

**2019 Republic of China (Taiwan)
Trafficking in Persons
Report**



October 2020

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I. Prologue

Due to the cross-border movement of people around the world, the uneven development of countries and regions, and the wide gap between rich and poor, the number of people leaving their home countries remains high. These circumstances, plus the lure of substantial profits, have driven a boom in human trafficking.

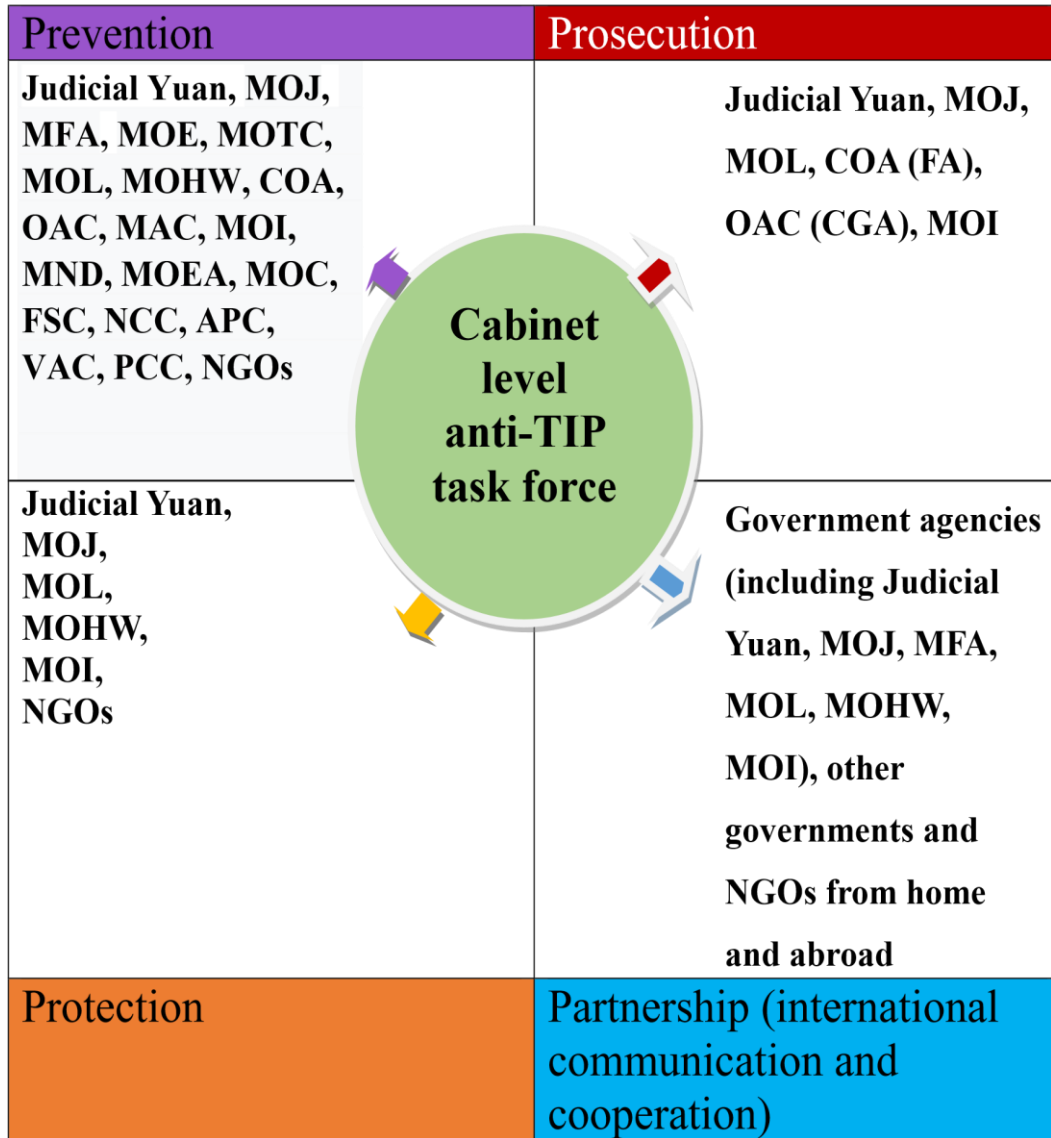
To consolidate interagency resources, facilitate cooperation with nongovernmental organizations (NGOs), and promote full commitment to the prevention of human trafficking, the R.O.C. (Taiwan) government announced the Human Trafficking Prevention Action Plan in November 2006 and set up a cabinet-level anti-trafficking in persons (TIP) coordination task force in January 2007. The *Human Trafficking Prevention Act (HTPA)*, promulgated in 2009, has also ensured progress in the fight against human trafficking.

The increasing cross-border movement of people due to globalization has been fostering exchanges of talent and the development of tourism throughout the world. To recruit and retain global talents, the ROC government has launched the New Southbound Policy and relaxed immigration rules. Expanding visa-free entry for more ASEAN countries has also seen tourist arrivals and departures continue to rise. To prevent foreigners from coming to ROC to work on visitor visas and being exploited, or falling victim to human trafficking, the government has taken appropriate preventive and administrative measures. However, human trafficking

and associated problems have not yet been fully eradicated. Moreover, TIP cases that occur overseas involve such issues as the exercise of jurisdiction and de jure recognition, and require mutual assistance among countries.

To improve ROC's prevention and control measures, the government's cabinet-level anti-TIP coordination task force has continued to enhance international exchange and cooperation; coordinate available resources; strengthen the investigation, prosecution, and sentencing of human trafficking cases; and improve protective measures and preventive action plans concerning TIP victims. Thanks to ROC's anti-TIP efforts in 2019, the US Trafficking in Persons Report named ROC a Tier 1 country for the tenth consecutive year. TIP prevention requires continuous, long-term efforts, international collaboration, and worldwide vigilance. In 2020, ROC will continue to work closely with the international community to combat TIP and promote human rights-based governance.

Interagency TIP Prevention Mechanism



II. Highlights of 2019

R.O.C. government agencies continued to aggressively combat human trafficking throughout 2019. With the cabinet-level anti-TIP task force consolidating the resources of related agencies, and with NGOs working in close cooperation with the government, significant achievements were made in the fight against human trafficking. Aiming to promote closer integration with international anti-TIP strategies, the government adopted preventive and control measures that combat TIP through four approaches (referred to as the 4P strategies): law enforcement and prosecution, protection, prevention, and partnership.

1. Law enforcement and prosecution:

Judicial police departments identified 143 TIP cases (32 cases of labor exploitation and 111 cases of sexual exploitation) in 2019. A total of 122 individuals were prosecuted in 71 TIP cases.

2. Protection:

2.1 The National Immigration Agency (NIA), Ministry of the Interior (MOI), and the Ministry of Labor (MOL) operate 23 shelters in cooperation with civic groups:

During 2019, a total of 92 newly identified victims were placed in shelters. Aside from having their everyday needs met, these residents received additional services such as psychological counseling, interpretation assistance, legal assistance, accompaniment during investigations, and medical care. The relevant agencies made arrangements to

help 61 victims return to their home countries after the conclusion of judicial proceedings.

2.2 Placement of victims in shelters by the NIA:

In 2019, the NIA provided medical services 341 times, interpretation assistance 1,075 times, legal assistance 14 times, consultations 621 times, and accompanied victims during trials (or investigations) 87 times. Also, the NIA issued 56 temporary stay permits and extended 107 temporary stay permits to TIP victims, while the MOL issued work permits to 57 victims. Public job placement centers provided services to 53 people, of whom 16 successfully found employment.

2.3 The Direct Hiring Service Center set up by the MOL can help minimize broker fees, which often place a heavy financial burden on foreign workers.

During 2019, the center helped 5,150 employers hire foreign employees, accepted and transferred 10,646 applications to authorities other than the MOL, and provided consultations, either onsite or over the phone, regarding the hiring of foreign workers on 163,422 occasions. In 2019, the center helped save a total of NT\$134.26 million (approximately US\$4.30 million) in brokerage, employer registration, overseas introduction and recruitment fees.

3. Prevention:

The government and civil society have mobilized various communications channels to raise public awareness of human trafficking and help immigrants better understand their rights. For example, each year the NIA, the MOL, the Ministry of

Foreign Affairs (MOFA), and the Tourism Bureau hold special events in conjunction with the UN World Day against Trafficking in Persons, which falls on July 30. In 2019, the government also expanded the International Workshop on Strategies for Combating Human Trafficking from July 25 to 26. Representatives of various countries, NGOs, diplomatic and consular personnel in ROC, and staff from related government agencies were invited to discuss such key issues as victim-oriented thinking, qualified full-time interpreters, excessive brokerage fees, and migrant workers' freedom to choose jobs, providing all of those involved with ideas that could be incorporated into ROC's fight against human trafficking.

3.1 Training courses:

Government agencies have also integrated TIP prevention into training courses in their respective fields of expertise. For example, in 2019, the MOI held two seed personnel training events on general TIP literacy for public servants, attracting 147 attendees. Besides, aiming to enhance the investigative skills and professional competencies of personnel on Duty Trip in handling TIP-related crimes, training courses were held by the NIA's four Administration Corps. A total of 5 sessions were conducted, with 308 people participating. In 2019, the Workforce Development Agency (WDA) of the Ministry of Labor held 3 sessions of seminars on foreign labor counseling service and investigation, and the National Immigration Agency conducted 22 sessions of workshops on Strategies for Combating Human Trafficking, all of

which have enhanced the professional ability of the judicial police and frontline personnel to investigate and identify human trafficking cases.

3.2 Reviewing and formulating regulations:

A. Amendments to the Code of Criminal Procedure

(1) To respect the distinct identities of the victims and avoid double victimization, the Code of Criminal Procedure has added provisions on the protection of victims in the trials and victims' participation in criminal proceedings, which have been promulgated and implemented.

(2) The amendment includes judges' duty to pay due attention to the privacy of crime victims and their family members, appropriate isolation measures to shield identities, accompaniment to court, etc., to protect the privacy and reputation of victims and avoid double victimization of victims during the proceedings. In human trafficking cases, the new scheme allows victim participation in the trials. The agents may examine the case files to update the trials to the victims, and victims can state opinions regarding evidence and sentencing so that the victims' voices can be heard. Through the mechanism above, restorative justice and equality could be reached and the impact of policies or decrees should be mitigated.

B. To respect victims' right to return home and avoid the inconvenience brought about by lengthy proceedings, the NIA issued on September 23, 2019, a guideline for

the procedure TIP victims application/extension of temporary visitor permits, which specifies the six-month principle for victim cooperation in the investigation process.

3.3 Supervision and Assessments:

To effectively facilitate anti-TIP campaigns, the MOI continued to conduct assessments of local governments' efforts in 2019. This has raised awareness among municipal and county governments and promoted deeper and broader TIP prevention efforts.

4. Partnership (international exchange and cooperation):

4.1 From 2011 to 2018, ROC signed MOUs on cooperation concerning immigration affairs and human trafficking with 21 countries: Australia, Belgium, Belize, El Salvador, Eswatini (previously Swaziland), the Gambia, Guatemala, Honduras, Indonesia, Japan, the Marshall Islands, Mongolia, Nauru, Palau, Panama, Paraguay, Saint Christopher and Nevis, Saint Vincent and the Grenadines, Solomon Islands, the United States, and Vietnam.

4.2 Among the 21 countries that have signed cooperation agreements or memorandums of understanding on immigration and prevention of human trafficking with ROC, only Australia, Indonesia, Japan, the United States, and Vietnam have set up a close relationship with ROC. Despite that many transnational organization crimes are closely related to human trafficking, ROC has not been allowed to join the International Criminal Police Organization due to political factors, and or signed up extradition treaty with any country. As a result, human

trafficking memorandum has been an important basis for the cooperation between ROC and other countries.

4.3 NGOs' participation in international exchanges on the prevention of human trafficking:

On April 10, 2019, Chi, Hui-Jung, the Executive Director of the Garden of Hope Foundation attended the conference on the Pastoral Orientations on Human Trafficking hosted by the Holy See Dicastery in the Vatican. Chi also spoke on “Breaking the chain of exploitation: Sharing ROC’s experience in stopping human trafficking.” After the conference, she also exchanged opinions with experts in related fields from various countries and established communication channels.

III. Achievements in 2019

1. Enhancing the investigation and prosecution of TIP-related crimes

1.1 Results of investigations into TIP-related crimes

A. To enhance interagency communication, use resources appropriately, and ensure the law is optimally enforced among brokers and at high-risk sites such as employment agencies, places where foreign workers gather, and establishments of ill repute, judicial police agencies have entrusted specific units with the task of overseeing the investigation of TIP-related crimes. Combating the sexual exploitation of minors (anyone under the age of 18) and comprehensively fighting this type of human trafficking has long been a top priority for judicial police agencies. In human trafficking cases investigated and referred for prosecution in 2019, 107 underage girls (under 18 years of age) were identified as part of 71 cases. In accordance with the *Child and Youth Sexual Exploitation Prevention Act*, 63 of these girls were placed into the care of local social welfare agencies, while 44 were taken home by their parents or went home by themselves.

B. In 2019, judicial police agencies investigated 143 human trafficking cases, 32 of which involved labor exploitation and 111 sexual exploitations. All of these cases were referred to the district prosecutors offices. The relevant statistics for judicial police investigations from 2008 to 2019 are as follows:

Year \ Cases	Total No. Cases prosecuted	Type of cases	
		Labor exploitation	Sexual exploitation
2008	99	40	59
2009	88	46	42
2010	123	77	46
2011	126	73	53
2012	148	86	62
2013	166	84	82
2014	138	51	87
2015	141	44	97
2016	134	40	94
2017	145	37	108
2018	133	38	95
2019	143	32	111

Table 1-Statistics for judicial police investigations of TIP cases from 2008 to 2019

1.2 Indictments and sentences

- (1) To enhance the functionality of information extraction and retrieval systems, and establish sentencing information for crimes that constitute violations of Articles 31 and 32 of the *HTPA* for judges to refer to in similar cases, the Judicial Yuan's Sentencing Analysis and Research Group has collected sentencing information for human trafficking cases and built a sentencing information retrieval system for such cases. Sentencing data for similar cases continue to be added to the system, which provides judges with references for passing judgments and sentencing in similar cases.
- (2) Continuous call on judges to use the reference list for the

sentencing of crimes that constitute violations of Articles 31 and 32 of the *HTPA*, which was devised in accordance with the results of focus group meetings:

To enable judges to reflect on and take into account diverse societal opinions, a reference list for the sentencing of crimes that constitute violations of Articles 31 and 32 of the *HTPA* was devised in accordance with the results of focus group meetings attended by representatives of the courts, prosecutor's offices, law firms, academia, victim protection and assistance groups. The reference list aims to remind judges to pay attention to proportionality in sentencing and to note certain circumstances that make punishments severer or more lenient. In addition, aiming to provide a reference for judges, the Judicial Yuan has compiled and delivered to each court the *Guideline Manual of Sentencing Circumstances in Criminal Cases* and continued to call on judges at all levels to refer to the above sentencing materials when handling such cases. Those resources are included under the "Trial information" on internal websites to improve ease of reference.

- (3) Continuing to strengthen professional knowledge and training on human trafficking cases:

The Judicial Yuan held specialized seminars on human trafficking cases for division-chief judges and judges to enhance judges' professional knowledge on human trafficking cases through aspects of policy, legal procedures, and practice. In 2019, for example, officers from AIT, prosecutors' offices, and the NIA under the

MOI were invited to deliver speeches in “Introduction to U.S. Human Trafficking Judicial Practice”, “Current Situation of Human Trafficking as Recognized by experienced practitioners”, “ROC’s Anti-Human Trafficking Policy and Current Situation” and other training courses, and events like watching documentaries on human trafficking crimes were held to deepen judges’ knowledge of human trafficking cases. In addition, judges are encouraged to participate in any external training courses on human trafficking cases. The Judicial Yuan has also set up a “Trafficking in Persons Case Study Area” on its intranet site to provide judges with course handouts and other information for reference when handling human trafficking cases.

- (4) In 2019, a total of 122 individuals were indicted by District Prosecutors Offices in 71 TIP cases. Prosecution figures from 2009 to 2019 are shown below:

Year	Cases prosecuted	Persons indicted	Type of cases			
			Labor exploitation		Sexual exploitation	
			cases	Persons	cases	Persons
2009	118	335	35	102	83	233
2010	115	441	41	110	76	346
2011	151	437	72	179	80	259
2012	169	458	34	57	136	408
2013	127	355	84	246	46	103
2014	102	184	21	52	88	153
2015	63	148	12	25	52	127

2016	64	166	17	44	50	128
2017	87	248	19	66	68	182
2018	71	113	24	40	47	73
2019	71	122	14	22	57	100

Table 2- Cases prosecuted and persons indicted for TIP-related cases handled by district prosecutors offices from 2009 to 2019

Note: From June 2009, certain cases were registered under more than one type, if applicable. Therefore, the total number of cases may not be equal to the sum of the different types.

(5) In 2019, 50 individuals were convicted in TIP-related cases. Among them, 1 person was sentenced to imprisonment for not less than 7 years but less than 10 years; 2 persons for not less than 5 years but less than 7 years; 18 persons for not less than 3 years but less than 5 years; 7 persons for less than 6 months; 2 persons for not less than 6 months but less than 1 year; 15 persons for not less than 1 year but less than 2 years; and 5 persons for not less than 2 years but less than 3 years. Sentencing for TIP-related crimes from 2009 to 2019 was as follows:

Unit: Persons

Year	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Sentence <6 months	256	192	98	144	155	97	103	96	18	9	7
6-12 months	58	37	15	16	21	10	10	13	4	2	2
1-2 years	30	34	27	27	36	20	14	23	10	14	15
2-3 years	4	4	5	3	5	6	1	4	3	2	5
3-5 years	7	19	17	32	41	30	29	21	23	21	18
5-7 years	1	0	2	2	4	2	1	0	0	0	2
7-10 years	13	1	1	3	2	1	0	3	0	2	1
10-15 years	0	1	0	0	0	3	1	1	2	0	0

Short detention	6	8	6	11	4	5	2	0	2	0	0
Fine	1	4	2	62	1	1	2	1	0	0	0
No sanction	0	0	1	0	1	0	0	0	0	0	0
Total	376	300	174	300	270	175	163	162	62	50	50

Table 3-Sentences imposed for TIP related crimes from 2009 to 2019

1.3 Expanding investigations into the sources of human trafficking

A. Tightening the inspection and management of travel documents at the border and clamping down on runaway workers and their illegal entry: To prevent runaway migrant workers from falling into situations in which they are vulnerable and easily exploited, ROC has aimed to stop organized crime syndicates from transporting victims, and from having victims make illegal border crossings during flight transit stops. In 2019, the NIA seized 17 cases of migrants attempting to transit to other countries with forged (altered) foreign travel documents at the border, effectively securing the border and preventing our country from becoming a transit point for illegal smuggling syndicates.

B. The MOJ requested all prosecutor authorities to target TIP crimes involving foreign fishing workers hired overseas to work on ROC's distant water fishing vessels. It also called on the chief prosecutors and head prosecutors to properly supervise these efforts. In the TIP section of its manual on handling cases involving women and children published in March 2017, a subsection on violations of the *HTPA* by ROC's distant water fishing vessels employing foreign workers

overseas was included. This should help in the prosecution of instances of labor exploitation of fishing workers, so as to protect the rights of victims.

C. Strengthening investigations into the unscrupulous employers and illegal brokers

Foreign workers coming to ROC are at a disadvantage due to cultural and language barriers, as well as the possibility of workplace confinement, which can lead to unfair treatment or even exploitation. Therefore, to disrupt human trafficking networks at their source, the MOL strictly enforces the law when it comes to the employment of migrant workers and related broker services. Statistics from 2008 to 2019 concerning this type of illegal activity are as follows:

(1) Type and number of hiring violation cases from 2008 to 2019

Type of Hiring violations		Illegally harboring foreigners	Hiring unauthorized foreign workers or foreign workers assigned to other employers	Hiring foreigners to work for others	Assigning foreign workers to do unauthorized work or changing their work location without approval
Year	No. Of cases				
2008	Cases for which fines were imposed	181	767	27	414
	Cases for which employer's license was revoked	137			
2009	Cases for which fines were imposed	152	582	12	410
	Cases for which	116			

	employer's license was revoked				
2010	Cases for which fines were imposed	186	777	26	545
	Cases for which employer's license was revoked	133			
2011	Cases for which fines were imposed	255	960	17	746
	Cases for which employer's license was revoked	197			
2012	Cases for which fines were imposed	305	1,136	14	768
	Cases for which employer's license was revoked	161			
2013	Cases for which fines were imposed	376	1,450	13	897
	Cases for which employer's license was revoked	227			
2014	Cases for which fines were imposed	317	1,224	20	689
	Cases for which employer's license was revoked	174			
2015	Cases for which fines were imposed	370	1,372	16	848
	Cases for which employer's license was revoked	151			
2016	Cases for which fines were imposed	390	1,563	10	664

	Cases for which employer's license was revoked	163			
2017	Cases for which fines were imposed	465	1,830	10	554
	Cases for which employer's license was revoked	167			
2018	Cases for which fines were imposed	495	1,708	3	556
	Cases for which employer's license was revoked	183			
2019	Cases for which fines were imposed	981	3,563	13	723
	Cases for which employer's license was revoked	203			

Table 4-Type and number of hiring violation cases from 2008 to 2019

(2) Type and number of Broker violation cases from 2008 to 2019

Year	No. Of cases	Broker violation	Collecting unauthorized fees	Failure to perform entrusted duties, causing employers to violate the law	Illegal brokerage (including individuals and entities)
2008	Fine(s) imposed		77	45	76
	Business operations suspended		14	0	7
2009	Fine(s) imposed		110	52	92
	Business Operations suspended		10	0	10
2010	Fine(s) imposed		22	52	62
	Business Operations		2	1	17

	suspended			
2011	Fine(s) imposed	21	58	81
	Business Operations suspended	6	1	18
2012	Fine(s) imposed	23	60	73
	Business Operations suspended	12	3	9
2013	Fine(s) imposed	16	64	106
	Business Operations suspended	5	2	14
2014	Fine(s) imposed	5	65	98
	Business operationssuspended	8	5	13
2015	Fine(s) imposed	2	83	109
	Business Operations suspended	2	1	10
2016	Fine(s) imposed	6	58	110
	Business Operations suspended	4	0	7
2017	Fine(s) imposed	6	65	115
	Business operationssuspended	5	0	6
2018	Fine(s) imposed	4	77	123
	Business Operations suspended	1	0	2
2019	Fine(s) imposed	15	65	134
	Business Operations suspended	7	0	4

Table 5-Type and number of Broker violation cases from 2008 to 2019

D. Preventing Labor Exploitation of Foreign Students in (entering) ROC:

(1) Improving counseling measures for tertiary institutions to recruit foreign students

A. A task Force to counsel tertiary institutions on recruiting overseas students was established, with members from the MOE, the Workforce Development

Agency (WDA) of the MOL, the Bureau of Consular Affairs of the MOFA, the NIA, and the Overseas Community Affairs Council (OCAC). The 1st meeting was held on January 2, 2019, and the 2nd meeting on July 25, 2019.

- B. Establish a dedicated website and mailbox for counseling overseas students, set up a hotline for overseas students, and establish an interagency reporting network platform.
- C. In order to ensure the quality of the Industry-Academia Collaboration Program for International Students and to protect the rights of the students, the Ministry of Education has established the *Guideline for Application and Review of Subsidy for the Industry-Academia Collaboration Program for International Students Granted by the Ministry of Education* and the *Regulations for the New Southbound International Programs of Industry-Academia Collaboration*. Also, to protect the rights and interests of overseas students in off-campus internship and work-study, the MOE issued on March 29, 2019, and June 17, 2019, respectively, the *Regulations for New Southbound Programs of Industry-Academia Collaboration Students' Internship and Work-Study* and the *Regulations for New Southbound Programs of Industry-Academia Collaboration* for technical and vocational education institutions to comply with and to protect the rights and interests of students.

D. Supervising educational institutions to implement the policy of “direct student recruitment and not through human resource agencies”, continuously investigate, track and advance alert upon any abnormality occurrence, and implement the teaching quality review of schools that have been warned or reported, and severely punish illegal activities.

(2) Strengthen the promotion of regulations regarding the recruitment of overseas students for internship and work-study.

A. On March 7, 2019, the Ministry of Education (MOE) invited colleges and universities to hold a briefing on the regulation of overseas student recruitment, explaining matters to be observed and heeded in recruiting overseas students, the MOE's measures to strengthen investigation, and various measures to improve the management and counseling of overseas students.

B. In order to protect the rights and interests of overseas students and avoid confusion between off-campus internship and work-study, the Ministry of Education issued 2020/04/03 official document No. 1090031305 to notify all public and private universities and colleges of the regulations on recruiting overseas students for internship and work-study.

1.4 Case studies

Case 1:

Through a ROC national surnamed Zhu in the name of

“Taoyuan City Dual Track Education and Training Development Association”, the suspect surnamed Shih, a university lecturer, introduced 69 students from Sri Lanka (including Mr. Dee) to ROC, as a call for free tuition, full scholarship and part-time jobs to earn living expenses. However, students’ wages were deducted in the name of transportation expenses, boarding expenses, counseling fees and tuition fees, and the students only received \$6,000-8,000 (US\$204-272) per month. On top of that, Zhu told the students that they had to pay another US\$1,000 to get their passports back if they wanted to return to their home countries. In other words, suspects used debt bondage to subject those Sri Lankan students to labor to which pay is not commensurate with the work duty for profit. The case was investigated from 2018 to 2019, and one suspect was transferred to the prosecutor’s office for further investigation and six victims from Sri Lanka were rescued. The case was referred to Tainan District Prosecutors Office in October 2019 for violation of the *HTPA* and is under investigation.

Case 2:

In September 2019, the Yilan Reconnaissance Brigade, Coast Guard Administration Investigation Branch detected five suspects (including a ROC national surnamed Huang) in Penghu County under suspicion of causing seven Filipino fishing workers to engage in work with unequal labor and pay and subjecting them to improper debt bondage, and the whole case was

referred to the ROC Penghu District Prosecutors Office for investigation in accordance with the *HTPA*.

Case 3:

The main suspect (nicknamed KADI) in this case was a runaway Indonesian migrant worker. In order to gain illegal profits, he set up an illegal migrant worker broker group with Indonesian accomplices abroad and took advantage of the Conditional Visa-Free Entry (30-day stay, a Travel Authorization Certificate for nationals from Southeast Asian countries) to apply for legal work visas and study visas for the victims, and illegally arranged for Indonesian nationals to come to ROC and engage in illegal work, using such means as depriving victims' freedom of movement or the abuse of victims' inability, ignorance, or helplessness to subject them to labor to which payments were not commensurate with the work duty for profit (by deducting their wages). In addition, the suspects surnamed Wang and Huang assisted in transporting the victims to work illegally in Taichung, knowing that the victims were not legal immigrants, and provided the suspects with accounts for the purpose of receiving criminal proceeds, in violation of the *Employment Service Act* with the intention of making profits therefrom. The Taiwan Taichung District Prosecutors Office directed the Coast Guard Administration and the National Immigration Agency to investigate and the case was referred for investigation and indicted for violation of Article 32-1 of the *HTPA* in August 2019.

Case 4:

A criminal group involving human trafficking and sex trade call stations operated by the suspect surnamed Hu and others recruited women from Vietnam, Thailand, China and other regions abroad through a foreign syndicate, and brought them to ROC to work in the sex trade by means of sightseeing tours, in order to reap illegal and exorbitant profits. Using as a pretext that they can earn more than ten thousand dollars a day, suspects lured victims to borrow money to pay for the airfares, accommodation and food expenses in advance to fly to ROC. Victims were then arranged to live in the “Diamond Tower” community in Taipei City, where they began to work in the sex trade by soliciting clients on the street. In October 2019, 21 suspects including Hu were referred to the Taipei District Prosecutors Office for investigation on suspicion of violating the *HTPA* and committing criminal offenses of Offense against Morality according to the Criminal Code of the Republic of China.



The NIA and the Taipei City Police Department jointly busted a sexual exploitation ring

Case 5:

Through Facebook and LINE, a ROC national surnamed Hong and his Indonesian girlfriend used such fraudulent excuses as fancy jobs, high salaries, and free brokerage to lure runaway Indonesian migrant workers to work in Nantou mountain area, where victims were withheld wages and deprived of freedom of movement. Hong and the accomplice brokered foreigners to work for others illegally with the complicity of making profits therefrom. The investigation was closed on October 14, 2019, and the entire case was referred to the Nantou District Prosecutors Office for further investigation. Five ROC nationals, including Hong, and one Indonesian female suspect were transferred to Nantou District Prosecutors Office on suspicion of violating the *HTPA* and the *Employment Service Act*.



Immigration officers cracked down the labor exploitation

Case 6:

The NIA from the inbound tourism abnormal alert found a minor Vietnamese female visited ROC several times in a short period of time, and made false statements and concealed important facts about the purpose of the visits. In July 2019, searches of two health centers were launched, and a total of 14 persons were arrested (two in charge of the sex trade premises, one pimp, two other suspects, three male customers, 5 Vietnamese females who illegally entered ROC posing as tourists). After subsequent interrogation by the prosecutors, two Vietnamese females were identified as TIP victims. The case was referred for further investigation for violation of the *HTPA*, the *Employment Service Act*, the *Child and Youth Sexual Exploitation Prevention Act*, and offenses against Morality according to the *Criminal Code of the Republic of China*.



The foreign female involved in the criminal investigation attempted to escape by climbing through a window



Arrest and bring in ROC national suspects

Case 7:

In March 2019, the NIA visited a Karaoke bar on a tip-

off to carry out inspection duties. Two underage Vietnamese females were arrested at the scene for overstaying tourist visas, who paid huge amounts of brokerage fee to suspects surnamed Bui and Nguyen to engage in the work of escorting and providing lewd services to drinkers (the escort service charged \$600 per 2 hours, with a \$100 cut from the bar). The two females were placed in shelters in accordance with the *Child and Youth Sexual Exploitation Prevention Act*. In addition, the entire case was referred to the Taiwan Pingtung District Prosecutors Office for further investigation on suspicion of violating the *HTPA* and the *Child and Youth Sexual Exploitation Prevention Act*.

1.5 Trial Cases

March 2019, No. 3247 Case (2019) of Taiwan New Taipei District Court

The facts charged in this case are that with the intention of making profits, the Defendant took advantage of the three Indonesian female migrant workers, who had applied legally to come to ROC, was in an unfamiliar environment, and did not speak the language. By restricting their freedom of movement, withholding important documents, and confiscating their cell phones, etc., the Defendant put the victims in a situation of having difficulty in seeking help, made them work overtime, paid them wages not commensurate with their work duty, and forced them to work on household chores that were not consistent with the permitted purpose. The

court held that the defendant took advantage of victims' helplessness to force them into labor to which pay is not commensurate with the work duty for profit, as described in Article 32, Paragraph 2 of the *HTPA*. The offense not only exhausted victims physically and mentally but also blemished ROC's image. The defendant in this case was sentenced to five months' imprisonment.

1.6 Examples of civil claims against offenders

According to the statistics of the Judicial Yuan, from January to December 2019, four civil claims for human trafficking were filed in district courts, which are as follows:

cases	the court hearing the case	Case No.	Claims Amount (default interest not included)	Investigation and trial	Current Trial Status
1	No.105 Judgment (2019) of	Taiwan Shilin District Court	NTD 600,000	plaintiff winning the suit	Cases closed
2	No.46 Judgment (2019) of	Taiwan Ciaotou District Court	5,803,424	Partly winning a suit and partly losing a suit	No 12 Judgment (2019) of Taiwan High Court Kaohsiung Branch Court - during the trial

3	No.46 Judgment (2019) of	Taiwan Ciaotou District Court	4,000,000	Partly winning a suit and partly losing a suit	Cases closed
4	No 469 Judgment (2019) of	Taiwan Kaohsiung District Court	1,500,000	Plaintiff Losing a suit	Cases closed

Table 6: District courts' handling of civil claims for human trafficking in 2019

2. Enhancing the protection of TIP victims

2.1 Providing shelter and strengthening protection

A. Settlement and protection of foreign victims

- (1) The Ministry of Labor subsidized NGOs to set up 22 shelters to provide TIP victims with work visas with such protection and placement services as psychological counseling, interpretation services, legal aid, accompaniment during the investigation and the trial, and medical care. When providing interpretation services, these shelters required expertise and professional background in multiculturalism, gender sensitivity, empathy and relevant laws and regulations. In 2019, 56 foreigners with work visas were identified as victims and provided with placement, of which 43 were female and 13 were male. The majority (41 of the victims) were Indonesian.
- (2) To account for the need for an even distribution of protective services across the country, and to ensure that victims need not travel too far to receive such

services, the NIA and the MOL operate 23 shelters throughout ROC in collaboration with civic groups. These shelters provide the above-mentioned services. In 2019, shelters accommodated placement of a total of 92 newly identified victims, 68 of whom were female and 24 males. Indonesian nationals comprised the largest group, with 55 persons. The chart below provides details of foreign TIP victims placed in shelters from 2009 to 2019:

Gender and nationality Year/Exploitation type		Newly placed Number of participants	Gender		Nationality							
			Male	Female	Indonesian	Vietnamese	Thai	Philippine	Mainland Chinese	Cambodian	Bangladeshi	Other
2009	SexualExploitation	85	0	85	45	12	1	0	27	0	0	0
	Labor Exploitation	244	71	173	120	73	6	14	0	9	22	0
	Total	329	71	258	165	85	7	14	27	9	22	0
2010	SexualExploitation	45	5	40	14	4	6	2	19	0	0	0
	Labor Exploitation	279	61	218	147	71	6	37	2	13	2	1
	Total	324	66	258	161	75	12	39	21	13	2	1
2011	SexualExploitation	56	0	56	20	1	1	1	33	0	0	0
	Labor Exploitation	263	90	173	155	83	9	13	0	0	3	0
	Total	319	90	229	175	84	10	14	33	0	3	0
2012	SexualExploitation	152	0	152	131	1	0	0	20	0	0	0
	Labor Exploitation	310	66	244	225	59	1	23	0	2	0	0
	Total	462	66	396	356	60	1	23	20	2	0	0
2013	SexualExploitation	121	0	121	110	1	0	1	9	0	0	0
	Labor Exploitation	245	47	198	166	64	6	7	0	0	0	2
	Total	366	47	319	276	65	6	8	9	0	0	2
2014	SexualExploitation	86	0	86	67	4	2	0	13	0	0	0
	Labor Exploitation	206	52	154	95	61	4	43	2	1	0	0
	Total	292	52	240	162	65	6	43	15	1	0	0
2015	SexualExploitation	64	0	64	53	4	0	1	6	0	0	0
	Labor Exploitation	122	64	58	83	29	0	10	0	0	0	0

	Total	186	64	122	136	33	0	11	6	0	0	0
2016	SexualExploitation	40	5	35	21	0	10	3	6	0	0	0
	Labor Exploitation	116	64	52	55	30	0	30	0	0	0	1
	Total	156	69	87	76	30	10	33	6	0	0	1
	SexualExploitation	61	9	52	14	5	39	3	0	0	0	0
2017	Labor Exploitation	135	53	82	94	14	6	18	0	0	3	0
	Sexual and Labor Exploitation	12	0	12	1	1	0	10	0	0	0	0
	Total	208	62	146	109	20	45	31	0	0	3	0
	SexualExploitation	29	1	28	15	8	4	0	0	0	0	2
2018	Labor Exploitation	79	35	44	59	15	0	4	0	0	1	0
	Sexual and Labor Exploitation	12	0	12	11	1	0	0	0	0	0	0
	Total	120	36	84	85	24	4	4	0	0	1	2
	SexualExploitation	30	0	30	11	8	11	0	0	0	0	0
2019	Labor Exploitation	61	24	37	43	11	0	4	0	0	0	3
	Sexual and Labor Exploitation	1	0	1	1	0	0	0	0	0	0	0
	Total	92	24	68	55	19	11	4	0	0	0	3

Table 7-Statistics of Foreign TIP Victims Placed in Shelters from 2009 to 2019

B. Settlement and protection of ROC national adult victims:

- (1) Settlement in shelters: The Social and Family Affairs Administration (SFAA) under the Ministry of Health and Welfare (MOHW) has coordinated with local governments to give priority to the placement of existing shelters; if the shelters are still inadequate or unsuitable for use, local governments will combine with NGOs to establish a complete network of settlements. In 2019, one such person was placed into a facility, and provided with such services as medical care, legal assistance, consultation, and accompaniment during interrogations.
- (2) Necessary financial assistance: The SFAA provides the victims with necessary financial supports, including emergency living assistance, educational assistance for

children, relocation assistance, legal proceedings assistance, medical assistance, and psychological therapy assistance. In addition, local governments also commission lawyers to provide legal consultations according to victims' needs. Local governments provided protection and shelter to one female victim on one occasion, medical care to one victim on eight occasions, one person with consultation service on 80 occasions, one victim with accompaniment during interrogation on one occasion, and mailed information to one victim.

(3) Support services: the SFAA has highlighted the importance of providing support services to human trafficking victims in its Annual Directives for Subsidizing the Promotion of Social Welfare Services, and has requested that local governments work with civil society groups to organize support and therapy groups, self-growth courses, and other activities that provide victims with psychological advice and counseling.

(4) Follow-up services for victims returning home:

A. The SFAA has issued formal documents requesting all judicial police departments (NPA, CGA, and MJIB) to consult with the victim. If the victim refuses to accept the placement and return home without permission, they must get the victim's consent to be transferred, fill out the referral form and fax the form to the personnel

related to social affairs in local government to provide follow-up services.

- B. In order to protect the victim's interests and rights to seek help after returning home, the SFAA under the MOHW has also issued written documents to request the judicial police departments to distribute booklets to ROC national TIP victims explaining their rights.
- C. Provision of related services to TIP child and youth victims of sexual exploitation:
 - (1) Accompaniment during interrogation: In accordance with Paragraph 1, Article 9 of the *Child and Youth Sexual Exploitation Prevention Act*, "In the event of questioning a victim during an inquiry, an investigation, or a trial, police and judicial officers shall notify the competent authority at the special municipality and city/county levels of the need to assign a social worker to accompany the victim at the site, and shall allow such a person to state his/her opinion." Following Article 15 of the same Act, the competent authorities at the special municipality and city/county levels shall immediately evaluate the victim in terms of school enrollment, employment, adaptation to life, and personal safety, as well as the functions of the victim's family in offering protection and education and proceed with measures accordingly.
 - (2) Shelter: At the moment, shelter and protection resources provided by local governments include: emergency and

short-term shelters, child and youth welfare institutes, transition schools, foster families, and other appropriate medical and educational institutions established or commissioned by the competent authorities at the special municipality, city or county level to carry out medical treatment, psychological counseling, and other programs and assistance as warranted.

- (3) In the human trafficking cases initiated and referred in 2019, a total of 107 victims under the age of 18 were found to have engaged in sexual transactions. In accordance with the *Child and Youth Sexual Exploitation Prevention Act*, 51 of these victims were placed by local social agencies in shelters located in the district in which their investigation took place; 52 were remanded to the custody of their parents by a court ruling; three were placed in the NIA shelters; one returned home on one's own after social workers assessed that the victim did not need placement.

2.2 Reinvestigation to identify suspected victims of human trafficking

During the temporary placement of illegal immigrants in the NIA's 4 Detention Centers, the NIA makes further investigation on illegal exploitations.

2.3. Providing temporary residence permits

To give TIP victims the security of legal residence in ROC, to help integrate them into local communities as soon as possible, and to break their ties with criminal organizations, the NIA in 2019 granted 56 temporary stay permits to TIP

victims, and approved 107 applications to extend such permits.

2.4. Protecting employment rights

The central competent authorities may issue permits to recognized human trafficking victims for temporary residence, or long term residence and work in ROC so that they may maintain a sufficient income. According to the *Regulations on Work Permits and Administration for Human Trafficking Victims*, when issuing work permits to victims, the competent authorities should inform the public job placement center in the jurisdiction of the victim's shelter so as to provide the victim with employment services. In 2019, work permits were issued to 57 people, and public job placement centers provided services to 53 people, of whom 16 successfully found employment.

2.5. Offering vocational training

For unemployed TIP victims with valid work permits, the regional branches of the WDA under the MOL continues to contact the shelters to learn more about their willingness to participate in training and to provide information on the vocational training courses, in order to provide them with vocational training. Expenses for such training are subsidized in their entirety by the central competent authorities. In 2019, the regional branches of the WDA provided assistance to a total of 44 TIP victims with work permits. Of these, 13 found employment, one was repatriated, one received assistance with employment and placement, and 24 had no declared intention to receive

vocational training. With the document issued by the District Prosecutors office, another five persons were excluded from the identities of trafficking victims after the investigation.

2.6. Setting up the 1955 Labor Consultation and Complaint Hotline for Foreign Workers:

- A. In July 2009, the 1955 Labor Consultation and Complaint Hotline for Foreign Workers (hereinafter “1955 hotline”) was set up by the MOL. Since 2010, the 1955 hotline has used a computerized system to assign cases to local competent labor affairs authorities to investigate complaints and disputes. This management mechanism keeps track of cases and related follow-up measures to properly safeguard the rights of workers. In 2019, the 1955 hotline received a total of 186,014 calls, of which 160,319 were to seek consultation, and 25,695 were to file general or emergency complaints. In addition, there were 2,514 reported cases in which immigrants successfully transferred employers thanks to help from the 1955 hotline.
- B. The Fisheries Agency under the Council of Agriculture used questionnaires (in Mandarin, English, Indonesian, Filipino, Vietnamese, and Burmese) to monitor ship-owners and brokers’ conformance with regulations. In 2019, 720 oversea employment of foreign crew members were asked to fill out questionnaires during inspection visits, with a total of 200 fishing vessels, as shown in the table below:

Inspection visits	2019			Total
	Port(s) in ROC	Foreign port(s)	Onboard inspections while at sea	
Fishing workers	468	193	59	720
Fishing vessels	82	75	43	200

Table 8-Inspection Visits of Overseas Employment of Foreign Crew Members in 2019

C. Fishing vessels suspected of violating applicable regulations during the aforementioned inspection visits were placed under further investigation to determine the applicability of potential administrative penalties or judicial proceedings. If any ship-owner or broker was suspected of violating the regulations, the Fisheries Agency would conduct a further investigation. Statistics on such punishments issued in 2019 are shown in the two tables below. In addition, three fishing vessels involved in a violation of the *HTPA* were turned over to district prosecutors office for further investigation.

Violation type	Number of violations	Cumulative penalty amount (NTD)	Duration of license suspension (months)
Employment without permission	98	12,590,000	24 months
Wage violations	5	1,100,000	3 months
Working hour violations	1	-	3 months
payroll roster not kept	1	50,000	-

Table 9-Punishments for ship owner's violation in 2019

Violation type	Number of violations	Penalty amount
Employment without permission	1	2,000,000
illegal brokerage	1	4,000,000
Wage violations	4	4,200,000

Table 10-Cases for Broker's violations and Fines imposed in 2019

D. Complaints by oversea foreign crew members using the 1955 Hotline forwarded to the Fisheries Agency by the MOL in 2019 are shown as follows:

1955 Compl- aints	Cases				Treatment		
	Cases closed	Pending cases	Complaints by overseas foreign crew members	Cases prosecuted	Wages recovered	Guaranty recovered (prior to the enforcement of new regulations)	Visas recovered
2019	35	7 *	7	49	US\$ 30713	US\$ 8759	25 visas
Note: 3 cases are under administrative review, and 4 cases are under investigation.							

Table 11-Statistics of 1955 Hotline Complaints in 2019

2.7. Recovering wages owed to foreign workers

In 2019, there were 18,121 cases in which foreign workers recovered outstanding wages with the help of the 1955 Hotline or immigrant service stations at the city/county level. The amount of wages and related fees recovered totaled NT\$550,422,108 (approximately US\$18,721,106).

2.8. Offering protection during investigations and court proceedings

A. The amendment of the *Code of Criminal Procedure* allows TIP victims to participate in the trial of the case:

In order to protect the right of crime victims to participate in litigation, the Judicial Yuan drafted amendments to some provisions of the *Code of Criminal Procedure* (the general protection of victims and trial participation). The amendment was passed by the Legislative Yuan on the third reading, promulgated by the President on January 8, 2020, and entered into force on January 10, 2020. According to the new Article 455-38, victims may request to participate in the trial before the end of the closing argument in the second instance court and after a prosecution is initiated by a public prosecutor. The new design affords victims the subject position to participate in the proceedings so that they could understand the proceedings and maintain their human dignity.

B. Enactment of the *Labor Incident Act* to protect the rights of human trafficking victims in lawsuits:

In order to protect the rights and interests of workers in lawsuits, the Labor Incident Act has been enacted and come into effect on January 1, 2020. In the event of civil disputes between human trafficking victims and employers as listed in Article 2 of the *Labor Incident Act*, the provisions of the Act is applicable and victims could benefit from the protection of the rights and the remedies.

C. Courts are urged to pay attention to the repatriation of victims of foreign nationality when dealing with human trafficking cases:

In order to protect the interests and rights of foreign

victims to return to their home countries and to facilitate the competent authorities to return victims safely to their home countries, the Judicial Yuan continues to urge the judges to pay attention to Article 30 of the *HTPA* and the operating procedures for the safe return of victims to their home countries when handling human trafficking cases. When the court finds it unnecessary for the victims to stay in the trial, the initiative should be taken to notify the transferring authorities or the transferring authorities could make inquiries to repatriate the victims. The *guideline for the procedure TIP victims' application/extension of temporary visitor permits* (issued by the MOI) was issued to the court for reference, to ensure that the rights and interests of foreign nationality victims are protected.

D. Legal aid to victims:

- (1) To safeguard human trafficking victims' human rights and their rights to bring legal proceedings, the Legal Aid Foundation (the LAF) in 2008 set up Legal Aid for Victims of Human Trafficking Programs. Under this program, the foundation provides legal aid to TIP victims who reside legally in ROC and meet the requirements stated in the Legal Aid Act. From January 1, 2019, to December 31, 2019, of 94 applications for legal aid under the program, all of them were approved (including litigation representation and defending and mediation).
- (2) In order to raise the awareness of legal aid lawyers and staff on the issue of human trafficking, the LAF has

continued to organize relevant training courses. In 2019, the LAF held a practical course on human trafficking and three courses on “Migrant Worker Situation” targeting legal aid lawyers, aiming to help legal aid lawyers understand the vulnerability of migrant workers who are vulnerable to exploitation.

- (3) As of December 31, 2019, a total of 356 applications for legal aid have been received by the LAF for the “Chi-Zhi Group Indonesian Care Worker Civil Claims Case”. 39 of them are not victims or have been compensated or have lost lawsuits, 254 have been settled, and 63 are still unconnected and under investigation. The related authorities at all levels have set up alert measures for victims of the Chi-Zhi Group case. Whenever a victim renews a visa or leaves the country, an alert will be issued to invite the victim to contact the Foundation.
 - (4) Since 2007, the LAF has participated in the civilian Supervision Alliance for Human Trafficking Prevention to help promote the legislative process of the *HTPA*. The LAF also continues to participate in the Alliance’s meetings to address issues related to human trafficking and participate in the modification of the *HTPA*.
- E. To help victims return home as soon as possible, the MOJ continues to request that prosecutor authorities in TIP-related cases take the following proactive measures:
- (1) If a TIP-related case has resulted in a shelter referral for a victim, that fact should be noted in the case document and, upon receiving authority to prosecute the case, the prosecutor is required to expedite the trial. The

supervision and review of such cases should be processed at least as fast as, or faster than, criminal cases in which a suspect is kept in custody for trial.

- (2) Investigation of TIP-related cases involving human trafficking victims should be concluded as soon as possible. If a victim asks to be repatriated, the prosecutor should, after having assessed the relevant circumstances, take all necessary steps to repatriate the victim if the situation allows.
- (3) TIP-related cases should be thoroughly investigated, and a confrontation between TIP victims and defendants should be arranged if necessary. When the referring unit, shelter, or (suspected) victim(s) in such a case inquires about the progress of investigation in the case, the governing prosecutor's office should provide a reply without violating the principle of investigatory nondisclosure.
- (4) Any letters from shelters or legal documents from TIP victims should be properly and promptly preserved and reviewed.
- (5) When an investigation is closed, a notification letter should be sent to the originating unit and the shelter informing them of the results of the identification of the victim(s) and stating the repatriation decision of the victim. If the case results in an indictment, the letter should state that the case has been transferred and that the court will decide on whether the victim's placement is to be extended.

F. Strengthening the protection of social workers and

interpreters: The MOJ continues to supervise the prosecutor authorities under it to ensure the safety of social workers and interpreters who accompany TIP victims to the court or appear in a court as witnesses and has requested that prosecutors ensure the confidentiality of their identities. In order to strengthen confidentiality, any names or information that may lead to the identification of social workers and interpreters shall be deleted from documents produced by investigators and replaced with code numbers.

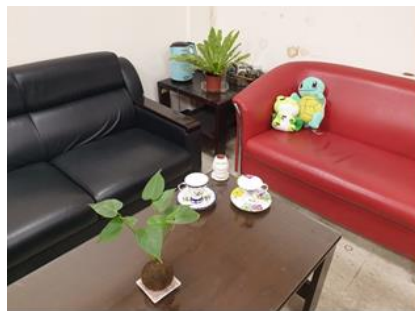
- G. Increasing judicial efficiency through web-conferencing: To expedite the repatriation of TIP victims, and to balance their right to repatriation with the necessity of questioning and/or cross-examining them and/or arranging their confrontation with defendants during investigation or trial, the MOJ is studying with MOFA the feasibility of implementing video conference interviews with victims in ROC embassies or representative offices.
- H. Human trafficking victims might be delayed in returning home as a result of testifying during investigation or trial, which would cause some degree of inconvenience to the victims. In order to reconcile the victim's right to return home and the defendant's right to confrontation and cross-examination, the Ministry of Justice in 2013 issued a document to request the Taiwan High Prosecutors Office to urge the prosecutor authorities under it to expedite the investigation of human trafficking cases in which victims are sheltered, and if

the victim requests repatriation, each prosecutor authority should, after considering all the circumstances, agree to repatriate the victim as much as possible, and should strengthen its supervision and management as in the case of detention. In addition, the NIA and the MOL are regularly notified of the roster of human trafficking victims that are sheltered for more than three months, to urge all local prosecutors' offices to expedite their investigation and administrative measures to shorten the time required to investigate human trafficking cases.

- I. The Taiwan High Prosecutors Office regularly updates the list of contacts for human trafficking cases in each local prosecutor's office in order to establish a network of information for an investigation, prosecution, placement, and protection.
- J. Enhancing the accuracy of interpretation: The MOJ is actively enhancing the competency of currently contracted interpreters to ensure the quality of interpretation services. In addition, the MOJ will continue to supervise the prosecutor authorities under it to consider if the interpreters are equipped with basic knowledge of interpreting ethics, prosecution duties, criminal substantive laws and procedural laws required to perform the interpreting duties, and conduct regular training on interpretation ethics, basic legal knowledge, and the knowledge of the process of investigation and prosecution to ensure interpretation accuracy and enable interpreters to conduct their duties in accordance with relevant regulations. Should there be any need to

provide interpretations of an unusual dialect or rare language, the MOJ shall seek interpretation services from the relevant foreign mission(s) in ROC or from qualified candidates in ROC recommended by credible organizations in order to protect the rights of foreign nationals.

- K. When investigating human trafficking cases, police agencies are required to have interpreters on hand to assist in the production of written records in order to protect their interests and rights. In 2019 for human trafficking cases, the NPA provided interpretation services for 132 persons and accompaniment during the investigation for 191 persons.
- L. The NIA has requested each Special Operation Corps to set up a victim Interrogation (Inquiry) Waiting Room or a conversation room that is different from the examining room (warmer and less oppressive) (see below).



2.9 Results of services at publicly established, privately run shelters

A. Protection Services:

- (1) In accordance with the *Guideline of Human Trafficking Victim Identification*, the judicial police, coast guard

personnel, and immigration authorities will refer the cases to the social administration, immigration or labor authorities for protection and placement according to the victim's nationality and the type of visa. The shelters will then provide personal safety protection, necessary medical assistance, interpretation services, legal assistance, psychological counseling and consultation services, accompaniment and financial assistance during investigation or trial, assistance in employer transfers and other necessary assistance.

- (2) A total of 92 foreign victims were placed in shelters in 2019, representing an eight-year low. Of these, 56 were placed by the MOL and 36 by the NIA.

B. Achievements of Nantou Shelter

Nantou Shelter was founded in October 2009 and has been run by the Good Shepherd Social Welfare Foundation for over ten years. As of the end of 2019, the shelter had helped 401 victims. Its services and achievements are summarized below:

- (1) Physical and psychological recovery and support:

The shelter considers recovery its core mission and provides a variety of special services to the victims it accommodates. Victims can be physically and psychologically traumatized from the mistreatment and exploitation they have experienced and may find it hard to readjust to society. The shelter provides continuous care and medical treatment to understand and address the physical and mental conditions of these victims, undertakes consultations on follow-up

treatment, and arranges for emotional support and group consultations to help victims relearn to put trust in others. In addition, the shelter organizes celebrations of annual festivals and holidays as well as outdoor activities to help victims overcome the trauma of exploitation. Long term company and working together helps victims better acquainted with the communities in Taiwan.

(2) Empowerment and stable employment:

To help victims return to society, gain economic security, and acquire the skills needed for the future, the shelter has developed employment services that meet victims' needs through a combination of skills training, lectures, counseling, job placement, and home-based employment. Providing residents opportunities to acquire professional skills and elevate their capabilities in a range of areas further builds up their knowledge, puts them at an advantage, and enables them to cope with future challenges.

(3) Due regard is given to the legal rights of the victim:

The shelter provides legal resources to help victims resolve their problems, apply for legal aid when necessary, better understand their rights and interests, and enhance their recognition of their real situation.

(4) Prevention of re-trafficking:

Besides protecting and providing services to TIP victims in ROC, the shelter puts a high priority on preventing them from being exploited again. To this end, it provides information about human trafficking

and overseas employment to those who plan to continue working abroad. Victims are taught to learn from their own experiences and develop plans to protect themselves and avoid becoming targets for human trafficking again.

(5) Group activities:

When victims are placed in the shelter, supportive, exploratory group activities tailored to their circumstances are organized to build self-confidence through the support and feedback of their peers. These activities also serve to enhance cohesion and trust among the participants.

(6) Cross-border cooperation and repatriation:

Visits by government officials and NGO personnel from Indonesia and Thailand help victims become informed of some resources available back home. Before leaving ROC, victims can also talk to nuns who worked in Indonesia and Thailand for years and who can provide first-hand and up-to-date information about living in these countries. Such information sessions help victims receive assistance from relevant agencies after returning home. The shelter also invites lecturers to talk about such topics as the hidden dangers of working overseas and possible traps in employment contracts so as to give them a better understanding of working overseas. This in turn helps them develop plans to protect themselves and avoid falling prey to human trafficking syndicates.

3. Prevention: Curbing human trafficking

3.1 Raising public awareness through multiple channels

A. National Communications Commission

- (1) The National Communications Commission (hereinafter referred to as the NCC) is the supervisory authority of the communications and broadcasting industry. When reviewing applications for the renewal of a radio/television station operating license, the regulatory agency shall consider the protection of the staff members of radio/television businesses, including the impact of employees' rights and interests, such as human resources allocation, working environment, and labor-management relations, on the quality of the broadcasting programs, and is listed as an important reference in the evaluation and assessment to encourage the industry to protect employees' rights and interests.
- (2) The propagation of the *HTPA*: From October 2 to 3, the 2019 Information Exchange Seminar on Television Content Production, Transmission and Operation Development and regional seminars on broadcasting content regulation, production, and transmission standards were held on September 19 in Hualien, October 3 in Taichung, October 24 in Kaohsiung, and November 7 in Taipei. In the seminars, related government agency personnel, experts in the field, and radio and television broadcasters were invited to discussed key issues. A compilation of regulations was included in the conference manual to propagate relevant *HTPA* provisions.

B. Ministry of Transportation and Communications

(1) Each year, the Tourism Bureau reinforces its duty to publicize and inform the tour guides, tour managers and other tourism personnel during their pre-service training, and to inform the public that commercial sexual exploitation is prohibited during domestic and international sightseeing. In addition to posting information on issues such as the prevention of human trafficking on the Bureau's website. These resources are available to the tourism industry professionals and have become part of the online pre-employment training and advocacy program for tour guides and tour managers, urging those trainees to reinforce the message to inbound and outbound travelers and publicize the importance of the preventing commercial exploitation. The training and advocacy provided by the Tourism Bureau are as follows:

- a. A total of 5,127 tour guides and managers received training in 2019.
- b. In 2019, a total of 1,223 hotel staff members attended 13 orientation sessions in 10 cities and counties, including Miaoli County, Yunlin County, Taichung City, Keelung City, Pingtung County, Hsinchu City, and Penghu County.
- c. A campaign raising awareness of related regulations was launched to coincide with annual hotel inspections. A total of 145 staff members from 29 hotels attended these events in 2019.

- (2) From April 2019 to May 2019 (2 weeks), the Central Weather Bureau (the CWB) posted promotional messages on the CWB Administrative Information Systems including the bulletin board about the new anti-human trafficking action plan. It is estimated that the campaign messages will reach about 2,000 persons (120 visitors per hour * 12 hours per day * 10% click-throughs of the visitors * 14 days).
- (3) Airports under the Civil Aeronautics Administration (the CAA) used multi-media devices (electronic signage, running lights, etc.) to broadcast Anti-Human Trafficking messages at airports to raise public awareness and prevent human trafficking incidents.
- (4) The Taiwan Railroad Administration Bureau has posted the following proclamations on trains, and LEDs on stations:
 - a. Publishing phrases such as “The prevention of Child and youth sexual exploitation is everyone’s responsibility - no selfies, no sending, no possession of private photos of children and youth; life is colorful without drugs”, “Defend human rights, say NO to human trafficking”, “Call 110, the 1955 Hotline, or (02)2388-3095”.
 - b. Station LEDs: A total of 112 stations with LEDs in 2nd class stations or higher.
 - c. LEDs on the Train: LED messages are posted on the Tze-Chiang Limited Express (Tarko), Tze-Chiang Limited Express, EMU1200 Tze-Chiang Limited

Express, Chu-Kuang Express, EMU600 and EMU800 trains.

(5) The Taiwan International Ports Corporation Limited (the TIPC) worked with the MOI to promote anti-trafficking slogans:

A. In the passenger service centers or office buildings at the ports under the management of the TIPC, electronic signage, and running lights are adopted to continuously broadcast slogans to prevent human trafficking, such as “Fight against human trafficking, respect human rights”, “If you find human trafficking, call 110, save new immigrants” and “All lives should be treated equally, defend human rights. Call 110 / 02-23883095 / 1955” and other slogans.

b. In 2019, 700,000 people were reached and good promotion results were achieved.

C. Ministry of Labor

(1) In 2019, the MOL commissioned five broadcasters to produce 13 episodes of a radio program in Filipino, Indonesian, Mandarin, Thai, and Vietnamese on such topics as human trafficking prevention, migrant worker safety, and the 1955 Hotline in order to further educate employers, brokers, and foreigners about related laws and regulations. Besides promoting current policies and legislation, the programs also aimed to improve public opinion. By the end of 2019, these programs had reached an estimated 4.7 million people.

(2) The MOL set up migrant worker service centers at both Taoyuan and Kaohsiung international airports. The

centers provide multilingual services, assistance on proceeding through customs and immigration, information on workers' rights, and legal counseling. A 10-minute video on workers' rights and related regulations is played for foreign workers at the airport upon their arrival. Service centers provide oral explanations and pamphlets about life, employment, and workers' rights in ROC. Such efforts aim to help migrant workers adjust to life in ROC quickly and minimize the stress of moving to a new country. In 2019, there were a total of 189,808 persons attending the Seminar on Immigration Law Enforcement.

- (3) The MOL has compiled a guide for migrant workers working in ROC, which is distributed to local governments, public employment service organizations, foreign missions in ROC, and migrant worker airport service stations to provide migrant workers with information about the channels for consultation and filing complaints.
- (4) An updated edition of the short film *Foreign Workers' Rights in Taiwan* was incorporated into pre-job training programs provided in foreign laborers' home countries and into orientation sessions provided at airports to foreign laborers upon arrival in ROC. The film introduces related regulations and teaches workers how to protect themselves, seek assistance, and file complaints.
- (5) The MOL commissioned the production of a 30-minute educational video dubbed in Filipino, Indonesian,

Mandarin, and Thai, to be viewed before their arrival. The film is provided to foreign missions in ROC so that it may be shown during job-training programs in the foreign workers' home countries. The film offers information on labor rights and regulations, counseling and complaint channels, personal safety suggestions, and the customs and culture of Taiwan. The video aims to strengthen the mechanism of migrant worker's orientation programs.

- (6) In order to help employers, migrant workers, brokers and the general public in Taiwan understand migrant workers' hiring practices, rights protection and related legal information, a Taiwan Workforce Development Agency Information Site of Foreign Worker Rights Defense is set up in five languages (Chinese, English, Indonesian, Vietnamese, and Thai), available for migrant workers to inquire about their legal rights and seek advice to protect their rights.
- (7) Continue to urge employers to comply with laws and regulations and establish the concept of equal rights in the workplace through various channels, such as the promotional leaflet, Facebook, and other social platforms to raise employers' and employees' awareness of employment discrimination in order to create a friendly working environment.

D. Council of Indigenous Peoples

- (1) A total of 3,580 persons (1,254 males and 2,326 females) attended 106 sessions of lectures and classes

on social welfare and human trafficking organized by the Indigenous Peoples Family Service Center.

- (2) In 2019, an educational training course for national aboriginal social service professionals was provided to 264 attendees, including managers and social workers of the Indigenous Peoples Family Service Center, promoters of the local government aboriginal affairs administrative units, and the aboriginal social workers and professional supervisors of the regional Indigenous Peoples Family Service Center. Award-winning films from the KUSO Anti-Trafficking Creative Animation Contest, such as “Bad Guy Doomsday” and “Beyond Borders (Full Version),” were played during the recess activities to raise social workers’ awareness of TIP prevention, educate social service professionals about related human rights issues, and put into practice the concept of combating human trafficking through prevention.

E. Ministry of Foreign Affairs

- (1) By putting up posters via multiple channels such as the media, websites, and consular offices, and handing out literature to raise the awareness of ROC nationals on the various forms of human trafficking and to prevent violating regulations and tarnishing the country’s image due to a lack of knowledge.
- (2) The MOFA has set up the website of the “Working Holiday Program” (www.youthtaiwan.net) to promote the correct concept of working holiday for the youth and remind them of the importance of preventing

human trafficking. In collaboration with the MOE, advocacy events were held in June and July 2019 in the North, Central, South and East Regions to promote matters to be observed and heeded during overseas vacation and work for young people. The website has been viewed by 220,000 people since it was set up in 2016, with a cumulative total of over 1 million visits. In 2019, there will be 4 advocacy events with a total of 1,025 attendees and 9,664 online live viewers.

F. Ministry of Education

- (1) From October to November 2019, four joint visits to overseas and international students in the North, Central, South and East were held, not only answering questions and providing consultations to the overseas, and international students in Taiwan on issues of the study and living in Taiwan, insurance, internships, and employment after graduation, stay in Taiwan, etc. but also promoting the concept of human rights and ideas of rule of law. In total, there were 94 colleges and universities, high school and junior college representatives, and staff of various agencies nationwide, with a total of 800 participants.
- (2) In order to effectively advocate the inclusion of human trafficking prevention and human rights issues in the curriculum, the MOL encouraged schools to offer courses on human trafficking and other human rights and the rule of law in several occasions, including at the National College and University Presidents' Meeting in January 2019, the Joint Meeting of Academic Affairs

and School Management Directors of Universities and Colleges in June 2019, and the Meeting of Academic Affairs Directors of Technical Colleges and Junior Colleges in September 2019.

- (3) In June 2019, the Senior Secondary School Student Affairs Counseling Group Workshop was set up to provide counseling services and strengthen human rights and rule of law education in schools, so that students can understand TIP's violation of human rights and the government's anti-trafficking measures.
- (4) As part of the MOFA's Youth Working Holiday Program, 4 publicity and promotion activities were convened by the MOE and the NIA was invited to promote the prevention of human trafficking. In addition, the 2019 Youth Working Holiday Advocacy Online Handbook was published to provide information on the prevention of human trafficking. In total, 1,025 persons attended the events and 9,644 persons watched the live online broadcasting.
- (5) In 2019, National Pingtung University subsidized human rights education credit courses to enhance teachers' knowledge and/or skills of human rights teaching.
- (6) The training courses for investigation professionals on sexual assault and harassment or sexual bullying in schools were provided to tertiary colleges and senior secondary schools, and related issues on sexual exploitation prevention were integrated into the courses.

In 2019, a total of 205 professionals completed the training, and 320 attended the recurrent training.

(7) Curriculum and teaching material

a. In 2019, 68 universities and colleges offered 2,310 courses related to human rights and the rule of law, and 126,712 students took the courses.

B. Career development, life education, gender equity, legal education, human rights, and other important issues have been incorporated into the curriculum in accordance with the primary and secondary school curriculum guidelines. The theme of “People and Human Rights” is included in the syllabus of the compulsory “Civics and Society” course.

(8) Issues on the Prevention of child and youth sexual exploitation

a. The MOE supervised school teachers at all levels to comply with the Child and Youth Sexual Exploitation Prevention Act and the Protection of Children and Youth Welfare and Rights Act, and to cooperate with students’ physical and mental development and teaching-related activities to enhance teachers’ and students’ awareness of gender equality and teachers’ teaching ability, in order to effectively mitigate the occurrence of child and youth sexual exploitation.

b. Two liaison and coordination conferences for transition schools jointly organized by the MOE, MOHW, and five transition schools were convened to promote and raise students’ awareness of gender equality in May and December 2019.

c. In order to prevent cyber sexual exploitation of children and adolescents, in July 2019, print of publicity were sent to schools at all levels to promote the Child and Youth Sexual Exploitation and School Revenge Pornography Incident Prevention and Control Plan, and formal documents to request joint promotion were sent to the MOHW, the MOI, the MOJ and the Ministry of National Defense (MND). In addition, the prints were also provided to iWin (the Institute of Watch Internet Network) in November as campus promotion materials.

G. The Ministry of Health and Welfare

- (1) In accordance with the 2019 Mental Health Network Regional Support Plan, the MOHW requested that all psychiatric centers in its psychiatric hospital network incorporate anti-TIP and victim protection sessions (each session being of one to two hours) into their training programs for mental health administration and medical personnel. A total of seven sessions were attended by 613 persons in 2019.
- (2) Through the LED bulletin boards set up in train and bus stations countrywide, designed to prevent sex tourism and the sexual exploitation of minors. Through the LED electronic signage in every railway and highway station across the country, the MOHW launched the campaign aiming at passengers and commuters using public transportation to promote the prevention of sexual exploitation of minors and the prohibition of domestic and foreign travelers from causing a child or youth to

engage in sexual intercourse or obscene acts in exchange for monetary or other considerations. In total, there were 9 publishing applications in 2019.

- (3) During September and December 2019, relevant ministries, municipalities, county (city) governments, experts and scholars, representatives of relevant civil society organizations were invited to the 2nd meeting of the Child and Youth Sexual Exploitation Prevention and Control Consultative Meeting was held to invite scholars, and civil society organizations to review the 2019 education and advocacy of child and youth sexual exploitation prevention and control, and to urge the central authority in charge of the field concerned and the municipalities and county (city) governments to continue the implementation of the projects.

H. National Police Agency

- (1) In 2019, the police departments under the municipalities and county (city) governments held 1,72 seminars on community security for 77,379 attendees. These seminars raised public awareness by playing videos, as well as related measures and regulations to prevent such crimes.
- (2) Posters, booklets, and folders: In addition to posters, booklets and folders on human trafficking prevention were also available at the service counters of police stations under the municipalities and county (city) governments to raise the public's awareness.
- (3) LED electronic bulletin boards and website banners of law enforcement agencies and related organizations at

all local government levels helped spread awareness of anti-TIP hotlines.

I. National Immigration Agency

- (1) From July 2019 to January 2020, Taoyuan International Airport displayed a “Human Trafficking Prevention Campaign” public service lightbox ads in Chinese, English, Indonesian and Chinese, English and Vietnamese.
- (2) From July to December 2019, 30-second anti-trafficking advocacy video “Bad Guy Doomsday” (in Chinese and English) was consigned at the Taipei International Airport Multimedia Area to help raise awareness of the victimization or exploitation of foreigners and prevent human trafficking. Up to the end of October, the video has been broadcasted 120,450 times.
- (3) 10,000 copies of anti-trafficking tissues were distributed to 25 hotels and other business associations and distributed at the NIA events to raise public awareness of the issue of human trafficking.

J. Veterans Affairs Council

In 2019, the Veterans Service Offices held 23 sessions of the “New Aboriginal Life Adjustment Counseling and Happy Families Recognition Program” to promote the prevention of human trafficking, with 1,488 participants. At the meetings, government officials made speeches on regulations and the need to respect,

accept, and treat as equals persons of different cultural backgrounds.

K. Financial Supervisory Commission

- (1) Banking industry: The Taiwan Academy of Banking and Finance was commissioned to incorporate human trafficking issues in its auditor training programs and courses for financial sector employees. A total of 3,252 persons attended 75 such educational events.
- (2) Securities and Futures: The Securities and Futures Institute, ROC, and the Securities Investment Trust and Consulting Association of the R.O.C. (SITCA) were commissioned to incorporate human trafficking issues in the pre-job training for securities dealers and futures-related dealers, and anti-money laundering and insider trading education and training courses. A total of 123 sessions with 6,001 persons attended the courses.
- (3) Insurance: The Taiwan Insurance Institute, and Institute of Financial Law and Crime Prevention were commissioned to incorporate human trafficking issues in the training on anti-money laundering and counter-terrorism issues. A total of 5,115 persons attended 133 such events.

L. The Fisheries Agency's 2019 Anti-Human Trafficking Advocacy Campaign:

Activity Theme	Advocacy measures	Organizer	Date	Number of Participants	Target beneficiaries	Effectiveness and Impact	Level of Private Sector Involvement
Joint free clinics for foreign	free clinics	The Fisheries Agency, the	June 16, 2019, November 10, 2019,	About 100 to 200	Domestic and Overseas	To raise foreign crew	The Buddhist Compassion Relief Tzu Chi

fishing workers		NIA, the Buddhist Compassion Relief Tzu Chi Foundation	December 1, 2019, December 11, 2019	persons each session	Employment of Foreign Crew Members	members' awareness to avoid human smugglers' seducement into illegal work.	Foundation provided medical resources and organized events with the assistance of the Keelung and Suao District Fishermen's Association.
Human Trafficking Case and Handling Procedure	The delivery of professional training courses by the NIA's Administration Corps' officers	The Overseas Fisheries Development Council of the Republic of China	April 25, 2019	40 persons	Domestic Port Inspectors	Enhanced sensitivity of inspectors to detect suspicious signs	
Fishing Workers' Right Advocacy Campaigns and evening parties	Prize Quiz	The Fisheries Agency, the Marine Bureau under the Kaohsiung City Government, the Presbyterian Church In Taiwan Seamen and Fishermen's Service Center	June 6, 2019	About 250 persons each session	Domestic and Overseas Employment of Foreign Crew Members, New Immigrant Group, Fishing Industry Association	To help foreign crew members to raise awareness of self-protection.	The Presbyterian Church In Taiwan Seamen and Fishermen's Service Center assisted in organizing
Fishing Workers' Christmas Parties	Christmas Events	The Fisheries Agency, the Marine Bureau under the Kaohsiung City Government, the Presbyterian Church In Taiwan Seamen and Fishermen's Service Center	December 13, 2019	About 350 persons each session	Domestic and Overseas Employment of Foreign Crew Members, New Immigrant Group, Fishing Industry Association	Raising Foreign Crew Members' Awareness of Contract Regulations and the Complaint Channels	The Presbyterian Church In Taiwan Seamen and Fishermen's Service Center assisted in organizing

3.2 Strengthening regulations and administrative measures

A. Promoting legal protections for domestic workers:

- (1) Although the employment of domestic workers is currently not covered in the Labor Standards Act, it is mentioned in the Employment Service Act that employers should sign a written labor contract with domestic workers before entering ROC to protect their labor rights. In addition, in case of any dispute, domestic workers can apply for mediation of labor disputes or initiate litigation according to the Civil Code to protect their rights and interests. In 2019, there were 7,075 cases of contractual disputes, 7,690 cases of wage disputes, and 1,033 cases of working hour disputes handled by local governments.
- (2) For the recruitment and employment of domestic workers from overseas, written labor contracts for a fixed term should be signed by the employer and worker before the worker enters ROC. Labor contracts should be verified by the competent authority in the home country of the worker and should be in compliance with the provisions of the *Employment Service Act* concerning working hours, recess and holidays (e.g., one rest day every seven days), and other conditions. Agreements with source countries of domestic workers have been signed on minimum wages and other rights and interests of workers.
- (3) The MOL set up the Domestic Workers' Protection Task Force and the third meeting of this task force was held on March 13, 2019, to discuss relevant protection

measures, and will continue to consult the opinions of various sectors and convene meetings promptly to instruct employees and employers to include basic rights and obligations as part of the labor contract, as well as to conduct a review in line with the promotion of the long-term care system.

B. In order to protect the rights and interests of migrant workers, the MOL has adopted the following measures to strengthen the protection of migrant workers' rights and interests at the “pre-entry”, “post-entry” and “pre-return” stages according to the process and stages of migrant worker introduction and management.

(1) Pre-entry Protection

a. Establishing the Direct Hiring Joint Service Center:
To relieve the burdens of foreign workers in Taiwan, a joint service center was established. For employers, the center provides a direct way to hire foreign workers as well as services for transferring and sending documents, receiving consultation, making inquiries, and other services. Besides, SMS or E-mails were sent to employers to remind them of follow-up matters after the migrant workers' entry, to reduce the amount of foreign brokerage paid by the migrant workers and the amount of domestic brokerage paid by the employers. During 2019, the center helped 5,027 employers hire foreign employees, accepted and transferred 9,934 applications to authorities other than the MOL, and provided consultations, either onsite or over the

phone, regarding the hiring of foreign workers on 52,485 occasions. In 2019, the center helped save a total of NT\$195.6 million (approximately US\$6.67 million) in brokerage.

- b. Signing a written employment contract and an Ingression Work Fees for Foreigners and Labor Affidavit: As required by law, employers must sign a written employment contract and an Ingression Work Fees for Foreigners and Labor Affidavit (indicating salaries and other fees) as a reference for local labor affairs authorities conducting future inspections for possible violations of labor laws and protecting the interests and rights of foreign immigrants.
- c. Pre-Employment Seminar for Employers: In order to provide employers of foreign domestic helpers and home care workers with information and regulations on employment management and to strengthen the management of migrant workers, employers are required to attend a pre-employment seminar before hiring foreign domestic helpers or home care workers for the first time. The seminar will focus on the relevant laws and regulations on migrant workers, what they should do after entering the country, protection of migrant workers' rights and interests, customs and traditions of the country of origin of the migrant workers, and matters that employers should pay attention to and explanations of relevant illegal cases. In 2019, 54,815 employers

attended classes and obtained certificates of completion.

(2) after entry protection

- a. Establishment of foreign worker service centers: In 2006, in accordance with the Care Service Project at Airports for Exit and Entry Foreign Migrant Workers, foreign worker service centers at both Taoyuan and Kaohsiung international airports were established. The centers provide migrant workers arriving at the airport assistance with pick-up services and information on filing complaints and how to protect their rights and other legal issues.
- b. On July 1, 2009, the 1955 Labor Consultation and Complaint Hotline was set up to provide a 24-hour free hotline. Complaints through the 1955 hotline are expedited and forwarded to each city and county government for further investigation. The progress of the complaints is also monitored so as to better protect the workers' rights.
- c. Funding provided for local government agencies to set up counseling service centers: the services include psychological consultation, provision of information on legal rights and life in Taiwan, and counseling on job adaptation and complaints, such as for labor-management disputes. When a foreign worker files a lawsuit, the government can help subsidize his/her litigation costs and offer referrals for legal assistance.

- d. Local government agencies were also provided funding to dispatch personnel to inspect foreign migrant workers and look into reports on illegal foreign workers, foreign workers' living conditions, illegal brokerage practices, illegal overcharging of commission fees, or other violations of regulations and laws.
- e. Local government agencies and private groups were funded to organize lectures for employers, foreign workers, and brokers; hold cultural exchanges and holiday celebrations, and organize classes for Mandarin and other languages. These activities help prevent human trafficking, raise awareness of employers' obligations to protect the personal safety and the privacy of foreign workers, and provide healthy living conditions.
- f. Assistance with protective resettlement and employer transfers: If there is any request for resettlement due to a legal dispute, such as illegal hiring practices, physical abuse, or contract violations such as arbitrary dismissal and repatriation of employees, the local competent authorities must assist in placing the foreign worker in a shelter, and facilitate employer transfers if needed. Also, the MOL set up the Foreign Worker Employer Transfer Query on the Taiwan Workforce Development Agency Information Site of Foreign Worker Rights Defense, to enhance the matchmaking rate and protect the interests and rights of migrant workers.

(3) Prior to exit Protection

- a. The verification mechanism to ascertain contract termination: In order to prevent improper dismissal of foreign workers, termination of contracts prior to the expiration date should be made by the mutual agreement of both parties. Both parties must visit the local competent authority to verify their willingness to terminate the contract.
- b. Complaint service for foreign workers at the airport: To better protect the rights of foreign workers, they may file complaints at foreign worker service centers in airports.

C. Enhancing management of brokerage firms:

- (1) Enhancing management of brokerage firms: In 2019, a total of 1,042 brokerage firms were evaluated, of which 333 (32 percent) earned grade A (above 90 points), 663 (63.6 percent) grade B (70 to 89 points), and 46 (4.4 percent) grade C (under 70 points). Grade C firms are not permitted to set up branches and their licenses cannot be renewed should they fail to improve and achieve a grade B the following year. This system aims to improve the quality of brokerage services and eliminate substandard firms.
- (2) To ensure that brokerage firms fulfill their recruitment responsibilities and provide follow up care services to prevent foreign laborers from going missing and the social problems that such situations lead to, the MOL announced the amendment of the Regulations for Permission and Supervision of Private Employment

Services Institutions on October 8, 2014. The amendments increased fines for private employment placement firms found to have over a certain number of foreign laborers unaccounted for during an inspection or assessment. A total of 28 brokerage firms were fined in 2019.

- (3) In order to protect the rights of migrant workers and prevent private employment service institutions from overcharging, the MOL set up the 2019 Implementation Plan for Inspecting the Charges of Private Employment Service Institutions, targeting migrant workers who continued to be employed upon expiration of their contracts, as well as agencies with poor evaluations, who had been subject to layoffs, or who have received complaints from migrant workers. A total of 300 migrant workers and 60 agencies were inspected, of which 5 agencies were found a violation of the law.
- (4) The Regulations on the Authorization and Management of Overseas Employment of Foreign Crew Members was instituted and effective on January 20, 2017. In 2019, to improve the quality of the labor environment in distant water fisheries so as to ensure human rights and promote the employment and management of foreign crew, and to meet international standards, the Fisheries Agency amended the Regulations in 2019. The major amendments are as follows:
 - a. An obligation to inform foreign crew members was added: Distant water fisheries operators and agents commissioned to recruit foreign crew members are

required to inform the crew of their rights and obligations; make visual and audio recordings throughout the entire process and keep the recordings; and provide foreign crew members with one copy of the contract.

b. Additional insurance for failure to comply with the vesting of liability, the right of the crew to request early departure and return to the country of origin, the definition of wages and the provisions of the insurance beneficiary.

c. A regulation was added, indicating that in case that the person in charge or the legal representative of the agent has committed any violation as prescribed in Article 2, subparagraph (2) of the *HTPA*, and has been convicted by the judiciary authority, the competent authority shall deny the authorization to the application to be the agent.

(5) Creating a joint liability and evaluation system for brokers: Any applicant intending to become an agent shall first be approved and submit a guarantee bond in advance to the competent authority. The amount shall be from NT\$1,500,000 (US\$49,000) to NT\$5,000,000 (US\$162,000) in accordance with the number of people the agency plans to employ. In 2019, in accordance with its evaluation criteria for 43 brokerage firms hiring foreign fishing workers overseas, 27 were given an A grade, 12 a B grade, and 2 a C grade. Returning visits were conducted to the 7 agents given a B but were

willing to receive counseling for improvement to help rectify the defects found.

- D. Providing Rewards for reporting to enhance Inspection of runaway migrant workers: To encourage the public to report employers and brokers' violations of the Employment Service Act, and to discover the whereabouts of runaway foreign workers, amendments were made to the *Regulation of the Employment Service Act Violation Report and Reward*. The amount of the reward is based on the alleged violator (employer, private broker institution or individual, or illegal foreigners) and the number of individuals seized. The amendments aimed to improve the effectiveness of investigating such violations, protect employment opportunities for ROC nationals, and maintain social stability. In 2019, a total of NT\$173.98 million (US\$5.93 million) rewards were paid for 1,676 cases reporting violations by illegal immigrants, employers, or broker institutions.
- E. Placement of the underage children of TIP victims: In accordance with the *Guidelines Governing the Placement and Protection of TIP Victims and Suspected Victims with Work Visas, and the Advance Payment of Expenses* (effective since June 1, 2009), TIP victims and suspected victims with work visas shall be provided with assistance and the advance payment of fees and expenses for placement and protection, interpretation, medical services, and lawsuits. Additionally, to protect the rights and interests of underage children of victims and suspected victims, an amendment was made to the

aforementioned guidelines on June 19, 2017, according to which underage children shall be placed at the same shelter as their parent(s) and the costs of placement, necessary medical services, or use of childcare facilities must also be covered. In 2019, placement and protection services were provided to 2 underage children (1 girl and 1 boy).

- F. Expanding the coverage of assistance for foreign laborers: To help foreign laborers fully express their opinions and ensure their rights and interests during questioning and investigations by personnel and officers of local governments and other administrative and police agencies, the Ministry of Labor has established a mechanism for offering interpretation and accompaniment whereby NGO personnel accompany foreign workers during such questioning, and a written or audio record of the inquiry is made. The Guidelines Governing Accompaniment of NGO Personnel Arranged by Local Governments during Questioning of Foreigners were thus enacted and the amendment went into effect on August 11, 2017. These guidelines have a larger scope of applicability and stipulate that accompaniment by interpreters or provision of interpretation services should be made available upon request in the case of criminal actions and that subsidies for interpretation rates should be increased. In addition, working hours and payment for each interpretation assignment as well as transportation expenses should be specified in advance to interpreters.

G. In order to maintain border security, prevent human trafficking and foreigners' applying for residency in ROC on the basis of engaging in activities that are inconsistent with the purpose of the original visa application, as well as to respect the right to enter ROC for purposes of join-family, the MOFA established the *Guidelines for MOFA and Overseas Missions' Interviewing Foreigners Applying for Marriage with Nationals of Taiwan* in 2010, and amended some of the provisions in May 2019 to serve as the guideline for embassies to review documents required for the applications of marriage between foreigners and nationals of ROC and visa applications.

3.3 Developing anti-TIP information network for training and teaching materials

A. Improving training for law enforcement personnel

- (1) Relevant local government agencies received funding from the MOL to organize 27 anti-TIP training courses targeting the supervisors or employers of foreign laborers in 2019. A total of 938 persons attended. In addition, aiming to increase awareness of regulations concerning human trafficking among foreign laborers, employers, and brokers, 530 anti-TIP meetings targeting foreign laborers were held. A total of 100,674 persons attended.
- (2) The MOL held five training programs between May and June 2019 for 544 persons, including foreign labor inspectors from local governments, foreign labor counseling service personnel, and local placement center staff to enhance their professional skills and

knowledge regarding TIP crimes and the protection and placement of victims.

- (3) The Judicial Yuan continued to cooperate with the Cabinet-Level Anti-Trafficking in Persons (TIP) Coordination Task Force, and sent staff to participate in the meetings on the amendment of *the HTPA* the NIA is now drafting, the International Workshop on Combating Human Trafficking and other related meetings, to provide opinions or participate in the discussion. In addition, the NIA held the annual online workshops on consultations concerning fighting trafficking, to strengthen the criminal knowledge of the TIP personal, so as to establish a comprehensive network to prevent and control human trafficking.
- (4) The MOFA conducts several training courses on the prevention of human trafficking every year. Since 2013, anti-TIP courses have been included in the Pre-Departure Training Programs for Reserved Personnel and Personnel Stationed Abroad of Executive Yuan subordinate agencies held twice a year (the “Expatriate Program”), as well as in the Training Programs for Newly Recruited Diplomatic, Consular and Administrative Personnel held once a year (the “Newly Recruited Diplomatic Program”) to enhance the awareness of participants and to be in line with international trends. In order to enhance the self-awareness and self-control of the trainees and to assist in the implementation and advocacy of the government’s related work, the MOFA will continue to

organize various training courses on the Prevention of Human Trafficking, and strengthen the content of the courses on the relevant laws and regulations, penalties, enforcement measures, cooperation with other countries, and the effectiveness of the government's implementation in the future. In 2019, the MOFA offered the following courses:

	Date	Course	Participant	Number of participants
1	20 March	The NIA (under the MOI) Functions, Human Trafficking and New Immigrants Policy	Newly Recruited Diplomatic Personnel	50 persons
2	30 May	Current promotion of human rights (including Gender Equality and Human Rights conventions and human trafficking)	Oversea personnel	100 persons
3	14 November	Current promotion of human rights (including Gender Equality and Human Rights conventions and human trafficking)	Oversea personnel	73 persons

(5) To continue preventive measures and effectively eliminate human trafficking, in 2019 the NIA held two online workshops on consultations concerning fighting trafficking. This training was aimed at helping staff working on TIP consultations at government agencies. A total of 74 staff members attended the workshops. In addition, aiming to enhance the investigative skills and professional competencies of personnel on Duty Trip in handling TIP-related crimes, training courses were held by four Administration Corps of the NIA. A total of 5

sessions were conducted, with 308 participants.

- (6) Every year the NPA and police departments of special municipalities, city, and county governments hold classes for front-line police personnel on combating TIP and how to improve investigative skills. A total of 12,737 individuals attended 177 such events in 2019.

Primary training courses were as follows:

- a. Policemen from the Foreign Affairs Division, Criminal Investigation Division, Women's and Children's Protection Division, and Juvenile Affairs Division of police departments of the special municipality, county, and city governments, and other police officers participating in the investigation of human trafficking cases were given instruction on the *HTPA*, the *Guideline of Human Trafficking Victim Identification* and investigation techniques in practice. Experienced judges and prosecutors were invited to make speeches on how to enhance the investigative skills and professional competencies of personnel handling related cases. In 2019, a total of 22 sessions were conducted, with 1,128 people participating.
- b. A general overview of human trafficking was included in the regular training of police of special municipalities, cities, and counties. In 2019, a total of 155 sessions were held, which 1,609 people attended.
- (7) A New Immigrant Counseling Work Video Training Program was held by the VAC in April 2019, at which officers from the Immigration Affairs Division of the NIA spoke on ROC's anti-TIP policies and

implementation. The 80 seed personnel that accepted the training were expected to apply what they had learned to enhance the quality of their services and promote the importance of preventing TIP-related crimes. In addition, Veterans Service Offices throughout the country were requested to put up anti-TIP posters and hand out anti-TIP print materials to better educate visiting veterans and their families.

4. Enhancing international exchange and cooperation

4.1 International exchanges and activities

A. Ministry of Foreign Affairs

- (1) Cardinal Luis Antonio G. Tagle, the current chairman of Caritas Internationalis, Archbishop Silvano M. Tomasi, C. S., and Father Bruno Ciceri, the official of the Department for the Promotion of Integral Human Development, together with 50 representatives of Caritas in Asia, were invited to attend the International Workshop on Strategies for Combating Human Trafficking 2019 from July 25 to 26. Cardinal Tagle was the keynote speaker to deepen and broaden the cooperation between the two countries.
- (2) The 2019 ROC Western Asia Forum on Regional Security and Transnational Crime held every two years aims to strengthen exchange and cooperation between the judicial authorities of relevant countries to combat crime and curb human trafficking.

B. Ministry of Justice

- (1) The Mutual Legal Assistance in Criminal Matters Act was

promulgated and came into force on May 2, 2018. Where a matter concerns international mutual legal assistance in criminal matters, treaties apply; where there are no such treaties or no applicable provisions in such treaties, the Act shall apply. The Act could thus be the primary legal source for enhancing international mutual assistance in criminal matters, or the secondary legal source to provide supplementary information on the law, and shall be of great help in promoting international cooperation on combating transnational human trafficking.

- (2) In 2019, the MOJ continued to establish contact windows for information sharing and cooperation, and actively engage in international criminal legal assistance to assist domestic and foreign investigative units in human trafficking cases, such as information exchange, evidence collection, and officer repatriation.

C. National Police Agency

Police liaison officers were stationed in Indonesia, Japan, Korea, Macau, Malaysia, the Philippines, Singapore, South Africa, Thailand, the United States, and Vietnam to establish and maintain close cooperation and liaison with local police units to investigate cross-border human trafficking crimes.

D. National Immigration Agency

More countries signed cooperation agreements and memorandums of understanding on immigration and prevention of human trafficking with ROC, which helped to expand the invitation of the Annual International Workshop on Combating Human Trafficking. The NIA

invited representatives of public agencies and NGOs from different countries to ROC to learn from the experience of other countries in handling or investigating human trafficking cases, as well as the victim identification system and victim protection practices, and conduct face-to-face exchanges and discussions with personnel of relevant agencies in ROC (including judges, prosecutors, judicial police, authorities and representatives of civil society organizations), to enhance the international vision of ROC's law enforcement agencies, grasp the latest global trends, keep abreast of the times, and break through the government's past blind spots in policy formulation and practical implementation. At the same time, it will also enhance the international image of our country's commitment to fighting illegal trafficking syndicates and protecting human rights. Major international activities in 2019 on human trafficking prevention and other issues are as follows:

- (1) On April 24, 2019, Christopher Pater Attaché for Hong Kong, Homeland Security Investigations, Immigration and Customs Enforcement, Department of Homeland Security and his team visited the NIA and exchanged opinions on the prevention of human trafficking and forced-labor exploitation.
- (2) In May 2019, Ms. Tonya Pentland (Regional Manager of IEI Asia Pacific of the British Consulate-General in Beijing), Mr. James Grace (Liaison Manager of the Consulate General in Beijing) and Mr. Ian Bearwood (Immigration Liaison officer of the British Consulate-

General in Guangzhou) visited the NIA to exchanged views on immigration and border management issues.

- (3) The 5th Bilateral Meeting on Immigration Affairs between ROC and Vietnam was held in May 2019 in Hanoi, co-hosted by NIA Director-General Feng Guang Chiu and Director Pei Mao Quân of the Immigration Control Department of the Ministry of Public Security of Vietnam. Both sides exchanged and discussed on inviting immigration officers for training in ROC (e.g. participate in the Immigration Benchmark Program in ROC).
- (4) On May 16, 2019, Chief of International Crime Prevention Mr. Norihiko Yomai of the Japan Coast Guard met with the NIA to exchange views on issues, such as the prevention of stowaways, smuggling and falsified or altered travel documents.
- (5) On June 11, 2019, Consul Fiona McCulloch of the Australian Consulate-General in Hong Kong met with the NIA to exchange views on bilateral cooperation in border management.
- (6) The opening ceremony for the 2019 Immigration Benchmark Program was hosted by NIA Deputy Director-General GuoHui Liang. Held in ROC in July 2019, the 5-day training program was attended by 11 immigration officers from 10 countries (including Belgium, Indonesia, Malaysia, Nauru, Palau, Thailand, Tuvalu, the United States, and Vietnam). Through this program, the NIA shared its approaches to international cooperation, immigration information, the management of foreign visitors, border security, detention systems, human

trafficking prevention, and advice & guidance for immigrants. The cadets also participated in the International Workshop on Strategies for Combating Human Trafficking 2019 and on-site visits to the NIA's Northern, Southern, and Border Affairs Corps offices.

(7) In September 2019, Mr. Ngô Ngọc Lâm (Deputy Director of the Directorate-General for External Security, Ministry of Public Security, Vietnam) met with the NIA to exchange views on issues such as international cooperation and border management.

(8) On October 2, 2019, Lord David Alton (MP of the House of Lords, UK), Mr. Luke de Pulford (cofounder of the Arise Foundation for human trafficking prevention) and Mr. Anton de Piro (representative from the Sovereign Military Order of Malta) met with the NIA to exchange views.

E. The Fisheries Agency

To enhance the experience of international labor work of fisheries, applications for subsidies from relevant NGOs to hold relevant meetings in 2019 were granted and relevant fishery organizations were invited:

Activity Theme	Advocacy measures	Organizer	Date	Number of Participants	Target beneficiaries	Effectiveness and Impact	Participating Units
Seminars on Working and Living Conditions	Seminars	The Fisheries Agency	From May 6, 2019, to May 7,	About 60 persons	Public sector, fishery labor organizations,	Experts and participants from the European Union and ROC	Public sector, fishery labor organizations, civil

ns of Fishing Workers			2019		civil society, academics and experts, etc.	recognized the main challenges to the effective implementation of the basic rights of fishing workers and the fact that ROC protects the rights of fishermen through a series of anti-human trafficking measures, and continues to amend laws on the employment and management of crew members to gradually improve the working conditions of fishing workers.	society, academics and experts, etc.
The 11th World Conference of the International Christian Maritime Association (ICMA)	Conference Presentations and Workshops	The International Christian Maritime Association (ICMA), the	From October 21, 2019, to October 25, 2019	About 300 persons	Foreign NGOs	Strengthen cooperation and networking among NGO groups to combat human trafficking.	Taiwan Squid Fishery Association, Taiwan Tuna Association, the Presbyterian Church in Taiwan

		MOFA, the WDA under the MOL, the Bureau of Foreign Trade (BOFT) of the Ministry of Economic Affairs, the Economic Development Bureau of Kaohsiung City Government, the Fisheries Agency of the COA					
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4.2 Strengthening international cooperation

A. In recent years, ROC has been committed to cooperating with the international community in combating crimes.

The Taiwan-U.S Mutual Legal Assistance Agreement in Criminal Matters was signed on March 26, 2002, *the Taiwan-Philippines Mutual Legal Assistance Agreement in Criminal Matters* was signed on April 19, 2013, and *the Taiwan-South Africa Mutual Legal Assistance Agreement in Criminal Matters* was signed on July 24, 2013. Signing the above-mentioned agreements is of great significance to upholding the sovereignty of our judicial system and will serve as a basis for requesting mutual legal assistance from the countries with which we have signed the agreements in the prosecution of human trafficking crimes. In addition, the *Mutual Legal Assistance in Criminal Matters Act* researched and proposed by the MOJ was promulgated and came into force on May 2, 2018, as a legal basis for mutual legal assistance between ROC and the countries other than the aforementioned United States, the Philippines and South Africa (e.g., the obtaining of evidence information, the interrogation of defendants or witnesses, etc.).

- B. In order to strengthen cooperation with the international community to prevent and combat human trafficking jointly, ROC is actively signing agreements with other countries on immigration and human trafficking prevention issues. Since August 2011, 15 countries, including Belize, El Salvador, Eswatini (previously Swaziland), the Gambia, Guatemala, Honduras, Indonesia, the Marshall Islands, Mongolia, Nauru, Palau, Panama, Paraguay, Saint Christopher and Nevis, Saint Vincent and the Grenadines, have signed MOUs or

Agreements on cooperation in the prevention of human trafficking to establish transnational cooperation mechanisms with foreign countries to fight crime in cases involving human trafficking.

- C. On December 25, 2019, in the Executive Yuan's 37th Meeting of the Cabinet-Level Anti-Trafficking in Persons (TIP) Coordination Task Force, the 2nd project for deliberation the 2019-2020 Executive Yuan Human Trafficking Action Plan was proposed. For Project 22: Strengthening the Coordination Mechanism and Contact Window with the Countries of Origin of Foreign Migrant Workers, the MOFA proposed that the MOL should include the issue of human trafficking prevention in immigration or labor consultation meetings in the future, in order to realize the spirit of the MOUs signed by both sides.

4.3 The Rescue assistance and follow-up protection against human trafficking of ROC nationals abroad

- A. According to Article 6 of the *Directions for Handling Emergencies Involving R.O.C. Nationals Traveling Abroad* (promulgated under MOFA's Administrative Order), depending on the circumstances, diplomatic missions may provide the following services to an R.O.C. national seeking emergency assistance, provided that they protect the concerned national's privacy and do not break local laws: (1) issuing a passport or entry permit; (2) contacting family members, friends or employers, so that they can contact the concerned national's insurance

company to arrange medical treatment, settlement, travel home, and insurance claims; (3) helping submit reports to local law enforcement agencies and contact judicial or social welfare agencies to obtain assistance or protection in the event of felonies; (4) providing information about local doctors, hospitals funeral parlors, lawyers, notaries public, and translators; (5) making consular visits in the event of arrest or detention by a foreign government, after having received a related request from the national concerned and permission from the foreign government; (6) providing information and assistance in the event of force majeure circumstances, such as natural disasters, civil unrest, war or civil war; (7) other forms of necessary assistance to protect the life and personal safety of the national concerned.

- B. In mid-August 2019, a ROC national suspected to have been lured out of the country by a phone scam gang based in ROC was stranded at Brussels Airport in Belgium. The diplomatic mission provided necessary assistance to the said national. In addition, if a human trafficking victim returns to ROC, the NIA of the MOI will take over and activate the victim protection mechanism.

5. Innovative measures

5.1 Improving Living Conditions of Foreign Fishing Workers

- A. In order to strengthen the living environment and basic life care for foreign fishing workers, the MOL has established the *Administrative Penalties Criteria on the Permission*

and Administration of the Employment of Foreign Workers, which specifies the regulations on life care for shipboard, land-based, and mixed residences, and the inspection obligation of the local authorities related to labor affairs within three months of the foreign workers' arrival. In 2019, local authorities related to labor affairs have implemented 4,042 cases of foreign fishing workers' life care service inspections.

- B. In addition, to ensure the safety of foreign fishing workers' food and drink, and in light of local authorities' comments that "drinking standards" involve professional recognition and are not easy to recognize during inspections, the Ministry of Labor refers to the *Standards for Necessary Safety and Health Equipment and Measures for Workers Working under High Physical Exertion* Article 5 and the *Regulations for Cargo Ship Carrying Passenger* Article 15 to develop and amend the drinking water standard in the *Administrative Penalties Criteria on the Permission and Administration of the Employment of Foreign Workers*.
- C. Establishing recreation and rest centers for foreign fishing workers:
- (1) To create a friendly working environment for foreign crews, the Fisheries Agency has set up recreational facilities for foreign crews in Keelung and Penghu. This year, a new recreational facility was set up in Qijin to provide Wi-Fi Internet access, computers, water dispensers, and other facilities.
 - (2) Recreation and rest centers for foreign fishing workers will also be built in other major fishing ports in the

future to accommodate an increasing number of foreign fishing workers by the Fisheries Agency.

D. In June and December 2019, the NIA Southern Administration Corps and Border Affairs Corps took part in organizing free clinics for foreign fishermen at fish markets operated by the Su'ao Fishermen's Association, Chiencheng Fishing Port (Kaohsiung) and Donggang Fishermen's Association, which were sponsored by the Buddhist Compassion Relief Tzu Chi Foundation and the fishermen's associations. As part of the events, the Fishermen's Rights Advocacy and Party organized by the Presbyterian Church In Taiwan Seamen and Fishermen's Service Center assisted in organizing the Fishing Workers' Right Advocacy Campaigns and evening parties to promote the prevention of human trafficking and to realize the NIA's mission of respecting human rights and diversities. These endeavors highlight the NIA's mission to ensure respect for human rights and diversity.



The Fishing Workers' Right Advocacy Campaign in June 2019



The Free Clinic for Foreign Fishermen in June 2019

5.2 Enhancing victim protection

In order to effectively eradicate the human trafficking for minors sexual exploitation, the MOHW held the 1st and

2nd session of the Child and Youth Sexual Exploitation Prevention and Control Consultative Meeting II were held during September and December 2019, respectively, with the resolution to ask the MOI to make a detailed plan for strengthening crime detection and recidivism prevention; to ask the MOFA to assist in compiling a list of relevant foreign service resources for the reference of each unit; and to ask the competent authorities under each municipality and county (city) to invite relevant personnel to participate in a case-by-case discussion, which may lead to an official document directly issued to the unit for administrative assistance in matters requiring the assistance of each authority.

5.3 Establishment of a regional network cooperation mechanism

The NIA's Southern Administration Corps has consolidated resources of local governments and civic groups in southern Taiwan to build a regional anti-TIP network and to better fight the trafficking of fishing workers hired overseas. It has proposed plans concerning both human trafficking prevention and the investigation and prosecution of TIP crimes, including a special anti-TIP project for foreign fishing workers in Kaohsiung and Pingtung. A total of 75 sessions of events were held with 2,655 participants. The project has helped reduce the number of foreign fishing workers hired overseas who go missing in these two areas and discouraged human trafficking.

5.4 Diversifying campaigns

A. The MOJ's Leading or Sponsoring Anti-Trafficking Advocacy Campaigns in

2019

Event	Term	Organizer or Sponsor	Target Audience	Advocacy measures	Costs (NTD)	Expected Benefits
Promotional Program for Judicial Protection Month (Prevention of Foreign Labor Exploitation)	2019/5/1-7/31	The Police Broadcasting Service	General public	Dramatized Episode (National Safety and Traffic Network)	99,000	184 sessions
Southeast Asian Culture Bookstore Cooperation Project	2019/8-9	4-Way Voice, the LAF	Immigration, migrant workers	Law Seminar, Legal Consultation	99,000	5 sessions

B. Since the promotion of the New Southbound Policy in 2016, the channels for foreigners to enter ROC have become increasingly diverse, and the pattern of human trafficking has also changed accordingly. The arrangement to adjust the anti-human trafficking propaganda and advocacy network was made to combine the strength of the police, colleges and universities, and NGOs to conduct campus propaganda targeting foreign students, students of the International Programs of Industry-Academia Collaboration in Taiwan. In addition to distributing promotional materials and introducing news stories about exploitation to remind students of self-protection, the campaign also extended to potential victims who often interact with the said students in order to include them in the prevention network.

IV. Future Endeavors

1. Enforcement

- 1.1 In order to reduce illegal brokerages, the MOL plans to amend the relevant provisions of the *Employment Service Act* to increase penalties for violations. Anyone who violates the provisions of Article 45 shall be fined an amount of NT\$300,000 to NT\$1.5 million per person depending on the number of foreigners working illegally; anyone with a recurrent violation within five years shall be sentenced to imprisonment under three years, detained, and/or penalized for an amount of at most NT\$1.2 million; For an attempt to make a profit, the penalty shall be increased to imprisonment under five years, detained, and/or penalized for an amount of at most NT\$2.4 million.
- 1.2 The MJIB will encourage its field divisions/offices to step up efforts to uncover and investigate various types of human trafficking cases by rewarding performance and enhancing management and evaluation.
- 1.3 The NPA will continue to carry out an anti-slavery plan that prioritizes law enforcement action against crimes committed jointly by at least three persons, and syndicated crime, in order to track down criminal masterminds, persons engaged in marriage fraud, and other suspects. The NPA will also conduct unannounced checks on locations where TIP syndicates may be hiding or employing foreign workers. Such inspections have proven successful in the past, and serve to underline the government's determination to fight human trafficking.

1.4 The NIA will continue to strengthen investigations of entertainment venues where foreign workers tend to gather and conduct unannounced checks with partnering police units to fight human trafficking.

2. Protection

2.1 For the statistics on the placement and protection services for ROC TIP adult victims over 18 years old, the Social and Family Affairs Administration (SFAA) under the MOHW has, since 2016, requested all municipalities and county (city) governments to fill in the Statistics on Services for Domestic Adult Victims of Trafficking in Persons every six months, and regularly carry out the statistical implementation.

2.2 The SFAA continues to coordinate the provision of services related to domestic adult victims across local governments to establish a complete network of services.

2.3 For child and youth sexual exploitation victims under the age of 18, the competent authority will continue to provide the placement, protection and other necessary assistance to victims in accordance with the *HTPA* and the *Child and Youth Sexual Exploitation Prevention Act*, and convene special meetings with ministries and competent authorities of municipalities and counties (cities) to address the practical treatment of victims and improve the quality of service transformation.

2.4 According to the *Guideline of Human Trafficking Victim Identification* and the *Human Trafficking Victims Identification Indicators* issued by the MOJ, the NPA

instructed police agencies to identify and inform victims of their rights when investigating human trafficking cases.

2.5 The NIA will promote the 2020 Pilot Scheme for the Transformation of Social Worker Accompaniment During Investigations Mechanism at the Identification Stage of Suspected Human Trafficking Cases from April 1, 2020, to December 31, 2020, with the following operation directions:

- A. Establishing a database of social workers' accompaniment during investigations, so that all local governments will have social workers accompaniment during investigations or through supports from other competent authorities.
- B. Establishing a 24-hour hotline (02-23883095) for social workers' accompaniment during investigations and 24-hour reporting and dispatching cases by appointment.
- C. Providing training for social workers on the operation mode of the Scheme.
- D. Administering external supervision meetings to review the pilot scheme for improvements.

2.6 The NPA and the NIA request the subordinate agencies to enforce the non-disclosure rule and victims' privacy protection in press release and request the victim's related photos and images not to be provided to the press as a news release material.

2.7 To avoid misunderstandings and misjudgments as a result of language barriers during the identification process, the NPA and the NIA continue to request the subordinate

agencies to provide interpretation services during the investigations into human trafficking cases to protect the rights of victims.

2.8 The Fisheries Agency's future direction and planning for the protection of fishing workers are as follows:

A. Enhance the Quality of Visits

- (1) Domestic: The Fisheries Agency employs one more full-time Indonesian interpreter to conduct visits in 2020. The performance evaluation will be conducted to decide whether or not hiring more multilingual interpreters.
- (2) Abroad: conduct online interpretation through Online Interpretation Services on special occasions.
- (3) Production of short videos in multiple languages to inform the crew members of their rights during the visits.

B. Easy access to file complaints:

The Fisheries Agency will continue to provide information to foreign crews through pamphlets, pads, etc. indicating that complaints could be made through the 1955 Labor Consultation and Complaint Hotline. In addition, in cooperation with NGOs such as the Taiwan Seamen and Fishermen's Service Center (SFSC) and the FOSPI (Forum Silaturahmi Pelaut Indonesia), the Fisheries Agency set up the service stations, through which foreign crew members can submit complaints.

C. Review the related laws and regulations in a rolling manner.

- (1) In the meeting in 2019, the Task Force to Promote Human Rights Protection of the Executive Yuan decided that the Ministry of Labor should be the competent authority of the nationalization of international conventions into ROC's domestic legal regime and that other agencies related to navigation affair, fisheries affair, and health affair should participate with the national legislation.
 - (2) The Review of the working conditions of the fishery industry was made to ensure that most of them were in compliance with the requirements of the Convention. For example, the working hours and age requirements of the Convention were incorporated into the governing regulations.
 - (3) Guidance to newly-built fishing vessels was provided to meet the standard of living space: Any fishing vessel whose length overall is 24 meters or above, and fishing vessel whose length overall is less than 24 meters and engages in distant water fisheries should meet the requirements on accommodation as provided in Annex III of C188-Work in Fishing Convention.
- D. Continual establishment of leisure facilities and increasing choices of onshore accommodation for foreign crews
- (1) Recreation and rest centers for foreign crews were set up in Keelung, and Penghu. In the future, suitable accommodations will be located through fishermen's associations and non-government organizations and

- counsels and assistance will be provided to set up leisure facilities for foreign crews.
- (2) Shower rooms are available for foreign crews in Yilan Su'ao, Kaohsiung Qianzhen, Keelung and Penghu.
 - (3) Funds to subsidize the Taiwan Presbyterian Church Seafarers and Fishermen's Service Center were granted to provide free Internet access, water dispensers, and hometown music at the service stations in the Qianzhen and Qijin areas.
 - (4) At the moment, projects are made to build a crew service center in the fishing port of Qianzhen, Kaohsiung, and in cooperation with the Yilan County government to transform the shore-sheltered premises for mainland Chinese crew in Nan'ao into the Fishing Workers' Clubhouse, which will take about three years of investment and construction to provide foreign crews with shore-based accommodation services at an affordable price.
- E. Continual cooperation with civic groups is made to organize related care activities so that foreign crews can understand related laws, policies, rights and interests, and comprehend the care and friendship of the ROC people.
- F. The procedures have been improved to expedite reporting of suspected human trafficking cases
- The amendment of the *Standard Operating Procedures for Receiving and Reporting Disputes on Distant Water Fisheries with Oversea Employment of Foreign Crew*

Members Suspect of Violating the HTPCA was made to include the Report of Suspected Human Trafficking Cases into the standard operating procedures. If the suspect fishing vessels are parked at a domestic port, a notification to the judicial police should be made for immediate investigation.

3. Prevention

3.1 Amending the HTPA

Since the *HTPA* came into effect on June 1, 2009, except for the amendments to some terms in the *Child and Youth Sexual Exploitation Prevention Act* and the *Organization Act of the National Immigration Agency, Ministry of the Interior*, no other substantive amendments have been made. The U.S. Department of State has ranked ROC as a Tier 1 country for 10 consecutive years in the US Trafficking in Persons Report. However, in order to optimize the protection of victims' rights, comply with the standards of the Trafficking Victim Protection Act, align this Act more closely with international standards and trends, and enhance the protection of victims' human rights, a drafted amendment of 22 articles of the *HTPA* was sent to the MOI's Legal Affairs Committee for review in June 2020 and scheduled to be discussed in September in the meeting of ministerial affairs. The main points of the amendment are as follows:

- 1、The definition of labor exploitation amended from “labor to which pay is not commensurate with the work duty for profit” to “forcing another person to work” to make a

distinction from the labor-management dispute and to conform to the international concept of Forced Labor.

- 2、 The implementation of the second identification scheme and establishment of a victim identification standard, to expand protection of the rights and interests of potential victims.
- 3、 The amendment of the temporary stay permit with a validity period of less than 6 months to a residence permit with a validity period of 1 year, to improve the victim's chances of landing a job and promote the protection of the victim's right to medical care.
- 4、 The provision of non-institutional, diversified placement services, to allow victims to choose between living with relatives, friends or alone, with necessary financial assistance such as rental assistance for housing.
- 5、 Respecting the victims' wishes and ensuring that the victims' right to return to home countries, to avoid being notified of restricted exit by the judicial authorities in demand of cooperation in the trial.
- 6、 Raising the penalty (from the minimum sentence of 6 months to 1-year imprisonment), to severely punish the human trafficking offenses and to demonstrate the importance of human trafficking prevention and control.

3.2 Enhancing awareness and training:

A. The National Communications Commission

Continual implementation of radio and television seminars will be made and the promotion of anti-trafficking laws and regulations will be included to help

broadcasters and associations familiarize themselves with the relevant laws and regulations.

B. Ministry of Transportation and Communications

- (1) Continuous effort of advocate will be made to reinforce the tourism professionals' duty of reporting and inform the general public of the prohibition of engaging in commercial sexual exploitation while sightseeing in the country or abroad.
- (2) Assistance will be provided to the hotel operators to strengthen the convention on self-regulation to include the duty to report sex-related tourism and protective measures.
- (3) The Tourism Bureau will continue to advocate to the tourism industry workers on the duty to report and the hotel convention on self-regulation, to prevent the tourism industry from engaging in child and youth sexual exploitation.

C. Council of Indigenous Peoples

- (1) Service centers for families and women under the Council of Indigenous Peoples and local indigenous affairs departments will continue to organize lectures and campaigns to increase anti-TIP awareness among indigenous people.
- (2) In addition, anti-TIP courses will be integrated into national indigenous social workers' education and training platforms to enhance these professional workers' competency, and in the long run prevent the occurrence of human trafficking in indigenous areas.

D. The Ministry of Education

- (1) In 2020, four joint visits to overseas activities in the North, Central, South and East are scheduled to be held between October and November, in which the concept of human rights and the rule of law will be reinforced.
- (2) The National Conferences of College and University Presidents and Technical College Academic Affairs Directors Meetings will be held, to strengthen the propaganda on the prevention of human trafficking and encourage courses and teaching materials on human trafficking and related human rights and the rule of law, and continue to advocate on related platforms for schools to offer courses on related issues and to raise the awareness of students and teachers on human rights and the rule of law.
- (3) The above-mentioned measures will be adopted, to continue to build up the concept of human rights, the rule of law, and gender equality awareness among students to understand the content of human trafficking prevention and to prevent human trafficking cases.
- (4) The continual efforts to provide training courses for investigation professionals on sexual assault and harassment or sexual bullying in schools to tertiary colleges and senior secondary schools, and integrate related issues on sexual exploitation prevention in the courses will be made in accordance with the *Gender Equity Education Act*.

- (5) The live online broadcasting and videos of Youth Working Holiday Program will be arranged for relevant ministries to explain the prevention of human trafficking and update the content of the arrange for relevant ministries to explain the prevention of human trafficking and update the content of the *Youth Working Holiday Advocacy Online Handbook*, to protect the safety and rights of ROC young people abroad.

E. Coast Guard Administration

The CGA visits fishery personnel nationwide and promotes human trafficking awareness and preventative measures. In 2019, the CGA visited local fishermen's associations. A total of 47 recommendations were collected to educate the members about anti-TIP laws and regulations. By directly interacting with the fishing industry, the CGA can more effectively prevent violations of anti-TIP measures during the hiring and employment of domestic and foreign fishing workers.

F. The Ministry of Health and Welfare

The continual effort will be made to urge the related agencies to promote the prevention of child and youth sexual exploitation, and to periodically announce and review the situation in consultation with the relevant authorities.

G. National Police Agency

- (1) The continual effort to administer anti-TIP course training: To enhance the quality of human trafficking investigations and raise the conviction rate in such

cases, in 2020 the NPA will continue to provide funds for special municipality and county (city) governments to hold training courses on the HTPCA for personnel of police departments' foreign affairs, criminal investigation, women's and children's protection, and juvenile affairs divisions, and other officers participating in investigations. Such courses will examine aspects such as victim identification and investigation techniques.

- (2) **Strengthening Advocacy to Prevent Child and Youth Sexual Exploitation:** In order to raise awareness of self-protection and crime prevention among women, children and juveniles, the NPA will continue to require police departments of special municipality and county (city) governments to conduct educational and advocacy activities, including on prevention and control of child and youth sexual exploitation, prevention of human trafficking, protection of children and juveniles, and other topics. These activities will target local communities, school teachers and students, and civic groups.

H. Veterans Affairs Council

A New Immigrant Counseling Work Video Training Program will be held by the VAC in 2020 to invite supervisors and related personnel of Veterans Service Offices, Veterans Homes, Veterans Hospitals, and experts and scholars to lecture on human trafficking prevention and counseling measures. From January to December 2020, experts and scholars will be invited to

give 19 lectures on the prevention of human trafficking in conjunction with the Counseling Association's "Adaptive Counseling for New Immigrants and Recognition of Happy Families" program at Veterans Service Offices nationwide.

3.3 The improvement of the immigrant protection

- A. Promoting direct hiring: Several convenient tools, such as an app for employing foreign workers and an online platform for managing them in ROC, have been launched to encourage employers to utilize the direct hiring system. Employers will also receive emails, text messages, and phone calls to remind them to complete certain steps. The MOL will continue to work with source countries to customize the online platform and streamline required paperwork to double or triple the number of qualified candidates recruited and speed up the hiring process during specific periods.
- B. Optimizing the user interface of the Migrant Worker Employer Transfer Query: In order to help migrant workers understand the application for employer transfer, the employment case processing and announcement, to provide a friendly interface and to promote harmonious labor-management relations, the MOL has added a 4-language interface (in English, Indonesian, Vietnamese, and Thai) to the Migrant Worker Employer Transfer Query on the Taiwan Workforce Development Agency Information Site of Foreign Worker Rights Defense. The user interface will be available online for public use from July 2019. Through the interface of the mother language,

migrant workers can search the status of the application to be “under announcement”, “offline”, or “not registered” to keep abreast of the latest information, and to browse the continuous recruitment employer information to protect their rights and interests in ROC.

- C. The implementation of short-term relief options for foreign caregivers: To protect the labor rights of foreign home caregivers and the care needs of the care receiver, The MOHW has launched a pilot plan in collaboration with the MOL to expand respite care services for families with foreign caregivers. After consultation between the MOL and the MOHW, the eligibility criteria were relaxed in September 2019. Families employing foreign home-caregivers to take care of individuals who meet the disability levels of 7-8 as assessed by LTC Management Centers can apply for respite care services to provide employers substitute for caregiving manpower. The MOL will continue to participate in the promotion of the long-term care system and review relevant protection measures to protect the labor rights of domestic workers.

3.4 Strengthening protections for victims of child and youth sexual exploitation

- A. The MOHW, in accordance with Article 3, Paragraph 4 of the *Child and Youth Sexual Exploitation Prevention Act*, will continue to hold consultation meetings on the prevention of child and youth sexual exploitation, and works with the authorities in charge of industries or

businesses related to interior affairs, legal affairs, education, national defense, culture, economy, labor, transportation, and communication to jointly announce and review the results of such tasks as educational campaigns, rescue and protection, punishments for offenders, placement, and services, on a regular basis to promote various prevention and protection service measures.

- B. Depending on issues and needs, inter-agency liaison conferences shall be held to establish a procedure and consensus for handling special cases.

4. International exchange and cooperation

- 4.1 The MOJ will continue to maintain an open line of communication with international mutual legal assistance windows, to provide assistance on judicial cooperation matters to prosecutors promptly in the investigation of human trafficking cases. In addition, the efforts will be continued to keep close contacts with law enforcement agencies (such as the Criminal Investigation Bureau of the National Police Agency, the NIA and the Investigation Bureau), and establish communication links with the immigration attaché, legal secretaries or liaison officers of the Mainland Affairs Council, the MOFA, and other relevant foreign offices to obtain real-time information on human trafficking cases and provide a reference for the investigation and development of the cases.
- 4.2 Concerning the procedure for mutual legal assistance in transnational cases between the ROC and other countries

or jurisdictions: In case that mutual legal assistance treaties and agreements have been signed, the MOJ will contact the liaison window of the jurisdiction directly. Where there are no such treaties or agreements, the MOJ may, through the Mainland Affairs Council or the MOFA, in accordance with the provisions of the *Mutual Legal Assistance in Criminal Matters Act* and on the basis of reciprocity, conduct mutual legal assistance. To date, ROC has engaged in mutual legal assistance in criminal matters with over 40 jurisdictions on the basis of reciprocity.

4.3 When investigating transnational human trafficking cases, if the prosecutor authorities find that the relevant evidence is located abroad, requests could be made in accordance with the treaties or agreements on mutual legal assistance or the *Mutual Legal Assistance in Criminal Matters Act*. The MOJ will actively assist in the follow-up process and provide advice to the prosecuting authorities on international judicial cooperation matters. If other countries or jurisdictions need mutual legal assistance in collecting evidence in the investigation of transnational human trafficking cases, the requests for mutual legal assistance may be made in accordance with the treaties or agreements or on the basis of reciprocity.

4.4 Through bilateral channels (such as the Conference on Bilateral Cooperation in Labor Affairs), the MOFA will continue to urge the source countries of migrant workers to review the standards of brokerage, to ensure that the verification process is carried out, and to strengthen the

management of overcharging by brokers in order to prevent the exploitation of migrant workers.

4.5 The National Police Agency will continue to actively promote the establishment of transnational cooperation mechanisms with other countries in order to strengthen the exchange of information and cooperation in the investigation of human trafficking cases and enhance the effectiveness of transnational cooperation.

4.6 The NIA and the Philippine immigration agency currently continue the efforts to work toward the signing of an MOU or Agreement on the cooperation of immigration and human trafficking to combat transnational crimes and protect the human rights of immigrants.

V. Conclusion

The prevention of human trafficking covers a wide range of areas. In order to eradicate human trafficking crimes, it takes coordination of the efforts from all governmental agencies and cooperation with civil organizations to strengthen the prevention and control system. Through the joint efforts of all agencies, our government has achieved concrete results in the prevention of human trafficking. ROC has been rated a Tier 1 country in the US Human Trafficking Report for ten consecutive years. Looking ahead, on the one hand, we must continue to actively improve our implementation, strengthen our efforts to detect and prevent human trafficking crimes; on the other hand, it takes the effective coordination of public sectors and civil organizations and close cooperation with all sectors of the society to promote sustainable prevention and optimize victim protection to realize the founding spirit with human rights and strengthen the international image as a country of human rights.