

目錄

Table of Contents

會議緣起	1
議事規則	3
會議議程	4
貴賓致詞稿	8
第一場 防制人口販運成果回顧及展望 Session 1 Retrospect and Prospect of Combating Human Trafficking	29
美國近 10 年對各國防制人口販運評比重要發現及影響探討 The Important Discoveries and Effects of American Ranking of TIP Reports for the past 10 years	33
臺灣防制人口販運工作 10 年成效、回顧及展望（一） The Achievements, Retrospect and Prospect of Taiwan's Combating Human Trafficking for the past 10 years (1)	89
臺灣防制人口販運 10 年成果-政策整體作為暨成效 10 Years of Human Trafficking Prevention in Taiwan- Overall Policy Implementation and Results	91
現行教育體制下國人宣導成效 Propaganda Achievements Under the Education System	113
防制外籍勞工人口販運 Anti-Human Trafficking in Migrant Workers	149
臺灣防制人口販運工作 10 年成效、回顧及展望（二） The Achievements, Retrospect and Prospect of Taiwan's Combating Human Trafficking for the past 10 years (2)	175
人口販運起訴成效 Prosecution Achievements	177

2017 年防制人口販運國際工作坊

被害人陪同偵訊成效 Achievements of Accompanying Interrogation _____	211
第二場 國際間人口販運問題報告評比第一級國家分享 Session 2 Experiences Sharing from Tier 1 Countries around the World _____	223
亞美尼亞防制人口販運評比第一級國家經驗分享 Experiences Sharing from Armenia _____	227
加拿大防制人口販運評比第一級國家經驗分享 Experiences Sharing from Canada _____	233
會議摘要 _____	279

會議緣起

人口販運為跨國境、嚴重危害基本人權之犯罪，雙邊及多邊（區域性或全球性）國際交流合作，係不可或缺之防制策略。行政院於95年11月已頒布「行政院防制人口販運行動計畫」通令中央各部會及各地方政府依據該計畫辦理相關防制業務，96年1月進一步於中央成立「行政院防制人口販運協調會報」作為聯繫平臺，整合各部會資源，全力執行防制人口販運工作，執行至今，已逾10年。

內政部移民署為強化與各國合作關係，精進我國防制人口販運工作，每年邀請國外政府官員及非政府組織、國內各部會及民間團體等人員齊聚一堂，辦理防制人口販運國際工作坊（下簡稱工作坊），共同探討防制人口販運相關議題。今年為使與會者熱絡共同參與，落實工作坊概念，舉辦2日全天研討活動，並分為「專題演講」及「分組議題探討」二大項進行。

本次邀請美國、加拿大、泰國、澳大利亞及歐洲等國家政府及國際非政府組織專家學者共同與會，「專題演講」呼應「行政院防制人口販運協調會報」成立10週年，對於防制工作做一回顧與展望，並由連續多年獲評第一級國家來臺交流分享工作經驗；「分組議題探討」則對於2016與2017年人口販運問題報告所提對臺灣建議之重要事項及近來浮現人口販運新興議題，做分組同步討論，探討諸如「避免漁工剝削之查緝成效及預防作為」、「海外勞力剝削預防策略及國際合作」、「加重人口販運查緝偵審力量」、「家事勞動者保障制度策略」等議題，並於閉幕前做總結報告，俾利提出防制新策略。

Introduction of the Workshop

Human trafficking is a cross-border major crime that seriously violates human rights. Developing International bilateral and multilateral (district or global) cooperation on prevention of human trafficking has become an indispensable task. The Executive Yuan, the executive branch of the central government of Taiwan, promulgated the Human Trafficking Prevention Action Plan in November, 2006. Later it started to hold Anti-Human trafficking coordination conferences as a unified communication platform for participants to integrate all government ministry resources in full implementation of anti-human trafficking work every year for more than 10 years.

In order to strengthen cooperation relationships with different countries and enhance the work of preventing human trafficking in Taiwan, National Immigration Agency (NIA) invites foreign government employees, Non-Governmental Organizations (NGO), and national government ministries to the "International Workshop on Strategies for Combating Human Trafficking" (Hereinafter referred to as "The Workshop") in discussion of various topics related to preventing human trafficking. For the purpose of involving participants in discussions actively, the NIA plans two engaging ways to discuss topics, "Lectures on Specific Topics" and "Group Discussion of Specific Issues" during a 2-day workshop this year.

The various experts and scholars working for national governments and NGOs are invited to attend and share their working experiences at this conference from various countries such as America, Canada, Thailand, Australia, and Europe this year. "Lectures on Specific Topics" will take place on the first day of The Workshop which will talk about the achievements, retrospect, and prospect of the "Taiwan combating Human Trafficking Coordination Conference" started by The Executive Yuan for the past 10 years. "Group Discussion of Specific Issues" will proceed on the second day. These sessions will go over important suggestions for Taiwan which was given on "Trafficking in Persons Report (TIP)" in 2016 and 2017. In addition to the recent new emerging issues regarding to human trafficking, we will have profound discussions on a few aspects based on particular subjects such as "Crackdown Achievements and Prevention Measures of the Fishery Workers Exploitation", "Prevention Strategies of Oversea Labor Exploitation and International Cooperation", "Enhancing the Power of the Crackdown, Investigation, and trial of Human Trafficking Cases", "The Strategies of Working Right Institutions of Domestic Workers", and will have four overall session conclusions in the interest of generating new preventative strategies before the closing ceremony.

議事規則

項目	進行方式
專題演講	每場演講時間依議程進行 結束前 5 分鐘第一次舉牌提醒 時間終了舉牌提醒
與會來賓提問與討論	開放與會來賓提問與討論 與會來賓提問均須先舉手，經主席同意後， 取得發言權。

Rules of Procedure

ITEM	DESCRIPTION
Session	Duration of each lecture depends on the agenda. When there are 5 minutes left, we will hold a sign to notify you of the remaining time. When time's up, we will hold the sign to notify you.
Roundtable Forum	To give and inquiry, please raise your hand before remark.

2017 年防制人口販運國際工作坊

會議議程

時間：106 年 07 月 25 日(星期二)

地點：公務人力發展中心福華國際文教會館 1 樓前瞻廳

時間	議程
08:30-09:00	報到
09:00-09:40	開幕致詞、頒獎暨合照
第一場防制人口販運成果回顧及展望	
主持人：	國立政治大學勞工研究所 成之約教授
09:40-10:20	美國近 10 年對各國防制人口販運評比之重要發現及影響探討 主講人： 美國杜克大學史丹福公共政策學院 Judith Kelley 資深副院長
10:20-10:40	茶敘
10:40-11:25	臺灣防制人口販運工作 10 年成效、回顧及展望(一) 主講人：(每位 15 分鐘) 臺灣防制人口販運 10 年成果-政策整體作為暨成效： 內政部移民署移民事務組 李臨鳳組長 現行教育體制下國人宣導成效： 教育部學生事務及特殊教育司 鄭乃文司長 防制外籍勞工人口販運： 勞動部勞動力發展署跨國勞動力管理組 蘇裕國專門委員
11:25-12:25	臺灣防制人口販運工作 10 年成效、回顧及展望(二) 主講人：(每位 15 分鐘) 人口販運起訴成效： 法務部檢察司 許鈺茹檢察官 被害人陪同偵訊成效： 財團法人臺北市婦女救援社會福利事業基金會 白智芳副執行長 雙向交流(30 分鐘) 出席機關：勞動部勞動力發展署、教育部、內政部移民署
12:25-14:10	午餐
第二場國際間人口販運問題報告評比第一級國家分享	
主持人：	行政院防制人口販運協調會報 劉士豪委員
14:10-15:30	亞美尼亞、加拿大防制人口販運評比第一級國家經驗分享 主講人：(每位 40 分鐘) 亞美尼亞聯合衛理救濟委員會 ViktoriaAvakova 協調專員 加拿大皇家騎警署 Julie Meeks 資深教官
15:30-15:50	茶敘
15:50-17:00	與談人：(每位 10 分鐘) 美國杜克大學國際人權中心 Jayne Huckerby 主任 財團法人天主教善牧基金會人口販運被害人安置庇護所 林奴娟主任 臺灣展翅協會 陳逸玲秘書長 雙向交流(40 分鐘) 出席機關：外交部、法務部、內政部移民署

會議議程

時間：106年07月26日(星期三) 地點：公務人力發展中心福華國際文教會館

1樓前瞻廳

14樓貴賓廳

時間	議程	時間	議程
第三場加重人口販運查緝偵審力量		第四場避免漁工剝削之查緝成效及預防作為	
主持人：	行政院防制人口販運協調會報 高亘瑩委員	主持人：	行政院防制人口販運協調會報 劉黃麗娟委員
09:00-09:50	澳洲偵辦人口販運案件技巧及司法審判特色 主講人：澳洲聯邦警政署防制人口販運 Simone Butcher 組長	09:00-09:50	泰國 2015、2016 年查緝漁工剝削成效及管理 新措施 主講人：泰國警政署中央調查局 ChoosakApaipakdi 副組長
09:50-10:40	臺灣人口販運司法實務運作及加重求刑判 刑之探討 主講人：瑞麒法律事務所 吳秀娥律師	09:50-10:40	臺灣對境外僱用漁工查緝剝削成效及勞動管 理新作法 主講人：國立政治大學法學院 林良榮助理教授
10:40-11:00	茶敘	10:40-11:00	茶敘
11:00-12:00	與談人：(每位 10 分鐘) 臺灣臺北地方法院檢察署 邱曉華檢察官 財團法人法律扶助基金會臺北分會 宋一心專職律師 雙向交流及分組總結報告(40 分鐘) 出席機關：司法院刑事廳、法務部、 內政部警政署	11:00-12:10	與談人：(每位 10 分鐘) 印尼移工安置保護局 Freddy Panggabean 主任 漁業工作之健康、安全與勞動議題 Peter Hurst 獨立專家 財團法人綠色和平基金會東亞分部 蔡佩芸主任 雙向交流及分組總結報告(40 分鐘) 出席機關：勞動部、行政院農業委員會 漁業署
12:00-13:30	午餐	12:10-13:30	午餐
第五場家事勞動者保障制度策略		第六場海外遭勞力剝削預防策略及國際合作	
主持人：	行政院防制人口販運協調會報 鄭津津委員	主持人：	行政院防制人口販運協調會報 紀惠容委員
13:30-14:20	國際對於家事勞動者之工作時間、休息時 間規範及案例分享 主講人：全球化與組織化之非正式就業婦 女協會 Karin Pape 副處長	13:30-14:20	澳洲對於來澳度假打工遭剝削預防作為與國 際救援合作 主講人：澳洲救世軍基金會 Jenny Stanger 執行長
14:20-15:10	臺灣家事勞動者勞動權益保障政策之探討 主講人：國立臺北大學法律系 郭玲惠教授	14:20-15:00	臺灣避免青年國人海外度假打工落入剝削陷 阱與及時救援 主講人：外交部公眾外交協調會 張進旺專門委員
15:10-15:30	茶敘	15:00-15:20	茶敘
15:30-16:30	與談人： 漁業工作之健康、安全與勞動議題 Peter Hurst 獨立專家(10 分鐘) 財團法人勵馨社會福利事業基金會外 勞庇護所 李凱莉主任(10 分鐘) 雙向交流及分組總結報告(40 分鐘) 出席機關：勞動部勞動力發展署、法務 部、衛生福利部、內政部警政署	15:20-16:20	與談人： 新加坡南洋科技大學 Helena Huang 資深分析師(10 分鐘) 財團法人臺北市婦女救援社會福利事業 基金會 白智芳副執行長(10 分鐘) 雙向交流及分組總結報告(40 分鐘) 出席機關：外交部、教育部、勞動部勞 動力發展署、內政部移民署
16:30-16:40	休息	16:20-16:40	休息(與會人員前往前瞻廳)
16:40-17:00	閉幕暨藍心活動		

Agenda

Date : Tuesday July 25, 2017

Venue: Howard Civil Service International House 1F Visionary Hall

Time	Agenda
08:30-09:00	Registration
09:00-09:40	Opening & Group photo
Session 1 : Retrospect and Prospect of Combating Human Trafficking	
Moderator :	Cheng, Chih-Yu, Professor, Institute for Labour Research, National Chengchi University
09:40-10:20	The Important Discoveries and Effects of American Ranking of TIP Reports for the past 10 years Speaker : Judith Kelley, Senior Associate Dean Professor of Public Policy and Political Science, Duke Sanford School of Public Policy
10:20-10:40	Refreshment
10:40-11:25	The Achievements, Retrospect and Prospect of Taiwan's Combating Human Trafficking for the past 10 years(1) Speaker : 10 Years of Human Trafficking Prevention in Taiwan-Overall Policy Implementation and Results Lee, Ling-Fong, Director, Immigration Affairs Division, National Immigration Agency, Ministry of the Interior(15mins) Propaganda Achievements Under the Education System Cheng, Nai-Wen, Director of Department of Student Affairs and Special Education(15mins) Anti-Human Trafficking in Migrant Workers Su, Yu-Gao, Assistant Director-General of Cross Border Workforce Management Division Workforce Development Agency, Ministry of Labor(15mins)
11:25-12:25	The Achievements, Retrospect and Prospect of Taiwan's Combating Human Trafficking for the past 10 years(2) Speaker : Prosecution Achievements Hsu, Yu-Ju, Prosecutor of Department of Prosecutorial Affairs(15mins) Achievements of Accompanying Interrogation Jasmine Bai, Deputy Chief Executive of Taipei Women's Rescue Foundation(15mins) Bilateral Exchange(30mins) Participant Agency : Workforce Development Agency, Ministry of Labor, Ministry of Education, National Immigration Agency, Ministry of the Interior
12:25-14:10	Lunch Break
Session 2 : Experiences Sharing from Tier 1 countries around the world	
Moderator :	Liu, Shih-Hao, Committee member of Cabinet Anti-TIP Task Force
14:10-15:30	Experiences Sharing from Armenia and Canada Speaker: Viktoria Avakova, Anti-trafficking and Health Programs Coordinator(40mins) Julie Meeks, Senior Instructor of Royal Canadian Mounted Police(40mins)
15:30-15:50	Refreshment
15:50-17:00	Commentators : Jayne Huckerby, Director of Duke International Human Rights Clinic(10mins) Lin, Wen Chuan, Shelter Director of Good Shepherd Social Welfare Services(10 mins) Chen, Yi-Ling, Secretary-General of ECPAT Taiwan(10mins) Bilateral Exchange(40mins) Participant Agency : Ministry of Foreign Affairs, Ministry of Justice, National Immigration Agency, Ministry of the Interior

Agenda

**Date : Wednesday July 26, 2017 Venue: Howard Civil Service International House
1F Visionary Hall 14F VIP Room**

Time	Agenda	Time	Agenda
Session 3 : Enhancing the Power of the Crackdown, Investigation, and Trial of Human Trafficking Cases		Session 4 : Crackdown Achievements and Prevention Measures of the Fishery Workers Exploitation	
Moderator:	Kao, Hsuan-Ying, Committee member of Cabinet Anti-TIP Task Force	Moderator:	Liuhuang, Li-Chuan, Committee member of Cabinet Anti-TIP Task Force
09:00-09:50	The Skills of Investigating Human Trafficking Cases and the Specialties of Judicial Trial in Australia Speaker : Simone Butcher, Team Leader of Human Trafficking, Australian Federal Police(50mins)	09:00-09:50	Crackdown Achievements and new management measures of the Fishery Workers Exploitation in Thailand from 2015-2016 Speaker : ChoosakApaipakdi Deputy Superintendent of Anti-Trafficking in Persons Division(50mins)
09:50-10:40	The Judicial Practices of Human Trafficking Cases and the Discussion of Heavier Sentences Advocacy Speaker : Jessie Wu, Lawyer of Rechd Attorney at Laws (50mins)	09:50-10:40	Crackdown Achievements and New Management Measures of the Exploitation of the Oversea Hired Fishery Workers in Taiwan Speaker : Lin,Liang Jong, Assistant Professor of College of Law, National Chengchi University(40mins)
10:40-11:00	Refreshment	10:40-11:00	Refreshment
11:00-12:00	Commentators : Ciou,Siao-Hua Prosecutor of Taipei District Prosecutors Office(10mins) Sung, Yi-Hsin, Staff Attorney of Law of Legal Aid Foundation(10mins) Bilateral Exchange and Session Conclusion(40mins) Participant Agency : Judicial Yuan, Ministry of Justice, National Police Agency, Ministry of the Interior	11:00-12:10	Commentators : Freddy Panggabean,Director of International Cooperation, National Board for the Placement and Protection of Indonesian Overseas Workers(10 mins) Peter Hurst, Independent specialist on health, safety and labour issues in fishing(10mins) Tsai, Pei-Yun,Ocean Campaigner of Green Peace Foundation International Labour Organization(10mins) Bilateral Exchange and Session Conclusion(40mins) Participant Agency : Workforce Development Agency,Ministry of Labor, Fisheries Agency of the Council of Agriculture
12:00-13:30	Lunch Break	12:10-13:30	Lunch Break
Session 5 : The Strategies of Working Right Institutions of Domestic Workers		Session 6 : Prevention Strategies of Oversea Labor Exploitation and International Cooperation	
Moderator:	Cheng, Chin-Chin, Committee member of Cabinet Anti-TIP Task Force	Moderator:	Gi,Hui-Joung, Committee member of Cabinet Anti-TIP Task Force
13:30-14:20	The International Regulations of Working Time and Rest Time of Domestic Workers and Case Studies Speaker : Karin Pape, Deputy Director, Organization and Representation Programmer, Women in Informal Employment Globalizing and Organizing, WIEGO(50mins)	13:30-14:20	The Prevention Measures of Holiday Workers Exploitation and International Rescue Cooperation in Australia Speaker : Jenny Stanger, National Manager of the Salvation Army(50mins)
14:20-15:10	The Protection of The Working Rights Institution of Domestic Workers in Taiwan Speaker : Kuo, Ling Hui, Professor of Department of law, National Taipei University(50 mins)	14:20-15:00	The Exploitation Prevention and Rescue Movements of the Local Youths Serving as Holiday Workers Overseas Speaker : Chang,Chin-Wang, Assistant Director General of the Bureau of Consular Affairs(BOCA) of the Ministry of Foreign Affairs(40mins)
15:10-15:30	Refreshment	15:00-15:20	Refreshment
15:30-16:30	Commentators : Peter Hurst, Independent specialist on health, safety and labour issues in fishing(10mins) Lee,Kaili,Shelter Director of The Garden of Hope Foundation(10mins) Bilateral Exchange and Session Conclusion(40mins) Participant Agency : Workforce Development Agency,Ministry of Labor, Ministry of Justice, Ministry of Health and Welfare, National Police Agency, Ministry of the Interior(30mins)	15:20-16:20	Commentators : Helena Huang, Senior Analyst at the Centre for Non-Traditional Security Studies, S. Rajaratnam School of International Studies, Nanyang Technological University (10mins) Jasmine Bai, Deputy Executive of Taipei Women's Rescue Foundation(10mins) Bilateral Exchange and Session Conclusion(40mins) Participant Agency : Ministry of Foreign Affairs, Ministry of Education, Workforce Development Agency, Ministry of Labor, National Immigration Agency, Ministry of the Interior(30mins)
16:30-16:40	Break	16:20-16:40	Break(All participants leave for 1F Visionary Hall)
16:40-17:00	Closure & Blue Heart Campaign		

貴賓致詞稿

2017 年防制人口販運國際工作坊開幕式

(依順序)

內政部葉俊榮部長致詞稿

我所尊敬的陳副總統，林萬億政務委員，Duke Sanford School of Public Policy 的 Kelley 教授，國外來的傑出貴賓，演講者，各位先生女士們，早安。

我代表內政部歡迎大家。尤其，我要對於你們的參與表示感激。我們今天聚集在這會議來呈現跟討論我們打擊人口販運的策略。我們有起訴，預防，保護，以及合作。這些不只是策略或是口號，這是我們的決心。這是我們打擊人口販運，奴隸制度，跟任何相關犯罪的精神。事實上，我們是住在一個全球化的世界。人口流動以我們預期之外的速度在不斷的增長。我們或許可以在世界的每個角落發現人口販運，或許一天當中的每個小時都會發生，或許就發生在離我們不遠處。這是個全球的問題，而這問題需要我們一起合作。成功不可能只靠一個國家，不能只靠一個部門，不能只靠一個機構，也更不可能只靠一位執法者。成功必須經由跨邊界的合作，包括政府跟私營的機構，以及需要極大的合作以及不同的策略跟努力上的融合。今天我想一開始要提到一個人，那就是內政部移民署署長。他幾天前才被任命的，楊先生。他從表現優秀的前署長何榮村接任過來或許上任還不到十天。或許你們都知道移民署是在台灣推廣反人口販運的主力，又或者，我應稱他們為堅石。但是你們也知道，這個機構不能單打獨鬥。這個機構需要其他部門的協助，有很多時候是需要我，但也不僅僅是我，也需要經由不同的政府官員，包括政務委員林萬億，還有我們的總統，還有我們的地方政府，鄰近的國家跟國際社區。所以，我們不能單打獨鬥，但是我們必須從這裡開始。我們要從機構開始到部門到台灣然而連接到全世界。我們很感激美國，尤其是 AIT，代理局長 Robert Forden 不論在任何情況都與我

們一起打擊人口販運。我們也非常感激以及榮幸美國國務院經由人口販運問題報告連續八年將台灣列為第一級的國家，顯示台灣對於對抗任何人口販運的持續的努力，也顯示出台灣對於連接全世界的決心。我們很感激這樣的人際脈絡，尤其是當台灣在一個國際舞台，有些時候缺乏一個參與管道，我們發現對的議題跟對的人際脈絡對於台灣是非常重要及緊要的，因為台灣在反人口販運的議題上面，對於不僅亞洲，也對於全球都是不可或缺的。今天我也想參與你們，一起下定決心來持續這個反人口販運的精神，超越我們過去十年的成就。這個機構是十年前成立的。同時，內閣的協調人口販運專案組也是十年前成立的。所以，我們今天在這個工作坊慶祝雙十，移民署成立的十周年，以及內閣的協調人口販運專案組成立十周年。以這為基礎，我們屹立不搖，決心向前。我們知道我們有所成就，但我們並不滿足。我們知道還有問題。我們知道我們的漁民，我們的勞工，他們的工作環境需要持續的改進。我們知道我們還有必須正視的問題。我們知道我們一直在對抗這個問題，但是我們還沒有到達目標。我們知道我們還要努力，但是我們需要國際間的合作。我們需要像這樣的工作坊來找出策略，才不辜負我們的努力。最後，謝謝大家的參與，我也建議所有外國的貴賓能好好享受在台灣在會議以外的時間。出去走走感受一下台灣的魅力跟美，還有台灣人民的款待。謝謝你們的參與。謝謝。

2017 年防制人口販運國際工作坊

Remarks by Minister Jiunn-rong Yeh of the Ministry of the Interior

Respect for Vice President Chen, Minister without Portfolio Lin Wan-Yi and also Duke Public School Public Policy, Professor Kelly, distinguished guests from abroad, speakers, Ladies and gentlemen, good morning!

On behalf of the Ministry of the Interior, I would like to welcome all of you. And particularly, I would like to show my gratitude to your participation. Today we gather here on this conference to show and to discuss our strategies to combat human trafficking. We have prosecution, prevention, protection and partnership. These are not only strategies or slogans. This is our determination. This is our spirit to fight against human trafficking and the slavery and all crime related to that. In fact, we are living in the globalized world. Human flow has been taken place in magnitude and in speed that beyond our expectation. We can see the crime on trafficking in persons probably in every part of the world. Probably in every hour of the day. Probably not very far away from where we stand. It is a globalized issue, and it require us to work together not by a single country, not by a single ministry, not by a single agency, not by a single law enforcer. As through collaboration across border line, between public and private and also also requiring tremendous cooperation and integration among strategies and efforts. I would like to mention one person today to begin with. That is the director of the national immigration agency. He just got appointed days ago, Mr. Yang . He just took the office probably less than ten days after excellent service by ex-director 何榮村. Probably all of you know that national immigration agency is serve the working horse or I would say the rock to promote anti-human trafficking here in Taiwan. But you know this agency can not do things alone. This agency needs support from the ministry, in many cases from me but not only me through various government officials including minister without Portfolio Lin Wan-Yi, and also our president, and also all our local governments, and also all the surrounding nations and international community. So, we can't work alone but we need to start the work here. We need to start the work from the agency from the ministry from the whole government from Taiwan and linking to the world. We would like to thank the united states, particularly

AIT, acting director Robert Forden has been with us in all occasions fighting for human trafficking and we are very grateful and honor that the united states' state department, through the issue of TIP report as continuously rank Taiwan in the tier-one country for eight consecutive years. Demonstrating Taiwan's continuous efforts in fighting against human trafficking of all kinds, also strong determination to link to the world. We appreciate for that networking and particular when Taiwan in the international arena, means sometime in short of participation channel we found this right issue and right networking is really important and critical to Taiwan cause Taiwan play integral part in anti-trafficking issue not only in Asia but in the global network. Today I would also like to join all of you to make a determination to continue this spirit and committed to the issue and go beyond what we have done in the past decade. The agency was established ten years ago. At the same time from the cabinet-level the coordination task force of human trafficking was also established ten years ago. so today we are in this workshop celebrating double tenth, and that is tenth anniversary of the national immigration agency and also tenth anniversary of the cabinet-level coordination task force of human trafficking. With this foundation we stand firm and determine to move forward. We know we have accomplished something, but we are not satisfied. We know there are problems there. We know our fishermen, we know our workers, their working condition need to be improved continuously. We know there are problems that we need to address. We know we have been fighting on this issue but we are not exactly there. We know we need to still continue the work and work hard but we need international cooperation. We need this kind of workshop to find out strategies for our continuous effort. With this, I would like to thank everyone again for join us and also we like to suggest that all our foreign guests do enjoy your time here in Taiwan beyond the conference. Try to go out and feel the charm and the beauty of Taiwan and also the hospitality of Taiwanese people. Thank you very much for your participation. Thank you.

美國在台協會代理處長傅德恩致詞稿

大家早，我很榮幸能與陳副總統和葉部長一同歡迎各位參加今天的工作坊。各位都是打擊人口販運的尖兵，將那些藉勞力剝削與性剝削獲利的不肖份子繩之以法，並為販運被害人和潛在被害人提供保護與協助。

台灣已連續 8 年在美國國務院的人口販運年報中被評為「第一級」，這是各位努力不懈的明證。今年的報告中，全球僅有 36 個國家與地區被列為「第一級」，其中位於亞太地區的更只有 5 個，而像台灣能連續 8 年維持「第一級」的更是鳳毛麟角。

另一個彰顯台灣在打擊人口販運方面有卓越領導力的，是宜蘭縣漁工職業工會的秘書長李麗華獲選為 2017 年打擊人口販運的英雄。該工會是全台第一個由外籍勞工組成和管理的工會組織，他們為漁工發聲、為漁工爭取保障，並讓人口販子受到法律制裁。全球僅 8 人獲得此殊榮，人口販運報告中介紹了李秘書長等人的事蹟，提勒森國務卿亦於上個月在華府頒獎表揚李秘書長。我再次恭喜李秘書長與台灣在此重要議題上所展現的傑出領導力。

台灣在眾多領域已成為區域甚或全球的楷模，在打擊人口販運與保護被害人方面，亦是全球標竿，許多國家都希望能參考台灣的作法。美國也致力與台灣合作，強化打擊人口販運的合作，並和區域與全球分享台灣的最佳實務作法。

台灣致力強化訓練，提升被害人服務，並擴展打擊販運的夥伴關係。台灣也採取以被害人為中心的行動，提高對被害人的保護，以打擊販運。去年，台灣鑑別出 263 位販運被害人，為被害人提供庇護及服務，並制訂新法，規定境外僱用外籍漁工須簽署定型化契約並提供標準福利。

在依據人口販運防制法起訴罪犯方面，台灣也持續展現努力。2016年，台灣偵辦的販運案件達134起，其中包括涉及外籍漁工的案件，並有56人被定罪，其中至少一人被判刑5年。我們相信，台灣的法院將持續祭出重刑來嚇阻此類犯罪。

雖然台灣在販運防制上成效斐然，但我們千萬別忘了全球估計仍有數千萬販運被害人，其中許多來自亞太地區。每年約有80萬名成年男女與兒童遭到跨境販運，讓人蛇藉被害人的買賣和剝削坐收95億美元的不法利益。人蛇往往對那些想改善生活的人下手，例如年輕的女孩被騙離家而落入性奴隸的圈套，或是上進的男子為了賺錢養家而成為勞力剝削的被害人。

雖然大家已意識到此問題的嚴重性，但全球起訴與定罪的人數仍遠低於實際被害的人數。去年在東亞與太平洋地區，有近一萬人被鑑別為被害人，但只有1,953名人口販子被定罪，這個比例與西半球相當，顯示我們必須依巴勒莫公約的建議，採取更多積極作為，讓人口販子受到刑罰制裁。我們必須提升定罪率，否則人口販運與剝削這門生意的風險仍是相對較低的。因此我們必須更加努力，我們要運用創新思維，聯手對抗販運的威脅。政府、企業與非政府機構必須合力找尋新方法打擊販運，以克服資源上的限制。

美國和台灣都已採取重要措施打擊販運，但仍有許多工作亟待進行，我們絕不能自滿。例如美國必須採取行動，提升法規與政策執行的一致性，並以被害人為中心，包括讓被害人及時取得移民救濟。

我知道台灣正加大偵查的力度，對虐待和販運勞工的漁船，不論是台灣人擁有或台灣船籍，都將對船主提起公訴。我們很高興看到明天有一堂課是探討漁業勞力剝削的預防。如同提勒森國務卿最近所說，「人口販運是當前最慘絕人寰的人權議題，不僅讓家庭破碎、造成全球市場扭曲、破壞法治，也助長其他跨

2017 年防制人口販運國際工作坊

國犯罪活動，威脅公共安全與國家安全。最嚴重的是，它剝奪了人們的自由與尊嚴，因此我們必須終結人口販運的肆虐」。

促進與保障人權是台灣和美國的共同要務，這不僅塑造了我們的世界觀，也界定了我們應扮演的角色。我們願與台灣一道，和在座各位一道，攜手往前邁進。最後，我預祝會議圓滿成功，大家一起加油！

Remarks by AIT Acting Director Robert W. Forden

Good morning. It is a privilege and an honor to be here today with Vice President Chen and Minister Ye and to welcome all of you who have worked tirelessly to combat trafficking in persons, to bring to justice those who profit from forced labor and sexual exploitation, and to protect and help those who are either victims or potential victims of trafficking.

Taiwan has been ranked “Tier 1” in the annual U.S. State Department Trafficking-in-Persons Report for eight years in a row, which is clear evidence of your tireless efforts. Only 36 countries and areas worldwide were designated as “Tier One” in this year’s report and only five in the Asia-Pacific region, but few can claim to have sustained “Tier One” status for eight consecutive years as Taiwan has done.

Another example of Taiwan’s outstanding leadership in combatting trafficking in persons was this year’s selection of Allison Lee as a 2017 TIP Report Hero. Ms. Lee is a co-founder and the Secretary General of the Yilan Migrant Fishermen Union, Taiwan’s first labor union composed of and led by foreign workers, and is a leading voice in demanding stronger protections for fishing crew members and accountability for human traffickers.

Ms. Lee was one of only eight individuals selected worldwide for this honor, a profile of Ms. Lee was included in the report itself, and Secretary Tillerson recognized Ms. Lee at a ceremony in Washington last month. Let me again congratulate Ms. Lee and Taiwan for your excellent leadership on this most important issue.

Taiwan has become a model to the region and to the world in so many ways, and your proactive efforts to combat trafficking in persons and protect victims is another way in which Taiwan sets the global standard. Many countries in the region now look to you as an example of how to improve their own efforts. The United States is committed

2017 年防制人口販運國際工作坊

to working with Taiwan to enhance cooperation on anti-trafficking initiatives and to share Taiwan's best practices with the rest of the region and the world.

I am impressed with Taiwan's commitment to improve training, to strengthen victim support services, and to expand anti-trafficking partnerships. Taiwan has also made great strides in its victim-centered approach to fight trafficking by providing more protections to victims. Last year, Taiwan authorities identified 263 trafficking victims, provided access to shelter and other victim services, and enacted new regulations requiring standard contracts and benefits for foreign fishermen hired overseas.

You have also demonstrated serious and sustained efforts to prosecute traffickers with the Human Trafficking Prevention Act. In 2016, Taiwan authorities conducted 134 trafficking investigations, including cases involving foreign fishermen, and convicted 56 traffickers. At least one such trafficker was sentenced to five years in prison. We are confident that Taiwan's courts will continue to hand down tough sentences for these crimes in order to increase the deterrence effect.

While Taiwan has taken measures that have made a huge difference, let us not forget that estimates of the number of victims of human trafficking worldwide remain in the tens of millions, many of whom come from the Asia-Pacific region. Every year an estimated 800,000 men, women, and children are trafficked across international borders worldwide, and criminals make an estimated \$9.5 billion from the sale and exploitation of the victims. Human traffickers often prey on those who seek a better life – whether it is a young girl lured away from her family only to be trapped in sexual slavery or an aspiring man who hopes to make a better wage to support his family only to find himself a victim of forced labor.

Despite increasing awareness of the problem, the estimated number of trafficking victims worldwide still far exceeds the numbers of prosecutions and convictions of those who perpetrate this crime. Last year in the East Asia and Pacific region, nearly

10,000 victims of human trafficking were identified but only 1,953 traffickers were convicted. The ratio of victims identified to traffickers convicted was similar in the Western Hemisphere region as well. These figures represent a call for greater action and a more robust response to punish traffickers with criminal penalties as the Palermo Protocol recommends. The abuse and exploitation of human beings for profit will remain a relatively low-risk enterprise until we raise the conviction rate.

So we must work harder. We have to be innovative and join hands to battle the menace of trafficking. To overcome resource constraints, government, corporate and NGO leaders must join hands to find new ways to combat trafficking.

Both the United States and Taiwan have taken important steps to fight trafficking, but much more needs to be done. Neither of us can afford to be complacent. In the United States, for example, we must increase our efforts to achieve more consistent, victim-centered implementation of anti-trafficking laws and policies, including increased efforts to ensure more trafficking victims have timely access to immigration relief.

In Taiwan, we know that you are focused on more vigorously investigating, and where appropriate, prosecuting the owners of Taiwan-owned or -flagged fishing vessels that commit abuse and labor trafficking onboard long haul fishing vessels. We are pleased to see that tomorrow will feature a session on preventing exploitation of workers in the fishery industry.

As Secretary Tillerson recently said, “Human trafficking is one of the most tragic human rights issues of our time. It splinters families, distorts global markets, undermines the rule of law, and spurs other transnational criminal activity. It threatens public safety and national security. But worst of all, the crime robs human beings of their freedom and their dignity. That’s why we must pursue an end to the scourge of human trafficking.”

2017 年防制人口販運國際工作坊

The promotion and protection of human rights is a core commitment that Taiwan and the United States share. It shapes how we see the world and our roles in making it a better place. We stand by Taiwan's side, and beside all of you here today, committed to moving forward together. In conclusion, let me wish you all a very successful conference. And keep up the great work!

陳建仁副總統致詞稿

傑出的貴賓、Duke University 的副院長 Judith Kelley、AIT 的代理局長 Robert Forden、大使、台灣的代表及學者以及國際的學者、NGO 的代表們、林政務委員，以及內政部葉部長、各位先生女士們大家早安。

現在我的致詞將以中文來發言，我會依照這個方式來呈現，這對翻譯者來說比較方便，所以你們可以將耳機戴上。

歡迎各位蒞臨參加 2017 年防制人口販運的國際工作坊，相信大家都知道危害人權的奴隸制度雖然在 19 世紀的時候已經結束，但是現代版的奴役型式也就是人口販賣，卻隨著經濟的全球化加速發展，而且是大多數國家都必須要面對的跨國犯罪問題，所以聯合國在兩千年通過了聯合國打擊跨國有組織犯罪公約以及關於預防、禁止、懲治、販賣人口特別是婦女和兒童行為的補充議定書，並且在 2003 年成效，臺灣向來以人權治國自詡，面對人口販賣問題絕對不會自外於國際社會，因此為了展現政府積極打擊人口販賣犯罪的決心，蔡總統在 2006 年擔任行政院副院長的任內就頒布了行政院防制人口販運行動計畫，通令全國各級政府機關依據行動計畫辦理防制業務，剛才葉部長提到 2007 年 1 月起，中央成立了整合各部會資源的行政院防制人口販運協調會報連繫平臺，我要感謝所有跨部會機關還有民間團體團隊的同仁在十年來的用心和付出，剛才葉部長提到我們有 double 10，我們這十年來確實得到很好的這個成果，雖然台灣受到國際環境的限制，無法簽署聯合國打擊人口販賣的議定書，但是做為一個民主國家的臺灣，堅持和平、自由、民主以及人權等的普世價值的信念，永不改變，我們在今天協調會報成立十周年的時候，強力宣誓我們絕不在防制人口販運工作上缺席，臺灣政府會承擔善盡社會國際社會一份子的責任，致力在外交和全國性的議題當中做出貢獻並且尋求各國的合作，這也是為什麼內政部及有關部會響應聯合國反人口販運國際日，擴大辦理 2017 防制人口販運國際

2017 年防制人口販運國際工作坊

工作坊的重要原因，截至目前為止，內政部移民署及外交部已經跟十八個國家簽署了移民事務及防制人口販賣的合作協定或備忘錄，這就是不斷積極展現我國政府參與全球性新興議題跟國際接軌的決心，蔡總統在去年就職典禮的時候，就表示強化社會安全網是政府的重要責任，今年她在就職周年前夕談話中，也再度重申強化社會安全網的重要性，也就是說，人口販賣防制工作沒有做好，社會安全網就會有缺口，像今年防制人口販賣販運國際工作坊討論到的議題例如家事工、漁工、度假打工等，都是強化社會安全網不可疏漏的重要議題，期許各位要廣泛的研議有效的精進，剛才葉部長也提到、還有美國在台協會傅德恩代理處長也提到，今年六月二十七日美國國運院發布了全球各國防制人口販賣販運工作評比的結果，台灣完全符合消滅人口販運的基本要求，已經連續八年被評選為第一級的國家。足為亞太地區的楷模，這證明我國防制人口販運的工作在政府機關跟民間團體共同努力下，持續獲得國際的肯定，防制人口販運本來就是一個國際性的長期性的而且是合作性工作，我要藉這個機會再次感謝各國駐臺友人、各部會同仁還有民間團體夥伴長期的協力合作，讓台灣連續多年能夠獲得這項殊榮，等一下也會頒獎給相關的單位來表示嘉勉之意，當然，我國各部會辦理防制人口販運工作仍然應該積極因應不可懈怠，與各民間團體、國際組織保持友善的合作，繼續為維持第一級國家水準來共同努力，臺灣也非常樂意派員到友邦分享經驗或是交流心得，為提升亞太地區防制人口販運的績效盡一份好世界公民的心力，推動防制人口販運是世界各國跟國際組織的普世價值，不分國籍、人種、宗教信仰都應該積極參與，而且都應該受到保護，期盼國際勞動或其他人權國際組織秉持宗旨，讓台灣有更多實質參與的機會。

最後我要再次感謝各國駐台大使還有辦事處的代表、國內外與會的貴賓跟講者以及各位機關代表的熱情參與，也在這裡預祝今天的大會圓滿成功，大家身體健康、萬事如意、平安喜樂、心想事成謝謝大家。謝謝！

Remarks by Vice President Chien-Jen Chen

Distinguished guests, Associate Dean Judith Kelly of the Duke University, acting director of AIT, Robert Forden, ambassadors, representatives and scholars from home, and international scholars, as well as NGO representatives and Minister with Portfolio Lin, and Minister Yeh of the Interior.

Ladies and gentleman and good morning everybody. Now I would like to give this remark in Chinese and I will try to give this presentation according this record. It's easier for the interpreter so you may put on the ear phone for that.

Welcome to the 2017 International Workshop on Strategies for Combating Human Trafficking. I believe everyone knows that although slavery has ended in the 19th century, but modernized form of slavery, also known as human trafficking, has risen rapidly along with the globalization of the economy, and this is an international crime that all countries must face. As a result, the United Nations passed the Protocol to Prevent, Suppress, Punish Trafficking in Persons, especially Women and Children (Palermo Protocol) in 2000, and subsequently went into effect in 2003. Taiwan has always been proud to be a nation based on human rights. When it comes to human trafficking, we will not rely solely on the international community. To demonstrate the government's determination to fight human trafficking, our President Tsai initiated the Prevention of Human Trafficking Action Plan back in 2006, while she was still the Vice President of the Executive Yuan. Governmental agencies on all levels must establish preventive measures according to the action plan. Earlier Minister Yeh mentioned that since January of 2007, the government established the Board of Human Trafficking Prevention, an integration of all resources across departments, to be used as a connection platform. I want to thank all the agencies as well as NGOs that had poured in so much time and effort over the past ten years. Minister Yeh also mentioned earlier that we've "double 10," surely we did have success over the past ten years even if Taiwan wasn't able to sign the Protocol because of international limitations. However, Taiwan being a democratic country, will always uphold the values of peace,

2017 年防制人口販運國際工作坊

freedom, democracy, and equal rights. Today at the 10th anniversary of the establishment of the board, we will make an oath to never be absent in the fight against human trafficking. The Taiwanese government will without question make a contribution as a member of the global community, focusing on foreign affairs and national issues that require assistance from other countries, which is an important reason why that the Ministry of Interior as well as other related departments, in response to United Nations' "World Day against Trafficking in Persons," have expanded 2017's International Workshop on Strategies for Combating Human Trafficking. Currently, the National Immigration Agency and the Ministry of Foreign Affairs has signed an agreement "concerning cooperation in immigration affairs and human trafficking prevention" with over 18 countries, demonstrating our determination to participate in this global issue and connecting us with the world. During President Tsai's inauguration last year, she once again specifically addressed the importance of the government's role in the strengthening of the social safety net. In other words, if the Prevention of Human Trafficking isn't done properly, there will be a hole in the social safety net. Much like what we will discuss, issues such as, house worker, fishermen, and working holidays are all issues concerning the strengthening of the social safety net. I hope everyone will establish an insightful discussion and produce effective ways of improvement.

Both Minister Yeh and acting director of AIT brought up that on June 27th of this year, the United States State Department released an TIP report that acknowledged Taiwan in meeting the minimum requirements of combating human trafficking. Having ranked Tier-1 for eight consecutive years, suffice to say we are a role model for the Asia-Pacific region. This proves that in the prevention of human trafficking, with the collaboration between government agencies and NGOs, we have continuously been acknowledged globally. The prevention of human trafficking is without question both a long-term and collaborative work. Therefore, I want to take this opportunity to thank ambassadors from all over the world, various government officials as well as partners in different NGOs for their long-term collaboration, thus allowing Taiwan to receive

such an honor for so many consecutive years. Later on, we will be handing out awards to demonstrate our gratitude towards related parties. Of course, all agencies handling issues concerning human trafficking should not slack off, we must continue to collaborate with NGOs and international organizations to maintain our Tier-1 ranking. Taiwan is more than willing to also send officials to neighboring countries for information exchange, to share experiences that will strengthen the prevention of human trafficking as a member of the international community. The promotion of the prevention of human trafficking is an universal value among all countries and all international organizations. Regardless of nationality, race, religious belief, everyone should actively participate, and everyone should also be protected. I look forward to international labor organizations as well as international human rights organizations to uphold such aim, allowing Taiwan to have more chance to actively participate. Lastly I want to thank ambassadors from all over the world, representatives from all departments, and distinguished guests from Taiwan and other countries for your active participation. Here's wishing that the workshop is a success, enjoy your stay, thank you everybody. Thank you.

移民署署長楊家駿致詞稿

協調會報紀委員還有鄭津津委員還有各位貴賓、各位關心防制人口販運議題的學者專家 NGO 代表，各機關代表、各位女士先生朋友，大家好。

首先本人再次代表內政部以及內政部移民署感謝各位參加本次的國際工作坊，經過這兩天研討活動，總計有 16 位主講人分享演講，有 12 位與談人精闢研析，有 6 位主持人不僅熟悉議題內容，也精確掌握時間配當，帶領大家在緊湊的議程當中，充分吸收各國寶貴的經驗，並進行熱絡的互動與交流，相信經過研討，與會者都能帶著豐碩的收穫回到工作崗位，發揮種子的作用，本人也要藉此機會感謝教育部、外交部、交通部觀光局、農委會漁業署派人出席以及提供經費補助，可以說是出錢與出力，讓這個活動圓滿完成，希望這個夥伴關係也能夠一直下去，

在昨天上午的開幕式以及公部門及私部門分享台灣近十年辦理防制人口販運工作經驗的時段，我們已經透過臉書直播的方式即時讓世界各國及友人看見台灣的防制人口販運經驗與成果，讓無法與會的朋友可以即時了解會議議程，希望能有更大的迴響，其實我上任不到十天，與諸位互動才半天，但是我已經有家人團聚的這種感情，所以我們期待再相見。

在座的各位貴賓、公部門與私部門的夥伴們都非常了解國際間這兩年聚焦關注血汗漁工悲歌的問題，這也就是境內漁工或遠洋漁工遭受勞力剝削，這個議題其實也是跟我從小生活經驗息息相關，那我們家裡小時候也是做漁業，也有外籍漁工，這次也有外籍漁工，還有台灣漁工就是十幾條漁船，所以對於漁船我也是很有感情的，那麼當然這在台灣有六十二萬多的外籍移工，如何預防這些外勞免於遭受的剝削，民間團體及外勞的來源國也相當的關心，那今天這次

活動的四項議題，正確結合人口販運議題的國際趨勢，強化弱勢移工在臺免於遭受剝削，相關會議實錄都會在日後網站上供各位瀏覽。

作為移民署的一個成員，其實我們經常自我期許為我們是社會工作者，我想大概你們很少聽到說移民署的會自我說社會工作者，我們不僅只是一個執法者，其實我們是社會工作者，如果是，我們是執法者也是因為我們有一顆的正直的心，而讓我們成為強者，讓我們成為所有的外來人口，尤其是移工們的守護者，不管他們是合法的、他們是非法的，我們的責任就是守護著他，讓他安安心心心的工作、平平安安的回家。在此會議的前兩天，移民署在北部又破獲了一個人口販運剝削的案例，這裡面有性剝削、有勞力剝削的四十名的外勞，集中在一個公寓裡面，用毒品控制著，其實我們都有談過，怎麼會有這樣的人性，我不願面對，但是我們會化悲憤為力量，讓我們成為打擊犯罪的強者。

短短的這兩天工作坊已經到了尾聲，在接近尾聲的時刻，我們也是要再次邀請遠到而來，來自亞美尼亞、加拿大、歐洲及各國內各公司部門的夥伴共同展現藍心的關愛精神，宣誓終止人口販運的犯刑，加強保護被害國及維護人權正義，響應聯合國每年七月三十日的反人口販運運動日，希望今天的儀式能夠彰顯台灣踏實地與國際社會同步行動的一個表現，更要邀起各位、各國一起守護人權。最後希望在場的所有夥伴持續給我們支持與協助，那我們是不是麻煩我們李組長教我們手語 looking for seeing you，明年見，謝謝大家，謝謝。

Remarks by Director-General Jeff Yang of the National Immigration Agency

Committee member of Cabinet Anti-TIP Task Force Chin-Chin Cheng, as well as distinguished guests, scholars and experts concerned with the issue of Human Trafficking Prevention, NGO representatives, various agency representatives, ladies and gentlemen, hello everyone.

First of all, representing the Ministry of Interior and National Immigration Agency, I want to thank everyone's participation in this workshop. After two days of discussion activities, with a total of 16 speakers sharing personal knowledge, along with 12 attendees providing insightful analysis, 6 moderators that are not only familiar with the discussion topics, but have also meticulously managed the time allotted for each session, providing guidance through a packed discussion of issues that allowed everyone to gain valuable experiences from all over the world and carry out intimate interaction and communication. It is my belief that through such a discussion, all attendees will undoubtedly return back to their positions having gained rich rewards, also helping them to lay down the foundation for the future. I would also like to take this opportunity to show my appreciation to the Ministry of Education, the Ministry of Foreign Affairs, the Tourism Bureau, and Council of Agriculture's Fisheries Agency for sending people to attend this workshop and providing subsidy to make it happen. Essentially, they provided the necessary manpower and funding to allow the successful completion of this event. It is my hope that this partnership will continue as we move forward.

Including yesterday morning's opening ceremony as well as the time period when both the government agencies and NGOs shared their experiences and results in their fight against human trafficking during the past decade, we provided live stream accessibility through Facebook to let people all over the world and friends to see Taiwan's experiences and results in human trafficking prevention, allowing those who can't participate the actual event to gain a better understanding of the conference agenda. It is my hope that we have created an immense response. Actually, I haven't even been

on the job for more than ten days, and I have only spent about half of a day with all of you. But it feels very much like a family gathering, so I hope we will meet again someday.

Distinguished guests, partners in both the public and the private sector should all be well aware of the elegies of fishermen that have been gaining attention on a global scale for the past two years. Specifically, the exploitation of both domestic fishermen and fishermen hired abroad. This issue especially hits close to home because my family was in the fishing business when I was a kid. Back then, we had hired foreign fishermen as well. Undoubtedly, there are also foreign fishermen involved in regards to the current issue. Moreover, there are domestic fishermen and their fishing vessels. As a result, I do get emotional when talking about fishing vessels. There are currently 620,000 foreign workers in Taiwan, therefore the question of how do we effectively prevent the exploitation of these workers is a great concern for both NGOs and these workers' homeland. The four main issues discussed in this event effectively integrated the issue of the globalization of human trafficking along with the strengthening of protection of these underprivileged workers to prevent exploitation. All the related conference records will be uploaded to a website at a later time for future viewing.

As a member of the National Immigration Agency, we often expect ourselves to play the role of a social worker. I think for the most part, you will less likely hear us consider ourselves as social workers. However, we are not only law enforcers, we are social workers. We are law enforcers because each of us has an honorable heart, allowing us to become strong, to become protectors of foreign people, especially foreign workers. Whether they are here legally or illegally, our duty is to protect them. Let them work at ease and feel safe as they come home.

Two days prior to the start of this conference, the National Immigration Agency cracked down another case of human trafficking and exploitation north of Taiwan. Forty foreign workers were both doing forced labor and being sexually exploited.

2017 年防制人口販運國際工作坊

These workers were crammed in an apartment, controlled by drugs. We have talked about it before, how can someone possess such human nature? I didn't want to face the facts, but we will turn grief into strength, thus allowing us to become stronger in our fight against crime. In a short span of two days, the workshop is now about to come to an end. But before it does, we would like to once again invite all of you, those that have travelled such great distances, which includes Armenia, Canada, Europe as well as partners from all departments and agencies to express your caring spirits as indicated by the Blue Heart. Additionally, we like to invite you to vow to end all forms of human trafficking, to strengthen the protection of victimized countries while upholding human rights, and to respond to the United Nation's annual World Day against Trafficking in Persons taking place every July 30th. It is my hope that today's ceremony demonstrated that Taiwan is able to work steadily with the international community in unison on this issue. Moreover, we'd like to evoke a sense of responsibility in everyone, every country to protect human rights altogether. Lastly, I hope that all the participants and partners present today will give us continuous support and assistance for many years to come. Right now, perhaps we can ask Director Lee to teach us a bit of sign language: looking forward seeing you. See you all next year, thank you all, thank you.

**第一場
防制人口販運成果回顧及展望**

Session 1

Retrospect and Prospect of Combating Human Trafficking

主持人簡介

成之約

國立政治大學勞工研究所教授



經歷

空中大學社會科學系客座副教授.

東海大學政治系兼任副教授

政治大學勞工研究所副教授.

美國康乃爾大學勞動暨工資關係學院訪問研究員

政治大學勞工研究所教授兼所長.

行政院防制人口販運協調會報委員

勞動部外籍勞工政策協商諮詢小組委員

勞動部就業安定基金管理委員會委員

專長

政治經濟、勞資關係、勞動政策與立法分析、人力資源、勞動政治、國際經濟

Brief Introduction of Moderator

Cheng, Chih-Yu

Professor, Institute for Labor Research, National Chengchi University.



PROFESSIONAL EXPERIENCES

Visiting Associate Professor, Social Sciences, National Open Univ.

Part-time Associate Professor, Political Science, Tunghai Univ.

Associate Professor, Institute for Labor Research, National Chengchi Univ.

Visiting Research Fellow, College of Labor and Industrial Relations, Cornell Univ.

Professor & Chairperson, Institute for Labor Research, National Chengchi Univ.

Committeemember of Anti-TIPTask Force, Executive Yuan

Committee member of Consultation Task Force on Foreign Worker Policy,
Ministry of Labor

Committee member of Employment Security Fund Supervisory Committee,
Ministry of Labor

SKILL

Political Economy, Employment Relations, Labor Policy and Legislative Analysis,
Human Resource, International Economics

美國近 10 年對各國防制人口販運評比
重要發現及影響探討

*The Important Discoveries and Effects of American Ranking
of TIP Reports for the past 10 years*

主 講 人： **Judith Kelley**

杜克大學史丹福公共政策學院資深副院長

Speaker: **Judith Kelley**

Senior Associate Dean Professor of Public Policy and
Political Science, Duke Sanford School of Public Policy

主講人簡介

Judith Kelley



杜克大學史丹福公共政策學院資深副院長

經歷

杜克大學史丹福公共政策學院資深副院長

杜克大學公共政策與 Kevin D. Gorter 政治學教授

杜克大學公共政策與 Kevin D. Gorter 政治學副教授.

Ethics Kenan 研究所高級研究員

杜克大學公共政策與政治學副教授.

丹麥奧胡斯大學客座教授

杜克大學公共政策與政治學助理教授

哈佛大學講師

專長

公共政策、政治學

Brief Introduction of Speaker

Judith Kelley

Senior Associate Dean Professor of Public Policy and Political Science, Duke Sanford School of Public Policy



PROFESSIONAL EXPERIENCES

Senior Associate Dean, Sanford School of Public Policy, Duke University, January

Kevin D. Gorter Professor of Public Policy and Political Science, Duke University .

Kevin D. Gorter Associate Professor of Public Policy and Political Science, Duke University

Senior Fellow, Kenan Institute for Ethics

Associate Professor of Public Policy and Political Science, Duke University

Visiting scholar, Aarhus University, Denmark

Assistant Professor of Public Policy and Political Science, Duke University

Lecturer, Harvard University

SKILL

Public Policy, Politics

計分卡外交：

用評分影響國家的名聲與行為



Funded by the Smith Richardson Foundation and the National Science Foundation. All views are my own

Judith Kelley Duke University

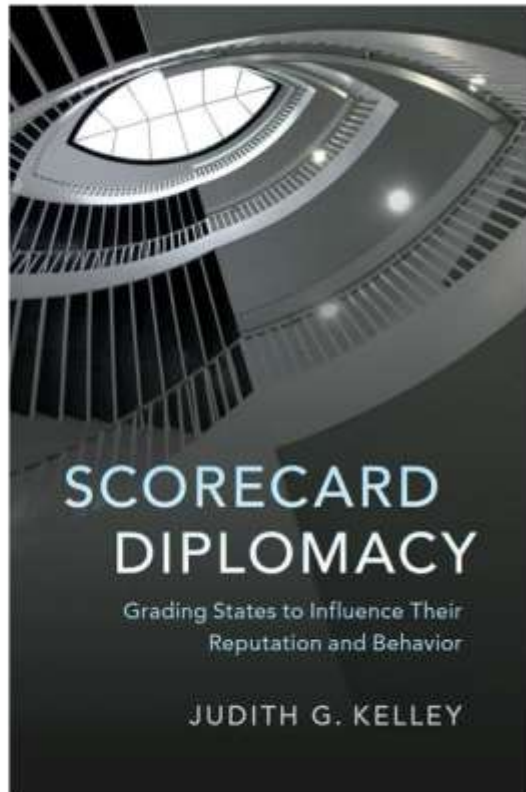
Scorecard Diplomacy:

Grading states to influence their reputation and behavior

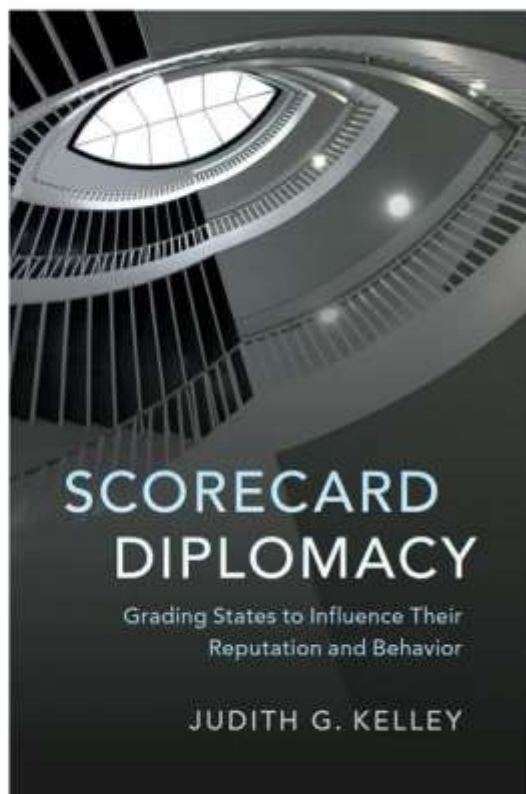


Funded by the Smith Richardson Foundation and the National Science Foundation. All views are my own

Judith Kelley Duke University



www.scorecarddiplomacy.org



www.scorecarddiplomacy.org

震驚！

- 2001年六月：以色列官員對美國國務院的聲明感到震驚。以色列召開緊急會議將此聲明列為最高優先政策。會內反應是“歇斯底里”及“激動”。
- 2005年牙買加：金士頓市長向媒體表示這項議題“把整個國家弄得天翻地覆”。
- 2008年阿曼王國：外交部部長警告大使說阿曼王國可能會“被迫重新評估與美國的所有關係”，宣稱此事等於是在“朋友背後捅一把刀”，並形容此事為個人侮辱。

Shocking!

- June 2001: Israeli officials are in shock over statements by the US DOS. An emergency conference sets the matter as a top policy priority. Reactions resemble “hysteria” and “fireworks.”
- Jamaica 2005: Kingston Mayor tells the press that the issue has “jerked this country” at the highest levels
- Oman 2008: Head MFA warns the ambassador that Oman might be “forced to reassess all aspects of its relationship with the U.S.,” calling the incident “a ‘knife in the back’ of a friend” and describes as a personal insult

人口販運報告 (TIP Report)



The Trafficking in Persons (TIP) report





甘比亞

監測及打擊人口販運辦公室
[2014人口販運報告](#)

.... 甘比亞政府未能遵循消滅人口販運的最低基準, 也**沒有盡最大的努力**來落實這些基準 . . .

3Ps: 預防(prevention), 保護(protection), 起訴(prosecution)



The Gambia

OFFICE TO MONITOR AND COMBAT
TRAFFICKING IN PERSONS
[2014 Trafficking in Persons Report](#)

.... The Government of The Gambia **does not fully comply** with the minimum standards for the elimination of trafficking and **is not making significant efforts to do so**.....

3 Ps: prevention, protection, prosecution



甘比亞

監測及打擊人口販運辦公室
[2014人口販運報告](#)

...甘比亞政府未能遵循消滅人口販運的最低基準，也沒有盡最大的努力來落實這些基準。

第3級



The Gambia

OFFICE TO MONITOR AND COMBAT
TRAFFICKING IN PERSONS
[2014 Trafficking in Persons Report](#)

.... The Government of The Gambia *does not fully comply* with the minimum standards for the elimination of trafficking and *is not making significant efforts to do so*...

Tier 3

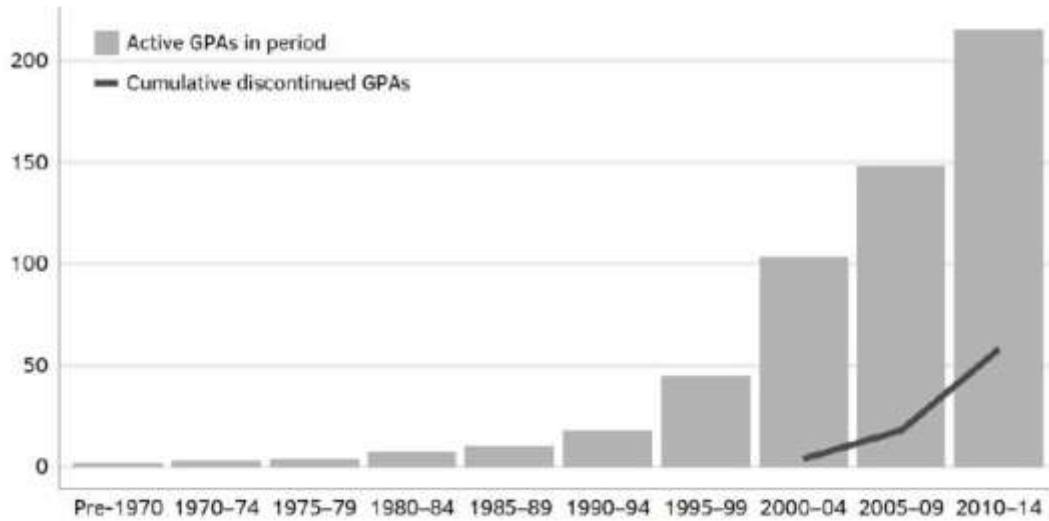
計分卡外交



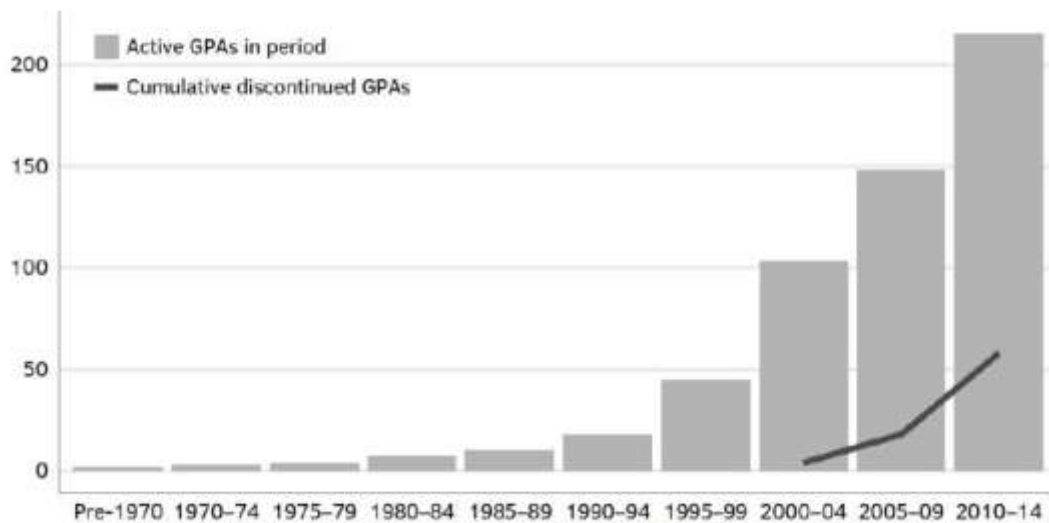
Scorecard Diplomacy



使用相似評分及分級系統逐年增長中



Rise of similar ratings and rankings



問題



- 當國家被監測及評分時，會做出回應嗎？
- 如果會，為什麼要做出回應？何時回應？會如何回應？
- 對這個策略的支持與反對立場為何？

Questions



- Do countries respond to being monitored and rated?
- If so, WHY, WHEN, and HOW do they respond?
- What are the pros and cons of this strategy?

論點

名聲的力量可以用來影響國家

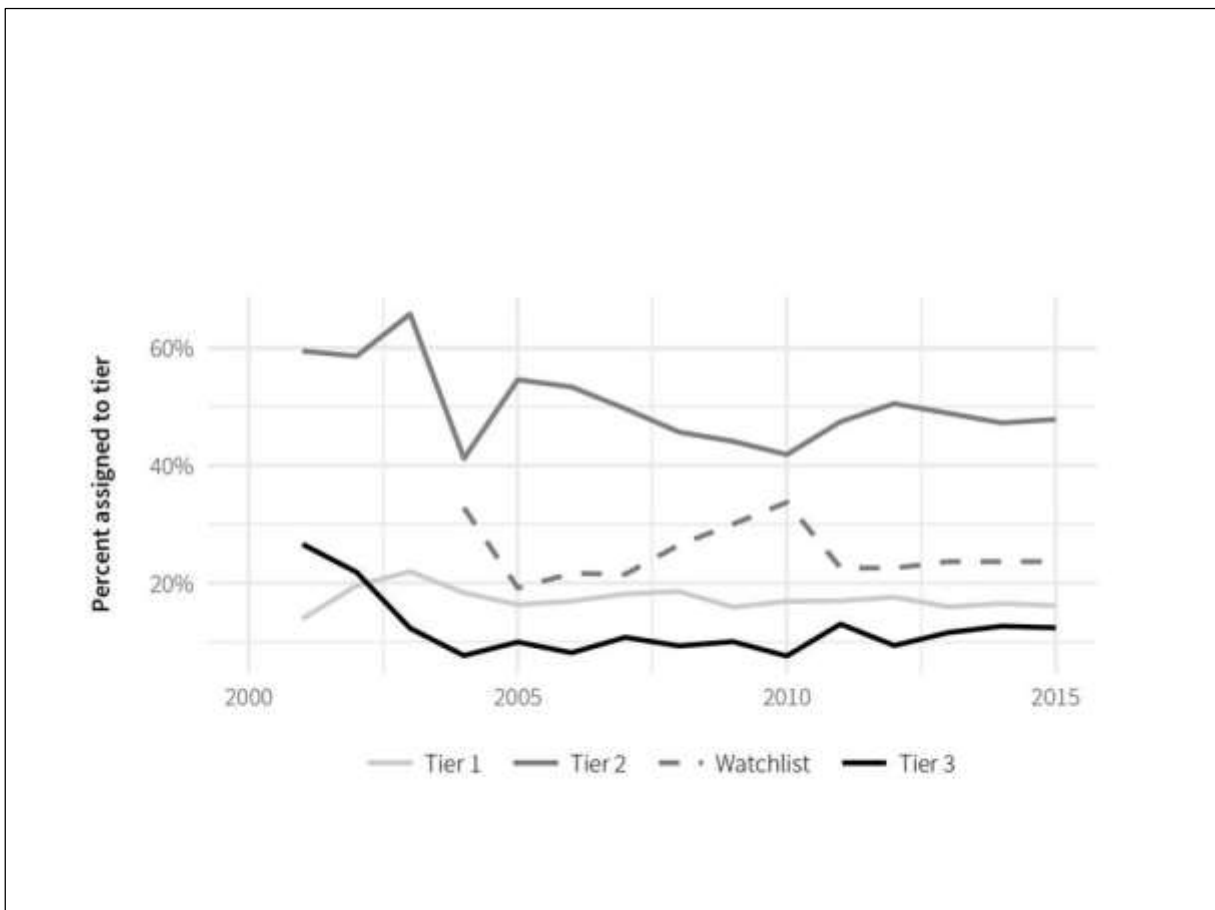
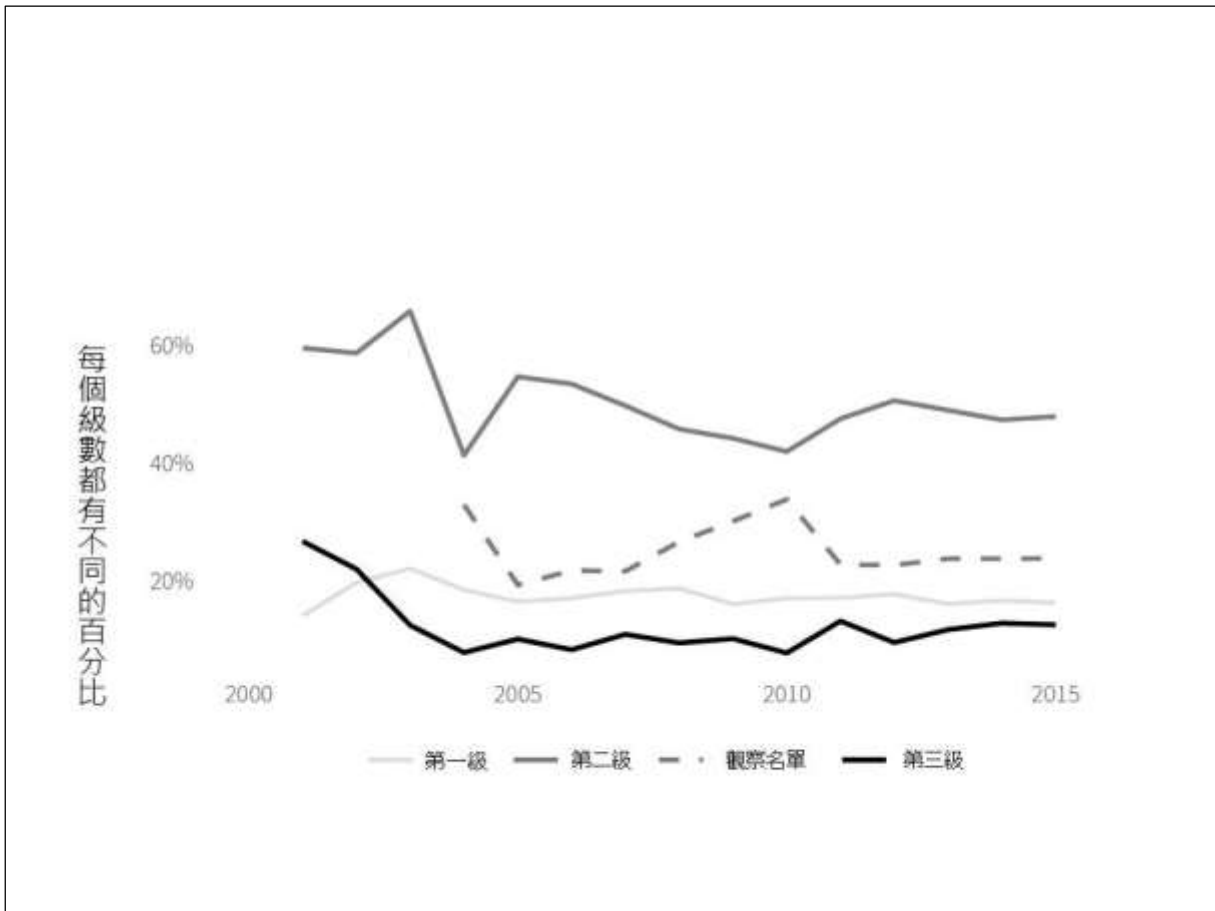
- 計分卡外交將監測及評分系統與傳統外交相結
- 與羞辱不同
- 對名聲的重視具有催化作用，並可有助於其他的承諾
- 計分卡外交是否有效取決於效用建立於三項因素：曝光、感受性、優先性
- 不只為了錢，更為了形象及合法性

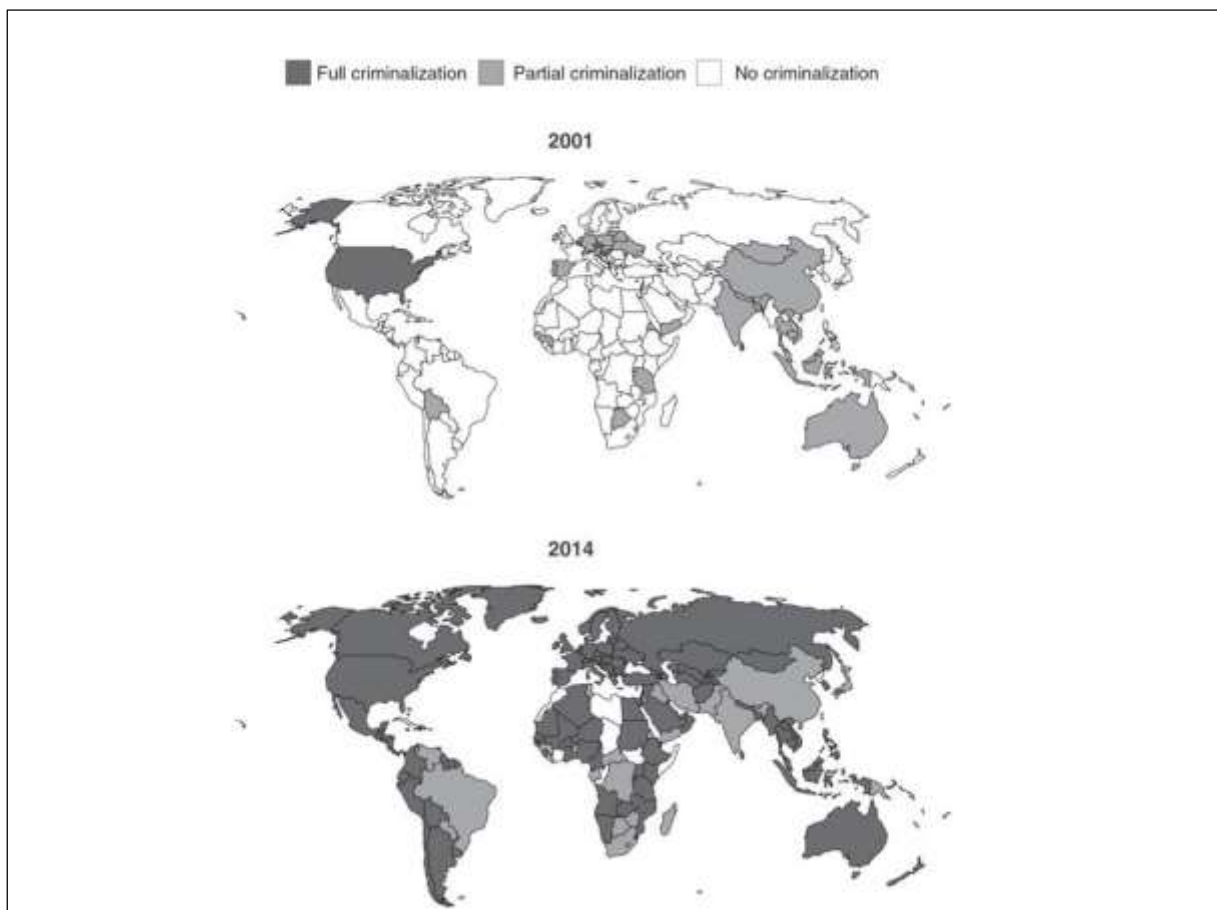
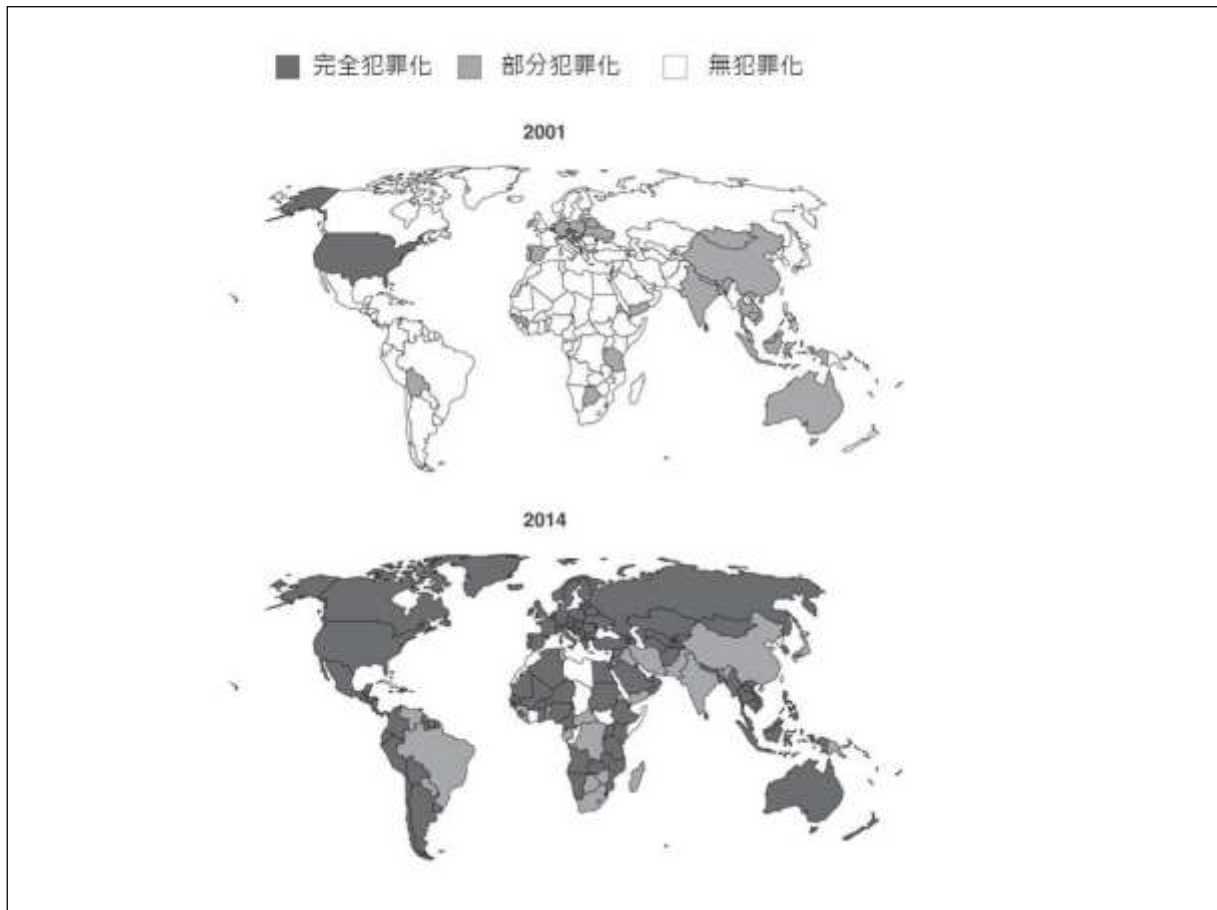
Argument

The power to shape reputations can be used to influence states

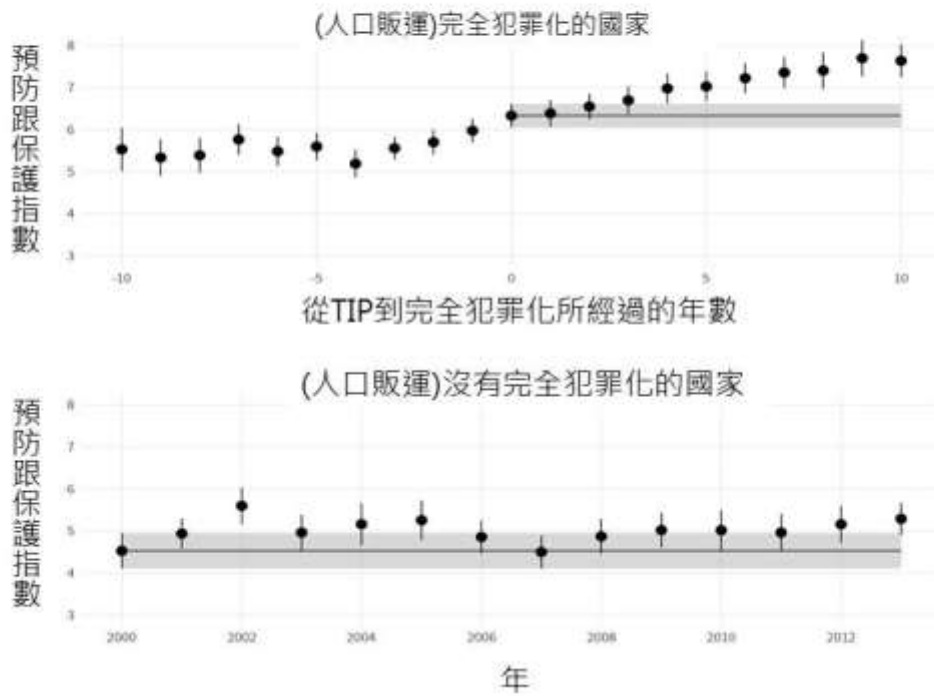
- Scorecard diplomacy *embeds* of monitoring and grading in traditional diplomacy
- Different from shaming
- Concern about reputation is *catalytic*, it facilitates other engagement
- Whether scorecard diplomacy works depends on three factors: exposure; sensitivity, and, priority
- Its not just about money, but image & legitimacy

2017 年防制人口販運國際工作坊

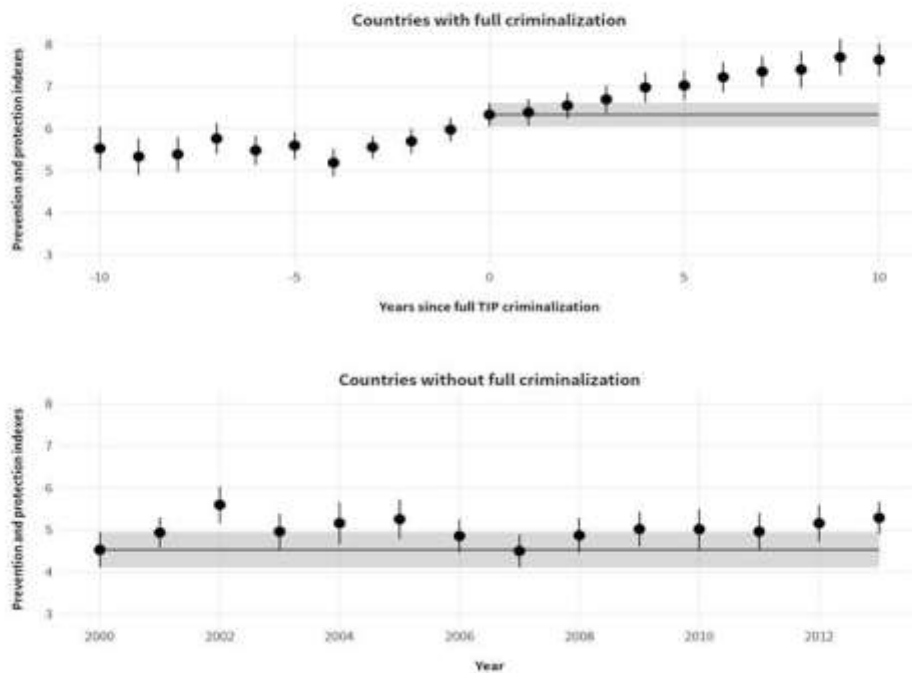




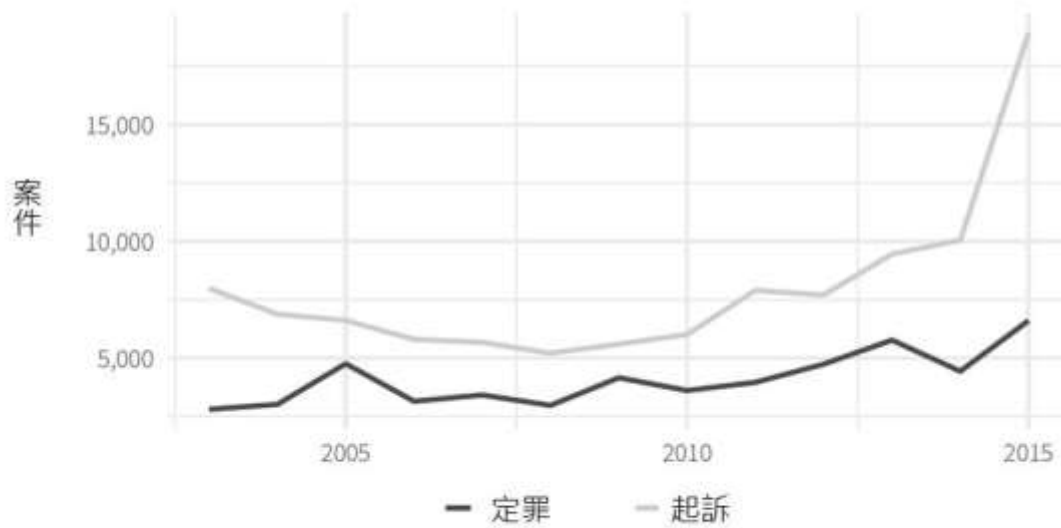
不只是廉價的信號



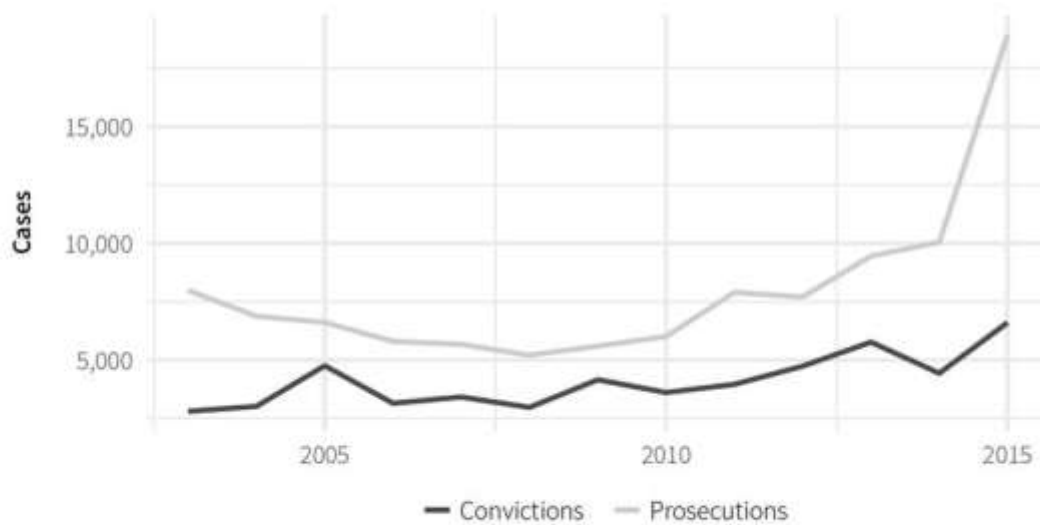
Not Just Cheap Signals



定罪與起訴



Convictions and prosecutions



計分卡外交的循環



The cycle of scorecard diplomacy



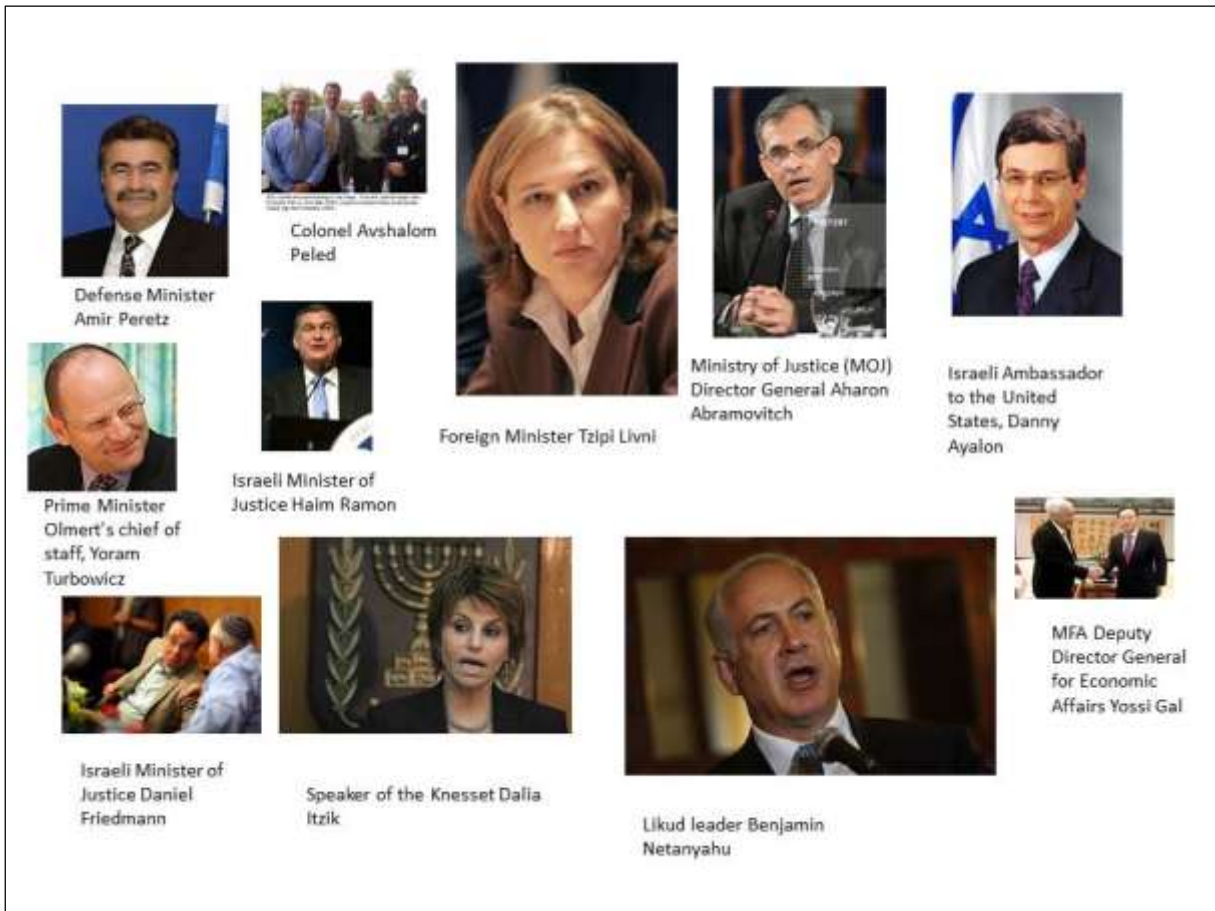
我提出論點的資料來源

- 90位的訪談
- 對超過500個非政府組織進行問卷調查，這些非政府組織分布在世界133國家
- 超過8500篇外交文件
- 上千份的媒體報告
- 第一手文件
- 基本數據的統計分析
- 15件以上的案例分析

Sources for my arguments

- 90 interviews
- Survey of over 500 non-governmental organizations working in 133 countries
- over 8500 diplomatic documents
- thousands of media accounts
- primary documents
- statistical analysis of original data
- 15+ case studies

2017 年防制人口販運國際工作坊



Defense Minister Amir Peretz

Colonel Avshalom Peled

Foreign Minister Tzipi Livni

Ministry of Justice (MOJ) Director General Aharon Abramovitch

Israeli Ambassador to the United States, Danny Ayalon

Prime Minister Olmert's chief of staff, Yoram Turbowicz

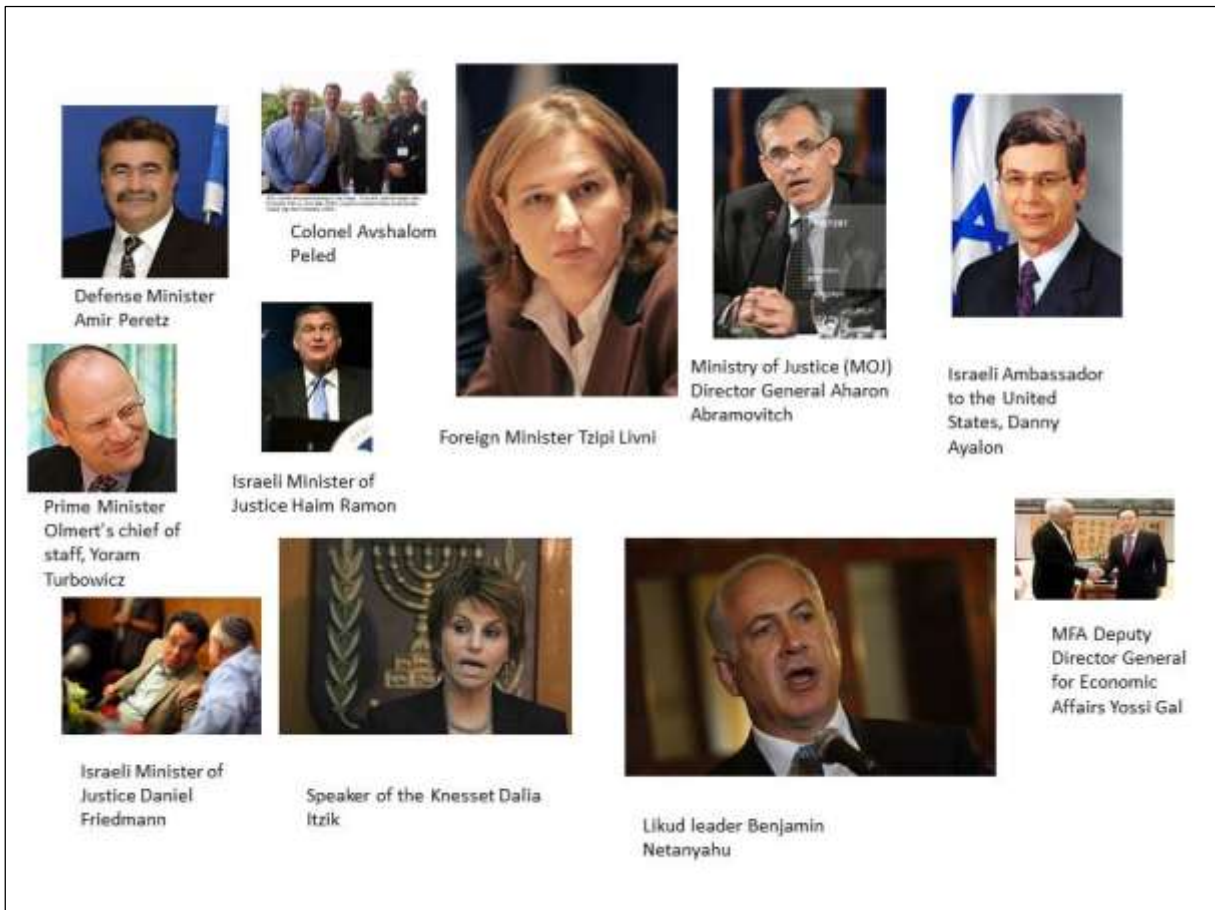
Israeli Minister of Justice Haim Ramon

Israeli Minister of Justice Daniel Friedmann

Speaker of the Knesset Dalia Itzik

Likud leader Benjamin Netanyahu

MFA Deputy Director General for Economic Affairs Yossi Gal



Defense Minister Amir Peretz

Colonel Avshalom Peled

Foreign Minister Tzipi Livni

Ministry of Justice (MOJ) Director General Aharon Abramovitch

Israeli Ambassador to the United States, Danny Ayalon

Prime Minister Olmert's chief of staff, Yoram Turbowicz

Israeli Minister of Justice Haim Ramon

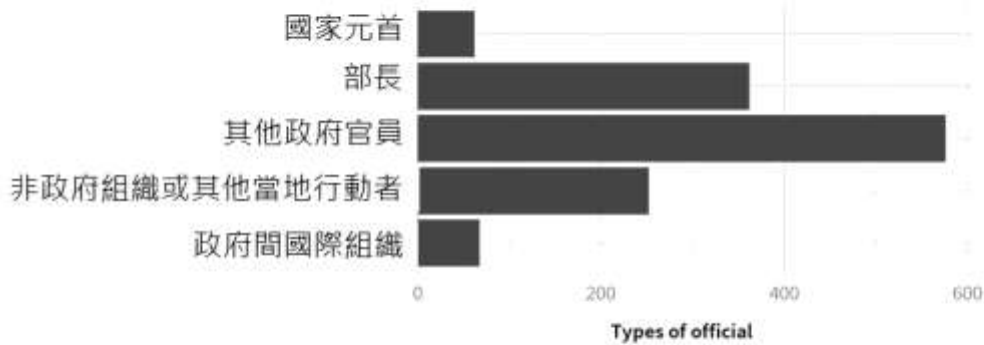
Israeli Minister of Justice Daniel Friedmann

Speaker of the Knesset Dalia Itzik

Likud leader Benjamin Netanyahu

MFA Deputy Director General for Economic Affairs Yossi Gal

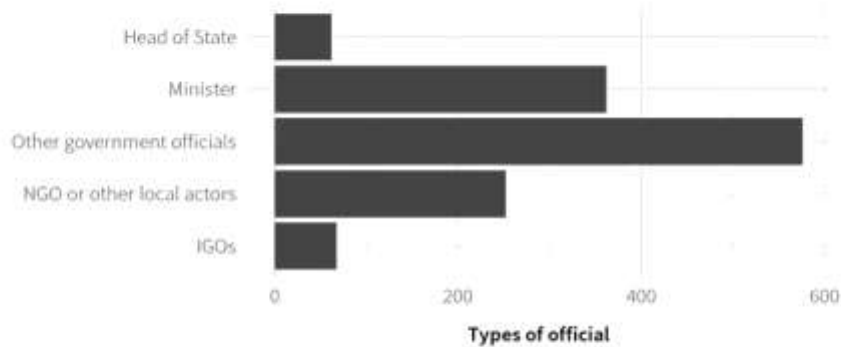
步驟二:外交



每年各國舉辦TIP檢討會數量估計:

數量約在8~16間, 43% 參與的美國人員是資深的美國官員。

Step 2: Diplomacy

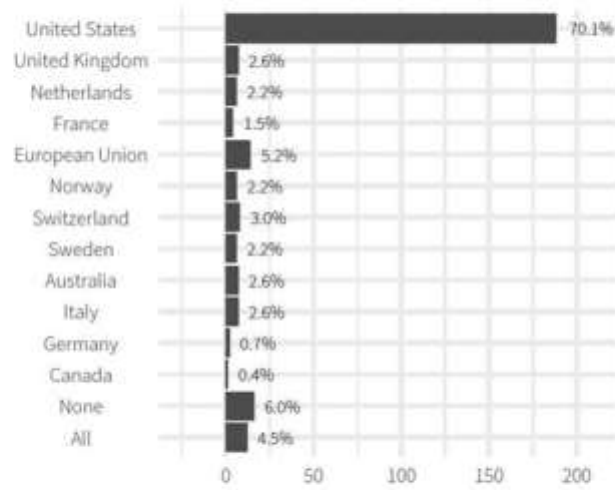


Estimates of TIP discussions per country per year:

between 8–16

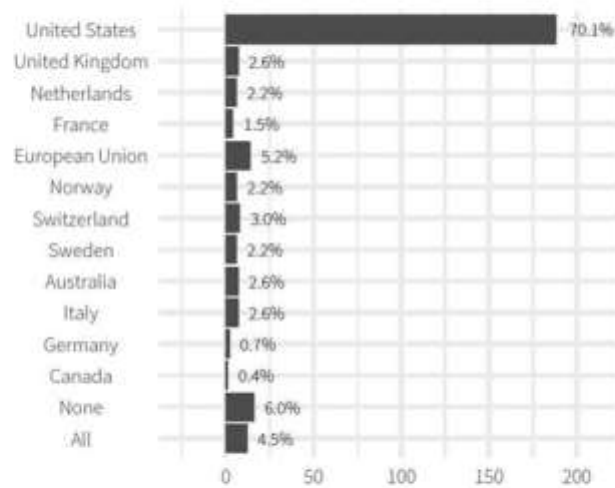
& nearly 43 percent of US personnel involved were senior US officials

外交



各國被提及為反人口販運工作中最活躍夥伴的次數

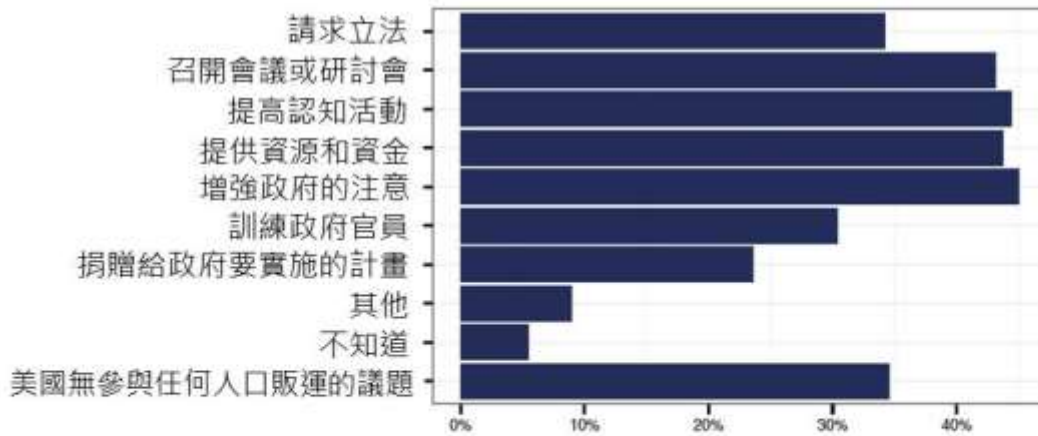
Diplomacy



Number of times country was mentioned as the most active partner in anti-TIP work

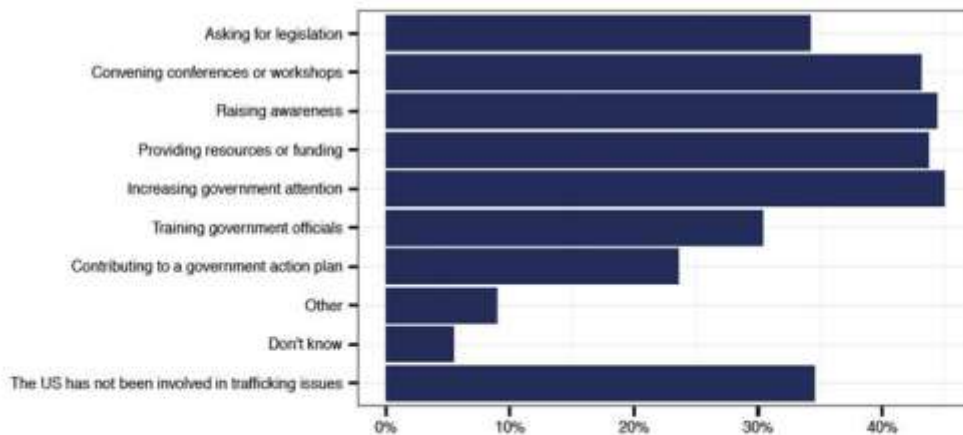
外交

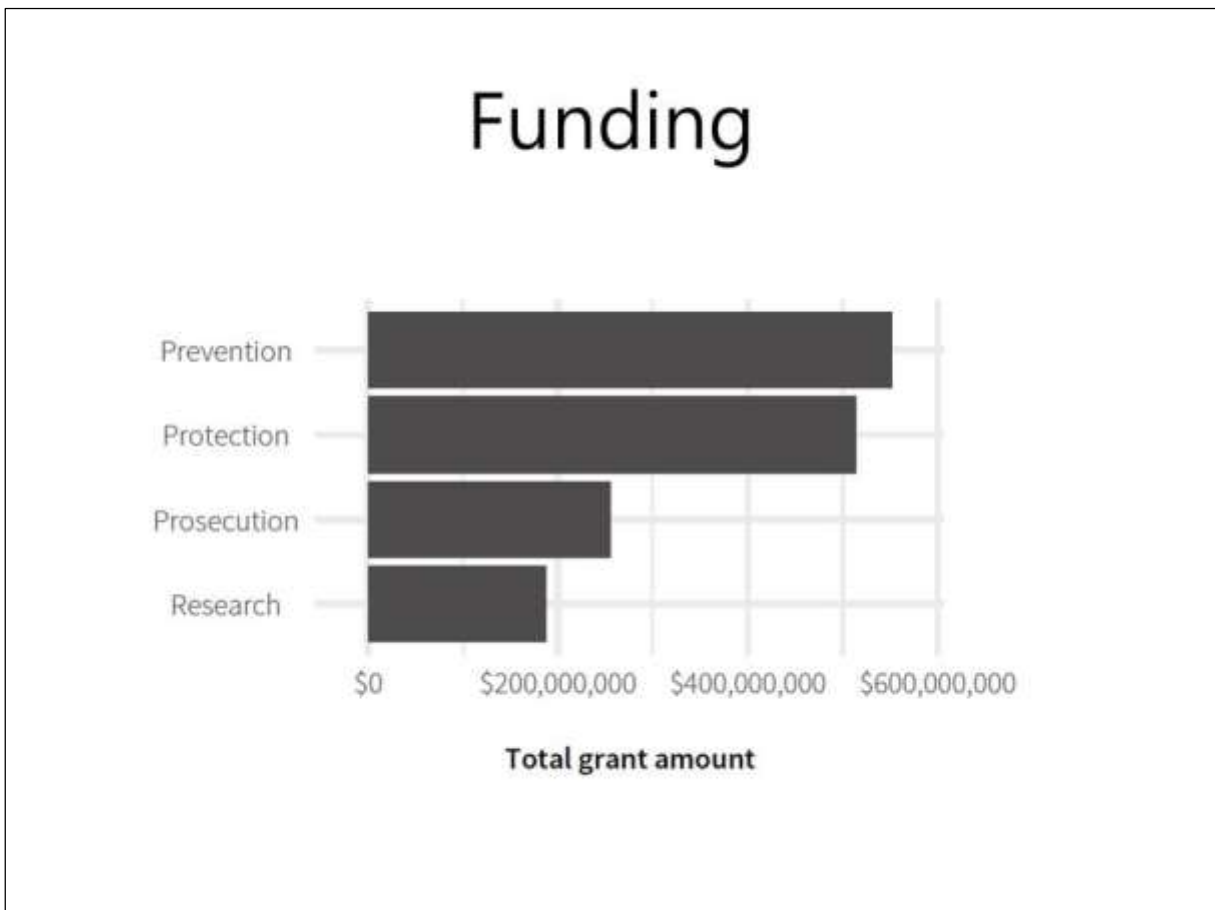
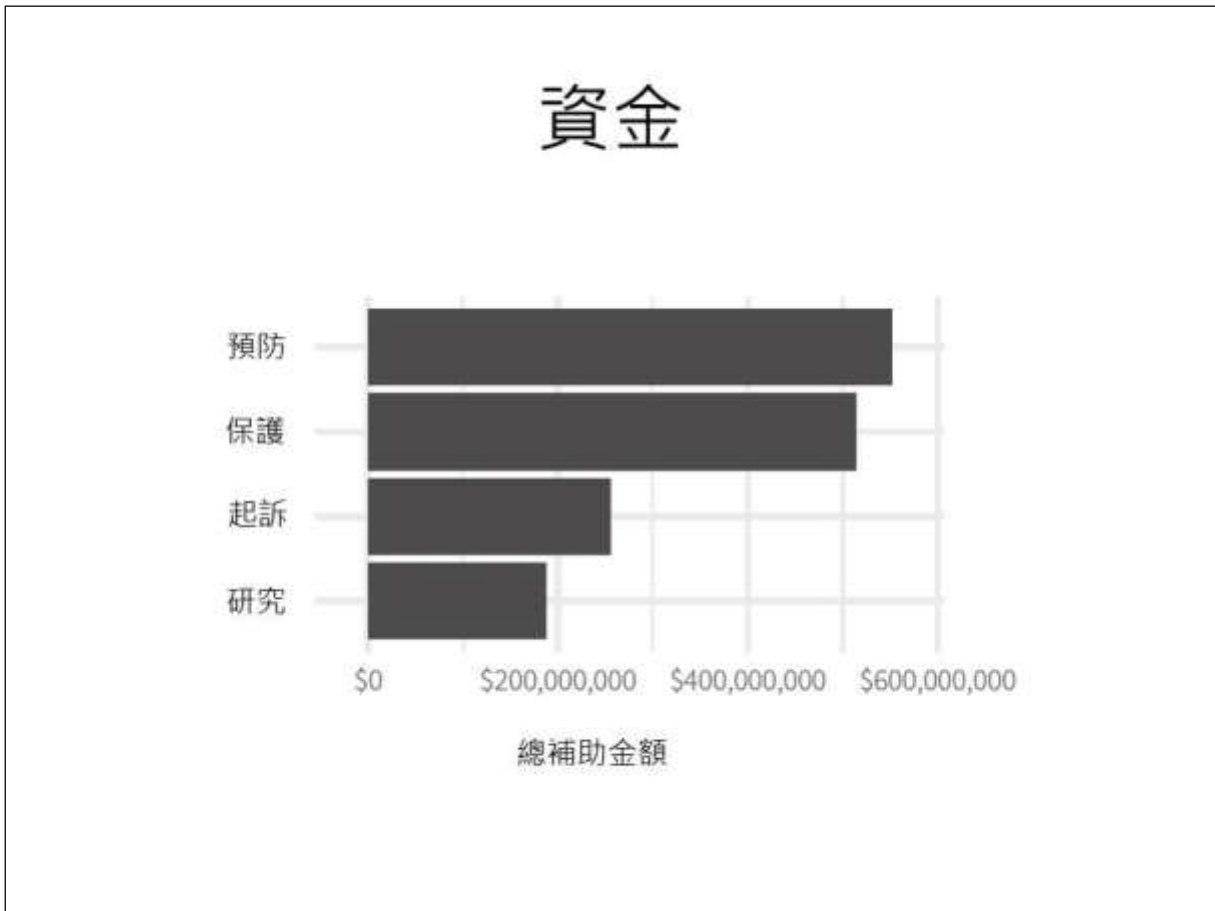
Q 3.9：在過去到現在美國或美國大使館有沒有參與過以下列出來的活動？



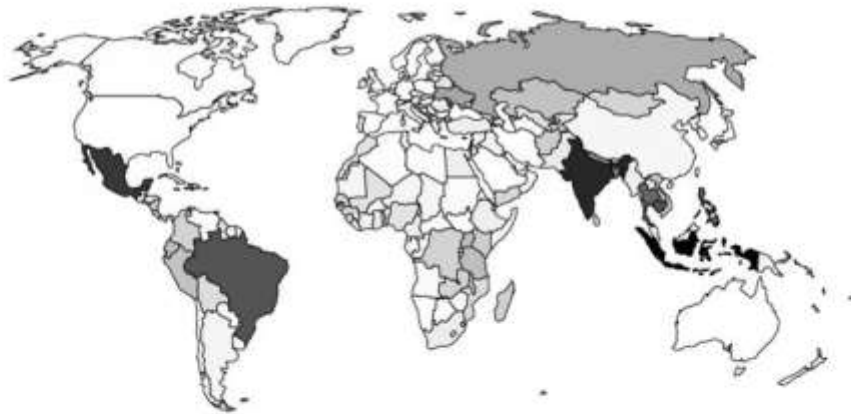
Diplomacy

Q3.9: Has the United States or its embassy been involved in any of the following activities in X?

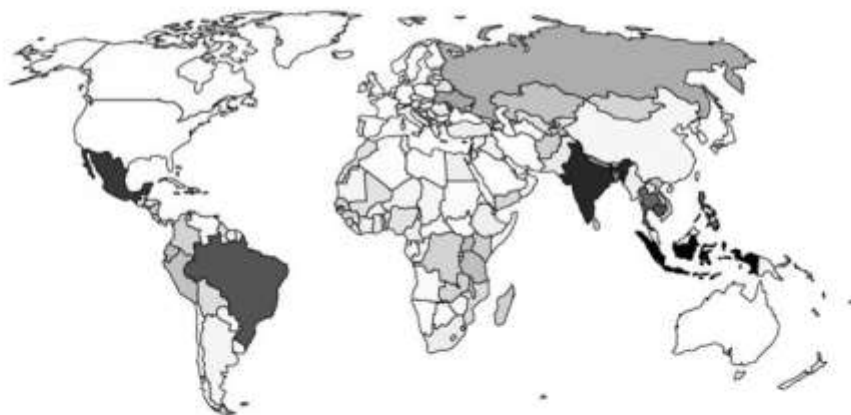


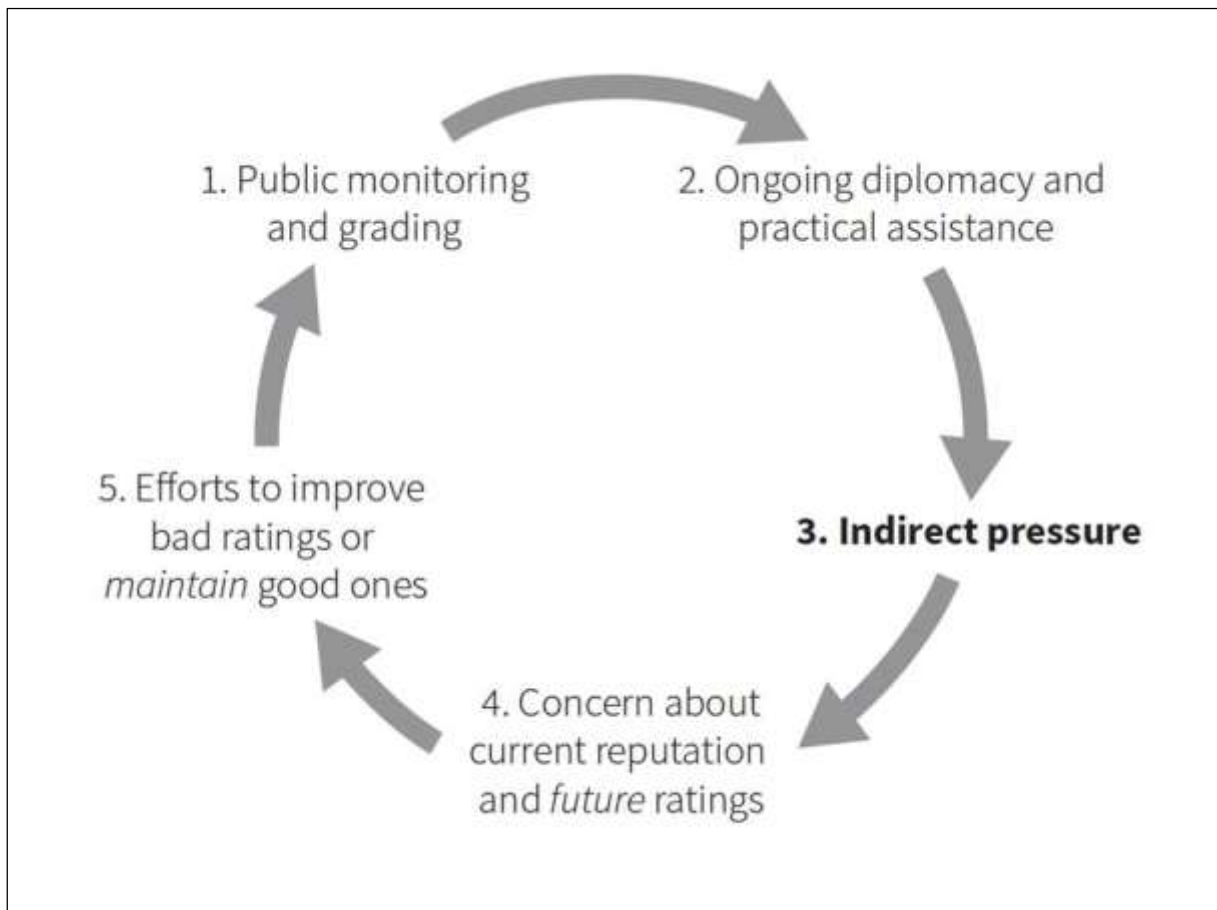
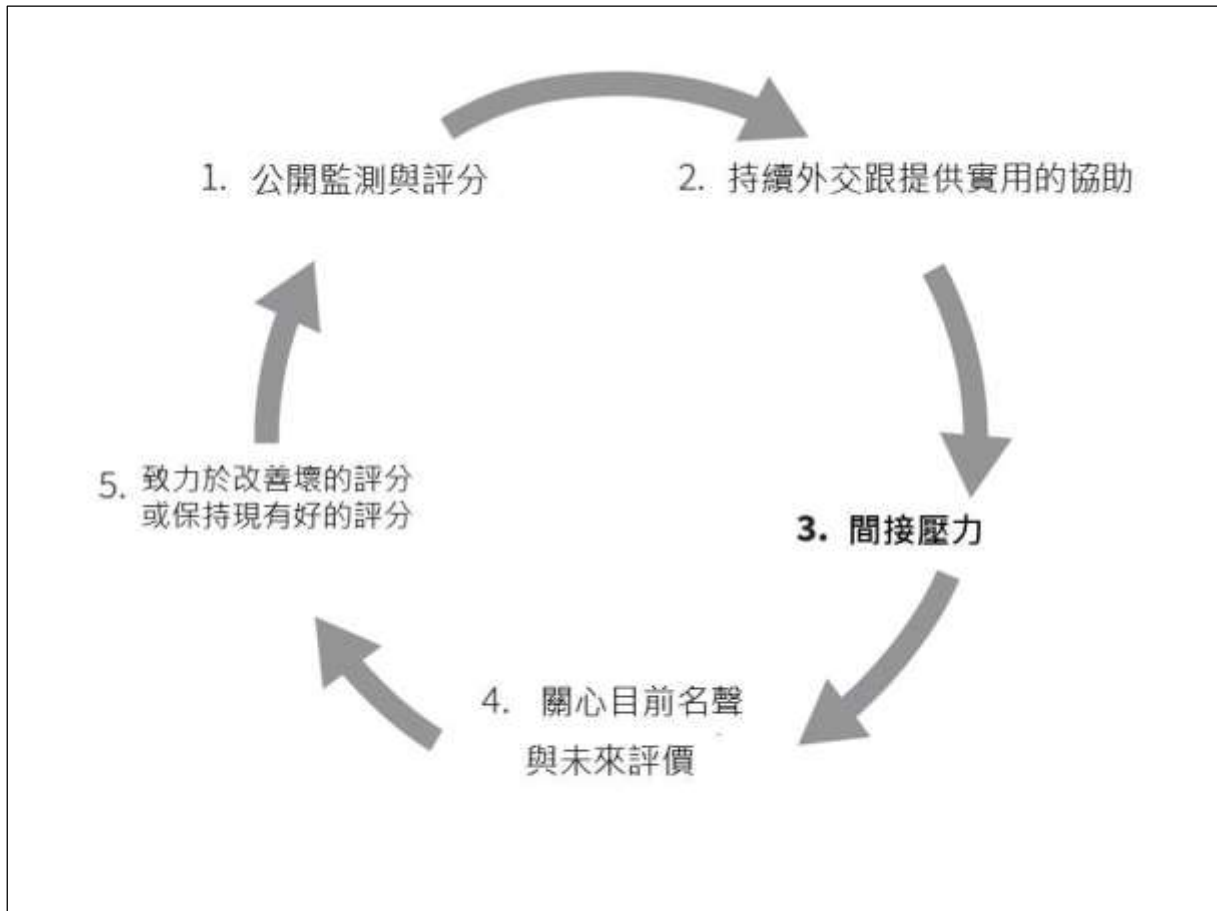


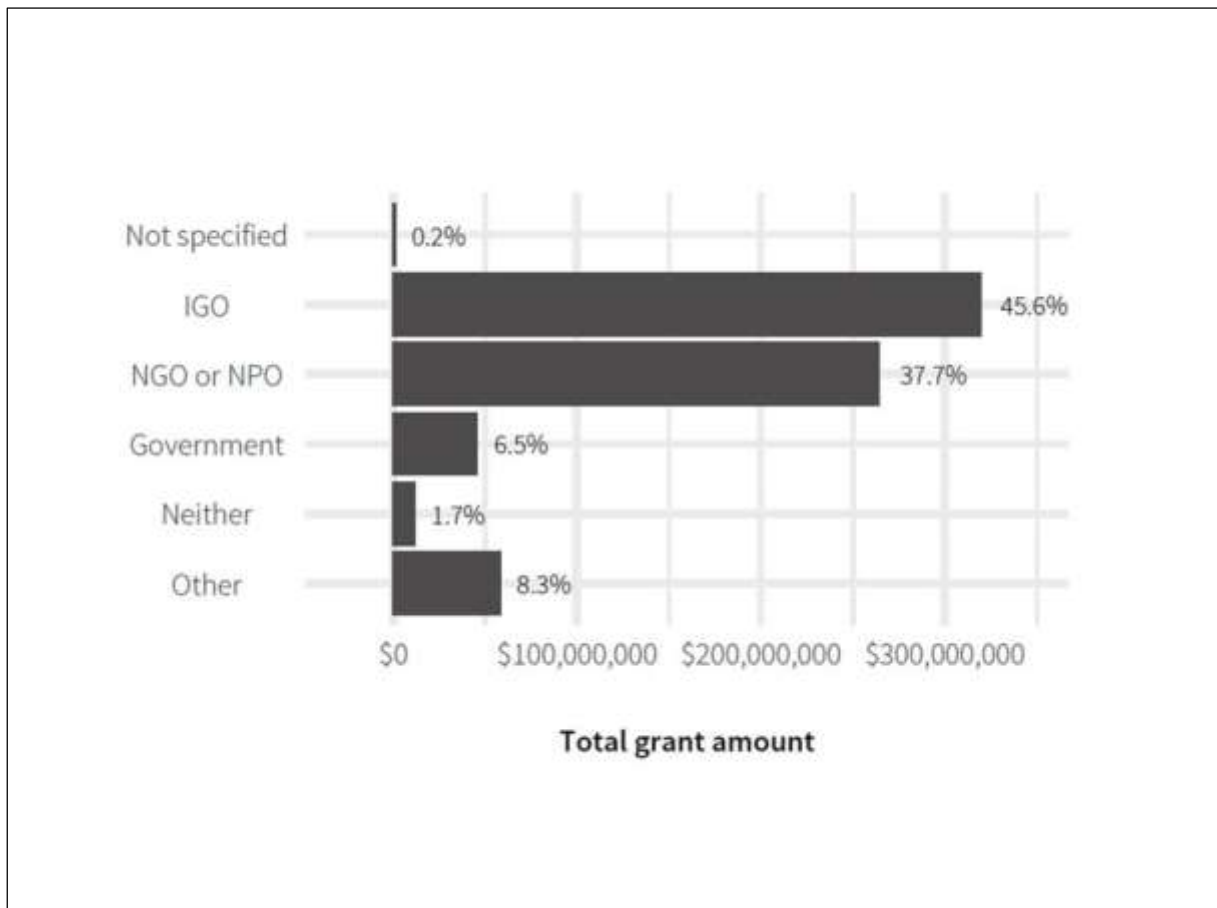
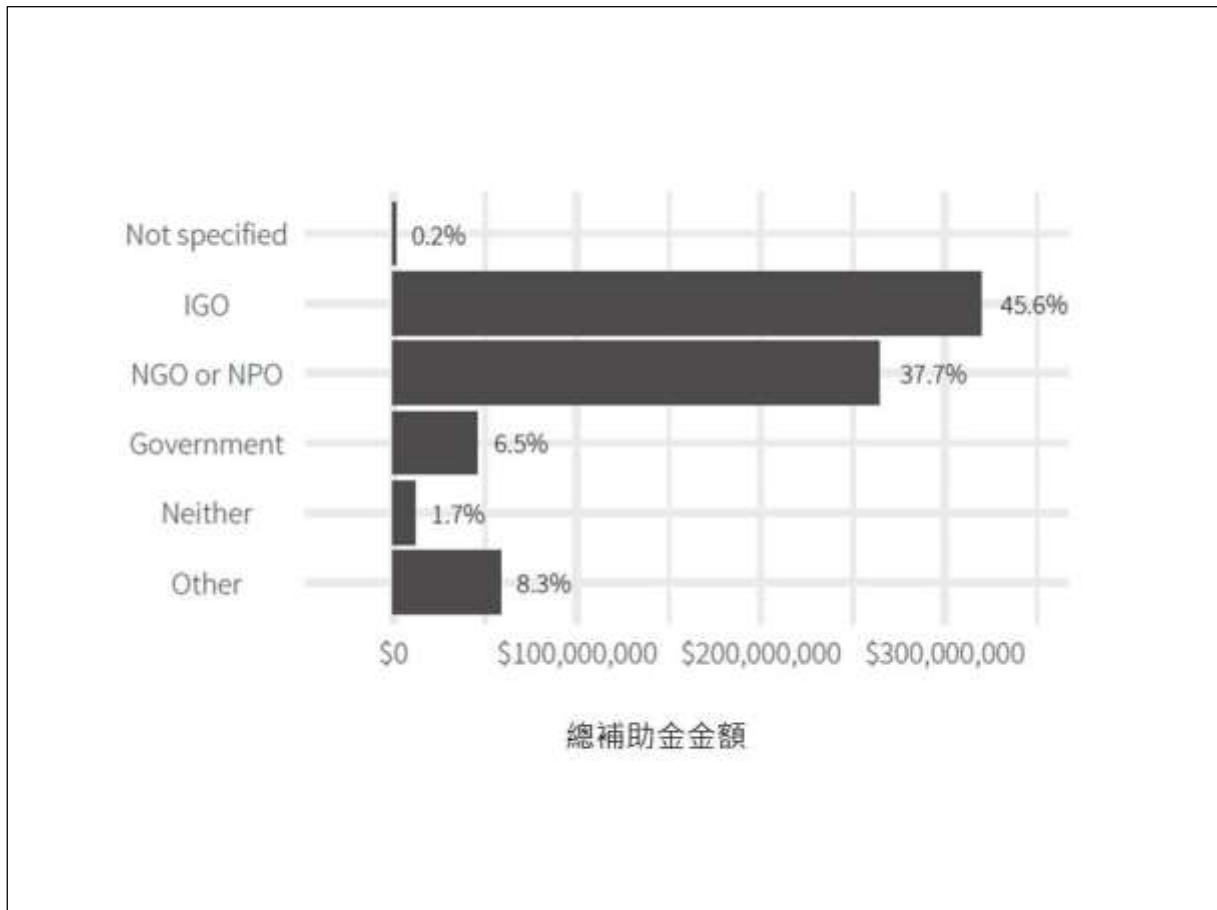
資金



Funding

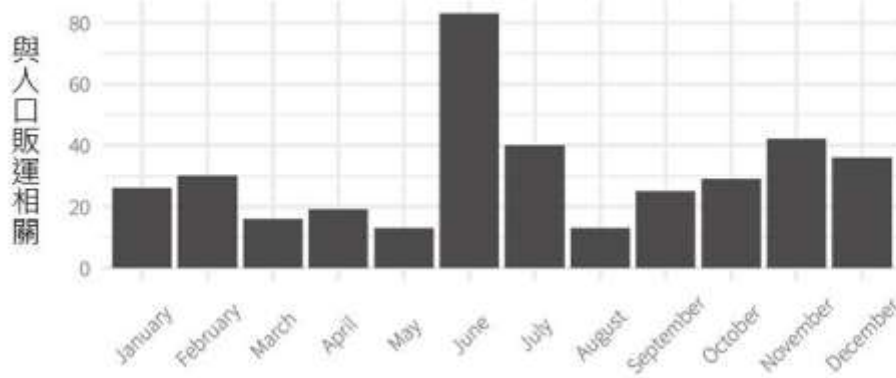




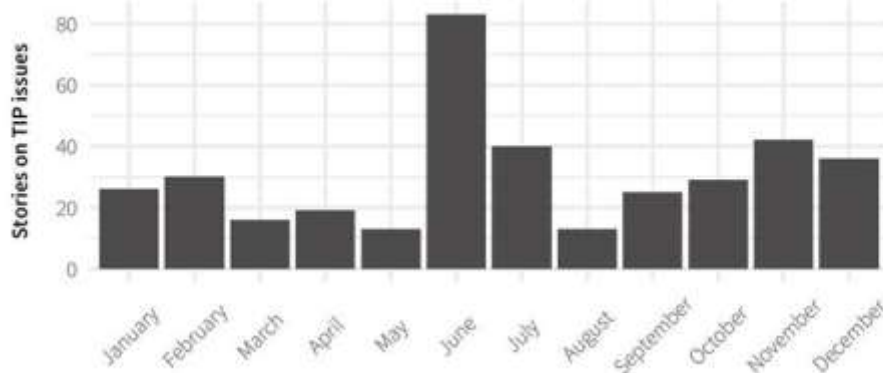




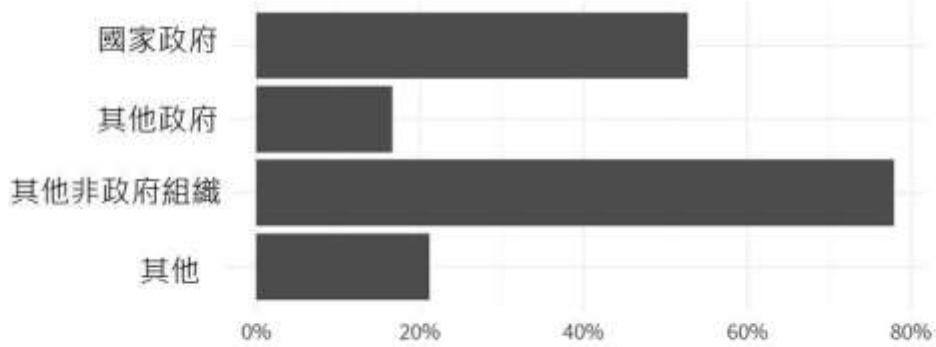
阿曼王國的新聞報導



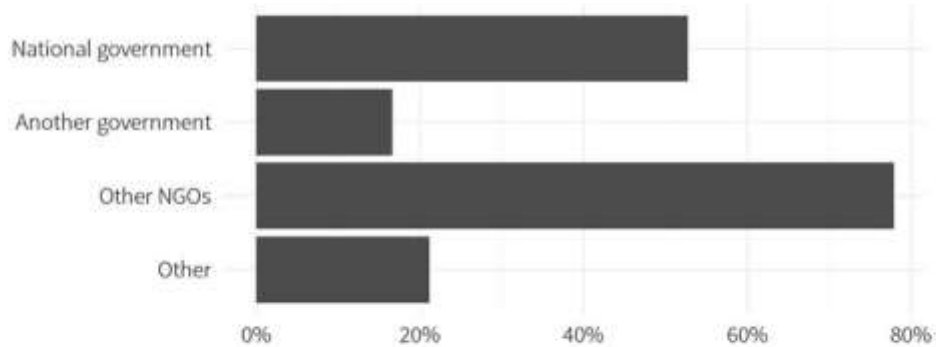
News coverage Oman



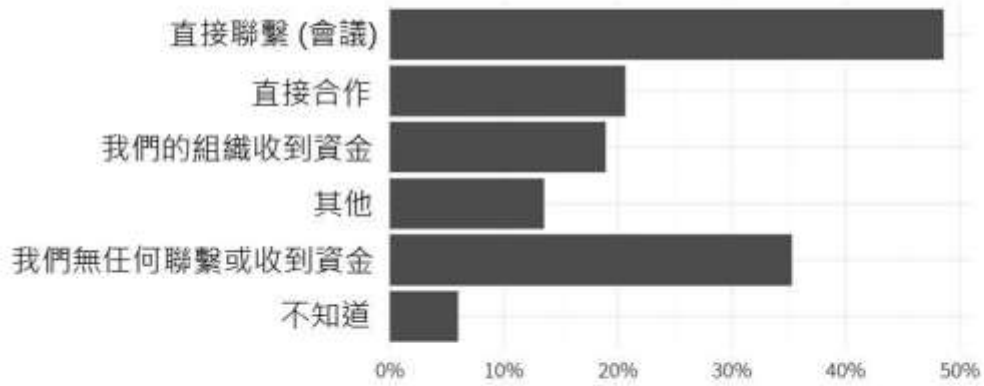
與相關機構討論人口販運報告



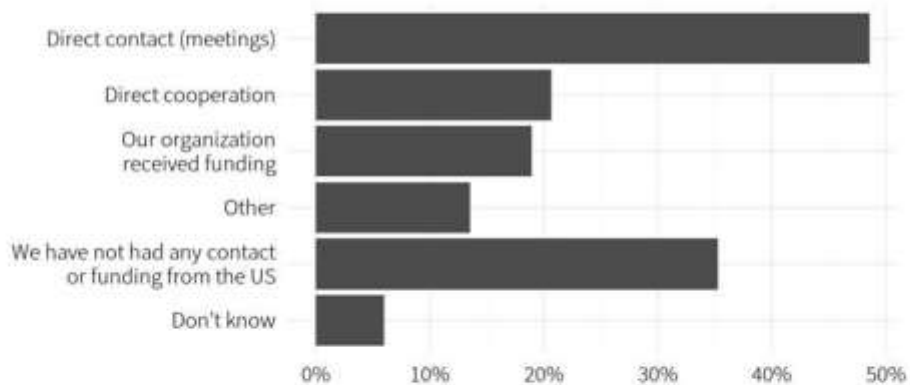
Discussion of the TIP report with...

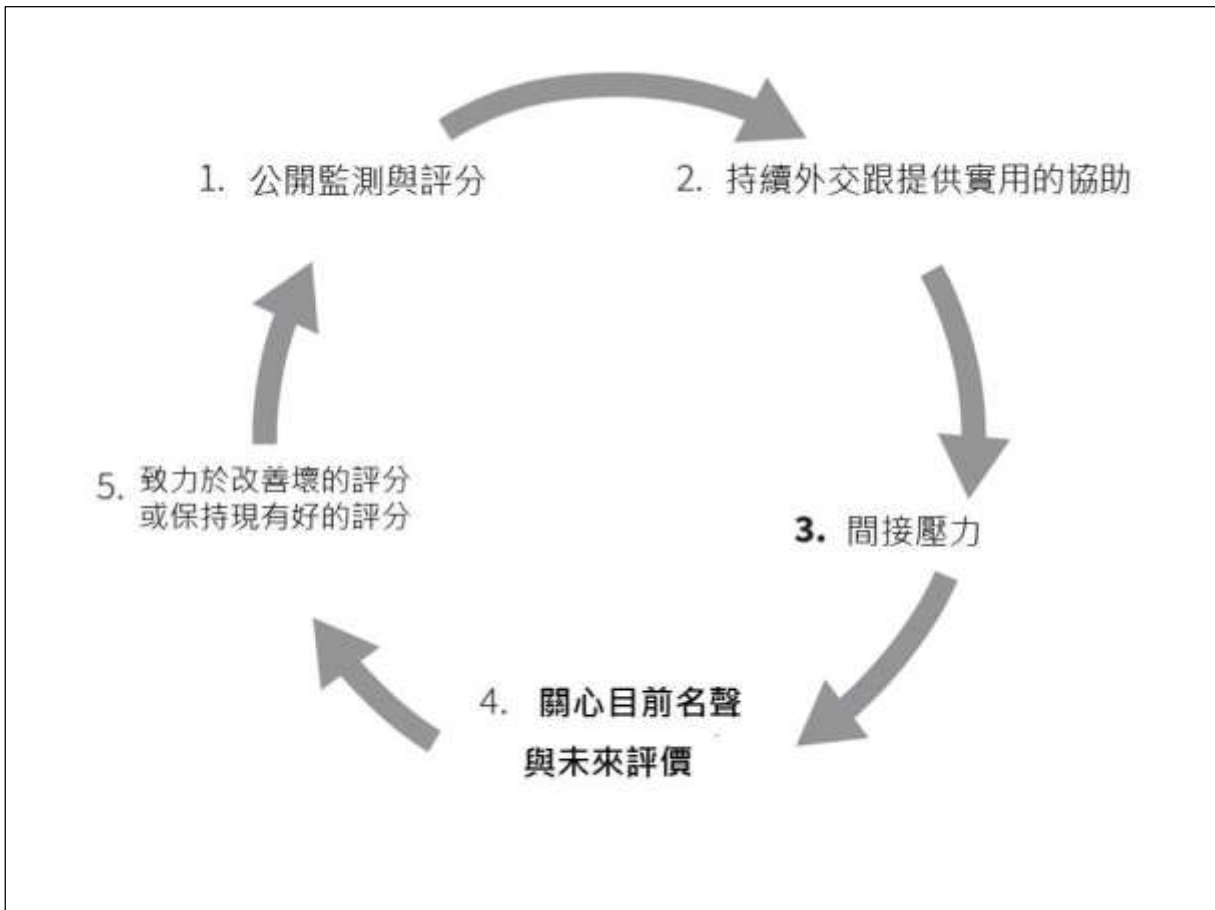


與美國政府接觸方式



Engagement with the US





步驟4：關心目前名聲與未來評價

- 形象顧慮
- 比較性/相對排名

“有份美國報告一齊表揚以色列、阿富汗、約旦及波札那成功對抗人口販運。這對以色列來說是有令人不安的政治意涵...[]...這份報告直接影響以色列在國際間的排名。”

Deputy Foreign Minister Danny Ayalon to the Knesset subcommittee analyzing the USTIP report, July 2009



Step 4: Concerns About Present and Future Ratings

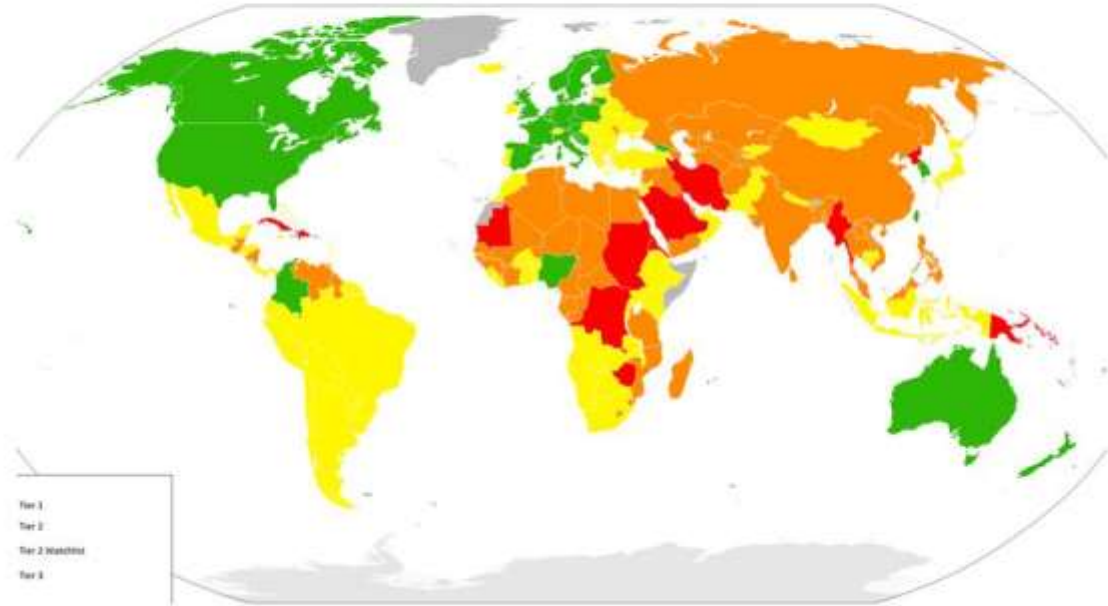
- Image concerns
 - Comparability/relative standing

“A US government report lumping Israel together with states like Afghanistan, Jordan and Botswana in its success in combating human trafficking has troubling political implications for Israel ...[]... 'It has a direct impact on Israel's standing in the international community.’”

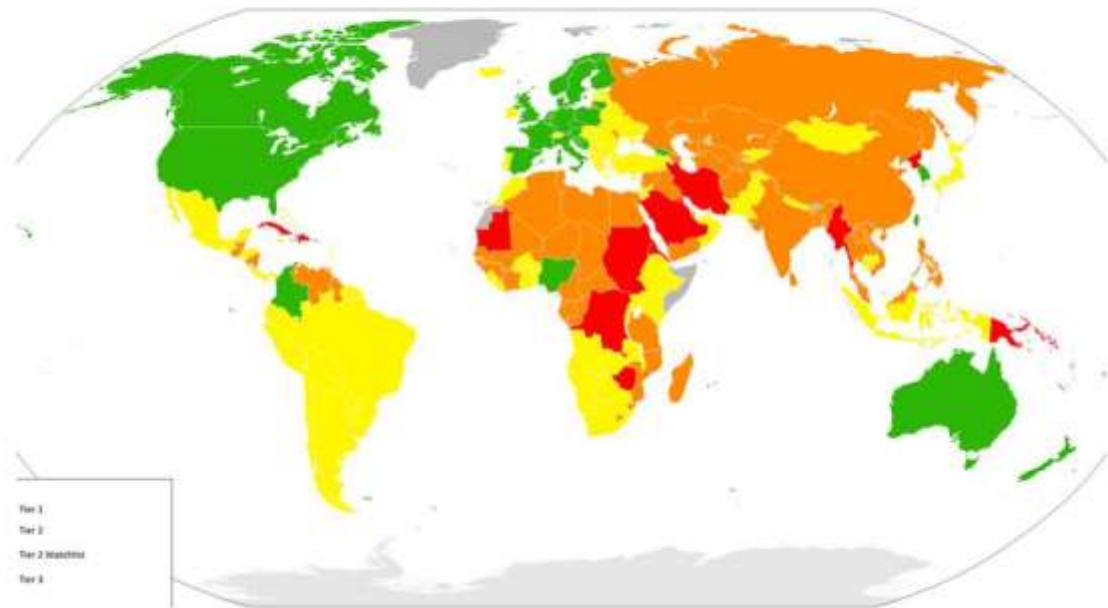
Deputy Foreign Minister Danny Ayalon to the Knesset subcommittee analyzing the USTIP report, July 2009



比較性



Comparability



2017 年防制人口販運國際工作坊

代碼	被參考國家
Algeria	Morocco and Tunisia, Saudi Arabia
Argentina	Suriname, and Venezuela, Dominican Republic, Mexico, Western Hemisphere (WHA), Bolivia, Paraguay, Brazil, and Central American countries, Italy
Armenia	Azerbaijan, Turkey, and Georgia
Bahrain	GCC neighbors
Belarus	Eastern European countries
Belize	Venezuela and Cuba
Croatia	Bosnia and Serbia and Montenegro
Egypt	Thailand
France	United Kingdom, Germany, the Netherlands, Nigeria
Israel	Holland and Germany
Japan	Other Tier 1 countries, other G8 countries
Kuwait	Qatar, United Arab Emirates, neighboring countries, the rest of the Gulf, Gulf Cooperation Council
Lesotho	Other African states
Malawi	Botswana
Malaysia	ASEAN member-states, neighboring countries
Oman	United Arab Emirates
Turkey	"Neighboring countries"
Uzbekistan	CIS countries, Georgia
Venezuela	Colombia, Mexico and Guatemala, Cuba

Country referencing	Countries referenced
Algeria	Morocco and Tunisia, Saudi Arabia
Argentina	Suriname, and Venezuela, Dominican Republic, Mexico, Western Hemisphere (WHA), Bolivia, Paraguay, Brazil, and Central American countries, Italy
Armenia	Azerbaijan, Turkey, and Georgia
Bahrain	GCC neighbors
Belarus	Eastern European countries
Belize	Venezuela and Cuba
Croatia	Bosnia and Serbia and Montenegro
Egypt	Thailand
France	United Kingdom, Germany, the Netherlands, Nigeria
Israel	Holland and Germany
Japan	Other Tier 1 countries, other G8 countries
Kuwait	Qatar, United Arab Emirates, neighboring countries, the rest of the Gulf, Gulf Cooperation Council
Lesotho	Other African states
Malawi	Botswana
Malaysia	ASEAN member-states, neighboring countries
Oman	United Arab Emirates
Turkey	"Neighboring countries"
Uzbekistan	CIS countries, Georgia
Venezuela	Colombia, Mexico and Guatemala, Cuba

步驟4：關心目前名聲與未來評價

- 形象顧慮
- 比較性/相對排名
- 保持現有地位

“我們必須保持在第一級”

— Ghana’s Minister of Women and Children Affairs, when told in February 2005 that failure to pass an anti-TIP law could affect Ghana’s Tier 1 status

Step 4: Concerns About Present and Future Ratings

- Image concerns
- Comparability/relative standing
- Status maintenance

“[W] e must keep Tier 1.”

— Ghana’s Minister of Women and Children Affairs, when told in February 2005 that failure to pass an anti-TIP law could affect Ghana’s Tier 1 status

步驟4：關心目前名聲與未來評價

- 形象顧慮
 - 比較性/相對排名
 - 保持現有地位
 - 個人前途



“在內政部長Rehman Malik監督下，因內政部的顯著努力使得美國提升了巴基斯坦的排名。這個發展也使巴基斯坦的聲望在國際間有所改善。”

- 2008 press release from the Ministry

Step 4: Concerns About Present and Future Ratings

- Image concerns
 - Comparability/relative standing
 - Status maintenance
 - Personal careers



With significant efforts of Ministry of Interior . . . under the supervision of Rehman Malik, Minister for Interior, the US has upgraded Pakistan's ranking. This development has improved the stature of Pakistan before the world"

- 2008 press release from the Ministry

步驟4：關心目前名聲與未來評價

- 形象顧慮
 - 比較性/相對排名
 - 保持現有地位
 - 個人前途
- 實質顧慮



Step 4: Concerns About Present and Future Ratings

- Image concerns
 - Comparability/relative standing
 - Status maintenance
 - Personal careers
- Material concerns



步驟4：關心目前名聲與未來評價

- 顧形象慮
 - 比較性/相對排名
 - 保持現有地位
 - 個人前途
- 實質顧慮
- 學習跟社會化



人口販運? vs.
走私?

有經過同意?

Step 4: Concerns About Present and Future Ratings

- Image concerns
 - Comparability/relative standing
 - Status maintenance
 - Personal careers
- Material concerns
- Learning and socialization



Trafficking vs.
smuggling?

Consent?

步驟4：關心目前名聲與未來評價

- 形象顧慮
 - 比較性/相對排名
 - 保持現有地位
 - 個人事業
- 實質顧慮
- 學習跟社會化
- 專業化與能力建構

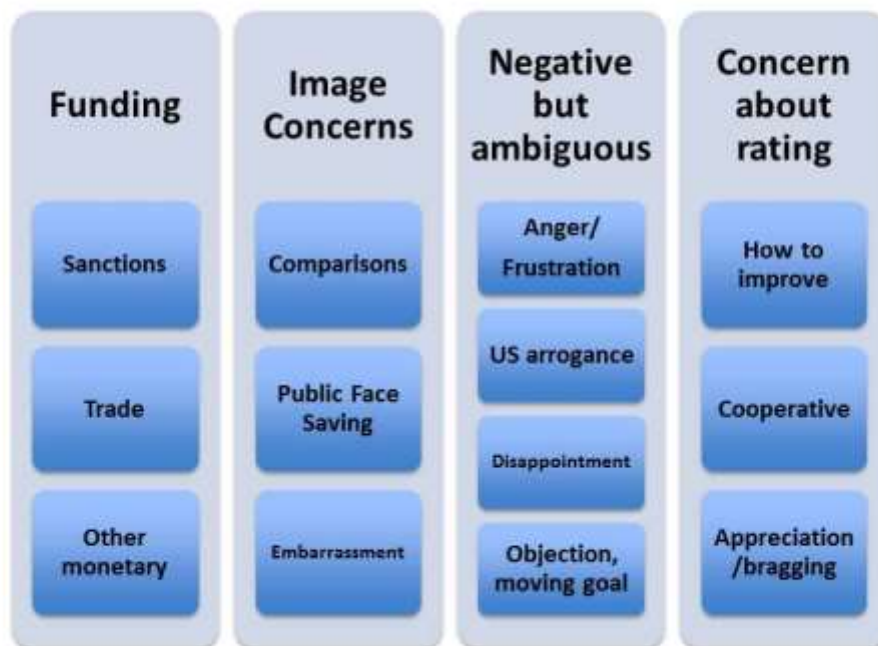
Step 4: Concerns About Present and Future Ratings

- Image concerns
 - Comparability/relative standing
 - Status maintenance
 - Personal careers
- Material concerns
- Learning and socialization
- Professionalism and capacity building

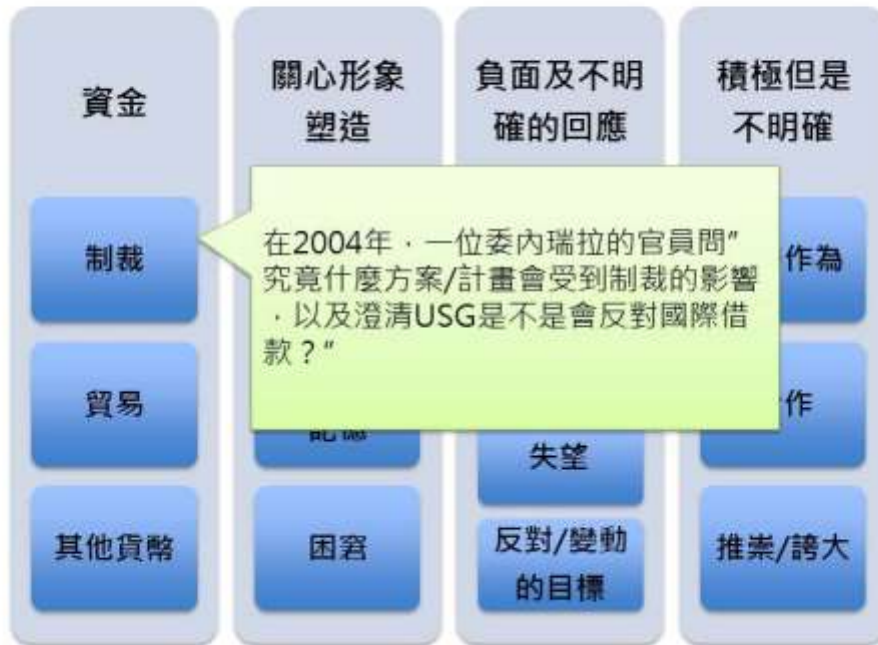
訪談回應



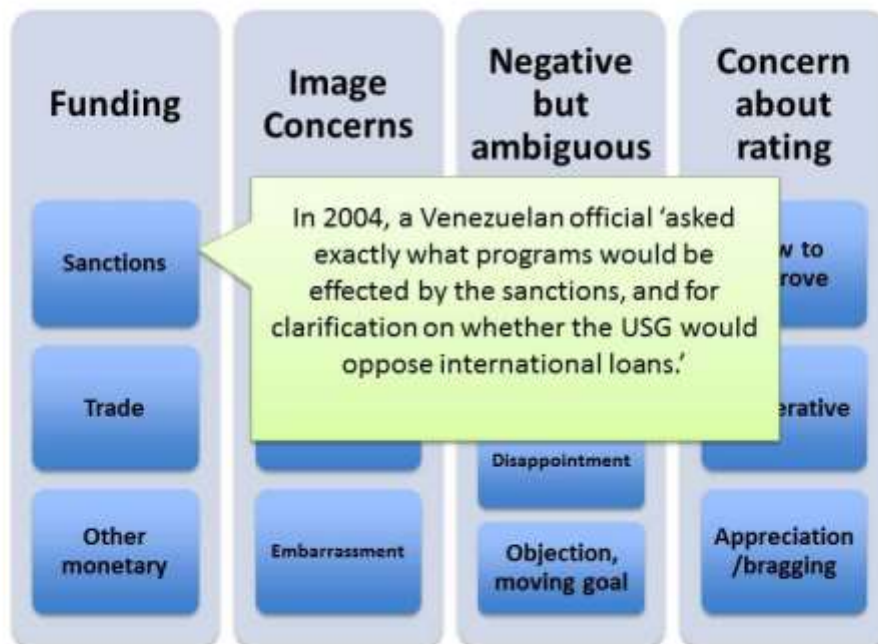
Content of reactions

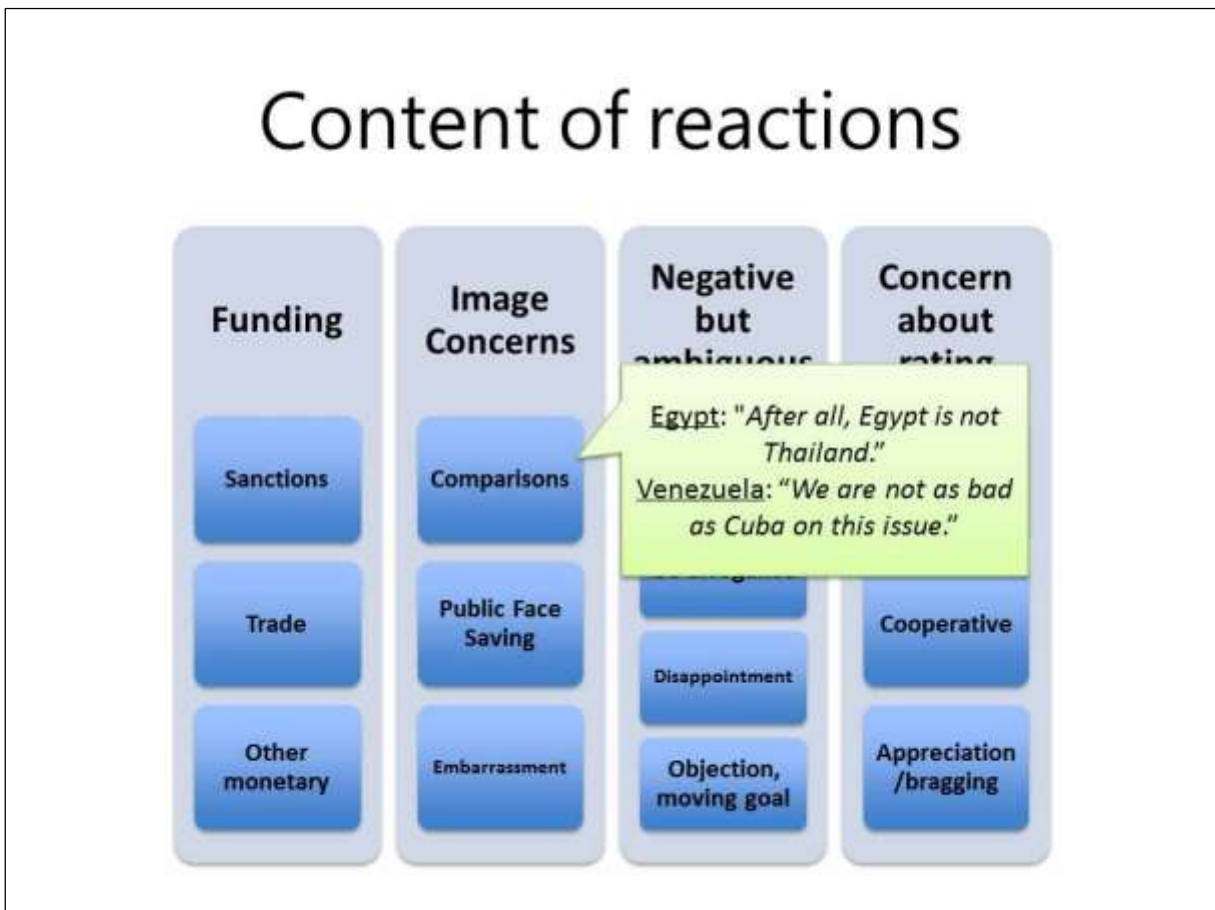


訪談回應



Content of reactions

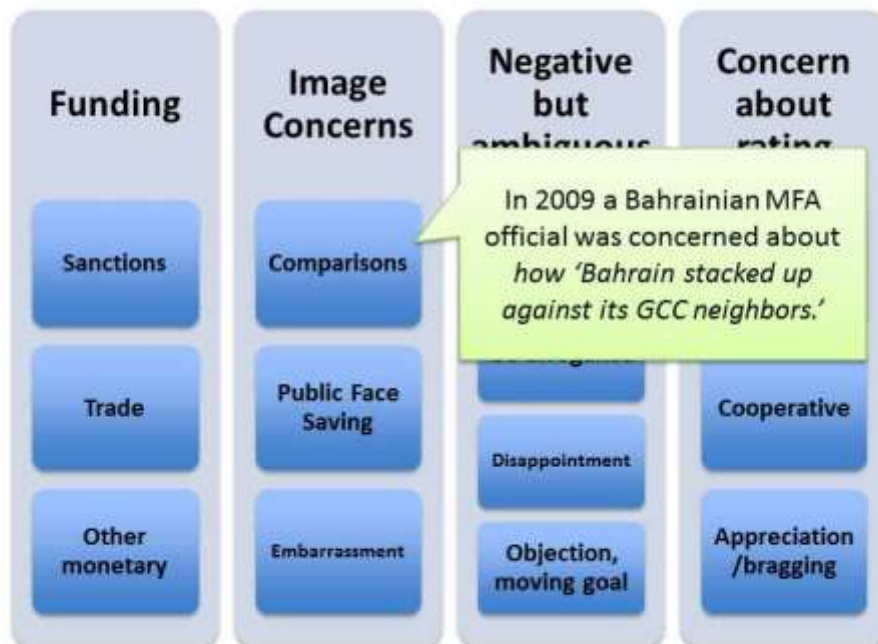


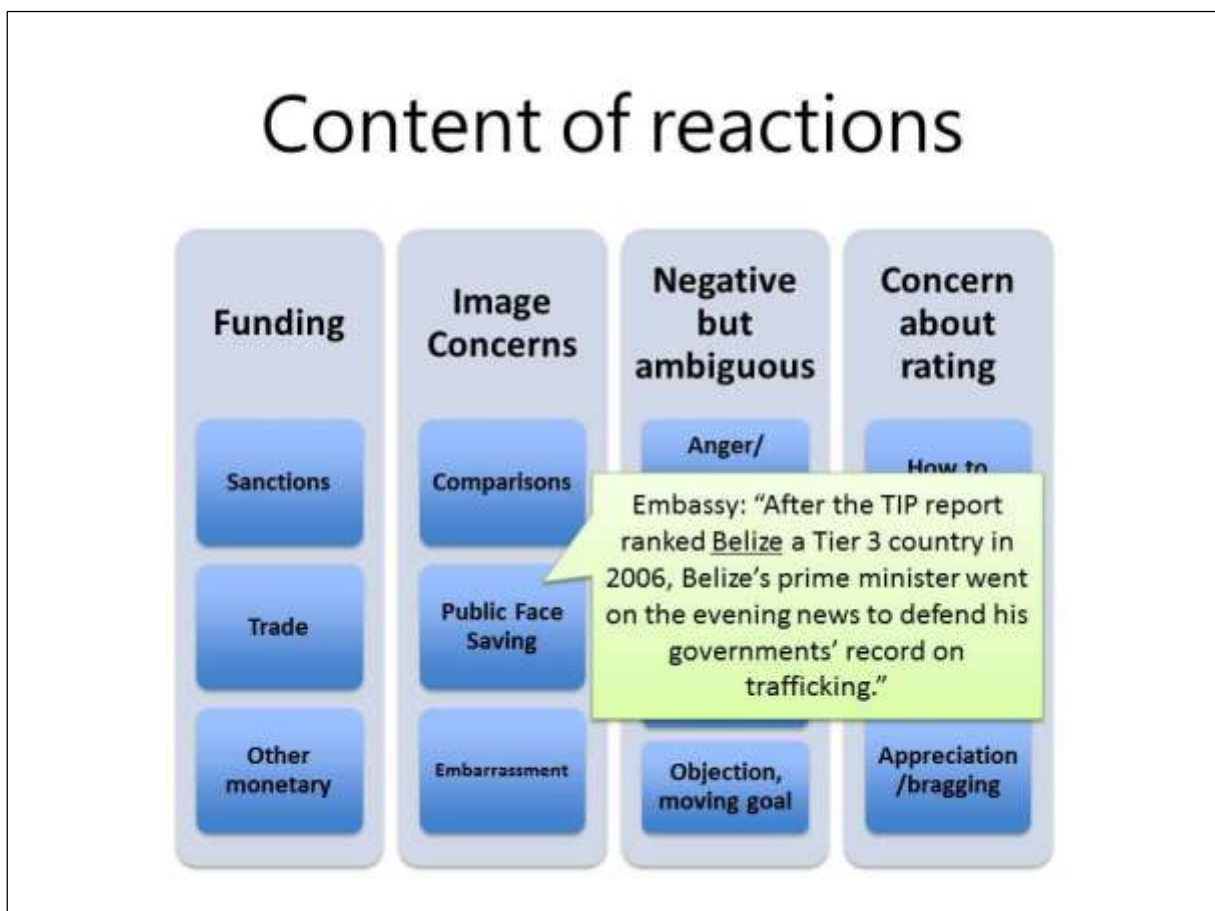


訪談回應



Content of reactions



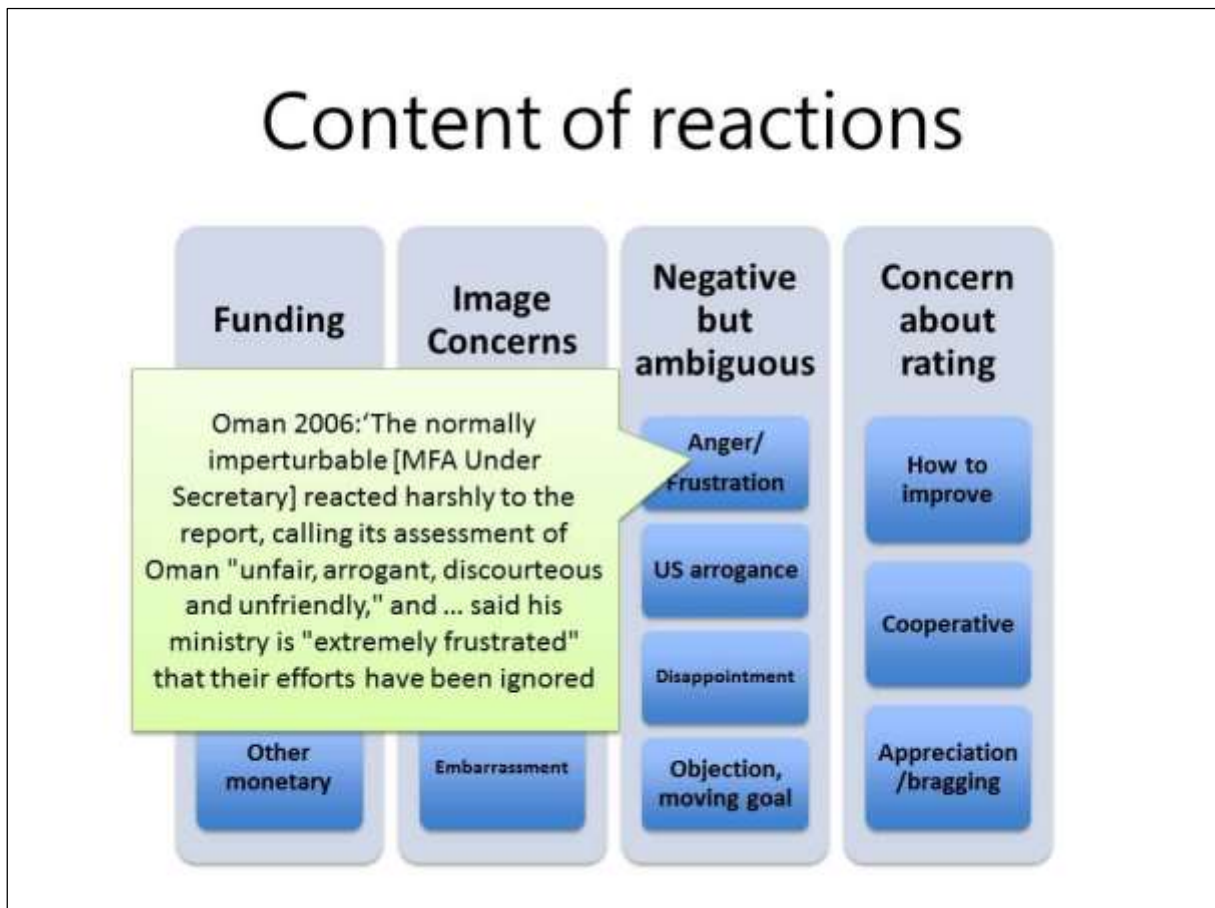


訪談回應



Content of reactions

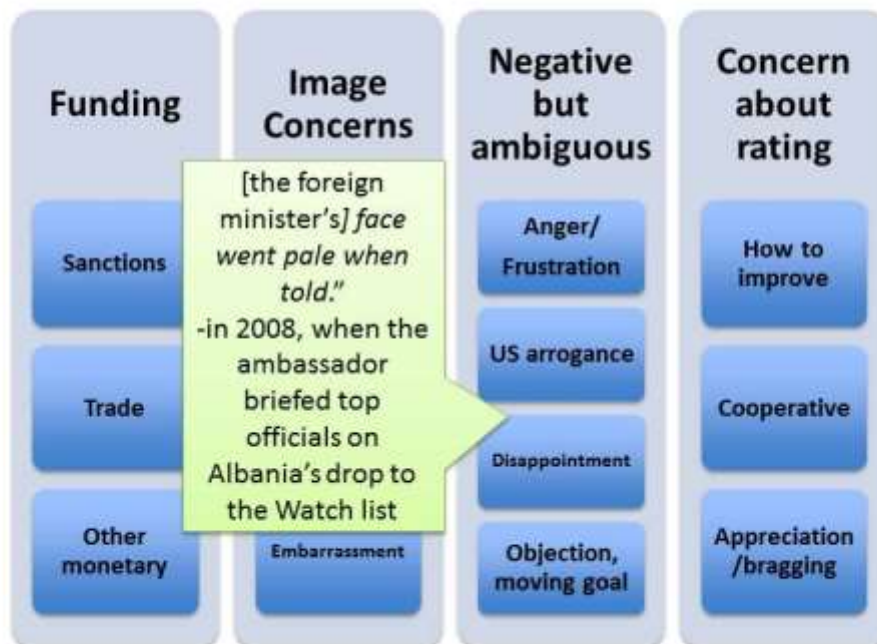


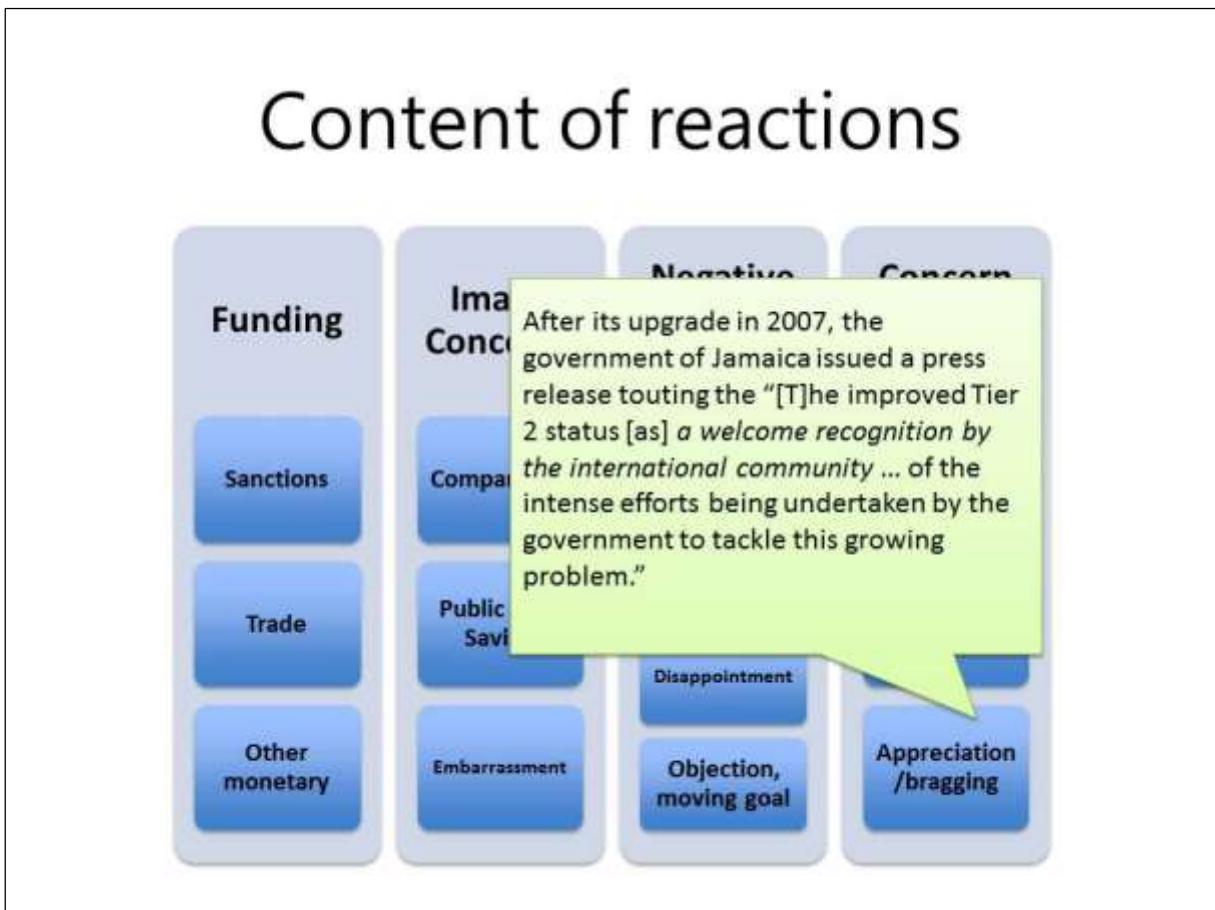


訪談回應



Content of reactions

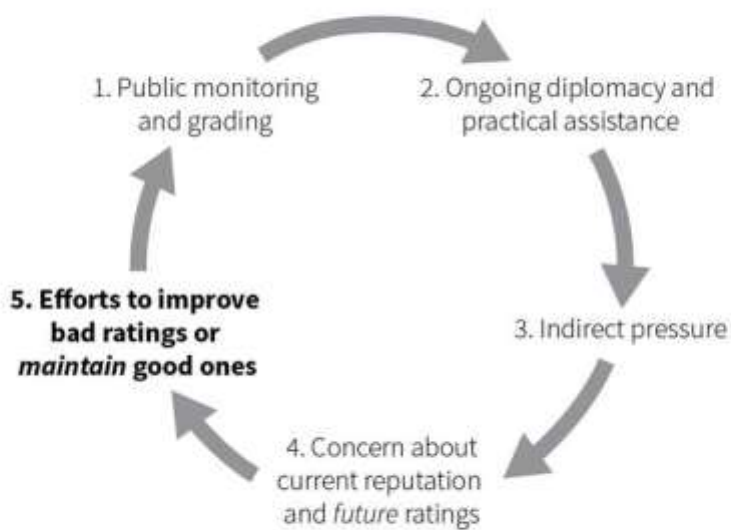




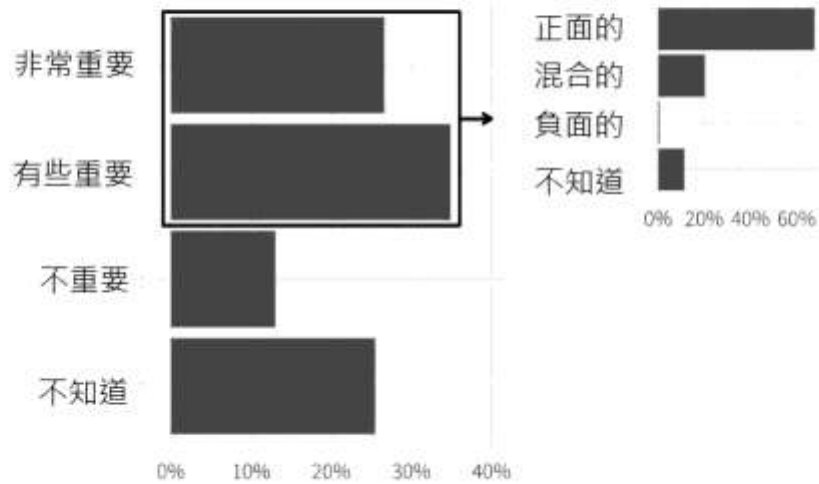
計分卡外交的循環



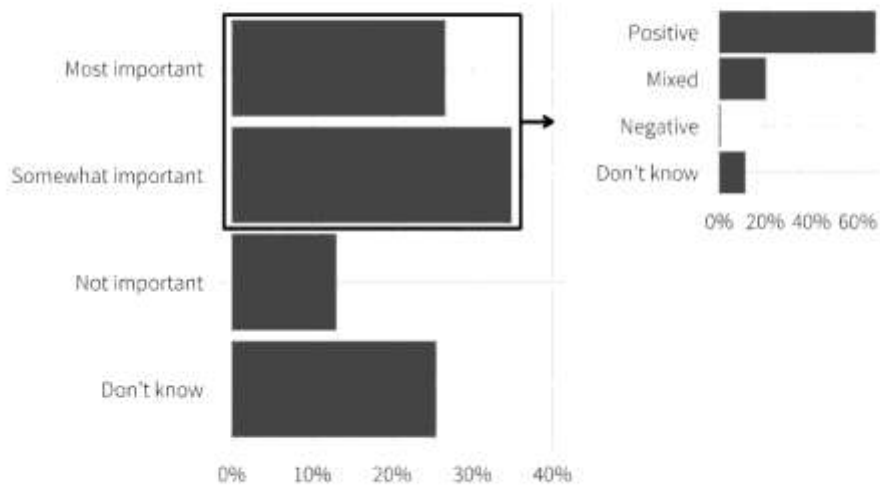
The cycle of scorecard diplomacy



對美國TIP活動的態度



Attitude towards the US TIP activity



犯罪化的統計分析

- 被納入報告裡是最大因素是建立在此國家是否有足夠的資料和問題程度的大小，但這兩者都不能用來預測犯罪化。
- 較差的等級(三級或觀察名單)通常建立於跟犯罪率不相關的因素。
- 犯罪化通常是被以下因素帶動的：
 - 被納入報告裡
 - 更嚴厲的級數排名
 - 降低等級
 - 但不在於有多少援助會受到要脅

Statistical analysis of Criminalization

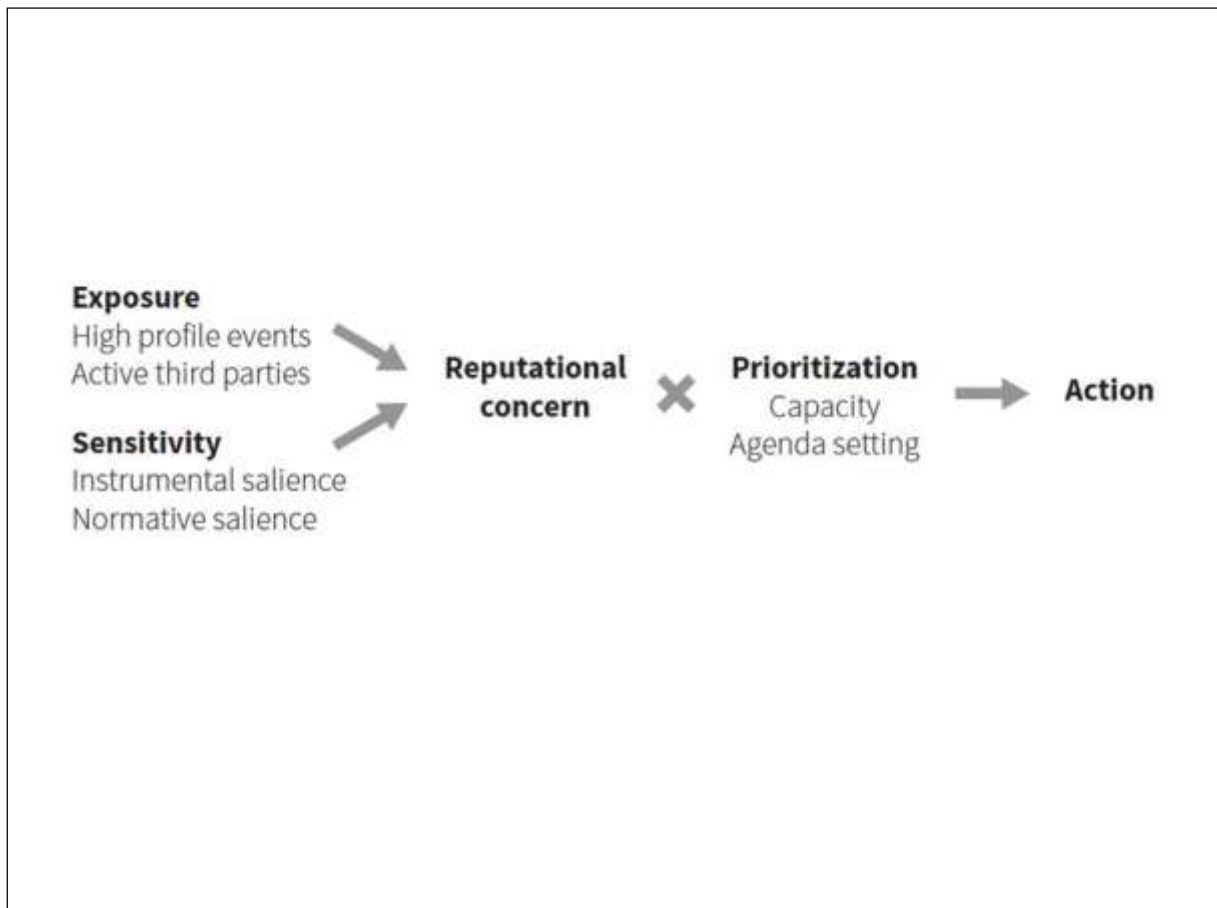
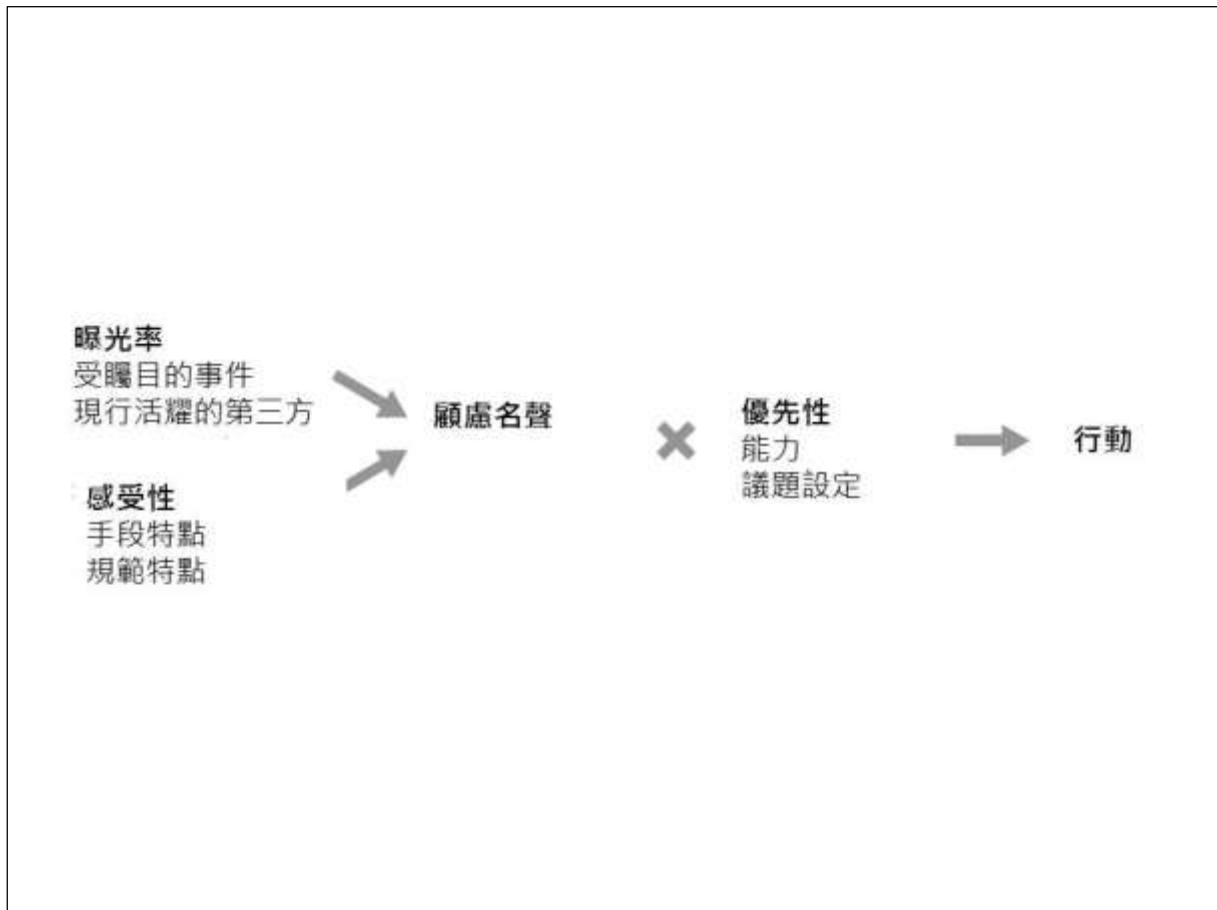
- Inclusion in the report is driven mostly by information availability and size of problem, neither of which predict criminalization
- Poor tiers are driven mostly by factors that are not also associated with greater likelihood of criminalizing
- Criminalization is spurred by
 - Inclusion in the report
 - Harsher tier rankings
 - Downgrades
 - --- (and not by amount of aid threatened)

政策含意

- 給政策制定者
 - 美國跟其他國家或許會希望多用這類型的系統來推動其他國家的改革。
 - 重點在於準確性跟一致性。
 - 政策跟承諾雙管齊下是很重要的。
- 給全球治理
 - 強制性的做法成本變高，也更行不通了。
 - 資訊變得更普遍，更無孔不入。
 - 用來作為真實發展指標(GPI)的資訊可能會逐漸變成一個很重要的政策工具。
 - 使用這類的工具有風險及代價。

Policy implications

- For policy makers
 - The US and others may want to use this type of ranking system more to promote reforms in other countries
 - Key to use is accuracy and consistency
 - Importance of pairing policy with engagement
- For global governance
 - Coercion is becoming more costly and less feasible
 - Information is becoming more pervasive
 - Information used as GPIs may become an increasingly important policy tool
 - Using such tools carries risks and costs

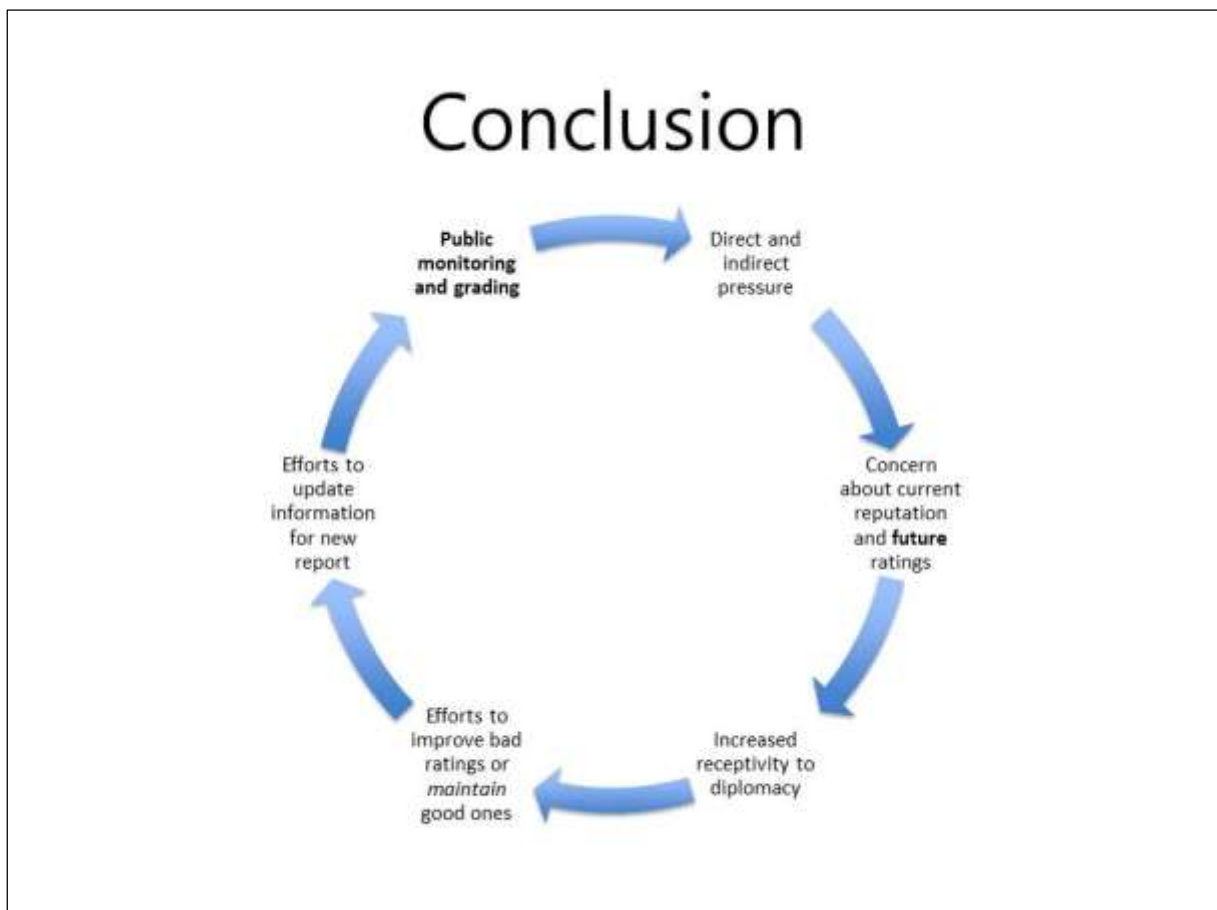
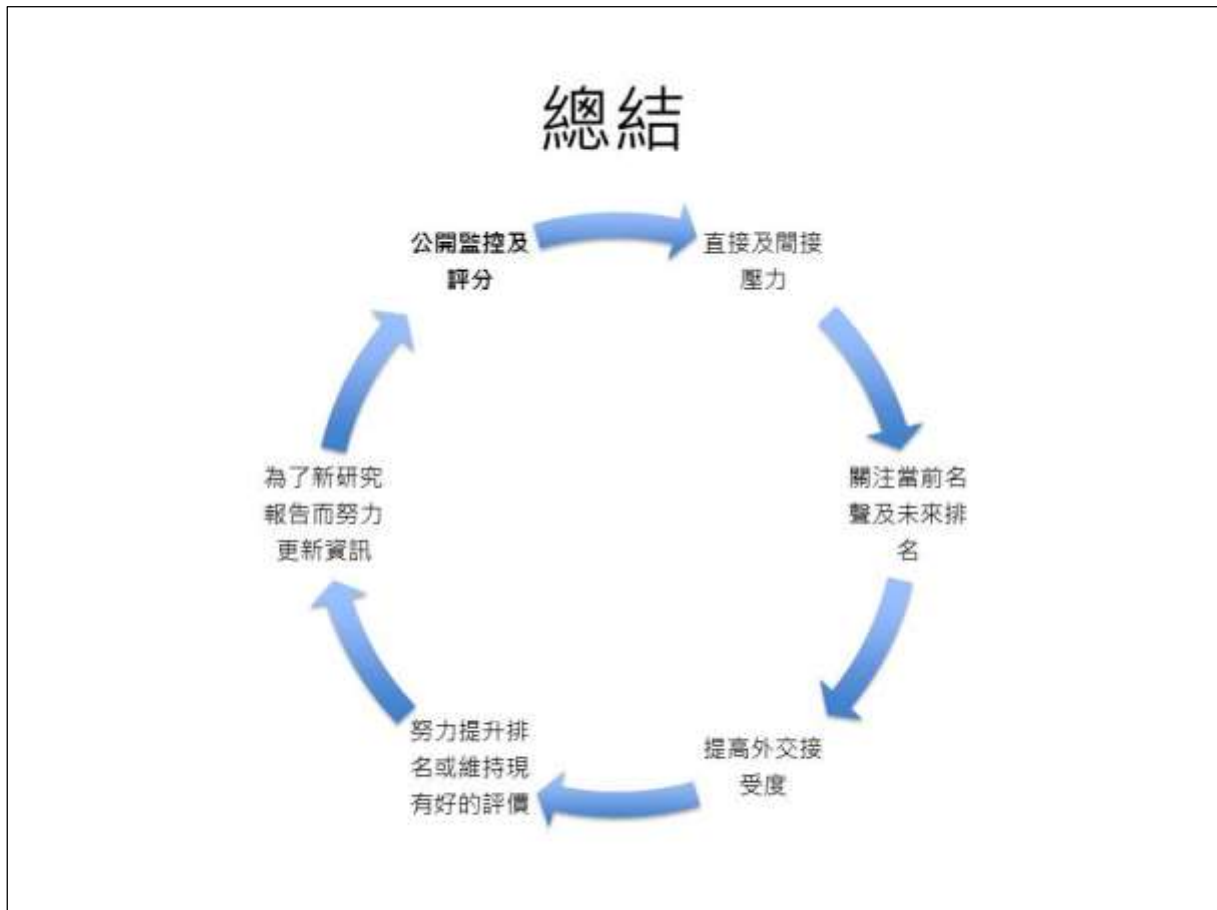


計分卡外交的缺點

- 回應內容
- 用來作為假名聲
- 評分天花板效應

Downsides of Scorecard Policies

- Substance of responses
- Use as reputational decoys
- Grade ceiling effects



問題？



<http://www.philstar.com/opinion/2012/06/23/820453/editorial-tier-2>

Questions?



<http://www.philstar.com/opinion/2012/06/23/820453/editorial-tier-2>

**臺灣防制人口販運工作 10 年
成效、回顧及展望（一）**

*The Achievements, Retrospect and Prospect of Taiwan's
Combating Human Trafficking for the past 10 years (1)*

臺灣防制人口販運 10 年成果-
政策整體作為暨成效

*10 Years of Human Trafficking Prevention in Taiwan-
Overall Policy Implementation and Results*

主講人：李臨鳳
內政部移民署移民事務組組長

Speaker: **Lee, Ling-Fong**
Director, Immigration Affairs Division, National
Immigration Agency, Ministry of the Interior

主講人簡介

李臨鳳

內政部移民署移民事務組組長



經歷

內政部社會司科長

內政部移民署移民事務組副組長

內政部移民署入出國事務組組長

主管業務

防制人口販運

移民規劃

移民輔導

移民機構管理

外國人及大陸地區人民居留定居業務

Brief Introduction of Speaker

Lee, Ling-Fong

Director, Immigration Affairs Division, National Immigration Agency, Ministry of the Interior



PROFESSIONAL EXPERIENCES

Section Chief, Society Division , Ministry of the Interior

Deputy Director, Immigration Affairs Division, National Immigration Agency, Ministry of the Interior

Director, Entry and Exit Affairs Division, National Immigration Agency, Ministry of the Interior

PRIMARY FOCUS

Human trafficking prevention

Immigration Plan

Immigration Counseling

Immigration agency management

Foreign nationals and people of the Mainland China area residence and settlement business



臺灣防制人口販運10年成果- 政策整體作為暨成效

報告人：內政部移民署
組長李臨鳳



10 Years of Human Trafficking Prevention in Taiwan- Overall Policy Implementation and Results

Lee Ling-Fong
Director, Immigration Affairs Division, National
Immigration Agency,
Ministry of the Interior

簡報綱要

- 一 前言
- 二 制度面
- 三 法令面
- 四 執行面
- 五 未來工作方向

1

Briefing Outline

- 1 . Foreword
- 2 .Policy Formation and Follow-Ups
- 3 .Laws and Regulations
- 4.Implementation
- 5.Directions for Future Pursuits

1

一、前言

- 聯合國2000年通過「預防、壓制及懲治販運人口(特別是婦女及兒童)議定書」(Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children · 通常簡稱為人口販運議定書或巴勒摩議定書) · 以有效防制國際間人口販運。
- 2003年議定書正式生效。

2013年底聯合國宣布
每年7月30日為
反人口販運國際日



聯合國藍心活動

2

1. Foreword

- In 2000, the United Nations (UN) passed the “Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children,” also known as the Trafficking Protocol or one of the Palermo Protocols, to effectively prevent such trafficking internationally.
- The protocol formally went into effect in 2003.

30 July 2014
the United Nations
marked the first
World Day
Against Trafficking
in Persons.



Blue Heart Campaign
against Human
Trafficking

2

二、制度面

- 臺灣於2006年11月訂頒「防制人口販運行動計畫」，通令中央及地方積極研議具體有效的防制措施。
- 「防制人口販運行動計畫」包含六大目標，4大策略、10項重點及25項具體措施，每2年滾動檢討。



3

2. Policy Formation

- In November of 2006, Taiwan issued the Human Trafficking Prevention Action Plan, and directed both central and local governments to develop specific and effective preventive measures to combat human trafficking.
- The Human Trafficking Prevention Action Plan encompasses 6 key objectives, 4 main policies, 10 focal points and 25 specific measures. Rolling reviews to be held every two years.



3

二、制度面

- 2007年1月成立行政院防制人口販運協調會報，由行政院政務委員擔任召集人，10位中央部會副首長擔任委員，並聘有6位熟悉人口販運領域的學者專家擔任外聘委員。目前共有17位成員。
- 定期開會，目前係6個月召開1次，自2007年迄今共召開32次。



2. Policy Formation

- The cabinet level Coordination Committee for Combating Human Trafficking was established in January, 2007 with a minister without portfolio serving as the convener. Other Committee members include 10 vice ministers from the central government and, from outside the administration, 6 experts (academics and NGO representatives) of the field.
- Committee members convene regularly every 6 months. A total of 32 meetings have been held since 2007.



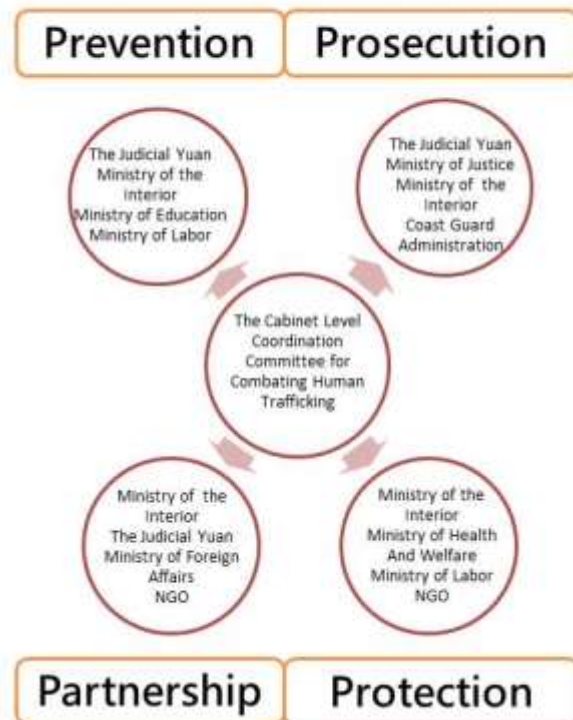
二、制度面

- 自2008年起，臺灣每年彙整並公布防制人口販運成效報告。



2. Policy Formation

- Since the first in 2008, NIA has annually published the Taiwan Trafficking in Person Reports. It compiles materials from all agencies and provides yearly performance review and assessment on implementation of Laws and Policies on Human trafficking prevention.



二、制度面

- 自2010年起，臺灣已連續8年獲得防制人口販運國際評比(Trafficking in Persons Reports，簡稱 TIP)第1級國家，足為鄰近國家典範。



6

2. Policy Formation

- Since 2010, Taiwan has been placed in “Tier 1” in the TIP report for 8 consecutive years, serving as a role model for its Asian neighbors countries.



6

三、法令面

- 以被害人保護為核心，制定「人口販運防制法」專法，由總統公布並於2009年6月1日施行。
- 「人口販運防制法」分5章，45條條文，主要內容包含人口販運預防、被害人鑑別及保護、給予被害人短期臨時停留許可、工作許可、對加害人加重刑罰。



7

3.Laws and Regulations

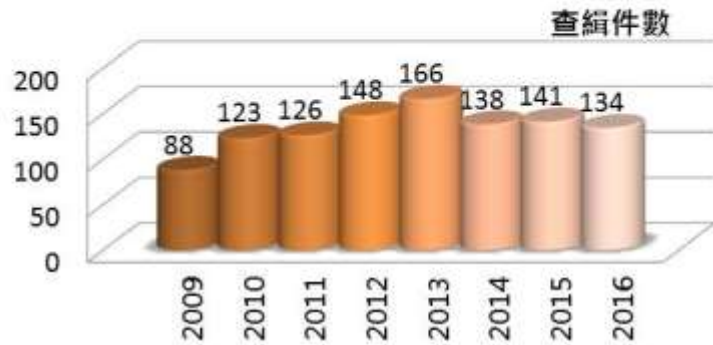
- With victim protection as its core directive, The Human Trafficking Prevention Act was enacted and subsequently issued by the President on June 1, 2009.
- The The Human Trafficking Prevention Act consists of 5 chapters and 45 Articles. The main contents of the Act includes: human trafficking prevention, victim identification and protection, issuance of temporary stay permit and/or work permit to a victim, penalty to offenders.



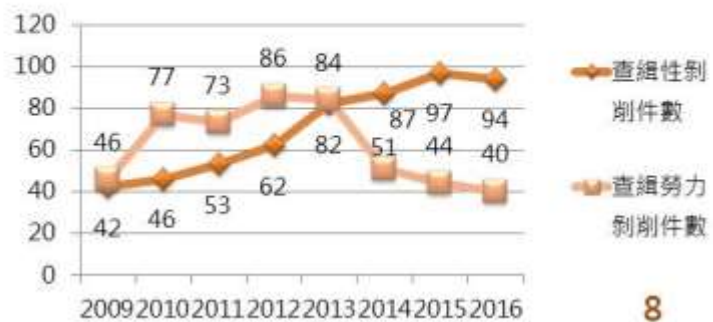
7

四、執行面-查緝

- 臺灣負責查緝人口販運案件機關，包含內政部移民署、內政部警政署、行政院海岸巡防署、法務部調查局。



2009年起至2016年間人口販運案件查緝統計情形

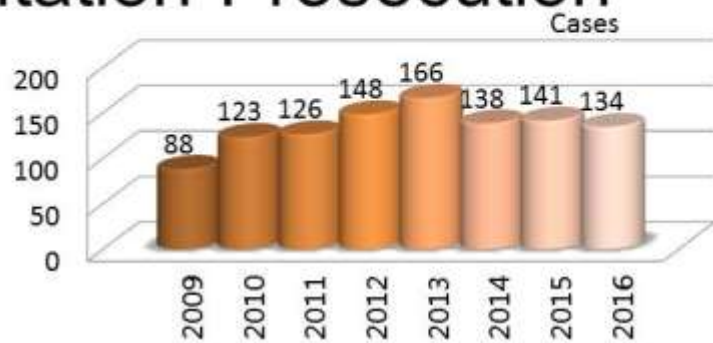


8

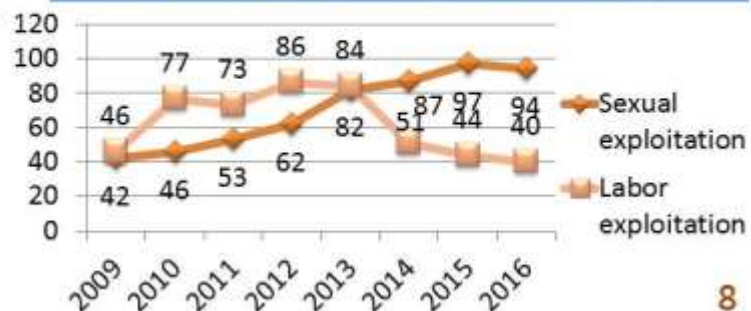
4. Implementation-Prosecution

- Agencies responsible for the investigation of human trafficking include:

- National Immigration Agency (NIA)
- National Police Agency
- The Coast Guard Administration
- The Investigation Bureau



Statistics on the investigation of trafficking cases between 2009~2016 (number of cases)

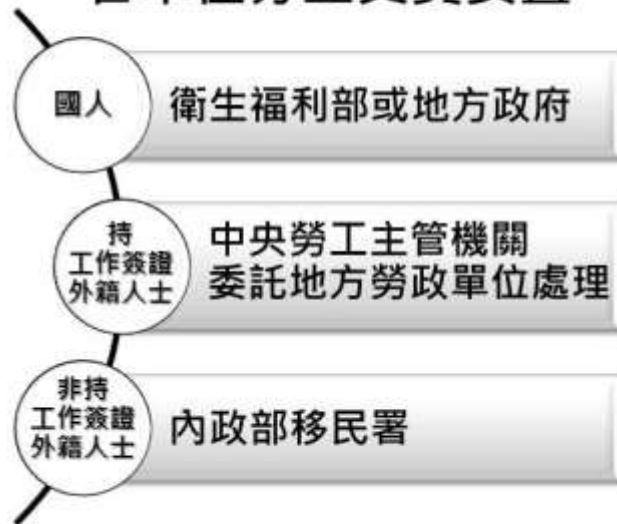


8

四、執行面-保護安置

- 提供被害人安置及多元的保護協助措施
- 依被害人身分由各業管單位分工負責安置

- 1 人身安全保護
- 2 必要之醫療協助
- 3 通譯服務
- 4 法律協助
- 5 心理輔導及諮詢服務
- 6 於案件偵查或審理中陪同接受詢(訊)問
- 7 必要之經濟協助
- 8 其他有必要之協助



9

4. Implementation - Protection

- Sheltering for Victims and Other Protection Measures
- Division of Work between Authorities and Protection Procedure by victim's status.

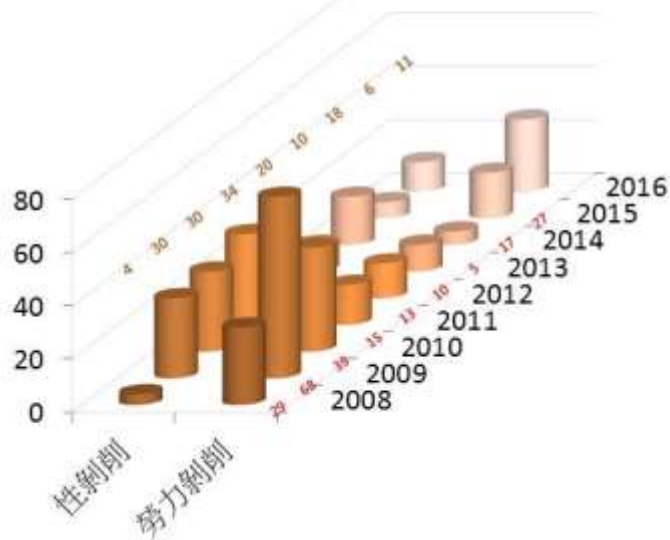
- 1 Personal Safety Protection
- 2 Medical Assistance
- 3 Translation Services
- 4 Legal Advice
- 5 Counseling
- 6 Accompanied Interrogation and/or Court Presence
- 7 Necessary Financial Assistance
- 8 Other Required Assistance



9

四、執行面-保護安置

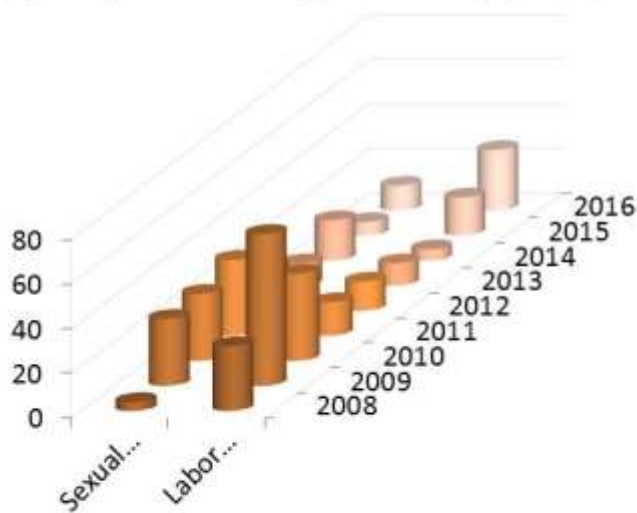
- 移民署安置
保護被害人人數圖



10

4.Implementation - Protection

- Number of victims NIA has assisted (by Exploitation Type and by year)



10

四、執行面-預防宣導

- 辦理防制人口販運教育訓練，提昇公部門及私部門之第一線人員專業知能，方式包括通識基礎教育訓練及諮詢網絡研習營，亦曾邀請美國國土安全部官員等知名講者前來授課。



11

4.Implementation - Prevention

- Provide education in trafficking prevention to improve the professional knowledge of both the public and private sector personnel working directly with trafficking cases. Methods include providing general education/training and holding annual Anti-Human Trafficking Seminars. Officials from the U.S. Department of Homeland Security and acclaimed speakers were also invited to give lectures.



11

四、執行面-預防宣導

- 推動各式多元創意、多國語言的宣導活動。



12

4. Implementation - Prevention - Advocacy

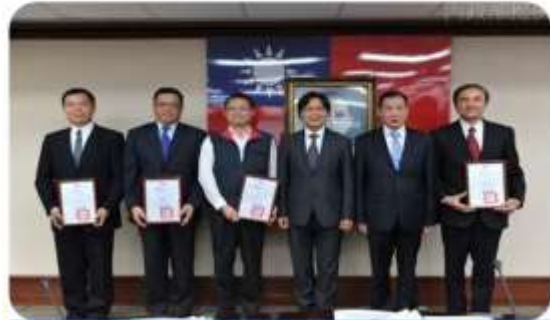
- Carry out, diversified, innovative, and multi-lingual awareness campaign.



12

四、執行面-夥伴合作

- 2014年起內政部結合學者專家及勞動部，組成專案小組實地訪視評核直轄市、縣(市)政府前一年辦理防制人口販運成果。



內政部部长卓俊榮、移民署前署長何榮村與考核成績優良縣市政府代表合影

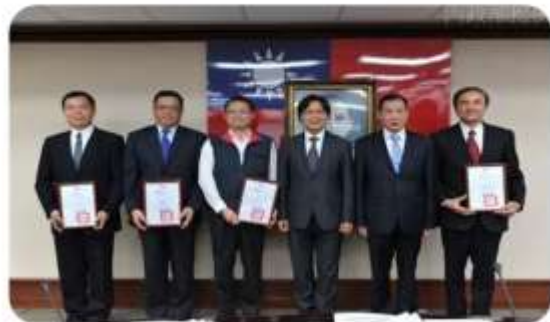
等第	特優	優等	甲等	乙等	丙等
105 (15)	4	6	4	1	0
104 (13)	1	4	7	0	1
103 (22)	2	7	8	3	2

- 評核工作已實施3年，地方政府防制措施及成效，有相當幅度提升。對於特優者，並公開表揚鼓勵。

13

4. Implementation - Partnership

- Starting in 2014, the Ministry of the Interior joined the Ministry of Labor and other experts to form a review team in field trips to review/evaluate the results of prior year's anti-trafficking results by the municipalities and the counties.



group photo

等第	A++	A+	A	B	C
2016 (15)	4	6	4	1	0
2015 (13)	1	4	7	0	1
2014 (22)	2	7	8	3	2

- Evaluation has been in place for three years. There is a significant enhancement in terms of preventive measures and its effectiveness. Recognition is given to those who excelled in their work.

13

四、執行面-夥伴合作

- 自2011年8月17日與蒙古簽署第一個有關移民事務與防制人口販運合作瞭解備忘錄，積極洽簽瞭解備忘錄(MOU)或協定，至少16國。



14

4. Implementation - Partnership

- On August 17th, 2011, the first Memorandum of Understanding concerning cooperation on immigration affairs and trafficking prevention was signed with Mongolia. Subsequently, the MOU partnership has been aggressively expanded and 16 countries have since completed signing with Taiwan.



14

四、執行面-夥伴合作

- 移民署自2007年首度辦理「防制人口販運國際工作坊」，齊聚不同國家政府機關人員、駐臺使節及非政府組織學者專家，探討全球關注的防制人口販運議題，今年已是第11次辦理。



15

4. Implementation - Partnership

- Beginning in 2007, the National Immigration Agency (NIA) has hosted the annual event of International Workshop on Strategies for Combating Human Trafficking. Foreign government officials, diplomats, NGO workers as well as members of academics gather to discuss the issues of trafficking prevention that has raised global concern. This year, the workshop is holding the 11th annual meeting since its first.



15

五、未來工作方向

- **查緝**—善用科技工具，掌握犯罪新趨勢，並與被害人來源國加強情資交換，澈底根絕人口販運集團。
- **保護**—優化被害人權益保障，積極研修人口販運防制法，如增加被害人可選擇在社區居住，更利其重返社會。



16

5.Directions for Future Pursuits

- **Prosecution** --- Utilization of latest technology; stay on top of new crime trends; strengthen information exchange with authorities in victims' country of origin; completely uproot human trafficking rings.
- **Protection** --- Optimize protection of victims' rights ; aggressively amend *The Trafficking Prevention Act* to give the victim the option to live within the communities, which in turn helps them better adapt upon return to the society.



16

五、未來工作方向

- **預防**—擴大民眾認識人口販運，並勇於提出檢舉，或加強勞動檢查頻率，期能事前遏止勞力剝削。
- **夥伴**—結合新南向政策，如辦理亞洲人口販運防制區域論壇等，強化區域合作關係。



17

5.Directions for Future Pursuits

- **Prevention** --- Raise public awareness of Human Trafficking and public incentives for reporting criminal activities. Additionally, increase the frequency of labor inspection to prevent labor exploitation.
- **Partnership** --- Synchronize with the New Southbound Policy. Hold regional forums, For example, on Asian trafficking Prevention to strengthen regional collaboration.



17

現行教育體制下國人宣導成效

Propaganda Achievements Under the Education System

主講人：鄭乃文

教育部學生事務及特殊教育司司長

Speaker: **Cheng, Nai-Wen**

Director of Department of Student Affairs and
Special Education

主講人簡介

鄭乃文

教育部學生事務及特殊教育司司長



經歷

國立臺灣藝術教育館館長

國立國父紀念館館長

教育部督學

教育部國會組執行秘書

司法院專門委員

Brief Introduction of Speaker

Cheng, Nai-Wen

Director of Department of Student Affairs and
Special Education



PROFESSIONAL EXPERIENCES

Director General of National Taiwan Arts Education Center

Director General of National Dr. Sun Yat-sen Memorial Hall

School Inspector of Ministry of Education

Executive Secretary of Congressional Liaison Unit, Ministry of Education

Assistant Director-General of Administration

我國教育體系推動人口販運防制 之策略及成果

主講人：鄭乃文
教育部學生事務及特殊教育司司長



1

Taiwan's Education System to Promote the Prevention and Control of Human Trafficking's Strategy and Results

Presenter : Cheng, Nai-Wen
The Director of Student Affairs, Special
Education Department, and Ministry of
Education



1

大綱



- 推動緣起
- 辦理依據及具體措施
- 推展策略
- 推動成果
- 結語

Table of Contents



- The Origin of the Movement
- Managing the Basis and Specific Method
- Promoting the Strategy
- Promoting the Results
- Conclusion

推動緣起



2006行政院防制人口販運行動計畫



3

The Origin of the Movement



2006 Executive Yuan Human Trafficking Prevention Action Plan



3

辦理依據及具體措施



- **依據：**
防制人口販運具體措施分工表
- **具體措施：**
透過教育體系之人權、性別平等與法治教育，教導學生認識人口販運議題



4

Managing the Basis and Specific Method



- **The Basis :**
Detailed Measured Division of Work Chart
Preventing Human Trafficking
- **The Specific Method :**
Through the education of human rights, gender equality, and the rule of law education will enable students to be taught and understand the issue of human trafficking



4

推展策略



- 訂定課綱課程
- 開發教材教案
- 辦理研習活動
- 加強媒體宣導

Promoting the Strategy



- Set Up Class Courses
- Develop Teaching Materials/Equipments and Lesson Plans
- Conduct Learning Activities
- Improve and Strengthen Media Advocacy

推動成果



● 課綱課程

- 九年一貫課程綱要
- 普通高級中學課程綱要
- 職業學校群科課程綱要
- 綜合高級中學課程綱要



6

Promoting the Results



● Class Courses

- Grade 1 to 9 Curriculum Outline
- Senior High School Course Outline
- Vocational School Group Course Outline
- Comprehensive High School Course Outline



6

推動成果



● 課綱課程

● 九年一貫課程綱要：

- 1、於「性別平等教育」及「人權教育」議題中，明訂將人口販運、勞動人權與防制兒童及少年性交易納入學習內容，並融入相關課程領域中教導學生認識



7

Promoting the Results



● Class Courses

● Grade 1 to 9 Curriculum Outline

1. In the "Gender Equality Education" and "Human Rights Education" issues, it is clearly stated that human trafficking, labor rights, and child/teenager prostitution are included in the learning content and are intergrated into the relecant curriculum areas in order to teach students.



7

推動成果



● 課綱課程

● 九年一貫課程綱要：

- 2、於「人權教育議題分段能力指標補充說明」之能力指標「2-4-7探討人權議題對個人、社會及全球的影響」，說明「人口販賣」為當代重要違反人權事件議題

Promoting the Results



● Class Courses

● Grade 1 to 9 Curriculum Outline

2. In the "Human Rights Education Issue Divisions Achievable Objectives Extended Explanation", section "2-4-7 exploring the impact of human rights issues on individuals, society and the world determines "Human Trafficking" is a violation of human rights

推動成果



● 課綱課程

● 普通高級中學課程綱要

- 1、必修科目「公民與社會」之「日常生活中的人權議題」及「人權保障與立法」主題，包含兒童、婦女、外國人、移民和國際難民等所涉及之人權議題

Promoting the Results



● Class Courses

● Senior High School Course Outline

1. Major Subject "Citizenship and Society" and "Daily Life Human Rights Issues", as well as "Human Rights Protection and Legislation" topics, human rights involves children, women, foreigners, migrants, international refugees, and etc

推動成果



● 課綱課程

● 普通高級中學課程綱要

- 2、在「文化與位階」主題，包含由語言、生活風格與自我的關係來認識文化、文化形式與身分區別、文化位階與不平等問題

Promoting the Results



● Class Courses

● Senior High School Course Outline

2. In the "culture and rank" topic, it includes the language, life style and self relationship to understand culture, cultural form and identity, cultural rank, and inequality issues.

推動成果



● 課綱課程

● 普通高級中學課程綱要

- 3、在「多元文化社會與全球化」主題，包含多元文化與全球視野等，強調全球移動、跨國境流動引發的新移民以及所引起的新移民公民權的議題

Promoting the Results



● Class Courses

● Senior High School Course Outline

3. In the "Multicultural Society and Globalization" topic, it includes multiculturalism and global perspectives, highlighting the issues of global migration caused two issues, first creating new immigrants, second creating new immigrants citizen rights.

推動成果



● 課綱課程

● 職業學校群科課程綱要

- 1、各科目教學或活動時應融入「海洋教育」、「生命教育」、「生活教育」、「多元文化」、「性別平等」、「人權教育」、「道德教育」、「憲政與法治」等社會關切議題，以充實學生學習內涵，並與日常生活密切結合

Promoting the Results



● Class Courses

● Vocational School Group Course Outline

1. Every subjects teachings and learning activities will be integrated with "Marine Education", "Life Education", "Lifestyle Education" "Multiculturalism", "Gender Equality", " Human Rights Education", "Moral Education", "Constitution and Rule of Law", and other social concerns, in order to enrich the students learning content and the combination of daily lifestyle

推動成果



- **課綱課程**

- **職業學校群科課程綱要**

- 2、於「公民與社會」教學綱要中，亦列有「憲法與人權」之內容

Promoting the Results



- **Class Courses**

- **Vocational School Group Course Outline**

- 2. In the "Citizenship and Social" teaching outline, the contents of "Constitution and Human Rights" are also listed.

推動成果



● 課綱課程

● 綜合高級中學課程綱要

於必修「公民與社會」課程綱要中亦列有「人與人權」之主題，包含「我國與國際社會常見的人權議題」內容

Promoting the Results



● Class Courses

- Comprehensive High School Course Outline
 1. In "Citizenship and Social" curriculum's list includes the "Human and Human Rights" topic, which contains the Human Rights Issues in Taiwan and the International Community".

推動成果



- **課綱課程**

- 大專校院性別平等教育課程與教學相關計畫

Promoting the Results



- **Class Courses**

- College's Gender Equality Education Curriculum and Teaching Related Programs

推動成果



● 教材教案：

- 防制人口販運推廣計畫【國中版】教師手冊
- 國中人口販運單元教案設計
- 防制人口販運推廣計畫【高中高職版】教師手冊
- 高中職人權教育專題--認識人口販運

Promoting the Results



● Teaching Lesson Plans :

- Prevention of Human Trafficking Promotion Program "Middle School Edition" Teacher's Manual
- Middle School Human Trafficking Teaching Program
- Preventing Human Trafficking Promotion Program "High/Vocational School Edition" Teacher's Manual
- High/Vocational School Human Rights Topic - Understand Human Trafficking

推動成果



- **教材教案：**

- 「國民教育社群網」：

於人權教育議題網站提供防制人口販運之新聞時事議題（包括國內外，如聯合國新聞稿或相關論壇等），協助縣市輔導團團員更新相關資訊、政策及法規。



Promoting the Results



- **Teaching Lesson Plans：**

- “National Education Community Network/Website”：

In the Human Rights Education Website, it provides information of Preventing Human Rights News (which includes domestic and foreign, and United Nations News.), with the help of members of prefectural and municipal counselors to update relevant information, policies and regulations.



推動成果



● 研習活動：

- 中小學中央課程與教學人權教育議題輔導群：

- 1、辦理教師知能研習：舉辦人權小樹工作坊，由婦女救援基金會白智芳主任講授「人口販運與人權概念介紹」，並針對人口販運的概念，進行學習單與教案實作

Promoting the Results



● Learning Activities :

- Primary and Secondary School Central Curriculum and Teaching Human Rights Topic Counseling Group :
1. Conducting teacher learning: organizing a workshop on human rights, taught by the Director of Women' s Rescue Foundation, Bai Zhi Fang, "Introduction to the concept of trafficking in human beings and human rights" and conducting a study and practice teaching on the concept of human trafficking.

推動成果



● 研習活動：

- 中小學中央課程與教學人權教育議題輔導群：

2、辦理領導人增能研習課程

- 2-1 「地球村下的人權」：從「基本人權理念與保障」簡介人口販運之問題與防制



Promoting the Results



● Learning Activities :

- Primary and Secondary School Central Curriculum and Teaching Human Rights Topic Counseling Group :
- 2. Conduct Leadership Training Courses
- 2-1 “Every Human's Rights” : Introduction to the issue of human trafficking from the concept of basic human rights and security



推動成果



● 研習活動：

- 中小學中央課程與教學人權教育議題輔導群：

2、辦理領導人增能研習課程

2-2 「人權教育融入教學的思考與策略」：
從新移民、外籍配偶、世界人權宣言等視角，簡要說明「人口販運」之起源、以及「防制人口販運」融入教學之行動策略



20

Promoting the Results



● Learning Activities :

- Primary and Secondary School Central Curriculum and Teaching Human Rights Topic Counseling Group :

2. Conduct Leadership Training Courses

2-2 "Thinking and Strategy of Integrating Human Rights Education into Teaching" : A brief description of the origins of "trafficking in human beings" and the action strategy of "combating human trafficking" into teaching from the perspective of new immigrants, foreign spouses and the Universal Declaration of Human Rights



20

推動成果



● 研習活動：

- 中小學中央課程與教學人權教育議題輔導群：

3、辦理團員增能研習課程

- 3-1 「地球村下的人權-探討全球化衝擊」：
從多元文化觀點及國際人權公約的保障，介紹「人口販運」之問題與防制策略

Promoting the Results



● Learning Activities：

- Primary and Secondary School Central Curriculum and Teaching Human Rights Topic Counseling Group：

3. Conduct Leadership Training Courses

- 3-1 “Every Human's Rights - Exploring the Impact of Globalization”：Introducing the issue of “human trafficking” from the perspective of multiculturalism and international human rights conventions and prevention strategies

推動成果



● 研習活動：

- 中小學中央課程與教學人權教育議題輔導群：

3、辦理團員增能研習課程

- 3-2 「人權教育教學資源介紹與應用」及「國際公約、憲法與人權」：簡要介紹防制人口販運之議題與融入教學策略

Promoting the Results



● Learning Activities :

- Primary and Secondary School Central Curriculum and Teaching Human Rights Topic Counseling Group :
- 3. Conduct Leadership Training Courses
- 3-2 “Introduction and Application of Teaching Resources of Human Rights Education” and “International conventions, the constitution and human rights” : Brief introduction of the topic of prevention and control of human trafficking and integration into teaching strategies

推動成果



● 研習活動：

- 中小學中央課程與教學人權教育議題輔導群：

- 4、辦理輔導群委員及團員「防制人口販運之教案設計」專題講座：從新移民、外籍配偶等時事議題，簡要說明「人口販運」之起源、「防制人口販運」融入教學之設計、參考資源以及行動策略



教育部

23

Promoting the Results



● Learning Activities：

- Primary and Secondary School Central Curriculum and Teaching Human Rights Topic Counseling Group：
4. For counseling group members and members “The Design of the Case of Preventing Human Trafficking” Lecture：Brief explanation on the origin of “Human Trafficking”，“Anti Trafficking” intergrate with teaching plan, reference resources and action strategies through new immigrants and foreign spouses.



教育部

23

推動成果



● 研習活動：

● 中小學及社區法治教育計畫

- 1、補助大學法律系所至中小學宣導
- 2、每年度將「人口販運防制」議題納入宣導主題

Promoting the Results



● Learning Activities :

● The Law of Educational Plan for Primary and Secondary Schools and Community

1. Subsidy University Law Department to provide propaganda to primary and secondary schools
2. Annually, "Human Trafficking Prevention" topic will be in the propaganda.

推動成果



● 研習活動：

- 補助縣市政府辦理友善校園學生事務與輔導工作計畫：
 - 1、將「人口販運防制」議題納入研習主題
 - 2、自2010年起每年度均辦理2至5場次「人口販運防制」研習

Promoting the Results



● Learning Activities :

- The County and City Government will be handling the friendly campus student affairs and counseling work plan :
 1. Contain the issue of "Human Trafficking Prevention" into the topic to study
 2. Starting from 2010, there will be 2 to 5 sessions of "Human Trafficking Prevention" study

推動成果



● 研習活動：

- 廣續落實中輟學生之通報、協尋、復學輔導及補救教學，避免學生因輟學而落入性交易或人口販運之途：

補助各地方政府辦理「教育部推動學校兒童少年保護機制實施策略」之教育宣導、工作坊及個案研討會

Promoting the Results



● Learning Activities

- Continue to implement the notification of dropout students, co-search, rehabilitation counseling and remedial teaching, in order to avoid students drop out of school and fall into the hands of human trafficking and prostitution : Support local governments to conduct education, workshops, and case seminars for Ministry of Education in order to promote the implementation of the school's juvenile protection.

推動成果



● 研習活動：

- 高級中等學校兒童及少年保護專業知能研習
 - 1、訂定「教育部辦理兒童及少年性交易防制教育宣導辦法」
 - 2、召開中途學校聯繫會議

Promoting the Results



● Learning Activities

- Senior Secondary School Children and Teenager Protection Expertise and Learning
 1. Establish “The Ministry of Education conduct children and teenagers prostitution protection/prevention method”
 2. Contact Halfway School and hold a meeting

推動成果



● 研習活動：

● 分區辦理中途離校學生學校系統合作研習

- 1、建置「高級中等學校中途離校學生通報系統」，以減少高中職學生中途離校，致產生涉及人口販運等情事
- 2、增進各校導師及輔導人員對高中職學生發生中途離校事項之預防及輔導能力，瞭解學生因性交易、家暴或學習興趣不足等原因致產生中離現象，及提供相關社會資源與增進對學生相關處遇輔導措施

Promoting the Results



● Learning Activities

- Partition students who dropout school can conduct school system to co-operate in order to study
1. Construct "Senior High School Dropout Notification System" to reduce the number of Senior High School students leaving school, to avoid human trafficking.
 2. To enhance the prevention and counseling skills of school supervisors and counselors in Senior High schools to understand the causes of students prostitution, abusive homes, lack of interest in school, and etc, and to provide social resources and enhancements. Also provide counseling for students.

推動成果



● 研習活動：

- 辦理中小學教師學務與輔導專長增能學分班
 - 1、於縣市友善校園學生事務與輔導工作計畫補助辦理
 - 2、包含防制人口販運議題主題，強化教師相關觀念



29

Promoting the Results



● Learning Activities

- Conduct primary and secondary school teachers and counseling expertise courses to increase their skills
 1. In a friendly school community with student affairs and counseling, conduct a work plan subsidy.
 2. Include Preventing Human Trafficking topic, enhance and strengthening teacher related concepts.



29

推展成果



● 媒體宣導

● 報紙--少年法律專刊

- 1、於國語日報「少年法律專刊」專欄刊載人口販運防制議題
- 2、每年度刊載2至5篇，如2016年刊載篇章：「出國打工須防人口販運」、「拒絕淪為人蛇集團傀儡」



30

Promoting the Results



● Media Propaganda

● Newspaper- Juvenile Law Special Issue

1. Mandarin Daily Newspaper "Juvenile Law Special Issue" column contains human trafficking prevention topic
2. Annually publish 2 to 5 articles, as during 2016 there was a article stating: "Going to work outside of country to avoid human trafficking" and "refuse to become a Human Smuggling Syndicate victim"



30

推動成果



● 媒體宣導

● 廣播節目：特別的愛

- 1、委請國立教育廣播電臺製播
- 2、每年度製播2集，如2016播出「發揮愛心—身心障礙人士人口販運議題探討」、「引導好奇心—身心障礙學生性別平等教育的教學重點及防患未然之道」



31

Promoting the Results



● Media Propaganda

- Radio Show : "Special Love"
 1. Request national education radio station to open the show
 2. 2 episodes are produced annually, such as the 2016 broadcast, "to show love - for the physical and psychological people who has disabilities from human trafficking" and "To guide curiosity - for those students who has physical and mental disability and also gender equality education, focusing on teaching the preventions."



31

推動成果



● 媒體宣導

● 廣播公益插播廣告

- 1、播出「人口販運防制--「太太與瑪莉篇」及「可疑子女篇」之國、台、客語公益插播廣告
- 2、每日播出3檔次，每檔30秒

Promoting the Results



● Media Propaganda

● Advertisement in Radio Shows

1. Broadcast free "Human Trafficking Prevention - Mother and Mary" and "Suspicious Children" , using Mandarin, Hokien, Hakka languages to advertise
2. Broadcast 3 times per day, each file last 30 seconds.

結語



- 從基礎教育教導，向下扎根
- 賡續加強教育宣導，落實融入人權法治及性別平等教育課程與教學

Conclusion



- From the basic education to teach, from the bottom to start.
- Continuing to strengthen educational propaganda, implement the intergration of human rights law and gender equality education courses and teachins.

防制外籍勞工人口販運

Anti-Human Trafficking in Migrant Workers

主講人：蘇裕國
勞動部勞動力發展署跨國勞動力管理組專門委員

Speaker: **Su Yu-Kao**
Assistant Director-General of Cross Border Workforce

主講人簡介

蘇裕國

勞動部勞動力發展署跨國勞動力管理組專門委員



經歷

勞動部勞動力發展署專門委員

勞動部勞動力發展署科長

主管業務

外國人才招聘與雇用

外籍勞工政策

Brief Introduction of Speaker

Su, Yu-Gao

Assistant Director-General of Cross Border Workforce
Management Division Workforce Development Agency,
Ministry of Labor



PROFESSIONAL EXPERIENCES

Assistant Director-General of Workforce Development Agency ,Ministry of Labor

Section Chief of Workforce Development Agency , Ministry of Labor

PRIMARY FOCUS

Assistant Director-General of Workforce Development Agency, Ministry of Labor

Division Chief of Workforce Development Agency, Ministry of Labor



2017防制人口販運國際工作坊

臺灣防制人口販運工作10年
成效、回顧及展望
—防制外籍勞工人口販運

勞動部勞動力發展署
專門委員蘇裕國

July, 2017



2017 INTERNATIONAL WORKSHOP ON
STRATEGIES FOR COMBATING HUMAN
TRAFFICKING

THE ACHIEVEMENTS, RETROSPECT AND
PROSPECT OF TAIWAN'S COMBATING HUMAN
TRAFFICKING FOR THE PAST 10 YEARS – ANTI-
HUMAN TRAFFICKING IN FOREIGN WORKERS

Su Yu-Kuo

Senior Specialist of Workforce
Development Agency, Ministry of Labor

July, 2017

大綱

- 壹、前言
- 貳、回到2005年
- 參、強化外勞管理機制(2006-2017年)
- 肆、當前挑戰及未來工作
- 伍、結語

Outline

- 1. Foreword**
- 2. Retrospect from 2005**
- 3. Improve managerial efficiency on migrant workers (2006-2017)**
- 4. Current issues and further challenges**
- 5. Conclusion**

壹、前言

2004年美國TIP報告評比臺灣第1級

2004 第一級	2005 第二級	2006 第二級 觀察名單	2007 第二級	2008 2009 第二級
-------------	-------------	---------------------	-------------	---------------------

- 我國在2004年以前，美國TIP報告將臺灣評比為TVPA「人口販運被害人保護法」第1級。
- 2005年TIP報告指稱我國為從事性剝削而被販運之女子主要輸入國，TVPA降為第2級。
- 2006年因高捷泰勞案、台南仲介父子性侵案，我國TVPA評比首次列為第2級「觀察名單」。

1.Foreword

In 2004, Taiwan was ranked in "Tier 1" in the TIP report.

2004 Tier 1	2005 Tier 2	2006 Tier 2 Watch list	2007 Tier 2	2008 2009 Tier 2
----------------	----------------	------------------------------	----------------	------------------------

- By 2004, Taiwan was placed in "Tier 1" in American TIP Report according to the Trafficking Victims Protection Act (TVPA).
- In 2005, TIP reports pointed out Taiwan as the major country of commercial sexual exploitation of female human Trafficking. Thus, Taiwan was degraded in "Tier 2" in TVPA.
- In 2006, due to the cases of Thai migrant workers working on the Kaohsiung MRT and sexual assaults by Migrant Worker Agency at Tainan, Taiwan was accessed in the watch list of Tier 2 for the first time.

貳、回到2005年

一、高捷泰勞事件的危機與轉機

高捷泰勞事件爆發

- 2005年8月21日，高捷公司岡山北機廠宿舍前發生外勞抗爭，起因是仲介公司管理人員對泰勞粗暴管理，泰勞不滿生活管理，導致約300人發生抗爭，並引起燒工寮、燒車輛、傷害管理員與攻擊消防員等行為。
- 此事件揭開1,728名泰勞遭不當對待及剝削的事實，包括薪資未直接全額給付、薪資扣款不明且無明細、部分薪資以代幣發給並限制於宿舍區消費、限制使用行動電話、宿舍太過擁擠、供應飯菜不新鮮、管理人員態度強勢不配合就回國。

2. Retrospect from 2005

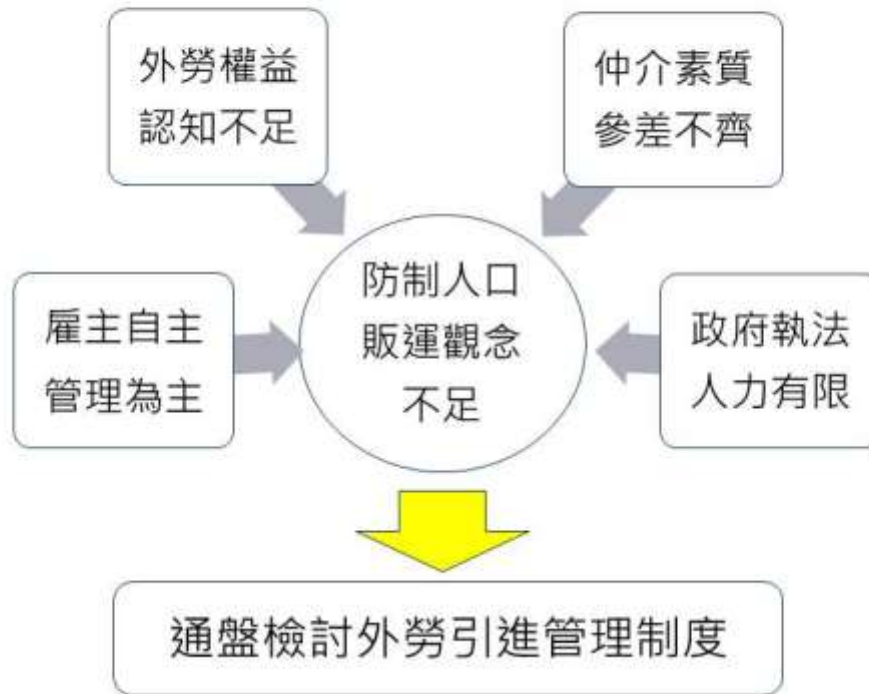
Crisis and opportunity raised by Thai migrant workers working on the Kaohsiung MRT

Thai migrant workers Incident at KRTCO

- on Aug. 21 2005, Thai migrant workers protested the rude attitude and livelihood management by Taiwan agency. The activities led arson and attacks on supervisors and firefighters.
- This incident reveals the dark side of these 1,728 Thai migrant workers. The unfair truth includes partial payment of wages, unknown deductions, partial wages paid by token (token only used in the livelihood area), limitation use of mobile phones, overcrowded dorm, lack of fresh meals, and bully supervisors.

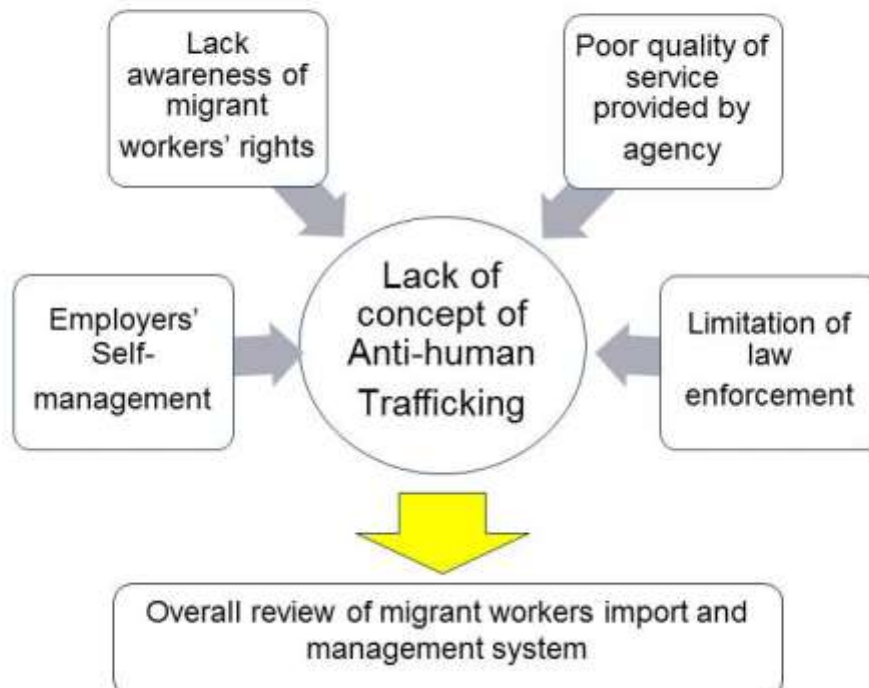
貳、回到2005年

二、當時的外勞管理機制



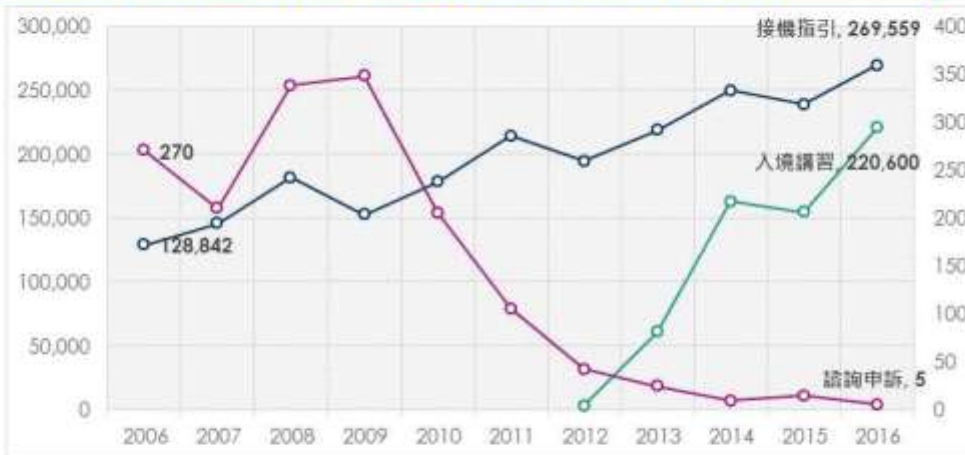
2.Retrospect from 2005

Managerial system on migrant workers ever since



參、強化外勞管理機制(2006-2017年)

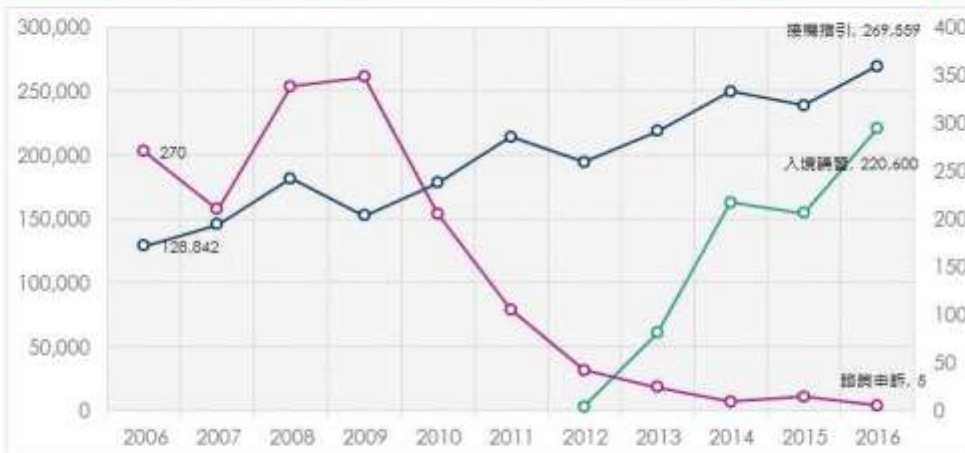
一、設立國際機場外勞關懷服務站(2006年)



- 2006年起陸續於桃園及高雄國際機場設立外勞機場關懷服務站。
- 提供外勞入境接機服務、法令宣導講習、出境諮詢及申訴服務。

3.Improve managerial efficiency on migrant workers (2006-2017)

1) Set up "migrant workers care and support counter" at International airports (2006)



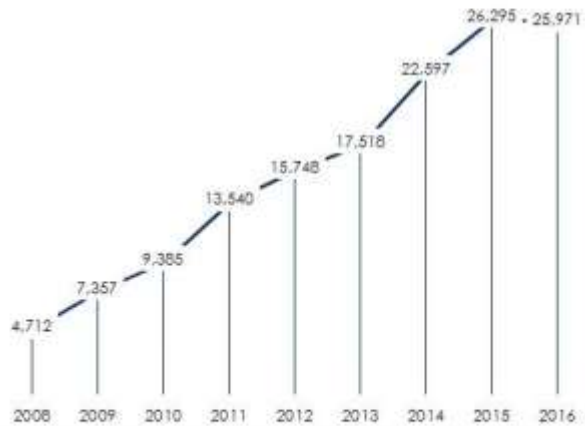
- Set up the counters at Taoyuan and Kaohsiung International Airport
- Offer arrival guidance, legal rights briefing, departure counsel, and complaint service.

參、強化外勞管理機制(2006-2017年)

二、設立直接聘僱中心(2007年)

- ▶ 為降低外籍勞工負擔高額仲介費用，2007年12月31日成立「直接聘僱聯合服務中心」，後設臺北、中、南、東、西5個服務窗口。
- ▶ 協助雇主自行招募原聘僱外勞，無需透過仲介公司，減少支付國內、外仲介公司辦理費用支出外，也縮短外勞再入臺時程及流程，避免遭受國外仲介剝削。

直接聘僱聯合服務中心服務雇主

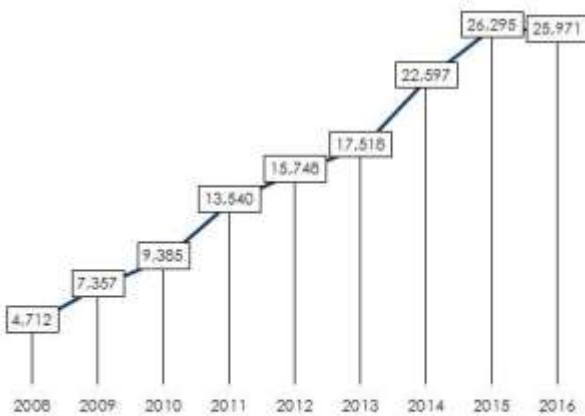


3.Improve managerial efficiency on migrant workers (2006-2017)

2) Set up "direct recruitment center" (2007)

- ▶ Save the unreasonable service fee charged by agencies. "Direct recruitment center" set up 5 offices in north, central, south, east, and west of Taiwan.
- ▶ Assist employers to hire former Migrant Workers without go through agencies. Avoid the unexpected fee charged by local and foreign agencies, shorten the procedure and time for re-enter Taiwan

Number of employer were served by the center



參、強化外勞管理機制(2006-2017年)

三、大幅強化外勞生活管理計畫書(2009-2017年)

強化生活管理項目

- 增加居住空間及走道大小，並注意居住隱私權
- 課予雇主保護外勞人身安全及隱私責任
- 要求雇主公告內部及政府1955等諮詢申訴管道
- 將訂定實施外籍漁工岸上、海上生活管理規定

建立外勞入國3日通報檢查機制

- 規定雇主於外勞入國3日內通報地方政府
- 另地方政府需在外勞入國後3個月內訪視外勞工作、工資與收費、生活管理情形

3.Improve managerial efficiency on migrant workers (2006-2017)

3) Upgrade migrant workers' livelihood management plan (2009-2017)

reform livelihood support

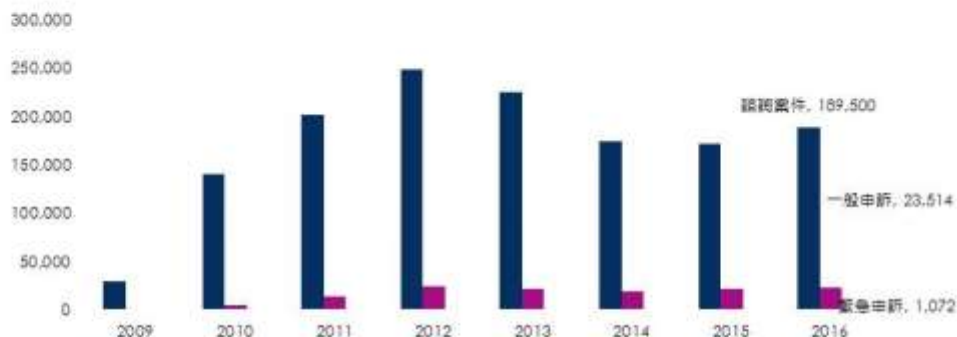
- expand the living space, and respect individual privacy
- educate employers to be responsible for protecting Migrant Workers' rights
- require employers notify migrant workers domestic and official 1955 complaint service
- to legislate and enforce the migrant fish workers on-shore and off-shore livelihood management regulation

build the reporting system within 3 days from the date of arrival

- employers must report the local government within 3 days from the arrival date
- the local government visit and check the work environment regarding their work duties, payment of wages, livelihood conditions

參、強化外勞管理機制(2006-2017年)

四、設立1955勞工諮詢申訴專線(2009年)



- 2009年7月1日起建置1955「外籍勞工24小時諮詢保護專線」，提供24小時雙語免費電話申訴諮詢服務、法律扶助諮詢、轉介保護安置、提供其他政府服務資訊。
- 快速處理申訴電話，受理後採電子派案至直轄市或縣（市）政府查處及追蹤管理申訴個案。
- 2011年2月起，新增以簡訊方式主動提供外勞法令宣導服務，並提供就醫、洽公、工作或生活所需線上即時通譯服務。

3.Improve managerial efficiency on migrant workers (2006-2017)

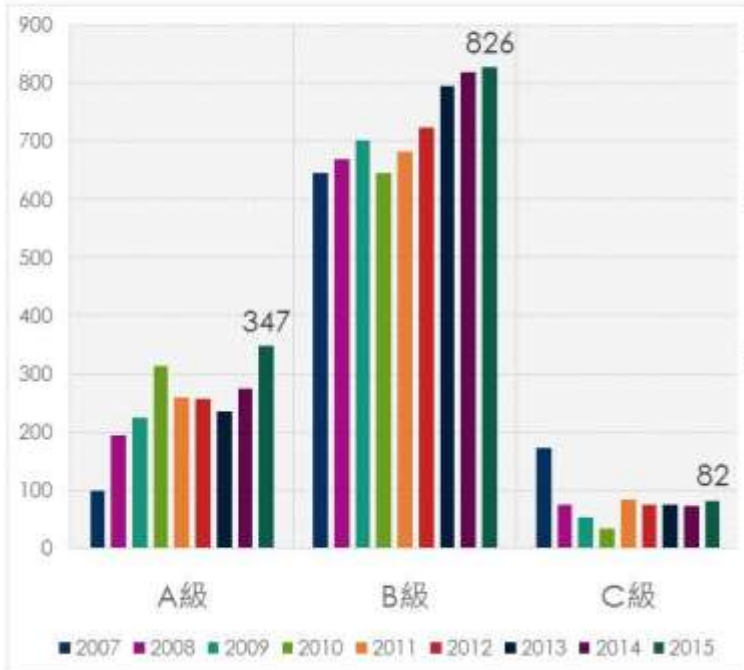
4) Set up direct hotline for migrant workers complaint (2009)



- July 1, 2009, set up "1955" as "24-hour consultation hotline for foreign workers " which provides 24-hour bilingual free call for Legal advice, assistance in contacting protective services and counseling, and shelter referral service.
- Once the case filed, it will be soon online assigned to the local labor bureau to investigate.
- Since Feb. 2011, migrant workers will receive regular texts contains update regulations and support.

參、強化外勞管理機制(2006-2017年)

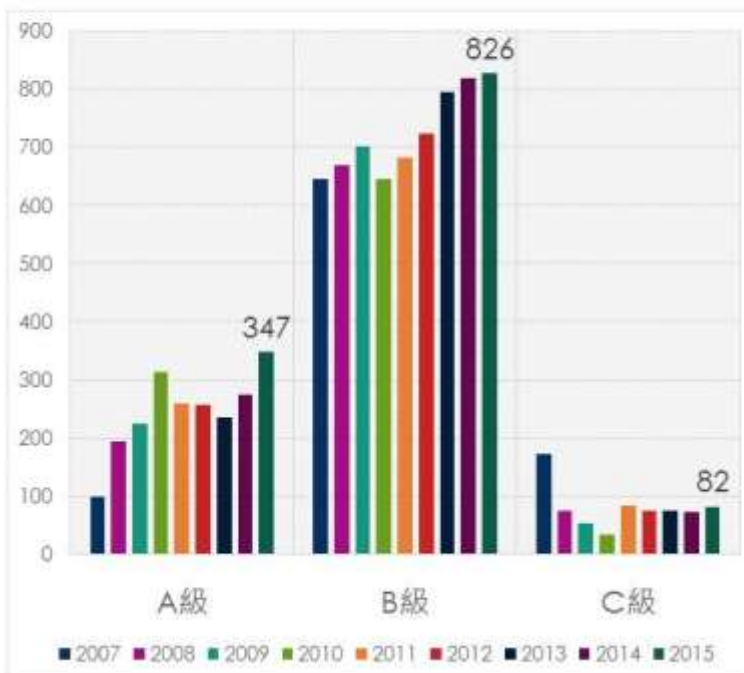
五、外勞仲介分級與獎優汰劣(2007年)



- 2004年辦理仲介公司評鑑，2007年修正法規，每年定期實地評鑑服務品質、違規處分、顧客服務等。
- 評鑑結果分為A、B、C公布於勞動力發展署網站 (www.wda.gov.tw)，提供雇主選擇仲介公司參考。
- 限制C級仲介公司不得設立分支機構，並限期1年改善，如次年評鑑未達B級即不予重新設立許可，退出仲介市場。

3.Improve managerial efficiency on migrant workers (2006-2017)

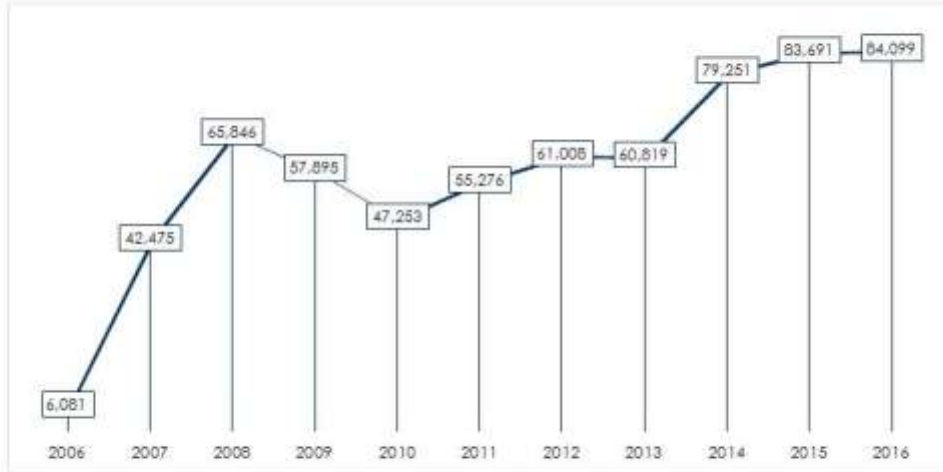
3.Improve managerial efficiency on migrant workers (2006-2017)



- The evaluation started in 2004. In 2007, the related regulations were amended. Since then, the evaluation is implemented annually, and the supervisors must undergo on-site inspection of service quality, and improvement of violation.
- The evaluation gives result into 3 Classes, A, B, C. The annually result will be released on homepage of Workforce Development Agency (www.wda.gov.tw) for the employers' reference to choose agencies.
- Agencies ranked in Class C are prohibited from setting branches and gave one year to advance. If these agencies cannot reach Class B in the next year, they will be closed.

參、強化外勞管理機制(2006-2017年)

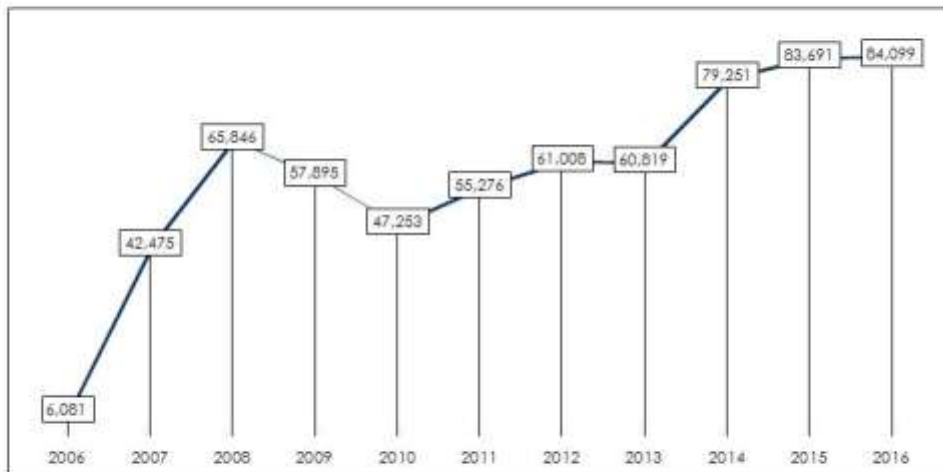
六、建立外勞提前解約驗證制度(2006年)



➤ 雇主與外勞提前解除勞動契約出國前，須前往地方政府驗證外勞真意，防止外勞遭強迫遣返。

3.Improve managerial efficiency on migrant workers (2006-2017)

6) Establish a system of early termination and verification (2006)



➤ If the employers early terminate the contract with their migrant workers, it must be verified by the local authorities to avoid forced repatriation occurred.

參、強化外勞管理機制(2006-2017年)

七、行政院成立「行政院防制人口販運協調會報」及訂定人口販運防制法(2007年-2009年)

2006

- 行政院頒布「防制人口販運行動計畫」，由預防、查緝、起訴及夥伴關係4面向推動工作。

2007

- 行政院成立「防制人口販運協調會報」，由政務委員主持，內政部移民署整合勞動部等部會資源。
- 修正入出國及移民法訂定防制人口販運及保護專章。

2009

- 配合「人口販運防制法」公布實行，勞動部訂定「人口販運被害人工作許可及管理辦法」，核發工作許可、提供就業媒合、職業訓練、安置保護。

3.Improve managerial efficiency on migrant workers (2006-2017)

7) The cabinet level Coordination Committee for Combating Human Trafficking was established, and the Human Trafficking Prevention Act was legislated. (200-2009)

2006

- In November of 2006, Taiwan issued the Human Trafficking Prevention Action Plan. It will be executed in 4 Ps (Prevention, Protection, Prosecution, Partnership).

2007

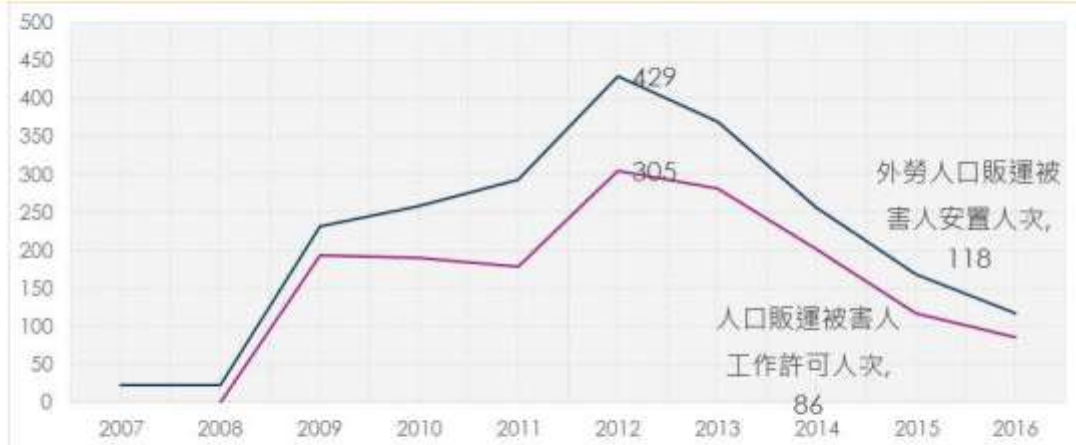
- The Coordination Task Force of Anti-Human Trafficking was established by Executive Yuan, hosted by a Minister without Portfolio. The National Immigration Agency coordinated resources from different government departments.
- Amend Immigration Act and trafficking prevention and protection

2009

- The Human Trafficking Prevention Act was enacted. The Ministry of Labor could issue work permit, job match, vocational training, and shelter refereeing accordingly.

參、強化外勞管理機制(2006-2017年)

八、提供被害人安置保護及就業職訓(2008-2009年)



- 2007年起，安置持工作簽證人口販運被害人。
- 2009年訂定發布「人口販運被害人工作許可及管理辦法」，在核發被害人工作許可時，一併主動協助外國人就業或安排職業訓練。

3.Improve managerial efficiency on migrant workers (2006-2017)

8) Shelter Services of Human Trafficking Victims and vocational training



- Since 2007, issue working visa to the Human Trafficking Victims
- Since 2009, Work Permit and Management Regulations for Human Trafficking Victims was enacted

參、強化外勞管理機制(2006-2017年)

九、增加地方政府外勞查察及諮詢人力(2013年)



- 1995年起補助22個地方政府設置外勞查察及諮詢人力。
- 分別於2006年及2013年增加人力，目前有274名查察人力、116名諮詢人力。
- 近4年來，外勞在臺人數增加約13萬人，但地方政府查察及諮詢人力未增加，工作負荷沉重。

3.Improve managerial efficiency on migrant workers (2006-2017)

9. Increased Local Government Labor Inspection and Consultation (2013)



- Since 1995, 22 local governments have been setting up labor inspections and consultants
- Manpower has been increasing since in 2006 and 2013 respectively, therefore currently has 274 inspectors and 116 consultants.
- In the past 4 years, the number of foreign workers in Taiwan has increased by about 130,000, however the local government has not increased the workload of inspection and consultation.

參、強化外勞管理機制(2006-2017年)

十、雇主初次聘僱家事外勞必須接受聘前法令講習(2016年)

- 2015年修法明定初次申請聘僱外籍家庭看護工及家庭幫傭之雇主，在申請聘僱許可前，應參與聘前講習，以加強雇主知法守法觀念，維護外勞權益。
- 2016年參加雇主聘前講習計2萬7,094人。

標題	日期	場次	報名人數
雇主聘前講習初級班	106-02-23	第1次	4875
澳門人家庭幫傭班	106-02-17	第1次	2897
廣州僱傭人法律班	106-02-03	第1次	1246
廣州聘僱外傭班	106-06-11	第1次	1820
【廣東省】廣東新法班	106-05-02	第1次	362

3.Improve managerial efficiency on migrant workers (2006-2017)

10. Foreign workers who are employed must be hired before the ordinance

- Employers who apply for hiring of foreign family care workers and family helpers for the first time should apply for employment before applying for hiring permission to enhance their awareness of the law and abide by the law and safeguard the rights and interests of foreign workers.
- In 2016, there were 207,094 people who participated in the employment class.

標題	日期	場次	報名人數
雇主聘前講習初級班	106-02-23	第1次	4875
澳門人家庭幫傭班	106-02-17	第1次	2897
廣州僱傭人法律班	106-02-03	第1次	1246
廣州聘僱外傭班	106-06-11	第1次	1820
【廣東省】廣東新法班	106-05-02	第1次	362

參、強化外勞管理機制(2006-2017年)

十一、修法取消外勞聘僱期滿必須出國1日規定(2016年)

- 為減輕外籍勞工再次入國所支付之相關費用負擔，並解決雇主人力調度及照顧空窗期，2016年刪除就業服務法第52條有關外勞3年聘僱期滿必須出國1日規定。
- 外勞得與雇主合意期滿續聘、期滿轉換，或與新雇主合意期滿轉換接續聘僱，免返原國家、可留臺工作，減輕外國仲介費用。
- 至2017年4月底止，核准期滿續聘案件計4萬3,248件，核准期滿轉換計4,616件，核准期滿接續聘僱846件。
- 2017年4月，訂定「外籍勞工請假返國辦法」，規範雇主不可拒絕外勞休假返國。



3.Improve managerial efficiency on migrant workers (2006-2017)

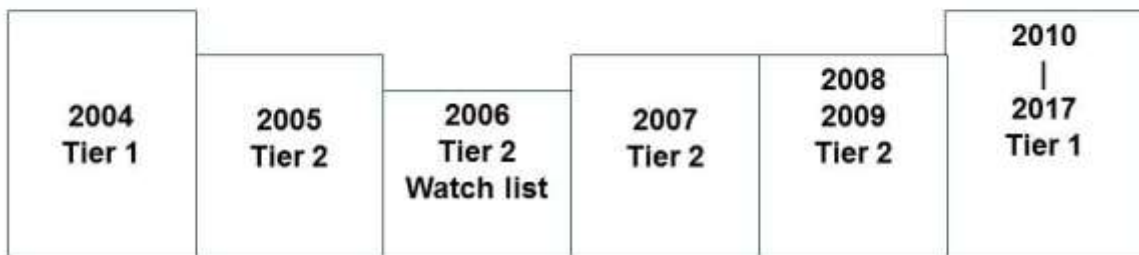
11. The law stated that to abolish the employment of foreign workers must be allowed to go abroad 1 day (2016)

- In order to reduce the burden on the reimbursement of foreign workers and to address the employer's manpower dispatch and take care of the window, the Law on the Removal of Employment Services Act, 2016 discusses about going aboard 1 day after 3 years of employment.
- The foreign workers are allowed to renew their employment with the employer, or they will be allowed to work in the same way as the new employer, and the foreign exchange will be passed.
- As of the end of April 2017, the number of applications for renewal of the period was 40,300, with 4,616 of the approved expiry date and 846 for the approval period.
- April 2017, the "foreign workers leave the country to return home", regulate the employer can not refuse to leave the country.

參、強化外勞管理機制(2006-2017年)



3.Improve managerial efficiency on migrant workers (2006-2017)



肆、當前挑戰及未來工作

一、家事外勞勞動條件保障

- 研擬「家事勞工保障法(草案)」：為強化家事勞工之保障，本部歷經多年研議，前於2011年3月研擬完成「家事勞工保障法(草案)」，並於2013年9月再陳行政院續行審議。惟因缺乏社會共識，且長期照顧服務法於2017年起施行，行政院已要求本部配合長期照顧制度推動，再行檢討。
- 研訂「家事勞工勞動權益保障參考指引(草案)」：考量長期照顧制度對居家照護等將有相關措施，為配合上開制度之推行，本部已研訂「家事勞工勞動權益保障參考指引(草案)」，期導引勞雇雙方將基本權利義務納為勞動契約之一部，並以循序漸進方式形成社會共識，後續預定於106年8月底前邀集學者專家及相關部會召開研商會議。

4. Current issues and further challenges

1. Domestic Workers Protection

- Developing the Domestic Workers Protection Law (Draft): In order to strengthen the protection of domestic workers, the Ministry of Labor - with over the years of study - completed the Domestic Workers Protection Law (Draft) in March 2011, and in September 2013 adjourned by the Executive Yuan. However, due to a lack of social consensus and the Long Term Care Service Act came into effect in 2017, the Executive Yuan has requested the Ministry of Labor to carry out the review with the long-term care system.
- In order to meet the requirements of the system, the MOL has formulated the Guidelines on the Protection of Labor Rights and Interests in Domestic Workers (Draft). In this paper, the Ministry of Labor and Welfare, would guide the two sides to the basic rights and obligations as one of the labor contract, and in a step-by-step way to form a social consensus, follow-up scheduled by the end of August 2017 invited scholars and relevant departments will convene a seminar.

肆、當前挑戰及未來工作

二、改善外籍漁工生活管理

- 為使境內僱用外籍漁工能獲得更完善之生活照顧，並課予雇主落實外籍勞工管理之義務，藉以改善外籍漁工生活環境，本部已修正雇主聘僱外國人許可及管理辦法，明定外籍漁工應納入外國人生活照顧服務計畫書裁量基準，將於106年7月6日發布，並於107年1月1日生效，以保障漁工生活權益。
- 另研議由就業安定基金補助地方政府於大型漁港設置陸上岸置中心，提供外籍漁工更佳居住環境。

4. Current issues and further challenges

2. Improve the management of foreign fishermen life

- To provide employers with the obligation to implement foreign labor management in order to improve the living environment of foreign fishermen, the department has amended the employer's employment and management of foreigners. It is clear that foreign fishermen should be included in the foreigners' care service plan. This will be released on July 6, 2017, and in January 1, 2018 entered into force to protect the interests of fishermen's lives.
- Another study by the employment stability fund to subsidize the local government in large fishing port set up land on the shore center, to provide a better living environment for foreign fishermen.

肆、當前挑戰及未來工作

三、外籍勞工通譯人力

- 為協助外勞接受警察機關或移民機關調查詢問時，提供外勞必要通譯服務，目前已結合NGOs提供通譯人力，以保障人口販運被害人之工作及訴訟權益，但通譯人力不足。
- 本部將於2017年底前，修正通譯人力規定，提高通譯費用及提供交通費用，以充實通譯人力。

4. Current issues and further challenges

3. Foreign Workers Forced Labor

- In order to assist foreign workers in the investigation of inquiries from the police or immigration authorities, it is necessary to provide the necessary translation services for foreign workers. At present, NGOs have been provided with interpreting human resources to protect the work and litigation rights of victims of trafficking.
- The Department will, by the end of 2017, amend the manpower provisions to improve the cost of translation and provide transportation costs to enhance the translation of manpower.

肆、當前挑戰及未來工作

四、推動「保護所有遷徙工人及其家庭成員權利國際公約」國內法化

- ▶ 聯合國「九大核心人權公約」，尚有「禁止酷刑和其他殘忍不人道或有辱人格的待遇或處罰公約」、「保護所有遷徙工人及其家庭成員權利國際公約」、「保護所有人免遭強迫失蹤國際公約」3項公約尚未國內法化，其中「保護所有遷徙工人及其家庭成員權利國際公約」為勞動部主政。
- ▶ 勞動部2014年完成研究，規劃採行「條約締結法」方式，檢視公約條文文字用語之妥適性與國內相應之法令規範，再送立法院審議並呈請總統公布，完成國內法化程序，並由中央跨部會及地方政府合作，以落實移工及其家庭成員人權保障。

4.Current issues and further challenges

4. To promote "the protection of all migrant workers And its International Covenant on Community Rights"

- ▶ The United Nation's "nine core human rights conventions" includes "The Convention against Torture and Other Cruel and Inhuman or Degrading Treatment or Punishment", "The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families", "International Convention for the Protection of All Persons from Enforced Disappearance". The three conventions have not yet been domesticated, and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families is the Ministry of Labor.
- ▶ The Ministry of Labor completed the study in 2014, planning the adoption of the "Treaty Enforcement Act" approach, review the terms of the text of the Convention and the corresponding domestic laws and regulations, and then sent to the Legislative Council for consideration and submitted to the President announced the completion of domestic legal procedures, Ministries and local governments to implement human rights protection for migrant workers and their families.

伍、結語

- 我國向來重視基本人權保障，勞動部並以國民待遇保障在臺外籍勞工權益。未來將持續積極協調中央、地方政府等公部門，並結合民間資源，及透過相關法制規定與管理措施等，給予在臺工作外勞妥善保障，使其能安心在臺工作，遠離人口販運。

Conclusion

- Taiwan has always attached importance to basic human rights protection, the Ministry of Labor and the national treatment to protect foreign workers in Taiwan rights and interests. The future will continue to actively coordinate the central and local governments and other public departments, combined with private resources, and through the relevant legal provisions and management measures, to give work in Taiwan to protect foreign workers, so that peace of mind in Taiwan, away from human trafficking.

簡報結束

THE END

臺灣防制人口販運工作 10 年
成效、回顧及展望（二）

*The Achievements, Retrospect and Prospect of Taiwan's
Combating Human Trafficking for the past 10 years (2)*

人口販運起訴成效
Prosecution Achievements

主講人：許鈺茹
法務部檢察司檢察官

Speaker: **Hsu, Yu-Ju**
Prosecutor of Department of Prosecutorial Affairs
Ministry of Justice

主講人簡介

許鈺茹

法務部檢察司檢察官

經歷

臺灣臺南地方法院檢察署檢察官

臺灣新竹地方法院檢察署檢察官

臺灣臺北地方法院檢察署檢察官

臺灣桃園地方法院檢察署公訴組主任檢察官

臺灣臺北地方法院檢察署婦幼組主任檢察官

法務部檢察司檢察官

Brief Introduction of Speaker

Hsu, Yu-Ju

Prosecutor of Department of Prosecutorial Affairs

PROFESSIONAL EXPERIENCES

Prosecutor of Tainan District Prosecutors Office

Prosecutor of Hsinchu District Prosecutors Office

Prosecutor of Taipei District Prosecutors Office

Head Prosecutor of Public Prosecution Taoyun District Prosecutors Office

Head Prosecutor of material and child, Taipei District Prosecutors Office

Prosecutor of Department of Prosecutorial Affairs

**臺灣防制人口販運
起訴成效**

法務部檢察司許鈺茹檢察官

**Prosecution Achievements of Taiwan's
Combating Human Trafficking**

Hsu, Yu-Ju
Prosecutor, Department of Justice

一、前言：我國人口販運防制工作獲國際肯定 人口販運防制 我連續8年評比全球第一級



AIT副處長傅德忠（左）送交「美國2017年人口販運問題報告-台灣部分」予內政部移民署署長何榮村。圖／移民署提供

美國國務院公布2017年全球防制人口販運評比結果，我國在全球180多國評比中仍然名列第一級國家，內政部表示，這已經是連續第8年獲得肯定。

1. Preface : **Taiwan's achievement in combating human trafficking** Taiwan maintained its Tier 1 ranking for eight consecutive years.



AIT副處長傅德忠（左）送交「美國2017年人口販運問題報告-台灣部分」予內政部移民署署長何榮村。圖／移民署提供

美國國務院公布2017年全球防制人口販運評比結果，我國在全球180多國評比中仍然名列第一級國家，內政部表示，這已經是連續第8年獲得肯定。

李麗華揭露台灣漁船剝削外籍漁工獲美頒獎 總統、外交部肯定

唐詩 / 台北報導 2017-06-28 12:55



宜蘭縣漁工職業工會秘書長李麗華也因協助打擊人口販運的努力和表現，榮獲美國國務院頒發「打擊人口販運英雄獎」。AIT官網貼出李麗華獲獎照片。圖/翻攝AIT官方微博

外交部今表示，美國國務院於臺北時間27日晚間發布「2017年人口販運報告」(2017 Trafficking-in-Persons Report)，該報告評比188個政府，我國除連續8年名列該報告防制人口販運成效最佳的第一級(Tier 1)名單外，宜蘭縣漁工職業工會秘書長李麗華也因協助打擊人口販運的努力和表現，榮獲美國國務院頒發「打擊人口販運英雄獎」。

美國在台協會(AIT)稍早也宣布，宜蘭縣漁工職業工會的秘書長兼創辦人李麗華剛獲得國務院頒贈2017年《打擊人口販運、終止現代奴役英雄獎》。這個由國務卿雷克斯·

提勒森(Rex Tillerson)與總統顧問伊凡卡·川普(Ivanka Trump)親自頒贈的獎項主要是為表彰世界各地為打擊人口販運並且對抗不公不義等行動奮鬥不懈的傑出人士。

2017 Trafficking in Persons Report Hero

AIT - Taipei Main Office



AIT is honored to announce that Secretary of State Rex Tillerson has awarded Allison Lee, the Secretary General and founder of the Yilan Migrant Fishermen Union, the State Department's 2017 "TIP Report Hero Acting to End Modern Slavery Award." The Award honors outstanding individuals around the world who fight for

我國人口販運防制工作精進之方向

- 加強起訴及定罪力度對加害人給予充分嚴厲之處罰
- 增進訓練效益強化檢察官及法官對人口販運之認知
- 修法釐清家庭看護工和家事勞動者基本權益之落差
- 明確界定及監督臺籍漁船之角色和責任

Efforts of Taiwan in Anti-trafficking

- Increasing effort to prosecute and convict traffickers and sentencing convicted traffickers to sufficiently stringent punishments.
- Prosecutors and judges' understanding of trafficking crimes and enact legislation.
- Clarifying differences between Domestic Workers And Domestic care-takers
- Defining clearly and monitoring the roles and responsibilities of Taiwan' s fishing vessels.

二、我國人口販運犯罪類型

人口販運案件適用法條一覽表

106年1月1日

項次	法 律	條 次
1	人口販運防制法	第 31 條至第 34 條、第 36 條、第 39 條
2	兒童及少年性剝削防制條例	第 32 條至第 34 條、第 37 條、第 42 條
3	勞動基準法	第 75 條
4	刑法	第 231 條第 1 項後段、第 231 條之 1、第 241 條(第 2、3、4 項)、第 242 條、第 243 條、第 296 條、第 296 條之 1、第 298 條(第 2、3 項)、第 299 條、第 300 條

註：依據人口販運防制法第 2 條規定，人口販運罪指從事人口販運，而犯本法、刑法、勞動基準法、兒童及少年性剝削防制條例或其他相關之罪。

2、Criminal Types of Human Trafficking in Taiwan

Acts Applied to Human Trafficking Cases

2017.Jan.01

項次	Law	條 次
1	Human Trafficking Prevention Act	第 31 條至第 34 條、第 36 條、第 39 條
2	Child and Youth Sexual Exploitation Prevention Act	第 32 條至第 34 條、第 37 條、第 42 條
3	Labor Standards Act	第 75 條
4	Criminal Code	第 231 條第 1 項後段、第 231 條之 1、第 241 條(第 2、3、4 項)、第 242 條、第 243 條、第 296 條、第 296 條之 1、第 298 條(第 2、3 項)、第 299 條、第 300 條

註：依據人口販運防制法第 2 條規定，人口販運罪指從事人口販運，而犯本法、刑法、勞動基準法、兒童及少年性剝削防制條例或其他相關之罪。

常見之人口販運犯罪型態

- 利用與國人假結婚之方式入境
- 持用不實之入國許可證入境
- 持用偽造之外國護照入境
- 以虛偽內容申請入境再實行與申請目的不相符之活動
- 變造我國兒童證件偷渡大陸兒童至歐美等國

Criminal Types of Human Trafficking in Taiwan

- People who entered Taiwan through False marriages
- People who used fake Entry/Exit Permit
- People who used fake passport
- Engaging in activities not matching with the purpose of Entry application.
- Altering Taiwanese children's passports to help children in China to enter illegally Europe and the U.S.

惡老闆逼洗屍 6看護控訴

當場嚇暈 夜夜惡夢

2011年10月04日    1



逼看護洗屍示意圖
1. 看護中心一名女看護泣訴，她被雇主帶到殯儀館清洗遺體時，當場嚇暈。

【綜合報導】榮獲高雄市政府評鑑優等的孝欣葬儀社，老闆林鴻坤、吳靜惠夫婦兼營三家安養院，竟強逼六名照顧老人的越南籍女看護工，還要到殯儀館洗遺體，甚至挖墳撿骨，有看護工洗屍當場嚇暈、夜夜惡夢，卻只領到五十元時薪，還被威脅「不照做就遣返」。最高法院昨依《人口販運防制法》恐嚇使人從事勞動，與報酬顯不相當之工作罪，判這對惡老闆各十月徒刑，緩刑三年定讞。

判決指出，林鴻坤（四十五歲）、吳靜惠（四十三歲）夫婦在高雄市經營孝升、孝星、永泰三家養護中心，兼營孝欣葬儀社，兩人從二〇〇八年起僱用六名越南籍看護工，負責旗下養護中心每晚八時到隔天早上八時夜班看護工作。林鴻坤夫婦為節省葬儀社開支，自二〇〇九年四月起，白天不定期載六名看護工到殯儀館、醫院等地，由林鴻坤示範幫往生者清洗、穿衣等入殮事務，再要看護工接手完成，六人當場驚嚇拒絕，竟被威脅「不照做就遣返」。

News

The host of 6 migrant domestic workers has violated human trafficking law

2011年10月04日    1



逼看護洗屍示意圖
1. 看護中心一名女看護泣訴，她被雇主帶到殯儀館清洗遺體時，當場嚇暈。

【綜合報導】榮獲高雄市政府評鑑優等的孝欣葬儀社，老闆林鴻坤、吳靜惠夫婦兼營三家安養院，竟強逼六名照顧老人的越南籍女看護工，還要到殯儀館洗遺體，甚至挖墳撿骨，有看護工洗屍當場嚇暈、夜夜惡夢，卻只領到五十元時薪，還被威脅「不照做就遣返」。最高法院昨依《人口販運防制法》恐嚇使人從事勞動，與報酬顯不相當之工作罪，判這對惡老闆各十月徒刑，緩刑三年定讞。

判決指出，林鴻坤（四十五歲）、吳靜惠（四十三歲）夫婦在高雄市經營孝升、孝星、永泰三家養護中心，兼營孝欣葬儀社，兩人從二〇〇八年起僱用六名越南籍看護工，負責旗下養護中心每晚八時到隔天早上八時夜班看護工作。林鴻坤夫婦為節省葬儀社開支，自二〇〇九年四月起，白天不定期載六名看護工到殯儀館、醫院等地，由林鴻坤示範幫往生者清洗、穿衣等入殮事務，再要看護工接手完成，六人當場驚嚇拒絕，竟被威脅「不照做就遣返」。

81外籍漁工遭拘禁 下船只能擠20坪小房

2016年05月24日 19:22 劉宥廷

A A A



81名外籍漁工下工後被關在高市小港、前鎮等區2處透天厝內集體管理。但20坪空間擠進數十人，門窗還封住上鎖，僅留通風口。已逾越漁船主管理監督國內停留外籍漁工的合理範圍。被雄檢查獲。(劉宥廷翻攝)

81名外籍漁工下工後遭關在高市小港、前鎮區2處透天厝內集體管理。但20坪空間擠進數十人。門窗還封住上鎖。僅留通風口。已逾越船主管理監督國內停留外籍漁工的合理範圍；高雄地檢署認為除限制漁工自由外，還有不當勞力剝削。全案依違反人口販運防制法、妨害自由偵辦。

News

81 Southeast Asian, African workers freed from squalor



81名外籍漁工下工後被關在高市小港、前鎮等區2處透天厝內集體管理。但20坪空間擠進數十人，門窗還封住上鎖，僅留通風口。已逾越漁船主管理監督國內停留外籍漁工的合理範圍。被雄檢查獲。(劉宥廷翻攝)

81名外籍漁工下工後遭關在高市小港、前鎮區2處透天厝內集體管理。但20坪空間擠進數十人。門窗還封住上鎖。僅留通風口。已逾越船主管理監督國內停留外籍漁工的合理範圍；高雄地檢署認為除限制漁工自由外，還有不當勞力剝削。全案依違反人口販運防制法、妨害自由偵辦。

毒品控制再加性剝削 警破人口販運應召站

2016-06-17 12:10

〔記者劉慶侯／台北報導〕移民署新北市專勤隊、蘆洲分局，今日宣佈破獲藏身在雙北市，結合槍、毒、應召站的最大人口販運性剝削集團，逮捕綽號「文哥」邱文聰等15名嫌犯，及11名被控制和剝削的印尼、中國籍賣春女郎。



綽號文哥的邱文聰（左）在停車場遭逮捕，車輛藏有毒品及槍械。（記者劉慶侯攝）

警方表示，「文哥」集團利用成員吸收兩名印尼籍賣淫女子，一為娜娜（化名），協助集團在網路上對不特定印尼籍女子散佈可在工廠上班訊息，待印尼移工有興趣後，假意帶到工廠再稱目前無工作機會，隨後利用移工在台脆弱無助且亟需賺錢情境，將對方強迫推入火坑。

另一為妙妙（化名），原為應召站紅牌，後遭「文哥」吸收為女友，協助該集團監控其他被害外籍女子，並充當犯罪集團印尼語翻譯工作。

警方調查，遭拐騙來的印尼籍移工多被逼迫賣淫，若有反抗或有脫離監控企圖，動輒恐嚇、威脅被害人

News

Biggest Prostitution Ring Were Busted, 11 Migrant Girls Has Been Rescued

2016-06-17 12:10

〔記者劉慶侯／台北報導〕移民署新北市專勤隊、蘆洲分局，今日宣佈破獲藏身在雙北市，結合槍、毒、應召站的最大人口販運性剝削集團，逮捕綽號「文哥」邱文聰等15名嫌犯，及11名被控制和剝削的印尼、中國籍賣春女郎。



綽號文哥的邱文聰（左）在停車場遭逮捕，車輛藏有毒品及槍械。（記者劉慶侯攝）

警方表示，「文哥」集團利用成員吸收兩名印尼籍賣淫女子，一為娜娜（化名），協助集團在網路上對不特定印尼籍女子散佈可在工廠上班訊息，待印尼移工有興趣後，假意帶到工廠再稱目前無工作機會，隨後利用移工在台脆弱無助且亟需賺錢情境，將對方強迫推入火坑。

另一為妙妙（化名），原為應召站紅牌，後遭「文哥」吸收為女友，協助該集團監控其他被害外籍女子，並充當犯罪集團印尼語翻譯工作。

警方調查，遭拐騙來的印尼籍移工多被逼迫賣淫，若有反抗或有脫離監控企圖，動輒恐嚇、威脅被害人

越配「隔空生子」偵結 22假父母公訴 11越童將遣返

2017-06-21 16:14

【記者黃淑莉／雲林報導】多位越南父母為讓孩子來台灣，透過非法仲介偽造出生證明，使嫁來台灣的越南姑姑、阿姨「隔天生子」變成小孩的生母，雲林地檢署今天偵查終結，將22名「假父母」提起公訴，至於涉嫌人口販運部分，來台孩子與在台越籍配偶都有親戚關係，在台期間也沒被虐待、剝削，因此並無人口販運。



雲林地檢署、移民署上月偵破越配「隔空生子」案，訊後移送地檢署偵辦。（記者黃淑莉翻攝）

及廖男等8名國人提起公訴。

雲林地檢署、移民署上月偵破偽造出生證明申辦台灣護照來台，查獲17對台灣「假父母」，在102至105年間，以美金3000至7000元不等代價，透過越南仲介集團，偽造醫院出生證明，將孩子的生母變成嫁來台的越配，其中11名越童已在台取得我國護照且已入戶籍，全案依違反人口販運防制法、護照條例等罪嫌送辦。

雲林地檢署偵查終結今天依刑法偽造文書使公務員登載不實及違反護照條例等罪嫌，將阮姓等14名越配

News

A ring smuggling Vietnamese children has been Dismantled

2017-06-21 16:14

【記者黃淑莉／雲林報導】多位越南父母為讓孩子來台灣，透過非法仲介偽造出生證明，使嫁來台灣的越南姑姑、阿姨「隔天生子」變成小孩的生母，雲林地檢署今天偵查終結，將22名「假父母」提起公訴，至於涉嫌人口販運部分，來台孩子與在台越籍配偶都有親戚關係，在台期間也沒被虐待、剝削，因此並無人口販運。



雲林地檢署、移民署上月偵破越配「隔空生子」案，訊後移送地檢署偵辦。（記者黃淑莉翻攝）

及廖男等8名國人提起公訴。

雲林地檢署、移民署上月偵破偽造出生證明申辦台灣護照來台，查獲17對台灣「假父母」，在102至105年間，以美金3000至7000元不等代價，透過越南仲介集團，偽造醫院出生證明，將孩子的生母變成嫁來台的越配，其中11名越童已在台取得我國護照且已入戶籍，全案依違反人口販運防制法、護照條例等罪嫌送辦。

雲林地檢署偵查終結今天依刑法偽造文書使公務員登載不實及違反護照條例等罪嫌，將阮姓等14名越配

三、檢察機關偵辦人口販運案件之相關法規

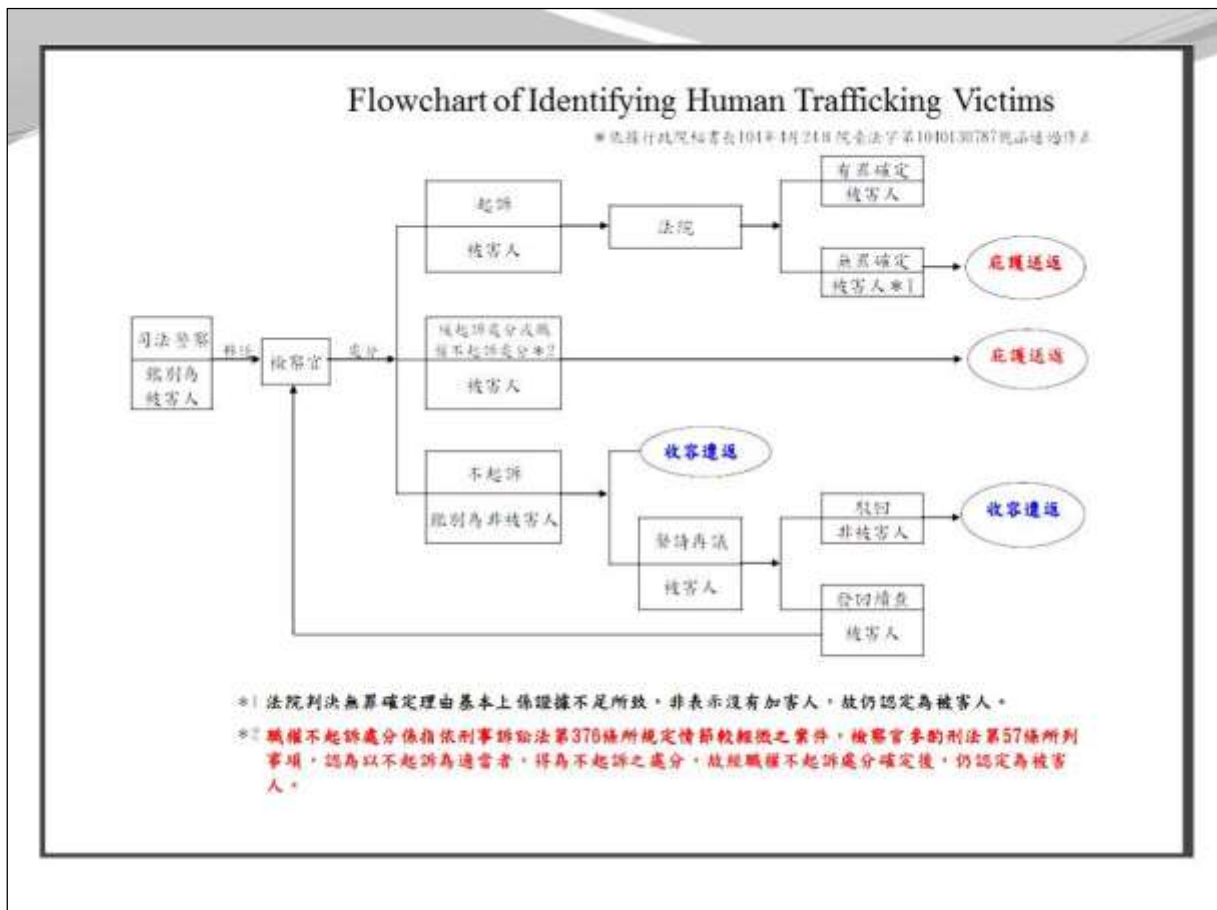
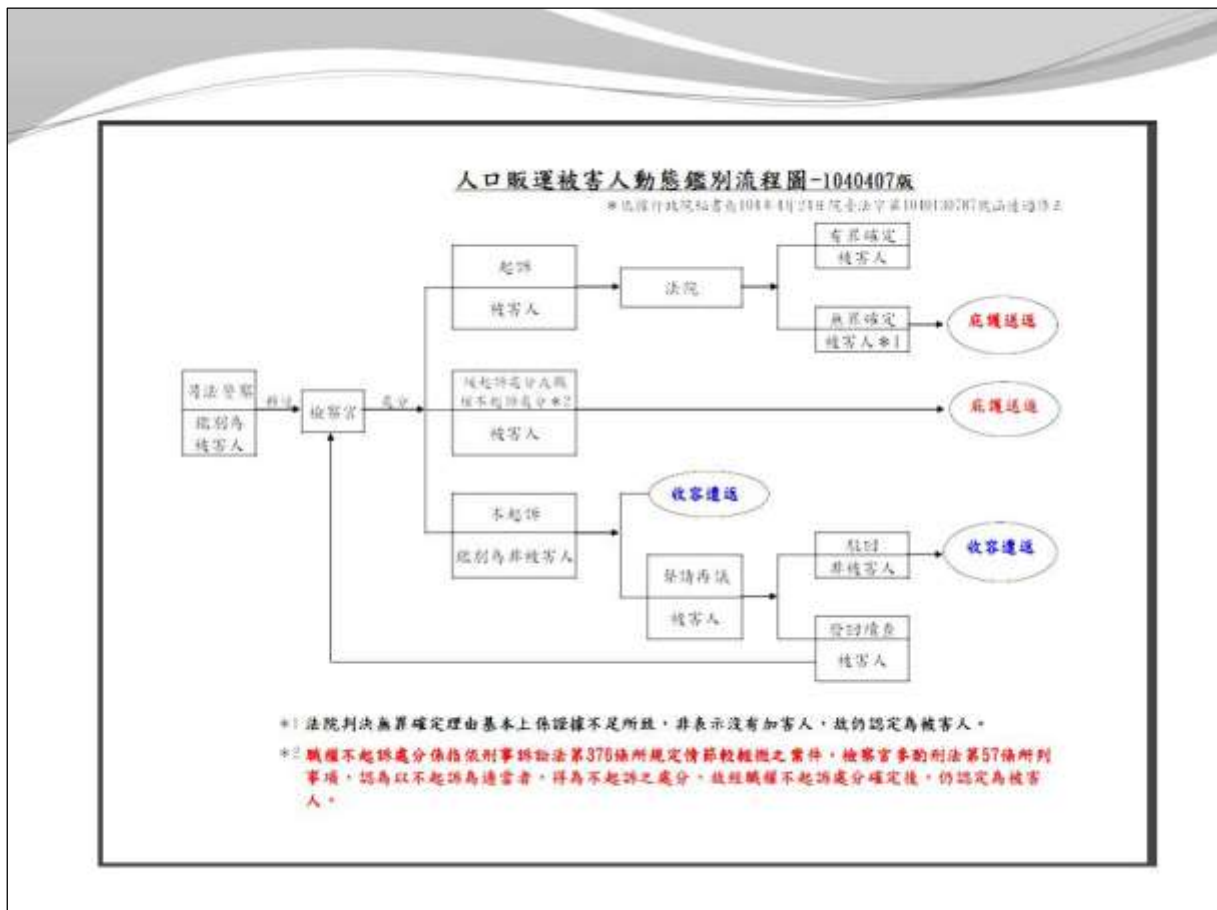
- **人口販運防制法：**
法務主管機關職掌人口販運被害人鑑別法制事項、人口販運罪之偵查與起訴之規劃、推動及督導。
- **臺灣高等法院檢察署防制人口販運督導小組設置要點：**
為有效查緝人口販運案件，設置臺灣高等法院檢察署防制人口販運督導小組。
- **檢察機關辦理人口販運案件應行注意事項：**
各地檢署指派經專業訓練之檢察官專責辦理人口販運案件。
- **人口販運被害人鑑別原則：**
明確鑑別人口販運被害人，以有效追查人口販運案件，並提供被害人合適保護措施。

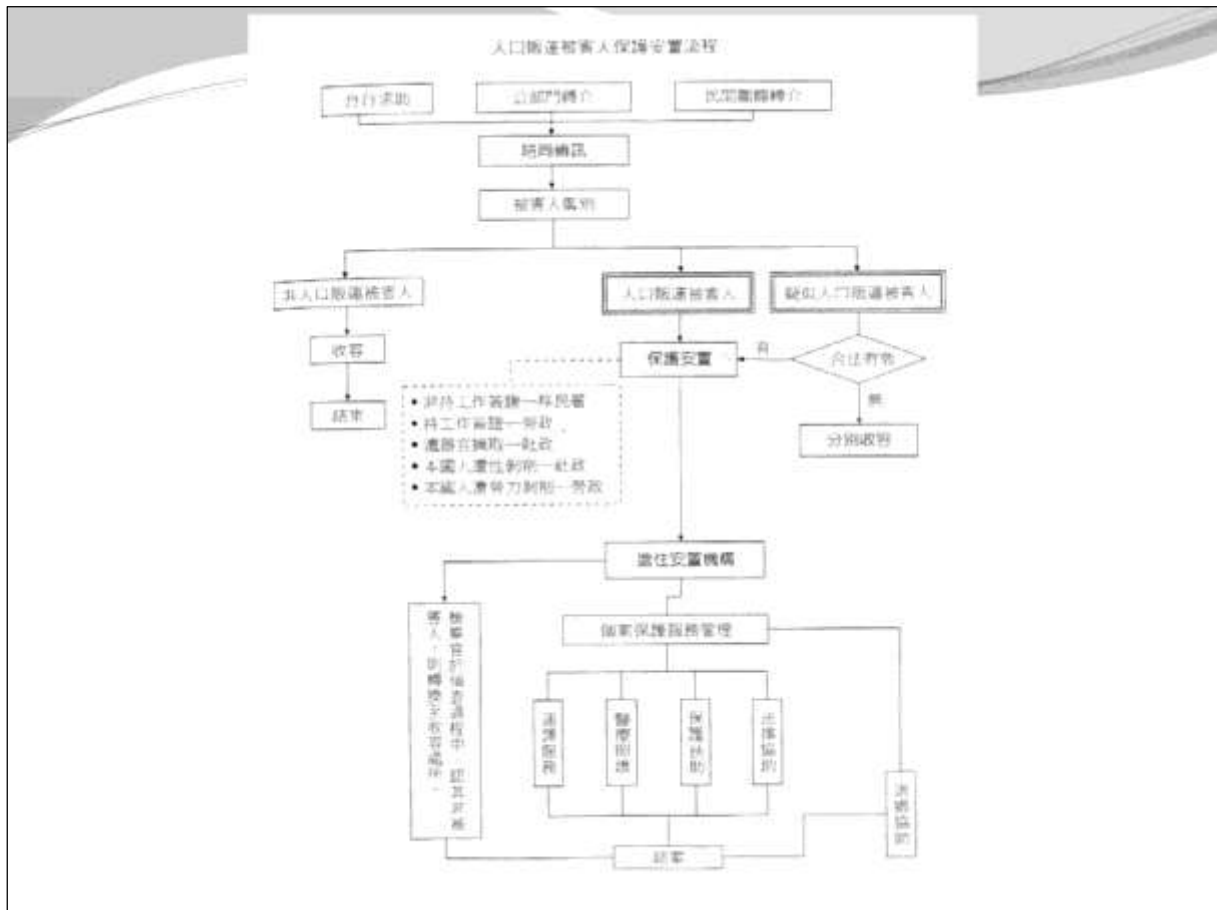
3、Acts and Regulations of Human Trafficking Prevention

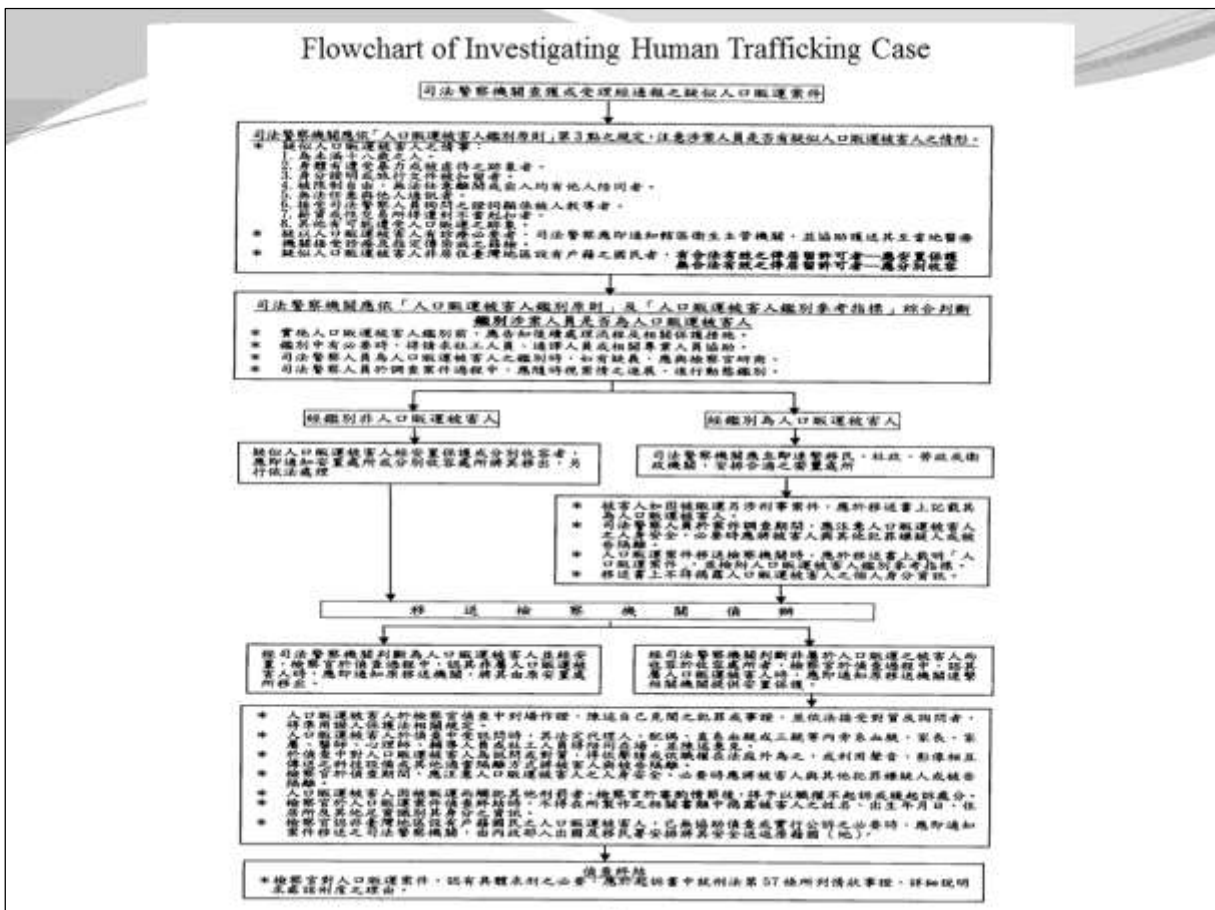
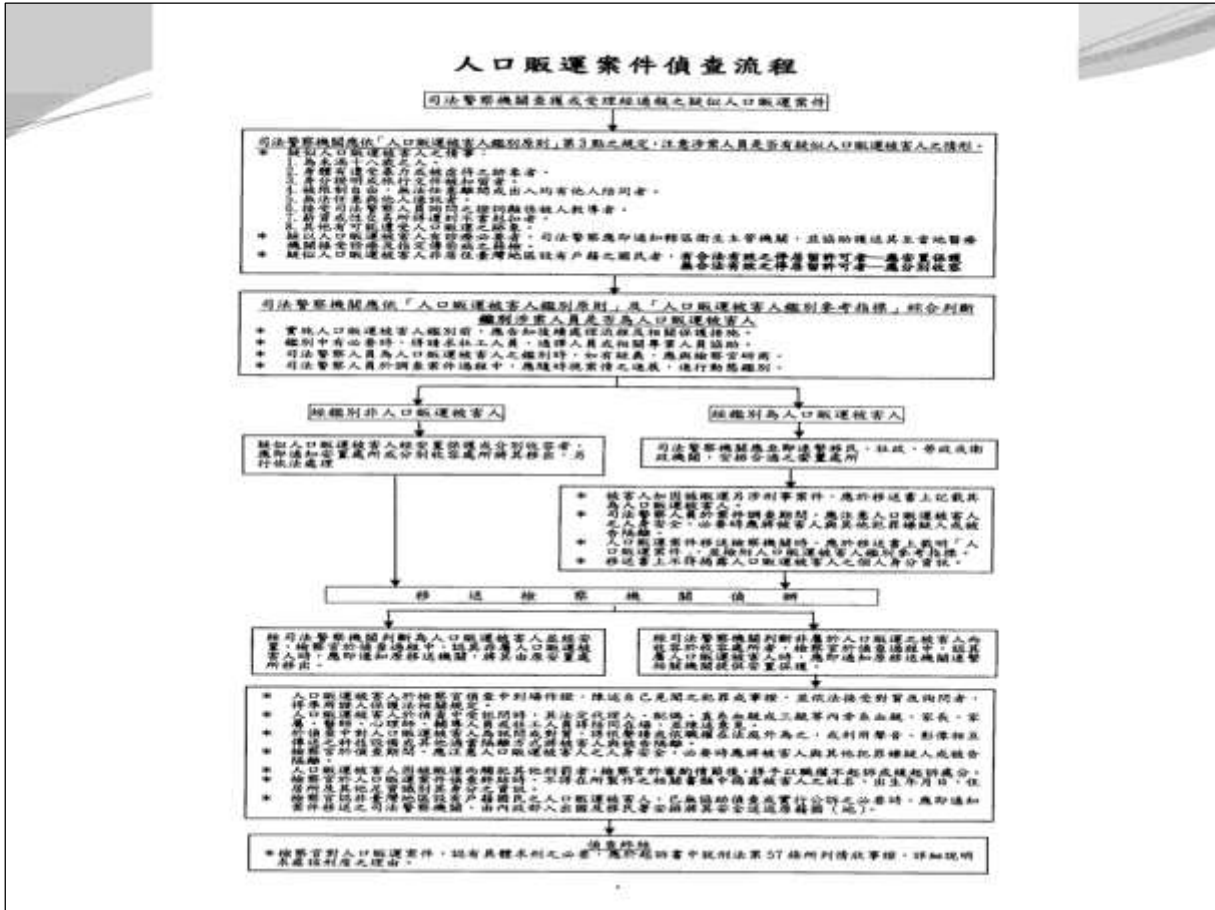
- **Human Trafficking Prevention Act :**
Judicial competent authority: the planning, promotion and supervision of the legal procedures for the identification of human trafficking victims and the investigation and prosecution of human trafficking
- **The Purpose on anti-human trafficking supervision group under Prosecutors Office for Taiwan High Court :**
To set up anti-human trafficking supervision group
- **Notices concerning the investigation of human trafficking cases :**
Personnel conducting human-trafficking-related arrest, investigation, trial, identification of victims, rescue, protection and sheltering, shall have undergone relevant professional training.
- **Identification Principles Of Human Trafficking Victims :**
The investigation of human trafficking cases, referral of criminal cases, identification and protection of the personal safety of human trafficking victims.

人口販運被害人鑑別參考指標				代碼：
被害人姓名	國籍	性別		
出生年月日	年齡	使用語言		
國際號碼	<input type="checkbox"/> 身分證統一編號： <input type="checkbox"/> 護照號碼： <input type="checkbox"/> 居留證號碼：			
國內住居所	<input type="checkbox"/> 是，安置處所： <input type="checkbox"/> 否，現於何處：			
剝削目的 (是否遭剝削? <input type="checkbox"/>是 <input type="checkbox"/>否)				
<input type="checkbox"/> 性剝削	<input type="checkbox"/> 是否從事性交易?			
<input type="checkbox"/> 勞力剝削	<input type="checkbox"/> 其從事之勞動是否與其實際獲得之報酬顯不相當? (參考要項： 1. 其工作情形為何? (工作內容?每日工作?加班情形?可否拒絕加班?工作環境如何?有無提供安全場所或設備?是否須負擔約定工作項目以外之工作?) 2. 其實際取得報酬之情形為何? (實際獲得之報酬是否與約定金額相符?有無遭到剝削?是否無法掌握自身之工作所得?能否取得加班費?) 3. 其工作與實際獲得之報酬是否顯不相當? (同樣工作條件下可獲得之合理報酬為何?如報酬之情形是否合理?其實際獲得之報酬與其提供之勞務相較,與該家職一般人之待遇是否顯不相當?是否為被害人主觀所難以接受?))			
<input type="checkbox"/> 器官摘取	<input type="checkbox"/> 是否遭摘除器官?如是, 摘除何器官?_____			
不法手段 (是否遭不法手段對待? <input type="checkbox"/>是 <input type="checkbox"/>否)				
<input type="checkbox"/> 強暴 <input type="checkbox"/> 脅迫 <input type="checkbox"/> 恐嚇 <input type="checkbox"/> 拘禁 <input type="checkbox"/> 監控 <input type="checkbox"/> 綁架	參考要項： 1. 有無遭受性侵害? 2. 有無遭到毆打或虐待?此項或傷害有無受到合理之醫療照護? 3. 其自身或家人有無受到恐嚇威脅? 4. 是否被限制的工作處所?工作處所有無上鎖?有無他人監控?有無監禁性質? 5. 是否不得任意離開工作處所?離開時有無他人吞會監控?			
非法手段 (是否遭非法手段對待? <input type="checkbox"/>是 <input type="checkbox"/>否)				
<input type="checkbox"/> 招募 <input type="checkbox"/> 買賣 <input type="checkbox"/> 買押 <input type="checkbox"/> 運送 <input type="checkbox"/> 交付 <input type="checkbox"/> 收受 <input type="checkbox"/> 藏匿 <input type="checkbox"/> 隱匿 <input type="checkbox"/> 媒介 <input type="checkbox"/> 容留	參考要項： 1. 原定前往目的地之目的為何?與到達後實際從事者是否相符? 2. 是否被他人安排前往目的地?該他人為何?如何接洽?有無支付費用?費用多少?如何支付? 3. 前往目的地之方式為何? 4. 有無合法之身分證明或旅行文件? 5. 是否因欲到達目的地而負擔債務?約定以何方式償付? 6. 是否被運往目的地? 7. 前往目的地之過程中有無他人陪同?是否遭受強暴、脅迫、恐嚇、監禁?行動自由是否遭受限制? 8. 抵達目的地後是否被交到另一批人手上?有無被買賣、買押? 9. 抵達目的地後是否被他人安排從事工作或性交易?有無支付費用? 10. 抵達目的地後是否被他人安排住處?是否自行選擇居住處所?			
被害人被害時之年齡： <input type="checkbox"/> 十八歲以上 <input type="checkbox"/> 未滿十八歲				
依前揭指標綜合鑑別結果： (被害人被害時之年齡為十八歲以上者, 須同時具備剝削目的; 若達未成年人口販運行為標準者, 未滿十八歲者, 再視剝削目的及人口販運行為標準即可) <input type="checkbox"/> 是 <input type="checkbox"/> 否為人口販運被害人				

Indicators of Identifying Human Trafficking Victims				代碼：
被害人姓名	國籍	性別		
出生年月日	年齡	使用語言		
國際號碼	<input type="checkbox"/> 身分證統一編號： <input type="checkbox"/> 護照號碼： <input type="checkbox"/> 居留證號碼：			
國內住居所	<input type="checkbox"/> 是，安置處所： <input type="checkbox"/> 否，現於何處：			
剝削目的 (是否遭剝削? <input type="checkbox"/>是 <input type="checkbox"/>否)				
<input type="checkbox"/> 性剝削	<input type="checkbox"/> 是否從事性交易?			
<input type="checkbox"/> 勞力剝削	<input type="checkbox"/> 其從事之勞動是否與其實際獲得之報酬顯不相當? (參考要項： 1. 其工作情形為何? (工作內容?每日工作?加班情形?可否拒絕加班?工作環境如何?有無提供安全場所或設備?是否須負擔約定工作項目以外之工作?) 2. 其實際取得報酬之情形為何? (實際獲得之報酬是否與約定金額相符?有無遭到剝削?是否無法掌握自身之工作所得?能否取得加班費?) 3. 其工作與實際獲得之報酬是否顯不相當? (同樣工作條件下可獲得之合理報酬為何?如報酬之情形是否合理?其實際獲得之報酬與其提供之勞務相較,與該家職一般人之待遇是否顯不相當?是否為被害人主觀所難以接受?))			
<input type="checkbox"/> 器官摘取	<input type="checkbox"/> 是否遭摘除器官?如是, 摘除何器官?_____			
不法手段 (是否遭不法手段對待? <input type="checkbox"/>是 <input type="checkbox"/>否)				
<input type="checkbox"/> 強暴 <input type="checkbox"/> 脅迫 <input type="checkbox"/> 恐嚇 <input type="checkbox"/> 拘禁 <input type="checkbox"/> 監控 <input type="checkbox"/> 綁架	參考要項： 1. 有無遭受性侵害? 2. 有無遭到毆打或虐待?此項或傷害有無受到合理之醫療照護? 3. 其自身或家人有無受到恐嚇威脅? 4. 是否被限制的工作處所?工作處所有無上鎖?有無他人監控?有無監禁性質? 5. 是否不得任意離開工作處所?離開時有無他人吞會監控?			
非法手段 (是否遭非法手段對待? <input type="checkbox"/>是 <input type="checkbox"/>否)				
<input type="checkbox"/> 招募 <input type="checkbox"/> 買賣 <input type="checkbox"/> 買押 <input type="checkbox"/> 運送 <input type="checkbox"/> 交付 <input type="checkbox"/> 收受 <input type="checkbox"/> 藏匿 <input type="checkbox"/> 隱匿 <input type="checkbox"/> 媒介 <input type="checkbox"/> 容留	參考要項： 1. 原定前往目的地之目的為何?與到達後實際從事者是否相符? 2. 是否被他人安排前往目的地?該他人為何?如何接洽?有無支付費用?費用多少?如何支付? 3. 前往目的地之方式為何? 4. 有無合法之身分證明或旅行文件? 5. 是否因欲到達目的地而負擔債務?約定以何方式償付? 6. 是否被運往目的地? 7. 前往目的地之過程中有無他人陪同?是否遭受強暴、脅迫、恐嚇、監禁?行動自由是否遭受限制? 8. 抵達目的地後是否被交到另一批人手上?有無被買賣、買押? 9. 抵達目的地後是否被他人安排從事工作或性交易?有無支付費用? 10. 抵達目的地後是否被他人安排住處?是否自行選擇居住處所?			
被害人被害時之年齡： <input type="checkbox"/> 十八歲以上 <input type="checkbox"/> 未滿十八歲				
依前揭指標綜合鑑別結果： (被害人被害時之年齡為十八歲以上者, 須同時具備剝削目的; 若達未成年人口販運行為標準者, 未滿十八歲者, 再視剝削目的及人口販運行為標準即可) <input type="checkbox"/> 是 <input type="checkbox"/> 否為人口販運被害人				







網絡合作偵辦人口販運案件



Collaboration Network of Investigating Human Trafficking Cases



四、臺灣防制人口販運起訴成效

- (一) 99年至106年4月各地檢察署辦理人口販運案件起訴率統計 (偵查收結、起訴率、全般刑案起訴率)

地方法院檢察署辦理人口販運案件偵查案件收結情形

單位：件、人、%

項 目 別	偵 查		偵 終		起 訴		緩 處	不 處	其 他	起 訴 率	全 起 訴 刑 案 率
	案 件	人 數	案 件	人 數	通 緝 常 起 程 公 序 訴	聲 列 請 決 簡 處 易 刑					
							起 訴 人	起 訴 人	起 訴 人	起 訴 人	起 訴 人
99年-106年4月	1,888	6,353	1,938	5,733	2,088	142	130	2,836	537	38.9	42.0
99年	265	1,180	228	993	357	84	32	402	118	44.4	41.7
100年	290	977	319	1,074	412	25	38	506	93	40.7	41.7
101年	386	1,129	398	1,115	435	20	37	534	89	40.8	41.2
102年	328	993	328	927	328	6	14	500	79	36.0	41.9
103年	186	590	240	585	183	1	8	343	50	31.5	42.9
104年	196	669	195	478	147	1	-	278	52	31.0	42.7
105年	182	617	156	396	166	5	1	187	37	43.2	42.2
106年1-4月	55	198	74	165	60	-	-	86	19	36.4	41.4

資料來源：法務部統計處
說明：起訴率=起訴人數/偵查終結人數*100%

4 · Prosecution Achievements of Taiwan' s Combating Human Trafficking

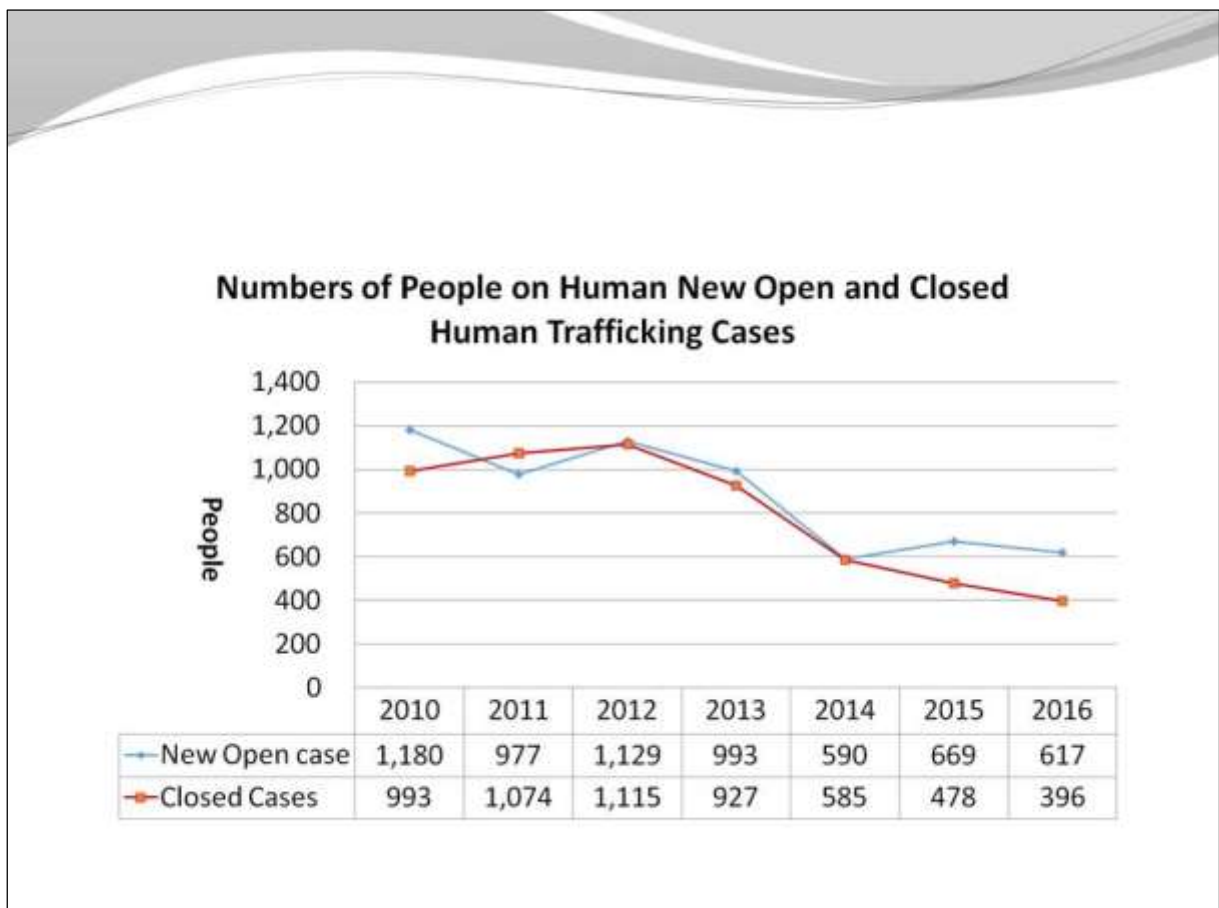
- (1) 2010-2017 April the cases about Prosecution Achievements of Taiwan' s Combating Human Trafficking from prosecutors offices Rate (Investigation Concluded 、 Indictment Rate 、 Crime Rate)

地方法院檢察署辦理人口販運案件偵查案件收結情形

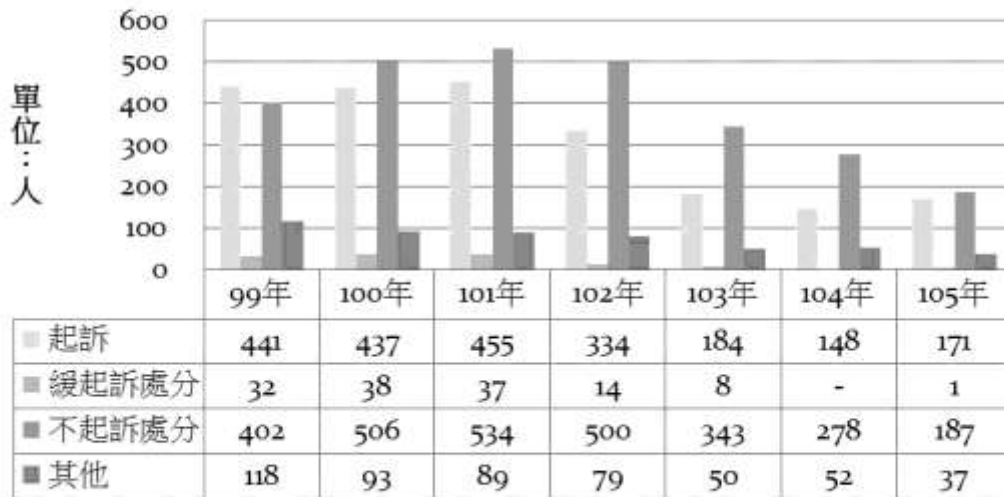
單位：件、人、%

項 目 別	偵 查		偵 終		起 訴		緩 處	不 處	其 他	起 訴 率	全 起 訴 刑 案 率
	案 件	人 數	案 件	人 數	通 緝 常 起 程 公 序 訴	聲 列 請 決 簡 處 易 刑					
							起 訴 人	起 訴 人	起 訴 人	起 訴 人	起 訴 人
99年-106年4月	1,888	6,353	1,938	5,733	2,088	142	130	2,836	537	38.9	42.0
99年	265	1,180	228	993	357	84	32	402	118	44.4	41.7
100年	290	977	319	1,074	412	25	38	506	93	40.7	41.7
101年	386	1,129	398	1,115	435	20	37	534	89	40.8	41.2
102年	328	993	328	927	328	6	14	500	79	36.0	41.9
103年	186	590	240	585	183	1	8	343	50	31.5	42.9
104年	196	669	195	478	147	1	-	278	52	31.0	42.7
105年	182	617	156	396	166	5	1	187	37	43.2	42.2
106年1-4月	55	198	74	165	60	-	-	86	19	36.4	41.4

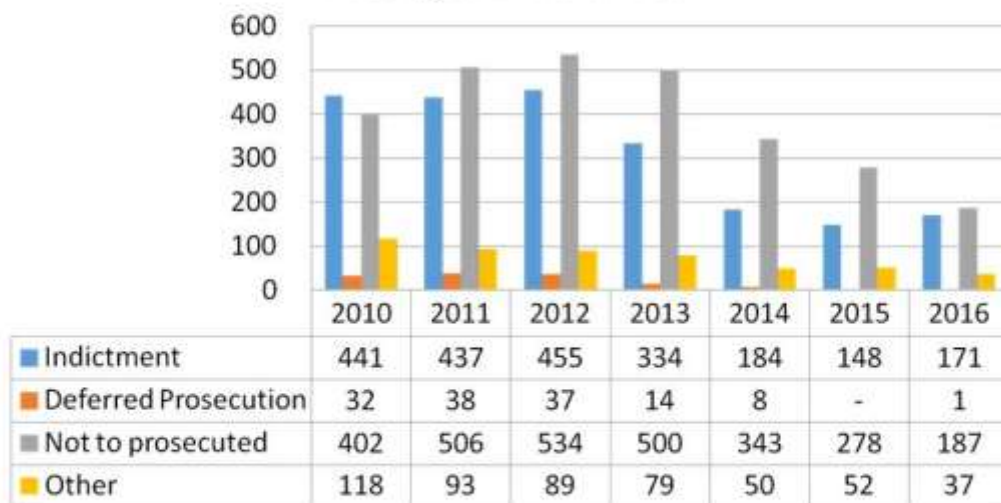
資料來源：法務部統計處
說明：起訴率=起訴人數/偵查終結人數*100%

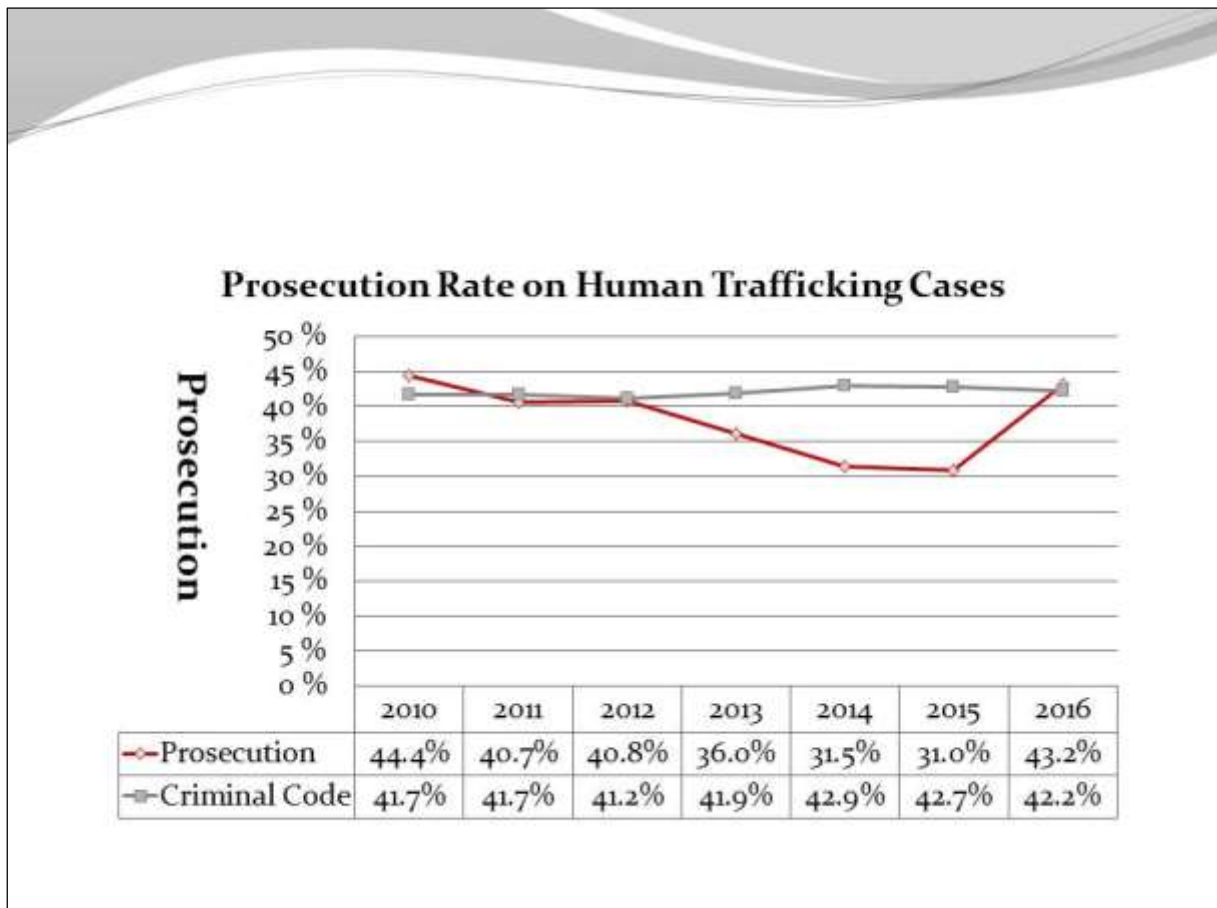
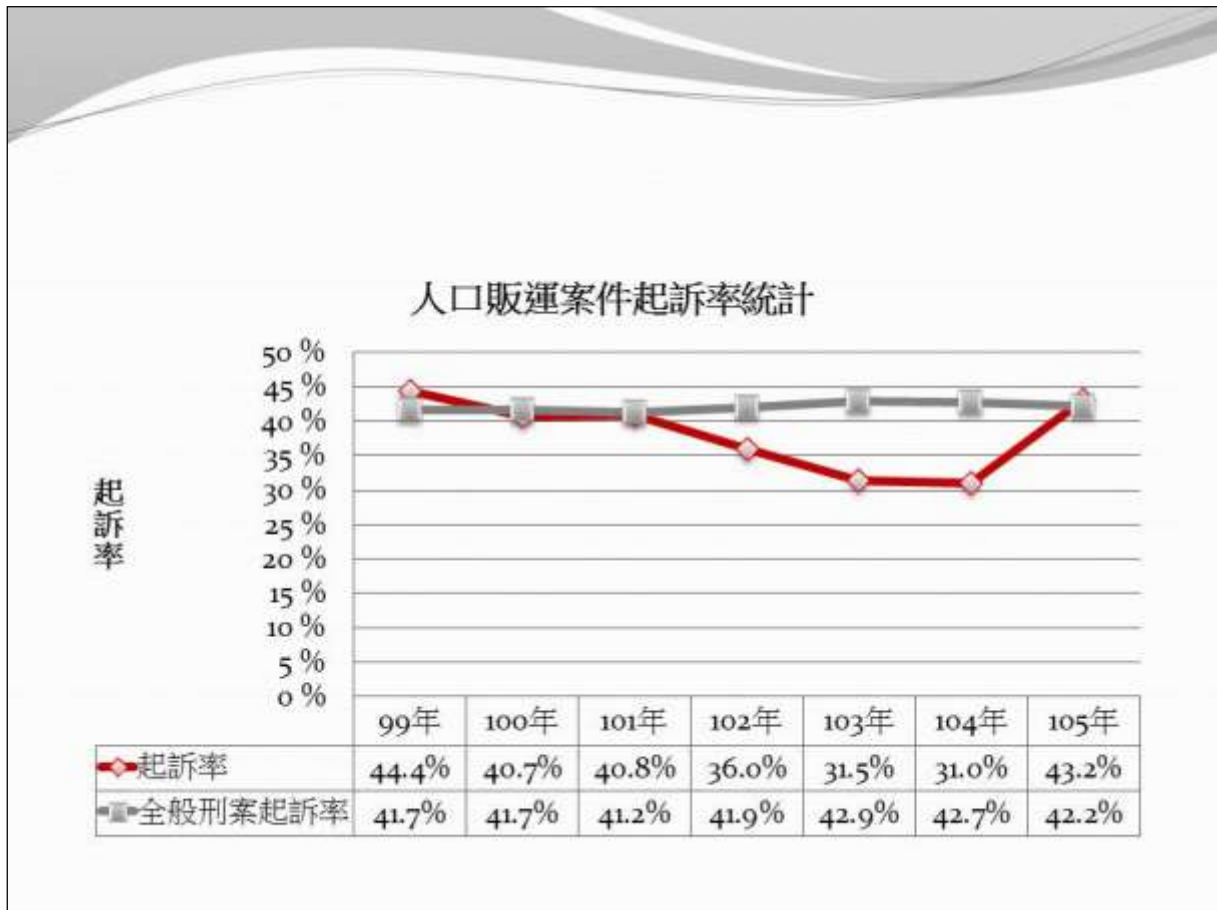


人口販運案件偵結情形統計



Investigation Concluded





四、臺灣防制人口販運起訴成效

- (二) 99年至106年4月各地檢署偵辦人口販運案件定罪率統計(科刑、定罪率、全般刑案定罪率)

地方法院檢察署執行人口販運案件裁判確定情形

項	總	科	刑	無	罪	受	其	定	全	科 刑													檢	署	刑
										有 罪 決 刑															
										六	七	一	二	三	四	五	六	七	十	十	十	十			
99年-106年4月	1,912	1,583	-	-	899	125	189	30	201	11	11	6	-	29	72	2	262	12	37	16	88.8	96.3			
99年	338	300	-	-	192	37	34	4	19	-	1	1	-	8	4	-	28	3	7	-	91.3	95.6			
100年	212	173	-	-	98	15	27	5	17	2	1	-	-	6	2	1	36	1	1	-	82.9	96.1			
101年	349	298	-	-	142	16	27	3	32	2	3	-	-	11	62	-	42	2	5	2	87.6	95.9			
102年	321	269	-	-	155	21	36	5	41	4	2	-	-	4	1	1	40	1	8	2	87.1	96.3			
103年	248	175	-	-	97	10	20	6	30	2	1	3	-	5	1	-	52	-	9	12	77.1	96.7			
104年	214	163	-	-	103	10	14	1	29	1	-	1	-	2	2	-	47	1	3	-	77.6	96.6			
105年	183	162	-	-	96	13	23	4	21	-	3	1	-	1	-	-	16	1	4	-	91.0	96.7			
106年1-4月	47	43	-	-	16	3	8	2	12	-	-	-	-	2	-	-	1	3	-	-	87.7	96.9			

資料來源：法務部統計處
說明：定罪率=(科刑+免刑)/(科刑+免刑+無罪)*100%

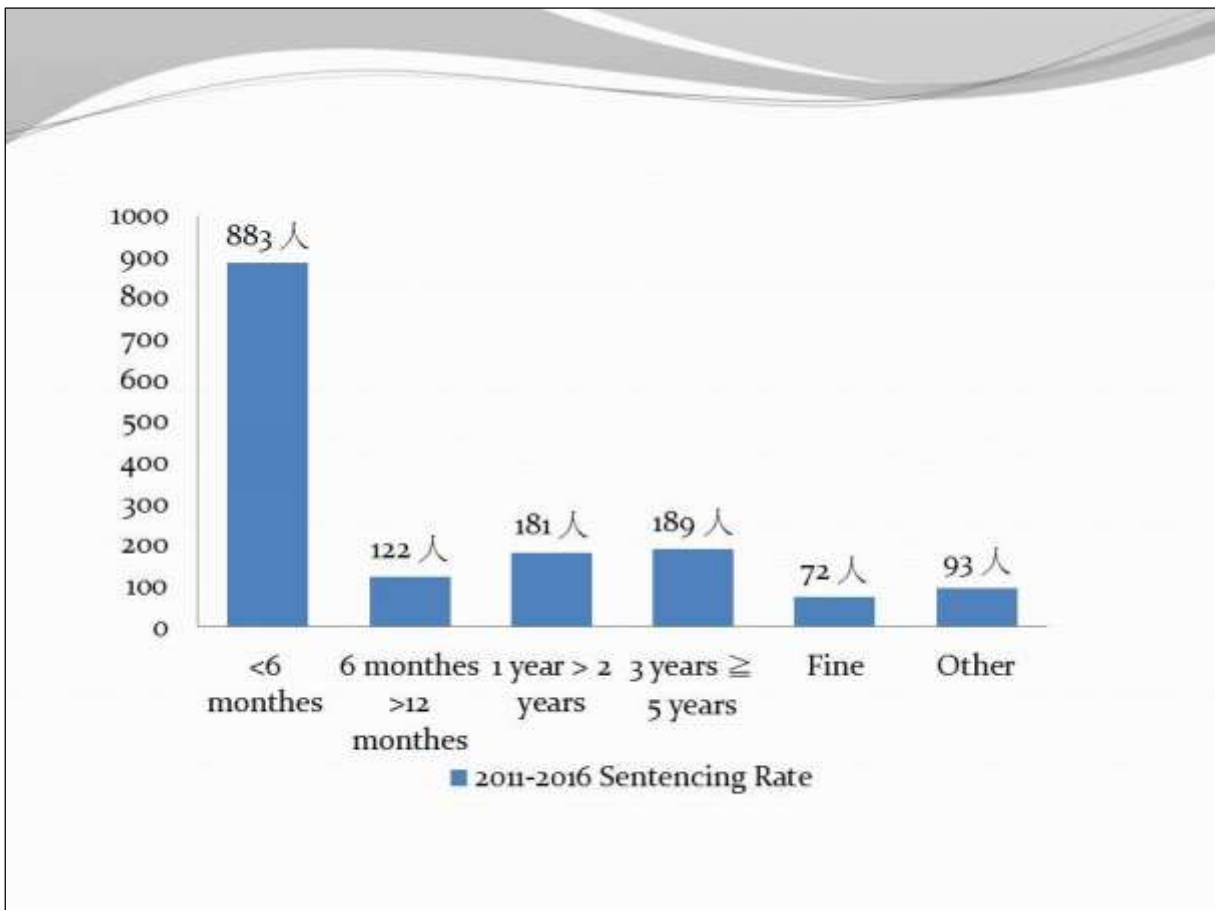
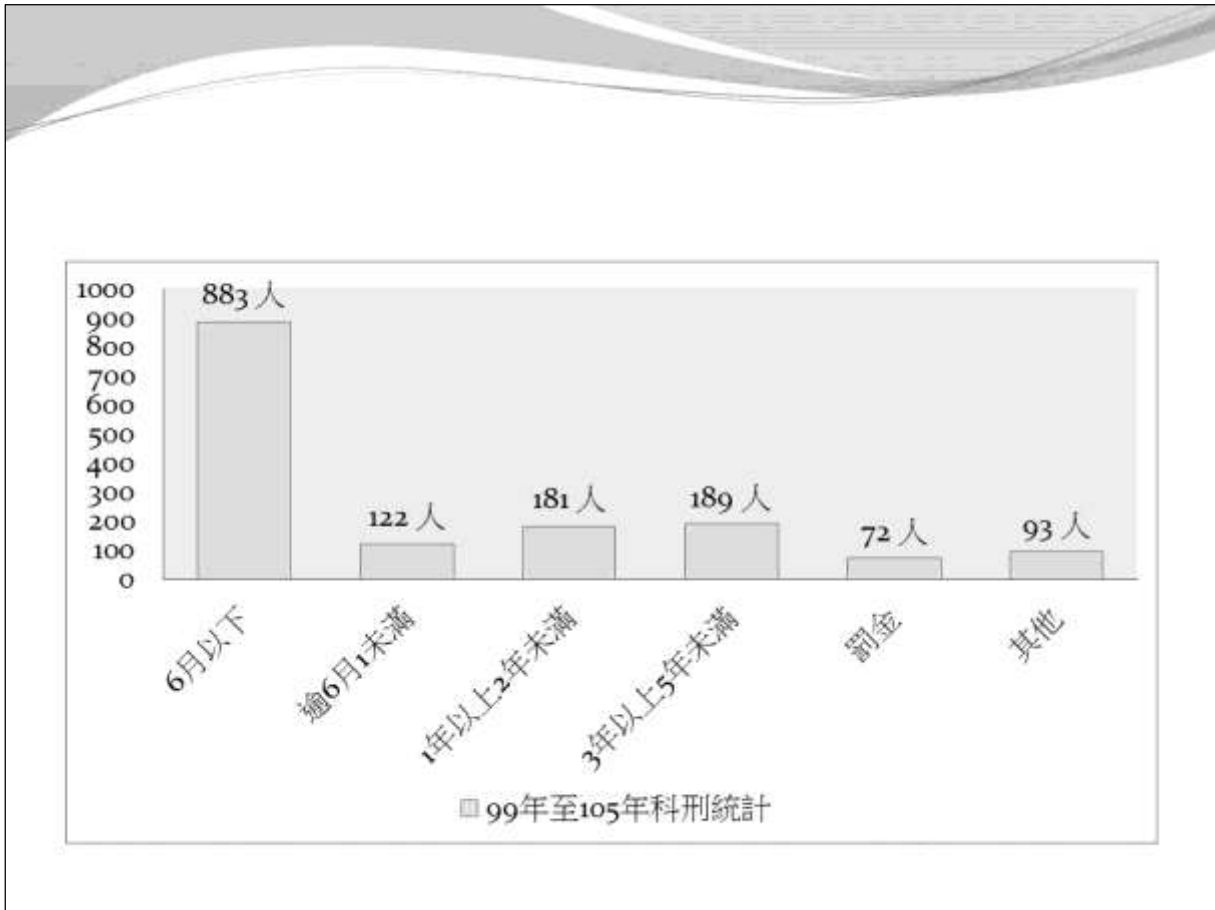
The Achievements on Human Trafficking Prosecution

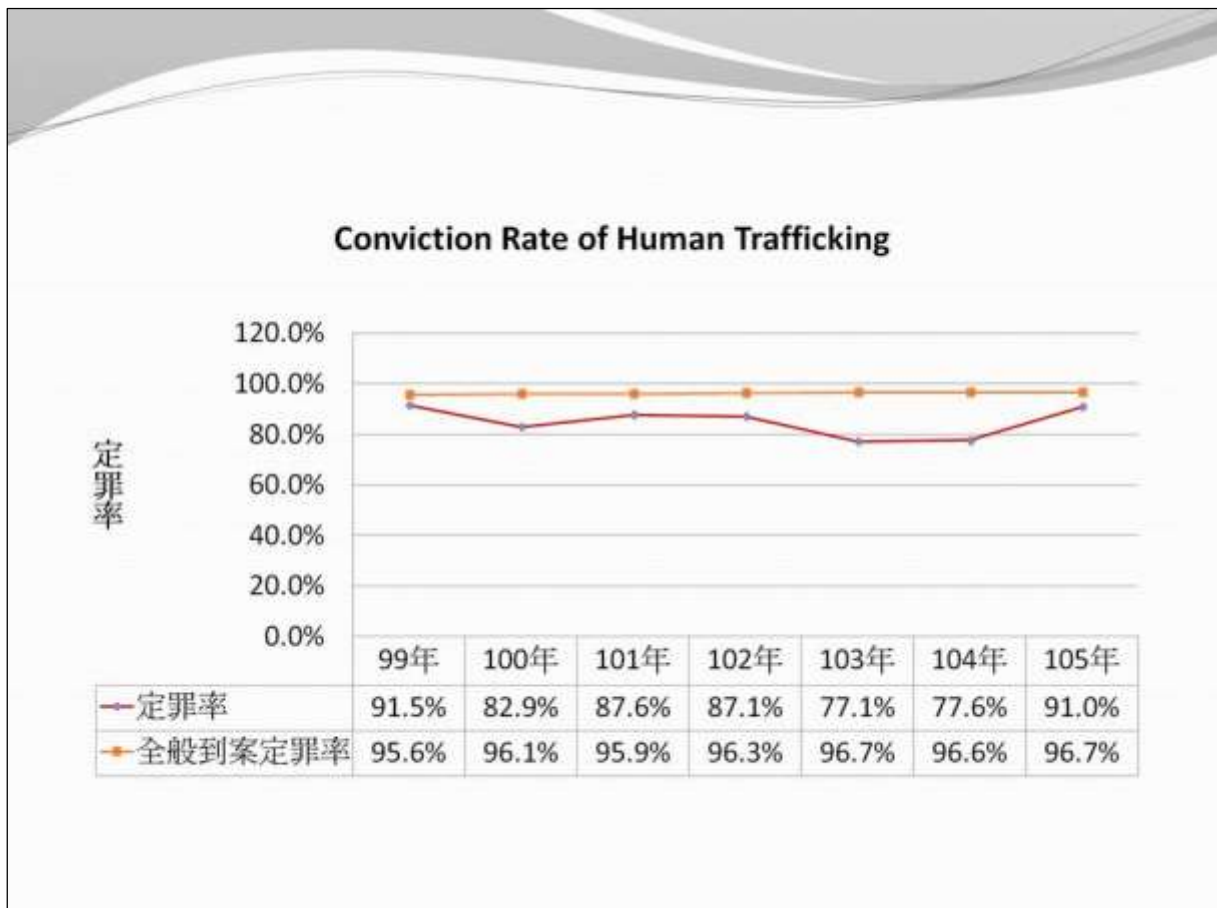
- (2) 2010-2017 April the cases about Prosecution Achievements of Taiwan's Combating Human Trafficking from Conviction rate(Sentencing, Conviction, Crime Rate)

地方法院檢察署執行人口販運案件裁判確定情形

項	總	科	刑	無	罪	受	其	定	全	科 刑													檢	署	刑
										有 罪 決 刑															
										六	七	一	二	三	四	五	六	七	十	十	十	十			
99年-106年4月	1,912	1,583	-	-	899	125	189	30	201	11	11	6	-	29	72	2	262	12	37	16	88.8	96.3			
99年	338	300	-	-	192	37	34	4	19	-	1	1	-	8	4	-	28	3	7	-	91.3	95.6			
100年	212	173	-	-	98	15	27	5	17	2	1	-	-	6	2	1	36	1	1	-	82.9	96.1			
101年	349	298	-	-	142	16	27	3	32	2	3	-	-	11	62	-	42	2	5	2	87.6	95.9			
102年	321	269	-	-	155	21	36	5	41	4	2	-	-	4	1	1	40	1	8	2	87.1	96.3			
103年	248	175	-	-	97	10	20	6	30	2	1	3	-	5	1	-	52	-	9	12	77.1	96.7			
104年	214	163	-	-	103	10	14	1	29	1	-	1	-	2	2	-	47	1	3	-	77.6	96.6			
105年	183	162	-	-	96	13	23	4	21	-	3	1	-	1	-	-	16	1	4	-	91.0	96.7			
106年1-4月	47	43	-	-	16	3	8	2	12	-	-	-	-	2	-	-	1	3	-	-	87.7	96.9			

資料來源：法務部統計處
說明：定罪率=(科刑+免刑)/(科刑+免刑+無罪)*100%





四、臺灣防制人口販運起訴成效

- (三) 99年至106年4月各地檢署偵辦人口販運案件成效統計(起訴、羈押、有罪確定)

	起訴及聲請簡易判決處刑		羈押	確定判決有罪
	件	人	人	人
99年	115 (性剝削76+ 勞力剝削41)	441 (性剝削346+ 勞力剝削110)	46 (性剝削43+ 勞力剝削4)	300
100年	151 (性剝削80+ 勞力剝削72)	437 (性剝削259+ 勞力剝削179)	42 (性剝削35+ 勞力剝削7)	174
101年	169 (性剝削136+ 勞力剝削34)	458 (性剝削408+ 勞力剝削57)	42 (性剝削41+ 勞力剝削1)	300
102年	127 (性剝削84+ 勞力剝削46)	334 (性剝削219+ 勞力剝削103)	22 (性剝削22+ 勞力剝削1)	270 (性剝削202+ 勞力剝削61)
103年	102 (性剝削88+ 勞力剝削21)	184 (性剝削153+ 勞力剝削52)	19 (性剝削18+ 勞力剝削4)	175 (性剝削146+ 勞力剝削32)
104年	63 (性剝削53+ 勞力剝削12)	148 (性剝削128+ 勞力剝削25)	30 (性剝削30+ 勞力剝削4)	163 (性剝削135+ 勞力剝削33)
105年	69 (性剝削54+ 勞力剝削18)	171 (性剝削132+ 勞力剝削45)	17 (性剝削11+ 勞力剝削6)	162 (性剝削139+ 勞力剝削7)
106年1至4月	22 (性剝削21+ 勞力剝削1)	60 (性剝削57+ 勞力剝削3)	5 (性剝削5+ 勞力剝削0)	43 (性剝削39+ 勞力剝削7)

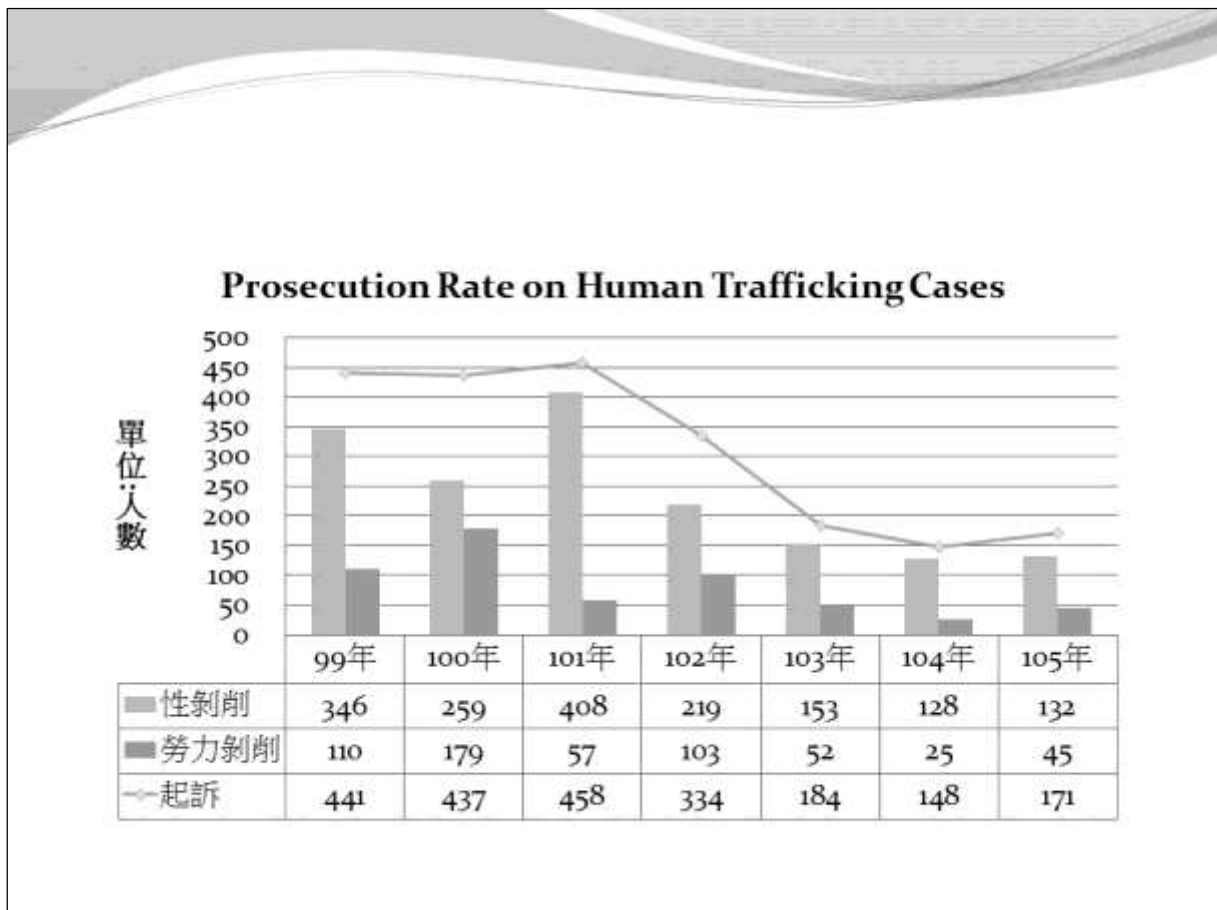
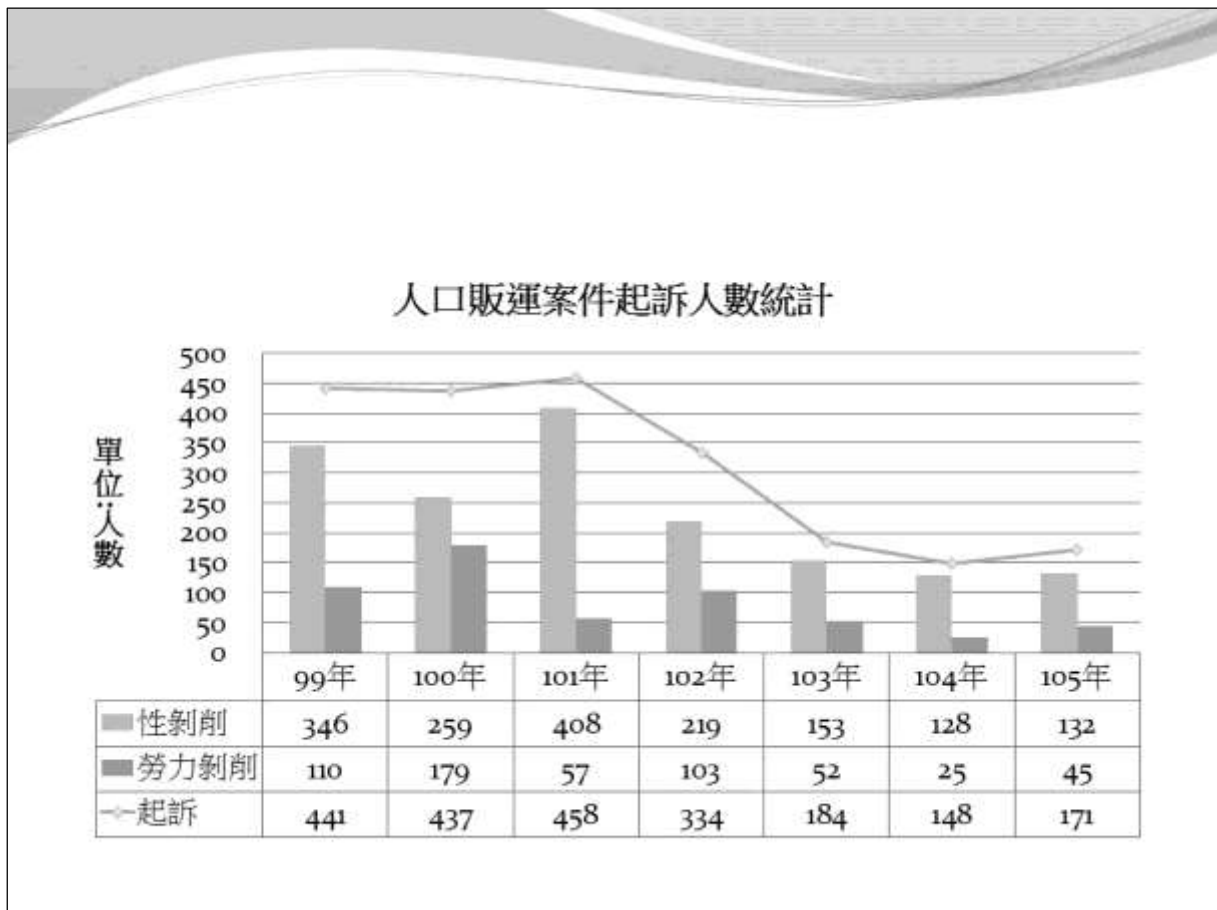
製表日期：106年5月22日 製表單位(部)：內政部移民署移民事務組 資料來源：法務部統計處
備註：※人口販運類別(性剝削、勞力剝削、器官剝削)自98年6月起以複數統計，如有重複情形，會重複計數，因此有案件總數與類型加總數不同之情形)

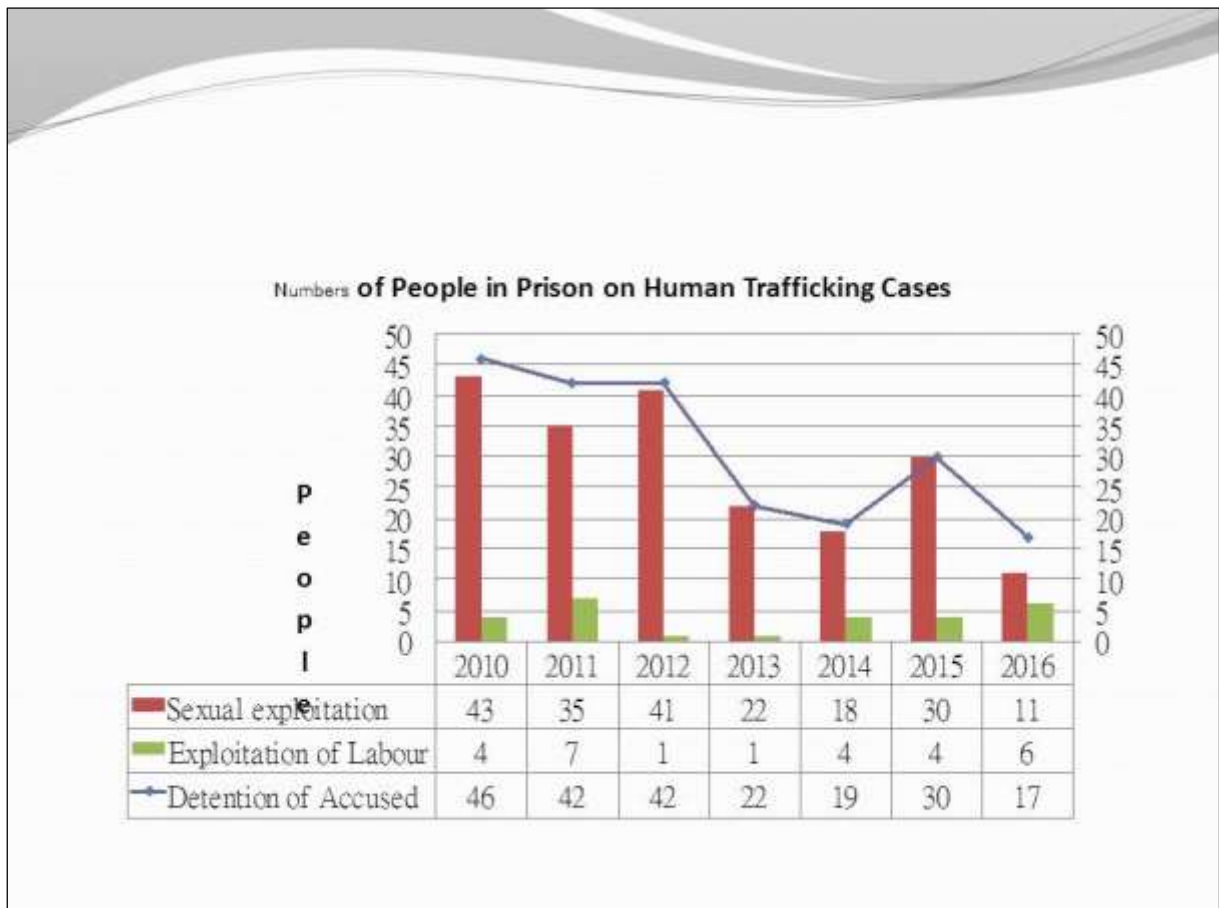
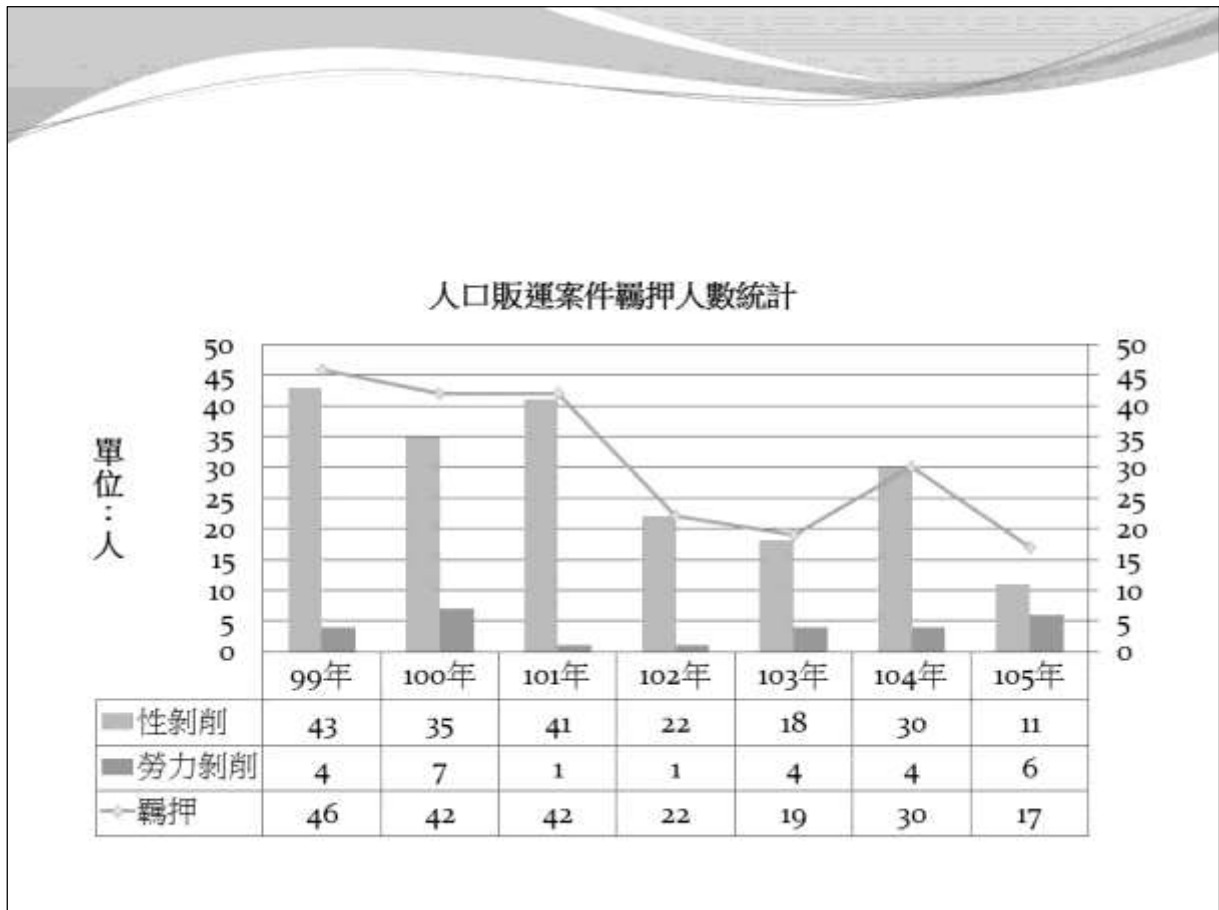
The Achievements on Human Trafficking Prosecution

- (3) 2010-2017 April the cases about Conviction Achievements of Taiwan's Combating Human Trafficking from prosecutors offices Rate (Sentenced, Conviction rate, Conviction Rate of Total Criminal Cases)

	起訴及聲請簡易判決處刑		羈押	確定判決有罪
	件	人	人	人
2010	115 (性剝削76+ 勞力剝削41)	441 (性剝削346+ 勞力剝削110)	46 (性剝削43+ 勞力剝削4)	300
2011	151 (性剝削80+ 勞力剝削72)	437 (性剝削259+ 勞力剝削179)	42 (性剝削35+ 勞力剝削7)	174
2012	169 (性剝削136+ 勞力剝削34)	458 (性剝削408+ 勞力剝削57)	42 (性剝削41+ 勞力剝削1)	300
2013	127 (性剝削84+ 勞力剝削46)	334 (性剝削219+ 勞力剝削103)	22 (性剝削22+ 勞力剝削1)	270 (性剝削202+ 勞力剝削61)
2014	102 (性剝削88+ 勞力剝削21)	184 (性剝削153+ 勞力剝削52)	19 (性剝削18+ 勞力剝削4)	175 (性剝削146+ 勞力剝削32)
2015	63 (性剝削53+ 勞力剝削12)	148 (性剝削128+ 勞力剝削25)	30 (性剝削30+ 勞力剝削4)	163 (性剝削135+ 勞力剝削33)
2016	69 (性剝削54+ 勞力剝削18)	171 (性剝削132+ 勞力剝削45)	17 (性剝削11+ 勞力剝削6)	162 (性剝削139+ 勞力剝削7)
2017 Jan-Apr	22 (性剝削21+ 勞力剝削1)	60 (性剝削57+ 勞力剝削3)	5 (性剝削5+ 勞力剝削0)	43 (性剝削39+ 勞力剝削7)

製表日期：106年5月22日 製表單位(部)：內政部移民署移民事務組 資料來源：法務部統計處
備註：※人口販運類別(性剝削、勞力剝削、器官剝削)自98年6月起以複數統計，如有重複情形，會重複計數，因此有案件總數與類型加總數不同之情形)





五、偵辦人口販運案件未來工作重點

- (一) 查緝起訴面向
 - 1、檢察官積極偵辦我國遠洋漁船境外僱用外籍船員涉嫌違反人口販運防制法案件，以防制我國遠洋漁船涉及人口販運行為並保護被害人權益。
 - 2、每年定期辦理「人口販運實務研習會」，安排檢察官、司法警察、法官、社工等實務工作人員，講授案件查緝、法律適用及被害人保護等相關課程，精進檢察官辦案能力，有效查緝、起訴犯罪行為人。

Foci on Investigating Human Trafficking Case in the Future

- (1) Prosecution
 - 1. Prosecutors actively investigate human trafficking cases on overseas fishing vessels that employ foreign workers in violation of the Human Trafficking Prevention Act. This will help to prevent human trafficking activities and protect victims rights overseas.
 - 2. Conducting "Workshop on Strategies of Combating Human Trafficking ". The participants of this workshop include various related practical working staffs such as prosecutors, judicial police officers, judges, and social workers. The workshop includes classes in case investigation, case interrogation, proper law application, and the protection of victims. The goal is to enhance prosecutors' abilities to efficiently investigate and prosecute criminals.

五、偵辦人口販運案件未來工作重點

- (二) 保護面向
- 1、檢察官於案件偵辦時，主動告知被害人協助司法調查之影響，使受害人願意出面舉發或適時獲得援助。
- 2、與外交部等業管機關研議利用駐外館處對被害人進行遠距視訊可行性等相關議題，以調和被害人返鄉權及被告對質詰問權。

Foci on Investigating Human Trafficking Case in the Future

- (2) Protection
- 1. Prosecutors may approach victims to notify them of the benefits of cooperating with an investigation. During case proceedings, victims may come forward to help an investigation and obtain assistance.
- 2. Discussing the topic of using video conference to conduct interrogation with victims or other related matters with the Ministry of Foreign Affairs and other authorities. Since it is difficult for victims who chose to exercise their rights to return to their own country to cooperate with an investigation from abroad, video conferencing can become a viable option to overcome this challenge.

五、偵辦人口販運案件未來工作重點

- (三) 預防面向
- 1、人口販運案件有其偵辦上之困難，包括人口販運成因的複雜性、被害人身處隱匿或資訊不對等，導致取證困難；且人口販運防制法相關犯罪構成要件認定不易，檢察機關除多方蒐證、強化論理外，將持續為檢察官辦理相關教育訓練，提升檢察官辦案職能。
- 2、持續運用廣播電臺等各種宣傳管道，並結合民間社團辦理相關宣導活動，以加強宣導國人防制人口販運觀念，提升新住民與移工對我國法律的瞭解，避免誤觸法律，保障自身權益。

Foci on Investigating Human Trafficking Case in the Future

- (3) Prevention
- 1. It is a difficult job to detect Human trafficking activity. The diverse nature of human trafficking, hidden locations of victims, incorrect information, etc. make it harder to obtain evidence. Moreover, it is even more difficult to recognize human trafficking crime the constituent elements of Human Trafficking on law human trafficking. We need to improve our skills on searching and evaluate evidence through prosecution authorities and offer related training seminars for prosecutors to increase their ability to handle the these cases.
- 2. Using various media tools such as radio and television stations can contribute to the outreach and awareness of Human trafficking, hold advocacy activities in cooperation with private organizations, increase anti-human trafficking awareness to the public, as well as get new incoming immigration residents and workers to understand the related law so they can avoid committing these crimes and protect their own rights and interests.

五、偵辦人口販運案件未來工作重點

- (四) 國際合作面向
- 1、因我國外交地位特殊，與我國簽訂司法互助條約或協定之國家不多，惟內政部警政署刑事警察局、法務部調查局或其他相關駐外單位在世界各國重要城市均派駐有調查官或聯絡官，在簽訂司法互助協定不易之現況下，權宜之計仍須仰賴駐外調查人員與當地執法機關合作，及早發覺案件進而啟動跨境調查。
- 2.定期與大陸地區召開兩岸司法互助協調會報，強化兩岸人口販運案件取證及情資交換合作，持續藉由兩岸參訪交流與研習機會，共同打擊人口販運集團。

Foci on Investigating Human Trafficking Case in the Future

- (4) International Cooperation
- 1. Since the special diplomatic status Taiwan has with other countries, the legal treaties and agreements these countries have with Taiwan are numbered. Thus Criminal Investigation Police Office, National Police Agency, and other Embassy or Consulate dispatch stationed Police Liaison Officers or investigators in major cities around the world. Even with the difficulties signing Mutual Legal Assistance Agreement in Criminal Matters with other countries, seeking cooperation with our stationed police investigators and local or regional law enforcement agencies would be stop gap solution which would help early detection of ongoing human trafficking criminal activities and be able to active cross-broad investigation.
- 2. Conducting regular conferences based on "Cross-strait Joint Fight against Crime and Mutual Legal Assistance Agreement" between Taiwan and China to create direct ways of obtaining criminal evidence and intelligence exchange of human trafficking cases. Keep ongoing connection through ongoing visits and communication with China, to combat human trafficking collaboratively.

報告完畢
感謝聆聽

Thank You!

被害人陪同偵訊成效

Achievements of Accompanying Interrogation

主講人：白智芳

財團法人臺北市婦女救援社會福利事業基金會副執行長

Speaker: **Jasmine Bai**

DeputyChiefExecutiveOfficer, Taipei Women's Rescue
Foundation

主講人簡介

白智芳

財團法人臺北市婦女救援社會福利事業基金會
副執行長



經歷

婦女救援基金會研發部主任

婦女救援基金會花蓮工作站主任

婦女救援基金會花蓮工作站主任公共政策事務組督導

婦女救援基金會救援部主任

婦女救援基金會救援部督導，兼任花蓮庇護所主任

婦女救援基金會救援組社工

婦女救援基金會婦幼組社工

專長

婦女保護議題倡議、宣導及被害人服務

防制人口販運議題倡議、宣導及被害人保護服務

Brief Introduction of Speaker

Jasmine Bai

Deputy Chief Executive Officer, Taipei Women's Rescue Foundation



PROFESSIONAL EXPERIENCES

Director of Research and Development Department, Taipei Women's Rescue Foundation

Station Chief of Hualien Workstation, Taipei Women's Rescue Foundation

Supervisor of Public Policy Affairs / Station Chief of Hualien Workstation, Taipei Women's Rescue Foundation

Chief of Rescue Division, Taipei Women's Rescue Foundation,

Supervisor and Director of Shelter division, Anti-Trafficking Department, Taipei Women's Rescue Foundation

Anti-Trafficking Resue Team Social worker, Taipei Women's Rescue Foundation

Social Worker, Domestic Violence Department, Taipei Women's Rescue Foundation

SKILLS

Women Protection Issues initiative, outreach campaign and Victims Service

Anti-human trafficking initiative, outreach campaign and Victims Service

人口販運防制陪偵工作10年路

副執行長 白智芳

2017.07.25



Service of Social Workers to Accompany Victims during Interrogation in Human Trafficking Prevention over the Past 10 years

Deputy Chief Executive Officer: Jasmin Bai

2017.07.25



疑似人口販運被害人陪同偵訊服務

24h
0988-682-381
0988-682-383

一通電話.全國服務

服務項目
. 社工陪偵 + 諮詢
. 18歲以上
. 不分國籍. 剝削類型

10

穩定案主身心狀態
聚焦偵訊應答完整度
協助檢警人員鑑別

 婦女救援基金會
Taiwan Women's Rescue Foundation

Suspected Human Trafficking Victim and Accompanied Interrogation Service

One Phone Call
to a Nation-Wide Service

24h
0988-682-381
0988-682-383

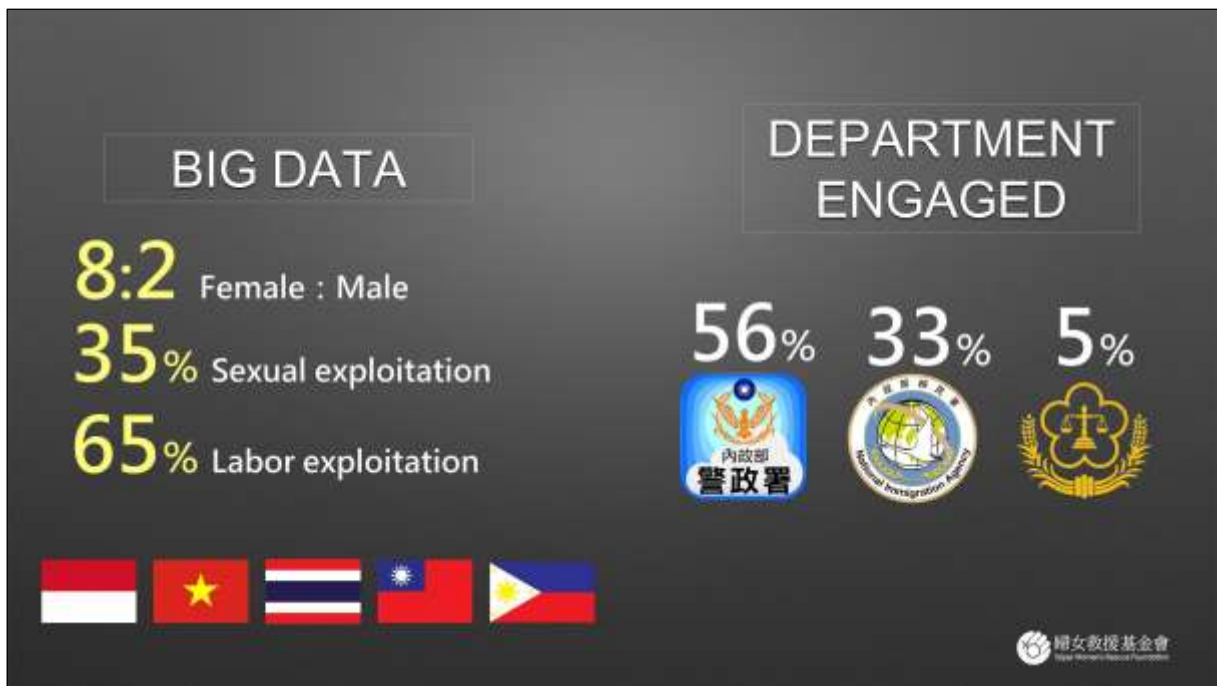
Service List:

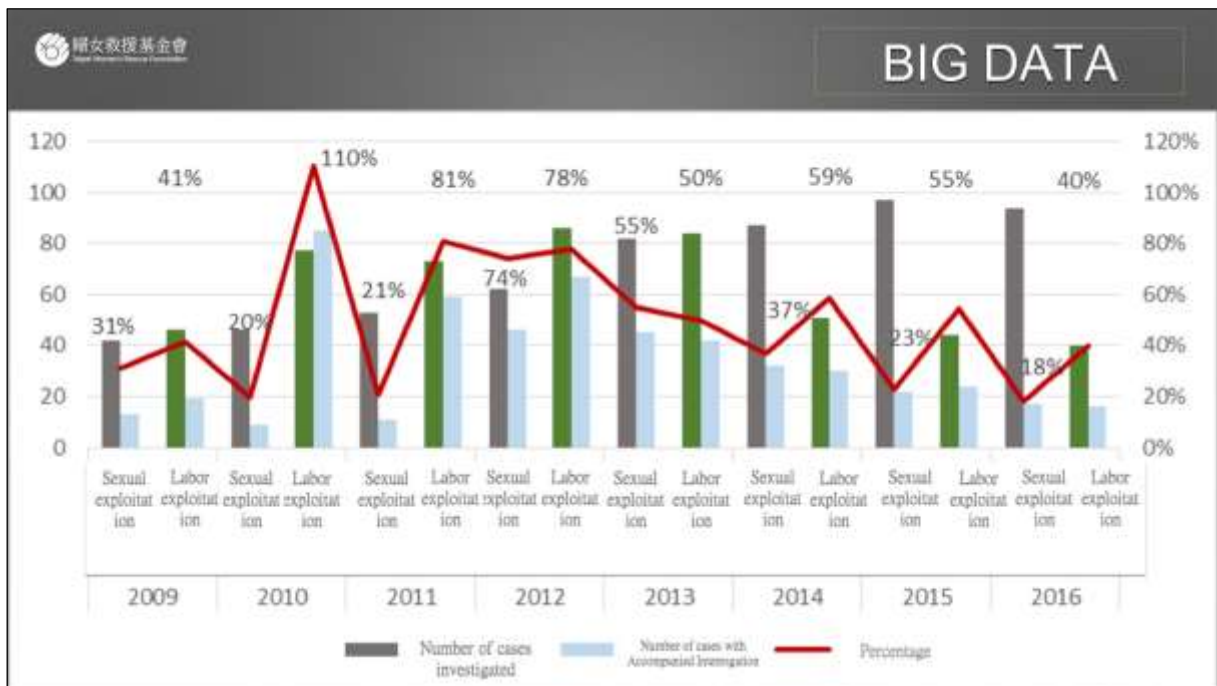
- Service of Accompanying Social Workers in Interrogation
 - Counseling
 - 18 years old and above
- Regardless of Nationality and Type of Exploitation

10

Stabilize Client's Physical and Mental condition
Focus on the integrity of victims' response and answer
Help Prosecutor and Police identify

 婦女救援基金會
Taiwan Women's Rescue Foundation







挑戰

 使用率v.s經費預算


 偵辦時間壓力


第一線執法人員認知與態度
議題敏感度、對社工信任度




 婦女救援基金會


Challenges

 Usage Rate v.s. Budget

 Investigation under Time Pressure

Perception and Attitude of Law Enforcement on the Line, Sensitivity to the Issue, Trust in Social Workers.



 婦女救援基金會

展望

1. 增強檢警人員使用陪偵服務意願
2. 推動修法納入社工陪偵服務
3. 積極分享疑似被害人工作經驗

Looking Ahead

1. Raise the police's willingness to use the service of accompanying social workers in interrogation
2. Push for law amendments to include the service of accompanying social workers in interrogation
3. Valigorously share the experience of working with suspected victims



第二場
國際間人口販運問題報告評比
第一級國家分享

Session 2
Experiences Sharing from
Tier 1 Countries around the World

主持人簡介

劉士豪

行政院防制人口販運協調會報委員



經歷

銘傳大學法律系專任教授

行政院防制人口販運協調會報委員

行政院勞工委員會訴願審議委員會委員

行政院勞工委員會大量解僱勞工勞工訴訟及必要生活費用補助審核小組委員

行政院勞工委員會大量解僱勞工時勞動市場變動趨勢評估委員會委員

桃園縣勞資爭議主任仲裁委員

經濟部中小企業處法規調適小組副召集人

專長

勞工法，民法，社會法則

Brief Introduction of Moderator

Liu, Shih-Hao

Committee member of Cabinet Anti-TIP Task Force



PROFESSIONAL EXPERIENCES

Professor of Ming Chuan University Law School

Committee member of Cabinet Anti-TIP Task Force .

Administrative Appeals Committee

Members of The Board, Regulations For Subsidizing The Litigation Costs and Necessary Living Expenses of Workers Laid off Under Mass Redundancy Plan

Regulations Governing The Organization of A Labor Market Trend-Changing Assessment Committee While Implementing A Mass Redundancy

Director, Settlement of Labor-Management Disputes of Taoyun City

Vice Chairperson of SME's Legal Rights Adaption

SKILL

Labor law, Civil law, Social law

亞美尼亞防制人口販運評比
第一級國家經驗分享
Experiences Sharing from Armenia

主講人：**ViktorAvakova**

亞美尼亞聯合衛理救濟委員會協調專員

Speaker: **ViktorAvakova**

Anti-trafficking and Health Programs Coordinator

主講人簡介

ViktoriyaAvakova

亞美尼亞聯合衛理救濟委員會協調專員

經歷

亞美尼亞聯合衛理救濟委員會協調專員

聯合國人口販運受害者自願信託基金董事會成員

專長

設計、規劃、管理反人口販運及衛生專案；制定專案監測評估系統

Brief Introduction of Speaker

Viktoria Avakova

Anti-trafficking and Health Programs Coordinator

PROFESSIONAL EXPERIENCES

Anti-Human Trafficking and Health Projects Coordinator, UMCOR Armenia Foundation

Member of The Board of Trustees of UN Voluntary Trust Fund for Victims of Trafficking In Persons

SKILL

Design, plan and manage anti-trafficking and health projects; Develop M&E systems for projects, prepare reports

2017 年防制人口販運國際工作坊

亞美尼亞的經驗分享

亞美尼亞經驗分享	<ol style="list-style-type: none"> 1. 有關於亞美尼亞：地理位址，政治--經濟概觀 2. 人口販運情況：根本原因，種類，統計，犯罪的動態以及現在的趨勢
亞美尼亞如何成為第一級的國家	依照 TIP 的建議發展
政策與立法	<ol style="list-style-type: none"> 1. 總覽 2. 法律的在地化與國際化 3. 制度機制
把受害者擺第一	<ol style="list-style-type: none"> 1. 受害者協助之法律；把受害者協助跟案件調查分開 2. 舉發及轉介，獲得舉發獎金 3. 協助跟再融入社會，政府跟非政府組織合作
成功的做法	<p>I.受害者保護措施</p> <ol style="list-style-type: none"> 1. 多種方式可鑑別受害者，轉介以及再融入 2. 建立賠償基金來輔助受害者 <p>II.受害者預防措施</p> <ol style="list-style-type: none"> 1. 媒體活動與獎勵 2. 與高風險族群接觸(提供資訊，熱線，經濟救助，法律協助) 3. iMigrant 智慧型手機軟體下載使用 <p>III.受害者起訴協助</p> <ol style="list-style-type: none"> 1. 擔任協助角色的非政府組織跟在地警方合作
精益求精	<ol style="list-style-type: none"> 1. 勞動檢查在鑑別人口販運案件中扮演的角色 2. 法律在解決強迫性勞動案件上的落差 3. 在調查階段與法院審理跟時增進友善的機制 強化社會保護系統 4. 恥辱標籤跟歧視
TIP 報告排名所帶來的正面影響	未來計畫的發展與進步

Experience Sharing from Armenia

Introduction	<ol style="list-style-type: none"> 1. information about Armenia: location, political-economic overview 2. THB situation: root causes, types, statistics, dynamics of crime and current tendencies
How Armenia became a Tier 1 country	Developments based on the TIP recommendations
Policies and legislation	<ol style="list-style-type: none"> 1. General overview 2. Legal framework (local and international) 3. Institutional mechanisms
Putting victims first	<ol style="list-style-type: none"> 1. Law on Victim assistance; separation of victim assistance and investigation 2. Identification and referral -Identification commission 3. Assistance and reintegration, cooperation of state and NGOs
Successful practices	<p>Victim protection</p> <ol style="list-style-type: none"> 1. Multi Agency approach in victim identification, referral and reintegration 2. Establishment of the compensation fund for VoTs <p>Prevention</p> <ol style="list-style-type: none"> 1. Mass media campaign and award 2. Work with at-risk groups (information, hot-line, economic empowerment, legal assistance) 3. iMigrant smartphone application <p>Prosecution</p> <ol style="list-style-type: none"> 1. Cooperation between assisting NGOs and LE
Areas for further improvement	<ol style="list-style-type: none"> 1. Labor inspection role in identification of THB cases 2. Legal gap to address Forced labor cases 3. Improving friendly mechanisms during investigation and court hearing 4. Strengthening social protection system 5. Stigma and discrimination
Positive impact of TIP report ranking	Moving towards future/ further plans and developments

加拿大防制人口販運評比
第一級國家經驗分享
Experiences Sharing from Canada

主講人：**Julie Meeks**

加拿大皇家騎警署資深教官

Speaker: **Julie Meeks**

Senior Instructor of Royal Canadian Mounted Police

主講人簡介

Julie Meeks

加拿大皇家騎警署資深教官



經歷

多倫多東區重大犯罪組織查緝署偵查員

多倫多東區船隻移民查緝單位偵查員

多倫多入境移民及護照管理部人口販運偵查員

多倫多東區移民護照管理部偵查員

加拿大聯邦執法部偵查員

多倫多東區毒品科及毒品防制宣導小組偵查員

多倫多毒品科市區查緝小組偵查員

專長

協助檢調人員聯繫人口販運受害者及潛在的人口販運偵查

提高及培養相關政府執法部門打擊人口販運意識

教育與提高青少年對毒品的危害意識

婦女庇護所 Bethesda House 董事會成員

Brief Introduction of Speaker

Julie Meeks

Senior Instructor of Royal Canadian Mounted Police.



PROFESSIONAL EXPERIENCES

Investigator in the Serious and Organized Crime Section in Toronto East

Investigator in the Migrant Vessel Enforcement Unit in Toronto East

Human Trafficking Coordinator for the Greater Toronto Area within the Immigration and Passport Section

Investigator in the Immigration and Passport Section in Toronto East

Investigator in the Federal Enforcement Section

Investigator in the Toronto East Drug Section and the detachment's Drug Awareness Coordinator

Investigator in the Toronto Drug Section Street Squad in downtown Toronto

SKILL

Contact investigator for human trafficking victims and potential human trafficking investigations

Raising awareness and educating other Government and Law Enforcement Agencies on the topic of Human Trafficking

Raising awareness and educating young people on the dangers of drug use

Member of the Board of Directors for the Bethesda House, a local woman's shelter

加拿大打擊人口販運的策略



Canada's Strategies for Combatting Human Trafficking



4P方案

- 預防 (Prevention)
- 保護 (Protection)
- 查緝起訴 (Prosecution)
- 夥伴關係 (Partnership)

The Four Pillars Approach

- Prevention
- Protection
- Prosecution
- Partnership

預防

Prevention

加拿大皇家騎警(RCMP) 旗下的 防制人口販運國家協調中心(HTNCC)

任命執行：

- 根據四 P：預防 (Prevention)、保護 (Protection)、查緝起訴(Prosecution)和夥伴關係(Partnership)四個面向來發展協調防制人口販運的活動及措施。

策略目標：

- 為執法提供聯絡中心

Royal Canadian Mounted Police (RCMP) Human Trafficking National Coordination Centre (HTNCC)

Mandate:

- Develop and coordinate anti-Human Trafficking activities/initiatives related to the four pillars of **Prevention, Protection, Prosecution and Partnerships**

Strategic Objective:

- Provide a focal point for law enforcement

國家防制人口販運行動計畫

- 2012年6月，加拿大政府設立了國家防制人口販運行動計畫，旨在：
 - 解決現行處置方法中存在的重大缺失
 - 加強與國內外夥伴的協調合作
 - 提升人口販運措施的透明度和聯邦政府責任歸屬
 - 提高國內外的防制人口販運意識

The National Action Plan on Human Trafficking

- In June 2012, the government launched the National Action Plan to Combat Human Trafficking to:
 - address critical gaps in existing responses
 - strengthen coordination with domestic and international partners
 - enhance transparency and accountability of federal anti-trafficking efforts
 - and raise awareness domestically and internationally

行動計畫的評價

- 公共安全部長正引導國家防制人口販運行動計畫建立一套正式的評鑑, 提供未來方向的資訊。
- 該行動計畫至2016年3月31日到期, 預算得以維持推動且...
- 聯邦政府部門和機構在該行動計畫的基礎下繼續進行防制人口販運工作。

Evaluation of The Action Plan

- The Minister of Public Safety is leading a formal evaluation of the National Action Plan on Human Trafficking to help inform the way forward
- While the Action Plan expired on March 31, 2016, budgets have been maintained, and
- Federal departments and agencies continue Anti-Trafficking work and efforts guided by its foundation

人口販運特遣部隊 (HTT)

- 由加拿大公共安全部領導
- 人員來自18個聯邦政府部門
- 職責為：
 - 對聯邦人口販運防制回應機制進行協調
 - 監督國家行動計畫的執行
 - 每年向民眾報告成果

Human Trafficking Taskforce (HTT)

- Led by Public Safety Canada
- Composed of 18 federal departments
- Responsible for:
 - Coordinating the federal anti-human trafficking response
 - Overseeing the implementation of the National Action Plan
 - Reporting annually on progress to the public

臨時外國勞工計畫 (TFWP)

- 僱主必須維護工作場所無虐待行為，並提供約定的工資和工作環境
- 僱主必須負責承擔聘雇成本及勞工的機票
- 行動計畫揭露，針對勞動剝削的索賠調查主要集中在移民勞動者的待遇上。
- 在一些案件中，有第三方使用臨時外國勞工計畫不合法的聘僱勞工

Temporary Foreign Worker Program (TFWP)

- Employers must maintain a workplace free of abuse and provide the agreed to wages and working conditions
- Employers must pay for recruitment costs and workers' airfare
- The National Action Plan revealed that investigations into claims of labour exploitation centred on the treatment of migrant workers
- In some cases, the fraudulent use of the Temporary Foreign Worker Program by third parties (recruiters)

臨時外國勞工計畫 (TFWP)

- 加拿大馬尼托巴省已將招聘費認定為非法，並將對雇主進行檢查
- 馬尼托巴省還設立了一套僱傭執照制度
- 薩斯喀徹爾省和新斯科舍省也實施了類似的措施
- 加拿大大部分省份都設立法規禁止僱傭手續費

Temporary Foreign Worker Program (TFWP)

- Manitoba made recruitment fees illegal and checks up on employers
- Manitoba also developed a licensing system for recruiters
- Saskatchewan and Nova Scotia followed with similar models
- Most provinces also passed laws against recruitment fees

臨時外國勞工計畫 (TFWP)

- 近年來的改善：
 - 增加了檢查是否符合臨時外國勞工計畫 (TFWP) 相關規定的次數
 - 2015年12月，針對違反臨時外國勞工計畫 (TFWP) 條款的雇主，處罰禁期由單純的兩年禁期變為時長不同的禁期。
 - 規定新的罰金金額 (任一違規罰款500美元至100,000美元不等)

Temporary Foreign Worker Program (TFWP)

- Recent improvements have been made:
 - Increased number of inspections conducted to verify compliance with TFWP conditions
 - In December 2015, the single two-year ban was replaced with a range of ban periods for employers who do not respect the TFWP guidelines
 - New financial penalties (\$500 to \$100,000 per violation)

加拿大邊境服務局 (CBSA)

- 對入境加拿大的旅客進行預期風險評估
- 其一項優先任務是調查與臨時外國勞工計畫 (TFWP) 相關的欺詐行為
- 2016年3月，加拿大邊境服務局 (CBSA) 更新了人口販運手冊，即對CBSA警察人員的指導手冊

Canada Border Services Agency (CBSA)

- Conducts pre-arrival risk assessments of passengers inbound to Canada
- Investigating frauds related to the TFWP is one of CBSA' s priorities
- In March 2016, the CBSA updated their TIP Manual – a guide for CBSA officers

北探射燈計畫

- 2016年10月，加拿大皇家騎警（RCMP）共同領導了第五次的代號為“北探射燈”的計畫，加拿大境內52個執法機構參與其中
- 進行了334個訪談
- 16人解除了被性剝削的困境

Operation Northern Spotlight

- In October 2016, the RCMP co-led the fifth edition of Operation Northern Spotlight
- 52 law enforcement partners across Canada participated
- 334 interviews took place
- 16 individuals removed from exploitative situations

保護計畫

- 由加拿大金融交易和報告分析中心 (FINTRAC) 於2016年12月創立
- 對金融機構進行援助，幫助他們識別並上報可疑交易，即可能涉及人口販運的洗錢行為
- 協助警方辨識，阻止和預防洗錢行為

Project Protect

- Created by the Financial Transactions and Reports Analysis Centre of Canada (FINTRAC) in December 2016
- Supports financial institutions in recognizing and reporting transactions related to the laundering of funds from the trafficking of victims
- Assists police services in efforts to detect, deter and prevent money laundering

提高意識- 培訓和教育

- 加拿大的執法機構須接受為期五天的防制人口販運調查者培訓課程
- 2016年共有62名來自加拿大皇家騎警 (RCMP) 和其他警局的人員接受了防制人口販運調查培訓課程,
- 另有網路線上防制人口販運培訓課程 · 加拿大所有執法機構的人員均可參與
- 加拿大皇家騎警 (RCMP) 還對所有的新進人員進行反人口販運的培訓
- 公共安全部和人口販運國家協調中心 (HTNCC) – 對航空公司人員進行防制人口販運的意識培訓活動

Awareness Raising - Training and Education

- 5-day Human Trafficking Investigator' s Course for Canadian law enforcement
- In 2016, a total of 62 candidates, RCMP and other police services, took The Human Trafficking Investigator' s Course
- An introduction to human trafficking on-line course is also available to all Canadian law enforcement personnel
- The RCMP also included human trafficking in the national academy training for all new recruits
- Public Safety and HTNCC - HT awareness campaign for airline personnel

提高意識- 培訓和教育

- 加拿大就業和社會發展部 (ESDC) 通過勞工計畫，於2016年秋舉辦了說明會，向勞工部的執法人員宣導了關於如何察覺人口販運跡象的基本知識。

Awareness Raising - Training and Education

- Employment and Social Development Canada (ESDC), through the Labour Program, developed an Information Session in the fall of 2016 to provide Ministry of Labour enforcement staff with general knowledge on the signs of human trafficking

保護

Canada

Protection

Canada

聯邦受害者基金

- 八年內使金額達到400萬美元
(2012-2020)
- 對非政府組織(NGOs) 開放
- 為加拿大境內遭遇人口販運的受害者提供更有效的直接服務

Federal Victims Fund

- \$4 million over 8 years
(2012-2020)
- Available to non-governmental organizations (NGOs)
- For enhanced direct service delivery to victims of human trafficking in Canada

臨時居留許可證 (TRP)

- 由加拿大公民移民部(CIC)於2005年創立
- 2015年發放了44份臨時居民許可證給人口販運受害者
- 允許受害者自主選擇，逃脫人口販運者的掌控，治癒創傷並參與調查

Temporary Resident Permit (TRP)

- Introduced by Citizenship and Immigration Canada (CIC) in 2005
- 44 TRPs issued to victims of human trafficking in 2015
- Allows victims to consider their options, escape the influence of traffickers, recover from trauma and participate in investigations

避難所 – 2015年調查

- 至2014年4月，加拿大全國共開設629家避難所，專為受虐待的女性提供服務：
 - 276處—中途過渡房
 - 117處—第二階段住所
 - 157處—緊急避難所
 - 51處—其他類型避難所(非特定類型)

Shelters – 2015 Survey

- In April 2014, 629 shelters for abused women operated across Canada:
 - 276 transition homes
 - 117 second stage housing shelters
 - 157 emergency shelters
 - 51 other shelter types (unspecified)

避難所 – 當前實例

- 溫哥華救世軍(Salvation Army) 的 Deborah之家設有10個床位提供給人口販運受害者
- 360° 兒童(360° kids)– 聯繫 · 創立於2016年3月 · 是安大略省約克地區南部的首家緊急住所 · 專為無家可歸的年輕人服務
- 多倫多盟約之家(Covenant House Toronto) – 特別為人口販運受害者服務 – 創立於2016年9月 – 多倫多首家為性交易和性剝削受害者服務的長期住所

Shelters – Current Examples

- Vancouver's Salvation Army's Deborah's Gate has 10 beds for trafficked persons
- 360° kids - Connections, the first emergency housing facility in the southern part of York Region, Ontario, for homeless youth opened in March 2016
- Covenant House Toronto – uniquely for human trafficking victims – September 2016 – Toronto's first longer-term housing program for victims of sex trafficking and exploitation

勞工標準

- 各省及加拿大全境的首要責任即執行勞工標準
- 該標準平等地適用於國外臨時勞工和加拿大本國勞工
- 一些省份已經或正在制定措施，管理第三方僱傭機構或人的行為

Labour Standards

- Provinces and territories have primary responsibility for enforcement of labour standards
- The standards apply equally to temporary foreign workers and Canadian workers
- Some provinces have, or are developing, measures to regulate the activities of third party Recruiters

起訴

2005年加拿大首度頒佈針對人口販運的刑法犯罪條例。如今刑法中包括6項針對人口販運犯罪的條例，最高可處以終身監禁。

Prosecution

Canada' s first *Criminal Code* offences specifically targeting human trafficking were enacted in 2005. The *Criminal Code* now contains six specific human trafficking offences punishable by maximum penalties as high as life imprisonment.

防制人口販運法

移民與難民保護法(IRPA)

第118節 人口販運

加拿大刑法 (CC)

第279節01條 人口販運 (若有綁架行為、嚴重傷害、嚴重性侵犯或致死行為則5年以上徒刑；其他情況則4年以上14年以下徒刑。)

第279節011條 對18歲以下未成年人進行人口販運 (若有綁架行為、嚴重傷害、嚴重性侵犯或致死行為則6年以上徒刑；其他情況則5年以上14年以下徒刑。)

Human Trafficking Laws

Immigration & Refugee Protection Act
(IRPA)

Section 118 Trafficking in Persons

Criminal Code of Canada (CC)

Section 279.01 Trafficking in Persons (Min 5 years to life if Kidnapping, Ag Assault, Ag Sex Assault or Death – Min 4 years to Max 14 years all other cases)

Section 279.011 Trafficking of a person under the age of 18 years (Min 6 years to life if Kidnapping, Ag Assault, Ag Sex Assault or Death – Min 5 years to Max 14 years all other cases)

防制人口販運法

加拿大刑法典 (CC)

第279小節02(1)條 以進行或促成人口販運為目的接受經濟或其他形式的利益 - 受害者為成人 (10年以下徒刑)

第279小節02(2)條 以進行或促成人口販運為目的接受經濟或其他形式的利益 - 受害者為兒童 (2年以上14年以下徒刑)

第279小節03(1)條 以進行或促成人口販運為目的扣押或毀壞他人身份證件 (如護照等) - 受害者為成人 (五年以上徒刑)

第279小節03(2)條 以進行或促成人口販運為目的扣押或毀壞他人身份證件 (如護照等) - 受害者為兒童 (1年以上10年以下徒刑)

Human Trafficking Laws

Criminal Code of Canada (CC)

Subsection 279.02(1) Receiving a financial or other material benefit for the purpose of committing or facilitating trafficking in persons – Adult victim (Maximum 10 years)

Subsection 279.02(2) Receiving a financial or other material benefit for the purpose of committing or facilitating trafficking in persons – Child victim (Minimum 2 years to 14 years)

Subsection 279.03(1) Withholding or destroying a Person's Identity Documents (for example, a passport) for the purpose of committing or facilitating trafficking of that person – Adult Victim (Max 5 years)

Subsection 279.03(2) Withholding or destroying a Person's Identity Documents (for example, a passport) for the purpose of committing or facilitating trafficking of that person – Child Victim (Minimum 1 year to Max 10 years)

防制人口販運法

加拿大刑法典 (CC)

剝削

第279節04條 人口販運的目的是進行剝削且不一定需要進行移動。刑法規定，若一人出於人口販運目的，對他人進行如下行為，則構成剝削：

通過在任意情況下，使某人有理由相信，若不能提供或提出提供勞力或服務，他們或他們熟知的人的人身安全將受到威脅，從而致使某人提供或提出提供勞力或服務；通過欺詐手段，或暴力迫使或威脅，或其他的強制形式，致使某人的器官或身體組織被取下。

Human Trafficking Laws

Criminal Code of Canada (CC)

Exploitation

Section 279.04 Trafficking in persons is about exploitation and does not necessarily involve movement. For the purpose of the trafficking offences, the Criminal Code states that a person exploits another person if they:

cause someone to provide, or offer to provide, labour or a service by engaging in conduct that, in all the circumstances, could reasonably be expected to cause the other person to believe that their safety or the safety of a person known to them would be threatened if they failed to provide, or offer to provide, the labour or service. cause a person, by means of deception or the use or threat of force or of any other form of coercion, to have an organ or tissue removed

防制人口販運法

- 2016年新立案了68件人口販運案件，都是基於針對人口販運違法行為而提出指控
- 67件是國內人口販運案件
- 1件是涉及性剝削的國際人口販運案件
- 但2016年的強迫勞動案件的指控無一立案

Human Trafficking Laws

- 68 new TIP cases in 2016, where charges under the TIP-specific offences were laid
- 67 Domestic Human Trafficking
- 1 International Human Trafficking for Sexual Exploitation
- Forced labour cases in 2016, but none where charges were laid

魚場調查

- 加拿大東岸的3家魚類加工廠
- 中國的僱傭仲介– 每一組都有一名代表 (控制者)
- 拿走工人的銀行卡和其PIN碼 – 將所有錢都寄回中國
- 有恐嚇和威脅行為
- 控制工人行動
- 工人待遇低下

Fish Plant Investigation

- 3 fish processing plants on Canada's east coast
- Chinese recruitment agency – representative (controller) with each group
- Took workers debit cards with PIN – sent all money back to China
- Used intimidation and threats
- Controlled their movements
- Fed workers poorly

人口販運受害者

- 2016年以人口販運犯罪立案的案件中共有77名新受害者
- 367名人口販運受害者 – 來自於法院近期及延期審理中的人口販運犯罪案件
- 47名強迫勞動受害者 (12名女性，33名男性，2名未知)
- 320名性服務受害者 (308名女性，1名男性，11名未知)

Human Trafficking Victims

- 77 new victims in cases where TIP-specific offences were laid in 2016
- 367 trafficking victims – current and carry over TIP-specific cases before the courts
- 47 trafficked for forced labour (12 females, 33 males, 2 unknown)
- 320 for sexual services (308 female, 1 male, 11 unknown)

法院審理的人口販運案件

- 自2005年起，401件人口販運案件中有115件以人口販運特定和/或相關指控在法院完成審理。
- 401件中有382件是國內人口販運案件(主要是性剝削案件)
- 401件中有19件是國際人口販運案件(主要是強迫勞動案件)
- 249件法院仍在審理中。
- 約有404名被告人被牽涉其中

HT Cases Before the Courts

- Since 2005, 115 TIP cases out of 401 were completed through the courts with TIP-specific and/or related charges
- 382 of the 401 were domestic human trafficking (mostly for sexual exploitation)
- 19 out of the 401 were international human trafficking (mostly for forced labour)
- 249 cases remain before the courts
- Approximately 404 accused involved

夥伴關係

- 政府
- 執法機關
- 各大銀行
- 國內和國際
- 非政府組織 (NGOs)

Partnerships

- Government
- Law enforcement
- Major Banks
- National and international
- Non-Governmental Organizations (NGOs)

2016年多倫多人口販運問題國家論壇

- 2016年3月，政府與加拿大婦女基金一同舉辦該論壇
- 論壇將各個利益相關者聚集在一起，討論新問題，促進合作並加強反剝削
- 與會者達100人 – 來自執法部門，非政府組織，聯邦及省級政府部門

2016 National Forum on Human Trafficking in Toronto

- In March 2016, the government partnered with the Canadian Women's Foundation to host the Forum
- The Forum brought stakeholders together to discuss emerging issues, promote cooperation and strengthen anti-exploitation efforts
- 100 Participants - law enforcement, NGOs, provincial and federal government sectors

打著共同的旗號的合作夥伴

- 2016年1月19日發佈的保護計畫，涉及到：
 - 各大銀行
 - 加拿大金融交易和報告分析中心 FINTRAC
 - 執法部門 (聯邦級和城市級)

Partnership Under a Common Banner

- Project PROTECT launched on January 19, 2016, involves:
 - Major Banks
 - FINTRAC
 - Law Enforcement (Federal and Municipal)

國際合作夥伴

- 加拿大與聯合國機構及其他合作夥伴一起緊密合作，共同打擊人口販運
- 加拿大對各國、各組織提供資金支援
- 加拿大皇家騎警 (RCMP) 國際聯絡官遍佈世界各地
 - 負責發展及保持聯絡，及
 - 同國外官員和國際合作夥伴進行資訊交流

The Human Trafficking Taskforce Partners

- Indigenous and Northern Affairs Canada (INAC)
- Canada Border Services Agency (CBSA)
- Immigration, Refugees and Citizenship Canada (IRCC)
- Department of Justice Canada (JUS)
- Global Affairs Canada (GAC)
- Employment and Social Development Canada (ESDC), including the
 - Labour Program; and,
 - Temporary Foreign Worker Program
- Public Safety Canada (PS)
- Royal Canadian Mounted Police (RCMP), including the
 - Human Trafficking National Coordination Centre (HTNCC)
- Status of Women Canada (SWC)

人口販運特遣部隊合作夥伴

- 加拿大原住民及北方事務部 (INAC)
- 加拿大邊境服務局(CBSA)
- 加拿大移民、難民和公民部(IRCC)
- 加拿大司法部(JUS)
- 加拿大環球事務部 (GAC)
- 加拿大就業和社會發展部(ESDC) · 包括：
 - 勞工計畫；及
 - 臨時外國勞工計畫
- 加拿大公共安全部 (PS)
- 加拿大皇家騎警(RCMP) · 包括
 - 人口販運國家協調中心 (HTNCC)
- 加拿大婦女地位部 (SWC)

International Partnerships

- Canada works closely with UN agencies and other partners to combat human trafficking
- Canada provides funding to states and organizations
- RCMP International Liaison Officers are stationed throughout the world
 - responsible for developing and maintaining liaison, and
 - exchanging information with foreign officials and international partners

人口販運特遣部隊合作夥伴

- 加拿大原住民及北方事務部 (INAC)
- 加拿大邊境服務局(CBSA)
- 加拿大移民、難民和公民部(IRCC)
- 加拿大司法部(JUS)
- 加拿大環球事務部 (GAC)
- 加拿大就業和社會發展部(ESDC) · 包括：
 - 勞工計畫；及
 - 臨時外國勞工計畫
- 加拿大公共安全部 (PS)
- 加拿大皇家騎警(RCMP) · 包括
 - 國家人口販運協調中心 (HTNCC)
- 加拿大婦女地位部 (SWC)

The Human Trafficking Taskforce Partners

- Indigenous and Northern Affairs Canada (INAC)
- Canada Border Services Agency (CBSA)
- Immigration, Refugees and Citizenship Canada (IRCC)
- Department of Justice Canada (JUS)
- Global Affairs Canada (GAC)
- Employment and Social Development Canada (ESDC), including the
 - Labour Program; and,
 - Temporary Foreign Worker Program
- Public Safety Canada (PS)
- Royal Canadian Mounted Police (RCMP), including the
 - Human Trafficking National Coordination Centre (HTNCC)
- Status of Women Canada (SWC)

國際合作夥伴

- 環球事務部已贊助了兩個反人口販運意識計畫
- 人口販運國家協調中心 (HTNCC) / NICC 及其合作夥伴 (多倫多警方) 參與了國際刑警工作組及國際刑警反人口販運專家組
- A級/專員級 – 參與了聖瑪律塔組織 – 該組織由教皇領導
- 北美領導人高峰會 (NALS) / 組織三邊合作工作組，打擊人口販運

International Partnerships

- Global Affairs have sponsored two Human Trafficking awareness programs
- The HTNCC/ NICC and partners (Toronto Police) participate in Interpol working groups and the Interpol Human Trafficking Expert Group
- A/Commissioner level - participation in the Santa Marta Group – Pope led
- The North American Leaders Summit (NALS) / trilateral working group to combat HT

與非政府組織的合作不可或缺

- 得到專業人士的協助，與非政府組織和受害者服務組織進行合作
- 在非政府組織的協助下滿足受害者的基本需求（食物，住所，翻譯）
- 受害者援助

Partnerships with NGOs are essential

- Get assistance from professionals, create partnerships with NGOs/Victim Services
- Take care of victim' s basic needs (food, shelter, translator) with the assistance of NGOs
- Victim Assistance

與談人簡介

Jayne Huckerby

美國杜克大學國際人權中心主任

經歷

杜克大學法學院國際人權中心主任

聯合國婦女資深人權顧問

聯合國紐約女權顧問

澳大利亞雪梨法學院客座教授

紐約大學法學院全球司法與人權中心顧問

紐約轉型正義國際中心性別顧問

泰國曼谷全球防制販運婦女聯盟之美國顧問代表

瑞士日內瓦國際人權事務處人權理事

聯合國難民事務人權與國際法資深專員

澳洲雪梨 Baker & McKenzie 法律事務所訴訟律師

專長

國際人權法，國際人權法中的性別法，女權法律理論，國際法與跨國合作，性別法，人權和國家安全法，人權執法機制

Brief Introduction of Commentator

Jayne Huckerby

Director of Duke International Human Rights Clinic

PROFESSIONAL EXPERIENCES

Associate Clinical Professor of Law, Director of International Human Rights Clinic, Duke University School of Law, Durham, NC

Senior Human Rights Consultant of U.N. Women, New York, NY

Human Rights Consultant, U.N. Women, New York, NY

Visiting Scholar, University of Sydney Law School, Sydney, Australia

Center for Human Rights and Global Justice NYU School of Law, New York NY

Gender Consultant International Center for Transitional Justice, New York, NY

United States Consultant Global Alliance Against Traffic in Women (GAATW), Bangkok, Thailand

Human Rights Officer International Service for Human Rights (ISHR), Geneva, Switzerland

International Law and Human Rights Fellowship, United Nations High Commissioner for Refugees (UNHCR), Geneva, Switzerland

Litigation Associate Baker & McKenzie, Sydney, Australia

Joint Women's Campaign Co-ordinator Amnesty International, NSW Legal Network, Sydney, Australia

SKILL

International Human Rights Law, Gender in International and Human Rights Law,

Feminist Legal Theory, International Law and Cross-Border Movement, Gender, Human Rights, and National Security, Mechanisms for Human Rights Enforcement

與談人簡介

林姝娟

財團法人天主教善牧基金會人口販運被害
人安置庇護所主任



經歷

財團法人天主教善牧社會福利基金會_人口販運受害者安置庇護所社工員

財團法人天主教善牧社會福利基金會_人口販運受害者安置庇護所督導

財團法人天主教善牧社會福利基金會_人口販運受害者安置庇護所主任

專長

善牧基金會自民國 98 年 10 月起承接內政部移民署委託辦理的「人口販運被害人庇護所」，提供庇護服務、生活適應、法律服務、諮商輔導、醫療、職業技能訓練與就業媒合等多項服務給在臺人口販運受害者。

Brief Introduction of Commentator

Lin, Wen-Chuan

Shelter Director of Good Shepherd Social Welfare Services



PROFESSIONAL EXPERIENCES

Shelter Social Worker of Good Shepherd Social Welfare Services

Shelter Supervisor of Good Shepherd Social Welfare Services

Shelter Director of Good Shepherd Social Welfare Services

SKILL

Good Shepherd Social Welfare Foundation has been running the “Shelter for Victims of Human Trafficking” authorized by National Immigration Agency, Ministry of the Interior, since October 2009. The foundation offers a number of services to victims of human trafficking in Taiwan including shelter, living adaptation, law services, counseling, medical services, vocational training and job matchmaking.

與談人簡介

陳逸玲

臺灣展翅協會秘書長

經歷

臺灣展翅協會國際專員

臺北市女性權益促進會執行秘書/秘書長

Brief Introduction of Commentator

Chen, Yi-Ling

Secretary General, ECPAT Taiwan

PROFESSIONAL EXPERIENCES

International Affairs Officer, ECPAT Taiwan

Program Officer/ Secretary General, Taipei Association for the Promotion of Women's Rights

會議摘要

開幕致詞會議紀錄

Opening remarks

內政部長葉俊仁

今展示討論防制人口販運策略，保護預防合作 PPP 打擊人口販運和相關議題的決心
全球化人流規模與速度出乎預料，人口販運相關犯罪遍布全球，為全球議題，需要全球各國、所有機構合作、公私部門合作，需整合策略與努力

今天在座有新任命的移民署楊署長，以及前任署長何榮村

移民署一直是防治人口販運主力，但不能單打獨鬥

政府官員、地方政府、周邊國家、國際社群須始採取行動，台灣亦須與國際接軌

感謝美國，特別是 AIT 的合作，美國國務院 TIP 報告持續 8 年評比台灣為第一級國家，特別是國際管道有所侷限，此為肯定台灣參與國際社會防治人口販運之努力

今年為移民署成立 10 年、協調彙報亦 10 周年，有所成果仍有問題需要解決

例如漁工的工作條件須持續改善

過去有所成果，仍需持續努力，更需要國際合作，發展相關策略

Minister Yeh

Protection, prevention and partnership are not just a slogan, but show our determination in combating human trafficking.

In the globalized world, the speed and scale of human flow have grown beyond expectations. Such crimes have affected every region of the world, and require efforts from all countries, agencies and the international community to work together.

Director general of national immigration agency 楊 and the former director general 何 are both present today. NIA has been the main force in combating human trafficking, but the agency requires efforts from other agencies as well.

US State Department's TIP report has ranked Taiwan as Tier 1 for the 8th consecutive year, this is especially important for Taiwan since we encounter challenges in finding international channels.

This year marked the 10th anniversary of NIA and the Cabinet level taskforce, we have put in tremendous efforts but there are still issues that require efforts and strategies.

MIT 傅德恩

台灣在保護人口販運受害人方面成果顯著

台灣第 8 年評比 TIP 報告第一級 36 國家 5 亞洲國家

李小姐保護漁民、起訴人口販運相關努力更受國務院 TIP 直接表揚

台灣已為周邊國家模範，防治人口販運與保護被害人相關成果成為鄰國榜樣

美國會像其他國家分享台灣實務經驗，包括訓練、受害人協助、國際合作方面

台灣針對人口販運相關犯罪，包括外僱漁工相關，偵查與起訴努力顯著，美國期待各國繼續嚴格執法以嚇阻犯罪

2017 年防制人口販運國際工作坊

不過，罪刑與起訴比例仍然懸殊，亞洲和西方國家均如此，須持續努力

目前人口剝削成本仍低，各國打擊相關犯罪仍須合作、發展新策略

台灣與美國已展開合作，台灣重心是調查漁船相關人口販運，明天亦有漁業人口剝削專題，相當重要

人口販運危害甚大，更剝奪人身自由，仍需各界致力打擊相關犯罪

Acting director of MIT Robert Forden

Taiwan's effort in protecting trafficking victims is admirable. Being ranked as Tier 1 for the 8th consecutive year is a great achievement. This year only 36 countries are ranked as Tier 1, and only 5 countries are in Asia.

In particular, Secretary Lee was commended by the State Department and directly mentioned in TIP report for her efforts in protecting workers in the fishing industry.

Taiwan has become a role model for other countries. The US will share Taiwan's best practices with other countries, including training, victim support and international partnership.

陳建仁副總統

危害人權的奴隸制度已於 19 世紀結束，而現代人口販運卻成為跨國問題。

2003 年 UN 打擊人口販運議定書生效，台灣政府亦積極打擊人口販運，2006 成立防治人口販運行動計畫

2007 協調彙報成立，感謝各部會 10 年來付出

台灣無法簽訂議定書，不過也會與各國合作努力

移民署和外交部與 18 國家訂定合作協定與備忘錄，表現決心

蔡總統目標之一：強化社會安全網—人口販運防制亦為重要一環

美國國務院 TIP 評比台灣符合其要求，連續 8 年評比第一級，展現台灣相關努力

相關工作為長期、國際、公私部門合作，今日將頒獎表示嘉勉，但仍需持續努力合作，以維持第一級評比

台灣樂於向其他國家分享心得、為國際社群相關努力盡責，盼國際組織讓台灣有更多參與的機會

Vice president Chen Chien-Jen

Slavery, a system which violates the human rights, has been abolished in the 19th Century.

However, human trafficking, the modern slavery, has become an international problem.

2003 the UN's protocol of combatting human trafficking came into effect and the government has devoted to combatting human trafficking. In 2006, the National Action Plan of Human Trafficking Prevention was launched; the cabinet level coordination was established in 2007. I'd like to thank the effort of relevant authorities for the past 10 years.

The NIA has signed MOU with 18 countries, which shows our determination in combatting this issue. Human trafficking is an integral part of our administration's main goal – enhancing social security net.

The State Department's recognition, ranking Taiwan as Tier 1 in the TIP report, shows that our effort is known to the international community.

There is still more to be done, and we will continue to work on this matter.

第一場防制人口販運成果回顧及展望

Session 1 : Retrospect and Prospect of Combating Human Trafficking

美國近 10 年對各國防制人口販運評比之重要發現及影響探討

The Important Discoveries and Effects of American Ranking of TIP Reports for the past 10 years

主講人：美國杜克大學史丹福公共政策學院 Judith Kelley 資深副院長

今將分享我的研究，討論美國防治人口販運的政策及其成效

計分卡外交有效引起各國政府注意，有效影響其作為

討論相關議題和成效

我的研究已集結出書，內含許多各國個案研究

國際事件：2001 以色列、2005 牙買加、2008 阿曼因對美國國務院 TIP 報告評比分數低感到震驚與不滿

TIP 報告與美國 70 年代開始發表的人權報告類似

重大差異是：

除了行為報告之外，有一分數→計分卡外交

美國政府在國內報告亦用計分卡評比，例智財權和新聞自由

政府與 NGO 均漸漸開始採用評分系統，因為資訊能被快速吸收

今天將討論國家的反應、優劣之處

有效主因：影響國家的聲譽(reputation)

能影響其行為，特別是涉及外交事務的時候

與羞辱不同(不向國際特赦組織、歐盟譴責特定國家行為)，因為為例行評比，且各國均包含其中

曝光、感受性、優先性

國家確實欲避免制裁，但亦注重其他方面

評比分數曲線不能直接代表全球現況，因為成效不變、但評比仍可能改變(作為施壓手段)

犯罪化人口販運有其成效

研究立法和實行的成效，例如起訴

研究顯示當立法通過比例增加時，預防與保護相關努力亦增加

TIP 報告的運作方式

第一步：公開監測與評分

接下來討論後續工作階段

2017 年防制人口販運國際工作坊

資料來源：

統計分析與案例分析，可於書的網站中找到

問卷調查：

美國大使館與以色列 TIP 檢討的外交互動層級很高、舉辦頻率亦高

參與的外交使館：美國最多

美國參與各地相關活動：請求立法...等

要求起訴等法治努力

然大部分資金流向預防與保護計畫、多流向亞洲

如何使社會其他成員參與

美國確保資金不僅流向政府，更流向 IGO 和 NGO

TIP 報告發布，會導致新聞報導

NGO 亦以 TIP 報告與政府、其他政府和其他 NGO 溝通

TIP 報告的實質效用

討論報告→參與相關工作

NGO 工作重要，但更需引起政府關注、採取行動→TIP 的重要性

引起政府顧慮，在意與他國的比較(相對排名)

2009 美國將以色列、阿富汗、約旦和波札那一起評比，引起以色列反彈

比較性→沒有國家想要比其他國家表現差

多數國家擔心與鄰國的差異

因此是有力策略

另一個評分有效的原因是國家會想要維持好評比

2005 迦納欲維持第一級評比

評分升級亦可能使政府/官員受到肯定

制裁對各國效力不如國家形象、比較

激發國家發展出不同策略與方法

迦納習俗：兒童漁工

國際法很難影響各國政府

訪談回應實例

2004 委內瑞拉：制裁、貸款等財務顧慮

2009 巴林：與鄰國/他國比較

2009 埃及/泰國、委內瑞拉/古巴

形象：政府官員會議中配合、但公開為自己國家辯護
國家非常在乎評比，不願被評低分，甚至出現真實情緒反應(例如臉色蒼白)

NGO 認為美國的影響力很重要，且大多數認為是正面的

被納入報告、評分低、降級使政府加速人口販運犯罪化的努力

仍有成效不佳的時候：

受矚目事件、活躍第三方參與
須能感受到報告的重要性(例如簽署相關條約)
須有能力改善狀況

計分卡應用可更廣泛，但須與外交手段雙管齊下，且須公開、一致
部分國家回應的措施不適切(步調過快)、或用以掩飾其他方面的問題行為、評為第一級後安於現狀

結論：

採用評分系統，與外交雙管齊下，能結合 NGO、IGO 和媒體力量，促使政府作為，但須持續進行才有效。

Speaker : Judith Kelley, Senior Associate Dean Professor of Public Policy and Political Science, Duke Sanford School of Public Policy

Scorecard diplomacy

I'd like to share my research findings, discuss the human trafficking policies, and argue that the policies are effective.

I've found scorecard diplomacy attracts government attention and can effectively influence their behaviors

I have published a book on this subject, in which contains many case studies

Let's review three events: In 2001 Israel, in 2005 Jamaica, and 2008 Oman, officials were displeased by the results of the TIP report issued by the US State Department. The TIP report is similar to the human rights report but there is a major difference:

Other than descriptive report, the TIP report is attached with a grade – this is what I called the scorecard diplomacy.

The US government adopts this grading system in many domestic reports, including measuring intellectual property rights and freedom of press.

2017 年防制人口販運國際工作坊

Governments and NGOs worldwide are using the grading system as well, for it is perceived much better than overwhelming information.

Today I'd like to discuss the response countries have towards the TIP grading, and where the system works and the challengers.

The main reason that scorecard diplomacy works is that the grades affect countries' reputation, so much as that it influences their behaviors, especially involving diplomatic affairs

Scorecard diplomacy is different from shaming, because the AI, the EU and the UN publish their reports as well, mostly condemning particular countries for their behavior; and also because it is released regularly, and all countries are included.

Whether scorecard diplomacy works depends on three factors: exposure; sensitivity, and, priority
Countries are concerned about sanctions, but they're much more concerned about how they look and their reputation.

The tiers assess country effort, not outcomes. This is important. We cannot fully use these to assess whether the condition on the ground has improved, however, as the US uses these tiers to pressure countries.

Evidence shows that criminalizing human trafficking actually works, contrary to popular assumptions

We see that when a country passes laws to criminalize human trafficking, their efforts on prevention and protection have increased as well.

How TIP report actually works

Step 1 is public monitoring and grading

And on to further steps and completes the circle

Sources for my arguments:

Interviews, statistics, an case studies, which are all available on the website of my book

I conducted surveys:

After the report comes out, review meetings are held on a high level, and frequently, for example the Israeli officials discuss the grades with the US embassy and ministers

US diplomats discuss the report results with ministers, officials NGOs and IGOs

And NGOs talk with the US about such matters most frequently, involving in asking for legislation, convening conferences and workshops etc.

Most funding goes to prevention and protection programs, and mostly to Asia

The key to success of the TIP report is to involve other members of the society.

The US makes sure that funding not only goes to other governments, but also IGOs and NGOs

And as soon as the TIP report is published, news coverage occur and further make the issues heard

NGOs often use the TIP report to communicate with their governments, other governments as well as other NGOs. So the report is useful in practice.

The report has people discuss the grading and the results, and get involved in the efforts

NGO's work in combatting human trafficking is crucial, but government's involvement is very important – that is why TIP report is important, because it draws the governments' attention. It raises concerns, and governments care about how they seem comparing to other countries, especially the neighboring countries.

E.g. in 2009 Israel was upset that the TIP report acknowledge Israel, Afghanistan, Jordan and Botswana altogether as a group.

No country wants to seem worse than other countries.

That's why TIP is powerful.

Another reason is that countries want to constantly have good grades.

E.g. in 2005 Ghana has made remaining in Tier 1 a priority; in Pakistan officials are praised for their efforts in upgrading the country's ranking.

Sanctions are not so effective in making countries think of creative strategies in tackling the problem.

e.g. In Ghana young fishing workers are considered an accepted custom, and governments are not influenced by international laws.

Real response from countries

2004 Venezuela was concerned about sanctions and whether the grading affects loans – financial concerns.

2009 Bahrain wanted to know how they do comparing to other Gulf countries.

2009 Egypt: We're not Thailand, Venezuela: We're not as bad as Cuba.

Sometimes it has to do with appearance: officials would be very responsive and cooperative in meetings but then went on TV to defend the country's effort and criticize the TIP report.

Countries care about the grading, about having bad grades, so much that they even went pale after learning that they're downgraded.

NGOs in my research have agreed that the US is influential in combatting human trafficking, and most people think that the influence is positive.

Being included in the report, having bad grades, and being downgraded prompt government efforts in criminalizing human trafficking.

2017 年防制人口販運國際工作坊

For the TIP report to be effective, it requires high-profile events, active third parties, being able to perceive the weight of the report, and have the capacity change

Scorecard grading system can be applied more extensively, but must be accompanied by diplomatic efforts, and the grading must be made public and consistent

Some countries are in such a rush to respond to the report, that they take hasty measures; or use a good grading as an excuse to other human rights issues; or become complacent to Tier 1 and stop making more efforts

Conclusion: Grading system must be applied accompanying diplomatic efforts, constantly join forces with NGOs, IGOs and the media to prompt government efforts.

臺灣防制人口販運工作 10 年成效、回顧及展望(一)

The Achievements, Retrospect and Prospect of Taiwan's Combating Human Trafficking for the past 10 years (1)

臺灣防制人口販運 10 年成果-政策整體作為暨成效：

內政部移民署移民事務組 李臨鳳組長

移民署統籌相關工作，今代為報告成效

2000 UN 倡導

2013 聯合國宣布每年 7/30 為反人口販運國際日

工作坊於 7 月舉辦

說明台灣制度

2006 行動計畫要求部會研擬防制措施

2007 協調彙報，由政務委員擔任召集人

定期開會、召集會前會，以專案小組進行運作，於彙報時說明

10 年來已舉辦 32 次正式會議

4P：預防、起訴、合作與保護

成效報告轉送至關心此議題的國家參考

TIP 報告自 2004 始，2006 年卻進入第二級觀察名單，採行動計畫與協調彙報後已 8 年評為第一級

台灣非常重視美國評價，因為需仰賴美方報告評比與建議，自外部角度改善與進步

例如加強鑑別被害人、保障移工(漁工、家事勞工)等

另法令亦相當重要：人口販運防制法(以被害人保護為核心)

頒布重點：被害人可豁免相關刑責、停留期間可獲工作許可，期滿亦可延期

實務方面仍有不足，目前正進行修法
停留考慮延長為一年停留...等，部會與民間研議修法中

查緝方面

案量最高: 2013 年

查緝件數下滑的原因是行政院向移工加強宣導其權益
性剝削案件增加亦是因為加強查緝

保護方面：依被害人身分(簽證類型)劃歸安置保護分工

執行：多數被害人結束後協助返國，若想再回台灣工作，無入境管制
亦曾核發無國籍身分證供其居留

預防方面：

教育訓練、提升公私部門同仁知識，邀請美國國土安全部講者
移民署預算推動創意活動，促進大眾了解、宣導防制人口販運
創意海報、APP 和微電影等

重視夥伴關係：

國內夥伴—

2013 年邀請勞動部、警政署和學者專家舉辦考核團隊，交流中央與地方意見，重視考核結果

考核特優的單位逐年增加

國外夥伴—

2011 年與蒙古簽署 MOU

亦安排簽署 MOU 國家移民官員交流

2007 年起舉辦工作坊，今年第 11 屆，探討相關議題

今年不同：

分享過去 10 年成果

下午將聽其他第一級國家分享實務經驗

明天活動：不同主題

參考美國芝加哥自由聯盟年會結構，選擇不同議題參與分享，

最後將分享個主題討論之成果

未來查緝將善用科技

現在發現移工可能受毒品控制，掌握犯罪趨勢後將加強宣導防制，以社區安置等方式保護被害人、擴大民眾對人口販運的認識，

結合新南向政策，辦理論壇加強區域合作

2017 年防制人口販運國際工作坊

全球需一起努力

10 Years of Human Trafficking Prevention in Taiwan-Overall Policy Implementation and Results
Lee, Ling-Fong, Director, Immigration Affairs Division, National Immigration Agency, Ministry of the Interior(15mins)

The NIA is the major agency coordinating efforts to combat human trafficking
In 2000 the UN passed the protocol to prevent, suppress and punish trafficking in persons, especially women and children
In 2013 the UN announced July 30th as World Day Against Trafficking in Persons
So the workshop is moved to similar dates

Taiwan's policy:

In 2006 Human Trafficking Prevention Action Plan is issued
In 2007 the cabinet level coordination committee is established
The committee convenes regularly and operates as an ad hoc taskforce, and has convened 32 times in the past 10 years

4P: Prevention, prosecution, partnership and protection

Our efforts are compiled into reports and sent to other countries
Taiwan was ranked as Tier 1 in 2004, but was put into the watch list in 2006, which prompts the Action Plan and cabinet level committee. Afterwards Taiwan is ranked in Tier 1 for 8 years in a row
Taiwan values the US comments and recommendations, and the TIP report provides crucial insights for improvement
E.g. in identifying victims and protecting migrant workers (fishing workers and domestic workers)

Laws and regulations are crucial: the Human Trafficking Prevention Act (main focus is to protect victims)

Key points: victims are free of criminal charges, during their stay, they can receive work permits that could be extended in the future

In practices there are still shortcomings that require amendments

E.g. extending the stay permit for 1 year etc; the NIA is discussing with NGOs.

Prosecution:

The most cases come in 2013; the numbers of investigations drop is because the cases have decreased

Vice versa, increase in sex exploitation cases is because that more cases are discovered

Protection:

Protection and settlement are assigned according to the identity/status of the victims

In practice: most victims wish to return home after relevant proceedings; if they wish to return for work, there are no restrictions

The NIA has also granted permits for victims who have status issues

Prevention:

Training and efforts in increasing the professional knowledge of public and private sector personnel, inviting speakers from Homeland Security and other agencies to give lectures

Launches creative campaigns to raise awareness and combat human trafficking in the society, including poster designing contest, mobile application and making micro movies

Partnership:

Domestic partners: the MOI, the Ministry of Labor and other scholars have formed a review team to evaluate the efforts from local governments

Local governments value the review results, and more municipalities receive commendations

International partners:

In 2011 signed MOU with Mongolia

Arranged exchanges with other MOU partnership countries

Workshop is first convened in 2007, this year marks the 11th workshop

We usually invite speakers from other countries to share their results. This year we share our results for the past 10 years first

In the afternoon two other countries ranked as Tier 1 will share their experiences with us, and tomorrow we have 2 venues for different topics

In the future, prosecution will rely on advanced technologies, for instance in spotting new trends.

E.g, migrant workers could be controlled by addictive substances

After learning the trends, the authorities will take actions to protect victims, for instance using community settlement, and to raise public awareness

The NIA will also partner with southeastern countries and participate in regional forums.

現行教育體制下國人宣導成效：

教育部學生事務及特殊教育司 鄭乃文司長

負責課綱等教育工作

依據行動計畫負責推動預防工作，透過人權、性平和法治教育使學生認識相關議題

利用學校校安通報

預防工作：課綱、教材、研習、媒體宣導

課綱：

人權、性平和法治教育議題中融入人口販運、勞動人權和防治兒少性交易內容

2017 年防制人口販運國際工作坊

國中、高中、職校等課綱均包含
鼓勵大專院校開設相關通識課程、辦理活動，擬定補助

教材：

教案設計包含於教師手冊(國中、高中職)中
例如越南新娘廣告、相關教學影片等

網站

國民教育社群網：

提供範本教案，針對不同年級討論相關議題→2016 年人權日主題
包括童工議題等

教育部網站：

提供相關學術資源、發行電子報

研習活動：

人權教育、教案設計相關課程與活動

中小學與社區教育：補助大學法律系所致中小學宣導

縣市補助：

每年舉辦 2~10 場研習

保護中輟學生(通報與輔導)預防落入性交易或人口販運

高中中途離校通報系統建置、輔導預防相關研習

中小學教師相關研習

媒體宣導

國語日報少年法律專刊

教育廣播電台節目

製播廣告(國、台、客語)

結語：基礎教育、加強宣導

Propaganda Achievements Under the Education System

Cheng, Nai-Wen, Director of Department of Student Affairs and Special Education(15mins)

The agency focus on prevention of human trafficking via education on human rights, gender equality and legal awareness

Protection is also included but today we focus on prevention

Prevention via: class courses, teaching materials, learning activities and media advocacy

Class courses:

Incorporate human trafficking issues in education on human rights, gender equality and legal awareness in high school, vocational school courses

Encourage and subsidize universities to set up relevant courses

Teaching materials:

Included in teachers manuals for junior high schools, high schools and vocational schools

Websites

Learning activities:

Lectures on human rights education and how to design teaching materials

Subsidize law major college students to promote relevant knowledge in elementary schools

Subsidize local governments to convene learning activities

Protect dropout students from falling victims to human trafficking

Establishing alert system for high school dropouts

Convene learning activities for elementary and junior high school teachers

Media campaign

Newspapers, radio programs, ad campaigns

Conclusion: Starting with basic education, and enhancing awareness raising efforts

防制外籍勞工人口販運：

勞動部勞動力發展署跨國勞動力管理組 蘇裕國專門委員

分享勞動部 10 年工作成果

2004 年台灣評比為第一級，但之後下滑至 2006 成為第二級觀察名單，主因為 2006 出現高捷泰籍勞工事件

2005 年高捷工程泰籍勞工出現剝削情形，薪資不清、限制聯繫且住宿環境不佳
民間與政府均欲翻轉相關形象

問題：

管理不足

申報與抽檢制度不完善

對外籍勞工認識不足，對其權益的宣導活動不彰

強化管理機制：

1. 入境講習，推廣勞動權益和申訴管道(以往發送傳單常被抽走)

2. 聯合服務中心：降低雇主與勞工之間的仲介費用負擔，案件成長

3. 強化外勞生活管理計畫書：

空間擴大、確保安全，並公布內部與政府申訴管道；將外籍漁工納入管理中
外勞入國 3 日通報

4. 設立 1955 申訴專線：雙語、緊急處理安全與安置相關議題

5. 評鑑外勞仲介，公布分級結果

6. 建立提前解約驗證制度：避免外籍勞工被強迫遣返，處理勞資爭議

7. 被害人工作許可及管理辦法

8. 提供被害人安置保護與就業職訓：協助人口下降是因為被害人鑑別人數下降

2017 年防制人口販運國際工作坊

9. 增加查察人力：但因外勞人數大幅增加，人力仍負荷沉重
10. 雇主聘前講習
11. 取消期滿需出境 1 日規定(因勞工需再次擔負仲介費用)

2010 年起翻轉為第一級，且延續 8 年

成功原因：有共同動力，因此能持續合作，達成不同目標

未來目標：

家事外勞權益保障(目前仍無共識，未來研以參考指引方式推動保障)

外籍漁工納入岸上及海上生活標準、設置路上岸置中心供休息

外籍勞工通譯人力：目前補助費用過低，免通譯人員受剝削

推動保護遷徙工人及其家庭成員權利國際公約國內法化：現任政府政見目標

結語：合作，協調資源

Anti-Human Trafficking in Migrant Workers

Su, Yu-Gao, Assistant Director-General of Cross Border Workforce Management Division

Workforce Development Agency ,Ministry of Labor(15mins)

In 2004, Taiwan was ranked Tier 1 by the TIP report, but was downgraded to Tier 2 watch list in 2006 because of the cases of Thai migrant workers working at the Kaohsiung MRT and sexual assault cases of migrant workers.

In 2005, constructions that recruited Thai workers to work on the Kaohsiung MRT are reported to exploit workers

Both private and public sectors have been working very hard to reverse that image

Problems in 2005: lack of management, inspection was not comprehensive, lack of knowledge on migrant workers, lack of effort promoting their rights

To improve management on foreign workers:

1. Conduct lectures as soon as workers enter the border at the airport, promoting workers' rights and channels for complaints
2. Direct recruitment center: reduce agency costs for employers
3. Improve management plan on the living conditions of foreign workers

Expand living space requirements, ensure security and require complaint channels be known to workers; include foreign fishermen into management plan

4. Establish 1955 complaint hotline
5. Evaluate foreign worker agencies
6. Verification for early contract termination
7. Work permits for human trafficking victims
8. Shelter services and vocational training for victims

9. Increase inspection personnel
10. Employer consultation prior to employment
11. Abolish the requirement of leaving Taiwan for 1 day after 3 years of employment

Since 2010 Taiwan returned to Tier 1 for 8 years in a row

A mutual goal leads all agencies forward

Future goals:

Protecting the rights of domestic workers

Include foreign fishermen to relevant protection and improve their living conditions

Improve compensation for interpreters

Legalize protection of all migrant workers and their families

To conclude: cooperation and coordination of resources are essential

人口販運起訴成效：

法務部檢察司 許鈺茹檢察官

政府重視 TIP 報告

宜蘭漁業工會秘書長李麗華獲肯定

TIP 報告指出建議：

加強起訴、定罪等執法

推廣檢察官與法官對人口販運的認識

家事看護工權益

監督台籍漁船

人口販運犯罪常見類型：

假結婚

利用不實證件與內容入境

變造證件偷渡

2011 年安養院看護工被強迫清洗屍體→判刑、引起社會重視

2016 年漁工休息空間狹小、上鎖→勞力剝削、妨害自由

結合其他犯罪→用毒品控制移工、強迫賣淫、涉及毒品與槍枝等重大犯罪

外交部案件隔空生子→非販運兒童

檢察機關相關法律規定：

專法：人口販運防制法

督導查緝小組

被害人鑑別原則：鑑別與保護相關流程

防治人口販運：仰賴各方網絡合作

檢察官、警察、法庭

社工：工作訓練

2017 年防制人口販運國際工作坊

醫療：身心受創

通譯：溝通

勞檢、稅務：調查剝削

起訴成效 2010~2017 (數據以 2010~2015 為主)

2010~2014、2014~2016 出現斷層，可能因為法令成效或犯罪手法變化
起訴少於不起訴，而起訴率略低於全般刑事案件起訴率

判刑類型：集中於 6 個月以下、兩極化→TIP 報告建議加重刑度

定罪率：低於全般刑事定罪率

2014 年為人口販運案件轉型時間點

起訴、羈押、定罪

勞力剝削少於性剝削→因為性交易較容易查獲，勞力剝削難以查緝
羈押人數同起訴率

未來防制工作重點：

起訴面—積極偵辦遠洋漁船、舉辦研習會增進辦案能力

保護面—例如被害人返鄉權和被告對質詰問權之平衡

預防面—研習強化論理、宣傳推廣民眾認識

國際合作面—簽訂司法互助國家不多，不過積極透過駐外單位與外國當地執法機關合作、兩岸司法互助協調彙報

Prosecution Achievements

Hsu, Yu-Ju, Prosecutor of Department of Prosecutorial Affairs(15mins)

The government values the TIP report

TIP provides valuable recommendations:

- Increase effort to prosecute and convict

- Improve prosecutors and judges' understanding on human trafficking

- Protecting the rights of domestic workers

- Supervise Taiwan's fishing vessels

Common Types of human trafficking in Taiwan:

- False marriages

- Fake passports or false entries

- Altering passports for human trafficking

Real cases:

2011 the case of domestic workers are forced to wash dead bodies

2016 fishermen case

Cases connected to other crimes: drugs, forced prostitution, involvement in controlled substances and guns, and forgeries

Regulations:

Human trafficking prevention act

Supervision group under prosecutor's office

Victim identification principles

Prevention: requires a collaboration network

Prosecutors, the police, social workers, medical assistance, interpreting service, tax portals, labor inspection

Prosecution achievements

Cases prosecuted lower than overall criminal cases

Sentencing: mostly under 6 months

Convictions lower than overall criminal cases

Labor exploitation less frequent than sexual exploitation cases

Future goals:

Prosecution: investigate overseas fishing vessels, conduct workshops

Protection: approach victims in different ways

Prevention: Conduct seminars to improve investigative and prosecuting skills; raise public awareness

Partnership: Signing mutual legal assistance agreements with countries and foreign authorities; cross-strait joint efforts

被害人陪同偵訊成效：

財團法人臺北市婦女救援社會福利事業基金會 白智芳副執行長

人口販運防制法實施前，婦女救援基金會即提供陪同偵訊服務，已達 10 年
社工參與能協助被害人鑑別等相關工作

開設專線：專職社工接聽電話，提供陪偵和案件諮詢、後續追蹤

全國 10 名備勤社工→人力成本高、移民署協助

目前可服務對象不限國籍、剝削類型

工作：穩定被害人身心狀態、聚焦偵訊、協助鑑別

告知權益、釐清遭遇、協助交代細節→積極協助偵辦，與起訴率等息息相關

數據調查：

8 成女性、2 成男性被害人

35% 性剝削、65% 勞力剝削

被害人國籍：印尼最多、泰國與台灣籍被害人人數類似

2017 年防制人口販運國際工作坊

與陪偵專線合作的單位：警政署、移民署、海巡

合作過的單位多願意再次合作，並邀請未合作過的單位合作

2009 人口販運防制法通過後，2010 年勞力剝削諮詢、陪偵案件量大增

但是性剝削案件要求陪偵服務的比例較低，社工在場能協助被害人創傷恢復

陪偵服務培訓隊人口販運有敏銳觀察的專業社工

問題：使用率無法過半（與預算密切相關）

原因：24 小時偵辦時間壓力

近期大型案件：陪偵社工從專線諮詢開始加入偵辦

挑戰：培養第一線執法人員敏感度、提升對社工的信任

目前目標：

推廣陪偵服務

推動修法：得社工陪偵→應社工陪偵

相關經驗分享

社工角色不僅後續安置與保護，能使第一線工作更為順利

Achievements of Accompanying Interrogation

Jasmine Bai, Deputy Chief Executive of Taipei Women's Rescue Foundation((15mins)

Bilateral Exchange(30mins)

Social workers have been accompanying victims during interrogations for 10 years

Social workers are beneficial for victim identification and other efforts

Hotline: Full time social workers answering calls, provide consults and accompany interrogations, and follow-ups

Require funding from the NIA

Provide services to victims of all types and nationalities

Social workers help: stabilizing victims, focusing on interrogations, and identification

Social workers can help gather information relevant to investigation and indictment

Statistics:

Victims: 80% female and 20% male

35% sexual exploitation; 65% labor exploitation

Victims from Indonesia, Thailand, Taiwan, and other countries

Social workers work with many law-enforcement agencies

But only less than 50% of cases invite social workers to accompany interrogations

Because of: time constraints, lack of trust in social workers

Current goals:

Promote accompanying services

Advocate for amending the laws – making social workers' company a requirement

Sharing relevant experiences

對談 Q&A

1. 泛太平洋暨東南亞婦女協會中華民國分會楊資華執行長：台灣相關工作成果佳，但是國際呈現較少，先前已邀請白副執行長至芝加哥報告，2016 年至 UNCSW 報告移民署工作成果，希望政府單位與 NGO 能努力到國際發聲

2. 何移民署前署長 問白副執行長：經費來源？ 移民署補助，委託專線

3. 移民署組長李臨鳳補充：

預算經過不斷減編，在爭取方面有困難，仍積極尋求立法經費支持

工作坊是國際發聲重要途徑

4. 外籍漁工照顧相關問題：內容提及可透過 1955 申訴、未告知何時會危害權益

移民署陪偵方面，勞動部也有陪同(雙語)詢問機制，應可與移民署服務結合或擴大

5. 蘇裕國委員回應：

勞動部權責方面要求雇主，未來會搭配生活管理基準向移工宣導其權益(教育訓練與講習)

未來可能與移民署陪偵有相關合作

6. 漁工起訴相關議題：台灣海域、領土相關議題是否相關？起訴與查緝方面可能遇到哪些問題？

7. 許鈺茹檢察官回應：檢察官角度回答，台灣為島國，勞力剝削案件以有港口的地區為主，如高雄；目前查緝困難在於遠洋漁船上出現狀況(販運、鬥毆等)，仍須回到港口才能蒐證，會出現時間落差。案例指出海上剝削、人命傷亡的案件在回到港口後，只能從遺體判斷死因偵辦。另外，亦有通譯方面的問題。曾經海上剝削案例發生時，請同鄉夥伴錄影作證，但因為影片語言為方言，通譯人才尋找困難。因此案件困難多為蒐證、查辦方面。為因應如此狀況，我們曾邀請具相關經驗的檢察官前來分享經驗。至於勞檢方面須仰賴勞動不回應

8. 蘇委員回應：

外籍漁工雇用類型有二：境外雇用、境內雇用(入境後在港口雇用)

境外雇用方面，漁業署為管轄單位，明天應有更詳細介紹

境內雇用方面，海上與陸上生活管理上無規定，但明年會實施，未來會以新的規定由雙語人員上船檢查、確認符合新的規定，並檢查陸上生活條件與其權益認知

9. 問 Kelly 教授：美國為何發起 TIP 報告？多少國家納入報告中？

TIP 報告是由美國國會立法通過撰寫，當初由女權團體與基督教保守團體共同推動，因為關注東歐人口性販運相關問題

我認為更關鍵的問題是，美國是否有足權威進行這項評比？我的書中寫到，若由更獨立的組織進行評比，是否會更理想？不過，案例與訪談受訪者的共識是美國 TIP 報告，即便有所不

2017 年防制人口販運國際工作坊

足，仍是當前提供最多資訊、最具公信力的報告。聯合國每 3-4 年亦會提出相關議題報告，不過這些報告常被各國批評。一開始報告包括 60~70 國家，現在已涵蓋 180~190 國，幾乎全球。

10. Green peace: 問蘇委員：境外聘僱漁工成為受剝削對象，針對境外聘僱的漁工，是否有相關生活管理規範？問檢察官：遠洋漁業目前無定罪案件，目前海上勞動剝削定罪條件為何？

蘇委員回應：遠洋條例實行後管理境外漁工，已經在行政院要求之下勞動部與漁業署交換許多意見，雖然目前是由不同法規監督，目標是相關標準要一致。現行檢察最大困難是在海上，必須仰賴漁業署協助勞檢人員，目前仍在討論。明天漁業署報告可能會有更多答案，勞動部亦會參與所有推動工作，提供勞檢專業協助

許檢察官回應：漁工案件也是屬於勞力剝削的一種類型，人口販運防制法當中認定標準：報酬與勞力不相當。目前因蒐證時間落差和通譯、司法互助方面的困境，難以偵辦。被害人舉發、利害關係人告發後可能快速回到母國、難以請求司法互助。相關勞力剝削亦可能牽涉勞工輸出國的仲介與移入國的仲介與雇主，有案例顯示，報酬問題來自勞工母國而非台灣，跨境取證困難。目前仰賴刑事局與國外單位請求當地執法機關協助。

同意提問者，定罪、取證的困難在於蒐證、且移工難以聯繫，常為經濟弱勢，因此希望能透過保護、安置程序讓被害人完成司法程序再回國

有時候未定罪勞力剝削，但會回歸傳統刑事案件，如構成妨害自由等，許多檢察官最後偵結是以刑法相關犯罪(妨害自由、偽造文書)為主

11. 問移民署李組長：行政院召開相關會議，該會議是否閉門，能否將會議結果分享給 NGO？相關成果翻譯給英文，分享其他國家，詳細管道為何？

李組長回應：會議記錄有發新聞稿，也可以在未來向外公開

報告是以公文傳至美方、或以簽署 MOU 的國家交流。網站上也有中英文資源，不過成效報告目前未有回饋。

Q&A Session:

1. PPSEAWA : Taiwan's effort are underrepresented in the international community. We aspire to see more NGOs to share experiences with other countries

2. Former director of the NIA: Funding for Taipei Women's rescue foundation?

Answer: NIA funding

3. NIA response:

budgets and funding require further support

Workshop is an effort to communicate with the international community

4. Foreign fishermen issues: promotion of 1955 complaint hotline but no specific information on workers' rights; NIA accompanying interrogation services could collaborate with similar services provided by the Ministry of Labor

5. MOL Specialist Su's response:

MOL's jurisdiction is the employers, so that's where the focus on; in the future the ministry will enhance workers' understanding for their rights

MOL could work with the NIA in the future

6. Indictment in the fishing industry: Is it because that Taiwan is a flag country? What are the difficulties encountered?

Prosecutor Hsu's response:

Port cities are where the cases are most common. However cases occurred on sea are difficult to gather evidence for further indictment

Language barrier is another issue.

We've also invited prosecutors who have relevant experiences to share their insights.

7. Response on labor inspection:

Foreign fishermen are recruited abroad or in Taiwan. Currently workers recruited abroad are under the jurisdiction of the Fishery agency, which will further discuss relevant topics tomorrow. We will implement new regulations for workers recruited in Taiwan, inspecting their working and living conditions on shore and on sea.

8. Ask Judith Kelly: Why the US initiated the TIP report? And how many countries have been rated worldwide?

Legislation by US congress, coalition of US feminists and Christian conservatives: concern east European sex trafficking issues

More importantly, why does the US have the authority to do so? In my book I asked: If a more independent organization to release the TIP report, would it be better? But Research shows that the consensus is that the US's report is still currently the most complete and accurate report for providing information. UN releases reports every 3 – 4 years, but they are often criticized.

First 60~70 countries, now 180~190 countries

9. Green peace:

Asking MOL: fishermen recruited abroad are often victims of labor exploitation, now that they are not under the jurisdiction of the MOL, does that create inequality in the rights of foreign workers?

MOL: Although currently workers recruited abroad are under another agency's jurisdiction, we have exchanged extensively on the standards we adopt before amending the laws, and in the future we will also share our expertise of labor inspection with relevant agencies so that they can better safeguard the rights of foreign workers recruited abroad.

Asking Prosecutor:

There are no convictions for cases occurred on fishing vessels abroad. So what are the conditions for conviction such crimes?

Prosecutor Hsu:

fishermen exploitation is a form of labor exploitation, so it complies with the standards set in the human trafficking prevention act: which is the non-equivalence of labor work and compensation.

Current challenges for indictment include: time delay for evidence gathering, language barrier, and lack of mutual legal assistance with other countries. Victims and persons of interest may leave Taiwan prior to the legal proceedings, therefore it is difficult to request legal assistance. In many

2017 年防制人口販運國際工作坊

cases the crimes and exploitation actually happen on the end of workers' mother country – and it is even harder to request assistance in these occasions. Therefore, we hope to allow victims to be sheltered and settled in Taiwan until legal proceedings are complete. Some cases do not consist of labor exploitation will fall under the jurisdiction of traditional criminal law, so indictment and convictions may be on those charges.

10. Asking NIA: Do relevant committee meetings have public records for NGOs' references? When sharing with other countries, what are the channels? Do other countries give feedback? NIA response: There are press releases, and records could be shared to NGOs in the future. Reports are delivered to the US and countries which we have signed MOU – so far there is no feedback.

第二場國際間人口販運問題報告評比第一級國家分享

Session 2 : Experiences Sharing from Tier 1 countries around the world

14:10-15:30 亞美尼亞、加拿大防制人口販運評比第一級國家經驗分享

14:10-15:30 Experiences Sharing from Armenia and Canada

亞美尼亞聯合衛理救濟委員會 Viktoria Avakova 協調專員

亞美尼亞簡介：人口、種族、宗教、鄰國

地震和地域衝突、蘇聯解體等等事件使國內經濟蕭條，許多人口被迫移出

開始出現人口販運問題，大多受害人為婦女與兒童

犯罪類型包括性剝削、勞力剝削、強迫乞討和器官摘除

亞美尼亞人被販運至伊斯蘭國家、蘇聯等國，亦有外國人遭販運至亞美尼亞

即使問題嚴峻，亞美尼亞致力改善問題、識別受害人、資助相關工作，因此評比為第一級，

亞美尼亞亦參考其他國際報告與利用其他資源

最近的進展：

法制架構：

亞美尼亞已簽署幾乎所有相關議定書與公約，聯合國公約和志願性公約、ILO 反強迫勞動等公約

犯罪化，修法、與俄羅斯邦聯簽訂 MOU 保障勞工權益

地方法制架構：使人口販運犯罪化，並已修法以符合聯合國公約

5~15 年刑責，與其他重大犯罪相等

販運兒童與身心障礙者犯罪化

2014 頒布新法識別、保護受害人

勞工權益、外籍人員、難民和尋求庇護者相關法規

國家行動計畫：已頒布 5 份

NAP 2016–2018 五大重點

國家經費資助：多用於受害者協助、補助受害人庇護所(社會與心理協助)、與 NGO 合作

亞美尼亞的公私部門合作優點：能直接協助受害人、但又享有 NGO 民間運作的彈性

目前正推動撥款與受害人識別、協助其取得補助

2007 年成立防制人口販運委員會

Council to Combat Trafficking in Human Beings

包括各部會高層級主管成員，每年聚會數次，並定期提出報告

NGO 受邀提供諮詢與建議

2017 年防制人口販運國際工作坊

2004 成立於跨部會工作小組

每 2~3 月開會，並提出定期報告，公布於網站

受害人識別相關法規

由警察機關發起推動，警察與 NGO、社工團體等密切合作，已實行 2 年，今年將研擬建議，推動進一步修法

法規重點：

1. 成立人口販運受害人識別委員會，成員包括勞動部官員、檢察官、警察與 NGO

2. 將受害人識別與刑事司法程序分開

以往於不同階段提供受害人保護與協助，只有同意協助偵辦的受害人才能獲得協助，新法將協助與司法程序分離，提供更完善保護

未來只有 pre-identification 和 final identification 兩階段，更為簡化

保護

3. 受害人協助：緊急安置、醫療、提供資訊等識別前期階段協助，安置、醫療、資訊、通譯等等識別後協助

2004 – 2017 UMCOR 基金會協助計畫

短期和長期庇護所

完整協助

亞美尼亞政府、國外資金(例如美國援助)提供補助

保護各種人口販運受害人，包括受性剝削的女性受害人

為個別受害人提供不同協助

與社群、家庭合作，安置受害人之後，仍需持續提供後續協助，使受害人能重新融入社會

亞美尼亞政府仍持續檢討、改善現行工作

成功關鍵：跨部會、跨單位合作的推動方式；政府的重視、各部會合作、結合人權和其他議題、政府官員、警察、檢調人員訓練；內部水平與垂直整合，從警方偵辦階段便受害人提供協助，促進其合作意願

2015 人權獎：防治人口販運工作小組獲頒人權獎項肯定其成果

提升意識：加強媒體宣傳推廣能力，亦成立網站、設置熱線等

特別關注弱勢族群，提供財務支援、托兒、安置、醫療等服務

許多受害人在家中遭逢身心創傷，逃離之後才落入人口販運當中，雅美尼亞一位相關受害人提供所需協助

未來目標與挑戰

勞檢工作，查緝勞力剝削：制度過渡階段，重構適切的勞檢工作

強迫勞動(force labor)法律層面定義不清，查案時常證據不足

2017 International Workshop on Strategies for Combating Human Trafficking

調查期間可能對兒童受害人造成傷害，但是相關審問為現有調查必備，未來應為兒童受害人提供特殊保護，採不同的審問流程

發展新的識別指標，識別不同形式的人口販運，並使大眾更有效識別潛在受害人

評估協助與再融入計畫的品質(追蹤3年)，目標是今年通過實施

許多遷徙至俄國的移工可能已遭遣返、登上黑名單等，相關資訊將整合至一智慧 APP 中

評比為第一級國家是重要的肯定，亞美尼亞將持續協助受害人，推動相關工作

Viktoria Avakova, Anti-trafficking and Health Programs Coordinator(40mins)

Introduction of Armenia: population, ethnicity, religion and neighboring countries

Earthquake, conflicts and the end of the Soviet Union have crashed the economy, and many people were forced to move to other countries

Human trafficking issues emerged, victims are mostly women and children

Types of trafficking include: sexual exploitation, labor exploitation and organ removal

Armenian were trafficked to Islamic countries and Russia, foreigners are trafficked to Armenia as well

Despite the difficult challenges, Armenia's effort is recognized by the TIP report.

Armenia refers to other reports on how to improve as well.

Recent developments:

Legal framework:

Armenia has signed almost all conventions and voluntary conventions by the UN and ILO, criminalized human trafficking and signed MOU with Russia to protect labor rights

Local legal framework: criminalize human trafficking, amend laws to comply with UN conventions

Convicted sentences range from 5~15 years, as other major crimes

Criminalize trafficking of children and people with disabilities

New laws released in 2014 help identification and protection of victims

Laws and regulations relevant to workers' rights, foreign personnel, refugees and people who seek asylum

National Action Plans: 5 plans have been implemented so far

NAP 2016 – 2018 5 key points

National funding: which goes to victim support and subsidy of shelters; working with NGOs

The model's merit is that government involvement can help the victims directly, while maintaining the flexibility of NGOs

Now we're pushing for funding, victim identification and helping victims to receive funding

2007 Council to Combat Trafficking in Human Beings

High-level officials meet several times a year to release reports regularly

2017 年防制人口販運國際工作坊

NGOs are invited to provide consultation and recommendation

2004 inter-department level working group is established

Convened every 2 – 3 months and release regular report on the website

Identification laws

Initiated by the law-enforcement, with the police working with NGOs and social worker organizations

The new laws have been implemented for 2 years, this year it will be further implemented

Key points:

1. Establish human trafficking victim identification committee, whose members include minister of labor, prosecutors, the police and NGOs

2. Separate victim identification and criminal proceedings

The identification process will be of 2 stages: pre-identification and final identification

3. Victim assistance: emergency shelter, medical services, information provision etc are provided since the pre-identification stage

2004 – 2017 UMCOR foundation program

Short term and long term shelter

Complete assistance

Funded by the Armenian government and foreign funds (mostly US funding)

Protect all types of victims and provide individual assistance

Work with local communities and families for reintegration in the future

Armenia government will continue to improve the work

Key to success: inter-departmental partnership, government determination, human rights focus, training for government officials, the police and prosecutors, internal integration and assisting victims since the beginning

2015 human rights award: recognition of our efforts

Awareness raising: improve media advocacy, setting up website and hotlines

Focus on the vulnerable populations, provide financial support, child support, shelter and medical services

Many victims were abused at home, and fell victim to trafficking after escaping from home

Future goals

Labor inspection: reconstruct appropriate standards

Definition for force labor is still unclear in the legal aspect

Interrogation of children may cause new trauma

New identification indicators

Evaluation for quality of assistance and reintegration programs

iMigrant app integration

Victim protection is key

加拿大皇家騎警署 Julie Meeks 資深教官

加拿大 TIP 評比佳的理由是加拿大持續注重四大關鍵：預防、保護、合作與起訴
預防：

RCMP 皇家騎警署的人口販運國家協調中心(HTNCC)

提供手冊等推廣資源

協調全國提升意識工作坊

推動北美提升意識活動

與國內外夥伴合作，與國際防制人口販運組織交流

向各級警察機關蒐集資訊、整合，用於提升意識訓練及供 TIP 報告參考

國家行動計畫 2012 年成立

補足現況不足

強化國內外合作

透明化與加強問責

行動計畫評價

公共安全部長正引導推動評鑑

因行動計畫即將到期，仍將以其為基礎，持續進行防制人口販運

人口販運專案小組(HTT)監督國家行動計畫、包括北美原住民婦女與兒童之保護

臨時外國勞工計畫(TFWP)保障移工權益，包括居住、薪資與醫療等，

勞工類型包括農、礦、家事、製造業與餐廳等服務業

曼尼托巴省認定招聘費(recruitment fees)為非法，設立聘僱執照制度

因這些僱用制度為省級政府管轄之下，其他省級政府亦效法曼省，立法禁止雇傭手續費

近期進展：增加檢查次數

違反規定雇主原禁止聘僱 2 年，修法改為不同年限 1, 2, 3, 5, 甚至終生不得再聘僱

新的罰金制度，不繳罰金禁止聘僱

加拿大邊境服務局(CBSA)

管轄入境加拿大人員，負責識別受害人與販運犯罪份子

調查與 TFWP 相關欺詐行為

製作 TIP 指導手冊：識別販運份子、保護受護人、查緝與偵辦

2017 年防制人口販運國際工作坊

北探射燈計畫 Operation Northern Spotlight

主動尋找可能受性剝削的弱勢族群

進行訪談、自 2014 運作至今，結合各機關、並與美國執法機關合作

加拿大金融交易和報告分析中心 FINTRAC 的保護計畫(Project Protect)

參與毒品、反恐等領域工作，查緝洗錢行為(包括試圖洗錢)，特別是性剝削相關資金，為加拿大金融資訊中心，偵測所有犯罪相關資金流向

提高意識是加拿大評比為第一級的關鍵之一

執法機構需接受 5 天課程

2016 年有 62 人員參與培訓，所有執法人員亦可參與線上訓練課程

RCMP 所有新進人員均須接受人口販運相關課程訓練

亦針對航空業人員識別受害人和販運份子

因此，除邊境執法人員，機組人員亦可能協助識別受害人

就業和社會發展部 ESDC

提供勞工服務、語言服務的單位均接受人口販運知識訓練

保護：

聯邦受害者基金(Federal Victims Fund)

臨時居留許可証(TRP) - 使受害人可居留 180 天，有的案例可居留 3 年，提供安置和諮商計畫，獲發工作許可，可選擇參與調查/作證與否(核發不受影響)

2014-2015 調查

加拿大有 629 受虐婦女庇護所

案例：溫哥華救世軍庇護所(協助販運受害人)、360 kids (協助兒童、亦推動提升意識活動)、多倫多盟約之家(協助販運受害人)

勞工標準

各省地方政府負責相關執法

同標準適用於本國勞工與臨時外籍勞工

起訴相關法規：

2005 年頒布人口販運相關犯罪條例，刑責最高為終身監禁，且構成犯罪不需跨越國界
移民與難民保護法 IRPA (2002 訂定)

加拿大刑法 279 節與人口販運相關，不同罪刑、若涉及其他犯罪，則有不同刑期

近期新增訂針對 18 歲以下未成年人的刑責

案例：

2016 有 68 人口販運新案件，67 國內販運、1 國際販運，但無一立案

魚場調查

加拿大東岸 3 做魚類加工廠

中國仲介公司沒收漁工提款卡，將薪資匯回中國仲介業者手中，漁工受恐嚇、威脅、待遇低下

勞工不敢告發，擔心人身、家人安全，怕被遣返，亦想留在加拿大工作

僅 2 名受害人願意作證，1 位不願意出庭

人口販運受害者

2016 年 77 名新受害人、367 受害人，47 名強迫勞動，320 名性剝削受害人

法院審理的人口販運案件眾多

加拿大防治人口販運夥伴包括：政府、執法機關、銀行、國內與國際組織、非政府組織，包括國際刑警組織等

2016 多倫多人口販運國家論壇

討論相關議題、策略，促進合作

提供不同觀點，包括受害人、北美原住民、相關工作人員等

共同夥伴：

FINTRAC 的保護計畫，包括銀行、執法部門等

各部會

國際夥伴：

協調中心、教宗領導的組織、北美領導人高峰會等

重心：協助受害人，因為他們需要(實務、駐所與翻譯相關)協助、且查緝需仰賴受害人才能成案

Julie Meeks, Senior Instructor of Royal Canadian Mounted Police(40mins)

4Ps are Canada's main focus

Prevention:

RCMP's HTNCC

Provide brochures and other resources

Coordinate national awareness raising workshops

Awareness-raising in North America

Partnership with domestic and international partners

Gather information from all law-enforcement agencies, integrate information for awareness-raising and TIP report

2017 年防制人口販運國際工作坊

National Action Plan est. 2012

Mend current gaps

Enhance international partnership

Transparency and accountability

Action plan evaluation

Ministry of public safety is conducting evaluation

Due to expire

Future actions still comply with core principles

HTT supervises the NAP, including protection of native American women and children

TFWP protects migrant workers' rights, including shelter, payment and medical services

Labor types: agricultural, mining, domestic, manufacturing as well as restaurant

Manitoba determined recruitment fees as illegal, establishes a permit system

Adopted by most provincial governments

Current development: increase inspections

New penalty system

CBSA

Jurisdiction: all personnel who enters Canadian border, identification of traffickers and victims

Investigate TFWP-related frauds

TIP manual: identification, protection, prosecution

Operation Northern Spotlight

Outreach program for potential victims

FINTRAC's Project Protect

Detect activities and attempts of money laundering in drugs, terrorism and sexual exploitations

Awareness raising is key

Law-enforcement personnel require 5-day training

Training for airline personnel

ESDC: Labor service and language service personnel

Protection:

Federal Victims Fund

TRP – victims can stay for 180 days (some cases up to 3 years), work permits, victims are not compelled to work with law-enforcement

2014-2015 survey
629 women's shelters

Labor standards
Provincial governments
Same standards for domestic and foreign workers

Indictment:
Criminal Code (2005)
IRPA (2002)
Article 279

Cases:
68 new cases in 2016, 67 domestic cases; no indictment

Fishing plant
Labor exploitation

Many trafficking victims and cases in Canada

Partnership with the government, law-enforcement, banks, NGOs, IGOs
2016 national forum in Toronto
FINTRAC project protect with banks and law-enforcement
Ministries
International partners: HTNCC, the Vatican, North America partners

Focus: victim assistance

Roundtable 與談人發言

美國杜克大學國際人權中心 Jayne Huckerby 主任

評論亞美尼亞與加拿大工作成果

以下整理反覆出現、重疊的主題，例如資金用途多元，包括亞洲國家，以人權角度觀察，第一級國家可能仍有其他人權相關問題，以下提出幾項保障人權的機會與挑戰：

1. 亞美尼亞識別受害人相關努力，許多國家均面臨同樣困難；另一個值得肯定的是亞美尼亞提供的協助不取決於受害人是否與執法機關合作，聯合國亦在推動相關努力
2. 受害人提供工作許可、勞工標準是否適用於本國與外籍勞工等
3. 挑戰：補助、為受害人提供的協助與資源是否符合其需求、符合人權原則

2017 年防制人口販運國際工作坊

4. 名目上計畫或許理想，但是無資金協助受害人重新融入社會
5. 如 TIP 報告提出，如何為受害人提供居留
6. 加拿大協助為性剝削、兒童受害人取得身分

另一反覆出現議題為政策：

OACE、亞美尼亞人民遷徙相關政策

性剝削與勞力剝削相關法條

整合勞工、性交易等監督政策，前日有報告指出勞檢人員已無法檢查所有工作場所，因此整合相關資訊時為重要，而加拿大在整合政策方面較有實質成果

OACE 和 TIP 報告等機構鼓勵各國改善作為的成效

他國可學習防制人口販運政策可能涉及資金追蹤等較少注意到的層面，制定新機制

Jayne Huckerby, Director of Duke International Human Rights Clinic (10mins)

Recurring themes: funding destinations, human rights issues in Asian countries

Tier 1 countries may have made efforts in human trafficking, but there may be other human rights challenges.

Opportunities and challenges:

1. Similar to Armenia's experience, victim identification has been a challenge. Armenian government provides support regardless of the result of identification or criminal proceedings – this is something other countries should follow
2. Whether victims are granted work permits, and the labor standards are consistent with native workers are also crucial
3. Challenge: whether the assistance and services provided respond to individual needs
4. Assistance plans should work harder to help victims reintegrate into society
5. Providing visas for victims
6. Canada's effort in providing sex exploitation victims and children with visas and permits – worth recognizing

Another recurring theme:

OACE, Armenian policies

Sexual exploitation and labor exploitation laws

It's important to integrate supervision policies of labor and sex trade. There are cases where labor inspectors do not have to capacity to inspect all work occasions. Therefore it's important to integrate relevant information, and Canada has made concrete results

OACE and TIP report could encourage governments to improve their behaviors

Other countries could look at new aspects such as financial investigations to develop new strategies

財團法人天主教善牧基金會人口販運被害人安置庇護所 林文娟主任

被害人保護與預防工作

善牧 1987 年始進行婦女救援，觀察到移工婦女與兒童受到性剝削

2009 接受移民署委託進行被害人安置

許多檢察官與相關部會與庇護所交流、合作

善牧至移工聚集場所透過通譯宣導權益

進入校園推廣相關認識

推動移工返鄉權(印尼、柬埔寨，未來將前往泰國)，國際支援流通重要

陪伴被害人重建復原

案例分享：冬天緊急安置 20 名勞力剝削被害人，協助追回積欠薪資、護照等證件，協助尋找工作與返國

台灣評比為第一級表示努力受到肯定，但人口販運仍在發生、受害人仍需協助，需公私部門持續努力

Lin, Wen Chuan, Shelter Director of Good Shepherd Social Welfare Services (10 mins)

Good shepherd has been rescuing women since 1987; we have noticed exploitation of immigrant women and children

Since 2009 has been sheltering trafficking victims

Prosecutors and agencies have communicated and cooperated with shelters

Good Shepherd would go to locations foreign workers frequent to promote workers' rights

Raising awareness on campus

Promote workers' rights to return home (we've made trips to Indonesia and Cambodia, and have plans to go to Thailand)

International support and communication are crucial

Accompanying victims in recovery

Case: 20 victims of labor exploitation during a cold winter; helping them to obtain wages, passports and return home

Taiwan's ranking shows that the efforts are recognized, but there is still more to be done, requiring partnership of both public and private sectors

臺灣展翅協會 陳逸玲秘書長

台灣與亞美尼亞、加拿大法律和環境大不相同，但仍可看到相似之處，有所共鳴：

1. 例如亞美尼亞提及勞力剝削定義仍非明確，台灣亦是
2. 未成年人可能曾是性暴力受害者，容易成為人口販運受害人
3. 利用未成年人進行犯罪，台灣類似手法為利用毒品控制兒少盜伐山林、陪搖(吸毒)，接下來或許可請法務部代表討論相關法律議題

2017 年防制人口販運國際工作坊

4. 被害人程序，若不成案，被害人可能又被視作非被害人，因此好奇先前亞美尼亞鑑別委員會的流程、時機、是否出現不同鑑別結果，如何處理
5. 兩國均提及協助不取決於受害人是否協助執法偵辦，台灣 NGO 一直想推動這方面的主張，想請教兩國如此設計是否經過討論，檢察機關的看法為何
6. 加拿大講者提及金融機構通報人口販運相關洗錢防制，好奇如何做結合。台灣銀行業需進行人口販運相關課程，好奇其內涵
7. 回應台灣評比第一級，肯定台灣政府努力。展翅協會於 1995 年訪視受性剝削的外籍女性，協助中國未成年少女，2008 承接第一所庇護所委託，至 2009 年法規通過。見證制度從無到有，民間與政府均態度積極，TIP 報告評比時為肯定，此為良性循環。不過，仍有許多需努力的方向：

漁工與家事勞工權益

判刑需符合其犯罪

專法補充性立法、認定不明確等希望可推動修法

兒少性剝削被害人受不同法規管轄，希望能推動同樣努力

政策與服務方面促進被害人參與(participation)

Chen, Yi-Ling, Secretary-General of ECPAT Taiwan (10mins)

Taiwan's situation is different from Armenia and Canada, but there are similarities:

1. The legal definition for labor exploitation in Armenia is still unclear, this is the same in Taiwan
2. Underage teens who were victims of sexual violence are vulnerable to human trafficking
3. Criminals often use teenagers to engage in criminal activities, sometimes drugs are used to control the victims. In Taiwan, there are cases of illegal logging and substance abuse, perhaps the Ministry of Justice could discuss the legal implications of such crimes
4. Victim identification in Armenia: if the committee ruled that the potential victims are not victims, what would be the processes and procedures?
5. Both Armenia and Canada provide assistance regardless of the victims' cooperation within legal proceedings – and this has been the goal for NGOs in Taiwan. How the law enforcement responds to such practices in Armenia and Canada? Did they object the idea?
6. I'm curious about how to combine financial traces and money laundering efforts with combatting human trafficking
7. ECPAT Taiwan has witness Taiwan's progress in combatting human trafficking since the beginning, but there are still more things to be done:
 - Rights for foreign fishermen and domestic workers
 - Sentencing should be consistent with the crimes
 - Amending laws and bridge legal gaps
 - Child victims of sexual exploitation are governed by other laws, hopefully they could be offered the same level of protection
 - In terms of policy and services – encourage victim participation

雙向交流與談

主講人：與談人對亞美尼亞和加拿大講者報告內容提出評論與內容，先請兩位講者回應

1. 鑑別階段之前即開始進行受害人協助，請問亞美尼亞與加拿大國內執法單位對於這方面的看法？

亞美尼亞回應：釐清鑑別階段，現在是簡化過後的兩階段鑑別。其實亞美尼亞此法是由執法機關發起的，因為亞美尼亞已簽署人權公約，司法機關亦具備更以人權為本的做法。實務上，受害人並不會被迫合作，社工、NGO 甚至警察、媒體等會協助提供資訊進行鑑別，(鑑別 10 天內) 期間即為受害人提供住所、醫療等協助。鑑別後確認為受害人，便可獲得全面協助，若仍不能確認，潛在受害人可獲得延長 10 天的服務。鑑別委員會所取得的資訊均會保密，因此檢察官不會知道鑑別詳細資訊。執法方面，NGO 已與警方密切合作、進行培訓，甚至已有由警察通報提供受害人協助的例子。

亞美尼亞洗錢案例較少，但有毒品與藥物控制性剝削受害人的例子，導致受害人癲癩或精神失常等案例。

加拿大回應：

警方鑑別被害人，將之轉介至 IRCC，不參與判斷潛在受害人是否為受害人、是否獲得工作許可等決策。被害人由律師、社工、邊境局與其他 NGO 可將其轉介至 IRCC，居留許可等均由 IRCC 獨立決策。若警方建議提供許可，IRCC 會參考，因其重視警方意見。

洗錢方面，有次案例涉及由加拿大像美國販運女性進行性交易，FINTRAC 受其他執法單位委託，追蹤所有關係人的資金流動。通常 FINTRAC 整合所有資訊，每當注意到涉及性剝削、毒品、恐怖主義等可疑活動，便主動通知相關當局。此案例是受到要求，利用相關證據將美國籍販運份子遣返回美國接受司法程序。通常遣返較為困難，這次透過資金相關資訊，與美國國土安全部合作。

毒品控制受害人方面，多數受害人為女性，這些案例也在加拿大出現。

2. 法務部對毒品控制受害人的犯罪，與金融洗錢與人口販運關聯相關回應

許檢察官回應：

毒品控制少女少年案例，台灣並不少見。若控制未成年少女賣淫，則牽涉為成年人性剝削罪，轉讓或販賣毒品，與毒品危害防制條例有關。涉及未成年的犯罪，刑期會加重一半，這是對兒少保護，不僅限於性剝削犯罪，任何犯罪都依兒少福權法加重處罰。

分享實務：吸收少年成為共犯，接送賣淫女子等，適用專法—少年事件處理法 (以教育為重，不以處罰為重)，需區分少年是共犯或是受害人。

洗錢防制：去年年底修正公布，剛於今年 6/28 施行，最大差異—犯罪行為人不能保有所得。修訂加強沒收、追查犯罪所得，追溯特定犯罪(本刑 6 個月以上的罪、性剝削罪適用)所得，沒收或賠償被害人。因此性剝削、勞力剝削等與犯罪所得、洗錢相關犯罪做連結，可追溯、查扣等加強查緝，藉由防止犯罪人保有所得，達到防制人口販運目的。

強制勞動法規主講人補充：

2017 年防制人口販運國際工作坊

勞動基準法除罪化，目前仍適用刑法

台灣的就業服務法規國內、引進外籍勞工均須取得執照，避免強制勞動的發生
高捷出現類似強制勞動案件後，勞動部立即處理，因此案例較少
台灣實務以扣留證件、薪資等間接強制為主，不過台灣法規亦訂有嚴厲處罰

移民署李組長問：

請教亞美尼亞鑑別會議舉辦流程、強制勞動鑑別如何操作、10 天延期可延幾次？

答：案子成立的 10 天內即召開會議，可能延期以取得相關資訊。若鑑別會議結果為非被害人，不能獲得政府援助，仍能獲得 NGO 資源協助。所有潛在被害人可獲得所需協助，不須另外申請。

強制勞動被視為勞力剝削，因此構成人口販運罪行。以司法調查程序方面可能不足以立案或定罪，但以被害人角度而言，委員會仍提供身分、協助。

延長時間方面，委員會亦碰過受害人過於害怕、拒絕接受協助的案例，因此，委員會首要目標是為被害人提供協助。

移民署李組長問：

加拿大聯邦被害人基金，資金來源是否列入公務預算？

加拿大回應：

聯邦基金 8 年內 4 千萬，以提供服務、協助。是國家公務預算。

展翅協會陳秘書問：

亞美尼亞若公部門不認為受害人為受害人，該人是否受起訴、或可得赦免？

亞美尼亞：NGO 確實可以提供服務，但目前仍未碰過涉及犯罪的潛在受害人案例，我們可以加以思考，以後若碰到可以研議相關對策，謝謝

Bilateral exchange

1. Armenia provides victim assistance before identification, what's the law-enforcement's stance on this issue in Armenia and Canada?

Armenia: First I'd like to clear the identification process – we now have two stages of identification instead of three.

In fact, our practice was initiated by the police. Our law-enforcement is very concerned with the human rights issues. In practice, victims are not forced to cooperate, and can receive assistance from social workers, NHOs, the police and the media. The pre-identification stage lasts 10 days, during the period, victims are provided shelters, medical service, etc. If 10 days are not enough for identification, the stage will be extended for another 10 days.

The committee is confidential so the prosecutors would not know the status of the victims. In terms of law enforcement, our NGOs have worked closely with the police in training and awareness raising. There are cases of the police referrals even before the identification committee steps in. Money laundering is less common in human trafficking in Armenia, but we have cases where victims were drugged and heavily traumatized.

Canada:

The police refer potential victims to the IRCC, and we're not involved in the process of determining the victims' status or granting services. Lawyers, social workers border agencies and other NGOs can refer cases to the IRCC as well; all permits are granted independently by the IRCC. If the police recommend granting visas and permits, the IRCC will take such opinions into account.

In terms of money laundering, there is a case in which FINTRAC was requested to step in by other agencies – usually FINTRAC monitors all suspicious financial activities and refer cases to relevant authorities.

In terms of using drugs to control victims, such cases are seen in Canada as well, most victims are female.

2. MOJ's response on drug related crimes and money laundering

Prosecutor Hsu:

Drug related charges are under the jurisdiction of drug-related laws, and minors are protected by relevant laws as well.

When minors are accomplices rather than victims – there are relevant regulations as well.

On money laundering: New amendments were released last year and came into effect at the end of June, stipulating that convicted personnel cannot retain the illegal income. Victims can reclaim the owed wages. The amendment hopefully can help deter human trafficking.

Moderator: On force labor

It is written in law that agencies introducing foreign workers to Taiwan must acquire permits. Especially since the Kaohsiung MRT cases, the MOL has put much effort into reducing such crimes.

NIA:

How does the identification committee work in Armenia? How many extensions could be given?

Answer: the committee is convened within 10 days of referral. Extensions are granted for the benefit of the victims. Those who cannot access government assistance can still access NGO support.

Force labor is considered a form of labor exploitation, therefore a human trafficking crime. Indeed criminal charges may not hold in the end, but the committee's priority is to provide assistance for victims.

NIA:

Does the Federal Victim Fund come from national budget?

Answer: Yes.

ECPAT Taiwan:

2017 年防制人口販運國際工作坊

In Armenia, if the identification committee determined a potential victim is not a victim, if the individual was involved in criminal activities, would authorities exempt the crimes, or the individual would be prosecuted?

Answer: We have not yet seen cases like this, but it raises a great question, we will look into how to deal with such situations in the future.