

**2013 Republic of China (Taiwan)
Trafficking in Persons
Report**



April 2014

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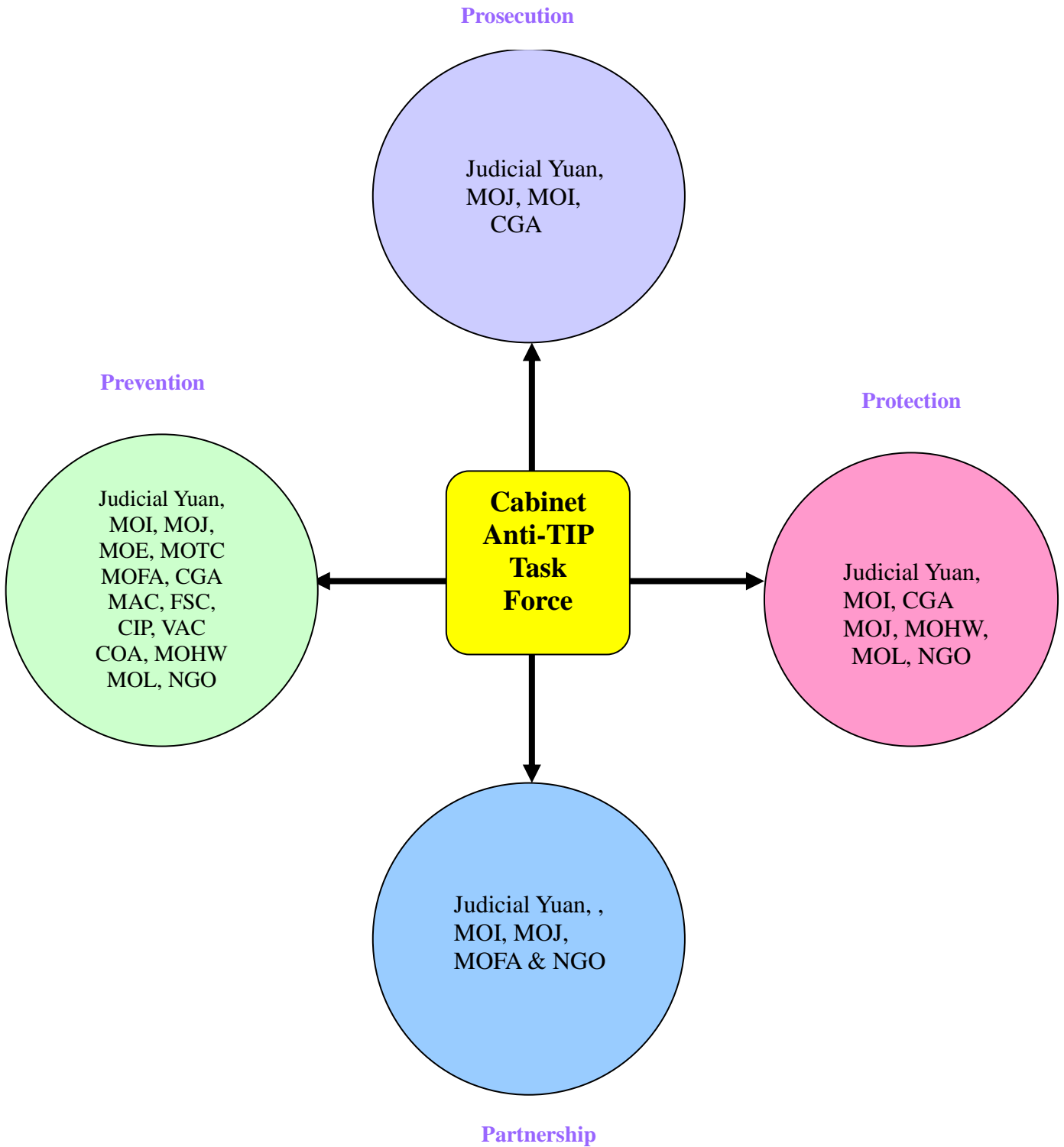
I. Prologue

Taiwan, along with leading countries around the world, is waging a rigorous campaign against trafficking in persons (TIP) to stamp out this appalling violation of human rights. In November 2006, the government promulgated the Human Trafficking Prevention Action Plan and, in January 2007, set up a cabinet-level anti-TIP coordination task force that has been meeting regularly to streamline cross-ministry endeavors and coordinate resources aimed at preventing related crimes. To uphold human rights, the legislature of the Republic of China (Taiwan) enacted the Human Trafficking Prevention Act (HTPA) in January 2009, which entered into force the following June. This piece of legislation helps prevent human trafficking and protect victims by imposing aggravated criminal penalties against traffickers and providing immigration relief measures to victims, such as temporary visas and work permits. The latter has allowed victims to legally secure a livelihood in Taiwan, helping them to get back on their feet. The HTPA has been instrumental in Taiwan's intensified war against TIP, and has helped make Taiwan a tier-one country in the US State Department's TIP report, for four years in a row.

With the ongoing trend of globalization and subsequent increase in the cross-border flow of people, Taiwan has engaged progressively more intensively with the rest of the world. More foreigners travel to Taiwan for business, tourism, education, employment, or even marriage, than ever before. At the same time, Taiwan has seen an influx of foreign laborers who are prone to being treated unfairly due to vulnerabilities caused by cultural and language barriers, which is exacerbated by workplace confinement. In recent years, the international community has placed great emphasis on the issue of labor exploitation of foreign fishery workers. Taiwan is still a destination for men, women, and children who are subjected to forced labor and sex trafficking, despite having taken measures to prevent and combat human trafficking, such as enhancing immigration checks, and safeguarding the rights of foreign laborers (including fishery workers). Sexual exploitation and forced labor are the two most common forms of human trafficking today.

Such long-term campaigns require the persistent vigilance of all countries and cross-border collaboration globally. Forging ahead in 2014, Taiwan looks forward to continued partnership with the international community on safeguarding human rights in this war on human trafficking. Taiwan is committed to fulfilling its responsibility under two United Nations human rights covenants—the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR)—and aspires to become a beacon of human rights for its neighboring states to emulate.

Cross-Agency TIP Platform



Judicial Yuan: the top judicial organ of the Judicial Branch

The following agencies are under the Executive Yuan

CGA: Coast Guard Administration

CIP: Council of Indigenous Peoples

COA: Council of Agriculture

FSC: Financial Supervisory Commission

MAC: Mainland Affairs Council

MOE: Ministry of Education

MOFA: Ministry of Foreign Affairs

MOHW: Ministry of Health and Welfare

MOI: Ministry of the Interior

MOJ: Ministry of Justice

MOL: Ministry of Labor

MOTC: Ministry of Transportation and Communications

VAC: Veteran Affairs Council

II. Highlights of 2013

During 2013, ROC government agencies continued to devote considerable resources to combating human trafficking. Under the coordination of the cabinet-level anti-TIP task force, the public sector consolidated cooperation with civil society, producing some substantial results.

Law enforcement and prosecution: Judicial police agencies uncovered 166 TIP cases (84 of labor exploitation and 82 of sexual exploitation). During the year, 334 individuals were prosecuted in 127 TIP cases.

Protection: The National Immigration Agency (NIA), under the Ministry of the Interior (MOI), and the Ministry of Labor (MOL) together oversee 24 shelters, some of which are operated under contract by NGOs. During 2013, a total of 366 newly identified victims were placed in shelters. Besides having their everyday needs met, residents received additional services, including psychological counseling, interpretation, legal aid, social-worker accompaniment during judicial proceedings, and medical care. After evidence was gathered and judicial investigations subsequently concluded, the NIA arranged to return 130 human trafficking victims to their home country. In 2013, the NIA issued 181 temporary stay visas and renewed 203 existing visitor visas for TIP victims, while the MOL issued work permits to 282 of the victims.

Migrant worker services: The MOL has set up the Consolidated Job Service Center specifically to prevent exploitation and reduce brokerage fees, which typically impose a heavy financial burden on foreign laborers. During the year, the center helped 17,518 employers re-hire their existing foreign employees, referred and transferred 51,312 foreign worker applications to other authorities, and provided consultations, either onsite or over the phone, to 132,971 individuals on hiring foreigners. To uphold laborers' rights, the MOL also mediated in 4,055 cases, recovering a total of NT\$128,581,884 (approx. US\$4.3 million) in back pay owed to foreign laborers by employers or employment brokers.

Prevention: Campaigns have taken a two-pronged approach: promoting public awareness and boosting civil servant competency. The government and civil society have used various communication channels to help inform the public on what constitutes human trafficking, and teach migrant workers how to assert their rights. The NIA made a special short film, featuring popular actors, in five languages—Mandarin Chinese, English, Indonesian, Thai, and Vietnamese—in the hope of further spreading the anti-human trafficking message. The NIA, meanwhile, held two training programs on general TIP literacy, one advanced follow-up program, and one international workshop (the International Workshop on Strategies for Combating Human Trafficking) for government functionaries. Related government agencies also incorporated TIP courses in their in-house continuing education curriculum. To elevate anti-TIP work, in 2012 the MOI launched a system to assess the anti-TIP efforts of municipalities and local governments, hoping to raise the awareness among local governments and raise standards. The End Child Prostitution in Asian Tourism (ECPAT)-Taiwan special project on further amending the HTPA, commissioned by the NIA, was also completed in 2013, which will help with making necessary

adjustments to related regulations in the future.

Partnership: To share Taiwan's anti-TIP experiences, the NIA sent representatives, for the first time, to take part in the EU–Asia Dialogue—International Workshop: Human Trafficking-Challenges to Europe and Asia on June 13, 2013, so as to exchange ideas with attendees from the EU and Southeast Asian countries, and raise awareness of Taiwan's efforts. The International Workshop on Strategies for Combating Human Trafficking, co-organized by the NIA, the Ministry of Foreign Affairs (MOFA), and the Tourism Bureau, was held on October 1, 2013. Speakers from the EU, the UK, the US, Australia, Cambodia, and Thailand were invited to exchange ideas with representatives from ROC government agencies and NGOs in an effort to broaden their connections in Asia and Europe. The in-depth experiences shared by foreign speakers on how to prevent child sex tourism, child sexual exploitation, and child pornography greatly benefited Taiwan in terms of law enforcement and future legal amendments. A review of human trafficking in the fishing industry, from both a global and Southeast Asian perspective, was also beneficial for Taiwan's management of fishery workers and its partnership with other countries, the aim being to reduce the number of related crimes in Asia.

The ROC immigration authorities signed memorandum of understanding (MOUs) with their counterparts in Honduras on April 23, Vietnam on July 10, and Paraguay on July 11, 2013, on cooperation on combating cross-border crimes and preventing human trafficking.

III. Achievements of 2013

1. Prosecution: Stamping out TIP crimes

1.1 Judicial police enforcement

1.1.1 Judicial police agencies have entrusted specific units with anti-TIP tasks and have established a cross-agency communication network to optimize enforcement at high-risk sites, such as the gathering places of brokers or places reputed to employ foreign workers for work or commercial sex. For the last two years, enforcement efforts have expanded to include trafficking committed by individuals and not just by organized syndicates. Since 2013, combating the sexual exploitation of minors (anyone under the age of 18) has become a top priority of judicial police agencies.

1.1.2 In 2013, law enforcement officers uncovered 166 cases, 84 of labor exploitation and 82 of sex trafficking. All of them have been referred to district prosecutors for investigation and eventual prosecution. The figures for such cases over the past six years are shown below:

Year	Cases No.	Total	Type	
			Labor	Sex
2008		99	40	59
2009		88	46	42
2010		123	77	46
2011		126	73	53
2012		148	86	62
2013		166	84	82
Responsible agencies for 2013				
	NPA	108	50	58
	NIA	34	22	12
	CGA	8	4	4
	Investigation Bureau	16	8	8

1.2 Indictment and sentencing

1.2.1 The MOJ has designated prosecutors in each jurisdiction to handle TIP cases. At the high court level, a prosecutor task force holds regular meetings to supervise and coordinate anti-TIP efforts at the district level, so as to better ensure the timely conclusion of investigations. Pursuant to the law, the MOJ has also urged prosecutors to seek aggravated penalties against traffickers.

1.2.2 Prosecution: In 2013, a total of 334 individuals were indicted in 127 TIP cases. Prosecution figures for the past six years are shown here:

Year	Cases	Persons	Exploitation Type			
			Labor		Sex	
			Cases	Persons	Cases	Persons
2008	165	601	40	106	113	452
2009	118	335	35	102	83	233
2010	115	441	41	110	76	346
2011	151	437	72	179	80	259
2012	169	458	34	57	136	408
2013	127	334	84	246	46	103

Note: Starting in June 2009, another category of exploitation was added (organ removal), hence the total number of cases may not correlate to the sum of the different types.

1.2.3 According to the MOJ, 270 individuals were convicted in TIP cases, 155 of who were sentenced to a jail term of 6 months or under, 41 to between 3 and 5 years, and 36 to between 1 year and 2 years.

Sentencing: Sentences imposed for TIP crimes from 2008 to 2013 are as follows:

Sentences	2008	2009	2010	2011	2012	2013
< 6 months	181	256	192	98	144	155
6 ~ 12 months	50	58	37	15	16	21
1 ~ 2 years	34	30	34	27	27	36
2 ~ 3 years	3	4	4	5	3	5
3 ~ 5 years	3	7	19	17	32	41
5 ~ 7 years	0	1	0	2	2	4
7 ~ 10 years	1	13	1	1	3	2
10 ~ 15 years	1	0	1	0	0	-
Short detention	11	6	8	6	11	4
Fine	3	1	4	2	62	1
No sanction				1	0	1
Total	287	376	300	174	300	270

Note: The term “TIP crimes” refers to any act that violates Taiwan’s Human Trafficking Prevention Act, Criminal Code, Labor Standard Act, and/or the Regulations Governing the Prevention of Children and Adolescent from the Sex Trade, and other related statutes.

1.2.4 A supervisory task force under the Taiwan High Prosecutors Office released for review guidelines that could be further applied to labor exploitation and sexual exploitation. Data collected from local prosecutors offices are as follows:

- A. Number of new prosecutions and comparison with the previous year.
- B. Number of cases closed (indictments, summary offenses, suspended indictments, and no indictments) and comparison with the previous year.
- C. Number of detainees and comparison with the previous year.
- D. Conviction rate and comparison with the previous year.

1.2.5 At the request of the MOJ, the Taiwan High Prosecutors Office also released

guidelines for reviewing district prosecutors offices cases involving the sexual exploitation of underage females through the internet. The number of transactions, defendants, underage victims, and websites are to be submitted should cases involve Article 23 and 24 of the Prevention and Punishment of Sex-Trade Act, and victims under the age of 18 engaging in prostitution through the internet or in sexual transactions against their will.

1.3 Heightened enforcement

1.3.1 Tightening border controls to clamp down on undocumented workers: Taiwan has adopted more rigorous measures to deter trafficking syndicates from (a) sneaking victims into Taiwan using a false identity at the border or during flight transits; or (b) recruiting and exploiting illegal foreign workers in vulnerable circumstances. The achievements of the NIA and the National Police Agency (NPA) are as follows:

Year	Type No.	Forged travel documents, stolen identities, and fingerprint mismatches at the border (no. of cases)	Undocumented foreign workers found within the border (no. of persons)
2008		149	8,562
2009		81	9,998
2010		57	10,045
2011		35	8,474
2012		29	13,594
2013		17	16,269

1.3.2 Uncovering sham marriage immigrants through improved interview techniques

1.3.2.1 Interviews of mainland Chinese spouses: according to the current regulations, when a mainland Chinese spouse applies for an entry visa to join a Taiwanese spouse, both must undergo an interview. The NIA then refers any suspicious marriages to local prosecutors for further investigation. If the mainland Chinese spouse is already in Taiwan, a follow-up interview and inquiry are performed to verify the authenticity of the marriage. In 2013, the NIA conducted 15,569 interviews, among which 9,130 took place at the border. A summary of the results of the interviews over the last six years is provided below:

Year	Interviews	Passed (%)	Failed (%)	Follow-up (%)
2008	30,500	20,904 (69%)	3,726 (12%)	5,870 (19%)
2009	28,686	20,302 (71%)	2,857 (10%)	5,527 (19%)
2010	23,533	17,930 (76%)	1,972 (8%)	3,631 (16%)

2011	19,862	15,227 (77%)	2,080 (10%)	2,555 (13%)
2012	18,405	13,863 (75%)	2,297 (13%)	2,245 (12%)
2013	15,569	11,997 (77%)	2,284 (15%)	1,356 (8%)

Note: The 2008 and 2009 figures are interviews conducted within the border.
The 2010 to 2013 numbers are those conducted either within or at the border.

1.3.2.2 Interviews of foreign spouses: There have been many incidents where a Southeast Asian national has entered Taiwan under the pretense of marriage and subsequently engaged in activities other than those stated on the visa application. Many of these turn out to be human trafficking cases. Therefore, MOFA has instituted an interview mechanism that requires both spouses to personally attend an interview at a designated representative office if either spouse comes from Vietnam, Indonesia, Thailand, the Philippines, Myanmar, or Cambodia. The numbers of interviews conducted in 2013 are presented below.

Nationality	Foreign Spouses	Passed without interview	Passed with interview	Rejected	Rejection rate	Note
Vietnam	4,101	64	1,960	1,923	47%	154 couples required to submit additional documents, outcome pending review
Indonesia	926	11	308	353	38%	254 couples required to submit additional documents, outcome pending review
Thailand	469	27	295	143	30%	4 couples required to submit additional documents, outcome pending review
The Philippines	397	22	359	16	4%	
Myanmar	138	50	70	18	13%	
Cambodia	0	0	0	0	0%	

MOFA must strike a delicate balance between upholding the legitimate right of foreign spouses to join their partner and/or family in Taiwan, while meeting the

objectives of safeguarding border integrity, preventing human trafficking, and curbing fake marriages. To this end, in June 9, 2010, MOFA published the Guidelines for Interviewing the Foreign Spouses of Taiwanese Nationals at MOFA and Foreign Missions, which stipulate the interview procedures, documents to be submitted, and availability of economic relief. Where cases are rejected, foreign missions must issue written records specifying the reasons, so as to ensure that the interview procedures conform to the regulations and that human rights are safeguarded. The guidelines were amended in October 2013 to further improve procedures.

MOFA's foreign missions must conduct separate interviews of the Taiwanese national and the foreign spouse, inquiring into each person's background, and details of their courtship and wedding, so as to determine whether their marriage is genuine. This process helps root out sham marriages and human trafficking. There are, however, limits to such an undertaking, as foreign missions possess no legal rights to initiate investigations and are only able to assess the couple's background and marriage by reviewing documents and interviewing them. MOFA therefore began working closely with the NIA in 2010; after interviewing couples, MOFA's foreign missions inform the NIA of cases they believe need following up on through field investigations in Taiwan, including by looking into the Taiwanese spouse's family background. For those suspected of questionable applications and attempted re-entry on a dependent visa, foreign missions must verify their identification so as to shorten the time for the NIA to either waive the application or conduct a follow-up investigation. The practices of MOFA and its foreign missions have been proved effective in preventing human trafficking.

To prevent foreigners from illegally entering, engaging in illegal jobs, and even obtaining citizenship, MOFA will refer cases of sham marriages to the agencies concerned (the MOI, the NIA, or the MOJ) for further investigation, as well as report irregularities discovered by foreign missions to the competent authorities, so as to improve related polices and regulations, and allow for the law to be better enforced.

1.3.3 Getting tough on unauthorized hiring and brokerage violations to prevent foreigners from being exploited. The statistics for 2013 are as follows:

1.3.3.1 Unauthorized hiring

Year/Case	Fines levied						License revoked					
	2008	2009	2010	2011	2012	2013	2008	2009	2010	2011	2012	2013
Hiring violations												
Illegally harboring foreigners	181	152	186	255	305	376	137	116	133	197	161	227
Unauthorized hiring	767	582	777	960	1,136	1,450						
Hiring foreigners for use by others	27	12	26	17	14	13						
Unauthorized place of work	414	410	545	746	768	897						

1.3.3.2 Employment broker violations

Year/Case	Fines levied						License revoked					
	2008	2009	2010	2011	2012	2013	2008	2009	2010	2011	2012	2013
Broker violations												
Collecting unauthorized fees	77	110	22	21	23	16	14	10	2	6	12	5
Submitting false info or urine/stool/blood samples	23	12	3	1	12		7	12	3	0	3	
Fiduciary failure causing citations against employers	45	52	52	58	60	64	0	0	1	1	3	2
Unauthorized job placement	76	92	62	81	73	106	7	10	17	18	9	14

Note: Fines can be levied on both individuals and companies, whereas the revoking of licenses applies only to companies.

Significant enforcement cases

Case 1: Cross-border trafficking ring

A cross-strait raid was launched by the NIA's Specialized Operation Brigade in Taipei City and mainland Chinese police on October 17, 2013, leading to the uncovering of the two biggest brothels in Taipei City and New Taipei City. A syndicate was soliciting females in mainland China and sending them to Taiwan for prostitution, through either sham marriages or on the pretext of business. After tracking the syndicate for eight months, the NIA found that more than 300 females from mainland China had come to Taiwan over the course of a year or more, with new people sent every 15 days as replacements and at least 30 available for shifts on any given day. Illegal profits exceeded NT\$100,000,000 (approx.US\$3,300,000). Prosecutors have built a case against the suspects, including the mastermind, surnamed Lu, for committing various crimes, including profiting from sexual transactions, forgery, and other violations against the HTPA and the Act Governing Relations between the People of the Taiwan Area and the Mainland Area. Illegal income of NT\$253,550 (approx.US\$8,500) and other evidence was confiscated.



Case 2. The biggest brokerage syndicate of undocumented workers

In July 2012, the NIA's Specialized Operation Brigade in Taoyuan County had uncovered 33 undocumented migrant workers hired by a widely known electronics factory in Guishan Township, Taoyuan County. These workers were traced back to a New Taipei City broker, surnamed Chen, who continued to engage in illegal brokerage even though she was sentenced to jail by the Taiwan High Court. The New Taipei City District Prosecutors Office led the Specialized Operation Brigade, the Taoyuan County Police Department, and the Taoyuan County office of the Bureau of Investigation for a raid on November 4, 2013. The suspects, including Chen, were arrested for allegedly running the biggest human trafficking ring to recruit

undocumented migrant workers, or people coming from mainland China as dependants, and having them work as cleaners and caregivers in well-known department stores and mobile phone factories in northern Taiwan using forged IDs. The illegal profits amounted to tens of millions dollars over the years. They were charged with forgery, as well as with violating the HTPA and the Act Governing Relations between the People of the Taiwan Area and the Mainland Area.



Case 3. Sexual exploitation of runaway workers

A human trafficking syndicate, led by one Mr. Chang, asked its Indonesian staff to solicit runaway female Indonesian workers, through false offers of generous pay, to serve as bar girls. Once recruited, the victims were raped, monitored, coerced, and/or fed with drugs, and had no choice but to engage in sexual intercourse or obscene behavior with others. Those showing reluctance would be threatened verbally or with guns. Two members of the syndicate were responsible for driving victims to betel nut stores or snack bars in Tainan and Chiayi, where they would accompany inebriated guests or engage in sexual transactions for between NT\$3,000 and NT\$5,000 each time. Chang and the other suspects not only took middleman's fees, but also withheld the rest of the money under the pretense of paying deposits, board and lodging, utility fees, transportation, medication, and car repair or purchase. The girls did not receive a penny.

After an extensive investigation, the Tainan District Prosecutors Office launched a raid on the premises where victims were being confined. Under the cover of a typhoon night, more than 80 police officers stormed the premises and rescued 11 victims. More than a dozen suspects were arrested and charged with violations against the HTPA, the Criminal Code, and the Regulation to Prevent and Control Organized Crime on October 2, 2013.



Case 4. Labor exploitation of licensed workers

The Yunlin District Prosecutors Office launched an investigation after a tip-off, passed on by the Taipei Reconnaissance Brigade of the Coast Guard Administration, that two Indonesian homecare workers, who were granted entry to Taiwan to take up homecare employment in 2012, were being mistreated. Their employers were restricting their freedom of movement, not allowing them to use telephones, and not providing enough food. They were also asked to do jobs other than homecare and were suffering due to long-term confinement.

The brigade, along with related agencies, inspected the residences of the two employers in Erlun Township, Yunlin County, in accordance with Article 62 of the Employment Service Act. They discovered that the two migrant workers were not performing homecare services, but rather were being exploited for labor in three factories in the adjacent Xiluo Township. Yunlin District Prosecutors Office established a case against the owners for violating Article 32 of the HTPA in May 2013, and requested the two compensate the victims with the salaries they deserved.

Case 5. Cross-border enforcement against human trafficking ring

The suspects, including the mastermind surnamed Lin, ran a financial management company, taking advantage of Filipino workers by charging unreasonable brokerage fees and making them pay unfairly high rates of interest. Workers were sent to Taiwan with unverified documents to pay back their debts. Suspects were charged with violations against the HTPCA and Offenses of Usury of the Criminal Code. The case was investigated by the MOJ and its Filipino counterpart, and the Taipei District Prosecutors Office established a case against Lin on April 23, 2013.

1.5 Challenges in legal interpretation

Case 1. Taiwan High Court Dossier 2013 - appeal-1978 Criminal Court Decision

Four defendants took advantage of 14 Indonesian victims who had entered Taiwan with the approval of the Council of Labor Affairs (Ministry of Labor as of 2014) but had had their permits suspended after absconding from their jobs. They became undocumented workers, had few if any acquaintances, and their situation was hampered by a language barrier. It was subsequently difficult for them to seek help, but they remained eager to make money to support their families. Knowing the women were vulnerable, the defendants sought to profit from them by making them engage in sexual transactions. In October of 2011, another runaway Indonesian female was asked to recruit the 14 women, who urgently needed money, by telling them that they would be well paid for a supposedly easy job accompanying guests. The victims were in fact sent to a brothel run by defendant B, who rented a house for the girls. Defendant A would refer guests wanting sexual services to defendant B who, along with two other defendants, would drive the girls to a seafood restaurant, owned by defendant A, where the women had to make their guests happy by drinking and singing with them, and allow inebriated men to fondle them and sometimes engage in sexual intercourse. The service lasted two hours, for a fee of NT\$1,200. Defendant A took NT\$300 of this, with the other defendants receiving between NT\$400 and NT\$100 each. The victims did not willingly agree to engage in these services at first, but later caved in due to their vulnerable situation. They were unable to seek help and needed to make money for their families back home.

Application of regulations:

Paragraph 1 of Article 31 of the HTPA and Article 231 of the Criminal Code have been applied as follows:

Paragraph 2 of Article 2 of the HTPA stipulates that, in the event that a violation of a substantive law is also covered by Article 1 of the HTPA, the violation should be considered trafficking in persons. The aforementioned ruling, in which victims of sexual exploitation were adults, referred to Paragraph 1 of Article 31 of the HTPA, due to the intent to profit by forcing people unable to seek help to engage in sexual transactions. Although Paragraph 1 of Article 231 of the Criminal Code covers the intent to make people engage in sexual intercourse and obscene behavior, this case involved several crimes. Due to the intent to profit by forcing people who are unable to help themselves or do not know how (or find difficult) to seek help to engage in sexual transactions, Paragraph 1 of Article 31 of the HTPA was applied and a heavier punishment was given.

The interpretation of Taiwan High Court Dossier 2013 - appeal-803 Decision however took a different view. It stressed that the special law HTPA takes precedence over the substantive law and more severe punishment is warranted. Therefore, as the defendants violated both crimes, Paragraph 1 of Article 31 of the HTPA was adopted.

Case 2. Taipei District Court Dossier 2013 - 426 Decision

- A. The defendant hired a migrant worker through a broker in order to take care of the defendant's father. The female domestic worker feared that she would be unable to find an employer on her own and that she would be repatriated should her contract

be cancelled by her employer. She also knew nothing about the local environment or language. The defendant took advantage of her vulnerabilities, keeping her passport, documentation, health insurance card, bank passbook, and monthly income. The victim had poor living conditions and had to take care of the defendant's mother and do all the housework. There were even limits on the frequency and duration of her bathing time.

Application of Regulations:

A. Interpretation of “workload not in line with wages”:

The worker in this case was asked to take care of the defendant's mother and do all housework. The total value of labor specified in the contract mounting to NT\$407,226 (approx. US\$16,000), but she only received NT\$82,000 (approx. US\$2,700). If the legal fees waived on behalf of the defendant were also included (NT\$10,040, approx. US\$335), the money the victim received was only one-fourth the actual wages she earned. In light of the working hours, content of work, workplace, and working environment, her actual income fell far short of her worth, resulting in a “workload not in line with wages.” The defendant intentionally took advantage of the victim and in effect profited by refusing to pay reasonable wages. The defendant's behavior clearly showed his intentions.

B. Interpretation of vulnerabilities:

Paragraph 2 of Article 32 of the HTPA on taking advantage of people who are unable, do not know how, or find difficult to seek help notes that human trafficking perpetrators take advantage of the victim's vulnerabilities, such as illegal entry, illegal stay, stay in a foreign country, language barrier, and other factors that are further specified in Article 6. The interpretation of “unable to seek help” refers to whether the victim is vulnerable in three ways: personal factors, such as mental or physical inabilities or limits; status, such as isolation due to language barrier, illegal entry, etc.; and environment, such as being unemployed or economically disadvantaged. Thus, the victim might be vulnerable due to poverty, physical and mental disabilities, age, gender, pregnancy, culture, language, religion, family status or illegal status. Other factors could be exacerbated by the perpetrators, such as social, cultural, and language isolation; illegal status; dependency created by drugs or an intimate relation; or cultural and religious rituals. Victims therefore submit to the perpetrators and feel left with no other options.

C. Broaden the interpretation of debt-bondage:

Debt-bondage as specified in Paragraph 2 of Article 32 of the HTPA refers to debts or illegal charges by the perpetrator, such as smuggling fees, fees for a fake marriage, and loan interest, as listed in the law.

2. Protection: Enhancing victim protection

2.1 Safeguarding victims

2.1.1 Foreign victims

The National Immigration Agency (NIA) and Ministry of Labor (MOL) operate 24 shelters (some in collaboration with NGOs) throughout Taiwan. The locations have been chosen in order to evenly distribute resources vis-à-vis the workload. Three of the 24 shelters are NIA-owned but NGO-managed for human trafficking

victims. In 2013, there were 366 newly placed victims, of whom 319 were female and 47 male. In terms of nationality, Indonesia had the highest number (276), and Vietnam second highest (65). The victims had their daily needs met and received a variety of services, such as free shelter, psychological counseling, interpretation access, legal aid, accompaniment at investigation interviews, and medical assistance. The Ministry of the Interior (MOI), the cabinet-level agency supervising NIA operations, spent a total of NT\$22,011,047 (approx. US\$780,000) in 2013 on placement services, covering costs incurred on everyday needs, food, medical care, and repatriation flight tickets. The foreign TIP victims put under placement programs have been as follows.

Year	2007/2008			2009			2010			2011			2012			2013		
Exploitation Category	Sex	Labor	Sum	Sex	Labor	Sum	Sex	Labor	Sum	Sex	Labor	Sum	Sex	Labor	Sum	Sex	Labor	Sum
New residents	9	97	106	85	244	329	45	279	324	56	263	319	152	310	462	121	245	366
Male	0	15	15	0	71	71	5	61	66	0	90	90	0	66	66	0	47	47
Female	9	82	91	85	173	258	40	218	258	56	173	229	152	244	396	121	198	319
Indonesia	4	63	67	45	120	165	14	147	161	20	155	175	131	225	356	110	166	276
Vietnam	4	9	13	12	73	85	4	71	75	1	83	84	1	59	60	1	64	65
Thailand	0	13	13	1	6	7	6	6	12	1	9	10	0	1	1	0	6	6
Philippines	0	0	0	0	14	14	2	37	39	1	13	14	0	23	23	1	7	8
Mainland China	0	0	0	27	0	27	19	2	21	33	0	33	20	0	20	9	0	9
Cambodia	0	12	12	0	9	9	0	13	13	0	0	0	0	2	2	0	0	0
Bangladesh	0	0	0	0	22	22	0	2	2	0	3	3	0	0	0	0	0	0
India	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0
Stateless	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2

2.1.2 Adult Taiwanese victims

There were 36 adult Taiwanese victims identified during human trafficking investigations in 2013. Of them, 19 were housed by local social welfare agencies and the rest returned home, as the latter declined to be put under protection. To ensure these victims receive follow-up services after returning home, judicial police are instructed to provide them a copy of the Guidelines on Protecting Taiwanese TIP Victims' Rights. The victims are also asked whether they wish to be referred to local social welfare agencies for counseling. For those interested, a referral form is filled out and a call made to notify the respective agency.

2.1.3 Juvenile Taiwanese victims

There were 88 underage girls (under 18 years of age) identified during police investigations in 2013. In accordance with the Regulations Governing the Protection of Children and Adolescents from the Sex Trade (RGPCAST), 87 of them were placed by local social welfare agencies, and the other was later recognized as adult and subsequently went home.

2.2 Re-identifying quasi victims

To help ensure all human trafficking victims are identified as such, the NIA routinely screens detainees at the NIA-operated shelters in Taipei, Hsinchu, Yilan, and Nantou. If anyone appears to meet the criteria, he or she is referred to the original judicial police agency that uncovered him/her in a raid. Once confirmed

in the second round of interviews, he or she is placed in a shelter for TIP victims. In 2013, a total of 81 victims were thereby re-identified and transferred from a detention center to a shelter.

2.3 Visas for short-term stays

In 2013, the NIA granted 181 new visas to victims for short-term stays, and approved 203 applications to renew the visas.

2.4 Protection of employment rights

According to the Work Permit and Management Regulations for Human Trafficking Victims promulgated on June 8, 2009 and the application procedures of work permits for human trafficking victims, the government-run job placement center nearest to the detention center or shelter is so informed. In 2013, the NIA issued a total of 282 work permits to TIP victims, helping 37 of them change employers. Public employment agencies helped 206 victims seek new employment. Although only 5 of them found a new employer this way, another 158 found a job on their own.

2.5 Free job training

According to government regulations, public employment training centers must offer free job training to foreign human trafficking victims in shelters and help identify appropriate skill sets for each victim. Among the 202 victims receiving new work permits in 2013, 143 found jobs, 19 returned to their home country, 4 went missing, and 1 received placement, whereas the remaining 35 received no additional training.

2.6 Safeguarding workers' rights through the 1955 Hotline

In 2010, the 1955 hotline started using a computerized system to assign incoming calls and keep track of the cases. This has helped the hotline supervisors conduct follow-up services on grievances or disputes and further safeguard foreign workers' rights. The 1955 hotline received 249,084 calls, of which 225,178 were for consultation and 23,906 were for general and emergency inquiries. The hotline also helped 2,198 foreign workers change employers.

2.7 Recovering back-pay owed to foreign workers

The MOL runs foreign worker service stations around Taiwan, including in airports. The stations, along with the 1955 Hotline, helped 5,534 foreign workers recover a total of NT\$158,955,066 (Approx. US\$5.3 million) in back-pay owed by employers or brokers in 2013.

2.8 Accompaniment during judicial proceedings

2.8.1 Interpreter and social worker accompaniment: To uphold victims' rights and facilitate judicial proceedings, judicial police agencies are required to provide interpretation services during investigation interviews of human trafficking victims. A social worker also accompanies the victim to keep him/her more relaxed and explain the procedures and protective measures to expect. During the investigation and court hearings of human trafficking cases in 2013, interpretation services were offered on 519 occasions and accompaniment services on 303 occasions.

2.8.2 Legal aid: To safeguard victims' human and legal rights, the private Legal Aid Foundation is commissioned by the Judicial Yuan (the top administrative agency in the judicial branch of the government) to provide legal aid to human trafficking victims under placement when the requirements stipulated by the Legal Aid Regulation are met. In 2013, out of 321 applications for legal aid, 316 were approved, two were provided with legal counseling only, and the other three overruled, thereby assisting 98% of those requesting such aid.

2.8.3 Keeping victims posted of their case's progress: Judicial police and shelter staff members are required to inform victims of the procedures of Taiwan's judicial system. The prosecutors are to reveal as much information possible about the actual investigation progress without violating Article 245.1 of the Criminal Procedure Law, which stipulates that information about a case still under investigation cannot be disclosed. This step aims to keep the victim more at ease and willing to stay in Taiwan, where he/she can testify in court against suspected traffickers. Shelters are encouraged to check the progress of cases involving a victim who is residing in the shelter, and to compile a report to the Ministry of Justice and the Judicial Yuan so as to help expedite the judicial process, thereby enabling the victims to return home sooner.

2.8.4 Facilitating safe repatriation: When the investigation of a trafficking case is closed or when the victim no longer needs to stay in Taiwan for the investigation, and when the shelter deems that there is no longer a need to postpone the victim's repatriation, the NIA will coordinate with various agencies to send the victim back to his/her home country in a timely manner. In 2013, a total of 130 victims were repatriated after a period of placement.

2.7 Service highlights at NIA owned, NGO operated shelters

2.7.1 The Hualien Shelter

Empowering victim self-recovery

The Hualien Shelter endeavors to help human trafficking victims recover physically and psychologically. Due to the economic pressure that drives victims to seek employment overseas, the shelter also provides a variety of training programs to prepare them for future employment and raise their self-confidence and skills so as to minimize the possibility of them falling into such a trap in the future.

2.7.1.1 Empowering self-recovery of body and mind

Human trafficking victims are physically and psychologically traumatized to the extent that their perceptions of relationships, sense of trust, and self-esteem all suffer. Shelters provide diverse intervention services in order to foster self-empowering and self-learning, and relieve emotional distress. It is hoped that, by means of group therapy, a family-like environment, a carefree atmosphere, family activities, interpersonal interaction, and new friendships can help victims rebuild a sense of safety, trust, self-worth, and control over their life.



Family Activities: gain a sense of achievement through farming and taking care of plants



Family Meetings: by holding meetings, administrators let victims participate in the shelter's management and acquire negotiation and communication skills.

2.7.1.2 Prevention from becoming re-trafficked

Career planning remains a top priority in the services provided by shelters, which includes monetary allowances, job training, and job placement so as to improve the future employment prospects of the victims and help them better understand lawful working conditions and workers' rights in Taiwan. In response to the difficulty of victims in identifying jobs that would make them vulnerable, the shelter strives to enhance their self-confidence and capabilities, preparing them to stand on their own feet through education programs. Through services for job training, job placement, human rights education, role-play learning, and independent thinking, residents have better employment prospects and expand their horizons.



Exploration Class: A victim listens attentively while learning how to knit a sweater, thereby obtaining a skill that helps boost her confidence.



Job Placement: social workers help victims find jobs that meet their needs and maintain close contact with them. They work for an average of 18 months at the same place.

Innovative Services

A. Empowerment through cooking

As every day meals must be prepared, the residents cook food representative of his/her own culture, making them feel more at home in the process. Although the residents often have different stories, they all share a longing for home. They are encouraged to talk about their thoughts and feelings in the hope that they can stand on their feet again and usher in a brighter future. Residents are encouraged to develop menus that include their favorite recipes so that the outside world can taste these delicacies by placing orders or booking catering services.

B. Enhancing talents and creating a stage for the residents to shine

Social workers at the shelter try to uncover the hidden talent of residents during their long-term interaction. For instance, one of the residents gifted at singing would like to pursue her dream of becoming a professional singer. She was provided a stage and acted as the coordinator and instructor of a singing and dance class. She regained her confidence thanks to the positive feedback of the other residents. After contacting the organizer of school singing contest, she was invited to serve as a judge and perform as a special guest, further boosting her confidence and better preparing her to start a new life back home.



Innovative Services: After becoming better cooks and filling catering orders to earn money, victims gain confidence and feel fully empowered



Innovative Services: the victim's singing talent was discovered and gained confidence after performing and serving as a judge at a school singing contest

2.7.2 Nantou shelter

Recognizing the plight of migrant workers, the Nantou shelter is highly sensitive to the victims' physical and spiritual needs, and provides resources needed to help them rebuild their lives.

2.7.2.1 Stories of male residents



2.7.2.2 Stories of female victims



Taiwan. I knew nothing about it until a mentor told me the story. Making the egg stand [a tradition to bring good luck] was hard, but I did it!



Never before had so many people celebrate my birthday with me! They sang “Happy Birthday” in Chinese and prepared my favorite cake.



was extremely frustrated. But thanks to the instructor, I learned to manipulate those tiny beads well and finish the project on my own. I even started teaching others later.



Folding paper bags looks easy but actually takes a great deal of concentration. I had not worked for a while and had become a bit apathetic. By trying this, my passion and patience were rekindled, which should better prepare me for my future job.



cream flavors and chocolates during an outing to Puli. Making a decision was tough. I wanted them all, but decided on two flavors at last and left the others for next time.



We rode bikes along a breathtaking lake and made poses while taking pictures with colorful flowers at a park.

2.7.3 Yilan shelter

The Yilan shelter was founded five years ago in August 2008, providing services to a total of 111 victims. In 2013, it offered protection to 18 new victims and helped 27 others. Putting the welfare of the victims first, its professional staff and social workers offer a wide variety of services, such as daily care, medical care, emotional support, counseling, judicial and legal assistance, group therapy, job and skills training, recreational and religious programs, repatriation, interpretation, and follow-up visits. On entering the shelter, each resident is informed of his/her rights and safety issues to help them adapt to the new environment. They are allowed to leave the premises and are free to communicate with whomever they choose. Some of the shelter's achievements are as follows:

- A. The Yilan shelter respects each victim's culture, language, and religion and encourages full understanding and acceptance. The unique needs of the individuals are respected through multi-lingual reminder cards and orientation programs so as to create a warm multi-cultural environment.
- B. Self-governance: on entering the shelter, each victim is informed of the house rules and, with her cooperation, a placement plan is drafted. Residents are encouraged to help formulate communal living rules, family get-togethers, housework-sharing regimes, shelter events, classes, etc.
- C. Physical and mental care: services such as interviews, counseling, emotional support, and group therapies are provided with the victims' consent and based on their physical and mental condition. Psychological therapy is also available for victims with special needs.
- D. Care and education for both victims and their children: for residents placed with young children, orientation programs, parental education and pre-school education will also be arranged for their needs.
- E. Relationship establishment: social workers try to gain the trust of victims through listening, acceptance, empathy, companionship, and communication. They strive to relieve victims who are having trouble adapting to the new environment and judicial procedures or are homesick. Social workers stay with them and offer them support so as to help them deal with negative feelings.
- F. Flexible and diverse victim services: group activities, such as training courses, multicultural classes, growth groups, and seminars, are discussed and planned with the victims. The events are open to opinion and adjustment, thereby increasing the participation and effectiveness thereof.
- G. Protection of victims' legal rights: the victims' rights are further ensured by providing them with appropriate legal aid and counseling. The shelter staff members also help victims try to get time extensions and communicate with prosecutors and judges so as to abate the victims' anxiety due to homesickness and have continue with the placement plans.
- H. Enhance judicial efficiency through web teleconferencing: To reduce the travel time of the victims and their social workers, web conferencing is sometimes used during judicial proceedings, minimizing the victims' anxiety and increasing efficiency.
- I. The right to leave the premises: Victims may be allowed to leave the premises unescorted on short trips, such as walks, outings, and shopping sprees, after a thorough safety assessment.
- J. Freedom of employment and protection of working rights: Following skill assessment tests, the victims are matched to job opportunities at partner

factories and stores. Their opinions are respected, with the victims making the final decision.

The shelter also helped one victim, who was unable to return to home, apply for a residency permit. As a result, the victim has finished a job-training program, opened a bank account, and obtained a driver's license. In the future, the victim will try to earn the equivalent of a high school diploma and prepare to earn a "C class job-skill certificate".



Manicure class



Baking class: making pumpkin seed cakes, peanut cakes, date cakes, and nougats to sell online



Recreational activities: hiking, sightseeing, and cultural events



Sivananda yoga: helps release physical and mental stress and find balance through relaxation



Expressive art therapy: observation, interaction, and communication through dance and movement



Life exploration: experience, share, and rebuild values by tracing back life experiences



Board games: improving group interaction and communication skills



Diverse cultural events: Easter egg painting and hunt

3. Prevention: Curbing human trafficking

3.1 Enhancing general awareness

3.1.1 Raising awareness of anti-TIP laws and related protection services

The National Immigration Agency (NIA) has devised numerous campaigns to boost public awareness of the HTPA and victim protection services so that the public can help victims obtain timely assistance.

3.1.1.2 TV and Radio

- A. A 30-second film clip on anti-TIP was broadcast through 6 terrestrial TV channels on 437 occasions during public service announcement time slots.
- B. A radio campaign with discussions on human trafficking by the Voice of Han Broadcasting Network, Taipei Broadcasting Station, Taiwan New Telecommunication, and 31 other radio stations disseminate related information on 3,897 occasions, teaching people how to file a human trafficking incident and which hot line numbers to call.
- C. Through the coordination of the Office of the Spokesperson of the Executive Yuan, LED electronic bulletin boards were used in offices of various departments to disseminate related information on 1,920 occasions, teaching people how to file a human trafficking incident and which hot line numbers to call.
- D. Through the coordination of the Office of the Spokesperson of the Executive Yuan, multimedia LCD electronic bulletin boards were used in offices of various departments to disseminate related information on 660 occasions, teaching people how to file a human trafficking incident and which hot line numbers to call.
- E. A total of 5,582 copies of Anti-TIP DVDs were disseminated to all affiliated units of the cabinet-level anti-TIP coordination task force, foreign spouse family service centers, partnering NGOs, the National Police Agency, the Coast Guard Administration, the NIA, the Investigation Bureau, the central and local departments of social affairs and health, general hospitals under the Ministry of Health and Welfare, local veteran service centers, NIA shelters, model schools of the “new immigrant torch project,” junior high schools, senior high schools, vocational high schools, and colleges.

3.1.1.3 Outreach events

- A. A short film was produced and made available in five languages (Mandarin, English, Indonesian, Thai and Vietnamese) to promote efforts aimed at combating TIP. Two popular actresses, Helen Thanh Đào and Nikki Shao, appeared in the film, so as to attract a larger audience. The film increases awareness of TIP issues, and educates victims on available protection measures. The premiere of the film, organized by the NIA, took place at the Spot-Taipei Movie Theater on October 11, 2013. The event was attended by approximately 30 guests from Indonesia's and Vietnam's representative offices in Taiwan, as well as members of NGOs.
- B. On December 22, NIA Director-General Hsieh Li-kong and ECPAT-Taiwan Secretary General Lee Li-feng attended the opening ceremony of a special exhibition titled *Join Us and Stop Human Trafficking:*

Put An Human Trafficking to an End, held on the first floor of Taipei Main Station. The exhibition, which ran from December 21 to 28, featured anti-TIP posters from Taiwan and other countries, and was supported by such celebrities as Tan Ai-jen, Janet Hsieh and Chiu Wei-kai. Representatives of the American Institute in Taiwan (AIT), as well as embassies and offices of the Philippines, Paraguay, Australia and Canada, also attended the exhibition to raise awareness of the predicament of TIP victims, and help the public recognize TIP-related situations, so as to notify authorities and offer assistance to victims.

Highlights of the NIA's Campaign against Human Trafficking

Premiere of Short Film



Poster Announcing the Short Film



Special Exhibition

Join Us and Stop Human Trafficking: Put Human Trafficking to an End





- 3.1.2 Preventing foreign workers from falling victim to human trafficking
 - 3.1.2.1 Using various channels to raise awareness of human trafficking and available assistance among employers, brokerages and foreign workers
 - A. In 2013, the NIA commissioned six radio stations to broadcast 13 radio programs in Mandarin, Filipino, Indonesia, Vietnamese and Thai. These

programs focused on preventing human trafficking and protecting migrant workers, as well as the 1995 hotline through which people can report human trafficking cases and request assistance. The goal was to raise awareness of the government's efforts, relevant laws and regulations, and available communication channels among employers, brokerages, and foreign workers. The programs had an estimated listenership of 3.86 million.

- B. In 2013, a total of 210,000 handbooks with essential information for foreign workers in Taiwan—printed in such languages as Mandarin, Thai, Indonesian, Filipino and Vietnamese—were distributed to local governments, public job placement centers, foreign missions in Taiwan, the migrant worker service center at the international airport in Taoyuan, and to NGOs. The aim was to raise awareness among foreign workers of available channels to report complaints, and help foreign workers understand their rights.
- C. A series of interesting and easy-to-understand radio segments on migrant worker issues were broadcasted from August 1 to November 30, 2013. These segments aimed to raise awareness of TIP issues, help foreign workers better understand related regulations and protect their safety, as well as promote channels to report incidents and request assistance.

3.1.2.2 Raising awareness of TIP prevention

In 2013, local authorities were given subsidies to organize 31 counter-TIP training courses targeting migrant worker supervisors or employers, which were attended by 2,554 people. In addition, 132 meetings were held to promote relevant laws and regulations, which were attended by 24,692 people. These meetings aimed to raise awareness among migrant workers, employers and brokerages.

3.1.2.3 Enabling staff of labor agencies to identify TIP cases

From August 1 to October 2, 2013, seminars were held for local government personnel who conduct inspections on foreign workers or provide consultation services, as well as staff of local placement centers. A total of 475 people participated in these seminars, which aimed to enhance professional capabilities and knowledge with regard to counter-TIP efforts and protection of victims.

3.1.2.4. Facilitating direct hiring

Since 2009, the Direct Hiring Service Center of the Council of Labor Affairs has expanded the scope of direct hiring to the fields of manufacturing, construction, deep-sea fishing, nursing homes, and domestic care. In 2013, the center helped 17,518 employers complete 51,312 applications to hire, refer and transfer foreign workers, and provided consultation for 132,971 individuals, either on-site or over the phone. Thanks to the center, foreign workers saved a total of NT\$446.76 million (Approx. US\$14.9 million) in brokerage fees in 2013, minimizing the risk of foreign workers being exploited.

3.1.2.5. Enhancing control over brokerages

An evaluation was conducted in 2013 on cross-border hiring practices of private brokerages in 2012. A total of 1,052 brokerages were evaluated, of

which 256 (24.33%) received an A grade (above 90 points), 722 (68.63%) received a B grade (70 to 89 points), and 74 (7.03%) received a C grade (under 70 points). Agencies with a C grade will not be allowed to set up subsidiaries and their license will not be renewed if they fail to attain a B grade in the following year. This system seeks to improve the quality of services and force brokerages that offer inferior services out of the market.

3.1.2.6. Raising rewards for informants; strengthening efforts to prevent foreign workers from disappearing and to detain foreign workers who have run away
The Guideline Governing the Payment of Reward to Members of the Public Informing the Authorities about Violations of the Employment Service Act was promulgated on April 29, 2011. The guideline provides that the maximum reward for reporting illegal activities of employers or brokerages is NT\$50,000 (approx US\$1,670). If an employer illegally hires or harbors runaway workers, the informant gets a reward of NT\$10,000-NT\$50,000 (approx. US\$333-US\$1,670), depending on the number of workers uncovered. If a brokerages illegally refers a runaway foreign worker, the informant gets a reward of NT\$20,000-NT\$50,000 (approx. US\$667-US\$1,670), depending on the number of workers involved. In 2013, a total of NT\$10.97 million (approx. US\$366,000) was rewarded in 1,055 cases in which informants reported violations regarding foreign workers, employers, or brokerages.

3.1.2.7. Refining foreign labor policies

- A. In the past, employers who agreed to let a foreign domestic caregiver leave, but still required care in their household, had to again arrange for the care recipient to undergo a health evaluation at a designated hospital in accordance with related laws and regulations, as well as re-apply for permission to hire a domestic caregiver. As employers would thus be without a caregiver in this transition period, and as the aforementioned procedures tended to be complex, they were often unwilling to allow domestic caregivers to switch jobs. As a result, domestic caregivers ran away more often than foreign workers in other sectors. In consideration of this situation, Article 58 of the Employment Service Act was amended on December 25, 2013. Subparagraph 3 was added, stipulating that employers, who agree to let domestic caregivers change jobs, may apply for replacement workers. This will allow more caregivers to switch jobs with the consent of their employer, and reduce cases in which caregivers run away.
- B. Forcing brokerages with a disproportionate number of runaway foreign workers out of the market: To make sure brokerages meet their obligations in terms of recruiting and providing care for foreign workers, and avoid social problems related to runaway workers, the Employment Service Act was amended on January 4, 2013, to better manage private brokerages. If a domestic brokerage has a certain number of runaway workers, it will not be allowed to set up branch offices and their permit will not be renewed upon expiration. As for foreign brokerages, their permit will be revoked and future applications for a permit will be rejected.
- C. The guidelines governing local government mechanisms that enable NGOs to offer assistance to foreign workers in labor-management disputes were amended on November 21, 2013. A stipulation was added, according to

which the person accompanying the foreign worker should possess a senior high school diploma and have at least five years of work experience in labor or social affairs. The aim was to enable foreign workers to make complete statements in labor disputes.

3.1.2.8. Enhancing protection of domestic workers

The Ministry of Labor (MOL) has held several meetings and public hearings in recent years to solicit input from employers, employees, agencies, scholars, experts and government representatives to safeguard domestic workers' employment rights and discuss the Domestic Worker Protection Act. A draft was submitted for review to the Executive Yuan on September 13, 2013. The draft stipulates domestic workers' rights, including a consecutive eight-hour rest every day, one rest day in every seven-day period, various forms of leave (marriage, death of family members, sickness or special reasons), minimum wage, wage payment guidelines, employment termination, insurance, and complaint procedures. The MOL will continue to aggressively promote this draft act, and it will consider adopting administrative measures to protect the rights of vulnerable workers before the legislative procedures for the aforementioned act are completed.

3.1.3 Putting an end to child sex tourism

3.1.3.1 Target audiences and objectives

It is essential to educate the general public, relevant businesses, schools and communities on child sex tourism and help them understand key issues in the prevention of commercial sex transactions with minors. Taiwan has endeavored to raise awareness of sexual exploitation of minors, so as to prevent members of the public from unwittingly participating in these activities and enlist the public's help in stopping this particular form of exploitation.

3.1.3.2 Efforts by government agencies to prevent sexual exploitation

A. Ministry of Health and Welfare (MOHW)

From July 1 to 31, 2013, LED displays in train and bus stations were used to promote efforts to combat sex tourism, and raise awareness of prevention measures.

B. Tourism Bureau

- (i) At annual training courses, tour guides and managers are encouraged to report related crimes and communicate to the public that it is illegal to engage in commercial sex exploitation when traveling in Taiwan or overseas. On the bureau's website, information about prevention of human trafficking is available for the public and tourism industry professionals. Such materials are part of an e-course for individuals hoping to become tour guides and tour managers. Knowledge of the HTPA and the Child and Youth Sexual Transaction Prevention Act will also be taken into account for the final test, so that tourism industry professionals communicate to travelers that it is illegal to engage in commercial sex exploitation. A total of 5,012 tour guides and managers participated in these training courses in 2013.
- (ii) Experts and police officers responsible for women and children affairs were invited to talk about prevention of sexual exploitation of children at training sessions for hotel staff. In 2013, a total of 3,439

non-management hotel staff attended 25 training courses in Kaohsiung City and 12 other cities and counties.

- (iii) During annual hotel inspections, authorities educate hotel staff on relevant laws and regulations. In 2013, 470 staff of 47 hotels attended training sessions.
- (iv) Representatives of ECPAT-Taiwan, as well as other experts, were invited to give speeches at a seminar for hotel supervisors and managers held in Kaohsiung City on June 26, 2013. This event was attended by 180 people.

3.1.4 Raising awareness of human trafficking among students

The Ministry of Education (MOE) has taken measures to raise awareness among students of human rights, the rule of law and gender equity, and help them understand efforts aimed at preventing human trafficking.

3.1.4.1 Educational promotion

Through collaboration with the local newspaper *Mandarin Daily News*, the *Legal Digest for Teenagers* was created. Two articles on human trafficking—titled "Human beings shall not be sold like commodities" and "Human trafficking disguised as part-time jobs"—were published on October 22 and October 25, 2013, respectively. Awareness of key concepts related to combating human trafficking, such as human rights, the rule of law and gender equity, has been raised among the newspaper's readers (180,000 copies were distributed) and students. In addition, one workshop was held in schools on combating human trafficking, and 165 on human rights and the rule of law.

3.1.4.2 Curriculums

Gender equity, human rights and the rule of law have been incorporated into curriculum guidelines for primary and secondary schools, including regular and vocational senior high schools. Teaching materials have been developed on human trafficking and prevention efforts. Teachers are encouraged to download the materials for use in their classrooms. Colleges and universities are also encouraged to offer courses on human rights, gender equity and the rule of law. A total of 6,588 courses were held in 2013. The MOE also provided subsidies to help schools organize other relevant activities.

3.1.4.3 Enhancing teacher competency

To enhance teacher competency with regard to human rights and the rule of law, teacher training colleges are encouraged to establish related courses. In 2013, 364 such courses were established. In addition, six schools including National Kaohsiung Normal University were given approval in 2013 to establish a total of seven on-the-job training or continuing education programs for teachers who offer courses on human rights and other relevant topics. National Dong Hwa University and Soochow University were also given subsidies to launch a special project to support local human rights education. Furthermore, National Kaohsiung Normal University developed a digital class on human rights.

3.1.5 Enabling ROC citizens to gain a better understanding of human trafficking

Besides the NIA, other government agencies have also enhanced efforts to raise awareness of human trafficking problems. These include the National Police Agency, the Coast Guard Administration, the Council of Agriculture, the Veterans Affairs Council, and the Mainland Affairs Council.

3.1.5.1 Target audiences and objectives

These government agencies target the general public, as well as deep-sea fishing crews, indigenous people, veterans, and mainland Chinese spouses, ensuring that these groups know how to report human trafficking cases to the authorities. The agencies thereby aim to prevent criminal groups from using various transportation channels to engage in smuggling or human trafficking.

3.1.5.2 Promotion methods

All sorts of methods were employed to maximize promotion efforts, such as spots on government-sponsored radio programs, public service announcements, LED bulletin boards, pamphlets and videos for seminars and meetings, advertisements in government publications, and other forms of promotion designed for forums held by government agencies.

National Police Agency

- A. Community-based meetings were held to raise awareness among community residents and create a spirit of mutual assistance, so as to maintain law and order and combat human trafficking and other crimes. At these meetings, local police departments tried to raise awareness of laws and regulations on human trafficking, and showed short films on preventing related crimes. In 2013, a total of 66,582 people attended 1,106 such meetings.
- B. Counter-TIP print materials were placed at the counters of local police departments and offices. LED bulletin boards, as well as website banners of local government agencies and other organizations, were used to promote the hotline through which people can report human trafficking cases.
- C. In January and February, 2013, Chinese and English segments were broadcast on police radio stations to highlight common human trafficking scenarios (sexual transactions with underage girls, coercion, monitoring of domestic workers and seizure of their wages), so that the public could gain a better understanding of relevant issues.

Coast Guard Administration

The Coast Guard Administration promoted its efforts to prevent human trafficking at relevant forums around Taiwan. From January 1 to October 31, 2013, a total of 34 events were held, with an attendance of 3,189.

Council of Agriculture

The Council of Agriculture printed human trafficking-related messages in four issues of the agency's fishing industry magazine. The radio station for fishermen broadcasted anti-TIP messages 40 times, and 32 meetings were held in tandem with training courses for fishermen at which human trafficking issues were highlighted. In addition, nine seminars were held in which human trafficking problems were introduced and short videos were shown.

Council of Indigenous Peoples

A total of 4,333 persons attended 54 lectures and courses on human trafficking held at 56 service centers for indigenous families and women.

Veterans Affairs Council

Service centers were given subsidies to organize events aimed at helping foreign and mainland Chinese spouses to adapt to life in Taiwan. A total of 1,780 persons attended 21 such events, at which representatives from government agencies introduced relevant laws and regulations and promoted respect for different cultures. Meanwhile, the council displayed anti-TIP posters at 22 veteran service centers throughout the country and made pamphlets and brochures available to veterans visiting the service centers.

Mainland Affairs Council

Funding was provided for monthly events organized by NGOs in Taipei aimed at helping mainland Chinese spouses gain a better understanding of their rights.

3.2 Capacity building and training for frontline personnel

3.2.1 To unify the judicial police's concepts and methods with regard to protecting victims and enforcing the law, the NIA turned written materials from a workshop on TIP prevention, along with a special short film, into a CD-ROM available in five languages, including Chinese, English, Indonesian, Thai and Vietnamese. This CD-ROM was then provided to government agencies to incorporate into their training programs.

3.2.2 The Judicial Yuan continued to organize courses on the HTPA and in April 2013 published a guidebook on court proceedings for TIP-related offenses in accordance with plans formulated in 2012. This guidebook was distributed to courts in May, to be used as reference by judges and other court personnel. The guidebook offers comprehensive information on basic concepts, case studies, specialized topics, and laws and regulations, as well as other relevant resources. Besides judges' perspectives, other relevant practitioners were also invited to contribute their professional knowledge, including prosecutors and NGO staff. This has also served as reference for overall efforts aimed at preventing human trafficking.

3.2.3 Evaluation of local governments

To effectively facilitate anti-TIP work, the NIA in 2012 started planning an assessment system for the performance of local governments in terms of combating TIP. In May 2013, inspection teams composed of scholars and experts, as well as representatives from the National Police Agency and the NIA, started visiting 22 cities and counties for assessments, so as to encourage local governments to take human trafficking seriously and enhance the depth and breadth of their prevention efforts. The goal is to increase efficiency and better implement the HTPA. The efforts of Keelung City and eight other local governments were graded as A; Ilan County and ten other local governments as B; and Pingtung County and Lienchiang County as D. Local governments receiving high grades were recognized not only for their institutional approach, but also their innovative measures.

- 3.2.4 The NIA held seminars at the Howard International House in Taipei on June 5 and September 12, 2013, respectively, to further advance prevention efforts and combat human trafficking. The seminars were held for Executive Yuan agencies, local governments, and other agencies working on TIP issues. A total of 151 persons, who previously had not participated in TIP-related courses, attended. The seminars focused on policies and practical and legal issues concerning human trafficking, so as to enhance the capabilities of front-line personnel. Meanwhile, about 100 people from the National Police Agency, the Coast Guard Administration, the Investigation Bureau, the NIA, the Central Police University, bureaus of labor affairs, and NGOs, as well as judges and prosecutors, attended a workshop on human trafficking jointly organized by the NIA and the Immigration and Custom Enforcement (ICE) Hong Kong office under the US Department of Homeland Security at the Howard Hotel in Taipei from July 29 to 30, 2013. This workshop aimed to raise participants' awareness, improve their skills in such areas as evidence collection and interrogation, unify efforts with regard to victim identification, and increase the number of TIP cases discovered and prosecuted.
- 3.2.5 To strengthen the handling of TIP crimes and enhance investigation techniques of front-line law enforcement personnel, human trafficking was incorporated into a seminar for new foreign affairs police officers held in May of 2013. In addition, local police departments were requested to incorporate human trafficking in their regular training courses, which had an attendance of 21,375 in 2013. Local police departments also held special seminars on human trafficking cases from June to November 2013 for various units, including foreign affairs police, criminal investigation officers, juvenile delinquency prevention officers, women and children's protection officers, and other police officers dealing with human trafficking cases. Prosecutors, NGO representatives, as well as staff from immigration, coast guard, investigation, social welfare, labor affairs and health agencies, were also invited to attend these seminars. A total of 21 such events were organized, with attendance of 1,951.
- 3.2.6 The Ministry of Justice (MOJ) organizes training courses on human trafficking cases each year to help prosecutors better understand various aspects of such cases, including investigation, prosecution, judgments, and protection or placement of victims. A course on judicial practices with regard to women, children and human trafficking cases was held from May 15 to 17, 2013. To enhance cooperation with the countries of origin of human trafficking victims, 12 prosecutors from mainland China were invited to attend the seminar in addition to 61 ROC prosecutors from departments that focus on women's and children's issues.
- 3.2.7 The Judicial Yuan held a seminar on the HTPA and related practices from April 2 to 3, 2013. Judges and prosecutors, as well as representatives from the NPA, the CGA, AIT and the Good Shepherd Sisters, were invited to discuss various issues, including investigation and litigation, protection measures for victims, communication with victims, and responses to their needs. The aim was to help judges better understand victims' situations, and improve communication

between courts, related government agencies and NGOs. Meanwhile, the Judges Academy (previously known as the Judicial Personnel Learning Institute) held a seminar on human trafficking crimes on October 18, 2013. Judge Wu Tsan of the Supreme Court and prosecutor Ko Li-Ling of Taiwan High Court Prosecutors' Office gave talks at this seminar, which were well received by the participating chief judges and judges.

3.2.8 Training courses, seminars, workshops, conferences and lectures held in 2013

Subject	No. of events/ attendance	Target audience
※ General		
General training course on TIP prevention and control	2/152	Central and local government personnel responsible for TIP prevention, and staff from judicial police agencies.
Training course on TIP prevention network (seed trainers)—advanced seminar for personnel assigned as contact windows in prevention network	1/100	Judicial police, social affairs and labor affairs staff at central and local governments; representatives from the Central Police University, Taiwan Police College, and NGOs; judges and prosecutors
International workshop on TIP prevention and control	1/220	Civil servants, domestic and foreign experts and scholars, NGOs, and foreign representatives stationed in Taiwan
Border control conference	1/152	Foreign representatives stationed in Taiwan; representatives from MOFA, the Central Police University and other government agencies; airline staff, technology industry experts
※ Law enforcement and investigation		
2013 seminar on judicial practices with regard to cases involving children, women and human trafficking	1/73	61 prosecutors from Taiwan and 12 prosecutors from mainland China
Lecture on TIP prevention and control (including case studies)	21/1,951	Police officers in charge of foreign affairs, criminal cases, cases involving women and children, juvenile delinquency; other police officers participating in relevant cases
Regular TIP training course for police officers as part of continuing education, so as to educate them on law enforcement principles	Year-round 117/11,645	Police officers
Training course on TIP prevention and control—victim identification and placement, case studies	3/128	Coast Guard Administration personnel
Lecture on runaway foreign	2/134	All field enforcement officers of the

workers—practical matters related to human trafficking investigations		NIA's Specialized Operation Corps
Training course on NIA's online border control and surveillance	2/417	NIA Border Affairs Corps staff
Lecture on travel document inspections	Year-round / 2,895	NIA Border Affairs Corps staff and supervisors
※Prevention and protection		
Seminar on TIP prevention and foreign worker management regulations	4/432	MOHW staff, local government staff in charge of inspecting foreign worker sites, foreign worker consultation center staff, and shelter staff
Training course on TIP victim identification and relevant regulations	1/48	Supervisors and staff who provide consultation services to foreign workers at airports
Training course for personnel working at hotline centers serving foreign workers	2/58	Supervisors and staff at hotline centers that provide consultation and protection to foreign workers
Lecture organized by MOFA on immigration policies, TIP prevention and control, and human rights conventions	2/212	Executive Yuan personnel to be stationed abroad, diplomatic and consular personnel, news correspondents, and overseas compatriots affairs personnel
Training course organized by the MOHW on TIP awareness and protection services for victims	6/243	Staff at hospitals and clinics
Training course organized by the Council of Indigenous Peoples regarding TIP awareness	1/196	Social workers serving indigenous people
Seminar organized by the Veteran Affairs Council for mainland China affairs staff on TIP prevention policies and practices	2/110	Veteran Affairs Council staff
Training course organized by the Tourism Bureau on TIP-related regulations and case studies	49/5,012	Tour guides and tour managers
Training course organized by the Tourism Bureau on TIP-related regulations and case studies	36/3,812	Hotel staff and operators
Training course organized by the Financial Supervisory Commission's (FSC) Banking Bureau, Securities and Futures Bureau, and Insurance Bureau on the prevention of TIP and money laundering	37/1,382	Bank employees
	96/3,309	Auditors and new recruits at securities and futures businesses
	20/995	Members of the Securities Investment Trust & Consulting Association
	13/595	Insurance company employees

3.3 Providing a warm new home for foreign spouses

The government, in collaboration with civic groups, has formulated various measures to offer assistance to foreign spouses, while respecting cultural and social values, so as to help them adjust to their new home in Taiwan. This also helps them avoid being exploited or harmed out of ignorance.

3.3.1 Orientation for incoming foreign spouses

Since October 2005, ROC representative offices in Bangkok, Manila, Jakarta, Hanoi, and Ho Chi Min City have been offering orientation programs for incoming foreign spouses. Local counselors meeting academic and experience qualifications have been employed to conduct group seminars and individual counseling in the spouses' native language. In 2013, a total of 538 group seminars were held for more than 4,800 persons composed of 3,200 future spouses and 1,600 ROC nationals. Using the NIA-compiled manual *Beautiful New Home* and a variety of pamphlets or booklets about human trafficking and international marriage collected from other related authorities (the NIA and the MOL) and civic groups (the Legal Aid Foundation), Taiwan's representative offices offer guidance to the participants and provide information in their native language about Taiwan's customs, culture, and immigration laws, as well as their rights and obligations. The classes remind them to be vigilant against traffickers and to memorize the number 113 (hot line for women and children) and 0800-088-885 (hot line for foreign spouses). The *Beautiful New Home* animation is shown at such events. Print materials in the participants' language are also distributed.

3.3.2 Welcoming visits for new arrivals

To demonstrate the government's commitment to caring for foreign spouses and ensure that Taiwanese families treat spouses from abroad and mainland China properly, NIA personnel pay a formal visit to each couple's home. The NIA tries to learn about a newcomer within 15 days after his/her arrival in Taiwan when he/she applies for a resident permit at an NIA office. An NIA counselor later visits the couple's home to discuss with the couple and the other family members the relevant laws and regulations, personal safety issues, education and employment prospects for the foreign spouses, as well as prevention of human trafficking. In 2013, visits were made to the households of 2,881 foreign spouses and 7,696 mainland Chinese spouses (including those from Hong Kong and Macau) for a total of 10,577 spouses.

3.3.3 Toll free hot line for foreign spouses (0800-088-885)

The toll free hot line offers counseling in six languages on issues related to education, culture, employment, healthcare, personal safety, resident status, the law, and adapting to a new life in Taiwan. The hot line received 17,613 calls in 2013.

3.3.4 Creating a support network

A support network for foreign and mainland Chinese spouses has been established, connecting 22 local governments and two central government agencies. Once every six months a meeting is held to promote cooperation and optimize resource utilization. Participants include administrative staff members,

social workers, educators, labor officials, public health officers from local governments, representatives from foreign spouse centers, NGOs, and community service stations serving foreign spouses at the local level. In 2013, a total of 40 meetings were held for the 22 local governments and two central government agencies. A total of 1,856 people attended (1,344 from the public sector and 512 from civic groups).

3.3.5 Promoting the New Immigrant Torch Project

The New Immigrant Torch Project was launched to help new immigrant families pursue a better life. Schools in which more than 100 or 1/10 of students are children of new immigrants are prioritized. In 2013, 541 priority schools received funding to organize 15,808 events and visit 13,630 families, with the participation of a total of 602,434 persons. The project is aimed at providing care to new immigrant families and help to vulnerable cases so as to solve possible problems that might arise. Through various cultural events, respect for diverse cultures can be cultivated among students, and a just and prosperous society can be created.

4. Partnerships: Fortifying international exchange and cooperation

4.1 International discourse

4.1.1 With foreign governments

Taiwan has personnel stationed at major cities around the world to maintain contact with their host governments. In addition, since 2007, the NIA has organized anti-TIP international conferences or workshops to provide a forum where local and foreign representatives from both the public and private sectors

can exchange ideas and form regional alliances. Diplomats in Taiwan are also invited to regular meetings to exchange opinions on TIP prevention. The major events of 2013 are as follows:

- A. First Associate Commissioner Abdullah Sarip of the Philippine Bureau of Immigration, along with the head of its legal department and a senior immigration official, visited Deputy Director-General Chang Chi of the NIA on March 29 to beef up cooperation and exchanges. He expressed a strong interest in signing a Memorandum of Understanding (MOU) with Taiwan to consolidate bilateral legal coordination and interaction. By doing this, both countries can better serve overseas Taiwanese and Filipinos and combat international crimes.



- B. Chris Salmon, Senior Liaison Officer of the Australian Federal Police (AFP) stationed in Hong Kong, visited the NIA on May 9 and exchanged ideas with head of the international affairs division Hsieh Wen-chung and other officials regarding networking with partnering countries, international cooperation, exchange of international crime information, as well as prevention and combating of crimes.



- C. NIA Director-General Hsieh Wen-chung visited Indonesia on May 19 for the first time. After exchanging ideas at the conference, Representative Andrew Hsia of the Taipei Economic and Trade Office in Indonesia and Representative of the Indonesian mission in Taiwan Ahmad Syafri signed a joint agreement to further consolidate bilateral relations and strengthen cooperation on immigration, anti-TIP, and anti-smuggling. The signing was witnessed by NIA Director-General Hsieh and Director General Bambang Irawan of

Indonesia's Directorate General of Immigration.



- D. At the invitation of the Konrad Adenauer Foundation of Germany, delegates attended the “EU-Asia Dialogue—International Workshop: Human Trafficking- Challenges to Europe and Asia” held at the Diplomatic Academy of Vienna on June 13. The NIA’s representatives gave a keynote speech that was well received by attendees from the EU and the US, showing that Taiwan’s anti-TIP efforts have reached international standards and enhancing its international visibility.



- E. Lieutenant General Vineshkumar Moonoo, Divisional Commissioner of the South African Police Service, and his wife visited Deputy Director-General Chang Chi of the NIA on July 12. Ideas on anti-TIP efforts, crime investigation and law enforcement were exchanged.



- F. John Shehan, Vice President of the International Association of Internet Hotlines (INHOPE) and Executive Director of the Exploited Children Division under the National Center for Missing & Exploited Children (NCMEC), visited the NIA on September 3 and gave a lecture on children's internet safety, analyzing real cases that portrayed dangerous scenarios children might fall into and offering constructive suggestions.



G. To foster international exchange on immigration and cooperation with counterparts of other countries, the NIA has been proactive in signing MOUs or agreements and promoting ministerial meetings on immigration affairs. It aims to increase exchanges, establish a mechanism for regular reciprocal visits, and explore more opportunities for international partnership. Director-General of the NIA Hsieh Li-kung led a high-ranking delegation to the ministerial meeting held in Paraguay on August 26.



H. The International Workshop on Strategies for Combating Human Trafficking co-organized by the NIA, the Ministry of Labor, the Ministry of Foreign Affairs and the Tourism Bureau was held on October 1. Six speakers, including a senior official from the Australian Federal Police in charge of child protection, gave presentations discussing child-sex tourism issues and labor exploitation in the fishing industry.



- I. Director-General of the NIA Hsieh Li-kung was invited to discuss Taiwan's policies on and achievements in combating human trafficking at the anti-TIP forum held by the University of Hong Kong on November 1. Hsieh was one of the top officials at the meeting and the first head of Taiwan's immigration agency to give a speech at a Hong Kong university.



- J. Guatemala's Deputy Minister of the Interior visited Taiwan, at the invitation of MOFA, on December 16 for a fact-finding tour of the policing, harbor and airport safety control systems. He paid a special visit to Director-General of the NIA Hsieh Li-kung and toured the Taiwan Taoyuan International Airport. The two exchanged ideas on immigration matters and anti-TIP efforts.



K. To strengthen ties with Southeast Asian countries, Laniy Meitia Putri, section chief of the immigration bureau of Lampung in southern Sumatra, and Diah Devi Farrah, a senior immigration official of the Investigation and Enforcement Department under Indonesia's Directorate General of Immigration, were invited to visit the NIA on December 26. Police Lieutenant General Chatchawal Suksomjit, Assistant Commissioner-General of the Royal Thai Police; Immigration Bureau Commissioner Pharnu Kerdlarpphon; First Deputy Commissioner Chitsanupong Yuktadatta; and Apichat Suriboonya, head of the foreign affairs division of the Royal Thai Police visited the NIA the following day to exchange ideas on immigration and anti-TIP efforts.



4.1.2 NGO-initiated exchanges

The Taipei Women's Rescue Foundation, ECPAT-Taiwan, and Good Shepherd Sisters Taiwan have gained tremendous insight after years of protecting human trafficking victims. Besides launching various long-term initiatives in Taiwan, these organizations also actively participated in international exchanges in 2013, as follows:

4.1.2.1 The Taipei Women's Rescue Foundation

- A. Provided a briefing on human trafficking prepared for the World Social Forum (WSF) as reference for the National Women's Education Center of Japan in January.
- B. Visited Search for Common Ground in the US in March to gain a better understanding of its anti-TIP efforts.
- C. Invited Korean lawyer and doctoral candidate of Yale University Yoon Jin Shin to the office for a dialogue and helped her better understand how the shelter system was run in Taiwan through a trip to the Hualien shelter in May.
- D. Worked with the Salvation Army in April to provide placement and referral services for victims in their Indonesian and Filipino offices.
- E. Discussed the possibility with Michael Shipler, Regional Director of Asia, Search for Common Ground (SFCG) in Indonesia, for further cooperation through video conferencing in May. Details covered included the filming of a drama series on human trafficking in Indonesia this year as one of the plans of SFCG.
- F. Attended the three-day innovation conference on combating human trafficking in Cambodia in September, in which civic groups and technology experts exchanged ideas on how to better prevent human trafficking by employing easily applicable and low-cost technologies.
- G. Visited the American Institute in Taiwan (AIT) with the anti-TIP Scrutiny Association in November to discuss Taiwan's human trafficking situation.

4.1.2.2 ECPAT-Taiwan

- A. Attended the INHOPE (International Association of Internet Hotlines) members' meetings in Riga, Latvia, and Utrecht, the Netherlands, in April and November, respectively. Experts were invited to discuss with hotline professionals from more than 40 member groups of 34 countries, technologies and concepts to block the dissemination of children pornography.
- B. Attended the second international conference on cyber pornography-free Southeast Asia held by the Association of Southeast Asian Nations (ASEAN) in the Philippines from April 24 to 25, sharing with other participants how the internet hotline Web547 was working and managed.
- C. Invited the Executive Director of Exploited Children Division, National Center for Missing & Exploited Children (NCMEC), to visit the NIA on September 2 and share experiences on how to report and cope with child pornography.
- D. Held an international conference on children's internet safety on September 3. John Shehan, Vice President of INHOPE and Executive Director of Exploited Children Division, NCMEC; Sarah Chang, prosecutor of the US Justice Department; Imme Pathe, executive of INHOPE and representative of FSM Germany; Ikuko Aoyama, assistant professor of the Tokyo University of Social Welfare; and Julia Davidson, associate professor of the Middlesex University were invited to talk about potential risks for children on the internet and to provide constructive advice.
- E. Received delegates of the Korea Communications Standards Commission (KCSC) on December 3 and discussed how the hotline was operated and illegal content discovered on the internet. Both sides also discussed the

possibility of further cooperation in the future.

4.1.2.3 Good Shepherd Sisters Taiwan

- A. Attended the New York meeting of the Commission on the Status of Women from March 2 to 15 and co-organized anti-TIP related conferences with the New York branch to share Taiwan's experience on victim placement.
- B. Worked with sisters of the Thai branch to send a Thai victim back home on May 5, where the Thai branch provided help in placement and recovery in Thailand.
- C. Joined forces with the Pastoral Council, Chinese Regional Bishops' Conference, in inviting Dr. Ligaya Acosta from the Philippines to share his experience on immigrant counseling and anti-TIP efforts on May 28.
- D. Visited the Good Shepherd Generalate in Rome and exchanged ideas on international anti-TIP efforts from June 27 to July 19.
- E. Received Yoon Jin Shin, Korean lawyer and doctoral candidate of Yale University, on July 4, shared experiences of anti-TIP efforts by Taiwan's NGOs, and accompanied her to visit the Nantou shelter.
- F. Received delegates from Hong Kong's Caritas Pelletier School and exchanged ideas on anti-TIP efforts for the underage and placement/protection of victims on July 23.
- G. Attended the conference on combating human trafficking in Cambodia from September 24 to 25, in which nearly 200 participants consisting of technology experts and civic groups exchanged ideas on how to incorporate technologies in anti-TIP efforts and discussed the pros and cons of current endeavors.
- H. Attended the exchange conference for Asia-Pacific NGOs in Cambodia on September 26, joining representatives from Japan, Vietnam, Indonesia, the Philippines and Malaysia in discussions on victim recovery and follow-up referral service in the home country. The delegates also visited Caritas Cambodia and the Cambodia Women's Crisis Center to exchange information on anti-TIP efforts and recovery experiences of victims.

4.1.2.4 Association of Asian Police Studies

Joined the annual conference of Freedom Network USA held in Washington, DC from April 17 to 18. Thanks to the arrangement of the AIT, the delegates met with officials from the Department of Homeland Security and other agencies to discuss combating internet child pornography, and related training and intelligence exchanges. The meeting with Luis CdeBaca, Ambassador to Monitor and Combat Trafficking in Persons at the US State Department, and the dialogue with high-level officials (State Department, Department of Justice and Department of Homeland Security) were another highlight of the trip that helped raise Taiwan's profile on the fight against human trafficking.

4.1.2.5 Taiwan Labor Rights Association

Meetings that targeted foreign domestic workers, care recipients and employers were held from July to November, covering topics such as the definition of human trafficking, the HTPA, rights and obligations of employers, experience sharing by employers and case studies. It was a chance for the government and civic groups to work together to prevent human trafficking and step up related campaigns to facilitate positive interaction and minimize stereotypes and misunderstandings between workers and employers.

4.2 Partnering with the international community

In order to work with the international community to prevent human trafficking and expand the scope of international cooperation, Taiwan signed agreements or MOUs on immigration affairs and human trafficking prevention with the Republic of Honduras on April 23, Vietnam on July 10 and the Republic of Paraguay on July 11 in 2013, respectively, to foster partnerships and joint efforts to combat cross-border crimes and human trafficking. An agreement was also signed with the University of Houston-Downtown on May 2 to start cooperation on counter-terrorism activities, homeland security, criminal justice, human trafficking prevention, immigration and other areas.



Taiwan and Honduras signed an MOU on immigration affairs and human trafficking prevention in Taipei at 3 P.M., April 23, 2013.



Taiwan and Vietnam signed an agreement on immigration affairs and human trafficking prevention in Taipei at 10 A.M., July 10, 2013.



Through an exchange of notes, Taiwan and the Republic of Paraguay signed an MOU on immigration affairs and human trafficking prevention on June 24, 2013.

IV. Future Work

1. Prosecution

- 1.1 Judicial police continue to carry out the Anti-Slavery Plan that focuses on cracking down on organized crimes committed by at least three people and syndicated crimes to catch criminal masterminds, fake spouses and other suspects. Judicial police also conduct *ex parte* checks on locations the TIP syndicates usually nest or where foreign laborers are likely to work. Law enforcement on high-risk places aims to stamp out TIP crimes and shows the government's determination to fight against human trafficking.
- 1.2 Facilitating cooperating with other countries: The government endeavors to enhance cross-border law enforcement operations with other countries based on agreements, such as the Cross-Strait Agreement on Joint Crime-Fighting and Judicial Mutual Assistance and an agreement on Preventing and Combating Serious Crime (PCSC). The aim is to foster exchanges of information and cross-border prosecutorial and judicial assistance and cooperation to eradicate TIP crimes.
- 1.3 Beefing up prosecution and law enforcement prowess: The Ministry of Justice continues to urge prosecutorial units to devote more time to trafficking cases and to submit monthly reports on TIP crackdowns, and the number of criminal charges filed and convictions made in accordance with current regulations.

2. Protection

- 2.1 Law enforcement agencies are required to arrange an interpreter and social-worker accompaniment at judicial interviews, keep the victims well-informed, and respect their decisions as to whether or not to accept sheltered protection and/or testify in court.
- 2.2 Judicial police and shelter staff are required to inform the victims of Taiwan's judicial proceedings, and to keep the victims abreast of the investigation's progress. This boosts their willingness to stay in Taiwan and provide testimony.
- 2.3 The NIA and the MOL continue to team up with NGOs to improve services at shelters that are responsible for victims' safety assessment and protection, and provide a wide range of services, including individual counseling, accompaniment to court, accompaniment to hospital, legal aid, interpretation service, language and skill education, and welfare referral. It is hoped that victims can recover from physical and psychological trauma and make their own career plan. Working with partner employers, shelters help place residents who are willing to work for pay either outside or at shelters. It is an important step for victims to rebuild their life.

3. Prevention

- 3.1 Broadening prevention campaigns and training
 - 3.1.1 Various media campaigns will continue in 2014 to inform the general public (students included), foreigners in Taiwan, employers, brokers, as well as front-line civil servants, about TIP, relevant laws and victim protection services. An informed and vigilant society helps to curb trafficking in persons. Specific

campaigns include: No Child Sex Tourism aimed at the tourism industry, educators and the general public, no sexual exploitation of minors (online child sex and sex tourism), special guidelines governing relevant issues for the tourism industry, and Safe Environment to Live and Work in without Exploitation for ship owners that hire foreign crews.

- 3.1.2 To harmonize the pace of investigations and law enforcement under the HTPA, the NIA commissioned ECPAT-Taiwan to conduct a research in 2013 on its amendments and improvements to maximize the effects of the law and also as preparation for possible amendments in 2014.
- 3.1.3 The NIA proposed an assessment plan for anti-TIP efforts and implementation by local governments in the areas of prosecution, protection, prevention and partnership. The results will be uploaded to the NIA's website to keep the public informed of the government's achievements on combating human trafficking.
- 3.1.4 On-the-job training in actual cases for front-line personnel and staff in various fields will continue in 2014; case study and proficiency and skill enhancing classes will also be incorporated into law enforcement personnel training programs. The NIA plans to hold a networking workshop on prevention of human trafficking in August of 2014 to help front-line personnel understand the diversity and characteristics of TIP cases from various angles. The NPA will continue to hold anti-TIP seminars to enhance skills of victim identification and investigation for various units, including foreign affairs police divisions, criminal investigation corps, juvenile delinquency prevention brigades, women and children's protection divisions, and police personnel who are responsible for TIP crimes. The Judicial Yuan and the MOJ will also continue to hold seminars on judicial practices to elevate the proficiency and investigation skills of judges and prosecutors.

3.2 Reviewing the migrant worker regime

- 3.2.1 Promoting direct hiring: The direct-hiring and cross-border recruitment system was launched to connect to worker databases in labor exporting countries and allow employers to select workers or to re-hire existing workers. This system allows direct dealings between employers and employees, thus cutting out the middlemen and avoiding the brokerage fees that are the root cause of exploitation. The MOL will continue to encourage foreign labor source countries to utilize the system through bilateral communications. Thailand, for instance, has adopted the system that could safeguard the employment rights of foreign laborers. The MOL is also working on a simplified online platform to streamline paperwork requirements, and is devising incentives for manufacturing companies to directly recruit from abroad.
- 3.2.2 Prohibiting employers from seizing ID related documents: Given the fact that employers might take advantage of the job applicants and employees or seize identification related documents, work permits or other certification documents, and job applicants and employees might have to give in to the request should they want to be employed or continue to stay in their positions, Subparagraph 2, Paragraph 2, Article 5 of the Employment Service Act therefore is to be amended to stipulate that employers are forbidden from seizing identification related documents, work permits or other certification documents, and that job applicants and employees have every right to keep their own documents. In special cases, however, employers who make reasonable requests may be granted temporary possession of aforementioned documents. The MOL has submitted the amendment to the Executive Yuan for deliberation.
- 3.2.3 Imposing heavier penalties on illegal brokerage: The MOL has amended Article 45 of the Employment Service Act to reduce illegal brokerage. Violations will be subject to heavier fines of NT\$300,000 (approx. US\$10,000) to NT\$1.5 million (approx. US\$50,000), while a jail term of no more than five years, detention and/or a fine of no more than NT\$2.4 million (approx. US\$80,000) will be imposed on a second violation within five years. The punishments will be counted by the number of persons rather than number of cases to uproot illegal brokerage. The MOL has submitted the amendment to the Executive Yuan for deliberation.
- 3.2.4 Formalizing domestic (in-home) workers' employment: The rights of domestic workers should be protected. Given its specialty and difference as a workplace than factories, whether the family of a care recipient is economically disadvantaged should also be taken into consideration. The law should be practical and able to take care of the rights of both employers and employees, and the deliberation therefore should be circumspect and harmonize different voices from various parties. When domestic workers take a break or leave of holiday, there should be temporary substitutes available for care recipients. A support system to cope with the needs of care shall be planned which also takes into account the possible impact faced by employers' families. Given that this is closely related to the long-term care policies in Taiwan, the MOL will join forces with the Ministry of Health and Welfare in charge of long-term care to establish a comprehensive system that could fully safeguard the rights of domestic workers.

3.2.5 Safeguarding the rights of foreign fishing workers

The government has placed a priority on the rights of deep-sea fishing workers in terms of anti-TIP efforts. Measures taken by relevant agencies are as follows:

3.2.5.1 The MOL is working in coordination with the Council of Agriculture (COA) and coast guard authorities to build a real time reporting system for fishing vessels returning to port, to facilitate regular inspections and evaluation to prevent any illegal deeds.

3.2.5.2 For foreign fishing workers hired abroad, the COA amended the regulations for ship owners hiring foreign crew on December 31, 2013, requiring ship owners to sign a standard contract with foreign crew to safeguard the rights of both sides.

3.2.5.3 To provide foreign fishing workers a place for recreation and leisure during their stay in Taiwan, the COA has subsidized the Christian Presbyterian Fishermen Service center in Chienchen, Kaohsiung, the Fishermen Union of Yilan County, and the Fishermen Association of Keelung to purchase computers and desks that foreign workers could use to contact family members back home.

3.2.5.4 To combat human trafficking and strengthen the government's competency, the COA has started drafting a standard procedure for HTPA disputes that arise regarding foreign fishing workers hired abroad. It will be announced in 2014.

4. Partnership

4.1 Organizing international workshops: After years of well-attended events, the NIA will continue to host international workshops, inviting speakers from the public and private sectors to analyze actual cases and practical issues with respect to victim identification and enforcement. Judges, prosecutors, judicial police, officials and NGOs will send representatives to engage in discourse.

4.2 Pursuing bilateral immigration agreements: The global fight to stamp out cross-border human trafficking requires that the international community make concerted efforts in a timely and effective manner. The NIA has immigration attachés stationed around the globe. They are ideally positioned to deal with officials in source countries with respect to signing bilateral memorandums of understanding on cooperation on immigration affairs.

4.3. Collecting and assessing information: Staff of diplomatic missions stationed in foreign countries will continue to collect and assess information of anti-TIP policies and regulations that can be leveraged into regulatory improvements and adjustments in Taiwan.

4.4. Participating in international conferences: Taiwan should seize the chance to take part in international meetings not only to learn from other countries' experiences and seek a forum for further exchanges and cooperation, but also to share

Taiwan's anti-TIP efforts with the international community.

- 4.5. Facilitating cross-border investigation cooperation: A system should be built to foster exchanges of crime intelligence and law enforcement assistance in the hope of maximizing the achievements of cross-border investigation on TIP cases.

V. Conclusion

The international community does not and will not condone trafficking in persons, which is a grave violation of human rights. The government and people of the Republic of China (Taiwan) are committed to upholding human rights in the fight against human trafficking. The cabinet-level anti-TIP task force has been effective in coordinating resource use in the public sector, and in advancing partnerships with NGOs and civil society in general. The task force pledges to continue to expand its efforts toward combating human trafficking, so as to keep Taiwan on the tier-one country list in the US State Department's TIP report. The task force will not cease engaging international partners to jointly safeguard human rights and to eradicate this modern form of slavery.