

# **Core Document Forming Part of the Reports**

## **Republic of China (Taiwan)**

September 2012

Taipei, Republic of China (Taiwan)



## **Foreword by the ROC President**

The International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) adopted in 1966 are collectively known, along with the 1948 United Nations Universal Declaration of Human Rights, as the International Bill of Human Rights, the most fundamental and most important set of human rights standards and requirements within the international human rights protection system.

Although the Republic of China (ROC) signed both the ICCPR and the ICESCR back in 1967, it was unable to deposit instruments of ratification with the United Nations because it subsequently lost its seat there. As soon as I took office as president, I declared that the country should move forward with the ratification of the two covenants as early as possible and complete the process of incorporating them into ROC law so that they would be directly applicable to the nation's courts and government agencies at all levels, thereby improving our human rights safeguards and bringing them more closely in line with international practice. The Legislative Yuan ratified both the ICCPR and the ICESCR and passed the "Act to Implement the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights" on March 31, 2009. I then promulgated the act on April 22, and signed the instruments of ratification for the two covenants on May 14. With those procedures successfully completed, the aforementioned act entered into force on December 10 of that same year. These developments stood as an official declaration to the world of our country's commitment to the protection of human rights, and constituted concrete action toward that end.

By ratifying and implementing the ICCPR and the ICESCR, the ROC has taken a first step toward bridging the gap with international human rights standards. In order to further promote the concepts and universal values of human rights, to reinforce citizens' fundamental rights as guaranteed by the Constitution, to comply with international human rights requirements, and to provide for a stronger human rights policy advisory function within our government, the Office of the President established the Presidential Office Human Rights Consultative Committee on December 10, 2010 and convened its first meeting on that same day. Vice President Vincent C. Siew and Professor Chai Sung-lin served as the convener and deputy convener, respectively. Members of the committee are experts from different fields and include representatives from non-governmental organizations and scholars as well as the vice premier and vice presidents from the Judicial Yuan and the Control Yuan. Female members make up more than one-third of the committee. Via a series of debates and discussions over a number of meetings, the committee has helped formulate human rights policies and compiled this national human rights report to facilitate a critical review of the human rights situation in the ROC, and to put forward constructive recommendations. This work by the committee has done much to raise the level of human rights protections in our country.

The Presidential Office Human Rights Consultative Committee resolved on April 12, 2011 that the ROC should submit an initial human rights report under the ICCPR and the ICESCR. The resolution specified that the report would consist of a common core document as well as treaty-specific documents for the ICCPR and the ICESCR. Our submission of this initial human rights report highlights the fact that even though the ROC is excluded from the United Nations human rights system, our government and civil society still participate actively in international

human rights affairs and fight tenaciously for the promotion and protection of human rights.

I am pleased to see the publication of the ROC's first national human rights report under the ICCPR and the ICESCR in accordance with United Nations reporting procedures. This report serves as a declaration of our country's determination to protect human rights. Moreover, it puts us all on notice that we must continually take a critical eye to our performance in respecting citizens' rights and freedoms. It reminds us that we must remain vigilant against human rights abuses, and work together to shape Taiwan into a just society that values human rights.

馬英九

April 2012

## **Foreword by the ROC Vice President and Chairperson of the Presidential Office Human Rights Consultative Committee**

Human rights are a universal value, and an important indicator of a country's level of democratization. To promote the concepts of human rights, to ensure citizens' fundamental rights as guaranteed by the Constitution, to comply with international human rights requirements, and to provide for a stronger human rights policy advisory function within our government, the Office of the President established the Presidential Office Human Rights Consultative Committee on December 10, 2010. I had the honor of being appointed by President Ma Ying-jeou as the convener of the committee, with Professor Chai Sung-lin serving as the deputy convener. In addition, scholars and experts with a demonstrated long-term interest in various human rights areas were also retained to serve as committee members, so that the government might draw on their diverse knowledge and expertise to help in the formulation of human rights policies and the compilation of this national human rights report, thereby improving the country's human rights protections.

Seven meetings of the Human Rights Consultative Committee have been held since its establishment. The committee examined the various actions and shortcomings of the government in protecting human rights, and actively worked to formulate forward-looking recommendations on human rights policy. Furthermore, the committee also passed a resolution to require the ROC to

complete and submit an initial human rights report under the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) that conforms to the United Nations' "Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties." The Ministry of Justice, upon which the committee relies for administrative support, then asked government agencies to draft and submit human rights reports. Subsequently, members of the committee, together with scholars, experts, and NGO representatives that they recommended, participated jointly in meetings where these reports were reviewed and a wide variety of opinions were solicited. In addition, in order to properly reflect the views of people from all walks of life on human rights issues, public hearings were held in Hualien, Kaohsiung, Taipei, and Taichung. At these hearings, members of the public were encouraged to express their opinions on the first draft of the human rights report. These opinions were later compiled and incorporated to supplement shortcomings in the government's version of the report.

Over the course of nearly a year of data collection and intensive discussions, the government and people amply demonstrated their determination to work together for the enhancement, protection, and promotion of human rights in the ROC. The publication of this national human rights report under the two covenants is indeed a significant milestone for the development of human rights in our country. The English translation of this report will be provided to countries around the world, United Nations organizations, and international human rights groups. After that, we will also invite human rights experts from around the world to review the report. Our purpose is to establish a platform for international dialogue

on human rights and bring our country more closely in line with the international human rights system.

The ROC's first national human rights report owes its existence to the committee members as well as the scholars, experts, and NGO representatives who took part in the discussions. We appreciate their efforts in pointing out a number of practices that are inconsistent with international human rights standards, their urging of the government to place priority on the welfare of citizens, and their continuing concern for the well-being of the people. Their hard work and contributions are now forever recorded in the history of the ROC's human rights development, and stand as testimony to the fact that our nation has entered upon a new era in its efforts to safeguard human rights.

蕭萬長

April 2012



## Presidential Human Rights Advisory Committee

### Member Profile

Name	Present Position	Notes
Vincent C. Siew	Vice President of the Republic of China (Taiwan)	Chairperson of the Committee
Chai Sung-lin	Chairperson, Environment and Development Foundation; Honorary Chairperson, Chinese Association for Human Rights	Vice Chairperson of the Committee
Sean Chen	Premier	Ex officio member (Vice Premier); Resigned as a committee member when becoming premier in February 2012
Yi-Huah Jiang	Vice Premier	Ex officio member; Resigned as a committee members when becoming vice premier in February 2012
Yeong-Chin Su	Vice President of the Judicial Yuan	
Jinn-lih Chen	Vice President of the Control Yuan	
Yu-Lin Wang	Secretary-general, League of Welfare Organizations for the Disabled, ROC	
Yu-Min Wang	Legislator and member of the Eighth Legislative Yuan	Resigned in January 2012
Yung-Ran Lee	Executive member on the Board of Directors, China Association for Human Rights; Chairman and Managing Partner, Y. R. Lee & Partners Attorneys-at-Law	
Nien-Tsu (Nigel) Li	Lee & Li Attorneys-at-Law; part-time professor, School of Law & Department of Law, Soochow University; part-time professor, Graduate Institute of Political Science, National Taiwan University	
Teh-I Kao	Associate Professor, Department of Indigenous Development and Social Work (and Graduate Institute) and Director of Center of Indigenous Development, National Dong Hwa University	

Hsiao-Chuan Hsia	Professor and Chair, Graduate Institute for Social Transformation Studies, Shih Hsin University	Resigned in December 2011
Chueh Chang	Associate Professor, Institute of Health Policy and Management, National Taiwan University	
Hwei-Syin Chen	Professor, Department of Law, National Chengchi University	
Chun-Chieh Hwang	Professor, Department of Financial and Economic Law, National Chung Cheng University	
Ruiru Huang	Director, Reading Association of the ROC	
Mab Huang	Duanmu Kai Professorial Chair, Soochow University; Editor-in-Chief, Taiwan Human Rights Journal	
Yuan-Hao Liao	Associate Professor, Department of Law, National Chengchi University	
Li-Ling Tsai	Associate Professor, Graduate Institute of Gender Education, National Kaohsiung Normal University	
Su-Hwa Pong	Professor, Graduate Institute of Social Work, National Taiwan Normal University; Chairperson, Taiwanese Council of Social Work Education	Joined in March 2012

Remark:

1. The Human Rights Advisory Committee was established on December 10, 2010, with a total of 18 members. The resignations of Professor Hsia Hsiao-Chuan and Legislator Wang Yu-Min were approved in December 2011 and January 2012, respectively. Professor Pong Su-Hwa joined the Committee in March 2012.
2. Previously serving as an advisory member of the Committee as an ex officio member, Vice Premier Sean Chen assumed the premiership in February 2012, and his vacancy on the Committee was filled by the succeeding Vice Premier Jiang Yi-huah.

# **International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social and Cultural Rights (ICESCR)**

## **National Report on Human Rights - History of Its Preparation**

The International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) (hereinafter be referred to as the “Two Covenants”) are two of the most important international codes of human rights. Together with the Universal Declaration of Human Rights they are collectively known as the International Bill of Human Rights, an integral part the international human rights protection system. In order to implement human rights principles as the foundation for the nation's governance, to raise the standards in human rights and to bring them in line with international levels, President Ma promulgated the Act to Implement the Two Covenants on April 22, 2009 and announced on May 14 that the two Covenants, following their ratifications, would go into effect on December 10, on which day the Presidential Human Rights Advisory Committee was also established, with Vice President Vincent C. Siew and Professor Chai Sung-lin serving as the Chairperson and Vice Chairperson, respectively. Members of the Committee are representatives from non-governmental organizations and scholars as well as vice presidents from the Executive Yuan, Judicial Yuan and the Control Yuan. Its principal mission is to provide advocacy and consultation on human rights policy, to prepare and publish the national report on human rights, to conduct research on international human rights systems and legislations, to formulate policy on international human rights exchanges, and to provide the President with consultation on other human rights-related issues.

Pursuant to the provisions of the Act to Implement the Two Covenants, the government is required to establish a human rights reporting system. The Presidential Human Rights Advisory Committee therefore passed a resolution on April 12, 2011 that the ROC should submit a first report on the country's ICCPR and ICESCR human rights in accordance with relevant United Nations guidelines and specifications, including the Core Provisions and the individual

documents of the ICCPR and ICESCR.

The Ministry of Justice, acting as the staff responsible for the proceedings, convened a meeting on May 1, 2011 to discuss the preparation of the national report on human rights. In addition to confirming the scope of each government agency in terms of its responsibility in preparing the report, the Ministry also communicated the format and details as required by the United Nations. National reports from New Zealand, Turkey and Thailand were provided to these government agencies to illustrate the actual approach to be adopted in ROC's ICCPR and ICESCR report. The responsible government agencies were then asked to submit the completed drafts by May 31, 2011.

In view of the fact that the United Nations would like the government of each nation planning to submit the report to engage in a constructive dialogue with its citizens, the Presidential Human Rights Advisory Committee therefore recommended that scholars, experts and representatives of non-governmental organizations be recruited to participate in meetings convened to review the drafts of the report. Between June 9 and July 25, 2011, 26 sessions of the "1st Draft Review Meeting" were held, and from July 26 to August 18, a total of 15 sessions of the "2nd Draft Review Meeting" were carried out, the purpose of which was to achieve a constructive dialogue between the government and the people through joint discussions and interaction in these review meetings. Furthermore, the Committee was able to incorporate multiple viewpoints during the draft report's formation stage. Between August 24 and September 2, 14 sessions of the "3rd Draft Review Meeting" were held. Advisory committee members, experts, scholars and representatives from non-governmental and private organizations were involved in line-by-line review of the documents so that to enable subsequent editorial meetings to follow up on these discussions. From September 5 to September 19, the "3rd Draft Review Meeting" was reconvened for a total of 10 sessions. Again advisory committee members, experts, scholars and representatives from non-governmental organizations worked together to finalize the compilation and editing of the draft report. Through the review and editorial meetings mentioned above, the Committee was able to follow the report's preparation guidelines and publish the draft human rights report based on the Two Covenants, which was subsequently

recognized by the Presidential Human Rights Advisory Committee as the discussion version for public hearing purposes. Furthermore, in order to reflect the views of the general public with respect to human rights issues in a more realistic manner, four public hearings were held in Hualien, Kaohsiung, Taipei and Taichung in November 2011, and the opinions expressed by the individuals who attended the hearings were compiled into the draft report for the Two Covenants. In the following December, 11 sessions of the "4th Draft Review Meeting" were held to incorporate the opinions collected at the public hearings to remedy for the shortcomings in the report's first draft as well as to reflect Taiwan's current human rights conditions and the correspondence actions for improving them.

The current manuscript has been confirmed by the Presidential Human Rights Advisory Committee at the 7th committee meeting held on January 17, 2012. In addition, as directed by Chairman and Vice President Vincent C. Siew, 7 advisory committee members were designated to review the content of the finalized version of the ICCPR and ICESCR national report on human rights. Between February 1 and February 7, 6 sessions of the "Report Finalization Review Meeting" were held, where further communication and confirmation with the drafting agencies were carried out with regard to the finalized content, with line-by-line editing and review, with the hope that these efforts would result in a comprehensive first national report on human rights based on the Two Covenants to be produced by the ROC.

After the National Report on Human Rights based on the Two Covenants has been published and translated into English, the government will invite international human rights scholars and experts to participate in a review of the report. The report will also be provided to countries around the world and relevant United Nations organizations as well as human rights groups for the purpose of showing the world that, although the ROC has been excluded from the United Nations human rights system, both the government and citizens of the ROC have unceasingly endeavored to promote and protect human rights and are determined to actively participate in international human rights affairs.

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## **Preface**

While a member of the United Nations in 1967, the Republic of China (ROC) was a signatory to the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR; together with ICCPR the two resolutions shall hereinafter be referred to as the “Two Covenants”). Since losing its UN seat that represented China in 1971, the ROC has been unable to participate in the affairs of the United Nations. In 2007 the Republic of China applied to the UN for membership under the name of “Taiwan” and requested that 14 UN member states with which the country maintained diplomatic ties advocate for the rights of the ROC to join the international organization, although these efforts have yet to come to fruition. Despite these circumstances, the ROC remains committed to voluntarily and actively abide by the Charter of the United Nations, the Universal Declaration of Human Rights, various international conventions on human rights and the Vienna Declaration and Programme of Action in cooperation with the world community to promote the protection of human rights and fundamental freedoms.

The ROC began to work towards the goal of harmonizing the municipal laws of the land with international code of human rights in 2000, and since then the country has continued to amend its domestic laws and measures for this purpose. President Ma Ying-jeou approved the Two Covenants and signed the Act to Implement ICCPR and ICESCR into law in 2009, making the Two Covenants having the same status as municipal laws citable by and binding to judicial, executive and other branches of the government without reservation. In the same year the government proceeded to deposit the instruments of ratification of the Two Covenants at the United Nations Secretariat in compliance with the provisions of these conventions. However, the UN Secretariat declined the offer to deposit of the instruments of ratification by quoting the UN General Assembly Resolution 2758 of 1971, which states that mainland China is the sole legitimate representative of China at the United Nations.

The current mainland Chinese authorities in Beijing, established in 1949, have thus far refused to acknowledge the existence of the Republic of China. The mainland Chinese authorities launched repeated attacks on Kinmen and Matsu, outlying Islands controlled by the ROC, between 1949 and 1965, and have opposed to the ROC's participation in the international

community. In 1971 Beijing even replaced the ROC as the sole representative of China at the UN, and the ROC has since been severely restricted to take part in international organizations and international activities. When the ROC held its first ever direct presidential election in 1996, the mainland Chinese authorities conducted missile tests off the coasts of Taiwan and held military exercises. Beijing's legislature also passed the Anti-Secession Law in 2005 to establish the legal basis for the use of force against Taiwan. Currently the two sides of the Taiwan Strait have signed a number of mutual agreements and have sought to ease the tension in their relationship. However, Beijing has remained steadfast in refusing to abandon its policy of using force to achieve reunification with Taiwan. On the other hand, the ROC government continues to strive for establishing institutionalized cross-Strait relations in order to maintain its policy of "no unification, no independence and no use of force." The government should, nevertheless, understand the suspicion and anxiety of the Taiwanese public in the process of implementing this policy.

As the ROC has been unable to participate in the affairs of the United Nations or any relevant international organizations, the country's human rights infrastructure and legal system lack experience in collaborating with other countries, which affects the human rights of Taiwan's population of 23 million. An example that illustrates this predicament is the outbreak of severe acute respiratory syndrome (SARS) in 2003, which caused hundreds of infections and tens of fatalities in Taiwan, including those of healthcare workers. Confronted with such serious epidemic, Taiwan was unable to receive timely assistance due to the fact that the country was not a member of the World Health Organization (WHO). Although the 2003 World Health Assembly held discussions on allowing the ROC to become a member of the organization under the name of "Taiwan," the proposal was fiercely opposed to based on political reasons, which demonstrated the human rights dilemmas that the ROC was facing within the international community.

Despite these difficulties, the continuing efforts of the ROC government and the citizens have resulted in the improvement in civil, political, economic, social and cultural rights, including the lifting of martial law, various deregulation and liberalization measures, the establishment of free and regular elections, elimination of human trafficking, implementation of

a universal health insurance system as well as providing social welfare and constructing social safety nets to the people.

The government will continue to endeavor to protect the rights of disadvantaged groups, such as the country's indigenous people, persons with disabilities, low-income families, the unemployed, workers engaged in the informal economy, women, children, foreign workers and same-sex couples. In recent years the government has passed or substantially amended various human rights protection laws, such as the Indigenous Peoples Basic Law, Education Act for Indigenous Peoples, Education Act, the Act to Protect the Right to Work of Indigenous Peoples, Protection Act for the Traditional Intellectual Creations of Indigenous Peoples, People with Disabilities Rights Protection Act, Senior Citizens Welfare Act, Children and Youth Welfare Act, Public Assistance Act, Act to Implement the Two Covenants, Act to Implement the Convention on the Elimination of All Forms of Discrimination Against Women (hereinafter referred to as the "Act to Implement CEDAW"), Labor Union Act and Labor Standards Act. However, the ROC has not worked with the United Nations or its associated organizations for a long period of time, and the country lacks an institution that complies with the Paris Principles on providing human rights advocacy and oversight functions. Nor does the country have an opportunity to communicate with the UN and its associated organizations with regard to human rights standards or the implementation of effective solutions.

In 2009 and 2011, respectively, the ROC proceeded to harmonize the municipal laws of the land with the Two Covenants (ICCPR and ICESCR) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). However, as the lack of relevant treaty organizations and the oversight of external treaty monitoring mechanisms has rendered the realization of international human rights standards in the ROC less than satisfactory.

With the passage of the Act to Implement the Two Covenants, the ROC has also implemented various measures, including the "Giant Step in Human Rights," and has since established the Presidential Human Rights Advisory Committee and human rights task forces or working groups within government agencies, endeavoring to promote the Two Covenants and educate civil servants and the general public. The government will also be required to complete the review of any laws or regulations that conflict with the requirements of the Two Covenants

within two years.

The present report has been prepared by the government with the assistance from and under the oversight of scholars and non-governmental organizations engaged by the Presidential Human Rights Advisory Committee. The report was completed with an extensive review process via joint discussions and after a number of public hearings were conducted on a nationwide basis. The content of the report describes the actual implementation of the Two Covenants in the Republic of China, the outstanding issues that require further actions, and the measures that have been taken to remedy the deficiencies.

## **I. Profile of the Country Submitting this Human Right Report**

### **A. Population, economic, social and cultural characteristics of the country on which this report is based**

1. The Republic of China was founded in 1912, at which time the total area under its jurisdiction was 11,418,174 square kilometers. In December 1949 the Nationalist Government of the Republic of China relocated to Taiwan and has since held control over the following territories only: Taiwan, Penghu, Kinmen, Matsu, Dongsha Islands, Zhongsha Islands (Macclesfield Bank) and the Nansha Islands (the Spratly Islands), the collective of which will hereinafter be referred to simply as "Taiwan." The total area under the country's jurisdiction is 36,192 square kilometers. This report describes the human rights conditions in the Republic of China.

2. Taiwan is a democracy with cultural diversity and economic prosperity, and its people practice freedom of worship in various religions. The country boasts diverse terrain features and rich ecological environments. Four centuries ago, Portuguese sailors sighted the main island of Taiwan and named it *Ilha Formosa*, which means "Beautiful Island." Ships from the Asian Continent and the Pacific Ocean converged here and the island became a center of activities in the Western Pacific. Many people of different ethnic backgrounds and countries have since been attracted to this land. Taiwan's history and culture are significantly influenced by Chinese and Austronesian culture. The colonial regimes of the Netherlands, Spain and Japan also left their cultural legacies on these islands. Today the remnants of Taiwan's colonial history and their

interactions can be found in the island's cuisines and languages.

3. The Han Chinese comprise the largest ethnic group in Taiwan, accounting for 98% of the island's total population. The remaining 2% consists of the indigenous people of Taiwan and minority groups from mainland China. Inter-marriage between ethnic groups is common, and the differences among them have gradually faded over time. The official language of Taiwan is Mandarin Chinese, which is known locally as Guoyu, the "National Language." Other languages that are also spoken include Minnan and Hakka in the Sinitic (Han Chinese) languages family and the indigenous Austronesian tongues, all of which appear to have been neglected or marginalized. In particular, the use of Austronesian languages has gradually declined due to the increasing Sinicization of the indigenous population.

4. Following the lifting of the martial law by the government in 1987, Taiwan began to embark on a journey toward becoming a truly pluralistic society. The Minnan, Hakka and indigenous communities began to receive support and attention from the government. The teaching of mother tongues became an integral part of elementary education.

5. With sustained efforts in research and development, Taiwan has become a key supply center of high-technology products for the global market and is also known as a leading manufacturing powerhouse. As a member of the Global Village, Taiwan has participated in the Asia-Pacific Economic Cooperation (APEC) forum since 1991. In 2002 Taiwan acceded to the World Trade Organization (WTO) as a full member and has since participated actively in associated international organizations. The country has also taken the initiative to provide assistance to other countries in order to give back to the international community.

6. Although Taiwan's population has been increasing over the years, the rate of population growth has been on a declining trend. Now the population is approaching the 1:1 equilibrium gender ratio, and it is estimated that in 2022 population will reach zero growth and the population density will increase slightly moving forward. Relevant statistics are shown in Table 1 below.

**Table 1 Total population, rate of population growth, gender ratio and population density statistics**

Unit: No. of persons; ‰; ‰; No. of persons/sq km

Year	Total population			Rate of population growth (%)	Gender ratio (%)	Population density
	All	Male	Female			
2006	22,876,527	11,591,707	11,284,820	4.66	102.7	632
2007	22,958,360	11,608,767	11,349,593	3.58	102.3	634
2008	23,037,031	11,626,351	11,410,680	3.43	101.9	637
2009	23,119,772	11,636,734	11,483,038	3.59	101.3	639
2010	23,162,123	11,635,225	11,526,898	1.83	100.9	640
2011	23,224,912	11,645,674	11,579,238	2.71	100.6	642

Source: Department of Household Registration Affairs, Ministry of the Interior

7. Between 2006 and 2011, young age population (aged 0-14) decreased from 4,145,631 to 3,501,790 (accounting for 15.08% of the total population); young and older adults (aged 15-64) increased from 16,443,867 to 17,194,873 (74.04% of the total population); the old age population (aged 65 and above) rose from 2,287,029 to 2,528,249 (10.89% of the total population). The number of births declined substantially, which has caused the young age population to decrease over the years with the old age population increasing over time.

8. The Dependency Ratio refers to the proportion of population under the age of 15 and over the age of 64 to the remaining population (aged 15-64). Between 2006 and 2011, the dependency ratios (in %) were 39, 38, 38, 37, 36 and 35, respectively, which were on a downward trend. This was mainly due to the fact that the Old Age Population Ratios were on an upward trend while the opposite applied to the Young Age Population Ratios. The dependency ratio for 2011 was 35%, which indicates that for each 100 persons with the ability to work, there were 35 dependents.

9. The number of births decreased from 204,459 in 2006 to the lowest level of 166,886 in 2010, but the number rebounded to 196,627 in 2011. The crude birth rate was decreasing over the years from 8.96 ‰ in 2006 to the lowest level of 7.21 ‰ in 2010, but it rebounded to 8.48 ‰ in 2011. Taiwan has entered the era of low birth rate.

10. The number of deaths increased from 135,839 in 2006 to 152,915 in 2011, with the crude



death rising from 5.95 ‰ to 6.59 ‰. Between 2006 and 2008, the crude death rate was increasing, but it dropped slightly in 2009. Although the crude death rate rose again in 2010 and 2011, Taiwan remains a low-mortality society.

11. The unmarried, married, divorced and widowed populations aged 15 and above as percentages of the total population aged 15 and above for each of the years between 2006 and 2011 are shown in Table 2 below. The unmarried population ratio was on an upward trend, increasing from 34.39% in 2006 to 34.91% in 2010, although it dropped to 34.77% in 2011. The married population ratio for the same period decreased from 53.70% to 51.79%, while the divorced population ratio rose from 6.13% to 7.32%. The widowed population was also increasing over that period, rising from 5.79% to 6.12%.

12. Between 2006 and 2010 the total fertility rates of childbearing age women were 1.12, 1.10, 1.05, 1.03 and 0.90, respectively, and remained on a downward trend. Taiwan is therefore one of the countries with low fertility rates. In 2011 the government instituted a campaign to encourage couples to get married and raise families, and the total fertility rate rebounded to 1.07 that year.

13. Between 2006 and 2011, the average numbers of persons per household was 3.09, 3.06, 3.01, 2.96, 2.92 and 2.88, respectively, which showed a downward trend.

14. Also from 2006 to 2011, the ratios of ordinary female heads of household aged 15 and above were 37.46%, 38.12%, 38.69%, 39.23%, 39.72% and 40.17%, respectively, an upward trend.

**Table 2 Population statistics**

Unit: No. of persons; %; ‰

Year	Age structure						Dependency ratio	Birth		Death		Marital status of population aged 15 and above (%)				Total fertility rate	Average no. of persons per household	Ratio of ordinary female heads of household aged 15 and above (%)
	Aged 0-14		Aged 15-64		Aged 65 and above			No. of births	Crude birth rate (‰)	No. of deaths	Crude death rate (‰)	Unmarried	Married	Divorced	Widowed			
	Population	%	Population	%	Population	%												
2006	4,145,631	18.12	16,443,867	71.88	2,287,029	10.00	39	204,459	8.96	135,839	5.95	34.39	53.70	6.13	5.79	1.12	3.09	37.46
2007	4,030,645	17.56	16,584,623	72.24	2,343,092	10.21	38	204,414	8.92	141,111	6.16	34.53	53.21	6.40	5.86	1.10	3.06	38.12
2008	3,905,203	16.95	16,729,608	72.62	2,402,220	10.43	38	198,733	8.64	143,624	6.25	34.50	52.94	6.63	5.92	1.05	3.01	38.69
2009	3,778,018	16.34	16,884,106	73.03	2,457,648	10.63	37	191,310	8.29	143,582	6.22	34.79	52.34	6.88	5.99	1.03	2.96	39.23
2010	3,624,311	15.65	17,049,919	73.61	2,487,893	10.74	36	166,886	7.21	145,772	6.30	34.91	51.92	7.12	6.06	0.90	2.92	39.72
2011	3,501,790	15.08	17,194,873	74.04	2,528,249	10.89	35	196,627	8.48	152,915	6.59	34.77	51.79	7.32	6.12	1.07	2.88	40.17

Source: Department of Household Registration Affairs, Ministry of the Interior

Description: Birth and death statistics have been collected based on their reported dates. The total fertility rates are based on the actual occurrence dates.

15. The combined life expectancy for both male and female was 77.90 years in 2006, and the number rose to 79.18 in 2010, which was an increase of about 0.32 years annually, and the life expectancy at birth was 76.13 years for men and 82.55 years for women. When compared with 2009, the increase was 0.10 for men and 0.21 for women. As the life expectancy at birth for the female population was higher than that for the male population, the male-female gap widened to 6.42 years in 2010, an increase by 0.11 years over 2009.

**Table 3 Life expectancy statistics**

Unit: No. of years

Year	Male/Female combined	Male	Female
2006	77.90	74.86	81.41
2007	78.38	75.46	81.72
2008	78.57	75.59	81.94
2009	79.01	76.03	82.34
2010	79.18	76.13	82.55

Source: Department of Statistics, Ministry of the Interior

Description: Life expectancy at birth

Description is the average remaining lifetime at birth.

16. As of 2011, among the populations of Taiwan's special municipalities, counties and cities, New Taipei City's 3,916,451 accounted for the largest (16.86%) in the country, followed by the 2,774,470 in Kaohsiung city (11.95%) and 2,664,394 in Taichung city (11.47%). In terms of population distribution, 68.45% of the country's population is concentrated in the five special municipalities and Taoyuan County, a quasi-special municipality. From the perspective of aged-child ratio, the northern and central regions have lower ratios, at 65.44% and 71.60%, respectively, whereas the outlying islands (Kinmen and Matsu) and the eastern region have higher ratios, 93.15%, 88.74%, respectively. The aged-child ratios broken down by individual cities and counties are as follows, in descending order: Chiayi County (119.34%), Penghu County (110.81%), Yunlin County (104.76%), Taoyuan County (48.07%), Hsinchu City (50.40%), and Taichung City (53.28%), the lowest. Affected by the male-female aging structural factor, the gender ratio of Taiwan's total population has continued to decline. The ratio dropped to a historical low of 100.57 in 2011, with the eastern region having the highest ratio (107.22), followed by Kinmen and Matsu (105.29) and the central region (102.99), while the ratio in the northern region is the lowest (98.10). Lienchiang County has the highest gender ratio, at 136.51, among all cities and counties, followed by Taitung County (109.28) and Yunlin County (109.14), and Taipei City has the lowest ratio (92.85).

#### 44 Population and ratio statistics by region

Unit: Persons; %

Year	Item		Gender ratio (Female = 100)	Aged 0-14		Aged 15-64		Aged 65 and above		Aged-Child ratio (%)	Population of Indigenous people	
	Total population	Percentage of total population (%)		Structural proportion (%)	Structural proportion (%)	Structural proportion (%)	Structural proportion (%)	Population of Indigenous people	Percentage of total population (%)			
2007	22,958,360	100.00	102.28	4,030,645	17.56	16,584,623	72.24	2,343,092	10.21	58.13	484,174	2.11
2008	23,037,031	100.00	101.89	3,905,203	16.95	16,729,608	72.62	2,402,220	10.43	61.51	494,107	2.14
2009	23,119,772	100.00	101.34	3,778,018	16.34	16,884,106	73.03	2,457,684	10.63	65.05	504,531	2.18
2010	23,162,123	100.00	100.94	3,624,311	15.65	17,049,919	73.61	2,487,893	10.74	68.64	512,701	2.21
2011	23,224,912	100.00	100.57	3,501,790	15.08	17,194,873	74.04	2,528,249	10.89	72.20	519,984	2.24
Northern Region	10,357,405	44.60	98.10	1,591,514	15.37	7,724,454	74.58	1,041,437	10.05	65.44	173,345	1.67
New Taipei City	3,916,451	16.86	98.14	566,884	14.47	3,015,088	76.99	334,479	8.54	59.00	50,488	1.29
Taipei City	2,650,968	11.41	92.85	382,966	14.45	1,929,803	72.80	338,199	12.76	88.31	14,340	0.54
Keelung City	379,927	1.64	101.49	50,473	13.28	286,943	75.53	42,511	11.19	84.23	8,718	2.29

Year	Item		Gender ratio (Female = 100)	Aged 0-14		Aged 15-64		Aged 65 and above		Aged-Child ratio (%)	Population of Indigenous people	
	Total population	Percentage of total population (%)		Structural proportion (%)	Structural proportion (%)	Structural proportion (%)	Structural proportion (%)	Population of Indigenous people	Percentage of total population (%)			
Hsinchu City	420,052	1.81	98.45	78,678	18.73	301,717	71.83	39,657	9.44	50.40	3,170	0.75
Yilan County	459,061	1.98	103.67	66,899	14.57	331,496	72.21	60,666	13.22	90.68	15,614	3.40
Taoyuan County	2,013,305	8.67	101.39	350,658	17.42	1,494,077	74.21	168,570	8.37	48.07	61,044	3.03
Hsinchu County	517,641	2.23	105.63	94,956	18.34	365,330	70.58	57,355	11.08	60.40	19,971	3.86
Central Region	5,765,806	24.83	102.99	908,693	15.76	4,206,475	72.96	650,638	11.28	71.60	74,904	1.30
Taichung City	2,664,394	11.47	98.91	441,335	16.56	1,987,907	74.61	235,152	8.83	53.28	28,817	1.08
Miaoli County	562,010	2.42	107.54	85,278	15.17	401,259	71.40	75,473	13.43	88.50	10,747	1.91
Changhua County	1,303,039	5.61	105.16	204,235	15.67	939,650	72.11	159,154	12.21	77.93	5,089	0.39
Nantou County	522,807	2.25	105.97	73,780	14.11	377,182	72.15	71,845	13.74	97.38	28,369	5.43
Yunlin County	713,556	3.07	109.14	104,065	14.58	500,477	70.14	109,014	15.28	104.76	1,882	0.26
Southern Region	6,422,584	27.65	101.82	905,229	14.09	4,767,320	74.23	750,035	11.68	82.86	100,357	1.56
Tainan City	1,876,960	8.08	101.16	264,466	14.09	1,393,801	74.26	218,693	11.65	82.69	6,113	0.33
Kaohsiung City	2,774,470	11.95	100.19	393,170	14.17	2,089,848	75.32	291,452	10.50	74.13	30,401	1.10
Chiayi City	271,526	1.17	96.65	45,350	16.70	195,842	72.13	30,334	11.17	66.89	894	0.33
Chiayi County	537,942	2.32	108.89	71,170	13.23	381,838	70.98	84,934	15.79	119.34	5,547	1.03
Pingtung County	864,529	3.72	105.65	118,364	13.69	635,626	73.52	110,539	12.79	93.39	57,079	6.60
Penghu County	97,157	0.42	105.44	12,709	13.08	70,365	72.42	14,083	14.50	110.81	323	0.33
Eastern Region	565,128	2.43	107.22	82,012	14.51	410,336	72.61	72,780	12.88	88.74	170,701	30.21
Taitung County	228,290	0.98	109.28	33,547	14.69	164,689	72.14	30,054	13.16	89.59	79,781	34.95
Hualien County	336,838	1.45	105.85	48,456	14.39	245,647	72.93	42,726	12.68	88.16	90,920	26.99
Kinmen and Matsu	113,989	0.49	105.29	14,342	12.58	86,288	75.70	13,359	11.72	93.15	677	0.59
Kinmen County	103,883	0.45	102.69	12,894	12.41	78,606	75.67	12,383	11.92	96.04	548	0.53

Year	Total population		Gender ratio (Female = 100)	Aged 0-14		Aged 15-64		Aged 65 and above		Aged-Child ratio (%)	Population of Indigenous people	
		Percentage of total population (%)			Structural proportion (%)		Structural proportion (%)		Structural proportion (%)			Percentage of total population (%)
Lienchiang County	10,106	0.04	136.51	1,448	14.33	7,682	76.01	976	9.66	67.40	129	1.28

Source: Department of Household Registration Affairs, Ministry of the Interior

17. The indigenous population increased from 474,919 in 2006 to 519,984 in 2011 (2.24% of total population), which indicates an upward trend. Their largest presence as an ethnic group is in Hualien County (90,920), Taitung County (79,781) and Taoyuan County (61,044); and they are fewest in number in the following counties: Lienchiang (129), Penghu (323) and Kinmen (548). The indigenous people of Taiwan are divided into 14 tribes: Amis, Paiwan, Atayal, Bunun, Truku (Taroko), Puyuma, Rukai, Seediq, Tsou, Saisiyat, Yami (Tao), Kavalan, Thao and Sakizaya. The Amis represent the single largest group with a population of 191,186.

**Table5 Indigenous population by administrative region (special municipality or county/city) and by tribe**

Unit: Persons;%

Region	Total		Population by Tribe/Ethnicity														N/A
	Aboriginal Population	%	Amis	Atayal	Paiwan	Bunun	Rukai	Puyuma	Tsou	Saisiyat	Yami (Tao)	Thao	Kavalan	Truku (Tarok)	Sakizaya	Seediq	
<b>Total</b>	519,984	100.00	191,186	82,564	92,008	53,516	12,311	12,564	6,891	6,100	4,252	714	1,275	27,664	626	7,712	20,601
New Taipei City	50,488	9.71	29,619	6,649	3,784	3,283	472	1,095	179	436	79	46	244	1,648	28	135	2,791
Taipei City	14,340	2.76	6,414	2,245	1,274	834	200	378	133	128	35	14	35	642	20	119	1,869
Taichung City	28,817	5.54	8,338	8,212	5,585	3,546	393	546	250	163	55	120	27	469	9	352	752
Tainan City	6,113	1.18	1,862	510	1,924	830	157	274	95	20	15	15	10	164	4	33	200
Kaohsiung City	30,401	5.85	8,267	1,155	7,166	8,731	2,542	629	1,115	45	33	12	26	402	6	55	217
Taiwan Province	389,148	74.84	136,367	63,709	72,183	36,220	8,541	9,637	5,111	5,300	4,034	507	933	24,299	559	7,016	14,732
Yilan County	15,614	3.00	1,730	11,631	244	234	39	84	15	14	9	1	6	343	7	18	1,239
Taoyuan County	61,044	11.74	28,753	18,209	4,365	3,346	446	825	143	907	73	16	121	1,425	39	182	2,194
Hsinchu County	19,971	3.84	1,497	15,294	430	308	58	105	25	1,521	16	6	9	154	1	28	519
Miaoli County	10,747	2.07	1,143	6,147	326	294	12	83	22	2,398	8	14	12	86	3	17	182
Changhua County	5,089	0.98	1,864	412	1,188	862	123	184	44	19	12	19	20	102	-	44	196
Nantou County	28,369	5.46	789	6,441	426	13,781	76	64	248	49	5	420	2	92	-	5,937	39
Yulin County	1,882	0.36	760	245	346	215	33	39	48	12	3	-	4	78	-	8	91
Chiayi County	5,547	1.07	481	181	292	240	29	48	4,015	27	3	19	2	46	1	15	148
Pingtung County	57,079	10.98	1,887	393	46,874	547	5,607	168	75	26	14	3	7	110	4	9	1,355
Taitung County	79,781	15.34	37,337	409	16,385	8,164	2,011	7,461	43	48	3,861	2	105	166	5	17	3,767
Hualien County	90,920	17.49	51,689	2,716	692	7,731	59	389	34	44	15	-	629	21,378	490	692	4,362
Penghu County	323	0.06	130	50	66	26	5	14	7	1	1	-	-	21	-	2	-
Keelung City	8,718	1.68	7,031	536	211	241	9	93	26	16	8	4	10	152	4	20	357
Hsinchu City	3,170	0.61	1,111	981	261	128	26	41	14	213	4	2	2	126	1	18	242
Chiayi City	894	0.17	165	64	77	103	8	39	352	5	2	1	4	20	4	9	41
Fujian Province	677	0.13	319	84	92	72	6	5	8	8	1	-	-	40	-	2	40
Kinmen County	548	0.11	267	64	74	59	6	2	7	7	-	-	-	24	-	1	37
Lienchiang County	129	0.02	52	20	18	13	-	3	1	1	1	-	-	16	-	1	3

Source: Department of Household Registration Affairs, Ministry of the Interior

### Social, economic and cultural indicators - Standard of living of population by income level

18. From the sources of Taiwan's total family income, the compensation of employees represents the largest segment (55%). For 2008 and 2009, the global financial crisis caused the employment to decline, but the pace of the labor market picked up in 2010 and the average compensation of employees per household rebounded to NT\$619 thousand. In addition, the proportion and total amount of transfer income are on an upward trend. In particular, government subsidies and social insurance benefits account for nearly 70% of transfer income. With international economic conditions worsening in 2008 and 2009, the government introduced short-term measures to alleviate the negative impact on people's livelihoods (e.g. wage-subsidy for near-poverty level workers), and with the unemployment rate beginning to return to normal in 2010, unemployment benefits were decreased and the average current transfer payment per household was also reduced slightly to NT\$193 thousand.

19. The status of low income families are determined by the condition that the average monthly income per capita falls below the minimum living expense and with assets (both movable and immovable property) having been examined by the required review procedure. The minimum living expense and asset criteria vary from one region to another. Since July 2011 the Public Assistance Act has relaxed the criterion for receiving public assistance and has expanded to provide assistance to a larger segment of the population. As of the end of 2011, there were a total of 314 thousand people classified as members of low income families, which account for 1.35% of the country's total population and represents an increase by 96 thousand (or 0.4 percentage points) compared with the preceding year. In particular, the low-income male population (160 thousand; 1.38% of total male population) is slightly larger than its female counterpart (154 thousand; 1.33% of total female population), which are roughly equal in terms of population ratio. Compared with the figures as of the end of 2006, the male and female lower-income populations have increased by 53 thousand and 44 thousand, respectively.

**Table6 Overview of all households and low income families**

Unit: Persons; %

Year	Proportion spent by family in food, housing, healthcare and education	Proportion of population below the minimum level of dietary consumption	Gini coefficient of disposable income	Low-income household population	Low-income household population		As percentage of total national population (%)	As percentage of total national population (%)	
					Male	Female		Male	Female
2006	66.0	0	0.339	218,166	108,097	110,069	0.95	0.93	0.98
2007	67.1	0	0.340	220,990	110,639	110,351	0.96	0.95	0.97
2008	68.6	0	0.341	223,697	113,281	110,416	0.97	0.97	0.97
2009	68.1	0	0.345	256,342	130,515	125,827	1.11	1.12	1.10
2010	68.3	0	0.342	273,361	140,672	132,689	1.18	1.21	1.15
2011	-	-	-	314,282	160,644	153,638	1.35	1.38	1.33

Source: Directorate General of Budget, Accounting and Statistics and Ministry of the Interior, Executive Yuan

Description: The minimum level of dietary consumption refers to the segment of the population, relative to the total population, where the amount spent on dietary consumption is US\$1.25 per person per day (which translates to the range of NT\$21 - NT\$23 based on historical PPP published by the IMF, and the PPP figures from 2006 to 2009 were NT\$18.527, NT\$17.906, NT\$17.005 and NT\$16.987, respectively).

20. The ratio of household disposable income, top 20% to lowest 20%, widened to 6.34 in 2009, and the Gini coefficient increased to 0.345. In 2010, the same ratio decreased to 6.19, with the Gini coefficient falling to 0.342. Comparing the structure of household consumption expenditure of high-income families with that of low income families, both spend the highest proportion on housing, with the former spending 22.2% and the latter 32.9%. The next highest category is food expenditure, with high-income families spending 21.1% and low income families spending 25.4%. As healthcare is now readily available, both groups have similar profiles on medical expenditures (between 14% and 17%). In education, as low-income families have fewer members on average and have higher average age, their education expenditure accounts for only 1.8%, while high-income households spend 6.0%.

21. As of the end of November 2009, there were 324,846 single-parent households, which are distributed by geographic region as follows in descending order: North (111,948; 34.46%), followed by Central (78,117; 24.05%); In terms of the distribution of parent's gender for single-parent households, mothers account for 56.68% (184,116 households) and fathers make up the remaining 43.32% (140,730 households). Single-parent households are mostly the result of divorce, regardless of the breakdown by geographic region or parent's gender.

**Table7 Statistics on single-parent families**

Unit: Household

Region	Total	Male			Female		
		Unmarried	Divorced	Widowed	Unmarried	Divorced	Widowed
Total	324,846	2,884	128,924	8,922	6,745	138,923	38,448
Northern Region	111,948	981	43,955	2,852	2,464	49,558	12,139
Central Region	78,117	665	31,763	2,430	1,513	31,211	10,535
Southern Region	70,440	693	31,021	2,074	1,238	26,621	8,794
Eastern Region	11,333	195	4,172	363	401	4,606	1,596
Taipei City	28,157	202	9,207	747	696	14,273	3,032
Kaohsiung City	24,170	147	8,560	442	421	12,342	2,258
Kinmen and Matsu	681	2	247	14	12	312	94

Source: 2010 Survey on Single Families, Department of Statistics, Ministry of the Interior



Description: The information contained in this table has been compiled as follows. A preliminary data regarding the number of single-parent households is obtained based on household registration data from the Ministry of the Interior as of the end of November 2009 and screened in accordance with the definition of a single-parent household (a family consisting of one parent, either the father or the mother, and at least one unmarried child under the age of 18, including adopted children but excluding children who are married). Actual visits are paid to these families to obtain the percentage of each household category, after which estimation is used to correct the results.

22. The Status Act for Indigenous Peoples was enacted in 2001, and in recent years the number of citizens who have opted to obtain or reinstate their indigenous status has been on the rise. As of 2010, there were 189,000 indigenous households, a 12% increase over 2006, which represents 1.7 times the national average growth rate of households (7.1%). However, the economic conditions of the indigenous population remains relatively disadvantaged. Their average annual income is NT\$497,000, a decrease by 2.4% compared with 2006 and is about 46.3% of the national average. Coupled with the fact that the indigenous population continued to migrate from their ancestral lands toward townships and urban areas dominated by other ethnic groups, the proportion of the population who own their own residential properties remains quite low, at only 72.6%, which represents a decrease of 0.2% over 2006, and is lower than the national average of 87.9%. In addition, based on the quintile distribution of income in indigenous households, the disposable income of the top 20% is 15.1 times that of the lowest 20%. Although this is lower than the figure in 2006 (29.9 times), it is much higher than the national average of 6.2. The Gini coefficient that applies to indigenous households, which is 0.49, is also higher than the national average of 0.342. Indigenous households in the lowest and second lowest quintiles (i.e. 40%) are having difficulties making ends meet and have negative savings rates. The income inequality is quite obvious compared with the average household.

**Table8 Distribution of indigenous population aged 15 and above**

Unit: Household; Person; %

Administrative Region	No. of households		Population aged 15 and above		Population distribution	
	December 2006	December 2010	December 2006	December 2010	December 2006	December 2010
Total	162,502	196,385	357,250	406,029	100.00	100.00
Taipei City	5,317	6,398	8,978	11,085	2.5	2.7
New Taipei City	-	20,631	-	38,285	-	9.4
Taichung City	-	11,872	-	21,110	-	5.2
Tainan City	-	3,082	-	4,533	-	1.1
Kaohsiung City	4,166	12,688	7,244	22,923	2.0	5.6
Taiwan Province	153,019	141,715	341,028	307,562	95.4	7.6
Townships in mountain areas	45,981	44,642	125,729	130,751	35.2	33.2
Indigenous townships/cities	45,022	50,552	103,298	107,482	28.9	27.3
Non-indigenous townships/cities	62,016	46,521	112,001	137,172	31.4	34.8

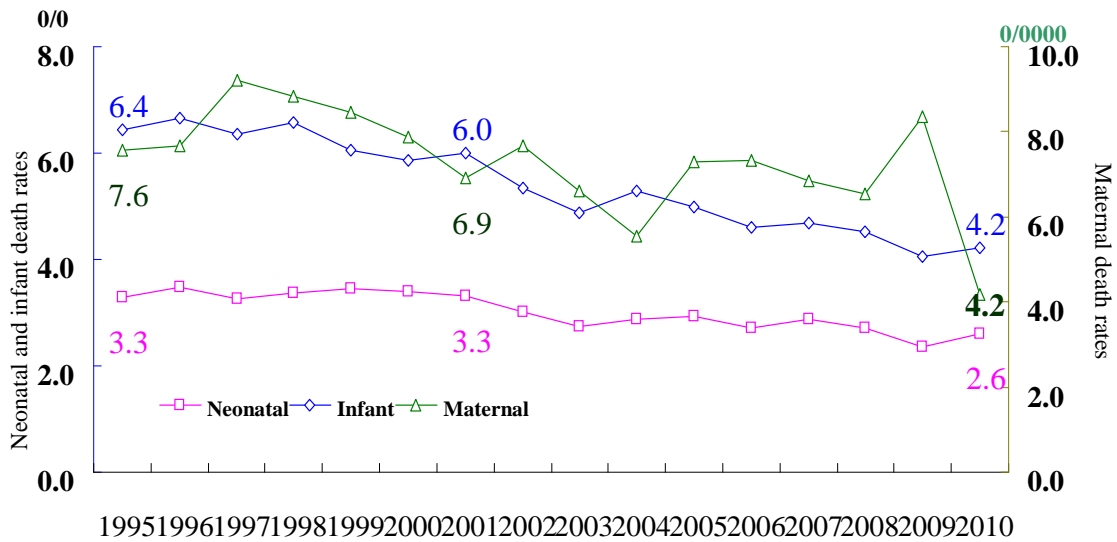
**Right to health indicators**

23. In 2010 the number of maternal deaths was 7, which represents a death rate of 4.2 per 100 000 live births. The leading causes of death include postpartum complications, complications during labor and childbirth, as well as pregnancies with abortive outcome. The focus of remediation in the future will be the extension of maternal care by increasing prenatal care to 2 to 3 months after childbirth, and mother-friendly childbirth and the prevention of postpartum depression will also be incorporated. New and comprehensive holistic healthcare regimes during perinatal period will be also reviewed and formulated. Autonomy in medical care and doctor-patient partnership will be strengthened; comprehensive and improved training of medical and healthcare personnel teams will be provided. Certification will also be taken into consideration to enhance the quality of healthcare.

24. There were 166,886 births in 2010, with the crude infant death rate being 4.2 ‰ and the crude neonatal death rate being 2.6 ‰. The leading causes of infant mortality were: (1) Congenital malformations, deformations and chromosomal abnormalities (22.8%); (2) Respiratory disorders originating in the perinatal period (15.2%); (3) Infections specific to the

perinatal period (5.5%); and (4) Accident injuries (5.3%). The above four causes account for 48.8% of total infant deaths.

**Figure1 Neonatal and infant death rates and maternal death rates over the years**



Source: Statistics Office, Department of Health, Executive Yuan

25. According to the 2008 Family and Fertility Survey, 77.9% of women between 20 and 49 years of age who are married or have been married practice contraception, an increase of 0.9% over 2004; 98.3% of women between 20 and 49 years of age who have never been married and have had sexual experience have used contraception in 2004, but the percentage decreased to 95.1% in 2008.

26. Table 9 shows the leading causes of death of citizens in the Republic of China.

Unit: Person

Year	Deaths from all causes		Diseases of heart		Heart diseases		Cerebrovascular diseases		Diabetes mellitus		Accidental injuries		Pneumonia		Chronic liver disease and cirrhosis		Nephritis, nephrotic syndrome and nephrosis		Suicide		Hypertensive diseases	
	Deaths from all causes	Rank order	Diseases of heart	Rank order	Heart diseases	Rank order	Cerebrovascular diseases	Rank order	Diabetes mellitus	Rank order	Accidental injuries	Rank order	Pneumonia	Rank order	Chronic liver disease and cirrhosis	Rank order	Nephritis, nephrotic syndrome and nephrosis	Rank order	Suicide	Rank order	Hypertensive diseases	Rank order
2005	138,957		37,222	1	12,970	3	13,139	2	10,501	4	8,365	5	5,687	6	5,621	7	4,822	8	4,282	9	1,891	10
2006	135,071		37,998	1	12,283	3	12,596	2	9,690	4	8,011	5	5,396	6	5,049	7	4,712	8	4,406	9	1,816	10
2007	139,376		40,306	1	13,003	2	12,875	3	10,231	4	7,130	5	5,895	6	5,160	7	5,099	8	3,933	9	1,977	10
Year	Deaths from all causes	Rank order	Diseases of heart	Rank order	Heart diseases	Rank order	Cerebrovascular diseases	Rank order	Pneumonia	Rank order	Diabetes mellitus	Rank order	Accidental injuries	Rank order	Chronic lower respiratory diseases	Rank order	Chronic liver disease and cirrhosis	Rank order	Hypertensive diseases	Rank order	Nephritis, nephrotic syndrome and nephrosis	Rank order
2008	142,283		38,913	1	15,726	2	10,663	3	8,661	4	8,036	5	7,077	6	5,374	7	4,917	8	3,507	9	4,012	10
2009	142,240		39,918	1	15,094	2	10,383	3	8,358	4	8,230	5	7,358	6	4,955	7	4,918	8	3,721	9	3,999	10
2010	144,709		41,406	1	15,675	2	10,134	3	8,909	4	8,211	5	6,669	6	5,197	7	4,912	8	4,174	9	4,105	10

Year	Deaths from all causes - Male		Diseases of heart		Heart diseases		Cerebrovascular diseases		Accidental injuries		Diabetes mellitus		Pneumonia		Chronic liver disease and cirrhosis		Suicide		Hypertensive diseases			
	Deaths from all causes - Male	Rank order	Diseases of heart	Rank order	Heart diseases	Rank order	Cerebrovascular diseases	Rank order	Accidental injuries	Rank order	Diabetes mellitus	Rank order	Pneumonia	Rank order	Chronic liver disease and cirrhosis	Rank order	Suicide	Rank order	Hypertensive diseases	Rank order		
2005	86,460		23,944	1	7,858	2	7,785	3	6,227	4	5,163	5	3,718	7	4,030	6	2,977	8	2,502	9	969	10
2006	84,312		24,428	1	7,464	3	7,504	2	5,992	4	4,712	5	3,536	7	3,613	6	3,088	8	2,511	9	926	10
2007	85,882		25,819	1	7,660	2	7,655	3	5,276	4	4,995	5	3,853	6	3,729	7	2,647	8	2,607	9	967	10
Year	Deaths from all causes - Male	Rank order	Diseases of heart	Rank order	Heart diseases	Rank order	Cerebrovascular diseases	Rank order	Pneumonia	Rank order	Accidental injuries	Rank order	Diabetes mellitus	Rank order	Chronic lower respiratory diseases	Rank order	Chronic liver disease and cirrhosis	Rank order	Suicide	Rank order	Hypertensive diseases	Rank order
2008	87,682		24,972	1	9,386	2	6,218	3	5,527	4	5,239	5	3,958	6	3,957	7	3,576	8	2,820	9	1,789	12
2009	87,074		25,284	1	8,992	2	6,158	3	5,240	5	5,354	4	4,051	6	3,686	7	3,477	8	2,798	9	1,952	12
2010	88,374		26,022	1	9,389	2	5,963	3	5,565	4	4,835	5	4,062	6	3,823	7	3,508	8	2,639	9	2,128	10

Year	Deaths from all causes - Female		Diseases of heart		Heart diseases		Diabetes mellitus		Cerebrovascular diseases		Nephritis, nephrotic syndrome and nephrosis		Pneumonia		Accidental injuries		Chronic liver disease and cirrhosis		Suicide		Hypertensive diseases	
	Deaths from all causes - Female	Rank order	Diseases of heart	Rank order	Heart diseases	Rank order	Diabetes mellitus	Rank order	Cerebrovascular diseases	Rank order	Nephritis, nephrotic syndrome and nephrosis	Rank order	Pneumonia	Rank order	Accidental injuries	Rank order	Chronic liver disease and cirrhosis	Rank order	Suicide	Rank order	Hypertensive diseases	Rank order
2005	52,497		13,278	1	5,112	4	5,338	3	5,354	2	2,320	5	1,969	7	2,138	6	1,591	8	1,305	9	922	10
2006	50,759		13,570	1	4,819	4	4,978	3	5,092	2	2,201	5	1,860	7	2,019	6	1,436	8	1,318	9	890	10
2007	53,494		14,487	1	5,343	2	5,236	3	5,220	4	2,492	5	2,042	6	1,854	7	1,431	8	1,286	9	1,010	10

Year	Deaths from all causes - Female	Diseases of heart	Rank order	Heart diseases	Rank order	Cerebrovascular diseases	Rank order	Diabetes mellitus	Rank order	Pneumonia	Rank order	Hypertensive diseases	Rank order	Nephritis, nephrotic syndrome and nephrosis	Rank order	Accidental injuries	Rank order	Sepsis	Rank order	Chronic liver disease and cirrhosis	Rank order
2008	54,601	13,941	1	6,340	2	4,445	3	4,078	4	3,134	5	1,718	8	1,995	6	1,838	7	1,604	9	1,341	11
2009	55,166	14,634	1	6,102	2	4,225	3	4,179	4	3,118	5	1,769	8	1,899	7	2,004	6	1,652	9	1,441	10
2010	56,335	15,024	1	6,286	2	4,171	3	4,149	4	3,344	5	2,046	6	2,017	7	1,834	8	1,749	9	1,404	10

Source: Statistics Office, Department of Health, Executive Yuan

Description: 1. The rank order of deaths is based on crude death rates.

2. ※ The cause-of-death data contained in this table for 2008 onwards is based on International Classification of Diseases, Tenth Revision (ICD-10).

27. The cancer screening rates for 2011 are shown as follows: (1) Women between age 30 and 69: 62% have taken Pap smear within the past 3 years; (2) Women between age 45 and 69: 29.3% have taken mammography within the past 2 years; (3) Women between age 50 and 69: 33.5% have taken fecal occult blood tests with the past 2 years; (3) Women 30 years of age or older who have smoking or betel nut-chewing habits: 40% have had oral cancer screening within the past 2 years. The male smoking population above age 18 decreased from 42.9% in 2004 to 33.5% in 2011, and the male betel nut-chewing population also decreased, from 17.2% in 2007 to 12.5% in 2010.

**Table 10 No. of deaths caused by top 5 cancers and associated death rates, 2010**

Unit: Persons; Person/100,000 Persons

Male				Female			
Location	No. of deaths	Crude death rate	Standardized mortality ratio	Location	No. of deaths	Crude death rate	Standardized mortality ratio
Liver cancer	5,454	46.9	36.8	Lung cancer	2,782	24.2	17.1
Lung cancer	5,412	46.5	35.1	Liver cancer	2,290	19.9	14.2
Colorectal cancer	2,719	23.4	17.6	Colorectal cancer	1,957	17.0	11.9
Oral cancer	2,198	18.9	14.9	Breast cancer	1,706	14.8	11
Esophageal cancer	1,457	12.5	9.7	Gastric cancer	815	7.1	4.9

Source: Statistics Office, Department of Health, Executive Yuan

Description: 1. Statistics for the leading causes of death among the citizens of Taiwan have been coded based on the International Classification of Diseases 10th Edition(ICD-10).

2. The standardized ratios are based on world population figures compiled by WHO in 2000.

28. Between 2006 and 2010, the reported numbers of patients with HIV (human immunodeficiency virus) infections are 2,938, 1,935, 1,752, 1,648 and 1,796, respectively. Between 2006 and 2010, the reported numbers of patients with AIDS (Acquired Immunodeficiency Syndrome) are 579, 1,061, 849, 930 and 1,087, respectively. Relevant statistics are shown in Table 11. For the number cases and incidence rates of other infectious diseases, refer to Table 12.

**Table 11 Notification of cases of HIV infections and AIDS- by gender**

Unit: Person

Name of disease	No. of confirmed cases									
	2006		2007		2008		2009		2010	
	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male
Human Immunodeficiency Virus (HIV)	305	2,633	180	1,755	99	1,653	68	1,580	66	1,730
Acquired Immunodeficiency Syndrome (AIDS)	29	550	82	979	54	795	55	875	71	1,016

Source: Department of Health, Executive Yuan

**Table 12 Confirmed cases and incidence rate of notifiable communicable diseases**

Unit: Persons; Person/100,000 Persons

Name of disease	No. of confirmed cases					Rates per 100,000 population				
	2006	2007	2008	2009	2010	2006	2007	2008	2009	2010
Dengue Fever	1,074	2,179	714	1,052	1,896	4.71	9.51	3.10	4.56	8.19
Shigellosis (bacillary dysentery)	139	246	90	91	172	0.61	1.07	0.39	0.39	0.74
Malaria - imported	26	13	18	11	21	0.11	0.06	0.08	0.05	0.09
Acute Viral Hepatitis A	189	203	236	234	110	0.83	0.89	1.03	1.01	0.48
Multidrug-resistant tuberculosis (MDR TB)	...	19	159	176	156	...	0.08	0.69	0.76	0.67
Tuberculosis	15,37	14,48	14,26	13,33	13,20	67.3	63.1	62.0	57.7	57.0
	8	0	5	6	0	8	8	3	9	0
Acute Viral Hepatitis B	245	202	231	152	172	1.07	0.88	1.00	0.66	0.74
Acute Viral Hepatitis C	154	153	124	131	41	0.67	0.67	0.54	0.57	0.18
Syphilis	5,808	5,798	6,526	6,668	6,482	25.4	25.3	28.3	28.8	28.0
						5	0	8	9	1
Gonorrhoea	1,437	1,442	1,621	2,137	2,265	6.30	6.29	7.05	9.26	9.79
Enteroviruses Infection with Severe Complications	11	12	373	29	16	0.05	0.05	1.62	0.13	0.07

Name of disease	No. of confirmed cases					Rates per 100,000 population				
	2006	2007	2008	2009	2010	2006	2007	2008	2009	2010
Invasive Pneumococcal Disease (IPD)	...	169	805	690	737	...	0.74	3.50	2.99	3.18
Severe Complicated Influenza Case	25	26	22	1,134	882	0.11	0.11	0.10	4.91	3.81

Source: Centers for Disease Control, Department of Health, Executive Yuan

Description: Statistics for "Multidrug-resistant tuberculosis (MDR TB)" and "Invasive Pneumococcal Disease (IPD)" have been included only since they were proclaimed notifiable communicable diseases on October 15, 2007. "..." indicates data is not available (the disease was not monitored).

**Table 13 Confirmed cases of notifiable communicable diseases - by gender**

Unit: Person

Name of disease	No. of confirmed cases									
	2006		2007		2008		2009		2010	
	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male
Dengue Fever	561	513	1,024	1,155	328	386	535	517	963	933
Shigellosis (bacillary dysentery)	69	70	128	118	45	45	47	44	83	89
Malaria - imported	2	24	1	12	2	16	1	10	3	18
Acute Viral Hepatitis A	86	103	107	96	97	139	99	135	48	62
Multidrug-resistant tuberculosis (MDR TB)	...	...	6	13	51	108	59	117	44	112
Tuberculosis	4,774	10,604	4,500	9,980	4,430	9,835	4,075	9,261	4,106	9,131
Acute Viral Hepatitis B	87	158	65	137	92	139	51	101	73	99
Acute Viral Hepatitis C	40	114	54	99	37	87	38	93	19	22
Syphilis	1,849	3,959	1,724	4,074	1,895	4,631	2,059	4,609	1,888	4,594
Gonorrhea	140	1,297	146	1,296	129	1,492	222	1,915	185	2,080
Enteroviruses Infection with Severe Complications	6	5	7	5	144	229	9	20	8	8
Invasive Pneumococcal Disease (IPD)	...	...	56	113	257	548	225	465	244	493
Severe Complicated Influenza Case	9	16	15	11	11	11	514	620	383	499

Source: Statistics of Communicable Diseases and Surveillance Report (2006-2010), Department of Health, Executive Yuan

Description: Statistics for "Multidrug-resistant tuberculosis (MDR TB)" and "Invasive Pneumococcal Disease (IPD)" have been included only since they were proclaimed notifiable communicable diseases on October 15, 2007. "..." indicates data is not available (the disease was not monitored).

**Table 14 Confirmed cases of notifiable communicable diseases incidence rate per 100,000 population– by gender**

Unit: Person/100,000 population

Name of disease	Rates per 100,000 population									
	2006		2007		2008		2009		2010	
	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male
Dengue Fever	4.99	4.43	9.05	9.96	2.88	3.32	4.67	4.44	8.37	8.02
Shigellosis (bacillary dysentery)	0.61	0.60	1.13	1.02	0.40	0.39	0.41	0.38	0.72	0.76
Malaria - imported	0.02	0.21	0.01	0.10	0.02	0.14	0.01	0.09	0.03	0.15
Acute Viral Hepatitis A	0.76	0.89	0.95	0.83	0.85	1.20	0.86	1.16	0.42	0.53
Multidrug-resistant tuberculosis (MDR TB)	...	...	0.05	0.11	0.45	0.93	0.52	1.01	0.38	0.96
Tuberculosis	42.45	91.59	39.76	86.03	38.93	84.66	35.60	79.62	35.69	78.47
Acute Viral Hepatitis B	0.77	1.36	0.57	1.18	0.81	1.20	0.45	0.87	0.63	0.85
Acute Viral Hepatitis C	0.36	0.98	0.48	0.85	0.33	0.75	0.33	0.80	0.17	0.19
Syphilis	16.44	34.20	15.23	35.12	16.65	39.86	17.99	39.63	16.41	39.48
Gonorrhoea	1.24	11.20	1.29	11.17	1.13	12.84	1.94	16.46	1.61	17.88
Enteroviruses Infection with Severe Complications	0.05	0.04	0.06	0.04	1.27	1.97	0.08	0.17	0.07	0.07
Invasive Pneumococcal Disease (IPD)	...	...	0.49	0.97	2.26	4.72	1.97	4.00	2.12	4.24
Severe Complicated Influenza Case	0.08	0.14	0.13	0.09	0.10	0.09	4.49	5.33	3.33	4.29

Source: Statistics of Communicable Diseases and Surveillance Report (2006-2010), Department of Health, Executive Yuan

Description: Statistics for "Multidrug-resistant tuberculosis (MDR TB)" and "Invasive Pneumococcal Disease (IPD)" have been included only since they were proclaimed notifiable communicable diseases on October 15, 2007. "..." indicates data is not available (the disease was not monitored).

29. The enrollment rate of 6-year-old school-aged children for 2011 was 99.57% (99.55% for boys and 99.59% for girls, a difference of 0.04 percentage points). The enrollment rates of the country's 6-year-old school-aged children over the past 5 years were all above 99%. The enrollment rate of school-aged children between ages 6 and 11 for 2011 was 97.87% (97.97% for boys and 97.76% for girls, a difference of 0.21 percentage points between the two genders). The



enrollment rates of the country's school-aged children between ages 6 and 11 over the past 5 years were all in the vicinity of 98%.

**Table 15 School Enrollment Rate among Appropriately-aged and School-aged Children**

Unit: %

Academic Year	Enrollment rate among six-year-old appropriately-aged children			Enrollment rate of school-aged children between ages 6 and 11		
	Mean	Male	Female	Mean	Male	Female
95	99.02	99.11	98.93	97.77	97.83	97.71
96	99.16	99.12	99.20	97.79	97.87	97.69
97	99.32	99.35	99.29	97.74	97.83	97.65
98	99.31	99.27	99.36	98.01	98.09	97.91
99	99.47	99.40	99.55	97.97	98.06	97.88
100	99.57	99.55	99.59	97.87	97.97	97.76

Source: Department of Statistics, Ministry of Education

Description: 1. The enrollment rates of school-aged children between ages 6 and 11 are based on school attendance rate data.

2. The enrollment rate of school-aged children = No. of enrolled 6-year-old school-aged children ÷ Total No. of 6-year-old school-aged children × 100

3. The enrollment rate of school-aged children = No. of enrolled 6-year-old school-aged children between ages 6 and 11 ÷ Total No. of 6-year-old school-aged children between ages 6 to 11 × 100.

4. The 2010 academic year begins in August 2010 and ends in July 2011, and the other academic years are defined similarly

30. The Constitution and the Compulsory Education Act require citizens between ages 6 and 15 to receive mandatory education and also specify the regulations for compulsory enrollment in schools, prevention of dropping out as well as the tracking and counseling mechanisms for school reentry.

**Table 16 No. of dropout students and dropout rate statistics**

Unit: Person; %

Year	2005	2006	2007	2008	2009	2010
No. of dropout students	2,981	2,061	1,498	1,156	1,045	1,057
Dropout rate	0.107	0.076	0.056	0.044	0.041	0.043

Source: Student Affairs Committee, Ministry of Education

Description: 1. No. of dropout students = No. of students whose dropout statuses remain at the end of the academic year (or month).

2. Dropout rate = No. of students whose dropout statuses remain at the end of the academic year (or month) / Total no. of elementary and junior high school students × 100.

31. As of the end of 2011 the literacy rate of the population aged 15 and above was 98.17%, an increase of 0.68 percentage points compared with that at the end of 2006, and the literacy rate is on an upward trend. The literacy rate of citizens between ages 15 and 24 is nearly 100%, thanks to the nine-year compulsory education. If the data is analyzed in terms of gender, there is no significant gap in literacy rates between the genders for the population aged 15 to 24. However, for the segment of the population above 25 years of age, women have a lower literacy rate due to the earlier practice of not encouraging females to have as much education as males, although the gap has been narrowing over the years. As of the end of 2011 the literacy rate of the male population was 99.58%, whereas that of the female population was 96.76%, a difference of 2.82 percentage points.

**Table 17 Literacy rate of population aged 15 and above**

Unit: %

Year	Literacy rate (aged 15 and above)	Aged 15-24		Aged 25 and above		Aged 25 and above		Aged 25 and above	
		Male	Female	Male	Female	Male	Female	Male	Female
2006	97.48	99.34	95.60	99.99	99.99	99.99	96.93	99.20	94.67
2007	97.63	99.40	95.85	99.99	99.99	99.99	97.14	99.27	95.01
2008	97.78	99.45	96.10	99.99	99.99	99.99	97.33	99.34	95.34
2009	97.91	99.50	96.33	99.99	99.99	99.99	97.50	99.39	95.64
2010	98.04	99.54	96.56	99.99	100.00	99.99	97.66	99.45	95.92
2011	98.17	99.58	96.76	99.99	99.99	99.99	97.81	99.5	96.17

Source: Department of Household Registration Affairs, Ministry of the Interior

Description: Literacy rate refers to the proportion of the population aged 15 and above with the ability to read ordinary books and newspapers and to write brief letters.

32. On average, the numbers of students taught by each teacher (student-teacher ratios) in public schools of all levels show a downward trend between the academic years 2006 through 2011 (from August 2006 to July 2012), with the largest decline in schools at the secondary level and below, due to the decreasing number of students in these segments over the years. In particular, the student-teacher ratio in elementary education has had the largest extent of decrease, namely by 3.1. If the data is broken down by the level of education, for the 2011

academic year (from August 2011 to July 2012), the student-teacher ratio for higher education is the highest (18.8), followed by elementary (14.7) and secondary education (14.2).

**Table 18 Student-teacher ratios for public schools**

Unit: Person

Academic Year	Total	Elementary Education	Secondary Education	Higher Education
95	17.44	17.82	15.51	16.97
96	17.12	17.27	15.26	17.66
97	16.81	16.70	15.15	17.89
98	16.46	16.03	15.00	18.83
99	15.88	15.21	14.58	18.90
100	15.41	14.71	14.17	18.80

Source: Department of Statistics, Ministry of Education

Description: 1. Both full-time faculty member figures and student-to-teacher ratios for universities and colleges include teaching assistants. However, beginning in 2009 the figures for teaching assistants included in those for full-time faculty members include only those who had assumed teaching assistantships prior to March 21, 1997, whereas the figures in and before 2008 include all teaching assistants.

2. The 2011 academic year begins in August 2011 and ends in July 2012, and the other academic years are defined similarly.

33. Both labor force participation rates and total employment figures for the most recently 2 years show an upward trend. Affected by the global financial crisis in the second half of 2008, the unemployment rate rose gradually to 5.85% in 2009 with total employment falling to 10,279 thousand, a decline by 124 thousand from 2008, and the country's overall labor force participation rate dropping to 57.90%. In 2010 the unemployment fell slightly and both labor force participation rate and employment increased. In 2011 the unemployment rate dropped to 4.39% and employment rose to 10,709 thousand, with the labor force participation rate increasing to 58.17%. If the data is broken down by gender, female unemployment rates and labor force participation rates were all lower than those of their male counterparts. However, the female labor force participation rate in 2011 was 49.97%, an increase of 0.53 percentage points from 2007. The gap between the labor force participation rates of the genders narrowed from

17.8 percentage points in 2007 to 16.7 percentage points in 2011, which indicates that as higher education became more accessible, Taiwan's female population has improved in manpower quality and their contribution to the labor market has also become increasingly significant. As for employment figures in 2011, employment of the male population was 6.006 million and that of the female population was 4.702 million, which represent an increase of 138 thousand and 276 thousand, respectively, from 2007, with the percentage of increase in the female population (6.24%) being higher than that of the male population (2.35%).

**Table 19 Overview of labor market statistics by gender**

Unit: %

Year	Labor force participation rate	Labor force		Unemployment rate	Unemployment	
		Male	Female		Male	Female
2007	58.25	67.24	49.44	3.91	4.05	3.72
2008	58.28	67.09	49.67	4.14	4.39	3.83
2009	57.90	66.40	49.62	5.85	6.53	4.96
2010	58.07	66.51	49.89	5.21	5.80	4.45
2011	58.17	66.67	49.97	4.39	4.71	3.96

Unit: 1,000 persons

Year	Employed persons								
		Employed persons		Goods-producing			Services-producing		
		Male	Female		Male	Female		Male	Female
2007	10,294	5,868	4,426	3,788	2,592	1,197	5,962	2,899	3,063
2008	10,403	5,902	4,501	3,832	2,617	1,215	6,036	2,912	3,124
2009	10,279	5,776	4,502	3,684	2,511	1,173	6,051	2,885	3,166
2010	10,493	5,880	4,613	3,769	2,566	1,203	6,174	2,929	3,245
2011	10,709	6,006	4,702	3,892	2,658	1,233	6,275	2,962	3,313

Source: *Yearbook of Manpower Survey Statistics*, Directorate General of Budget, Accounting and Statistics; and Council of Labor Affairs, Executive Yuan

Description: Employment figures include persons employed by the following three sectors: "agriculture, forestry, fishery and animal husbandry," "Goods-producing industries" and "Services-producing industries."

34. In 2008, there were 473 thousand street vendors, a 6.5% increase from 2003. Female vendors accounted for 56.6% (267 thousand people), which was 62 thousand more than their male counterparts, and compared with 2003, female and male vendors increased by 6.8% and 6.2%, respectively. The government should provide active support for street vendors and illegal factories in order to help them become legitimized, as well as to pay more attention to the number of workers in the formal and informal economies and to confront the problems arising from non-discriminatory treatment of the workers in these two segments.

35. No. of labor unions at all levels and the no. of their members: In 2011 there were 5,042 labor unions of all levels, with members totaling 3,321,969; these figures represent an increase of 468 labor unions and 295,461 members, respectively, and the union membership organization rate also increased by 1.8 percentage points to 37.6%. In particular, there were 225 federations of labor unions composed of labor unions; 889 corporate unions with 529,685 members; and 3,891 craft unions with 2,757,499 members. The number of industrial unions has decreased gradually, and the organization rate has also declined.

**Table 20 Labor Unions and Members, 2007 - 2011**

Unit: Labor union; Person; %

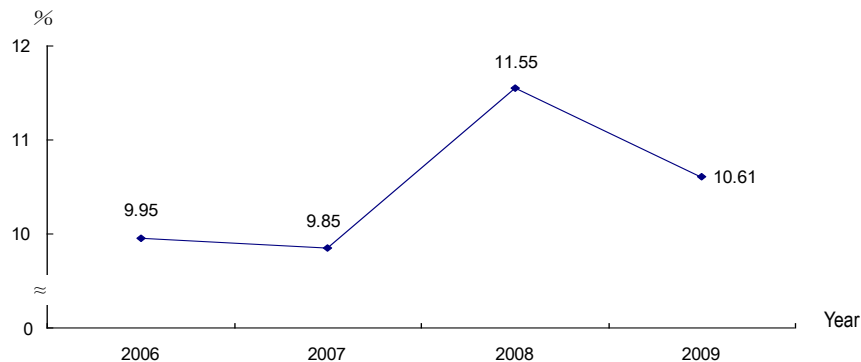
Year	Total				Federations of labor unions						Corporate unions		Industrial unions		Craft unions	
	Unions	Institutional members	Personal members	Organization rate	Comprehensive	Corporate and Industrial		Craft		Unions	Personal members	Unions	Personal members	Unions	Personal members	
					Institutional members	Institutional members	Institutional members	Institutional members								
2007	4,574	4,912	3,026,508	35.8	75	3,790	36	329	105	793	982	573,161	-	-	3,376	2,453,347
2008	4,663	5,228	3,043,223	36.1	77	4,253	35	291	104	684	959	523,289	-	-	3,488	2,519,934
2009	4,759	5,298	3,177,591	37.8	78	4,327	35	284	104	687	947	518,073	-	-	3,595	2,659,518
2010	4,924	5,317	3,216,502	37.3	78	4,342	34	287	104	688	890	520,947	-	-	3,818	2,695,555
2011	5,042	5,298	3,321,969	37.6	81	4,232	37	318	107	748	889	529,685	37	34,785	3,891	2,757,499

Source: Council of Labor Affairs, Executive Yuan

Description: Data is classified based on the Labor Union Act, amended and promulgated on May 1, 2011

36. The government has developed social security policies to provide universal access to healthcare and guarantee for minimum living standards. In 2009 the social security expenditure formulated or enforced by government reached NT\$10,317.5 billion (or 10.6% of GDP), which was an increase of 8.7% from 2006. In particular, total amount of social benefits directly paid to families or individuals totaled NT\$10,287 billion, with over 80% being spent on the prevention of medical and old age-related risks.

**Figure 2 Social security expenditures as percentages of GDP**



Source: Directorate General of Budget, Accounting and Statistics, Executive Yuan

37. The average rate economic growth rate was 3.84% between 2006 and 2011. The rate of economic growth rate in 2011 was 4.04%, with the nominal GDP being NT\$13.8 trillion and per capita GDP being US\$20,139. Apart from an increase in the consumer price index (CPI) by 3.53% in 2008, the annual changes of CPI in recent years were all lower than 2%, with the figure for 2011 being 1.42%. With respect to the labor market, in 2011 the total employment in the industrial and service sectors reached 10,167 thousand persons, an increase of 432 thousand persons from 2009. The labor force participation rate was 58.17% (with 49.97% for female); the gap in labor force participation rate for the genders has been decreased from 29.46 percentage points in 1990 to 16.70 percentage points.

**Table 21 General economic conditions**

Unit: NT\$100 million; NT\$; %

Year	Gross National Income (GNI)	Gross Domestic Product (GDP)	Per capita GDP (per capita GDP)	Economic growth rate	Annual Change of Consumer Price Index
2006	125,552	122,435	536,442	5.44	0.60
2007	132,433	129,105	563,349	5.98	1.80
2008	129,348	126,202	548,757	0.73	3.53
2009	128,951	124,811	540,813	-1.81	-0.87
2010	140,439	136,142	588,317	10.72	0.96
2011	141,492	137,570	593,365	4.04	1.42

Source: Directorate General of Budget, Accounting and Statistics, Executive Yuan

Description: Apart from the CPI, the other 4 indicators for 2011 are forecasts for the entire year.

38. In 2011 the Central Government's outstanding debts with maturity period longer than one year totaled NT\$4 trillion 636.5 billion, accounting for 34.88% of the average nominal GNP over the previous 3 years, which remained under the statutory debt limit of 40%. Debts owed to foreign countries and required in the earlier stage of the ROC's economic development were paid in full on September 15, 2011, and the ROC has since become a country free of foreign debts.

**Table 22 National debt profile**

Unit: NT\$100 million; %; US\$10,000

Year	The Central Government's debts with maturity period longer than one year		Outstanding foreign debt balance (USD)
	Outstanding balance	As a percentage of average nominal GNP over the previous 3 years	
2006	36,230	31.24	237
2007	37,187	30.71	190
2008	37,792	29.97	142
2009	41,280	31.97	95
2010	45,418	34.87	47
2011	46,365	34.88	0 (since Sept. 16, 2011)

Source: Ministry of Finance

Description: The Central Government's outstanding debt balances between 2006 and 2010 were approved figures, whereas that for 2011 was the actual figure.



## **B. Constitutional, Political and Legal Frameworks of the Country Submitting this Human Rights Report**

### **Constitutional, political and legal frameworks**

39. The system of government of the Republic of China, according to the Constitution, is led by the President as the nation's Head of State, under whom there are five separate branches of the government with their own functions and responsibilities: the Executive Yuan, Legislative Yuan, Judicial Yuan, Examination Yuan and Control Yuan.

40. The amended Executive Yuan Organization Act, promulgated by the President on February 3, 2010, took effect on January 1, 2012. The 37 Cabinet-level agencies of the Executive Yuan were reduced to 29, consisting of 14 ministries, 8 commissions, 3 independent institutions, the Central Bank, the National Palace Museum, and 2 Directorates-General. Prior to the new organization taking effect, the cabinet-level agencies of the Executive Yuan included 8 ministries: Ministry of the Interior, Ministry of Foreign Affairs, Ministry of National Defense, Ministry of Finance, Ministry of Education, Ministry of Justice, Ministry of Economic Affairs, Ministry of Transportation and Communications; 2 commissions: Mongolian and Tibetan Affairs Commission, and Overseas Compatriot Affairs Commission; and the Central Bank of the Republic of China (Taiwan); the Directorate General of Budget, Accounting and Statistics (DGBAS), Central Personnel Administration (renamed Directorate-General of Personnel Administration; DGPA), Government Information Office (GIO; the functions of which have been incorporated into the Executive Yuan and Ministry of Foreign Affairs), Department of Health (DOH), Environmental Protection Administration (EPA), National Palace Museum, and Mainland Affairs Council. In order to maintain a certain level of flexibility within the organization and to enhance the effectiveness of governance, the county's has developed the Basic Code Governing Central Administrative Agencies Organizations as the common standards for the organization of executive agencies in the Central Government.

41. The Legislative Yuan is the country's highest legislature. Members of the Legislative Yuan are legislators elected by the people and they exercise legislative power on behalf of their constituencies. They have the power to resolve proposed bills, budget and audit bills, martial law, amnesty, declaration of war, conclusion of peace treaties and other important national matters.

All statutes, whatever they are named, must be passed by the Legislative Yuan and promulgated by the President before they become the law of the land. Constitutional amendments and alterations of national territory must first be passed by the Legislative Yuan as resolutions before they are put to national referendums in accordance with the provisions of the Additional Articles of the Constitution of The Republic of China. Therefore, based on the nature and function of its authority, the Legislative Yuan is the equivalent of the unicameral parliament of a democracy.

### **The Judiciary**

42. Pursuant to Article 5 of the Additional Articles of the Constitution, the Judicial Yuan shall have 15 grand justices. The 15 grand justices, including a president and a vice president of the Judicial Yuan to be selected from amongst them, shall be nominated and, with the consent of the Legislative Yuan, appointed by the President of the Republic. Each grand justice of the Judicial Yuan shall serve a term of eight years, independent of the order of appointment to office, and shall not serve consecutive terms. The grand justices serving as president and vice president of the Judicial Yuan shall not enjoy the guarantee of an eight-year term. Methods of exercising powers by grand justices pursuant to the Organic Act of Judicial Yuan: (1) Council of Grand Justices: The grand justices convene the Council of Grand Justices to conduct hearings and interpretation of the Constitution and to provide uniform interpretation of laws; (2) Constitutional Court: The grand justices convene the Constitutional Court to conduct trials on the impeachment of the President and Vice President and the unconstitutionality of political parties and their dissolutions.

43. Pursuant to the provisions of the Court Organization Act, there are three levels of courts: the Supreme Court, the High Courts and their branch courts, and the District Courts and their branch courts. The courts engage in civil and criminal trials as well as other legal proceedings required by law. In addition, the courts have jurisdiction over non-litigation cases. Generally trials are conducted based on the three-level, three-instance system, with the first and second instances being conducted based on matters of fact, and the third instance being conducted as legal review. On October 3, 1999, the Supreme Court and the High Courts (and their divisions) began hearing military appeal cases with sentences handed down by military courts involving at least imprisonment.

44. Establishment of administrative court for administrative litigations and trials. Beginning on September 6, 2012, the three-level, two-instance system shall be adopted for administrative litigation cases. For cases applying summary proceeding and concerning traffic sanctions, the Administrative Litigation Division of District Courts shall be the courts of first instance (trial on matters of fact) and the High Administrative Courts shall be the court of second instance (legal review). For cases applying ordinary proceeding, the High Administrative Courts shall be the courts of first instance (trial on matters of fact) and the Supreme Administrative Court shall be the court of second instance (legal review).

45. Establishment of Intellectual Property Court for litigations and trials involving intellectual property rights.

46. Establishment of Juvenile and Family Court for litigations and trials involving juvenile and family cases or incidents.

47. Establishment of the Commission on the Disciplinary Sanctions of Functionaries to make disciplinary decisions on civil servants.

48. According to Article 80 of the Constitution, judges shall be impartial, and they shall try cases independently, in accordance with law, and be free from any interference. Article 81 of the Constitution also declares that judges shall hold office for life. No judge shall be removed from office unless he has been guilty of a criminal offense or subjected to disciplinary action, or declared to be under interdiction. No judges shall, except in accordance with law, be suspended from office, transferred, or liable to salary cuts. Pursuant to Article 9, Article 11 and Article 12 of the Judicial Personnel Act (required by Article 5 of the Judges Act, beginning on July 6, 2012), the criteria of appointing judges to the Supreme Court, High Courts (and their divisions) and the District Courts (and their divisions) have been clearly defined.

49. The Grand Justice is empowered to make judicial interpretations that will be binding on all government agencies and citizens. Each government agency shall proceed in accordance with the interpretation, and any laws or regulations that are deemed unconstitutional shall be amended or repealed. Among the judicial interpretations made by Grand Justices, cases of human comprise the largest category, accounting for about 90% of all cases. In particular, the most representative cases include equal rights protected by the Constitution (Article 7), personal freedom (Article 8),

freedom of speech (Article 11), right to own property (Article 15) and right to present petitions, lodge complaints, and institute legal proceedings (Article 16). In addition, the Grand Justices have derived the right of an individual to select one's own name, right to privacy, freedom of contract and general freedom of movement from Article 22 of the Constitution.

50. The Republic of China has established Human Rights Advisory Committee under the Office of the President. The Committee is responsible for promoting the fundamental rights guaranteed by the Constitution, compliance with international human rights standards and the enhancement of human rights policy advisory functions. The Executive Yuan has established a human rights task force to promote and implement basic human rights protection policy and to conduct actual review and oversight of various agencies of the Executive Yuan with regard to the execution of policies relevant to human rights. The task force is also responsible for reviewing laws, regulations, orders and various administrative measures pursuant to the provisions of the Two Covenants and the Act to Implement the ICCPR and the ICESCR. The Examination Yuan has also established a human rights task force that oversees the implementation of human rights policy by the Examination Yuan and its subordinating agencies. The Control Yuan has established a Human Rights Protection Committee, which is responsible for accepting and investigating complaints on possible human rights violations.

## **Assessment indicators for the implementation and enforcement of human rights policy -**

### **Political system indicators**

#### **Electoral System**

51. In order for the country to have an unbiased and neutral electoral authority that is free of improper influence and interference from political parties so that all elections would be fair and impartial, the Organic Act for Central Election Commission was promulgated on June 10, 2009. The Commission was designated as an independent agency with members of the Commission being independent from political parties and responsible for carrying out their authority in an independent fashion. Members of the Commission serve a four-year term, and no political party shall have more than one-third of membership in the Commission. Elections of public officials in the Republic of China include the following 9 categories: President and the Vice President, Legislators, Council Members of Special Municipalities, Council Members of Counties (Cities),

Council Members of townships (county-controlled cities), Mayors of Special Municipalities, Magistrates of Counties (and Mayors of Cities), Mayors of townships (county-controlled cities), Chiefs of villages (boroughs).

52. The election of the President and the Vice President: Beginning with the election of the 9th-term President and Vice President in 1996, citizens of the free area of the Republic of China engaged in direct election of their national leaders. Citizens of the free area of the ROC residing abroad were permitted to return to the ROC to vote in the election. An elector mark his or her choice of candidate pair as a group on the ballot, and the candidate pair that received the most number of votes won the election. The terms of office for both the President and the Vice President shall be four years. The President and the Vice President may only be re-elected to serve one consecutive term. Candidates for presidency and vice presidency may be recommended by political parties that have met the following criteria: the party eligible for recommending a candidate must have received at least 5% of all valid votes by its candidate for the most recent presidential and vice presidential election or Legislative election. A potential candidate who has not been recommended by a political party may secure his or her candidacy by joint endorsement, whereas the number of joint signers must be at least 1.5% of the total number of electors for the most recent Legislative election.

53. Elections of the Legislative Yuan: Beginning with the Seventh Legislative Yuan of 2008, the Legislative Yuan shall have 113 members whose tenure is four years, which is renewable after re-election. There are three categories of members of the Legislative Yuan: (1) Seventy-three members shall be elected from the Special Municipalities, counties, and cities in proportion to the population of each aforementioned administrative district, which shall be divided into electoral constituencies equal in number to the number of members to be elected, with at least one member elected from each county and city. (2) Three members each shall be elected from among members of the plain areas and highland indigenous communities, with no additional electoral districts designated. (3) A total of thirty-four members shall be elected as at-large and overseas compatriot members based on the lists of political parties in proportion to the number of votes won by each party that obtains at least 5 percent of the total vote. The number of elected female members from each party list shall be no less than one-half of the total

number thirty-four. During election, voters shall cast two ballots, one to vote for the electoral constituency or for an indigenous legislator, and one for the political party.

54. Elections of chief executives of local administrations: Each special municipality government, county (city) government, township (county-controlled city) office, village (borough) shall have, respectively, one mayor, one county magistrate (city mayor), mayor of township (or county-controlled city), village (borough) chief, who is elected by citizens of the special municipality, county (city), township (county-controlled city) and village (borough) , respectively, and each elected official is determined by the candidate who has received the largest number of votes in that election. With the exception of village (borough) chief, who may be re-elected an indefinite number of times, the mayor, magistrate, or mayor of a special municipality, county (city) or township (county-controlled city), respectively, may only be re-elected to serve one consecutive term. As of 2011, there were five mayors of special municipalities, 17 county magistrates (or mayors of cities), 211 township mayors (or mayors of county-controlled cities), and 7,835 village (borough) chiefs in the country.

55. Elections of local representatives: Council members of special municipalities, counties (cities), townships (county-controlled cities) are based either on regional or as indigenous constituency, and they are elected by the non-indigenous and indigenous citizens within these special municipalities, counties (cities) and townships (county-controlled cities), respectively. Each elected official is determined by the candidate who has received the largest number of votes in that election, and who may be re-elected for an indefinite number of terms, with guaranteed quotas reserved for women. There are currently a total of 314 council members of special municipalities, 592 county (city) council members, 2,322 council members at the township (or county-controlled city) level.

56. Between 2006 and 2011, there were a total of 209 officially registered political parties.

57. There were four nationwide political associations established with permission between 2006 and 2011.

58. A citizen who meets the criteria of an elector shall be automatically included in the official voter's list by the household registration authority, and he or she is not required to register as a voter.

**Table 23 Legislative Yuan Elections - No. of Electors**

Unit: Person; %

Year	Election	Population	No. of Electors	Ratio of Electors to Total Population (%)
2008	Election of legislators of nationwide constituency and among citizens residing abroad	22,925,311	17,288,551	75.41
	Election of legislators of regional constituency	22,443,311	16,856,584	75.11
	Election of legislators by aboriginal constituency	482,000	323,072	67.70
2012	Election of legislators of nationwide constituency and among citizens residing abroad	23,224,912	18,090,295	77.89
	Election of legislators of regional constituency	22,704,928	17,625,632	77.63
	Election of legislators by aboriginal constituency	519,984	354,946	68.26

Source: Central Election Commission

**Table 24 Elections of Local Government Officials - No. of Electors**

Unit: Person; %

Election	Population	No. of Electors	Ratio of Electors to Total Population (%)
Elections of County Magistrates and City Mayors, 2009	9,346,529	7,051,039	75.44
Elections of County and City Council Members, 2009	9,346,529	7,036,653	75.29
Elections of Special Municipality Mayors, 2010	13,793,251	10,663,545	77.31
Elections of Special Municipality Council Members, 2010	13,793,251	10,629,560	77.06

Source: Central Election Commission

59. Refer to Table 25 for the violations of electoral regulations between 2008 and 2010.

**Table 25 Violations of electoral regulations, 2008-2010 - Criminal cases**

Unit: Person

Election	No. of persons convicted of vote-buying with all avenues of appeal exhausted	No. of persons convicted of election-related violence with all avenues of appeal exhausted	No. of persons convicted of election-related criminal offense with all avenues of appeal exhausted
Elections of the Legislative Yuan, 2008	863	9	15
Election of the President and the Vice President, 2008	53	4	2
Elections of County Magistrates and City Mayors, 2009	35	1	4
Elections of County and City Council Members, 2009	621	4	65
Elections of township mayors, 2009	303	2	40
Elections of Special Municipality Mayors, 2010	2	0	0
Elections of Special Municipality Council Members, 2010	322	1	4
Elections of township council members and village (borough) chiefs, 2010	652	5	105
Elections of Special Municipality borough chiefs, 2010	281	5	51

Source: Supreme Prosecutors Office; data as of December 31, 2011.



**Table 26 Violations of electoral regulations, 2008-2010 - Administrative sanction cases**

Behavioral Pattern	Election											
	No. of cases	Elections of the Legislative Yuan, 2008	Election of the President and the Vice President, 2008	Elections of County Magistrates and City Mayors, 2009	Elections of County and City Council Members, 2009	Elections of township mayors, 2009	Elections of village (borough) chiefs, 2010	Elections of township (county-controlled city) council members, 2010 Election	Elections of Special Municipality Mayors, 2010	Elections of Special Municipality Council Members, 2010	Elections of Special Municipality borough chiefs, 2010	Total
Setting up illegal campaign offices			1									1
Election officials campaigning for candidates		1			4		2					7
Failure to disclose originators of campaign advertisements in newspapers or magazines		1										1
Publicity materials have not been signed properly		1		2	1			2	5	5		16
Illegal display of campaign signs, billboards and banners and other campaign material										1		1

Source: Central Election Commission

60. With respect to a suspect case of violation of electoral law by the electoral authority or a candidate, one may file a lawsuit of invalid election or one claiming an electee to be invalid. In lawsuits filed by candidates to invalidate elections, the number of offending electees ruled as invalid electees by the courts between 2006 and 2010 was 109.

61. The allocation of legislators' seats to various political parties is as follows: In the 7th Legislative Yuan, the number of legislators to be elected was 113: Kuomintang (81), Democratic Progressive Party (27), People First Party (1), Non-Partisan Solidarity Union (3), and 1 seat was won by a candidate with no political affiliation. In the 8th Legislative Yuan, the number of legislators to be elected was 113: Kuomintang (64), Democratic Progressive Party (40), People

First Party (3), Taiwan Solidarity Union (3), Non-Partisan Solidarity Union (2), and 1 seat was won by a candidate with no political affiliation.

62. The percentages of female members of the Legislative Yuan legislators are shown in Table 27 below.

**Table 27 Legislative Yuan Elections - No. of electees and gender ratios**

Unit: Person; %

Year	Election	Total	Male	Female	Percentage of women elected (%)
2008	Total	113	79	34	30.09
	Election of legislators of nationwide constituency and among citizens residing abroad	34	17	17	50.00
	Election of legislators of regional constituency	73	57	16	21.92
	Election of legislators by aboriginal constituency	6	5	1	16.67
2012	Total	113	75	38	33.63
	Election of legislators of nationwide constituency and among citizens residing abroad	34	16	18	52.94
	Election of legislators of regional constituency	73	54	19	26.03
	Election of legislators by aboriginal constituency	6	5	1	16.67

Source: Central Election Commission

**Table 28 Elections of Local Government Officials - No. of electees and gender ratios**

Election	Total	Male	Female	Unit: Person; %
				Percentage of women elected (%)
Elections of County Magistrates and City Mayors, 2009	17	14	3	17.65
Elections of County and City Council Members, 2009	592	430	162	27.36
Elections of Special Municipality Mayors, 2010	5	4	1	20.00
Elections of Special Municipality Council Members, 2010	314	207	107	34.08

Source: Central Election Commission

63. County (city) mayoral elections were scheduled for 2009, and special municipality mayoral and council member elections were scheduled for 2010. All elections were held on schedule, a 100% completion rate.

64. Refer to Table 29 for the average number of voters in local and national elections broken down by administrative district.

**Table 29 Elections of Central Government Officials - Legislators - No. of voters and gender ratios**

Unit: Person; %

Year	Election	No. of Electors	No. of voters	Voter turnout (%)	Gender voting rate (%)	
					Male	Female
2008	Election of legislators of nationwide constituency and among citizens residing abroad	17,288,551	10,076,239	58.28	58.50	58.09
	Election of legislators of regional constituency	16,856,584	9,897,618	58.72	Statistics have not been compiled	
	Election of legislators by aboriginal constituency	323,072	153,001	47.36	Statistics have not been compiled	
2012	Election of legislators of nationwide constituency and among citizens residing abroad	18,090,295	13,445,992	74.33	Statistics have not been compiled	
	Election of legislators of regional constituency	17,625,632	13,170,279	74.72	Statistics have not been compiled	
	Election of legislators by aboriginal constituency	354,946	220,045	61.99	Statistics have not been compiled	

Source: Central Election Commission

Description: No gender voting rate statistics were compiled for elections in 2012.

65. Elections of Central Government Officials: For the 2008 Presidential and Vice Presidential Election, the total number of electors was 17,321,622, accounting for 75.56% of the total population of 22,925,311. For the 2012 Presidential and Vice Presidential Election, the total number of electors was 18,086,455, accounting for 77.88% of the total population of 23,224,912.

**Table 30 Elections of Central Government Officials - Presidential and Vice Presidential****Elections - No. of electors and voters; Gender ratios**

Unit: Person; %

Year	No. of Electors	No. of voters	Voter turnout (%)	Gender voting rate (%)	
				Male	Female
2008	17,321,622	13,221,609	76.33	75.02	77.65
2012	18,086,455	13,452,016	74.38	73.47	75.26

Source: Central Election Commission

**Table 31 Elections of Local Government Officials**

Unit: Person; %

Election	No. of Electors	No. of voters	Voter turnout (%)	Gender voting rate (%)	
				Male	Female
Elections of County Magistrates and City Mayors, 2009	7,051,039	4,466,403	63.34	62.90	63.68
Elections of County and City Council Members, 2009	7,036,653	4,460,846	63.39	—	—
Elections of Special Municipality Mayors, 2010	10,663,545	7,647,135	71.71	71.05	72.35
Elections of Special Municipality Council Members, 2010	10,629,560	7,627,923	71.76	—	—

Source: Central Election Commission

Description: Surveys of gender voting rates were not conducted for the elections of council members.

66. Pursuant to the provisions of the Referendum Act, the number of proposers of a national referendum shall not be less than 5% of the total electors in the most recent election of President and Vice President at the time the referendum is proposed. The number of joint signers shall not be less than 5% of the total electors in the most recent election of President and Vice President at the time the referendum is proposed. As regard to the result of voting for a proposal of referendum, if the number of voters reaches not less than 1/2 of the total persons having the right of voting in the country and more than 1/2 of the valid ballots agree, the proposal is adopted.

67. Questions and results of national referendums:

(1) Question 1: The People of Taiwan demand that the Taiwan Strait issue be resolved through peaceful means. Should Communist China refuse to withdraw the missiles it has targeted at Taiwan and to openly renounce the use of force against us, would you agree that the Government should acquire more advanced anti-missile weapons to strengthen Taiwan's self-defense capabilities?

(2) Question 2: Would you agree that our Government should engage in negotiation with Communist China on the establishment of a "peace and stability" framework for cross-strait interactions in order to build consensus and for the welfare of the peoples on both sides?

(3) Question 3: Do you agree that the following principles should be followed to legislate a "Statute on the Disposition of Assets Improperly Obtained by Political Parties," in order to return such properties of the Kuomintang to the people?: Properties of the Kuomintang and its associated organizations – outside of party dues, political donations, and public campaign subsidies – should be presumed inappropriately acquired and returned to the people. Those already liquidated, the party should compensate at market value.

(4) Question 4: Do you agree that legislation should be enacted to investigate the responsibility of leaders of the nation and their subordinates, when there is grave damage to the nation due to their wrongful intentions or gross negligence in carrying out their duties? Further, do you agree that Commissions of Inquiry should be set up by the Legislative Yuan to investigate such matters; and that the departments of the government should cooperate fully without resistance, in order that the benefits of the people will be preserved? That the personnel criminally at fault should be punished and their illegal income be recovered?

(5) Question 5: In 1971, the People's Republic of China joined the United Nations, replacing the Republic of China and causing Taiwan to become an orphan in the world. To strongly express the will of the people of Taiwan and to enhance Taiwan's international status and participation in international affairs, do you agree that the government should apply for UN membership under the name "Taiwan"?

(6) Question 6: Do you agree that our nation should apply to return to the United Nations and join other international organizations based on pragmatic, flexible strategies with respect to

the name [under which we apply to and participate in them]? That is: Do you approve of applying to return to the United Nations and to join other international organizations under the name “Republic of China”, or “Taiwan”, or other name that is conducive to success and preserves our nation’s dignity?

**Table 32 Overview of national referendums**

Case No.	Election date	Election results	Cause
1	March 20, 2004	Defeated	Voter turnout (45.17%) was less than the required 1/2 of the total number of persons having the right of voting
2	March 20, 2004	Defeated	Voter turnout (45.12%) was less than the required 1/2 of the total number of persons having the right of voting
3	January 12, 2008	Defeated	Voter turnout (26.34%) was less than the required 1/2 of the total number of persons having the right of voting
4	January 12, 2008	Defeated	Voter turnout (26.08%) was less than the required 1/2 of the total number of persons having the right of voting
5	March 22, 2008	Defeated	Voter turnout (35.82%) was less than the required 1/2 of the total number of persons having the right of voting
6	March 22, 2008	Defeated	Voter turnout (35.74%) was less than the required 1/2 of the total number of persons having the right of voting

Source: Central Election Commission

**Table 33 Detailed voting statistics of national referendums**

Case No.	Total no. of persons with the right to vote	No. of persons who voted	Yea vote	Nay vote	Invalid or blank votes	Voter turnout	No. of persons who voted Result
1	16,497,746	7,452,340	6,511,216	581,413	359,711	45.17%	Defeated
2	16,497,746	7,444,148	6,319,663	545,911	578,574	45.12%	Defeated
3	17,277,720	4,550,881	3,891,170	363,494	296,217	26.34%	Defeated
4	17,277,720	4,505,927	2,304,136	1,656,890	544,901	26.08%	Defeated
5	17,313,854	6,201,677	5,529,230	352,359	320,088	35.82%	Defeated
6	17,313,854	6,187,118	4,962,309	724,060	500,749	35.74%	Defeated

Source: Central Election Commission

68. Questions and results of local referendums: (1) Kaohsiung City: The number of students in each class should be reduced appropriately in order to improve student learning. In Kaohsiung City, the maximum class size for grades 1, 3 and 5 in public elementary schools and for junior high schools was capped at 31 beginning from the 2007 academic year (August 2007 - July 2008), and the maximum size will be decreased by 2 each year thereafter. In the 2010 academic year (August 2010 - July 2011), the maximum class size will be 25. ; (2) Penghu County: Should international tourist casino resorts be permitted to be built in Penghu County?

**Table 34 Overview of local referendums**

Administrative region	Case No.	Election date	Election results	Cause
Kaohsiung City	1	November 15, 2008	Defeated	Voter turnout (5.35%) was less than the required 1/2 of the total number of persons having the right of voting
Penghu County	1	September 26, 2009	Defeated	The percentage of valid "Yes" votes (42.88%) is less than that required to pass the referendum (50%)

Source: Central Election Commission

**Table 35 Detailed voting statistics of local referendums**

Administrative region	No. of citizens with voting rights	No. of voters	Yea vote	Nay vote	Invalid or blank votes	Voter turnout	Election results
Kaohsiung City	1,159,368	62,068	53,375	5,432	261	5.35%	Defeated
Penghu County	73,651	31,054	13,316	17,440	298	42.16%	Defeated

Source: Central Election Commission

### **Freedom of expression indicators**

69. Article 11 of the Constitution stipulates that the people shall the freedom of speech, teaching, writing, and publication.

70. National Communications Commission (NCC) was established in 2006 with the organizational objectives of the following: reinforcing constitutionally guaranteed freedom of speech, adhering to the spirit of the policy of "party, state, and military withdrawal from the media," facilitating the sound development of communications industry, safeguarding the



professional autonomy of the media, handling communications administrative duties effectively, ensuring a fair and effective competition in the communications market, protecting consumers and respecting the interests of disadvantaged groups, promoting a balanced development of cultural diversity, and enhancing national competitiveness.

71. Pursuant to Article 13 of the Fundamental Communications Act, the National Communications Commission shall submit a performance report and recommendations for improvements annually concerning the sound development of communications, the safeguarding of citizens' rights, the protection of consumers' interests, the improvement of cultural diversity, the protection for the rights of disadvantaged groups and interests, and the provision of universal services.

72. With the repeal of the Publication Act, the government has ceased to carry out the policy of pre-intervention with respect to the content of news reports and the operations of news organizations, and the media has been free to publish news information.

73. The Radio and Television Act is enacted to promote the healthy development of radio/television businesses; ensure media professionalism and independence; protect the rights and interests of the public to obtain audiovisual material; and enhance public benefits, interests, and welfare.

74. The acquisition and allocation of radio channels and TV broadcast frequencies shall be as balanced and widespread as possible. Appropriate frequencies have been reserved to publicize national policies, meet educational needs, raise the cultural standard, broadcast terrestrial educational programs, and conduct international broadcast in order to ensure the fair and equal opportunities for the acquisition and allocation of radio channels and TV broadcast frequencies. The Radio and Television Act applies to the radio and television broadcasting industry.

75. In order to enhance the coverage of digital terrestrial television broadcast and to accelerate the schedule of full digitization of terrestrial television, the objective of exceeding the existing population coverage by analog terrestrial television airwaves has been adopted for the construction of Taiwan's digital terrestrial TV improvement stations ("improvement stations"). Currently analog terrestrial television airwaves cover about 80% of the population, and as of the end of 2010, the corresponding digital terrestrial television coverage was 96.24%. A total of 34

and 9 improvement stations have been planned for 2011 and 2012, respectively, and it is estimated that a 96.77% in airwave population coverage rate will be achieved.

76. Household penetration rate of digital cable TV is 11.28%; the corresponding penetration rate for analog cable TV is 62.28% (household penetration rate: No. of households with access to service / total no. households in the country; data as of December 31, 2011)

**Table 36 Statistics of analog cable TV and digital terrestrial TV penetration and coverage rates**

		Unit: %				
Item	Year	2007	2008	2009	2010	2011
	Household penetration rate of analog cable TV service		62.37	63.81	63.80	64.06
Population coverage rate of digital terrestrial TV airwaves		90.05	90.05	96.20	96.24	96.65

Source: National Communications Commission (digital terrestrial TV coverage data is obtained with L&S simulation software)

### **Non-governmental organizations**

77. The organization and activities of the Republic of China's civil associations are governed by the Civil Associations Act. Each civil association is classified, based on its attributes, as a social association, occupational association or political association (including political party). Current administrative regime requires that civil associations be established on an approval basis, except in the case of political parties (in the political association category), where only registration with the regulating authority is required; a general registration system has not yet been implemented. The procedure for establishing a civil association is as follows: (1) To apply for the establishment of a civil association, the initiators shall prepare the required documents for the application process. (2) An initiators and preparatory meeting shall be convened, and an establishment conference shall be held. (3) Upon approval of registration, the association will be issued an accreditation certificate and an official seal by the regulating authority. (4) To apply for the status of a juridical association through registration (the association may apply directly to a District Court as required). As of 2011, there were a total of 9,570 national social associations

in the country. The country's industrial, commercial and freelance associations at all levels totaled 5,213 (including 173 industrial organizations, 2,399 commercial organizations and 2,641 freelance groups). In addition, political parties that have registered with the regulating authority totaled 209. There were also a total of 43 political associations operating at the national level.

### **Crime and Justice Indicators**

78. The national crime rate decreased from 2,246.76 per 100,000 population in 2006 to 1,505.61 in 2011. The number of suspects rose from 229,193 in 2006 to 262,210 in 2011 (with female suspects accounting for 18.14%). The number of victims increased from 28,623 in 2006 to 40,298 in 2011 (with female victims accounting for 42.32%).

79. The numbers of murder cases between 2006 and 2011 are as follows: 921, 881, 803, 832, 743 and 681, and the incidence rates (per 100,000 population) are 4.04, 3.84, 3.49, 3.61, 3.21 and 2.94, respectively, which indicate a downward trend. The number of crime suspects decreased from 1,715 in 2006 to 1,405 in 2011, and the offender rate (number of suspects per 100,000 population) also declined from 7.51 in 2006 to 6.06 in 2011, with male offenders (over 90%) and adult offenders (50%-60%) being the largest categories.

80. For violent crimes or other serious offenses (e.g. homicides, robberies, committing bodily harm to others and smuggling), the number of persons arrested / tried / convicted / sentenced / serving sentence and their proportions (per 100,000 population) are as follows: The numbers of cases of violent crimes or other serious offenses between 2006 and 2011 are as follows: 12,226; 9,534; 8,117; 6,764; 5,312 and 4,141, and the incidence rates (per 100,000 population) are 53.57, 41.60, 35.29, 29.31, 22.95 and 17.85, respectively, which also indicate a downward trend. The number of suspects decreased from 7,978 in 2006 to 4,927 in 2011, and the offender rate (number of suspects per 100,000 population) also declined from 34.96 in 2006 to 21.24 in 2011, with male offenders (over 90%) and adult offenders (60%-70%) being the largest categories.

81. The numbers of cases of forced sexual intercourse between 2006 and 2011 are 2,260; 2,481; 2,319; 2,073; 1,959 and 1,758, respectively.

82. In 2006, the number of police officers per 100,000 population in the Republic of China was 281, and since then the number has been relatively stable, varying between 284 as of the end of 2010 and 278 as of the end of 2011 (with the number of female police officers being 16).

Between 2006 and 2011 the final accounts of expenditures on Central Government police administration were NT\$23,818,540,241, NT\$23,100,478,322, NT\$23,637,043,617, NT\$22,832,794,269, NT\$23,214,352,399 and NT\$22,670,011,850, respectively.

83. For violent crimes or other serious offenses (e.g. homicides, robberies, committing bodily harm to others and smuggling), the number of persons tried, convicted and sentenced and their proportions (per 100,000 population) are as follows:

**Table 37 Homicide statistics**

Unit: Person

Year	Criminal cases tried in District Courts in the first instance	Criminal cases tried in High Courts in the second instance	Supreme Court
	Individuals Sentenced	Individuals Sentenced	Individuals
2006	471	604	252
2007	519	681	220
2008	410	545	273
2009	385	467	264
2010	320	424	264
2011	313	318	269

Source: Statistics Department, Judicial Yuan

Description: The data include crimes specified in Article 271 (offense of homicide), Article 272 (offense of killing one's lineal blood ascendant), Article 273 (offense of killing another person by righteous indignation), Article 274 (crime of causing death of newborn by birth mother), Paragraph 1, Article 332 (offense of homicide in the course of committing robbery) and Paragraph 1, Article 334 (offense of homicide in the course of committing piracy) of the Criminal Code of the Republic of China.

**Table 38 Robbery-related statistics**

Unit: Person

Year	Criminal cases tried in District Courts in the first instance	Criminal cases tried in High Courts in the second instance	Supreme Court
	Individuals Sentenced	Individuals Sentenced	Individuals Sentenced
2006	2,343	1,014	456
2007	2,280	1,020	406
2008	2,170	874	384
2009	1,867	881	485
2010	1,503	689	443
2011	1,204	601	390

Source: Statistics Department, Judicial Yuan

Description: The data include crimes specified in Article 325 (offense of abrupt taking of other's property), Article 326 (offense of aggravated abrupt taking), Article 328 (offense of robbery), Article 329 (offense of quasi-robbery) and Article 330 (offense of aggravated robbery) of the Criminal Code of the Republic of China.

**Table 39 Statistics of the offense of committing bodily harm to others**

Unit: Person

Year	Criminal cases tried in District Courts in the first instance	Criminal cases tried in High Courts in the second instance	Supreme Court
	Individuals Sentenced	Individuals Sentenced	Individuals Sentenced
2006	4,817	1,018	155
2007	4,549	1,144	174
2008	4,310	1,140	211
2009	4,554	941	194
2010	4,654	1,091	186
2011	4,425	1,086	198

Source: Statistics Department, Judicial Yuan

Description: The data include crimes specified in Article 277 (offense of causing injury to others), Article 278 (offense of causing serious physical injury to others), Article 279 (offense of causing injury to others in the heat of

passion) and Article 283 (offense of affray) of the Criminal Code of the Republic of China.

**Table 40 Statistics for smuggling (criminal offenses specified in the Smuggling Punishment Act)**

Unit: Person

Year	Criminal cases tried in District Courts in the first instance	Criminal cases tried in High Courts in the second instance	Supreme Court
	Individuals Sentenced	Individuals Sentenced	Individuals Sentenced
2006	93	58	36
2007	96	41	19
2008	134	42	19
2009	385	171	55
2010	174	293	146
2011	45	93	77

Source: Statistics Department, Judicial Yuan

84. Statistics of pending cases per judge are as follows:

**Table 41 Statistics for pending cases per judge in the court hierarchy**

Unit: Case

Year	District Courts				High Courts		Supreme Court	
	Civil	Family	Criminal	Juvenile	Civil	Criminal	Civil	Criminal
2006	323.58	151.34	75.87	74.19	59.14	52.75	16.23	15.50
2007	372.74	157.85	80.89	85.72	60.54	46.33	12.95	16.58
2008	231.58	172.17	83.86	87.80	54.38	37.23	10.05	12.73
2009	102.81	148.30	67.92	87.23	55.42	34.80	9.00	9.93
2010	84.11	145.58	68.80	91.15	57.01	34.79	12.53	13.20
2011	83.75	143.02	68.37	101.21	56.79	32.33	12.47	12.52

Year	Intellectual Property Court				High Administrative Court	Supreme Administrative Court
	First-Instance Civil Procedure	Civil - Court of Second instance	Criminal	Administrative litigation	Administrative litigation	Administrative litigation
2006	—	—	—	—	49.29	7.61
2007	—	—	—	—	43.51	6.61
2008	20.22	—	10.83	21.50	38.30	2.24
2009	39.01	—	16.08	24.52	36.34	0.00
2010	54.50	—	17.33	28.50	34.99	1.07
2011	255.74	16.87	12.50	16.27	40.23	3.92

Source: Statistics Department, Judicial Yuan

Description: 1. For District Court trials, civil cases exclude family and criminal cases exclude juvenile ones.

2. In the High Courts, full-time and part-time judges are listed for the Family and Juvenile courts, and it is not possible to calculate the average number of pending cases for each judge.

3. For Supreme Court data, only cases that have reached the judges are included and those that are pending are excluded.

4. Beginning in 2011, some judges of the Intellectual Property Court civil first instance cases and the remaining judges are responsible for civil second instance, criminal and administrative litigation cases.

85. Statistics for the number of judges per 100,000 population are as follows:

**Table 42 No. of judges per 100,000 population**

Unit: Person

Year	Total population	No. of serving judges (including the President of Judicial Yuan, Division-Chief Judges and Commissioners)	No. of judges per 100,000 population
2006	22,876,527	1,643	7.18
2007	22,958,360	1,649	7.18
2008	23,037,031	1,697	7.36
2009	23,119,772	1,743	7.53
2010	23,162,123	1,804	7.78
2011	23,224,912	1,887	8.12

Source: Judicial Yuan

Description: The source of total population data is the Department of Household Registration Affairs, Ministry of the Interior; the number of serving judges is obtained from the Judicial Yuan.

86. No. of prosecutors per 100,000 population: There were 1,109 prosecutors in 2006, i.e. 4.9 prosecutors per 100,000 population. There were 1,175 prosecutors in 2007, i.e. 5.1 prosecutors per 100,000 population. There were 1,225 prosecutors in 2008, i.e. 5.3 prosecutors per 100,000 population. In 2009, the number of prosecutors was 1,266, or 5.5 per 100,000 population; for 2010, the number of prosecutors was 1,316, or 5.7 per 100,000 population; and as of the end of October 2011, the number of prosecutors was 1,359, or 5.9 per 100,000 population.

87. In order to maintain the independence of the judiciary, the independent allocation of budgetary estimates for the judiciary is guaranteed by the Constitution, beginning in 1999. Since 2005, budget that provides financial support for Legal Aid Foundation has been allocated by the Judicial Yuan pursuant to the provisions of the Legal Aid Act in order to provide necessary the legal aid to individuals who are unable to be properly protected by the law and to protect the people's rights in general. Over the past five years, judicial expenditures has accounted for about 1.03% to 1.09% of total public expenditure.



**Table 43 Overview of the budgetary estimates and allocations of the Judicial Yuan and its subordinate agencies as percentages of the Central Government General Budget**

Unit: NT\$

Item	2011			2010		
	Current Account	Capital Account	Total	Current Account	Capital Account	Total
Funding for the Legal Aid Foundation	692,309	214,090	906,399	700,150	218,677	918,827
Statutory Budget	18,202,992	1,138,781	19,341,773	17,963,648	765,240	18,728,888
Central Government General Budget	1,501,865,101	267,979,083	1,769,844,184	1,457,793,324	257,144,079	1,714,937,403
Budget of the Judicial Yuan and its subordinate agencies as a percentage of the General Budget	1.21	0.42	1.09	1.23	0.30	1.09
Item	2009			2008		
	Current Account	Capital Account	Total	Current Account	Capital Account	Total
Funding for the Legal Aid Foundation	781,528	217,458	998,986	637,156	310,340	947,496
Statutory Budget	17,866,208	827,322	18,693,530	16,749,701	1,512,826	18,262,527
Central Government General Budget	1,476,880,450	332,786,554	1,809,667,004	1,418,242,468	267,613,985	1,685,856,453
Budget of the Judicial Yuan and its subordinate agencies as a percentage of the General Budget	1.21	0.25	1.03	1.18	0.57	1.08
Item	2007			2006		
	Current Account	Capital Account	Total	Current Account	Capital Account	Total
Funding for the Legal Aid Foundation	419,128	518,220	937,348	420,191	528,032	948,223
Statutory Budget	15,408,363	1,752,503	17,160,866	14,894,776	1,976,822	16,871,598
Central Government General Budget	1,348,850,227	279,500,980	1,628,351,207	1,289,642,803	282,042,268	1,571,685,071
Budget of the Judicial Yuan and its subordinate agencies as a percentage of the General Budget	1.14	0.63	1.05	1.15	0.70	1.07

Source: Directorate General of Budget, Accounting and Statistics, Executive Yuan

88. Between 2006 and 2011 the proportions of defendants and detainees who received free legal aid among those who applied for aid were around the 60% level.

**Table 44 Percentages of defendants and detainees who received free legal aid among those who applied for aid**

Unit: Person; %

	No. of applications filed by criminal defendants to obtain legal aid	No. of approved cases for granting legal aid to defendants	Defendants granted legal aid as a percentage of the number of applications filed by criminal defendants to obtain legal aid (%)	No. of applications by detainees to obtain legal aid	No. of approved cases for granting legal aid to detainees	Detainees granted legal aid as a percentage of the total number of applications filed (%)
2006	6,822	4,444	65.14	1,781	1,265	71.02
2007	9,600	6,937	72.26	3,348	2,272	67.86
2008	12,677	7,580	59.79	4,852	3,114	64.17
2009	14,176	9,029	63.69	6,487	4,069	62.72
2010	16,035	10,356	64.58	7,088	4,519	63.75
2011	16,064	10,483	65.26	6,624	4,586	69.23

Source: Legal Aid Foundation

Description: It can be concluded from the above data that the proportions of defendants and detainees who received free legal aid among those who applied for aid were about 66.46%.

89. Length of maximum and average pre-trial detention period From 2006 to October 2011 the average detention period during investigation was 1.5 months. The numbers of detainees who were detained for more than six months but less than one year between 2006 and 2008 were, 5, 2 and 2, respectively. No one has been detained longer than six months since 2009.

90. No. of deaths of detainees: Between 2006 and 2011, the numbers of detainees who died while receiving treatment at hospitals under surveillance were 5, 7, 3, 5, 11 and 9, respectively.

91. No. of executions of death row inmates: The numbers of death row inmates executed over the past 10 years are as follows: 10 in 2001, 9 in 2002, 7 in 2003, 3 in 2004, 3 in 2005, none between 2006 and 2009, 4 in 2010 and 5 in 2011.

92. Pursuant to the Crime Victim Protection Act, surviving members of deceased victims or seriously injured victims of criminal acts, or victims of sexual assault crimes shall be entitled to apply for crime victim compensation. Between 2006 and 2011, the number of compensation cases that were determined to be eligible totaled 1,367, and the number of persons who received compensation was 1,777 (including 770 male and 1,007 female recipients), with a total compensation amount of NT\$551,830,000 (NT\$247,833,000 for male and NT\$339,907,000 for female recipients).

**Table 45 Statistics of crime victim compensation cases: no. of applications and no. of cases approved**

Unit: Case; %

Year	No. of applications	No. of cases approved	Percentage (%)
2006	730	216	29.59
2007	603	167	27.69
2008	615	196	31.87
2009	796	203	25.50
2010	817	243	29.74
2011	849	342	40.28

Source: Department of Statistics, Ministry of Justice

93. Conviction rates of major violent crimes: The convictions rates of major crimes, including homicide, forced sexual intercourse, robbery and kidnapping for ransom from 2006 to 2011 (as of October), respectively, are: homicide (excluding negligent homicide): 89.4%, 89.6%, 87.4%, 91.8%, 88.1% and 85.8%; robbery: 95.4%, 93.6%, 93.0%, 92.4%, 93.3% and 91.1%; kidnapping for ransom: 92.2%, 97.3%, 89.2%, 98.5%, 96.6% and 91.1%; forced sexual intercourse: 89.1%, 91.8%, 89.4%, 88.7%, 87.5% and 91.2%.

## **II. General Framework for the Protection and Promotion of Human Rights**

### **C. Status of the country's acceptance of international human rights standards**

#### **Status of ratifications of major international human rights instruments**

94. Refer to Table 53 for the status of ratifications of major international human rights conventions.

95. The purpose of the national human rights report is to provide an important opportunity for assessing a country's human rights protection system and rectify any possible deficiencies; it also represents an action taken to show the world a country's determination to fulfill the obligations specified in the human rights conventions. The Republic of China has clearly declared its intention to comply with international human rights standards and the determination to inspect the country's human rights protection measures. With the adoption of high standards for safeguarding human rights, the country's has demonstrated its spirit as a human rights state. Given the reality of international politics, the prospects of the Republic of China's admission to various UN organizations remain poor. Although the ROC is not a signatory to either ICCPR or ICESCR, the country is committed to abiding by the spirit of the Two Covenants without reservation. In the event of a delay in implementing or termination of waiver provisions of the Two Covenants, the ROC shall inform governments around the world and relevant international organizations through diplomatic channels.

#### **Status of the adoption of other international human rights standards**

96. Refer to Table 54 for the status of the ROC's ratifications of other international human rights conventions and associated treaties.

97. Treaties signed, ratified and entered into prior to 1971 remain binding to the ROC, as the country is committed to abiding by the conventions to which it is a signatory, regardless of the country's current membership status in the United Nations. If it not possible for the ROC to deposit the instruments of ratification or accession statements at the UN Secretariat, then the Legislative Yuan may determine that the international treaties approved by the President have the same effect as municipal law. Examples include WHO Framework Convention on Tobacco Control, CEDAW, ICCPR and ICESCR, conventions and treaties ratified and adopted over the past few years.

## **D. Legal framework for the protection of human rights at the national level**

### **Constitution**

98. Chapter 2 of the Constitution specifies the rights and obligations of the people. Articles 7 to 24 stipulates, respectively, citizens' fundamental rights to equality; personal freedom; freedom of residence and migration; freedom of speech, lecture, writing and the press; freedom of privacy of correspondence; freedom of religion; freedom of assembly and association; right to live; right to work and right to own property; right to present petitions, lodge complaints, and institute legal proceedings; rights of election, recall, initiative, and referendum; right to take public examinations and hold public offices; right and duty to receive compulsory education; other freedoms and rights; and rights to request state compensation.

### **Basic Law**

99. In order to fulfill the requirements of the Two Covenants and to enable the healthy development of the ROC's human rights protection system, the Act to Implement the Two Covenants has been enacted, and pursuant to the provisions of Article 2 of the Act to Implement the ICCPR and the ICESCR, the provisions of the two Covenants regarding the protection of human rights have gained the same status as the country's municipal law. As such, the Two Covenants have been incorporated into the ROC's municipal law system.

100. The Legislative Yuan ratified the country's adoption of the United Nations' CEDAW in 2007 and passed the CEDAW Implementation Act in 2011, which took effect on January 1, 2012. Government agencies shall take legislative or administrative measures in order to eliminate direct and indirect gender discrimination.

### **Municipal law**

101. Legislations such as Presidential and Vice Presidential Election and Recall Act, Civil Servants Election And Recall Act and Referendum Act guarantee suffrage rights.

102. The Children and Youth Welfare Act protects the rights of children and juveniles. The People with Disabilities Rights Protection Act protects the rights of individuals with disabilities. The Senior Citizens Welfare Act guarantees the rights of the elderly. The Act of Assistance for Family in Hardship provides emergency assistance to families with difficulties and special circumstances and helps them to improve their living conditions. The Sexual Assault Crime

Prevention Act and the Domestic Violence Prevention Act protect the rights of victims of sexual assault and domestic violence.

103. The enactment of the Labor Union Act has removed the excessive restrictions previously imposed on the organization of labor unions and the scope of associations. With respect to social security, the ROC's Labor Insurance provides benefits for the following 5 coverage areas: childbirth, injury, disability, old age and death. The new Labor Insurance Annuity system has adopted the old age, disability and survivor annuity system in place of the original lump-sum payment scheme. To provide unemployed workers with economic security, the Employment Insurance Act expanded its coverage on May 1, 2009 and now provides up to 9 months of unemployment benefits to senior and middle-aged persons as well as individuals with mental or physical disabilities who are unemployed. The People with Disabilities Rights Protection Act has been enacted to provide protection to individuals with physical or mental disabilities. Benefits and measures include support services, economic security, protection services, vocational rehabilitation services, employment quota and early retirement.

104. Protection of taxpayers' rights: Although citizens have the obligations to pay taxes, various tax laws have been enacted to protect taxpayers' rights that are guaranteed by the Constitution. For example, the Income Tax Act allows various expenses that are required to maintain a basic level of living to be deducted from the total income. Furthermore, the addition or exemption of tax obligations must be instituted via legislation, higher progressive tax rates (such as the consolidated income tax) are imposed on individuals with economic advantages, and the specifically selected goods and services tax are levied. Government agencies and personnel who have access to taxation information are required to keep the public's property, income, business and tax data confidential.

105. Fundamental Science and Technology Act: In 1999 the Fundamental Science and Technology Act was promulgated to ensure the rights of individuals working in the scientific and technological fields with respect to freedom of research as well as the flow and effective use of scientific and technological information. In addition, the Judicial Yuan Interpretation No. 380 by Grand Justices also ruled that the institutional protection of academic freedom should encompass freedom of research, freedom of teaching and freedom of learning. An ethical review mechanism

for biomedical research has already been established in Taiwan. The implementation of ethical standards for social science research is also underway, which will provide a comprehensive review mechanism on the freedom of research and its specifications.

106. Environmental Protection Basic Law: Paragraph 2, Article 10 of the Additional Articles to the Constitution requires that: "Environmental and ecological protection shall be given equal consideration with economic and technological development." The ROC has completed the basic law that governs the protection of the environment, which will help enforce the protection of environmental rights. The executive arm of the government is also in the process of actively developing related environmental protection laws and regulations in order to safeguard the rights of the public to live in a healthy, safe and comfortable environment, as well as to foster the implementation of environmental protection regulations at all levels of government and to penalize violators in accordance to applicable laws. Individuals who are actively engaged in the work of environmental protection or the investment in environmental protection-related enterprises shall be rewarded and provided with guidance, while at the same time environmental protection control measures shall be established to enforce environmental protection policies and to safeguard the resources of the environment.

107. Mental Health Act: Patients with serious mental illness often inflict injuries on others or themselves due to the loss of insight of their own diseases or lack of appropriate medical treatment. To ensure the safety of patients with serious illness and their proper care and treatment, as well as to protect the rights of patients with mental illness, the Mental Health Act was amended and promulgated on July 4, 2008, where the specific requirements, review procedures and relief mechanisms to commit a mental patient to compulsory hospitalization are clearly stated.

108. The Communicable Disease Control Act and the HIV Infection Control and Patient Rights Protection Act: The following rights of patients with communicable diseases are protected: the right to privacy, the right of publicity, the right to receive education, the right to work, the right to receive medical treatment, the right to domiciliary care and the right of abode. Only when it is necessary to prevent and control the spread of communicable diseases will the patients' right to receive education, right to work, right to domiciliary care and right of abode be

restricted.

109. The Computer-Processed Personal Data Protection Law came into effect in August 1995. In addition, the Personal Information Protection Act (the amended version of the above law) was passed by the Legislative Yuan on April 27, 2010 and announced by the president on May 26, 2010, but the amendments have yet to take effect. The Act is enacted to govern the collection, processing and use of personal information so as to prevent harm on personality rights, and to facilitate the proper use of personal information.

110. Right of defense attorneys to interview their accused clients, which is guaranteed by the Code of Criminal Procedure: In reference to Judicial Yuan Interpretation No. 654 by Grand Justices, the permission of allowing information monitored and recorded from the interviews of defendants by their defense attorneys to be used and recognized as evidence of the facts of crime committed by the defendants either in investigations or during trials has interfered with the defendant's right of defense, which is in violation of the citizen's right to institute legal proceedings as guaranteed by Article 16 of the Constitution. As a result, provisions of Article 34 and Article 34-1 of the Code of Criminal Procedure were amended on June 23, 2010 and state that a defense attorney may interview and correspond with a suspect or accused under detention. A defense attorney may interview and correspond with a suspect or an accused under detention, provided that if facts exist sufficient to justify an apprehension that such defense attorney may destroy, fabricate, or alter evidence or form a conspiracy with a co-offender or witness, such interviews or correspondence may be limited. In addition, the petition filed by the prosecution to limit the interview or correspondence must first be signed and approved by a judge.

111. Amendment of the provisions of the Detention Act regarding the prohibitions or restrictions of the rights of the defendant: In reference to Judicial Yuan Interpretation No. 654 by Grand Justices, the principles of "monitoring interviews visually but not aurally" and "opening but not reading the content of correspondence" shall be adhered to, and thus Paragraphs 2 and 3, Article 23 of the Detention Act were deleted on May 13, 2007: Officials of the detention center shall monitor the visitation when it is granted. When an attorney interviews the defendant, the provision of the preceding paragraph applies as well. In addition, Article 28, which allows "information monitored and recorded from the interviews of defendants by their defense



attorneys to be used and recognized as evidence of the facts of crime committed by the defendants either in investigations or during trials," was also deleted to ensure the right of communication between the detained defendants and their attorneys.

112. Pursuant to the Crime Victim Protection Act, surviving members of deceased victims or seriously injured victims of criminal acts, or victims of sexual assault crimes shall be entitled to apply for crime victim compensation. In addition, these individuals shall be entitled to emergency physiological and psychological therapy as well as settlement assistance, similar to that received by victims, children or juveniles who survive or suffer serious injuries from acts of domestic violence and crimes committed by human traffickers. Also provided is the assistance during Investigations and trials as well as after trials have concluded; as well as public assistance, civil claim, investigation of property owned by perpetrators convicted of relevant crimes or individuals who are liable under the law, safety and protection and assistance with rebuilding the lives of victims. With regard to the right to apply for monetary compensation, victims residing in Taiwan who are foreign nationals or stateless are now accorded reasonable and equal treatment.

113. To fulfill public interests, the Act on Recusal of Public Servants Due to Conflicts of Interest and the Act on Property-Declaration by Public Servants place appropriate limitations on the privacy and right to own property of some public servants, who are required to disclose the property they own on government gazettes or on the Internet, or in compiled volumes for the purpose of public inspection.

114. Compulsory Education Act: The Act guarantees that children aged 6 to 15 shall be provided with compulsory education.

115. Educational Fundamental Act: The Act is enacted to protect students' right of learning, right to receive education and right to develop mentally and physically, as well as to protect students from any corporal punishment that may result in their physical or psychological harm. When students' rights are infringed upon or even violated by their schools or government agencies in charge of education, the government shall provide effective and equitable avenues for relief and rectification.

116. Once an international treaty is ratified by the Legislative Yuan and approved by the President, its status is equivalent to that of the law without the need for legislative conversion.

### **Judicial branch of the government**

117. At present, a regional court of human rights has not yet been established in Asia.

118. Human rights guaranteed by the Constitution and protected by various laws are enforced through all levels of the court system. In the existing justice system, apart from the traditional civil and criminal courts, there are also administrative courts to resolve disputes regarding public law. This system enables the people to seek relief from administrative courts regarding all forms of public authority, including administrative acts, administrative contracts, factual conduct or administrative plans. In addition, in order to improve the protection of the rights of women and children, the Juvenile and Family Court has been established.

119. The ROC enacted the Legal Aid Act in 2003 to provide individuals who are unable to receive proper legal protection, due to their financial situations or other reasons, with the necessary legal aid. Pursuant to the provisions of the Legal Aid Act, the Judicial Yuan donated funds to the establishment of the Legal Aid Foundation, which began accepting applications for legal aid from the general public on July 1, 2004, and this represents the beginning of the legal aid system in the ROC.

### **Executive branch of the government**

120. Pursuant to the provisions of the Act to Implement the ICCPR and the ICESCR, if the human rights protected by the Two Covenants involve the authorities of an agency at any level of government, that agency shall have the jurisdiction over these human rights matters, and shall have the obligations to protect and enforce human rights. If the laws and regulations of which an agency at any level of government is in charge are within the scope of human rights defined by the Two Covenants, then that government agency shall have the jurisdiction over its scope of responsibilities.

121. The Ministry of Justice carries out its duties with regard to human rights protection in accordance with the following laws: Civil Code, Criminal Code, Administrative Procedure Act, Administrative Execution Law, Administrative Penalty Act, Crime Victims Protection Act, Computer-Processed Personal Data Protection Law and Personal Information Protection Act.

122. The Ministry of the Interior enforces human rights protection through a number of its units and agencies. For example, the Department of Civil Affairs ensures that citizens are

accorded all political rights. The Department of Social Affairs protects the rights of the elderly, women, individuals with physical and/or mental disabilities, and low income families. The National Immigration Agency is concerned with the rights of immigrants. The Child Welfare Bureau and the Domestic Violence and Sexual Assault Prevention Committee provide protection to children and victims of domestic violence and sexual assault.

123. The Ministry of Education is the competent authority in charge of the people's right to education.

124. The Examination Yuan is the highest examination authority in the nation and is responsible for matters relating to examination, qualification screening, protection, pecuniary aid in case of death and retirement of civil servants, as well as legal matters concerning the employment, discharge, performance appraisal, pay grading, promotion, transfer, commendation and award of civil servants. Examination Yuan and its subordinate agency, the Ministry of Examination preside over citizens' right to participate in public examinations and hold public offices.

125. The Civil Service Protection and Training Commission has jurisdiction over incidents related to the infringement of civil servants' rights.

126. The Council of Labor Affairs (CLA) is the competent authority in charge of the country's labor administration affairs and is responsible for the implementation of labor laws and the protection of labor rights.

127. The Environmental Protection Administration (EPA) carries out its duties and responsibilities concerning environment-related human rights matters in accordance with the law, based on the legal framework implemented under the special characteristics of environmental rights.

### **Information regarding government agencies' citation of human rights instruments in the protection of people's rights**

128. After the Act to Implement the Two Covenants has been enacted to harmonize the country's municipal law with these international conventions, the human rights protection provisions that they contain have effectively become the municipal law and can be cited and applied directly in the court of law during litigations. The Judicial Yuan Interpretation No. 392

by Grand Justices, prior to the enactment of the Act to Implement the Two Covenants, cited Paragraph 3, Article 9 of the ICCPR to explore the restrictions on the personal freedom of suspects of crimes. The reasoning of the Judicial Yuan Interpretation No. 582 by Grand Justices involved citation of Subparagraph 5, Paragraph 3, Article 14 of the ICCPR and the Grand Justices ruled that individuals charged with a crime shall be entitled to the minimum guarantee of cross-examining witnesses against them. In addition, judgments rendered by courts at all levels that have cited the Two Covenants include: The Supreme Court: Tai-Shang No. 2364 (2011), Tai-Shang No. 1045 (2011), Tai-Shang No. 8223 (2010), Tai-Shang No. 5079 (2010) AND Tai-Shang No. 5283 (2009); and Hualien Branch, Taiwan High Prosecutors Office: Appeal No. 253 (2009).

129. If a litigant is unwilling to accept the judgment of the court on the grounds that the judge has failed to apply the Two Covenants while their provisions should have applied, the litigant may seek relief from a higher court through statutory procedures.

130. If a citizen's freedom or rights are infringed upon illegally by civil servants through the latter's exercise of public authority, or the life, body or property of the citizen is damaged by public facilities due to their improper construction or mismanagement, then the citizen may seek state compensation pursuant to the provisions of the State Compensation Law.

131. A victim of the 228 Incident whose life, body, freedom or property has been infringed upon by civil servants or public authority may apply for compensation payment pursuant to the provisions of the 228 Incident Disposition and Compensation Act. In addition, victims of the incident and their families whose honor and reputation was damaged may apply to have them restored.

132. If the rights of a person residing in the Taiwan Area suffer from illegal infringement by discriminatory acts against his or her nationality, race or other factors, the Ministry of the Interior may order the perpetrator to end the discrimination within a prescribed deadline or impose a penalty on the perpetrator in accordance with the Immigration Act. In the event of a disaster, fire departments may appropriate and utilize the resources owned by private citizens with compensation provided to them pursuant to the provisions of the Fire Services Act and the Disaster Prevention and Protection Act.

133. The Communicable Disease Control Act has established a compensation system. With regard to patients, the following have been allocated: medical expenses for isolating patients for treatment, medical expenses for tuberculosis patients, nutritional expenses for chronic tuberculosis patients, autopsy and funeral subsidies, reimbursement for requisitioning and expropriating manpower, compensation for individuals suffering from performing control measures against of Category V Notifiable Communicable Diseases as well as educational subsidies for their children. With regard to resources and locations, there are provisions of the compensation for damage or destruction resulted from the execution of measures for the prevention and control of vectors of communicable diseases, compensation for medical institutions due to losses from expropriation of facilities by the authorities, and compensation for public facilities due to losses from expropriation of facilities by the authorities. In addition, a system for providing relief to vaccine injury compensation program has also been established.

134. Pursuant to the provisions of the HIV Infection Control and Patient Rights Protection Act, government agencies and organizations, schools and academic institutions, and civil associations shall organize a task force comprised of relevant officials, experts and representatives from relevant organizations to coordinate and process the complaints received.

135. Pursuant to the provisions of the Regulations on the Protection and Compensation for Hansen's Disease Patients, a task force for the protection of human rights of Hansen's disease patients has been established to actively improve the protection of all leprosy patients' rights.

136. In accordance with the Mental Health Act, severely ill patients under mandatory hospitalization or emergency placement, or their protectors, may file a petition with the court to protect the patients' rights by terminating the mandatory hospitalization or emergency placement.

137. If participants of national examinations regard the results of the review of their qualifications for taking the examinations, or the grades obtained from the examinations they have taken, to have been improperly handled or in violation of the law, thus resulting in the infringement of the participants' rights and interests, they may file appeals pursuant to the provisions of the Administrative Appeal Act.

138. Civil servants who believe that their rights have been violated by the administrative measures or the handling of working conditions at their place of work may file appeals and

re-appeals in accordance with the Civil Service Protection Act. If the administrative acts of government agencies in which the civil servants work are deemed in violation of the law, are clearly improper and infringe upon the rights and interests of the civil servants, the civil servants may initiate administrative litigations in accordance with the Civil Service Protection Act.

139. The legislative purposes of the Nuclear Damage Compensation Law include the protection of the rights of victims of nuclear incidents. In the event that public nuisance and pollution results in losses of the people, in addition to recovering the damages by pursuing civil claims, parties to public nuisance disputes may apply for mediation or arbitration through the Public Nuisance Dispute Mediation Act.

140. With respect to environmental regulations, civil litigation mechanisms are already in place. If a public or private location is in violation of environmental regulations or orders and the competent authority is negligent in enforcing the law, victims of these violations or any public interest groups may provide specific details of the negligence of the competent authority in writing to the competent authority in charge of environmental protection. If the competent authority in charge of environmental protection fails to enforce the law within 60 days of receiving the written notification, victims of these violations or any public interest groups may file a lawsuit with the High Administrative Court, with the competent authority named as the defendant, and request that the Court order the competent authority to rectify its failure to enforce the law.

141. A job seeker or an employee who has been discriminated against may file a complaint with the employment discrimination appraisal committee of the local government.

142. In accordance with the Academic Grievance Procedures for University and College Students, if a student is unwilling to accept the administrative ruling of his or her university or college, has filed a complaint with the academic institution and remains dissatisfied with its decision, he or she may file an appeal with the Ministry of Education (or the municipal government if the institution is under the direct control of a special municipality) with the grievance assessment application within 30 days of receiving the grievance assessment decision.

## **E. Legal framework to enhance the protection of human rights at the national level**

143. The ROC has yet to establish a national human rights institution that is in full compliance with the requirements of the Paris Principles, passed by the United Nations General Assembly in 1993.

144. The Human Rights Advisory Committee under the Office of the President was established in 2010. The committee has between 15 and 21 members invited by the President and comprises the following individuals: representatives of government agencies, scholars, experts and representatives of civil organizations. The funding for the committee is provided by the Office of the President and relevant ministries of the Executive Yuan. The committee's missions include advocacy and advisory on human rights policy, preparation of the national human rights report, research on international human rights systems and legislation, formulation of international human rights exchanges, and presidential consultation on other human rights issues. However, the committee is limited to an advisory role, and its members do not have the permission to accept human rights complaints, conduct investigations or deliberate on authority.

145. Pursuant to Article 7 of the Act to Implement the ICCPR and the ICESCR, the funding for the protection of human rights guaranteed by the Two Covenants at government agencies of all levels shall be given priority when the budget is being allocated, depending on the agencies' financial status, and the provisions for the protection of human rights shall be gradually implemented. In order to enforcing the above requirements, governments at all levels shall allocate the budget required to implement the protection of human rights guaranteed by the Two Covenants based on the scope of their authority and responsibility and depending on their administrative plans and operational conditions.

146. The Executive Yuan established a human rights protection and promotion task force in 2001, which is composed of 21 to 27 members. The Premier and the Minister of Justice serve as the chairperson and vice chairperson, respectively, and the heads, scholars, and experts from certain ministries serve as members of the task force. Its missions include the research and study of human rights protection systems around the world and international human rights standards, promotion of cooperation and exchange with international human rights organization, formulation and advancement of the national human rights protection organization, development

of human rights protection policies and regulations, consultation and promotion of human rights protection measures, development of human rights education policy and advocacy of human rights concepts, as well as the creation of a human rights mailbox as a platform to solicit public suggestions and to accept petitions from citizens. In addition, to enforce gender equality, protect the rights of the country's indigenous inhabitants, revitalize Hakka culture and to carry out children and juvenile-related services, the Executive Yuan has established the Committee of Women's Rights Promotion, Council of Indigenous Peoples, Hakka Affairs Council and Child Welfare Bureau (under the Ministry of the Interior), respectively, which provide guidance and supervision to all levels of government agencies in the implementation of their respective responsibilities.

147. The Directorate General of Budget, Accounting and Statistics (DGBAS) followed up on the resolution passed at the 17th committee meeting by the Executive Yuan's human rights protection and promotion task force and conducted a survey on the status of budget allocation for human rights protection by each ministry. The data was compiled based on 42 categories of human rights elements, and included the following principal areas: distribution of social insurance annuity payments, promotion of Hakka culture, National Health Insurance benefit payouts and supplies and medical care provided to individuals under detention. In particular, a budget of NT\$568.3 billion was allocated for these purposes in 2011, an increase of NT\$24.2 billion over 2010 (NT\$544.1 billion). The increase was mainly due to the distribution of additional social insurance annuity payments and extra National Health Insurance benefits.

148. The Control Yuan shall have 29 members, all of whom shall serve a term of six years. All members shall be nominated and, with the consent of the Legislative Yuan, appointed by the President of the Republic. The Control Yuan, pursuant to the provisions of the Constitution and the Additional Articles of the Constitution, shall be the highest supervisory body of the State and shall exercise the powers of impeachment, censure and audit; and the pertinent provisions of Article 90 and Article 94 of the Constitution concerning the exercise of the power of confirmation shall not apply. Members of the Control Yuan (National Ombudsmen) shall be beyond party affiliation and independently exercise their powers and discharge their responsibilities in accordance with the law. The Control Yuan may, in the exercise of its power



of control, request the Executive Yuan and its Ministries and Commissions to submit to it for perusal the original orders issued by them and all other relevant documents. The Control Yuan may, taking into account the work of the Executive Yuan and its various Ministries and Commissions, set up a certain number of committees to investigate their activities with a view to ascertaining whether or not there are any violations of law or neglect of duty. The Control Yuan may, on the basis of the investigations and resolutions of its committees, propose corrective measures and forward them to the Executive Yuan and the Ministries and Commissions concerned, directing their attention to effecting improvements.

149. In 2000 the Control Yuan established a Human Rights Protection Committee, composed of 9 to 11 members who are also members of the control yuan (national ombudsmen). Its main functions include discovering of human rights violations and initiating investigations, reviewing the Control Yuan's human rights protection investigative reports and offering suggestions, providing recommendations on human rights legislation and communicating with domestic and international human rights groups, as well as formulating and promoting human rights education.

150. In 2011 the Examination Yuan established a human rights task force that oversees the implementation of human rights policy by the Examination Yuan and its subordinating agencies, with the Vice President of the Examination Yuan serving as the chairperson. The members of the task force include the Secretary-General of the Examination Yuan, heads of Examination Yuan's subordinating agencies, scholars and experts, and their responsibilities include the oversight and implementation of human rights protection. In addition, to enforce the principle of gender equality in national examinations, Examination Yuan has established a Committee for Gender Equality in National Examinations under the Ministry of Examination, the purpose of which is to provide consultation on possible gender-based restrictions in national examinations.

151. In addition to reviewing and ratifying international human rights treaties as well as the acceptance, approval and adoption of international conventions, the Legislative Yuan shall also review proposals on human rights legislation as part of its responsibilities, provide oversight on the implementation of policies by the executive branch of the government, and deal with petitions and lobbying from the general public. The Legislative Yuan may also hold public hearings, interpellate ministers and administrative officials, request relevant documents and use

other methods to facilitate the exercise of the foregoing powers and responsibilities. In addition, the regulations issued by any central government agency based on its statutory responsibilities or legal authorization shall be submitted to the Legislative Yuan for notification and reference purposes. In the event that the Legislative Yuan considers a regulation to be in violation of or in conflict with the provisions of any applicable law concerning human rights, it may refer the regulation to a competent committee for review. If the regulation in question is ruled by the Legislative Yuan as being contravening and the responsible government agency has been notified that the contravening regulation ought to be rectified or abolished, and should the said government agency subsequently fail to comply after a period of two months, the regulation shall be deemed invalid.

152. Pursuant to the Local Government Act, when local government bodies create, deprive or restrict the rights and duties of their residents, they shall do so in accordance with the provisions of the self-government ordinance. Therefore, the most important function of the local legislature with respect to safeguarding human rights is to uphold the trust of citizens within their territories and to review and pass self-governing human rights-related laws and regulations in order to protect the rights of the local residents. These rights include the right to elect and impeach local public officials, the rights of initiative and referendum in matters regarding the local communities, the right to use local public facilities, the right to enjoy local educational, cultural, social welfare and healthcare facilities in accordance to the law and self-governing regulations, the right to request that information regarding the local governments be legally disclosed, and other rights guaranteed by law and local self-governing regulations.

#### **Relevant training and advocacy of human rights instruments**

153. In view of the political reality and restrictions placed on the ROC regarding the country's participation in United Nations human rights organizations, relevant human rights documents have been sent to overseas ROC diplomatic missions and trade offices so that the ROC's progress on human rights protection may be available to officials in these countries and any individuals friendly to the ROC.

154. In order to help the general public understand the country's determination in enforcing gender equality in national examinations, and to demonstrate the government's commitment to

protect individuals with physical or mental disabilities and the country's indigenous inhabitants, the Ministry of Examination has released in 2005, 2006 and 2007 respectively the White Paper for Gender Equality in National Examinations, the White Paper on Examination System for Persons with Disabilities and the White Paper on the Examination System for the Indigenous Peoples.

155. In order to enhance the awareness of civil servants regarding human rights, the advocacy for human rights concepts should first be improved upon. In addition to requesting that personnel agencies strengthen their advocacy for human rights and rule-of-law concepts, the Directorate-General of Personnel Administration has also organized rule-of-law and human rights-related training courses and incorporated human right concepts into the annual training programs as an important element, so that the human rights capacity and disposition of civil servants can be enhanced on an overall and long-term basis. The results of the training will also be included in the annual performance appraisal of civil servants. Since 2010, human rights-related topics have been incorporated into the orientation and basic training for new civil servants admitted via High Level, Ordinary Level and Elementary Level Tests, rank promotion training for high-level civil service officials by the Civil Service Protection and Training Commission in order to improve the human rights education of civil servants. The National Academy of Civil Service handles training for rank promotion and orientation training of personnel newly passed the civil service. The training programs include human rights policy and development, human rights issues and protection, human rights issues and development, interpretation of international human rights conventions, human rights protection and the exercising of judicial powers, the purpose of which is to enable all civil servants to gain a solid grounding in human rights concepts and to introduce them to the basic principles behind the International Covenant on Civil and Political Rights and International Covenant on Economic Social and Cultural Rights so that they will be able to appreciate the direction of country's human rights policy.

156. The Ministry of Justice set up a special "Giant Step in Human Rights" section on its official website in June 2009. The section contains information regarding the origin of the Giant Step project and the significance of the Two Covenants, and it provides details on the

implementation of human rights policy based on the Two Covenants in the ROC. The website also makes available the handouts on the introduction and detailed exposition of the Two Covenants provided at the Two Covenants training seed camp, the "learning map" for the Two Covenants, handouts for mid-level Two Covenants training seed camp, Internet e-learning courses, Human Rights Kaleidoscope, the "Two Covenants" human rights story collection, review of government authority and regulations by each level of government agency, reports on the harmonization of municipal laws of the land with international conventions, and recommendations for human rights cases. The website contains information useful to government agencies at all levels and the general public regarding human rights. The Ministry of Justice also requires the Central and local government agencies to implement content associated with the Two Covenants and general information on human rights protection on their official websites.

157. Since 2009, the Ministry of Justice has developed course handouts for "Giant Step in Human Rights," distributed them to civil servants at each government agency and organized various human rights training courses in support of the development plans, exposition and advocacy programs associated with the Act to Implement the Two Covenants. At the Training Institute for Judges and Prosecutors, Ministry of Justice, human rights education is a priority topic in the training and development programs administered to judges and prosecutors. Human rights matters are the subjects of study in the training of judges, judicial affairs officers, clerks and other judicial officers of the Judicial Yuan.

158. The Ministry of National Defense requires that all military academies and forces strengthen their human rights advocacy and education.

159. In order to enhance the awareness of human rights among teachers, pre-service educational courses for teachers will be incorporated with human rights education programs.

160. The Central Police University of the Ministry of the Interior has made available a number of human rights education courses, and the National Police Agency and its subordinating police organizations have also included human rights concepts and courses in their relevant training programs.

161. The Ministry of the Interior has published a handbook on the prevention of human

trafficking and a compilation of relevant laws and regulations aimed at law enforcement officers. The handbook contains the principles of victim identification, case handling procedure, utilization of interpreter database, victim protection process and other regulations, so that when there is a suspected case of human trafficking, law enforcement officers will be able to protect and provide shelter to the victims. Training programs on "General Knowledge and Training on the Prevention of Human Trafficking" and "Advanced Training on the Prevention of Human Trafficking" are also provided to strengthen the awareness of the police and law enforcement officers on human rights issues and protection.

162. The Ministry of the Interior has provided instruction booklets with shelter regulations in 12 languages (including the following: English, Vietnamese, Thai, Indonesian, Hindi, Burmese, Filipino, Urdu, Nepali and Malay), which will help individuals under detention to comply with the regulations and be aware of their rights. These booklets are distributed when the victims of human trafficking are admitted to the shelters, at which time they will be immediately informed of their rights and obligations. The purpose is to ensure their rights are protected while awaiting repatriation. In addition, to ensure that victims of human trafficking are properly informed and to facilitate subsequent investigations, a multi-language handbook entitled *Rights of Victims of Human Trafficking* is provided to the judicial police and prosecutors. The Ministry of the Interior provides subsidies to local governments in offering counseling to spouses of citizens from mainland China and other countries to help them adapt to the local environment. The Foreign Spouse Assistance Fund provides subsidies on medical care, public assistance and legal services projects; learning programs for foreign spouses; advocacy and encouragement on multicultural promotion programs and providing childcare services; and formation of social associations via family service centers; counseling, service or personnel training programs.

163. In the basic training of attorneys, human rights thinking courses are incorporated, such as lawyers and judicial reform; lawyers and care for the disadvantaged groups and gender equality; legal aid and pro bono services; lawyers and rule-of-law education; constitutional human rights and practices of petition for constitutional interpretation; family, women and children practices; criminal evidence law practices, and right to defense and their boundaries.

164. In order to strengthen the awareness of human rights among personnel in the domestic

violence and sexual assault prevention networks, the Ministry of the Interior organized a diverse collection of courses between 2006 and 2010, including domestic violence prevention core courses, sexual assault prevention core courses, domestic violence prevention topics, sexual assault prevention topics, social advocacy and action topics and supervisory development. The entire curriculum ran for 148 sessions with a total attendance of 14,125. In 2011 a total of 149 training sessions were provided, with a total attendance of 8,161.

165. Human rights protection advocacy training has been incorporated into healthcare personnel training programs. For physicians who have recently graduated, standardized training courses can be conducted under the supervision of clinical experts, the purpose of which is to incorporate human rights education into the core competencies of medical professional ethics and professional clinical training courses. Through practical training physicians will develop work attitudes and skills that are patient-centered and based on comprehensive holistic healthcare regimes. Between 2007 and 2011, a total of 6,808 physicians participated in post-graduation clinical training courses.

166. To enable the general public to understand the essentials of the Two Covenants and the purpose behind the government's promotion of these human rights conventions, government agencies at all levels have utilized television programs, movies, radio broadcast, newspapers, postage stamps and promotional materials to provide advocacy for the promotion of human rights protection, issues and related information. The purpose is to use layman's terms to enhance the public's understanding of the government's human rights protection policies so that awareness of human rights among the people can be enhanced.

167. Extent of the development of human rights education in schools of all levels: (1) Status of implementation of human rights education at the compulsory education level: The Grades 1-9 Curriculum Guidelines for Elementary and Junior High School Education, which became effective in 2011, have incorporated human rights education as a major priority in the overall curriculum, including basic philosophy, curriculum objectives and graded competence indicators. Through studies organized by the Compulsory Education Advisory Group, counseling provided at the county level, workshops, seminars and other activities, teachers of elementary and secondary schools have increased their knowledge and awareness with respect to the important

concepts of human rights, democracy and the rule of law. (2) Status of implementation of human rights education at the post-secondary education level: In 2010 human rights topics are included in the Civics and Society syllabus for general senior high schools. (3) Status of implementation of human rights education at the higher education level: During the 2009 academic year (from August 2009 to July 2010), 408 departments in 68 institutions of higher education offered 1,903 courses on human rights and the rule of law. As for the 2011 academic year, 666 departments in 85 institutions offered 1,677 courses on human rights and the rule of law during the first semester. On February 9, 2011 the Ministry of Education requested through official letters that all institutions enhance their human rights-related courses, workshops and seminars, or integrate elements of human rights into various activities and the campus life within the institutions. (4) Status of implementation of human rights education at the social education level: Each year the Ministry of Education provides subsidies to local community colleges to make courses in good citizenship and the rule of law available to the public. Between 2006 and 2010, the Ministry also organized annual human rights film festivals and forums, with screenings of films with significant human rights elements, as well as forums focused on the human rights films and essay competitions for universities, colleges and high school students.

168. Since 2009, the Government Information Office has provided assistance to six terrestrial television stations in airing human rights advocacy videos, including the Judicial Yuan Legal Aid Series; Ministry of the Interior's advocacy videos for the Human Trafficking Prevention Act, prevention of human trafficking, child prostitution - enemy of the state, CEDAW, sexual harassment prevention, advocacy for the prevention of sexual assault on children and human trafficking; The Ministry of Justice's Personal Information Protection Act, protection of crime victims, protection of confidentiality, Giant Step in Human Rights, anti-fraud and protection of personal information, and image commercials for the Freedom of Government Information Law and Association for Victims Support; and Council of Labor Affairs' legal aid for labor insurance and parental leave allowances; for a total of 47 short films.

169. The NCC has issued policy guidelines on promoting multi-culture and protecting the rights of the disadvantaged. Following the guidelines, the NCC organized seminars, provided subsidies on the production of television and radio programs, developed promotional materials,

commissioned studies on gender and ethnic issues, and formulated principles for production and broadcast between 2007 and 2010.

### **Measures taken by the ROC to strengthen community's involvement in human rights protection**

170. The Ministry of Foreign Affairs has provided donations to the establishment of the Taiwan Foundation for Democracy, an association with the mission of promoting democracy and human rights. The purpose is to promote democracy and the development of human rights protection as well as to prepare the civil associations in the ROC to bring themselves in line with global democracy standards. In 2010, the Ministry provided NT\$27,914,308 in subsidies to 146 projects carried out by domestic democracy and human rights organizations, and in 2011 (as of August) NT\$18,239,447 was provided to 89 projects. The following represent a list of actions the Taiwan Foundation for Democracy has taken to encourage domestic non-governmental organizations (NGOs) to participate in activities related to the promotion and protection of human rights: (1) Establishing alliances with democracy and human rights organizations around the world and also international organizations dedicated to the same cause. In addition to assuming the current role of the Secretariat to the World Forum for Democratization in Asia (WFDA), the Taiwan Foundation for Democracy is also actively involved in the activities of the World Movement for Democracy (WMD), and it is also working closely with other international human rights organizations such as the Community of Democracies (CD) and Freedom House (FH). (2) Providing subsidies to well-known academic institutions, think tanks, civil organizations and NGOs at home and abroad in their efforts to organize democracy and human rights activities. These include subsidies provided to the Taiwan Association for Human Rights, Chinese Association for Human Rights, Association for Minority Ethnic Rights (R.O.C.), Taiwan International Workers' Association and the Collective of Sex Workers and Supporters in support of their participation in overseas human rights-related international conferences or international human rights seminars held in Taiwan. (3) Identifying topics of the development of democracy at home and abroad, developing relevant policies and publishing *Taiwan Democracy Quarterly* and the English-language *Taiwan Journal of Democracy*. In 2011 the Foundation published the China Human Rights Report 2010. On December 10 of each year (the international



Human Rights Day), the Foundation sponsors the Asia Democracy and Human Rights Award to promote the development and contribution to democracy and human rights in Asia. (4) Providing subsidies to Taiwan's ruling and opposition parties in carrying out parliamentary diplomatic and international democratic exchange activities. (5) Organizing democracy and human rights-related seminars and hosting public forums and related activities in democracy education.

171. The National Human Rights Museum in Jingmei and Green Island, under the auspices of the Council for Cultural Affairs (CCA) of the Executive Yuan, has established a subsidy scheme to provide NGOs with the funding for the promotion of research in the history of human rights and on human rights education. In addition, relevant human rights groups and other NGOs have also been invited to co-organize events and activities, thus combining governmental and private resources to promote human rights education. Through consultation on human rights issues and oral interviews, excellent interaction has been established between the Museum and the communities who suffered political oppression, the individual victims and their families. The Museum would then be able to expand its collection of historical artifacts by requesting donations of personal effects and objects used in prisons from victims of political oppression.

172. The Ministry of Education has provided subsidies to 25 civil organizations, including Taiwan Association for Human Rights and ECPAT Taiwan to support the organization of their seminars and activities around the country in advocating the concepts of human rights and associated education.

173. Each year on Universal Children's Day (November 20), the Ministry of the Interior joins forces with local governments and civil organizations to organize a series of activities dedicated to the advocacy for children's rights, including the preparation of promotional posters, seminars, lectures on children and juvenile rights issues, theater performances with themes on children and juvenile rights, as well as nationwide campus advocacy tours. The purpose is to make the reach of children's rights as wide as possible. Statistics show that between 2007 and 2011 subsidies were provided to a total of 669 events organized by 138 groups and associations.

174. In order to strengthen the advocacy for the rights of the indigenous inhabitants of Taiwan, each year the Council of Indigenous Peoples allocates budget to provide subsidies to civil associations in carrying out advocacy for the fundamental rights of the indigenous people, to

cultural, education and industrial development activities, as well as funding for individuals in the indigenous communities to participate in international conferences. In addition, to achieve the objective of revitalizing the tribal communities of the indigenous population, the Council of Indigenous Peoples has been conducting the Sustainable Development Plan for tribal communities since 2006, the purpose of which is to enhance the organization of the tribal communities, to assist in the revival of indigenous culture, to provide guidance on industrial development and to lay a foundation for the sustainable growth of the tribal communities.

175. To encourage NGOs to assist the government in promoting education on the rule of law, the Ministry of Justice provides subsidies to the legal services societies at institutions of higher education as well as to civil associations so that these organizations can reach deep into the communities and schools to advocate against illegal drugs, street racing and violence. Refer to Table 46 for the relevant statistics. In addition, the Department of Health also allocates annual budget on awards and subsidies to the Center for Drug Evaluation, Taiwan and anti-narcotic civil organization.

**Table 46 No. of events and amounts sponsored by the Ministry of Justice in advocacy against illegal drugs, street racing and violence**

Unit: Case; NT\$

Year	No. of subsidy cases	Amount of subsidy
2006	15	1,589,346
2007	18	810,000
2008	16	790,000
2009	21	760,301
2010	24	810,843
2011	21	787,916

Source: Department of Prevention, Rehabilitation and Protection (Ministry of Justice)

176. Between 2008 and 2011 the Ministry of the Interior utilized the Taiwan Public Welfare Lottery Fund to provide subsidies to government authorities at all levels and civil organizations, and to provide guidance on and join forces with resources in the private sector to carry out various measures and to actively engage in the protection of victims, batterer's relocation

programs and violence prevent activities. The total amount of funding received was NT\$388,320,500. In addition, pursuant to the provisions of the Ministry of The Interior Guidelines for Subsidizing Promotion Social Welfare, subsidies are provided to government authorities at all levels and civil organizations in carrying out the prevention of domestic violence, sexual assault and sexual harassment. Between 2007 and 2011 the total amount of funding received was NT\$395,234,438.

177. Pursuant to the provisions of the Judicial Yuan's Legal Aids Act, government grants should be provided for the establishment of the Legal Aid Foundation, which is charged with the responsibilities of providing legal aid. As of the end of December 2011, a total of NT\$2.9 billion has been allocated to the Legal Aid Foundation and contributions to the Legal Aid Foundation Fund, with NT\$4,314,970,000 set aside as operational funds. Currently the Legal Aid Foundation has established 21 branch offices in the cities and counties throughout the country. As of the end of December 2011, the Foundation has received a total of 471,297 applications for legal aid, with 159,851 applications having been approved. The Foundation also provided legal consultation services in 165,522 cases.

178. The Association for Victims Support has been established, with the Ministry of Justice providing the oversight of its operations in protecting victims of crimes. Through the availability of government subsidies, civil organizations and groups are also involved in the protection of victims of crimes. Refer to Table 47 for the relevant statistics:

**Table 47 No. of subsidy cases and amounts provided to civil organizations by the Ministry of Justice in carrying out the protection of crime victims**

Unit: Case; NT\$

Year	No. of subsidy cases	Amount of subsidy
2007	3	16,800,000
2008	3	21,270,000
2009	4	21,225,000
2010	8	63,668,889
2011	2	29,512,025

Source: Department of Prevention, Rehabilitation and Protection (Ministry of Justice)

179. To carry out the protection services for the rehabilitated, the Ministry of Justice oversees the work of the Taiwan After-care Association and the Fuchien After-care Association in their efforts to protect the rehabilitated, and the Ministry also subsidizes civil organizations in performing the same function. Refer to the following table for the relevant statistics:

**Table 48 No. of subsidy cases and amounts provided to civil organizations by the Ministry of Justice in carrying out the protection of rehabilitated offenders**

Unit: Case; NT\$

Year	No. of subsidy cases	Amount of subsidy
2006	12	17,370,000
2007	11	17,270,000
2008	7	12,650,000
2009	11	14,658,000
2010	10	14,778,000
2011	8	13,930,000

Source: Department of Prevention, Rehabilitation and Protection (Ministry of Justice)

### **Republic of China's involvement in cases of human rights protection around the world**

180. To help achieve the objectives set out in the Millennium Development Goals of the United Nations, the ROC has utilized the country's industrial and technological advantages and has selected the following five cooperative projects as the top priority for the country's foreign aid strategies and directions: eradicating extreme poverty and hunger, achieving universal primary education, combating communicable diseases, establishing environmental sustainability and global development partnership. The International Cooperation and Development Fund

(Taiwan ICDF) is the ROC's principal organization for implementing international technological cooperation projects, for providing aid to foreign countries, integrating with international organizations and conforming to their standards through reforms, so that the cooperative projects will be focused on the host countries and the results will be utilized locally.

181. In 2010 the funding allocated to official development assistance (ODA) was US\$380,915,755, which was 0.101% of the country's gross national income. However, contributions made by the country's NGOs in foreign aid in 2009 amounted to US\$70 million in monetary donations and US\$1.3 million in supplies. For 2010, the total amount of donations to other countries was US\$733 million, with US\$36 million in supplies.

182. With the ROC's unique diplomatic situations, countries with which we have established official diplomatic ties have priority in receiving our foreign aid. In 2011, Taiwan sent 32 Technical Missions abroad with 194 experts and technicians and 111 military personnel in substitute service for overseas assignments. Destinations included 28 countries in the Asia-Pacific region, Western Asia, Africa, and Central and South America, and 84 cooperative projects in the following fields were carried out: agronomy, horticulture, aquaculture, livestock farming, food processing, information technology and vocational training. In the area of medical and healthcare cooperation, in addition to the Department of Health's medical teams stationed in the Solomon Islands and Marshall Islands, the Ministry of Foreign Affairs has also commissioned the International Cooperation and Development Fund (Taiwan ICDF) to deploy three permanent medical teams in Burkina Faso, São Tomé and Príncipe, and Swaziland, three of Taiwan's allies in Africa. A total of 16 medical and healthcare professionals and 13 graduates with medical or public health background serving military duties were sent to these countries. The ICDF has also partnered with International Healthcare Cooperation Strategic Alliance (IHCSA) to dispatch mobile medical missions composed of healthcare professionals from Taiwan to friendly nations to conduct international health and medical cooperative projects lasting 2 to 3 weeks. In 2011, the ROC dispatched mobile medical missions to 9 countries in the Asia-Pacific region, Central America and the Caribbean for a total of 13 times. Free medical services were provided to these countries. Responding to requests from overseas ROC diplomatic missions, the Taiwan ICDF has also sent 34 long- and short-term volunteers to allies

and friendly countries, and these volunteers have been able to maximize their talents and skills in their respective fields of expertise. Committed to promoting international medical and healthcare cooperation and carrying out emergency humanitarian relief work, the Department of Health and the Ministry of Foreign Affairs jointly established the Taiwan International Health Action (Taiwan IHA) task force in 2006. In the area of short-term international humanitarian aid programs, thus far Taiwan IHA has carried out a total of 15 emergency humanitarian medical relief missions and post-disaster sanitary condition reconstruction following the natural disasters below: mudslide in the Philippines, Indonesian earthquake, floods in Kenya, Solomon Islands tsunami, Indonesian tsunami, earthquake in Peru, floods in Ecuador, Sichuan earthquake in mainland China, and the New Zealand earthquake.

183. Between 1996 and 2007, the Department of Health conducted joint population, family and childcare projects with Vietnam. Taiwan provided management technologies to and shared experience with Vietnam in the following areas: population and development, reproductive healthcare and family planning services, and children and elderly healthcare services. The Department of Health also organized the Asia-Pacific Smoking Cessation Helpline Workshop in 2010 and established an alliance team (consisting of New Zealand, Australia, Taiwan, South Korea, Thailand, India, Hong Kong and mainland China), with Taiwan being responsible for promoting the work of the smokers' helpline network in the Asia-Pacific region.

184. Since the outbreak of the severe acute respiratory syndrome (SARS) in 2003, Taiwan has sought to establish a more comprehensive disease control system, and between 2009 and 2011 the ROC actively expanded its international participation and entered into partnerships with the United States, European Union, Austria and Japan in various international collaborative projects. The Department of Health has collaborated with the U.S. Centers for Disease Control and Prevention (CDC) on research programs such as the methicillin-resistant *Staphylococcus aureus* project and the tuberculosis prevention and control project. The Department of Health also joined forces with the Johns Hopkins Bloomberg School of Public Health to conduct research on the impact of reducing penalty on the control of the HIV epidemic. Between 2003 and 2006, the Department of Health dispatched personnel to São Tomé and Príncipe to conduct the malaria prevention and control project, and the rates of hospitalization and deaths due to malaria were

effectively reduced. After the tsunami hit South Asia in late 2004 and early 2005, Taiwan sent several medical missions and disease prevention teams to Indonesia and Thailand. A total of 10 person-days and 250 person-days in medical support were provided to Indonesia and Thailand, respectively, and 10 sets of emergency health kits valued at NT\$11 million were also provided to be used in the disaster-struck areas. Taiwan also provided assistance to Austria in enterovirus examination studies and in establishing surveillance systems for communicable diseases and analysis of the spread of epidemics. When Haiti was devastated by the massive earthquake in January 2010, Taiwan immediately dispatched a team to participate in international relief efforts. In addition, Taiwan also planned a 3-year Haiti epidemic disease prevention project, established a Taiwan Technical Mission, signed a bilateral cooperation agreement and assisted Haiti's Laboratoire National de Santé Publique (LNSP, or National Public Health Laboratory) in performing laboratory tests and training professionals in epidemiology.

185. The ROC is committed to promoting international agricultural cooperation, and has actively provided assistance to developing countries that are friendly to Taiwan, such as the Dominican Republic, Guatemala, El Salvador, Haiti, Vietnam, Thailand, Indonesia, Malaysia and Saudi Arabia. Taiwan has thus been able to share its experience in developing the agricultural and fishery industries with these countries through technical cooperation and personnel training programs. In addition, the ROC is actively involved in the Asia-Pacific Economic Cooperation (APEC) forum, Asia Pacific Association of Agricultural Research Institutions (APAARI), Afro-Asian Rural Development Organization (AARDO), Asian Productivity Organization (APO) and World Organisation for Animal Health (OIE). Each year Taiwan allocates an annual budget of about NT\$200 million for donations to the following three international agricultural organizations in Taiwan: AVRDC - The World Vegetable Center, the Food and Fertilizer Technology Center for the Asian and Pacific Region (FFTC) and International Center for Land Policy Studies and Training (ICLPST). A number of international conferences held at home and abroad, exchange programs and technical training are also organized to provide assistance to developing countries. In addition, based on the spirit of humanitarian aid, Taiwan has provided public grains, depending on their availability, free of charge to relevant government agencies and civil public interest groups since 2002.

Humanitarian relief has also been provided to overseas disaster areas or famine-stricken regions, and thus far a total of 227,829 metric tons of rice have been donated to about a dozen developing countries, including Liberia, El Salvador, the Marshall Islands, Jordan, Tuvalu, Haiti, Bangladesh, Swaziland, Indonesia and Nauru. The most effective humanitarian relief efforts in recent years have been undertaken in disaster areas hit by the South Asian tsunami and regions in Africa that have the most serious food shortage problems in the world. Each year artists, museums and art galleries are encouraged to participate in arts festivals, exhibitions and other international arts and cultural activities to demonstrate Taiwan's achievements in arts and cultural development to the world. In addition, each year Taiwan and the Institut de France cosponsors the French-Taiwanese Cultural Foundation Award in recognition of individuals and organizations with special contributions to the promotion of Taiwanese culture and arts in France, Europe and Taiwan.

186. When major disasters occur in the world, Taiwan will form joint search and rescue teams and dispatch them promptly to provide the necessary support in areas affected by the disasters, for example, the Bam earthquake in Iran; South Asian earthquake and tsunami; earthquake in Yogyakarta, Indonesia; Haitian earthquake (Port-au-Prince), earthquake in Christchurch, New Zealand; and the earthquake and tsunami in Japan. In addition, when disasters strike, the people of Taiwan will generously make donations to and participate in international disaster relief efforts. Statistics show that the total amount of funds raised by the Taiwanese people for South Asian tsunami relief was NT\$4,851,412,001 as of September 2011. The total amount of donations for the Sichuan earthquake in mainland China was NT\$5,700,315,757 as of September 2011. For the March 11, 2011 earthquake that hit Japan, statistics indicate that the amount of donations totaled NT\$6,040,350,000 (as of October 2011). If the amount of direct private donations to Japanese organizations and individuals was included, the combined donations would amount to NT\$ 6,693,810,000.

187. The Mongolian & Tibetan Affairs Commission has institutionalized the Taiwan-Mongolian Healthcare and Medical Exchange Platform, combining efforts from NGO teams to provide free clinics, health education, information technology education, Chinese language education, vocational training and caring for disadvantaged groups. Major results



achieved between 2009 and 2011: Sponsored 6 classes of vocational training programs for Mongolians residing in Taiwan, where 150 individuals received vocational training (including Mongolians with physical or mental disabilities) and the disadvantaged members among the Mongolian community were provided assistance on employment. Assembled a team of 162 experts and volunteers to serve in areas inhabited by ethnic Tibetans, where a total of 10,279 instances of assistance were provided to benefit Tibetans.

188. Between 1992 and 2010, the Council of Labor Affairs provided assistance to 52 less-developed and developing countries in participating in overseas continuing education programs for vocational trainers. The Council helped the following 8 countries to set up their vocational training centers to enhance their vocational training capabilities: Philippines, Guatemala, Costa Rica, Paraguay, Malawi, the Dominican Republic, El Salvador and Burkina Faso.

189. The National Science Council (NSC), Executive Yuan has entered into cooperative agreements with scientific research institutions in more than 20 countries around the world through joint research projects, sharing of large-scale research facilities, technical cooperation, personnel exchanges and training, as well as seminars and information exchange activities.

190. For the purposes of protecting the rights of senior citizens, women, individuals with disabilities, low-income families, children and immigrants, the government has established and is promoting a wide range of policy measures to expand the scope of care of disadvantaged groups. However, limited by current regulations and available funding, there remains room for improvement in the protection accorded to the disadvantaged.

191. With respect to the indigenous population of Taiwan, the government established the Council of Indigenous Peoples in 1996 to provide assistance to various ministries and agencies in their formulation of projects and policies that incorporate the requirements and characteristics of the indigenous communities. However, the implementation of these policies has often been delegated to local authorities and has only been marginally effective.

192. Regarding foreign workers in Taiwan, the Council of Labor Affairs have provided subsidies to local governments to set up Foreign Workers Consultation Service Centers around the country and to recruit visitation personnel for conducting visits to foreign workers and to

understand their working and living conditions. A 24-hour toll-free bilingual protection consultation hotline, "1955," has also been made available to provide assistance and airport pick-up service, advocacy on applicable laws and regulations, as well as a channel for grievance and consultation for the protection of foreign workers' rights. In addition, as the brokerage fees paid by the workers to the employment brokerage firms in their home countries are determined locally, and the loans taken out by foreign workers and the often excessive brokerage fees charged to them prior to their arrival in Taiwan are to be repaid with future income earned in Taiwan, criticisms of the exploitation of these workers and infringement on their labor rights are quite common.

193. In the area of civil servants, there are many types of government employees and each has its own challenges and urgency in terms of the working environment. In order to prevent the occurrences of human rights violations, human rights training programs provided by each government agency should take into account the differences among civil servants regarding the nature of their work, and both theory and practice must be given equal consideration. A training model that is easier to understand and accepted, or even one that is incorporated with elements of subject-object role reversal, should be adopted to ensure that the rights of civil servants are protected and that the objectives of human rights education can be achieved.

#### **F. Reporting Procedure at the National Level**

194. Even though the United Nations has declined to accept the instruments of ratification of the ICCPR and ICESCR submitted by the ROC, the Human Rights Advisory Committee under the Office of the President proceeded to issue the national report on human rights on December 10, 2010 during the first committee meeting. The Committee also resolved to issue the initial report and the common core document on ICCPR and ICESCR during its third committee meeting, held on April 12, 2011, in accordance with the UN "Compilation of guidelines on the form and content of reports to be submitted by States parties to the international human rights treaties." The Office of the President and the Ministry of Justice, which take on advisory roles for the Human Rights Advisory Committee under the Office of the President, are responsible for coordinating and supervising various organs of the Central Government in providing drafts of the

report. The Ministry of Justice is responsible for acquainting government officials with the format of preparing the national human rights report and urging government agencies to provide human rights deficiency and rectification plans in a proactive manner.

195. Between June 9, 2011 and February 7, 2012, a total of 82 draft report review meetings were held, which were attended by scholars, experts and representatives of NGOs recommended by the members of the Human Rights Advisory Committee under the Office of the President as well as by civil servants. The attendants of these meetings engaged in dialogues on the status of implementation of rights recognized by various conventions in Taiwan and provided critical opinions and suggestions. Public hearings to gather the views of the people on the national human rights report were held in the following 4 locations: Hualien, Kaohsiung, Taipei and Taichung.

196. NGOs that participated in the draft report review meetings included Covenants Watch, Judicial Reform Foundation, Chinese Association for Human Rights, Taiwan Labor Front, Legal Aid Foundation, Taiwan Labor and Social Policy Research Association, The Garden of Hope Foundation, Taiwan Alliance for Advancement of Youth Rights and Welfare, Federation for the Welfare of the Elderly, Taiwan Foundation for the Blind, Technology Development Association for the Disabled, Access for All in Taiwan - Sunable, Taiwan Association for Psychosocial Rehabilitation (TAPSR), Taiwan Bar Association, Taiwan International Medical Alliance, and Taiwan Alliance to End the Death Penalty. The Control Yuan also provided information regarding its responsibilities in proposing corrective measures as well as initiating censure and impeachment proceedings against civil servants and government agencies found to have been criminally at fault, negligent in performing their duties and have infringed upon the rights of the people. Civil associations and NGOs were also invited to participate in these public hearings, and relevant information and results were subsequently published in the country's four major newspapers.

197. Activities related to the national human rights report: The Ministry of Justice held 17 workshops for civil servants who were responsible for drafting the report, and a total 174 individuals attended these meetings. There were a total of 1,373 attendants by civil servants in the 82 review meetings mentioned above, and there were 432 attendants from members of the

Human Rights Advisory Committee under the Office of the President, scholars, experts and representatives from NGOs. Several hundreds of individuals attended the four public hearings. During the course of drafting the national human rights report, the Ministry of Justice provided the common core document, the guidelines for reporting on ICCPR and ICESCR, general comments of treaty bodies, and the initial reports or regular reports from New Zealand, Turkey, Thailand, Germany, South Korea, Japan, Finland, the United States, Honduras, Sweden and the Netherlands, together with relevant international human rights instruments, to the draft report participants for reference purposes.

### **III. Information on Non-discrimination, Equality and Effective Relief Measures**

#### **G. Non-discrimination and Equality**

##### **International human rights instruments cited or adopted by the ROC**

198. To enhance the protection of various human rights, the government has cited or adopted the spirit of international human rights instruments in order to enforce the concepts of human rights in various domestic policies.

199. Women's rights: CEDAW Implementation Act, enacted based on the CEDAW.

200. Rights of the elderly: Based on the five principles of the United Nations Principles for Older Persons and the objectives for achieving welfare services for the elderly within the Guidelines for Social Welfare, the Senior Citizens Welfare Act has been amended based on the principles of division of rights and responsibilities, professional services, promotion of economic security, localization, community-based services, diverse and on-going services, facilitation of social participation, strengthening of home care and support, as well as enhancing the network for the protection of the elderly.

201. Children's rights: The ROC is not a member of the United Nations and is therefore unable to become a signatory to the Convention on the Rights of the Child. However, in order to abide by the spirit of the convention, Taiwan amended the Children Welfare Act in 1993 and added specific protection clauses in order to enforce the concept of children's protection,

incorporating children's rights in personal freedom, survival, education, health and the maintenance of the parent-child relationships. To further enable the protection of children and juvenile rights, Taiwan's legislature proceeded to integrate Children Welfare Act and Youth Welfare Law and enacted the combined Children and Youth Welfare Act in 2003. In addition, a dedicated competent authority in charge of children and youth welfare, with its own independent budget, was established. The government has also provided professional training programs, established widely available welfare measures for children and youths, and has provided subsidies to civil organizations in carrying out relevant welfare and protection work and activities.

202. Labor rights: Taiwan has enacted the country's Employment Services Act based on the International Labour Organization Discrimination (Employment and Occupation) Convention (No. 111) and Item 4 of the agenda of the 42nd International Labour Organization General Assembly, held on June 4, 1958 in Geneva, in regard to recommendations on employment and occupational discrimination. The Act specifically prohibits employment discrimination. In addition, attributes such as age, gender, place of birth and sexual orientation are later included in the 2007 amendments, which expressly prohibit employers from using these attributes for discrimination purposes against employees or prospective employees, so that all workers are accorded the right to equality in employment.

203. Rights of individuals with disabilities: In order to adhere to the spirit of the Convention on the Rights of Persons with Disabilities, Taiwan has enacted the People with Disabilities Rights Protection Act, which aims to protect the rights of individuals with disabilities and equal opportunities in participation, as well as to prevent them from being discriminated against or mistreated in everyday life.

204. Citizens' rights to receive medical care: The National Health Insurance Act protects the rights of citizens to receive medical care. The Act applies to the country's entire population, including women, children and other groups that have been marginalized, who will be able to receive necessary medical care in the event of illness, injury or childbirth. At the same time health-related regulations or measures were being developed, human rights-related requirements were also taken into consideration. The provisions of the National Health Insurance Act now

correspond properly to the topics outlined in the relevant international human rights instruments concerning the right to health.

205. Environmental laws and regulations enacted by the ROC legislature (e.g. Air Pollution Control Act, Water Pollution Control Act and ) also correspond properly to the topics outlined in the relevant international human rights instruments concerning the protection of the environment, such as the right to health, environmental rights and the right of dwelling.

206. In order to enforce equal rights, as guaranteed by the Constitution, the government has also enacted various legal specifications and standards regarding different aspects of human rights. For example: (1) With respect to the protection of rights associated with social welfare, current laws that protect the rights of citizens to have equal access to government services include: Children and Youth Welfare Act, Senior Citizens Welfare Act, People with Disabilities Rights Protection Act, Act of Assistance for Family in Hardship and Public Assistance Act. (2) With respect to the right to receive medical care, the Medical Care Act requires that medical resources be distributed in a reasonable manner to ensure that all citizens have equal access to the medical resources they require. In addition, regulations such as the HIV Infection Control and Patient Rights Protection Act and the Hansen's Disease Patients Human Rights Protection and Compensation Act are also in place to protect patients suffering from rare diseases. (3) The protection of employment rights is regulated by the Employment Services Act. (4) With respect to the right to receive education, the Compulsory Education Act guarantees that all citizens have the right to receive nine years of compulsory education. In addition, the Special Education Act and the Education Act for Indigenous Peoples further protect the rights of the disadvantaged groups to be educated. Moreover, in order to enforce the concept of equality between men and women, the Gender Equity Education Act expressly prohibits any discriminatory conduct against either gender. (5) The Immigration Act stipulates no one may discriminate against any person residing in the Taiwan Area on the basis of his or her nationality, race, color, class and place of birth.

207. To reinforce foregoing laws and regulations, the government has also formulated various administrative rules and policies, such as: (1) Rights that are protected in the area of social welfare include: ①Protection of children's rights: Implementing economic assistance measures

such as providing living assistance as well as childcare subsidies, educational and medical subsidies; enacting legislation such as the Regulations for Placement of Helpless Children and Youth. ②Protection of the rights of the elderly: Implementing a ten-year program for the long-term care of senior citizens as well as providing caring services for the elderly; enacting legislation such as the Regulations on Living Allowance for Mid or Low-income Senior Citizens. ③Protection of the rights of individuals with disabilities: Issuing the White Paper on the Rights of Persons with Disabilities and enacting legislation such as the Regulations on Subsidization for the Living, Nursing, and Maintenance Expenses of the Disabled Amended Provisions. ④Protection of the rights of low income families: Implementing the Public Assistance Notification Procedure and Timely Handling Regulations, and the County (City) Regulations for Subsidizing Medical Treatment. (2) With regard to the protection of the rights to receive medical care, patients suffering from rare diseases are protected by the Task Force for the Protection of the Rights of Hansen's Disease Patients and the Regulations Governing Protection of the Rights of HIV Patients. Moreover, the Plan to Improve the Effectiveness of Medical Benefit Payments for National Health Insurance in Mountain Regions and Outlying Islands has also been implemented. (3) On the employment rights protection front, the government has established the Employment Discrimination Arbitration Board. (4) In the area of educational rights, the Five-year Medium-term Indigenous Education Development Project has been established. (5) With respect to the elimination of discriminatory conduct, the Regulations Governing Discrimination Complaint Filing Procedures for Residents of the Taiwan Area has been implemented pursuant to the provisions of the Immigration Act.

208. To fill the gaps and inadequacies of current laws and regulations, the government has initiated a number of draft amendments to existing laws in order to enforce the protection of equal rights and to prohibit all forms of discriminatory acts. These include: (1) In order to prevent defendants in detention from being discriminated against due to their detainee status, the government has proposed to add a new Article 2 to the draft revision of the Detention Act, as follows: "When performing their duties, detention center staff shall be required to protect the dignity of the accused, safeguard their human rights, and may not exceed their authority beyond that which is required to achieve the purpose of the detention and to maintain order at the

detention facilities. In addition, detention center staff may not discriminate against the defendants in detention on the basis of their race, color, sex, language, religion, political persuasion, nationality, ethnicity, social status, ownership of property, place of birth or any other personal factors." (2) In order to ensure that victims of crimes receive reasonable and equal treatment in the Republic of China, the Crime Victims Protection Act was amended on November 15, 2011. (3) To enhance the protection of refugees, asylum seekers and their families by the Republic of China, the government has drafted the Refugee Bill. (4) Anti-discrimination amendments to the Part of Family of the Civil Code and the Part of Succession of the Civil Code: With respect to the family name adopted by married couples, not prefixing the spouse's surname to one's original name is the norm and the opposite is the exception. The Matrimonial Property Regimes have been amended to ensure the equality of economic status between the genders. The general rule of assigning surnames to children has been amended to the following: parents shall agree in writing regarding whether the child will assume the father's or the mother's surname. With respect to the exercising of parental rights and authority in the event of disagreement between the parents or the selection of the guardian, the law has been amended as being required to be settled by the court. In addition, all children have equal inheritance rights regardless of their gender.

#### **Other measures adopted to eliminate discrimination**

209. The Directorate-General of Personnel Administration provides monthly statistics regarding the gender ratios of political appointees in the Executive Yuan as reference for the recruitment of new officials. In addition, when the Executive Yuan or its subordinate agencies are to recruit new employees, it is desirable to provide the heads of agencies with statistics on gender breakdown as reference. Relevant statistics: From 2006 to 2012 the proportion of female political appointed agency heads increased from 10% to 28.21%, and the percentage of female political appointees increased from 12.28% to 17.98%; the percentage of female senior civil servants increased from 20.37% to 27.34%; the proportion of indigenous civil servants increased from 21.91% to 28.47%, and that of civil servants with disabilities increased from 34.17% to 37.42%.



210. The Ministry of Justice supervises Taiwan After-care Associations on their efforts to encourage corporations (employers) to provide job opportunities to rehabilitated offenders. At the same time the Ministry also provides business start-up loan services to help rehabilitated offenders to start their own business ventures as well as to help them market and promote their products and expand their distribution channels. The Ministry also continues to follow up on their progress and provide ongoing guidance in order to help rehabilitated offenders stay employed and to protect their rights to survive and work. In addition, the Ministry engages volunteers and civil organizations to provide guidance and counseling to prison inmates and promotes their acceptance by the general public through expanded social participation, the purpose of which is to reduce discrimination.

211. Article 129 and Article 130 of the Constitution state that elections shall be carried out by universal, equal, and direct suffrage and by secret ballot, and any citizen who has attained the age of twenty shall have the right of election in accordance with law. The Presidential and Vice Presidential Election and Recall Act and the Civil Servants Election and Recall Act stipulate that the age requirements above apply as well, unless the declaration of guardianship has not been revoked. Therefore, the right of election is not restricted in any way by financial capability, gender or educational criteria. Each person is entitled to one vote and all votes are equivalent. In addition, Article 15 of the Constitution states that "The right to live, the right to work, and the right to own property shall be guaranteed to the people." Article 152 requires that "The State shall provide suitable opportunities for work to those persons who have the ability to work." Article 4 of the Employment Services Act provides "Every national with working capability is equal in terms of the access to Employment Services," and Paragraph 1, Article 5 of the same Act states that discrimination against any job applicant or employee on the basis of gender is prohibited. The Act of Gender Equality in Employment covers the prohibition of gender-based discrimination, prevention and correction of sexual harassment and the measures for promoting equality in employment, which provides a set of comprehensive guarantees to protect gender equality in the workplace.

## **Protection of the rights of various disadvantaged groups**

212. Currently various competent authorities are responsible for developing their laws and regulations as well as implementing specific measures.

213. Rights of individuals with disabilities: For the purposes of adhering to the spirit of the People with Disabilities Rights Protection Act and the Convention on the Rights of Persons with Disabilities, so that the ROC's welfare policy for individuals with disabilities can be brought in line with international standards, the Ministry of the Interior introduced the White Paper on the Protection of the Rights of Persons with Disabilities on July 30, 2009, which details specific strategies on the following 7 major aspects: welfare services that are provided to individuals with disabilities and the maintenance of their rights and interests, their right to medical care, right to receive education, right to employment, right to barrier-free environment, right to economic security and comprehensive issues. In addition, a total of 348 short, medium and long term tasks have been identified, which will form the basis on which the government will formulate the country's comprehensive career development strategy for individuals with disabilities over the next decade.

214. Rights of senior citizens: To protect the basic economic security ROC citizens in their old age, the National Pension System was officially launched on October 1, 2008. Approximately 4.25 million citizens aged 25 to 64 who are not insured by military personnel insurance, civil servant and teacher insurance, labor insurance, or farmer's health insurance are now protected by the social safety net. In addition, to respond to the trend of rising long-term care needs due to the increasing proportion of older and disabled citizens among the population, the government has initiated the ten-year program for the long-term care of senior citizens to provide services across the society and the health sector, thus gradually building up the country's long-term care services system in order to provide benefits and appropriate support to disabled citizens and their families. On the other hand, to promote the mental and physical health of senior citizens in the communities as well as to put into practice the concepts of aging in place and community empowerment, the government initiated the community care implementation project in 2005, providing care and visitation, telephone greeting, consultation and referral services, food services and health promotion activities, the purpose of which is to delay the aging

rate of senior citizens and maximize the communities' ability of self-help and mutual assistance.

215. Rights of low income families: Based on statistics compiled for the 4th quarter of 2011, there are a total of 128,237 low income families in the ROC (about 1.59% of the total number of households in the country), which correspond to 314,282 persons (approximately 1.35% of the total population). Low income families refer to those families that are approved by their local municipality competent authority via application; their average divided monthly income among each person in the household falls below the lowest living index; and their total household assets do not exceed the specific amount announced by the central and municipality competent authorities in the year of application. On December 29, 2010, various measures based on the lowest living index were amended in the Public Assistance Act and the eligibility criteria for low-income household were relaxed in a sensible manner. The government has since enhanced guidance and counseling on employment assistance and encouraged participation from the general public in order to help disadvantaged persons to improve their competitiveness and to escape from poverty, so that the public assistance program can become more streamlined and comprehensive. In addition, Article 18 and Article 19 of the Public Assistance Act provide for medical subsidies on National Health Insurance premiums for low income families and on medical expenses incurred by seriously injured or ill patients in low income families which neither the patients nor the maintenance obligees are able to afford, the purpose of which is to remedy the deficiencies of current benefits provided by the National Health Insurance system. Amounts of subsidies provided in 2011: ①Premium subsidies: Subsidies on National Health Insurance premiums for Category 5 insureds amounted to NT\$4,694,870,000; ②Copayment subsidies: Subsidies on copayments of medical expenses to low income families (outpatient and inpatient included) totaled just over NT\$1,242,000,000; ③Subsidies for medical expenses not covered by National Health Insurance: Subsidies provided to 7,980 visits to clinics or hospitals, with a total amount of NT\$106,059,602.

216. Rights of veterans: The Veterans Affairs Commission of the Executive Yuan (VAC) provides monthly home-care benefits to disadvantaged veterans, who are single, without families, suffering from dementia, or disabled, and who also satisfy the criteria for home-care assistance, so as to help them maintain basic living standards and provide them with required medical care.

In addition, these veterans can choose to be housed in VAC Veterans Homes at their own free will. Whereas those veterans, their families, or survivors of the deceased veterans, who are not entitled to home-care benefits, are provided with the following services: Emergency assistance is available to individuals who are in poverty and without families, and regional Veterans Service Departments will also help these individuals apply for low-income and medium-income household subsidies. Veterans who are in need of long-term care will be referred to long-term care management centers administered by local governments, where they can apply for in-home care and other types of assistance. In terms of medical services and long-term care, veterans hospitals at all levels provide emergency, outpatient and inpatient services. Some of these hospitals also offer geriatric consultations, integrated outpatient services, nursing care services, free hospital beds, and medium-term care services. Individuals with psychiatric disorders will undergo therapy and rehabilitation before they return to their families and society.

217. Rights of the unemployed: The Employment Insurance system was launched in 2003 with the promulgation of the Employment Insurance Act. It provided the insured persons with unemployment benefits, vocational training living allowances, early reemployment incentives, and National Health Insurance premium subsidies for unemployed insured persons and dependants enrolled with the insured persons, so that basic living expenses required during the period of unemployment can be guaranteed. Between 2006 and 2011 (as of November), about 2.8 million applications for unemployment benefits were approved, with total benefit payout of NT\$53.114 billion; 133,000 applications for vocational training living allowances were granted, with a total amount of NT\$2.58 billion; 181,000 applications for early reemployment incentives, totaling NT\$6.83 billion, were approved; and 4.48 million applications for NHI premium subsidies, with a subsidized amount totaling NT\$2.83 billion, were approved. Refer to the following table for detailed statistics.

**Table 49 Employment Insurance benefits: numbers of approved payment and payout data**

Unit: Case; NT\$

Type	Unemployment benefits		Early reemployment incentives		Vocational training living allowances		National Health Insurance premium subsidies	
	Numbers of approved payment	Total amount approved	Numbers of approved payment	Total amount approved	Numbers of approved payment	Total amount approved	Numbers of approved payment	Total amount approved
2006	277,021	4,957,930,167	20,936	808,234,466	12,212	213,637,645	305,803	189,789,694
2007	298,859	5,353,019,405	25,137	953,158,234	14,792	261,427,283	461,686	269,946,742
2008	370,233	6,645,870,726	26,912	1,015,567,967	14,677	255,052,835	541,197	385,843,428
2009	1,119,303	20,824,877,248	50,938	1,790,408,854	42,619	827,169,744	1,401,961	842,449,899
2010	494,843	9,910,794,927	36,181	1,378,625,265	31,455	650,981,863	1,282,483	827,976,419
2011	286,523	5,909,850,952	25,726	1,096,930,416	20,182	419,823,247	528,325	417,342,320
Total	3,634,819	67,147,559,087	221,319	8,341,501,314	174,095	3,253,884,526	5,231,420	3,317,857,376

Source: Bureau of Labor Insurance, Council of Labor Affairs

Description: Data for 2011 as of the end of November.

218. Rights of adults who lack the ability to make judgments: In view of the fact that the law regarding adult guardianship system of the Civil Code before its amendment contained only one level of declaration of interdiction, which was inflexible and unable to protect the ward in a comprehensive manner, amendments to the Civil Code on adult guardianship have been introduced to protect adults who lack the ability to make judgments (e.g. elderly persons with dementia, individuals with mental disabilities and those with psychiatric disorder).

219. Rights of crime victims and rehabilitated offenders: The Ministry of Justice has introduced the Enhanced Crime Victim Protection Program to carry out emergency rescue of crime victims and ensure their personal safety, protect their privacy and litigation rights, and ensure that the victims' rights to receive compensation and right to civil claim as well as protect their basic living requirements are also protected. Refer to the following table for detailed statistics. With respect to the rights of rehabilitated offenders, the government supervises After-care Associations on their efforts to carry out various protective services, including counseling on asylum counseling; vocational training; guidance on employment, education and medical care; emergency assistance; visitation and care; subsidies on travel expenses; escort

service to home or other locations; and small business start-up loans. The government also partners with religious, social welfare and other civil organizations to provide halfway houses for the rehabilitated, as well as provides temporary lodgings to rehabilitated offenders who are homeless or have difficulties returning home so that they can be protected and provided with the necessary counseling. In 2010 the government began to implement supportive services to families of the rehabilitated, thus extending the protective services to cover the family and providing greater support to help rehabilitated offenders to be accepted once again into their homes.

**Table 50 No. of crime victims helped by the protection program**

Unit: Person	
Year	No. of persons served
2006	8,151
2007	11,455
2008	12,141
2009	14,570
2010	17,760
2011	17,471

Source: Department of Prevention, Rehabilitation and Protection (Ministry of Justice)

220. Reducing the gap of welfare services provided to immigrants: In July 2010, mobile service vehicles pilot programs were launched in New Taipei City, Nantou County, Yunlin County, Pingtung County and Hualien County, with immigration services personnel reaching into remote villages and towns to provide relevant information or accept applications. Through these programs persons who require assistance were identified and referred to local Foreign Spouse Family Service Centers, thus narrowing the gap between urban and rural areas in the utilization of services and resources. In 2011, 18 service stations in 15 special municipalities and counties (cities) implemented the mobile service vehicles programs, which provided services in a total of 2,211 cases, and satisfaction surveys indicated that 99% of those served were pleased with the assistance provided.

221. Reducing the gap of welfare services provided to individuals with disabilities: In accordance with the Guidelines for Subsidizing Promotion Social Welfare, the Ministry of the Interior organizes activities aimed at welfare organizations for individuals with disabilities at all levels to ensure that individuals with physical and mental disabilities in local communities have access to welfare services that they require.

222. Reducing the gap of welfare services provided to senior citizens: To put the concepts of aging in place and community empowerment into practice, the Ministry of the Interior initiated the community care implementation project in 2005, and as of the end of December 2011, there were 1,714 service stations established by special municipalities and counties (cities), and approximately 55,000 senior citizens were participating in health-related activities on a regular basis. The number of senior citizens who accepted telephone greetings and visitations from the service station personnel exceeded 140,000, and the total annual service capacity was approximately 200,000. In the area of caring for senior citizens who live alone, apart from providing living management services and emergency care services, additional care and support services are provided to the elderly with the help of civil institutions, volunteers, community resources and manpower from citizens serving military duties in substitute (social) services. As of the end of 2011, the number of greeting calls and visits made to senior citizens was 429,228 and 406,182, respectively. A total of 14,470 instances of accompanying senior citizens to hospital for medical care, and 1,308,563 food services were also provided.

223. Reducing the gap of the right to receive education:

(1) Multi-Star Recommendation Project: For the purposes of achieving homogeneity in high school education and regional balance, the Ministry of Education instituted the University Multi-Star Project at 12 universities during the 2007 academic year (August 2007 - July 2008). The program expanded the number of participating universities to 33 for the 2010 academic year (August 2010 - July 2011). Beginning from the 2011 academic year (August 2011 - July 2012), the Multi-Star Project is combined with existing procedures for university admission by application to form the Multi-Star Recommendation Project. The number of participating senior high schools, both public and private, increased to 68 and the number of available vacancies to 7,649, with 6,790 students subsequently admitted through the program. Statistics show that the

number of admitted students from community high schools far exceeded that from metropolitan high schools. In the 2012 academic year (August 2012 - July 2013), the number of available vacancies will be increased to 8,575.

(2) School Actualization Program: Since the 2007 academic year (August 2007 - July 2008), public and private senior high schools have submitted competitive plans for improving educational quality, promoting the development of their own characteristics, achieving balanced regional educational resources and encouraging students to attend schools in their neighborhoods. As of the 2011 academic year (August 2011 - July 2012), a total of 213 general high schools and 132 vocational high schools were approved to receive quality enhancement assistance.

(3) Educational Priority Area: To address the issue of imbalance between urban and rural education and the problem that certain members of minority and disadvantaged groups have not been provided with proper education, the government launched the Educational Priority Area project in 1996 across the country, and thus far NT\$15.2 billion has been invested in the pilot program.

### **Other specific measures**

224. In order to narrow the urban-rural gap, the Ministry of the Interior has initiated the Taiwan Urban and Rural Integrated Planning Demonstration Project, whereby local governments are encouraged to recruit suitable professionals via both competitive and policy guidance subsidy strategies. In addition, systematic reorganization and improvement on major local attractions and facilities are carried out with efforts from the communities to highlight local characteristics and to bridge the urban-rural gap. For example, in national spatial sustainable planning, which is a competitive subsidy program, 7 projects received subsidies in 2009 and 5 projects received subsidies in 2010. On the other hand, in the ecological urban environmental improvement and overall rehabilitation of villages and subdistricts planning, which are policy guidance subsidy programs, 818, 634 and 277 projects received subsidies in 2009, 2010 and 2011, respectively.

225. To achieve a balanced urban-rural development and to provide the public with the opportunities to participate in local art and cultural activities, the Council for Cultural Affairs has initiated the local cultural museum project so that communities across the country will have equal and convenient access to cultural resources. In addition, performing arts organizations are



encouraged to perform in local communities and campuses across the country to attraction participation from the public, so that even residents living in remote areas, which relatively lack cultural resources, will have the opportunities to be exposed to the arts and participate in cultural activities. In 2005 the government implemented the Encyclopedia of Taiwan website to provide free and equal access to the general public, and thus far the website has been visited over 30 million times.

226. In addition, in order to utilize limited resources in a more sensible manner, the National Science Council has provided subsidies to popular science activities held in remote areas and disadvantaged groups. Suitable scientific teaching materials incorporating cultural aspects of the indigenous peoples of Taiwan have been created to encourage members of the indigenous communities to develop interests and capabilities in the sciences, informatics and technologies. In 2009, a total of 86 teachers and 663 indigenous students in 16 elementary and secondary schools for the indigenous communities participated in these activities. A total of 22 popular science promotion activities aimed at the indigenous communities were held, and there were 2,435 visits to these events.

227. For the purposes of protecting the privacy of indigenous voters in urban areas, due to their relatively small numbers, as well as preventing the results of elections from being exposed to the public and the principle of secret ballot from being violated, Article 57 of the Civil Servants Election and Recall Act states that in an election of indigenous civil servants, the election commission may, depending on the actual circumstances, adjust the establishment of polling stations in urban areas by adopting centralized voting in order to safeguard the rights of indigenous electors.

228. To protect members of disadvantaged groups from being discriminated against, the following measures are being actively implemented: (1) Employment quotas are imposed in accordance with the law to protect and promote the employment of individuals with disabilities and members of the indigenous communities. (2) Providing individuals with disabilities with the opportunities to participate in vocational training, continuing to improve barrier-free training environments, and implementing job redesign to help them overcome training participation obstacles, so that their employability can be improved. (3) Providing employment services or

vocational training programs, along with allowances or subsidies, to sole breadwinners of families, senior or middle-aged persons, individuals with disabilities and members of the indigenous communities as well as those receiving living assistance who have the ability to work and long-term unemployed persons. (4) Providing subsidies for temporary work and employment services following the occurrences of natural disasters. (5) Managing foreign workers and protecting the rights to which they are entitled, and ensuring that they are being treated equally as the citizens of Taiwan.

**Various educational programs advanced by the government and associated promotional activities**

229. To provide effective human rights protection, the government is committed to providing various educational programs and carries out the associated promotional activities.

230. To further educate the citizens of Taiwan on the value of cultural diversity, beginning in 2008 the Ministry of the Interior organizes a series of annual events around December 18, the International Immigrant Day designated by the United Nations. The activities are reported by both Chinese and English media, which provide the advocacy for the respect for cultural diversity.

231. Each year the Ministry of the Interior, in conjunction with media outlets, presents the Golden Eagle Award for Outstanding Individuals with Disabilities at the award ceremony, the purpose of which is to promote the understanding and acceptance of the general public toward individuals with disabilities as well as to achieve a higher level of social harmony.

232. Approaches taken to protect veterans' rights include organizing annual education guidance seminars, career change forums and career counseling workshops. Veterans are also introduced to the rights to which they are entitled and sample cases of services provided by the government.

233. For schools below the senior high school level, individualized educational plans shall be provided to students with disabilities through teamwork, and parents and guardians of students with disabilities shall be invited to participate in the formulation of these plans. Whenever necessary, parents may also ask relevant individuals to accompany them to these plan development sessions. With respect to special education curriculum, teaching materials, teaching

approaches and evaluation methods, flexibility is essential. The suitability and applicability to the physical and mental characteristics as well as the needs of special education students must be taken into consideration.

234. Every year the Council of Labor Affairs organizes advocacy seminars on gender equality in employment, which are supplemented by media coverage and the implementation of websites dedicated to gender equality in employment. The purpose is to promote the understanding of the provisions of the Act of Gender Equality in Employment by the general public. In addition, in order to encourage business enterprises to fulfill the concept of gender equality in the workplace and to create friendly working environments, the Council of Labor Affairs organized outstanding friendly workplace selection activities in 2006, 2008 and 2010, aimed at eliminating gender discrimination and enforcing actual gender equality in the workplace. Furthermore, the items that are included in the scope of labor inspection, as required by the Act of Gender Equality in Employment, are used to urge business enterprises to comply with the relevant provisions of the Act via gender equality in employment special inspections.

235. To provide advocacy for the amended Part of Family of the Civil Code (e.g. the marital property system) and the Part of Succession of the Civil Code, the Ministry of Justice has produced advocacy brochures and Q&A handbooks and has made them available to the general public via government agencies. The Ministry has also utilized various occasions, such as training workshops and seminars, to educate the public on the provisions of the marital property system.

236. The government also presents the experiences and life stories of rehabilitated offenders to the public through various advocacy activities, production of promotional materials, volunteer participation and media coverage to improve the understanding of the plights of rehabilitated offenders and their entitled rights by the general public so that discrimination and prejudice against them may be reduced.

**Table 51 List of United Nations International Conventions, 1973-2012**

Year	Name of Convention
1973	International Convention on the Suppression and Punishment of the Crime of Apartheid (November 30, 1973)
	Convention on the Prevention and Punishment of Crimes against. Internationally Protected Persons, including Diplomatic Agents (December 14, 1973)
1974	Convention on Registration of Launched Objects into Outer Space (November 12, 1974)
	Charter of Economic Rights and Duties of States (December 12, 1974)
	Definition of Aggression (December 14, 1974)
	Agreement between the United Nations and the World Intellectual Property Organization (December 17, 1974)
1976	Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques (December 10, 1976)
1977	Agreement between the United Nations and the International Fund for Agricultural Development (December 15, 1977)
	Relationship Agreement between the United Nations and the World Tourism Organization (December 19, 1977)
1978	Charter of Rights for Migrant Workers in Southern Africa (December 20, 1978)
1979	Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (December 5, 1979)
	International Convention Against the Taking of Hostages (December 17, 1979)
	Code of Conduct for Law Enforcement Officials (December 17, 1979)
	Convention on the Elimination of All Forms of Discrimination Against Women (December 18, 1979)
1980	International Development Strategy for the Third United Nations Development Decade (December 5, 1980)
	International Agreement for the Establishment of the University for Peace and Charter of the University for Peace (December 5, 1980)
1982	World Charter for Nature (October 28, 1982)
	United Nations Convention on the Law of the Sea (December 10, 1982)
	Principles Governing the Use by States of Artificial Earth Satellites for International Direct Television Broadcasting (December 10, 1982)
	Principles of Medical Ethics relevant to the role of health personnel, particularly physicians, in the protection of prisoners and detainees against torture and other cruel, inhuman or degrading treatment or punishment (December 18, 1982)
1984	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the “Torture Convention”) (December 10, 1984)
1985	United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules) (November 29, 1985)
	International Convention against Apartheid in Sports (December 10, 1985)

Year	Name of Convention
	Agreement between the United Nations and the United Nations Industrial Development Organization (December 17, 1985)
1986	United Nations Principles Relating to Remote Sensing of the Earth from Outer Space (December 3, 1986)
1987	Environment Outlook to the Year 2000 and Beyond (December 11, 1987)
1988	Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (December 9, 1988)
	United Nations Convention on International Bills of Exchange and International Promissory Notes (December 9, 1988)
1989	Convention on the Rights of the Child (November 20, 1989)
	Convention against the Recruitment, Use, Financing and Training of Mercenaries (December 4, 1989)
	Principles that should Govern Further Actions of States in the Field of the Freezing and Reduction of Military Budgets (December 15, 1989)
	Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (December 15, 1989)
1990	Model Treaty on Mutual Assistance in Criminal Matters and the Optional Protocol to the "Model Treaty on Mutual Assistance in Criminal Matters Concerning the Proceeds of Crime" (December 14, 1990)
	Model Treaty on the Transfer of Proceedings in Criminal Matters (December 14, 1990)
	Basic Principles for the Treatment of Prisoners (December 14, 1990)
	Model Extradition Treaty (December 14, 1990)
	Model Treaty on the Transfer of Supervision of Offenders Conditionally Sentenced or Conditionally Released (December 14, 1990)
	Guidelines for the Regulation of Computerized Personal Data Files (December 14, 1990)
	United Nations Rules for the Protection of Juveniles Deprived of their Liberty (December 14, 1990)
	United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules) (December 14, 1990)
	United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines) (December 14, 1990)
	United Nations International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (December 18, 1990)
International Development Strategy for the Fourth United Nations Development Decade (December 21, 1990)	
1991	United Nations Principles for Older Persons (December 16, 1991)
	Principles for the Protection of Persons with Mental Illnesses and the Improvement of Mental Health Care (December 17, 1991)
	The United Nations New Agenda for the Development of Africa in the 1990s (UN-NADAF) (December 18, 1991)
	Statement of Principles and Programme of Action of the United Nations Crime Prevention and Criminal

Year	Name of Convention
	Justice Programme (December 18, 1991)
1992	Principles Relevant to the Use of Nuclear Power Sources in Outer Space (December 14, 1992)
1993	Principles relating to the Status of National Institutions for the Promotion and Protection of Human Rights (The Paris Principles) (December 20, 1993)
	The Standard Rules for the Equalization of Opportunities of Persons with Disabilities (December 20, 1993)
1994	Agreement relating to the Implementation of Part XI of the December 10, 1982 United Nations Convention on the Law of the Sea (July 28, 1994)
	Convention on the Safety of United Nations and Associated Personnel (December 9, 1994)
1995	United Nations Model Rules for the Conciliation of Disputes between States (December 11, 1995)
	United Nations Convention on Independent Guarantees and Stand-By Letters of Credit (December 11, 1995)
1996	International Code of Conduct for Public Officials (December 12, 1996)
	United Nations Commission on International Trade Law Model Law on Electronic Commerce (December 16, 1996)
1997	United Nations Convention on the Law of the Non-Navigational Uses of International Watercourses (May 21, 1997)
	United Nations Development Programme (June 20, 1997)
	Agreement concerning the Relationship between the United Nations and the International Seabed Authority (November 26, 1997)
	Model Strategies and Practical Measures on the Elimination of Violence Against Women in the Field of Crime Prevention and Criminal Justice (December 12, 1997)
	International Convention for the Suppression of Terrorist Bombings (December 15, 1997)
	United Nations Commission on International Trade Law (UNCITRAL) Model Law on Cross-Border Insolvency (December 15, 1997)
1998	The Agreement on Cooperation and Relationship between the United Nations and the International Tribunal for the Law of the Sea (September 8, 1998)
	Principles and Guidelines for International Negotiations (December 8, 1998)
1999	Convention on the Elimination of All Forms of Discrimination Against Women: Optional Protocol (October 6, 1999)
	International Convention for the Suppression of the Financing of Terrorism (December 9, 1999)
2000	Optional Protocol to Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (May 25, 2000)
	Optional protocol on the involvement of children in armed conflict to the Convention on the Rights of the Child (May 25, 2000)
	Agreement to Regulate the Relationship between the United Nations and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (June 15, 2000)
	United Nations Convention on Transnational Organized Crime (November 15, 2000)

Year	Name of Convention
	Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime (November 15, 2000)
	Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (November 15, 2000)
2001	Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (May 31, 2001)
	Statute of the United Nations System Staff College (July 12, 2001)
	The cooperation between the United Nations and the Organisation for the Prohibition of Chemical Weapons (September 7, 2001)
	Global Agenda for Dialogue among Civilizations (November 9, 2001)
	United Nations Convention on the Assignment of Receivables in International Trade (December 12, 2001)
2002	United Nations Commission on International Trade Law (UNCITRAL) Model Law on International Commercial Conciliation (November 19, 2002)
	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: Optional Protocol (December 18, 2002)
2003	United Nations Convention against Corruption (October 31, 2003)
	Agreement between the United Nations and the World Tourism Organization (December 23, 2003)
2004	United Nations Convention on Jurisdictional Immunities of States and Their Property (December 2, 2004)
2005	International Convention for the Suppression of Acts of Nuclear Terrorism (April 13, 2005)
	United Nations Convention on the Use of Electronic Communications in International Contracts (November 23, 2005)
	Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel (December 8, 2005)
	Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law (December 16, 2005)
2006	The Standard Rules for the Equalization of Opportunities of Persons with Disabilities (December 13, 2006)
	Convention for the Protection of All Persons from Enforced Disappearance (December 20, 2006)
2008	Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR) (December 10, 2008)
	United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea (the Rotterdam Rules) (December 11, 2008)

Source: 1. Department of Treaty and Legal Affairs, Ministry of Foreign Affairs

2. Study commissioned by the Ministry of Justice: Report on the Harmonization of Municipal Laws of the Land with International Conventions, October 29, 2009.

**Table 52 International conventions that have been signed but not ratified or acceded to by  
the Republic of China**

No.	Name of Convention	Date and Location of Establishment	Entry into force	Status of ROC's participation			Remark
				Date Convention was signed and Name of Representative	Date of Ratification/Acceptance or Accession	Date of Deposit of Instrument of Ratification/Acceptance or Accession	
1	Agreement on the Importation of Educational, Scientific and Cultural Materials	1950/11/22 New York	1952/5/21	1950/11/22			In accordance with the provisions of Article 9, paragraph 3 of the Agreement, the instrument of ratification should be deposited with the Secretary-General of the United Nations, and as a result all further considerations have been put aside. To prevent books and documents from the Communist Bloc from flowing into the ROC, the Agreement has not yet been ratified.
2	Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention 1954	1954/5/14 Haiti	1956/8/7	1954/5/14			In accordance with the provisions of Article 31, paragraph 2 of the Regulations, the instrument of ratification should be deposited with the Director-General of UNESCO, and as a result all further considerations have been put aside.
3	Regarding the Convention on the registration of inland navigation vessels:	1956/6/22 Bangkok		1956/6/22			In accordance with the provisions of Article 7 of the Convention, the instrument of ratification should be deposited with the Secretary-General of the United Nations, and as a result all further considerations have been put aside.



No.	Name of Convention	Date and Location of Establishment	Entry into force	Status of ROC's participation			Remark
				Date Convention was signed and Name of Representative	Date of Ratification/Acceptance or Accession	Date of Deposit of Instrument or of Ratification/Acceptance or Accession	
4	Convention on the Territorial Sea and the Contiguous Zone	1958/4/29 Geneva	1964/9/10	1958/4/29			In accordance with the provisions of Article 27 of the Convention, the instrument of ratification should be deposited with the Secretary-General of the United Nations, and as a result all further considerations, including ratification, have been put aside.
5	Convention on the High Seas	1958/4/29 Geneva	1962/9/30	1958/4/29			In accordance with the provisions of Article 32 of the Convention, the instrument of ratification should be deposited with the Secretary-General of the United Nations, and as a result all further considerations have been put aside.
6	Convention on Fishing and Conservation of Living Resources of the High Seas	1958/4/29 Geneva	1966/3/20	1958/4/29			In accordance with the provisions of Article 16 of the Convention, the instrument of ratification should be deposited with the Secretary-General of the United Nations. Currently no plans have been made for the ratification of the Convention.
7	Optional Protocol of Signature concerning the Compulsory Settlement of Disputes	1958/4/29 Geneva	1962/9/30	1958/4/29			
8	Convention on the International Hydrographic Organization and Its Legal Status	1958/6/16 Monaco		1959/1/8			
9.	Radio Regulations	1959/12/21 Geneva	1961/1/1	1959/12/21			

No.	Name of Convention	Date and Location of Establishment	Entry into force	Status of ROC's participation			Remark
				Date Convention was signed and Name of Representative	Date of Ratification/Acceptance or Accession	Date of Deposit of Instrument or of Ratification/Acceptance or Accession	
10.	Agreement between the United Nations Special Fund and the Republic of China concerning assistance from the Special Fund	1960/9/20 New York	1960/9/20	1960/9/20			
11.	Optional Protocol concerning Acquisition of Nationality	1961/4/18 Vienna	1964/4/24	1961/4/18			
12	Optional Protocol concerning the Compulsory Settlement of Disputes	1961/4/18 Vienna	1964/4/24	1961/4/18			
13	International Convention for the Unification of Certain Rules relating to Carriage of Passengers by Sea	1961/4/29 Brussels	1965/6/4	1961/6/30			
14	Final act of United Nations Conference on the Elimination or Reduction of Future Statelessness and Convention on the Reduction of Statelessness	1961/8/30 New York	1975/12/13	1961/8/30			

No.	Name of Convention	Date and Location of Establishment	Entry into force	Status of ROC's participation			Remark
				Date Convention was signed and Name of Representative	Date of Ratification/Acceptance or Accession	Date of Deposit of Instrument or of Ratification/Acceptance or Accession	
15	Convention for the Unification of Certain Rules Relating to International Carriage by Air performed by a Person other than the Contracting Carrier	1961/9/18 Guadalajara, Mexico	1964/5/1	1961/9/18			
16	Convention on the Liability of Operators of Nuclear Ships	1962/5/25 Brussels		1962/5/25			
17.	Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages	1962/12/10 New York	1964/12/9	1963/4/4			
18	Vienna Convention on Civil Liability for Nuclear. Damage	1963/5/21		1963/5/21			
19	Optional Protocol to the International Covenant on Civil and Political Rights	1966/12/19 New York	1976/3/23	1967/10/5			
20.	Protocol to Amend the International Convention for the Unification of Certain Rules of Law Relating to Bills of Lading	1968/2/23 Brussels		1968/2/23	Deposited with the Belgian Government; not yet ratified		

No.	Name of Convention	Date and Location of Establishment	Entry into force	Status of ROC's participation			Remark
				Date Convention was signed and Name of Representative	Date of Ratification/Acceptance or Accession	Date of Deposit of Instrument or of Ratification/Acceptance or Accession	
21	Vienna Convention on Road Traffic	1968/11/8 Vienna	1977/5/21	1968/12/19			Despite the requirement to deposit the instrument of ratification with the UN Secretary-General, the ROC has yet to ratify the Convention. Since the withdrawal of the ROC from the UN, it is unlikely that any instruments of ratification will be accepted by the UN, and as a result all further considerations have been put aside.
22	Vienna Convention on Road Signs and Signals	1968/11/8 Vienna		1968/12/19	Same as above	Same as above	
23	Vienna Convention on the Law of Treaties	1969/5/23 Vienna		1970/4/27			Despite the requirement to deposit the instrument of ratification with the UN Secretary-General, the ROC has yet to ratify the Convention after having signed it and presented it to the Legislative Yuan.
24	The International Convention for the Safety of Life at Sea (SOLAS), 1960	1969/10/21 London					It was recommended that the reports of the delegations to the sixth session of the Inter-Governmental Maritime Consultative Organization (IMCO) Assembly be studied by the international maritime issues research group of the Ministry of Transportation and Communications, and that Chinese translations of these reports and a letter to offer opinions and recommendations be compiled and presented to the Executive Yuan for approval. Thus far the ROC has yet to ratify the Convention.

No.	Name of Convention	Date and Location of Establishment	Entry into force	Status of ROC's participation			Remark
				Date Convention was signed and Name of Representative	Date of Ratification/Acceptance or Accession	Date of Deposit of Instrument of Ratification/Acceptance or Accession	
25	Convention on Special Missions	1969/12/16 New York		1970/12/28			The instrument of ratification for the Convention was required to be deposited with the UN Secretary-General. On October 18, 1971 the Ministry consulted with the Ministry of the Interior, Ministry of Finance, Ministry of Justice and the Ministry of Transportation and Communications, all of which agreed to proceed with the ratification process. However, the UN General Assembly voted to admit the People's Republic of China on October 25, 1971, and the ratification of the Convention has since been put aside.
26.	Convention on Mental Rotation Substances	1971/2/21 Vienna		1971/2/21			As the ROC had just withdrawn from the UN at the time the Convention was approved by the Executive Yuan and submitted to the Legislative Yuan for deliberation, Minister of Foreign Affairs Chow Shu-kai proposed at a cabinet meeting of the Executive Yuan that further considerations of the Convention should be postponed.

No.	Name of Convention	Date and Location of Establishment	Entry into force	Status of ROC's participation			Remark
				Date Convention was signed and Name of Representative	Date of Ratification/Acceptance or Accession	Date of Deposit of Instrument of Ratification/Acceptance or Accession	
27.	Guatemala City Protocol (1971) Amending Warsaw Convention of 1929 as amended by The Hague Protocol of 1955	1971/3/8 Guatemala		1971/3/8			The official letter Jiao-Hang-(60)-Zi No. 13476 MOTC-Aviation (1971) issued by the Ministry of Transportation and Communications (MOTC) on November 9, 1971 recommended that the Protocol be ratified. However, the International Civil Aviation Organization (ICAO) voted to expel the ROC and admit Communist China on November 19, and depositing the instrument of ratification with ICAO was no longer feasible; the ratification process was thereafter put on hold indefinitely.
28	Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter	1972/12/29 London		1972/11/13			Commonly referred to as the "London Convention"
29	Convention on International Trade in Endangered Species of Wild Fauna and Flora	1973/3/3 Washington		1973/4/27			
30	Convention providing a Uniform Law on the Form of an International Will	1973/10/26 Washington		1973/10/27			

Source: 1. Department of Treaty and Legal Affairs, Ministry of Foreign Affairs

2. Study commissioned by the Ministry of Justice: Report on the Harmonization of Municipal Laws of the Land with International Conventions, October 29, 2009.

**Table 53 Basic international human rights conventions**

1. Convention on the Prevention and Punishment of the Crime of Genocide	
Status	Signed: 1949/07/20    Ratified: 1951/05/05    Acceded: 1951/07/19
Action	The ROC government promulgated the Punishment of the Crime of Genocide Act on May 22, 1953 as a practical example of adhering to international treaties through the process of the enactment of municipal laws.
2. International Convention on the Elimination of All Forms of Racial Discrimination (1965)	
Status	Signed: 1966/03/31    Ratified: 1970/11/14    Acceded: 1970/12/10
	Amendment to article 8 of the International Convention on the Elimination of All Forms of Racial Discrimination (adopted by the States Parties to the Convention at their 14th Meeting on January 15, 1992)
3. International Covenant on Economic, Social and Cultural Rights (1966)	
Status	Signed: 1967/10/05    Ratified: Factors related to UN membership
Reservations	None
Reason	The ROC withdrew from the United Nations in 1971 and has been unable to deposit the instruments of ratification at the UN
Action	Through the process of harmonizing municipal laws with international conventions, the Legislation Yuan of the ROC passed the Act to Implement the ICESCR in 2009, which was then promulgated by the President of the ROC on April 22, ratified on May 14 and entered into force on December 10, 2009. Government agencies and law enforcement officers at all levels of the court system may apply the law directly and the ROC hoped that the enactment of this law will be recognized by the international community.
4. Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR) (December 10, 2008)	
Action	Unable to fully express the purpose currently, as the ROC is not a UN member
5. International Covenant on Civil and Political Rights (ICCPR) (1966)	
Status	Signed: 1967/10/05    Ratified: Factors related to UN membership
Reservations	None
Reason	The ROC withdrew from the United Nations in 1971 and has been unable to deposit the instruments of ratification at the UN
Action	Through the process of harmonizing municipal laws with international conventions, the Legislation Yuan of the ROC passed the Act to Implement the ICESCR in 2009, which was then promulgated by the President of the ROC on April 22, ratified on May 14 and entered into force on December 10, 2009. Government agencies and law enforcement officers at all levels of the court system may apply the law directly and the ROC hoped that the enactment of this law will be recognized by the international community.
6. First Optional Protocol to the International Covenant on Civil and Political Rights (individual complaints)	
Status	Signed: 1967/10/05    Ratified: Factors related to UN membership
Action	Unable to fully express the purpose currently, as the ROC is not a UN member
7. Second Optional Protocol to the International Covenant on Civil and Political Rights (abolition of the death penalty) (December 15, 1989)	
Action	Unable to fully express the purpose currently, as the ROC is not a UN member

8. Convention on the Elimination of All Forms of Discrimination Against Women (December 18, 1979)	
Status	Signed: Factors related to UN membership      Ratified: Factors related to UN membership
Reason	Factors related to UN membership
Action	The Legislative Yuan resolved to ratify the Convention on January 5, 2007 and attempted to deposit the instrument of ratification at the UN on February 9, 2007. However, the UN Secretary-General declined the accession of the ROC on May 17, 2007, citing UN Resolution 2758. The ROC adopted the process of harmonizing municipal laws with international conventions, and the Legislative Yuan passed the Act to Implement the Convention on May 20, 2011, which was then promulgated by the President of the ROC on June 8. The purpose is to garner recognition from the international community.
9. Convention on the Elimination of All Forms of Discrimination Against Women: Optional Protocol (December 18, 1979)	
Status	Signed: Factors related to UN membership      Ratified: Factors related to UN membership
10. Amendment to article 20, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination Against Women (May 22, 1995 ), adopted by the States Parties to the Convention at their Eighth Meeting	
Action	Unable to fully express the purpose currently, as the ROC is not a UN member
11. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture) (December 10, 1984)	
Status	Signed: Ratified:
Action	Unable to fully express the purpose currently, as the ROC is not a UN member
12. Amendments to articles 17 (7) and 18 (5) of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. (Convention against Torture) (September 8, 1992)	
13. Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (December 18, 2002)	
Action	Unable to fully express the purpose currently, as the ROC is not a UN member
14. Convention on the Rights of the Child (November 20, 1989)	
Status	Signed: Factors related to UN membership      Ratified: Factors related to UN membership
Action	Unable to fully express the purpose currently, as the ROC is not a UN member
15. Optional protocol on the involvement of children in armed conflict to the Convention on the Rights of the Child (May 25, 2000)	
Status	Signed: Factors related to UN membership      Ratified: Factors related to UN membership
Declaration	Unable to fully express the purpose currently, as the ROC is not a UN member
16. Second Optional Protocol on the sale of children, child prostitution and child pornography (to the Convention on the Rights of the Child)	
Status	Signed: Factors related to UN membership      Ratified: Factors related to UN membership
17. United Nations International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (December 18, 1990)	
Status	Signed: Factors related to UN membership      Ratified: Factors related to UN membership
18. Convention for the Protection of All Persons from Enforced Disappearance (December 20, 2006)	
Action	Unable to fully express the purpose currently, as the ROC is not a UN member

Source: 1. Department of Treaty and Legal Affairs, Ministry of Foreign Affairs

2. Study commissioned by the Ministry of Justice: Report on the Harmonization of Municipal Laws of the Land with International Conventions, October 29, 2009.



**Table 54 Other United Nations International Conventions on Human Rights**

Other United Nations International Conventions on Human Rights	Signed	Ratified
Charter of the United Nations	1945/10/24	
Universal Declaration of Human Rights	1948 (No required to be signed)	
Slavery Convention, signed at Geneva on September 25, 1926 and amended	1953/12/07	1955/12/14
Supplementary Convention on the Abolition of Slavery, the Slave Trade, and	1957/05/23	1959/05/28
March 21, 1950: Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others	Not a contracting state	
July 28, 1951: Convention relating to the Status of Refugees	Not a contracting state	
January 31, 1967: Protocol relating to the Status of Refugees	Not a contracting state	
September 28, 1954: Convention Relating to the Status of Stateless Persons	Not a contracting state	
August 30, 1961: Convention on the Reduction of Statelessness	Not a contracting state	
December 10, 1985: International Convention against Apartheid in Sports	Not a contracting state	
July 17, 1998: Rome Statute of the International Criminal Court	Not a contracting state	
November 15, 2000: Convention on Transnational Organized Crime	Not a contracting state	
November 15, 2000: Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime; and the Protocol against the Smuggling of Migrants by Land, Sea and Air	Not a contracting state	
May 31, 2001: Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime	Not a contracting state	
October 31, 2003: United Nations Convention against Corruption	Not a contracting state	
December 13, 2006: The Standard Rules for the Equalization of Opportunities of Persons with Disabilities	Not a contracting state	
December 13, 2006: Optional Protocol to the Standard Rules for the Equalization of Opportunities of Persons with Disabilities	Not a contracting state	

Source: 1. Department of Treaty and Legal Affairs, Ministry of Foreign Affairs  
2. Study commissioned by the Ministry of Justice: Report on the Harmonization of Municipal Laws of the Land with International Conventions, October 29, 2009.

**Table 55 Relevant International Labour Organization Conventions**

International Labour Organization Conventions	Signed	Ratified	Acceded
Convention Fixing the Minimum Age for Admission of Children to Employment at Sea (No. 7)	No required to be signed	1936/10/10	
Weekly Rest (Industry) Convention, 1921 (No. 14)	Not a contracting state		
Convention concerning Seamen's Articles of Agreement (No. 22)	1936/10/10	1936/12/02	
Convention concerning the Repatriation of Seamen (No. 26)	1936/10/10	1936/12/02	
Forced Labour Convention, 1930 (No. 29)	Not a contracting state		
Convention concerning the Minimum Requirement of Professional Capacity for Masters and Officers on Board Merchant Ships (No. 53)	No required to be signed	1964/08/25	
Convention Fixing the Minimum Age for the Admission of Children to Employment at Sea (Revised) (No. 58)	No required to be signed	1964/10/08	
Convention Fixing the Minimum Age for Admission of Children to Industrial Employment (No. 59)		1940/02/21 Ratification by the ROC registered with the International Labour Organization	1940/02/21
Convention concerning the Medical Examination of Seafarers (No. 73)	No required to be signed	1964/08/25	
Convention Concerning Labor Inspection in Industry and Commerce, 1947 (No. 81)	No required to be signed	1961/09/26	1962/02/13
Convention concerning Freedom of Association and Protection of the Right to Organise, 1948 (No. 87)	Not a contracting state		
Convention concerning Crew Accommodation on Board Ship (Revised) (No. 92)	No required to be signed	1970/12/23	1971/02/03
Wage Protection Convention (No. 95)	No required to be signed	1962/10/22	1962/11/16
Convention concerning Migration for Employment, 1949 (Revised) (No. 97)	Not a contracting state		
Convention concerning the Application of the Principles of the Right to Organize and to Bargain Collectively, 1949 (No. 98)	No required to be signed	1962/09/10	1962/10/11

International Labour Organization Conventions	Signed	Ratified	Acceded
Equal Remuneration Convention, 1951 (No. 100)	No required to be signed	1958/03/01	1958/05/01
Convention concerning the Abolition of Forced Labour, 1957 (No. 105)	No required to be signed	1959/01/23	
Convention concerning Weekly Rest in Commerce and Offices, 1957 (No. 106)	Not a contracting state		
Convention concerning the Protection and Integration of Indigenous and Other Tribal and Semi-Tribal Populations in Independent Countries (No. 107)	No required to be signed	1962/09/10	1962/10/11
Convention concerning Discrimination in Respect of Employment and Occupation, 1958 (No. 111)	No required to be signed	1961/08/31	
Convention concerning the Minimum Age for Admission to Employment as Fishermen (No. 112)	No required to be signed	1961/08/31	
Convention concerning the Medical Examination of Fishermen (No. 113)	No required to be signed	1961/08/31	
Convention concerning Fishermen's Articles of Agreement (No. 114)	No required to be signed	1961/08/31	
Final Articles Revision Convention, 1961 (No. 116)		1962/01/22	1962/11/16
Convention concerning Basic Aims and Standards of Social Policy (No. 117)	No required to be signed	1964/10/08	
Convention concerning Equality of Treatment of Nationals and Non-Nationals in Social Security (No. 118)	No required to be signed	1964/10/08	
Employment Policy Convention, 1964 (No. 122)	Not a contracting state		
Convention concerning the Maximum Permissible Weight to Be Carried by One Worker (No. 127)	No required to be signed	1969/12/23	1970/02/02
Convention concerning Labour Inspection in Agriculture, 1969 (No. 129)	Not a contracting state		
Holidays with Pay Convention (Revised), 1970 (No. 132)	Not a contracting state		
Minimum Age Convention, 1973 (No. 138)	Not a contracting state		
Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	Not a contracting state		

International Labour Organization Conventions	Signed	Ratified	Acceded
Labour Relations (Public Service) Convention, 1978 (No. 151)	Not a contracting state		
Occupational Safety and Health Convention, 1981 (No. 155)	Not a contracting state		
Convention concerning Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities, 1981 (No. 156)	Not a contracting state		
Convention concerning Indigenous and Tribal Peoples in Independent Countries, 1989 (No. 169)	Not a contracting state		
Worst Forms of Child Labour Convention, 1999 (No. 182)	Not a contracting state		

Source: 1. Department of Treaty and Legal Affairs, Ministry of Foreign Affairs

2. Study commissioned by the Ministry of Justice: Report on the Harmonization of Municipal Laws of the Land with International Conventions, October 29, 2009.

**Table 56 Conventions concerning the United Nations Educational, Scientific and Cultural Organization (UNESCO)**

Conventions concerning the United Nations	Signed	Ratified	Acceded
Convention against Discrimination in Education	No required to be signed	1964/11/16	1965/02/12

Source: 1. Department of Treaty and Legal Affairs, Ministry of Foreign Affairs

2. Study commissioned by the Ministry of Justice: Report on the Harmonization of Municipal Laws of the Land with International Conventions, October 29, 2009.

**Table 57 Hague Conference on Private International Law**

Hague Conference on Private International Law	Signed	Ratified	Acceded
Convention Relating to the Settlement of the Conflicts between the Law of Nationality and the Law of Domicile (1955)	Not a contracting state		
Convention on the Recovery Abroad of Maintenance (final act of UN Conference on Maintenance Obligations)	1956/12/04	1957/05/16	1957/06/25

Final act of UN Conference on Maintenance Obligations / Convention on the Recovery Abroad of Maintenance	1957/05/16	1957/06/25	
Convention on the Nationality of Married Women, 1957	1957/02/20	1958/08/12	1958/09/22
Convention on the Recognition and Enforcement of Decisions Relating to Maintenance Obligations, 1958	Not a contracting state		
Convention Concerning the Powers of Authorities and the Law Applicable in Respect of the Protection of Minors, 1961	Not a contracting state		
Convention on Jurisdiction, Applicable Law and Recognition of Decrees Relating to Adoptions, 1965	Not a contracting state		
Convention on the Law Applicable to Maintenance Obligations, 1973	Not a contracting state		
Convention on the Recognition of Divorces and Legal Separations, 1970	Not a contracting state		
Convention on the Recognition and Enforcement of Decisions Relating to Maintenance Obligations, 1973	Not a contracting state		
The Hague Convention on the Civil Aspects of International Child Abduction, 1980	Not a contracting state		
Convention on the Celebration and Recognition of the Validity of Marriages, 1978	Not a contracting state		
Convention on the Law Applicable to Matrimonial Property Regimes, 1978	Not a contracting state		
Convention on International Access to Justice, 1980	Not a contracting state		
Convention on the Law Applicable to the Estates of Deceased Persons, 1989	Not a contracting state		
Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, 1993	Not a contracting state		
Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children, 1996	Not a contracting state		
Hague Convention on the International Protection of Adults, 2000	Not a contracting state		

Source: 1. Department of Treaty and Legal Affairs, Ministry of Foreign Affairs

2. Study commissioned by the Ministry of Justice: Report on the Harmonization of Municipal Laws of the Land with International Conventions, October 29, 2009.

**Table 58 Four Treaties of Geneva Conventions and International Humanitarian  
Conventions and Protocols**

Four Treaties of Geneva Conventions and International Humanitarian Laws and Treaties	Signed	Ratified	Acceded
Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, August 12, 1949 (First Geneva Convention)	Not a contracting state		
Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, 1949 (Second Geneva Convention)	Not a contracting state		
Geneva Convention relative to the Treatment of Prisoners of War, 1949 (Third Geneva Convention)	Not a contracting state		
Geneva Convention relative to the Protection of Civilian Persons in Time of War, 1949 (Fourth Geneva Convention)	Not a contracting state		
Protocol Additional to the Four Treaties of Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 1977	Not a contracting state		
Protocol Additional to the Four Treaties of Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 1977	Not a contracting state		
Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (Ottawa Treaty), 1987	Not a contracting state		

Source: 1. Department of Treaty and Legal Affairs, Ministry of Foreign Affairs

2. Study commissioned by the Ministry of Justice: Report on the Harmonization of Municipal Laws of the Land with International Conventions, October 29, 2009.