

# 2024 ICERD

Convention on the Elimination of  
All Forms of Racial Discrimination

The NHRC's

## Parallel Response

to the List of Issues with  
the Consideration of the  
ICERD Initial Report

January 2024



國家人權委員會  
NATIONAL HUMAN RIGHTS  
COMMISSION, TAIWAN





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# Table of Contents

## **Response to the List of Issues Regarding the Government's Replies ..... 4**

1. The Convention in Domestic Law and the Institutional and Policy Framework for its Implementation (Arts. 1, 2) .....	4
4. ....	4
2. Racist Hate Speech, Incitement to Racial Hatred and Hate Crimes (Arts. 2, 4 and 6) .....	6
9. ....	6
3. Indigenous Peoples .....	7
3.2 Issue Areas .....	7
3.2.2 Legal Framework .....	7
19. ....	7
3.2.4 Land Issues .....	9
27. ....	9
3.2.5 Indigenous Languages .....	11
28.1 .....	11
3.2.9 Health .....	13
36. ....	13
3.2.11 Hunting/Fishing .....	15
40. ....	15

3.2.12 Transitional Justice .....	16
42. ....	16
4. Migrant Workers .....	17
4.2 Right to Work .....	17
46. ....	17
47. ....	19
4.4 Right to Justice .....	20
51. ....	20
5. New Immigrants and Foreigners .....	22
54. ....	22
55. ....	23
6. Refugees and Asylum Seekers .....	24
59. ....	24
<b>National Human Rights Commission, Taiwan .....</b>	<b>26</b>
63. ....	26
64. ....	32
65. ....	33

# Response to the List of Issues Regarding the Government's Replies

## 1. The Convention in Domestic Law and the Institutional and Policy Framework for its Implementation (Arts. 1, 2)

<p><b>LOIs</b></p>	<p><b>4.</b></p> <p>Please provide examples of the application of ICERD by the courts (not just as a citation but of invocation where the provisions of ICERD were directly applied to determine the rights or duties of the relevant parties) (Common Core Document, para. 116).</p>
<p><b>NHRC's Response</b></p>	<p>In response, the government cited the ruling in Administrative Lawsuit No. 4 of the Taiwan Taipei District Court for the 109<sup>th</sup> Judicial Year, wherein the relevant provisions were declared unconstitutional based on the citation of Article 5 of the ICERD, which was found to violate the freedom of speech of Indigenous people. Although the court found in the plaintiff's favor, it should be noted that this ruling only applies to this particular case and does not set a precedent for future cases. The NHRC believes that during court proceedings, there is a lack of awareness of the various rights outlined in the ICERD. The direct applicability of ICERD in Taiwan's courts remains relatively limited, with international</p>

<p><b>NHRC's Response</b></p>	<p>conventions being considered as supplementary arguments. The NHRC recommends that the courts take a more serious and extensive approach in applying ICERD, further strengthening the domestic legal system's counteraction against racial discrimination to address potential future cases.</p>
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## 2. Racist Hate Speech, Incitement to Racial Hatred and Hate Crimes (Arts. 2, 4 and 6)

<p><b>LOIs</b></p>	<p><b>9.</b></p> <p>Please provide detailed, updated information on complaints filed by the victims of racial hate speech (Implementation Report, paras. 85-95).</p>
<p><b>NHRC's Response</b></p>	<ol style="list-style-type: none"> <li>1. The government's statement, showing a paucity of reported occurrences, does not rule out domestic racial discrimination. Instead, the NHRC points out that it may identify barriers to exercising the rights contained in the ICERD, such as a lack of understanding among the general public about the ICERD's substance or a lack of trust in government organizations.</li> <li>2. The NHRC highlights that in addition to providing victims' remedies, the government should expedite the analyze and develop trends, criteria, and standards for classifying hate speech or acts against specific races, ethnicities, or groups. The purpose of this is to uphold the spirit of international human rights accords by halting the spread of hate speech and racial hostility.</li> </ol>



### 3. Indigenous Peoples

#### 3.2 Issue Areas

##### 3.2.2 Legal Framework

<p>LOIs</p>	<p><b>19.</b></p> <p>Under the Indigenous Peoples Basic Law (2005), the government was supposed to have amended or abolished relevant laws, but it has been reported that some subsidiary laws and regulations (e.g. Indigenous Peoples Land and Sea Law, Indigenous Peoples Autonomy Law) remain unamended. What are the government's plans to amend these? Could you provide a list of laws and regulations that are not in alignment with the Indigenous Peoples Basic Law?</p>
<p>NHRC's Response</p>	<ol style="list-style-type: none"> <li>1. The <i>Indigenous Peoples Land and Sea Area Act</i> and the <i>Indigenous Peoples Autonomy Act</i> have not completed the legislative process. The NHRC urges the government to promptly complete the legislative procedures.</li> <li>2. With respect to the <i>Indigenous Peoples Autonomy Act</i>, the legislative objective is to accomplish "indigenous autonomy" as opposed to "local autonomy." The government's answer, included in the <i>Local Government Act</i>, is solely concerned with "local autonomy" and bears no relation to "indigenous autonomy." This suggests that the <i>Indigenous Peoples Autonomy Act</i> is not moving forward as intended and that there is no organized strategy to advance its passage. As for the <i>Indigenous</i></li> </ol>

NHRC's  
Response

*Peoples Land and Sea Area Act*, the government's response mentioning regulations such as the *Consultation to Acquire Consent of Indigenous Peoples' Villages Participation Measure* has no direct relevance to aspects of acquiring, recovering, managing, and utilizing traditional indigenous territorial land as outlined in the *Indigenous Peoples Land and Sea Area Act*. This demonstrates a lack of significant progress in the legislation of the *Indigenous Peoples Land and Sea Area Act*.

3. The government has shown that it respects different viewpoints by participating in interagency discussions and cooperative meetings on pertinent matters with regard to the proposed revisions to the *National Parks Act* regarding the issue of opening hunting operations for indigenous peoples. Whether a consensus has been established is still up for debate, though. To prevent problems with current rules, it is particularly uncertain if the pilot implementation of the Indigenous Peoples Autonomous Hunting Management Program has received adequate consideration during the amendment process.
4. Details about the real efficacy and participation in the co-management committees, as well as how the consultation mechanism actually works in practice, have not been made available by the government. The results of talks and cooperative management between the government and indigenous peoples are not clearly defined or transparent.

### 3.2.4 Land Issues

<p><b>LOIs</b></p>	<p><b>27.</b></p> <p>In para. 37 of its concluding observations on the implementation of the two International Covenants of 13 May 2022, the International Review Committee called upon the Government to provide remedies for Indigenous peoples affected by the storage or disposal of nuclear waste and other hazardous materials on their lands or territories. In its parallel Report on ICERD, Covenants Watch also expresses concern regarding the lack of progress in removing nuclear waste from Indigenous lands. What has the Government and the Taiwan Power Co (Taipower) done in the recent past to remove nuclear waste from Indigenous lands and territories and in providing other effective remedies to Indigenous peoples?</p>
<p><b>NHRC's Response</b></p>	<ol style="list-style-type: none"> <li>1. The indigenous peoples' living conditions and health are still in danger due to the government's response, which stated that evacuation plans will be suspended without offering a specific timeline.</li> <li>2. More openness should be shown in the presentation of the Lanyu area's compensation measures, which should include information on the allocation of compensation monies and their true significance. This is to make sure that the local indigenous population's quality of life is actually enhanced by compensatory measures.</li> </ol>

<b>NHRC's Response</b>	<p>3. Although the government said that the Lanyu storage site would be subject to safety monitoring, specifics on the actual procedures and outcomes of the monitoring for ambient radiation are not provided. It is difficult to ensure the health and safety of indigenous peoples and the local populace as a result.</p>
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### 3.2.5 Indigenous Languages

<p>LOIs</p>	<p><b>28.1</b></p> <p>There are concerns about the protection of the right of Indigenous peoples to register their names in their own languages;</p>
<p>NHRC's Response</p>	<ol style="list-style-type: none"> <li>1. It is observed that although the government has acknowledged that indigenous peoples can register their names at household registration in both Chinese characters and Romanized script, this still limits the options available to them for name registration. If there are no legislative changes, each indigenous person must pursue legal action to obtain the right to register their name. The NHRC highlights that indigenous languages have been recognized as national languages under the <i>Indigenous Languages Development Act</i> and the <i>Development of National Languages Act</i>. In order to achieve cultural and linguistic variety and equality, the government should aggressively develop complementing policies to guarantee that indigenous peoples can independently register their names in their native tongues.</li> <li>2. In addition to the previously noted name registration difficulty, countries are limited by ICAO requirements governing the passport's basic information page to selecting between registering names in a single field</li> </ol>

**NHRC's  
Response**

or dividing given names and surnames into numerous fields. However, only one choice can be selected. As a result, indigenous peoples' traditional names are written in Romanized writing on passports, with no distinction made between surnames and given names. When conducting official business with foreign governments or recording name data on public and private documents, such as applications for residence permits, graduation certificates, airline self-check-in systems, and so on, inconsistencies with passport information may arise, posing difficulties in name identification or reconciliation. The NHRC recommends that the government continue to foster a user-friendly environment for the use of traditional indigenous names.

### 3.2.9 Health

<p><b>LOIs</b></p>	<p><b>36.</b></p> <p>It has been reported that significant disparities remain in health indicators between Indigenous and non-Indigenous citizens of Taiwan. How can Indigenous peoples' health care services be targeted based on their needs rather than on how services can be delivered?</p>
<p><b>NHRC's Response</b></p>	<ol style="list-style-type: none"> <li>1. The government cited a number of policies and plans, including the Indigenous Health Inequality Improvement Strategy Plan and the <i>Indigenous Health Act</i>, as well as associated initiatives including health research centers, micro day care facilities, and oral health promotion. However, the response did not provide a comprehensive explanation of the reasons for major variations in health indicators between Indigenous and non-Indigenous populations, as well as how healthcare services are ensured to successfully fulfill the specific requirements of Indigenous communities.</li> <li>2. There are no particular efficacy data or progress details available regarding the government's reaction (e.g., healthcare service items allocated and initiatives based on Indigenous needs are not included in the annual budget). The government's implementation is difficult to evaluate impartially because of this. The answer</li> </ol>

NHRC's  
Response

also fails to offer a convincing justification for the connection between the rise in cultural health stations and the improvement in Indigenous peoples' average life expectancy.

3. Furthermore, the government's response tends to focus more on the strategies and plans that are suggested than on how Indigenous representatives' substantive participation in the development of health policies and the real-world implications of cultural distinctiveness are ensured. As part of its efforts to create a healthcare system that is sensitive to cultural differences, the NHRC recommends that the government successfully implement the *Indigenous Peoples Health Act* to guarantee that Indigenous representatives have meaningful representation and a role in policy-making.



### 3.2.11 Hunting/Fishing

<p><b>LOIs</b></p>	<p><b>40.</b></p> <p>It has been reported that many Indigenous individuals have been prosecuted for practicing their traditional hunting and fishing practices. Please provide more information about this problem.</p>
<p><b>NHRC's Response</b></p>	<ol style="list-style-type: none"> <li>1. While the government has responded by mentioning changes to pertinent rules, the NHRC considers that the government ought to give indigenous cultures' autonomy more consideration while also upholding social order. This involves making certain that hunting cultures and rights are completely upheld and safeguarded.</li> <li>2. The NHRC reiterates that hunting rights should be combined with the teaching and learning of indigenous hunting cultures. The NHRC recommends equal dialogue between the government and indigenous peoples to ensure that relevant policies and regulations align with international standards and the needs of indigenous peoples.</li> </ol>

### 3.2.12 Transitional Justice

<p style="text-align: center;"><b>LOIs</b></p>	<p><b>42.</b></p> <p>Which progress has been made in the field of transitional justice for Indigenous peoples? Could you provide further information on the activities of the Presidential Office Historical Justice and Transitional Justice Committee (Implementation Report, para. 57)? Could you provide further information on the work of the Executive Yuan's Department of Human Rights and Transitional Justice (Implementation Report, para. 68)?</p>
<p style="text-align: center;"><b>NHRC's Response</b></p>	<ol style="list-style-type: none"> <li>1. The government made reference to initiatives and developments in the areas of indigenous historical justice and transitional justice, but it omitted information about the precise effects and efficacy of these programs on indigenous peoples. Furthermore, it is unclear if the needs and perspectives of indigenous peoples were sufficiently taken into account when relevant policies were being formulated.</li> <li>2. The NHRC recommends that the government enhance communication and collaboration with indigenous peoples during the implementation of transitional justice. This is to ensure that their participation and interests are fully protected.</li> </ol>

## 4. Migrant Workers

### 4.2 Right to Work

<p><b>LOIs</b></p>	<p><b>46.</b></p> <p>The Employment Service Act continues to restrict migrant workers' right to change employers; and there are a number of related discriminatory provisions including accommodation, access to health services, right to organise and join trade unions especially in relation to migrant domestic workers, farm workers and fishers; survivors' benefits (as identified in the state report); migrant workers are significantly disproportionately represented in occupational health and safety fatalities and injuries.</p>
<p><b>NHRC's Response</b></p>	<p>1. Regarding the government's response to the part about migrant workers changing employers, if the Ministry of Labor revokes the original employer's hiring permit or refuses to issue a new one, and it is due to reasons not attributable to the migrant worker, the original employer should complete the registration for changing employers within the specified period. However, if the employer delays or intentionally refuses to assist the migrant worker in completing the transfer registration, it will result in an excessively long waiting period for the migrant worker, significantly affecting their rights and interests.</p>

<b>NHRC's Response</b>	<p>2. The NHRC recommends that the responsible authority evaluate relevant regulations. Migrant workers who meet the essential conditions should be able to apply for a change of employer on their own to protect their freedom of occupational choice.</p>
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<p><b>LOIs</b></p>	<p><b>47.</b></p> <p>Are there commitments with timelines to reduce remaining discriminatory provisions impacting migrant workers? If not, why not?</p>
<p><b>NHRC's Response</b></p>	<p>In response to the government's interpretation of the national treatment principle, the NHRC states that, in accordance with the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW), the national treatment principle implies that migrant workers should be treated on an equal footing with citizens of the employment country who are performing work for the same compensation. The NHRC stresses that migrant workers should be entitled to benefits that are both comparable to and above the minimum legal requirements for treatment, as well as the treatment afforded to citizens of the host nation. Equal pay for equal work is one of the many difficulties that still persist in the current substantial gap between the working conditions of migrant workers and local workers.</p>

## 4.4 Right to Justice

<p style="text-align: center;"><b>LOIs</b></p>	<p><b>51.</b></p> <p>Regarding remedies for racial discrimination, please provide more detailed information on the cases received by the courts, the Control Yan, as well as the administrative agencies mentioned in the Implementation Report (paras. 226-255). How many cases were decided favourably for the complainants, how many were dismissed or withdrawn, and on which basis?</p>
<p style="text-align: center;"><b>NHRC's Response</b></p>	<ol style="list-style-type: none"> <li>1. The NHRC expresses concern that the current government lacks an appropriate legal framework to prohibit racial or ethnic hate speech and incitement to hatred. The NHRC recommends regulating such matters when formulating relevant legislative provisions and providing effective legal remedies for victims.</li> <li>2. Regarding complaints about racial discrimination in medical institutions (Government Response para. 7), according to the Implementation Report para. 243, complaints can be filed through various complaint channels. However, there are currently no relevant complaints involving "racial discrimination." Nevertheless, in August 2023, NHRC received a complaint from a foreign spouse with permanent residency status. While accompanying her husband to complete hospital admission procedures, the hospital informed her that only family members with local</li> </ol>

<p style="text-align: center;"><b>NHRC's Response</b></p>	<p>citizenship could sign the hospital consent form. She has filed a complaint with the Immigration Agency and the Health Bureau of the Taoyuan City Government, urging the hospital to rectify the unreasonable requirement.</p> <p>3. The NHRC notes that if medical facilities limit the eligibility of consent forms to family members who are citizens of the area, they may be breaking the spirit of equality and non-discrimination of the ICERD if language, cultural, or cognitive barriers make it difficult for family members who are not citizens of the area to fully understand the contents of the "hospital consent form."</p> <p>4. In September 2023, the NHRC received a complaint revealing that currently, Taiwan only requires nationals from four countries, including Vietnam, Laos, Myanmar, and Cambodia, to submit language proficiency certificates when applying for a "Studying Mandarin Chinese" visa. Other nationals are not required to provide such documents. This includes Indonesia, one of Taiwan's top two sources of migrant workers, and Uganda, where foreign students have experienced forced labor in Taiwan. The NHRC suggests that the Ministry of Foreign Affairs consider reviewing the relevant visa regulations as there seems to be no clear connection between the purpose of prevention and the necessity of visa measures, raising concerns about discrimination against specific nationalities.</p>
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## 5. New Immigrants and Foreigners

<p>LOIs</p>	<p><b>54.</b></p> <p>Are there any more recent developments on the draft amendments to Articles 23 and 31 of the Immigration Act on the residency requirements of new immigrants through marriage (Implementation Report, para. 35)?</p>
<p>NHRC's Response</p>	<ol style="list-style-type: none"> <li>1. The NHRC is pleased to see the government's amendment to the <i>Immigration Act</i> in May 2023, which focuses on easing residency requirements for foreign spouses residing in Taiwan to care for their underage children. This amendment aims to safeguard the family reunion rights of marriage immigrants.</li> <li>2. The NHRC reminds that when relaxing residency requirements for new immigrants in Taiwan, consideration should be given to the relevant regulations for mainland, Hong Kong, and Macau new immigrants in Taiwan under the <i>Act Governing Relations between the People of the Taiwan Area and the Mainland Area</i>. This ensures alignment with the spirit of non-discrimination under ICERD.</li> </ol>



<p>LOIs</p>	<p><b>55.</b></p> <p>Are there any more recent developments on the consideration of deleting the loss or absence of nationality as a disqualification criteria for the receipt of survivor benefits for dependents of civil servants, funeral benefits, and interest on public deposits for dependents of second category political appointees?</p>
<p>NHRC's Response</p>	<ol style="list-style-type: none"> <li>1. The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) Action Plan, which was approved by the Executive Yuan in 2020, requires responsible agencies to propose and implement administrative measures within a year, and to amend, revise, or stop any regulations that do not comply with the ICERD within two years.</li> <li>2. The NHRC has observed that various responsible authorities have not complied with the stipulated regulations concerning the list of regulations and administrative measures not in line with the ICERD. Examples include the <i>Civil Service Retirement, Severance and Survivor Relief Act</i> and the <i>Political Appointee Retirement and Survivor Relief Act</i>, which have exceeded the two-year timeframe for revisions. The NHRC suggests that the government actively engage in a review of regulations and initiate relevant legislative amendments.</li> </ol>

## 6. Refugees and Asylum Seekers

<p style="text-align: center;"><b>LOIs</b></p>	<p><b>59.</b></p> <p>In the current absence of a Refugee Act, the Review Committee is concerned about the visa requirements for stateless Tibetan students requiring them to leave and re-enter Taiwan every six months, "imposing enormous stress and a heavy financial burden" according to the NHRC (para. 94), and an alternative to this procedure should be identified.</p>
<p style="text-align: center;"><b>NHRC's Response</b></p>	<ol style="list-style-type: none"> <li>1. The NHRC is aware that stateless Tibetans can now apply for a stay-to-residence conversion under the newly amended Paragraph 4 of Article 23 of the <i>Immigration Act</i>, effective from January 1, 2024. With permission granted, they are no longer required to exit and re-enter every six months. The NHRC will continue to monitor subsequent applications for any issues and observe the actual implementation.</li> <li>2. According to the current regulations of the <i>Regulations Regarding International Students Undertaking Studies in Taiwan</i>, stateless individuals are still not allowed to apply for enrollment in regular programs for foreign students in Taiwan. Stateless Tibetans with such needs must apply for approval on a case-by-case basis depending on the specific circumstances.</li> </ol>

<p>NHRC's Response</p>	<p>3. The legislative progress of the <i>Refugee Act</i> remains slow at this stage (Government Response para. 57). The NHRC suggests that the government address the legislative challenges of the <i>Refugee Act</i> and establish relevant asylum systems to align with the spirit of ICERD.</p>
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# National Human Rights Commission, Taiwan

<p style="text-align: center;"><b>Issue</b></p>	<p><b>63.</b></p> <p>The state report identifies the establishment of the NHRC as a significant addition to the national promotion and protection of human rights framework and specifically the promotion of social cohesion. The Covenants Watch parallel report lists a number of issues that it asserts require attention for the NHRC to be more fully effective. Some recommendations are directed to the NHRC itself, some to the Control Yuan under whose auspices it was established, others require action by the Executive or Legislative Yuan.</p>
<p style="text-align: center;"><b>NHRC's Response</b></p>	<p><b>1. Independence of NHRC:</b></p> <p>(1) <b>Legally Independent Establishment:</b> The NHRC was founded in compliance with the <i>Organic Act of the Control Yuan National Human Rights Commission</i>, upholding the Paris Principles, in order to carry out its mandate to promote and protect human rights.</p> <p>(2) <b>Independent Exercise of Authority:</b> The NHRC works to protect human rights by acting as a collegial organization that is run independently and is not under the direction or control of other organizations.</p>

<p>NHRC's Response</p>	<p>(3) <b>Financial Independence:</b> The NHRC maintains financial independence by designating a certain portion of its annual budget to "National Human Rights Affairs."</p> <p>(4) <b>Diverse Member Expertise:</b> The current members of the NHRC have a variety of specialized knowledge in fields including labor, women's rights, indigenous peoples, youth and children, social welfare, and the judiciary. This knowledge base enhances the organization's ability to view human rights from a broad perspective.</p> <p><b>2. NHRC's Establishment of Working Methods for National Inquiry, Human Rights Statistics, Human Rights Indicators, and Impact Assessment:</b></p> <p>(1) <b>NHRC's Supervision of Human Rights Status:</b> This includes researching and reviewing national human rights policies, submitting special reports or annual national human rights status reports on important issues, promoting domestic legislation and measures in line with international human rights standards, providing independent assessment opinions on national reports, supervising the government's promotion of human rights education and activities, and investigating human rights violations or various forms of discrimination.</p> <p>(2) Since its establishment, the NHRC has actively promoted its statutory duties and formulated</p>
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NHRC's  
Response

strategic plans for the years 2021, 2022, and the medium-term strategic plan for 2023-2026, implementing them accordingly.

- (3) The NHRC submitted a proposed amendment to the Legislative Yuan in 2021, amending some provisions of the *Control Act*. The proposal also states that the NHRC may employ a variety of data collection techniques while monitoring the application of different human rights agreements. The draft Article 30-5 of the *Control Act* states that the NHRC is authorized to carry out monitoring in order to carry out the provisions of international human rights treaties. The monitoring mentioned in the previous paragraph may gather information by means of surveys, conversations, interviews, and requests for official statistics or investigative data from pertinent agencies (entities).

- (4) **Conducting Systematic Inquiries:** The NHRC conducts "systematic inquiry research" and is currently investigating the issue of "Child and Youth Placement Institutions and Campus Sexual Assault."

### **3. Developing Accountability Mechanisms and Being Accountable to Society:**

- (1) **Issuing Annual Reports:** In order to regularly inform Taiwanese society about NHRC's functions and efforts in implementing the United Nations Paris Principles

NHRC's  
Response

related to the promotion and protection of human rights, the NHRC follows the guidance of international documents such as Article 10 of the *Global Alliance of National Human Rights Institutions* and references reports from some national human rights institutions. The NHRC plans to publish an annual report each year, publicly releasing it to explain the NHRC's operations and effectiveness. In 2023, the first annual report was issued, sent to the Legislative Yuan and NGOs, focusing on governance and performance, disclosing aspects such as administrative regulations, finances, and challenges faced.

(2) **Publication of the Medium-Term Strategic Plan:**

In August 2023, the NHRC announced the 2023-2026 Mid-term Strategic Plan outlining the priorities for the next three years. The results will be made available to the public in a timely manner.

**4. NHRC's Relationship with the Executive, Legislative, and Judicial Yuan:**

- (1) The NHRC's work achievements, project reports, and independent opinions adhere to the principle of information transparency. They are provided to the executive department and the Legislative Yuan as references for policy planning and legislative recommendations, and the NHRC will continue to monitor these aspects.

NHRC's  
Response

- (2) The NHRC has been invited multiple times by the Legislative Yuan to attend bill reviews and public hearings, providing human rights opinions.
- (3) In accordance with the *Constitutional Court Procedure Act*, the NHRC serves as an expert witness for the Constitutional Court of the Judicial Yuan. The NHRC has developed the "Participation in the Constitutional Court of the Judicial Yuan Trial Program," which outlines operational mechanisms for incorporating international human rights standards into our legal system. In 2023, NHRC commissioners attended and participated in verbal arguments on six cases.

#### **5. NHRC's Integration with the International Human Rights System and Knowledge, Enhancing Internal Human Rights Competency**

##### **(1) NHRC is actively seeking membership in the APF**

- A. In 2022, the NHRC vigorously pursued membership in the APF through high-level dialogue. In compliance with the concluding observations of ICCPR & ICESCR, the NHRC also requested help from APF. It has participated in a certification procedure akin to that of the Sub-Committee on Accreditation of the GANHRI-SCA.
- B. In 2022, the NHRC invited experts from the French National Consultative Commission on Human Rights (CNCDH) to provide insights



NHRC's  
Response

into international experiences regarding the application for GANHRI-SCA accreditation. In 2023, the NHRC conducted an online expert consultation meeting with the Deputy Secretary-General of the CNCDH. The meeting covered extensive discussions on the evaluation criteria of GANHRI and the ways NHRC would participate in the evaluation process in the future.

(2) **Internal Capacity Building for Human Rights Functions at the NHRC:**

A. To enhance the research capacity and critical thinking skills of the NHRC colleagues, a Human Rights Library has been established. The library includes an expanded collection and is equipped with multifunctional facilities for showcasing new books, displaying posters, hosting discussions, and screening videos. Additionally, online databases have been procured to supplement resources.

B. To enrich the human rights database, the NHRC has been publishing or translating documents related to human rights. In 2023, the focus is on the publication or translation of completed materials, including 20 international human rights documents and 6 NHRC publications.

<p><b>Issue</b></p>	<p><b>64.</b></p> <p>It would be useful to know why the Legislative Yuan has not yet reviewed the draft Enabling Law for the NHRC.</p>
<p><b>NHRC's Response</b></p>	<ol style="list-style-type: none"> <li>1. In 2021, the NHRC recommended adding a separate chapter, "Exercise of the National Human Rights Commission's Authority" to the <i>Control Act</i> and submitting it to the Legislative Yuan for approval, expressly stating that the NHRC's powers must be exercised independently. The Legislative Yuan launched the initial review in May 2022 but did not complete it.</li> <li>2. Revision of the original bill was not continued with the start of the new Legislative Yuan term in 2024. In order for the Legislative Yuan to review the proposal, the NHRC will submit it again.</li> </ol>

Issue	<p><b>65.</b></p> <p>In dialogue with the NHRC we can explore their commitment to systemic monitoring of the implementation of human rights standards, national inquiries into priority human rights issues, and outreach to and engagement with the most marginalised of Taiwan's communities.</p>
NHRC's Response	<p>1. In 2023, the NHRC unveiled the 2023-2026 Medium-Term Strategic Plan, which prioritizes human rights problems. The plan focuses on four important strategies: improving NHRC operating efficiency, monitoring and promoting the human rights of disadvantaged groups, supervising and promoting human rights education, and actively participating in international human rights cooperation networks.</p> <p><b>2. Systematic observation of human rights norms being implemented:</b></p> <p>(1) <b>Monitoring the implementation of international human rights treaties</b></p> <p>A. Monitor the implementation of concluding observations</p> <p>The NHRC established operational guidelines in 2023 to oversee the implementation of concluding observations to a number of human rights treaties. During monitoring meetings with the Executive</p>

<p>NHRC's Response</p>	<p>Yuan, the NHRC actively participated in related issues and offered suggestions.</p> <p>B. Establishing a monitoring system to oversee the CRPD's implementation</p> <p>Conducting surveys, focus groups, and regional debates serve as crucial references for the CRPD's independent monitoring mechanism.</p> <p>C. Deliberating on a system of oversight for the rights of children</p> <p>Assessing if the human rights indicators created by the Executive Yuan comply with international human rights norms by compiling pertinent indicators from the SDGs-CRC developed by UNICEF.</p> <p><b>(2) Supervise the implementation of the National Human Rights Action Plan</b></p> <p>The NHRC actively participated in review meetings convened by the Executive Yuan on the implementation of the National Human Rights Action Plan. The NHRC provided opinions and disclosed the supervision results.</p> <p><b>3. Conducting national inquiries into priority human rights issues</b></p> <p>The <i>How Migrant Workers Raise Children in a Foreign Country</i> special report was finished in 2023. The NHRC anticipates that the <i>Systematic Inquiry of Child and Youth Placement Institutions and Campus Sexual Assault Issues</i> would be finished in 2024.</p>
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NHRC's  
Response**4. Interaction with the most marginalized communities:****(1) Visits to migrant workers raising children in Taiwan**

In order to gather information about the healthcare, social welfare, and educational resources available to pregnant female migrant workers as well as their working conditions, the NHRC visited and spoke with 40 migrant workers between 2021 and 2022. Relevant employers, intermediaries, and government agencies were also involved in the interviews.

**(2) Visit of migrant fishers' working environments**

In 2023, in Kaohsiung, Keelung, Pingtung, and other areas, the NHRC and the Organization for Migrant Fishers' Rights (OMFR) conducted in-depth interviews with fishers, NGOs, seafood traders, ship owners, captains, brokers, and pertinent authorities.

**(3) Visits to Indigenous tribal communities**

During 2023, the NHRC visited Indigenous tribal villages in Hualien to gather information on the state of the implementation of various rights for Indigenous peoples, as part of its preparation for the independent opinion for the initial national report on ICERD.

**(4) Visits to incarcerated persons with disabilities**

In 2023, visits to prisons and detention centers were conducted, interviewing inmates and staff and presenting a special report on the rights of incarcerated persons with disabilities.

<p>NHRC's Response</p>	<p><b>(5) Visits to penal establishments and placement centers for children and youth</b></p> <p>Visits to penal institutions and placement facilities for children and teens have been undertaken since 2021, and the NHRC presented the <i>National Preventive Mechanism against Torture Visits Pilot Project</i> full report in 2023.</p>
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## National Human Rights Commission

### Parallel Response to the List of Issues with the Consideration of the ICERD Initial Report

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國家人權委員會  
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