

Human Rights Impact Assessment Review Form for Medium- and Long-Term Individual Projects

Date of Completion: dd-mm-yyyy

- Name of Person Completing the Form : _____ Service Unit and Title : _____
 Phone : _____ E-mail : _____
- During the initial stage of discussion and formulation, the individual projects have either : ☐ Been submitted to the ministries' Human Rights Working Group or related human rights task force for discussion (Meeting Date: dd-mm-yyyy) ; ☐ Sought opinions from Human Rights consultants (☐ Held a consultation meeting, Date: dd-mm-yyyy ☐ Written consultation ☐ Other: _____)
- Human Rights Consultant : Name _____ Service Unit and Title : _____ Status : _____
 In compliance with Item 3, Sub-item ____ of the form-filling instructions. (If consulting more than two individuals, please add additional entries. If submitting to the ministries' Human Rights Working Group, this section can be skipped.

Instructions for Filling Out the Form

1. Medium- and long-term individual projects of Executive Yuan subordinate agencies shall be managed under the provisions outlined in the "Directions for the Preparation and Review of Medium- and Long-Term Individual Projects of Executive Yuan Subordinate Agencies".
2. Medium- and long-term individual projects of Executive Yuan subordinate agencies, whether newly formulated or amended, must undergo a Human Rights Impact Assessment per this form. However, for amendments to already approved medium- and long-term individual projects (amended projects), it is not necessary to conduct another Human Rights Impact Assessment if the amendments are limited to the following matters. (Agencies must attach the Impact Assessment Review Form from the previous assessment and ensure its contents have been amended under the approved individual project.)
 - (1) Amend the individual project budget due to price adjustments.
 - (2) Change the schedule of the individual project.
 - (3) Adjust technical or detailed aspects of plan execution, including: implementation techniques, construction methods, construction item adjustments, changes to the private-sector participation, adjustment of allocation of responsibilities among project implementation agencies in line with legal amendments, amendments to budgetary sources or adjustments to the self-liquidation ratio, and budget adjustments arising from the above-mentioned matters.
 - (4) Work items are deleted or reduced due to budget insufficiency, provided that the reduced work items have been reviewed in the previous Human Rights Impact Assessment and meet one of the following conditions:
 - (1) No adverse impact;
 - (2) Potential adverse impact, with response measures and remedies already planned; or

- (3) Potential adverse impact, without planned response measures, but protection of the relevant rights will continue to be monitored during implementation.
- (5) Partial content adjustments to the individual project are to be managed under other designated projects.
3. From the early stage of drafting the plan, agencies should submit a report to the ministries' Human Rights Working Group or conduct discussions with related human rights task forces. Alternatively, they may seek opinions from at least one Human Rights Consultant through meetings, written consultations, or other methods. This process aims to preliminarily identify groups in disadvantaged circumstances directly or indirectly affected and the rights involved in "1. Human Rights Impact Assessment", thereby facilitating subsequent consultations, negotiation processes, and assessment operations. Depending on the circumstances of external consultations, negotiations, and the needs of the impact assessment, agencies may further seek opinions from the ministries' Human Rights Working Group, related human rights task forces, or Human Rights Consultants as necessary. Human Rights Consultants must meet one of the following qualifications:
- (1) Current or former non-governmental members of the Executive Yuan's human rights task forces.
 - (2) Current or former non-governmental members of the ministries' Human Rights Working Group or related human rights task forces.
4. Aggregate individual projects should have each lead and co-implementing agencies conduct a Human Rights Impact Assessment for their respective areas of responsibility. The assessments should then be consolidated by the leading agencies and submitted as a report.

Names of Individual Project:

Competent Authority (Please specify the central-level secondary supervisory authority):		Responsible Agency (Unit) (Please specify the responsible agency/unit):	
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I. Human Rights Impact Assessment

- 1-1 Please refer to the opinions obtained through submission to the ministries' Human Rights Working Group or related human rights task forces, or consultation with a Human Rights Consultant, as well as the views gathered from stakeholders during the consultation and negotiation processes. Additionally, consult the "Index of Rights Protected under International Human Rights Conventions" and select the Rights Items involved in the project (multiple selections allowed) for the impact assessment. **If the above opinions conclude that this item has no direct or indirect connection with the Rights listed below, the competent authority may, before submitting the medium- and long-term individual projects to the Executive Yuan for review, attach the draft and related opinions to seek approval from the Department of Human Rights and Transitional Justice, Executive Yuan to select "Does not**

involve the above-mentioned rights items".

- ☐ 1. Right to National Self-Determination
- ☐ 2. Right to Equality and Non-Discrimination
- ☐ 3. Right to an effective Remedy
- ☐ 4. Right to Life
- ☐ 5. Freedom from Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment
- ☐ 6. Right to Freedom from Slavery and Forced Labor
- ☐ 7. Right to Liberty, and Security of Person
- ☐ 8. Right to Humane Treatment of Persons Deprived of Liberty
- ☐ 9. Prohibition on Imprisonment for Inability to Fulfill a contract
- ☐ 10. Right to Freedom of Movement
- ☐ 11. Expulsion of Foreign Nationals, People of the Mainland China Area, Hong Kong and Macao Residents, and Stateless Persons
- ☐ 12. Right to Fair Trial
- ☐ 13. Prohibition of Retroactive Criminal Punishment
- ☐ 14. Right to Recognition as a Person Before the Law
- ☐ 15. Right to Privacy and Reputation
- ☐ 16. Right to Freedom of Thought, Conscience, and Religion
- ☐ 17. Right to Freedom of Opinion and Expression
- ☐ 18. Protection against Exploitation, Violence, and Abuse
- ☐ 19. Right to Freedom of Assembly and Association
- ☐ 20. Right to Respect for Family
- ☐ 21. Right of Parents and Children
- ☐ 22. Right to Name and Acquire a Nationality
- ☐ 23. Right to Participate in Public Affairs and the Right to Vote
- ☐ 24. Right to Work
- ☐ 25. Right to Social Security
- ☐ 26. Right to an Adequate Standard of Living (including the Right to Adequate Food and the Right to Adequate Housing)
- ☐ 27. Right to the Highest Attainable Standard of Physical and Mental Health
- ☐ 28. Right to Education
- ☐ 29. Right to Enjoy and Benefit from Culture
- ☐ 30. Right to Property
- ☐ **Other:** _____
- ☐ _____ (Number) and related Rights involving gender issues have been included in the Human Rights Impact Assessment Content and recorded in the "Gender Impact Assessment of Medium- and Long-Term Individual Projects Review Form ", as per Item 3.

- ☐ Does not involve the above-mentioned rights and has been approved by the Department of Human Rights and Transitional Justice, Executive Yuan.(Approval date and reference number: dd-mm-yyyy, Document No. _____)

Notes:

1. For the Rights Items selected above as being involved in the project, apart from those already included in the "Gender Impact Assessment of Medium- and Long-Term Individual Projects Review Form ", the review results for each must be individually filled in under Assessment Items 1-5 to 1-8. Additionally, if the individual project involves two or more Rights Items, the following applies:
 - (1) In principle, the assessment results for each Rights Item should be presented separately. Use the following form to add entries as needed: first, complete Items 1-5 to 1-8 for one Rights Item, then add additional rows and continue filling in Items 1-5 to 1-8 for the next Rights Item. The order of review for Rights Items does not need to follow the numbering of the listed Rights Items above. Finally, provide a comprehensive explanation under Section II: Results of Human Rights Impact Assessment.
 - (2) If the content of the project involves two or more Rights Items with substantial overlap in their scope, the names of the involved Rights Items may be entered simultaneously in the Rights Items column. The Human Rights Impact Assessment Results for these Rights Items can be jointly presented under Items 1-5 to 1-8. Example: For plans related to water rights, the column may list "Right to Enjoy the Highest Attainable Standard of Physical and Mental Health" and "Right to an Adequate Standard of Living (including the Right to Adequate Food and the Right to Adequate Housing)". For plans addressing the prohibition of forced labor, the column may list "Right to Freedom from Slavery and Forced Labor" and "Right to Work".
2. For Rights not listed in the "Index of Rights Protected under International Human Rights Conventions", such as those not explicitly defined in the clauses of International Human Rights Covenants that have been incorporated into domestic law, but acknowledged through general comments issued by United Nations Treaty Bodies or other international organizations (e.g., collective rights, environmental rights, development rights, etc.), the competent authority may select "Other" and provide an explanation if necessary.
3. For specific Rights assessments involving "gender" or "individuals experiencing disadvantaged circumstances intersecting with gender" (e.g., Indigenous people, new immigrants, elderly persons, people with disabilities, women and girls in rural and remote areas, as well as homosexual, bisexual, transgender, and intersex individuals), please complete Schedule II of these Directions.
4. If approved by the Department of Human Rights and Transitional Justice, Executive Yuan, and the option "Does not involve the above-mentioned Rights Projects" is selected, it is not necessary to complete Rights Project Items 1-2 to 1-8.

1-2 [Please identify the persons or groups that may be directly or indirectly affected] Explain the groups, organizations, or individuals that may be directly or indirectly impacted by the individual project's content. Priority should be given to considering whether the individual project involves the following disadvantaged groups: Indigenous peoples, persons of different genders, sexual orientations, gender traits, and gender identities, elderly persons, people with disabilities, children and adolescents, new immigrants, workers, migrant workers and their family members, residents of rural, remote, and offshore island areas, refugees, asylum seekers, non-national individuals or those without household registration in our country (including foreign nationals and stateless persons).	
1-3[Please describe the consultation and negotiation procedures undertaken during the drafting of this project] 1. Describe the personnel, time, place, and manner of the consultation and negotiation processes (seek the opinion and discuss the bargaining process) undertaken during the drafting of this project. Examples include public hearings for residents in the area of infrastructure projects or pre-construction briefing sessions. If there were related disputes, please explain the main opinions of the relevant groups, organizations, or individuals, whether these opinions	

were adopted, and the reasons for doing so or not. 2. If disadvantaged groups such as people with disabilities, children and adolescents, or Indigenous peoples, as well as their representatives or related organizations, participated in the process, please include relevant statistical and analytical data to provide a comprehensive explanation.	
1-4 [Please Describe the Status of Data Collection] During the planning phase of the project, the agency should first conduct an inventory of existing data and select the relevant data types. If it is found that basic data is insufficient, and data has been collected through methods other than meetings—such as focus group interviews or other research methods—please select "Yes" and indicate the method(s) used for data collection based on the actual circumstances. If no such additional data collection was performed, please select "No". For the content of existing data and additional collected data, refer to the associated rights projects and provide detailed explanations in section "1-5".	Inventory of Existing Data: ☐ Government Statistical Data (Administrative Registration, Administrative Statistics, Survey Statistics) ☐ Research Reports / Study Visit Reports, etc. ☐ Domestic and foreign Literature ☐ Other (Please specify): _____ After Taking Inventory of Existing Data, Was Additional Data Collected? ☐ Yes, please select (multiple choices allowed): ☐ Interview (including stakeholders and experts) ☐ Focus Group Interview ☐ Field Research (field observation, investigation, collection, interview, and record) ☐ Questionnaire ☐ Census ☐ Other (please specify): _____ ☐ No, no additional data was collected.
Right(s) to be assessed	(OOOOO, please fill in the name of the rights to be assessed)
Assessment Items	Assessment Result
1-5 [Please take stock of the survey and statistical data of the persons or groups that may be directly or indirectly affected by this project.] (Multiple selections allowed)	☐ 1. Survey and Statistical Data from the Executive Yuan and Various Agencies (Including Statistical Affairs of Government Agencies, Previous National Reports, the National Human Rights Action Plan, Action Response Tables for

Please select the involved Rights in column "1-1" and, based on the potentially affected groups listed in column "1-2," refer to the "Index of Rights Protected under International Human Rights Conventions" Projects in the International Human Rights Covenant" for "Matters that may affect this Rights Project" and "Relevant International Human Rights Norms". Take stock of the survey and statistical data from the Executive Yuan and various agencies, and describe the relevant current conditions in this column. If there are related subgroup analysis data, please present them as well.	Concluding Observations, Human Rights Indicators, and other related statistics): ☐ 2.Existing Surveys and Statistical Data Are Insufficient, Will enhance or add relevant surveys or statistical data. Please specify:
1-6 [Please describe how the expected positive benefits of this project will implement relevant international human rights norms] (If this rights project is self-assessed to have no positive effects, this section does not need to be completed) Refer to the "Index of Rights Protected under International Human Rights Conventions" and the "Relevant International Human Rights Norms" listed therein. Based on the potentially affected groups specified in column "1-2", explain what positive benefits will arise from ensuring their enjoyment of this rights project. Describe how these benefits contribute to fulfilling the state's duty in terms of respect, protection, and realization of these rights. (1) Obligation to Respect: Refers to actions by the government in the exercise of public authority or the imposition of legal restrictions or	1. Please describe the positive benefits expected to arise from this rights project under the individual project and its relatedness to relevant international human rights norms: 2. Explain based on performance indicators, measurement standards, target values, and execution strategies (please indicate the page numbers in the individual project):

deprivation of specific qualifications that may affect this rights project, which shall be limited or prohibited. (2) Obligation to Protect: Focuses on the obligation to strengthen the acts or omissions of third parties, such as individuals or groups outside the government, to ensure that the rights of the concerned parties are protected from infringement by these third parties. (3) Obligation to Fulfill: Refers to the government's responsibility to ensure the realization of the rights projects by directly providing or encouraging private entities to provide resources or services, establishing new systems, or taking necessary steps.	
1-7 [Explain the possible direct or indirect adverse effects] Refer to the "Index of Rights Protected under International Human Rights Conventions" and the "Relevant International Human Rights Norms" listed therein. Based on the potentially affected groups specified in column "1-2", describe the adverse effects on their enjoyment of the rights project. This includes detailing potential direct or indirect infringements of the rights project by the state after the implementation of project, possible difficulty in preventing third-party infringements of the right, or obstacles to the realization of the rights project. Explain the content of such adverse effects, including their severity, spatial and temporal scope, probability of occurrence, and irreversibility.	☐ No adverse effects on this right have been identified at this time that may potentially arise (If this option is selected, there is no need to fill in "1-8 Planning of Response Measures and Remedy Mechanisms") ☐ Adverse effects on this right may occur (If this option is selected, please proceed to fill in "1-8 Planning of Response Measures and Remedy Mechanisms") Explanation:

1-8[Planning of Response Measures and Remedy Mechanisms]

For possible direct or indirect adverse effects, weigh and consider the principle of proportionality, and discuss and formulate whether to adopt measures such as prevention, mitigation, or compensation. It is also necessary to consider whether, in addition to the current judicial and administrative remedies, there is a need to establish a particular remedy mechanism.

☐ Although adverse effects impacts may occur, the following response measures and remedy mechanisms have been provided **(please indicate the page numbers in the individual project)**:

1. Planning of Response Measures

☐ Yes **(multiple selections allowed)**

☐ Preventive Measures (Refers to methods that can avoid the occurrence of rights violations, such as constructing highways to bypass high-density residential areas and ensuring that critical infrastructure like fuel, electricity, and water avoids infringing on the right to enjoy the highest attainable standards of physical and mental health and the right to enjoy an adequate standard of living) :

☐ Mitigation Measures (Refers to methods that help stop ongoing violations or reduce the scope and severity of rights violations, such as installing noise barriers and acoustic panels along roadsides, or adopting continuous welded rail in construction methods to reduce noise and vibration caused by vehicle movement):

☐ Compensation Measures (Refers to methods aimed at restoring the original condition or compensating for damage (loss), such as compensation for expropriation and demolition of residential buildings, or for routes passing beneath buildings):

☐ None

2. Remedy Mechanisms **(Multiple selections allowed)**

☐ Existing judicial and administrative remedies apply (Refers to methods or avenues through which aggrieved parties can assert and realize

	their rights, including existing judicial and administrative remedy mechanisms, such as administrative appeals, and civil and criminal proceedings) ☐ Special remedy mechanisms established under other regulations or this project apply Explanation:
Right(s) to be assessed	(OOOOO, please fill in the name of the rights to be assessed)
II. Results of Human Rights Impact Assessment Please describe the assessment results and make adjustments or additions in the main body of the individual project under the section "desired effect and influence" (please indicate the page numbers in the individual project):	