2020 年）》，建立以家庭為核心、社區為基礎之服務模式，續於 2021 年核定《強化社會安全網第二期計畫（2021-2025 年）》，採(1)擴增家庭服務資源，提供可近行服務、(2)優化保護服務輸送，提升風險控管、(3)強化精神疾病及自殺防治服務，精進前端預防及危機處理機制、(4)強化部會網絡資源布建，拓展公私協力服務等 4 大策略，投入預算由第一期新臺幣（以下同）69 億元，擴增到第二期 407 億元，透過增加資源、補充人力、強化跨體系、跨專業與公私協力服務，從多元面向綿密社會安全網，提供兒童等社會弱勢者妥善的社會保護。

<sup>1</sup> 社會保護 [https://en.wikipedia.org/wiki/Social\\_protection](https://en.wikipedia.org/wiki/Social_protection)

<sup>2</sup> 有害做法，參閱《CRC》第 18 號一般性意見

**(b) 友善兒少的司法制度**

- i. 彙整民事、刑事、行政訴訟、少年及家事事件相關法規、法院可提供之措施及連結之資源，包括溫馨候訊室、隔離訊問、遠距視訊審理、安全通道、維護出庭安全及隱私之適當措施；視個案兒少需要，依法請專業人士在場協助、洽請地方政府駐法院家事服務中心或家庭暴力事件服務處提供陪同出庭服務、親職教育輔導等，提供法院辦案參考。同時持續辦理相關教育訓練，以增進法官等所屬人員對友善兒少司法制度之認知。2022 年度預算持續增加編列「友善兒少出庭」及「人權與兒少保護及性別友善委員會會議」等預算。
- ii. 2022 年起辦理《逆境少年及家庭支持服務計畫》，針對進入矯正學校之少年，社工人員將於其入校後針對少年及家庭提供支持性服務，並與少年建立關係，加強親情維繫，以為少年出校轉銜及回歸社區做準備；該計畫除提供矯正學校少年家庭服務外，另針對施用毒品、偏差行為以及失蹤之兒少，提供相關服務，2022 年編列預算數為 8,569 萬元。
- iii. 持續推動各項收容人家庭支持方案，包含矯正機關辦理家庭、親職教育課程；建置便民服務資訊系統，便利家屬透過視訊、電子家庭聯絡簿等增進家庭聯結，2020 至 2022 年經費分別為 1,300 萬餘元(系統建置費)、864 萬元、350 萬元(系統維護費)。
- iv. 矯正機關連結社會資源，持續改善攜子入監收容人幼兒軟、硬體設施設備，提供專業幼兒成長教育課程及保育協助服務。2020 年至 2022 年經費分別為 300 萬、320 萬、320 萬元。

**(c) 優質的輔導服務**

- i. 為促進與維護學生身心健康及全人發展，並健全學生輔導工作，依據《學生輔導法》及相關補助要點，每年補助各地方政府置專任和兼任輔導教師、專任專業輔導人員及學生輔導諮商中心業務費等經費。2020 年總執行金額 21 億 8,737 萬 9,000 元，2021 年總執行金額 23 億 4,939 萬 9,000 元。已逐年編列相關經費，提供高級中等以下學校學生更優質的輔導服務。

- ii. 為協助各地方政府推動《CRC》，自 2020 年起每年編列經費補助推動 CRC 實施計畫，並於 2021 年起新增補助所屬高級中等學校，截至 2022 年止，共補助 19 縣市、72 間學校，核計 1,242 萬 905 元整。

**(d) 保護兒少免受暴力及有害做法的侵害**

- i. 為落實《CRC》精神，保護兒少免受任何形式暴力之侵害，衛生福利部積極爭取兒少保護相關預算，2017 至 2022 歷年兒少保護相關預算為 1.42 億、2.46 億、3.54 億、4.09 億、3.68 億、7.45 億餘元，5 年來成長 5.2 倍。
- ii. 分析近年兒少保護相關預算成長，以補助兒少保護社工人力預算成長 6.1 倍、補助辦理家庭暴力社區預防方案成長 2.4 倍、辦理兒少施用毒品方案成長 1.7 倍。

表 2、兒童權利公約兒少預算類別定義及項目說明

類別	說明
發展	<p>定義：促進兒少參與權、表意權、遊戲與休閒權、文化權及職涯發展</p> <p>項目：兒童權利相關訓練宣導、兒童及少年福利服務、文化與休閒育樂活動、遊樂設施、青少年就業輔導與職業訓練、媒體分級與管理、發展研究、其他。</p> <p>參考條文：兒童權利公約第 6、12、13、15、17、30、31、32 條</p>
福利	<p>定義：協助減輕育兒家庭經濟負擔與家庭支持之相關措施及替代性照顧</p> <p>項目：生育補助及計畫、育兒津貼、托育、收出養服務、安置及寄養、兒童及少年結束家外安置後續追蹤輔導及自立生活服務、身心障礙福利服務、社會救助、法律扶助、家庭及親職教育、家庭福利服務、特殊境遇家庭、未成年未婚懷孕服務、眷屬補助、大眾運輸補助、友善育兒設施、學生團體平安保險、現金給付型社會保險（包含生育給付、育嬰留職停薪津貼、遺屬給付）、發展研究、其他。</p> <p>參考條文：兒童權利公約第 6、18、20、21、23、25、26、27 條</p>
健康	<p>定義：確保兒少享有健康照護、疾病治療及恢復健康之權利</p> <p>項目：兒少身心健康、疾病防治、衛生保健、早期療育、孕產婦服務、環境健康、醫療補助、戒癮戒治醫療措施、身心障礙兒少照護、營養補助、事故傷害防制、健康保險、發展研究、其他</p> <p>參考條文：兒童權利公約第 23、24 條</p>
教育	<p>定義：確保兒少享有受教育之權利</p> <p>項目：幼兒教育及補助、國民教育（包括國民中小學教育業務及人員薪資）、高級中等教育、學齡教育補助、學校教育推廣、人權暨特殊教育、課後照顧、學生事務輔導工作、中輟生輔導及復學協助、教學環境改善、發展研究、其他</p> <p>參考條文：兒童權利公約第 23、28、29 條</p>

類別	說明
保護	<p>定義：保護兒少免於遭受任何形式疏忽、剝削或虐待等有害其福祉之對待及少年司法</p> <p>項目：少年司法、非行少年偏差矯正處遇及犯罪預防、兒少保護通報處遇及防治宣導、兒少性剝削處遇及防治、家暴及性侵害加害人處遇、菸酒癮、毒品戒治處遇及防治、人口販運被害人協助及防治宣導、犯罪被害人及受刑人子女就托就學協助、兒少勞動權益保障、發展研究、其他。</p> <p>參考條文：兒童權利公約第 19、20、32、33、34、35、36、37、39、40 條</p>
其他	<p>定義：非屬以上各項目之兒少保障措施</p> <p>項目：國外兒少海外援助計畫、其他。</p>
兒少相關 稅式支出	<p>定義：透過稅收制度提供與兒少相關的經濟支持</p> <p>項目：幼兒學前特別扣除額、兒少教育發展帳戶中免納綜合所得稅部分。</p>

## 英文回應

11. Since 2017, the government's budgets at all levels for promotion children and youth's rights have been surveyed every year. The budget classification is based on the the Treaty-specific Guidelines Regarding the Form and Content of Periodic Reports to be Submitted by States Parties under Article 44, Paragraph 1 (b) and CRC national reports of other countries. It is roughly divided into 7 types respectively known as "development", "welfare", "health", "education", "protection", "others", and "tax expenditures related to children". Governments at all levels perform division of labor; some of the works may involve different types. In terms of child protection, student affairs counseling is classified as "education"; internet contents rating management is classified as "development"; emergency aid for living expenses and social assistance are classified as "welfare"; medical measures for addiction and addiction treatment are classified as "health", and the resources of each type complement each other and are not completely independent. Please refer to Table 2 for the items covered by each type.
12. The results of the children and youth's budget survey will be announced to the public, and the children and youth's rights will be taken into consideration in the budget preparation process through the supervision of the Child Rights Group. Each and all ministries have gained considerable knowledge in social protection, a child-friendly judicial system, good quality counseling services, and the child protection from violence and harmful practices, the descriptions are as follows:
  - (a) **Social protection** : The Executive Yuan approved the Strengthening Social Safety Net Program (2018-2020) in 2018 to establish a family-centered and community-based service model, and the "trengthening Social Safety Net Program Phase II (2021-2025) in 2021 by adopting the manners of (1) expanding family service resources and providing accessible services, (2) optimizing the delivery of protection services, and improving risk control, (3) strengthening mental illness and suicide prevention and treatment service, improving frontline prevention and crisis handling mechanisms, and (4) strengthening the deployment of network resources of ministries and committees, and expanding public-private cooperation services. The investment budget has been

expanded from NT\$6.9 billion in Phase I to NT\$40.7 billion in Phase II. By increasing resources, supplementing manpower, and strengthening cross-system, cross-professional and public-private cooperation services, weaving a dense social safety net from diversity, to protect children and vulnerable persons.

**(b) Child friendly justice**

- i. Stipulated by laws relating to civil, criminal, administrative litigation, juvenile, and family matters, the court can provide implementations such as a warm waiting room, separate inquiry, remote video hearing service, safe passage, and other proper accommodations for safety and privacy. Moreover, the court can consider the children and youth's needs and seek additional resources from other agencies. Measures such as expert attendance at court, parenting counseling, and the accompanied person attendance at court appointed by local government family cases service center or council for victims of domestic are provided to help the court handle cases. Meanwhile, the government keep working on the education and training for judges and judicial staff to improve their understanding of the child-friendly judicial system. In the 2022 annual budget, the government have added amounts on projects such as "Creating a Juvenile-friendly Environment for Court Attendance" and "Meetings of Committee for Human Rights, Juvenile Protection, and Gender-friendly."
- ii. The government have conducted the Supportive Program for Youth and His/Her Family in Adversity since 2022. Aiming at the youth entering correctional schools, social workers will provide the youth and his/her family with supportive service after the youth entering school. Besides, social workers will establish relationship with the youth and strengthen the kinship connections so as to prepare for the youth transitting and coming back to the community after leaving school. In addition to providing youth in correction school and his/her family with service, the program also provides the service for children who are missing, use drugs, or have deviant behavior. The budget of this program in 2022 has been designated as NT\$85,690,000.



- iii. The Agency of Corrections (AOC) continues to promote various inmate family support programs, including offering family and parent education courses, and establishing convenient service information systems that enable a detained juvenile's families to make video visits and keep close contact with juvenile through electronic communication log book. Funding for the programs from 2020 to 2022 is respectively NT\$13 million (system construction), NT\$8.64 million and NT\$3.5 million (system maintenance).
- iv. Correctional institutions join forces with social resources to continuously improve the software and hardware facilities and equipment for inmates who bring children with them into the facility and provide professional child growth and development courses and childcare assistance. Funding allocated from 2020 to 2022 is respectively NT\$3 million, NT\$3.2 million and NT\$3.2 million.

**(c) The child's access to good quality counseling services**

- i. In order to promote and maintain the physical and mental health and holistic development of students, and improve student guidance and counseling works, based on the Student Guidance and Counseling Act and the relevant subsidy guidelines, funds are granted to local governments to provide budgets to set positions of full-time and part-time counselors, full-time professional counselors and student guidance and counseling centers. The total amount granted in 2020 and 2021 reached NT\$2,187,379,000, and NT\$2,349,399,000, respectively. Relevant funds have been allocated annually to provide better guidance and counseling services for students at schools of or below senior high schools.
- ii. In order to assist local governments in promoting the CRC, each year from 2020 funds are allocated to subsidize the implementation of the CRC, and from 2021 subsidies are provided to the affiliated senior high schools. As of 2022, 72 schools from 19 counties and cities receive the subsidies of a total amount of NT\$12,420,905.

(d) **Child protection from violence and harmful practices**

- i. To implement the spirit of CRC and protect children from all forms of violence, the Ministry of Health and Welfare strives for the budget of child protection. The annual budget for child protection from the years of 2017-2022 are NT\$142 million, NT\$246 million, NT\$354 million, NT\$409 million, NT\$368 million and NT\$745 million. During the past 5 years, the budget has increased 5.2 times. °
- ii. Analyzing the increase of child protection budget these years, the budget of subsidizing child protect service (CPS) workers has increased 6.1 times, the budget of subsidizing domestic violence community prevention program has increased 2.4 times and the budget of children drug usage service program has increased 1.7 times.

Table 2 Definitions and items of budget Category for children and youth under the CRC

Category	Description
Development	<p>Definition: Promotion of children and youth's rights to participation, express views, play and leisure, culture, and career development.</p> <p>Items: Training and promotion related to children's rights, welfare services, cultural and recreational activities, amusement facilities for children and youth, youth employment counseling and vocational training, media contents rating and management, and development research, etc.</p> <p>Reference articles: Articles 6, 12, 13, 15, 17, 30, 31, and 32 of CRC</p>
Welfare	<p>Definition: Alternative care and measures for reducing the financial burden of families with children and providing family support.</p> <p>Items: Maternity subsidies and plans, childcare allowances, childcare services, adoption services, placement and foster care, subsequent counseling and independent living services for children and teenager after completion of their out-of-home care , welfare services for physical and mental disabilities, social assistance, legal assistance, family and parenting education, family welfare services, families with special circumstances services, unmarried pregnancy services for minors, family dependents subsidies, public transportation subsidies, childcare-friendly facilities, student group insurance, social insurance with a cash payment (including maternity benefits, parental leave allowances, and survivors' benefits), and development research, etc.</p> <p>Reference articles: Articles 6, 18, 20, 21, 23, 25, 26 and 27 of CRC</p>
Health	<p>Definition: Protection of children and youth's rights to healthcare, treatment of diseases, and health rehabilitation.</p> <p>Items: Physical and mental health of children, disease prevention, health care, early intervention care, maternal services, environmental health, medical subsidies, medical measures for addiction and treatment, care for children with physical and mental disabilities, nutritional subsidies, accident injury prevention, health insurance, and development research, etc.</p> <p>Reference articles: Articles 23 and 24 of CRC</p>

Category	Description
Education	<p>Definition: Protection of children and youth's right to education.</p> <p>Items: Early childhood education and subsidies, primary and junior high education (including administration and staff wage), senior high education, school education subsidies, school education promotion, human rights and special education, after-school care, student affairs counseling, dropout counseling and reentry assistance, teaching environment improvement, and development research, etc.</p> <p>Reference articles: Articles 23, 28 and 28 of CRC</p>
Protection	<p>Definition: Protection of children and youth against all forms of neglect, exploitation, abuse, or treatment infringing upon their well-being, as well as juvenile justice protection.</p> <p>Items: Juvenile justice, teenager deviance correction and crime prevention, notification, treatment, prevention and advocacy of child protection , treatment and prevention of sexual exploitation of children, treatment of perpetrators of domestic violence and sexual assault, treatment of addiction to tobacco and alcohol, drugs rehabilitation treatment and prevention, assistance and prevention publicity for victims of human trafficking, assistance to children of crime victims and prisoners in childcare and education, protection of labor rights and interests of children, and development research, etc.</p> <p>Reference articles: Articles 19, 20, 32, 33, 34, 35, 36, 37, 39 and 40 of CRC</p>
Others	<p>Definition: Protection measures for children and youth that are not covered by the above items</p> <p>Items: Overseas aid program for children abroad, etc.</p>
Tax Expenditures Related to Children	<p>Definition: Child-related financial support through the taxation system</p> <p>Items: Special deduction for preschool children, exemption from comprehensive income tax in savings accounts for future education and development of children and youth.</p>

點次	問題內容(原文)	中文參考翻譯
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.	第 24 點及第 25 點。請具體說明國際組織與他國在國際合作之角色，並說明貴國兒少如何在國際交流知識與資訊的過程中受益。

## 中文回應

12. 我國向其他國家進行雙邊人道援助時，兒童是主要援助對象，另兒童也是我國向友邦及友好國家進行小型援助計畫案之援助對象，且我國亦協助國內兒少福利團體與國際 NGO 合作，辦理援助他國兒童之國際合作案。上述相關具體事例，均已在本次國家報告條約專要文件附件 1-3 呈現，另補充具體事例如下：

- (a) 駐菲律賓代表處徐大使佩勇於 2021 年 12 月出席菲律賓台灣家扶分事務所捐贈菲國 Surigao del Norte 省席亞高(Siargao)島供水站之啟用典禮，並與該中心、菲國政府就提供弱勢孩童教育機會、改善當地居民生活環境等議題交換意見。
- (b) 菲律賓上年 12 月中旬遭逢雷伊(Rai)颱風重創，我政府於 2022 年 2 月在菲國政府相關單位見證下，捐贈約一百噸民生救急物資、建材，盼協助菲國災民（包含兒童）儘速恢復正常生活，並透過菲國民間慈善團體 Nature Kids of Siargao Association Inc. 協助後續發放事宜。
- (c) 為協助敘利亞難民（包含兒童）生活重建及融入土耳其當地社會，我政府資助在土耳其及敘利亞邊境之雷伊漢勒市(Reyhanlı)興建「台灣-雷伊漢勒世界公民中心」(The Taiwan - Reyhanlı Centre for World Citizens)（2020 年 10 月 9 日正式掛牌），目前該中心開設多元手工技術及語言課程，並不定期辦理兒童電影欣賞會與音樂會等活動。近來該中心獲得「聯合國國際移民組織」(International Organization for Migration, IOM)、NGO「支持生活」(Support to Life)、丹麥難民署(Danish Refugee Council)等組織承諾進駐或資助，共同協助敘利亞難民。
- (d) 積極協助我國兒少相關 NGO 從事國際交流，例如近年多次補助財團法人台灣兒童暨家庭扶助基金會前往亞洲各國執行社區服務計畫，並與當地學子共同舉辦活動以陪伴受扶助孩童，如 2015 年及 2016 年前往吉爾吉斯辦理「家扶國際工作隊-吉現運動」與「第二屆家扶國際工作隊」、2017 年前往越南辦理「第三屆家扶國際工作隊」及 2018 年前往柬埔寨辦理「第四屆國際工作隊—東單愛」。另亦

補助該基金會赴東南亞國家辦理工作坊與當地 NGOs 交流，如 2018 年赴越南辦理「永續發展目標與非營利組織平台建立論壇」，分享兒少照護及實踐聯合國永續發展目標之經驗，2019 年赴菲律賓辦理「2019 家扶基金會國際發展 SDG4 全球論壇」，以瞭解各國當前基礎教育與協助貧困弱勢學童完成學習之困境，並厚植 NGO 在支持學童教育之經驗。

13. 有關外國籍兒少性剝削個案協助：

- (a) 為協助外國籍兒少性剝削個案返回其母國後，得繼續由當地相關民間團體給予協助，前彙整東南亞各國（越南、泰國、印尼等）在地協助兒少性剝削之公私部門服務資源清冊，提供給各地方政府參考運用，透過加強跨國聯繫與合作，落實外國籍被害兒少返國之個案轉銜及追蹤輔導，使被害者保護工作得以延續。另我國部分民間團體，如財團法人天主教善牧社會福利事業基金會於世界各地都有服務據點，亦可透過其協助跨國境兒少性剝削個案送返與服務轉銜。
- (b) 另我國「臺灣展翅協會」成立於 1991 年，是一個全球性的網絡組織，致力終止兒少性剝削，其於 2004 年 5 月正式成為 INHOPE（國際網路檢舉熱線聯盟）的會員，與國際合作打擊網路兒少性剝削與消除網路兒少性虐待內容，倘有我國兒少性私密照外流於國外，可協助比對下架，避免傷害持續擴大；此外，近年補助台灣展翅協會辦理「兒少上網安全計畫」，除推動兒少上網安全宣導及提供諮詢熱線外，同時聘有專業人員駐點於兒少常使用之網站，主動搜尋疑似性剝削之相關訊息，發掘潛在落入性侵害及性剝削高風險兒少，並進一步蒐集情資提供警政單位查處。
- (c) 迄今共與 22 個國家完成簽署移民事務與防制人口販運合作協定或瞭解備忘錄；每年定期辦理「防制人口販運國際工作坊」，邀請各國家官方及國際非政府組織（NGO）專家學者與會，藉由互相交流分享人口販運相關新知與訊息，精進防制人口販運等相關業務，達到國際接軌之目的。

14. 我國兒少國際交流經驗包含中央兒少代表團，其參與國家法制與決策推動過程請參閱第 39 點。2022 年，透過財團法人中華民國兒童福利聯盟文教基金會與愛爾蘭民間團體 Fóroige 的協助，促成中央兒少代表團與愛爾蘭兒少議會 Comhairle na nÓg 以視訊方式交流，認識不同國情下的兒少參與制度、對政府表達意見的方法、兒少參與過程中的困難與阻礙，以及家長、學校與社會對兒少參與的支持情形等。中央

兒少代表表示這次難得的經驗讓他們認識他國的兒少參與制度，以及在兒少群體關注的議題、思考方式與解決方法、社會支持的感受都不一樣，有助於我國兒少以更宏觀的角度思考與發展適合我國的兒少參與制度，兒少可藉由參與各種國際交流活動，學習其他國家推動兒童權利保護之最佳作法及經驗

## 英文回應

12. Children are the main beneficiaries of Taiwan's humanitarian programs abroad, as well as the primary recipients of Taiwan's small-scale assistance programs aiding diplomatic allies and friendly nations. We also help domestic nongovernmental organizations collaborate with foreign NGOs wishing to implement children and youth assistance programs in their countries. Tables 1 to 3 in the appendix of the treaty-specific document list specific programs. Additional programs sponsored by MOFA to help children and youth are detailed below.
  - (a) Ambassador Michael Pei-yung Hsu of the Taipei Economic and Cultural Office in the Philippines attended a water station handover ceremony on Siargao Island in December 2021. The water station was donated by TFCF's Philippine branch office. During the ceremony, Ambassador Hsu exchanged ideas with representatives from TFCF and the Philippine government on issues ranging from providing education to disadvantaged children to improving living standards for local residents.
  - (b) After Typhoon Rai struck the Philippines in December 2021, the R.O.C. (Taiwan) government donated 100 tons of emergency supplies and construction materials to help typhoon victims. The donation ceremony was held in February 2022 and was attended by officials from relevant Philippine government agencies. The government of Taiwan worked with Nature Kids of Siargao, a private charity in the Philippines, to distribute emergency supplies to those in need.
  - (c) To help Syrian refugees rebuild their lives and adapt to life in Turkey, the R.O.C. (Taiwan) government provided financial support to construct the Taiwan-Reyhanli Centre for World Citizens, located on the Turkey-Syria border. Officially opened on October 9, 2020, the center provides language and craft classes, as well as periodically

offering children's movies, concerts, and other events. The center has gained support from such organizations as the UN International Organization for Migration, the Turkish NGO Support to Life, and the Danish Refugee Council.

- (d) MOFA actively assists Taiwan's youth-focused NGOs in conducting international exchanges. In recent years, MOFA has frequently granted subsidies to the Taiwan Fund for Children and Families (TFCF) to implement community service projects in Asian countries and organize events with local students. In 2015 and 2016, the TFCF International Team conducted community service projects in the Kyrgyzstan. In 2017, the team launched a community service project in Vietnam, while the 2018 project was conducted in Cambodia. In addition to these projects, MOFA has provided TFCF with subsidies to conduct workshops and exchanges with local NGOs in Southeast Asia. In 2018, TFCF held a forum in Vietnam on the UN Sustainable Development Goals and the establishment of nonprofit organizations. At the forum, TFCF shared its experiences helping youth and implementing the UN SDGs. In 2019, the TFCF International Forum on SDG4 was held in the Philippines to discuss the challenges that countries are facing with regard to basic education and helping poor and disadvantaged children finish school. The forum facilitated the sharing of information and experiences and strengthened the ability of NGOs to support children's education.

13. Assistance on sexual exploitation cases involving foreign children :

- (a) To help foreign child sexual exploitation cases being assisted by local NGOs continually after he/she returns to his/her home country, we collected and organized the inventory for local sexual exploitation public and NGO service resources in Southeast Asia (Vietnam, Thailand, Indonesia, etc.) and provided it to our local governments as reference. Through strengthening transnational contact and collaboration and implementing foreign victim cases transitions, assistance and follow-up, the work of victim protection can be continued. In addition, some NGOs in our country such as "Good Shepherd Social Welfare Foundation" have branch offices all over the world. They can also assist on sending transnational sexual exploitation children back to their country and complete case transitions.



- (b) Established since 1991, “ECPAT Taiwan” is a global network association devoted to terminating child sexual exploitation. ECPAT Taiwan has become an official member of INHOPE (International Association of Internet Hotlines) since May, 2004, cracking down internet child sexual exploitation and eliminating contents of internet child sexual abuse through international cooperation. If there are child sexual private pictures outflowed abroad, they can help search and take down pictures to avoid further harm. In addition, we have subsidized ECAPT Taiwan to implement the “Child Internet Safety Program” these years. Aside from promoting child internet safety campaigns and providing hotlines, ECAPT Taiwan hires professionals to monitor websites frequently used by children, searching for suspicious sexual exploitation related information, and excavating children with potential high risk of sexual assault and sexual exploitation. From there, they will gather the above information and provide it to police agencies to investigate.
  - (c) Taiwan has signed the Agreement or Memorandum of Understanding on cooperation in immigration affairs and human trafficking prevention with 22 countries. The NIA has been inviting foreign and domestic government officials, scholars and NGO-based experts to participate in the annual event of “International Workshop on Combating Human Trafficking.” The event serves as a platform for Taiwan to learn the latest knowledges relating to combating human trafficking from other countries, and fulfills the purpose of keeping Taiwan up-dated and connected with the international community.
14. The international exchange experience of children in Taiwan includes the Central Children and Youth Delegation (hereinafter CCYD). Please refer to paragraph 39 for its participation in the national legal system and decision-making promotion process. In 2022, through the assistance of the Child Welfare League Foundation, R.O.C. and the Irish civil society Fóroige, the CCYD and the “Comhairle na nÓg” conducted a video conference to share experience about the children's participation system, the methods for submitting opinions on the government, the difficulties and obstacles in the process of children's participation, and the support of parents, schools and society for children's participation,

etc. under different national conditions. The CCYD said that such previous experience allowed them to understand the children's participation system in other countries, as well as the issues that children are concerned about, the way of thinking and solutions, and the feelings of social support, which would help children in Taiwan to be better, and from a macro perspective, consider and develop a children's participation system suitable for Taiwan. Children can learn from other countries' best practices and experiences in promoting the protection of children's rights by participating in various international exchange activities.

點次	問題內容(原文)	中文參考翻譯
1.6	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.	第 26 點。請說明國家人權委員會在全面促進兒少權利及處理侵犯兒少權利案件的有效性，且符合兒童權利強調可讓兒少看見、友善兒少、具可近性及充足預算的基本要求。

#### 中文回應

15. 本案權責機關為國家人權委員會，請國際審查委員參閱國家人權委員會問題清單回復報告。

#### 英文回應

15. Please refer to the parallel response to the list of issues submitted by the National Human Rights Commission (NHRC).

點次	問題內容(原文)	中文參考翻譯
1.7	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.	第 33 點及第 34 點。請補充說明如何擴大兒童權利教育訓練計畫，對象包括處理兒少事務的所有專業人員（如社工、教師、醫療專業）、非正式教育 <sup>3</sup> 人員（如父母、照顧者）以及兒少。

## 中文回應

### 16. 處理兒少事務之專業人員：

(a) 中央部會及各地方政府應依院兒權小組核定之《CRC 教育訓練及成效評核實施計畫》，針對所屬公務人員及其所管轄之兒少事務專業人員，如：如教師、社會工作人員、醫療專業人員及照顧專業人員，確保其接受 CRC 教育訓練，並明定訓練目標、課程內容及成效評核機制等。衛生福利部目前已製作參考教材、建置師資資料庫等訓練資源，鼓勵各級機關據以辦理。

#### (b) 教育人員：

- i. 自 2018 年起成立《CRC》中心學校，藉由種子師資培訓、《CRC》人權素養課程培力營、《CRC》教育人員培力教案研發工作坊及《CRC》主管人員研習等，加強教師對《CRC》之相關知能，出版 CRC 教育人員宣導手冊，藉由蒐集常見情境及透過案例分析，並匯集教育現場需求，作為現場教師教學的參考依據。
- ii. 將「教育人員接受《CRC》教育訓練之比率」列入中央對地方政府一般性教育補助款考核項目，並於 2021 年起同時補助地方政府及所屬高級中等學校推動《CRC》所需相關經費，2021 年各縣市政府高級中等以下學校，教師教育訓練比率達 89.37%（應訓 17 萬 2,360 人，到訓 15 萬 4,039 人）；校長教育訓練比率達 98.18%（應訓 3,676 人，到訓 3,609 人）。

#### iii. 職前教育方面：

- (i) 於師資職前教育課程基準規範人權教育（含兒童權利教育）議題應融入師資職前教育之教育專業課程。2020 年編撰完成社會、生命教育教材教法專書，內容即包含生命及人權教育（含兒童權利）議題融入，以提供師資培

<sup>3</sup> 非正式教育 <https://terms.naer.edu.tw/detail/1307125/>

育之大學授課教師、師資生及在職教師作為授課與學習之參考。

- (ii) 逐年調查檢核各師資培育之大學於師資職前教育課程納入人權教育（含兒童權利）議題開課情形。2020 學年度各師資培育之大學於師資職前教育課程開設人權教育議題相關課程統計如下：計有 37 校 51 系所開設「人權教育相關課程」，總計 4,696 人次師資生修習；計 37 校 173 系所開設「人權教育議題專題」，計 9,806 人次師資生修習。
- (iii) 每年核定補助師資培育之大學開設「人權教育（含兒童權利）教師在職進修增能學分班」，2022 年預計開設 3 班次，提供 70 人次進修機會。
- (c) **社會工作人員：**每年辦理新進公職社會工作師集中實務訓練，課程包含《CRC》及兒童權利相關法規與實務，2021 年計 116 人完成訓練。
- (d) **醫療專業人員：**
  - i. 規劃將《兒童權利認知》納入西醫畢業後一般醫學(PGY)訓練參考教材。
  - ii. 針對護理人員繼續教育增加《CRC》認知、兒童權利保障及兒童護病溝通技巧相關課程。2020 年兒童權利相關課程開設 196 堂，計 7,417 人參訓；2021 年開設 211 堂，計 17,441 人參訓；2022 年 1 月至 7 月底開設 110 堂，計 3,627 人參訓。
  - iii. 於各縣市整合型心理健康工作計畫中，規範工作計畫人員需參與進階教育訓練，其課程包含《兒童及少年福利與權益保障法》（下稱兒少法）、兒少安全評估等兒童權利保障內容。
- (e) **警察人員：**2022 年婦幼安全工作專業人員基礎訓練班規劃「CRC 介紹與警察兒少保護工作實務」課程，召集警察分局現職家庭暴力防治官、警政婦幼安全單位主管、副主管、業務科（股）長、承辦人、各直轄市、縣（市）政府警察局婦幼警察隊隊長、副隊長及組長，並擴大所有與兒童工作相關的專業人員（分局防治單位組長、偵查隊隊長、副隊長及婦幼工作聯絡人、分駐/派出所主管、副主管及社區家庭暴力防治官、性侵害專責處理人員）參加教育訓練。
- (f) **矯正人員**
  - i. 矯正學校依據十二年國教課程綱要，將人權教育（含《公民與政治權利國際公約及經濟社會文化權利國際公約施行法》、《CRC 施行法》、《身心障礙者權利公約施行法》等）融入課程教學。

- ii. 2019 年起開辦少年保護業務研習班，並以服務於少年矯正機關（含矯正學校、少年觀護所）之矯正人員為主要訓練對象，自 2021 年起調整少年保護業務研習班期訓練對象，擴及至少少年矯正機關各級人員（含教育及心社人員），並開放各矯正機關人員報名參訓。
  - iii. 配合法官學院年度辦理庭長、法官少年事件專業培訓課程，由少年矯正機關科長以上人員參訓，課程講授人權系列--從 CRC、身心障礙者權利公約談司法少年之權益保障；另配合教育部各領域推動中心學校，辦理各年度工作計畫，提供矯正學校教師參加人權教育議題增能研習。
- (g) **檢察機關人員：**
- i. 檢察機關係為刑事犯罪偵查機關，為提升檢察官偵辦婦幼案件之專業知能，每年舉辦「婦幼保護及性別平等研習會」、「兒童或心智障礙之性侵害被害人特殊訊（詢）問專業課程基礎班及進階班」、「兒少及弱勢被害人司法訪談程序研習會」、「防制人口販運及兒少性剝削實務研習會」，以強化檢察官於偵辦兒童性侵害案件、性剝削案件、家庭暴力案件、重大兒虐案件等婦幼案件之熟稔度、敏感度及偵辦技巧。
  - ii. 另外，辦理各項訓練前，運用《CRC》相關教材或宣導資料（如簡報、影片等）向參訓同仁宣導。
- (h) **司法人員：**每年持續規劃辦理法官等所屬人員各項兒少權益相關教育訓練課程，例如：「從國際人權公約談兒少人權之保障-個案探討」、「從兒童權利公約看未成年子女最佳利益之保障」、「從案例談起 CEDAW 與性別平權、CRC 與兒少權益之保障」、「如何在司法程序中最佳化兒少及脆弱被害人之證據力」、「兒少保護醫療鑑定實務研習會或工作坊」、「兒童人權月學術研討會」、「友善兒少出庭專業服務分區交流座談會」等，以增進所屬人員對兒少權益之認知。
- (i) **廣電媒體從業人員：**每年辦理至少 2 場次以上專業訓練。2021 年辦理廣播、電視專業素養培訓，邀請學者專家、廣電從業人員共同交流，課程主題包含「從廣播節目探討兒少保護」、「數位時代下的兒少課題：談廣電兒少保護」、「兒少權益保障」，課程探討媒體製播涉及兒少權益保障議題的內容呈現，同時於課程中說明《兒童及少年性剝削防制條例》、《兒少法》、《CRC》等相關法規，俾協助電視從業人員熟悉法規，增進法律及自律知能，善盡社會責任。

## 17. 非正式教育人員及兒少：

- (a) 建置 CRC 資訊網，作為兒少及一般民眾易於接收資訊及知識之媒介，並製作不同語言、類型之《CRC》宣導素材，如影片、動畫、繪本及摺頁等，提供關心兒少事務的民眾下載使用。
- (b) 補助地方政府或民間團體辦理 CRC 多元宣導及兒少培力活動，結合校園或社區以座談會、培力研習、親子活動、營隊、故事繪本閱讀、廣播、影片製作及影展、戲劇演出及藝術創作等多元方式進行宣導，2016 至 2021 年間總計補助 4,275 萬 7,856 元，至少辦理 2,579 場次、255 萬 3,399 人次受益（男性 110 萬 8,388 人；女性 144 萬 5,011 人）。
- (c) 編製「用愛教出快樂的孩子-0-6 歲正向教養手冊」，並寄發衛生、社福、教育等單位協助推廣，內容針對照顧者所遇之教養問題提供解決方法，並建議照顧者在陪伴過程中，以正向教養模式來調整不適切之互動，進而培育兒少健全人格及情緒和諧發展。
- (d) 2021 年研發完成《CRC》家長親職教育數位學習影片，除提供民眾自學外，亦針對各縣市家庭教育中心人員及志工辦理培訓活動，計 462 人次參加，並於年度補助計畫中請地方政府將《CRC》、《兒少法》等理念納入親職教育活動宣導。

## 英文回應

## 16. Professionals handling children's affairs:

- (a) The central ministries and local governments shall follow the “CRC Education Training, and Effectiveness Evaluation Program” approved by the Child Rights Group to ensure that their civil servants and children affairs professionals such as teachers, social workers, medical professionals and caring professionals receive CRC education and training, and clearly specify training objectives, curriculum contents and effectiveness evaluation mechanisms. At present, the Ministry of Health and Welfare has produced reference materials, established a teacher's database and other training resources, and encourages agencies at all levels to handle them accordingly.
- (b) **Educators :**
  - i. The CRC central school has been established since 2018. Through the training of seed teachers, the training programs of CRC human rights literacy course, the CRC

education staff training plan and development workshop, and the CRC supervisory staff training, etc., the teachers' knowledge of CRC can be enhanced. The publication of the promotion manual for CRC education staff can collect the common situations to perform case analysis and summarize on-site needs for education to as a reference for on-site teaching by teachers.

- ii. The rate of education staff receiving CRC education and training is included in the assessment of the central government's general education subsidy to local governments, and the central government start to provide funds to local governments and the affiliated senior high schools to promote the CRC since 2021. In 2021, the ratio of teachers receiving education and training reached 89.37% (172,360 persons to be trained, of which 154,039 persons received the training); the ratio of principal receiving education and training reached 98.18% (3,676 persons to be trained, of which 3,609 persons received the training).
- iii. Pre-service teacher education and In-service teacher training :
  - (i) The Criteria Governing Pre-service Teacher Education Programs have regulated that the issues of human rights education (including children's rights education) should be integrated into the content of the education professional curriculum of pre-service teacher education. In 2020, textbooks dedicated to teaching methods of topics and issues of social and life education were compiled, whose contents include the integration of life and human rights education (including children's rights) issues to serve as the reference for teachers of teacher education universities, the students of teacher education programs and in-service teachers.
  - (ii) Annually investigate and inspect the teaching situation of the inclusion of human rights education (including children's rights) in the pre-service teacher education programs at each teacher education university. In Academic Year 2020, the statistics of human rights education-related courses offered by universities providing teacher education in pre-service teacher education courses are as follows: 37 schools and 51 departments have offered "human rights education-related courses", with a total of 4,696 teachers and students selecting



and studying such courses; and 173 departments of 37 schools offered “Seminar on Human Rights Education Topics”, with a total of 9,806 teachers and students studying selecting and studying such course.

- (iii) Subsidies are granted annually to teacher education universities to offer Credit Courses of Human Rights Education (including Children’s Rights) for In-service Teacher Training. It is estimated that 3 classes will be opened in 2022, which can offer training opportunities for 70 persons.
- (c) **Social workers** : The government provides centralized practical training for new employed social workers in public sector every year, which includes CRC and policies and practices of children rights, and 116 people have completed the training in 2021.
- (d) **Medical Professionals** :
  - i. Knowledge of children’s rights will be incorporated into the teaching materials of the postgraduate year training for Western medicine graduates.
  - ii. Courses on the CRC, protection of child rights, and skills for communication with child patients were incorporated into the continuing nursing education. In 2020 and 2021, a total of 196 and 211 courses concerning the rights of children were held, with 7,417 and 17,441 participants in these courses, respectively. In 2022, 110 such courses were held from January through July, with 3,627 participants.
  - iii. In the integrated mental health work plans of counties and municipalities, it is standardized that the work plan staffs must participate in advanced education training, and the curriculum includes the Protection of Children and Youths Welfare and Rights Act , children and youth safety assessment, and other rights protection contents.
- (e) **Police personnel** : The Fundamental Workshop for Women and Children Safety Specialists in 2022 has designed a series of courses concerning CRC Introduction and the Practice of Children and Youths Protection. It not only calls on the active-duty domestic violence prevention officers of all police precincts, and the chiefs, deputy chiefs, and section chiefs of the Women and Children Protection Brigade of all municipality and county (city) police departments but also extends the call to other

specialists charged with the protection of children (including chiefs of Violence Prevention Sections, chiefs and deputy chiefs of Criminal Investigation Squads, contact persons for women and children protection, chiefs and deputy chiefs of police stations, community-based domestic violence prevention officers and those especially-assigned staffs responsible for dealing with sexual assault of all police precincts) to participate in the educational training.

(f) **Correctional officers :**

- i. Correctional schools have incorporated courses on human rights (including the Act to Implement the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, the Act to Implement the Convention on the Rights of the Child and the Act to Implement the Convention on the Rights of Persons with Disabilities) into their curriculums in accordance with the Curriculum Guidelines of 12-Year Basic Education.
- ii. The AOC has been offering juvenile protection workshops since 2019, targeting mainly correctional officers who work at juvenile correctional institutions (including correctional schools and juvenile detention houses). From 2021 on, the targets of juvenile protection workshop are extended to all levels of personnel at juvenile correctional institutions, including teachers, psychologists and social workers. The courses are open to all personnel at correctional institutions.
- iii. In coordination with the professional training courses for presiding judges and judges involved in juvenile justice offered by Judges Academy, the AOC requires personnel above the rank of section chief at juvenile correctional institutions to attend those courses. The courses touch on human rights and judicial protection for the rights of juvenile from the perspectives of CRC and Convention on the Rights of Persons with Disabilities. Also in coordination with the promotion centers in various fields under the Ministry of Education, the AOC draws up annual workplans to encourage teachers at correctional schools to attend those human rights courses.

(g) **Personnel of Prosecutors Office :**

- i. The Prosecutors Office is the criminal investigation institute. In order to enhance the professional knowledge of prosecutors regarding sex assault and crimes against children's, the training programs, such as "Women and Children Protection and Gender Equality Seminar", "Professional Course of Special Interrogation (Inquiry) for Victims of Sexual Abuse of Children or Mentally Handicapped (Basic Class and Advanced Class)", "Seminar on Judicial Interviewing Procedures for Children and Vulnerable Victims", and "Seminar on the Practices of Preventing Human Trafficking and Children Sexual Exploitation" are held every year to strengthen prosecutors' familiarity, sensitivity and skills of investigating child sexual abuse and exploitation , domestic violence , serious child abuse and similar cases.
  - ii. Before conducting each training, use CRC-related teaching materials or promotional materials (e.g., presentations, videos, etc.) to educate training participants.
- (h) **Judicial personnel :** To improve their perceptions of children and youth's rights, we have organized various education and training for judges and judicial staff every year. For example, we have held courses like "Discussion on the Protection of Children and Youth's Rights under International Bill of Human Rights—by Case Study," "Review on the Protection of the Minor's Best Interest under the CRC," "Cases Study on CEDAW, Gender Equality, CRC, and Protection of Rights of Children and Youth," "How to Optimize the Probative Value of Evidence Presented by Children and Youth and Victims in Judicial Proceedings," "Workshop of the Medical Examination Practice for Children and Youth's Protection," "Children's Rights Month Seminar," and "Forums on Facilitating Court Attendance for Children and Youth(in different regions)."
- (i) **Broadcasters :** National Communications Commission (NCC) arranged some training courses to strengthen the professional literacy of broadcasting and television media creators. Certain scholars and experts were invited to discuss a range of issues with representatives of the broadcasting and television industry, including the protection of children and adolescents through broadcasting and other issues concerning minors in

the digital era. The participants discussed how media portrayed issues related to the protection of children and adolescents and also deepened their understanding of relevant laws and regulations in the process, such as the Child and Youth Sexual Exploitation Prevention Act and the Protection of Children and Youths Welfare and Rights Act, as well as CRC. Such courses, can help those in the industry become more familiar with laws, and enhance their self-regulation practices and fulfill their social responsibility.

**17. Informal education staff and children:**

- (a) The government establish a CRC information website as a medium for children and the general public to easily receive information and knowledge, and produce CRC promotional materials in different languages and types, such as videos, animations, picture books and brochures, etc. People who care about children's affairs can download and use these materials.
- (b) Subsidize local governments or non-governmental organizations to carry out CRC promotion and children's empowerment activities combining with campus or community forums, empowerment studies, parent-child activities, camps, storybook reading, broadcasting, film production and film festivals, theatrical and artistic creation, etc. From 2016 to 2021, a total subsidy of NT\$42,757,856 is granted, with at least 2,579 sessions attended by 2,553,399 people (1,108,388 males and 1,445,011 females).
- (c) The 0-6 Year Old Positive Discipline Handbook was developed and sent to health, social welfare, and education units to assist in its promotion. The content provides solutions to parenting problems encountered by caregivers and suggests that caregivers should use positive discipline models to adjust inappropriate interactions in the process of accompanying children, so as to nurture their healthy personalities and harmonious emotional development.
- (d) In 2021, the CRC parenting education video was be developed to provide the public with self-study. It also organized training activities for the staff and volunteers of the family education centers in various counties and cities, with 462 people participated.

In the annual subsidy plan, the local government was invited to incorporate concepts such as CRC and the Protection of Children and Youths Welfare and Rights Act into the promotion of parenting education activities.

點次	問題內容(原文)	中文參考翻譯
1.8	Please provide information on the mechanism for regular monitoring of the implementation of the Convention of the Rights of the child. Please provide an update on the impact assessment that started in 2021.	請說明落實《兒童權利公約》之定期評估機制。並更新兒少權利影響評估2021年起的執行情形。

#### 中文回應

18. 繼2014年至2018年第1次全國法規檢視後，於2021年至2022年再度辦理第2次全面性法規檢視，確認符合公約意旨並確保《CRC》落實，迄今全面檢視法規清單（含第二次檢視12案）共計57案，經權責單位檢討或修正後，符合《CRC》相關規定者已達75%，尚有入出國及移民法等14案尚待修法通過。
19. 自2021年試辦兒少權利影響評估，以《兒童及少年性剝削防制條例》部分條文修正草案為例，邀請專家學者檢視並填寫初階檢視表，進行影響分析，並邀請兒少代表參與研商本條例修正草案會議，兒少代表於會中對本條例提高刑責、增訂性影像移除機制修正條文甚感認同，並無相關意見。另針對本條例擴大沒收範圍，兒少代表提出倘兒少投入直播平台直播，現行使用虛擬貨幣部分是否在擴大沒收範圍，倘儲值金額後，此金額是否亦算犯罪預備所得，註冊境外帳戶是否可沒收等疑義，法務部亦於會上回應，倘行為人在我國，但註冊境外平台帳戶，造成司法查緝難處，涉及境外帳戶扣押問題，依《刑事訴訟法》規定，透過向法院申請扣押境外帳戶，倘行為人在國外，則需視是否為司法管轄範圍內方可啟動偵查。爰兒少代表對於本條例修正已充分參與並認同修正方向及條文，相關部會對於其疑問亦已及時回應，協助兒少代表釐清修正條文實務執行方式，落實兒少參與。

#### 英文回應

18. Following the first national regulatory review from 2014 to 2018, the second comprehensive regulatory review was conducted from 2021 to 2022 to confirm compliance with the intent of the Convention and ensure the implementation of the "CRC". So far, a comprehensive review of the list of regulations (including the cases during the second review) totaled 57 cases. After review or amendment of the competent authority,

75% met the relevant provisions of CRC. There are still 14 cases such as entry and exit and immigration laws, that have yet to be amended and passed.

19. Starting from 2021, the trial impact assessment on children and youth's rights was launched. Taking the draft amendments to some provisions of the Children and Youth Sexual Exploitation Prevention Act as an example, experts and scholars are invited to review and fill in a preliminary review form to conduct an impact analysis. In addition, representatives of children and youth are invited to participate in the meeting to discuss the draft amendments. They approved the amended articles including raising criminal liability, adding the removal mechanism of sexual pictures and expressed no comments during the meeting. On the other hand, regarding of broadening the scope of confiscation in this act, child and youth representatives brought up the issue. If child engages in live streaming on live platform, using virtual currency, will it be included in the scope of confiscation or not? After adding value, will the amount be included in proceeds of criminal preparation or not? Will the account overseas be confiscated or not? Ministry of justice responded during the meeting that if the offender in Taiwan registers the account on offshore platform and makes judicial authority hard to reconnoitre, relating to overseas account seizure problem, it can be applied for seizing overseas account to the court according to the Code of Criminal Procedure. If the offender is abroad, the investigation depends on whether if it is our jurisdiction or not. Therefore, child and youth representatives have participated fully and approved the direction and the articles of amendment. Relating ministries and councils have responded their questions timely and assisted child and youth representatives to clarify the practical implementation way of the amended articles. It has assured the children's participation.

點次	問題內容(原文)	中文參考翻譯
1.9	Please provide information on the mechanism for regular monitoring of the implementation of the Convention of the Rights of the child. Please provide an update on the impact assessment that started in 2021.	請說明國家如何保障兒少訴諸司法（access to justice <sup>4</sup> ）的權利，無論在刑事、民事及行政訴訟，都能為兒少及其代理人提供平等及可負擔的管道，使其獲得有效及體貼兒少的訴訟程序，並提供友善兒少的資訊、建議及倡儀，包括對兒少自我倡議的支持；且能提供必要的法律及其他協助，保障兒少獨立申訴及訴諸法院的權利。

### 中文回應

20. 依照我國民事、刑事、行政訴訟法、《家事事件法》、《少年事件處理法》（下稱少事法）有關規定，大法官釋字第 784 號（各級學校學生之行政爭訟權案）、釋字第 805 號（少年事件被害人到庭陳述意見案）解釋及憲法法庭 111 年憲判字第 8 號（改定親權事件暫時處分案）判決意旨，兒少具有程序主體權之地位，可以依法（包括經由其法定代理人或法律代表之協助）提起訴訟、參與訴訟程序及於程序中表達意見。
21. 法律就兒少司法程序參與權訂有特別保護之規定，例如民事訴訟之特別代理人、家事事件之程序監理人、少年保護事件之輔佐人、少年刑事案件之辯護人、性侵害事件之司法詢問員、通譯、兒少心理或其他專業人士協助兒少表達意見、社工陪同兒少出庭、得不令兒少具結等。法院亦會視個案需要，提供溫馨候訊室、隔離訊問、遠距視訊審理、安全通道，以及其他維護兒少出庭安全及隱私之適當措施。
22. 兒少為刑事案件之被害人時，依《刑事訴訟法》，兒少得為告訴，兒少之法定代理人亦得獨立告訴；若兒少已死亡者，得由其特定親屬提出告訴；依《兒少法》規定，主管機關亦得獨立告訴。
23. 又矯正機關之收容少年，不服機關處分或管理措施，得依照《監獄行刑法》或《羈押法》之申訴程序提起申訴，如不服申訴結果，得提起行政訴訟，或委任律師為代理人提起救濟。且其提起行政訴訟時，訴訟裁判費用減徵二分之一，讓收容少年可負擔相關費用。

<sup>4</sup> Access to justice，訴諸司法，

<https://www.un.org/ruleoflaw/thematic-areas/access-to-justice-and-rule-of-law-institutions/access-to-justice/>



24. 另為保障收容少年之訴訟權益，矯正機關對此均有廣為宣傳、告知，使收容少年認其權益受損時能有效請求協助。訴訟協助部分，可透過法律扶助之相關規定請求法律援助。

#### 英文回應

20. Under civil, criminal, administrative litigation, the Family Act, and the Juvenile Delinquency Act, children and youth are eligible to be the subject of legal proceedings; Judicial Yuan Interpretation No.784, 805, and TCC Judgment 111-Hsien-Pan-8(2022) have restated that right as well. Now children and youth can file a lawsuit (including filing with the assistance of their statutory agent or legal counsel), participate in litigation, and express their statements in proceedings.
21. There are laws and regulations specifically applicable to protect children and youth's right to judicial participation, and here are examples: the special representative in civil litigation, guardian ad litem in family matters, assistant ad litem in juvenile protection matters, defender in juvenile criminal cases, the forensic interviewer in sexual assault cases, interpreters or other experts who help children and youth address their opinion, social workers accompanying children and youth for court attendance, and the court shall not order children and youth to sign a written oath. Also, the court will consider the individual's needs and provide a warm waiting room, separate inquiry, remote video hearing service, safe passage, and other proper accommodations to protect the safety and privacy of children and youth attending the court.
22. According to the Code of Criminal Procedure, the child or the youth victim of a criminal case may file a complaint by he/herself. The statutory agent may file an independent complaint as well. When the victim is dead, the complaint can be filed by the victim's specific relatives. According to the Protection of Children and Youths Welfare and Rights Act, the authorized agencies may also lodge complaints independently.
23. Youths in detention who disagree with the action or management measure of the correctional institutions may file a complaint according to the procedures set out in the Prison Act or Detention Act. If they disagree with the decision on the complaint, they have

the option to file an administrative lawsuit or appoint a lawyer to seek remedy. When youths in detention file an administrative lawsuit, the litigation fee will be reduced by half to make it more affordable for them.

24. To safeguard the litigation rights and interests of youths held in detention, correctional institutions have widely publicized the legal options available to them so they can seek assistance effectively when they think their rights or interests are infringed on. Detained youths can also seek legal assistance through the established legal aid procedure.

點次	問題內容(原文)	中文參考翻譯
1.10	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.	請詳述現行有哪些程序，可受理兒少對教育、社會照顧、少年司法與健康議題的申訴。並解釋這些申訴程序的獨立性、保密性、可近性、友善性，以及如何讓兒少明白他們救濟的權利。

## 中文回應

25. 監察院接受兒少提出申訴之程序，如何獨立、保密、易於獲得和對兒少友善：

- (a) 依照《憲法》、《憲法增修條文》等相關規定，監察院之職權係行使彈劾、糾舉及審計權，並且可以對政府機關的施政提出糾正案；同時為達成上述任務，監察委員可以收受人民陳情書狀，到中央或地方機關辦理巡迴監察、調查等。
- (b) 若有民眾陳情或檢舉內容涉有危害兒少人權之情事，縱使被訴對象為私部門，非為公務機關或公務人員，監察院亦會依案情內容轉請相關社會福利、兒少教育主管機關或檢警機關，儘速調查並協助解決問題；另為保護兒少身分，必要時監察院會以密件或將兒少身分隱匿處理。監察院已有多件處理公、私部門侵害兒少人權之調查案，例如調查新竹縣某私人教養院屢生性侵害事件、苗栗縣某私人教養院毆打凌虐院生事件、桃園少輔院院生死亡，及彰化少輔院不人道處置院生案等，並彈劾違法失職公務人員。
- (c) 為落實《CRC》第 12 條兒少表意權之規範意旨，監察院已就兒少陳情，設置下列 3 種受理管道，提供親切友善、簡易便捷之最適化服務：
  - i. 設置兒少陳情信箱，提供語音陳情服務：  
監察院於 2019 年在全球資訊網之兒少網，建置兒少陳情信箱，設有語音、照片、圖片等夾檔功能，兒少可用口語敘述方式，錄音上傳，使上網陳情更加便捷、簡易。
  - ii. 設置專用諮商室，提供到院陳情服務：  
監察院陳情受理中心於 2021 年設置完全隔音、高隱密性之專用諮商室，提供兒少使用，以舒緩其緊張、不安、防備之情緒。兒少到院陳情時，該中心人員會立即接待，引導至專用諮商室，傾聽其陳述案情，並協助其書寫陳情書。

iii. 專人接聽電話陳情，製作陳情紀錄表：

兒少致電監察院諮詢其權益事項或陳情時，如其以網路、郵寄等書面陳情方式有困難時，監察院陳情受理中心同仁得視需要代為撰寫陳情書或製作電話紀錄，並依相關規定及程序辦理。

26. 教育：

- (a) 高級中等教育階段：依據《高級中等學校學生申訴及再申訴評議委員會組織及運作辦法》（下稱高中申訴辦法），學生或學生自治組織對學校之懲處、其他措施或決議（下稱原措施），認為違法或不當致損害其權益者，應於收受或知悉原措施之次日起 30 日內，以書面向學校為之。不服學校申訴決定者，應於評議決定書達到之次日起 30 日內以書面得向各該主管機關提起再申訴。原措施性質屬行政處分者，如不服再申訴評議決定，得於再申訴評議決定書送達之次日起 2 個月內向行政法院提起行政訴訟。
- (b) 國中小教育階段：依據《國民教育法》，學生對學校有關其個人之管教措施，認為違法或不當致損害其權益者，由其法定代理人以書面代為向學校提出申訴，不服學校申訴決定，得向學校所在地之地方主管機關提出再申訴。
- (c) 有關程序獨立、保密、易於獲得和對兒少友善及如何實現獲得補救的權利如下：
  - i. 程序獨立：依據《高中申訴辦法》規定，高級中等學校為處理學生或學生自治組織申訴案件，應設學生申訴評議委員會（下稱申評會），置委員 7 人至 15 人。爰申評會為專門處理學生申訴案件之組織，並有其獨立之運作辦法。
  - ii. 程序保密：依據《高中申訴辦法》規定：「申評會委員會議，以不公開為原則」、「申評會委員會議之與會人員及其他工作人員對於評議、表決及其他委員個別意見，應嚴守秘密；涉及學生隱私之申訴案及申訴人之基本資料，均應予以保密」。
  - iii. 易於獲得和對兒少友善：
    - (i) 依據《高中申訴辦法》規定：「學校應將學生申訴制度列入學生手冊及學校網站，廣為宣導，使學生了解申訴制度之功能。」、「各該主管機關應自行或委由各級學校、相關專業團體或公益團體開設諮詢管道，提供申訴及再申訴扶助服務」。

- (ii) 編撰學生申訴宣導手冊分送各高級中等學校，並將手冊及各式申請表格範例、常見申訴態樣、QA 及申訴諮詢專線公告於「高級中等學校學生事務資訊暨活動網站」，同時與臺灣民主青年協會合作拍攝學生申訴宣導影片，亦將一併公開於上開網站，供學校廣為宣導及友善學生易於下載運用。
- (iii) 另依據《高中申訴辦法》：「學生或學生自治組織提起申訴時，得選任代理人及輔佐人」、「申評會評議時給予申訴人充分陳述意見及答辯之機會，並得通知申訴人及其法定代理人、關係人到會陳述意見」、「申訴人請求陳述意見而有正當理由者，應予書面陳述、到會或到達其他指定處所陳述意見之機會」、「申訴人陳述意見前，得向學校申請閱覽、抄寫、複印或攝影調查報告或其他有關資料」。

**27. 社會照顧：兒少安置機構申訴機制說明如下：**

- (a) 於兒少安置機構輔導查核項目及聯合評鑑指標中，規範機構內部應建立安置兒少申訴機制，明確告知安置兒少被保障的權益，當其權益受損時可申訴的管道，該資訊並納入機構發給兒少的入住須知手冊。
- (b) 為增加申訴管道多元性、獨立性與安全性，自 2019 年起於兒少安置機構輔導查核項目，增列請各地方主管機關建立外部申訴機制及接獲申訴後之處理方式，包含處理程序（含受理申訴案件流程、調查方式、調查結果及後續處理）、調查機制及回復申訴的期限等，以完備安置兒少之申訴機制。
- (c) 鑑於各地方政府均已陸續完成前開申訴處理機制之建置，考量倘安置兒少針對各地方政府處理結果不服時，能有救濟途徑，爰訂定「衛生福利部處理家外安置兒童及少年再申訴案件作業原則」，期使申訴機制更為完備。

**28. 少年司法**

**(a) 兒少為刑事案件之被害人時**

- i. 依《刑事訴訟法》，兒少得為告訴，兒少之法定代理人亦得獨立告訴；若兒少已死亡者，得由其特定親屬提出告訴。
- ii. 依《刑事訴訟法》，兒少於接受檢察官訊問時，其法定代理人、特定親屬、相關專業人員（如醫師或社工人員等）或其信賴之人，經其同意後，得陪同在場並陳述意見；檢察官於偵查中應注意兒少及其家屬隱私之保護，並得依聲請或依職權，審酌案件情節及兒少之身心狀況後，利用遮蔽設備，將兒少與被告、第三人適當隔離。

- (b) 兒少為性侵害案件之被害人時，依《性侵害犯罪防治法》規定，其法定代理人、特定親屬或相關專業人員（如醫師或社工人員等），得陪同在場並陳述意見；檢察官於認有必要時，應選任相關專業人士協助訊問。
- (c) 兒少為性剝削案件之被害人時，依《兒童及少年性剝削防制條例》規定，其法定代理人、特定親屬或相關專業人員（如醫師或社工人員等），得陪同在場並陳述意見；檢察官於訊問兒少時，應注意其人身安全，並提供確保其安全之環境與措施，必要時，應採取適當隔離方式為之，另得依聲請或依職權於法庭外為之。
- (d) 矯正機關之收容少年：
  - i. 少年依法收容、執行感化教育或有期徒刑時，係收容在少年矯正機關，少年如不服機關之處分或管理措施，得依照《監獄行刑法》或《羈押法》之申訴程序提起申訴，促使機關對處分或管理措施之合法性、妥適性進行審視，若審查結果為不合法或不適當，機關應停止、撤銷或變更原處分、管理措施之決定或執行。
  - ii. 申訴程序為獨立之程序，故機關均成立獨立之審議小組，由專家學者及社會公正人士處理申訴事件。另外，申訴程序為友善之程序，少年得以言詞或書面提起申訴，並得委任律師或代理人。申訴內容並應予以保密。
  - iii. 為保障前述少年之救濟權利，少年進入矯正機關時，機關會辦理入校講習，向少年宣導申訴權利及訴訟救濟權利，並製作學生生活手冊交付少年使用，使少年隨時可以查閱申訴、訴訟之相關途徑。
  - iv. 依《少事法》，少年、少年之法定代理人、現在保護少年之人或少年之輔佐人，對少年法院之裁判不服時，得依法提起抗告或上訴請求救濟，法院亦會於裁判中記明相關教示條款。另刻正研議相關法律草案中，訂定受收容少年認為少年矯正機關之處遇措施侵害其權益時，得向少年法院聲請救濟之機制。

## 29. 健康：

- (a) 兒少就醫時若發生醫療爭議，可透過醫療機構內部申訴管道、地方衛生局或衛生福利部之「首長信箱」、「電話」等方式申訴，且無論是以書面、口頭或電子郵件等多元方式提出，皆無年齡限制，受理單位亦不得無故拒絕。有保密必要者，受理機關處理時，應不予公開。陳情有理由者，應採取適當之措施。

- (b) 未滿 7 歲之兒童需由主要照顧者或法定代理人提起陳情/申訴，依《行政程序法》規定，人民可向行政機關以書面或言詞為之。受理機關須指派人員迅速、確實處理。有保密必要者，受理機關處理時，應不予公開。陳情有理由者，應採取適當之措施。陳情之事項，依法得提起訴願、訴訟或請求國家賠償者，受理機關應告知陳情人。

## 英文回應

25. How does the Control Yuan ensure independence, confidentiality, accessibility and child-friendliness when receiving complaints from children and youths?

- (a) In accordance with the Constitution, the amendments to the Constitution, and other relevant laws as well as regulations, the Control Yuan is entitled to exercise the powers of impeachment, censure, and audit. It also can propose corrective measures to government agencies for improvement. To fulfill its mandate, the Control Yuan Members may receive people's complaints, conduct circuit supervision at local and central government level, and undertake investigations.
- (b) Once receiving complaints or accusations regarding children and youth's rights infringement implicated with private sector, the Control Yuan may, if deem necessary, refer the cases to the relevant social welfare authorities, children's education institutions, or the public prosecutor offices for resolving problems. To protect the children and youth's privacy, if necessary, the Control Yuan will deal with cases confidentially. The Control Yuan has handled many cases involving public and private sector violations of children and youth's rights. Important cases include the investigations into the repeated sexual abuse incident in a private reformatory institution in Hsinchu County, the assault and abuse of a student in a private reformatory institution in Miaoli County, the death of a student in the Taoyuan juvenile correctional school, and inhumane treatment of students in the Changhua juvenile correctional school, etc. Based on the findings, the Control Yuan impeached some relevant public servants who severely violated the laws and neglected their duties.

- (c) To comply with the Article 12 of the CRC, the Control Yuan set up 3 friendly, simple and convenient channels for receiving complaints by children and youths as follows :
- i. Setting up a complaint mailbox for children and youths :  
In 2019, the Control Yuan set up a mailbox for children and youths on its official website. Children and youths could lodge a complaint with any evidence such as recording files, photos, or pictures. This service makes online complaint more convenient and easier.
  - ii. Setting up a consultation room for children and youths :  
A fully soundproofed consultation room with high degree privacy for children and youths was established in 2021 at Control Yuan Complaint Receipt Center to relieve children and youth's nervousness, anxiety, and defensiveness. When children and youths visit the Control Yuan, the Center staff will receive them immediately, guide them to the room, listen to their statement, and assist them in writing a complaint letter.
  - iii. Providing a manned hotline service and assist the complainants in making a record :  
Any children and youths who want to inquire information about their rights and interests or to make a complaint online or by mail or by phone have difficulties in doing so, the Center staff of the Control Yuan may provide any assistance in accordance with relevant regulations.

**26. Education :**

- (a) The Regulations Governing the Organization and Operations of Senior Secondary School Student Appeals Committees and Student Reappeals Committees state that, "If the student or students' union or club believe that the school's punishment and other measures or resolutions (hereinafter the original measures) are illegal or inappropriate and damage their rights and interests, they shall notify the school in writing within 30 days from the day after receiving or knowing the original measures. Those who are not satisfied with the school's resolution on the appeal shall file a further appeal in writing to the competent authority within 30 days from the day after such resolution of school is reached. If the original measures are administrative sanctions, and the resolution of



the re-appeal and review is unsatisfactory, the student or students' union or club may file an administrative lawsuit with the administrative court within 2 months from the day after the delivery of the resolution of the reappeal and review.

- (b) For Primary and Junior High Schools: The Primary and Junior High School Act states that the "Parents of primary and junior high school students shall form a parents association. The autonomous regulations governing the association's organization, tasks, method of becoming a committee member, committee membership duration, financial resources, financial management, operation, and other associated matters shall be determined by the competent authority of the municipality or county (city) in which the school is located, after consulting parent groups."
- (c) The right to an independent, confidential, accessible and child-friendly procedure and how to achieve a remedy is as follows :
  - i. Procedural independence: the Regulations Governing the Organization and Operations of Senior Secondary School Student Appeals Committees and Student Reappeals Committees states that "Each and all Senior high schools shall set up the Student Appeal Appraisal Committee (Appeal Appraisal Committee) to handle appeal cases from students or students' union or clubs, which shall be composed of 7 to 15 members". The Appeal Appraisal Committee is an organization specializing in handling student complaints and has its own independent guidelines for operating.
  - ii. Confidentiality of procedures: the Regulations Governing the Organization and Operations of Senior Secondary School Student Appeals Committees and Student Reappeals Committees state that, "The principle of non-disclosure shall be adopted for the meetings of the Appeal Appraisal Committee", and "The participants of the meetings and other staff members shall strictly hold matters regarding the evaluation, voting, and individual opinions of members confidential; and the appeals involving the privacy of students and the basic information of the appellants shall be kept confidential."

iii. Accessible and child-friendly :

- (i) The Regulations Governing the Organization and Operations of Senior Secondary School Student Appeals Committees and Student Reappeals Committees respectively state that “Schools shall include the information of student appeal system in the student handbook and official sites, and publish such information widely to allow students can understand the function of the appeal system.” And “The competent authorities shall independently or entrust schools at all levels, relevant professional organizations or public welfare organizations to establish consultation channels and provide support services for appeals and re-appeals.”
- (ii) Compile and distribute the promotion handbooks to all senior high schools, and publish the handbooks and various sample application forms, common appeal patterns, FAQ and appeal consultation hotlines on the “Official Site for Senior High School Student Affairs Information and Activities”, The government have also cooperated with the Taiwan Youth Association for Democracy to make a promotional video on student appeal mechanism, which will also be published on the above website for the school-wide publicity and allowing students to easily download and use such materials.
- (iii) In addition, according to the Regulations Governing the Organization and Operations of Senior Secondary School Student Appeals Committees and Student Reappeals Committees, when a student or a students’ union or club files an appeal, an agent and assistant may be appointed.” “The appellant shall be given the opportunity to fully express his/her views and defenses during the review of the Committee, and the appellant and his/her legal representative and related persons shall be notified to present their opinions at the meeting.” “If the appellant requests to make any statement under any justifiable reasons, he/she shall be given the opportunity to express his/her statement in written, present at the meeting or at other designated places to express any of such statement.” “The appellant may apply to the school to read, transcribe, photocopy or

photograph the investigation report or other relevant materials before making any statement.”

27. **Social care :** The complaint mechanism of the children and youth placement institutions is shown as follows :

- (a) In the guidance and inspection items and joint evaluation indicators of placement institutions for children and youth, it is required that the agency shall establish a complaint mechanism for children of placement, clearly inform the rights and interests of the children, and the channels for submitting complaints when their rights and interests are damaged. Such information shall be incorporated into the check-in instruction booklet issued by the agency to children.
- (b) In order to increase the diversity, independence and safety of the complaint channels, starting from 2019, additional counseling and inspection items for children and youth placement institutions have been added, which require each local competent authority to establish the external complaint mechanism and the handling method when receiving the complaint, including handling procedures (acceptance of complaints, investigation methods, results and follow-up processing), investigation mechanisms and deadlines for responding to complaints, etc., so as to complete the complaint mechanism for children.
- (c) Because each local government has completed the establishment of the above-mentioned complaint handling mechanism, considering that if the children are not satisfied with the results of the local governments, relevant remedies shall be available. Hence, operational principles of the Ministry of Health and Welfare in handling re-appeal cases of children placed out of the home, making the complaint mechanism more complete.

## 28. **Juvenile Justice**

- (a) When a child or a youth is a victim of a criminal case
  - i. According to the Code of Criminal Procedure, the child or the youth victim of a criminal case may file a complaint by he/herself. The statutory agent may file an independent complaint as well. When the victim is dead, the complaint can be filed by the victim’s specific relatives.

- ii. When a child or a youth victim of a criminal case is interviewed by the public prosecutor, with the victim's consent, his/her statutory agent, specific relatives, professionals (physician, social worker for example) or other person the victim trusts may be present and state their own opinions; during the investigation stage, the public prosecutor shall take due care to protect the privacy of the victim and his/her family members and may, upon the petition of the victim or on his/her own initiative, after taking into account the circumstances of the case and the physical and mental conditions of the victim, apply appropriate isolation facilities to prevent the victim from being seen by the accused or a third party.
- (b) When a child or a youth is a victim of a sexual assault case and is interviewed by the public prosecutor, according to the Sexual Assault Crime Prevention Act, his/her statutory agent, specific relatives or specific professionals (physician, social worker for example) may be present and state their own opinions; the public prosecutor shall appoint relevant professionals to assist in interrogation when the public prosecutor deems it necessary.
- (c) When a child or a youth is a victim of a sexual exploitation case and is interviewed by the public prosecutor, according to the Child and Youth Sexual Exploitation Prevention Act, his/her statutory agent, specific relatives or specific professionals (physician, social worker for example) may be present and state their own opinions; the public prosecutor shall pay attention to the personal safety of the victim and provide the environment and measures that ensure his/her safety. Such safety shall be achieved by proper isolation facilities if necessary. Alternatively, such safety may be achieved outside the court upon request or *virtute officii*.
- (d) Detained juvenil at correctional institutions :
  - i. When a juvenile is detained, subject to mandatory educational discipline or serves a sentence, he or she is held at a juvenile correctional institution. If the juvenile disagrees with the action or management measure of the correctional facility, he or she may file a complaint according to the procedures set out in the Prison Act or Detention Act that will prompt the facility to review the legality and/or

appropriateness of its action or management measure. If the review finds that the action or measure is unlawful or improper, the facility shall stop, cancel or change the decision or execution of the original action or management measure.

- ii. The complaint procedure is an independent procedure. Thus each and every correctional institutions has established an independent review board composed of experts, scholars and impartial community members. In addition, the complaint procedure is user friendly. It allows a juvenile to file a complaint verbally or in writing, or appoint a lawyer or agent to make the filing on his or her behalf. All complaints are kept confidential.
- iii. Juvenile shall be informed of the Regulations for complaints and legal remedy when they are arranged a lecture upon arrival at a prison . A prison shall also publish orientation handbooks and deliver them to the juvenile for reference.
- iv. Under the Juvenile Delinquency Act, the juvenile, their statutory agents, present protectors, and support persons may file an appeal if they disagree with a ruling made by the juvenile court; the court will give out instructions on the appeals process in the content of judgments. Besides, we are discussing a draft bill concerning legal remedies for the juvenile in detention to seek petitions to the juvenile court if they believe the treatment of youth correctional institutions has infringed their rights.

## **29. Health :**

- (a) Children and adolescents may file medical complaints through internal complaint channel of the particular medical institutions, writing to the email of the heads of local departments of health or Ministry of Health and Welfare, or contacting these agencies by phone. These complaints can be filed in written form, orally, or via email. Persons at any age can file a complaint; rejection of a complaint must be justified by the agencies to which the complaint is filed. For complaints where confidentiality is necessary, the agencies that accept the complaints shall not disclose any information of the complaints in the handling process. If petitions presented by the children or adolescents are deemed well grounded by the agencies, appropriate actions shall be taken therefor.

- (b) Children below 7 years of age can file for a petition or complaint through their primary caregivers or legal representatives. According to the Administrative Procedure Act a written or verbal petition/complaint can be filed to an administrative agency. The receiving agency will assign a personnel for prompt and definitive action. If the petitioner needs confidentiality, the receiving agency during processing shall not disclose the case to the public. Appropriate measures should be taken for petition with reasons. Regarding the matter of the petition, an administrative appeal, lawsuit or a request for state compensation may be filed in accordance to the law, the receiving agency shall inform the petitioner.

### 第三章 一般性原則

點次	問題內容(原文)	中文參考翻譯
3.1	Para. 53 Please provide further details as to how the promotion of gender equality is monitored in schools and not left to the discretion of schools and teachers.	第 53 點。請進一步說明如何監督學校是否落實性別平等，而非授權學校與教師自行評斷成效。

#### 中文回應

30. 學校應設立學校性別平等教育委員會統整學校各單位相關資源，擬訂性別平等教育實施計畫，規劃或辦理學生、教職員工及家長性別平等教育相關活動，研發並推廣性別平等教育課程、教學及評量，訂定性別平等教育實施與校園性侵害及性騷擾之防治規定，建立機制協調及整合相關資源，落實推動學校性別平等教育。
31. 教育部訂定「高級中等學校推動性別平等教育實施情形檢核表」，每學年度具體檢核學校性別平等教育辦理情形，並依「行政組織與運作」、「學習環境與資源」、「課程教材與教學」、「校園性侵害性騷擾或性霸凌防治與處理」等 4 大面向提供學校執行性別平等教育工作具體指引方向，並定期檢視學校辦理性別平等教育推動情形。

#### 英文回應

30. Schools shall set up the gender equality education committee on campus to integrate relevant resources of all units in the school, formulate gender equality education implementation plans, plan or handle gender equality education-related activities for students, staff and parents, and develop and promote gender equality education courses, teaching and assessment mechanism, formulate the implementation of gender equality education and the prevention and control of sexual assault and harassment on campus, establish a mechanism to coordinate and integrate relevant resources, and implement and promote gender equality education among the campus.
31. The Ministry of Education has formulated the “Checklist for the Implementation of Gender Equality Education in Senior High Schools”, which specifically checks the schools’ implementation of gender equality education during each academic year, and conducts a review of the implementation of gender equality education in schools in accordance with aspects respectively known as “Administrative Organization and Operation”, “Learning Environment and Resources”, “Course Materials and Teaching”

and “Prevention and Handling of Sexual Harassment or Bullying on Campus” to provide specific guidelines for further implementation by schools, and regularly review the schools’ promotion of gender equality education.



點次	問題內容(原文)	中文參考翻譯
3.2	Para. 56 Please provide further details as to how the obligations in the Education Act for Indigenous Peoples 2019 are monitored and enforced.	第56點。請進一步說明2019年修訂《原住民族教育法》後，政府如何監督及執行其法定事項（義務）。

### 中文回應

32. 依據《原住民族教育法》(下稱原教法)規定，「中央教育主管機關與中央原住民族主管機關應共同召開原住民族教育政策會，進行有關原住民族教育體系、建構原住民族知識體系中長程計畫、原住民族教育發展計畫，及其他有關原住民族教育事務之跨部會協商、規劃與諮詢。」；及「中央教育主管機關應會同中央原住民族主管機關，訂定原住民族教育發展計畫。地方政府應依前項計畫，參酌地方原住民族文化特性訂定教育方案，並報中央教育主管機關及中央原住民族主管機關備查。」
33. 《原教法》所定相關法定義務之執行與監督機制，可概分為中央政府層級與地方政府層級，分述如下：
- (a) 中央政府層級：依《原教法》規定，教育部與原住民族委員會前於2020年9月會銜函頒《原住民族教育發展計畫(110年-114年)》，以「建立完整體系，深耕民族意識，培育族群人才，尊重多元共榮」為方針，設定共有7項核心目標、12項推動策略、64項具體措施以及14項主要績效指標，計畫執行期程自2021年至2025年，為期5年，並於每年年底，提出該年度執行成果報告，由計畫所涉中央各權責機關填報該年度執行情形，並由教育部彙整後，依前開計畫所列各項績效指標進行檢視，以達監督執行之效。
- (b) 地方政府層級：協助地方政府擬訂《110年-114年原住民族教育方案》，業於2020年完成備查地方政府所送前開原住民族教育方案中程計畫，每年度由該會與教育部以及外聘之教育、原住民族文化相關專家學者至地方政府進行巡迴輔導，以達監督執行之效。
34. 針對《原教法》中各級原住民族學校、教育班-實驗學校及實驗班、原住民族教育議題融入教材之推動情形如下：
- (a) 自2016年起推動高級中等以下學校教育階段學校型態原住民族實驗教育，以保障原住民族學生學習權，截至2021學年度計有36所原住民族實驗教育學校。

- (b) 持續推動原住民族實驗教育班，讓學校可依原住民族知識特性及內涵，發展原住民族課程，並就近提供各族群所需之民族實驗教育，以銜接實驗教育學制，截至2021學年度計有17校40班辦理原住民族實驗教育班。
- (c) 為使各級學校相關課程及教材，納入多元文化觀點、原住民族歷史文化及其價值觀，研發原住民族教育議題融入教案，俾供基層教師參考使用。

#### 英文回應

- 32. The Education Act for Indigenous Peoples (hereinafter EAIP) states that “The central competent education authority and the central competent indigenous peoples’ affairs authority shall jointly convene indigenous education policy meetings to conduct consultation about indigenous education policy planning regarding the following: 1. The indigenous education system; 2. Constructing mid- and long-range plans regarding the knowledge systems of indigenous peoples; 3. Plans for the development of indigenous education; 4. Consultation across ministries and departments regarding indigenous education related matters; 5. Other matters related to indigenous education.” And “In conjunction with the central competent indigenous peoples’ affairs authority, the central competent education authority shall formulate plans for the development of indigenous education. Local governments shall consider the characteristic cultures of the local indigenous peoples and then formulate education projects in accordance with the plans referred to in the preceding paragraph and submit the projects to the central competent education authority and the central competent indigenous peoples’ affairs authority for reference.”
- 33. The legal obligation and supervision mechanism regulated in EAIP are classified to central and local government level, and described as the following :
  - (a) As stated in EAIP, Council of Indigenous Peoples and Ministry of Education jointly signed and issued a “Development Plan for Indigenous Education (2021-2025)” – oriented to establishing comprehensive system, cultivating ethnic awareness, nurturing ethnic talents and respect diverse common prosperity. There are 7 core goals, 12 strategies, 64 specific measures and 14 key performance indicators. The Plan spans from 2021 to 2025, which operates for 5 years. By the end of each year, a result report

on implementation will be submitted – each central authority involved in the Plan will report their implementing results to MOE for integration, thus, by reviewing the listed KPI of the Plan, the progress can be supervised.

- (b) Whereas at the local government level, Council of Indigenous Peoples and Ministry of Education has assisted all local governments to formulate “2021-2025 Indigenous Education Projects”. The mid-range plans from all local governments had submitted for future reference. Each year Council of Indigenous Peoples and Ministry of Education will team up with scholars and experts related to education and/or indigenous culture and conduct touring counseling to all local governments in order to supervise the projects.
34. Based on the EAIP, the promotion of the integration of educational issues into teaching materials for indigenous schools at all levels, education classes-demonstration schools and classes is as follows :
- (a) Since 2016, the school-type demonstration education of indigenous peoples has been promoted in schools at and below senior high schools to ensure the right to study for students of indigenous people. As of the Academic Year 2021, there are 36 demonstration education schools available for indigenous peoples.
  - (b) Continue to promote demonstration education classes for indigenous peoples, so that schools can develop courses of indigenous peoples according to the characteristics and contexts of indigenous knowledge, and provide accessible demonstration education needed by various ethnic groups, to connect with the demonstration education academic system. As of the Academic Year 2021, there are 40 classes in 17 schools to offer demonstration education classes for indigenous peoples.
  - (c) The government will continue to make relevant curricula and teaching materials for schools at all levels incorporate multicultural perspectives, the history and culture of indigenous peoples and their values, and develop indigenous education issues into lesson plans for the reference of teachers at grassroots levels.

點次	問題內容(原文)	中文參考翻譯
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.	第 68 點。請釐清兒童死因（含自殺）之記錄方式，是否有進行調查？調查方式為何？並說明部分縣市嬰兒死亡率極高之原因。

#### 中文回應

35. 兒童死亡原因紀錄源自於死亡證明書或相驗屍體證明書，而針對 6 歲以下兒童進行死因回溯分析，係於個別縣市層級，針對前一年度死亡個案，透過跨單位可取得紀錄資料及相關單位人員參與會議討論方式，進行回顧分析及發掘其中是否有可系統性全面改善或預防之因素。為累積執行方法與案例討論經驗，於 2020 年由嬰兒死亡率較高之花東地區先行試辦。各縣市嬰兒死因統計參表 3，惟鑑於嬰兒死亡率高低之影響因素複雜，並無法運用兒童死因回溯分析結果解釋縣市別死亡率差異。

#### 英文回應

35. The records of cause of death for children are derived from death certificates and autopsy certificates; while the Child Death Review (CDR) of children aged under 6 years is conducted at city and county level for those deceased in the previous year. Cross-sectoral meetings are held with representatives from relevant sectors who bring records and information available for discussion. The implementation of CDR is to explore causes of death that could be improved or prevented systematically. This project was pioneered in 2020 in Hualien and Taitung region, where child mortality rates were observed to be higher. Statistics of infant death causes by city and county see Table 3. Given the complexity of factors affecting infant mortality, the results of CDR cannot be used to explain the differences in mortality rates among the counties and cities.

表 3、嬰兒縣市別死因統計

單位：人，每十萬活產

2016 年												
全國死因順位			1	2	3	4	5	6	7	8	9	10
死亡原因		所有死亡原因	先天性畸形、變形及染色體異常	源於周產期的呼吸性疾患	與妊娠長短及胎兒生長有關的疾患	事故傷害	特發於周產期的感染	嬰兒猝死症候群(SIDS)	胎兒及新生兒出血及血液疾患	肺炎	心臟疾病(高血壓性心臟病除外)	腦之其他疾患
全國	死亡人數	811	166	117	56	46	42	32	26	17	16	13
	死亡率	390.7	80.0	56.4	27.0	22.2	20.2	15.4	12.5	8.2	7.7	6.3
新北市	死亡人數	142	23	30	17	6	9	4	3	4	1	3
	死亡率	415.8	67.4	87.9	49.8	17.6	26.4	11.7	8.8	11.7	2.9	8.8
臺北市	死亡人數	106	25	17	15	1	1	4	2	1	1	-
	死亡率	381.5	90.0	61.2	54.0	3.6	3.6	14.4	7.2	3.6	3.6	-
桃園市	死亡人數	86	17	16	3	6	2	7	4	1	1	-
	死亡率	362.1	71.6	67.4	12.6	25.3	8.4	29.5	16.8	4.2	4.2	-
臺中市	死亡人數	80	19	14	-	3	3	3	3	1	2	-
	死亡率	311.9	74.1	54.6	-	11.7	11.7	11.7	11.7	3.9	7.8	-
臺南市	死亡人數	52	9	5	-	5	5	2	4	-	2	1
	死亡率	355.4	61.5	34.2	-	34.2	34.2	13.7	27.3	-	13.7	6.8
高雄市	死亡人數	119	29	9	5	2	11	3	3	5	3	2
	死亡率	548.6	133.7	41.5	23.1	9.2	50.7	13.8	13.8	23.1	13.8	9.2
宜蘭縣	死亡人數	9	-	-	1	1	1	-	-	1	-	-
	死亡率	255.2	-	-	28.4	28.4	28.4	-	-	28.4	-	-
新竹縣	死亡人數	25	2	3	4	3	-	2	2	1	1	1
	死亡率	449.2	35.9	53.9	71.9	53.9	-	35.9	35.9	18.0	18.0	18.0
苗栗縣	死亡人數	15	3	2	3	3	1	-	-	-	-	1
	死亡率	319.3	63.9	42.6	63.9	63.9	21.3	-	-	-	-	21.3
彰化縣	死亡人數	38	9	4	2	5	1	1	1	-	-	2
	死亡率	276.5	65.5	29.1	14.6	36.4	7.3	7.3	7.3	-	-	14.6

2016 年												
全國死因順位			1	2	3	4	5	6	7	8	9	10
死亡原因		所有死亡原因	先天性畸形、變形及染色體異常	源於周產期的呼吸性疾患	與妊娠長短及胎兒生長有關的疾患	事故傷害	特發於周產期的感染	嬰兒猝死症候群(SIDS)	胎兒及新生兒出血及血液疾患	肺炎	心臟疾病(高血壓性心臟病除外)	腦之其他疾患
南投縣	死亡人數	11	2	2	-	-	1	-	-	-	1	-
	死亡率	304.3	55.3	55.3	-	-	27.7	-	-	-	27.7	-
雲林縣	死亡人數	14	2	1	-	1	1	-	2	-	1	1
	死亡率	293.9	42.0	21.0	-	21.0	21.0	-	42.0	-	21.0	21.0
嘉義縣	死亡人數	10	3	2	-	-	1	1	-	-	-	1
	死亡率	342.5	102.7	68.5	-	-	34.2	34.2	-	-	-	34.2
屏東縣	死亡人數	30	9	2	5	1	-	-	-	2	-	-
	死亡率	585.4	175.6	39.0	97.6	19.5	-	-	-	39.0	-	-
臺東縣	死亡人數	7	2	-	-	1	1	-	-	-	-	-
	死亡率	457.2	130.6	-	-	65.3	65.3	-	-	-	-	-
花蓮縣	死亡人數	23	10	4	-	4	-	1	-	-	-	-
	死亡率	860.5	374.1	149.6	-	149.6	-	37.4	-	-	-	-
澎湖縣	死亡人數	4	-	-	-	2	-	-	-	-	-	-
	死亡率	396.0	-	-	-	198.0	-	-	-	-	-	-
基隆市	死亡人數	7	-	-	-	1	1	-	-	-	-	-
	死亡率	278.7	-	-	-	39.8	39.8	-	-	-	-	-
新竹市	死亡人數	24	1	4	1	-	3	2	2	1	2	1
	死亡率	528.8	22.0	88.1	22.0	-	66.1	44.1	44.1	22.0	44.1	22.0
嘉義市	死亡人數	8	1	2	-	-	-	2	-	-	1	-
	死亡率	362.3	45.3	90.6	-	-	-	90.6	-	-	45.3	-
金門縣	死亡人數	1	-	-	-	1	-	-	-	-	-	-
	死亡率	74.0	-	-	-	74.0	-	-	-	-	-	-
連江縣	死亡人數	-	-	-	-	-	-	-	-	-	-	-
	死亡率	-	-	-	-	-	-	-	-	-	-	-

單位：人，每十萬活產

2017 年												
全國死因順位			1	2	3	4	5	6	7	8	9	10
死亡原因		所有死亡原因	先天性畸形、變形及染色體異常	源於周產期的呼吸性疾患	與妊娠長短及胎兒生長有關的疾患	事故傷害	特發於周產期的感染	嬰兒猝死症候群（SIDS）	心臟疾病（高血壓性心臟病除外）	肺炎	胎兒及新生兒出血及血液疾患	敗血症
全國	死亡人數	772	152	107	80	59	39	23	17	17	13	12
	死亡率	396.7	78.1	55.0	41.1	30.3	20.0	11.8	8.7	8.7	6.7	6.2
新北市	死亡人數	136	28	17	26	9	7	6	3	-	1	1
	死亡率	430.1	88.5	53.8	82.2	28.5	22.1	19.0	9.5	-	3.2	3.2
臺北市	死亡人數	90	23	13	12	6	2	2	1	1	1	1
	死亡率	359.9	92.0	52.0	48.0	24.0	8.0	8.0	4.0	4.0	4.0	4.0
桃園市	死亡人數	90	15	13	6	13	6	1	4	1	-	1
	死亡率	384.1	64.0	55.5	25.6	55.5	25.6	4.3	17.1	4.3	-	4.3
臺中市	死亡人數	76	19	6	2	6	1	-	2	1	3	1
	死亡率	311.3	77.8	24.6	8.2	24.6	4.1	-	8.2	4.1	12.3	4.1
臺南市	死亡人數	47	7	5	2	5	3	2	2	1	1	2
	死亡率	337.8	50.3	35.9	14.4	35.9	21.6	14.4	14.4	7.2	7.2	14.4
高雄市	死亡人數	115	22	23	5	2	9	1	-	5	3	1
	死亡率	561.7	107.5	112.3	24.4	9.8	44.0	4.9	-	24.4	14.7	4.9
宜蘭縣	死亡人數	15	2	2	3	-	-	-	1	2	-	2
	死亡率	448.2	59.8	59.8	89.6	-	-	-	29.9	59.8	-	59.8
新竹縣	死亡人數	15	3	5	1	2	-	-	-	-	-	-
	死亡率	303.2	60.6	101.1	20.2	40.4	-	-	-	-	-	-
苗栗縣	死亡人數	18	3	1	3	1	1	-	-	-	-	-
	死亡率	465.7	77.6	25.9	77.6	25.9	25.9	-	-	-	-	-
彰化縣	死亡人數	41	3	7	6	5	4	4	1	2	1	-
	死亡率	312.7	22.9	53.4	45.8	38.1	30.5	30.5	7.6	15.3	7.6	-

2017 年												
全國死因順位			1	2	3	4	5	6	7	8	9	10
死亡原因		所有死亡原因	先天性畸形、變形及染色體異常	源於周產期的呼吸性疾患	與妊娠長短及胎兒生長有關的疾患	事故傷害	特發於周產期的感染	嬰兒猝死症候群（SIDS）	心臟疾病（高血壓性心臟病除外）	肺炎	胎兒及新生兒出血及血液疾患	敗血症
南投縣	死亡人數	13	3	1	3	1	1	1	-	1	-	-
	死亡率	387.4	89.4	29.8	89.4	29.8	29.8	29.8	-	29.8	-	-
雲林縣	死亡人數	18	4	2	1	-	1	3	-	1	1	-
	死亡率	396.3	88.1	44.0	22.0	-	22.0	66.1	-	22.0	22.0	-
嘉義縣	死亡人數	3	1	-	-	-	-	-	-	-	-	1
	死亡率	105.4	35.1	-	-	-	-	-	-	-	-	35.1
屏東縣	死亡人數	28	11	5	1	1	-	1	1	-	-	1
	死亡率	578.2	227.1	103.2	20.6	20.6	-	20.6	20.6	-	-	20.6
臺東縣	死亡人數	10	1	1	2	3	-	-	-	-	-	1
	死亡率	668.0	66.8	66.8	133.6	200.4	-	-	-	-	-	66.8
花蓮縣	死亡人數	18	3	-	2	3	1	-	1	1	-	-
	死亡率	738.3	123.1	-	82.0	123.1	41.0	-	41.0	41.0	-	-
澎湖縣	死亡人數	3	-	1	-	-	-	-	-	-	1	-
	死亡率	290.7	-	96.9	-	-	-	-	-	-	96.9	-
基隆市	死亡人數	9	-	2	-	1	1	1	1	1	-	-
	死亡率	400.9	-	89.1	-	44.5	44.5	44.5	44.5	44.5	-	-
新竹市	死亡人數	17	3	1	3	1	2	1	-	-	1	-
	死亡率	392.4	69.3	23.1	69.3	23.1	46.2	23.1	-	-	23.1	-
嘉義市	死亡人數	5	-	1	-	-	-	-	-	-	-	-
	死亡率	259.7	-	51.9	-	-	-	-	-	-	-	-
金門縣	死亡人數	5	1	1	2	-	-	-	-	-	-	-
	死亡率	384.0	76.8	76.8	153.6	-	-	-	-	-	-	-
連江縣	死亡人數	-	-	-	-	-	-	-	-	-	-	-
	死亡率	-	-	-	-	-	-	-	-	-	-	-



單位：人，每十萬活產

2018 年												
全國死因順位			1	2	3	4	5	6	7	8	9	10
死亡原因		所有死亡原因	先天性畸形、變形及染色體異常	源於周產期的呼吸性疾患	與妊娠長短及胎兒生長有關的疾患	事故傷害	特發於周產期的感染	胎兒及新生兒出血及血液疾患	嬰兒猝死症候群（SIDS）	心臟疾病（高血壓性心臟病除外）	母體因素及懷孕、分娩、生產之併發症所影響之胎兒及新生兒	肺炎
全國	死亡人數	752	135	102	55	51	37	27	22	21	16	8
	死亡率	416.3	74.7	56.5	30.4	28.2	20.5	14.9	12.2	11.6	8.9	4.4
新北市	死亡人數	124	20	19	9	6	3	4	3	3	7	1
	死亡率	431.4	69.6	66.1	31.3	20.9	10.4	13.9	10.4	10.4	24.4	3.5
臺北市	死亡人數	101	21	13	12	9	4	1	4	3	1	-
	死亡率	445.7	92.7	57.4	52.9	39.7	17.6	4.4	17.6	13.2	4.4	-
桃園市	死亡人數	69	14	2	3	8	5	4	-	3	-	2
	死亡率	305.7	62.0	8.9	13.3	35.4	22.2	17.7	-	13.3	-	8.9
臺中市	死亡人數	66	9	11	-	6	4	6	2	1	1	1
	死亡率	293.1	40.0	48.8	-	26.6	17.8	26.6	8.9	4.4	4.4	4.4
臺南市	死亡人數	48	8	9	2	1	4	-	2	1	1	-
	死亡率	391.0	65.2	73.3	16.3	8.1	32.6	-	16.3	8.1	8.1	-
高雄市	死亡人數	111	22	15	4	6	4	-	-	3	3	2
	死亡率	553.9	109.8	74.8	20.0	29.9	20.0	-	-	15.0	15.0	10.0
宜蘭縣	死亡人數	23	5	5	3	1	1	1	1	-	-	1
	死亡率	749.9	163.0	163.0	97.8	32.6	32.6	32.6	32.6	-	-	32.6
新竹縣	死亡人數	17	3	3	2	1	3	-	1	-	1	-
	死亡率	383.2	67.6	67.6	45.1	22.5	67.6	-	22.5	-	22.5	-
苗栗縣	死亡人數	11	2	-	4	1	-	2	1	-	-	-
	死亡率	330.1	60.0	-	120.0	30.0	-	60.0	30.0	-	-	-
彰化縣	死亡人數	29	7	8	3	2	-	2	-	1	-	-
	死亡率	235.5	56.8	65.0	24.4	16.2	-	16.2	-	8.1	-	-

2018 年												
全國死因順位			1	2	3	4	5	6	7	8	9	10
死亡原因		所有死亡原因	先天性畸形、變形及染色體異常	源於周產期的呼吸性疾患	與妊娠長短及胎兒生長有關的疾患	事故傷害	特發於周產期的感染	胎兒及新生兒出血及血液疾患	嬰兒猝死症候群（SIDS）	心臟疾病（高血壓性心臟病除外）	母體因素及懷孕、分娩、生產之併發症所影響之胎兒及新生兒	肺炎
南投縣	死亡人數	11	2	1	-	2	-	2	-	-	-	-
	死亡率	341.9	62.2	31.1	-	62.2	-	62.2	-	-	-	-
雲林縣	死亡人數	14	-	1	-	4	-	-	1	3	-	-
	死亡率	342.6	-	24.5	-	97.9	-	-	24.5	73.4	-	-
嘉義縣	死亡人數	16	6	-	1	-	-	1	-	1	-	-
	死亡率	624.3	234.1	-	39.0	-	-	39.0	-	39.0	-	-
屏東縣	死亡人數	35	2	3	4	1	2	3	2	-	1	1
	死亡率	754.8	43.1	64.7	86.3	21.6	43.1	64.7	43.1	-	21.6	21.6
臺東縣	死亡人數	9	2	1	-	1	1	-	1	-	-	-
	死亡率	601.2	133.6	66.8	-	66.8	66.8	-	66.8	-	-	-
花蓮縣	死亡人數	24	4	2	5	1	3	1	1	-	-	-
	死亡率	997.1	166.2	83.1	207.7	41.5	124.6	41.5	41.5	-	-	-
澎湖縣	死亡人數	5	1	2	-	-	-	-	-	-	-	-
	死亡率	571.4	114.3	228.6	-	-	-	-	-	-	-	-
基隆市	死亡人數	12	3	2	1	-	1	-	-	1	-	-
	死亡率	547.2	136.8	91.2	45.6	-	45.6	-	-	45.6	-	-
新竹市	死亡人數	13	2	1	2	1	2	-	2	-	1	-
	死亡率	328.0	50.5	25.2	50.5	25.2	50.5	-	50.5	-	25.2	-
嘉義市	死亡人數	11	2	3	-	-	-	-	1	1	-	-
	死亡率	587.3	106.8	160.2	-	-	-	-	53.4	53.4	-	-
金門縣	死亡人數	3	-	1	-	-	-	-	-	-	-	-
	死亡率	240.8	-	80.3	-	-	-	-	-	-	-	-
連江縣	死亡人數	-	-	-	-	-	-	-	-	-	-	-
	死亡率	-	-	-	-	-	-	-	-	-	-	-

單位：人，每十萬活產

2019 年												
全國死因順位			1	2	3	4	5	6	7	8	9	10
死亡原因		所有死亡原因	先天性畸形、變形及染色體異常	源於周產期的呼吸性疾患	與妊娠長短及胎兒生長有關的疾患	事故傷害	特發於周產期的感染	胎兒及新生兒出血及血液疾患	嬰兒猝死症候群(SIDS)	母體因素及懷孕、分娩、生產之併發症所影響之胎兒及新生兒	腦之其他疾患	肺炎
全國	死亡人數	671	141	74	70	46	27	26	24	18	9	6
	死亡率	383.3	80.5	42.3	40.0	26.3	15.4	14.9	13.7	10.3	5.1	3.4
新北市	死亡人數	140	26	14	25	6	3	6	8	5	1	-
	死亡率	500.6	93.0	50.1	89.4	21.5	10.7	21.5	28.6	17.9	3.6	-
臺北市	死亡人數	72	14	8	8	9	4	5	1	2	2	-
	死亡率	343.1	66.7	38.1	38.1	42.9	19.1	23.8	4.8	9.5	9.5	-
桃園市	死亡人數	76	15	8	6	7	3	3	3	-	1	1
	死亡率	337.9	66.7	35.6	26.7	31.1	13.3	13.3	13.3	-	4.4	4.4
臺中市	死亡人數	53	13	6	2	7	2	1	2	3	1	1
	死亡率	249.9	61.3	28.3	9.4	33.0	9.4	4.7	9.4	14.1	4.7	4.7
臺南市	死亡人數	34	6	5	-	4	2	4	1	2	-	2
	死亡率	290.3	51.2	42.7	-	34.2	17.1	34.2	8.5	17.1	-	17.1
高雄市	死亡人數	104	19	10	8	5	3	3	1	1	3	1
	死亡率	543.1	99.2	52.2	41.8	26.1	15.7	15.7	5.2	5.2	15.7	5.2
宜蘭縣	死亡人數	13	1	1	-	1	-	2	1	-	-	-
	死亡率	425.8	32.8	32.8	-	32.8	-	65.5	32.8	-	-	-
新竹縣	死亡人數	15	3	1	4	1	1	-	1	1	-	-
	死亡率	339.2	67.8	22.6	90.5	22.6	22.6	-	22.6	22.6	-	-
苗栗縣	死亡人數	19	11	3	2	-	-	1	-	-	-	-
	死亡率	623.0	360.7	98.4	65.6	-	-	32.8	-	-	-	-
彰化縣	死亡人數	26	9	3	2	1	-	1	3	-	-	-
	死亡率	212.3	73.5	24.5	16.3	8.2	-	8.2	24.5	-	-	-

2019 年												
全國死因順位			1	2	3	4	5	6	7	8	9	10
死亡原因		所有死亡原因	先天性畸形、變形及染色體異常	源於周產期的呼吸性疾患	與妊娠長短及胎兒生長有關的疾患	事故傷害	特發於周產期的感染	胎兒及新生兒出血及血液疾患	嬰兒猝死症候群(SIDS)	母體因素及懷孕、分娩、生產之併發症所影響之胎兒及新生兒	腦之其他疾患	肺炎
南投縣	死亡人數	18	3	6	-	1	2	-	-	1	-	-
	死亡率	574.2	95.7	191.4	-	31.9	63.8	-	-	31.9	-	-
雲林縣	死亡人數	13	4	-	3	1	3	-	-	-	-	-
	死亡率	310.0	95.4	-	71.5	23.8	71.5	-	-	-	-	-
嘉義縣	死亡人數	6	1	1	1	-	-	-	-	-	-	-
	死亡率	204.3	34.0	34.0	34.0	-	-	-	-	-	-	-
屏東縣	死亡人數	20	1	4	1	3	-	-	-	1	-	1
	死亡率	425.0	21.2	85.0	21.2	63.7	-	-	-	21.2	-	21.2
臺東縣	死亡人數	10	2	-	1	-	-	-	2	-	-	-
	死亡率	681.7	136.3	-	68.2	-	-	-	136.3	-	-	-
花蓮縣	死亡人數	14	1	1	2	-	2	-	-	-	-	-
	死亡率	580.7	41.5	41.5	83.0	-	83.0	-	-	-	-	-
澎湖縣	死亡人數	6	-	-	1	-	-	-	1	1	-	-
	死亡率	607.3	-	-	101.2	-	-	-	101.2	101.2	-	-
基隆市	死亡人數	12	3	-	1	-	2	-	-	1	1	-
	死亡率	582.0	145.5	-	48.5	-	97.0	-	-	48.5	48.5	-
新竹市	死亡人數	15	6	2	3	-	-	-	-	-	-	-
	死亡率	387.5	155.0	51.7	77.5	-	-	-	-	-	-	-
嘉義市	死亡人數	4	3	-	-	-	-	-	-	-	-	-
	死亡率	238.7	179.0	-	-	-	-	-	-	-	-	-
金門縣	死亡人數	1	-	1	-	-	-	-	-	-	-	-
	死亡率	83.8	-	83.8	-	-	-	-	-	-	-	-
連江縣	死亡人數	-	-	-	-	-	-	-	-	-	-	-
	死亡率	-	-	-	-	-	-	-	-	-	-	-

單位：人，每十萬活產

2020 年												
全國死因順位			1	2	3	4	5	6	7	8	9	10
死亡原因		所有死亡原因	先天性畸形、變形及染色體異常	與妊娠長短及胎兒生長有關的疾患	源於周產期的呼吸性疾患	事故傷害	特發於周產期的感染	嬰兒猝死症候群（SIDS）	母體因素及懷孕、分娩、生產之併發症所影響之胎兒及新生兒	胎兒及新生兒出血及血液疾患	心臟疾病（高血壓性心臟病除外）	肺炎
全國	死亡人數	586	105	79	76	39	29	23	19	18	11	11
	死亡率	363.3	65.1	49.0	47.1	24.2	18.0	14.3	11.8	11.2	6.8	6.8
新北市	死亡人數	100	14	17	9	4	4	9	5	4	1	-
	死亡率	392.7	55.0	66.8	35.3	15.7	15.7	35.3	19.6	15.7	3.9	-
臺北市	死亡人數	64	13	7	6	-	1	3	2	2	3	2
	死亡率	347.8	70.7	38.0	32.6	-	5.4	16.3	10.9	10.9	16.3	10.9
桃園市	死亡人數	66	12	5	13	6	2	4	3	1	3	1
	死亡率	314.2	57.1	23.8	61.9	28.6	9.5	19.0	14.3	4.8	14.3	4.8
臺中市	死亡人數	46	11	1	8	7	3	1	1	-	1	1
	死亡率	239.8	57.3	5.2	41.7	36.5	15.6	5.2	5.2	-	5.2	5.2
臺南市	死亡人數	36	9	3	6	-	4	-	1	3	-	1
	死亡率	343.2	85.8	28.6	57.2	-	38.1	-	9.5	28.6	-	9.5
高雄市	死亡人數	85	14	15	13	4	2	-	4	3	2	2
	死亡率	457.9	75.4	80.8	70.0	21.6	10.8	-	21.6	16.2	10.8	10.8
宜蘭縣	死亡人數	11	1	2	4	-	-	1	1	-	-	-
	死亡率	391.2	35.6	71.1	142.2	-	-	35.6	35.6	-	-	-
新竹縣	死亡人數	23	2	3	3	4	1	2	-	-	1	1
	死亡率	546.7	47.5	71.3	71.3	95.1	23.8	47.5	-	-	23.8	23.8
苗栗縣	死亡人數	12	4	3	-	-	1	-	-	1	-	-
	死亡率	437.3	145.8	109.3	-	-	36.4	-	-	36.4	-	-
彰化縣	死亡人數	27	4	4	2	2	4	1	1	-	-	-
	死亡率	229.0	33.9	33.9	17.0	17.0	33.9	8.5	8.5	-	-	-

2020 年												
全國死因順位			1	2	3	4	5	6	7	8	9	10
死亡原因		所有死亡原因	先天性畸形、變形及染色體異常	與妊娠長短及胎兒生長有關的疾患	源於周產期的呼吸性疾患	事故傷害	特發於周產期的感染	嬰兒猝死症候群（SIDS）	母體因素及懷孕、分娩、生產之併發症所影響之胎兒及新生兒	胎兒及新生兒出血及血液疾患	心臟疾病（高血壓性心臟病除外）	肺炎
南投縣	死亡人數	11	2	-	3	1	-	1	-	-	-	-
	死亡率	358.5	65.2	-	97.8	32.6	-	32.6	-	-	-	-
雲林縣	死亡人數	6	1	-	1	1	1	-	-	1	-	-
	死亡率	152.6	25.4	-	25.4	25.4	25.4	-	-	25.4	-	-
嘉義縣	死亡人數	16	5	2	3	1	1	-	-	-	-	1
	死亡率	559.6	174.9	70.0	104.9	35.0	35.0	-	-	-	-	35.0
屏東縣	死亡人數	28	5	5	2	3	-	-	1	1	-	1
	死亡率	638.5	114.0	114.0	45.6	68.4	-	-	22.8	22.8	-	22.8
臺東縣	死亡人數	13	4	2	-	2	1	1	-	-	-	-
	死亡率	963.0	296.3	148.1	-	148.1	74.1	74.1	-	-	-	-
花蓮縣	死亡人數	10	1	1	-	2	2	-	-	-	-	-
	死亡率	469.3	46.9	46.9	-	93.9	93.9	-	-	-	-	-
澎湖縣	死亡人數	2	-	-	-	-	-	-	-	-	-	-
	死亡率	209.2	-	-	-	-	-	-	-	-	-	-
基隆市	死亡人數	3	-	1	-	-	-	-	-	-	-	-
	死亡率	154.0	-	51.3	-	-	-	-	-	-	-	-
新竹市	死亡人數	19	2	7	3	1	1	-	-	1	-	-
	死亡率	545.7	57.4	201.0	86.2	28.7	28.7	-	-	28.7	-	-
嘉義市	死亡人數	7	1	1	-	1	-	-	-	1	-	1
	死亡率	505.1	72.2	72.2	-	72.2	-	-	-	72.2	-	72.2
金門縣	死亡人數	1	-	-	-	-	1	-	-	-	-	-
	死亡率	97.8	-	-	-	-	97.8	-	-	-	-	-
連江縣	死亡人數	-	-	-	-	-	-	-	-	-	-	-
	死亡率	-	-	-	-	-	-	-	-	-	-	-

Table 3 Causes of Infant Deaths by Local Government

Unit: person, per 100,000 live births

2016												
In Order of Total Infant Deaths			1	2	3	4	5	6	7	8	9	10
Cause of Death		All causes of death	Congenital malformations, deformations and chromosomal abnormalities	Respiratory disorders originating in the perinatal period	Disorders relating to length of gestation and fetal growth	Accidents and adverse effects	Infections specific to the perinatal period	Sudden infant death syndrome	Haemorrhagic and haematological disorders of fetus and newborn	Pneumonia	Diseases of heart (except hypertensive diseases)	Other disorders of brain
Total	Number of Deaths	811	166	117	56	46	42	32	26	17	16	13
	Mortality Rate	390.7	80.0	56.4	27.0	22.2	20.2	15.4	12.5	8.2	7.7	6.3
New Taipei City	Number of Deaths	142	23	30	17	6	9	4	3	4	1	3
	Mortality Rate	415.8	67.4	87.9	49.8	17.6	26.4	11.7	8.8	11.7	2.9	8.8
Taipei City	Number of Deaths	106	25	17	15	1	1	4	2	1	1	-
	Mortality Rate	381.5	90.0	61.2	54.0	3.6	3.6	14.4	7.2	3.6	3.6	-
Taoyuan City	Number of Deaths	86	17	16	3	6	2	7	4	1	1	-
	Mortality Rate	362.1	71.6	67.4	12.6	25.3	8.4	29.5	16.8	4.2	4.2	-
Taichung City	Number of Deaths	80	19	14	-	3	3	3	3	1	2	-
	Mortality Rate	311.9	74.1	54.6	-	11.7	11.7	11.7	11.7	3.9	7.8	-
Tainan City	Number of Deaths	52	9	5	-	5	5	2	4	-	2	1
	Mortality Rate	355.4	61.5	34.2	-	34.2	34.2	13.7	27.3	-	13.7	6.8

2016												
In Order of Total Infant Deaths			1	2	3	4	5	6	7	8	9	10
Cause of Death		All causes of death	Congenital malformations, deformations and chromosomal abnormalities	Respiratory disorders originating in the perinatal period	Disorders relating to length of gestation and fetal growth	Accidents and adverse effects	Infections specific to the perinatal period	Sudden infant death syndrome	Haemorrhagic and haematological disorders of fetus and newborn	Pneumonia	Diseases of heart (except hypertensive diseases)	Other disorders of brain
Kaohsiung City	Number of Deaths	119	29	9	5	2	11	3	3	5	3	2
	Mortality Rate	548.6	133.7	41.5	23.1	9.2	50.7	13.8	13.8	23.1	13.8	9.2
Yilan County	Number of Deaths	9	-	-	1	1	1	-	-	1	-	-
	Mortality Rate	255.2	-	-	28.4	28.4	28.4	-	-	28.4	-	-
Hsinchu County	Number of Deaths	25	2	3	4	3	-	2	2	1	1	1
	Mortality Rate	449.2	35.9	53.9	71.9	53.9	-	35.9	35.9	18.0	18.0	18.0
Miaoli County	Number of Deaths	15	3	2	3	3	1	-	-	-	-	1
	Mortality Rate	319.3	63.9	42.6	63.9	63.9	21.3	-	-	-	-	21.3
Changhua County	Number of Deaths	38	9	4	2	5	1	1	1	-	-	2
	Mortality Rate	276.5	65.5	29.1	14.6	36.4	7.3	7.3	7.3	-	-	14.6
Nantou County	Number of Deaths	11	2	2	-	-	1	-	-	-	1	-
	Mortality Rate	304.3	55.3	55.3	-	-	27.7	-	-	-	27.7	-



2016												
In Order of Total Infant Deaths			1	2	3	4	5	6	7	8	9	10
Cause of Death		All causes of death	Congenital malformations, deformations and chromosomal abnormalities	Respiratory disorders originating in the perinatal period	Disorders relating to length of gestation and fetal growth	Accidents and adverse effects	Infections specific to the perinatal period	Sudden infant death syndrome	Haemorrhagic and haematological disorders of fetus and newborn	Pneumonia	Diseases of heart (except hypertensive diseases)	Other disorders of brain
Yunlin County	Number of Deaths	14	2	1	-	1	1	-	2	-	1	1
	Mortality Rate	293.9	42.0	21.0	-	21.0	21.0	-	42.0	-	21.0	21.0
Chiayi County	Number of Deaths	10	3	2	-	-	1	1	-	-	-	1
	Mortality Rate	342.5	102.7	68.5	-	-	34.2	34.2	-	-	-	34.2
Pingtung County	Number of Deaths	30	9	2	5	1	-	-	-	2	-	-
	Mortality Rate	585.4	175.6	39.0	97.6	19.5	-	-	-	39.0	-	-
Taitung County	Number of Deaths	7	2	-	-	1	1	-	-	-	-	-
	Mortality Rate	457.2	130.6	-	-	65.3	65.3	-	-	-	-	-
Hualien County	Number of Deaths	23	10	4	-	4	-	1	-	-	-	-
	Mortality Rate	860.5	374.1	149.6	-	149.6	-	37.4	-	-	-	-
Penghu County	Number of Deaths	4	-	-	-	2	-	-	-	-	-	-
	Mortality Rate	396.0	-	-	-	198.0	-	-	-	-	-	-

2016												
In Order of Total Infant Deaths			1	2	3	4	5	6	7	8	9	10
Cause of Death		All causes of death	Congenital malformations, deformations and chromosomal abnormalities	Respiratory disorders originating in the perinatal period	Disorders relating to length of gestation and fetal growth	Accidents and adverse effects	Infections specific to the perinatal period	Sudden infant death syndrome	Haemorrhagic and haematological disorders of fetus and newborn	Pneumonia	Diseases of heart (except hypertensive diseases)	Other disorders of brain
Keelung City	Number of Deaths	7	-	-	-	1	1	-	-	-	-	-
	Mortality Rate	278.7	-	-	-	39.8	39.8	-	-	-	-	-
Hsinchu City	Number of Deaths	24	1	4	1	-	3	2	2	1	2	1
	Mortality Rate	528.8	22.0	88.1	22.0	-	66.1	44.1	44.1	22.0	44.1	22.0
Chiayi City	Number of Deaths	8	1	2	-	-	-	2	-	-	1	-
	Mortality Rate	362.3	45.3	90.6	-	-	-	90.6	-	-	45.3	-
Kinmen County	Number of Deaths	1	-	-	-	1	-	-	-	-	-	-
	Mortality Rate	74.0	-	-	-	74.0	-	-	-	-	-	-
Lienchiang County	Number of Deaths	-	-	-	-	-	-	-	-	-	-	-
	Mortality Rate	-	-	-	-	-	-	-	-	-	-	-

Unit: person, per 100,000 live births

2017

In Order of Total Infant Deaths			1	2	3	4	5	6	7	8	9	10
Cause of Death		All causes of death	Congenital malformations, deformations and chromosomal abnormalities	Respiratory disorders originating in the perinatal period	Disorders relating to length of gestation and fetal growth	Accidents and adverse effects	Infections specific to the perinatal period	Sudden infant death syndrome	Diseases of heart (except hypertensive diseases)	Pneumonia	Haemorrhagic and haematological disorders of fetus and newborn	Septicaemia
Total	Number of Deaths	772	152	107	80	59	39	23	17	17	13	12
	Mortality Rate	396.7	78.1	55.0	41.1	30.3	20.0	11.8	8.7	8.7	6.7	6.2
New Taipei City	Number of Deaths	136	28	17	26	9	7	6	3	-	1	1
	Mortality Rate	430.1	88.5	53.8	82.2	28.5	22.1	19.0	9.5	-	3.2	3.2
Taipei City	Number of Deaths	90	23	13	12	6	2	2	1	1	1	1
	Mortality Rate	359.9	92.0	52.0	48.0	24.0	8.0	8.0	4.0	4.0	4.0	4.0
Taoyuan City	Number of Deaths	90	15	13	6	13	6	1	4	1	-	1
	Mortality Rate	384.1	64.0	55.5	25.6	55.5	25.6	4.3	17.1	4.3	-	4.3
Taichung City	Number of Deaths	76	19	6	2	6	1	-	2	1	3	1
	Mortality Rate	311.3	77.8	24.6	8.2	24.6	4.1	-	8.2	4.1	12.3	4.1
Tainan City	Number of Deaths	47	7	5	2	5	3	2	2	1	1	2
	Mortality Rate	337.8	50.3	35.9	14.4	35.9	21.6	14.4	14.4	7.2	7.2	14.4

2017

In Order of Total Infant Deaths			1	2	3	4	5	6	7	8	9	10
Cause of Death		All causes of death	Congenital malformations, deformations and chromosomal abnormalities	Respiratory disorders originating in the perinatal period	Disorders relating to length of gestation and fetal growth	Accidents and adverse effects	Infections specific to the perinatal period	Sudden infant death syndrome	Diseases of heart (except hypertensive diseases)	Pneumonia	Haemorrhagic and haematological disorders of fetus and newborn	Septicaemia
Kaohsiung City	Number of Deaths	115	22	23	5	2	9	1	-	5	3	1
	Mortality Rate	561.7	107.5	112.3	24.4	9.8	44.0	4.9	-	24.4	14.7	4.9
Yilan County	Number of Deaths	15	2	2	3	-	-	-	1	2	-	2
	Mortality Rate	448.2	59.8	59.8	89.6	-	-	-	29.9	59.8	-	59.8
Hsinchu County	Number of Deaths	15	3	5	1	2	-	-	-	-	-	-
	Mortality Rate	303.2	60.6	101.1	20.2	40.4	-	-	-	-	-	-
Miaoli County	Number of Deaths	18	3	1	3	1	1	-	-	-	-	-
	Mortality Rate	465.7	77.6	25.9	77.6	25.9	25.9	-	-	-	-	-
Changhua County	Number of Deaths	41	3	7	6	5	4	4	1	2	1	-
	Mortality Rate	312.7	22.9	53.4	45.8	38.1	30.5	30.5	7.6	15.3	7.6	-
Nantou County	Number of Deaths	13	3	1	3	1	1	1	-	1	-	-
	Mortality Rate	387.4	89.4	29.8	89.4	29.8	29.8	29.8	-	29.8	-	-

2017

In Order of Total Infant Deaths			1	2	3	4	5	6	7	8	9	10
Cause of Death		All causes of death	Congenital malformations, deformations and chromosomal abnormalities	Respiratory disorders originating in the perinatal period	Disorders relating to length of gestation and fetal growth	Accidents and adverse effects	Infections specific to the perinatal period	Sudden infant death syndrome	Diseases of heart (except hypertensive diseases)	Pneumonia	Haemorrhagic and haematological disorders of fetus and newborn	Septicaemia
Yunlin County	Number of Deaths	18	4	2	1	-	1	3	-	1	1	-
	Mortality Rate	396.3	88.1	44.0	22.0	-	22.0	66.1	-	22.0	22.0	-
Chiayi County	Number of Deaths	3	1	-	-	-	-	-	-	-	-	1
	Mortality Rate	105.4	35.1	-	-	-	-	-	-	-	-	35.1
Pingtung County	Number of Deaths	28	11	5	1	1	-	1	1	-	-	1
	Mortality Rate	578.2	227.1	103.2	20.6	20.6	-	20.6	20.6	-	-	20.6
Taitung County	Number of Deaths	10	1	1	2	3	-	-	-	-	-	1
	Mortality Rate	668.0	66.8	66.8	133.6	200.4	-	-	-	-	-	66.8
Hualien County	Number of Deaths	18	3	-	2	3	1	-	1	1	-	-
	Mortality Rate	738.3	123.1	-	82.0	123.1	41.0	-	41.0	41.0	-	-
Penghu County	Number of Deaths	3	-	1	-	-	-	-	-	-	1	-
	Mortality Rate	290.7	-	96.9	-	-	-	-	-	-	96.9	-

2017

In Order of Total Infant Deaths			1	2	3	4	5	6	7	8	9	10
Cause of Death		All causes of death	Congenital malformations, deformations and chromosomal abnormalities	Respiratory disorders originating in the perinatal period	Disorders relating to length of gestation and fetal growth	Accidents and adverse effects	Infections specific to the perinatal period	Sudden infant death syndrome	Diseases of heart (except hypertensive diseases)	Pneumonia	Haemorrhagic and haematological disorders of fetus and newborn	Septicaemia
Keelung City	Number of Deaths	9	-	2	-	1	1	1	1	1	-	-
	Mortality Rate	400.9	-	89.1	-	44.5	44.5	44.5	44.5	44.5	-	-
Hsinchu City	Number of Deaths	17	3	1	3	1	2	1	-	-	1	-
	Mortality Rate	392.4	69.3	23.1	69.3	23.1	46.2	23.1	-	-	23.1	-
Chiayi City	Number of Deaths	5	-	1	-	-	-	-	-	-	-	-
	Mortality Rate	259.7	-	51.9	-	-	-	-	-	-	-	-
Kinmen County	Number of Deaths	5	1	1	2	-	-	-	-	-	-	-
	Mortality Rate	384.0	76.8	76.8	153.6	-	-	-	-	-	-	-
Lienchiang County	Number of Deaths	-	-	-	-	-	-	-	-	-	-	-
	Mortality Rate	-	-	-	-	-	-	-	-	-	-	-

Unit: person, per 100,000 live births

2018												
In Order of Total Infant Deaths			1	2	3	4	5	6	7	8	9	10
Cause of Death		All causes of death	Congenital malformations, deformations and chromosomal abnormalities	Respiratory disorders originating in the perinatal period	Disorders relating to length of gestation and fetal growth	Accidents and adverse effects	Infections specific to the perinatal period	Haemorrhagic and haematological disorders of fetus and newborn	Sudden infant death syndrome	Diseases of heart (except hypertensive diseases)	Fetus and newborn affected by maternal factors and by complications of pregnancy, labour and delivery	Pneumonia
Total	Number of Deaths	752	135	102	55	51	37	27	22	21	16	8
	Mortality Rate	416.3	74.7	56.5	30.4	28.2	20.5	14.9	12.2	11.6	8.9	4.4
New Taipei City	Number of Deaths	124	20	19	9	6	3	4	3	3	7	1
	Mortality Rate	431.4	69.6	66.1	31.3	20.9	10.4	13.9	10.4	10.4	24.4	3.5
Taipei City	Number of Deaths	101	21	13	12	9	4	1	4	3	1	-
	Mortality Rate	445.7	92.7	57.4	52.9	39.7	17.6	4.4	17.6	13.2	4.4	-
Taoyuan City	Number of Deaths	69	14	2	3	8	5	4	-	3	-	2
	Mortality Rate	305.7	62.0	8.9	13.3	35.4	22.2	17.7	-	13.3	-	8.9
Taichung City	Number of Deaths	66	9	11	-	6	4	6	2	1	1	1
	Mortality Rate	293.1	40.0	48.8	-	26.6	17.8	26.6	8.9	4.4	4.4	4.4

2018

In Order of Total Infant Deaths			1	2	3	4	5	6	7	8	9	10
Cause of Death		All causes of death	Congenital malformations, deformations and chromosomal abnormalities	Respiratory disorders originating in the perinatal period	Disorders relating to length of gestation and fetal growth	Accidents and adverse effects	Infections specific to the perinatal period	Haemorrhagic and haematological disorders of fetus and newborn	Sudden infant death syndrome	Diseases of heart (except hypertensive diseases)	Fetus and newborn affected by maternal factors and by complications of pregnancy, labour and delivery	Pneumonia
Tainan City	Number of Deaths	48	8	9	2	1	4	-	2	1	1	-
	Mortality Rate	391.0	65.2	73.3	16.3	8.1	32.6	-	16.3	8.1	8.1	-
Kaohsiung City	Number of Deaths	111	22	15	4	6	4	-	-	3	3	2
	Mortality Rate	553.9	109.8	74.8	20.0	29.9	20.0	-	-	15.0	15.0	10.0
Yilan County	Number of Deaths	23	5	5	3	1	1	1	1	-	-	1
	Mortality Rate	749.9	163.0	163.0	97.8	32.6	32.6	32.6	32.6	-	-	32.6
Hsinchu County	Number of Deaths	17	3	3	2	1	3	-	1	-	1	-
	Mortality Rate	383.2	67.6	67.6	45.1	22.5	67.6	-	22.5	-	22.5	-
Miaoli County	Number of Deaths	11	2	-	4	1	-	2	1	-	-	-
	Mortality Rate	330.1	60.0	-	120.0	30.0	-	60.0	30.0	-	-	-



2018												
In Order of Total Infant Deaths			1	2	3	4	5	6	7	8	9	10
Cause of Death		All causes of death	Congenital malformations, deformations and chromosomal abnormalities	Respiratory disorders originating in the perinatal period	Disorders relating to length of gestation and fetal growth	Accidents and adverse effects	Infections specific to the perinatal period	Haemorrhagic and haematological disorders of fetus and newborn	Sudden infant death syndrome	Diseases of heart (except hypertensive diseases)	Fetus and newborn affected by maternal factors and by complications of pregnancy, labour and delivery	Pneumonia
Changhua County	Number of Deaths	29	7	8	3	2	-	2	-	1	-	-
	Mortality Rate	235.5	56.8	65.0	24.4	16.2	-	16.2	-	8.1	-	-
Nantou County	Number of Deaths	11	2	1	-	2	-	2	-	-	-	-
	Mortality Rate	341.9	62.2	31.1	-	62.2	-	62.2	-	-	-	-
Yunlin County	Number of Deaths	14	-	1	-	4	-	-	1	3	-	-
	Mortality Rate	342.6	-	24.5	-	97.9	-	-	24.5	73.4	-	-
Chiayi County	Number of Deaths	16	6	-	1	-	-	1	-	1	-	-
	Mortality Rate	624.3	234.1	-	39.0	-	-	39.0	-	39.0	-	-
Pingtung County	Number of Deaths	35	2	3	4	1	2	3	2	-	1	1
	Mortality Rate	754.8	43.1	64.7	86.3	21.6	43.1	64.7	43.1	-	21.6	21.6

2018												
In Order of Total Infant Deaths			1	2	3	4	5	6	7	8	9	10
Cause of Death		All causes of death	Congenital malformations, deformations and chromosomal abnormalities	Respiratory disorders originating in the perinatal period	Disorders relating to length of gestation and fetal growth	Accidents and adverse effects	Infections specific to the perinatal period	Haemorrhagic and haematological disorders of fetus and newborn	Sudden infant death syndrome	Diseases of heart (except hypertensive diseases)	Fetus and newborn affected by maternal factors and by complications of pregnancy, labour and delivery	Pneumonia
Taitung County	Number of Deaths	9	2	1	-	1	1	-	1	-	-	-
	Mortality Rate	601.2	133.6	66.8	-	66.8	66.8	-	66.8	-	-	-
Hualien County	Number of Deaths	24	4	2	5	1	3	1	1	-	-	-
	Mortality Rate	997.1	166.2	83.1	207.7	41.5	124.6	41.5	41.5	-	-	-
Penghu County	Number of Deaths	5	1	2	-	-	-	-	-	-	-	-
	Mortality Rate	571.4	114.3	228.6	-	-	-	-	-	-	-	-
Keelung City	Number of Deaths	12	3	2	1	-	1	-	-	1	-	-
	Mortality Rate	547.2	136.8	91.2	45.6	-	45.6	-	-	45.6	-	-
Hsinchu City	Number of Deaths	13	2	1	2	1	2	-	2	-	1	-
	Mortality Rate	328.0	50.5	25.2	50.5	25.2	50.5	-	50.5	-	25.2	-

2018

In Order of Total Infant Deaths			1	2	3	4	5	6	7	8	9	10
Cause of Death		All causes of death	Congenital malformations, deformations and chromosomal abnormalities	Respiratory disorders originating in the perinatal period	Disorders relating to length of gestation and fetal growth	Accidents and adverse effects	Infections specific to the perinatal period	Haemorrhagic and haematological disorders of fetus and newborn	Sudden infant death syndrome	Diseases of heart (except hypertensive diseases)	Fetus and newborn affected by maternal factors and by complications of pregnancy, labour and delivery	Pneumonia
Chiayi City	Number of Deaths	11	2	3	-	-	-	-	1	1	-	-
	Mortality Rate	587.3	106.8	160.2	-	-	-	-	53.4	53.4	-	-
Kinmen County	Number of Deaths	3	-	1	-	-	-	-	-	-	-	-
	Mortality Rate	240.8	-	80.3	-	-	-	-	-	-	-	-
Lienchiang County	Number of Deaths	-	-	-	-	-	-	-	-	-	-	-
	Mortality Rate	-	-	-	-	-	-	-	-	-	-	-

Unit: person, per 100,000 live births

2019												
In Order of Total Infant Deaths			1	2	3	4	5	6	7	8	9	10
Cause of Death		All causes of death	Congenital malformations, deformations and chromosomal abnormalities	Respiratory disorders originating in the perinatal period	Disorders relating to length of gestation and fetal growth	Accidents and adverse effects	Infections specific to the perinatal period	Haemorrhagic and haematological disorders of fetus and newborn	Sudden infant death syndrome	Fetus and newborn affected by maternal factors and by complications of pregnancy, labour and delivery	Other disorders of brain	Pneumonia
Total	Number of Deaths	671	141	74	70	46	27	26	24	18	9	6
	Mortality Rate	383.3	80.5	42.3	40.0	26.3	15.4	14.9	13.7	10.3	5.1	3.4
New Taipei City	Number of Deaths	140	26	14	25	6	3	6	8	5	1	-
	Mortality Rate	500.6	93.0	50.1	89.4	21.5	10.7	21.5	28.6	17.9	3.6	-
Taipei City	Number of Deaths	72	14	8	8	9	4	5	1	2	2	-
	Mortality Rate	343.1	66.7	38.1	38.1	42.9	19.1	23.8	4.8	9.5	9.5	-
Taoyuan City	Number of Deaths	76	15	8	6	7	3	3	3	-	1	1
	Mortality Rate	337.9	66.7	35.6	26.7	31.1	13.3	13.3	13.3	-	4.4	4.4
Taichung City	Number of Deaths	53	13	6	2	7	2	1	2	3	1	1
	Mortality Rate	249.9	61.3	28.3	9.4	33.0	9.4	4.7	9.4	14.1	4.7	4.7

2019

In Order of Total Infant Deaths			1	2	3	4	5	6	7	8	9	10
Cause of Death		All causes of death	Congenital malformations, deformations and chromosomal abnormalities	Respiratory disorders originating in the perinatal period	Disorders relating to length of gestation and fetal growth	Accidents and adverse effects	Infections specific to the perinatal period	Haemorrhagic and haematological disorders of fetus and newborn	Sudden infant death syndrome	Fetus and newborn affected by maternal factors and by complications of pregnancy, labour and delivery	Other disorders of brain	Pneumonia
Tainan City	Number of Deaths	34	6	5	-	4	2	4	1	2	-	2
	Mortality Rate	290.3	51.2	42.7	-	34.2	17.1	34.2	8.5	17.1	-	17.1
Kaohsiung City	Number of Deaths	104	19	10	8	5	3	3	1	1	3	1
	Mortality Rate	543.1	99.2	52.2	41.8	26.1	15.7	15.7	5.2	5.2	15.7	5.2
Yilan County	Number of Deaths	13	1	1	-	1	-	2	1	-	-	-
	Mortality Rate	425.8	32.8	32.8	-	32.8	-	65.5	32.8	-	-	-
Hsinchu County	Number of Deaths	15	3	1	4	1	1	-	1	1	-	-
	Mortality Rate	339.2	67.8	22.6	90.5	22.6	22.6	-	22.6	22.6	-	-
Miaoli County	Number of Deaths	19	11	3	2	-	-	1	-	-	-	-
	Mortality Rate	623.0	360.7	98.4	65.6	-	-	32.8	-	-	-	-
Changhua County	Number of Deaths	26	9	3	2	1	-	1	3	-	-	-
	Mortality Rate	212.3	73.5	24.5	16.3	8.2	-	8.2	24.5	-	-	-

2019

In Order of Total Infant Deaths			1	2	3	4	5	6	7	8	9	10
Cause of Death		All causes of death	Congenital malformations, deformations and chromosomal abnormalities	Respiratory disorders originating in the perinatal period	Disorders relating to length of gestation and fetal growth	Accidents and adverse effects	Infections specific to the perinatal period	Haemorrhagic and haematological disorders of fetus and newborn	Sudden infant death syndrome	Fetus and newborn affected by maternal factors and by complications of pregnancy, labour and delivery	Other disorders of brain	Pneumonia
Nantou County	Number of Deaths	18	3	6	-	1	2	-	-	1	-	-
	Mortality Rate	574.2	95.7	191.4	-	31.9	63.8	-	-	31.9	-	-
Yunlin County	Number of Deaths	13	4	-	3	1	3	-	-	-	-	-
	Mortality Rate	310.0	95.4	-	71.5	23.8	71.5	-	-	-	-	-
Chiayi County	Number of Deaths	6	1	1	1	-	-	-	-	-	-	-
	Mortality Rate	204.3	34.0	34.0	34.0	-	-	-	-	-	-	-
Pingtung County	Number of Deaths	20	1	4	1	3	-	-	-	1	-	1
	Mortality Rate	425.0	21.2	85.0	21.2	63.7	-	-	-	21.2	-	21.2
Taitung County	Number of Deaths	10	2	-	1	-	-	-	2	-	-	-
	Mortality Rate	681.7	136.3	-	68.2	-	-	-	136.3	-	-	-
Hualien County	Number of Deaths	14	1	1	2	-	2	-	-	-	-	-
	Mortality Rate	580.7	41.5	41.5	83.0	-	83.0	-	-	-	-	-

2019

In Order of Total Infant Deaths			1	2	3	4	5	6	7	8	9	10
Cause of Death		All causes of death	Congenital malformations, deformations and chromosomal abnormalities	Respiratory disorders originating in the perinatal period	Disorders relating to length of gestation and fetal growth	Accidents and adverse effects	Infections specific to the perinatal period	Haemorrhagic and haematological disorders of fetus and newborn	Sudden infant death syndrome	Fetus and newborn affected by maternal factors and by complications of pregnancy, labour and delivery	Other disorders of brain	Pneumonia
Penghu County	Number of Deaths	6	-	-	1	-	-	-	1	1	-	-
	Mortality Rate	607.3	-	-	101.2	-	-	-	101.2	101.2	-	-
Keelung City	Number of Deaths	12	3	-	1	-	2	-	-	1	1	-
	Mortality Rate	582.0	145.5	-	48.5	-	97.0	-	-	48.5	48.5	-
Hsinchu City	Number of Deaths	15	6	2	3	-	-	-	-	-	-	-
	Mortality Rate	387.5	155.0	51.7	77.5	-	-	-	-	-	-	-
Chiayi City	Number of Deaths	4	3	-	-	-	-	-	-	-	-	-
	Mortality Rate	238.7	179.0	-	-	-	-	-	-	-	-	-
Kinmen County	Number of Deaths	1	-	1	-	-	-	-	-	-	-	-
	Mortality Rate	83.8	-	83.8	-	-	-	-	-	-	-	-
Lienchiang County	Number of Deaths	-	-	-	-	-	-	-	-	-	-	-
	Mortality Rate	-	-	-	-	-	-	-	-	-	-	-

Unit: person, per 100,000 live births

2020												
In Order of Total Infant Deaths			1	2	3	4	5	6	7	8	9	10
Cause of Death		All causes of death	Congenital malformations, deformations and chromosomal abnormalities	Disorders relating to length of gestation and fetal growth	Respiratory disorders originating in the perinatal period	Accidents and adverse effects	Infections specific to the perinatal period	Sudden infant death syndrome	Fetus and newborn affected by maternal factors and complications of pregnancy, labour and delivery	Haemorrhagic and haematological disorders of fetus and newborn	Diseases of heart (except hypertensive diseases)	Pneumonia
Total	Number of Deaths	586	105	79	76	39	29	23	19	18	11	11
	Mortality Rate	363.3	65.1	49.0	47.1	24.2	18.0	14.3	11.8	11.2	6.8	6.8
New Taipei City	Number of Deaths	100	14	17	9	4	4	9	5	4	1	-
	Mortality Rate	392.7	55.0	66.8	35.3	15.7	15.7	35.3	19.6	15.7	3.9	-
Taipei City	Number of Deaths	64	13	7	6	-	1	3	2	2	3	2
	Mortality Rate	347.8	70.7	38.0	32.6	-	5.4	16.3	10.9	10.9	16.3	10.9
Taoyuan City	Number of Deaths	66	12	5	13	6	2	4	3	1	3	1
	Mortality Rate	314.2	57.1	23.8	61.9	28.6	9.5	19.0	14.3	4.8	14.3	4.8
Taichung City	Number of Deaths	46	11	1	8	7	3	1	1	-	1	1
	Mortality Rate	239.8	57.3	5.2	41.7	36.5	15.6	5.2	5.2	-	5.2	5.2



2020

In Order of Total Infant Deaths			1	2	3	4	5	6	7	8	9	10
Cause of Death		All causes of death	Congenital malformations, deformations and chromosomal abnormalities	Disorders relating to length of gestation and fetal growth	Respiratory disorders originating in the perinatal period	Accidents and adverse effects	Infections specific to the perinatal period	Sudden infant death syndrome	Fetus and newborn affected by maternal factors and complications of pregnancy, labour and delivery	Haemorrhagic and haematological disorders of fetus and newborn	Diseases of heart (except hypertensive diseases)	Pneumonia
Tainan City	Number of Deaths	36	9	3	6	-	4	-	1	3	-	1
	Mortality Rate	343.2	85.8	28.6	57.2	-	38.1	-	9.5	28.6	-	9.5
Kaohsiung City	Number of Deaths	85	14	15	13	4	2	-	4	3	2	2
	Mortality Rate	457.9	75.4	80.8	70.0	21.6	10.8	-	21.6	16.2	10.8	10.8
Yilan County	Number of Deaths	11	1	2	4	-	-	1	1	-	-	-
	Mortality Rate	391.2	35.6	71.1	142.2	-	-	35.6	35.6	-	-	-
Hsinchu County	Number of Deaths	23	2	3	3	4	1	2	-	-	1	1
	Mortality Rate	546.7	47.5	71.3	71.3	95.1	23.8	47.5	-	-	23.8	23.8
Miaoli County	Number of Deaths	12	4	3	-	-	1	-	-	1	-	-
	Mortality Rate	437.3	145.8	109.3	-	-	36.4	-	-	36.4	-	-
Changhua County	Number of Deaths	27	4	4	2	2	4	1	1	-	-	-
	Mortality Rate	229.0	33.9	33.9	17.0	17.0	33.9	8.5	8.5	-	-	-

2020												
In Order of Total Infant Deaths			1	2	3	4	5	6	7	8	9	10
Cause of Death		All causes of death	Congenital malformations, deformations and chromosomal abnormalities	Disorders relating to length of gestation and fetal growth	Respiratory disorders originating in the perinatal period	Accidents and adverse effects	Infections specific to the perinatal period	Sudden infant death syndrome	Fetus and newborn affected by maternal factors and complications of pregnancy, labour and delivery	Haemorrhagic and haematological disorders of fetus and newborn	Diseases of heart (except hypertensive diseases)	Pneumonia
Nantou County	Number of Deaths	11	2	-	3	1	-	1	-	-	-	-
	Mortality Rate	358.5	65.2	-	97.8	32.6	-	32.6	-	-	-	-
Yunlin County	Number of Deaths	6	1	-	1	1	1	-	-	1	-	-
	Mortality Rate	152.6	25.4	-	25.4	25.4	25.4	-	-	25.4	-	-
Chiayi County	Number of Deaths	16	5	2	3	1	1	-	-	-	-	1
	Mortality Rate	559.6	174.9	70.0	104.9	35.0	35.0	-	-	-	-	35.0
Pingtung County	Number of Deaths	28	5	5	2	3	-	-	1	1	-	1
	Mortality Rate	638.5	114.0	114.0	45.6	68.4	-	-	22.8	22.8	-	22.8
Taitung County	Number of Deaths	13	4	2	-	2	1	1	-	-	-	-
	Mortality Rate	963.0	296.3	148.1	-	148.1	74.1	74.1	-	-	-	-
Hualien County	Number of Deaths	10	1	1	-	2	2	-	-	-	-	-
	Mortality Rate	469.3	46.9	46.9	-	93.9	93.9	-	-	-	-	-

2020												
In Order of Total Infant Deaths			1	2	3	4	5	6	7	8	9	10
Cause of Death		All causes of death	Congenital malformations, deformations and chromosomal abnormalities	Disorders relating to length of gestation and fetal growth	Respiratory disorders originating in the perinatal period	Accidents and adverse effects	Infections specific to the perinatal period	Sudden infant death syndrome	Fetus and newborn affected by maternal factors and complications of pregnancy, labour and delivery	Haemorrhagic and haematological disorders of fetus and newborn	Diseases of heart (except hypertensive diseases)	Pneumonia
Penghu County	Number of Deaths	2	-	-	-	-	-	-	-	-	-	-
	Mortality Rate	209.2	-	-	-	-	-	-	-	-	-	-
Keelung City	Number of Deaths	3	-	1	-	-	-	-	-	-	-	-
	Mortality Rate	154.0	-	51.3	-	-	-	-	-	-	-	-
Hsinchu City	Number of Deaths	19	2	7	3	1	1	-	-	1	-	-
	Mortality Rate	545.7	57.4	201.0	86.2	28.7	28.7	-	-	28.7	-	-
Chiayi City	Number of Deaths	7	1	1	-	1	-	-	-	1	-	1
	Mortality Rate	505.1	72.2	72.2	-	72.2	-	-	-	72.2	-	72.2
Kinmen County	Number of Deaths	1	-	-	-	-	1	-	-	-	-	-
	Mortality Rate	97.8	-	-	-	-	97.8	-	-	-	-	-
Lienchiang County	Number of Deaths	-	-	-	-	-	-	-	-	-	-	-
	Mortality Rate	-	-	-	-	-	-	-	-	-	-	-



點次	問題內容(原文)	中文參考翻譯
3.4	Para. 69 (b) Please provide further information as to what measures are being taken to reduce the danger to child pedestrians/ cyclists from traffic related injury. How are drop-off zones/ pedestrian areas determined and enforced?	第 69 點(b)。請進一步說明，為降低兒少在行走、騎自行車時遭受交通危險的傷害，政府有採取哪些措施？如何決定（區隔）上下車接送區及行人徒步區，以及如何執行？

### 中文回應

36. 學校已強化交通安全教育宣導，並將交通安全教育落實於高中以下學校課程中，相關執行說明如下：

- (a) 交通安全教育宣導：鼓勵學校於集會等時間，運用「交通部 168 交通安全入口網」等資源，向學生宣導相關注意安全事項。為使教學與實務現場結合，鼓勵學校邀請監理所（站）或社會公益團體辦理相關體驗課程或專題講座。並配合教育部「交通安全教育訪視計畫」及交通部道安考評計畫時，檢視各地方政府及學校相關工作推動之情形與實況。
- (b) 交通安全教育課程：依據十二年國民基本課程綱要，安全教育已列入 19 項議題之一。經檢視國民中小學教科書，已有兒童安全過路口、自行車騎乘安全等相關內容，教師依據教科書教學，引導學生建立正確的交通安全觀念。同時也鼓勵學校運用交通部開發之交通安全教育課程模組及教學示例，將交通安全教育列為校訂課程，並透過課程檢核機制，引導學校落實交通安全教育。

37. 自行車交通安全規範：

- (a) 依《道路交通管理處罰條例》規定，自行車屬慢車種類之一，騎乘自行車所需保持之安全設備（包括煞車、鈴聲、燈光及反光裝置等）及夜間行車應開啟燈光設備等行道路應遵守規範，現行《道路交通安全規則》已有相關明確規定，違反規定之處罰，《道路交通管理處罰條例》亦已定有明文；為更臻完備自行車規範與交通安全，2011 年修正施行《道路交通安全規則》部分條文業已對自行車等慢車行駛於道路之運行時應遵守規定，如起駛前、行駛車道、超車、讓車及交岔路口行進轉彎等行車規範明確規範。另於 2015 年製作「愛上安心騎-自行車生活禮儀與安全騎乘指南手冊」，並賡續透過道安體系向兒少宣導。

- (b) 另近年電動自行車盛行，並衍生相關管理議題，為加強管理修法，總統 2022 年修正《道路交通管理處罰條例》，修正重點為懸掛牌照、投保強制汽車責任保險、限制騎乘年齡（14 歲以上），及針對車輛規格變更、違規使用牌照及違規駕駛行為等訂有罰則，除處以罰鍰外，並視其違規情節訂有禁止行駛、車輛移置保管、車輛沒入及牌照扣繳、註銷等處罰，並將電動自行車更名為微型電動二輪車，刻正配合辦理法規施行前相關作業。

38. 上下車接送區及行人徒步區之設置：

- (a) 上下車接送區之設置：為增進學生通學安全，由各地方政府盤點轄區學校設置家長接送區之需求，協助學校進行周邊環境檢視，擇定適當地點並邀集相關單位現場評估可行後，即由道路主管機關在家長接送區相關範圍劃設禁停標線及豎立牌面公告開放臨停接送的時段。
- (b) 行人徒步區之設置：為維護學童用路安全，由各地方政府及公路總局全面檢視行人通行空間的安全性，推動通學巷安全，規劃（綠色）標線型人行道，於必要時依《道路交通管理處罰條例》規定就劃定行人徒步區發布命令。

**英文回應**

36. The promotion of traffic safety education has been enhanced by schools, implemented in the curriculum of the secondary school. Its implementation is illustrated as follows：

- (a) Propaganda of traffic safety education：Schools are encouraged to educate students about relevant precautions during school assemblies, etc., with the resources of “The Road Traffic Safety Portal Site of the Ministry of Transportation and Communications,” etc. In addition, encourage schools to invite Motor Vehicle Office (Unit) or social welfare groups to arrange relevant experience courses or implement lectures on road safety or traffic safety in order to integrate the effort of teaching and field trip. And review the practice and promotion of the relevant work in response to the “Traffic Safety Education Visiting Plan” of the Ministry of Education and the road safety evaluation plan of the Ministry of Transportation and Communications.
- (b) Traffic Safety Education Course：According to the 12-Year Basic Education Curriculum, safety education has been included as one of the 19 subjects. It is confirmed by reviewing the K-12 school textbooks, children’s road crossing safety,

bicycle riding safety, etc., have already been addressed. Therefore, teachers are to teach according to the textbooks and to guide students to form a correct traffic safety concept. The government also encourage schools to have traffic safety education included as a school course with the traffic safety education curriculum template and teaching demonstration; also guide schools to implement traffic safety education through the curriculum review mechanism.

37. Bicycle Traffic Safety Regulations :

- (a) According to the Road Traffic Management and Penalty Act, bicycles are one of the types of slow-moving vehicles. The safety equipment, including brakes, bells, lights and reflectors, required to ride bicycle and the lighting equipment should be turned on at night, as clearly stipulated in the Road Traffic Safety Regulations. The penalties for violating the aforementioned regulations are also clearly stipulated in the Road Traffic Management and Penalty Act. To improve bicycle regulations and traffic safety, some provisions of the Road Traffic Management and Penalty Act were implemented in 2011 and have clearly stipulated that bicycles and other slow-moving vehicles should follow regulation on the road, such as before starting, riding in the lane, overtaking, yielding, and turning at intersection. In addition, Manual of Bicycle Life Etiquette and Safety Inspection Guide were produced in 2015, and it continues to promote safety procedures and information to children and youth through the road safety system.
- (b) Electric bicycles have become popular in recent years, and related management issues have been generated. To strengthen management and amend the law, the President announced in 2022 to amend the Road Traffic Management and Penalty Act which focuses on hanging license plate, insuring compulsory automobile liability insurance, setting age restrictions for riders (over 14 years old), and setting penalties for changes in vehicle specifications, illegal use of license plates, and illegal driving behaviors. In addition to fines, there are also prohibition of driving, vehicle displacement and storage, vehicle confiscation, and license plate withholding and cancellation depending on the circumstances of the violation, and changed the name of “Electric Bicycle” to “Mini Electric Two-wheel moped.” The regulations are currently under review by relevant authorities before their implementation.

38. The setting of pick-up and drop-off areas and pedestrian areas :

- (a) The setting of pick-up and drop-off areas: To improve the safety of students going to school, local governments should check the demand of schools in their jurisdiction to set up pick-up and drop-off areas for parents. The road authorities will set up non-stopping markings in the parent pick-up and drop-off areas and erect signs to announce the allowing time for temporary pick-up and drop-off.
- (b) The setting of pedestrian areas: To keep school-age children safe on the roads, local governments and the Directorate General of Highways comprehensively inspect the safety of pedestrian passage spaces, promote the safety of the school lanes, plan (green) marked sidewalks, and follow the road when necessary. Relevant regulations will be stipulated governing pedestrian passage spaces, in accordance with the Road Traffic Management and Penalty Act.



點次	問題內容(原文)	中文參考翻譯
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 as representative as possible. Please provide examples of how participation is monitored and what impact, if any, children had on policy and practice.	第 73 點及第 80 點。請進一步說明兒少參與地方政府公共事務與學校課綱審議之方式。包括如何遴選兒少，以及採取哪些步驟盡可能地確保參與的兒少具代表性。請舉例說明，如何監督參與情形以及兒少對政策與實務之影響力。

### 中文回應

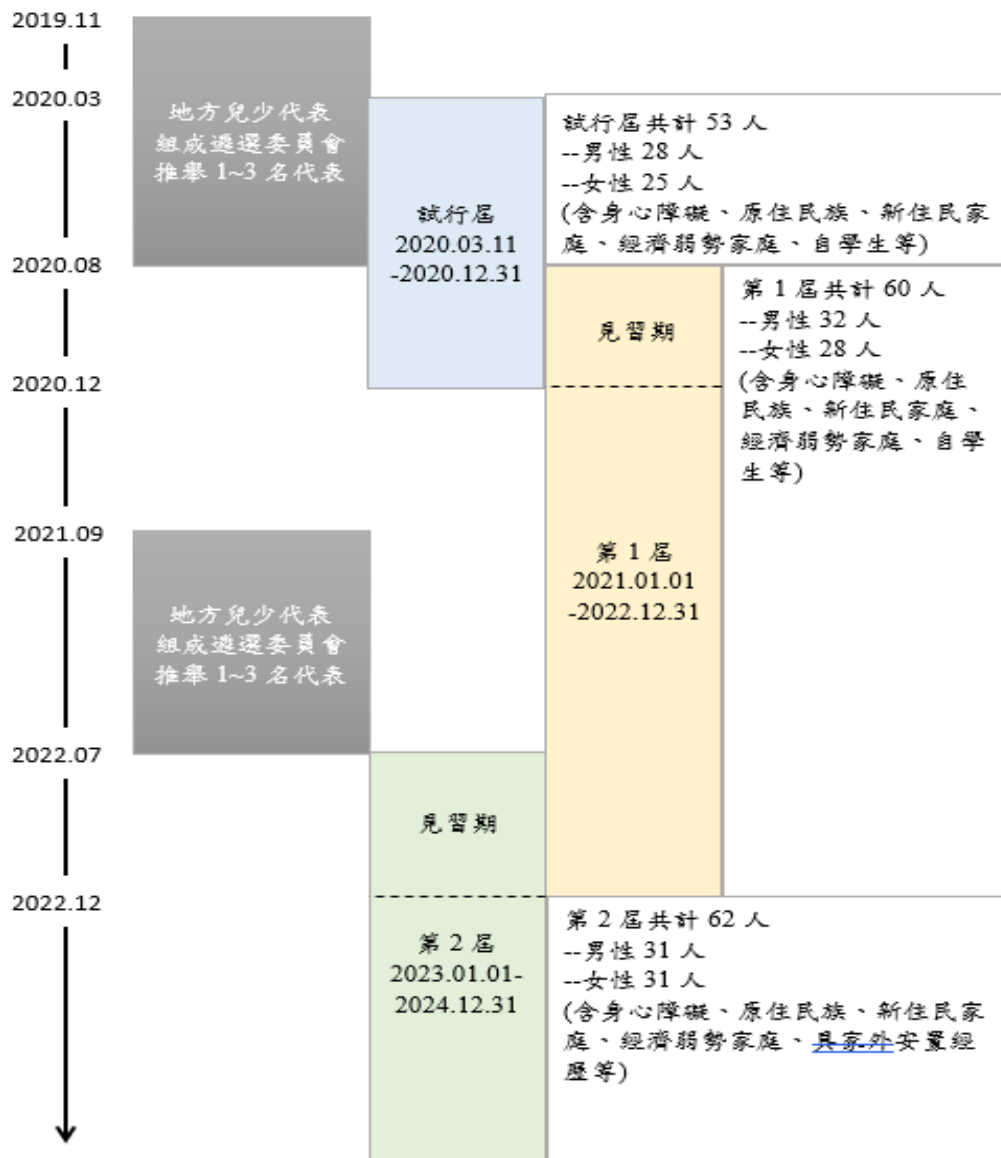
#### 39. 參與地方政府公共事務：

- (a) 為促進兒少參與公共事務，補助地方政府與公民團體合作，對兒少培力《CRC》四大原則（生命、生存與發展權；不歧視；兒少最佳利益原則；兒少表意與被聆聽的權利）。對於有意願持續性接受地方政府培力與參與政策研擬過程之兒少，地方政府將聘為地方兒少代表，於其任期間提供培力與集會，參與政府會議表達兒少群體之意見。
- (b) 考量攸關兒少之議題廣泛多元，藉由定期調查與考核，督導各地方政府運用資源促成兒少代表之多元性，近三年（2019 年至今）著重檢視各地方政府身心障礙兒少、原住民族兒少、新住民家庭、中輟或中離經驗、家外安置兒少、經濟弱勢家庭等六類處境兒少擔任兒少代表情形，並檢討地方政府於兒少代表遴選過程宣傳、鼓勵與協助兒少參與遴選、政府會議的策略。
- (c) 為監督各地方政府兒少參與公共事務之情形，每年定期調查各直轄市、縣（市）兒少代表人數、兒少關注議題、建議作法、地方政府回應。就近三年（2019~2021 年）而言，地方兒少代表每年提案約 104 案（各縣市約 4 案），兒少普遍關注議題包括：（一）交通與公共設施安全（生命與生存權）、（二）服儀規範、申訴管道、兒少參與機制（表意權）、（三）防疫措施、心理健康、營養午餐、戒菸宣導、環境品質等（健康權），八成九的提案建議作法，業由相關機關（構）納入改善，並就辦理情形提供工作報告，少數提案（11%）係因兒少代表對現行機制有所疑義，業由權責機關向其釐清。

40. 參與中央政府公共事務：

(a) 設置「中央兒少代表團」：

- i. 依據院兒權小組 2019 年通過「遴選兒童及少代表參與中央兒童及少年福利與權益事務相關小組原則」，於 2020 年設置中央兒少代表團，由各直轄市、縣（市）1 至 3 名兒少共同組成（上限 66 人），每屆任期 2 年。（如下圖 1）



- ii. 中央兒少代表團分為三組，參與三個中央跨部會會議－院兒權小組、衛生福利部兒權小組與兒少事故傷害防制小組會議，約每 2 個月定期召開兒少小組會議 1 次，提出兒少共同關注的議題與建議，並推舉 5 名兒少代表參與跨部會會議表達兒少群體的意見（兒少提案議題整理如表 4）。2022 年召開中央兒少代表團大會暨部會座談會，由中央兒少代表團提出討論案 7 案，內容包含：校務參與、

性別平等與情感教育、偏鄉教育、推動本土語文發展及認識國際文化、校園霸凌申訴管道、受安置兒少之隱私權、新興菸品危害等，與各部會代表深入討論如何改善。

- iii. 邀請中央兒少代表共同推動兒童及少年工作，包含編印《兒少反歧視案例彙編》、《保障兒少表意權之策略與注意事項》，以及「兒少安置機構優化研究」、「性別平等倡導」、「兒童節及女孩日活動籌備規劃」等項目。

(b) 各中央機關推動兒少參與及提供友善支持措施：

- i. 立法院各黨團於 2020 年邀請兒少交流政策、司法院為友善兒少出庭環境、完善家事與少年事件程序邀請兒少參與研議、國家教育研究院為研修課綱、勞動部為保障少年勞動權與職場安全、文化部及行政院環保署為確保兒少申訴機制發揮功能等，均響應推動兒少參與。
- ii. 衛生福利部於 2019 年及 2022 年邀請各部會共同討論「培力兒少參與公共事務機制」及「友善兒少參與政府會議之支持措施」，對於兒少參與政府會議過程受到肢體、心理上的限制，以及對學業、家庭負擔的影響，提供支持與補助以減輕障礙。

41. 參與學校課綱審議

- (a) 依據《兒少法》規定，納入兒少代表參與課綱研修，修正《國家教育研究院十二年國民基本教育課程研究發展會運作要點》，增列兒少代表 1 名，擔任課發會委員，參加十二年國民基本教育課程綱要之研議。
- (b) 2020 年為落實《國家語言發展法》啟動相關課綱之修訂（含總綱、技術型高中群科課綱、其他類型課綱暨實施規範以及本土語文/臺灣手語等），邀請兒少代表參與相關諮詢會議，蒐集學生意見。所邀請之兒少代表，皆係由中央政府兒少代表資料庫提供推薦名單後，邀請其參加會議。
- (c) 依據《高級中等以下學校課程審議會組成及運作辦法》，審議大會組成具非政府代表身分之委員為 31 至 37 位，其中學生代表占 4 人，由學生代表擔任之委員，由教育部公開徵求學生自行登記為候選人，並輔導學生組成遴選委員會。為利學生代表蒐集專家學者及各身分別與各級各類學校學生對課程綱要內容之意見，2021 年修正於課程綱要審議過程中應給予學生代表更多專業之支持，並協助學生代表能充分反映未參與課程綱要審議之廣大學生之意見。

- (d) 為使學生代表委員能充分反映學生群體之意見，宜提供適當之協助。以 2021 年課程審議會學生代表為審議十二年國民基本教育課程綱要各領域、學科、群科課程綱要為例，應學生代表委員需求，協助辦理 1 場座談會，以蒐集廣大學生之意見。此外，歷次審議大會及各分組審議會皆全程錄影錄音，確保所提意見確實有被參採及進行討論。

表 4、中央兒少代表團 2020 年至 2021 年參與行政院兒權小組、衛生福利部兒權小組與兒少事故傷害防制小組提案一覽表

會議	類別	議題	後續推動
行政院兒權小組	尊重兒少意見	促進兒少參與校務、環境議題	行政院環保署人權工作納入兒少參與；教育部納入研議。
	集會結社自由	兒少結社權	人民團體法納入檢視法規清單。
	免於暴力侵害	網路霸凌防制與提升教師知能	邀請兒少參與討論網路霸凌態樣與處理方式；修正「校園霸凌防制準則」納入網路霸凌態樣。
	免於經濟剝削	兒少勞動權益	勞動部增加少年就業狀況調查樣本。
	替代性照顧	安置兒少權益	邀請兒少參與研議評鑑指標。
	教育	以家庭子女數為基準之學費政策	由教育部研議
	少年司法	少年司法事件中社政機關提供緊急照顧服務	社政機關與法院建立合作機制。
衛生福利部兒權小組	宣導	推廣及落實	家庭教育中心辦理宣導、教育部與衛生福利部補助學生社團參與宣導。
	心理健康	改善校園輔導機制	地方政府設學生輔導諮商中心提供輔導資源。
	性健康	學童性知識缺乏	師資培育中心納入性知識、情感教育課程。

會議	類別	議題	後續推動
	身心障礙兒少	普及共融公園	衛生福利部邀請兒少參與研議訂定「共融式遊戲場設計原則」。
	教育與偏鄉資源	偏鄉教育與公共運輸	教育部說明偏鄉教育資源配置與師資配套措施；交通部加強宣導幸福巴士。
	休閒權	公設場館優惠措施	盤點公設場館數量與邀請兒少參與新建或改建規劃。
衛生福利部兒少事故傷害防制小組	生命權、生存及發展權	自殺防治與學校輔導機制	邀請兒少參與衛生福利部自殺防治諮詢會
	免與暴力侵害與保護隱私	校園生活調查實施方式	請教育研議採線上方式調查。
	免於菸害	新興菸品危害	邀請兒少參與討論宣導腳本。

## 英文回應

### 39. Participation in the local governance:

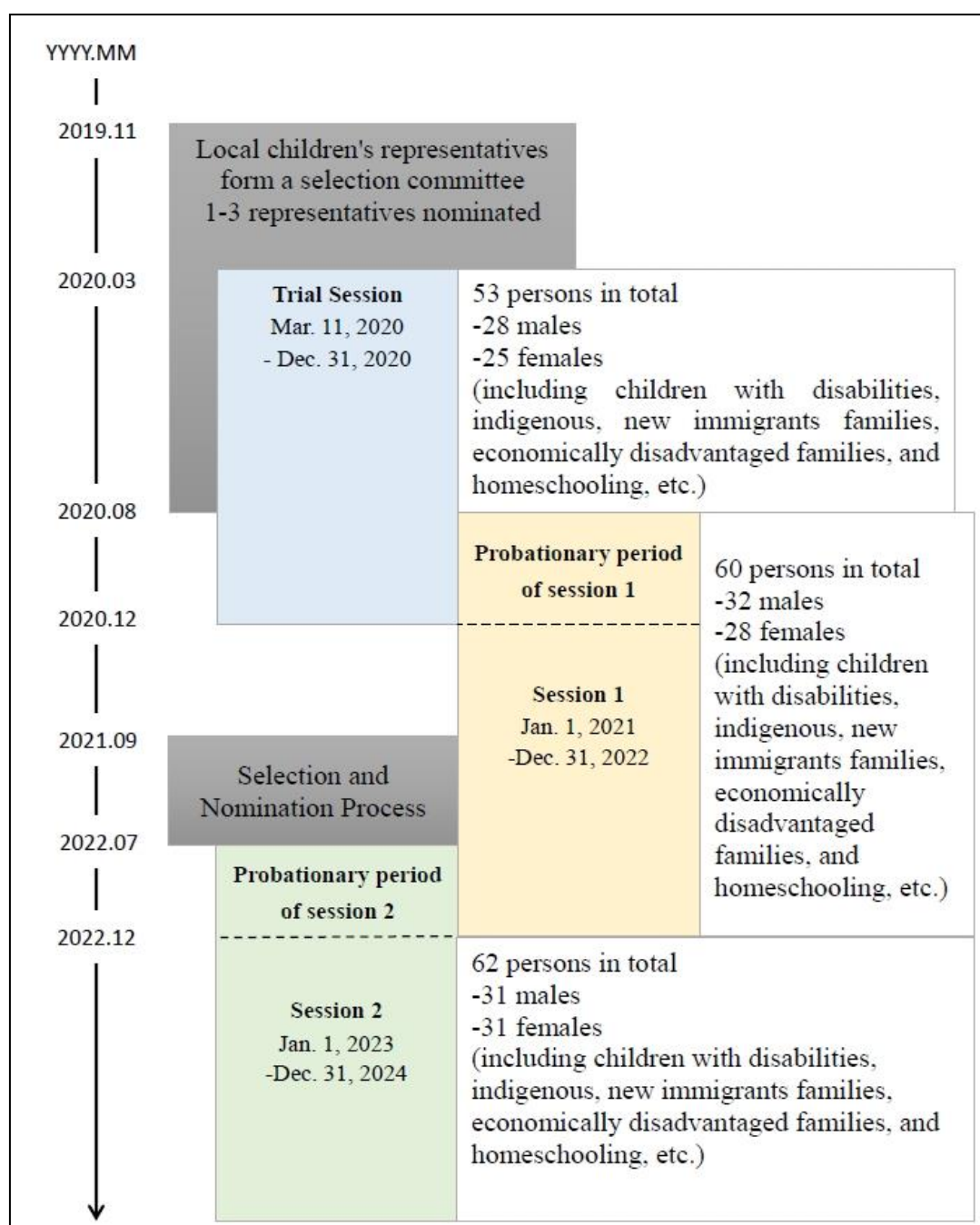
- (a) In order to promote the participation of children and youth in public affairs, the government subsidize the cooperation between local governments and civil groups to promote the four principles of CRC (the right to life, survival and development; non-discrimination; the principle of the best interests of children and youth; and the right to express and be heard). For children and youth who are willing to continue to participate in the policy formulation process, the local government will hire them as local children and youth representatives who will be empowered and attend meetings during their term of office, and participate in government meetings to express the opinions of children and youth.
- (b) Considering the wide range of issues related to children and youth, through regular surveys and assessments, the central government supervise local governments on the use of resources to promote the diversity of children and youth representatives, and focus on promoting the participation of children with disabilities, indigenous, ~~children~~ from new immigrants, with experience of dropping out, placed out of home, from

economically-disadvantaged families in local governments activities in the past three years (2019-present), and review local government's strategies for promoting and encouraging the selection process of children and youth representatives and assisting children and youth in participating in the selection process and government meetings.

- (c) In order to supervise the participation of children and youth in public affairs of each and all local governments, the central government conduct regular surveys annually on the number of children and youth representatives in each municipality, county (city), issues of concern to children and youth, recommended practices, and local government responses. For the past three years (2019-2021), local representatives of children and youth have proposed around 104 cases annually (about 4 cases in each county and city). The topics that children and youth are generally concerned about include (1) traffic and public facility safety (the right to life and survival), (2) dress code, channels for complaints, and mechanisms for children and youth to participate (right to express their opinions), and (3) epidemic prevention measures, mental health, school lunch, smoking cessation publicity, and environmental quality (right to health), etc., 89% of the proposals are incorporated by relevant agencies (institutions) for improvement, and work reports on the handling situation will be submitted. A minority of proposals (11%) express the doubts of children and youth representatives about the current mechanism, which the competent authorities have clarified.

40. Participation in the central governancet:

- (a) Setting up the CCYD:
  - i. Based on the Principles for Selecting Children and Youth Representatives to Participate in the Central Task Force on Children and Youth Welfare and Rights Affairs passed by the Child Rights Group in 2019, the CCYD was set up in 2020, consisting of 1 to 3 children and the youth from each municipality and county (city) (up to 66 members), each term of office shall be 2 years (as shown in the diagram below).



- ii. The CCYD is divided into three groups and participates in three inter-ministerial meetings of the central government respectively known as the Child Rights Group of the Executive Yuan, the Child Rights Group of the Ministry of Health and Welfare, and the Children's Accident Injury Prevention Task Force of the Ministry of Health and Welfare. They hold a meeting every two months to submit issues and suggestions of common concern for children and youth, in which 5 children and youth representatives would be nominated to participate in the inter-ministerial

meetings to express the opinions of the children and youth (their proposed topics are listed in Table 4). In 2022, the CCYD Assembly and Agency Forum was held, in which the CCYD submitted 7 proposals for discussion, including participation in school affairs, gender equality and emotional education, education in remote villages, and promotion of local language development and awareness of international culture, school bullying complaint channels, the privacy rights of placed children and youth, and the hazards of emerging tobacco products, etc., and in-depth discussions with representatives of various ministries and associations on how to improve such issues were also conducted.

- iii. The CCYD were invited to jointly promote the works of children and youth, including the compilation and publication of the "Casebook for Child and Youth Anti-Discrimination", "Strategies and Guidelines on the Protection of the Right of Children and Youth to Express Views", "Research on the Optimization of Children and youth Placement institutions", "Gender Equality Advocacy", and "Children's Day and Girls' Day Activities Planning Guidelines", etc.
- (b) Central authorities promote children and youth's participation in governance and provide friendly support measures:
  - i. In 2020, various party caucuses of the Legislative Yuan, the Judicial Yuan, the National Academy for Educational Research, and the Ministry of Labor respectively invited children and youth to discuss and exchange policies, discuss and reach a friendly environment for children and youth to appear in courts and improve the procedures for family and juvenile cases, study and amend the curriculum syllabus, and protect the labor rights and workplace safety for youth, and the Ministry of Culture and the Environmental Protection Administration of the Executive Yuan have all responded to promote the participation of children and youth to ensure the functioning of the complaint mechanism for children and youth.
  - ii. In 2019 and 2022, the Ministry of Health and Welfare invites various ministries to discuss the “mechanism for encouraging children and youth to participate in public affairs” and “friendly support measures for children and youth to participate in



government meetings” to provide support and subsidies to alleviate the physical and psychological limitations of children and youth’s participation in government meetings, as well as the impact on their studies and family burdens.

41. Participation in the review and development of curriculum guidelines

- (a) In accordance with the Protection of Children and Youths Welfare and Rights Act, the government include children and youth representatives to participate in the review and development of curriculum guidelines, amend the Guidelines for Operation of 12-Year Basic Education Curriculum Research and Development Committee of the National Academy for Educational Research, and add one child and youth representative to serve as a member of the committee to participate in the discussion and review of the curriculum guidelines of 12-year basic education.
- (b) In 2020, in order to implement the Development of National Languages Act and initiate the revision of relevant curriculum guidelines (including the general guidelines, curriculum guidelines of technical high school subjects, other types of curriculum guidelines and implementation standards, and native language/Taiwan Sign Language, etc.), the government invite children and youth representatives to participate in relevant consultation meetings to collect opinions of students. The representatives of children and youth participating in the meetings are selected and invited based on the recommendation list provided by the database of children and youth representatives of the central government.
- (c) According to the Guidelines for the Composition and Operation of the Curriculum Review Assembly for Schools at and Below Senior High Schools, the review assembly shall be composed of 31 to 37 members with the status of non-government representatives, among which 4 shall be student representatives. The Ministry of Education will publicly solicit students to make self-registration as candidates and guides students to form an election committee. In order to facilitate student representatives to collect opinions from experts, scholars and students of various levels and schools on the content of the curriculum syllabus, these Guidelines was amended and promulgated in 2021. And student representatives shall be assisted in fully

reflecting the opinions of the majority of students that are not participating in the review of the curriculum syllabus.

- (d) In order to allow the student representatives committee to fully reflect the opinions of students, appropriate assistance shall be offered. Taking the student representatives of 2021 Curriculum Review Assembly as an example, which reviewed the 12-year national basic education curriculum syllabus for each field, subject, and group subject, at the request of the student representative committee, the government assisted in holding a symposium to collect the opinions of the majority of students. In addition, all previous review conferences and each group review meeting are all video-recorded to ensure that the opinions raised are taken into consideration and discussed.

Table 4 List of proposals for the CCYD to participate in “the Child Rights Group of the Executive Yuan”, “the Child Rights Group of the Ministry of Health and Welfare” and “the Children’s Accident Injury Prevention Task Force of the Ministry of Health and Welfare” from 2020 to 2021

Meeting	Type	Topic	Follow-up Promotion
Child Rights Group of the Executive Yuan	Respect for the views of the children and youth	Promote children and youth’s participation in school affairs and environmental issues	The human rights work of the Environmental Protection Administration, Executive Yuan is included in the participation of children and youth; and the Ministry of Education is included in the discussion.
	Freedom of association and peaceful assembly	Right of association of children and youth	Civil Associations Act is included in the list of regulations to be reviewed.
	Protection of children and youth from violence	Cyber bullying prevention and enhancement of teachers’ knowledge	Invite children and youth to participate in the discussion of cyberbullying patterns and how to deal with them; amend the “Guidelines for preventing bullying in schools” to include cyberbullying.
	Protection of children and youth from economic exploitation	labor rights of children and youth	The Ministry of Labor has increased the sample survey of juvenile employment status.
	Alternative care	Rights for children and youth of placement	Invite children and youth to participate in the research and evaluation indicators.
	Education	Tuition policy based on the number of children and youth in the families	To be discussed by the Ministry of Education.
	Juvenile justice	Social and	Social and administrative

Meeting	Type	Topic	Follow-up Promotion
		administrative agencies providing emergency care services in juvenile justice incidents.	agencies and courts establish a cooperation mechanism.
Child Rights Group” of the Ministry of Health and Welfare	Dissemination and Awareness Enhancement	Promotion and implementation of CRC	The Family Education Center handles promotion, and the Ministry of Education and the Ministry of Health and Welfare subsidize student associations to participate in the promotion.
	Mental health	Improvement of the campus counseling mechanism	Local governments set up Student Guidance and Counseling Centers to provide counseling resources.
	Sexual health	Schoolchildren’s lack of sex health education	The Teacher Training Center incorporates sexual health knowledge and emotional education courses.
	Children with disabilities	Popularization of inclusive parks	The Ministry of Health and Welfare invites children and youth to participate in the study to formulate the “Inclusive Playground Design Principles”.
	Education and rural resources	Rural education and public transportation	The Ministry of Education explains the allocation of educational resources and supporting measures for teachers in remote areas; and the Ministry of Transportation and Communications strengthened the promotion of the Happiness Bus(Demand

Meeting	Type	Topic	Follow-up Promotion
			Responsive Transportation System, DRTS).
	Right to leisure	Preferential measures for public facilities	Inventory of the number of public venues and invite children and youth to participate in the planning of new construction or renovation.
Children's Accident Injury Prevention Task Force of the Ministry of Health and Welfare	Right to life, survival and development	Suicide prevention and school counseling mechanisms	Invite children and youth to participate in the Suicide Prevention Consultation Meeting of the Ministry of Health and Welfare
	Protection of children and youth from violence and protection of Privacy	Implementation methods of survey on campus life	The use of online surveys for educational research is suggested to be adopted.
	Protection of children and youth from smoking hazards	Hazards of emerging tobacco products	Invite children and youth to participate in the discussion of the promotion scripts.

#### 第四章 公民權與自由

點次	問題內容(原文)	中文參考翻譯
4.1	Para. 45. In the media classification there are two categories, Parental guidance – 12 and Parental guidance-15, which mean that programs with this label are not suitable for viewing by children respectively under the age of 12 and under the age of 15. What does “parental guidance” mean in this context?	第 45 點。媒體分級有「輔導十二歲級」（未滿 12 歲不宜觀賞）、「輔導十五歲級」（未滿 15 歲不宜觀賞），表示符合該分級之節目不適宜未滿 12 歲或 15 歲兒少觀賞。在此脈絡中，「輔導級」的定義為何？

#### 中文回應

42. 《電視節目分級處理辦法》於 1999 年訂定發布，並自 2000 年起施行，將電視節目分為 4 級：

- (a) 限制級：未滿18歲者不宜觀賞。
- (b) 輔導級：未滿12歲之兒童不宜觀賞，12歲以上未滿18歲之少年需父母或師長輔導觀賞。
- (c) 保護級：未滿6歲之兒童不宜觀賞，6歲以上未滿12歲之兒童需父母、師長或成年親友陪伴觀賞。
- (d) 普遍級：一般觀眾皆可觀賞。

43. 有關「輔導」係指 12 歲以上未滿 18 歲之少年需父母或師長輔導觀賞。

44. 2016 年修正發布，並自 2017 年施行，將電視節目分級修改為 5 級，將其中「輔導級」細分為「輔導十二歲級」及「輔導十五歲級」。

#### 英文回應

42. Television Programs Classification Handling Regulations were announced in 1999 and implemented in 2000. The regulations classify television programs into four categories :

- (a) Restricted: TV programs are not suitable for viewing by those under the age of 18.
- (b) PG (Parental Guidance): TV programs are not suitable for viewing by those under the age of 12. For those between the ages of 12-18, these programs should be viewed with the guidance of parents or teachers.

- (c) Protected: TV programs are not suitable for viewing by those under the age of 6. For those between the ages of 6-12, these programs should be viewed with the company of parents, teachers or adult family members.
  - (d) General: TV programs are suitable for watching by general audiences.
43. “Parental Guidance” allows those between the ages of 12-18 to view PG TV programs with the guidance of parents or teachers.
44. The Television Programs Classification Handling Regulations were amended in 2016 and implemented in 2017. In the new regulation, the original four categories of TV programs were adjusted into five. That is, the original “PG” classification was divided into PG-12 and PG-15.

點次	問題內容(原文)	中文參考翻譯
4.2	Para. 47 Children age 16 or older can become a member of a political party. Does this include that they will have voting rights in the context of the political party and that they can become a candidate for the political party in local and national elections?	第 47 點。年滿 16 歲之兒少得加入政黨，是否表示其擁有政黨的投票權，並得在地方與國家選舉中，代表該政黨參選。

### 中文回應

45. 據《政黨法》規定，政黨不得招收未滿 16 歲之國民為黨員；非基於國民之自由意願，不得強制其加入或退出政黨。因此，年滿 16 歲以上國民即得自由選擇欲加入之政黨，並經政黨同意後成為政黨成員。政黨成員於加入政黨後，原則上享有對政黨負責人及選任人員之選舉投票權，至於如何行使投票權，係由各政黨章程規定，例如規定應盡相當義務（如繳交黨費）後方能取得投票權。
46. 依《憲法》第 130 條規定，中華民國國民年滿 20 歲者，有依法選舉之權，除本憲法及法律別有規定者外，年滿 23 歲者，有依法被選舉之權。因此，年滿 16 歲兒少不具有選舉權及被選舉權。

### 英文回應

45. According to the Political Parties Act, political parties may not recruit citizens under the age of sixteen. A political party may not force any citizen to join or quit. Therefore, citizens over the age of 16 can choose a political party freely and become its member with the political party's approval. In general, the members of a political party have the right to vote for the leader and officers of the party. The chapter of each political party will prescribe how to exercise the members' right to vote in detail. For example, the member may obtain the right of vote after fulfilling certain obligations (such as paying political party membership dues).
46. According to Article 130 of the Constitution of the Republic of China (Taiwan), any citizen of the Republic of China who has attained the age of 20 years shall have the right of election in accordance with law. Except as otherwise provided by this Constitution or by law, any citizen who has attained the age of 23 years shall have the right of being elected in accordance with law. According to the above regulations, children and youth who have attained the age of 16 years do not have the right to vote or to be elected.



點次	問題內容(原文)	中文參考翻譯
4.3	Para. 95 Mobile broadband penetration is stated to have reached 126.1% which indicates that there are more subscribers than the population of Taiwan. But this does necessarily mean that all children have access to the internet? Please clarify the percentage of children who have access to the internet; whether the quality of that internet connection is effective for purposes such as online learning and if there are gaps in internet access and quality, which cohorts of children and more likely to experience such gaps.	第 95 點。貴國行動寬頻滲透率達 126.1%，表示總用戶數多於總人口數。但這一定表示所有兒少都能上網嗎？請釐清兒少可上網之百分比；對於線上學習等目的之使用，網路連線品質的效果好嗎？倘在上網管道及品質有落差，哪一類兒少群體更容易經歷這樣的落差？

### 中文回應

47. 「行動寬頻普及率」計算方式為行動寬頻用戶數除以全國人口數(含兒少)，即平均每位國民約有 1.2 個行動寬頻帳號。依《電信管理法》，「電信之內容及其發生之效果或影響，均由使用電信人負其責任。」；「電信事業無正當理由，不得拒絕電信服務之請求及通信傳遞。」基於保障秘密通信權利，無從得知使用人之性別、年齡等資訊，爰尚無兒童上網比例等資料。
48. 行動通信受限於無線傳輸特性，實際連線品質會因使用地點之地形、地上物遮蔽情形、使用終端設備、人數、距離基地台遠近、移動速度或其他環境等因素影響而有所差異，有其客觀條件限制，因此，在偏遠地區如需穩定之上網品質，應以固定網路方式提供，此不因上網者為成人或兒童而有差異。
49. 囿於偏遠地區之地形限制，政府為促進偏鄉數位發展，縮短城鄉差距，刻正配合行政院縮減數位落差政策，執行《偏鄉數位應用精進計畫》，積極協助提供偏遠地區民眾、多元族群數位應用與數位服務（網址：  
[https://www.edu.tw/News\\_Content.aspx?n=D33B55D537402BAA&sms=954974C68391B710&s=46E6E9298ABB2C75](https://www.edu.tw/News_Content.aspx?n=D33B55D537402BAA&sms=954974C68391B710&s=46E6E9298ABB2C75)）。
50. 我國高級中等以下學校均具備符合教學需求之有線、無線網路，提供學生在校存取網際網路之需求，各校一般教室具有 100%無線網路涵蓋率，校內骨幹頻寬達 1Gbps 以上，學校連外頻寬達 300Mbps 以上。

51. 鑑於偏遠學校、原鄉地區、原住民族實驗之學校，其載具、網際網路，及隔代教養或家長無法陪同教學照顧等，所面臨的情形與都會區學校不盡相同，恐不易實施線上教學，業於 2021 年請各地方政府授權偏遠學校、原鄉地區、原住民族實驗之學校得自行訂定及實施因地制宜之短期教學方案，俾利保障學生受教權。
52. 另考量偏遠或教學資源不足地區不易實施線上教學，補助公共電視臺製作教學影片，並於全國停止到校上課期間徵用電視頻道播出國小低年級數學科及國語科教學影片，以及藝術、健康與體育、綜合活動、科技等領域之教學影片。對於線上學習資源不足地區學生及國小低年級學生，建置更多元之學習管道，俾確保偏鄉學生學習不中斷。

#### 英文回應

47. “The mobile broadband penetration rate” is calculated by dividing the number of mobile broadband users by the national population (including children and youth). As such, on average, there are about 1.2 mobile broadband accounts per citizen. The Telecommunications Management Act stipulates, “The content of telecommunications and the effect or impact of telecommunications shall be the responsibility of the user.” “A telecommunications enterprise shall not refuse requests for telecommunications services and transmission of communications without justifiable reasons.” In light of these protections of rights to confidential communications, users’ gender and age, as well as other information cannot be ascertained. Similarly, there is no data regarding the proportion of children online.
48. Mobile communication is limited by the characteristics of wireless transmission, meaning the actual connection quality varies due to a range of factors, such as terrain, ground objects, terminal equipment, online traffic, distance from the base station, the speed of movement, and so on. In order to provide stable internet access quality in remote areas, a fixed network should be provided, regardless whether the users are adults or children.
49. With view to promoting digital development in remote areas thereby reducing the digital divide between urban and rural areas, the government has implemented the Digital Application Improvement Program in Remote Areas, and actively assists people in these areas, including indigenous groups, with digital applications and services.

[https://www.edu.tw/News\\_Content.aspx?n=D33B55D537402BAA&sms=954974C68391B710&s=46E6E9298ABB2C75](https://www.edu.tw/News_Content.aspx?n=D33B55D537402BAA&sms=954974C68391B710&s=46E6E9298ABB2C75))

50. In R.O.C. (Taiwan), the primary, junior high, and senior secondary schools are equipped with wired and wireless networks that satisfy the needs of educational instruction and students' demand of internet access on campus. The wireless network coverage is 100% in regular classrooms. The backbone network reaches 1Gbps or above, and the bandwidth of outbound network is 300Mbps or above in schools.
51. Considering the facts that devices, internet, grand-parenting issues and parents' difficulties in accompanying school children in learning and taking care of them in remote areas, indigenous districts, and indigenous tribes' experimental schools, their problems are rather different with those in the urban areas. There are certain problems in conducting online teaching. In 2021, regional governments are requested to authorize schools in remote areas, indigenous districts, and experimental schools of indigenous tribes to make their own short-term teaching schemes and implement teaching schemes that suit their regions to safeguard the students' rights to education.
52. In addition, considering that it is difficult to implement online teaching in remote area or in area where suffering insufficient teaching resources, subsidize Public Television Service Foundation(PTS) to produce teaching videos, and commandeer TV channels to broadcast teaching videos of Mathematics and Mandarin for lower grades of elementary school, as well as Arts, Health and Physical Education, Integrative Activities, Science and Technology, and other teaching videos during school closures due to the pandemic. Construct more diversified learning channels for students in areas with insufficient online learning resources and elementary school students in the lower grades so to ensure uninterrupted learning for students in remote areas.

點次	問題內容(原文)	中文參考翻譯
4.4	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.	第 97 點。請釐清貴國學術網路所採用的兒少不宜內容過濾系統，有否採取任何措施評估其有效性；中央政府是否有主管機關負責保護兒少免受網路內容及行為的傷害，如網路霸凌、以及透過網路及其他形式的媒體進行誘騙及侵犯隱私等。

### 中文回應

53. 為防止兒少接觸有害身心發展網路內容，依《兒少法》，由國家通訊傳播委員會召集各目的事業主管機關<sup>5</sup>成立「iWIN 網路內容防護機構」（下稱 iWIN），辦理兒少上網安全 7 大任務，包括：兒童及少年使用網際網路行為觀察、申訴機制之建立及執行、內容分級制度之推動及檢討、過濾軟體之建立及推動、兒童及少年上網安全教育宣導、推動網際網路平臺提供者建立自律機制、其他防護機制之建立及推動。
54. iWIN 訂有「網路有害兒少身心健康內容防護層級例示框架」，將有害兒少身心健康內容分為暴力、血腥、恐怖、色情、危險內容及其他（包含歧視仇恨情節、傷害性語言、洩漏或接露他人個資、賭博或其他不當內容）等 6 大類，及警示性防護、阻攔性防護、嚴格年齡限制及禁止表現等 4 個防護層級，供網路平臺業者建立自律規範，其中「禁止表現」是最高層級，網際網路內容不得違反法律規定，至網路霸凌是否符合其他有害身心健康內容，仍需視個案情境來認定。
55. 學術網路所採用的兒少不宜內容過濾系統，除了既有黑白名單資料庫進行不當資訊網路內容防護外，系統防護資料庫名單亦不定期保持更新狀態，更新的主要來源為 iWIN 提供之黑名單、使用者黑名單建議及白名單回饋和團隊自主獲取黑名單來源。團隊在接收到新名單，在經過資料庫比對，並確認網站防護狀態後，若網站存在並且非失效狀態，將進行資料庫分類，進行名單更新，納入黑名單或白名單資料庫中，更新後的資料庫將派送至各防護系統伺服器系統資料庫中，不當資訊防護系統 2022 年 7 月阻擋次數 2,470 萬 1,307 次，2021 年度阻擋次數 4 億 90 萬 3,711 次，每月隨機抽樣調查

<sup>5</sup> 衛生福利部、教育部、內政部、經濟部、文化部。

導入新系統之縣市阻擋成功率，以測試機連線教育網中心進行測試，測試黑、白名單阻擋成功比率 100%。

56. 2019 年教育部與趨勢科技合作網路守護天使 2.0，供家長及學生於居家電腦及手機免費下載，期望保護青少年及學童遠離不良網路內容、維持良好身心發展，過去兩年已累積阻擋近 2 千萬筆事件，2021 年度下載次數 9 萬 2,035 次。2022 年 6 月推出網路守護天使 3.0「趨勢科技家長守護」，加入「AI 影像過濾」、「搜尋文字雲」、「一對多管理」等功能。
57. 民眾如發現有害兒少身心健康發展之網路內容，可向 iWIN 申訴，iWIN 同時也持續與大型網際網路平臺業者建立溝通管道，期快速移除包含兒少網路霸凌、洩露隱私與誘拐詐騙在內之違法內容。iWIN 也持續辦理相關議題宣導，教導學生與其照顧者，包含教師與家長，如何避免遭受到網路上非法行為的違害。
58. 《兒少法》規範略以，兒少有遭受不當對待、未獲適當養育照顧、施用毒品、為家事事件之當事人或關係人、為刑事案件或少年保護事件之當事人或被害人等情形，網際網路等媒體不得報導或記載足資識別兒少身分的資訊，任何人亦不得於網際網路等媒體上揭示相關資訊，違者將處以罰鍰；除透過法律明定保護兒少隱私，且加強與 iWIN 合作向各網路平臺宣導，落實自律機制，以保障兒少之隱私權。
59. 鑒於數位科技發展迅速，被害人性影像一旦遭外流散布，造成被害人心理傷害恐難抹滅，業參考《刑法》妨害性自主罪章、散布猥褻物罪、公然猥褻罪之刑罰，修正《兒童及少年性剝削防制條例》，針對使兒童或少年為性交或猥褻行為、供人觀覽、被拍攝、自拍、製造性交或猥褻行為之性影像案件，就其手段提高刑責，針對性影像並與網路平臺業者建立移除下架、保全證據與司法協助機制，此外，有關違反規定者，亦訂有罰則及攔阻措施。
- 59.1、有關 iWIN 處理兒少私密照及隱私個資散布之有效性，查 2021 年度 iWIN 受理申訴兒少私密照外流共 303 件，申訴案件之被害兒少皆為國人，影像皆被散布於境外論壇、社群及影音平臺，經 iWIN 透過電子郵件向境外平臺業者檢舉，扣除無明確影像內容等不受理案件後共計受理 220 筆資料，其中有 212 筆私密影像與散布帳號已完成移除，移除率達 96%，其他則持續與業者溝通刪除中，並將該網站列入不當網址，函請中華電信及教育部學術單位，列入兒少不宜接取之黑名單；另 2021 年度 iWIN 受理涉及違反兒少法第 69 條(兒少個資保護)之申訴案件共 44 件，皆已移請業者下架足資辨識兒少身分之網頁資訊，成功下架比率達 8 成。

## 英文回應

53. To prevent child and youth exposure of contents on the internet that will harm their physical and mental health, according to the Protection of Children and Youths Welfare and Rights Act, NCC shall call upon competent authorities to establish Institute of Watch Internet Network(iWIN) and perform the following 7 tasks for internet safety of children and youth: observation of the use of the internet by children and youth, establishment and implementation of complaint mechanisms, promotion and review of the contents rating system, establishment and promotion of screening software, propaganda of on-line safety for children and youth, acceleration of a self-discipline mechanism established by the internet platform providers, establishment and promotion of other protective mechanisms.
54. iWIN established “The Exemplification Framework of Internet Harmful Contents for Childrens’ Physical and Mental Health Prevention Rating System” which divided harmful contents into 6 categories: violent, bloody, horrible, pornographic, danger contents and others (including discrimination and hatred plot, harmful language, exposure of others’ private information, gambling and other inappropriate contents). Besides, there are 4 prevention rates: warning prevention, obstructive prevention, strict age limit and display forbiddance. The exemplification framework is provided for internet platform providers to establish a self-discipline mechanism on their own. Among the exemplification framework, “display forbiddance” is the highest rate, which is said that internet contents shouldn’t forbid the law regulation. As for internet bullying whether fits the standard of other harmful contents or not, it would depend on the context of the cases.
55. Regarding the effectiveness of the filtering systems adopted on the Taiwan Academic Network to regulate content not suitable for children and youth, in addition to the blacklists and whitelists in the databank that protect them from inappropriate information, the name list in the protection databank in the system is updated irregularly to cope with the latest situations. iWin is the major provider of blacklist and blacklist user updates, and whitelist feedback. After the team received the new list, it will compare that with the databank to ensure the conditions of protection. If the websites still exist and in active

conditions, databank sorting will be conducted to update the name list by adding new entries to the database of the blacklist or whitelist. The updated databank will be sent to the database in the servers for protection. In July 2022, the inappropriate information protection system blocked 24,701,307 inappropriate access. In 2021, it blocked 400,903,711 inappropriate access. Every month, there will be random access to sample and investigate the successful blockage rate of different cities and counties regarding new entries in the system. Testing machines will access the Taiwan Education Network Center to test a whitelist and blacklist blocking mechanism. After testing, it has reached a 100% blockage rate.

56. In 2019, the Ministry of Education collaborated with Trend Micro Inc. to write the program Network Guardian Angels 2.0, which was provided for free download by parents and students with their home computers or smartphones. It was hoped that it could protect the youth and school children from accessing indecent websites to maintain healthy mental development. In the past two years, it had blocked about 20 million incidents. In 2021, it was downloaded 92,035 times. In June 2022, Network Guardian Angels 3.0 – Trend Micro Family” was released, with added “AI image filter,” “searched word cloud,” “one-to-many management,” and other functions.
57. If the public encounters online content that is suspected of being harmful to the physical and psychological health of children and youth, a complaint can be submitted to iWIN. The institute continues to establish communication channels with major internet platform providers, with the aim of removing online bullying, privacy concerns, grooming and fraudulent activities in a timely manner. iWIN also continues to conduct campaigns on related issues to inform students and their caregivers, teachers, and parents how to protect minors from harmful and illegal acts online.
58. According to the Protection of Children and Youths Welfare and Rights Act, children suffered from maltreatment or inappropriate care, using drugs, being a part of family events, criminal cases or juvenile protection events, internet and other media shall not report, or record the information that is sufficient to identify the children and youth. Anyone shall not reveal relevant information to the internet or other public media

platforms. The violator will be fined. Aside from protecting the privacy of children and youth through law regulation, the government strengthen the collaboration with iWIN to protect privacy rights of children and youth by publicizing propaganda on internet platforms and implementing self-discipline mechanism.

59. Considering the high-speed development of digital technology, once sexual pictures or footages of victims are outflowed or distributed, the mental damage of victims are hard to erase. Therefore, the government are amending the Child and Youth Sexual Exploitation Prevention Act referring to the penalty of the crime of distributing obscene objects and public indecency in the chapter “Sexual Offenses” of Criminal Code of the Republic of China. Aiming at the sexual picture or footage cases related to causing children and youth to engage in sexual intercourse or obscene acts for others to watch, filmed, selfie or produced, the penalty will be raised according to the means. For sexual pictures or footages released, there will be a removal, taking down, evidence assurance and legal assistance mechanism being established with internet platform providers. For the offenders, there will be penalty regulation and obstructive measures.

59-1. About the effectiveness of iWIN dealing with the spread of child private pictures and private information, iWIN has received 303 cases of child private picture breaching complaints in 2021. The victims of the above complaints are all our citizens. The pictures were spread to foreign forum, community and video platforms. Through iWIN reporting to the foreign platform industry by email, except for no precise video contents, there were 220 cases received. Among 220 cases, there were 212 private pictures and spreading accounts being removed, the percentage of removal was 96%. Other cases, iWIN is still communicating with the industry to delete them, and included the websites in inappropriate websites and mailed to Chunghwo Telecom and the academic units of Ministry of Education to ask them to blacklist the websites which can't be accessed by children. Besides, iWIN has received 44 complaints relating to violating article 69 of Protection of Children and Youths Welfare and Rights Act and asked the industry to remove the website information which can identify the child. The removal percentage was 80%.



點次	問題內容(原文)	中文參考翻譯
4.5	Para. 101. With regards to children's organizations, please clarify whether children can establish their own organizations or become members of a civil society organization.	第 101 點。就兒少組織方面，請釐清兒少是否可自行成立組織，或成為公民社團組織成員。

#### 中文回應

60. 現行《人民團體法》規定團體發起人須為成年、且無相關消極資格者，其立法意旨在人民團體成立後，其負責人、選任職員暨會員等，於參與執行會（業）務時涉及一定之法律行為與責任之故，爰未成年之兒童尚難申請設立人民團體，僅可依各該團體章程加入為團體之會員。
61. 為落實兒少結社自由，已擬具《社會團體法》草案，將社會團體籌組由許可制改為「登記制」，故不再有申請籌組之程序，以及現行發起人之資格限制，至於會員資格於草案中亦無額外規定，均由團體於章程中自行決定；爰針對會員及理、監事是否具行為能力已取消相關規範，完全尊重團體自治及相關選舉結果，以保障兒少結社自由權益。《社會團體法》草案前於 2017 年由行政院函送立法院審議，惜第 9 屆會期未及完成二、三讀程序，並因立法院屆期不續審，爰將持續推動本法草案完成立法程序。

#### 英文回應

60. According to Civil Associations Act, the initiator of the civil association shall be an adult who isn't as referred to the Paragraph 2 of Article 8<sup>6</sup>. The legislative intention is that the chairperson, elected personnel and members of the established civil association may involve legal acts and liabilities when doing conference or business affairs. Therefore, those who aren't of age are not allowed to apply for establishing the civil association, but only follow the association's constitution to apply for membership instead.
61. To promote and protect the rights of children and youth to freedom of association, the government has drawn up the draft of Social Associations Act to press ahead with the registration system instead of the system of applying for permission for establishing the

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<sup>6</sup> 1. Is condemned to fixed-term imprisonment, and the imprisonment has not been executed or finished yet.  
However, this does not include probation.  
2. Is under security punishment that has not been executed or finished yet.  
3. Is announced to be bankrupted, and the rights have not been recovered.  
4. Has been placed under custodianship and such custodianship has not yet been withdrawn.

association. Accordingly, there will not be any procedure of applying for establishing the association and any restrictions on initiators. As to the membership requirements, the draft of Social Associations Act has no related regulation. The associations may make regulations on membership requirements in the constitution. The government intends to cancel the regulations which require the associations' members and elected personnel shall have capacity to act. The government fully respects group autonomy and election results to protect the rights of children and youth to freedom of association. Executive Yuan had sent the draft of Social Associations Act to Legislative Yuan for examination in 2017, yet it's a pity that there was no time for the second and the third reading of the draft in the 9th Session. Owing to the expiration of Members of the Legislative Yuan's term, the examination of the draft didn't continue. As a result, it's the goal to keep pushing the bill through legislation procedure.

點次	問題內容(原文)	中文參考翻譯
4.6	Para. 106 Please clarify the circumstances under which a health examination of a student can be undertaken in a school including the process for determining consent and the circumstances when it could ever be considered appropriate to examine a student's genitals.	第 106 點。請釐清在什麼情況下學校可以對學生進行健康檢查，包括確定學生同意的程序，以及在什麼情況下，檢查學生生殖器被認為是適當的。

### 中文回應

62. 依照我國現行學制，學生白天時間大多在學校度過，學生在學期間必須學習知能和實踐健康行為，才能奠定健康基礎；考量由學生個別自行至醫療院所進行健康檢查，可能受限於家長時間、各家醫療院所醫療品質及所需經費等因素，爰規劃統一由政府單位協助安排於學校進行健康檢查，以掌握學生健康狀況進行健康管理，維護與促進學生身心健康。
63. 依據《學生健康檢查實施辦法》及《學校健康檢查知情同意及隱私權保護原則》規定，學校辦理學生健康檢查前，應發給家長同意書，說明檢查之意義、項目、流程、日期及相關注意事項，請家長充分瞭解並經其子女同意後，再行簽署。
64. 實施學生健康檢查目的係希望透過檢查早期發現疾病或問題，以及早矯治或治療；現行學生健康檢查基準表已將胸腹部及泌尿生殖器官等私密檢查項目列為「應檢查但須家長同意之項目」，如家長不同意學生在校內進行私密檢查項目，請家長自行帶至醫療院所檢查，費用自理，並將檢查報告繳交學校。
65. 每年辦理「國民中小學學生健康檢查實施計畫審查會議」宣導，請學校依據「高級中等以下學校學生健康檢查工作手冊」規定，為維護學生健康及隱私權，辦理胸腹部及泌尿生殖器官檢查時，除應有遮屏簾外，應要求受檢學生一出一進原則。

### 英文回應

62. According to the current academic system of Taiwan, students spend most of their daytime at schools. In addition to learning and studying knowledge, students shall also practice health behaviors to achieve a solid foundation for good health. Since students individually visit medical units for health checks, which may be limited by factors such as available time of parents, medical quality of each medical units, and the funds required, it is planned

that government agencies will assist in arranging health checks in schools, so as to grasp the health status of students, conduct health management, and maintain and promote students' physical and mental health.

63. According to the Implementation Regulations for Student Health Examination and the Principles of Informed Consent and Privacy Protection in School Health Examination, the school shall issue a parental consent form before conducting any student health check to explain the purposes, items, procedures, date and relevant precautions of the check to allow the parents to fully understand the matters before signing and giving the consent to health check for their children.
64. The purpose of implementing student health check is to detect diseases or problems, and correct or treat them as early as possible. The current student health check standard table has listed items to check private areas such as breasts, abdomen and genitourinary organs, which are “to be checked subject to parental consent”. If the parents do not agree to the health check of private areas at schools, the parents shall bringing the students to medical institutes by themselves at their own expense, and submit the health check report to the schools.
65. The government hold the “Review Meeting for Implementation Plan of Health Check for Primary and Junior High School Students” annually to make promotion, and ask schools to comply with the regulations of the “Health Check Work Manual for Students in Schools at and Below Senior High Schools” to protect students' health and privacy rights. When conducting health check of breasts, abdominal and urogenital organs. In addition to blind screening, the students to be examined are required to enter and exit the health check one by one.

點次	問題內容(原文)	中文參考翻譯
4.7	Para 107 Please clarify whether the regulations concerning privacy for children and youth in placement institutions confirm with the relevant international standards such as the United Nations Rules for the Protection of Juveniles Deprived of their Liberty or the UN Guidelines for the Alternative Care of Children.	第 107 點。請釐清關於兒少安置機構隱私權的規範，是否符合相關國際標準，如《聯合國保護被剝奪自由少年規則》或《聯合國兒童替代性照顧準則》等。

### 中文回應

66. 《聯合國兒童替代性照顧準則》第 89 點所稱尊重兒少隱私權，包括提供適當設施以滿足個人衛生需要、尊重性別差異與互動關係，以及為個人物品提供足夠存儲空間等，2018 年度兒少安置機構聯合評鑑指標（下稱評鑑指標）依上開準則訂有隱私與保密權之項目，具體考評內容包括依照兒少年齡尊重個人隱私空間安排、廁所及浴室符合兒童少年需求使用，且顧及隱密性、機構應訂定兒少資料保密與個人隱私權益保障規定，並於 2022 年評鑑指標，增訂監視錄影設備不得裝置於影響隱私之空間、限制私人物品查看、兒少個人資訊使用同意與肖像權之保護等。
67. 《聯合國保護被剝奪自由少年規則》第 32 點要求少年拘留所的設計和物質環境應適當顧及少年隱私，復依第 35 點、第 60 點及第 87 點，少年隱私包含持有個人財物、接受探訪機會及無拘束交談環境、管理人員因其身分得知少年個人及其家庭機密情事應予保密。我國少年矯正機關為保障學生金錢及物品之隱私，皆設專戶管理學生之金錢，且除非因為生活空間不足，學生得攜帶物品於機關內使用，教室、寢室均規劃個人空間，供收容少年存放物品；對於學生接見一般親友，除有事實妨害機關秩序或安全之虞，不得任意聽聞，另對於學生接見律師，一律不得聽聞，以保障其隱私；任何人對於因業務而知悉或持有矯正機關收容少年之個人資料，負保密義務，不得無故洩漏，以上規範皆符合國際標準。

### 英文回應

66. The “respect for children’s privacy rights” as stated in paragraph 89 of the “UN Guidelines for the Alternative Care of Children”, which includes items such as providing appropriate facilities for hygiene and sanitary needs, respecting gender differences and interaction, and providing sufficient storage space for personal possessions, etc., has been included in the

2018 joint evaluation indicators of placement institutions for children (hereinafter the evaluation indicators) to provide privacy and confidentiality provisions according to the above-mentioned Guidelines. The specific evaluation content includes the arrangement of space for respecting personal privacy according to the age and the use of toilets and bathrooms to meet the needs of children and youth as well as taking into account the confidentiality, and institutions shall formulate regulations on confidentiality of their data and protection of personal privacy rights and interests. In 2022, the evaluation indicator added the provisions that surveillance video equipment shall not be installed in spaces that affect privacy, the examination of personal belongings is restricted, the requirement of consent to the use of their personal data and the protection of portrait rights.

67. Paragraph 32 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty requires that the design and the physical environment of detention facilities for juveniles should pay attention to the need of the juvenile for privacy. Also, according to Paragraphs 35, 60 and 87, a juvenile's right to privacy includes the possession of personal effects, the opportunity to receive visits and an unrestricted communication environment, and facility personnel should safeguard all confidential matters concerning juveniles or their families learned as a result of their professional capacity. For the sake of protecting the privacy of juveniles with regard to their money and personal items, all of our juvenile correctional institutions have set up a special account to manage the money of detained juveniles. Unless there is not enough living space, juveniles are allowed to bring their personal items into the facility. Their classrooms and dormitories are designed with personal space for them to store personal items. Facility personnel are not allowed to listen to the conversation between a juvenile and their friends and families during a visit, unless there is a concern based on facts that the visit may disrupt the order or security of the facility. The conversation between a juvenile and his or her lawyer is always kept private with no exception. Any person who learns or holds the personal information of a detained juvenile through the nature of their work must keep the information confidential and may not disclose any information without just cause. All of those rules conform to international standards.

## 第五章 保護兒少免受暴力侵害

點次	問題內容(原文)	中文參考翻譯
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.</p> <p>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.</p> <p>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>第 110 點。請補充說明虐待及疏忽的法律定義，以及兒少虐待、疏忽預防與處遇的訓練內容。</p> <p>並說明是否有針對造成虐待及疏忽的根本原因進行相關研究及分析(非統計資料)，以及如何解決幼兒、身心障礙兒少、少數族群兒少遭受家內虐待與疏忽的問題。</p> <p>請說明強化社會安全網計畫之成效、重要進展，以及妨礙其實現之因素與困難。</p>

### 中文回應

68. 虐待及疏忽法律定義：《兒少法》規定略以，任何人不得對兒少有遺棄、身心虐待、強迫性交等 15 款不當對待行為，並未特別針對「虐待」、「疏忽」進行定義，然為落實《CRC》精神，業於 2021 年發布《兒少法》「身心虐待」之解釋函，參照《CRC》第 19 條及其第 8 號、第 13 號一般性意見書從寬解釋與認定。爰此，參照前開條文及一般性意見書有關「身心虐待」之定義，包含：疏忽或疏失之對待、精神暴力、身體暴力、體罰、性暴力和剝削、酷刑、羞辱性之處罰或對待、霸凌等，其中「疏忽」意指未能提供兒少生心理之照顧、未能保護其免於危險、未能滿足其生心理、醫療及教育之需求等。
69. 兒少虐待、疏忽預防與處遇的訓練內容：2016 年出版「兒少虐待及疏忽-醫事人員工作手冊」，內容涉及身體虐待、性虐待、疏忽及精神虐待等各種形式不當對待的辨識與判斷指標，相關內容均公布於網站，除供醫事人員於醫療現場辨識兒虐個案使用外，各縣市政府辦理責任通報人員訓練及兒少保護社工人員訓練時亦得參考使用，以提升責任通報人員及兒少保護社工辨識之敏感度，落實通報及提供後續處遇；另外，出版「教育人員兒童及少年保護工作手冊」、「警政婦幼安全工作手冊」，針對常見的兒少保護受虐類型及脆弱家庭樣態，提供相關定義及案例分析；兒少保護社工人員

部分，訂定《保護性社工訓練實施計畫》規範新進兒少保護社工人員必須完成「兒少保護服務工作概論」等 3 門數位課程及「兒少保護受虐成因及家庭系統的認識」、「兒少保護通報與調查實務」等 4 門實體課程，在職社工人員亦須接受處遇技巧精進及個案研討等相關訓練，以持續強化兒少保護社工人員對於辨識與處遇虐待及疏忽個案的能力。

70. 研究及分析：針對「虐待」及「疏忽」發生的根本原因，雖未有正式研究，惟自第一線社工人員調查評估報告內容分析結果，施虐者相關因素有 84% 源自於親職教養知能的不足（32% 缺乏親職知識、30% 習於體罰或不當管教、24% 有負向情緒行為特質），27% 源自於父母或照顧者間親密關係失調，18% 源自於家庭經濟因素。
71. 幼兒、身心障礙兒少、少數族群兒少遭受家內虐待與疏忽的問題：針對 6 歲以下、身心障礙或原住民兒少，相較是屬於易受傷害之族群，目前我國分別推動「6 歲以下弱勢兒童主動關懷方案」、發展遲緩早療個管及身心障礙個管服務，也有成立原住民族家庭服務中心，以及早針對是類孩童進行關懷訪視或提供所需的家庭支持性服務，預防其遭受不當對待。
72. 社會安全網成效、進展：2018 年推動《強化社會安全網計畫》，現補助全國兒少保護社工人力至 759 名，也整合保護性及脆弱家庭（原高風險家庭）通報事件之單一窗口，成立集中受理篩派案中心，兒少通報事件 24 小時派案率達 99.99%，達到快速派案的目標；2021 年推動《強化社會安全網第二期計畫（2021-2025 年）》，立基於第一期計畫基礎建構，第二期計畫預計投入 407 億餘元及 9,821 名各類專業人力，各項工作重點如下：
  - (a) 持續拓展社會福利服務中心家庭服務資源與保護服務，強化公私協力合作，充實及拓展社區服務方案等，滿足家庭多元需求。截至 2022 年 6 月底，已設置 150 處中心，聘用 973 名社工、146 名督導共 1,119 人提供社區家庭服務。
  - (b) 建立集中派案窗口，統一評估指標，串接風險資訊，並建立公私部門協力模式，由保護服務及福利服務體系共同提供以家庭為中心、以社區為基礎的整合性服務。2022 年 1 月至 6 月各地方政府總計受理約 14 萬件保護性或脆弱家庭通報案件，其中 95.79% 案件依限完成派案。
  - (c) 補助各地方政府盤點安置兒少需求及安置資源布建人力，另補助民間團體與兒少安置機構精進及擴充安置服務，截至 2022 年 6 月底止，已聘 16 名人力及補助 106



個民間團體與兒少安置機構。

- (d) 透過布建社區心理衛生中心、精神障礙者協作模式服務據點，補強精神衛生體系與社區支持服務，提升精神疾病預防與治療。至 2022 年 6 月底，各地方政府計已布建 18 處社區心理衛生中心及 12 個精神障礙者協作模式服務據點。
- (e) 設置司法精神醫療保安處分處所及司法精神病房，加強司法心理衛生服務，並建立社區銜接機制，協助精神疾病患者逐步復歸社區。2022 年補助 20 家醫療機構推動《疑似或社區精神病人照護優化計畫》，服務涵蓋 20 個縣市。
- (f) 強化跨體系、跨專業與公私協力服務，整合社衛政與教育、勞政、警政、法務等體系橫向合作，並補助民間團體專業人力辦理各類專精服務方案，提升各服務體系效能。
- (g) 建立專業人力晉階評核機制，並透過增聘兼職助理、保全等協助人力，降低專業人力工作負擔，強化人力進用及專業久任，並加強執業安全。2022 年各類專業人力總需求人數為 5,136 名，截至 2022 年 6 月底已進用 4,024 名，整體進用率達 78.35%。

#### 英文回應

68. The legal definition of abuse and neglect : The Protection of Children and Youths Welfare and Rights Act says that no one shall abandon, physical or mental abuse, force sexual intercourse and other 15 subparagraphs of maltreatment behaviors toward children and youth. However, the above article doesn't define "abuse" and "neglect" specifically. To implement the spirit of CRC, the government have released the interpretation letter of "physical and mental abuse" in the Protection of Children and Youths Welfare and Rights Act in January, 2021. The letter said that "physical and mental abuse" should be interpreted and identified leniently referring to article 19 of CRC and its 8<sup>th</sup> and 13<sup>th</sup> general comments. Therefore, referring to the above comments, the definition of "physical and mental abuse" includes neglect, negligent treatment, mental violence, physical violence, corporal punishment, sexual violence and exploitation, cruel or degrading forms of punishment, bullying and so on. Among them, "neglect" means not being able to provide physical and mental care to the child, protect the child from danger, satisfy his/her physical, mental, medical and educational need.

69. The training of child abuse and neglect prevention and treatment : The government have published “Child Abuse and Neglect: The Manual of Medical Staff ” in 2016 which contains the recognition and identification index of physical abuse, sexual abuse, neglect, mental abuse and other forms of maltreatment. The contents of the above manual have been published on the website. Besides medical staff using it to identify child abuse cases in the front line, local governments can also use it when conducting trainings for mandatory reporters and child protective services(hereinafter CPS) workers to improve their sensitivity of recognition and ensure actual reports and follow-ups. On the other hand, the government published the Manual of Child Protection for Educational Staff, the Manual of Woman and Child Safety for Police, which provides the definition and case analysis of common child protection and vulnerable family types. As for CPS workers, the government have stipulated the Training Implementation Plan for Protective Social Workers. The above plan regulates new CPS workers to finish 3 digital courses for “CPS Introduction”, 4 physical courses for “CPS Abuse Cause and Family System”, “CPS report and investigation practice”. On-the-job workers should also accept trainings of treatment techniques improvement and case studies. These measures aim to strengthen the CPS workers ’ability to recognize and treat child abuse and neglect cases.
70. Research and analysis: Although there isn’t any official research for the root cause of abuse and neglect, analysis results of the investigation report of CPS workers shows that within the relating causes of the abusers, 84% originates from insufficient parenting and care ability ( 32% lack parenting knowledge, 30% accustomed to corporal punishment or improper discipline, 24% possess negative character of emotion and behavior ) , 27% possess intimate relationship dysfunction among parents or caregivers, 18% for family economic factors.
71. The issue of young child, disabled child and minority child suffered from household abuse and neglect : Children under 6, disabled or indigenous people are vulnerable population by comparison. Currently, our country has promoted the Active Care Program for Disadvantaged Children under the Age of Six, development delay early care and the disabled care service. Also, the government have established the service center for

indigenous families. We aim to provide care, visit and family supportive service for the above mentioned children to prevent them from being maltreated.

72. The results and progress of the social safety net : In 2018, The Strengthening Social Safety Net Program was promoted, and 759 CPS social workers nationwide are subsidized. The government also integrated windows for reporting incidents of protective and vulnerable families (formerly known as high-risk families) to establish a concentrated center that allows the rate of transferal of cases in 24 hours to be 99.99%, achieving the goal of rapid transferal. In 2021, the Strengthening Social Safety Net Program Phase II (2021-2025)” based on the basic achievement of the Phase I was promoted, which is expected to invest more than NT\$40.7 billion and train 9,821 professionals of various types. The key points of each work are as follows :

- (a) Continue to expand family service resources and protection services of social welfare service centers, strengthen public-private cooperation, and enrich and expand community service programs, etc., to meet the diverse needs of families. As of the end of June 2022, 150 centers had been set up, employing 973 social workers and 146 supervisors for a total of 1,119 staff to provide community family services.
- (b) Establish a centralized case dispatch window, unify assessment indicators, link risk information, and establish a public-private sector cooperation model, where the protection service and welfare service system jointly provide family-focused and community-based integrated services. From January to June 2022, all local governments received a total of about 140,000 reports of protective or vulnerable families, of which 95.79% were transferal within the time limit.
- (c) Subsidize local governments to conduct an inventory of the placement needs of children and youth, placement of resources and deployment of manpower, and also subsidize non-governmental organizations and children and youth placement institutions to improve and expand resettlement services. As of the end of June 2022, 16 staff have been deployed and 106 civil societies and children and youth placement institutions have been subsidized.

- (d) Strengthen the mental health system and community support services, and improve the prevention and treatment of mental illness by setting up community mental health centers and service sites. By the end of June 2022, local governments have planned to build 18 community mental health centers and 12 service bases in a collaborative model.
- (e) Set up judicial mental health care and rehabilitative disposition facilities and judicial psychiatric wards, strengthen judicial mental health services, and establish a community connection mechanism to assist mentally ill patients to gradually return and adapt to the community. In 2022, 20 medical institutions were subsidized to promote the “Suspected or Community Mental Patients Care Optimization Plan”, whose service covered 20 counties and cities.
- (f) Strengthen cross-system, cross-discipline and public-private collaborative services, integrate horizontal cooperation between social health administration and education, labor administration, police administration, legal affairs and other systems, and subsidize civil society professionals to handle various specialized service programs and improve various services system performance.
- (g) Set up a professional staff promotion assessment mechanism, and employ additional part-time assistants and security guards, etc. to assist staff, reduce the workload of professional staff, strengthen recruitment and consistent professional tenure, and enhance practice safety. In 2022, the total demand for various professional staff reached 5,136, and as of the end of June 2022, 4,024 staff have been recruited, with an overall employment rate reaching 78.35%.

點次	問題內容(原文)	中文參考翻譯
5.2	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.	第 129 點至第 133 點。請說明校園、國家照顧、監獄、矯正機關及其他國家機構在通報及處理兒少遭受暴力案件的差異。 對於暴力發生事件有被通報的占比，請提供相關研究分析。 對於任何場域發生的暴力事件，阻止兒少本人和其他人通報的障礙為何？請提供相關分析資料。

## 中文回應

### 73. 校園

- (a) 有關教保服務機構發生不當對待幼兒案件及校園兒少體罰之相關通報，均依《幼兒教育及照顧法》、《校園安全及災害事件通報作業要點》及《兒少法》等相關規定予以通報處理；另倘有延遲通報情事，將依《兒少法》予以檢討議處或由主管機關實施裁罰。
- (b) 為使通報機制管道暢通，透由辦理研習、明定作業流程及注意事項等作為，以減少通報環節中出現阻礙或困境，說明如下：
  - i. 為使幼兒園相關人員知法，並熟悉相關通報規定，每年持續補助及督導各地方政府辦理教保專業知能研習，提升其兒少保護知能。其中教保研習議題業納入《兒少法》及責任通報暨輔導等內容，以利幼兒園相關人員於發現或知悉有兒童虐待等情事時，及早啟動通報機制即時因應；另亦追加補助各直轄市、縣(市)政府辦理「兒童少年保護辨識、通報暨輔導知能研習」，俾充分宣導及加強教保服務人員對兒虐事件之敏銳度、辨識能力及責任通報觀念；2021 學年度補助地方政府辦理兒少保護相關研習計 25 場，約 2,015 人次參與。
  - ii. 為提供各直轄市、縣(市)政府及教保服務機構處理不當對待幼兒案件時有更為明確之處理機制及步驟可資依循，以確保幼兒權益，於 2021 年 5 月訂定《直轄市及縣(市)主管機關處理教保服務機構疑似不當對待幼兒案件注意事項》，並函知各地方政府轉請所轄幼兒園據以辦理。

- iii. 持續透過經費補助及定期辦理主管高級中等學校教師輔導與管教知能研習，其課程包含正向輔導管教等主題，透過專題演講與分組討論方式，以強化現場教師對於校內合法管教措施、體罰禁止及處理校園內疑似不適任教師案件的認識。
- iv. 另依據「校園安全及災害通報系統」-管教衝突事件通報資料，每月各直轄市、縣(市)政府函報「疑似體罰事件列管表」，並依《教師法》、《學校訂定教師輔導與管教學生辦法注意事項》及《高級中等以下學校教師解聘不續聘停聘或資遣辦法》等相關規定，督導學校妥處校安通報-體罰事件，並檢視行政程序是否完備，以落實零體罰政策。

#### 74. 家外安置兒少（國家照顧）：

- (a) 依《兒少法》相關規定，責任通報人員（包括教師、醫事人員、社工人員、兒少安置機構工作人員等）及任何人知悉兒少遭受虐待或疏忽，均應向當地主管機關通報，爰家外安置兒少於安置處所內遭受暴力，依法其身邊相關責任通報人員應進行通報，通報後當地主管機關應依法介入調查，提供驗傷診療及司法協助原服務；另因家外安置兒少之個案管理係由地方政府社工主責，爰主責社工會評估該兒少繼續安置在原安置處所之安全性，必要時轉換安置至其他適當處所，並依兒少需求提供創傷復原、心理治療、醫療照護等服務，安置處所相關工作人員應配合主責社工之服務計畫提供兒少適當之照顧。
- (b) 如前述法令規定，對於兒少遭受暴力事件，政府已規範責任通報人員及任何人均應通報之機制，未盡責任通報人員依法並得處 6,000 元以上 6 萬元以下罰鍰，且政府長期以來積極宣導 113 求助專線，民眾發現有兒少遭受暴力事件，亦可直接撥打 113 通報。惟政府雖已儘可能使兒少遭受暴力事件能及時獲得通報，但實際尚難掌握所有發生在兒少身上的暴力事件，爰在缺乏母群體的限制下，無法計算出有被通報案件之占比。

#### 75. 監獄、矯正機關

- (a) 有關矯正機關體罰及暴力事件之通報，係依《法務部矯正署所屬矯正機關囚情動態通報實施要點》（下稱《通報要點》）規定，於發生事件時於半小時內以電話或其他迅速方式向法務部矯正署報告，並依《少年矯正學校設置及教育實施通則》、《少年觀護所設置及實施通則》等矯正法規處理，並隨時注意通報事件之後續發

展。前揭事件如符合《兒少法》規定者，則循「關懷e起來」之程序，向地方政府社政單位通報。

- (b) 鑒於少年矯正機關之監視器設置密度較高，故可藉由監視系統主動發現暴力事件並進行通報，除零星事件因罹於監視畫面保存時間，或超出監視範圍，造成取證較不易外，絕大多數暴力行為之通報並無障礙。
- (c) 少年矯正機構發生重大暴行事件時，依《通報要點》規定，指定副首長或秘書於半小時內以電話或其他最迅速之方式向法務部矯正署署長、副署長、安全督導組組長或分區視察等人員報告。事故處理過程中，隨時通報案情後續發展，並依《兒少法》規定立即通報當地主管機關完成通報程序，綜上尚無阻礙兒少和其他人通報暴力行為之因素。

#### 76. 對於任何場域發生的暴力事件，阻止兒少本人和其他人通報的障礙

- (a) 依據《兒少法》規定略以，醫事人員、社工人員、教育人員、警察等 11 種執行兒少福利業務人員，知悉兒少有遭受任何人不當對待情事時，應於 24 小時內通報直轄市、縣(市)主管機關，任何人知悉後亦得通報，且前開通報人之身分資料，應予保密。責任通報人倘違反前段規定，且無正當理由者，將依同法 100 條裁處其 6 千元以上 6 萬元以下罰鍰。
- (b) 另為利責任通報人員及民眾進行兒少保護通報，已建立「社會安全網-關懷e起來」通報網站以及 113 保護專線，方便前開人員完成通報。
- (c) 依各直轄市、縣(市)政府 2021 年受理兒少保護事件通報統計，責任通報人員占 9 成，並以教育人員最多、占 40%，其次為警察、占 21.7%，社工人員占 19.2%，另司法(矯正)人員占 0.8%。
- (d) 基於《CRC》第 19 條係聚焦兒少之父母、監護人、照顧者不得對兒少有任何形式之暴力行為，就我國受理兒少遭受照顧者不當對待之通報事件數據，以 2021 年為例，共發生 2 萬 5,524 件，其中，屬於父母、監護人、家庭成員所為之通報案件共 2 萬 4,521 件(96.1%)，屬於校園場域發生師對生不當對待通報案件 668 件(2.6%)，屬於安置場域照顧者不當對待通報事件共 23 件(0.09%)，屬於矯正機關管理人員不當對待通報事件共 2 件(0.01%)，另屬其他場域(托嬰中心、幼兒園、居家式托育等)照顧者對兒少不當對待之通報事件共 310 件(1.2%)。依前述數據分析，兒少遭受照顧者不當對待之通報案件中，高達 96% 案件為發生在家內，又

家內場域之兒少不當對待往往有高度隱密性，也因此《兒少法》才需創設責任通報制度，要求接觸兒少之專業人員有通報之責任，俾政府及早介入協助。

- (e) 另有關通報障礙的部分，經查 2021 年各地方政府依前開規定裁處責任通報人罰鍰之件數為 40 件，多為教育人員未及時辨識兒少遭到不當對待並通報；另檢視近 3 年家內重大兒虐案件，未有兒少通報紀錄者占 2/3，且近 8 成為 6 歲以下兒童，施虐者多為父母等家庭成員，此係因嬰幼兒生活場域多在家中，且該家庭常因社會支持系統薄弱，面臨社區孤立，當兒童在家庭中未獲適當照顧，不易被發現。

## 英文回應

### 73. Schools

- (a) The child abuse and physical punishment occurred in campus and preschool institutions should be reported in accordance with the Early Childhood Education and Care Act, Directions for Campus Security Report, and Protection of Children and Youths Welfare and Rights Act. In addition, if there is a delay in reporting such incident, it will be reviewed and punished in accordance with the Protection of Children and Youths Welfare and Rights Act or by the competent authority.
- (b) Arrange study and define the operation process and precautions clearly to keep the reporting mechanism and channel open in order to reduce the obstacles or difficulties in the reporting process, which is illustrated as follows :
- i. In order to make the relevant preschool personnel aware of the law and familiar with the relevant reporting regulations, continue to subsidize and supervise the local governments to arrange professional educate competence training for preschool educate givers so to improve their competence in protecting children and youth. Of which, the preschool training subject includes the provisions of the Protection of Children and Youths Welfare and Rights Act and the responsibility for reporting and counseling so that the relevant preschool educate givers and staff can activate the reporting mechanism promptly upon discovering or learning about child abuse and similar incidents. In addition, additional subsidies are provided to municipal and county (city) government to implement the Children and Youth Protection



Identification, Reporting and Counseling Professional Educare Competence Training in order to fully propagandize and reinforce the sensitivity, identification ability, and reporting responsibility concept of preschool educate givers on child abuse issue. 25 training courses related to children and youth protection were held by local governments with 2,015 participants involved in 2021 school year.

- ii. For the sake of providing municipals, county (city) government, and preschool institutions with more clear handling mechanisms and necessary procedures for child abuse incidents in order to protect the welfares and rights of children and youth, the Guidelines for Suspected Child Abuse Incidents in Preschool Institutions Handled by Municipal and County (City) Competent Authorities was formulated on May 25, 2021 with the local governments informed and then to request the kindergartens within their jurisdiction for implementation.
- iii. Continue to provide subsidies and regularly hold professional educare competence training on student counseling and disciplining to the secondary school teachers. The courses include positive counseling, discipline, etc. Also, reinforce teachers' recognition of legal disciplinary measures, prohibition of physical punishment, and handling suspected unfit teachers on campus through keynote speeches and group discussions.
- iv. In addition, the governments report in writing the "Suspected Physical Punishment Incidents List" on a monthly basis in accordance with the "Campus Security Reporting System" – Conflicting disciplinary act incidents. Also, request schools within its jurisdiction to handle school security report properly – physical punishment incidents, and to review the comprehensiveness of the administrative procedures in order to substantiate the "Zero physical punishment" policy in accordance with the Teachers' Act, Guidelines for Teacher Guidance and Discipline of Students, Regulations Governing Dismissal, Non-Renewal, Termination of Employment, or Layoff of the Secondary School Teachers, and other relevant regulations.

74. Children and youth in out-of-home care (state care)

- (a) According to the relevant provisions of the Protection of Children and Youths Welfare and Rights Act, the staff responsible for reporting (including teachers, medical staff, social workers, and staff of children and youth placement institutions, etc.) and anyone who knows the fact that any child and youth is being abused or neglected shall report to the local competent authority. Therefore, if the children or youth in out-home-care system suffer violence at the placement facilities, according to the laws, the relevant staff who are mandatory reporters shall report to the local competent authorities in 24 hours. Upon the report, the local competent authority shall intervene and conduct an investigation according to the laws and provide the services of injury examination, diagnosis and treatment and judicial assistance. The local government social workers are responsible for the case management, assessing the safety of the children and youth at the placement facilities, transferring them to other appropriate places if necessary, and providing trauma recovery and psychological treatment and medical care and other services tailored to their needs, and the relevant staff of the placement premise shall cooperate with the service plan of the responsible social workers to provide appropriate care for children and youth.
- (b) As stipulated in the aforesaid laws, the government has established the mechanism of mandatory reporters who are required by law to report suspected child abuse and neglect to local competent authorities. Those who fail to do so may be subject to a fine from NT\$6,000 to NT\$60,000 in accordance with the laws, and the government has always been promoting the 113 hotline. Anyone may directly dial 113 to report any incident in which any child is suffering violence. However, despite the government doing its best to enable timely reports of cases in which children or youth are suffering violence, it is still difficult to comprehensively understand the ratio of violent incidents reported due to the lack of the matrix.

75. Penitentiary and correctional institutions

- (a) The reporting of corporal punishment and incidents of violence at a correctional institution is carried out in accordance with the Guidelines for Reporting Inmates and

Prison Situations by Correctional Facilities under the Agency of Corrections, Ministry of Justice (refer to as “Reporting Guidelines” below). According to the Reporting Guidelines, any corporal punishment and violence occurrence shall be reported to the Agency of Corrections, Ministry of Justice within half an hour by phone or other swift manners, and handled in accordance with regulations, such as the Act of the Establishment of Juvenile Reformatory Schools and Enforcement of Education and the Statute on the Establishment of Juvenile Detention Houses. Correctional institutions will also watch closely subsequent development of the incident after reporting. If the incident falls under the Protection of Children and Youths Welfare and Rights Act, the incident will also be reported to the social affairs unit of the local government according to the “e-Care” procedure.

- (b) Juvenile correctional institutions typically have higher density of surveillance camera. The video surveillance system enables prompt discovery and reporting of violence occurrence. Except for some sporadic incidents where evidence gathering is made difficult due to the retention time of video recording or surveillance coverage problem, the great majority of violence occurrences are reported without barriers.
- (c) According to the Reporting Guidelines, when a juvenile correctional institution has a major violence occurrence, the designated deputy chief or secretary of the facility shall report the occurrence to the AOC director, deputy director, Security and Supervision Division chief or regional superintendent within half an hour by phone or other swift manners, and update the subsequent development of the reported case at any time in the incident handling process. The incident is also promptly reported to the local authority in accordance with the Protection of Children and Youths Welfare and Rights Act. Thus there are no barriers that prevent children and youth and others to report violence in any setting.

76. Regarding violent incidents taking place in any field, the obstacles of stopping child or others to report

- (a) According to the Protection of Children and Youths Welfare and Rights Act, if medical personnel, social workers, educational personnel, police and other 11 types

providers of children welfare on duty know children was maltreated by anyone, they shall report it to the municipal or county (city) competent authority in 24 hours. Anyone who obtains knowledge of above issues can also report to the municipal or county (city) competent authorities. Any identification information of the reporter shall be kept secret. If the mandatory reporter violates the front regulations and has no justifiable reason, he/she can be fined 6,000-60,000 according to article 100 of same law.

- (b) In convenience for mandatory reporters and people reporting CPS cases, the government have established “Social Safety Net-ECARE” report website and 113 hotlines.
- (c) According to the statistics of the CPS report cases which every local government accepted in 2021, mandatory reporters accounts for 90%, where educational personnel accounts for 40% which is the most, the second is police which accounts for 21.7%, the third one is social workers which accounts for 19.2%. Judicial personnel( including correction personnel ) accounts for 0.8%.
- (d) Based on article 19 of CRC focusing that parents, custodians and caregivers can’t do any forms of violence to children, taking 2021 for example, our country has received 25,524 report cases which child was maltreated by caregiver. Among that, 24,521 ( 96.1% ) report cases were maltreated by parents, custodians and caregivers, 668 ( 2.6% ) report cases were maltreated by teachers in school, 23 ( 0.09% ) report cases were maltreated by placement caregivers, 2 ( 0.01% ) report cases were maltreated by the staff of correction agency, 310 ( 1.2% ) report cases were maltreated by other caregivers ( in baby sitting centers, kindergartens, family childcare services ) . According to the above statistics, among the report cases of child maltreated by caregivers, there were 96% cases happened in the household. And the maltreatment in the household is of high privacy. Therefore, the Protection of Children and Youths Welfare and Rights Act needed to establish the mandatory report system, which asks the professionals contacting child to be responsible of report so as to let government assist child earlier.

- (e) About the obstacles of report, there were 40 cases which local governments fined mandatory reporters according to the above regulations in 2021. Most of the cases were education professionals couldn't identify the child maltreatment and complete the report timely. And we've checked the severe child abuse cases happened in the household these 3 years, two-thirds of them have no CPS report records, near 80% of the victims are the child under 6, and most of the abusers are parents and other family members. It is because the living field of infants and young children is in the household mainly and the family faces social independency due to the weak social supportive system. When child doesn't receive appropriate care, it is hard to be found.

點次	問題內容(原文)	中文參考翻譯
5.3	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.	第 118 點至第 120 點。請說明是否有採取進一步的措施，讓兒童、家長及相關專業人員知道《兒童及少年性剝削防制條例》的內容。 此外，請說明相關專業人員訓練措施，使其能瞭解該條例如何執行。

### 中文回應

77. 《兒童及少年性剝削防制條例》業已修法增列高級中等以下學校每學年均應辦理兒少年性剝削防制教育課程或教育宣導，課程內容包含：性不得作為交易對象之宣導、性剝削犯罪之認識、遭受性剝削之處境、網路安全及正確使用網路之知識等。此外為加強預防兒少性剝削，針對網路時代兒少面臨的性私密照、性勒索、性誘拐等新興數位性暴力議題，業於 2020 年及 2021 年委託製作「兒少私密照宣導」影片、懶人包，並辦理相關宣導記者會，相關宣導素材於政府臉書、YouTube、官網等陸續上架，另於 Facebook+IG、Youtube、LINE TODAY、Google、Yahoo、Dcard APP 等平臺露出宣導，並將賡續製作相關教育宣導素材，持續加強預防教育宣導，以增進社會大眾認識兒少性剝削之新興樣態，期能從根本建立正確預防觀念，避免兒少性剝削案件發生，鼓勵被害人即時求助，遏止傷害擴大，並強化教育家長及教師如何扮演好重要他人的角色，適切回應被害兒少需求，以提升兒少及社會大眾的預防意識。
78. 每年針對各地方政府辦理兒少性剝削防制業務相關人員，辦理至少 1 場教育訓練，2022 年為強化第一線實務工作者對新興型態的網路性剝削問題之辨識與處遇，業加強辦理兒少性剝削防制被害人保護、安置、家庭處遇、後追及自立生活輔導等相關專業人員分區辦理教育訓練，協助其認識新興網路兒少性剝削犯罪型態及因應方式、兒少網路性剝削個案輔導技巧等，並藉由實務案例研討，建構社政和教育單位有關個案轉介、輔導與資源連結之合作模式，以提升兒少性剝削防制之效能。

## 英文回應

77. Child and Youth Sexual Exploitation Prevention Act has been amended, adding that schools at the secondary and lower levels shall organize educational courses or campaigns on the prevention of children and youth sexual exploitation each academic year. The contents of the educational courses includes: campaign against sex as the subject of transactions; awareness of sexual exploitation crimes; situations where one may be subject to sexual exploitation; knowledge of internet security and proper use of the internet, etc. Besides, to strengthen preventing child sexual exploitation, aiming at child sexual private picture, sextortion, child grooming and other new digital sexual violence issue which children and youth may face in this internet era, the government have produced the “Child Private Picture Propaganda” video, brochures and held relating press conference. Relating propaganda materials have been launched on the government Facebook, Youtube and website. It has also been shown on Facebook+, IG, Youtube, LINE TODAY, Google, Yahoo, Dcard platforms. The government will keep producing educational and propaganda materials to strengthen prevention awareness and improve people’s knowledge of the new forms of child sexual exploitation. We hope that the correct prevention opinion can be established fundamentally to prevent child sexual exploitation cases from occurring, encourage victims to ask for help instantly and stop the damage from expanding. Also, we strive to improve the education for parents and teachers on how to play the role of significant others and respond to the need of victims properly to increase the prevention consciousness of children and community.
78. Every year, the central government hold at least 1 training session for the staff from all local governments who oversees the prevention of child sexual exploitation tasks. To strengthen the frontline workers’ recognition and treatment toward new forms of internet sexual exploitation issues, we are going to hold the subarea professional training for child sexual exploitation victim’s protection, placement, family treatment, follow-up and independent living assistance in 2022. The above training aims to help professional know the new forms of internet child sexual exploitation crime and how to respond, internet child sexual exploitation cases assistance skills and so on. The training also hopes to

construct the cooperation model of case referral, assistance and resource linking between social and educational departments and improve the efficiency of child sexual exploitation prevention through practical case study.



點次	問題內容(原文)	中文參考翻譯
5.4	<p>Para. 126 (Attachment 5-23) Please provide your views on the increase of cases of sexual abuse of children in schools and in placement institutions despite the activities taken by Taiwan in the recent years.</p> <p>In addition, please elaborate on the information that the numbers might even be higher since victims tend to endure sexual violence “silently” and schools and institutions often “refuse or resist investigations.”</p>	<p>第 126 點（附件 5-23）。雖然政府近幾年來已有所作為，但兒少在校園及安置機構發生的性侵害案件數仍有增加，政府的看法為何？</p> <p>此外，因為受害人傾向以「沉默」的態度忍受性暴力，且學校及機構經常會「拒絕或抗拒調查」，所以可能會有黑數，對此，請詳加說明。</p>

## 中文回應

### 79. 安置機構：

- (a) 查國家人權委員會為撰寫 CRC 第二次國家報告獨立評估意見，前於 2021 年 12 月請衛生福利部社會及家庭署提供 2016 年至 2020 年兒少安置機構發生不當管教、虐待、性騷擾與性侵害等統計資料（詳表 5）。依該統計資料顯示，兒少安置機構性侵害案件多數為機構內同儕間的性侵害事件，復依該署委託學者發展「兒少安置機構性侵害防治工作模式」參考文獻，指出此與安置兒少過往受虐經驗、團體生活環境互動、同儕間的學習模仿等因素相關，爰該署於 2019 年 12 月研發「兒少安置機構性侵害防治工作手冊」，運用三級預防工作模式，處理機構性侵害議題，其中並針對需給予更多關懷及提高留意程度的兒少族群編寫專章，例如男童性侵害事件、心智功能發展障礙者、多元性別兒少等，期使機構工作人員更具服務敏感度，減少機構性侵害事件的發生。
- (b) 至有關安置機構性侵害案件可能會因受害人傾向以「沉默」的態度忍受性暴力，且機構經常會「拒絕或抗拒調查」，導致會有很多黑數乙節，因安置機構及其工作人員發現機構內疑似有兒少性侵害事件時，依法均有通報責任（兒少法），工作人員甚至不需機構主管同意即得逕為通報，未盡責任通報之機構及工作人員，地方主管機關應依法裁罰，並命機構限期改善，情節嚴重者，得命其停辦，並公布其名稱及負責人姓名。此外，安置機構評鑑規定，評鑑結果公告後，績優機構經發現其有依規定通報等違法或重大缺失，經查證屬實者，得取消其優等或甲等資格，爰政府已透過行政裁罰及評鑑管理等多元措施落實責任通報制度，以降低黑數發生。

80. 校園：

- (a) 依據《性別平等教育法》，教育人員負有通報責任，各級學校人員於「知悉疑似」校園性侵害、性騷擾或性霸凌事件，應於 24 小時內進行社政通報及校安通報，以利主管機關或學校得立即採行相關因應措施及作為。
- (b) 《性別平等教育法》對於違反通報義務之學校教育人員訂有處以罰鍰之規定，甚至因違反通報規定，致再度發生校園性侵害事件，應依法予以解聘或免職，且學校或主管機關對違反規定之人員，應依法告發。另依《性別平等教育法》規定學校接獲通報後應鼓勵疑似被害人申請調查，倘涉及師生間權力不對等、校園安全等公益事項，則學校性平會得評估啟動檢舉調查釐清真相，並由教育部校園性侵害性騷擾及性霸凌填報系統列管，由主管機關督導學校依《性別平等教育法》等規定調查處理，以避免事件黑數存在。
- (c) 為落實通報預警機制，每年度針對學校教育人員辦理「學校性別平等教育委員會運作實務工作坊」及「校園性侵害性騷擾或性霸凌事件法令說明會」，促進性平業務承辦人員熟知「通報」流程，並依標準作業流程依法處理校園性別事件，落實校園性別事件通報機制，暢通受害學生之求助管道。
- (d) 有關校園性侵害調查屬實案件數，經統計 2016 年計 290 件，2020 年計 233 件略有減少。其中於國、高中階段，生對生部分多為學生發生合意性行為，而違反《刑法》之性侵害事件。為提升教育人員覺察兒少受性侵害知能，於 2018 年出版《教育人員兒童及少年保護工作手冊》，透過「身體特徵」、「行為特徵」、「情緒反應」等三項認識性侵害辨識指標，並提供兒少遭性侵害案例，以強化教職員辨識學生可能遭受性侵害之能力。
- (e) 另外性騷擾調查屬實案件數 2016 年計 1,664 件，2020 年為 2,257 件，呈現上升趨勢。此現象應係學校依《性別平等教育法》規定，將性別平等教育融入國民中小學課程，且每學期應實施性別平等教育相關課程或活動至少 4 小時，而促進學生性別平等意識提升。即學生有疑似性騷擾案件時會即時告知師長，由學校進行通報並依《性別平等教育法》進入調查程序，倘認定屬實則對行為人學生給予心理輔導及相關性平教育課程，以杜絕校園性別事件的發生。

表 5、2016 年至 2020 年兒少安置機構發生不當管教、虐待、性騷擾與性侵害等統計

單位：人數

年度	通報								成案							
	總計	不當管教或身體虐待	性侵害			性騷擾			總計	不當管教或身體虐待	性侵害			性騷擾		
			小計	安置兒少	工作人員	小計	安置兒少	工作人員			小計	安置兒少	工作人員	小計	安置兒少	工作人員
2016	21	12	7	7	0	2	2	0	18	10	6	6	0	2	2	0
2017	32	3	26	24	2	3	3	0	28	2	25	23	2	1	1	0
2018	40	10	24	24	0	6	6	0	33	7	22	22	0	4	4	0
2019	23	6	17	17	0	0	0	0	23	6	17	17	0	0	0	0
2020	12	7	5	5	0	0	0	0	12	7	5	5	0	0	0	0

## 英文回應

## 79. Placement institutions :

- (a) By examining the independent assessment opinions of the National Human Rights Commission for the preparation of the second national report of CRC, have previously requested SFAA of the Ministry of Health and Welfare on December 8, 2021 to provide information on improper discipline and abuse, sexual harassment and sexual assault at children and youth placement institutions from 2016 to 2020 (see Table 5). According to the statistical data, most cases of sexual assault at children and youth placement institutions are sexual assault incidents among peers of the institutions. In addition, according to the reference literature prepared by scholars commissioned by SFAA to develop the “Sexual Assault Prevention and Control Work Model of Children And Youth Placement Institutions”, it was indicated that the occurrence of such incidents were correlated to the past experience of abuse, interaction within the group environment, and learning and imitation among peers of these children. SFAA developed the “Sexual Assault Prevention and Control Work Model of Children And

Youth Placement Institutions” in December 2019, which adopted a three-tier prevention work model to handle sexual abuses within the placement institutions, in which a dedicated chapter was prepared for children and groups who need more care and attention, such as sexual abuse to boys, people with mental development disabilities, and children of sexual and gender diversity, etc. to raise the awareness of agency staff to reduce mitigate the occurrence of sexual assault within institutions.

- (b) In the case of sexual assault at placement institutions, the victim may go “silent” and tend to endure the sexual violence. The institutions often “refuse or resist investigation”, resulting in a lot of unreported cases. Because upon the discovery of suspected sexual assault of children, the placement institutions and their staff are responsible for reporting according to the laws (Protection of Children and Youths Welfare and Rights Act) and the local competent authority shall impose penalties in accordance with the laws and order the institutions to improve within a time limit. If the circumstances are severe, it may order the institutions to be suspended from business and announce publicly the names of the agencies and the persons in-charge. In addition, the assessment of placement institutions stipulates that after the publication of assessment results, any of the high-performance institutions is found and confirmed to have violated the laws or major deficiencies in terms of reporting in accordance with the regulations may be disqualified from the A+ or A grades. Therefore, the government has adopted administrative sanctions and multiple measures such as assessment management, to implement the report system to reduce the number of unreported cases.

#### 80. Schools :

- (a) According to the Gender Equality Education Act, educators are responsible for reporting incidents upon occurrence. School personnel at all levels upon “knowing about suspected” sexual abuse, sexual harassment, or sexual bullying on schools shall initiate social administration report and school security report in 24 hours to facilitate the competent authority or schools to immediately take relevant countermeasures and actions.

- (b) The disciplinary act for school educators who violate the reporting obligation is stipulated in the Gender Equality Education Act. If such negligence in reporting incidents has resulted in a sexual abuse incident on campus, the breaching educators will be dismissed or terminated from the employment according to the governing law; also, the school or competent authority shall report the said violators lawfully. Moreover, in order to prevent any coverup, the school upon receiving the report shall encourage the suspected victims to apply for an investigation to be initiated. If it involves public welfare matters, such as, power inequality between teachers and students, campus safety, etc., the “Gender Equality Education Committee” of the school shall evaluate and initiate a whistle-blower investigation to have the truth clarified. The case is also listed by the Ministry of Education's campus sexual assault, sexual harassment and sexual bullying reporting system, and the competent authority supervises the school to investigate and deal with it in accordance with the "Gender Equality Education Law" and other regulations.
- (c) Arrange the “School Gender Equality Education Committee Workshop” and “Campus Sexual Abuse, Sexual Harassment, and Sexual Bullying Incident Briefing” annually for the school educators so to substantiate the reporting and alert mechanism. Help gender equality operators get familiar with the “reporting” process, handle campus gender incidents according to standard operating procedures, substantiate a campus gender incident reporting mechanism, and keep the reporting channel open for victimized students to get help.
- (d) In terms of the investigated and confirmed campus sexual abuse incident, it is statistically decreased from 290 cases in 2016 to 233 cases in 2020. Of which, in the category of junior high and senior high school “student against student” cases are mostly consensual sex, which violating a criminal law of sex abuse. In order to enhance educators’ awareness of children and youth sexual abuse, three sexual abuse indicators, that are, “physical characteristics,” “behavioral characteristics,” and “emotional response,” are stated in the “Handbook of Children and Young Adults Protection for Educators,” published in 2018 for reference; also, the cases of sexual

abuse to children and youth are provided to help reinforce educators and school staff identify students that may be sexually abused.

- (e) In terms of the investigated and confirmed sexual harassment cases, it is statistically increased from 1,664 cases in 2016 to 2,257 cases in 2020. It could be because that schools had the gender equality education blended in the curriculum of Junior, Senior High School and elementary school in accordance with the Gender Equality Education Act; also, at least 4-hour gender equality education curriculum or activities were arranged to help improve students' awareness of gender equality. That is, the teachers should be informed immediately of a suspected sexual harassment of student, and then the school should report it and initiate an investigation process in accordance with the Gender Equality Education Act. If the said sexual harassment incident is found to be true in the investigation, the perpetrating student should be given psychological counseling and related sexual equality education so to prevent such gender incidents from reoccurring on campus.

Table 5 Statistics on improper discipline, abuse, sexual harassment and sexual assault in children and youth placement institutions from 2016 to 2020

Unit : person

Year	Case Reported								Case Concluded							
	Total	Inappropriate Discipline or Physical Abuse	Sexual Assault			Sexual Harassment			Total	Inappropriate Discipline or Physical Abuse	Sexual Assault			Sexual Harassment		
			Subtotal	Children of Placement	Staff	Subtotal	Children of Placement	Staff			Subtotal	Children of Placement	Staff	Subtotal	Children of Placement	Staff
2016	21	12	7	7	0	2	2	0	18	10	6	6	0	2	2	0
2017	32	3	26	24	2	3	3	0	28	2	25	23	2	1	1	0
2018	40	10	24	24	0	6	6	0	33	7	22	22	0	4	4	0
2019	23	6	17	17	0	0	0	0	23	6	17	17	0	0	0	0
2020	12	7	5	5	0	0	0	0	12	7	5	5	0	0	0	0

點次	問題內容(原文)	中文參考翻譯
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.	第 137 點。對於網路性暴力的增加，包括多起網路霸凌事件，請說明政府對是類案件受害者有提供什麼法律保護及協助，尤其是網路性誘騙受害者。

### 中文回應

81. 《兒童及少年性剝削防制條例》業訂有責任通報規定，相關人員知有本條例應保護之兒少或犯罪嫌疑人，應即向當地直轄市、縣(市)主管機關或司法警察機關報告。此外，檢察官、司法警察官及司法警察查獲及救援被害人後，應於 24 小時內將被害人交由當地直轄市、縣(市)主管機關處理。直轄市、縣(市)主管機關受理報告(通報)，並依法提供被害人陪同偵訊、安置必要性(含家庭功能)評估、安置保護、影像下架移除、心理諮商輔導、轉介相關服務資源、返家後輔導處遇及追蹤等服務；爰針對遭到網路性誘拐的被害者，警政單位查獲及救援被害人，即由直轄市、縣(市)主管機關評估兒少之安全與家庭保護功能，並依其需求提供家庭處遇計畫，以避免其再受害。另針對陳年性創傷之被害人，亦可由補助建置之性創傷復原中心提供相關心理諮商服務。

### 英文回應

81. There is a mandatory report regulation in Child and Youth Sexual Exploitation Prevention Act. Relating personnel shall immediately report to the local competent authorities or judicial authorities after becoming aware of any children or youth that needs protection under this Act or any suspect of a crime. In addition, after discovering or rescuing a victim, prosecutors, judicial police officers, or judicial police shall send the victim to the local competent authority at the municipality or city/county level in 24 hours. Local competent authority shall accept the report, accompany the victim through interrogation, assess the necessity of placement (including family function), protect and place, take down the pictures, provide psychological counselling, refer relating service resources, treat and follow-up after going home and so on. For the victims suffered from internet child sexual grooming, local competent authority should assess the safety of child and the family's



protective function instantly and provide family treatment plan based on its need to prevent him/her from suffering again. For victims with several years of sexual trauma, Sexual Trauma Recovery Center which was subsidized and established by the government can provide them with psychological counselling services.

點次	問題內容(原文)	中文參考翻譯
5.6	<p>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.</p> <p>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.</p> <p>Finally, could you please explain your plans to integrate child protection, medical interventions, therapeutic 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>	<p>第 140 點。發現兒少遭受暴力，是保護兒少、為其伸張正義以及協助兒少復原的重要機會，請說明政府如何透過讓兒少安全及保密地參與訴訟，努力保護受害及目睹犯罪的兒少。</p> <p>請說明政府如何讓許多不同專業人員（包括醫療及心理支持人員）理解：保護受害及目睹犯罪的兒少，是大家共同的責任。</p> <p>最後，請解釋政府如何整合兒少保護、醫療介入、治療介入、刑事調查以及對兒少的調查性訪談，並在友善兒少及參與的環境中，以包容、專業及跨網絡合作的方式啟動多元的服務。</p>

#### 中文回應

82. 醫事人員、社會工作人員等及其他執行家庭暴力防治人員，執行職務時知有疑似家庭暴力，應立即通報當地主管機關。主管機關接獲通報後，應即行處理，並評估有無兒少目睹家庭暴力之情事；必要時得自行或委請其他機關（構）、團體進行訪視、調查。主管機關並應於三個月內提出兒少家庭處遇計畫之規定。又家庭暴力案件當事人或被害人得請求法院保密住所，法院並應以秘密方式訊問，且對於兒少之姓名或其他足資識別身分之資訊，亦應予保密。
83. 為建立社政、醫療及司法單位間的協調合作機制，於 2019 年函頒《重大兒童及少年虐待司法早期介入三方合作流程》，針對兒少疑似受虐造成重傷或死亡之案件，第一時間啟動社政、檢調、醫療等三方跨網絡合作平臺，共同針對兒虐案件之證據保全、傷勢評估、司法流程、被害兒少保護等協力合作，並保障兒少於司法上的權益；除保障兒虐個案之司法權益外，受虐兒少飽受身心創傷，各地方政府兒少保護社工人員將提供或連結心理諮商、身心復原等相關服務資源，另自 2021 年起補助「兒少保護區域醫療整合中心」辦理以家庭為核心之受虐兒少創傷知情服務方案，不僅針

對受虐兒少之創傷提供醫療及心理治療外，同時也針對早年有受虐經驗的父母提供創傷知情服務，以及早協助兒少及家庭從受虐環境中復原。

84. 另為確保兒少及心智障礙者之性侵害被害人權益，自 2000 年訂頒《性侵害案件減少被害人重複陳述作業要點》，在處理性侵害案件程序上藉由檢察、警察、社政及醫療等體系共同合作，透過會同詢（訊）問方式，減低對被害人詢（訊）問次數及二度傷害，另 2015 年修正公布之《性侵害犯罪防治法》部分條文，使兒童或心智障礙之性侵害被害人於偵查或審判階段，經司法警察、司法警察官、檢察事務官、檢察官或法官認為有必要時，應由具相關專業人士在場協助詢（訊）問，其詢問內容得為證據，並自 2017 年起實施。
85. 醫療介入：至 2022 年 6 月止，各縣市計有 80 家醫院設有兒少保護醫療小組。上開小組訂有院內兒虐標準處理流程（含通報機制），以確保兒少受虐個案獲得妥適之醫療服務。
86. 關於訴訟參與
  - (a) 兒少為刑事案件之被害人時，依《刑事訴訟法》規定，兒少於接受檢察官訊問時，其法定代理人、特定親屬、相關專業人員（如醫師或社工人員等）或其信賴之人，經其同意後，得陪同在場並陳述意見；檢察官於偵查中應注意兒少及其家屬隱私之保護，並得依聲請或依職權，審酌案件情節及兒少之身心狀況後，利用遮蔽設備，將兒少與被告、第三人適當隔離。
  - (b) 兒少為性侵害案件之被害人時：
    - i. 依《性侵害犯罪防治法》規定，其法定代理人、特定親屬或相關專業人員（如醫師或社工人員等），得陪同在場並陳述意見；檢察官於認為有必要時，應選任相關專業人士協助訊問。
    - ii. 除顯無必要者外，法院應通知地方政府主管機關，指派社工人員於審判中陪同在場，並陳述意見。
    - iii. 兒少因其智力、判斷能力未臻成熟，常無法於法庭上全然理解、記憶及為適當陳述，《性侵害犯罪防治法》爰增訂司法詢問員制度，即兒少為性侵害犯罪被害人於審判階段時，法官如認為有必要，應由具有相關專業人士在場協助庭訊，強化兒少對於法庭活動的安全感，及協助法庭進行相關訊問過程。

iv. 為使性侵害被害人（含兒少與心智障礙者）於庭訊時得自由陳述，並減少其於庭訊程序中，與加害人碰面或需重複陳述而受二度傷害之可能，依《性侵害犯罪防治法》、「性侵害犯罪被害人在審判程序中可受保護的重要事項」、「法院辦理性侵害案件應行注意事項」及「少年法院（庭）調查性侵害事件減少被害人重複陳述注意事項」等規定，法院對其庭訊時，得在法庭外為之，或透過單面鏡、聲音影像相互傳送之科技設備，或運用其他適當隔離措施而為訊問，以提高被害人出庭之安全感及保護其安全。

(c) 兒少為性剝削案件之被害人時，依《兒童及少年性剝削防制條例》規定，其法定代理人、特定親屬或相關專業人員（如醫師或社工人員等），得陪同在場並陳述意見；檢察官於訊問兒少時，應注意其人身安全，並提供確保其安全之環境與措施，必要時，應採取適當隔離方式為之，另得依聲請或依職權於法庭外為之。

#### 87. 關於刑事調查

(a) 檢察機關重大兒虐案件偵辦流程

i. 疑似重大兒虐死亡案件：檢察官受理相驗案件後，隨即督同法醫進行相驗並填寫「6歲以下兒童死亡原因檢核表」，於相驗案件終結後，提供相關資料進行6歲以下兒童死因回顧。

ii. 疑似重大兒虐非死亡案件：各地家庭暴力暨性侵害防治中心（下稱家防中心）接獲通報後，經評估認有必要時，即啟動司法早期介入流程，由檢察官、司法警察（官）開始進行偵查，並由兒少保護醫療區域整合中心或其他醫療機構進行驗傷採證。

(b) 早期鑑定：部分地檢署結合在地醫療院所建立「早期鑑定」程序，即各地家防中心接獲兒少性侵害案件之通報時，經評估認有進入早期鑑定流程之必要，並經檢察官同意後，即由經指定之醫療團隊協助檢察官訊問兒少，再由醫療團隊出具相關之鑑定報告，該等醫療團隊可能包含精神科醫師、心理師、社會工作師、社工人員等。

88. 另針對兒少被害案件，法務部督導之財團法人犯罪被害人保護協會各地分會於收到案件通報後，依《犯罪被害人保護法》規定提供相關保護措施，其中包括偵查、審判中及審判後之協助，例如陪同出庭、法律諮詢，必要時安排律師予訴訟上之協助。

89. 少年法院因執行職務，得請警察機關、自治團體、學校、醫院或其他機關、團體為

必要之協助。另少年法院為少年保護事件之裁定前，認有必要時，除得徵詢適當之機關（構）、學校、團體或個人之意見外，亦得召開協調、諮詢或整合符合少年所需之福利服務、安置輔導、衛生醫療、就學、職業訓練、就業服務、家庭處遇計畫或其他資源與服務措施之相關會議。

#### 英文回應

82. In performing their duties, medical personnel, social worker, or any other person enforcing prevention against domestic violence learns of any suspicious case of domestic violence shall report it to the competent authority immediately. Once received the report, the competent authority shall handle it promptly and assess whether any children or juveniles have witnessed the occurrence of domestic violence. If necessary, they can conduct visits or investigations performed by themselves or other appointed organizations/groups. The competent authority shall propose regulations about treatment for children and youth families in three months. Parties or victims of domestic violence can request confidentiality of their residence, and the court shall confidentially interrogate them. In addition, the court shall seal the name of children and youth and other personally identifiable information.
83. To construct the coordination and collaboration mechanism among social, medical and judicial departments, the government have issued “Severe Child Abuse Case Judicial Early Intervention Tripartite Collaboration Procedure” in 2019. For children and youth seemingly abused to severe harm or death cases, it should launch a tripartite (social, prosecutor, medical departments) collaboration platform right away and collaborate for child abuse case’s evidence assurance, injury assessment, judicial procedure, and victim protection in order to protect the judicial right of child. Aside from protecting the judicial right of child abuse cases, the following actions are taken for the abused child’s physical and mental trauma. CPS workers from local governments will provide or connect psychological counselling, physical and mental recovery and other relating service resources to the victims. The government have also subsidized “regional child and youth protection integrated medical centers” to conduct the family-based abused child trauma-informed care program since 2021. It not only provides abused child trauma

medical and mental treatment but also provides trauma-informed care to parents who have been abused experience in his/her childhood. It aims to help children and family recover from the abused environment.

84. To assure child and mentally or intellectual handicapped sexual assault victim's right, the government have issued Sexual Assault Case Reducing Victim Repeat Statement Working Guidelines since 2000. When it comes to processing sexual assault cases, prosecutor, police, social and medical system collaborate and question together, hoping to reduce the number of times of questioning and second harm toward victims. On the other hand, Sexual Assault Crime Prevention Act partial articles amendment has been issued in 2015. It is claiming if the victims of sexual assault incidents are children or have mental disabilities, whenever considered as necessary by a judicial policeman, judicial police officer, prosecuting officer, prosecutor or judge at the investigation or trial level, they may be interrogated (examined) with the assistance of relevant professionals at their side. The contents of interrogation can be used as evidence. The mentioned articles have been implemented since 2017.
85. Medical intervention : As of June 2022, there has been set up children and youth protection team in 80 hospitals in all counties and cities. The team has standardized procedures (including a notification mechanism) for handling child abuse cases in the hospital to ensure appropriate medical care for children and youth.
86. About litigation participation
  - (a) When a child or a youth is a victim of a criminal case and is interviewed by the public prosecutor, according to the Code of Criminal Procedure, his/her statutory agent, specific relatives, specific professionals (physician, social worker for example) or other person the victim trusts, with the consent of the victim, may be present and state their own opinions; during the investigation stage, the public prosecutor shall take due care to protect the privacy of the victim and his/her family members and may, upon the petition of the victim or on his/her own initiative, after taking into account the circumstances of the case and the physical and mental conditions of the victim, apply appropriate isolation facilities to prevent the victim from being seen by the accused or a third party.

- (b) When a child or a youth is a victim of a criminal case and is interviewed by the public prosecutor :
- i. According to Sexual Assault Crime Prevention Act, his/her statutory agent, specific relatives or specific professionals (physician, social worker for example) may be present and state their own opinions. The public prosecutor shall appoint relevant professionals to assist in interrogation when the public prosecutor deems it necessary.
  - ii. Except for cases deemed unnecessary, when children and youth are the victims of sexual assault, the court shall notify the competent authority of the local administration to appoint social workers to attend the hearing, keeping them accompanied and expressing opinions.
  - iii. Due to their still developing intellect and judgment, children and youth usually have difficulties comprehending, memorizing questions, and stating their opinions appropriately in court. As a result, the Sexual Assault Crime Prevention Act has adopted the forensic interviewer system to make children and youth feel safer in court activities, assisting the court in effective interrogation. In trial proceedings, if judges deem it necessary, children as victims of sexual assault shall be accompanied by experts to help them face the interrogation.
  - iv. To help victims of sexual assault (including children and youth with disabilities) express freely in interrogation, and reduce the possibility of secondary victimization caused by encountering the offender or repeated stating their experience, the Sexual Assault Crime Prevention Act and relevant regulations stipulated by the Judicial Yuan have provided measures to protect them. For example, the court may interrogate the victims in several manners, such as outside the courtroom, using a one-way mirror or video conference technology, or other appropriate measures for segregated interrogations. So the victims can feel more secure and safer when attending court.
- (c) When a child or a youth is a victim of a sexual exploitation case and is interviewed by the public prosecutor, according to Child and Youth Sexual Exploitation Prevention

Act, his/her statutory agent, specific relatives or specific professionals (physician, social worker for example) may be present and state their own opinions; the public prosecutor shall pay attention to the personal safety of the victim and provide the environment and measures that ensure his/her safety. Such safety shall be achieved by proper isolation facilities if necessary. Alternatively, such safety may be achieved outside the court upon request or *virtute officii*.

87. About criminal investigation

(a) The Investigation Procedure of Prosecutors' Offices for Serious Child Abuse Cases

- i. Suspected serious child abuse death cases: After a death case is reported, the prosecutor will immediately supervise the coroner to conduct the corpse examination and the inquest; the "Checklist for the Causes of Death of Children under the age of 6" will be made by the coroner. Relevant information will be provided to the government after the case is over for an ensuing review of causes of death of children under the age of 6 in a larger scope.
- ii. Suspected serious child abuse and non-death cases : Every domestic violence and sexual assault prevention center will start the Process of Judicial Early Intervention after receiving the report if deeming it necessary. The prosecutor and legal enforcement agency will start an investigation, and the regional integration centers for the protection of children and youth designated by the Ministry of Health and Welfare or other medical institutions will conduct an injury inspection and collect evidence.
- iii. The Early Identification : Several Prosecutors Offices have established a process of the early identification in conjunction with local medical institutions. When the domestic violence and sexual assault prevention center receives a report of a child sexual abuse case and deems it necessary to initiate the process, with the permission of the prosecutor, a designated medical team will assist the prosecutor to interview the child victim and to give a relevant report. Such a team may include psychiatrists, psychologists, social workers, etc.



88. In cases where children or youth are murdered, the local branch of Association for Victims Support, under the supervision of the Ministry of Justice, will provide protection measures in accordance with Crime Victim Protection Act, including assistance during the investigation, trial, and post-trial, such as accompanying the victim to court, legal counseling, and arranging for a lawyer to provide assistance in litigation when necessary.
89. The juvenile court may request assistance from the police agencies, local self-governing bodies, schools, hospitals, or other institutions or organizations when performing its duties. Moreover, when deciding the ruling on juvenile protection cases, the juvenile court may, if deemed necessary, consult the opinions of appropriate agencies or institutions, schools, organizations, or individuals. The court may also convene or integrate relevant meetings on welfare services, placement counseling, health care, schooling, vocational training, employment services, family treatment programs, or other resources and services that meet the needs of the juvenile concerned.

點次	問題內容(原文)	中文參考翻譯
5.7	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.	第 121 點至第 125 點。請補充說明對於遭受暴力的兒少受害者，特別是遭受性剝削、兒童色情及賣淫、以及性剝削的人口販運受害者，政府有哪些協助他們復原及復歸社會的法律及行政措施？請補充說明兒少是否可使用相關求助專線，這些求助專線的可行性，及其在協助暴力受害兒少整體地位的評估及有效性。

### 中文回應

90. 依《兒童及少年性剝削防制條例》規定，警察及司法人員於調查、偵查或審判時，詢問被害人，應通知直轄市、縣（市）主管機關指派社會工作人員陪同在場，並得陳述意見。直轄市、縣（市）主管機關處理後，將評估被害人就學、就業、生活適應、人身安全及家庭保護教養功能，並為相關處置。另針對遭受人口販運的兒少性剝削被害人，亦優先適用《兒童及少年性剝削防制條例》予以保護。
91. 另我國設置 113 保護專線，24 小時受理全國兒少保護、兒少性剝削、成人保護、性侵害與性騷擾事件諮詢或通報，將案件分派至各直轄市、縣（市）防治中心，建立中央與地方合作機制，除此之外，各地方政府司法與社政單位也都建立 24 小時緊急聯繫機制，以利檢察官、司法警察官及司法警察將查獲及救援之被害人，24 小時內交由直轄市、縣（市）主管機關評估是否送交適當場所緊急安置、保護及提供服務。
- 91-1. 有關各地方政府社政單位提供兒少性剝削個案的處置與服務作為，包含：提供被害人陪同偵訊、安置必要性(含家庭功能)評估、安置保護、影像下架移除、心理諮商輔導、轉介相關生活服務資源、返家後輔導處遇及追蹤等服務，並依其需求提供家庭處遇計畫，以協助生活重建，避免其再受害。經統計每年平均提供前開服務約 4 萬 5,000 餘人次，結案後再被通報比率不到 1%。

### 英文回應

90. According to Child and Youth Sexual Exploitation Prevention Act, in the event of questioning a victim during an inquiry, an investigation, or a trial, police and judicial

officers shall notify the competent authority at the municipality and city/county levels of the need to assign a social worker to accompany the victim at the site, and shall allow such a person to state his/her opinion. According to the same Act, after the competent authority at the municipality or city/county level accepted the case, they shall immediately evaluate the victim in terms of school enrolment, employment, adaptation to life, and personal safety, as well as the functions of the victim's family and do corresponding measures. As for child sexual exploitation victims suffered from human trafficking, it can also apply Child and Youth Sexual Exploitation Prevention Act at first to protect the victim.

91. Our country established 113 hotline which serves as point of contact for child protection, child sexual exploitation, adult protection, sexual assault, sexual harassment incidents for counselling or report all over the country. The hotline will distribute the cases to every prevention center of local government to establish the cooperation mechanism between central and local government. Besides, judicial and social departments of every local government have established 24-hour emergency contact mechanism so that prosecutors, prosecuting officers, judicial police officers and judicial policemen can send the seized or rescued victim to the local government in 24 hours. Local governments can then assess if the victims should be placed to an appropriate place for emergency placement, protection, and services.

- 91-1. About the disposition and service which local government providing to child sexual exploitation case, it includes accompanying the victim during an inquiry, an investigation, or a trial, assessment of the placement necessity and family function, placement, protection, pictures removal, psychological counseling, referring relating living resources, treatment and follow-up after going home and so on. Besides, local government will provide family treatment plan according to the need of child and family so as to help the child rebuild his/her life and avoid from suffering again. According to the statistics, every year the above services are provided about 45,000 times in average and the re-report percentage after case closing in one year is under 1%.

## 第六章 家庭環境與替代性照顧

點次	問題內容(原文)	中文參考翻譯
6.1	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.	第 92 點。請具體說明兒童及少年收養資訊中心依法應保存的資訊種類，以及取得這些資訊的條件為何？包括相關的兒少或成年被收養人。請釐清該資料庫是否同時包含國內與跨國收養案件；目前或未來是否有可能納入精卵捐贈受孕及代理孕母生產兒童的資料，當這些兒童的資料不會被類似的組織保存時。並請描述對於被收養人及其他有意透過該中心確認身世者，有提供什麼指引及支持？

### 中文回應

92. 《兒童及少年收出養資訊管理及使用辦法》第 2 條明定中央主管機關應保存下列資訊：

- (a) 識別資訊：出養人、收養人、被收養兒少本人與其三親等內親屬及相關人員之姓名、戶籍地址、住居所、國民身分證統一編號及其他可辨識身分之資料。
- (b) 非識別資訊：
  - i. 出養人、收養人、被收養兒少本人與其三親等內親屬及相關人員之工作單位、地點。
  - ii. 收養聲請狀。
  - iii. 收出養同意書。
  - iv. 出庭筆錄。
  - v. 收養人訪視評估報告。
  - vi. 出養人訪視報告。
  - vii. 收養登記申請書。
  - viii. 法院認可或駁回兒少收養聲請之裁判書；如有確定證明書者，併同確定證明書。
  - ix. 個案紀錄及照片。
  - x. 出養人、收養人與被收養兒少之健康資訊。
  - xi. 資料釋出意願書。

93. 依該法第 5 條規定，符合下列資格者，得向中央主管機關申請提供前揭資訊：
- (a) 被收養兒少。
  - (b) 出養人或被收養兒少之生父、生母。
  - (c) 收養人。
  - (d) 利害關係人。
94. 現行兒童及少年收養資訊中心保存資料含國內及跨國境收養事件。無涉及透過代理孕母安排出生之兒童。
95. 有關精卵捐贈人工生殖子女資料，依人工生殖辦法第 27 條建立人工生殖通報系統，又依人工生殖子女親屬關係查詢辦法第 3 條規定，人工生殖子女擬結婚、收養或被收養時可向戶政機關申請核發親等關聯資料證明。
96. 又我國未開放代理孕母，爰並無相關案例或保存資料庫。
97. 為協助被收養人尋親或確認身世，收養資訊中心除可協助調閱前揭資料外，另可請求戶政、警政或其他相關機關或機構配合查調，且提供當事人心理、醫療、法律等相關諮詢轉介服務。

#### 英文回應

92. Article 2 of the Information Management and Regulations of Child and Juvenile Adoption stipulates that the central competent authority shall preserve following information :
- (a) Identification information : Names, registered addresses, residence addresses, ID nos., and other identifiable information of adoption givers, adopters, adopted children and juveniles and their relatives within three degrees, and people related.
  - (b) Non-identification information :
    - i. The work unit and location of adoption givers, adopters, adopted children and adoption givers.
    - ii. Adoption application.
    - iii. Agreement of adoption giving and adoption.
    - iv. Court attendance written records.
    - v. Revaluation report for interviews with adopters.
    - vi. Revaluation report for interviews with adoption givers.

- vii. Application of adoption registration.
  - viii. A court's judgment document court may approve or overrule a children and youth adoption; a confirmed verdict is a must, if any.
  - ix. Case records and photos.
  - x. Health information of adoption givers, adopters, and adopted children and juveniles.
  - xi. Intent letter for information release.
93. According to Article 5 of the Regulations, those who meet the following qualifications may apply to the central competent authority for providing the above-mentioned information :
- (a) Adopted children and juveniles.
  - (b) Adoption givers or the natural parents of adopted children and juveniles.
  - (c) Adopters.
  - (d) Interested parties.
94. The current Child and Juvenile Adoption Information Center preserve data, including domestic and cross-border adoption cases in which there are no records of a child born via surrogacy.
95. Regarding the information on donor-conceived children, the Artificial Reproduction Reporting System was established according to the Assisted Reproduction Act Article 27. In accordance with the Regulations for Inquiring Kinship Information of Concern to the Children Born Through Assisted Reproduction Article 3, when a person born through assisted reproduction by the use of donated reproductive cells ( hereinafter AR person) plans to get married, adopt a child or be adopted, the marriage partner, adoptee or adopter may submit the AR person certificate to the household registration office to apply for a kinsfolk relation record certificate.
96. Further, surrogacy has not yet been legalized in Taiwan, so there is no relevant case or database.
97. In order to assist the adopted child in confirming his/her natural parents' relatives or actual family background, the adoption information center may, in addition to assisting in the

retrieval of previously disclosed information, request the household, police or other relevant agencies or institutions to cooperate with the investigation, and provide psychological, medical care and legal treatment, consultancy or transferal service to the adopted child.

點次	問題內容(原文)	中文參考翻譯
6.2	Para. 152 + 165 Please clarify if the decision-making mechanism to avoid unnecessary placements (gatekeeping) applies only to cases where parents/guardians/other interested parties are the prospective commissioners or may also apply to certain other cases initiated by, e.g., social services or residential care providers.	第 152 點及第 165 點。請釐清：避免不必要安置的決策機制（守門人）是否僅適用於家長／監護人／其他利害關係人為委託安置者，抑或可適用某些其他情況，例如由社會服務或住宿式照顧提供者申請安置的個案。

### 中文回應

98. 避免不必要安置的決策機制，並不限於家長／監護人／其他利害關係人之委託安置。

依各直轄市、縣（市）政府受理兒童及少年委託安置作業流程，當父母（監護人或利害關係人）有安置需求，或社會服務團體、兒少安置機構（住宿式照顧提供者）發現家庭有安置需求時，均須先向主管機關提出申請，由主管機關調查家庭狀況並判斷安置必要性，安排安置處所及掌握後續安置照顧狀況、家庭功能恢復情形，以利後續兒少返家之規劃，減少兒少被長期安置的情況。

### 英文回應

98. The decision-making mechanism to avoid unnecessary settlement is not limited to the settlement entrusted by parents/guardians/other stakeholders. According to the procedures for accepting the entrusted placement of children and youth by the municipal and county (city) governments, when parents (guardians or interested parties) have placement needs, or when social service groups and children and youth placement institutions (residential care providers) find out that families have placement needs, they shall first submit an application with the competent authority. The competent authority will investigate the family situation and determine the necessity of placement, arrange placement locations, and grasp the status of follow-up placement care and the recovery of family functions, to facilitate the planning of subsequent returning home of children and youth and reduce the long-term placement of them.



點次	問題內容(原文)	中文參考翻譯
6.3	Para. 159 Understanding that the 2019 Act has, inter alia, established an order in which 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).	第 159 點。瞭解 2019 年修訂《兒童及少年福利與權益保障法》，確立了應考量的安置優先順序，從親屬安置、寄養家庭至住宿式照顧（安置機構），請說明決策者在評估安置選項時，是否有明確的基準可供參循。並請釐清，倘去除寄養或一般機構照顧的選項，「團體家庭」顯然成為最後選擇時，其性質及角色為何？（第 162 點）。

### 中文回應

99. 有關安置選項順序，係依照聯合國兒童替代性照顧準則之精神，優先安置於家庭式替代性照顧資源，特別是 3 歲以下幼童，爰地方政府主責社工安置兒少前，應考量以親屬安置為原則，倘無親屬資源，再媒合適當寄養家庭，如評估兒少有特殊需求或醫療照顧議題，則結合機構提供相關專業資源，滿足其特殊需求。
100. 另，團體家庭係屬社區式、小規模的照顧模式，以社區住宅為設置地點，1 處團體家庭以照顧 4 名兒少為限，並依兒少需求配置專業人力，當兒少不適合安置機構團體化的照顧模式時，得安排至團體家庭，透過縮小照顧規模及家庭氛圍之經營，提供兒少適當之照顧。

### 英文回應

99. The order of placement options follows the spirit of the UN Guidelines for the Alternative Care of Children, giving priority to family-based alternative care resources, especially children under the age of 3. Before placing children and youth under the responsibility of local government social workers, they shall be placed with relatives. If there are no relatives available, suitable foster families will be matched. If the children or youth have any special needs or medical care issues, relevant professional resources will be provided along with institutions to meet their special needs.

100. In addition, the group homes a community-based and small-scale care model by having community housing as the setting location. One group home shall not take care of a number of children and youth exceeding 4, and professional staff will be dispatched according to the needs of them. If the children or youth are not suitable for the congregate care model of the placement institutions, they can be placed in the group homes to receive appropriate care by reducing the scale of care and providing family-like care settings.

點次	問題內容(原文)	中文參考翻譯
6.4	Para.160 Bearing in mind § 17 of this Second Report, please clarify if the alternative care policies finalized in 2021 are considered to constitute a fully-fledged part of a National Plan of Action (2021-2025) on this question and if they include a strategy for the progressive de-institutionalization of alternative care provision, as recommended in our Concluding Observation # 45 (2017).	第 160 點。銘記本（第二次）報告第 17 點的國家行動計畫，請釐清：2021 年核定之替代性照顧政策是否可被視為構成國家行動計畫（2021 年至 2025 年）關於該問題的完整部分，以及該政策是否包括 2017 年結論性意見第 45 點建議逐步去機構化的替代性照顧策略。

#### 中文回應

101. 兒少替代性照顧政策（下稱替代性照顧政策）業於 2022 年 1 月函頒，其參照聯合國兒童替代性照顧準則的精神訂有：讓兒少留在原生家庭成長、積極協助安置兒少返回原生家庭、發展家庭式替代性照顧、優化機構式替代性照顧、健全替代性照顧品質管理與兒少權益保障以及培育少年自立能力及強化支持資源等 6 項政策目標，每項政策目標均有相對應之衡量指標，未來將據以各該政策目標達成情形，滾動式修正相關策略與行動計畫，並於院兒權小組報告階段性成果。
102. 有關去機構化之議題，政策規劃方向除積極擴充各類家庭式安置資源（如：親屬家庭、寄養家庭、團體家庭與居家托育人員等），使其有足夠量能安置更多兒少外；對於安置機構則朝優化其照顧品質的方向努力，透過強化照顧人員專業知能及支持服務、縮小照顧規模、導入外部專業資源及建立合理的安置費用補助標準等策略提升其服務品質。

#### 英文回應

101. The Policy on Alternative Care for Children and Youth was promulgated in January 2022. It was formulated by taking reference to the spirit of the UN Guidelines for the Alternative Care of Children and stipulated the provisions for 6 objectives, including allowing children and youth to grow up in families of origin, actively assisting children and youth in out-of-home care in returning to families of origin, developing family-based alternative care, optimizing alternative institutional care, improving the quality management of alternative care, protecting the rights and interests of children

and youth, and cultivating teenagers' independent living abilities and strengthening support resources. Each policy objective has corresponding measurement indicators. In the future, relevant strategies and action plans will be revised on a rolling basis according to the achievement of each objective, and phased results will be reported to the Children's Rights Task Group.

102. For the issues of de-institutionalization, the direction of policy planning is to actively expand various types of family-based placement resources (such as relative families, foster families, group home, and home-based caregivers, etc.), so that there would be sufficient resources to place more children. For placement institutions, efforts are made to optimize the quality of their care, and improve their service quality through strategies such as strengthening the professional knowledge and support services of caregivers, reducing the scale of care, introducing external professional resources, and establishing reasonable subsidy standards for placement expenses.

點次	問題內容(原文)	中文參考翻譯
6.5	Para. 163 Please indicate the proportion of State and non-State residential facilities inspected that have received an “A” grade and the number of such facilities whose closure has been ordered after failing to respond adequately to guidance measures for those assessed as “C” or “D” grades.	第 163 點。請說明公立及私立兒少安置及教養機構評鑑甲等以上的比率，以及評鑑結果為丙等及丁等的機構，輔導改善未果時被命其停辦的數量。

### 中文回應

103. 依據 2018 年度共 97 家兒童及少年安置及教養機構(下稱安置機構)參與中央與地方政府之聯合評鑑(下稱聯合評鑑)，評鑑結果如表 6。

表 6、聯合評鑑結果

單位：家數(%)						
機構性質	合計 (Total)	優等 (A+ grade)	甲等 (A grade)	乙等 (B grade)	丙等 (C grade)	丁等 (D grade)
合計	97 (100%)	28 (28.9%)	35 (36.1%)	20 (20.6%)	9 (9.3%)	5 (5.2%)
公立機構	8 (8.2%)	6 (6.2%)	2 (2.1%)	0 (0.0%)	0 (0.0%)	0 (0.0%)
公設 民營	8 (8.2%)	6 (6.2%)	2 (2.1%)	0 (0.0%)	0 (0.0%)	0 (0.0%)
私立 機構	81 (83.5%)	16 (16.5%)	31 (32.0%)	20 (20.6%)	9 (9.3%)	5 (5.2%)

資料來源：衛生福利部

104. 復依該年度聯合評鑑實施計畫，地方主管機關（Local authorities）針對評鑑為丙、丁等之安置機構，應遴選適當專業人員或委請績優安置機構定期輔導並依限改善，未依限改善者，應依《兒少法》規定按嚴重程度，處以罰鍰、令其停業且公布其名稱或廢止其設立許可，查上開 14 家丙丁等機構，有 1 家機構因地方主管機構認定為情節嚴重命其停辦，另有 3 家機構則於評鑑後自行提出歇業退場，餘均經地方主管機構輔導完成改善。

## 英文回應

103. In 2018, a total of 97 children and youth placement institutions (hereinafter placement institutions) participated in the joint evaluation by the central and local governments (hereinafter the joint evaluation). The evaluation results are shown in Table 6.

Table 6 Joint evaluation Results

Type of institution	Unit: Number(%)					
	Total	A+ grade	A grade	B grade	C grade	D grade
Total	97 (100%)	28 (28.9%)	35 (36.1%)	20 (20.6%)	9 (9.3%)	5 (5.2%)
Public institution	8 (8.2%)	6 (6.2%)	2 (2.1%)	0 (0.0%)	0 (0.0%)	0 (0.0%)
BOT institution	8 (8.2%)	6 (6.2%)	2 (2.1%)	0 (0.0%)	0 (0.0%)	0 (0.0%)
Private institution	81 (83.5%)	16 (16.5%)	31 (32.0%)	20 (20.6%)	9 (9.3%)	5 (5.2%)

Source: Ministry of Health and Welfare

104. In accordance with the periodical joint evaluation implementation plan, the local authorities shall invite appropriate professionals or placement institutions with A+ grade for regular guidance and improvement according to the requirements for placement institutions with assessment results of C and D grades. Those who fail to improve within limits shall be punished, suspended from business and names to be announced or business license be revoked according to the severity based on Article 108 of the “Protection of Children and Youths Welfare and Rights Act”. We found that out of the 14 institutions with evaluation results of C and D grades, one agency was ordered to suspend from business due to a severe violation identified by the local authority, and three other institutions were proposed to be suspended from business after the evaluation, and all the other institutions were improved after the guidance by the local authorities.

點次	問題內容(原文)	中文參考翻譯
6.6	Para. 166 Please clarify if any extension(s) of a court-ordered placement beyond the initial 1 year maximum must also be approved by a court.	第 166 點。請說明如果法院裁定安置最長為 1 年，如需延期，是否也應聲請法院同意。

#### 中文回應

105. 依據《兒少法》規定略以，直轄市、縣(市)主管機關緊急安置兒少最長不得超過 72 小時，如非 72 小時以上不足以保護兒少者，得聲請法院裁定繼續安置，繼續安置以 3 個月為限；必要時，得聲請法院裁定延長之，每次得聲請延長 3 個月。爰兒少保護安置個案，向法院聲請裁定延長安置，依規定每次只能延長 3 個月。

#### 英文回應

105. According to the Protection of Children and Youths Welfare and Rights Act, emergency placement shall not exceed 72 hours. If adequate protection cannot be found within 72 hours, the case may be referred to the court for ruling on continuous placement. Three months shall be the limit for continuous placement; if necessary, the case may be referred to the court for ruling of the extension with a maximum of three months per extension. Therefore, if CPS placement case is need to be referred to the court for ruling on the extension placement, every extension can only be 3 months at most according to regulations.

點次	問題內容(原文)	中文參考翻譯
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 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.	第 174 點。請具體說明《民法》有規定哪些理由可終止收養，除了基於兒少最佳利益外，特別是當這些理由為「原生家庭情況好轉」及「生父要求恢復孩子原姓」時，尚請具體說明說明哪些人有資格聲請終止收養。

### 中文回應

106. 有關收養之終止：《民法》規定之收養終止，可分為合意終止、宣告終止及死後終止。

按收養關係發生後，收養契約得因收養當事人之合意而終止，此為合意終止。若當事人無法達成終止收養之合意，而一方有法定終止收養之原因時，他方亦得請求法院宣告終止收養關係，此為宣告終止，有關宣告終止收養之原因包括：1.對於他方為虐待或重大侮辱、2.遺棄他方、3.因故意犯罪，受 2 年有期徒刑以上之刑之裁判確定而未受緩刑宣告、4.有其他重大事由難以維持收養關係。又養父母死亡後，養子女亦得聲請法院許可終止收養關係，此即為死後終止。

107. 法院認可或宣告終止收養未成年人事件之審酌事由：《民法》規定養子女為未成年人者，法院認可合意終止收養或宣告終止收養關係時，應依養子女最佳利益為之。上開有關養子女最佳利益之審酌事由，準用《民法》規定：「法院為前條裁判時，應依子女之最佳利益，審酌一切情狀，尤應注意下列事項：一、子女之年齡、性別、人數及健康情形。二、子女之意願及人格發展之需要。三、父母之年齡、職業、品行、健康情形、經濟能力及生活狀況。四、父母保護教養子女之意願及態度。五、父母子女間或未成年子女與其他共同生活之人間之感情狀況。六、父母之一方是否有妨礙他方對未成年子女權利義務行使負擔之行為。七、各族群之傳統習俗、文化及價值觀。前項子女最佳利益之審酌，法院除得參考社工人員之訪視報告或家事調查官之調查報告外，並得依囑託警察機關、稅捐機關、金融機構、學校及其他有關機關、團體或具有相關專業知識之適當人士就特定事項調查之結果認定之。」準此，有關



本件問題清單所示「有更好條件的原生家庭」、「生父要求恢復孩子原姓」之情形，法院為認可合意終止收養或宣告終止收養時，仍應依未成年養子女之最佳利益，就具體個案事實，綜合審酌一切情狀為裁判，尚難一概而論。

108. 得提出終止收養之人

- (a) 合意終止收養：得由收養關係之雙方合意終止，如養子女未滿 7 歲者，其終止收養關係之意思表示，由收養終止後為其法定代理人之人為之；如養子女為滿 7 歲以上之未成年人者，其終止收養關係，應得收養終止後為其法定代理人之人之同意。
- (b) 宣告終止收養：如養父母、養子女之一方有前揭《民法》所定各款情形之一，法院得依他方、主管機關或利害關係人之請求，宣告終止其收養關係。
- (c) 死後終止收養：養父母死亡後，養子女得聲請法院許可終止收養，如養子女未滿 7 歲者，由收養終止後為其法定代理人之人向法院聲請許可；養子女為滿 7 歲以上之未成年人者，其終止收養之聲請，應得收養終止後為其法定代理人之人之同意。

英文回應

106. Termination of adoption: Termination of adoption stipulated in the Civil Code can be divided into Termination of adoption by consent, Termination of adoption by adjudication and Postmortem termination of adoption. After the adoption relationship occurs, the adoption contract may be terminated by mutual agreement of the parties, which is a consent termination. If the parties cannot reach an agreement to terminate the adoption, and one party has a statutory reason for terminating the adoption, the other party may also request the court to declare the termination of the adoptive relationship, which is a declaration of termination, the reasons for declaring the termination of adoption include: (1) Where the party has abused and grossly insulted the other party;(2) Where the party abandoned the other party;(3) Where the party committed a crime intentionally and is sentenced to more than two years imprisonment without probation; or(4) Where there is other grave reason that makes it hard to maintain the adoption relationship.. After the death of the adopted parents, the adopted child may petition the court for approval to terminate the adoption, which is postmortem termination.

107. Reasons for the Court's Approval or Declaration of Termination of Adoption of Minors:

Where the Civil Law stipulates that the adopted child is a minor, when the court approves the consent to terminate the adoption or declares the termination of the adoptive relationship, must be based on the best interest of the child. The Civil Code shall apply *mutatis mutandis* to the above-mentioned reasons for the consideration of the best interests of adopted children: "When the court makes the jurisdiction in the Civil Code, it should be decide in accordance with the best interests of the minor child, consider all the conditions and the visiting reports of the social workers, especially check the following contents: (1) The age, gender, numbers and healthy condition of the minor child. (2) The willing of the minor child and the need of personality development. (3) The age, occupation, character, health condition, economical ability and the life style of the parents. (4) The parent's willing and attitude of protecting and educating the minor child. (5) The emotional feelings between the parents and the minor child or between the other persons living together and the minor child. (6) Whether one parent takes actions to hinder the other of exercising rights and assuming duties of the minor child. (7) The tradition, culture, and values of different ethnic groups. When the court makes the preceding decision in accordance with the best interests of the minor child, besides social workers' visiting reports or family matters investigation officers' investigation reports, the court may also make decision based on investigation outcomes of specific matters made by police authorities, tax authorities, financial institutions, schools, and other related authorities, groups, or proper members with related professional knowledge. " Therefore, regarding the situations of "better conditions being available with the original family" and "requests by the biological father that a child's original surname be restored" as shown in this list of questions, when the court approves the consent to terminate the adoption or declares the termination of the adoption, it should still be based on the best interests of the minor adopted children, and based on the facts of the specific case, comprehensively consider all the circumstances to make a judgment, and it is difficult to generalize.

108. Person who may file for termination of adoption

- (a) Termination of adoption by consent : The relationship between an adopted child and his adoptive parents may be terminated by mutual agreement of the parties, If the adopted child is younger than seven years old, the intention to terminate the adoptive relationship shall be declared on his behalf by the person who will be his statutory agent after the termination of the adoption ; If the adopted child is a minor of more than seven years old, the termination of the adoptive relationship shall be subject to consent of the person who will be the child's statutory agent after the termination of the adoption.
- (b) Termination of adoption by adjudication : Where either party, the adoptive parents or the adoptive child, meets one of the the above-mentioned circumstances specified in the Civil Code, the court can terminate the adoption based on the petition of the other party, administrative authority or interested person.
- (c) Postmortem termination of adoption : After the death of the adopted parents, the adopted child may petition the court for approval to terminate the adoption. If the adopted child is younger than seven years old, the petition to terminate the adoption shall be declared on his behalf by the person who will be his statutory agent after the termination of adoption. If the adopted child is a minor older than seven years old, the petition for termination of adoption shall be subject to the consent of the person who will be the child's statutory agent after the termination of adoption.

點次	問題內容(原文)	中文參考翻譯
6.8	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.	第 179 點。請估計非法移轉至海外的兒少人數中，屬台美合作處理跨國父母擅帶兒少離家瞭解備忘錄之兒少占比為何？

#### 中文回應

109. 自 2019 年 4 月簽署「台美合作處理跨國父母擅帶兒童離家瞭解備忘錄」，至 2022 年 6 月底止，計有 87 位兒少被父母擅帶出境，其中被擅帶至美國，適用該瞭解備忘錄機制處理者計 2 位兒少，占遭擅帶出境兒少比率 2.30%。

#### 英文回應

109. Since the signing of the “Memorandum of Understanding on US-Taiwan Cooperation on international parental child abduction” in April 2019, by the end of June 2022, a total of 87 children have been taken out of Taiwan without authorization by their parents, including those who were taken to the United States without authorization. There were 2 children and youth applied the Memorandum of Understanding mechanism, accounting for 2.30% of the children and youth who were taken out of Taiwan without authorization.

點次	問題內容(原文)	中文參考翻譯
6.9	Para. 180-182 In addition to the information already given here in relation to the detention of pregnant women and facilities for 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.	第 180 點至第 182 點。除本報告已就孕婦拘留及隨母入監(所)兒童相關設施提供的資訊外,請說明是否有任何判決指引或其他官方文件鼓勵或允許攜子(女)入監婦女有其他替代方案。

### 中文回應

110. 現行無相關判決指引。檢察官執行刑罰均係依法院判決主文所諭知之宣告刑為之，關於徒刑之執行，法院判決如宣告 6 個月以下有期徒刑，且得易科罰金或易服社會勞動，則檢察官於執行徒刑時，得視個案情形，以易科罰金或易服社會勞動替代徒刑之執行；法院判決如宣告緩刑，於不違背緩刑條件及法定條件下，即無須執行徒刑。現行並無其他官方文件鼓勵或允許攜子(女)入監婦女有其他替代方案。

110-1.依臺灣高等檢察署所頒布 2018 年 4 月版「刑罰執行手冊」規定：即將入監服刑之受刑人家中有未滿 12 歲子女時，應通報當地縣(市)政府社會局，以利輔導安置或提供必要之處遇；婦女受刑人請求攜帶未滿 3 歲之子女入監者，須於執行指揮書註明；受刑人子女年逾 3 歲，無相當之人受領，又無法寄養時，得洽各公私立育幼救濟機構或其他社會福利團體收容之。

110-2.依上開規定可知，我國對於即將入監之受刑人家中有未成年子女時，以輔導安置或其他必要處遇為原則，如婦女受刑人請求攜帶未滿 3 歲之子女入監並經准許時，始得攜子入監。

### 英文回應

110. Prosecutors enforce the sentence according to the court's verdict. Regarding the enforcement of the sentence, if the court declares a fixed-term imprisonment under six months and is eligible to be commuted to a fine or the community service, the prosecutor may choose to enforce the fine or the community service instead of the imprisonment; however, it may vary from case to case. If the court declares a suspended sentence for probation, the sentence will not be enforced if the statutory conditions of

the probation are not violated. There are currently no other official documents that encourage or allow incarcerated women with children to have other alternatives but serving their terms in prison.

110-1. According to the April 2018 edition of the "Penalty Enforcement Manual" issued by the Taiwan High Prosecutor's Office, if there are children under the age of 12 in the family of a condemned person who is about to be sentenced to prison, they should notify the social bureau of the local county (city) government to facilitate counseling and placement or provide necessary treatment; if a woman condemned person requests to bring her children under the age of 3 to prison, she must indicate this in the enforcement command; if the condemned person's children are over the age of 3 and there is no appropriate person to take them in, and if they cannot be taken in, they may contact various public or private childcare relief institutions or other social welfare organizations. If the child is over 3 years old and no one is available to receive the child, or if the child cannot be placed in foster care, the child may be taken in by public or private child-rearing and rescue institutions or other social welfare organizations.

110-2. The above regulations show that when there are minor children in the family of a prisoner who is about to be imprisoned, the principle of counseling and placement or other necessary treatment is used.

## 第七章 身心障礙、基本健康與福利

點次	問題內容(原文)	中文參考翻譯
7.1	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.	第 184 點。除第 212 點及第 213 點所列措施外，請釐清是否有採取其他附加措施，解決兒少身心健康照顧服務在可獲性、可近性、可接受性與品質方面的城鄉差距。

### 中文回應

111. 運用公費醫師人力，改善偏遠地區醫療品質及醫療量能，2019 年至 2021 年分發舊制公費醫師（已自 2009 年停招）共計 130 人至偏遠地區服務；2016 年起辦理《重點科別培育公費醫師制度計畫》，每年招收約 100 名醫學系公費生，未來將挹注偏遠地區及內、外、婦產、兒及急診等科別之醫師人力。
112. 辦理《周產期照護網絡計畫》，逐步規劃以生活圈區域整合方式設置周產期母嬰醫療中心並建立新生兒外接團隊，強化高危險妊娠轉診及新生兒之照護，並透過開放醫院模式，偏遠地區產婦可就近於診所產檢、至母嬰醫療中心醫院生產，使基層診所的服務量與醫院設施結合，獲得連續完善的醫療照護。另透過《提升兒科緊急醫療救護品質及資源整合計畫》，強化偏遠及非都會地區 24 小時兒科緊急醫療及重症加護照護之能力。
113. 推動《幼兒專責醫師制度計畫》，2020 年於 6 縣市試辦，2021 年擴大為 10 縣市參與，並有 31 名偏鄉衛生所醫師加入，協助偏鄉幼兒的照護。
114. 目前全國 22 縣市合計設有 381 個免費或優惠的社區心理諮商服務據點，可提供心理諮商服務，且於全國 22 個縣市之涵蓋率已達 100%，已大幅提升兒少心理健康服務之可及性、可近性。
115. 自 2021 年起積極於全國 22 縣市布建社區心理衛生中心，2021 年布建 8 處，2022 年 7 月布建 18 處，預計至 2025 年於全國共布建 71 處（以每 33 萬人口為 1 處為原則且每縣市均至少成立 1 處），並配置專任心理師，以提升兒少獲得心理健康資源之可近性。

## 英文回應

111. Medical doctors trained through government-funded programs may be allocated to remote areas to improve the quality and capacity of medical services in these areas. From 2019 to 2021, 130 medical doctors trained in the old government-funded medical education program (ended in 2009) were allocated to provide their services in remote areas. Since 2016, a government-funded medical education program has been implemented with a focus on specializations most needed in remote areas; since then, approximately 100 government-funded medical students were admitted to this program each year. These students will join the medical workforce of the focused specializations—including internal medicine, surgery, obstetrics and gynecology, pediatrics, and emergency medicine—in remote areas.
112. A perinatal care network program has been implemented to establish perinatal care centers for mothers and babies and neonatal transfer teams within the everyday living circle of pregnant women to enhance the safety of referrals during at-risk pregnancies and neonatal care. Additionally, an open hospital model has been established for pregnant women living in remote areas to receive prenatal check-ups at local clinics and to give birth at local medical centers for mothers and babies. The model integrates the medical capacity of basic-level clinics and hospital facilities to provide a continuum of medical care. Furthermore, a program aimed at improving the quality of pediatric emergency care and integrating related resources has been implemented to enhance the capacity of remote and nonmetropolitan areas to provide pediatric emergency care and intensive care around the clock.
113. A program of doctors dedicated to the care of young children was implemented on a pilot basis in six counties and cities in 2020. The implementation was later expanded to 10 counties and cities in 2021, joined by 31 doctors working at district health centers in remote areas, with the aim of improving care for young children living in these areas.
114. Currently, there are 381 free or subsidized community mental health counseling sites to provide mental health counseling, and the coverage rate in 22 counties and cities has reached 100%, which has greatly enhanced the accessibility and proximity of mental health services for children and youth.



115. The government has been actively establishing local community mental health centers in 22 counties and cities across the country since 2021. 8 local community mental health centers have been established in 2021 and 18 in July 2022, and a total of 71 centers are expected to be establish across the country by 2025 (based on the principle of 1 center for every 330,000 people and at least 1 center in each county and city), with dedicated psychologists to enhance the accessibility of mental health resources for children and youth.

點次	問題內容(原文)	中文參考翻譯
7.2	Para. 186 COVID-19: Beyond the payment of an additional stipend to some families, please specify whether any additional special measures were adopted to mitigate the impact of COVID-19 on children and their families in terms of prevention; treatment and measures to address any ongoing physical and mental health consequences.	第 186 點。COVID-19：除對部分家庭提供額外津貼，請具體說明在預防方面，是否有採取任何附加的特殊措施來減輕 COVID-19 對兒少及其家庭的影響；以及處理任何持續影響身心健康結果的治療和措施。

### 中文回應

116. 因應 COVID-19 防疫及強化醫療應變量能之需，持續密切關注藥物療效及安全性之實證資料，並諮詢專家建立治療藥物採購機制及儲備充足藥物，以提供具重症風險因子之新冠肺炎確診個案治療使用。目前已訂有《新型冠狀病毒(SARS-CoV-2)感染臨床處置暫行指引》；另因應 2022 年 5 月起國內兒童 COVID-19 急性腦炎併發症治療之需，參考國際建議訂定《兒童 COVID-19 併發急性腦炎臨床治療暫行指引》，並將（Remdesivir）納入兒童（含 12 歲以下）新冠病毒腦炎感染與免疫相關之治療藥物，12 歲以下孩童若經醫師評估具有使重症風險提高之免疫不全情形，經充分告知並獲同意後可使用。
117. 為保護工作人員及嬰幼兒健康，及降低疫情於托嬰中心傳播機率與規模，爰於 2021 年 7 月訂定托嬰中心因應 COVID-19 防疫管理指引，視疫情發展變化滾動檢討修正，截至 2022 年 8 月 25 日止歷經 6 次修正。
118. 為確保兒少安置機構工作人員與服務對象之健康，減緩疫情擴散，於 2020 年 3 月向中央流行疫情指揮中心爭取每週發送工作人員防疫口罩，另訂定住宿式機構因應 COVID-19 感染管制措施指引，以及應變整備作戰計畫建議，請機構及地方政府完備防疫工作。
119. 於 2022 年 1 月函發有關全國高級中等以下學校、公私立幼兒園、兒童課後照顧服務中心、短期補習班等各類教育機構，倘因地方政府宣布停課、預防性停課、改採線上教學、暫停或延期辦理各類活動、或各類為因應疫情而採取之措施者，於前項情形期間，家長如有親自照顧學童之需求，家長可申請防疫照顧假。前述家長，包括父母、養父母、監護人或其他日常實際照顧兒童之人（如爺爺、奶奶等）。另倘高

中以下學生（含幼兒園）之家長因故無法在家照顧或學生無法進行居家學習者，學校（含幼兒園）仍應安排人力，提供學生到校學習、照顧及用餐。

120. 2020 年 2 月函發《高級中等以下學校防治『嚴重特殊傳染性肺炎』疫情心理輔導注意事項》，請學校落實疫情輔導措施，並提供「防制疫情心理輔導文宣」範例，供學生、家長及教師參考運用及教導學生簡易自我心理照護之方法。
121. 2021 年 7 月發布《嚴重特殊傳染性疾病期間各級學校及學生輔導諮商中心通訊關懷與輔導諮商參考原則》，提供各級學校及學生輔導諮商中心之輔導人員參考，使學生受疫情影響不到校期間，學校得以持續進行關懷支持，使輔導工作不中斷。
122. 針對受疫情影響在學校曾接受介入性輔導或處遇性輔導之學生，因轉學、升學、重考而有學籍轉換時，經原學校進行轉銜輔導評估後，通報學生至轉銜輔導系統，由未來就讀學校接手輔導工作，使受疫情影響之學生得以持續獲得輔導資源和措施。
123. 為落實防疫措施、守護兒少安全，持續配合中央流行疫情指揮中心發放及配送相關防疫物資。於學校開學後，協助配送口罩至小學（兒童口罩）及幼兒園（幼幼及小童口罩），另每週配送 80 萬劑快篩試劑，將各校快篩庫存量由 30%調升至 50%，以提升校園防護力及維護學生健康。
124. 為減輕 COVID-19 疫情對兒少及其家庭之心理影響，建置有「疫情心理健康」專區網頁，提供疫情期間之心理健康衛教素材及相關心理健康服務資訊供民眾參考運用。
125. 提供 24 小時免付費之 1925 心理諮詢服務專線，自 2020 年 1 月 23 日起至 2022 年 1 月 31 日間，接獲詢問疫情及心理健康相關問題計 1 萬 7,450 人次(占總來電量 7.8%)。

#### 英文回應

116. To address the need to control COVID-19 and enhance medical response capacity, the government continue to keep abreast of the latest empirical data about the efficacy as well as safety of drugs, and have established a procurement mechanism for therapeutic drugs after consultations with experts and kept sufficient drugs in reserve for COVID-19 patients at high risk of severe illness. The government has issued the "Guidelines for Clinical Management of SARS-CoV-2 Infection" and published the "Guidelines for Clinical Treatment of COVID-19 Infection Complicated with Acute Encephalitis in Children" based on international recommendations to treat children with

COVID-19-induced acute encephalitis starting May 2022. According to the guidelines, remdesivir has been included for the treatment of children (including those under 12) with COVID-19-related encephalitis infection. Remdesivir can be prescribed for a child under 12 years of age if the child is assessed by a doctor to be at high risk of severe COVID-19 due to immunodeficiency, and if the child's parent or guardian has given informed consent to the medical treatment.

117. In order to protect the health of staff, infants and young children, and reduce the risk and scale of the spread of the epidemic in infant care centers, the guidelines for the management of baby care centers for COVID-19 epidemic prevention were formulated in July 2021, and reviewed and amended on a rolling basis according to the development of the epidemic. As of August 25, 2022, six amendments have been carried out.
118. In order to ensure the health of the staff and service recipients of the children and youth placement institutions, and slow down the spread of the epidemic, in March 2020, the Central Epidemic Command Center worked it best to send facial masks to relevant staff on a weekly basis. Furthermore, guidelines for disease control measures and recommendations for contingency preparations have also been promulgated to allow institutions and local governments to complete epidemic prevention works.
119. In January 2022, schools below the level of senior high school, public and private kindergarten, child care centers, short-term tutorial schools, and other educational institutions were informed by writing that if any regional government announced to adopt online teaching, suspension, postponement of all sorts of activities, or other measures due to the epidemic because of class suspension and pre-cautious class suspension, parents could apply for unpaid family care leave if the parents needed to take care of the school children themselves. The aforementioned parents include mothers and fathers, foster mothers and fathers, guardians, or people (such as grandfather or grandmother) taking care of them in ordinary time. In addition, if the parents of students at the level of senior high school or below (including kindergarten) that could not take care of their children at home or the students could not learn from home, the schools (including kindergarten) should arrange for personnel to take care of the students to learn and eat there.

120. In February 2020, the Guidelines for Psychological Counseling for Senior High School or Below Regarding the Prevention of COVID-19 was announced in writing to request schools to consolidate epidemic prevention measures. Model promotion materials for “Psychological Counseling Regarding the Epidemic Prevention of COVID-19” were also provided for the references of students, parents and teachers, aiming to provide them with simple guidelines for student’s psychological care.
121. In July 2021 the Reference Principle for Communication, Care, and Counseling for the Counseling Center of Schools and Students at Different Levels During COVID-19 was announced for the references of counselors at schools at different levels. Likewise, students could continue to obtain care and support from school during their leave without interrupting the counseling works.
122. Regarding those students that have received intervention counseling and remedial counseling affected by the epidemic, that changed their student statuses because of transfer, continuing education, retaking examinations, etc., they will be transferred to another counseling systems with transfer documents from their original schools after evaluation. Their future schools will follow-up their counseling works. Likewise, students affected by epidemic will continue to obtain counseling resources and services.
123. To consolidate the epidemic prevention measures and uphold the safety of child and youth, epidemic prevention materials will be provided and delivered in association with the Central Epidemic Command Center. Face masks (for pre-teenagers) will be delivered to elementary schools and kindergartens (face masks for toddlers and children) when the new semester begins. In addition, 800 thousand COVID-19 rapid test kits will be delivered every week, with the inventory of rapid test kits increased from 30% to 50% to promote the epidemic capacity on campus and safeguard students’ health.
124. To reduce the mental health impact of the COVID-19 epidemic on children and youth and their families, the government has set up a "Mental Health – Go through the storm of COVID-19 " website to provide mental health education materials and information on mental health services during the COVID-19 epidemic for public reference.

125. The government also has set up the “1925” mental health support hotline. It’s a toll-free hotline operated for 24 hour. From January 23, 2020 through January 31, 2022, 17,450 inquiries (7.8% of total volume) were received about the COVID-19 epidemic and mental health-related issues.

點次	問題內容(原文)	中文參考翻譯
7.3	Para. 205 Please clarify whether the increase in the training of medical specialists is sufficient to meet the specialist health needs of children and youth particularly among Indigenous children and children in off shore areas.	第 205 點。請釐清對於醫療專業人員增加的訓練，是否足以因應兒少專業（或專科）健康需求，特別是原住民及離島兒少。

### 中文回應

126. 為因應原鄉離島地方需求，每年以外加名額方式培養原住民籍或設籍於離島地區之醫事公費生，並於其畢業且完成訓練後須返鄉服務。為確保其專業醫事能力，足以照護在地基層醫療及健康需求，在醫師返鄉服務前需先接受 6 年以內之專科醫師訓練，科別則以急診、內、外、婦、兒、家醫科為主，牙醫師及其他醫事人員亦應接受 2 年至 6 年不等之訓練後，始返鄉服務。於返鄉執業後亦需依《醫事人員執業登記及繼續教育辦法》規定，接受相關專業醫事課程訓練並達規定之繼續教育時數。
127. 推動幼兒專責醫師制度，因應兒少健康需求，評估幼兒專責醫師應具備之專業能力，據以規劃核心訓練課程，並透過幼兒專責醫師個案管理資訊系統網站開放線上課程，使原住民族與離島、偏遠地區幼兒專責醫師能隨時獲取專業知能，以提升偏遠地區或醫療資源匱乏地區兒童照護品質。
128. 另委託台灣原住民醫學學會針對前述公費生進行追蹤輔導計畫，每年透過大小手見面會、衛生所見習及文化敏感度輔導課程等，提升返鄉服務之認同度與相關能力準備。

### 英文回應

126. Provide government-funded medical personnel training programs aimed at those who have indigenous nationality or have domiciled in outlying islands; these trainees, after completing the training, will deliver medical services in an assigned remote area . To ensure the quality of physicians' medical practice, all physicians are required to receive up to 6 years of specialist training before practicing in their assigned place of service. The training focuses on specializations that are most needed in remote areas, namely emergency medicine, internal medicine, surgery, obstetrics and gynecology, pediatrics,

and family medicine. Dentists and other types of medical personnel shall complete 2 to 6 years of training before practicing in their assigned place of service. To renew their license to practice, medical personnel shall complete relevant professional medical training and the minimum required hours of continuing education as per the Regulations Governing Registration of Medical Personnel for Practice and Their Continuing Education.

127. In the young children–dedicated doctor system, the government has focused on the professional capabilities required from young children–dedicated doctors to address the health needs of these children and developed core training courses for these doctors accordingly. Online courses were made available on the Young Children-Dedicated Doctors’ Case Management website for doctors living in indigenous communities, offshore islands, and remote areas to acquire professional knowledge anytime, thereby enhancing the quality of child care in remote areas and areas with relatively few medical resources.
128. The Medical Association for Indigenous People of Taiwan has been commissioned to conduct follow-up programs on those who complete their government-funded training, with mentor programs, internships at district health centers, and cultural sensitivity training provided to enhance the trainees’ identification with their assigned place of service and to prepare them for related medical practices.



點次	問題內容(原文)	中文參考翻譯
7.4	Para. 216 Please clarify whether in efforts to combat childhood obesity (a) children have been involved in the development and evaluation of these policies, and (b) any measures have been adopted to regulate the conduct of food producers by for, example, mandating certain packaging information such as health star ratings or imposing restrictions on advertising.	第 216 點。請釐清兒童肥胖防治工作中：(a) 兒童是否參與此等政策之制定與評估；且 (b) 是否採取任何措施規範食品製造商之行為，例如藉由強制納入特定包裝資訊，如健康星級評等或對廣告實施限制。

#### 中文回應

129. 政府於學校及幼兒園等場域，由兒童、家長、老師等人員共同參與，瞭解兒童的肥胖問題，設計如：《幼兒輕甜童年食育方案之減糖服務模式》及辦理健康體位促進營隊，以提升幼兒、家長及老師對於減糖、飲食與運動等健康行為的認知。並進行評價進而調整教案內容，協助兒童從小建立健康生活型態概念，期防治兒童肥胖。此外，推動營養及健康飲食促進，照顧不同生命週期的國人，未來將邀請兒少代表一同討論。
130. 所有包裝食品之營養標示，均應標示糖含量；倘對糖含量之營養宣稱「無、不含、零」、「低、少、薄、微、略含」或「較…低、較…少、減…」時，須符合《包裝食品營養宣稱應遵行事項》所規定之含量標準。依《食品安全衛生管理法》，產品未依規定標示者，處 3 萬元以上 300 萬元以下罰鍰。不實、誇張或易生誤解之標示，可處 4 萬元以上 400 萬元以下罰鍰。違規產品應限期回收改正，改正前不得繼續販售。

#### 英文回應

129. In schools, kindergartens and other fields, the government involves children, parents, teachers and other personnel to understand the obesity problem of children, and designs programs such as: "Sugar Reduction Program in Early Childhood Food Education " and holds healthy body weight promotion camps to raise awareness among children, parents and teachers about healthy behaviors such as sugar reduction, diet and exercise. We conduct evaluation and then adjust the lessons accordingly to help children establish a

healthy lifestyle from an early age, and prevent childhood obesity. In addition, the government promotes nutrition and healthy diets to take care of Taiwanese people at different life stages. In the future, representatives of children and youth will be invited to join the discussion.

130. The sugar content is required to be labeled on the nutrition fact sheet for all prepackaged foods. If a food product is claimed as "free", "low" or "less than..." for its sugar content on the outer packaging, it shall meet the content standards of Regulations on Nutrition Claim for Prepackaged Food Products. According to the Act Governing Food Safety and Sanitation, noncompliant labeling of food products as required shall be fined of between NT\$30,000 and NT\$3,000,000, whereas false, exaggerated, or misleading labeling can result in a fine between NT\$40,000 and NT\$4,000,000. The noncompliant products shall be recalled and correction made within a prescribed time period; the products in question shall not be sold before the violation is corrected.

點次	問題內容(原文)	中文參考翻譯
7.5	Para. 217 Please clarify whether any special measures are taken to enable the participation of children with disabilities in sporting activities within school and outside school and whether any data is collected on the number of children (those with and without a disability) involved in sporting activities outside of school and whether this data is disaggregated according to age, gender, location and socioeconomic status.	第 217 點。請釐清是否已採取特別措施，使身心障礙兒少參與校內外體育活動，且是否蒐集任何關於參與校外體育活動兒少（無論是否為身心障礙）人數之數據，以及該數據是否依據年齡、性別、地點及社經狀況分類統計。

### 中文回應

131. 學校視身心障礙學生之個別需求納入個別化教育計畫（IEP）中實施，為提升身心障礙兒童參與遊戲的機會及權益，增加身心障礙兒童與一般兒童的互動，透過不同遊具的遊戲過程，增進學生潛能發展，於 2018 年度開始補助學校建置「共融式遊樂場」計畫，以教育意義的感官遊具，兼具採光、綠地等大自然元素，讓校園更加友善。
132. 有關推動身心障礙兒童之各項適應體育課程與活動，已於「體育運動政策白皮書」中推動實施適應體育與輔導機制，具體增進身心障礙學生身體活動權益並定期追蹤，且設置「適應體育發展中心」推動身心障礙學生參與學校體育，擬定相關補助案協助校內教師增能、發展教學以及相關適應體育舉措，如：融合式運動賽會、特教班與一般班級融合式體育課、課後運動性融合社團以及現場教師適應體育增能研習等。
133. 數據收集部分，均透過例行調查之學校體育統計年報蒐集全國各級學校參與校外體育活動（課後運動社團、運動代表隊）的學生人數與運動種類。其中關於身心障礙兒少部分，更透過適應體育例行調查題項，統計各級學校身心障礙學生人數、參與體育課程之實施方式、具備適應體育知能教師人數，以及參加校外體育活動（課後運動社團、運動代表隊）之學生人數，此項數據依照公約內涵，固定每年蒐集，可按學校層級、性別、地區（學校所屬鄉鎮縣市）等方式分類，2021 學年度數據如下表 7 至表 15。

表 7、校外（課後）體育活動-運動代表隊-依照學校層級

單位：隊數，人數

學校層級	一般學生		身心障礙學生	
	隊數	人數	隊數	人數
國小	5,546	122,739	30	302
國中	3,111	49,652	25	144
高中職	2,058	30,790	21	172
合計	10,715	203,181	76	618

資料來源：教育部

表 8、校外（課後）體育活動-運動代表隊-依照縣市別

單位：人數

縣市	一般學生		身心障礙學生	
	男生	女生	男生	女生
新北市	16,352	8,324	42	16
臺北市	15,798	8,460	134	36
桃園市	10,060	4,849	0	0
臺中市	14,477	7,552	43	36
高雄市	11,515	6,295	17	12
臺南市	10,101	5,367	14	10
宜蘭縣	3,919	1,789	34	16
新竹縣	4,488	2,541	14	16
苗栗縣	4,215	2,663	0	0
彰化縣	5,917	3,230	6	2
南投縣	3,681	2,206	3	2
雲林縣	4,877	2,425	32	11
嘉義縣	3,247	1,731	24	18
屏東縣	6,001	3,355	16	1
臺東縣	2,561	1,206	16	9
花蓮縣	3,640	2,082	7	1
澎湖縣	1,478	969	4	2
基隆市	1,986	1,488	7	3

縣市	一般學生		身心障礙學生	
	男生	女生	男生	女生
新竹市	4,238	2,451	0	0
嘉義市	1,978	1,174	10	4
金門縣	1,247	881	0	0
連江縣	244	123	0	0
合計	132,020	71,161	423	195

資料來源：教育部

表 9、校外（課後）體育活動-運動代表隊-依照性別

單位：人數

學校層級	一般學生		身心障礙學生	
	男生	女生	男生	女生
國小	75,077	47,662	224	78
國中	34,504	15,148	89	55
高中職	22,439	8,351	110	62
合計	132,020	71,161	423	195

資料來源：教育部

表 10、校外（課後）體育活動-運動社團-依照學校層級

單位：隊數，人數

學校層級	一般學生		身心障礙學生	
	隊數	人數	隊數	人數
國小	9,572	217,959	25	378
國中	4,100	105,397	15	189
高中職	3,181	95,467	23	294
合計	16,853	418,823	63	861

資料來源：教育部

表 11、校外（課後）體育活動-運動社團-依照縣市別

單位：人數

縣市	一般學生		身心障礙學生	
	男生	女生	男生	女生
新北市	30,608	18,151	73	15
臺北市	37,491	21,830	129	37
桃園市	21,779	13,046	0	0
臺中市	34,107	20,321	91	56
高雄市	27,042	16,059	11	7
臺南市	21,516	12,977	16	6
宜蘭縣	5,183	2,538	46	17
新竹縣	7,160	4,337	32	20
苗栗縣	6,638	4,025	6	4
彰化縣	16,255	11,016	73	52
南投縣	7,754	4,910	4	5
雲林縣	8,228	5,066	4	2
嘉義縣	5,126	2,870	13	5
屏東縣	9,842	6,600	11	10
臺東縣	2,614	1,600	15	11
花蓮縣	4,842	2,829	0	0
澎湖縣	1,017	678	6	12
基隆市	2,981	2,190	43	29
新竹市	4,942	2,962	0	0
嘉義市	4,541	2,677	0	0
金門縣	1,127	959	0	0
連江縣	231	158	0	0
合計	261,024	157,799	573	288

資料來源：教育部

表 12、校外（課後）體育活動-運動社團-依照性別

單位：人數

學校層級	一般學生		身心障礙學生	
	男生	女生	男生	女生
國小	127,612	90,347	268	110
國中	68,589	36,808	122	67
高中職	64,823	30,644	183	111
合計	261,024	157,799	573	288

資料來源：教育部

表 13、特殊學校資料--依照學校層級

單位：隊數，人數

學校層級	運動代表隊		運動社團	
	隊數	人數	隊數	人數
國小	3	12	7	39
國中	6	31	19	90
高中職	22	214	29	316
合計	31	257	55	445

資料來源：教育部

表 14、特殊學校資料-依照縣市別

單位：人數

縣市	運動代表隊		運動社團	
	男生	女生	男生	女生
新北市	0	0	0	0
臺北市	12	0	28	29
桃園市	0	0	0	0
臺中市	69	10	41	22
高雄市	0	0	38	40
臺南市	48	21	72	45
宜蘭縣	0	0	0	0
新竹縣	12	7	6	4
苗栗縣	0	0	0	0
彰化縣	4	3	18	15
南投縣	0	0	0	0
雲林縣	20	11	12	4
嘉義縣	0	0	0	0
屏東縣	0	0	0	0
臺東縣	18	2	26	11
花蓮縣	10	10	18	16
澎湖縣	0	0	0	0
基隆市	0	0	0	0
新竹市	0	0	0	0
嘉義市	0	0	0	0
金門縣	0	0	0	0
連江縣	0	0	0	0
合計	193	64	259	186

資料來源：教育部

表 15、特殊學校資料-依照性別

單位：人數

學校層級	運動代表隊		運動社團	
	男生	女生	男生	女生
國小	8	4	22	17
國中	22	9	51	39
高中職	163	51	186	130
合計	193	64	259	186

資料來源：教育部

**英文回應**

131. The schools incorporate the individual needs of students with disabilities into the Individualized Education Program (IEP) for implementation. In order to provide more opportunities and improve rights of children with disabilities to participate in games, and to increase the interaction between children with disabilities and general children. Through the game process offered by different playground equipment, we can enhance the development of students' potential. In 2018, schools began to be subsidized in terms of construction of the “inclusive playground” projects, which adopt educational sensory playground equipment to incorporate natural elements, such as lighting and green space, to reach the friendly campus.
132. For the promotion of various adaptive sports courses and activities for children with disabilities, we have promoted the implementation of adaptive sports and counseling mechanisms using “White Paper on Sports Policy”, specifically for enhancing and regularly track the rights and interests of students with disabilities in sports activities. In addition, the "Adaptive Sports Development Center" is established to promote students with disabilities to participate in sports in schools, and relevant subsidy programs are formulated to assist school teachers in enhancing their abilities, developing teaching and related adaptive sports measures, such as inclusive sports competitions, inclusive PE courses for special education and general classes, inclusive after-school sports clubs and on-site teachers adaptive sports enhancement training, etc.
133. For data collection, the number of students participating in extracurricular (after-school) sports activities (after-school sports clubs and sports teams) and types of sports are



collected in schools at all levels across Taiwan via the annual school sports statistics report. Among them, regarding children and youth with disabilities, with the routine survey of adaptive sports, the number of students with disabilities in schools at all levels, the implementation of physical education courses, the number of teachers with adaptive physical knowledge, and participation in extracurricular (after-school) sports activities (the number of students in after-school sports clubs, sports teams) is collected annually, which can be classified by school levels, genders, and regions (the township, county, or city where the school is located), etc., and are shown in the following tables :

Table7 Academic Year 2021 · Extracurricular (After-School) Sports – Sports Teams - By School Level

School Level	Unit:team, person			
	General Students		Students with Disabilities	
	Number of Teams	Number of Members	Number of Teams	Number of Members
Elementary School	5,546	122,739	30	302
Junior High School	3,111	49,652	25	144
Senior High and Vocational School	2,058	30,790	21	172
<b>Total</b>	<b>10,715</b>	<b>203,181</b>	<b>76</b>	<b>618</b>

Source : Ministry of Education

Table 8 Academic Year 2021 , Extracurricular (After-School) Sports – Sports Teams - By Cities and Counties

Unit : person

Cities and Counties	General Students		Students with Disabilities	
	M	F	M	F
New Taipei City	16,352	8,324	42	16
Taipei City	15,798	8,460	134	36
Taoyuan City	10,060	4,849	0	0
Taichung City	14,477	7,552	43	36
Kaohsiung City	11,515	6,295	17	12
Tainan City	10,101	5,367	14	10
Yilan County	3,919	1,789	34	16
Hsinchu County	4,488	2,541	14	16
Miaoli County	4,215	2,663	0	0
Changhua County	5,917	3,230	6	2
Nantou County	3,681	2,206	3	2
Yunlin County	4,877	2,425	32	11
Chaiyi County	3,247	1,731	24	18
Pingtung County	6,001	3,355	16	1
Taitung County	2,561	1,206	16	9
Hualien County	3,640	2,082	7	1
Penghu County	1,478	969	4	2
Keelung City	1,986	1,488	7	3
Hsinchu City	4,238	2,451	0	0
Chiayi City	1,978	1,174	10	4
Kingmen County	1,247	881	0	0
Lienchiang County	244	123	0	0
<b>Total</b>	132,020	71,161	423	195

Source : Ministry of Education

Table 9 Extracurricular (After-School) Sports – Sports Teams - By Gender

Unit : person

School Level	General Students		Students with Disabilities	
	Male	Female	Male	Female
Elementary School	75,077	47,662	224	78
Junior High School	34,504	15,148	89	55
Senior High and Vocational School	22,439	8,351	110	62
<b>Total</b>	132,020	71,161	423	195

Source : Ministry of Education

Table 10 Extracurricular (After-School) Sports – Sports Clubs - By School Level

Unit:team, person

School Level	General Students		Students with Disabilities	
	Number of Teams	Number of Members	Number of Teams	Number of Members
Elementary School	9,572	217,959	25	378
Junior High School	4,100	105,397	15	189
Senior High and Vocational School	3,181	95,467	23	294
<b>Total</b>	16,853	418,823	63	861

Source : Ministry of Education

Table 11 Extracurricular (After-School) Sports – Sports Clubs - By Cities and Counties

Unit : person

Cities and Counties	General Students		Students with Disabilities	
	Male	Female	Male	Female
New Taipei City	30,608	18,151	73	15
Taipei City	37,491	21,830	129	37
Taoyuan City	21,779	13,046	0	0
Taichung City	34,107	20,321	91	56
Kaohsiung City	27,042	16,059	11	7
Tainan City	21,516	12,977	16	6
Yilan County	5,183	2,538	46	17
Hsinchu County	7,160	4,337	32	20
Miaoli County	6,638	4,025	6	4
Changhua County	16,255	11,016	73	52
Nantou County	7,754	4,910	4	5
Yunlin County	8,228	5,066	4	2
Chaiyi County	5,126	2,870	13	5
Pingtung County	9,842	6,600	11	10
Taitung County	2,614	1,600	15	11
Hualien County	4,842	2,829	0	0
Penghu County	1,017	678	6	12
Keelung City	2,981	2,190	43	29
Hsinchu City	4,942	2,962	0	0
Chiayi City	4,541	2,677	0	0
Kingmen County	1,127	959	0	0
Lienchiang County	231	158	0	0
<b>Total</b>	261,024	157,799	573	288

Source : Ministry of Education

Table 12 Extracurricular (After-School) Sports – Sports Clubs - By Gender

Unit : person

School Level	General Students		Students with Disabilities	
	Male	Female	Male	Female
Elementary School	127,612	90,347	268	110
Junior High School	68,589	36,808	122	67
Senior High and Vocational School	64,823	30,644	183	111
<b>Total</b>	261,024	157,799	573	288

Source : Ministry of Education

Table 13 Information of Special Schools – By School Level

Unit:team, person

School Level	Sports Teams		Sports Clubs	
	Male	Female	Male	Female
Elementary School	3	12	7	39
Junior High School	6	31	19	90
Senior High and Vocational School	22	214	29	316
<b>Total</b>	31	257	55	445

Source : Ministry of Education

Table 14 Information of Special Schools – By Counties and Cities

Unit : person

Cities and Counties	Sports Teams		Sports Clubs	
	Male	Female	Male	Female
New Taipei City	0	0	0	0
Taipei City	12	0	28	29
Taoyuan City	0	0	0	0
Taichung City	69	10	41	22
Kaohsiung City	0	0	38	40
Tainan City	48	21	72	45
Yilan County	0	0	0	0
Hsinchu County	12	7	6	4
Miaoli County	0	0	0	0
Changhua County	4	3	18	15
Nantou County	0	0	0	0
Yunlin County	20	11	12	4
Chaiyi County	0	0	0	0
Pingtung County	0	0	0	0
Taitung County	18	2	26	11
Hualien County	10	10	18	16
Penghu County	0	0	0	0
Keelung City	0	0	0	0
Hsinchu City	0	0	0	0
Chiayi City	0	0	0	0
Kingmen County	0	0	0	0
Lienchiang County	0	0	0	0
<b>Total</b>	193	64	259	186

Source : Ministry of Education

Table 15 Information of Special Schools – By Gender

Unit : person

School Level	Sports Teams		Sports Clubs	
	Male	Female	Male	Female
Elementary School	8	4	22	17
Junior High School	22	9	51	39
Senior High and Vocational School	163	51	186	130
<b>Total</b>	193	64	259	186

Source : Ministry of Education

點次	問題內容(原文)	中文參考翻譯
7.6	Para. 219 Please clarify whether the increase in mental care services for children and young people satisfies the demand for these services and whether any disaggregated data is collected on the number of children suffering from mental health conditions.	第 219 點。請釐清對於兒少增加的心理照顧服務，是否能滿足兒少對於這些服務的需求，以及對有心理健康困擾的兒童，是否有蒐集相關數據並分類統計。

### 中文回應

134. 為提升兒少獲得心理健康資源之可近性，並增加兒少於學生輔導體系以外之心理健康求助管道，自 2021 年起積極於全國 22 縣市布建社區心理衛生中心，並增置心理健康專業人力，2021 年布建 8 處，2022 年截至 7 月累計布建 18 處，預計至 2025 年於全國共布建 71 處（以每 33 萬人口為 1 處為原則且每縣市均至少成立 1 處）；亦持續提升社區心理諮詢（商）服務量能，截至 2021 年，全國共建置 381 個心理諮商服務據點（如表 16），可提供兒少免費或優惠之心理諮商服務，於全國 22 縣市涵蓋率已達 100%。惟目前心理諮商服務量統計並未特別區分兒少及成人，未來將針對兒少服務情形進行統計。
135. 自 2018 年起衛生福利部持續與教育部合作推動校園心理健康促進工作，亦督請縣市衛生局與教育機關建立合作機制及主動提供教育局（處）轄區內心理健康服務資源及轉介窗口名冊，供各級學校運用及轉介個案。（如表 17）
136. 2016 至 2020 年，19 歲（含）以下患有精神健康（涵蓋精神、行為和神經發展疾患）問題之兒少就醫人數如表 18，目前相關之醫療費用均由全民健康保險支付。
137. 矯正學校設有國中及高中學程，2021 年年底 4 所矯正學校在校人數為 741 人；於學生入校時，皆進行學生身心狀況評估及調查，了解其身心障礙類別，針對需精神護理服務者，由特殊教育、心理師、社工師、護理師及精神科門診等專業人員提供教育、心理諮詢、家庭支持、用藥及門診服務；另針對學生需求定期邀請家屬、社政人員、調查保護官等召開資源聯繫會議，提供調整在校處遇建議之參考。2021 年提供個別輔導、心理諮詢共計 13,207 人次；辦理電話懇親 10 場次，2,436 人次；辦理面對面懇親 16 場次，1,145 人次（含家屬）。



138. 於 2013 年起委託醫療機構於矯正機關開設多元門診科別及診次。目前 4 所矯正學校平均每月提供門診 21 診次、平均看診人次 268 人次。少年矯正機關皆能將精神醫療資源導入機關內，並定期滾動調整需求診別及診次，以維持精神醫療品質，保障收容人醫療權益。
139. 為確實管控精神疾病收容人數，矯正機關醫事人員於收容人新收健康檢查或於門診就醫時，定期監測及列管精神疾病收容概況，並將資料登載於資訊系統，以即時掌握相關統計及分類數據（如表 19）。
140. 為瞭解高級中等以下學校輔導工作情形，建有相關填報機制，蒐集學生輔導議題以瞭解學生輔導需求。於現行調查中，設有「精神疾患」選項，定義為「學生經精神科專科醫師診斷，患有屬 DSM 最新版本內各項心理疾病者。」2019 年至 2021 年學校及學生輔導諮商中心提供有精神疾患議題學生晤談服務人次如表 20。提供學生心理健康相關資源、衛教資訊、醫師諮詢或協助就醫等服務，或藉由諮詢服務輔助家長照顧兒少，以穩定學生身心及就學需要。

表 16、全國心理諮商服務據點縣市分布情形

縣市別 \ 項目	心理諮商據點數
臺北市	13
新北市	29
桃園市	13
臺中市	32
臺南市	40
高雄市	38
新竹縣	13
苗栗縣	18
彰化縣	26
南投縣	13
雲林縣	20
嘉義縣	19
屏東縣	34
宜蘭縣	12
花蓮縣	13
臺東縣	16
澎湖縣	9
金門縣	6
連江縣	4
基隆市	7
新竹市	4
嘉義市	2
合計	381

資料來源：衛生福利部

表 17、2018 年至 2021 年接受教育機關轉介諮商人次統計

單位：人次

性別 年別	男性	女性	合計
2018	111	230	341
2019	119	271	390
2020	108	208	336
2021	72	203	275

資料來源：衛生福利部

表 18、2016 年至 2020 年 19 歲（含）以下患有精神健康（涵蓋精神、行為和神經發展疾患）問題之兒少就醫人數統計

單位：人數

性別 年別	男性	女性	合計
2016	133,932	67,607	201,539
2017	142,904	72,530	215,434
2018	154,772	80,939	235,711
2019	166,310	89,399	255,709
2020	177,185	97,064	274,249

資料來源：

1. 衛生福利部統計處—2016 年度至 2020 年度全民健康保險醫療統計年報：一、門、住診合計(包括急診)就診統計。
2. 衛生福利部中央健康保險署之全民健保門(急)診處方及治療明細檔、住院處方及治療明細檔、特約藥局處方及治療明細檔、戶籍登記檔。
3. 資料統計日期：2016 年 1 月 1 日至 2020 年 12 月 31 日止。
4. 資料統計範圍：全民健保特約醫療院所、特約藥局。
5. 就診人數：係以疾病碼與身分證字號為歸戶鍵值計算而成，亦即去除同一人同一疾病就醫之重複人次資料，為人數資料。
6. 疾病別：精神、行為和神經發展疾患 ICD-10CM：F01-F99。

表 19、矯正學校精神疾病學生人數

單位：人數

類別 \ 矯正學校	誠正 中學	明陽 中學	敦品 中學	勵志 中學	合計
器質性精神障礙	0	0	0	1	1
使用精神活性物質 所致的精神和行為障礙	0	0	4	4	8
思覺失調型人格障礙	0	1	0	1	2
情感性精神障礙 (心境障礙)	7	0	5	11	23
神經症性、應激性和軀體形式障礙	2	0	0	8	10
與生理障礙和軀體因素的行為症候群	0	0	1	7	8
成人人格與行為障礙	0	0	0	0	0
精神發育遲滯	0	0	2	0	2
心理發育障礙	0	0	1	0	1
通常發生於兒童及青少年期的行為和精神障礙	2	0	6	11	19
精神障礙	0	0	0	0	0
合計	11	1	19	43	74

資料來源：教育部

說明：2022 年 9 月 27 日統計資料

表 20、2019 年至 2021 年學校及學生輔導諮商中心提供有精神疾患議題學生晤談服務人次

單位：人次

年別 \ 教育階段	2019	2020	2021
國小	13,141	16,743	14,330
國中	25,004	32,640	26,789
高中	23,787	30,170	27,753

資料來源：教育部

## 英文回應

134. In order to enhance the accessibility of mental health services for children and youth and increase the ways for them to seek help for mental health services outside of the student counseling and guidance system, the government has been actively establishing local community mental health center in 22 counties and cities across the country since 2021, and has increased the number of mental health professionals. 8 local community mental health centers have been established in 2021 and 18 in July 2022, and a total of 71 centers are expected to be establish across the country by 2025 (based on the principle of 1 center for every 330,000 people and at least 1 center in each county and city). Currently, there are 381 free or subsidized community mental health counseling sites to provide mental health counseling (see Table 16), and the coverage rate in 22 counties and cities has reached 100% in the nationwide, which has greatly enhanced the accessibility and proximity of mental health services for children and youth. However, the current statistics of psychological counseling services do not specifically distinguish between children and adults, and future statistics will be conducted for children.
135. Since 2018, the Ministry of Health and Welfare has continued to work with the Ministry of Education to promote mental health in schools, and has also urged county and city health bureaus to establish cooperation mechanisms with educational authorities, and to proactively provide a list of mental health service resources and referral windows for schools to utilize and refer cases. (see Table 17).
136. Between 2016 and 2020, the number of children and youth under 19 years of age (inclusive) with mental health (covering mental, behavioral and neurodevelopmental disorders) problems as Table18, and the related medical expenses are currently covered by the National Health Insurance.
137. The correctional schools offer junior high and high school curriculums. There were 741 students in 4 correctional schools at the end of 2021. All correctional schools would conduct evaluation and investigation of the physical and mental conditions of first admitted students to understand if they have any type of disability. For students who need mental care service, professionals, including special education teacher,

psychologist, social worker, nurse and psychologist will provide educational, psychological counseling, family support, medication and outpatient services. Based on the needs of individual students, the schools would also invite regularly family members, social affairs personnel, and investigation/protection officers to attend liaison meetings. Conclusions reached in such meetings will be provided as reference for recommending any adjustment to the rehabilitative program the student receives. In 2021, individual counsel and psychological counseling were provided to students 13,207 times, 10 phone family visits were held, in which 2,436 persons participated, and 16 face-to-face family visits were held, in which 1,145 persons (including family members) participated.

138. Starting 2013, the government entrusts medical institutions to open outpatient clinics in various specialties at correctional institutions. Currently, 4 correctional schools offer on average 21 clinic sessions every month, which treat on average 268 patients every month. All juvenile correctional institutions are capable of incorporating psychiatric healthcare resources into the facility. They can also adjust the specialty care and clinic session available to juveniles on a rolling basis to maintain the quality of psychiatric care and safeguard inmates' rights to medical care.
139. To vigorously control the data of inmates with mental illness, medical personnel at correctional institutions would periodically monitor and place under control the status of inmates with mental problem when those inmates undergo physical checkup or visiting the clinic, and enter the data into the information system to readily grasp relevant statistical and classification data. (see Table 19)
140. A related reporting mechanism has been established to collect student counseling issues and to understand student counseling needs in order to evaluate the counseling work conducted in the elementary and secondary schools. The criteria of "psychiatric disorder" are included in the current survey, which is defined as "students are diagnosed with various mental disorders as defined in the latest edition of DSM by a psychiatrist." The number of interviews provided to students with mental illness by the school and student counseling center in 2019-2021 is shown as Table 20. Provide students with mental health related resources, mental health education information, doctor

consultation or assistance in seeking medical helps, or assist parents to take care of children and youth through consultation services so to stabilize students' physical and mental health and schooling needs.

Table 16 The distribution of community mental counseling sites in counties and cities

Unit : site

Cities and Counties	Community mental health counseling sites
Taipei City	13
New Taipei City	29
Taoyuan City	13
Taichung City	32
Tainan City	40
Kaohsiung City	38
Hsinchu County	13
Miaoli County	18
Changhua County	26
Nantou County	13
Yunlin County	20
Chiayi County	19
Pingtung County	34
Yilan County	12
Hualien County	13
Taitung County	16
Penghu County	9
Kinmen County	6
Lienchiang County	4
Keelung City	7
Hsinchu City	4
Chiayi City	2
<b>Total</b>	<b>381</b>

Source : Ministry of Health and Welfare



Table 17 Statistics on the referrals visits from educational institutions from 2018 to 2021

Unit: instance

<b>Year</b>	<b>Gender</b>		
	<b>Male</b>	<b>Female</b>	<b>Total</b>
2018	111	230	341
2019	119	271	390
2020	108	208	336
2021	72	203	275

Source : Ministry of Health and Welfare

Table 18 Statistics on children under 19 years of age (inclusive) with mental health (covering mental, behavioral and neurodevelopmental disorders) problems who sought medical care from 2016 to 2020

Unit: person

<b>Gender</b> <b>Year</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>
2016	133,932	67,607	201,539
2017	142,904	72,530	215,434
2018	154,772	80,939	235,711
2019	166,310	89,399	255,709
2020	177,185	97,064	274,249

Source :

1. Department of Statistics, Ministry of Health and Welfare – 2016 to 2020 Statistical Annual Reports of Medical Care, National Health Insurance: I. Statistics on Outpatient & Inpatient Medical Care (incl. Emergency Care).
2. National Health Insurance Administration, Ministry of Health and Welfare – Ambulatory Care Expenditures by Visits, Details of Inpatient Orders, Expenditures for Prescriptions Dispensed at Contracted Pharmacies, and Household Registration Archives.
3. Date of statistics: January 1, 2016, to December 31, 2020.
4. Scope of statistics: NHI-contracted hospitals, clinics, and pharmacies.
5. Number of people seeking medical care: Calculated based on the code of disease and the ID number; i.e., the medical care data of the same individual for the same disease has been removed.
6. Type of disease: Mental, behavioral, and neurodevelopmental disorders ICD-10CM: F01-F99.

Table 19 The number of students with mental illness in correctional schools at September , 2022

Unit: person

correctional school Type	Cheng Jheng High School	Ming Yang High School	Dun Pin High School	Li Zhi High School	Total
Organic Mental Disorders	0	0	0	1	1
Due to sychoactive substance use	0	0	4	4	8
Schizotypal Personality Disorder	0	1	0	1	2
Affective disorder	7	0	5	11	23
Neurodevelopmental disorder	2	0	0	8	10
Somatoform disorder	0	0	1	7	8
Personality disorders	0	0	0	0	0
Mental retardation	0	0	2	0	2
Developmental disorders	0	0	1	0	1
Behavior and emotional disorders in childhood	2	0	6	11	19
NOS(mental disorder)	0	0	0	0	0
Total	11	1	19	43	74

Source : Ministry of Education

Table 20 The number of interviews provided to students with mental illness by the school and student counseling center in 2019-2021

Unit : instance

Year Educational Stages	2019	2020	2021
Elementary school	13,141	16,743	14,330
Junior high school	25,004	32,640	26,789
Senior High school	23,787	30,170	27,753

Source : Ministry of Education

點次	問題內容(原文)	中文參考翻譯
7.7	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.	第 221 點至第 222 點。請釐清有關兒少使用傳統紙菸及電子煙之比率，是否有長期性的分類統計數據，又，販售或供應兒童這兩種產品是否違法？

### 中文回應

141. 政府自 2004 年起辦理青少年吸菸行為調查，定期蒐集國中及高中職生吸菸率及其對於菸害相關認知、態度與二手菸暴露等變化趨勢資料，國中生吸菸率由 2004 年 6.6% 下降至 2019 年 3.0%，高中職生由 2005 年 15.2% 下降至 108 年 8.4%；而因應電子煙興起，自 2014 年將電子煙題目納入問卷調查，國中生及高中職生電子煙使用率分別由 2014 年 2.0% 及 2.1% 上升至 2019 年 2.5% 及 5.6%。
142. 依照《菸害防制法》規定，未滿 18 歲者不得吸菸或購買菸品，任何人也不可供應或販賣菸給未滿 18 歲的兒少。
143. 推動《菸害防制法》修法，目前正在立法院審查中之修正草案對於向兒少販售或供應電子煙之規範如下：任何人不得製造、輸入、販賣、供應、展示或廣告類菸品或其組合元件。任何人不得使用類菸品。(類菸品定義：指以菸品原料以外之物料，或以改變菸品原料物理性態之物料製成，得使人模仿菸品使用之尼古丁或非尼古丁之電子或非電子傳送組合物及其他相類產品)
144. 目前若查獲之電子煙含毒品，涉違反《毒品危害防制條例》；若含尼古丁或宣稱療效則依藥事法辦理，皆有刑責；若似菸品形狀，依《菸害防制法》規定，最高處 5 萬元罰鍰。

### 英文回應

141. The government has been implementing the Global Youth Tobacco Survey (GYTS) since 2004. Regular smoking rate surveys were carried out regularly on junior high, senior high, and vocational high school students. The surveys also assessed their knowledge and attitudes on smoking hazards and identified changes to second-hand smoke exposure. The smoking rate for junior high school students fell from 6.6% in

2004 to 3.0% in 2019; the smoking rate for high school students fell from the 15.2% of 2005 to 8.4% in 2019. In response to the increasing popularity of electronic cigarettes, the question about electronic cigarettes has been included in the survey since 2014. The e-cigarette using rates for junior high school and senior and vocational high school students respectively increased from 2.0% and 2.1% in 2014 to 2.5% and 5.6% in 2019.

142. According to the Tobacco Hazards Prevention Act, no one under the age of 18 may smoke or buy tobacco products, and no one may supply or sell cigarettes to children and youth under the age of 18.
143. The government is currently amending the Tobacco Hazards Prevention Act, which is currently under review by the Legislative Yuan. The draft amendment regulates the sale or supply of electronic cigarettes to children and youth as follows: No one shall manufacture, import, sell, supply, display or advertise imitation tobacco products or their combined components. No one can use the imitation tobacco products. (Imitation Tobacco Products: Refers to products made of the materials other than those for making tobacco products or the materials that change the physical properties of the materials for making tobacco products. They may or may not contain nicotine, and can be used via an electronic or non-electronic delivery systems for imitating smoking).
144. Currently, if the electronic cigarettes are found to contain narcotics, they violate the Narcotics Hazard Prevention Act. If it contains nicotine or claims medical efficacy, it will violate the Pharmaceutical Affairs Act. There are criminal penalties for both. If any other objects in form of tobacco product, the manufacturer, importer or seller will be fined according to Article 14 of Tobacco Hazards Prevention Act, with the maximum fine of NT\$50,000.

點次	問題內容(原文)	中文參考翻譯
7.8	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.	第 223 點。請釐清運用「多元媒體」措施降低年輕族群飲酒量之性質為何？以及是類降低飲酒率的政策規劃，有否邀請年輕族群參與。

## 中文回應

145. 補助地方政府衛生局將「菸酒檳榔危害整合倡議及宣導」納入工作執行重點，包括針對轄內社區、學校等現況及需求，加強宣導菸酒檳議題講座及透過多元管道辦理酒害倡議活動；針對目標對象（青少年與年輕族群）飲酒危害宣導，政府透過青少年健康行為調查及大專校院學生健康行為調查，瞭解其接觸酒精管道及使用情形，進一步發展切適宣導主題，並透過各種青少年與年輕族群可能接觸的傳播管道，包含結合與民間團體及地方政府合作，於 5 月份「台灣五九日活動」或跨年等節日於台北及高雄捷運站託播廣告、於健康署臉書粉絲專頁發起拒絕勸酒社群活動、運用雜誌、社群平台等進行宣導，提醒民眾飲酒健康危害、飲酒建議量、拒絕飲酒妙招及避免兒少接觸酒精飲料等宣導。
146. 每年於暑期辦理「暑期保護青少年-青春專案」，進行兒少不得飲酒等兒少保護相關宣導活動，包含結合社會局(處)相關網站、委辦單位、補助單位、各青少年社福團體於網路上宣導，以及透過 LED 跑馬燈、臉書粉絲專頁、IG、LINE@等、張貼海報等多元媒體方式進行宣導，另各地方政府社會局(處)亦會不定期派員到商家進行實地稽查與宣導。
147. 自 2019 年起實施之「十二年國民基本教育課程綱要」健康與體育領域藥物教育之學習內容，已將飲酒危害議題列入課程綱要，另每年補助地方政府辦理學校健康促進實施計畫，明訂菸檳酒危害防制國小為自選議題，國中、高中學校為必選議題。此外，亦藉由加強高級中等以下學校辦理人員「菸、酒、檳」防制增能研習，普及「菸、酒、檳」危害知能，鼓勵「菸、酒、檳」防制融入各領域課程，強化健康無「菸、酒、檳」校園環境佈置，例如張貼禁酒海報、標語。

## 英文回應

145. Local governments are subsidized to conduct the “Integrated Advocacy and Promotion of the Harms of Tobacco, Alcohol, and Betel Nuts”, including hosting lectures and advocacy campaigns through multiple channels in response to the needs and situations of communities and schools. For teenagers and young people, we have conducted surveys to monitor the health behaviors of youths and college students to understand the way their exposure to alcohol and drinking status, to further develop appropriate promotion themes, and through the various communication channels that teenagers and young people may come into contact with, including cooperating with non-governmental organizations and local governments, broadcasting advertisements at Taipei and Kaohsiung MRT stations during the "Taiwan Non Alcohol Day Event" in May or New Year's Eve and other festivals. The Facebook page launched a community campaign against pressured alcohol drinking, or using magazines, social network platforms to remind the public of the hazards of drinking alcohol, the alcohol drinking guidelines, tips for refusing drinks, and avoiding underage drinking alcoholic beverages.
146. Every summer vacation, we conduct “Juvenile Protection in Summer Vacation-Youth Program” to launch propaganda activities about children and youth drinking prohibition and other child and youth protection measures. The program includes propagating through the internet on websites of social bureau of local government, subsidized unit, commissioned unit and other juvenile social welfare organization. The program also includes propagating through LED marquee, Facebook fanpage, IG, LINE@, putting up posters and other diverse media. Besides, every social bureau of local government will dispatch staff to the stores to check and propagate in practice irregularly.
147. The 12-Year Basic Education Curriculum has been implemented since 2019 with the topic of alcohol hazards blended in the course outline of drug education in Health and Physical Education domain. In addition, subsidize local government annually to implement the Health Promoting School Programs so to clearly stipulate that the tobacco, alcohol, and beetle nuts hazard prevention is a selective topic for elementary schools, and a mandatory topic for the secondary schools. In addition, enhance the “tobacco, alcohol,

and beetle nuts” prevention and empowerment training for school personnel of elementary schools and secondary schools to prevail the knowledge about the hazards of “tobacco, alcohol, and beetle nuts,” encourage to have the “tobacco, alcohol, and beetle nuts” incorporated in various courses, and enhance the layout of a healthy and “non-smoking, alcohol-free, and no beetle nuts” campus environment, such as, posting alcohol-free posters and slogans.



點次	問題內容(原文)	中文參考翻譯
7.9	Para. 226-228. Please clarify how, in efforts to improve the understanding of sexual and reproductive health, children and young people including children who identify as LGBTIQ+ have been involved in both the development and evaluation of these policies and guidelines.	第 226 點至第 228 點。請釐清在改善對性健康與生殖健康之工作上，含 LGBTIQ+ 在內之兒少，如何參與此等政策與指引之擬定與評估。

### 中文回應

148. 於健康九九網站設置「青少年好漾館」，提供青少年正確的性健康、懷孕、避孕及多元性別相關之衛教文章，及相關懶人包或教材供民眾下載使用。於 2021 年起製作相關衛教素材時（如：實務工作者手冊、衛教影片等），依議題及內容於製作過程中邀請兒少參與（如：提供大綱規劃意見或試讀建議）。
149. 依據《CRC》第 12 條規定略以，確保有形成其自己意見能力之兒童有權就影響其本身之所有事物自由表示其意見。又依據《性別平等教育法》規定略以：「學校之性別平等教育委員會，……，並得聘具性別平等意識之……學生代表及性別平等教育相關領域之專家學者為委員。其組織、會議及其他相關事項，由學校定之。」據此，學校性別平等教育委員會組織規定，得納入具性別平等意識之學生代表，並參與學校性別平等教育計畫的擬定及推動。
150. 刻正擬訂《教育部主管高級中等學校學生入住宿舍性別友善處理原則》，對於跨性別學生入住宿舍之相關計畫及規定，應蒐集學生代表意見並提學校性別平等教育委員會通過。

### 英文回應

148. A “Youth Section” on the health information website (Health 99+) has been established to provide teenagers with correct sexual health, pregnancy, contraception and gender diversity health education articles, as well as teaching materials for the public to download and use. Since we produced relevant health education materials (such as manuals for practitioners, health education videos, etc.) in 2021, children and youth have been invited to participate in the process of formulating the topic and content (such as providing outline comments or trial reading feedback).

149. According to the Article 12 of CRC states “Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.” According to the Gender Equity Education Act, “The Gender Equity Education Committee of the school... Representatives of... students, and experts with gender equity consciousness, and scholars from fields related to gender equity education may be invited to be Committee members.... Matters regarding the organization and meetings of the Committee, and other related affairs shall be prescribed by the school.” Likewise, according to the rules of Gender Equity Committee organization guidelines, students with gender equity consciousness are eligible to participate in the making and promotion of gender equity education plans at schools.
150. Now, Senior High School Students Checking into the Gender Friendly Dormitory Handling Guideline Supervised by the Ministry of Education is undergoing its making process. Regarding the plans and regulations related to the transgender students checking into school dormitory, students’ opinions will be collected and forwarded to the school Gender Equity Education Committee for passing.

點次	問題內容(原文)	中文參考翻譯
7.10	Para. 229. Please clarify whether children and young people have access to contraception and termination services in the event of an unwanted pregnancy.	第 229 點。請釐清兒少是否有管道取得避孕措施，及非預期懷孕時的終止妊娠服務。

#### 中文回應

151. 已取得醫療器材許可證之保險套，可於領有醫療器材販賣業者許可執照之便利商店或藥妝店販賣，供消費者（包括兒少）自由購買。
152. 依《優生保健法》規定，經診斷或證明具醫學上理由、因被性侵而受孕或因懷孕或生產將影響其心理健康或家庭生活，得依本人自願實施人工流產，未成年人，則需得法定代理人同意。又為確保婦女施行人工流產手術之安全，規定人工流產應於妊娠 24 週內施行（屬於醫療行為者，不在此限），且醫師應於人工流產前後給予適當之諮詢服務，以確保受術者知情同意之權益。
153. 政府設立之未成年懷孕諮詢專線及求助網站，除已提供未成年懷孕少女求助之近便性、即時性諮詢管道，另訂定《未滿 20 歲少女懷孕服務流程》，學校、醫療院所、戶政機關等網絡單位視個案需求可轉介地方政府社會局（處）單一窗口提供服務，倘服務對象有避孕和終止妊娠服務需求，社工可協助連結相關醫療單位資源協助。

#### 英文回應

151. Condoms that have obtained a medical device license can be retailed at medical device dealers which have obtained the business permit and could be convenience stores or drugstores. Consumers (including children and youth) could freely purchase those condoms.
152. According to the Genetic Health Act, induced abortion may be conducted for a pregnant woman, subject to her own agreement (for minors, the consent of the legal representative is required), if she has been diagnosed or has evidence of a medical issue affecting either herself or the fetus; pregnancy as a result of being raped; or if pregnancy or childbirth is likely to affect her mental health or family life. To ensure the safety of pregnant women, induced abortion shall be practiced in 24 weeks of the beginning of pregnancy (excepting for required medical procedures). In addition, the doctor performing the induced abortion

shall offer appropriate pre-abortion and post-abortion consulting services, to ensure the rights and interests of the patients' informed consent.

153. For the juvenile pregnancy consultation hotline and help website established by the government, in addition to providing convenient and instant consultation channels for providing assistance to pregnant teenage girls, we also promulgated the "Service Process for Teenage Pregnancy Under 20", and schools, medical institutions and household agencies also make transferal to the integrated service window of the social bureau (division) of local government according to the needs of individual cases to provide services. If the service recipient needs contraceptive and pregnancy termination services, social workers could assist in transferring to the resources of relevant medical units for assistance.

點次	問題內容(原文)	中文參考翻譯
7.11	Para. 230-231. Please clarify whether the efforts to provide treatment for children with drug addiction within juvenile correctional institutions, are sufficient to meet the demand for such services.	第 230 點至第 231 點。請釐清少年矯正機構內提供藥物成癮兒少治療之工作，是否充分滿足此等服務之需求。

### 中文回應

154. 少年矯正學校針對施用毒品少年，由心理、社工或個管人員(專輔人員)進行評估以了解少年成癮問題及處遇需求，對所有毒品少年提供基礎處遇，針對個別需求安排適當進階處遇，以滿足個案處遇需求，並連結勞政、衛政、社政等部門及民間機構資源，協助個案復歸轉銜，說明如下：

- (a) 基礎處遇：提供與成癮問題相關面向之課程內容，以課程、宣講、團體或個別輔導形式辦理。
- (b) 進階處遇：依施用毒品少年成癮情形、戒癮需求及意願等評估及會談結果進入進階處遇，主要以團體或個別輔導形式辦理。

155. 以 2021 年為例，各矯正學校新收施用毒品學生共計 42 名，皆能提供上述服務，滿足個案處遇需求，相關服務數據如表 21。

表 21、各矯正學校新收施用毒品學生相關服務數據

單位：人數，次數，場次

機關名稱	新收施用毒品學生 (人數)	進入基礎處遇者，平均每人接受基礎處遇次數	進入進階處遇者(以小團體實施)，平均每人參加團體次數	進入進階處遇者(以個別輔導實施)，平均每人參加個別輔導次數	召開個案研討會/課程檢討/復歸轉銜會議等(場次)
敦品中學	4	6	12	12	4
勵志中學	20	6	8	8	7
誠正中學	7	14	12	10	19
明陽中學	11	6	8	8	13

資料來源：法務部

## 英文回應

154. For juveniles with drug addiction problem, juvenile correctional schools would assign psychologists, social workers or case managers (counselors) to make evaluation and understand their addiction problem and rehabilitation needs. The schools provide basic treatment to all juveniles with drug problem, and arrange suitable advanced treatment based on individual needs. The schools also join forces with labor, health and social affairs departments and non-government organizations to assist those juveniles to rehabilitate and successfully reintegrate into the community in the future :
- (a) Basic treatment : Provide addiction related courses presented in the form of class, group, lecture or individual counseling.
  - (b) Advanced treatment : Individuals may enter the advanced program based on the evaluation of addiction status, abstinence needs and willingness, and interview results. The treatment is conducted in the form or group or individual counseling.
155. In the case of 2021, correctional schools received 42 students with drug addiction problem, who were provided with the aforementioned services that meet their individual needs as Table 21.

Table 21 Data on services related to newly admitted students with drug addiction in each correctional school

Unit : person,time

Name of School	Newly admitted students with drug addiction (persons)	Average number of sessions attended per person after entering the basic program	Average number of group sessions attended per person after entering the advanced program (in small groups)	Average number of individual sessions attended per person after entering the advanced program (individual counseling)	Number of individual case discussion/course review/rehabilitation meeting
Dun Pin High School	4	6	12	12	4
Lizhi High School	20	6	8	8	7
Chengjheng High School	7	14	12	10	19
Ming Yang High School	11	6	8	8	13

Source : Ministry of Justice



## 第八章 教育休閒與文化活動

點次	問題內容(原文)	中文參考翻譯
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?	請進一步詳細說明如何支持及確保身心障礙及偏鄉兒少能持續接受教育，包括在疫情期間無法到校，是否能持續接受網路教學。未來如果封城，有何計畫？

### 中文回應

156. 有關向偏遠地區兒少提供支持，以確保其能夠繼續接受教育部份：

- (a) 鑑於偏遠學校、原鄉地區、原住民族實驗之學校，其載具、網際網路，及隔代教養或家長無法陪同教學照顧等，所面臨的情形與都會區學校不盡相同，恐不易實施線上教學，業於 2021 年請各地方政府授權偏遠學校、原鄉地區、原住民族實驗之學校得自行訂定及實施因地制宜之短期教學方案，俾利保障學生受教權。另為完備偏遠地區學校線上學習環境，自 2017 年至 2020 年已補助 315 所公立高級中等學校（包括 26 所偏遠地區學校）辦理《建置校園智慧網路計畫》、《強化數位教學暨學習資訊應用環境計畫》及《高中職學術連網全面優化頻寬提升計畫》，透過補助校園智慧網路光纖化、提升網路頻寬（TANET）至少 100Mbps 以上，及建置生活、科技領域教室資訊及行動設備，全面推動順暢無礙的校園智慧學習基礎建設。2021 年持續辦理《高級中等學校智慧網路環境暨學術網路提升計畫》，提供公、私立高級中等學校申請，優化全國高級中等學校校園數位教學環境。
- (b) 亦已盤點全國高級中等學校（包括 26 所偏遠地區學校）學生居家線上學習之設備現況（包括載具及網路），並請各校優先調度校內資訊設備，提供家戶無相關設備之學生在家使用。若調度支援後仍有不足者，依 45 個均質化適性學習社區內學校互相調度支援；如仍有不足者，再由各區召集學校向教育部指定之設備支援中心學校申請借用。
- (c) 「推動中小學數位學習精進方案」已補助縣市及學校學習載具（含學習載具管理系統使用授權）總計約 61 萬臺，目標達偏遠地區學校學生 1 人 1 機，非偏遠地區則以學校班級數（含特殊教育學校）每 6 班補助 1 班方式配發，平時可用於課

堂教學，疫情期間可調度支援經濟弱勢、多子家庭學生缺乏載具時使用。針對全國高級中等以下學校，包含偏遠及都會地區，已提供經濟弱勢學生學習載具、4G SIM 卡及網路分享器等居家學習相關設備。

- i. 學習載具：2022 年調查盤點全國經濟弱勢學生居家學習設備需求，各縣市庫存已滿足經濟弱勢學生需求。
  - ii. 4G SIM 卡：已於 2022 年 5 月採購 4G 預付卡約 8.6 萬門，已滿足經濟弱勢學生人數需求。
  - iii. 網路分享器：各縣市庫存約 1.5 萬臺，已自 110 年 8 月起租賃 1.5 萬臺供各縣市借用，滿足經濟弱勢學生需求。
- (d) 考量偏遠或教學資源不足地區不易實施線上教學，補助公共電視臺製作教學影片，並於全國停止到校上課期間徵用電視頻道播出國小低年級數學科及國語科教學影片，以及藝術、健康與體育、綜合活動、科技等領域之教學影片。對於線上學習資源不足地區學生及國小低年級學生，建置更多元之學習管道，俾確保偏鄉學生學習不中斷。

157. 另有關身心障礙學生，採取下列補助措施以協助就學：

- (a) 落實《各教育階段身心障礙學生轉銜輔導及服務辦法》，讓學生順利就學；實施服務群科課綱，培養學生就業能力；依《身心障礙者權利公約》之精神，落實課程調整及評量，協助學生順利完成課業。
- (b) 疫情期間，針對身心障礙學生網路服務之規劃與施行步驟有以下四項：一、研擬執行策略；二、預擬困難及因應；三、提供參考指引；四、給予支持關懷。針對第一、二點，於 2021 年 7 月至 8 月期間，分別邀集身心障礙團體代表、學校行政與教師代表、學生代表，針對各障礙類別身心障礙學生於疫情期間因停止到校，改採居家線上學習所遇之困難、採取因應策略進行會商。針對第三、四點，於 2021 年 8 月函各教育部主管高級中等學校、國立特殊教育學校、各縣(市)所管學校《高級中等以下學校身心障礙學生居家線上學習參考指引》，促請各校依指引所訂相關實施方式或措施，提供身心障礙學生相關支持與協助。

## 英文回應

156. The support provided to children and youth in remote areas to ensure their continuing access to education :

- (a) Since the problem of devices, the internet, inter-generational education, and students' study and care without parents' company faced by the schools in remote/rural area and indigenous experimental schools are different from that of schools in urban areas, an online education could not be easy in practice. Local governments were requested in 2021 to authorize remote schools, schools in rural areas, and indigenous experimental schools to formulate and implement short-term teaching plans tailored to local conditions for the protection of students' education right. In addition, in order to setup the online learning environment for schools in remote areas, 315 public secondary schools (including 26 schools in remote areas) had been subsidized in 2017-2020 to arrange the "Campus Smart Network Setting Plan," "Enhancing Digital Teaching and Learning Information Application Environment Plan," and "Senior High School and High Vocational School Academic Network Optimization Bandwidth Upgrade Plan." Comprehensively promote the construction of a smooth and unobstructed campus smart learning infrastructure through subsidizing campus smart network fiber, increasing network bandwidth (TANET) to at least 100Mbps, and constructing life, technology field classroom information, and mobile devices. Continued to process the "Smart Network Environment and Academic Network Improvement Plan for Secondary Schools" in 2021 for the application of the public and private secondary school, and for optimizing the digital teaching environment of national secondary schools.
- (b) The current home online learning equipment (including vehicles and networks) for the secondary school students (including 26 schools in remote areas) has been checked, and schools are requested to prioritize on-campus equipment so as to provide students who do not have relevant equipment at home. If there are still deficiencies after prioritizing support, the 45 schools in the homogeneous adaptive learning community will be arranged are to support one another. If there are still

deficiencies, schools in each district shall apply to the facility support center designated by the Ministry of Education for borrowing the equipment.

- (c) 610,000 units of learning devices (including the learning device management system authorized for use) have been subsidized to counties, cities, and schools through the “Promoting the Improvement of Digital Learning Program for Primary and Secondary Schools”. The aim is to help each student in remote area receive 1 device. And in non-remote areas, the number of classes in the school (including special education schools) will be distributed in the form of 1 class subsidy for every 6 classes. These devices can be used for classroom teaching in normal times, and also can be used to support the economically disadvantaged students and the families with many children who lack of devices during the pandemic outbreak. Learning devices, 4G SIM cards, internet sharing devices, and other home study equipment are provided to those economically disadvantaged students of the secondary schools and schools in remote and urban area.
- i. Learning devices : A survey is conducted in 2022 to investigate the needs for home learning equipment of the economically disadvantaged students. The inventories of counties and cities are sufficient to meet the needs of the economically disadvantaged students
  - ii. 4G SIM card : About 86,000 4G prepaid cards have been purchased in May 2022 to fulfill the needs of all economically disadvantaged students.
  - iii. Internet sharing device : There are around 15,000 units in stock taken by the counties and cities. 15,000 units have been leased starting from August 2021 to be borrowed by counties and cities in order to fulfill the needs of the economically disadvantaged students.
- (d) Considering the difficulties for implementing online teaching in remote area or in area where suffering insufficient teaching resources, we subsidized Public Television Service to produce teaching videos, and requisitioned TV channels to broadcast teaching videos of Mathematics and Chinese subjects for lower grades of elementary school, as well as Arts, Health and Physical Education, Integrative Activities,

Science and Technology, and other teaching videos during school closures due to the pandemic. Construct more diversified learning channels for students in areas with insufficient online learning resources and students in the lower grades so as to ensure uninterrupted learning for students in remote areas.

157. Adopt the following subsidy measures to help students with disabilities to learn in school :

- (a) Implement the Regulations Governing Guidance & Services toward Students with Disabilities in Career Transit in Various Educational Levels to help students secure a smooth schooling. Implement the service course outline to cultivate students' employability, and implement course adjustment and evaluation in accordance with the spirit of CRPD so as to help students complete their schoolwork successfully.
- (b) During the pandemic, the four planning and implementation steps of online services for students with disabilities are as follows: 1. Develop an action plan; 2. Predict the difficulties and prepare for response; 3. Provide references and guidelines; 4. Provide support and care. For step 1 and 2, the government had invited representatives of disabilities groups, representatives of school administrators, teachers, and student during July and August, 2021 to discuss for a countermeasure so as to help students with physical or mental disabilities who have stopped coming to school during the pandemic outbreak. For the aforesaid step 3 and 4, the Guidelines for Home Online Learning for Students with Disabilities of Secondary Schools was sent to the secondary schools of the Ministry of Education, national special education schools, and schools managed by counties (cities) in August, 2021 in order to promote the schools providing relevant support and assistance to students with disabilities in accordance with the relevant implementation methods or measures set out in the aforementioned "Guidelines"

點次	問題內容(原文)	中文參考翻譯
8.2	Please provide details on policy/measures taken to ensure that students are not subjected to bullying from teachers and coaches.	請提供相關細節，說明政府有採取什麼政策及措施，確保學生不受教師及教練的霸凌。

### 中文回應

158. 《教育基本法》規定，學生之學習權、受教育權、身體自主權及人格發展權，國家應予保障，爰為落實學校防制校園霸凌政策，已於 2020 年修訂函頒《校園霸凌防制準則》，明訂「校園霸凌」之定義，並將相同或不同學校校長及教師、職員、工友、學生對學生，於校園內、外所發生之霸凌行為，均納入準則規範，以維護兒少權益。
159. 專任運動教練涉不當管教案通報流程與規範：為保障學生受教權益，加強學校專任運動教練於專項訓練之正向輔導意識，以避免教練之不當訓練情事發生，於 2020 年修正發布《各級學校專任運動教練聘任管理辦法》，專任運動教練準用《學校訂定教師輔導與管教學生辦法注意事項》，不得採取體罰或違法處罰措施。違反最重者可予以解聘。對於運動教練藉體能訓練或追求成績之名，處罰學生或要求達到不合理之表現，非專業之訓練行為表現，校方應對運動教練之不當訓練行為予以輔導及管理，並依相關規定究責，以保護選手安全。
160. 學校防制校園霸凌政策相關作為如下：
- (a) 持續推動防制校園霸凌政策：
- i. 在教師方面：每年辦理分區教師工作坊、校長研習、調查人員知能研習及理論實務研討會等活動，導入處理機制、輔導實務與策略等課程，強化教師對於霸凌概念及防制、處理校園霸凌事件職能。
  - ii. 在學生方面：持續督導各級學校辦理每學期友善校園週系列活動，訂定宣導防制霸凌各式主題，強調尊重、關懷、同理、包容、安全、參與等涵義，宣導並提升兒少拒絕霸凌觀念。
- (b) 列管「校園安全及災害通報系統」通報疑似校園霸凌案件，督導各級學校確依「校園霸凌防制準則」及「教師法」等相關規定妥處；並持續與地方政府努力，將處理事件結案比率，納入年度中央對直轄市及縣市政府一般教育補助款考核項目。

## 英文回應

158. According to the Education Fundamental Act, students' rights of learning, education, physical autonomy, and personality development are protected by the government. The Regulations Governing School Bullying Prevention was amended and announced in 2020 to substantiate the school bullying prevention policy. The "school bullying" is clearly defined with the bullying act of the same or different school principals, teachers, staff, janitors, and students against students included in the Regulations to protect the rights and interests of children and youth.
159. Full-time sports coaches involved in improper discipline reporting procedures and regulations: Enhance the full-time sports coaches' awareness of positive guidance in specific training so to prevent coaches' conducting improper trainings in order to protect the students' education rights. The Regulations Governing Appointment and Management of Fulltime Sports Coaches by Educational Institutions at All Levels (hereinafter the "Regulations") was amended and announced in June 2020. The full-time sports coaches are subject to the Guidelines for Teacher Guidance and Discipline of Students by mutatis mutandis; therefore, they are prohibited from implementing physical punishment or illegal disciplinary act. The full-time sports coaches who have violated the "Regulations" will be punished and may lead to a "dismissal" as the most severe punishment. If the full-time sports coaches punish students or require unreasonable performance from students in the name of physical fitness training or pursuit of performance, which is a demonstration of unprofessional act, the school shall provide guidance and management to the sports coaches with improper training behavior committed, and hold the sports coaches accountable in accordance with relevant regulations for the safety of the student players.
160. Policies related to the prevention of school bullying are as follows :
- (a) The continuous promotion of policies related to the prevention of school bullying :
    - i. Teachers : Teachers' workshops, principals' conference, invstigators' skills workshops are held in different districts every year. Handling mechanism, consuneling practice and strategy will be introduced.

- ii. Students : The government will continue to supervise schools at different levels to sponsor friendly campus activities in every semester. Themes on anti-bullying will be applied to educate students to understand respect, consideration, empathy, tolerance, safety, and participation.
- (b) Suspicious bully case reported to the “Campus Security Report System” will be monitored. The schools shall handle the matters properly in accordance with the Regulations on the Prevention Bullying on Campus and the Teachers’ Act. They shall continue their endeavor in collaboration with the regional governments to include the close case rate as an item for the evaluation for the subsidization of general education to municipalities and county/city governments.



點次	問題內容(原文)	中文參考翻譯
8.3	Please provide further details on the numbers of children with disabilities in mainstream schooling, the outcomes and attainment for these children and the numbers and outcomes of any complaints made by parents/ guardians.	請進一步說明主流教育中身心障礙兒少的人數，這些兒少的教育成果及成就，家長／監護人申訴案件的數量與結果。

### 中文回應

161. 提供各級學校身心障礙學生人數如表 22。

162. 有關主流教育中身心障礙兒少的教育成果、學習成就及家長／監護人申訴案件的相關數據，皆屬於各級學校之業管事項，爰此目前未有相關統計數據。

表 22、2016 至 2020 學年度一般學校高中以下身心障礙學生數

單位：人數					
學年度	學前	國小	國中	高中職	總計
2016	15,469	40,951	26,592	19,449	102,461
2017	18,257	40,142	26,306	20,996	105,701
2018	19,445	41,115	25,925	21,051	107,536
2019	21,159	43,038	26,223	20,613	111,033
2020	23,709	45,532	26,545	20,841	116,627

資料來源：教育部各年度統計年報

## 英文回應

161. The number of students with disabilities in general schools at all levels is as shown in Table 21.

162. Regarding the data of the educational achievements and learning achievements of children and youth with disabilities in mainstream education, as well as the numbers of complaints from parents/guardians, they all belong to the operation and management of schools at all levels; therefore, the government is unable to provide relevant statistics.

Table 22 Number of students with physical and mental disabilities of the secondary school in the 2016-2020 school years

Unit: Person					
School year	Pre-school	Elementary School	Junior high school	Senior High and Vocational School	Total
2016	15,469	40,951	26,592	19,449	102,461
2017	18,257	40,142	26,306	20,996	105,701
2018	19,445	41,115	25,925	21,051	107,536
2019	21,159	43,038	26,223	20,613	111,033
2020	23,709	45,532	26,545	20,841	116,627

Source : Annual statistical reports of the Ministry of Education

點次	問題內容(原文)	中文參考翻譯
8.4	Para. 291-293. How are normal daily routines defined? How might a student complain? Have there been any complaints by students and, if so, what were the outcomes?	第 291 點至第 293 點。如何定義正常作息？學生如何申訴？是否有學生提出申訴？如有，結果為何？

### 中文回應

163. 有關學生在校作息，《十二年國民基本教育課程綱要總綱》（下稱《課綱總綱》），訂有高級中等以下學校每週學習節數規定。《課綱總綱》課程架構略以，每週學習總節數在國民小學一、二年級為 22 至 24 節，三、四年級為 28 至 31 節，五、六年級為 33 至 35 節，每節上課時間 40 分鐘；在國民中學為 33 至 35 節，每節上課時間 45 分鐘；在高級中等學校為 35 節，每節上課時間 50 分鐘。
164. 復依《課綱總綱》規定，「有關學生在校作息及各項非學習節數之活動，由學校依各該主管機關訂定之高級中等學校及國民中學、國民小學學生在校作息時間相關規定自行安排。」學生在校作息時間及活動之規劃，係依《課綱總綱》規定學習節數及各該主管機關相關規定辦理。
165. 以高級中等學校為例，經瞭解多數學校上午第一節課始於上午 7 時 50 分至 8 時 30 分之間，復依《高級中等學校課業輔導實施要點》規定：「學校於學期中辦理之課業輔導，應就課程綱要所定每週三十五節課程外，安排於每日科目課程、團體活動時間及彈性學習時間之後；其結束時間，不得逾 17 時 30 分」及「每節為 50 分鐘」等原則，高級中等學校學生在校學習節數實施期間多介於上課日上午 7 時 50 分至下午 4 時 30 分之間；至國民中小學因每節上課時間較短，爰上課日學習節數實施時間亦較高級中等學校短。
166. 針對教育部主管高級中等學校，於 2021 年 8 月辦理「『教育部主管高級中等學校學生在校作息時間規劃注意事項執行現況』公聽會暨開放政府第 87 次協作會議」，開放一般大眾參加並發言分享意見，後續依會議決議邀集專家學者、各地方政府開會研商，並於 2022 年 3 月發布修正《教育部主管高級中等學校學生在校作息時間規劃注意事項》（下稱注意事項），於 2022 年 8 月起實施，併請各地方政府共同鬆綁相關規定。

167. 學生若有疑義，反映管道有學生會、學校相關處室、學校主管機關民意信箱、教育部民意信箱及國教署信箱等。教育部接獲相關陳情將逐案積極查核並持續追蹤至改善為止。
168. 有關學生申訴，因應《注意事項》係自 2022 年起實施，爰目前尚未收到學校執行未落實本注意事項相關陳情。另依 2022 年修正《高級中等學校學生申訴及再申訴評議委員會組織及運作辦法》規定，「學生或學生自治組織對學校之懲處、其他措施或決議(下稱原措施)，認為違法或不當致損害其權益者，得向原措施學校提起申訴。」，「申訴人不服學校申訴決定者，得向各該主管機關提起再申訴；其提起訴願者，受理訴願機關應於十日內，將該事件移送應受理之學生再申訴評議委員會，並通知學生或學生自治組織。」自該辦法修正至 2022 年 7 月 20 日，尚未收獲教育部主管高級中等學校學生就學生作息提出再申訴。

#### 英文回應

163. For students' daily schedule at schools, the Curriculum Guidelines of 12-year Basic Education (hereinafter the "Curriculum Guidelines") stipulates the number of study sessions per week for schools at or below the levels of senior high schools. The curriculum structure of the "Curriculum Guidelines" states that the total number of study sessions per week shall be 22 to 24 sessions for the first and second grades, 28 to 31 for the third and fourth grades, and 33 to 35 for the fifth and sixth grades of primary schools, with each session as 40 minutes. The total number of study sessions per week shall be 33 to 35 sessions for junior high schools, with each session as 45 minutes; and 35 sessions per week for senior high schools, with each session as 50 minutes.
164. The "Curriculum Guidelines" further states that, "For students' daily schedule at schools and various non-study activities, the school shall determine and arrange the daily schedule of students in senior high schools, junior high schools and primary schools in accordance with relevant regulations stipulated by respective competent authorities." The planning of students' daily schedule and activities at schools is handled in accordance with the "Curriculum Guidelines" and the relevant regulations of the competent authorities for the number of study sessions.

165. Taking senior high schools as an example, the first class session in the morning of most schools starts between 7:50 and 8:30 daily. Based on the Guidelines for the Implementation of School Work Guidance in Senior High Schools. “In addition to the 35 sessions per week stipulated in the curriculum syllabus, the school’s school work guidance shall be arranged after the end of daily teaching, group activity and flexible study time; and the end time of such guidance shall not be later than 17:30.” In addition to the principle of “50 minutes for each session”, the number of sessions for senior high school students to study at school is usually arranged between 7:50 am and 16:30 on each school day. Due to shorter time of each session in primary and junior high schools, the time and the number of study sessions per school day is also shorter than that of senior high schools.
166. For the senior high schools governed by the Ministry of Education, the public hearing and the 87th collaboration meeting of the “implementation status of Open Government and Notes for the Planning of Daily Schedule of Senior High Schools Governed by Ministry of Education” was held in August 2021, which allowed the participation of the general public to share their opinions. Meanwhile, experts, scholars, and local governments were invited to meet and discuss in accordance with the resolutions of the meeting. In March 2022, the amended Notes for the Planning of Daily Schedule of Senior High Schools Governed by Ministry of Education(hereinafter the “Notes”) was, which came into force on August 1, 2022 and urge all local governments to loosen relevant regulations.
167. If students have doubts, the channels for reporting are the students’ union, relevant school departments, public opinion mailboxes of the competent authorities of schools, public opinion mailboxes of the Ministry of Education, and mailboxes of the K-12 Education Administration. The Ministry of Education will actively review the complaints received on a case-by-case basis and continue to track them until improvements are made.
168. For student appeals, due to the fact that the “Notes” will be implemented since 2022, none of the schools has yet received any appeals related to the school’s failure to implement these Notes. In addition, in accordance with the 2022 amendment to the Guidelines for the Organization and Operation of the Student Appeal and Reappeal

Appraisal Committee of Senior High Schools, which state that “If the student or students’ union or club believe that the school’s punishment and other measures or resolutions (hereinafter the original measures) are illegal or inappropriate and damage their rights and interests, they may submit the appeal to the school reaching the resolution of the original measures”. “Those who are not satisfied with the school’s resolution on the appeal shall file a further appeal in writing to the competent authority; and the agency accepting such appeal shall refer the relevant matters within 10 days to the Reappeal Appraisal Committee and modify the student or students’ union or student club of such referral.” There’re no appeals on students’ study schedule from any students of senior high schools governed by the Ministry of Education have been received since the amendment was made until July 20, 2022.

## 第九章 特別保護措施

點次	問題內容(原文)	中文參考翻譯
9.1	Para.301 Please indicate if the absence of a Refugee Act is the result of a decision that existing legislation is adequate to respond to the situation of refugees arriving in Taiwan or if other reasons explain that absence.	第 301 點。請說明未制定《難民法》，是否係因難民進入貴國後的處境，現行已有相關法律足以因應，抑或尚有其他未制定之理由。

### 中文回應

169. 積極提升人權水準，期與世界人權接軌，並就難民庇護予以法制化，爰參酌相關國際公約及各先進國家庇護制度及法規擬具難民法草案；惟接收難民係一嚴肅議題，如同世界各國，都須審慎考量人權、經濟、社會、文化及國家安全等層面，同時也須凝聚全民共識，才能建立完善的配套機制。《難民法》草案歷經立法院第 6、7、8、9 屆審議均未獲通過，顯示仍有待凝聚全民共識。未來將持續蒐集各國立法例，衡量我國國情後，持續研擬《難民法》草案，並規劃合適的推動期程。
170. 目前我國雖尚未完成《難民法》立法，惟現行實務上如遇尋求庇護個案，係以個案方式處理，參酌國際慣例及國內相關法律整體考量後，給予當事人適度協助，迄今不曾將當事人送返至可能遭到酷刑或不人道待遇的國家或地區。

### 英文回應

169. In order to actively improve the level of human rights, be in line with international human rights, and legalize the refugee asylum system, a draft refugee law was prepared in accordance with relevant international conventions and asylum systems, as well as regulations of various advanced countries. However, Accepting refugees is a solemn topic. Every country in the world should take into consideration of human rights and the country's economy, society, culture, and national security to build the consensus of the whole society to reach the goal of establishing a supporting mechanism for asylum seekers. In the 6th, 7th, 8th and 9th sessions of the Legislative Yuan's deliberation, the draft of Refugee Act was not passed, which showed that such consensus of the whole society still needs time to be built. In the future, Taiwan will continue to collect legislation cases from other countries to develop the draft of Refugee Act that suits the context of Taiwanese society and plan an appropriate promotion schedule accordingly.

170. At present, Taiwan has not yet completed the legislation of the Refugee Act. Those who seek asylum from Taiwan are treated case by case. With consideration of international practice, along with domestic laws, Taiwan offers appropriate assistance to asylum seekers. So far, Taiwan has never sent asylum seekers back to any country or region where torture or inhumanity may impose on them.



點次	問題內容(原文)	中文參考翻譯
9.2	Para. 305 In relation to the question of street-connected children (street children), please provide any available data or reasonable estimates concerning the number of children living on the streets without parental protection, and please specify their status in terms of the law (e.g. offenders, persons in need of protection, etc.)	第 305 點。關於街頭兒少的問題，請針對無家長保護而流落街頭兒少之人數，提供任何既有數據或合理估計，並請敘明其法律狀態（如罪犯、需保護者等）。

### 中文回應

171. 依據《兒少法》規定略以，對於無依兒少，直轄市、縣(市)政府應予以適當之安置。另同條授權訂定《無依兒童及少年安置處理辦法》，規範責任通報、社工人員訪視調查、為安置或出養等相關規定。
172. 另依《兒少法》規定，任何人不得遺棄兒少，責任通報人發現前開行為應通報至各直轄市、縣(市)主管機關，其受理後應提出調查報告，必要時得進行保護安置。
173. 綜上，依我國《兒少法》之相關規定，針對無家長保護之街頭兒少，直轄市、縣(市)主管機關受理通報後應提供相關保護、安置及其他必要之處置，以保障其安全與健康；至 2017 年至 2021 年兒少遭受家長遺棄之人數，分別為 2017 年 60 人(棄嬰 23 人、棄兒 37 人)、2018 年 35 人(棄嬰 14 人、棄兒 21 人)、2019 年 24 人(棄嬰 16 人、棄兒 8 人)、2020 年 32 人(棄嬰 13 人、棄兒 19 人)、2021 年 40 人(棄嬰 18 人、棄兒 22 人)。

### 英文回應

171. According to The Protection of Children and Youths Welfare and Rights Act, special municipal or county (city) governments shall offer proper placement to helpless children and youth. And the same Article authorize central government to enact Regulations for Placement of Helpless Children and Youth. The mentioned regulations specify the rules of mandatory report, social worker's visit, investigation, placement, adoption and so on.
172. According to the Protection of Children and Youths Welfare and Rights Act, no one should abandon a child. Mandatory reporters who discover above incidents shall report it to the municipal or county (city) competent authority. The municipal or county (city)

competent authority shall release investigation report after accepting the cases. If necessary, it shall provide them with protection and placement.

173. In summary, according to the relating regulations of The Protection of Children and Youths Welfare and Rights Act, for homeless children and youth with no parental protection, municipal or county (city) competent authorities shall provide them with protection, placement, and other necessary dispensation after accepting the reports to ensure children's safety and health. From 2017 to 2021, the number of children which was abandoned by their parents is 60 (23 abandoned infants, 37 abandoned children) in 2017, 35(14 abandoned infants, 21 abandoned children) in 2018, 24(16 abandoned infants, 8 abandoned children) in 2019, 32(13 abandoned infants, 19 abandoned children) in 2020, 40(18 abandoned infants, 22 abandoned children) in 2021.

點次	問題內容(原文)	中文參考翻譯
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?	第 312 點。請提供 2019 年至 2021 年地方政府辦理原住民族文化及多元文化研習的數量以及兒童參加人數。誰是主管機關？有哪些督導措施？

### 中文回應

174. 主管機關：依據《原教法》規定：「原住民族教育師資應修習原住民族文化及多元文化教育課程，以增進教學之專業能力；其課程、學分、研習時數及其他相關事項之辦法，由中央原住民族主管機關會同中央教育主管機關定之。」
175. 文化及多元研習：自 2014 年起辦理《原住民族教育師資修習原住民族文化及多元文化教育課程作業計畫》，2014 年至 2017 年為第 1 期計畫、2018 年至 2021 年為第 2 期計畫，並持續辦理 2022 年至 2025 年之第 3 期計畫，以持續培養原住民族師資對於原住民族文化及多元文化之知能，提升教育師資之原住民族教育專業素養，以符《原教法》所定義務。
176. 兒少參與人數：依《原教法》規定意旨，上開計畫第 1 期、第 2 期係以原住民族師資為主要對象，並透過各地方政府原住民族教育資源中心協助宣傳課程資訊，故 2019 年至 2021 年之研習尚無兒少參與人次。
177. 督導措施：至於《原教法》所揭示，各級政府提供原住民族文化及多元文化研習機會之義務，將透過「中央與地方原住民族教育事務協調會議」鼓勵各地方政府積極提供相關研習機會，俾落實全民原教精神。

### 英文回應

174. Competent authority : According to Education Act for Indigenous Peoples, indigenous education teachers shall study courses on indigenous peoples' cultures and/or multi-cultural education courses to improve their professional teaching skills. The regulations governing the courses, course credits, the number of hours to be attended, and other related matters shall be prescribed by the central competent indigenous peoples' affairs authority in conjunction with the central competent education authority”.

175. Culture and cultural diversity workshop : The government has been conducting “Working Plan on Indigenous Education Teachers Studying Courses of Indigenous Culture and Multi-Culture” since 2014. The first phase of the plan was executed during 2014 to 2017, followed by the second phrase in 2018 to 2021, and the third phase carried from 2022 to 2025. The Plan continuously cultivates the knowledge for indigenous teachers over indigenous cultures and multi-culture and improves professional competence of indigenous education for teachers to achieve the legal obligation stated in Education Act for Indigenous Peoples.
176. Number of children participating : As Education Act for Indigenous Peoples regulated, the first two phases of the previous mentioned plan targeted on indigenous teachers, and promoted the course information through indigenous education resource center under local governments, therefore, the study course between 2019 to 2021 had no attendance from.
177. Supervision measures : Regulations of Education Act for Indigenous Peoples, the legal obligation for government at all levels to provide opportunities to learn indigenous cultures and multi-culture will implemented through the conference “Coordination Meeting of Indigenous Education Affairs Between Central and Local Government” to fulfill the indigenous education spirit for all peoples.

點次	問題內容(原文)	中文參考翻譯
9.4	Attachment 9-6 provides statistics on children below the age of 15 who are allowed by local competent authorities to work. Please provide information about the conditions set by the local authorities or by the central government allowing children under age 6, age 6 – 11 and 12 – 14 to work.	附件 9-6 為地方主管機關許可未滿 15 歲兒少從事勞動的統計數據。請提供地方或中央政府允許未滿 6 歲、6 歲至 11 歲、12 歲至 14 歲兒少從事勞動的條件等相關規定。

### 中文回應

178. 依照《勞動基準法》規定，雇主不得僱用未滿 15 歲之人從事工作，但國民中學畢業或依《勞動基準法第四十五條無礙身心健康認定基準及審查辦法》經地方主管機關審核，未有從事不得從事之工作，且工作時間、休息時間、例假、保險等符合勞動基準法及該辦法相關規定，認定其工作性質及環境無妨礙其身心健康之情形，始能工作。
179. 未滿 15 歲之人透過他人取得工作為第三人提供勞務，或直接為他人提供勞務取得報酬未具勞僱關係者，例如廣告公司請童星拍攝廣告或童星透過經紀公司安排至電視台演出戲劇，亦準用前開規定。

### 英文回應

178. In accordance with the Labor Standards Act, no employer shall employ any person under the age of fifteen. This does not apply if the person has graduated from junior high school or employers or those accepting labor were reviewed by the regional competent authority in accordance with Regulations Governing the Determination Criteria and Inspection of No Harm to Mental and Physical Health in Article 45 of the Labor Standards Act , and the review concludes that no work that should not have been performed, and the working hours, break, full regular day off, insurance, and so on meet the provisions of the Labor Standards Act and these Regulations, while it has been determined and authorized that the nature and environment of the work will not cause harm to the worker's mental and physical health.

179. For persons under the age of fifteen providing labor service to a third party through others, or directly providing labor service to receive remuneration with no employment relationship, for example, advertisement companies hiring child actors for the filming of commercial or child actors performing in television programs through the arrangement of their agents, the provision stated in the previous paragraph shall apply, *mutatis mutandis*.

點次	問題內容(原文)	中文參考翻譯
9.5	Para. 322: Can children (or their parents) use the 1955 Hotline 24 and the 1999 hotline for complaints about problems in their working conditions? If so how many complaints were filed by children (their parents) to these hotlines in the years 2019 – 2021.	第 322 點：兒少或其父母是否可以使用 24 小時 1955 專線和 1999 專線投訴他們工作條件的問題？如可，2019 年至 2021 年期間，這二支專線收到兒童及其父母投訴的案量為何？

### 中文回應

180. 勞動部設有 24 小時之 1955 勞工申訴專線，地方政府勞動主管機關亦提供受理民眾陳情管道(如 1999 專線電話)，僅就 1955 勞工申訴專線受理情形，說明如下：

- (a) 依《行政程序法》規定受理人民陳情案件，勞工如認為其勞動權益受損時，可使用 1955 進行申訴，惟受理陳情案件無身分別限制，如陳情內容具體明確，均依法受理並實施勞動檢查。
- (b) 另受理陳情人申訴時，陳情人常拒絕提供個人資料，尚無法確認是否為兒少或其父母，亦無相關受理統計資料。依據統計 2019 年至 2021 年期間，勞動部受理申訴案件中，雇主涉及違反《勞動基準法》有關童工保護規定之案件計有 31 件。

### 英文回應

180. The Ministry of Labor has set up a 24-hour 1955 labor complaint line, and local labor authorities also provide channels for accepting complaints from the public (such as the 1999 service line). The following is the explanation of the acceptance of the 1955 labor complaint line :

- (a) The government accepts people's complaint cases in accordance with Administrative Procedure Act. If workers think that their labor rights have been infringed, they can use 1955 to file a complaint. There is no status limit for accepting complaints. If the content of the complaint is specific and clear, it will be accepted and implemented by the labor inspection.
- (b) In addition, when submitting complaints, petitioners often refuse to provide personal information, and cannot confirm whether they are “Children and youth” or their parents, so there are no relevant statistical data. According to the statistics from 2019

to 2021, among the complaint cases accepted by the Ministry of Labor, there were 31 cases involving violations of child labor protection provisions in the Labor Standards Act.



點次	問題內容(原文)	中文參考翻譯
9.6	Please provide more information about measures undertaken to prevent drug abuse by children who are not attending school.	請提供更多資訊說明為防止未就學兒少濫用藥物而採取的措施。

### 中文回應

181. 配合行政院《新世代反毒策略行動綱領》政策，2021 年非在學兒少施用 3、4 級毒品案件數共計 329 件，係由社政單位提供追蹤輔導，追蹤輔導比率達 92%，並依該兒少個案需求分別提供所需之戒癮資源、諮商輔導資源、治療資源、生活技能訓練及其他社會福利服務資源等，以改善其人際關係及生活適應等相關問題，提供服務次數達 1 萬 2,487 人次。
182. 另為強化家長對兒少身心健康照顧之責任，藉由親職教育提升家長支持及陪伴兒少拒毒、戒毒之能力，應接受兒少藥物濫用家長親職教育服務之人數計 729 人，實際提供人數計 631 人，比率達 86.55%。

### 英文回應

181. Following the policy of “The Action Program of Anti-drug Strategy in New Era”, the number of cases of drop-out children and youth using category 3 or 4 drugs is in total 329 in 2021. These cases are provided with follow-up and assistance by social departments, and the percentage of providing follow-up and assistance achieves 92%. Social departments then provide these children and youth with abstinence resources, counselling, assistance, treatment resources, life-skills training and other social welfare services depending on their need so as to improve their interpersonal relations, life adaptation and other issues. In 2021, the number of times which social departments provided such services achieves 12,487.
182. To strengthen the responsibility of parents caring for their children’s physical and mental health, parents should accept parental education to improve their ability of supporting and accompanying their children to refuse and quit drugs. In 2021, number of parents who should accept child using drugs parental education is in total 729, and the number who really accepted is 631 which accounts for 86.55%.

點次	問題內容(原文)	中文參考翻譯
9.7	The use of drugs is not dealt with by the juvenile courts, but children and youth engaged in the production, selling and trafficking of illegal drugs can be indicted. According to Attachment 9-13 in 2016 167 juvenile were indicted and in 2020 249. Please provide information on how many of these indicted juveniles were sentenced by the juvenile court and what were sanctions/measures taken.	少年法庭不處理少年施用毒品案件，但可以起訴製造、販賣及運輸非法藥物的兒少。依據附件 9-13，2016 年有 167 名少年被起訴，2020 年有 249 人。請說明這些被起訴的少年中有多少人被少年法庭判刑，以及採取哪些制裁或措施。

#### 中文回應

183. 少年如有施用毒品行為，少年法院可依《少事法》有關規定，決定以少年保護事件或少年刑事案件處理；以少年保護事件處理時，設有轉向處遇、保護處分等措施，而不會有被檢察官起訴及判刑之情形。依照統計資料（指當年度裁判結果，與檢方同年度起訴人數未必相同），2016 年有 158 名（含 1 位施用）、2020 年有 167 名、2021 年有 219 名少年，因生產、銷售和販運第一、二級毒品被少年法院以少年刑事案件處理；2016 至 2021 年間，少年被告違反毒品危害防制條例經少年法院以少年刑事案件處理裁判者，共計 1,035 人，其中有期徒刑 1,001 人、無罪 10 人、免訴 1 人、不受理 10 人、管轄錯誤 2 人及通緝 11 人。（如附表 23）
184. 判決情形之統計係依法院判決確定移送檢察機關執行之刑事案件進行蒐編，提供 2016 年至 2020 年法院裁判確定移送地方檢察署執行少年製造運輸販賣毒品人數統計如表 24。

表 23、地方法院少年刑事第一審訴訟案件被告違反毒品危害防制條例之裁判結果

單位：人

資料 期間	違反 法條	罪名	被告 人數	裁判結果																							
				科刑情形														免 除 其 刑	無 罪	免 訴	不 受 理	管 轄 錯 誤	通 緝	撤 回	駁 回	其 他	
				計	死 刑	無 期 徒 刑	有 期 徒 刑										拘 役										罰 金
							計	六 月 以 下	逾 六 月 至 一 年 以 下	逾 一 年 至 二 年 以 下	逾 二 年 至 三 年 以 下	逾 三 年 至 五 年 以 下	逾 五 年 至 七 年 以 下	逾 七 年 至 十 年 以 下	逾 十 年 至 十 五 年 以 下	逾 十 年											
總計	計		1,035	1,001			1,001	14	209	661	91	22	1	3					10	1	10	2	11				
	第 4 條第 1 項	製 造 運 輸 販 賣 第一級	7	7			7				2	2		3													
	第 4 條第 2 項	製 造 運 輸 販 賣 第二級	140	135			135	2	21	88	12	12							3		2						
	第 4 條第 2 項未遂	製 造 運 輸 販 賣 毒品	48	47			47	2	11	26	8										1						
	第 4 條第 3 項	製 造 運 輸 販 賣 毒品	537	520			520	1	86	369	57	7							6	1	5		5				
	第 4 條第 3 項未遂	製 造 運 輸 販 賣 毒品	283	274			274	5	86	169	12	1	1						1		1	2	5				
	第 4 條第 4 項	製 造 運 輸 販 賣 毒品	4	4			4			4																	
	第 4 條第 4 項未遂	製 造 運 輸 販 賣 毒品	3	3			3		1	2																	
	第 5 條第 2 項	製 造 運 輸 販 賣 毒品	5	4			4		2	2													1				

資料 期間	違反 法條	罪名	被告 人數	裁判結果																								
				科刑情形														免 除 其 刑	無 罪	免 訴	不 受 理	管 轄 錯 誤	通 緝	撤 回	駁 回	其 他		
				計	死 刑	無 期 徒 刑	有 期 徒 刑										拘 役										罰 金	
							計	六 月 以 下	逾 六 月 至 一 年 以 下	逾 一 年 至 二 年 以 下	逾 二 年 至 三 年 以 下	逾 三 年 至 五 年 以 下	逾 五 年 至 七 年 以 下	逾 七 年 至 十 年 以 下	逾 十 年 至 十 五 年 以 下	逾 十 年												
	第 5 條第 3 項	製 造 運 輸 販 賣 毒 品	4	3			3		2	1											1							
	第 8 條第 3 項	毒 品(其 他)	1	1			1	1																				
	第 10 條第 2 項	毒 品(施 用)	2	2			2	2																				
	第 11 條第 2 項	毒 品(其 他)	1	1			1	1																				
2016	計		158	155			155	2	23	109	17	3		1					1				2					
	第 4 條第 1 項	製 造 運 輸 販 賣 第 一 級	1	1			1							1														
	第 4 條第 2 項	製 造 運 輸 販 賣 第 二 級	23	23			23		2	16	3	2																
	第 4 條第 3 項	製 造 運 輸 販 賣 毒 品	114	113			113		17	85	10	1							1									
	第 4 條第 3 項未遂	製 造 運 輸 販 賣 毒 品	18	16			16		4	8	4											2						
	第 10 條第 2 項	毒 品(施 用)	1	1			1	1																				
	第 11 條第 2 項	毒 品(其 他)	1	1			1	1																				

資料 期間	違反 法條	罪名	被告 人數	裁判結果																							
				科刑情形														免除 其刑	無 罪	免 訴	不 受 理	管 轄 錯 誤	通 緝	撤 回	駁 回	其 他	
				計	死 刑	無 期 徒 刑	有期徒刑										拘 役										罰 金
							計	六 月 以 下	逾 六 月 至 一 年 以 下	逾 一 年 至 二 年 以 下	逾 二 年 至 三 年 以 下	逾 三 年 至 五 年 以 下	逾 五 年 至 七 年 以 下	逾 七 年 至 十 年 以 下	逾 十 年 至 十 五 年 以 下	逾 十 五 年											
2017	計		143	140			140	3	20	100	13	4							3								
	第 4 條第 2 項	製造運輸販賣第二級	30	30			30		2	25		3															
	第 4 條第 2 項未遂	製造運輸販賣毒品	4	4			4	1	2		1																
	第 4 條第 3 項	製造運輸販賣毒品	98	96			96	1	11	71	12	1							2								
	第 4 條第 3 項未遂	製造運輸販賣毒品	9	8			8		4	4									1								
	第 5 條第 2 項	製造運輸販賣毒品	1	1			1		1																		
	第 10 條第 2 項	毒品(施用)	1	1			1	1																			
2018	計		190	184			184		41	122	18	3							2		1		3				
	第 4 條第 2 項	製造運輸販賣第二級	34	33			33		9	19	4	1							1								
	第 4 條第 2 項未遂	製造運輸販賣毒品	16	16			16		1	14	1																
	第 4 條第 3 項	製造運輸販賣毒品	75	73			73		9	54	8	2							1				1				

資料 期間	違反 法條	罪名	被告 人數	裁判結果																							
				科刑情形														免 除 其 刑	無 罪	免 訴	不 受 理	管 轄 錯 誤	通 緝	撤 回	駁 回	其 他	
				計	死 刑	無 期 徒 刑	有 期 徒 刑										拘 役										罰 金
							計	六 月 以 下	逾 六 月 至 一 年 以 下	逾 一 年 至 二 年 以 下	逾 二 年 至 三 年 以 下	逾 三 年 至 五 年 以 下	逾 五 年 至 七 年 以 下	逾 七 年 至 十 年 以 下	逾 十 年 至 十 五 年 以 下	逾 十 年											
	第 4 條第 3 項未遂	製 造 運 輸 販 賣 毒 品	63	61			61		21	35	5												2				
	第 5 條第 3 項	製 造 運 輸 販 賣 毒 品	2	1			1		1												1						
2019	計		158	149			149	5	38	88	11	5		2					2	1	2	1	3				
	第 4 條第 1 項	製 造 運 輸 販 賣 第 一 級	3	3			3				1		2														
	第 4 條第 2 項	製 造 運 輸 販 賣 第 二 級	19	17			17	1	2	10	3	1							1		1						
	第 4 條第 2 項未遂	製 造 運 輸 販 賣 毒 品	11	11			11	1	3	5	2																
	第 4 條第 3 項	製 造 運 輸 販 賣 毒 品	60	56			56		16	33	5	2							1	1			2				
	第 4 條第 3 項未遂	製 造 運 輸 販 賣 毒 品	62	60			60	2	16	40	1	1									1	1					
	第 5 條第 2 項	製 造 運 輸 販 賣 毒 品	1																				1				
	第 5 條第 3 項	製 造 運 輸 販 賣 毒 品	1	1			1		1																		
	第 8 條第 3 項	毒 品(其 他)	1	1			1	1																			

資料 期間	違反 法條	罪名	被告 人數	裁判結果																							
				科刑情形														免 除 其 刑	無 罪	免 訴	不 受 理	管 轄 錯 誤	通 緝	撤 回	駁 回	其 他	
				計	死 刑	無 期 徒 刑	有 期 徒 刑										拘 役										罰 金
							計	六 月 以 下	逾 六 月 至 一 年 以 下	逾 一 年 至 二 年 以 下	逾 二 年 至 三 年 以 下	逾 三 年 至 五 年 以 下	逾 五 年 至 七 年 以 下	逾 七 年 至 十 年 以 下	逾 十 年 至 十 五 年 以 下	逾 十 五 年											
2020	計		167	161			161	1	44	98	12	6							2		2		2				
	第 4 條第 2 項	製造運輸販賣第二級	21	19			19		3	10	1	5							1		1						
	第 4 條第 2 項未遂	製造運輸販賣毒品	5	5			5		3	1	1																
	第 4 條第 3 項	製造運輸販賣毒品	97	94			94		26	57	10	1							1		1		1				
	第 4 條第 3 項未遂	製造運輸販賣毒品	42	41			41	1	12	28													1				
	第 4 條第 4 項	製造運輸販賣毒品	2	2			2			2																	
2021	計		219	212			212	3	43	144	20	1	1								5	1	1				
	第 4 條第 1 項	製造運輸販賣第一級	3	3			3				2	1															
	第 4 條第 2 項	製造運輸販賣第二級	13	13			13	1	3	8	1																
	第 4 條第 2 項未遂	製造運輸販賣毒品	12	11			11		2	6	3										1						
	第 4 條第 3 項	製造運輸販賣毒品	93	88			88		7	69	12										4		1				

資料 期間	違反 法條	罪名	被告 人數	裁判結果																							
				科刑情形														免 除 其 刑	無 罪	免 訴	不 受 理	管 轄 錯 誤	通 緝	撤 回	駁 回	其 他	
				計	死 刑	無 期 徒 刑	有期徒刑										拘 役										罰 金
							計	六 月 以 下	逾 六 月 至 一 年 以 下	逾 一 年 至 二 年 以 下	逾 二 年 至 三 年 以 下	逾 三 年 至 五 年 以 下	逾 五 年 至 七 年 以 下	逾 七 年 至 十 年 以 下	逾 十 年 至 十 五 年 以 下	逾 十 年											
第 4 條第 3 項未遂	製 造 運 輸 販 賣 毒 品	89	88			88	2	29	54	2		1										1					
第 4 條第 4 項	製 造 運 輸 販 賣 毒 品	2	2			2			2																		
第 4 條第 4 項未遂	製 造 運 輸 販 賣 毒 品	3	3			3		1	2																		
第 5 條第 2 項	製 造 運 輸 販 賣 毒 品	3	3			3		1	2																		
第 5 條第 3 項	製 造 運 輸 販 賣 毒 品	1	1			1			1																		

說明：

- 1.本表資料範圍係地方法院少年刑事訴訟案件，被告最重罪違反毒品危害防制條例者。
- 2.裁判結果為罰金係指被告判處罰金者，不包含其他裁判結果併科罰金之情形。



表 24、地方檢察署執行少年製造運輸販賣毒品裁判確定案件統計

單位：人

年別	總計	有罪	無罪	其他
2016	142	139	2	1
2017	105	103	2	-
2018	153	151	1	1
2019	250	248	2	-
2020	185	177	6	2

資料提供：法務部統計處

## 英文回應

183. If juveniles have drug addictions, the juvenile court can decide to treat them as juvenile protection or juvenile criminal cases, according to the Juvenile Delinquency Act and relevant regulations. Once treated as juvenile protection cases, the court will impose diversion action or protection disposition for juveniles, which means they are immune from being accused or sentenced. As the statistics show (refers to the result of annual adjudication cases number, which may differ from the prosecution's calculation based on the number of annually accused): in 2016, 2020, and 2021, for juveniles committing crimes related to the production, sales, and transportation of category 1 and 2 drugs, the court has dealt 158(including 1 using the drug), 167, and 219 of them and their cases as juvenile criminal matters. Between 2016 and 2021, for juvenile defendants that violated the Narcotics Hazard Prevention Act, 1,035 of them were adjudicated by the juvenile court as juvenile criminal matters, including 1,001 of imprisonment, 10 of not guilty, 1 of dismissal, 2 of not accepted, 2 of lack of jurisdiction, and 11 of wanted fugitives (Table 23).
184. The statistics of sentences are collected from criminal cases that are confirmed by court decisions to be referred to the prosecutor's office for enforcement, and the statistics of the number of juvenile drug manufacturing, transportation, and trafficking cases that are confirmed by court decisions to be referred to the local prosecutor's office for enforcement from 2016 to 2020 as Table 24.

Table 23 First Instance Decisions of Criminal Cases at District Courts Involving Defendants Acting in Violation of the Narcotics Hazard Prevention Act

Unit: person

Year	Article Violated	Crime type	Persons	First Instance Decisions																								
				Sentence																exemption of the punishment	Not Guilty	Exempt from Prosecution	Case Not to Proceed	Mistake in Jurisdiction	Sentenced Person Wanted	Withdrawn	dismissed	other
				Total	death penalty	life imprisonment	Fixed-term Imprisonment																					
							Subtotal	6 Months or Less	6 Months or More but Less Than 1 Year	1 Year or More but Less Than 2 Years	2 Year or More but Less Than 3 Years	3 Year or More but Less Than 5 Years	5 Year or More but Less Than 7 Years	7 Year or More but Less Than 10 Years	10 Year or More but Less Than 15 Years	15 Years or More	Detention	fine										
Total	Total		1,035	1,001			1,001	14	209	661	91	22	1	3					10	1	10	2	11					
	Paragraph 1,Article 4	Manufacturing, Transporting, or Selling Category 1 Narcotics	7	7			7				2	2		3														
	Paragraph 2,Article 4	Manufacturing, Transporting, or Selling Category 2 Narcotics	140	135			135	2	21	88	12	12						3		2								
	Paragraph 2,Article 4 Attempt	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	48	47			47	2	11	26	8									1								
	Paragraph 3,Article 4	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	537	520			520	1	86	369	57	7							6	1	5		5					
	Paragraph 3,Article 4 Attempt	Other Violations Related to Manufacturing,	283	274			274	5	86	169	12	1	1						1		1	2	5					

Year	Article Violated	Crime type	Persons	First Instance Decisions																							
				Sentence													exemption of the punishment	Not Guilty	Exempt from Prosecution	Case Not to Proceed	Mistake in Jurisdiction	Sentenced Person Wanted	Withdrawn	dismissed	other		
				Total	death penalty	life imprisonment	Fixed-term Imprisonment																			Detention	fine
							Subtotal	6 Months or Less	6 Months or More but Less Than 1 Year	1 Year or More but Less Than 2 Years	2 Year or More but Less Than 3 Years	3 Year or More but Less Than 5 Years	5 Year or More but Less Than 7 Years	7 Year or More but Less Than 10 Years	10 Year or More but Less Than 15 Years	15 Years or More											
		Transporting, or Selling of Narcotics																									
	Paragraph 4,Article 4	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	4	4		4			4																		
	Paragraph 4,Article 4, Attempt	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	3	3		3		1	2																		
	Paragraph 2,Article 5	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	5	4		4		2	2													1					
	Paragraph 3,Article 5	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	4	3		3		2	1											1							
	Paragraph 3,Article 8	Others	1	1		1	1																				

Year	Article Violated	Crime type	Persons	First Instance Decisions																									
				Sentence															exemption of the punishment	Not Guilty	Exempt from Prosecution	Case Not to Proceed	Mistake in Jurisdiction	Sentenced Person Wanted	Withdrawn	dismissed	other		
				Total	death penalty	life imprisonment	Fixed-term Imprisonment																					fine	Detention
							Subtotal	6 Months or Less	6 Months or More but Less Than 1 Year	1 Year or More but Less Than 2 Years	2 Year or More but Less Than 3 Years	3 Year or More but Less Than 5 Years	5 Year or More but Less Than 7 Years	7 Year or More but Less Than 10 Years	10 Year or More but Less Than 15 Years	15 Years or More													
	Paragraph 2,Article 10	Using Narcotics	2	2			2	2																					
	Paragraph 2,Article 11	Others	1	1			1	1																					
2016	Total		158	155			155	2	23	109	17	3		1				1				2							
	Paragraph 1,Article 4	Manufacturing, Transporting, or Selling Category 1 Narcotics	1	1			1							1															
	Paragraph 2,Article 4	Manufacturing, Transporting, or Selling Category 2 Narcotics	23	23			23		2	16	3	2																	
	Paragraph 3,Article 4	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	114	113			113		17	85	10	1						1											
	Paragraph 3,Article 4 Attempt	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	18	16			16		4	8	4											2							

Year	Article Violated	Crime type	Persons	First Instance Decisions																							
				Sentence															exemption of the punishment	Not Guilty	Exempt from Prosecution	Case Not to Proceed	Mistake in Jurisdiction	Sentenced Person Wanted	Withdrawn	dismissed	other
				Total	death penalty	life imprisonment	Fixed-term Imprisonment								Detention	fine											
							Subtotal	6 Months or Less	6 Months or More but Less Than 1 Year	1 Year or More but Less Than 2 Years	2 Year or More but Less Than 3 Years	3 Year or More but Less Than 5 Years	5 Year or More but Less Than 7 Years	7 Year or More but Less Than 10 Years			10 Year or More but Less Than 15 Years	15 Years or More									
	Paragraph 2,Article 10	Using Narcotics	1	1			1	1																			
	Paragraph 2,Article 11	Others	1	1			1	1																			
2017	Total		143	140			140	3	20	100	13	4						3									
	Paragraph 2,Article 4	Manufacturing, Transporting, or Selling Category 2 Narcotics	30	30			30		2	25		3															
	Paragraph 2,Article 4 Attempt	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	4	4			4	1	2		1																
	Paragraph 3,Article 4	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	98	96			96	1	11	71	12	1						2									
	Paragraph 3,Article 4 Attempt	Other Violations Related to Manufacturing,	9	8			8		4	4								1									

Year	Article Violated	Crime type	Persons	First Instance Decisions																							
				Sentence															exemption of the punishment	Not Guilty	Exempt from Prosecution	Case Not to Proceed	Mistake in Jurisdiction	Sentenced Person Wanted	Withdrawn	dismissed	other
				Total	death penalty	life imprisonment	Fixed-term Imprisonment																				
							Subtotal	6 Months or Less	6 Months or More but Less Than 1 Year	6 Months or More but Less Than 2 Years	1 Year or More but Less Than 3 Years	2 Year or More but Less Than 5 Years	3 Year or More but Less Than 7 Years	5 Year or More but Less Than 10 Years	7 Year or More but Less Than 15 Years	10 Year or More but Less Than 15 Years	15 Years or More	Detention									
		Transporting, or Selling of Narcotics																									
	Paragraph 2,Article 5	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	1	1		1	1																				
	Paragraph 2,Article 10	Using Narcotics	1	1		1	1																				
2018	Total		190	184			184		41	122	18	3						2		1		3					
	Paragraph 2,Article 4	Manufacturing, Transporting, or Selling Category 2 Narcotics	34	33			33		9	19	4	1						1									
	Paragraph 2,Article 4 Attempt	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	16	16			16		1	14	1																
	Paragraph 3,Article 4	Other Violations Related to Manufacturing, Transporting, or Selling	75	73			73		9	54	8	2						1				1					

Year	Article Violated	Crime type	Persons	First Instance Decisions																							
				Sentence															exemption of the punishment	Not Guilty	Exempt from Prosecution	Case Not to Proceed	Mistake in Jurisdiction	Sentenced Person Wanted	Withdrawn	dismissed	other
				Total	death penalty	life imprisonment	Fixed-term Imprisonment																				
							Subtotal	6 Months or Less	6 Months or More but Less Than 1 Year	1 Year or More but Less Than 2 Years	2 Year or More but Less Than 3 Years	3 Year or More but Less Than 5 Years	5 Year or More but Less Than 7 Years	7 Year or More but Less Than 10 Years	10 Year or More but Less Than 15 Years	15 Years or More	Detention	fine									
		of Narcotics																									
	Paragraph 3,Article 4, Attempt	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	63	61		61	21	35	5													2					
	Paragraph 3,Article 5	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	2	1		1	1													1							
2019	Total		158	149			149	5	38	88	11	5		2					2	1	2	1	3				
	Paragraph 1,Article 4	Manufacturing, Transporting, or Selling Category 1 Narcotics	3	3		3						1		2													
	Paragraph 2,Article 4	Manufacturing, Transporting, or Selling Category 2 Narcotics	19	17		17	1	2	10	3	1								1		1						
	Paragraph 2,Article 4, Attempt	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	11	11		11	1	3	5	2																	



Year	Article Violated	Crime type	Persons	First Instance Decisions																							
				Sentence														exemption of the punishment	Not Guilty	Exempt from Prosecution	Case Not to Proceed	Mistake in Jurisdiction	Sentenced Person Wanted	Withdrawn	dismissed	other	
				Total	death penalty	life imprisonment	Fixed-term Imprisonment										Detention										fine
							Subtotal	6 Months or Less	6 Months or More but Less Than 1 Year	1 Year or More but Less Than 2 Years	1 Year or More but Less Than 3 Years	2 Year or More but Less Than 5 Years	3 Year or More but Less Than 7 Years	5 Year or More but Less Than 10 Years	7 Year or More but Less Than 15 Years	10 Year or More but Less Than 15 Years											
2020	Paragraph 3,Article 4	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	60	56			56		16	33	5	2							1	1			2				
	Paragraph 3,Article 4 Attempt	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	62	60			60	2	16	40	1	1									1	1					
	Paragraph 2,Article 5	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	1																				1				
	Paragraph 3,Article 5	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	1	1			1		1																		
	Paragraph 3,Article 8	Others	1	1			1	1																			
Total			167	161			161	1	44	98	12	6							2		2		2				

Year	Article Violated	Crime type	Persons	First Instance Decisions																								
				Sentence																exemption of the punishment	Not Guilty	Exempt from Prosecution	Case Not to Proceed	Mistake in Jurisdiction	Sentenced Person Wanted	Withdrawn	dismissed	other
				Total	death penalty	life imprisonment	Fixed-term Imprisonment										fine	Detention										
							Subtotal	6 Months or Less	6 Months or More but Less Than 1 Year	1 Year or More but Less Than 2 Years	1 Year or More but Less Than 3 Years	2 Year or More but Less Than 5 Years	3 Year or More but Less Than 7 Years	5 Year or More but Less Than 10 Years	7 Year or More but Less Than 15 Years	10 Year or More but Less Than 15 Years			15 Years or More									
	Paragraph 2,Article 4	Manufacturing, Transporting, or Selling Category 2 Narcotics	21	19			19	3	10	1	5							1	1									
	Paragraph 2,Article 4 Attempt	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	5	5			5	3	1	1																		
	Paragraph 3,Article 4	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	97	94			94	26	57	10	1							1	1	1								
	Paragraph 3,Article 4 Attempt	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	42	41			41	1	12	28										1								
	Paragraph 4,Article 4	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	2	2			2		2																			

Year	Article Violated	Crime type	Persons	First Instance Decisions																							
				Sentence															exemption of the punishment	Not Guilty	Exempt from Prosecution	Case Not to Proceed	Mistake in Jurisdiction	Sentenced Person Wanted	Withdrawn	dismissed	other
				Total	death penalty	life imprisonment	Fixed-term Imprisonment										Detention	fine									
							Subtotal	6 Months or Less	6 Months or More but Less Than 1 Year	1 Year or More but Less Than 2 Years	2 Year or More but Less Than 3 Years	3 Year or More but Less Than 5 Years	5 Year or More but Less Than 7 Years	7 Year or More but Less Than 10 Years	10 Year or More but Less Than 15 Years	15 Years or More											
2021	Total		219	212			212	3	43	144	20	1	1								5	1	1				
	Paragraph 1,Article 4	Manufacturing, Transporting, or Selling Category 1 Narcotics	3	3			3				2	1															
	Paragraph 2,Article 4	Manufacturing, Transporting, or Selling Category 2 Narcotics	13	13			13	1	3	8	1																
	Paragraph 2,Article 4 Attempt	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	12	11			11		2	6	3									1							
	Paragraph 3,Article 4	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	93	88			88		7	69	12										4		1				
	Paragraph 3,Article 4 Attempt	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	89	88			88	2	29	54	2		1										1				
	Paragraph	Other Violations	2	2			2			2																	

Year	Article Violated	Crime type	Persons	First Instance Decisions																								
				Sentence															exemption of the punishment	Not Guilty	Exempt from Prosecution	Case Not to Proceed	Mistake in Jurisdiction	Sentenced Person Wanted	Withdrawn	dismissed	other	
				Total	death penalty	life imprisonment	Fixed-term Imprisonment											fine										Detention
							Subtotal	6 Months or Less	6 Months or More but Less Than 1 Year	1 Year or More but Less Than 2 Years	2 Year or More but Less Than 3 Years	3 Year or More but Less Than 5 Years	5 Year or More but Less Than 7 Years	7 Year or More but Less Than 10 Years	10 Year or More but Less Than 15 Years	15 Years or More												
	4,Article 4	Related to Manufacturing, Transporting, or Selling of Narcotics																										
	Paragraph 4,Article 4, Attempt	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	3	3		3		1	2																			
	Paragraph 2,Article 5	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	3	3		3		1	2																			
	Paragraph 3,Article 5	Other Violations Related to Manufacturing, Transporting, or Selling of Narcotics	1	1		1			1																			

Notes :

1. The scope of the information specified in the Table covers juvenile criminal litigation cases in the district court where the defendant having Narcotics Hazard Prevention Act as the most severe violation.
2. If the judgment is penalty, it means that an fine is imposed on the, which excludes other judgment results and fines.

Table 24 Statistics of juvenile drug manufacturing, transportation and trafficking cases handled by the local prosecutor's office

Unit: person

Year	Total	Guilty	Not Guilty	Other
2016	142	139	2	1
2017	105	103	2	-
2018	153	151	1	1
2019	250	248	2	-
2020	185	177	6	2

Source : Ministry of Justice

點次	問題內容(原文)	中文參考翻譯
9.8	Please provide information on the legal grounds for the extension of the placement of a child victim of sexual exploitation.	請說明性剝削受害兒少依法可延長安置的事由。

#### 中文回應

185. 依據《兒童及少年性剝削防制條例》規定，地方主管機關緊急安置被害人，應於安置起 72 小時內，評估被害人就學、就業、生活適應、人身安全及家庭保護教養功能有無繼續安置之必要，經評估人身安全無虞及家庭有保護教養功能而無繼續安置必要者，應不付安置，將被害人交付其父母、監護人或其他適當之人；反之，經評估有安置必要者，應提出報告，聲請法院裁定。
186. 法院受理前項聲請後，認無繼續安置必要者，應裁定不付安置，並將被害人交付其父母、監護人或其他適當之人；認有繼續安置必要者，應交由地方主管機關安置於兒少福利機構、寄養家庭或其他適當之醫療、教育機構，期間不得逾三個月。地方主管機關並應於被害人安置後 45 日內，向法院提出審前報告，聲請法院裁定是否繼續延長安置。法院認有安置之必要者，應裁定安置於地方主管機關自行設立或委託之兒少福利機構、寄養家庭、中途學校或其他適當之醫療、教育機構，期間不 2 年。
187. 爰兒少性剝削個案如有必要安置，主要係經社工評估其家庭保護、教養功能不足，可能讓兒少暴露在再次受害的風險，因此向法院聲請裁定安置，並經法院審理後認為必要才可以安置。

#### 英文回應

185. According to Child and Youth Sexual Exploitation Prevention Act, the competent authority at the municipality or city/county level shall, within 72 hours of offering an emergency placement to a victim, evaluate victim's school attendance, employment, life adaptation, safety and the protective and upbringing function of the family and decide the necessity of continuing such placement. After the evaluation, if it is deemed unnecessary to continue such placement, the victim shall not be offered placement and will be sent to the care of the parents or guardian of the victim or other suitable associates. If it is

deemed necessary to continue such placement, the competent authority shall submit a report to the court and request for ruling.

186. If the court deems it unnecessary to continue such placement after receiving the aforesaid request, it shall rule that no placement will be offered, and that the victim shall be sent to the care of his/her parents or guardian or other suitable associate. If the court deems it necessary to continue such placement, the competent authority at the municipality or city/county level shall place the victim in welfare institutions for children and youth, foster family, or another appropriate medical or educational institution for a period of not more than three months. The competent authority at the municipality or city/county level shall, within 45 days of placement of a victim, submit a pretrial report to the court and request a court ruling placement extension. If the court deems it necessary to offer placement, it shall issue a ruling on placement in a child and youth welfare institution, foster family, transition school, or another appropriate medical or educational institution established or commissioned by the competent authority at the municipality or city/county level for a period of not more than two years.
187. Therefore, if any child sexual exploitation case needs to be placed, social workers will submit a request to the court for ruling placement through workers assessing the insufficiency of family's protective and upbringing function which may expose children and youth to the risk of suffering again. They can be placed only after the court deems it necessary to offer placement through judging.

點次	問題內容(原文)	中文參考翻譯
9.9	If the child is a victim of sexual abuse in the family, is it then possible to remove the alleged perpetrator from the family home instead of placing the child outside of the family home?	如果兒少是家內性侵害事件的受害者，是否可以命加害嫌疑人遷出兒少住家，而非將孩子帶離家外安置？

#### 中文回應

188. 兒少遭受《家庭暴力防治法》所指稱之家庭成員為性侵害行為時，可依據《家庭暴力防治法》規定，被害兒少之法定代理人或三親等內之血親或姻親、檢警機關、直轄市、縣(市)主管機關得向法院聲請保護令，請求法院命相對人遷出被害兒少或其特定家庭成員之住居所，必要時，並得禁止相對人就該不動產為使用、收益或處分行為。

#### 英文回應

188. When a child or youth suffers from sexual assault behaviors by family members mentioned in Domestic Violence Prevention Act, according to the same Act, the victim's legal representative or a relative by blood or by marriage within the third degree of kinship, a prosecutor, the police department or a municipal or county (city) competent authority may file a petition with the court for a protection order. The designated person or department can request the court to order the opposite party to relocate from the place of domicile or residence of the victim or specific family member and, if required, prohibit the opposite party from any use, collect benefits or disposition of its real property.



點次	問題內容(原文)	中文參考翻譯
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?	第 119 點。誰有權責要求網路平臺提供者移除兒少在網路上出現的不當影像？如果提供者拒絕移除影像，可採取哪些措施？

## 中文回應

189. 除性影像當事人可透過網路平台申訴機制，向業者提出要求移除性影像外，其他民眾亦可透過 iWIN 申訴處理機制，由 iWIN 協助通知網路平台等業者移除網路兒童色情或其他有害兒少身心發展之內容，又《兒童及少年性剝削防制條例》規定網際網路平臺提供者、網際網路應用服務提供者及電信事業知悉或透過 iWIN、警察機關、其他機關、主管機關而知有兒少性剝削之犯罪嫌疑情事，應先行移除該資訊，並通知警察機關且保留相關資料至少 90 天，提供司法及警察機關調查，違反規定者，由目的事業主管機關依第 47 條處 6 萬元以上 30 萬元以下罰鍰，並命其限期改善，屆期未改善者，得按次處罰。
190. 復《兒童及少年性剝削防制條例》規範，網路平台業者倘違反前開下架移除之規定，由目的事業主管機關處 6 萬元以上 30 萬元以下罰鍰，並命其限期改善，屆期未改善者，得按次處罰。惟多數性影像放置於境外網路平台，境外平臺業者倘不配合下架移除性影像，便無法可管等，爰為強化網路平臺業者移除違反性影像之義務，於 2022 年擬具《兒童及少年性剝削防制條例》部分條文修正草案，並已報請立法院審議，除提高相關行政罰鍰為 6 萬至 60 萬外，針對拒不配合下架移除性影像之網路平臺業者，相關目的事業主管機關並得令其限制接取。
191. iWIN 之申訴處理機制受理民眾檢舉網路兒童色情或其他有害兒少身心發展之內容，並由專人判斷，如果內容涉及違法，iWIN 將請網路平臺業者移除相關內容，或採取必要之處置。如果業者拒絕處理，iWIN 將轉請法令所定之權責機關查處，並建議網路過濾軟體業者將網址列入黑名單。
192. 民眾亦可透過網路平臺業者自建之檢舉管道要求移除不當內容，如業者拒絕移除已違法之內容，可請所涉法令之主管機關協助。

## 英文回應

189. Right now, people can remove the Internet contents of child pornography or other physical or mental harmful contents through iWIN grievance mechanism. And according to Child and Youth Sexual Exploitation Prevention Act, internet platform providers, online application service providers, and telecommunications companies shall, upon becoming aware of any suspicious criminal activities of child sexual exploitation or learning about such activities through the iWIN, other institutions, or the competent authorities, first remove the information in question, and shall notify police departments, retain the relevant data for at least ninety days, and provide such data to the judicial authorities and police departments for investigation purposes. One who violates the above article will be imposed a fine of no less than NT\$60,000 and no more than NT\$300,000 and be asked for making improvements within a specified period of time by the authority in charge of the relevant companies. If the said person fails to make improvements before the deadline, consecutive punishments may be imposed.
190. Child and Youth Sexual Exploitation Prevention Act has regulated that Internet platform industry should remove the sexual pictures and videos, while most of the sexual pictures and videos were placed on foreign Internet platforms and it makes that no law can deal with this situation when foreign Internet platforms refuse to remove the sexual pictures and videos. Therefore, to strengthen the duty of internet platform industry taking down illegal sexual pictures, the government drafted the draft amendment on partial articles of Child and Youth Sexual Exploitation Prevention Act and submitted to Legislative Yuan for examination in 2022. Except for raising administrative fine of no less than NT\$60,000 and no more than NT\$600,000, internet platform industries that refuse to take down and erase the sexual pictures, the authority in charge of the relevant industries can order it to restrict access.
191. iWIN's complaint channel accepts public reports of online child pornography or other content that is harmful to the physical and psychological well-being of children and youth. An ad hoc task force then determines whether the contents in question violate relevant laws and will request internet platform providers to remove the illegal content or take

necessary measures. If the providers refuse to do so, iWIN shall then forward the case to the competent authorities for investigation, and recommends that the internet filtering software providers place the URL in question on a blacklist.

192. The public can also request the removal of inappropriate content through the reporting channels established by internet platform providers. Should the providers refuse to remove the illegal content, the complainants can request assistance from the agency in charge of the law.

點次	問題內容(原文)	中文參考翻譯
9.11	Attachment 9-17 provides statistics on sexually exploited children identified as being trafficked. Please explain why more than 90% of these trafficked children are Taiwan nationals and what kind of trafficking they were subject to.	附件 9-17 提供人口販運案件中遭受性剝削兒少統計數據。請解釋為什麼 90% 以上是本國人，他們遭受到什麼形式的人口販運？

#### 中文回應

193. 兒少遭受性剝削（指使兒少有對價之性交或猥褻行為係屬於人口販運型態）不分本國籍或非本國籍，均依《兒童及少年性剝削防制條例》查處偵辦及保護，由於外籍兒少在我國長期居留人數相當少數，又兒少倘係以觀光或探親來臺短期停留者，入境人數亦不多，故我國司法警察機關查獲之兒少性剝削被害人絕大多數為本國人，其樣態皆為使兒少為有對價之性交或猥褻行為。

#### 英文回應

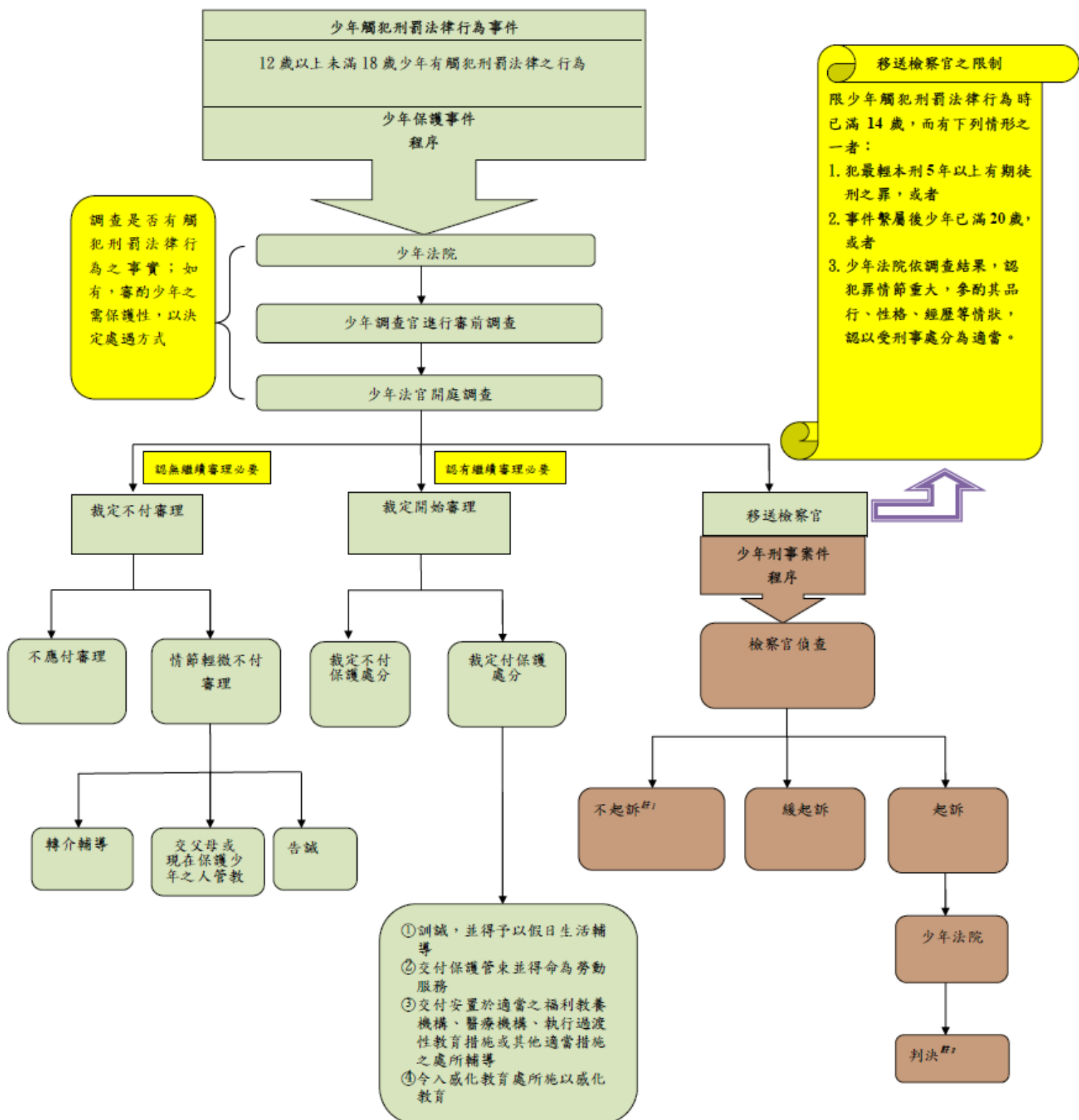
193. Causing a child or youth to engage in sexual intercourse or obscene acts in exchange for monetary or other considerations is a severe form of trafficking in persons. Any case of child or youth identified as sexually exploited, no matter their nationality, shall be handled in accordance with the provision of the Child and Youth Sexual Exploitation Prevention Act. In contrast to the number of Taiwan national children and youth, the foreign nation children and youth, including with resident or visitor status in Taiwan, represents the relatively small proportion of population. And this caused the vast majority of victims of sexually exploited were Taiwan national children and youth. All forms of the above sexual exploitation are causing a child or youth to engage in sexual intercourse or obscene acts in exchange for monetary or other considerations.

點次	問題內容(原文)	中文參考翻譯
9.12	Please clarify the position of children 12 or 13 years old in the juvenile justice system. Children below the age of 12 who committed an offense are not dealt with in the context of criminal law but under child protection. The minimum age of criminal responsibility (MACR ) is 14 years of age.	請釐清 12 歲或 13 歲兒少在少年司法系統中的地位。未滿 12 歲兒童犯罪不以刑法處理，而是以兒童保護方式處理。最低刑事責任年齡為 14 歲。

### 中文回應

194. 《少事法》以保障少年健全自我成長，調整其成長環境及矯治其性格為目的，並將案件區分為「少年保護事件」及「少年刑事案件（僅於觸法少年行為時已滿 14 歲，具刑事責任能力且符合一定要件，才依刑事程序處理）」。12 或 13 歲觸法少年，係適用少年保護事件程序，由少年法院依少年之需保護性程度，而為轉向處遇、不付審理、不付保護處分或諭知保護處分等措施，不會適用刑事程序及被判刑。自 2020 年 6 月 19 日起，7 歲以上未滿 12 歲兒童如有觸法行為，回歸由國民基本教育及學生輔導機制處理，不再移送少年法院，以避免兒童過早進入司法程序。
195. 少年保護事件與少年刑事案件之區別及處理流程，請詳圖 2。

圖 2、少年事件處理流程

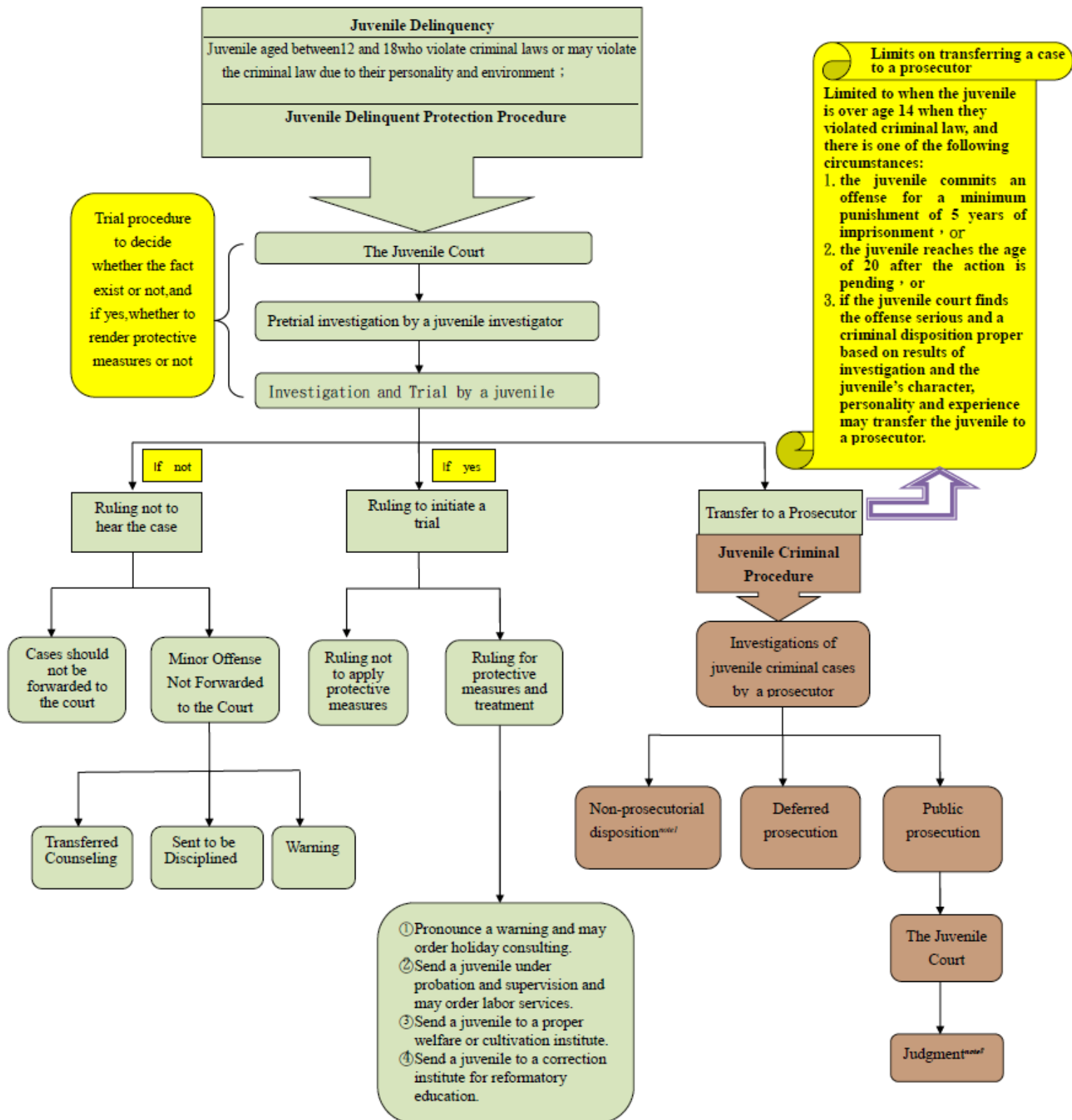


註 1、2：有符合少年事件處理法第 67 條第 1 項、第 74 條第 1 項情形者，尚得回流依少年保護事件程序處理。

## 英文回應

194. The legislation of the Juvenile Delinquency Act is to safeguard the sound self-development of the juveniles, adjust their growth environment, and rectify their character. The Act classifies cases as “Juvenile Protection Matters” and “Juvenile Criminal Matters (exclusive for juvenile offenders who were above 14 when committed, having criminal responsibility, and fulfilling several requirements; cases will apply criminal procedure.).” Juvenile offenders under 12 or 13, who are immune to criminal procedure and sentencing, will be reviewed under the juvenile protection procedure and receive diversion action, disposition of not submitting or not applying protective measures, and protection disposition from the juvenile court accordingly. Since June 19, 2020, instead of the juvenile court, children above the age of 7 but under 12 committing crimes will stay in the scheme of basic education and school consultation for treatment, avoiding them entering the judicial proceedings too early.
195. Regarding the difference between juvenile protection matters and juvenile criminal matters and their procedure flows, please check the figure 2 below for details.

Figure 2 、 Juvenile Delinquency Processing



Note1 、 2 : Under the circumstances of Section 1 of Article 67 or Section 1 of Article 74 of the Juvenile Delinquency Act, a case may be returned to juvenile delinquency process.



點次	問題內容(原文)	中文參考翻譯
9.13	Para. 344 states: Only when the juvenile is at the age of 14 when committing a crime the case may be addressed in criminal procedure. However Attachment 9-23 on child and juvenile criminal delinquents subject to placement and guidance imposed by district courts contains statistics on children 12 and 13 years old (and on 14 – 17 years old).	第 344 點說明少年犯罪需滿 14 歲才依刑事程序。但附件 9-23 地方法院安置輔導兒少犯罪的統計，有包含 12 歲、13 歲（以及 14 歲至 17 歲）兒少的數據。

#### 中文回應

196. 安置輔導是依照《少事法》所定「少年保護事件程序」所為之保護處分，並非刑罰，適用對象包括 12 歲以上至未滿 18 歲之觸法少年。少年保護事件與少年刑事案件之區別、保護處分種類及處理流程，請詳圖 2。

#### 英文回應

196. Placement counseling is a protective measure under the “juvenile protection matters procedure” stipulated by the Juvenile Delinquency Act. It is not a punishment and applies to juvenile offenders between the ages of 12 to 18. Regarding the difference between juvenile protection matters and juvenile criminal matters, types of protection measures, and their procedure flows, please check the figure 2 for details

點次	問題內容(原文)	中文參考翻譯
9.14	Para 340 under (a). Children below age 12 who show deviant behaviour do receive inter alia counselling, but at the same time district courts transferred 118 children below the age of 12 to social affairs units in accordance with juvenile justice act. Please explain why district courts are dealing with children below the age of 12 and what the transfer to social affairs unit means for the child.	第 340 點(a)。未滿 12 歲偏差行為兒童接受教育輔導，但地方法院同時依《少年事件處理法》將 118 名未滿 12 歲兒童轉介至社政單位。請解釋地方法院為何要處理未滿 12 歲兒童的案件，以及轉介社政單位對兒童的意義為何？

#### 中文回應

197. 基於《少事法》修正案於 2019 年 6 月修正通過，已參照我國首次結論性意見第 96 點第 1 項，應以教育輔導措施等協助該等兒童之意見，刪除關於 7 歲以上未滿 12 歲觸法兒童由少年法院依少年保護事件處理之規定，並自 2020 年 6 月起，觸法兒童不再適用該法，因該修正案施行前仍有部分觸法兒童案件於司法繫屬中，為了順利轉銜行政體系提供觸法兒童相關輔導，經 2020 年行政院與司法院召開多次聯繫會議，最後決議有學籍之兒童交由教育主管機關輔導，無學籍之兒童則由社政主管機關依《兒少法》提供其相關輔導措施，以提供觸法兒童及其家庭相關所需的服務。

#### 英文回應

197. Based on Juvenile Justice Act amendment being passed in June, 2019, referring to concluding observations and recommendations 96-1 of initial report (ROC) of CRC which states that our country should assist children under the age of 14 with education and counseling measures after committing a crime under the criminal laws. The amendment deleted that a child aged 7-12 committing a crime under the criminal laws should be dealt according to the regulations of juvenile protection by the juvenile court and the above child no longer applies to the Act since June, 2020. Because some children aged under 12 committing a crime under the criminal laws were still pending in the courts before the amendment being implemented, the government had to transit the above children to executive system to provide them with assistance. Through many meetings held by Executive Yuan and Judicial Yuan in 2020, the resolution has been

made that child with student status is assisted by authorized agencies in charge of education, child with no student status is assisted by authorized agencies in charge of social welfare according to The Protection of Children and Youths Welfare and Rights Act, in order to provide the child and his/her family with needed services.

點次	問題內容(原文)	中文參考翻譯
9.15	Attachment 9-19 provides data on the number of juvenile protection and criminal cases approved for aid by the legal aid foundation. Please provide information about the criteria used by the foundation in approving legal aid. Are they the same for both categories of cases? Is the foundation a State agency? If legal aid for a juvenile offender is not approved, does that mean that he/she will not have legal aid during the criminal law procedure?	附件 9-19 提供財團法人法律扶助基金會准予扶助的少年保護和刑事案件數量。請說明該基金會在准予法律扶助時採用的標準。這兩種案件是否相同？該基金會是否為國家機構？如果觸法少年的法律扶助未獲准，是否表示他/她在刑事訴訟過程中不會獲得法律扶助？

### 中文回應

198. 依據《法律扶助法》規定，為保障人民權益，對於無資力或因其他原因，無法受到法律適當保護者，提供必要之法律扶助，特制定本法。
199. 同法規定，所稱無資力者，係指下列情形之一：(一)符合《社會救助法》規定之低收入戶、中低收入戶。(二)符合《特殊境遇家庭扶助條例》之特殊境遇家庭。(三)其可處分之資產及每月可處分之收入低於一定標準。因其他原因無法受到法律適當保護者，係指下列情形之一：1.涉犯最輕本刑為三年以上有期徒刑或高等法院管轄第一審案件，於偵查中初次詢（訊）問、審判中，未經選任辯護人。2.被告或犯罪嫌疑人具原住民身分，於偵查、審判中未經選任辯護人。3.因神經系統構造及精神、心智功能損傷或不全，無法為完全陳述，於偵查、審判中未經選任辯護人；或於審判中未經選任代理人，審判長認有選任之必要。4.前三款情形，於少年事件調查、審理中，未經選任輔佐人。5.其他審判、少年事件未經選任辯護人、代理人或輔佐人，審判長認有選任之必要。6.重大公益、社會矚目、重大繁雜或其他相類事件，經基金會決議。財團法人法律扶助基金會（下稱基金會）對於准否法律扶助之審查標準，係依上開規定而為認定，均為一致，不因少年保護事件或少年刑事案件而有不同。
200. 依同法規定，基金會係捐助成立之財團法人，非屬國家機構。
201. 基金會針對少年保護事件及少年刑事案件之審查扶助標準均相同，不因案件類型不同而有異，扶助標準係依法律扶助法第 1 條、第 5 條規定為之。如觸法少年以無資力為由，向基金會申請法律扶助而未獲准，若其亦符合同法所列各款情形，即屬無

法受到法律適當保護者，則少年於少年保護事件之調查審理或少年刑事案件之偵查審判程序，仍得獲得法律扶助。

#### 英文回應

198. Following the Legal Aid Act, this legislation is to provide necessary legal aid to the indigent or who are unable to receive proper legal protections for other reasons.
199. Under the same Act, the indigent refers to those who meet one of the conditions listed below : A. who is qualified as a low-income or middle-to-low-income residence under the Social Relief Act ; B. whose family is qualified as a Family in Hardship as described in the Act of Assistance for Family in Hardship; C. whose disposable assets and monthly disposable income are below a specific standard. The definition of being unable to receive proper legal protections for other reasons-refers to one of the conditions listed below: (a) a defendant who did not retain an attorney during the first questioning (interrogation) of an investigation or during a trial in a case that either carries the base sentence of at least three years of imprisonment or adjudicated by the high court as the first instance; (b) a defendant or a suspect who possesses indigenous peoples status and did not retain an attorney during an investigation or trial; (c) a defendant unable to make complete statements due to damage or impairment of the structures of the nervous system, or of the psychological or mental functions, and did not retain an attorney during an investigation or trial, or did not retain a legal representative during a trial in which the presiding judge deemed it necessary; (d) a defendant who is under the condition of any one of the preceding three subparagraphs in a juvenile delinquency investigation or trial without retaining an assistant; (e) a defendant in other trials or juvenile delinquency cases, where an attorney, a legal representative, or a legal assistant is not retained, but is deemed necessary by the presiding judge; (f) a case regarding material public interest, high social profile, high complexity, or similar instances as determined by the Legal Aid Foundation (hereinafter the Foundation). When reviewing the eligibility of granting legal aid, the Foundation follows the said provisions and applies a consistent standard. Juvenile protection or juvenile criminal matters are no exception.

200. Following the Legal Aid Act, the Foundation is a non-governmental organization established by funding.
201. When granting legal aid, the Foundation reviews juvenile protection and juvenile criminal cases with the same standard, regardless of their types. And the granting standard is established based on Articles 1 and 5 of the Legal Aid Act. When juvenile offenders apply for legal aid, they do not have to specify which provisions suit their condition; the Foundation will check whether they are eligible for legal aid granting or not. So whether they are under investigation/trial for juvenile protection or juvenile criminal procedure, the Foundation will ensure their access to legal aid.

點次	問題內容(原文)	中文參考翻譯
9.16	Para. 340 deals exclusively with children 7 – 12 years of age, please provide information about the diversion practice regarding children and youth 12 – 18 years of age e.g on who decides to divert the child away from the traditional juvenile justice proceedings and what kind of diversion measures are available and who/what agency is in charge of implementing them.	第 340 點僅提供 7 歲至未滿 12 歲觸法兒童的教育輔導，請說明 12 歲至 18 歲觸法少年的轉向輔導措施，例如誰決定將少年從傳統的少年司法程序中轉向處置？少年可獲得何種轉向輔導措施？以及負責執行的人員或單位為何？

### 中文回應

202. 《少事法》於 2019 年 6 月修正，就該法規定之行為<sup>7</sup>，將由地方政府少年輔導委員會先行輔導，若評估認有少年法院處理必要時，得請求少年法院處理，即「行政先行、司法後盾」意旨，並於 2023 年 7 月起正式施行。另《少年輔導委員會設置及輔導實施辦法》業於 2022 年 9 月由行政院及司法院會銜訂定發布。依照《少年輔導委員會設置及輔導實施辦法》，少輔會得採取或協助辦理提供有關輔導措施，包括整合相關網絡資源，依法提供有關少年及其家庭必要之社會福利、保護、衛生醫療、就學、就業、法律諮詢等服務事項。
203. 依《少事法》規定，12 歲以上、18 歲未滿之少年如有觸法行為，少年法院於少年觸法情節輕微決定不付審理（不繼續審判），或因審理結果認為不宜付保護處分，斟酌個案情形認有必要且適當時，可以為轉介福利、教養機構、醫療機構、執行過渡性教育措施或其他適當措施之處所為適當輔導之裁定。法院於裁定前，亦得經少年、少年之法定代理人及被害人知情同意後，轉介適當機關、機構、團體或個人進行修復。
204. 少年法院為轉介輔導、轉介修復之決定，係由少年調查官及受轉介之單位、修復促進者負責執行。

<sup>7</sup> 少年有下列情形之一，而認有保障其健全自我成長之必要者：（一）無正當理由經常攜帶危險器械。（二）有施用毒品或迷幻物品之行為而尚未觸犯刑罰法律。（三）有預備犯罪或犯罪未遂而為法所不罰之行為。

## 英文回應

202. The Juvenile Justice Act was amended on Jun 19. According to this Act, if a juvenile violates Subparagraph 2, Paragraph 1 of Article 3<sup>8</sup> of this act, he/she shall be sent to the Youth Counseling Committee for counseling. If the Committee determines that the juvenile needs to be dealt with by a juvenile court, he/she will be transferred to a juvenile court, a procedure which complies with the principle that “administrative interventions go first and will be replaced by judiciary methods if they fail.” The act will come into effect on July 2023. The Regulations for Establishment and Guiding Implementation of Youth Counseling Committee were announced on September, 2022 under the joint efforts of the Executive Yuan and the Judicial Yuan. According to the Regulations Governing the Establishment and Guidance of the Youth Counseling Committee, the Youth Counseling Committee may undertake or assist in providing relevant guidance measures, including integrating relevant online resources and providing juveniles and their families with necessary social welfare, protection, health care, schooling, employment, legal counseling and other services in accordance with the Regulations.
203. Under the Juvenile Delinquency Act, given the court deems the delinquency too minor to be adjudicated or concludes the juvenile offender is not suitable for protection disposition, a ruling of transferring to welfare, cultivation, or health care institution, an institution implementing transitional education, or other appropriate measures for appropriate tutoring is feasible for juveniles above the age of 12 but under 18. In addition, before the ruling, the court can inform the juvenile offender, their statutory agent, and the victim, with their consent, to transfer the juvenile to an appropriate organization, institute, group, or individual for restoration.
204. While the juvenile court can decide rulings on transfer counseling or restoration, the juvenile investigation officers and the group/individual taking the transfer are in charge of the execution.

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<sup>8</sup> Where a juvenile is found to have been subject to one of the following situations and it is considered that there is necessity to safeguard the sound self-development of the said juvenile:

(1) habitually carrying of 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 by the statutory law.



點次	問題內容(原文)	中文參考翻譯
9.17	Para. 345 on restorative justice: the consent of the victim is required to transfer the juvenile to an institution for reform counselling. What happens if that consent is not given? Please provide more information about the practice of restorative justice.	第 354 點。關於修復式司法：將觸法少年轉移到相關機構進行矯正輔導需得到被害人同意。但如果被害人不同意會發生什麼事？請提供更多關於修復式司法執行的資訊。

### 中文回應

205. 參照聯合國 2002 年《關於在刑事事項中採用修復式司法方案的基本原則》第 7 點：

「只有在有充分證據指控加害人及被害人和加害人自由和自願同意的情況下才可以使用修復式程序。被害人和加害人在程序期間應當能夠隨時撤回這類同意。」，即修復式司法係以被害人及加害人雙方均知情同意之前提下進行。

206. 《少事法》亦明文規定，少年法院得斟酌情形，經少年、少年之法定代理人及被害人之同意，轉介適當機關、機構、團體或個人進行修復。故如被害人表示不同意，少年法院不會將該事件轉介修復；如參與修復程序之人（含被害人）中途表示不同意或不願再繼續進行修復式司法，該修復程序亦會中止。

206-1. 刻正研議有關法院辦理少年事件轉介修復之相關規範。有關修復式司法執行之資訊如下：

- (a) 任何一方聲請人可隨時不附理由退出修復程序；退出後，案件將由法院繼續審理。
- (b) 參與修復程序或達成修復協議，是否作為從輕量刑之參考，法院有最後裁量權。
- (c) 成年、少年刑事案件中，中途退出修復程序或未能達成修復協議，不作為法院從重量刑之參考；在少年保護事件中，也不會作為法院決定其保護處分之參考。

### 英文回應

205. According to Principle 7 of the UN Basic principles on the use of restorative justice programmes in criminal matters, “restorative processes should be used only where there is sufficient evidence to charge the offender and with the free and voluntary consent of the victim and the offender. The parties should be able to withdraw such consent at any time during the process.” So the informed consent of both parties is the foundation of implementing restorative justice.

206. The Juvenile Delinquency Act also stated that “the juvenile court may, with the consent of the juvenile offender, their statutory agent, and the victim, transfer the juvenile to an appropriate organization, institute, group, or individual for restoration.” However, if the victim disagrees, the court can not rule the case for transfer restoration; the process will also end if any participant changes their mind in the midway.

206-1. The relevant norms of referral restoration for juvenile matters are under research and discussion. The information about the practice of restorative justice :

- (a) Any of the applicants can withdraw from the restoration process with no reason. Afterwards, the court will resume hearing the case.
- (b) The court reserves the final discretionary power whether the sentence will be reduced in accordance with the participation in the restoration procedure or the achievement of an agreement.
- (c) In the case of adult and juvenile criminal cases, withdrawing from the restoration process midway or failing to reach an agreement will not be an aggravating factor for sentencing. Meanwhile, in juvenile protection matters, the juvenile court also don't adopt these as reference for protective measures.

點次	問題內容(原文)	中文參考翻譯
9.18	Attachment 9-24 Please explain why children are transferred by juvenile courts to placement and for placement, what does it mean and how long can this placement last?	附件 9-24，請解釋少年法院為何將觸法少年交付兒少安置及教養機構輔導，有何意義，可以安置多久？

### 中文回應

207. 安置輔導是依照《少事法》所定「少年保護事件程序」所為之保護處分，並非刑罰。因少年事件之處理以保障少年健全之自我成長、調整其成長環境並矯治其性格為目的，因此少年法院經審理後，如審酌少年之需保護性程度、少年家庭之保護與支持功能等因素，依少年調查官提出之處遇建議，並與少年、其法定代理人或現在保護少年之人及輔佐人共同協商討論後（即協商式審理），認為適當時，得裁定將少年交付安置於適當之福利、教養機構、醫療機構、執行過渡性教育措施或其他適當措施之處所輔導。
208. 依《少事法》規定，安置輔導期間為2個月以上、2年以下或少年滿21歲為止。執行超過2個月已有成效，認為無繼續執行必要或有事實上原因不宜繼續執行時，少年、少年之法定代理人或現在保護少年之人、少年保護官、安置輔導處所可以聲請少年法院免除執行。

### 英文回應

207. Placement counseling is not a punishment but a protection disposition in the juvenile protection procedure stipulated by the Juvenile Delinquency Act. Given the purpose of protecting the sound self-development of the juveniles, adjusting their growth environment, and rectifying their character, the juvenile court should consider factors such as their needs for protection and their family function to provide support and protection, review treatment suggestion proposed by juvenile investigation officers, then discuss with the juvenile, their statutory agents, current protectors, and assistant ad litem. The court may rule to send the juvenile to an appropriate welfare or cultivation institution, health care institution, an institution implementing transitional education, or other appropriate measures for placement if it deems appropriate.

208. Under the Juvenile Delinquency Act, the placement counseling shall be ordered for a duration between two months and two years, may only be executed until a juvenile reaches the age of twenty-one. It have been executed for more than two months and with good effects, rendering its continuation unnecessary, or upon finding further execution not appropriate based on factual reasons, a juvenile protection officer, the welfare or cultivation institution, health care institution, institution that implements transitional education or other appropriate measures in charge of the placement counseling, the juvenile, their statutory agent, or a person currently protecting the juvenile may file relevant evidence in their application to the juvenile court for waiving the execution.

點次	問題內容(原文)	中文參考翻譯
9.19	Attachment 9-28 provides information inter alia on average detention time of youth who left the juvenile detention houses. Please explain what it means that in 2020 23 children below the age 12 left the juvenile detention houses ( See also attachment 5 -32 with different statistics)	附件 9-28 提供離開少年觀護所及矯正學校的平均收容時間等資訊。請解釋 2020 年有 23 名未滿 12 歲兒童離開少年觀護所，意指為何？(參見附件 5-32)

#### 中文回應

209. 附件 9-28 之數字單位為平均收容日數，因此 2020 年未滿 12 歲兒童離開少年觀護所之平均收容時間為 23 日（非 23 人）。經查該年度僅有 2 名未滿 12 歲兒童離開少年觀護所（如本次國家報告條約專要文件附件 5-32）。

#### 英文回應

209. The unit of figures in Attachment 9-28 is the average number of days of detention. Thus the average detention time for children under age 12 who left the detention houses in 2020 was 23 days (not 23 children). Actually only 2 children under age 12 left the juvenile detention houses in 2020 (see Attachment 5-32 of Second National Report).

點次	問題內容(原文)	中文參考翻譯
9.20	The juvenile courts has to keep close contact with the juvenile detention center in order to continuously asses the necessity of the detention. Please provide information about inter alia the frequency and nature of the contacts with the center and the child and about the way the judge assesses the necessity of continuing the detention.	少年法院需與少年觀護所保持密切聯繫，以持續評估收容之必要性。請說明少年法院聯繫少年觀護所及少年的頻率及性質為何？以及法官評估繼續收容必要性的方式。

#### 中文回應

210. 少年觀護所於少年入所 7 個工作天內，實施初次鑑別晤談及心理測驗分析，了解少年身心狀況及特殊需求，並配合法院收容書相關註記執行處遇，配合少年法院（庭）就鑑別事項或方式之特別指示辦理，就有特殊需求少年安排所內看診或由專業輔導人員進行輔導，鑑別報告提供於少年法院（庭），並得視情形連結少年法院（庭）外部資源、或通知原學籍學校提供適當協助。
211. 少年法院法官每季定期督導少年觀護所設施及業務辦理情形，少年調查官或少年保護官亦視實際需要，隨時入所訪視個案少年，以協助法官評估是否繼續收容，或諭知其他處分。少年觀護所認有必要時，亦得主動聯繫少年法院，通知少年在所收容狀況。
212. 少年收容時間不定且普遍短暫，少年觀護所平時以電話或其他通訊方式與少年法院（庭）、少年保護官保持聯繫，以協助收容少年適應，同時視收容少年需求，請相關主管機關提供鑑別所需之精神醫療等資源，或召開資源聯繫會議，邀集少年法院、社政、教育、輔導、衛生醫療、警政及勞政等機關（構）、學校、團體或個人參加。少年觀護所亦配合少年法院，參加其辦理之個案研討會、資源聯繫會議。
213. 每半年均擇定少年矯正機關舉辦「法院與少年矯正業務聯繫會議」，各少年法院（庭）及少年觀護所均派員與會，以利意見溝通及交流。

#### 英文回應

210. A juvenile detention house will conduct first assessment interview and psychological testing of a youth within 7 working days of admission to understand the youth's physical and mental conditions and special needs, and provide rehabilitative treatment in coordination with the notations provided in the court's detention order as well as the

special instructions of juvenile court on assessment items or methods. For youths with special needs, the detention house will arrange an in-house doctor's visit or professional counseling. The assessment report will be provided to the juvenile court, and if necessary, the detention house will hook up with resources outside the juvenile court or notify the youth's original school to provide appropriate assistance.

211. Juvenile court judges periodically supervise the facilities and operations of juvenile detention houses every quarter. Juvenile investigation officers or juvenile protection officers may, based on actual needs, visit a youth at any time to assist the court in evaluating whether to continue detention or take other actions. If deemed necessary, a juvenile detention house may also contact the juvenile court to inform the court of the status of the youth at the detention house.
212. The detention time of a youth varies and is in general brief. Detention houses usually keep contact with the juvenile court or juvenile protection officer by phone or other means to help the detained youth adapt to the new environment. Depending on the needs of youth, a detention house may ask relevant authorities to provide psychiatric care and other resources needed for assessment, or call a liaison meeting, inviting juvenile court, social, educational, counseling, health, police and labor agencies (institutions), school, organization or individuals to discuss individual cases. Juvenile detention houses also attend individual case discussion or liaison meeting organized by juvenile courts.
213. A juvenile correctional institution is designated to organize a "Courts and Juvenile Corrections Liaison Meeting" every half a year, in which, representatives of juvenile courts and juvenile detention houses would attend and communicate with each other.

點次	問題內容(原文)	中文參考翻譯
9.21	Para. 362 The court can terminate the placement and is that at any time? Are there specific grounds in the law for this termination?	第 362 點。法院得隨時終止安置嗎？終止安置依法是否需有特定事由？

#### 中文回應

214. 《少事法》規定，安置輔導執行逾 2 個月，著有成效，認無繼續執行之必要，或有事實上原因不宜繼續執行者，少年保護官、負責安置輔導之處所、少年、少年之法定代理人或現在保護少年之人得檢具事證，聲請少年法院免除其執行。
215. 承上，少年在安置輔導期間違反應遵守之事項，情節重大，或曾受留置觀察處分後，再違反應遵守之事項，足認安置輔導難收效果者，少年保護官、負責安置輔導之處所、少年之法定代理人或現在保護少年之人得檢具事證，聲請少年法院裁定撤銷安置輔導，將所餘之執行期間令入感化處所施以感化教育，其所餘之期間不滿 6 月者，應執行至 6 月。

#### 英文回應

214. Following the Juvenile Delinquency Act, where the execution of the placement counseling have been executed for more than two months and with good effects, rendering its continuation unnecessary, or upon finding further execution not appropriate based on factual reasons, a juvenile protection officer, the welfare or cultivation institution, health care institution, institution that implements transitional education or other appropriate measures in charge of the placement counseling, the juvenile, his/her statutory agent, or a person currently protecting the juvenile may file relevant evidence in their application to the juvenile court for waiving the execution of the placement counseling.
215. Moreover, where the juvenile seriously violates regulations during the placement counseling or has been pronounced detention for observation but violates regulations again so that the placement counseling is ineffective, a juvenile protection officer, the welfare or cultivation institution, health care institution, institution that implements transitional education or other appropriate measures in charge of the placement



counseling, the juvenile's statutory agent, or a person currently protecting the juvenile may file relevant evidence and state the reasons in their application to the juvenile court for revoking the placement counseling and sending the juvenile to a correctional institution for corrective education for the rest of the execution period; where the time remaining is less than six months, the corrective education shall be executed for six months.

點次	問題內容(原文)	中文參考翻譯
9.22	With reference to attachment 5-33, please provide information about the purpose and nature of religious instruction and individual counselling of children in correctional institutions.	參照附件 5-33，請說明少年矯正機關對少年進行宗教教誨及個別輔導的目的和性質。

### 中文回應

216. 為保障少年矯正學校學生宗教信仰自由，參酌《聯合國保護被剝奪自由少年規則》規定，應允許所內每一少年滿足其對宗教和精神生活的需要；允許其定期舉行儀式並應所內少年要求對他們進行個別的宗教探望；每一少年均有權接受任一宗教合格代表的探望，也有權不參加宗教儀式和自由表示不接受宗教教育、輔導或宣傳。故少年矯正學校得依學生請求安排適當之宗教人士，實施教誨或輔導。
217. 少年矯正機關個別輔導學生或收容少年，其目的在瞭解其個別情況與需要，分別予以適當處遇，並參酌《學生輔導法》，以團隊合作模式對學生或收容少年實施三級輔導、行為介入方案或生活照顧。對於特殊學生或收容少年之輔導以團隊合作方式，由教師、心理社工師、教導員或輔導員，依學生能力特質給予適切諮商輔導、行為介入方案或生活照顧。
218. 前項所定三級輔導，依《學生輔導法》規定如下：
- (a) 發展性輔導：為促進學生心理健康、社會適應及適性發展，針對全校學生，訂定學校輔導工作計畫，實施生活輔導、學習輔導及生涯輔導相關措施。
  - (b) 介入性輔導：針對經前款發展性輔導仍無法有效滿足其需求，或適應欠佳、重複發生問題行為，或遭受重大創傷經驗等學生，依其個別化需求訂定輔導方案或計畫，提供諮詢、個別諮商及小團體輔導等措施，並提供評估轉介機制，進行個案管理及輔導。
  - (c) 處遇性輔導：針對經前款介入性輔導仍無法有效協助，或嚴重適應困難、行為偏差，或重大違規行為等學生，配合其特殊需求，結合心理治療、社會工作、家庭輔導、職能治療、法律服務、精神醫療等各類專業服務。
219. 少年矯正機關並得視需要邀請具輔導處遇相關知識或熱誠之社會人士或志工，協助個別輔導工作及適性課程。

## 英文回應

216. To protect the religious freedom of students at juvenile correctional schools, in reference to the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty, makes sure every juvenile in juvenile correctional schools is allowed to satisfy the needs of his or her religious and spiritual life; allowed to attend regularly held service and receive pastoral visits at his or her request; every student has the right to receive visits from a qualified representative of any religion, and the right not to participate in religious services and to decline freely religious education, counseling or indoctrination. Juvenile correctional schools would, at the request of a student, arrange suitable persons with religious background to give teaching or counsel.
217. Juvenile correctional institutions would give counsel to individual students or detained youths for the purpose of understanding their individual conditions and needs, and based on which, administer appropriate rehabilitative programs. In reference to the Student Guidance and Counseling Act, correctional institutions also implement three levels of guidance and counseling, behavior intervention program or personal care through team work. Students or detained youths with special needs are counseled by way of interprofessional teamwork, where teacher, psychologist, social worker, educational assistant or adviser work together to give students appropriate advice and counseling, behavior intervention or personal care based on their ability and traits.
218. The three levels of guidance and counseling referred to in the previous paragraph are set out in the Student Guidance and Counseling Act :
- (a) Developmental guidance : To advance students' psychological well-being, social adaptation, and adaptive development, schools will formulate a school guidance and counseling work plan, and implement measures to provide life guidance, academic support, academic support, and career guidance, for all students.
  - (b) Intervention counselling : A counseling program or plan will be formulated for students whose needs were not able to be effectively met by the developmental guidance referred to in the previous subparagraph, or who are poorly adapted, or repeatedly exhibiting problem behaviors, or who have been seriously traumatized.

This will be based on his or her individual needs, and provide advice, individual and group counseling, and an assessment and referral mechanism for case management and counseling.

- (c) Remedial counseling : For students who were not able to be effectively helped by the intervention counseling referred to in the previous subparagraph, or who have serious adaptation difficulties, behavior problems, or who have seriously violated regulations, a combination of professional services such as psychological therapy, social work, family counseling, occupational therapy, legal services, and psychiatric treatment shall be provided, in line with his or her particular needs.

219. If deemed necessary, juvenile correctional institutions may invite individuals or volunteer workers with knowledge or passion for counseling and rehabilitation to assist in individual counseling work and adaptive courses.