

議題三 防杜勞力剝削新主角-企業社會責任

Session 3

**Corporate Social Responsibility and Preventing
Forced Labor in Supply Chain**

簡歷-主持人

翁燕菁

國立政治大學政治學系副教授



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法國巴黎第二大學法學博士

經歷

行政院人權保障推動小組第 15 屆委員 (2019-)
行政院防制人口販運協調會報第七屆委員 (2019-)
內政部人權工作小組第五屆委員 (2018-)
國立中山大學政治學研究所助理教授 (2011-2013)
中央研究院法律學研究所博士後研究員 (2010-2011)

CURRICULUM VITAE OF MODERATOR

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EDUCATION

Doctor in Law, University Panthéon-Assas - Paris II

EXPERIENCE

Member of the 15th Committee on Human Rights Protection and Promotion, Executive Yuan (2019-)

Member of the 7th Coordination Committee, Anti-TIP Task Force, Executive Yuan (2019-)

Member of the 5th Human Rights Working Group, Ministry of Interior (2018-)

Assistant Professor, Institute of Political Science, National Sun Yat-sen University (2011-2013)

Post-doctoral Research Fellow, Institutum Iurisprudentiae, Academia Sinica

**從道德招募計畫談杜絕供應鏈強迫
勞動情事**

Ethical Recruitment and Human Trafficking

簡歷-主講人

Luke De Pulford
英國 Arise 基金會執行長



自傳

Luke de Pulford 於英國、賴索托和意大利之間接受教育，研讀政治和國際關係，之後接著鑽研哲學和神學。他的專業工作都展現在英國議會，特別是以捍衛人類尊嚴的相關活動而聞名。在他推動的其他許多運動中，他曾經負責讓下議院承認伊斯蘭國(Daesh/達伊沙)的暴行是種族滅絕，並獲得了前所未有的一致投票。2015年，他被任命為保守黨人權委員會委員。在此期間，他撰寫了有關中國人權、器官移植、人民社會自由的限制以及賣淫的相關報告。

2015年，他與著名慈善家 John Studzinski CBE 共同創立了 Arise 基金會，並擔任執行長一職。Arise 在全球範圍內致力於在前線支持反對現代奴隸制和人口販運的工作，英國首相德蕾莎·梅伊(Theresa May)在2018年特別指出 Arise 的工作對現代廢奴運動是“至關重要的”。他定期在英國、美國、菲律賓、印度、聯合國等地舉行的會議上發表現代奴隸制度的相關演說，也固定為《旁觀者》、《電訊報》、《衛報周刊》、《湯森路透》及保守派之家等撰寫奴隸制和其他人權議題的文章。就在近期，他創立了種族滅絕應對聯盟和對華政策跨國議會聯盟，同時還是世界維吾爾代表大會的顧問。除了從事人權工作外，盧克還是一名熱心的音樂家，他在西倫敦創立並主持兒童合唱團。他目前與妻子夏洛特(Charlotte)和他們的兩個孩子塞西莉亞(Cecilia)和露西(Lucy)居住在奇斯維克(Chiswick)。

CURRICULUM VITAE OF SPEAKER

Luke De Pulford

Director

Arise Foundation



BIOGRAPHY

Luke de Pulford was educated between the UK, Lesotho and Italy, reading politics and international relations and then philosophy and theology. Much of his professional work has focused on the UK Parliament where he is well known for his campaigning work in defence of human dignity. Among many other campaigns, he was responsible for the effort which secured an unprecedented and unanimous vote in the House of Commons to recognise the atrocities of Daesh as genocide. In 2015 he was appointed Commissioner to the Conservative Party Human Rights Commission. In this role he has produced reports into human rights in China, organ harvesting, restrictions on civil society freedoms, and prostitution.

In 2015 he co-founded the Arise Foundation, for which he is director, with noted philanthropist John Studzinski CBE. Arise works across the world to support frontline work against modern slavery and human trafficking which, in 2018, the UK Prime Minister Theresa May singled out the work of Arise as “critical” to the modern abolitionist movement. He regularly speaks on modern slavery issues at conferences in the UK, the US, Philippines, India, the United Nations, and elsewhere. Luke writes regularly on slavery and other human rights issues for The Spectator, Telegraph, The Guardian, Thomson Reuters, Conservative Home, and others. More recently, he founded both the Coalition for Genocide Response and the Inter-Parliamentary Alliance on China. He is also an adviser to the World Uyghur Congress. Outside of his human rights work, Luke is a keen musician, and founded and conducts a children’s choir in West London. He lives in Chiswick with his wife Charlotte and their two children, Cecilia and Lucy.

從道德招聘計畫談杜絕供應鏈強迫勞動情事

Luke De Pulford
英國Arise基金會執行長

Ethical Recruitment and Human Trafficking

Mr. Luke De Pulford, Director of Arise Foundation

大綱

1. 什麼是道德招聘？與人口販運有何關聯？
2. 道德招聘有哪些模式？
3. 道德招聘如何與企業社會責任互相影響？
4. 給台灣的建議

Outline

1. What is ethical recruitment and hoe does it relate to human trafficking?
2. What models are there for ethical recruitment?
3. How does ethical recruitment interact with corporate social responsibility?
4. Recommendations for Taiwan

什麼是道德招聘？

招聘人員時，
其僱用是公平的；薪資是公平的；
不撒謊或誤導他們，
並確保他們能夠行使自己的權利。

What is ethical recruitment?

Recruiting someone for fair employment; for a fair wage; and without lying or misleading them and ensuring that they can access their rights.



什麼是人力仲介專員/公司？

- “ 非隸屬政府機關的自然人或法人，提供下列一項或多項勞動市場服務：
- (a) 提供就業匹配與工作申請之服務，且該私營人力仲介所不會涉及隨後產生的雇傭關係；
 - (b) 提供雇傭工人的服務，並由第三方之自然人或法人機構來分配任務並監督任務的執行；
 - (c) 提供其他與求職相關的服務，由主管部門與最具代表性的雇主和勞工組織諮詢後來決定，例如提供資料等，其目的無關具體之就業匹配或工作申請。 ”
- 取自國際勞工組織 (International Labor Organization, ILO) 《私營職業介紹所公約》，1997年，第181號，第1 (1) 條

What is a recruiter?

“any natural or legal person, independent of the public authorities, which provides one or more of the following labor market services:

- (a) Services for matching offers of and applications for employment, without the private employment agency becoming a party to the employment relationships that may arise therefrom;
- (b) Services consisting of employing workers with a view to making them available to a third party, who may be a natural or legal person that assigns their tasks and supervises the execution of these tasks;
- (c) Other services relating to job-seeking, determined by competent authority after consulting the most representative employers and workers organizations, such as the provision of information, that do not set out to match specific offers of and applications for employment.”

- ILO Convention on Private Employment Agencies, 1997(No 181), Article1(1)

什麼是人力仲介公司？

- 目前全球移工已不再是以國家為導向，而是轉為以**市場導向的系統**。
- 此即造就了**私營人力仲介公司**的蓬勃發展。
- 私營人力仲介員/公司在促進勞動市場的供需上具有極為重要的作用。
- 這些公司現在會：
 - ◎ **宣傳徵聘職務**；
 - ◎ **確定目標市場**；
 - ◎ 擔任潛在移工和雇主/國外中介機構之間的聯繫角色；
 - ◎ **為勞工提供旅程安排**的服務；
 - ◎ 為勞工提供**取得必要文件**的服務。

What is a recruitment Agency?

- Globally, migrant labor has moved from being primarily a state-driven system to a **market –driven system**.
- This has led to the flourishing of **private recruitment agencies**.
- Private recruiters play an essential role in **facilitating supply and demand** in labor markets.
- These companies now:
 - ◎ **Advertise roles**;
 - ◎ **Identify target markets**;
 - ◎ **Link** prospective migrant workers with employers/ intermediaries abroad;
 - ◎ Provide services to **facilitate travel arrangement for workers**; and
 - ◎ Provide services for workers to **obtain necessary documents**.

人力仲介公司

人力仲介公司的風險

- 人力資源庫龐大，須繳納高額費用。
- **跨境工作**難以管理和監控。
- 經常在職責不明確的**灰色地帶**工作。
- 經常出現在高風險招聘鏈中，例如：
- **季節性招聘**行業；
- **國際招聘**行業；
- 使用**非技術性勞工**的行業。

Recruitment Agencies

RISKS OF RECRUITMENT AGENCIES

- Have a large recruitment pool allowing for high fees to be charged .
- Are hard to regulate and monitor as **work across jurisdictions**.
- Often work in **grey zones** where their responsibility is not clear.
- Often feature in high-risk recruitment chains such as :
 - ◎ Industries with **seasonal recruitment**;
 - ◎ Industries with **international recruitment**;
 - ◎ Industries using **unskilled labour**.

人力仲介公司

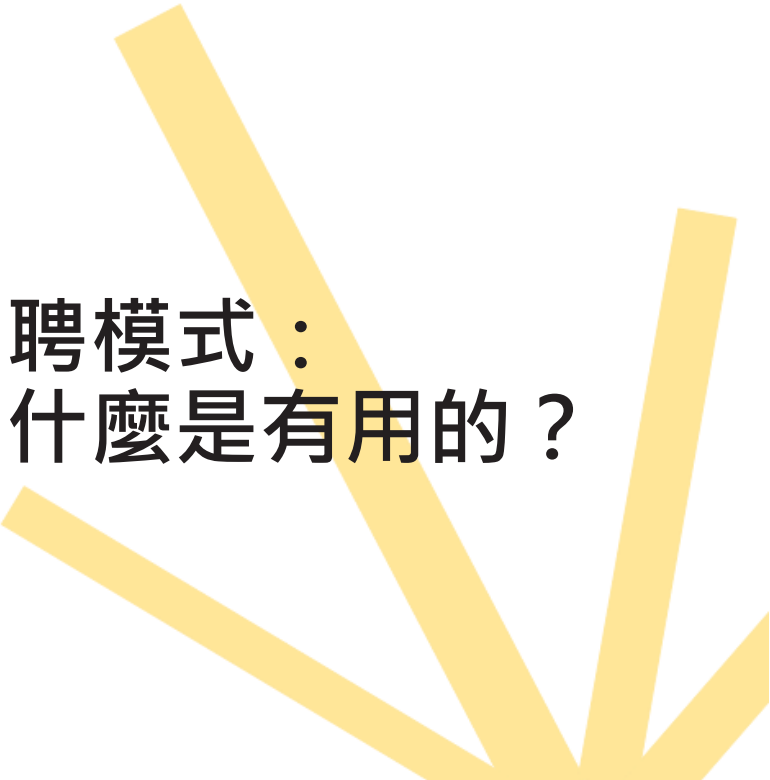
常見的惡習制度

- 隱瞞工作的真實性質；
- 在新聘勞工不知情的情況下擅自更改合約；
- 利用貸款使勞工成為債奴；
- 沒收證件（身分證、護照、合約）。

Recruitment Agencies

COMMON MECHANISMS OF ABUSE

- Concealing the true nature of work;
- Altering contracts without recruit's knowledge;
- Debt bondage through loans;
- Confiscation of documents (ID card, passports, contracts);



道德招聘模式：
能夠做什麼？什麼是有用的？



MODELS OF ETHICAL
RECRUITMENT: WHAT CAN BE
DONE AND WHAT WORKS?

人介所法
重仲司國
尊力公在律

- 必須取得所有涉及國家（原籍國、過境國和目的國）的許可/認證。
- 如果與其他仲介所或就業機構合作，這些機構也必須取得正當的許可/認證。
- 招聘的勞工必須具備可於國外工作的適用法律文件（必要時須自原籍國取得出境許可證），以及在目的國工作的所有有效簽證/入境許可證/工作許可證。
- 在所有涉及國家，皆不可因違反該國法律而受到任何形式的停業、訴訟或紀律處分。
- 該仲介所的所有者、投資者和雇員，皆不可與任何因違反法律或法規而被暫停或關閉的機構有所關聯。

Respect for
the laws of
the
countries in
which the
agency
operates

- Must be licensed/accredited in all countries of operation (origin, transit, and destination)
- If working with other recruitment or employment agencies, these must also be properly licensed/accredited
- Recruited workers must have appropriate legal documentation to work abroad (exit clearances from countries of origin, where required) and all valid visas/entry permit/work permits for work in the country of destination
- Must not have been suspended, charged, or disciplined in any way for non-compliance with the laws of any of the countries in which it operates
- Owners, investors, and employees of the agency must never have been affiliated with agencies that have been suspended or shut down for non-compliance with laws or regulations

不對勞工收費

- 勞工可能會因其工作資格（如培訓課程）或將成為其個人財產的物品（如護照等身份證件）而產生一些費用；但是，一旦被正式雇用，與招聘有關的任何費用都應由雇主承擔。
- 在勞工受雇後，仲介所不得收取任何費用；與勞工招聘和分發相關的所有費用都應由雇主承擔。
- 在勞工合約期滿時，仲介所不得要求勞工以現金或實物形式償還保證金。
- 勞工必須不用付費就能得知適合他們的招聘。

No Fees for Workers

- Workers may incur some costs associated with their eligibility for the job (e.g., training courses) or for items that will become their personal property (e.g., identity documents such as passports.) However, any costs associated with their recruitment once they have been formally hired are to be borne by the employer.
- Once a worker has been hired, the agency must not charge any fees; all fees associated with the worker's recruitment and deployment are to be borne by employers
- The agency must not require workers to post a bond, in cash or in kind, for reimbursement at the end of the worker's contract
- Workers should be informed of their right recruitment without fees

招聘過程的透明度

- 必須為每位受聘員工以書面形式提供工作性質、範圍和條件的精確細節。
- 僱傭合約必須以該勞工能夠理解的語言書寫，並且提供已簽署合約的紙本副本。
- 當合約條款需要變更時，必須通知員工，並給予同意或拒絕變更的機會，且不會處罰或威脅要處罰該員工。
- 勞工必須不用付費就能得知適合他們的招聘。

Transparency in hiring process

- Must provide accurate details, in writing, on the nature, scope, and conditions of work for every employee hired
- Employment contract must be provided in a language the worker can understand, and the worker must be provided with a hard copy of the signed contract
- If changes are required for the terms of the contract, the employee must be informed and given the opportunity to consent to or decline the changed without penalty or threat of penalty
- Workers should be informed of their right recruitment without fees

薪資和扣除額的透明度

- 薪資必須符合勞工書面合約中所規定的條款。
- 必須準確、準時支付薪資。
- 勞工所收到的薪資單，必須精確顯示其薪資（時薪、加班費、計件工資等）和任何法律允許的扣除額（法律准許且符合勞工合約中的規定）。
- 勞工應同工同酬，不得因其國籍、性別、宗教、族裔等而受到歧視。

Transparency in wages and deductions

- Wages must reflect the terms set out in the worker's written contract
- Wages must be paid accurately and on time
- Workers must receive a statement accurately reflecting the worker's pay(hourly pay, overtime, piecework, etc.) and any legally permitted deductions(allowed by law, and as set out in the worker's contract)
- Workers are to receive equal pay for equal work, without discrimination on the grounds of nationality, sex, religion, ethnic origin, etc.

工作安全

- 仲介必須當心並揭露受聘勞工在工作上會碰到的所有風險。
- 在工作現場作業之前，必須提供勞工針對該工作的職業衛生與安全之教育訓練。
- 當有人因工作生病或受傷，必須為其安排緊急應變措施。

Job Safety

- The agency must be ware of and disclose any risks associated with the job for which the worker is being hired
- Workers must be provided with job-specific occupational health and safety training prior to commencing work on the jobsite
- Contingency measures must be in place for those who become ill or who get injured on the job

不得沒收 任何證件

- 仲介所不得出於任何原因保留勞工的個人證件，例如護照、VISA簽證、ATM卡等。這些都是勞工的個人財產。

No Document Confiscation

- The agency must not retain the worker's personal documents – e.g., passports, visas, ATM cards, etc. –for any reason. These are the personal property of the worker.

人力仲介 所員工和 簽約代理 人的行為 標準

- 不得向勞工施以任何形式的口頭或身體虐待。
- 不得向勞工施以任何形式的威脅或恐嚇。
- 不得強迫或威脅勞工接受不利的就業條件或收取任何形式的費用。
- 當有此類事件發生時，必須進行記錄和調查，並懲以糾正性紀律處分。

Standards of Behaviour for Recruitment Agency Staff and Contracted Agents

- Workers must never be subject to verbal or physical abuse of any kind
- Workers must never be subject to threats or intimidation of any kind
- Workers must never be coerced or threatened to accept disadvantageous conditions of employment or be charged fees of any kind
- Any such incidents are documented and investigated, and corrective disciplinary actions taken



道德招聘模式：

以私營部門為例—如何達成



Ethical recruitment models:

An example from the private sector –
how it CAN be done

台灣

- 70萬移工人數是**易於管理的數目**。
- 少有國家能够在可控制的狀態下，進行符合道德招聘的**示範、試行和測試**。
- 有機會能夠**引領世界**發展和展示道德招聘方法。並非為了台灣的名聲，而是要示範一個國家該如何有效地促進道德招聘。

Taiwan

- 700,000 is a **manageable number** of migrant workers.
- Few countries could **model, pilot and test** ethical recruitment regulation in a controlled way.
- Chance to **lead the world** in developing and demonstrating ethical recruitment methods. Not for the sake of Taiwan's standing, but to model how states can be effective in promoting ethical recruitment.

企業執行優良之反奴役措施

Best Practices of Business Anti-Modern Slavery

簡歷-主講人

黃正忠

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人



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2018-Now 聯合國綠色氣候基金 KPMG 顧問服務 專案主持人

2016-Now NDCi.global (推動氣候金融) 顧問團成員

2015-2020 Asia Responsible Entrepreneurship Awards (AREA) 評審

2007-2019 「天下企業公民」獎 評審

2005-2019 《遠見雜誌》企業社會責任獎 評審

2012-2015 亞洲可持續發展投資協會(ASrIA, 香港)顧問團主席

1997-2013 企業永續發展協會 秘書長

1992-1997 水美工程(股)公司 能源資源處經理

1991-1992 永豐餘(股)公司 工程事業部顧問

行政院國家永續發展委員會 委員

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EXPERIENCE

2018-Now Project Manager, Green Climate Fund KPMG Advisory Service
2016-Now Advisory Board Member, NDCi.global (Promoting Climate Finance)
2015-2020 Award Reviewer, Asia Responsible Entrepreneurship Awards (AREA)
2007-2019 Award Reviewer, World Corporate Citizen Award
2005-2019 Award Reviewer, "Foresight Magazine" Corporate Social Responsibility Award
2012-2015 Advisory Board Chairman, Association for Sustainable & Responsible Investment in Asia (ASrIA, Hong Kong)
1997-2013 Secretary General of Enterprise Sustainable Development Association
1992-1997 Manager of Energy Resources Division, Water Beauty Engineering Co., Ltd.
Member of the National Sustainable Development Committee of the Executive Yuan
Consultant of Acer Corporate Sustainable Development Office
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Best Practices of Business Anti-Modern Slavery 企業執行優良之反奴役措施

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September 2nd, 2020

2020 Int'l Workshop on Combating Human Trafficking
2020防制人口販運國際工作坊(研討會)



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- Jury Panel of CSR Awards, Commonwealth and GlobalView since 2005 and 2007, respectively
- Jury Panel of the Asia Responsible Entrepreneurship Awards since 2015
- Associate Professor, MBA and EMBA at National Cheng Chi University since 2008
- Chairman of the Advisory Board (2012-2015), Association of Sustainable and Responsible Investment in Asia (ASrIA)
- Council member of National Council of Sustainable Development, Taiwan
- Secretary General, Business Council for Sustainable Development, Taiwan (1997-2013)



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| 2007-2020 「天下企業公民」獎 | 評審 |
| 2005-2020 《遠見雜誌》企業社會責任獎 | 評審 |
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- 亞洲可持續發展投資協會(ASrIA,香港)2012-2015 顧問團主席
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- 永豐餘(股)公司 工程事業部顧問 (1991-1992)



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Facts & Challenges 事實與挑戰

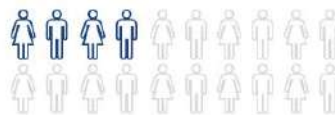


Source: Global Slavery Index 2018 (Walk Free Foundation)

As of 2018:

40.3 million

people in modern slavery



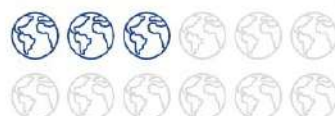
Female Male

71% 29%



\$354 billion

at-risk products imported by G20 countries

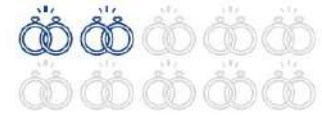


24.9 million

24.9 million in forced labour

15.4 million

in forced marriage

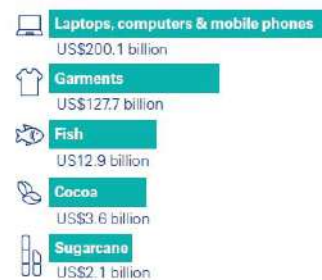


On any given day in 2018, there were

15,000

people living in conditions of modern slavery in Australia

Top 5 At-risk products of modern slavery imported into the G20:



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ESG Impacts in the supply & value chain

來自供應鏈與價值鏈的ESG衝擊



Direct versus supply-chain impacts by super sector		
	Direct	Supply Chain
Food & Beverage	8%	92%
Financial Services	10%	90%
Banks	12%	88%
Telecommunications	15%	85%
Media	15%	85%
Real Estate	16%	84%
Technology	17%	83%
Retail	17%	83%
Insurance	18%	82%
Personal/Household Goods	19%	81%
Automobiles & Parts	19%	81%
Industrial Goods & Services	28%	72%
Travel & Leisure	29%	71%
Healthcare	29%	71%
Construction & Materials	37%	63%
Chemicals	52%	48%
Oil & Gas	54%	46%
Basic Resources	75%	25%
















Source: Trucost data



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List of products at risk of forced labour by source countries

來源國有強迫勞動風險的產品

-  **COTTON:** Kazakhstan, Tajikistan, Turkmenistan, Uzbekistan
-  **BRICKS:** Afghanistan, India, Myanmar, Nepal, Pakistan
-  **GARMENTS – APPAREL & CLOTHING ACCESSORIES:** Argentina, Brazil, China, India, Malaysia, Thailand, Vietnam
-  **CATTLE:** Bolivia, Brazil, Niger, Paraguay
-  **SUGARCANE:** Brazil, Dominican Republic
-  **GOLD:** Democratic Republic of the Congo, North Korea, Peru
-  **CARPETS:** India, Pakistan
-  **COAL:** North Korea, Pakistan
-  **FISH:** Ghana, Indonesia, Thailand, Taiwan, South Korea, China, Japan, Russia¹⁰
-  **RICE:** India, Myanmar
-  **TIMBER:** Brazil, North Korea, Peru
-  **BRAZIL NUTS / CHESTNUTS:** Bolivia
-  **COCOA:** Côte d'Ivoire, Ghana
-  **DIAMONDS:** Angola
-  **ELECTRONICS – LAPTOPS, COMPUTERS, & MOBILE PHONES:** China, Malaysia

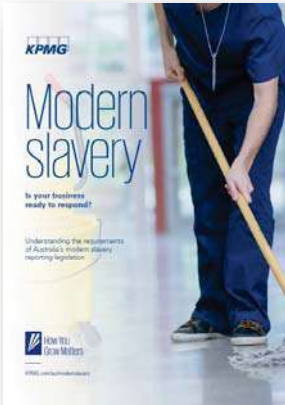


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Key risk factors 對於企業的關鍵風險因子

高風險商業模式

- 雇用勞工與委外
- 特許經營
- 季節性



易受害族群

- 移工
- 基本技能工人

高風險類別

- 服務採購
- 非轉售品項
- 原料

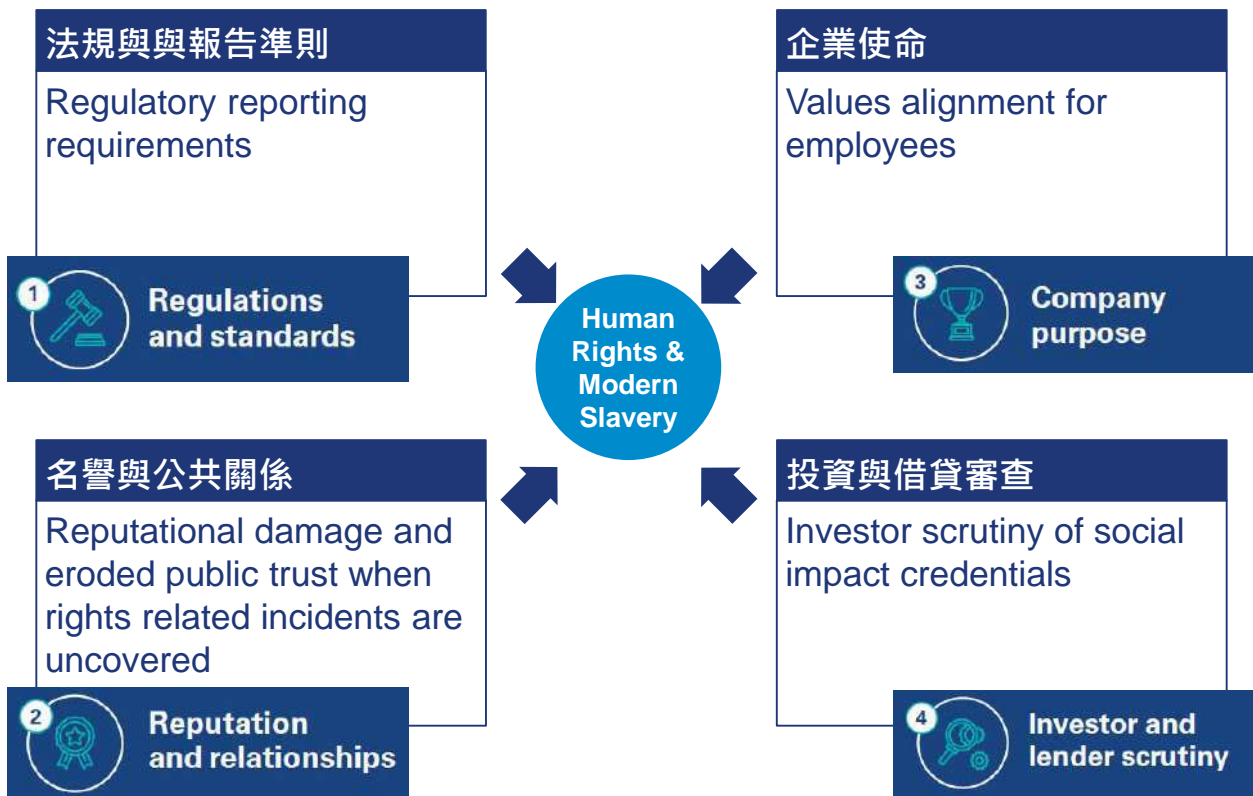
高風險地區

有衝突、法治弱、貪腐、被迫遷居地、國家無法保護人權



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Corp. transparency and reporting 透明與報告



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Potential mandatory reporting criteria 強制報告準則

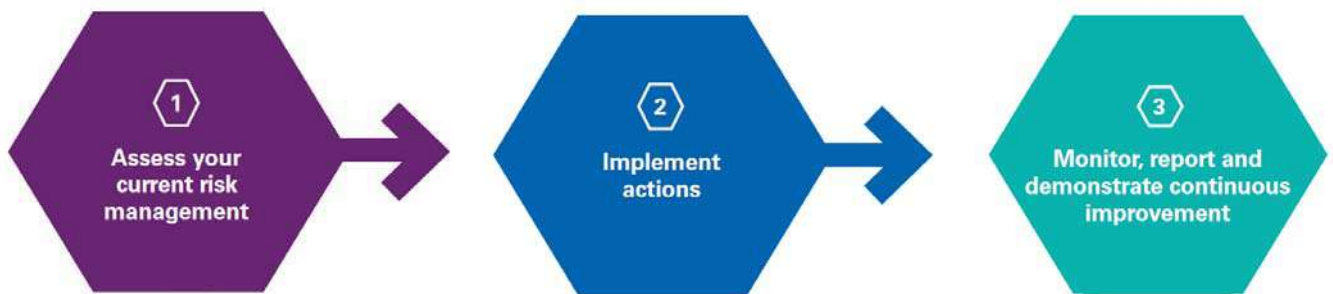
<p>① 提出報告的營運實體</p> <p>Identify the reporting entity</p>	<p>② 說明組織結構、營運與供應鏈</p> <p>Structure, operations and supply chains</p>
<p>③ 說明相關風險</p> <p>Risks of modern slavery practices in your operations and the supply chains of the entity and any entities owned or controlled by you</p>	<p>④ 採取的措施: 如實地審查與矯正</p> <p>Actions taken to assess and address modern slavery risks including due diligence and remediation processes</p>
<p>⑤ 措施有效性的評估</p> <p>How you assess the effectiveness of the actions taken</p>	<p>⑥ 與組織內營運實體的諮商流程</p> <p>The process of consultation with entities owned and/or controlled by you</p>
<p>⑦ 其他相關的資訊</p> <p>Any other information that you consider relevant</p>	



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Key steps to manage modern slavery risk 管理現代奴役風險的關鍵步驟



KPMG Modern Slavery Benchmark 現代奴役標竿分析

1. 線上自我評估
Self-assessment

2. 專業標竿分析
Benchmark

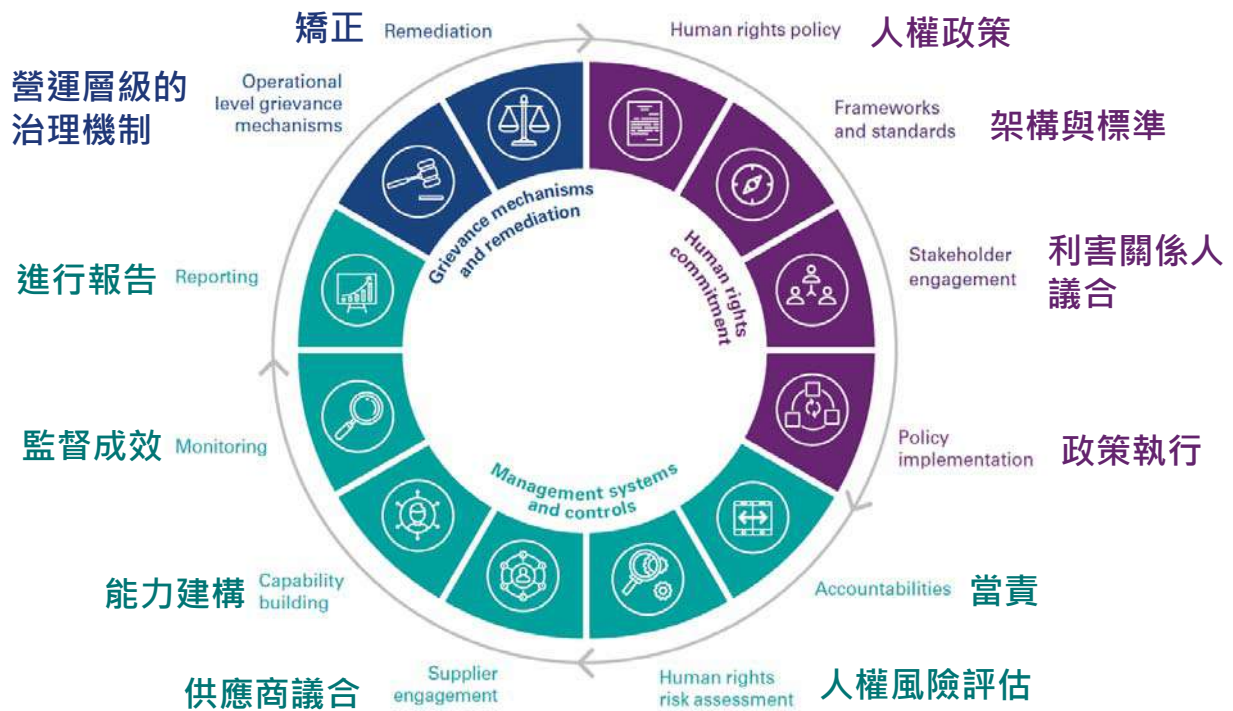
3. 專屬分析建議報告
Report & Next Steps



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10

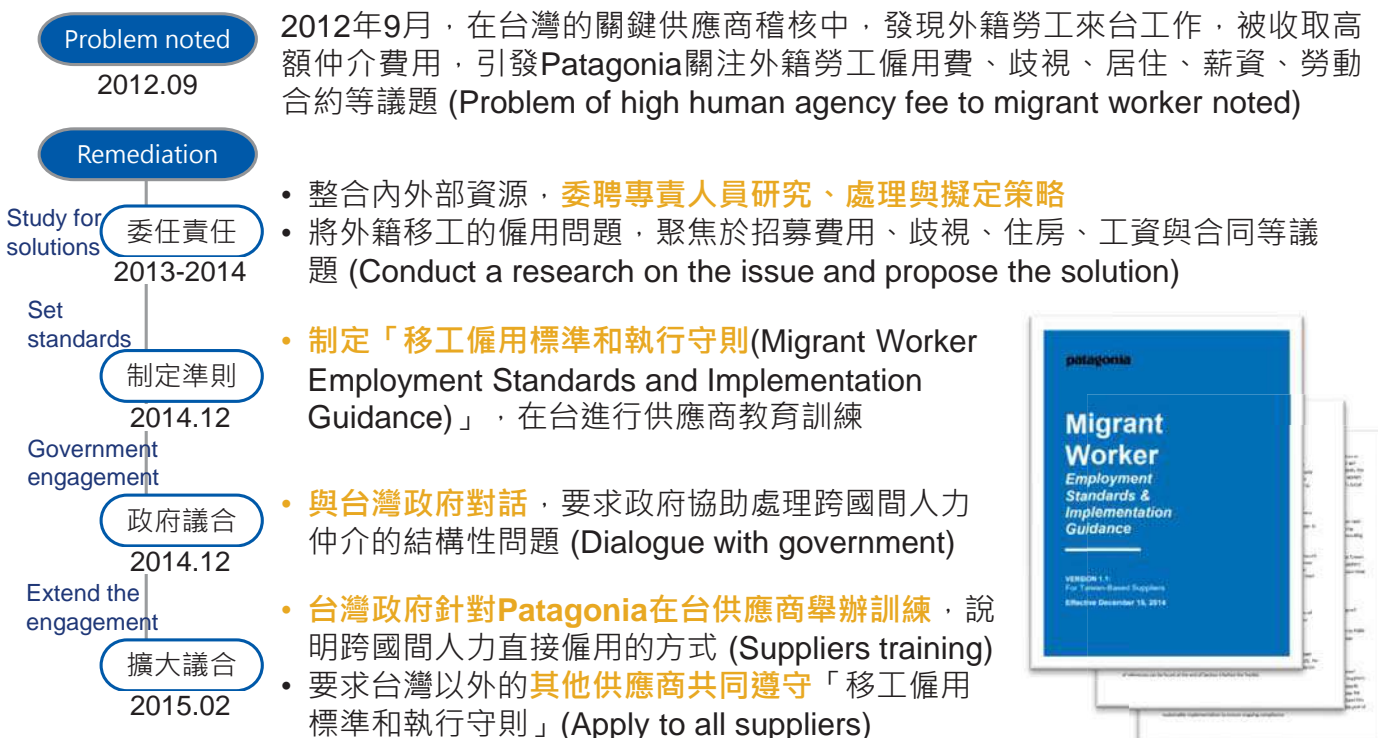
KPMG's modern slavery assessment KPMG的現代奴役評估系統



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Supplier's migrant workers in Taiwan 供應商移工僱用管理



Source : <https://www.patagonia.com/static/on/demandware.static/-/Library-Sites-PatagoniaShared/default/dwd52f9d06/PDF-US/migrant-workers-supply-chain-timeline.pdf>



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Key human rights risk in supply chain and remediation 鑑別價值鏈的人權風險及補救措施



- KPMG協助光寶以問卷調查鑑別整體人權風險議題，並在2019年進一步針對價值鏈上供應商、光寶自身、客戶三大關鍵利害關係人進行人權風險議題鑑別 (Identify material risks of human rights in value chain)
- 針對主要之議題依據國際趨勢提供減緩與補救措施之精進建議 (Look for remediation measures)



光寶人權風險減緩措施

光寶重大人權議題	說明	員工		客戶		供應商	
		光寶員工	企業客戶	一般供應商	承(包)攬商		
隱私權	光寶與其價值鏈未妥善管理商業訊息、客戶和員工的個人資料與資訊，以致發生資料被盜取、外洩或濫用，且相關資訊無法依其意見刪除或調整。	秉持對於人權隱私的尊重與重視，本公司建置各項資訊安全維護及管控措施，強化員工資安意識，並遵守資安單位制定之政策、辦法、人力資源單位訂定之「個人資料保護管理辦法」確保個人資料蒐集、處理及利用符合法規要求，並定期以嚴格的稽核程序將個人資料進行稽核，透過攝影把關、留存影像證據，以確保個人資料達到嚴密、嚴密之保護。	光寶重視各利害關係人包括員工、合作夥伴(客戶、供應商、顧問等)、股東及營運相關資訊資產之安全與隱私。訂立「資訊安全政策」作為管理據，落實於光寶全球據點，並透過跨部門、跨功能之資訊安全組織推動資訊安全相關工作，依循ISO27001:2013之國際標準，並採用PDCA之營運運作模式建立、實施、維護與改善資訊安全管理制度，同時持續導入資訊科技工具及不斷的改善管理機制，以有效維護資訊安全及隱私保護。此外，光寶定期辦理資訊安全內部稽核，確認資訊安全管理實務之落實情況，並依據稽核結果採取改善措施，以持續落實光寶的資訊安全管理制度。				

Risk mitigation measures for remediation



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KPMG key items of due diligence (DD) for IT suppliers KPMG供應商管理稽核重點項目

IT產業海外供應商管理重點稽核項目



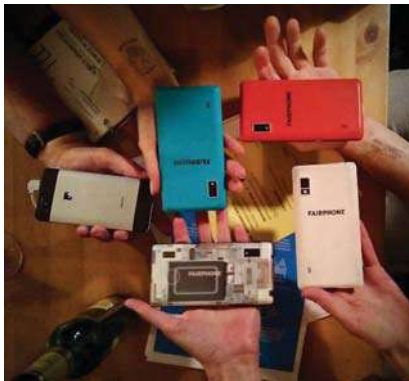
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FAIRPHONE 推動手機界的公平貿易



FAIRPHONE

荷蘭手機品牌，致力改變手機製造過程中的對勞工及環境的危害。秉持持久使用的設計、使用公平礦產、供應商的優良工作環境、減少及廢品回收，推出**全球第一支以公平貿易、循環設計的手機**，第一代共銷售60,000支，目前共有65位正職員工。



透明營收

完整公開一支手機的營收來源，大眾可清楚知道自己的錢被用在哪裡以及如何持續支持。

Source: <https://www.fairphone.com/en/>



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FAIRPHONE – No more Conflict Minerals

2010年春天，一群荷蘭社運人士舉牌高呼，抗議手機製造商使用「衝突礦產」(Conflict Minerals)。因為製造手機，會使用到金、鈹、鎢、錫等超過30種金屬，但就像「血鑽石」一樣，這些金屬，有許多來自於武裝遊擊隊控制的非洲礦場，成為這些暴力組織的資金來源



2011年，Fairphone手機公司誕生，打造出全球第一支「公平手機」

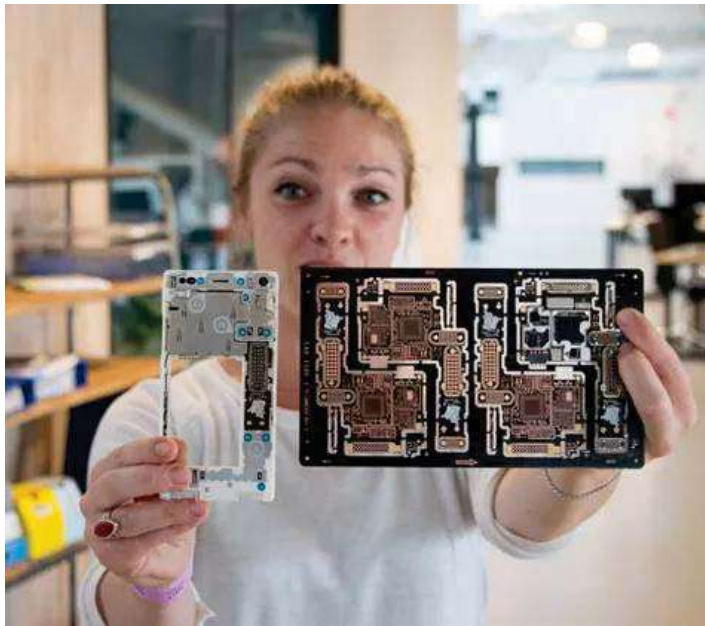
Source: <https://www.fairphone.com/en/>



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FAIRPHONE – The modular phone that's built to last



Long-Lasting Design >



Fair Materials >



Good Working Conditions >



Reuse and Recycling >

Source: <https://www.fairphone.com/en/>



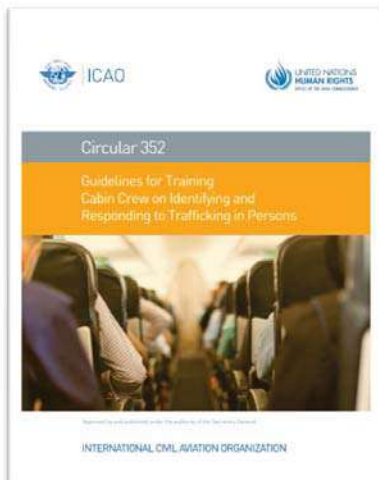
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Trafficking prevention training for cabin crew 防範人口販運的機組員訓練

航空業的人權責任

聯合國人權辦公室 (OHCHR, Office of the United Nations High Commissioner for Human Rights) 和 ICAO 共同發佈指導原則，教導機組員辨識與回應人口販運



Guidelines for Training Cabin Crew on Identifying and Responding to Trafficking in Persons



Cabin crew response to trafficking

- **Role of cabin crew should be limited to**
 - observing the situation
 - initiating non-threatening conversations with suspected victims
 - gathering information
 - reporting concerns to Captain
- **Captain will ultimately decide if law enforcement needs to be alerted**



關於人口販運，機組員可以做的事：

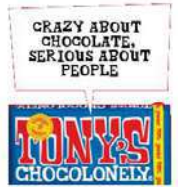
- 觀察機上情況
- 與可疑者展開非威脅性對話
- 蒐集資訊
- 向機長回報疑慮



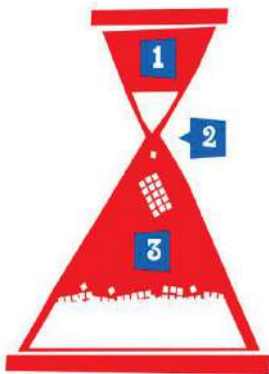
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Social Enterprise Case: Tony's Choclonely



Social Purpose: together to make 100% slave free the norm in chocolate



Cocoa farmers

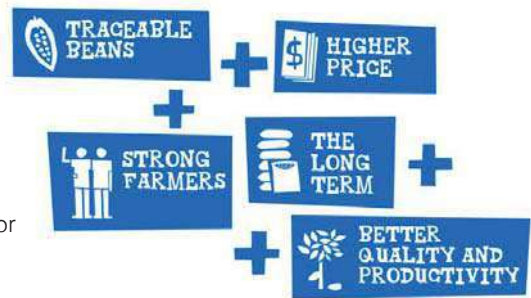
- 60% of the world's cocoa comes from 2.5 million farms in West Africa
- Produce only up to 30~40% capacity
- **2.3 million children work for coca farms, 90% of which work under illegal and dangerous conditions**

Cocoa traders and processors

- Offer the farm a gate price (no intention for farmers to run more professionally)
- Mix between certified and non-certified cocoa

Consumers

5 ingredients for slave-free cocoa

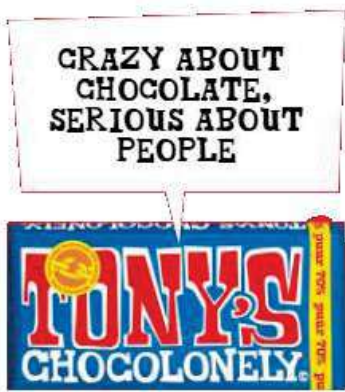


Source: Tony's Choclonely



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打造零奴隸可可供應鏈年營收近20億新台幣



TONY'S CHOCOLONELY

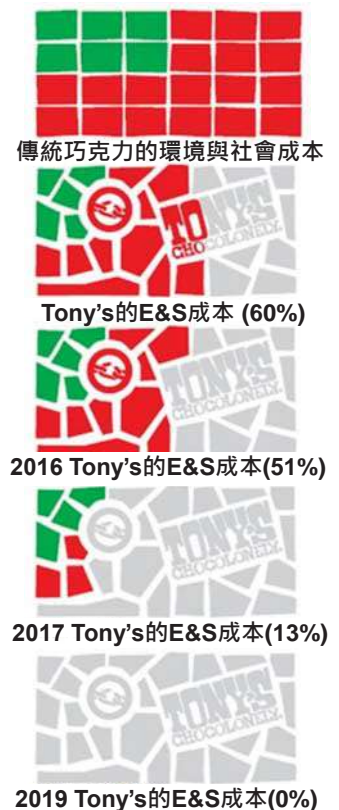
荷蘭巧克力品牌，致力打造**100%無奴 (Slave-free)**的可可產業。用高於公平交易的價格直接向迦納以及象牙海岸的兩大可可農場購買原材料，至今已支持超過4000位可可農，2017年在荷蘭巧克力市場佔有率於達**16.7%**，年營收較前一年成長53%。2019年底正式進入台灣市場，為亞洲第一個市場

真實訂價

- 量化巧克力的環境與社會成本
- 找出真正的衝擊點，訂定未來改善目標
- 與市場上現有的解決方案比較，找出差異點

量化外部衝擊，包含：製造過程的碳足跡、供應鏈中強迫勞動情形、間接經濟衝擊。

KPMG NL
100周年
紀念



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Stakeholder Capitalism 利害關係人資本主義

世界經濟論壇(WEF)年度主題：
「利害關係人資本主義」

181位美國企業CEO於商業圓桌會議
簽署〈企業宗旨宣言〉

2020

World Economic Forum 50th Annual Meeting in Davos: Defining Stakeholder Capitalism

The Programme for the Annual Meeting will prioritize six key areas:

- **Ecology:** How to mobilize resources to ensure a pace that allows his...
- **Economy:** How to re...
- **Technology:** How to cre...
- **Society:** How to reskill ar...
- **Geopolitics:** How the 'sp...
- **Industry:** How to help bu...

六大關鍵領域：

- 生態環境
- 經濟
- 科技
- 社會
- 地緣政治
- 產業

2019

Statement on the Purpose of a Corporation.

Americans deserve an economy that allows each person to succeed through hard work and creativity and to lead a life of meaning and dignity. We believe the free-market system is the best means of generating good jobs, a strong and sustainable economy, innovation, a healthy environment and economic opportunity for all.

Businesses play a vital role in the economy by creating jobs, fostering innovation and providing essential goods and services. Businesses make and sell consumer products; manufacture equipment and vehicles; support the national defense; grow and produce food; provide health care; generate and deliver energy; and offer financial, communications and other services that underpin economic growth.

While each of our individual companies serves its own corporate purpose, we share a fundamental commitment to all of our stakeholders. We commit to:

- Delivering value to our customers, leading the way in meeting o...
- Investing in our employees' benefits. It also includes new skills for a rapidly ch...
- Dealing fairly and ethically w... the other companies, large a...
- Supporting the communities and protect the environment.
- Generating long-term value f... to invest, grow and innovate with shareholders.

五大利害關係人：

- 顧客
- 員工
- 供應商
- 社區
- 股東



Transformation of corporate purpose 企業使命從短線到長線的變革轉型





Thank you!

黃正忠 董事總經理

(02) 81016666 ext. 14200

NivenHuang@kpmg.com.tw

歡迎訂閱氣候變遷及企業永續發展電子報

<https://home.kpmg.com/tw/zh/home/services/advisory/climate-change-and-sustainability-service/newsletter.html>

kpmg.com/tw

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**水產供應鏈中的可能強迫勞動以及
對臺灣的建議**

**Recommendations for Taiwan about Possible
Coerced Labor in Fisheries Products Supply
Chain**

簡歷-主講人

陳珮瑜

財團法人綠色和平基金會海洋專案主任



自傳

綠色和平組織是一個獨立的非營利全球性組織，它利用非暴力、創新的方式來揭露全球環境問題及其根源。

珮瑜擁有國際關係碩士學位，並特別專注於國際海洋法和人權法。珮瑜藉由她在政府事務方面的經驗以及對相關國際法的了解，成為綠色和平組織東亞運動的專案主任。她主張修改台灣的漁業法，以改善移工漁民的人權並終止 IUU(非法、未報告及未受規範漁業)捕撈。

CURRICULUM VITAE OF SPEAKER

Pei-Yu Chen

Campaigner of Greenpeace East Asia



BIOGRAPHY

Greenpeace is an independent, nonprofit, global campaigning organization that uses non-violent, creative confrontation to expose global environmental problems and their causes.

Pei-Yu Chen, with a master's degree in international relations, has a special focus on international law of sea and human rights. Bringing in her experience of government affairs, and her knowledge in relevant international laws, Pearl currently as a campaigner for Greenpeace East Asia, advocates changes in Taiwan's fisheries laws to enhance human rights for migrant fishers and end IUU fishing.

漁業勞工販運及如何防治

綠色和平東亞分部 Pearl Chen

GREENPEACE 綠色和平

Labor Trafficking in Fishing Industry and What We Can Do to Stop it

Greenpeace East Asia Pearl Chen

GREENPEACE 綠色和平

過度捕撈、強迫勞動、非法、未報告及未受規範漁業的惡性循環

- 過度捕撈：
 - 聯合國糧食及農業組織：全球有可知資訊的魚群中有三分之一遭過度捕撈。
 - 漁船必須到更遠的海域捕魚，因此營運成本（包含燃料）大幅增加。
- 為了維持利潤：
 - 剝削勞工來降低成本：勞工佔總漁業成本的30%-50%
 - 利用非法、未報告及未受規範漁業來提高收入
- 漁業是孤立的作業環境：
 - 在海上長期孤立作業（無法聯繫及取得醫療協助）

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The vicious cycle of overfishing and forced labor and IUU fishing

- Overfishing:
 - FAO: one in three global fish stocks for which there is information available are overfished.
 - While fishing vessels need to travel further into the sea to fish, operational costs including fuel drastically rise up.
- To maintain profits:
 - labor exploitation to cut down cost: labor counts for 30%-50% of total fishing cost
 - IUU fishing to increase revenues
- Fishing as an isolating working environment:
 - Isolation at sea for an extensive period (lack of access to communication and medical assistance)

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當下列情況發生時狀況更糟

- 海上轉運：漁船不須回港，也助長了非法、未報告及未受規範漁業與海上販運
- 海上無限時：漁船可以在海上獨自待上數月、甚至數年。
- 缺乏有效的海上監督、監視與控管：很難蒐集證據，瞭解漁船上發生什麼事；當局無法即時介入
- 保證金：保證金讓漁民即使在強迫勞動的情況下，還是猶豫是否該終止合約
- 不合理的合約：條款未清楚載明違約的構成要素，並讓漁民承擔派遣返國的成本
- 扣留工資：當工資遭系統性刻意扣留，漁民被迫繼續工作，希望能拿到工資

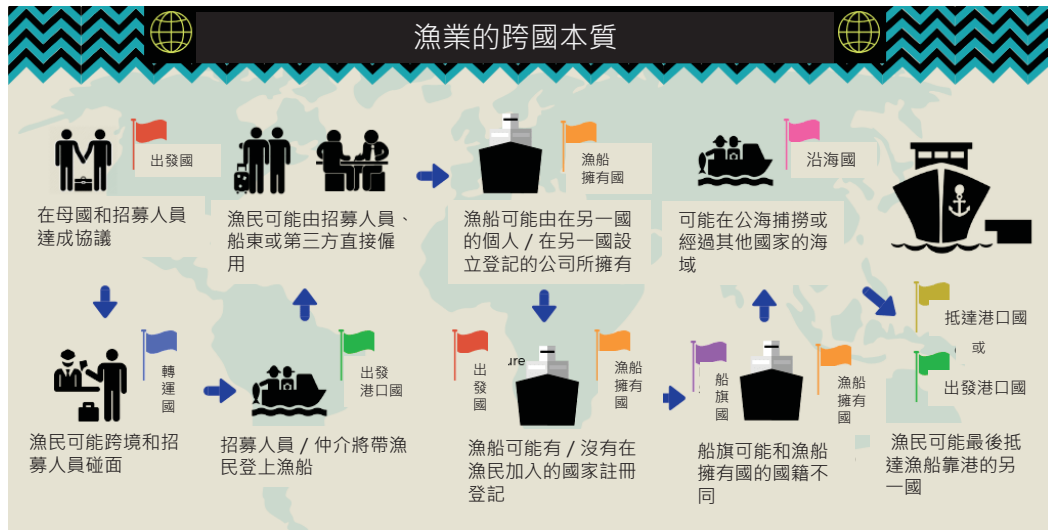
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Things are made worse when...

- [Transshipment at sea](#): fishing vessels don't need to come back to ports, and it also facilitates IUU fishing and trafficking in sea
- Unlimited time at sea: fishing vessels can stay at seas in isolation for many months or even years.
- Lack of effective monitoring, surveillance, and control at sea: difficult to gather evidence on what happens on the vessels; authorities can't step in timely
- Guarantee deposits: deposits make fishers hesitant to terminate the contracts even when in conditions of forced labor
- Unreasonable contracts: unclear terms on what constitutes as violation of contracts, and place the cost of repatriation on the fishers
- Withholding of wages: when wages are systematically and deliberately withheld, fishers are compelled to continue working in hopes of getting paid

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漁業的跨國本質



圖片來源：國際勞工組織

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Transnational nature of fishing industry



Image source: ILO

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牽涉四個國家的疑似案例

- 一名印尼漁民在印尼被招募
- 他先飛到 A 國，登上日本籍 B 漁船，在船上暫時工作兩週。
- B 漁船之後把他載到真正的工作地點 C 漁船，也是日本籍漁船。
- 但是根據該漁民的合約，人力仲介是台灣公司，且漁業公司在台灣設立登記。
- 根據該漁民的說法，船長是台灣人。

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A suspicious case where parties from 4 nations are involved

- An Indonesian fisher was recruited in Indonesia.
- He flew to country A first to board a Japanese-flagged fishing vessel B to work on board temporarily for 2 weeks.
- Vessel B then transported him to his real working fishing vessel C, which also flagged to Japan.
- However, according to the fisher's contracts, the manning agency was Taiwanese, and the fishing company was registered in Taiwan.
- According to the fisher, the captain was Taiwanese.

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誰該為此負責？

- 根據國際勞工組織的強迫勞動指標，這位印尼漁民應該是強迫勞動的受害者。要素包括：恐嚇威脅、扣留身分文件、扣留工資、債務奴役、過量超時加班。
- 誰該為此負責？
 - 日本作為船旗國：聯合國海洋法公約規定船旗國應為勞動條件負責。
 - 台灣作為實質受益人：但考量權宜船旗的作法，台灣作為實質受益國，是否應該在管理勞動條件上扮演更大的角色？
 - 轉運國：A 國看到漁民抵達、登上一艘他不應該在上面工作的漁船？
 - 兩國的船東及人力仲介公司

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Who should be held accountable?

- Based on ILO forced labor indicators, this Indonesian fisher might have been a victim of forced labor. Elements included, intimidation and threats, retention of identity documents, withholding of wages, debt bondage, and excessive overtime.
- Who should be held accountable?
 - Japan as the flag state: Law of Sea stipulates that flag state bears responsibility for labor conditions.
 - Taiwan as beneficial owner: But given the practice of flag of convenience, should Taiwan play a bigger role to manage labor conditions as the beneficial owner state?
 - Transit state: country A who saw the fisher flew in and boarded a vessel that he was not supposed to work on?
 - Vessel owner and manning agencies of both countries

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政府可以做些什麼？

- 船旗國：
 - 批准 / 通過並尊重國際勞工組織第188號《漁業工作公約》及核心勞動基準；
 - 勞動機關為遠洋漁業海外勞工事宜負起更大的責任；
 - 增加所有漁船勞動檢查的頻率及可靠性，特別是遠洋漁船；
 - 一旦接獲通報，立即處理人口販運及強迫勞動的案例。嚴格執行相關法規，提升起訴及定罪率；
 - 建立即時有效的申訴機制，供移工漁民使用，特別是海上的緊急事件；
 - 確保涵蓋 100% 的觀察員（獨立人工或有效的電子漁獲監控），確保所有漁船上全部觀察員的安全；
 - 終止海上轉運，以及
 - 規範海上最長停留時間。

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What could governments do?

- Flag state:
 - Ratify/ adopt and respect ILO Convention 188 and core labor standards;
 - Labor agencies to take greater responsibility to oversee labor matters in DWF;
 - Increase the frequency and reliability of labor inspections for all vessels, especially DWF vessels;
 - Handle human trafficking and forced labor cases promptly once reported, strictly enforce relevant regulations, and increase prosecution and conviction rates;
 - Establish a timely and effective grievance mechanism for migrant fishers, particularly for urgent cases at sea;
 - Ensure 100% observer coverage (independent human or effective electronic catch monitoring), and the safety of all observers, on all fishing vessels;
 - End transshipment at sea, and
 - Regulate maximum time at sea.

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政府可以做些什麼？

- 來源國：
 - 建立政府對政府的招募管道；
 - 建立與目的地國家的合作管道，以保護在海外工作的國人
- 轉運國：
 - 增加檢查
 - 介入疑似人口販運的案例
- 港口國：
 - 批准並尊重國際勞工組織第188號《漁業工作公約》及核心勞動基準。
 - 善用港口國當局於漁船上檢查勞動條件，並向國際勞工組織及船旗國通報違反人權的狀況。
- 市場國：
 - 通過涵蓋海鮮產業的強制人權盡職調查法規
 - 避免以強迫勞動捕撈的海鮮進入市場
 - 鼓勵透明的海鮮供應鏈

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What could governments do?

- Country of origin:
 - Establish government-to-government recruitment channels;
 - Establish cooperative channel with destination states to protect nationals working abroad
- Transit state:
 - Increase inspection
 - Intervene in suspicious human trafficking
- Port state:
 - Ratify and respect ILO Convention 188 and core labor standards.
 - Make good use of the port state authority to inspect labor conditions on board, and report human rights violations to ILO and flag states
- Market state:
 - Adopt mandatory human rights due diligence legislation that covers the seafood industry
 - Prevent seafood harvested with forced labor from entering the market
 - Encourage transparency on seafood supply chain

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企業可以做些什麼？

- 產銷監管鏈：提供完全可追溯、由第三方驗證的產銷監管鏈（從船隻到銷售點）
- 公開資訊：於銷售點提供消費者清楚、精確的資訊
- 人權：肩負企業責任，尊重聯合國《企業與人權指導原則》所定義的人權
- 人權政策不合規：透過改善計畫來處理供應商不合規的情況
- 倡議：積極倡導更高的社會標準與更有效的執行這些標準
- 行動計畫：建立公開的行動計畫，有清楚的目標及有時限的里程碑與基準

[綠色和平對零售商、品牌商及海鮮業者要求的永續、勞動與人權、產銷監管鏈](#)

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What could businesses do?

- Chain of custody: deliver a fully traceable, third-party verified chain of custody from ship to point of sale
- Public access to information: At the point of sale, provide clear and accurate information to customers
- Human rights: uphold corporate responsibility to respect human rights as defined by the UN Guiding Principles on Business and Human Rights.
- Non-compliance with human rights policy: address supplier non-compliance through improvement program.
- Advocacy: proactively advocate for higher social standards and more effective implementation of such standards.
- Action plans: establish publicly available action plans with clear objectives and time-bound milestones and benchmarks

[Greenpeace Sustainability, Labour & Human Rights, and Chain of Custody Asks for Retailers, Brand Owners and Seafood Companies](#)

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我們能幫助您更加了解公海上勞工販運的資料

- 綠色和平東南亞分部：《海上奴役》調查報告
- 綠色和平東亞分部：《公諸漁事：血汗海鮮如何流入市場》報告

GREENPEACE 綠色和平

Our works to help you better understand labor trafficking on the high seas

- Greenpeace Southeast Asia: Seabound: The Journey to Modern Slavery on the High Seas
- Greenpeace East Asia: Choppy Waters: Forced Labour and Illegal Fishing in Taiwan's Distant Water Fisheries

GREENPEACE 綠色和平

簡歷-主講人

邱劭琪

英國環境正義基金會在臺分會
臺灣海洋資深專案主任



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英國卡地夫大學環境政策碩士
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經歷

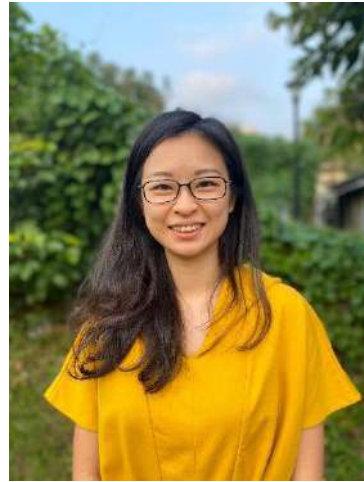
英國環境正義基金會在臺分會 資深專案主任
過去經歷範疇：環境政策研究、教育政策研究、媒體傳播

CURRICULUM VITAE OF SPEAKER

Shao-Chi Chiu

Senior Campaigner,

Environmental Justice Foundation Taiwan Division



EDUCATION

Master of Environmental Policy, Cardiff University, UK

Bachelor of Department of Advertising, Fu Jen Catholic University

EXPERIENCE

Senior Campaigner, Environmental Justice Foundation Taiwan Division

Past Experience: Environmental Policy, Education Policy, Media Communication

台灣遠洋漁業強迫勞動及 人口販運問題

環境正義基金會
資深專案主任 邱劭琪

Taiwan Distant Water Fisheries Forced Labor and Human Trafficking Issues

Environmental Justice Foundation

Shao-Chi Chiu, Senior Campaigner

強大的遠洋漁船艦隊

- 超過一千艘遠洋漁船
- 世界三大洋作業
- 雇用兩萬多名外籍漁工（境外聘僱）
- 使用全球32個港口

Massive Distant Water Fishing Fleet

- More than 1,000 distant water fishing fleet
- Active fishing industry in 3 major oceans
- Employing over 20,000 foreign fishermen (overseas hires)
- Calls on 32 global ports

台灣漁船上常見的強迫勞動、人權剝削

- 薪資苛扣
- 語言、肢體暴力
- 工時過長
- 生活、工作環境惡劣
- 身分證件遭扣留
- <https://www.facebook.com/264786214193731/videos/213081093091358>

BULAN KE-	BULAN	TOTAL GAJI	DEPOSITO / JAMINAN	BIAYA PROSES	DITERIMA DI ATAS KAPAL	DI KIRIM KE RUMAH	KET.
1	AGT*2019	US \$ 500	US \$ 100	US \$ 100	US \$ 300		
2	SEP	US \$ 500	US \$ 100	US \$ 100	US \$ 300		
3	OKT	US \$ 500	US \$ 100	US \$ 100	US \$ 300		
4	NOV	US \$ 500	US \$ 100	US \$ 100	US \$ 300		
5	DES	US \$ 500	US \$ 100		US \$ 400		
6	JAN*2020	US \$ 500	US \$ 100		US \$ 400		
7	FEB	US \$ 500			US \$ 400		
8	MAR	US \$ 500			US \$ 500		
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23	JUN	US \$ 500			US \$ 500		
24	JUL	US \$ 500			US \$ 500		
TOTAL		US \$ 12.000	US \$ 600	US \$ 300	US \$ 11.100		

Taiwan fishing vessels' frequently encountered coerced labor and human rights violations

- Abusive wage deduction violations
- Abusive language and physical abuse
- Excessive work hours
- Poor living and work conditions
- Identity documents wrongfully detained
- <https://www.facebook.com/264786214193731/videos/213081093091358>

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TOTAL		US \$ 12.000	US \$ 600	US \$ 300	US \$ 11.100		

EJF 2018 – 2019調查發現

侵犯人權	
扣留工資	92%
超時工作	82%
身體虐待	24%
語言虐待	34%
工資低於最低新資 (\$450 美元)	18%

EJF 2018 – 2019 Investigative Findings

侵犯人權	
扣留工資	92%
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- Human Rights Violations
- Wages detained
- Overtime work
- Physical abuse
- Abusive language
- Wages below mandatory minimum (US\$450 monthly)

問題所在

- 境內境外聘僱兩套標準
- 漁船作業地點孤立偏遠，難以控管
- 缺乏適當勞動檢查，法規難以落實

Source of Problems

- Inconsistent standards governing domestic and foreign hiring
- Fishery operation sites are remote and isolated, thus hard to surveil and control
- Insufficient labor inspections make regulatory enforcement difficult to realize

建議

- 落實ILO C188，提升境外聘僱勞動條件
- 增加國內外港口檢查員覆蓋率
- 成立聯合稽查小組，共同調查漁工權益及非法漁業案件
- 船上搭配電子監控系統，並提供海上即時申訴管道



Recommendations

- Implement ILO C188, enhancing labor conditions for foreign hiring
- Enhance domestic and foreign port inspection rates and coverage
- Establish Joint Inspection Teams, inspecting fishery labor rights and illegal fisheries cases
- Deploy vessel-based surveillance systems, with real-time maritime complaint channels



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廖福特

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EXPERIENCE

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2009年2月-2011年7月 國立高雄大學財經法律學系專任助理教授

2015年9月-私立東吳大學法學院兼任助理教授

2016年7月-現任 台灣勞動法學會常務理事

2016年7月-現任 勞動部「勞工保險爭議審議會第三、四屆委員」

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EDUCATION

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EXPERIENCE

2016.7 – Now Member, The Third and Fourth Session of the Labor Insurance Dispute Council, Ministry of Labor

2016.7 – Now Standing Director, Taiwan Law Society

2015.9 – Assistant Professor, School of Law, Soochow University

2009.2 – 2011.7 Assistant Professor, Department of Finance and Law, National University of Kaohsiung

內政部 2020防制人口販運工作坊

**議題三：防杜勞力剝削新主角-企業社會責任
與談稿**

林良榮
國立政治大學法律學院副教授

Ministry of the Interior
2020 International Workshop on Combating Human Trafficking

**Topic 3: A new protagonist against labor
exploitation- Corporate Social
Responsibility**
Discussion Remarks

Liang-Jung Lin
Associate Professor, College of Law, National Cheng Chih
University

討論子題

從道德招募計畫談杜絕供應鏈強迫勞動情事 Ethical Recruitment and Human Trafficking

執行優良之反奴役措施 Best Practices of Business Anti-Modern Slavery

水產供應鏈中的可能強迫勞動以及對臺灣的建議 Recommendations for Taiwan about Possible Coerced Labor in Fisheries Products Supply Chain

Subtopics

Ethical Recruitment Plans to discuss preventing Supply Chain Human Trafficking Incidents

Implementing Best Practices for Business Anti-Slavery

Recommendations for Taiwan about Possible Coerced Labor in the Fisheries' Products Supply Chain

與談題綱

- 一、企業社會責任之哲學意義
- 二、魚捕(漁船作業)勞動關係與內國法令、國際法規範之架構與關聯
- 三、企業倫理(道德)、社會責任與市場

Topical outline

1. The philosophical significance and meaning of Corporate Social Responsibility
2. The structure and relationship of fishing (fishing vessel operations) labor relations, domestic regulations, and international law
3. Corporate ethics (morality), social responsibility and the marketplace

一、企業社會責任之哲學意義

- 企業社會責任與企業倫理



- 職場倫理：企業倫理與勞工(工作者)職業倫理



- 企業治理、職場倫理與法令規範

1. The philosophical significance and meaning of Corporate Social Responsibility

- Corporate social responsibility and business ethics

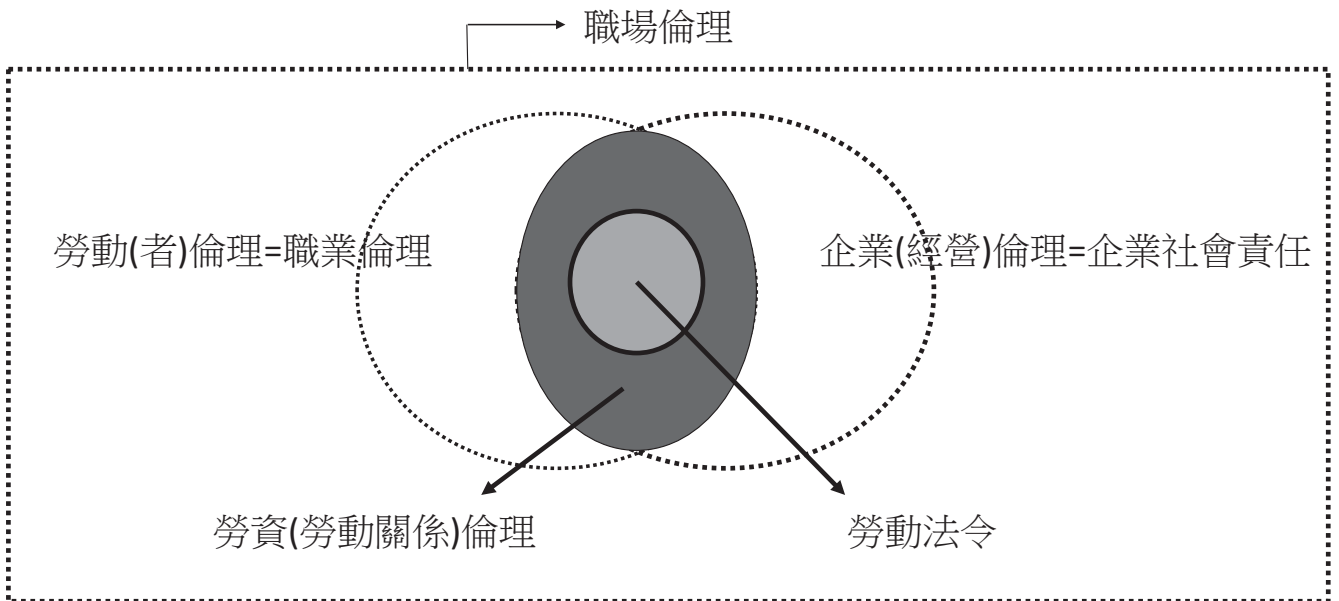


- Workplace ethics: business ethics and labor (worker) professional ethics

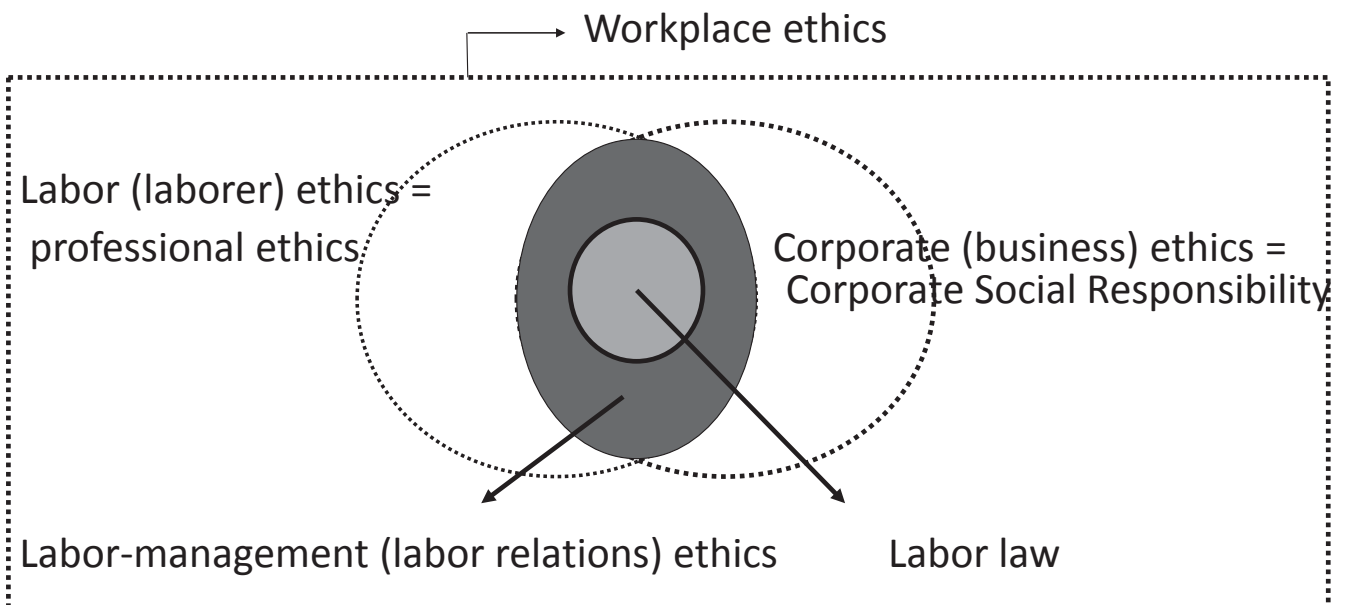


- Corporate governance, workplace ethics, legal norms and regulatory guidelines

企業治理、職場倫理與勞動法令之關係

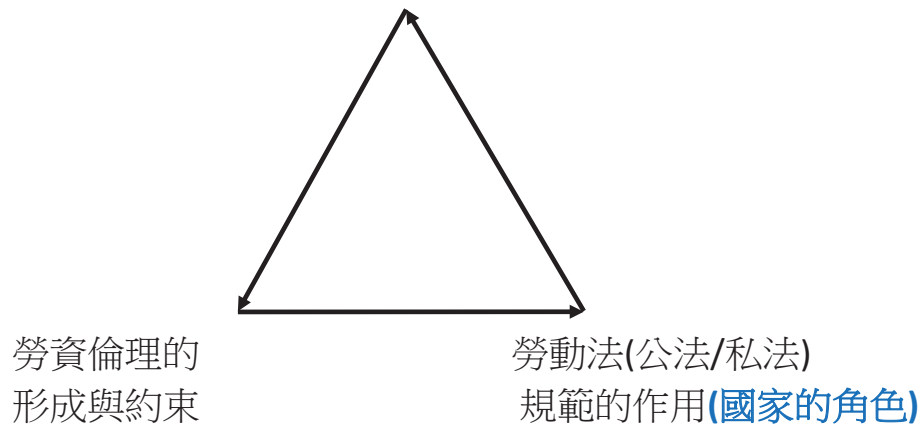


The relationships between corporate governance, workplace ethics and labor law



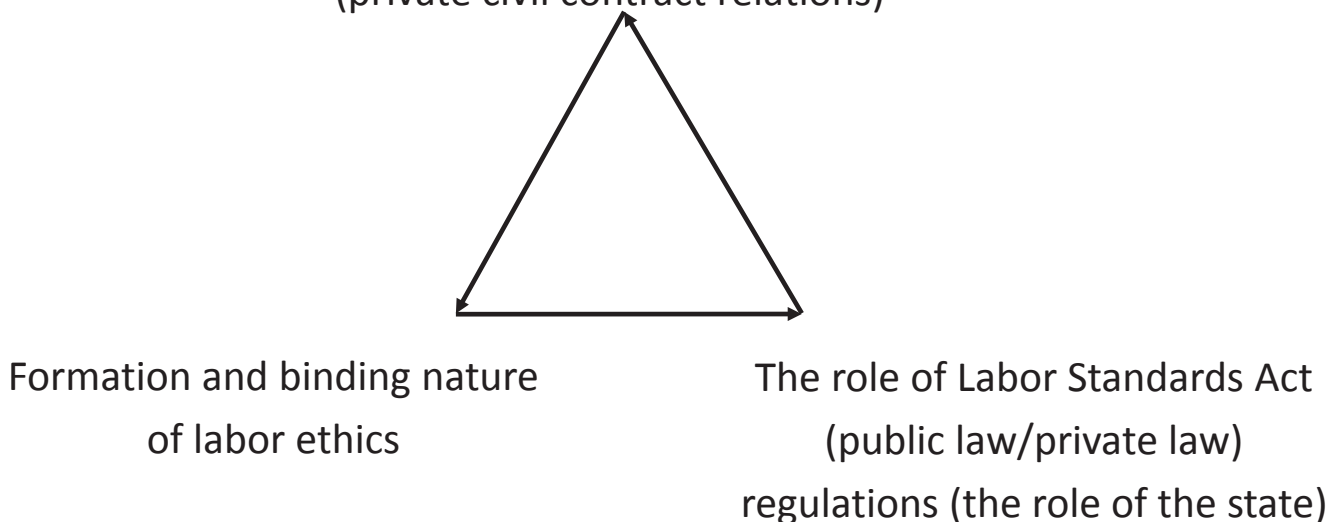
勞動關係、勞資倫理與勞動法規範之關連性

勞動關係(私的民事關係)的締結

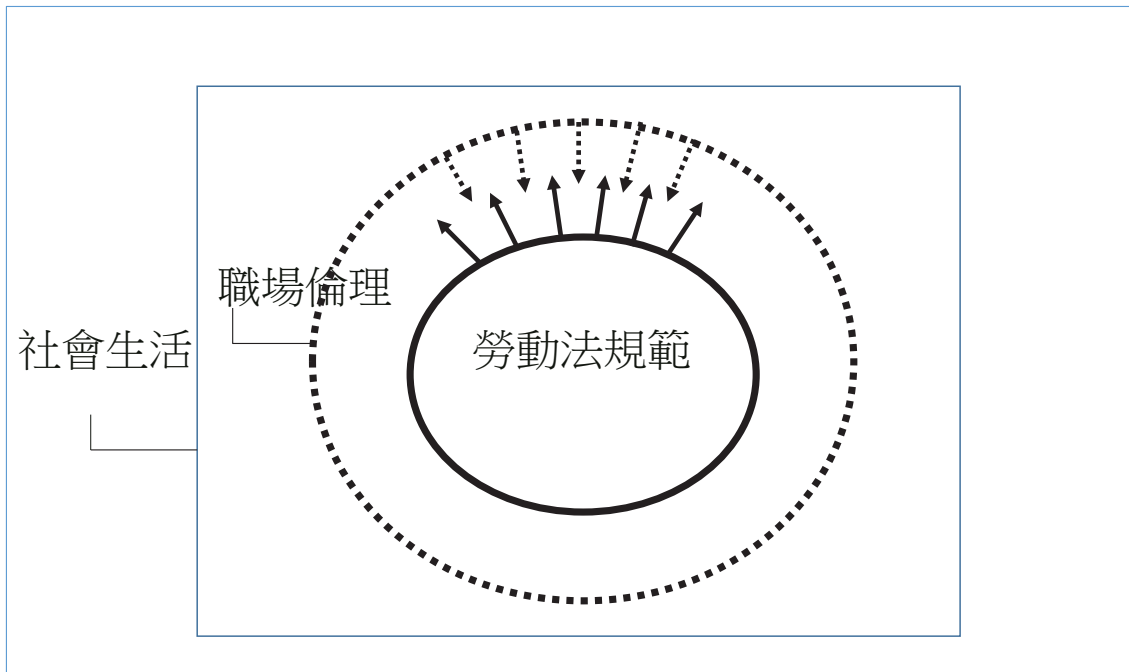


The relationships between labor relations, labor ethics and labor law norms

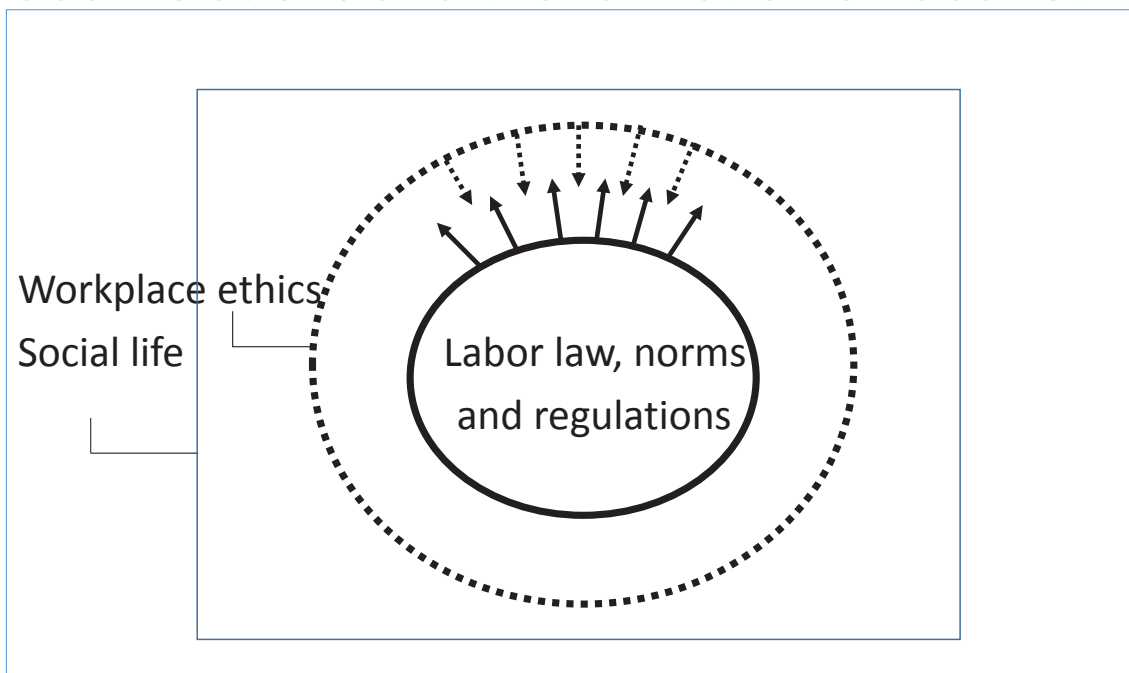
Agreements regarding labor relations
(private civil contract relations)



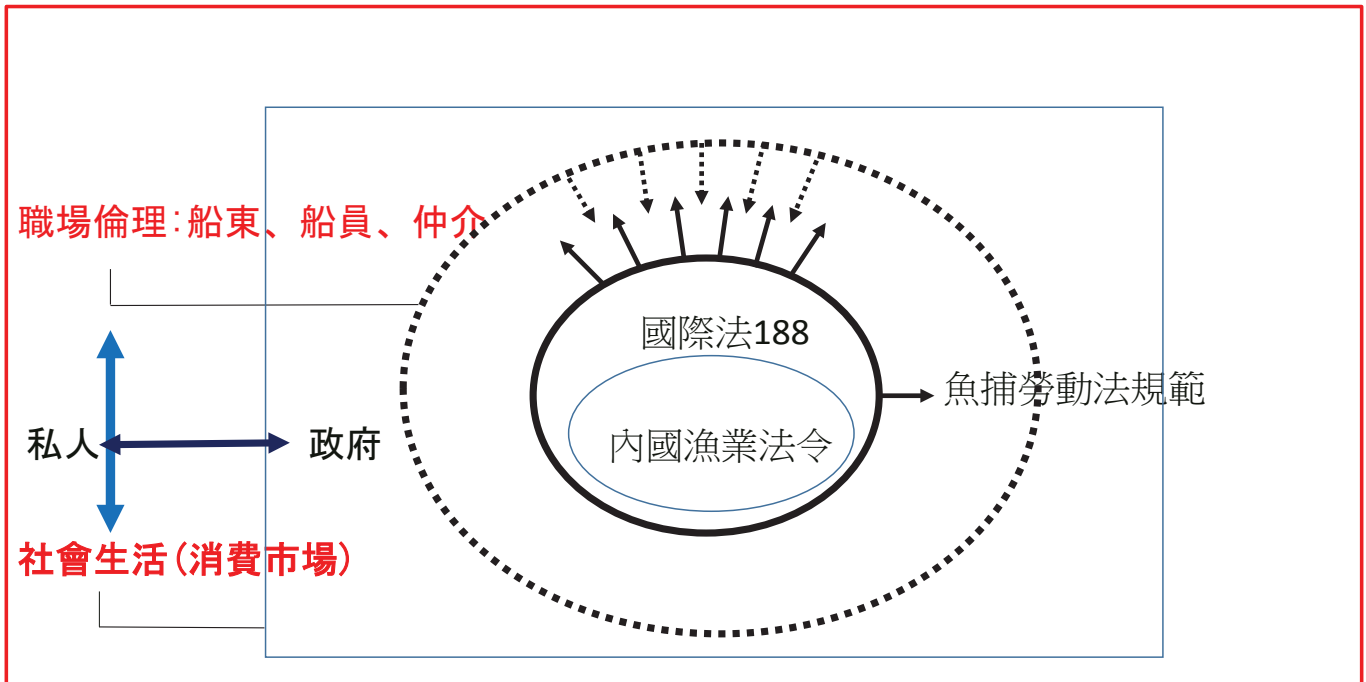
勞動法 與職場倫理
= 勞動關係的規範作用與勞資倫理形成



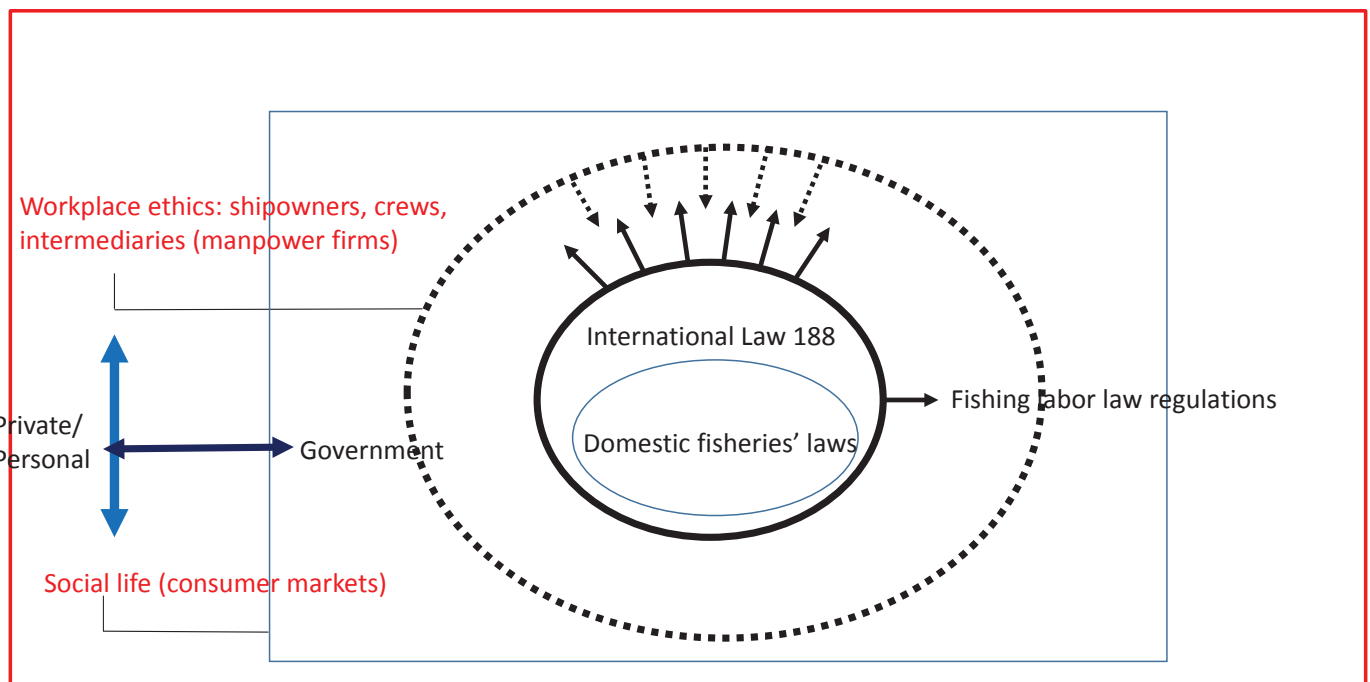
Labor law and workplace ethics = the normative role of labor relations and the formation of labor ethics



魚捕勞動法規、漁業職場倫理與消費市場



Fishing labor laws, fishery workplace ethics and consumer markets



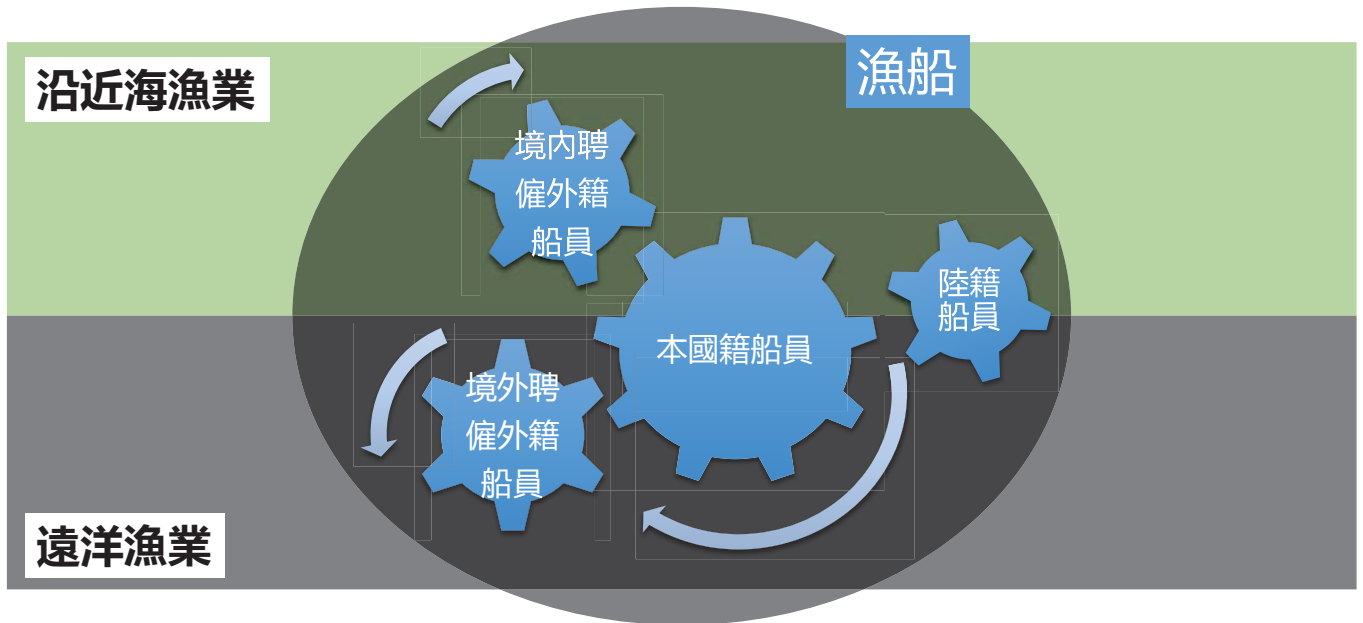
二、魚捕(漁船作業)勞動關係與內國法令、國際法規範之架構與關聯

- 我國漁業作業之法規適用體系
- 我國漁業作業之法規適用體系(區分管轄之行政主管機關與法規)
- ILO188號公約之簽署情形與主要項目內容

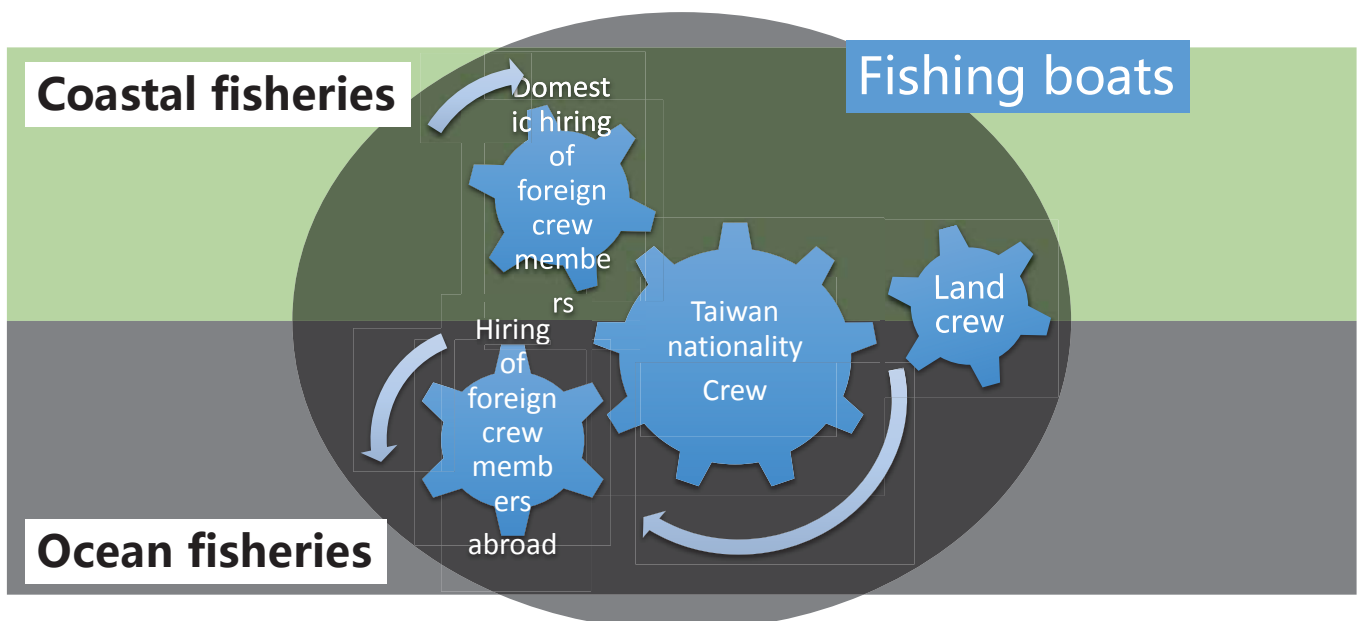
2. The structure and relationship of fishing (fishing vessel operations) labor relations, domestic regulations, and international law

- Taiwan's system of laws and regulations governing fishery operations
- Taiwan's system of laws and regulations governing fishery operations (administrative authorities' jurisdictions, laws and regulations)
- The signing of the ILO188 Convention and its' main items

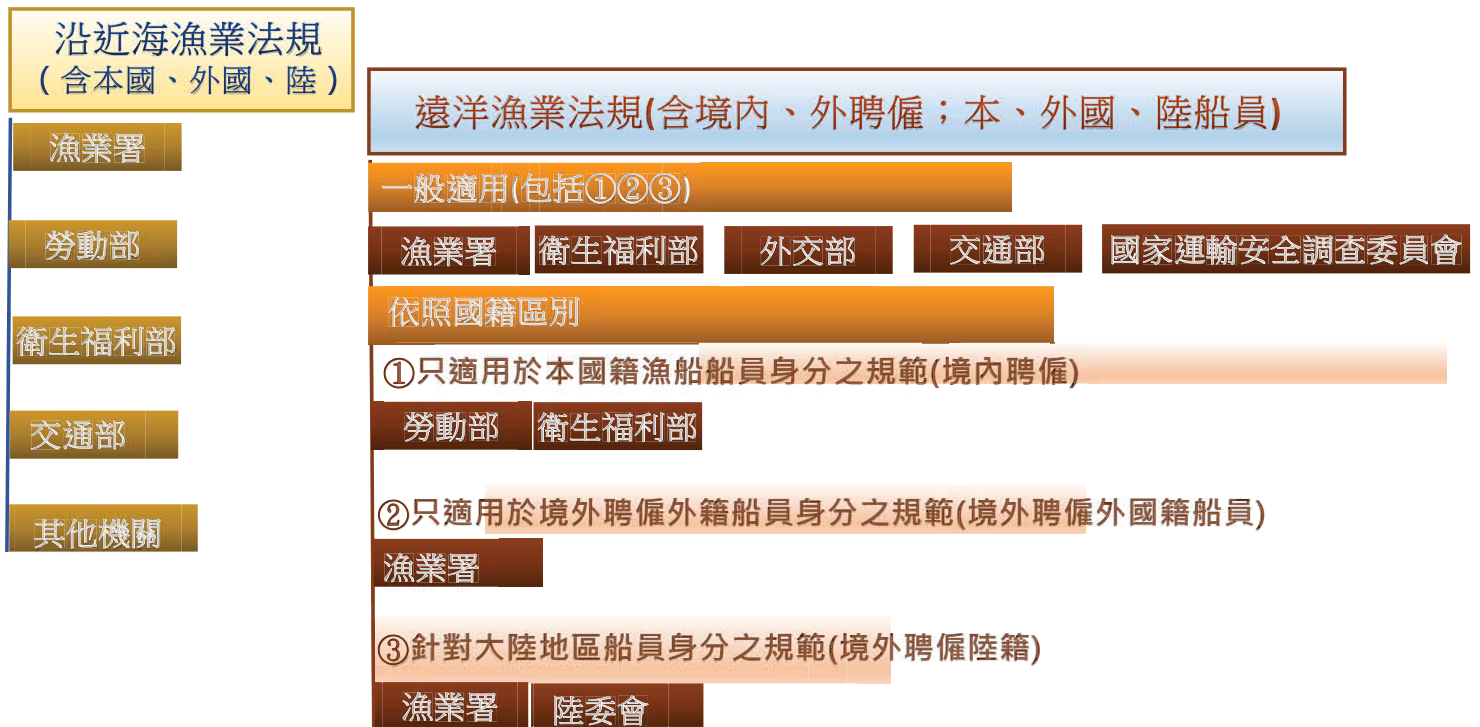
我國漁業作業之法規適用體系(區分水域、聘僱型態與船員身分)



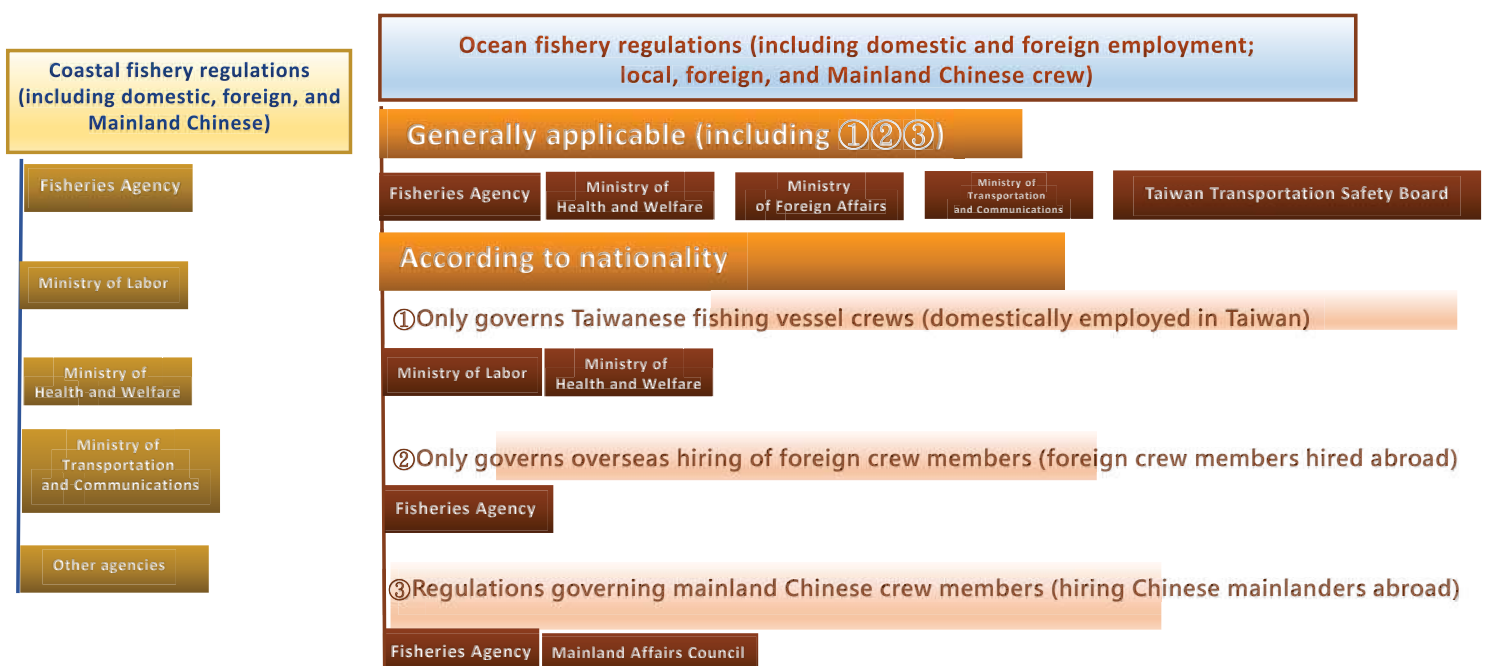
Taiwan's system of laws and regulations for fishery operations (differentiation of waters, types of employment and crew status)



我國漁業作業之法規適用體系(區分管轄之行政主管機關與法規)



Taiwan' s system of laws and regulations for fishery operations (administrative authorities' jurisdictions, laws and regulations)



ILO188號公約之簽署情形與主要項目內容

ILO188號公約之主要項目內容

188號公約簽署之國際概況

The signing of the ILO188 Convention and its'
main items

Main items of ILO188 Convention

The international status of signing of the Convention No. 188

根據ILO188號公約相關的漁業勞動法規--1

- 漁船船東、船長及漁船船員責任
- 漁船工作之最低年齡
- 上船需具備有效健康證明書
- 健康檢查之相關規定
- 健康檢查報告之內容
- 安全航行及充足休息時間

Provisions of fishing labor laws and regulations of ILO 188 Convention-1

- Responsibilities of the owner, captain and crew of the fishing vessel
- The minimum age for working on fishing boats
- A valid health certificate is required for boarding
- Relevant regulations for health certification
- Contents of the health certification report
- Safe navigation and adequate rest time

根據ILO188號公約相關的漁業勞動法規---2

- 船舶安全航行的最低配員水平及最低休息時間
- 船員名冊管理
- 明定納入漁船船員工作協議之最低事項
- 漁船船員工作協議之進程序、紀錄、爭端解決
- 確保船上及漁船船員攜有或擁有漁船船員工作協議
- 遣返
- 漁船船員的招募與推介作業

Provisions of fishery labor laws and regulations of ILO 188 Convention - 2

- The minimum manning level and minimum rest time for safe navigation of the vessel
- Crew roster management
- Clearly include the minimum items in the fishing vessel crew work agreements
- Procedures, records and dispute settlement for fishing vessel crew work agreements
- Ensure that the ship and the fishing crew carry or possess the fishing crew work agreements
- Repatriation issues
- Recruitment and recommendation of fishing crews

根據ILO188號公約相關的漁業勞動法規---3

- 漁船船員之給付
- 免費轉匯規定
- 規範漁船上的住宿、膳食和飲用水問題
- 住艙空間管理
- 船上須備有足夠食物及水規範
- 醫療設備及醫藥供給
- 醫療設備、醫藥供給及救援措施

Provisions of fishery labor laws and regulations of ILO 188 Convention---3

- Payment of wages for fishing crews
- Free transfer regulations
- Regulations governing accommodation, meals and drinking water on fishing vessels
- Accommodation space management
- Governing adequate food and water provisions on board
- Medical equipment and medical supplies
- Medical equipment, medical supplies and emergency rescue measures

根據ILO188號公約相關的漁業勞動法規---4

- 職業安全、衛生與事故預防
- 海上安全措施
- 應有漁船船員代表參與漁捕風險之評估
- 漁船船員社會安全之維護
- 與工作相關之疾病、傷亡的照護及補償
- 對本國籍漁船的管控

Provisions of fishery labor laws and regulations of ILO 188 Convention---4

- Occupational safety, hygiene and accident prevention
- Marine and maritime safety measures
- Fishing vessel crew representatives shall participate in fishing risk assessments
- Maintenance of the social security and welfare of fishing crews
- Care and compensation for work-related disease and casualties
- Control of Taiwanese fishing vessels

根據ILO188號公約相關的漁業勞動法規---5

- 船舶、漁船有關生活及工作條件之檢查
- 應任檢查員及授權機構獨立檢查

Provisions of fishery labor laws and regulations of ILO 188 Convention - 5

- Inspections of living and working conditions on ships and fishing boats
- Independent inspections by inspectors and authorized organizations

International status of the signing of Convention No. 188

International Labor Organization Work in Fishing Convention (No. 188)			
國家	Date of Signing	Ratification	Notes
1. Angola	2016.10.11	Ratified	
2. Argentina	2011.09.15	Ratified	
3. Bosnia and Herzegovina	2010.02.04	Ratified	
4. Congo	2014.05.14	Ratified	
5. Denmark	2020.02.03	Not yet ratified	the Convention takes effect from Feb. 3, 2021 for Denmark
6. Estonia	2016.05.03	Ratified	
7. France	2015.10.28	Ratified	
8. Lithuania	2016.11.16	Ratified	
9. Morocco	2013.05.16	Ratified	
10. Namibia	2018.09.20	Ratified	
11. Netherlands	2019.12.19	Not yet ratified	the Convention takes effect from Dec. 19, 2020 for the Netherlands
12. Norway	2016.01.08	Ratified	
13. Poland	2019.12.17	Not yet ratified	the Convention takes effect from Dec. 17, 2020 for Poland
14. Portugal	2019.11.26	Not yet ratified	the Convention takes effect from Nov. 26, 2020 for Portugal
15. Senegal	2018.09.21	Ratified	
16. South Africa	2013.06.20	Ratified	
17. Thailand	2019.01.30	Ratified	
18. United Kingdom of Great Britain and Northern Ireland	2019.01.11	Ratified	
Japan		Not ratified	
Korea		Not ratified	

Eighteen countries have completed the ratification process for this Convention, and it has officially entered into force for 14 of them. For the additional four signatory countries the Convention will not take effect until one year after the ratification process has been completed.

188號公約簽署之國際概況

國際勞工組織漁業工作(第188號)公約			
國家	批准日期	效力	附註
1. Angola (安哥拉)	2016.10.11	已生效	
2. Argentina(阿根廷)	2011.09.15	已生效	
3. Bosnia and Herzegovina(波士尼亞)	2010.02.04	已生效	
4. Congo(剛果)	2014.05.14	已生效	
5. Denmark(丹麥)	2020.02.03	未生效	本公約將於2021.02.03對丹麥發生效力
6. Estonia(愛沙尼亞)	2016.05.03	已生效	
7. France(法國)	2015.10.28	已生效	
8. Lithuania(立陶宛)	2016.11.16	已生效	
9. Morocco(摩洛哥)	2013.05.16	已生效	
10. Namibia(納米比亞)	2018.09.20	已生效	
11. Netherlands(荷蘭)	2019.12.19	未生效	本公約將於2020.12.19對荷蘭發生效力
12. Norway(挪威)	2016.01.08	已生效	
13. Poland(波蘭)	2019.12.17	未生效	本公約將於2020.12.17對波蘭發生效力
14. Portugal(葡萄牙)	2019.11.26	未生效	本公約將於2020.11.26對葡萄牙發生效力
15. Senegal(塞內加爾)	2018.09.21	已生效	
16. South Africa(南非)	2013.06.20	已生效	
17. Thailand(泰國)	2019.01.30	已生效	
18. United Kingdom of Great Britain and Northern Ireland(英國)	2019.01.11	已生效	
日本		未批准	
韓國		未批准	

本公約計有十八個國家完成批准程序，其對其中的十四個國家已正式生效，另外四國將於批准程序完成一年後，本公約才對之發生效力

已批准或將發生效力之ILO第188號公約國家

- 目前已批准ILO第188號公約之國家中，如法國是首批批准國且生效（2015年10月），英國及泰國為批准國並預定於2020生效。
- 我國鄰國且同為遠洋漁業發達國家之日本、韓國，則為未批准國。

- 本公約將於2020.12.19對荷蘭發生效力
- 本公約將於2020.12.17對波蘭發生效力
- 本公約將於2020.11.26對葡萄牙發生效力
- 本公約將於2021.02.03對丹麥發生效力

Countries that have ratified or for which ILO Convention No. 188 will soon take effect

- Among the countries that have ratified ILO Convention No. 188, for example, France is the first ratifying country and it has taken effect (October 2015), while the United Kingdom and Thailand are ratifying countries for which the Convention is scheduled to take effect in 2020.
-
- Among Taiwan's neighboring countries, Japan and South Korea, both of which are developed countries in deep-sea fishing, are non-ratifying countries.
-
- This Convention will enter into force for the Netherlands on December 19, 2020.
- This Convention will take effect for Poland on December 17, 2020.
- This Convention will take effect for Portugal on November 26, 2020.
- This Convention will take effect for Denmark on February, 3, 2021.

三、企業倫理(道德)、社會責任與消費市場

- 海鮮的主要國際消費市場所在，以及消費市場的道德力量
- 魚捕勞動與水產品的加工、販賣等之海鮮產業鏈關係
- 魚捕勞動關係、海鮮產業與內國政府、國際組織的關係

3. Corporate ethics (morality), social responsibility and consumer markets

- The main international consumer markets for seafood, and the moral power of consumer markets
- The seafood industry chain relationships between fishing labor, and the processing and sales of aquatic products.
- Fishing labor relations, relations between the seafood industry and domestic governments and international organizations.

國際性私人組織對IUU的杜絕與產業監察

- **Seafood Task Force (由美國零售商、品牌商共同成立之組織) 的組織背景與發展，以及相關的成員：**
- 該組織大多為國際大型通路商 (好事多、沃爾瑪特Walmart)、品牌商 (Bumble Bee、Starkist、Thai Union)、NGO (WWF、Verite) 針對某些特定國家的水產業(例如泰國蝦產業)具有潛在的違反人道行為而建立的單位，目的是杜絕非法漁業(IUU)及提高水產品產業中勞工的人權/權益。

International private organizations' elimination of IUU and industrial supervision

- **The organizational background and development of the Seafood Task Force (an organization jointly established by American retailers and brand owners), and related members:**
- The organization consists of mostly large-scale international distributors (Costco, Walmart), brand owners (Bumble Bee, Starkist, Thai Union), and NGOs (WWF, Verite) for the aquaculture industry of certain specific countries (such as the Thai shrimp industry) in which there are established entities surveilling for potential violations of ethics, with the purpose of eliminating Illegal, unreported and unregulated fisheries (IUU) and improving the human rights/workers' rights in the aquatic product industry.

海鮮產業鏈的企業社會責任與行為準則

基於企業社會責任與經營永續的承諾，相關海鮮產業鏈之企業應積極參考相關國際準則 (例: ILO C188、Seafood Task Force Code of Conduct等)，並依個別產業的特性確立相關行為準則。

政策內容分為社會責任及漁業永續兩大區塊：

社會責任 - 現階段至少應根據國際上就企業社會責任之行為要求訂定規範；包含童工、強迫勞動、合約條款、申訴管道及衛生與安全等等。

漁業永續 - 要求供應商必須遵守區域管理組織(RFMO)例定的管理法規、並朝符合漁業永續最高標準 (MSC認證) 之方向努力。若漁船現階段無法達到MSC的要求，應參與相關漁業改善計劃(FIP)，並於限時內改進。

Corporate Social Responsibility and a Code of Conduct in the Seafood Industry Chain

Based on the commitment to corporate social responsibility and business sustainability, companies in the relevant seafood industry chains should actively refer to relevant international standards (for example: ILO C188, the Seafood Task Force Code of Conduct, etcetera), and establish codes of conduct based on the relevant characteristics of their individual industries.

The policy contents are divided into two major areas: social responsibility and fisheries' sustainability:

- Social responsibility- At this stage, standards should be formulated at least to be in accordance with international requirements for corporate social responsibility; including provisions governing child labor, forced labor, contract terms, complaints channels, and health and safety.
- Sustainable fisheries- Suppliers are required to abide by the management regulations established by the Regional Management Organization (RFMO) and strive to meet the highest standards of fisheries' sustainability (MSC certification). If the fishing vessel cannot meet the MSC requirements at the current stage, it should participate in the relevant fishery improvement plan (FIP) and make timely improvements.

應積極提出具體的社會責任計畫政策

- 1.水產採購行為的社會責任計畫：例如針對長期合作的產業鏈伙伴(下游)進行內部稽核；並提出具體的稽核項目內容。
- 2.(具違法行為)高風險的排除或管理計畫：應將具有發生違法行為之高風險船東(例：經漁業署多次開罰或涉及國際漁業糾紛案件、或經相關國際組織提出檢討報告，甚至被要求禁止進口等之情事)，納入觀察名單；要求該高風險公司應提出相對應的具體改善措施，經一定之觀察期間與檢討(或檢查)程序之後，始具有請求剔除觀察名單之權利。

Actively proposing specific social responsibility plan policies

1. Adopting a social responsibility plan for aquatic product purchasing behavior: For example, conduct internal audits for long-term industrial chain partners (downstreams); and propose specific audit items.
2. (Illegal conduct) High-risk elimination or management plan: Shipowners who have a high risk of illegal activities (for example, where the Fisheries Agency has repeatedly issued fines or which are involved in international fisheries' disputes, or have been subject to review by relevant international organizations, or even have been required to be banned from importing) shall be included in a watch list ; Any high-risk enterprise shall be required to propose corresponding specific improvement measures. After a certain period of observation and review (or inspection/audit compliance) procedures, the firm shall have the right to request removal from the watch list.

感謝您的聆聽
歡迎指教！

Thanks for your attention!
Your critical comments are most
welcome!

**議題四 重要國家防制人口販運挑戰
與突破**

Session 4

Anti-Human Trafficking Case Studies

簡歷-主持人

劉士豪

行政院防制人口販運協調會報前屆委員

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- 2009.2-2009.8 銘傳大學法律學院代理院長
- 2009.8-2014.1 銘傳大學財金法律系專任教授
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2007.8-2010.2 Associate Professor and Dean Head of the Department, Financial Law, Ming Chuan University

2006.5.1-2007.7 Associate Professor, Department of Technology and Law, Ming Chuan University

2001.8-2006.4.30 Assistant Professor, Department of Law, Ming Chuan University

東南亞國協及泰國打擊人口販運之
挑戰

**The Challenges to Combating Human
Trafficking in ASEAN and Thailand**

簡歷-主講人

Mark Charoenwong

泰國司法部最高檢察署防制人口販運訴訟策
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- 2020 年 - 現任 泰國司法部最高檢察署防制人口販運訴訟策略及資訊辦公室檢察官
- 2012 年 - 2020 年 泰國帕差拉吉帝雅帕公主所屬專案及事務辦公室檢察官
- 2011 年 - 2013 年 國際事務部檢察官
- 2009 年 - 2011 年 技術事務部檢察官
- 2007 年 - 2009 年 烏汶叻差他尼省簡易訴訟辦公室副省級首席檢察官
- 2006 年 - 2007 年 民事訴訟區檢察官
- 2005 年 - 2006 年 刑事訴訟區檢察官
- 2005 年 總檢察長辦公室培訓和發展研究學院助理檢察官

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Ph.D. 2013 – 2019 Kent Law School, University of Kent, United Kingdom

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LL.M. 1999 – 2002 School of Law in International Law, Ramkhamhaeng University, Thailand.

Barrister-at-law 1997 – 1998 Thai Bar Association, Thailand.

LL.B. 1993 – 1996 School of Law, Bangkok University, Thailand.

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2020 – Present Provincial Public Prosecutor Executive Director's Office of Strategies and Database of Trafficking in Persons Litigation

2012 – 2020 Provincial Public Prosecutor Office of Affairs and Projects under, HRH Princess Bajrakitiyabha's Initiative

2011 – 2013 Public Prosecutor International Affairs Department

2009 – 2011 Public Prosecutor Technical Affairs Department

2007 – 2009 Deputy Provincial Chief Public Prosecutor Office of Ubon-Ratchathani, Prosecutor Summary Litigation

2006 – 2007 Divisional Public Prosecutor Civil Litigation Department

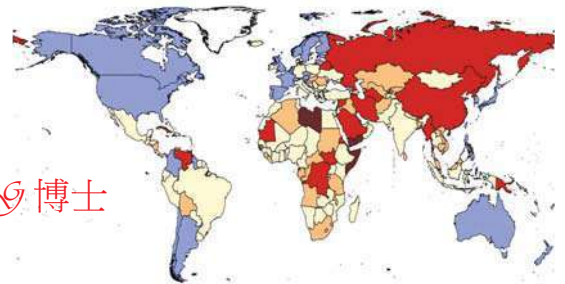
2005 – 2006 Divisional Public Prosecutor Criminal Litigation Department

2005 Assistant Public Prosecutor Training and Development Institute, Office of the Attorney General



東南亞國協及泰國 打擊人口販運之挑戰

MARK PITAROKORNPOONG 博士

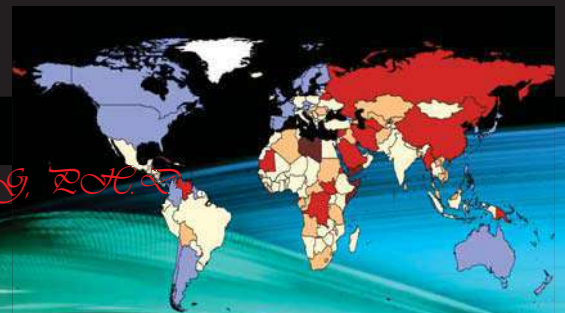


2019 Tier of legislation for human-trafficking victims protection / Nivel de protección legal a víctimas de tráfico de personas
■ Nivel / Tier 1 ■ Nivel / Tier 2 ■ Nivel / Tier 2+ ■ Nivel / Tier 3 ■ No data / Sin datos ■ Special Tier / Caso especial

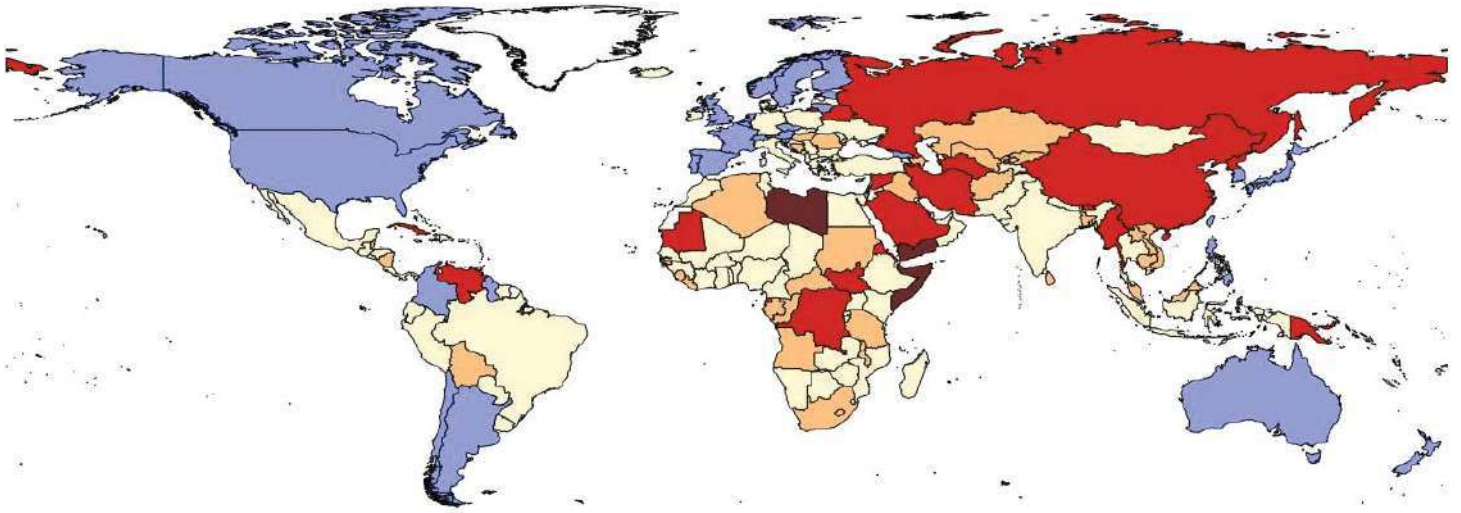


THE CHALLENGES TO COMBATING HUMAN TRAFFICKING IN ASEAN AND THAILAND

MARK PITAROKORNPOONG, Ph.D.



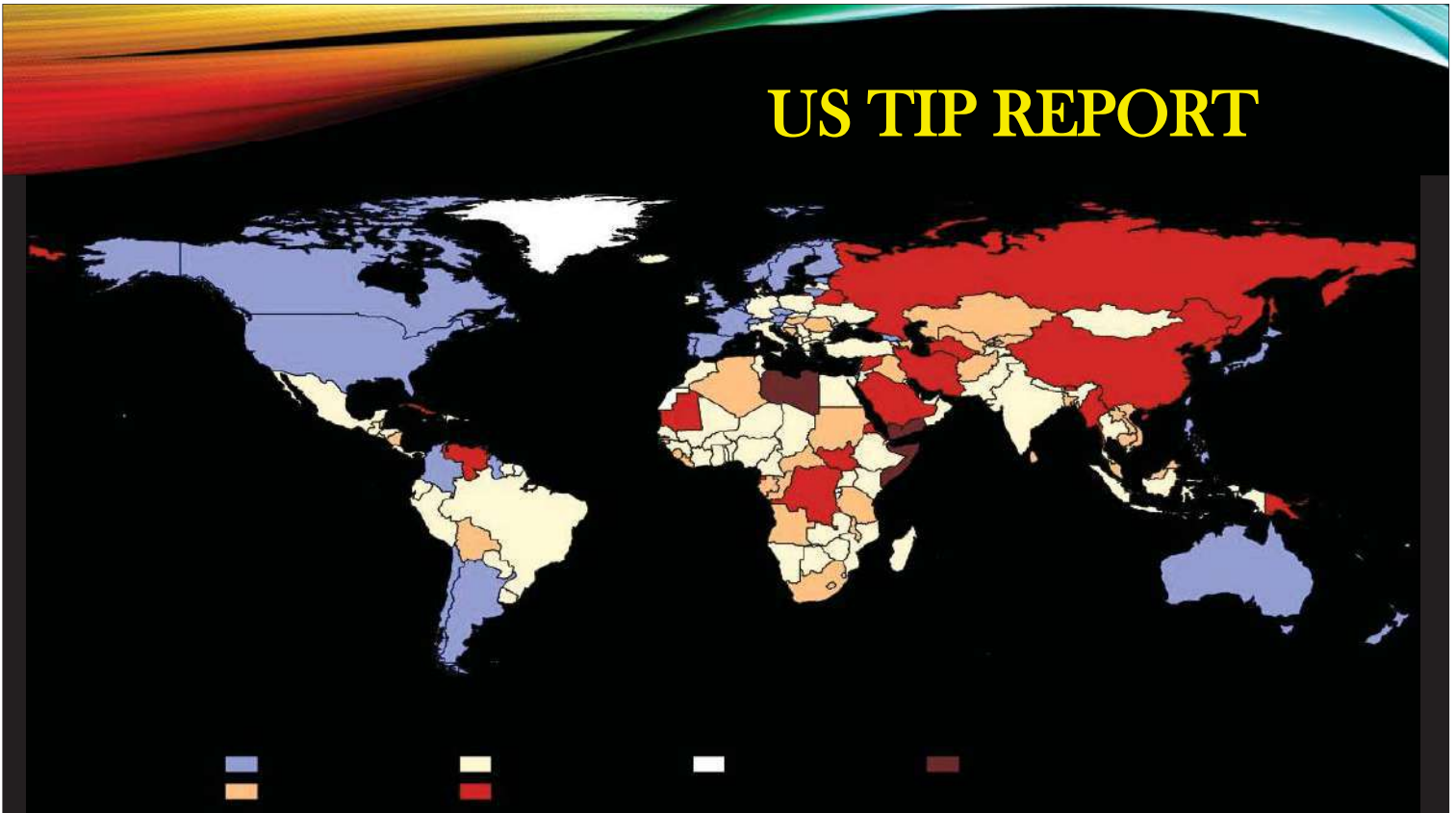
美國人口販運報告



2019 Tier of legislation for human-trafficking victims protection / Nivel de protección legal a víctimas de tráfico de personas

■ Nivel / Tier 1 ■ Nivel / Tier 2 □ No data / Sin datos ■ Special tier / Caso especial
■ Nivel / Tier 2 ½ ■ Nivel / Tier 3

US TIP REPORT



基本資訊

❖ 全球有超過400萬名人口販運性剝削的受害者

聯合國國際勞工組織的研究推估，全球有380萬名成人及100萬名兒童是強迫性剝削的受害者。

❖ 99%是女性

雖然男性、跨性別、雙性人、非二元性別者也可能成為受害者，但是絕大多數性剝削的受害者是女性。國際勞工組織預估99%遭強迫性剝削的成人及兒童為女性。

❖ 每10個遭受剝削的受害者中有7個來自亞太地區

根據國際勞工組織的報告，超過70%人口販運性剝削的受害者位於亞太地區，相較之下有14%在歐洲及中亞，4%在美洲。

GENERAL INFORMATION

❖ There are more than 4 million victims of sex trafficking globally

A study from the United Nations' *International Labour Organization* estimated 3.8 million adults and 1 million children were victims of forced sexual exploitation around the world.

❖ 99% are women and girls

The vast majority of sex trafficking victims are women and girls, though men, boys, trans, intersex and nonbinary individuals can be victims as well. The International Labour Organization estimates that 99% of the adults and children forced into sexual exploitation are female.

❖ 7 out of 10 victims were exploited in Asia and the Pacific region

According to the International Labour Organization report, more than 70% of sex trafficking victims were located in Asia and the Pacific, compared with 14% in Europe and Central Asia and 4% in the Americas.

和人口販運最相關的人權

1. 禁止因種族、膚色、性別、語言、宗教、政治或其他主張、國籍或社會出身、財產、出生或其他身分狀態而歧視他人
2. 生命權
3. 人身自由與人身安全權
4. 免於奴役、勞役、強迫勞動或債務奴役的權利
5. 免於酷刑和／或其他殘忍、不人道、有辱人格的待遇或處罰的權利
6. 免於性別暴力的權利



HUMAN RIGHTS MOST RELEVANT TO TRAFFICKING

1. The prohibition of **discrimination** on the basis of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status
2. The right to **life**
3. The right to **liberty and security**
4. The right not to be submitted to **slavery, servitude, forced labour or bonded labour**
5. The right not to be subjected to **torture and/or cruel, inhuman, degrading treatment** or punishment
6. The right to be free from **gendered violence**

和販運最相關的人權

8. 結社自由的權利
9. 遷徙自由的權利
10. 享有能達到之最高身心健康標準的權利
11. 享有公正及有利工作條件的權利
12. 最低適足生活保障權
13. 社會安全權
14. 兒童特殊保障權



HUMAN RIGHTS MOST RELEVANT TO TRAFFICKING

8. The right to **freedom of association**
9. The right to **freedom of movement**
10. The right to the highest **attainable standard of physical and mental health**
11. The right to just and favourable **conditions of work**
12. The right to an **adequate standard of living**
13. The right to **social security**
14. The right of **children to special protection**

東協人口販運防治的歷史背景

- ❖ 1997年東協會員國在「東協2020願景」中同意一起努力打擊女性及兒童的販運
- ❖ 2004年東協通過「打擊人口販運宣言」
- ❖ 2015年第27屆東協區域峰會（於吉隆坡舉辦）後，東協領袖簽署《東協打擊人口販運（特別是婦女和兒童）公約》
- ❖ 《東協打擊人口販運（特別是婦女和兒童）公約》對人口販運的定義和2000年《巴勒莫議定書》的定義**完全相同**

HISTORICAL BACKGROUND ON THE SUPPRESSION OF HUMAN TRAFFICKING IN ASEAN

- ❖ In 1997, ASEAN Member State agreed to work together to combat trafficking in women and children in the ASEAN Vision 2020
- ❖ In 2004, ASEAN Declaration Against Trafficking in Persons was adopted
- ❖ After the 27th ASEAN Regional Summit 2015 (in Kuala Lumpur), The ASEAN Leaders signed the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP)
- ❖ The ACTIP provides an identical definition of trafficking in persons to the one contained in the 2000 Palermo Protocol

不瞭解人口販運的定義

1. 印尼（印尼刑法〔第16章違反道德罪及第18章第330條危害人身自由罪〕）
2. 寮國（寮國刑法第69條）人口交易
3. 馬來西亞（1973年馬來西亞女孩保護法第四部分）女性販運
4. 新加坡（新加坡刑法第141(5)節）女性販運
5. 越南（1992年修改1985年刑法第149節）兒童販運

A LACK OF COMMON UNDERSTANDING ON HUMAN TRAFFICKING DEFINITION

1. **Indonesia** (Indonesian Penal Code (Chapter XVI Crimes Against Morals and Chapter XVIII Crimes Against Personal Liberty at article 330))
2. **Lao PDR** (Penal Code of Lao PDR at article 69) Trade in persons
3. **Malaysia** (Malaysian Girls Protection Act 1973 in Part IV)
traffic in female person
4. **Singapore** (Penal Code of Singapore section 141(5))
trafficking in women and girls
5. **Vietnam** (The Criminal Code 1985 amended 1992 section 149) trafficking of children

泰國對人口販運的定義

1. 行動

招募、購買、出售、販賣、從某處取得或送往某處、拘留、限制運輸、轉移、藏匿或接收人員

2. 方法

以武力威脅或使用武力或其他形式的脅迫、誘拐、欺詐、欺騙、濫用權力或脆弱處境，或為了取得控制他人者的同意而給予或接受金錢或利益

3. 目的

剝削少則包括剝削他人賣淫或其他形式的性剝削、製作和散布色情影像、強迫勞動或服務、奴役或類似奴役、勞役或摘除器官的行為；不管當事人是否同意。

THAI DEFINITION OF HUMAN TRAFFICKING

1. Action

The recruitment, buying, selling, vending, bringing from or sending to, detaining, confining transportation, transfer, harbouring or receipt of persons

2. Means

The threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person

3. Purpose

Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, producing and distributing pornography, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs; whether that person gives the consent or

**澳洲防制人口販運現況與國際合作
展望**

**Status Quo in Australian Prevention of Human
Trafficking and Aspirations for International
Cooperation**

簡歷-主講人

劉溯源

澳洲辦事處經濟暨政策處副處長



自傳

劉溯源於 2020 年 8 月在台北澳洲辦事處就職。

劉溯源於 2016 年-2018 年在堪培拉擔任海洋法和南極洲區域主任。他曾任保護、特權和豁免處處長及 2014 年澳洲主辦 G20 峰會期間擔任過總理與內閣部 G20 特別工作組的顧問。

他亦於在海外任職過，他曾在加拿大渥太華擔任二等秘書（2009 年至 2012 年）。在加入該部門之前，他曾在雪梨擔任公司法規律師。

劉溯源於擁有雪梨大學的國際研究碩士學位，以及澳洲新南威爾斯大學的法學和商學學士學位。

CURRICULUM VITAE OF SPEAKER

Michael Googan

Deputy Representative
Australian Office in Taipei



BIOGRAPHY

Michael took up his position in Taipei in August 2020.

In Canberra, most recently Michael served as Director of the Law of the Sea and Antarctica Section (2016-2018). His previous roles in Canberra include Director of the Protection, Privileges and Immunities Section and Adviser in the G20 Taskforce at the Department of the Prime Minister and Cabinet during Australia's 2014 G20 host year.

Overseas, Michael served as Second Secretary in Ottawa, Canada (2009-2012). Prior to joining the Department, Michael was a corporate lawyer in Sydney.

Michael holds a Master of International Studies from the University of Sydney, as well as a Bachelor of Laws and a Bachelor of Commerce from the University of New South Wales, Australia.

澳洲防制人口販運現況與國際合作展望

澳洲辦事處副代表
Michael Googan 劉溯源



Australia's approach to eliminate Human Trafficking and Modern Slavery

Michael Googan 劉溯源
Deputy Representative, Australian Office



人口販運與 現代奴役 — 澳洲現況

- 在澳洲：
 - 2015 ~ 2017年間，共有1300至1900名受害者。
 - 每發現一名受害者，代表有四名未被發現的受害者存在。
- 2019年，共有超過213件調查：
 - 43%為強迫婚姻；
 - 41%為人口販運、性剝削和強迫勞動。
- 自2004年以來，只有25人被定罪。

Human trafficking and modern slavery — situation in Australia

- In Australia:
 - between 1,300 and 1,900 victims from 2015-2017
 - four undetected victims for every victim found
- In 2019, more than 213 investigations
 - 43% forced marriage
 - 41% trafficking, sexual exploitation and forced labour
- Since 2004, only 25 convictions

澳洲政府 因應措施

- 嚴重刑事犯罪者，最高可判處25年監禁。
- 澳洲聯邦警察中的專業團隊。
- 受害者專屬簽證制度和支援計畫。
- 訓練社工人員如何察覺受害者並進而轉介。
- 自2008年以來，對非政府組織的資助超過620萬澳元（1.24億新台幣）。
- 與企業和非政府組織建立堅實的夥伴關係。

Australian government response

- Strong criminal offences with up to 25 years jail
- Specialist teams in Australian Federal Police
- Dedicated visa framework and support program for victims
- Training for social workers to identify and refer victims
- Since 2008, more than A\$6.2m (NT\$124m) in funding to non-government organisations
- Build strong partnerships with business and NGOs

人口贩运 员工信息

什么是人口贩运？

人口贩运是以剥削利用为目的，通过欺骗、胁迫或暴力手段进行的跨国界人口迁移。

全世界有来自不同背景的女性、儿童被贩运到各行各业，包括：

- 农牧业
- 建筑业
- 家政业
- 接待服务业
- 性服务业
- 工厂生产加工业

在澳大利亚，任何形式的人口贩运都是犯罪。

个人被贩运的迹象

注意下列迹象可判断某工作者是否属于人口贩运活动受害人：

- 此人似乎在向他的雇主或者第三方偿还债务（例如招聘服务公司）
- 此人不能随时辞职
- 个人证件，如护照或者居住证件由雇主或者第三方持有，工作者希望获得这些证件时得不到许可
- 有迹象显示该工作者遭受到与工作相关的暴力，或被威胁施暴
- 此人被限制或者隔离在工作场所，或者只能偶尔离开
- 此人住在工作场所，或由雇主拥有/控制的其它地方
- 因为此人来自海外，所以他/她的工作条件和其他员工不同或者较差
- 此人受人控制，无法为自身利益申辩
- 有中间人替此人“掌管”金钱或进行“投资”，以及
- 此人不了解他/她的工作条款或条件

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政策框架

2015-2019年打擊人口販運和現代奴役之 國家行動計畫

- 重點：
 - 強迫婚姻；
 - 供應鏈中的勞動剝削。
- 改善區域合作。
- 制定新的五年期國家行動計畫。

Policy framework

National Action Plan to Combat Human Trafficking and Modern Slavery 2015-2019

- Focus on
 - forced marriage
 - labour exploitation in supply chains
- Improve regional cooperation
- Developing new five-year national action plan

立法

1995年刑法典

- 將奴役和強迫勞動定為犯罪。

2018年現代奴役法案

- 澳洲企業實體必須對其全球營運和供應鏈中發生現代奴役之風險提出年報。
- 澳洲第一個可搜尋現代奴役聲明的線上登記平台：
<https://modernslaveryregister.gov.au/>
- 澳洲第一份對政府採購和投資中存在現代奴役的風險之報告。

Legislation

Criminal Code Act 1995

- Criminalising slavery and forced labour

Modern Slavery Act 2018

- annual reporting requirement for Australian entities on modern slavery risks in global operations and supply chains
- Australia 1st to launch searchable online register of modern slavery statements
<https://modernslaveryregister.gov.au/>
- Australia 1st to report modern slavery risks in government procurement and investments

The screenshot shows a web browser window with the URL <https://modernslaveryregister.gov.au/>. The page features the Australian Border Force logo in the top left corner and a navigation menu with links for Home, The Register, About, News and Resources, and Help and Feedback. The main content area has a dark blue background with a white and light blue geometric pattern on the right side. The title "Online Register for Modern Slavery Statements" is prominently displayed in white. Below the title, a welcome message states: "Welcome to the Australian Government's Online Register for Modern Slavery Statements. This website houses Modern Slavery Statements provided by entities reporting under the Modern Slavery Act 2018." At the bottom of the main content area, there are two primary actions: a blue button labeled "Submit a statement" and a search bar. The search bar includes a magnifying glass icon, the text "Search the register", and a blue "Search" button. The word "OR" is positioned between the submit and search options.

This is a duplicate of the screenshot above, showing the same website interface. It includes the Australian Border Force logo, the navigation menu, the main title "Online Register for Modern Slavery Statements", the welcome message, and the "Submit a statement" button and search bar with the "Search" button.

澳洲的國際夥伴關係

- 加強與印太地區的夥伴關係。
- 協助建立強健的法律和政策框架：
- 例：東協-澳洲的打擊販運倡議
 - 為警察和法官提供培訓。
 - 鼓勵友善兒童的法庭。
- 例：太平洋島國的漁業
 - 合作領域？

Australia's international partnerships

- Strengthen partnerships across the Indo-Pacific
- Assist to build strong law and policy frameworks
 - Example: ASEAN-Australia Counter-Trafficking Initiative
 - Provide training to police and judges
 - Encourage child-friendly courtrooms
 - Example: Fisheries in Pacific island countries
 - Area for cooperation?

峇里進程

關於走私人口、販運人口和相關跨國犯罪的峇里進程

- 由澳洲與印尼共同擔任主席。
- 45個成員國和4個國際組織：
 - 台灣非成員。
- 促進區域合作和協調警察行動。
- 自2018年增加永久性的政府和商業論壇。

Bali Process

Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime

- Australia co-chairs with Indonesia
- 45 member states and 4 international organisations
 - Taiwan not a member
- Promote regional cooperation and coordinate police operations
- Since 2018, has included a permanent Government and Business Forum

澳台雙方 合作

- 澳洲聯邦警察 (AFP) 協助台灣刑事調查局 (CIB)
 - 黑山 (又譯蒙特內哥羅) 案件 ;
 - 為CIB提供聯絡據點 , 以利其調查。
- 調查結果 :
 - 逮捕8名嫌疑犯 ;
 - 確認了來自台灣的12名販運受害者及87名可能的販運受害者。

Australia- Taiwan bilateral cooperation

- Australian Federal Police (AFP) assisted Taiwan's Criminal Investigation Bureau (CIB)
 - case in Montenegro
 - provide CIB with contact points to pursue its investigation
- Investigation results:
 - arrested 8 suspects
 - identify 12 trafficking victims and 87 potential trafficking victims from Taiwan

COVID-19 —更多風險

- COVID-19可能提高弱勢勞工的風險。
- 經濟衰退=擔心失業。
- 公司應當：
 - 與供應商保持順暢的溝通；
 - 與供應商、勞工和非政府組織合作。
- 機會：重建更好的供應鏈？

COVID-19 – more risks

- COVID-19 may increase the risks to vulnerable workers
- Economic downturn = fear of loss of job
- Companies should:
 - Keep open communication with suppliers
 - Collaborate with suppliers, workers and NGOs
- An opportunity: rebuild better supply chains?

未來展望

- 澳洲歡迎整個印太地區的合作。
- 澳洲繼續在區域內建立強健的法律和政策框架。
- COVID-19疫情反映出需要更密切的合作，以應對人口販運、現代奴役和勞動剝削的風險。

Future prospects

- Australia welcomes cooperation across the Indo-Pacific
- Australia continues to build strong law and policy frameworks in the region
- Covid-19 pandemic reveals need for more cooperation to address risks of human trafficking, modern slavery, and labour exploitation

更多資訊

- 現代奴役線上登記

<https://modernslaveryregister.gov.au/>

- 澳洲聯邦警察

<https://www.afp.gov.au/what-we-do/crime-types/human-trafficking>

- 澳洲內政部

<https://www.homeaffairs.gov.au/about-us/our-portfolios/criminal-justice/people-smuggling-human-trafficking/human-trafficking>

- 峇里進程

<https://www.baliprocess.net/>

More information

- [Modern Slavery Register](https://modernslaveryregister.gov.au/)

<https://modernslaveryregister.gov.au/>

- Australian Federal Police

<https://www.afp.gov.au/what-we-do/crime-types/human-trafficking>

- Australia's Department of Home Affairs

<https://www.homeaffairs.gov.au/about-us/our-portfolios/criminal-justice/people-smuggling-human-trafficking/human-trafficking>

- Bali Process

<https://www.baliprocess.net/>

**勞動部協助移工與雇主之最佳夥伴-
1955 專線**

**1955 Foreign Workers' Free Hotline The Taiwan
Ministry of Labor's Best Partner in Assisting
Migrant Labors and Employers**

簡歷-主講人

葉明如

勞動部勞動發展署跨國勞動力管理組
簡任視察

學歷

國立臺北大學法律系

國立海洋大學海洋法律研究所

經歷

勞動部勞動條件處

勞動部訴願會

勞動部勞動力發展署法務室

勞動部勞動力發展署跨國勞動力管理組

CURRICULUM VITAE OF SPEAKER

Ming-Ju Yeh

Senior Specialist,

Cross-Border Workforce Management Division

Workforce Development Agency Ministry of Labor

EDUCATION

Master of Law of the Sea, National Taiwan Ocean University

Bachelor of Laws, National Taipei University

EXPERIENCE

Labor Conditions Division Ministry of Labor

Petitions and Appeals Committee Ministry of Labor

Legal Affairs Office Workforce Development Agency Ministry of Labor

Cross-Border Workforce Management Division Workforce Development Agency Ministry of Labor



勞動部勞動力發展署
Workforce Development Agency



勞動部協助移工與雇主之最佳夥伴- 1955勞工諮詢申訴專線

主講人：葉簡任視察明如



勞動部勞動力發展署
Workforce Development Agency



1955 Foreign Workers' Free Hotline The Taiwan Ministry of Labor's Best Partner in Assisting Migrant Labors and Employers

Speaker: Ming-Ju Yeh, Senior Executive Officer

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歷年計畫執行成效



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Previous Year' s Program Implementation Results





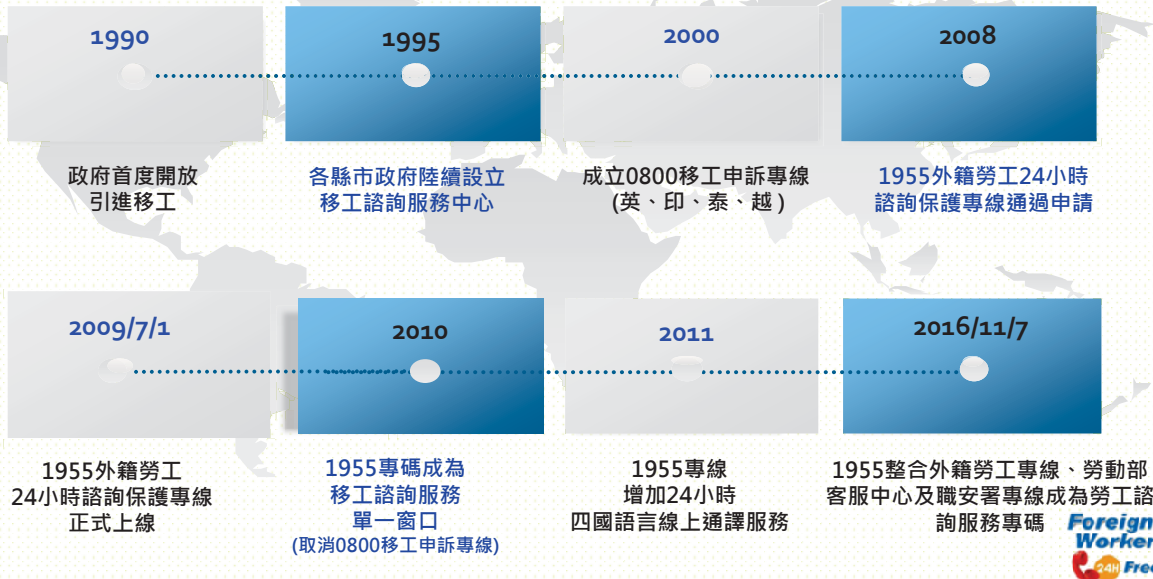
計畫簡介



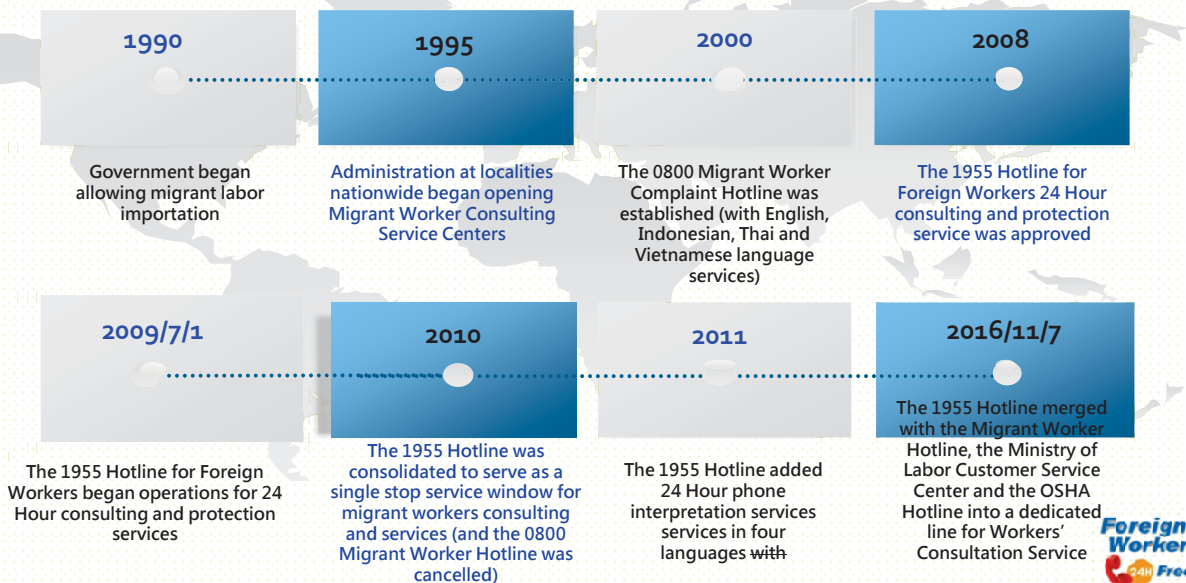
Program Overview



計畫緣起



Origins of the Program



計畫目標與服務宗旨

計畫目標

- 提供移工及民眾**方便記憶、撥打**之諮詢及申訴專線。
- **強化**移工諮詢申訴網絡。
- 整合多方服務管道，建立**單一服務窗口**。
- 以資訊化方式，**提升**申訴案件處理及派工**效率**。

服務宗旨

- **促進**勞資和諧。
- **減少**勞資誤會及爭議。
- **保障**勞資權益。
- **維護**臺灣在國際間移工人權保護之形象。



Program Objectives and Service Mission

Program Objectives

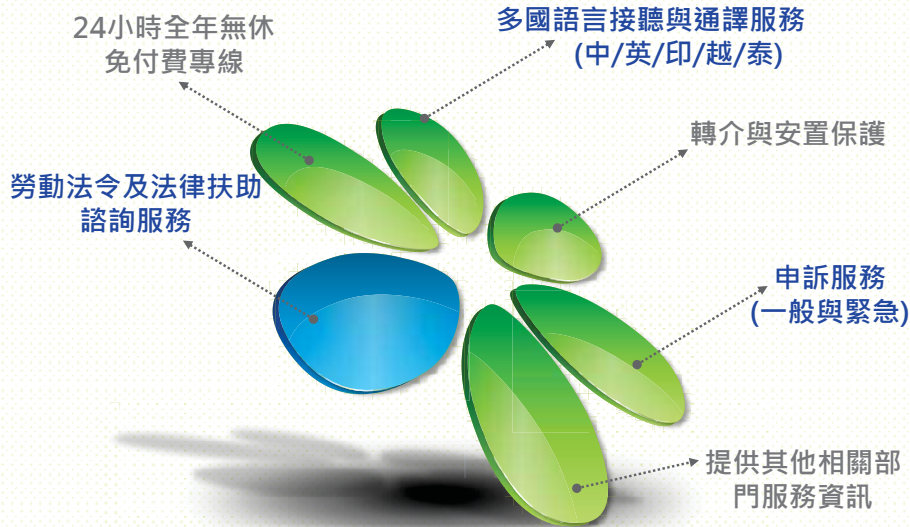
- Providing an easily remembered and easy-to-dial consulting and complaint hotline for migrant workers and the general public
- Strengthening of the migrant worker consulting and complaint networks
- Integrating diverse service channels into a uniform one-stop service window
- Via the use of information technology, enhance complaint handling and staff deployment efficacy

Service Mission

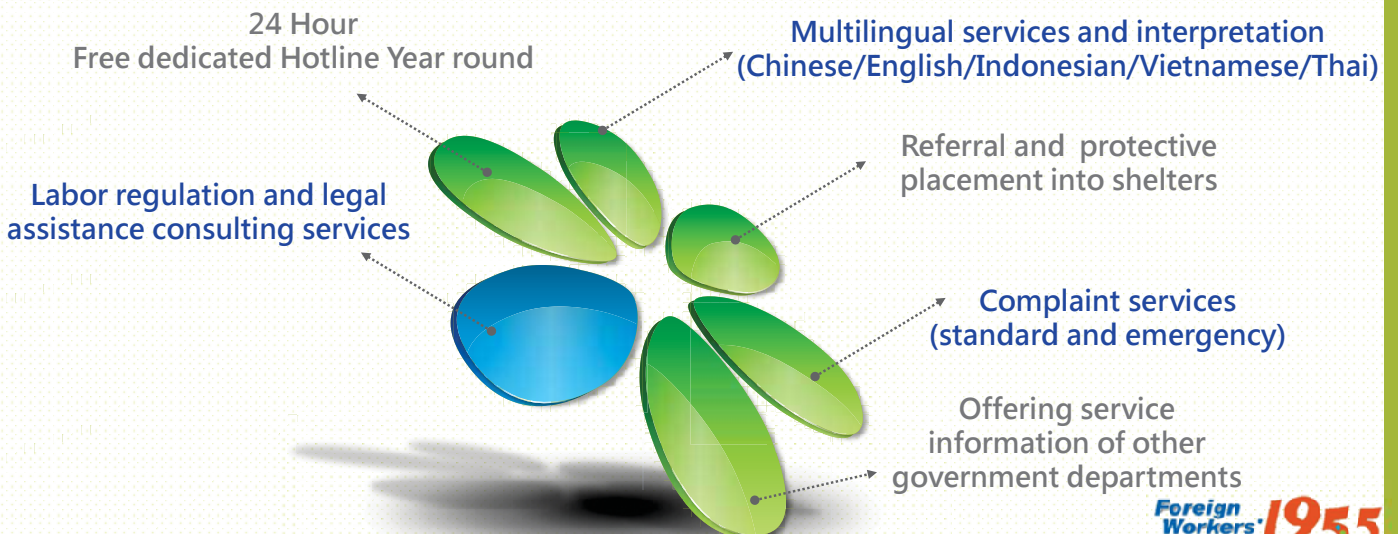
- To foster a friendlier relationship between the labor and the employer
- Reducing misunderstandings and conflicts between labors and employers
- Protecting the interests of both the labor and the employer
- To support Taiwan's positive image in the international community ~~for~~ with regard to protecting migrant workers' human rights



1955專線服務項目



1955 Hotline Services offered





申訴案件處理流程



Complaint Handling Procedures



申訴案件之項目

一般 申訴案件

處理一般勞資爭議，例如：工資、工時、契約、管理等事項

緊急 申訴案件

處理緊急事項，例如：人身傷害、性騷擾、性侵害、疑似人口販運、強迫遣返、限制人身自由、醫療需求、膳宿需求、十人以上重大爭議、其它等。

Complaint case contents

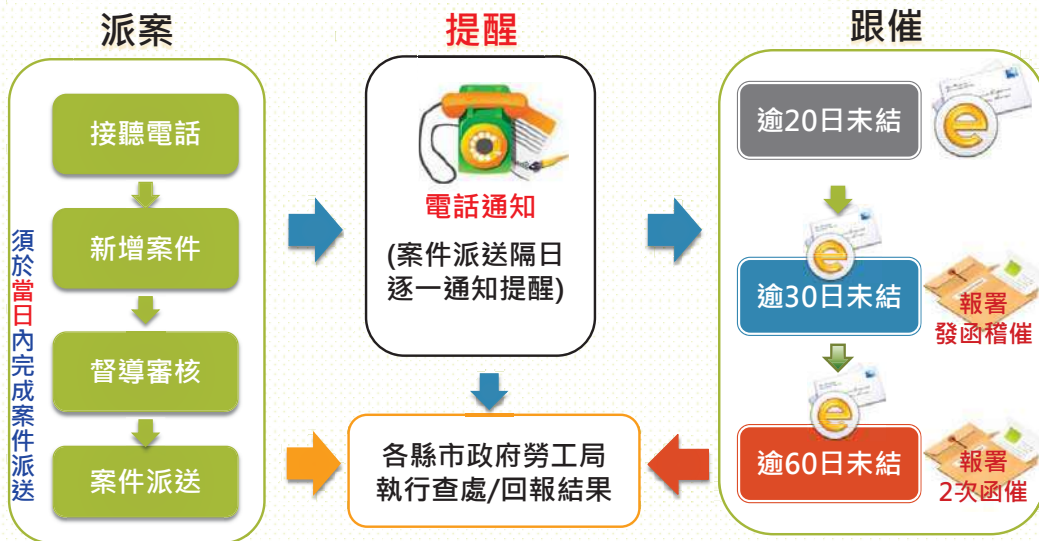
Standard complaints

Handle standard labor and employer disputes, including: wages, work hours, contract terms, and management issues

Emergency cases

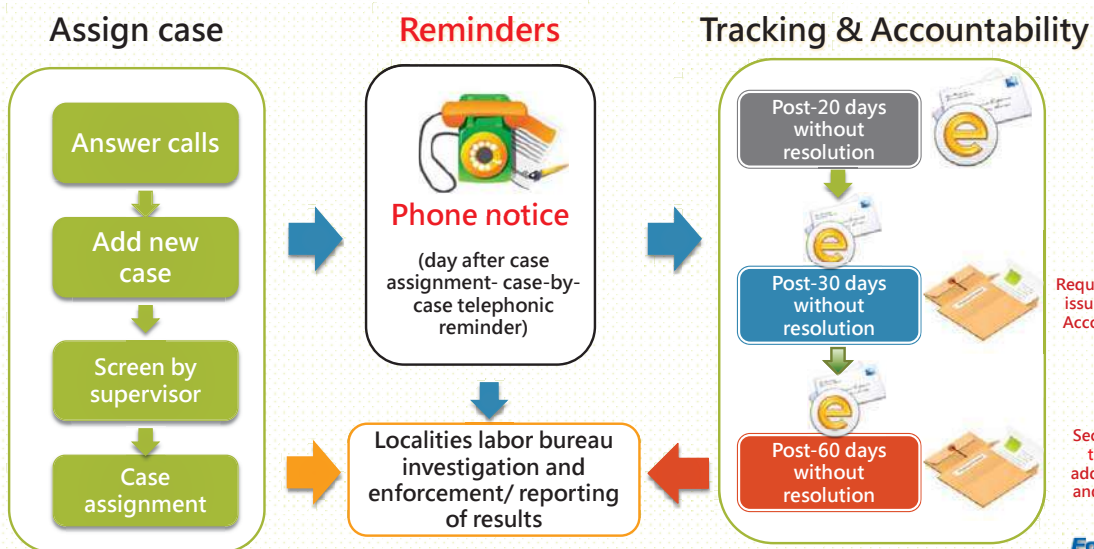
Handle emergencies, including: personal injuries, sexual harassment, sexual assault crimes, suspected human trafficking, coerced self-deportation, restraints to personal freedom of movement medical needs, protective housing and meal requirements, and disputes with over 10 persons involved.

一般申訴派案流程



結案速度納入各地勞工局評鑑指標 **Foreign Workers 1955** 24H Free Hotline

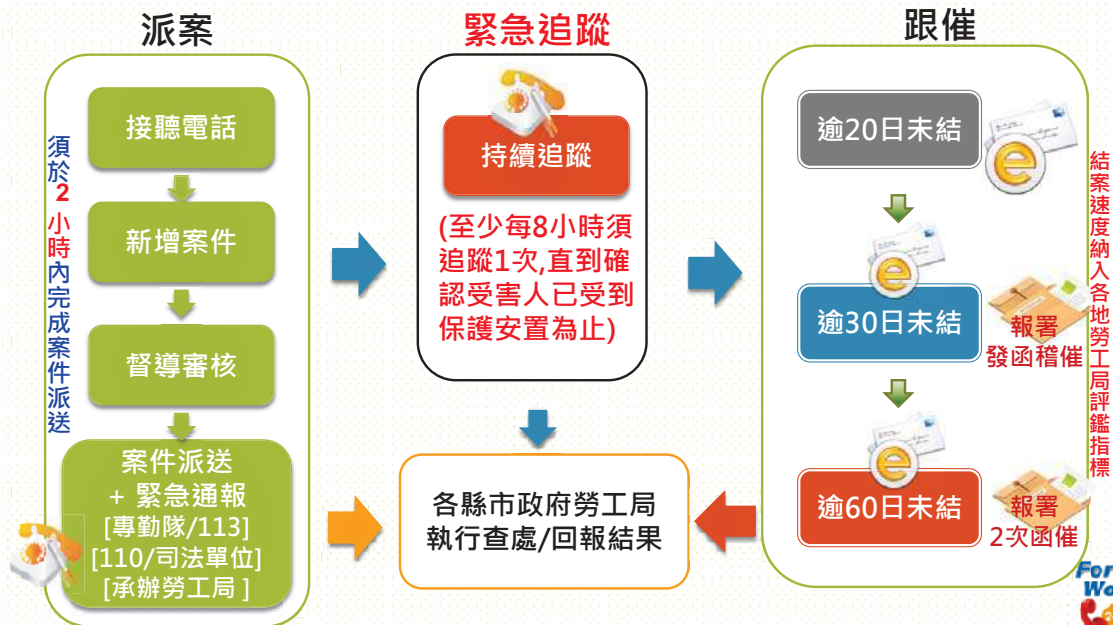
Standard case assignment procedures



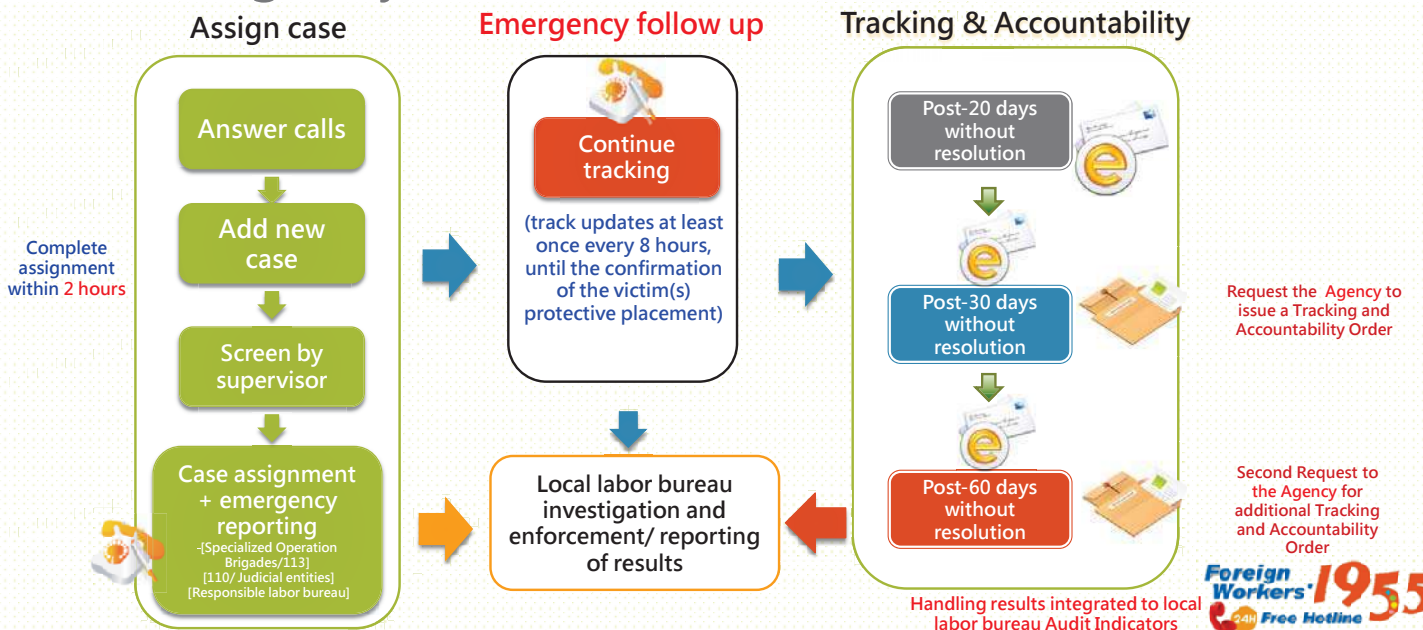
Handling rates are listed as local labor bureau Audit Indicators

Foreign Workers 1955 24H Free Hotline

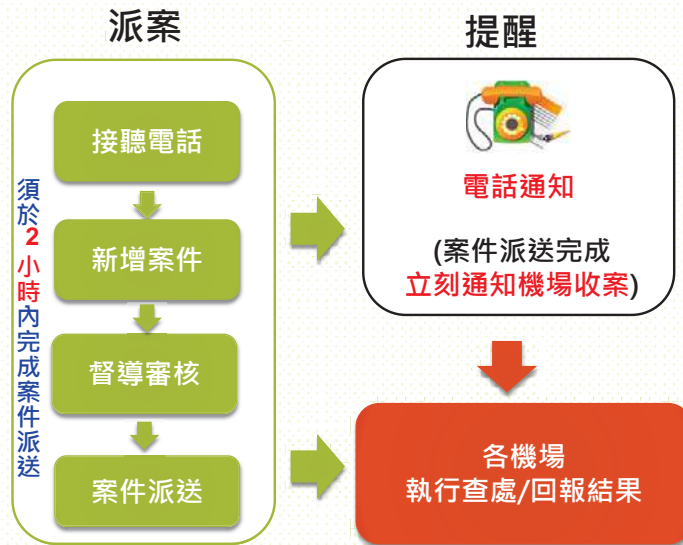
緊急申訴派案流程



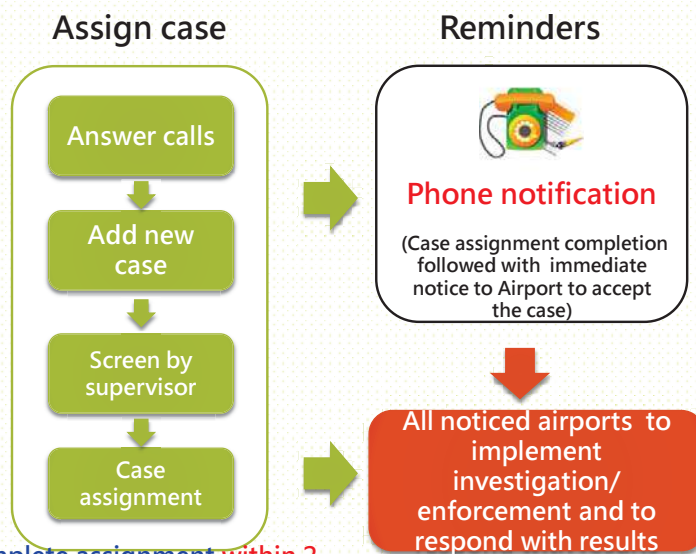
Emergency Case Procedures



機場申訴派案流程

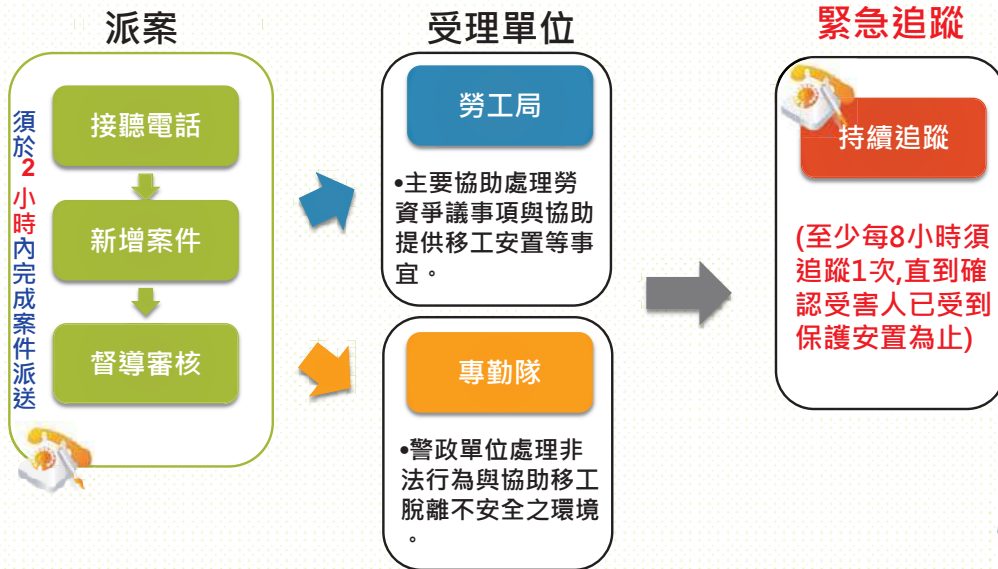


Airport complaint procedure

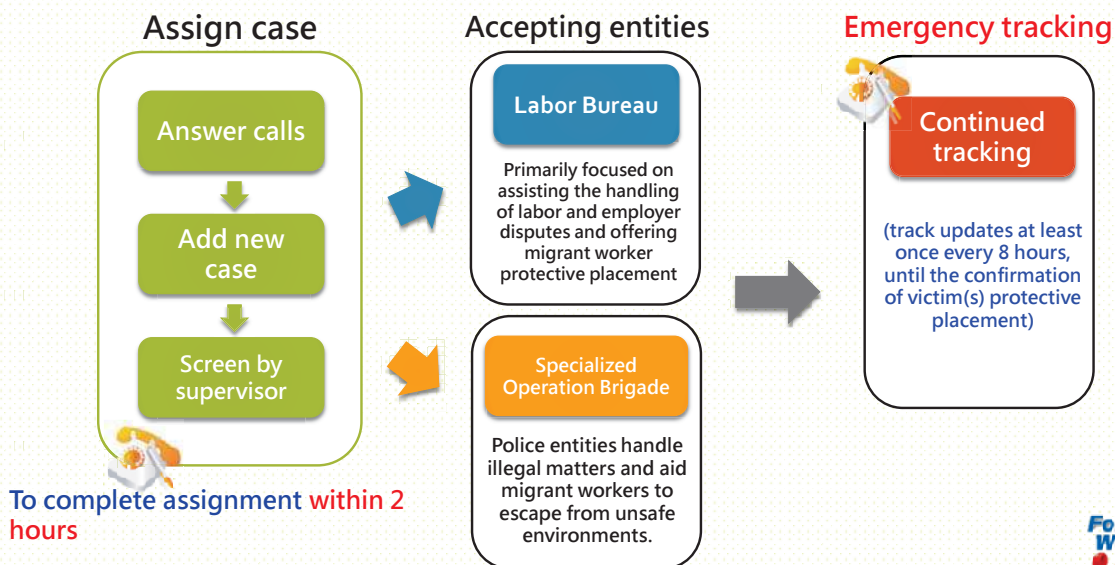


To complete assignment within 2 hours

人口販運案件處理流程(緊急案件處理)



Human Trafficking Case Handling Procedures (Emergency Case handling)





人口販運相關作業



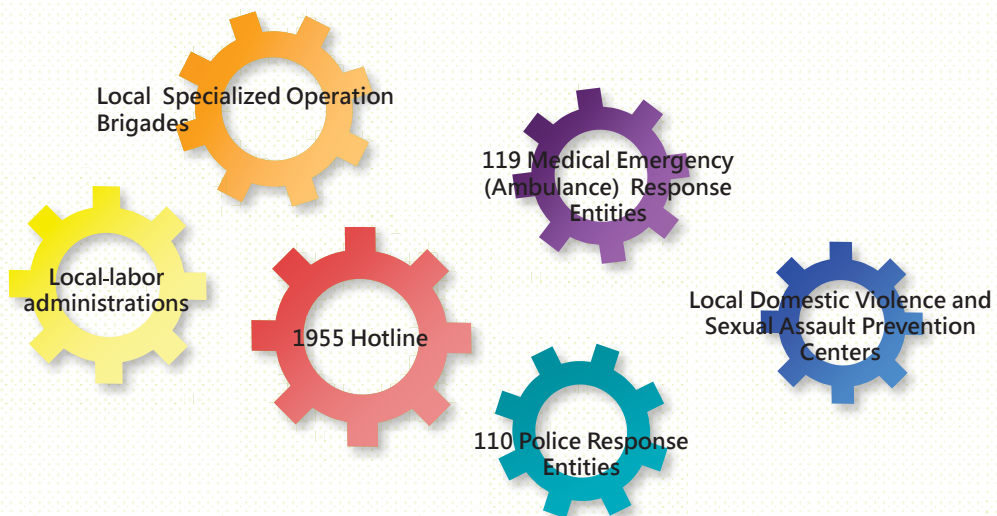
Human Trafficking Interdiction Processes



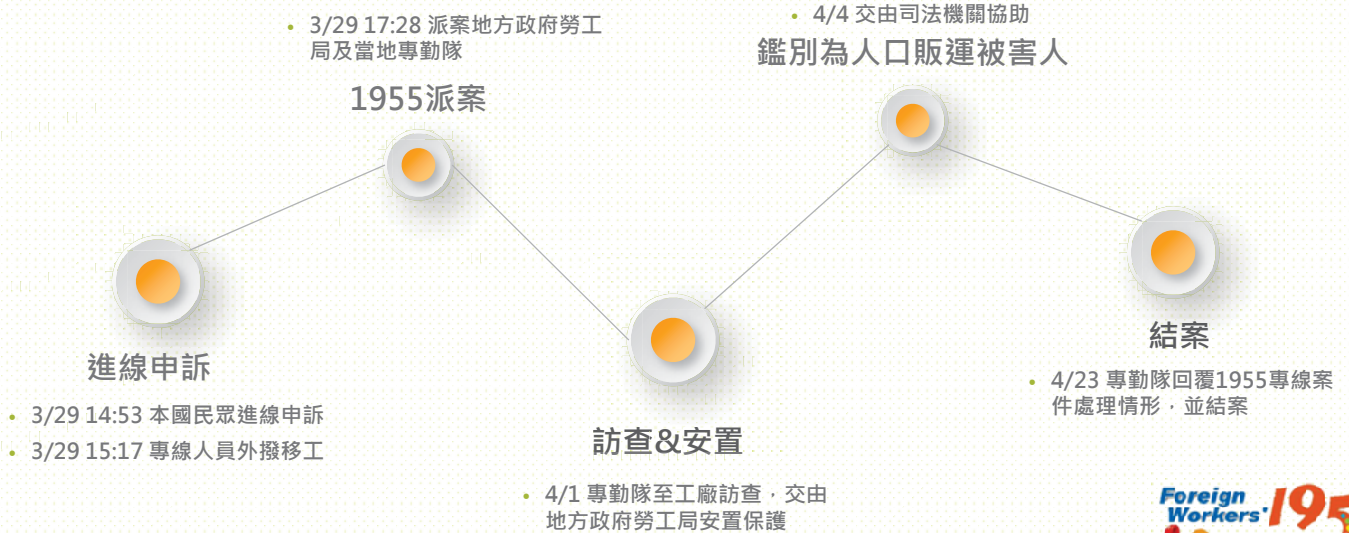
1955專線橫向聯繫單位



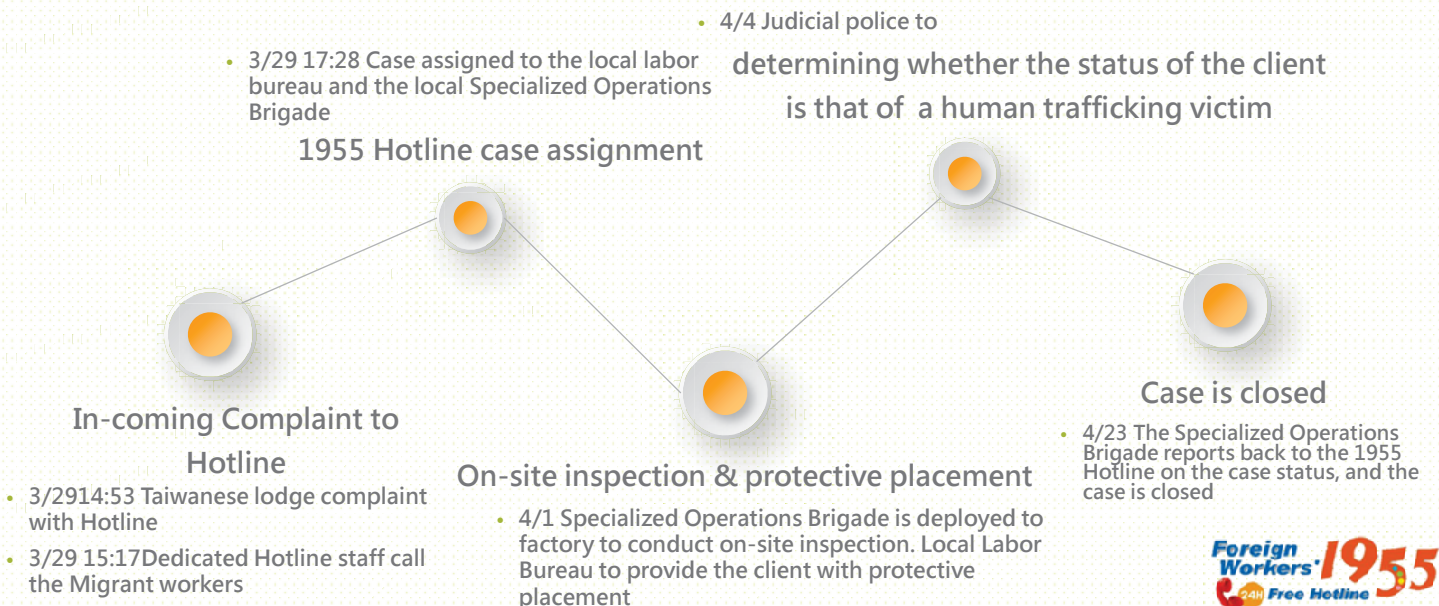
1955 Hotline Horizontal Contact Entities



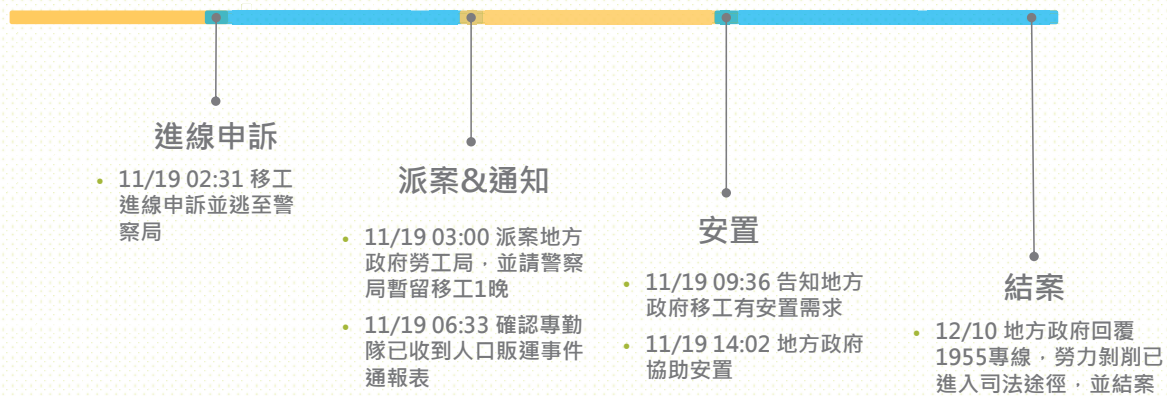
案例：本國民眾協助菲律賓籍移工申訴



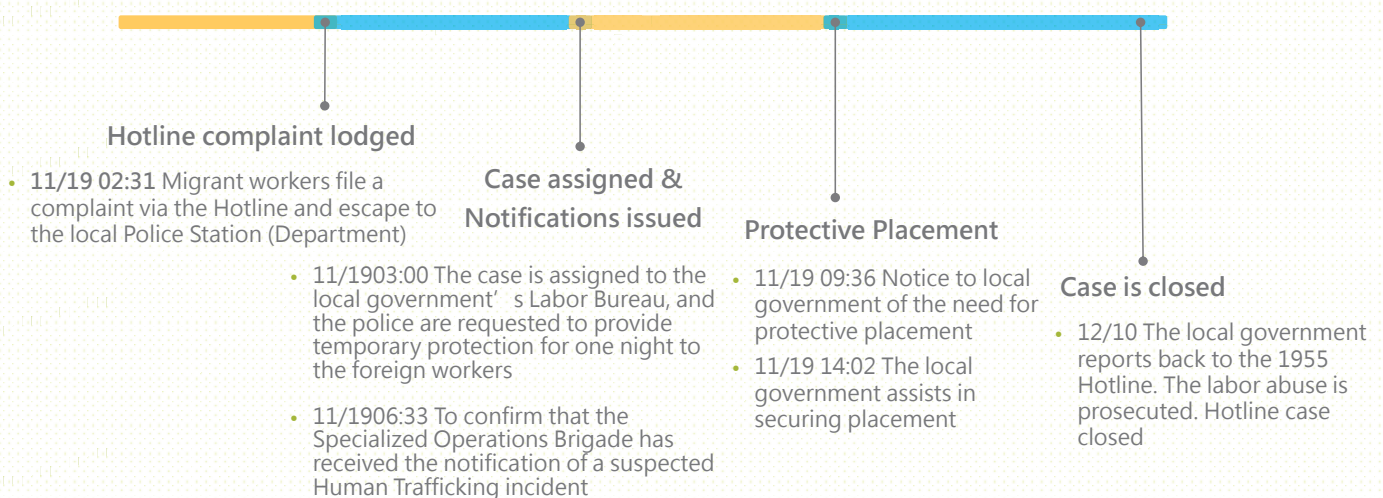
Case: Taiwanese people aids Philippine workers to lodge complaints



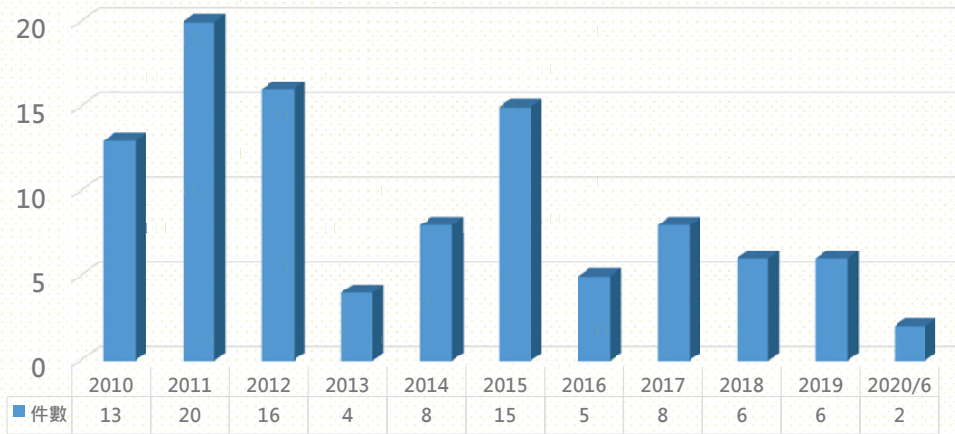
案例：印尼籍移工申訴



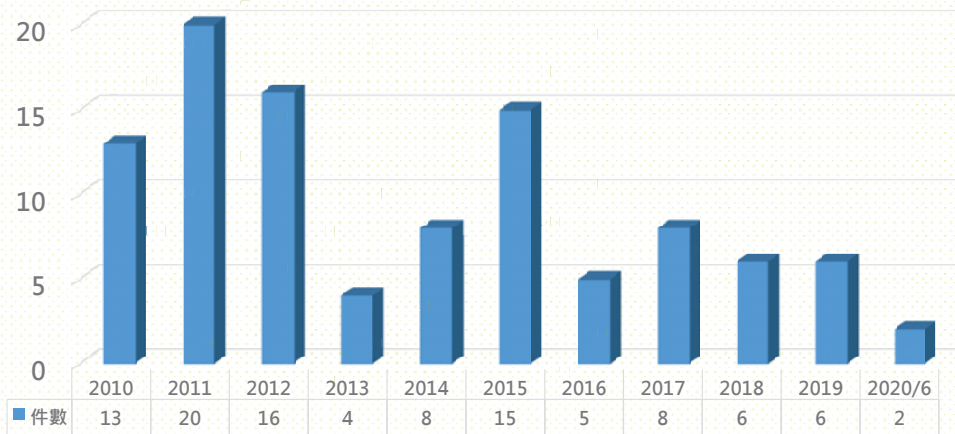
Case: Indonesian migrant workers complaint



協助通報疑似人口販運案件



Assisting in notification of suspected Human Trafficking cases





歷年計畫執行成效

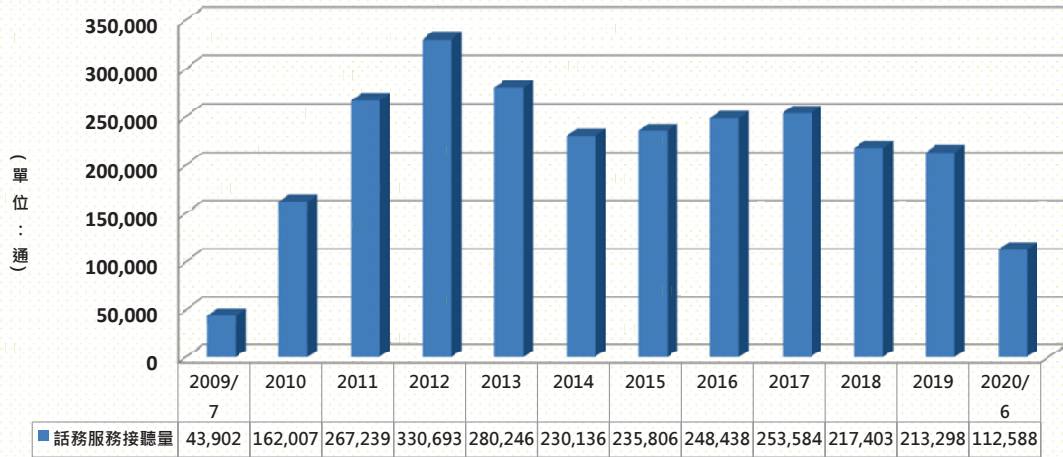


Previous Year' s Program Implementation Results



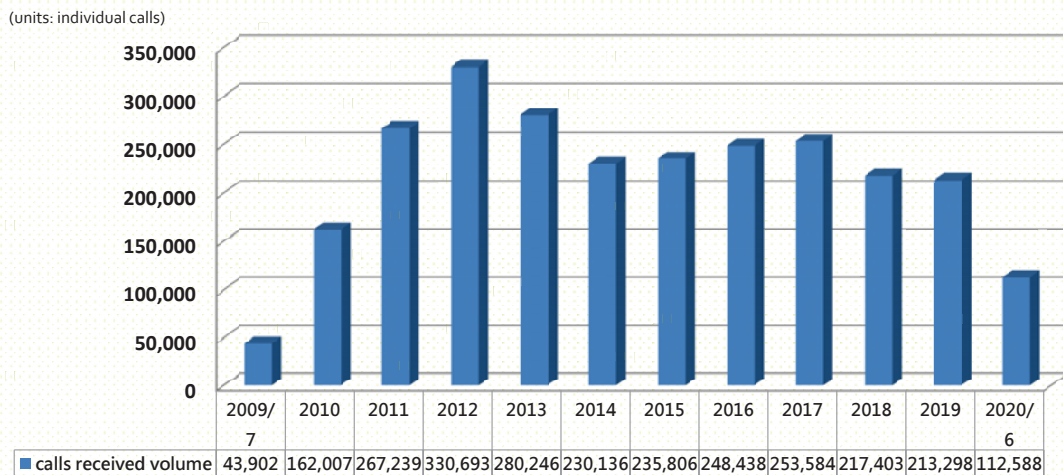
話務接聽

• 累計超過『259萬通』話務接聽服務!



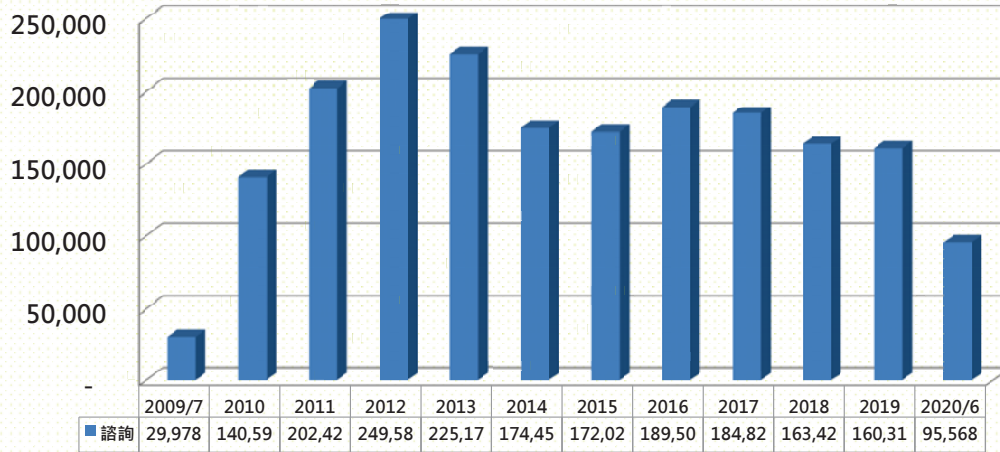
Phone calls received

• A culmulative total of over 2.59 million calls have been received!



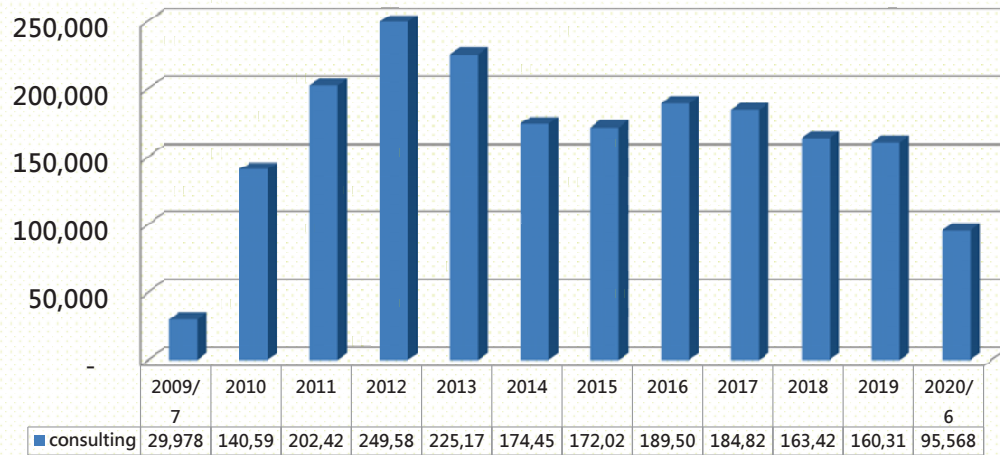
諮詢服務

- 提供超過『198萬件』以上，諮詢服務!

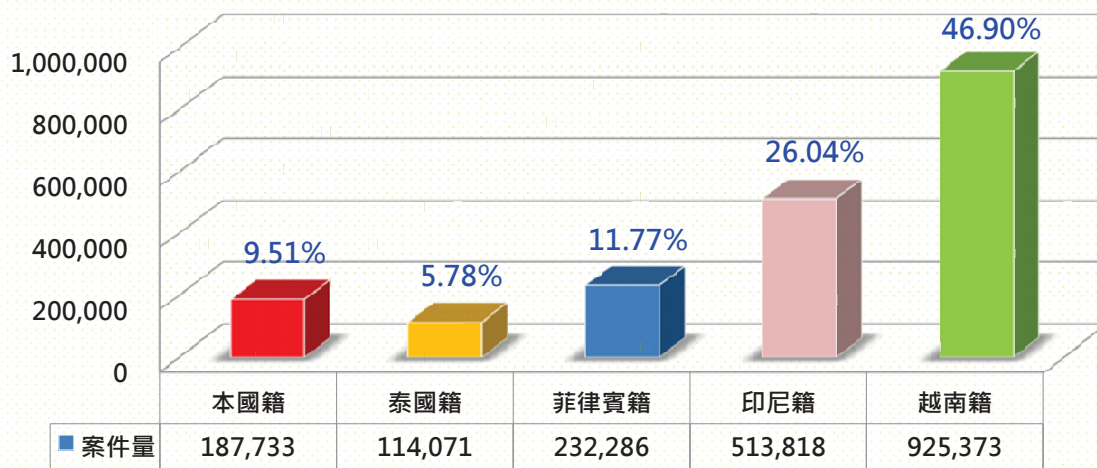


Consulting services

- Consulting services provided to more than 1.98 million cases!



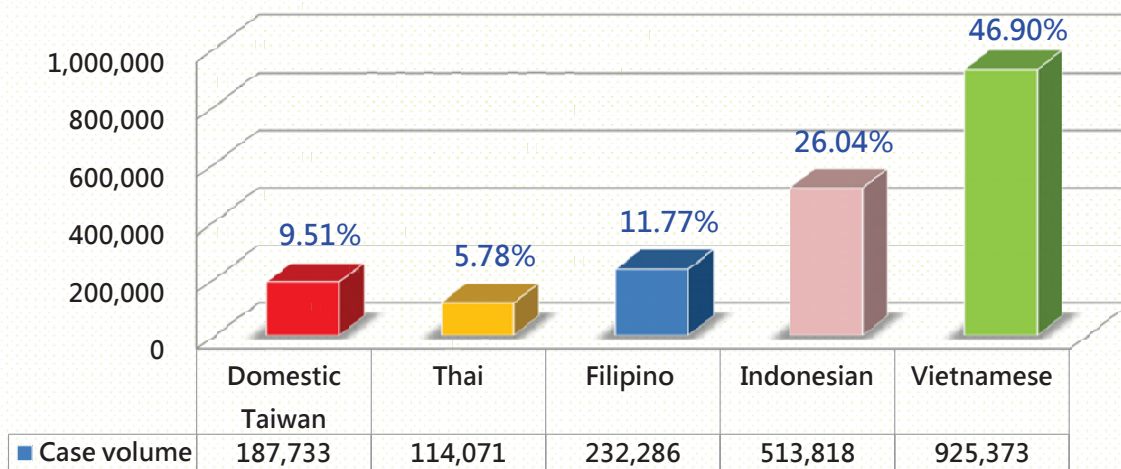
進線語系統計：諮詢服務



資料統計區間: 98/7/1 ~ 109/6/30



In-coming Hotline language data: consulting services



Statistical Data period: From July 1, 2009 ~ June 30, 2020



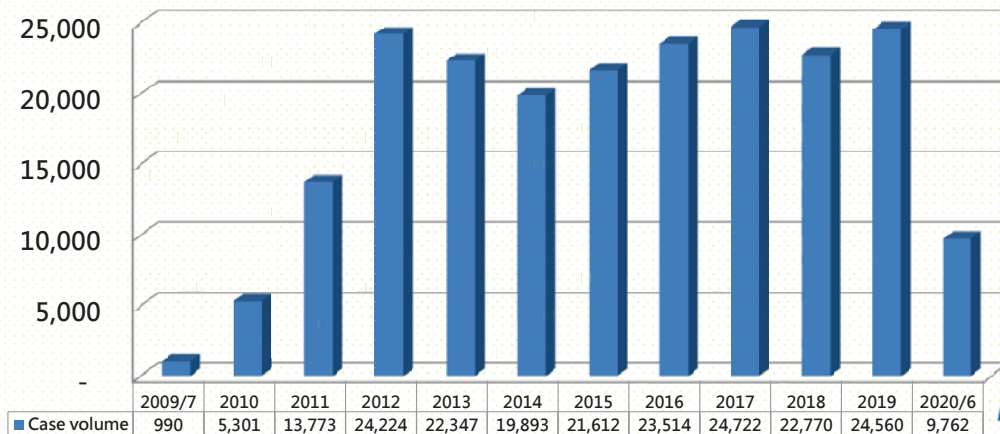
一般申訴服務

- 提供超過『21萬件』以上，一般申訴服務!

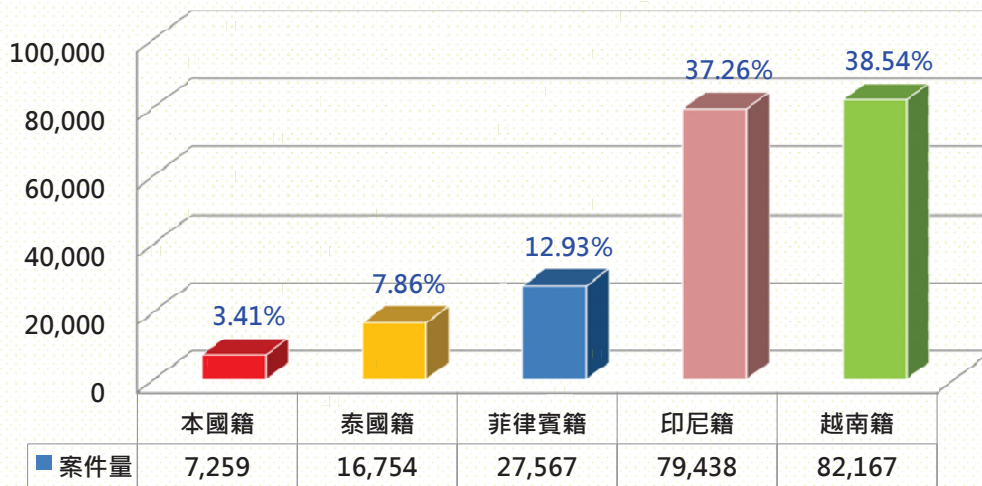


Standard complaint services

- Services provided to over 210,000 cases of standard complaint!



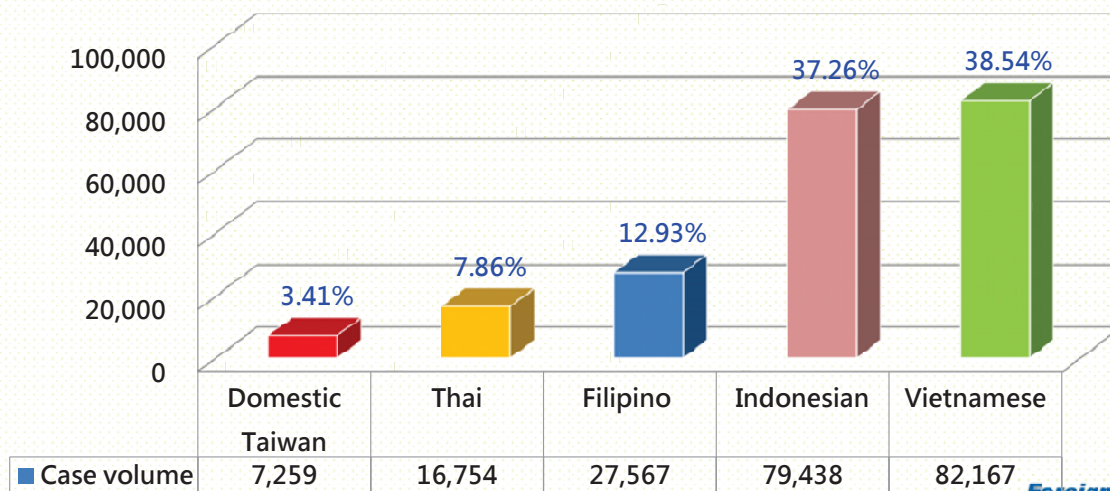
進線語系統計：一般案件



資料統計區間: 98/7/1 ~ 109/6/30



In-coming Hotline call language data: standard complaints

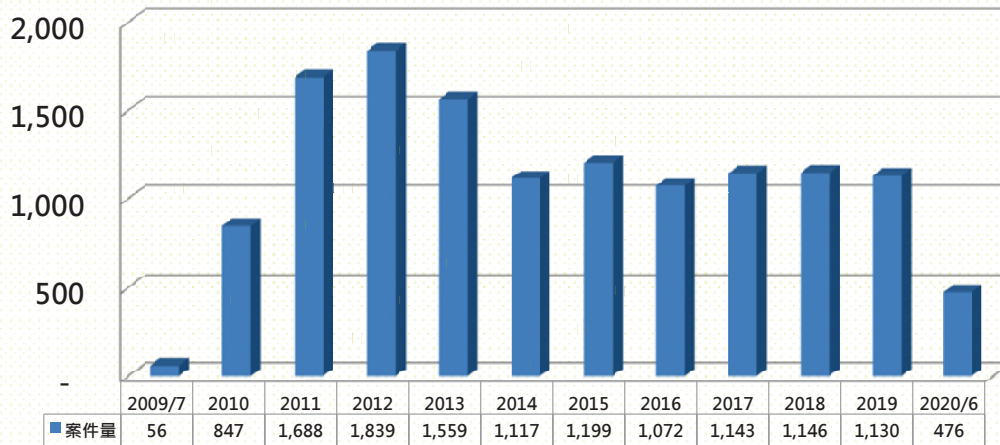


Statistical Data period: From July 1, 2009 ~ June 30, 2020



緊急申訴服務

- 提供超過『1萬3千件』以上，緊急申訴服務!

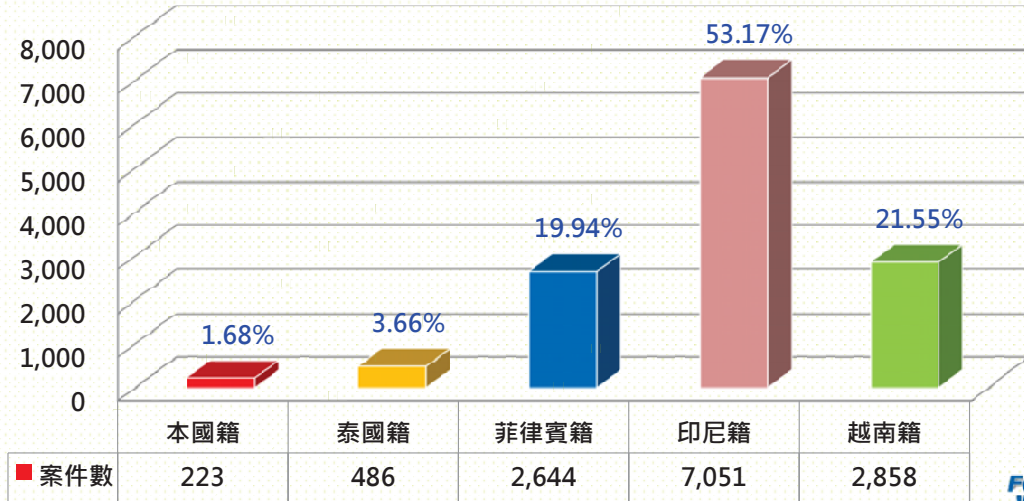


Emergency complaint services

- Services provided to over 13,000 cases of emergency complaint!



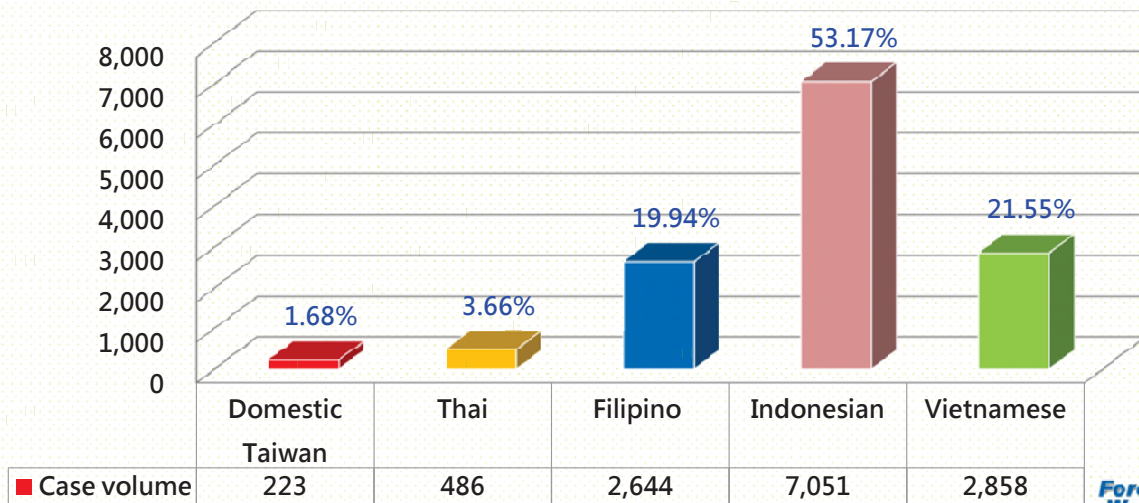
進線語系統計：緊急申訴



資料統計區間: 98/7/1 ~ 109/06/30



In-coming Hotline language data: Emergency complaint cases

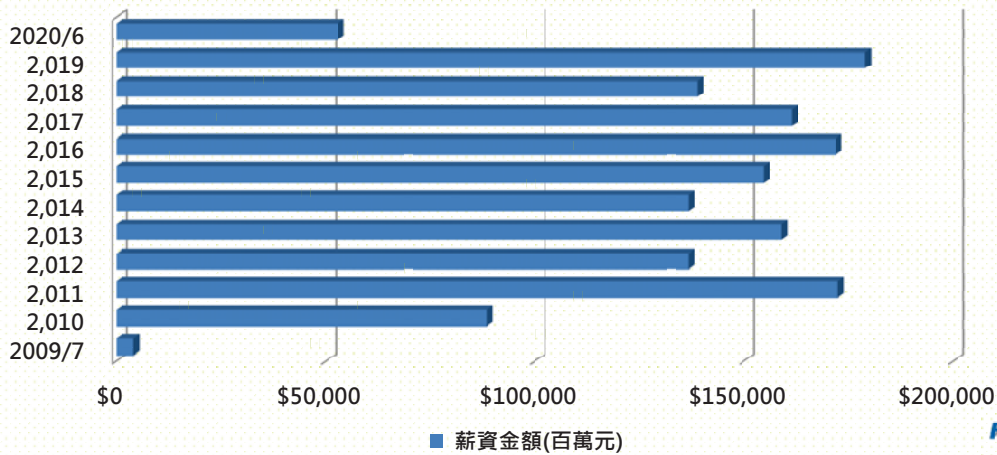


Statistical Data period: From July 1, 2009 ~ June 30, 2020



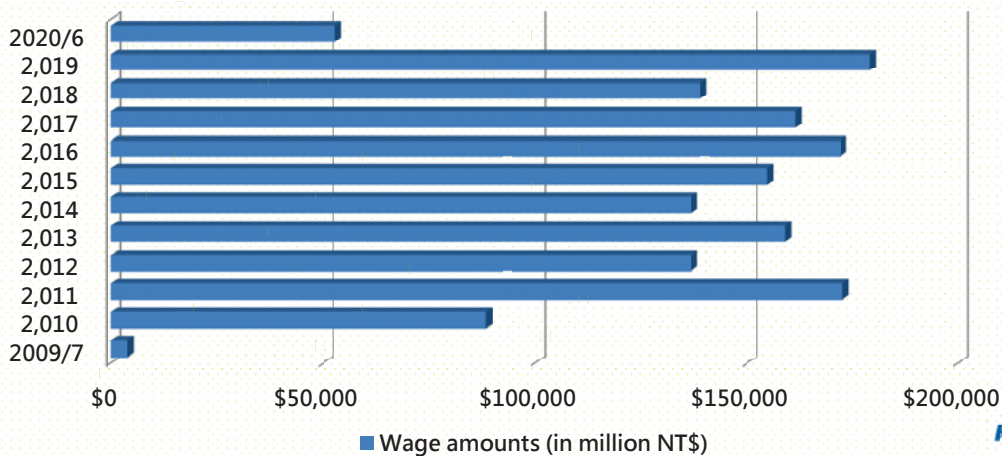
歷年協助取回薪資金額統計

- 協助取回薪資金額超過『15億5千萬元』以上!



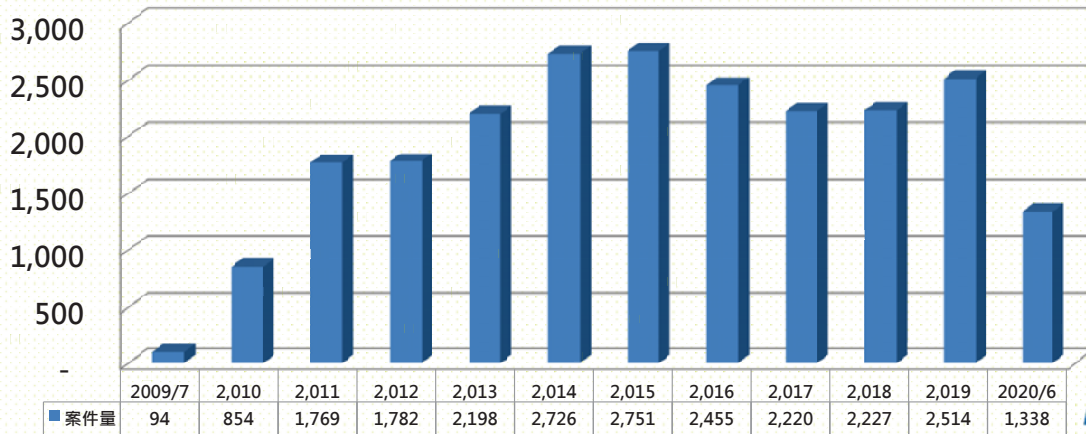
Accumulated Amounts of Prior Years' Assistance in recouping wages due

- Assistance in recovering over NT\$1.55 billion in wages!



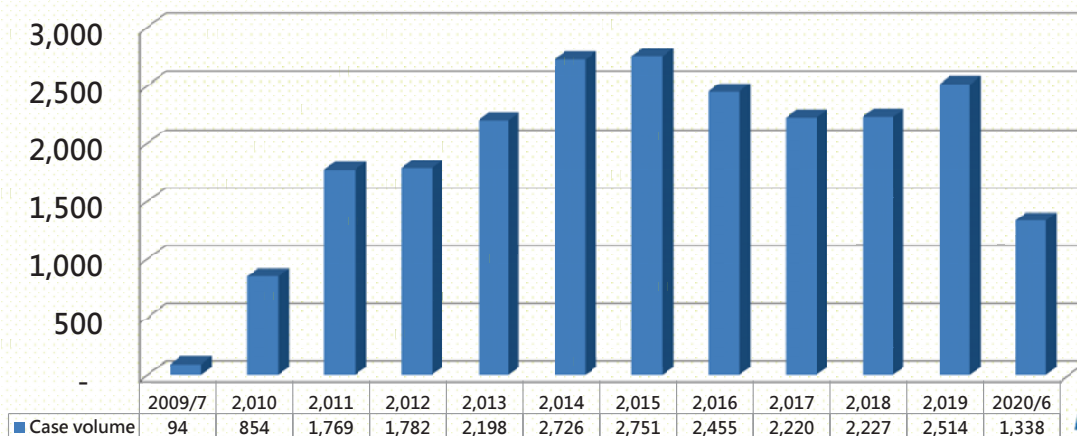
歷年協助轉換雇主統計數據

- 協助成功轉換雇主達『2萬1千件』以上!



Prior Years' Accumulated Count of Assistance in Changing/Transferring Employers

- Successful transfers to new employers for over 21,000 cases!





Thank you for listening!

簡歷-與談人

黃文志

中華警政研究學會副秘書長



學歷

美國德州聖休士頓州立大學刑事司法學系博士

美國紐約州立大學奧伯尼分校公共行政碩士

中央警察大學外事警察學系法學學士

經歷

警政署駐越南警察聯絡官(兼轄柬埔寨、寮國)

刑事警察局國際刑警科國際刑事偵查隊隊長(負責美、日、泰、菲等國之國際偵查合作)

刑事警察局國際刑警科業務組組長(負責我國 INTERPOL 之業務與對外聯繫窗口)

警政署副署長室機要(洪勝堃副署長辦公室)

警政署國際組特勤科警務正(負責警政署國際會議、國際警察合作)

警政署保六總隊第二警官隊警情組組員(連戰前院長安全警衛)

CURRICULUM VITAE OF COMMENTATOR

Wen-Chih Huang

Deputy Secretary-General

Association of Chinese Police Research



EDUCATION

- December 2013 Ph.D. in Criminal Justice, College of Criminal Justice, Sam Houston State University, Texas, USA
- May 2000 Master of Public Administration, Department of Public Affairs and Policy, Nelson A. Rockefeller College, State University of New York at Albany, USA
- May 1992 Bachelor of Arts Foreign Affairs Police Department, Central Police University, Taiwan

EXPERIENCE

- June 2020 Secretary General, Association of Police and Family Care, Taiwan
- December 2017 Deputy Secretary-General, Association of Chinese Police Research, Taiwan
- August 2016 Board Member, Association of Chinese Homeland Security Research.
- August 2014 Assistant Professor, Department of Border Police, College of Criminal Justice, Central Police University, Taiwan
- September 2011 Section Chief, International Investigation Section II, International Criminal Affairs Division, Criminal Investigation Bureau (CIB), National Police Agency (NPA), Taiwan
- May 2008 Police Liaison Officer stationed in Ho Chi Minh City, Vietnam; focus on Police Cooperation Affairs & Transnational Crime Investigation, responsible for Vietnam, Cambodia, and P.D.R. Laos
- November 2007 Section Chief, Operation Section, International Criminal Affairs Division, Criminal Investigation Bureau (CIB), National Police Agency (NPA), Taiwan
- June 2004 Assistant to Deputy Director-General Hung, Sheng-Kun, National Police Agency (NPA), Taiwan
- September 2002 Analyst, South Asia Region, Institute for the Study of Violent Groups (ISVG), Criminal Justice Center, Sam Houston State University, Texas, USA
- September 1995 Detective, Foreign Affairs Police Corps, National Police Agency (NPA), Taiwan
- November 1992 Police Lieutenant, 2nd Squad of Special Protection, 6th Preservation Corps, National Police Agency (NPA), Taiwan



2020年防制人口販運國際工作坊
2020 International Workshop on
Combating Human Trafficking

打擊人口販運必要條件：
亞太地區在人口販運的預防、起訴與保護之相互合
作

中華警政研究學會副秘書長黃文志博士

Dr. Wen-Chih “Billy” Huang

Deputy Secretary General of Association of Chinese Police Research, Taiwan



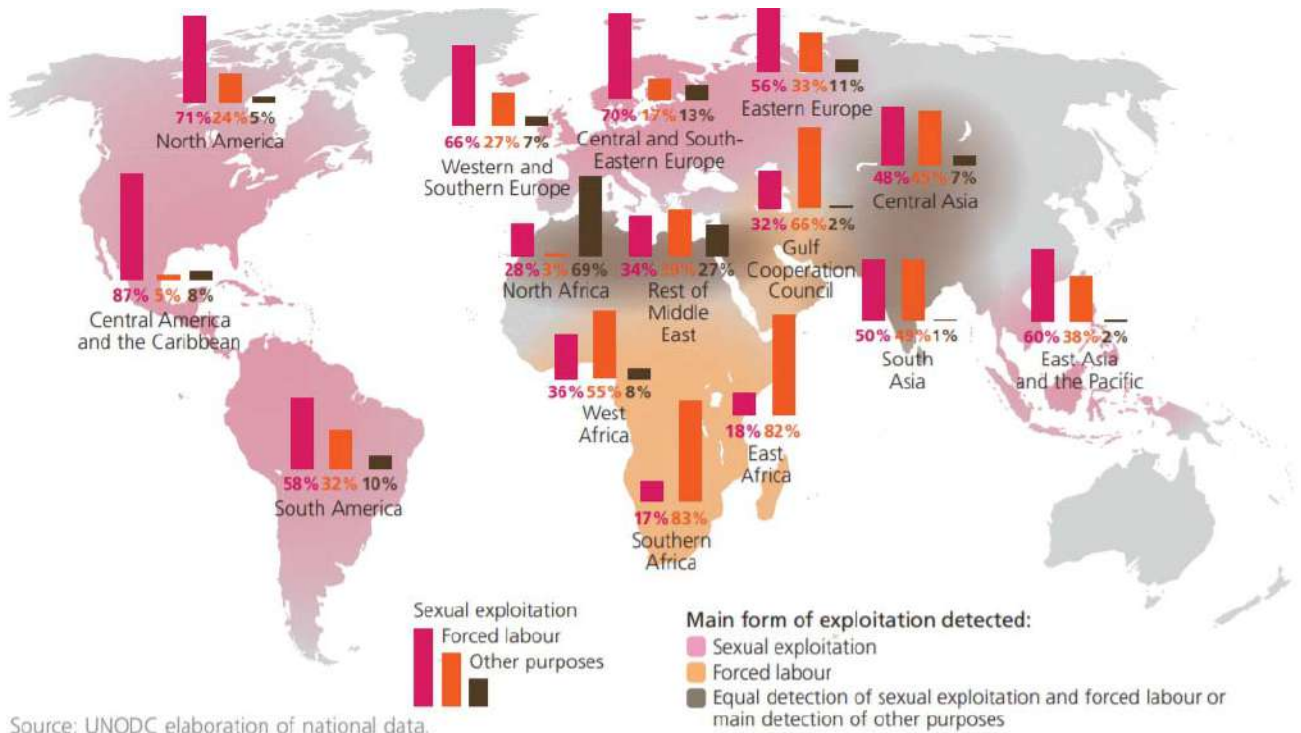
2020年防制人口販運國際工作坊
2020 International Workshop on
Combating Human Trafficking

**Essentials for fighting Human Trafficking:
Asia and Pacific Region’s Mutual Cooperation on
Prevention, Prosecution and Protection**

中華警政研究學會副秘書長黃文志博士

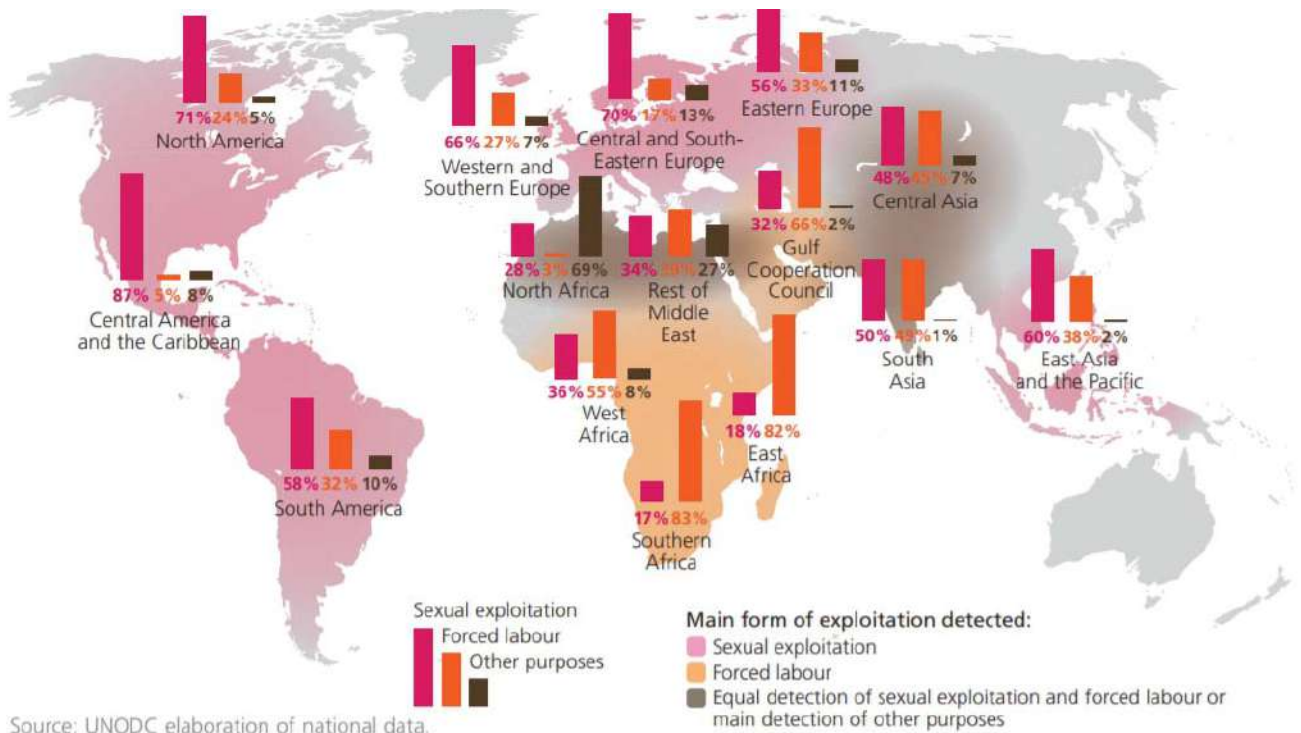
Dr. Wen-Chih “Billy” Huang

Deputy Secretary General of Association of Chinese Police Research, Taiwan



Source: UNODC elaboration of national data.

Note: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.



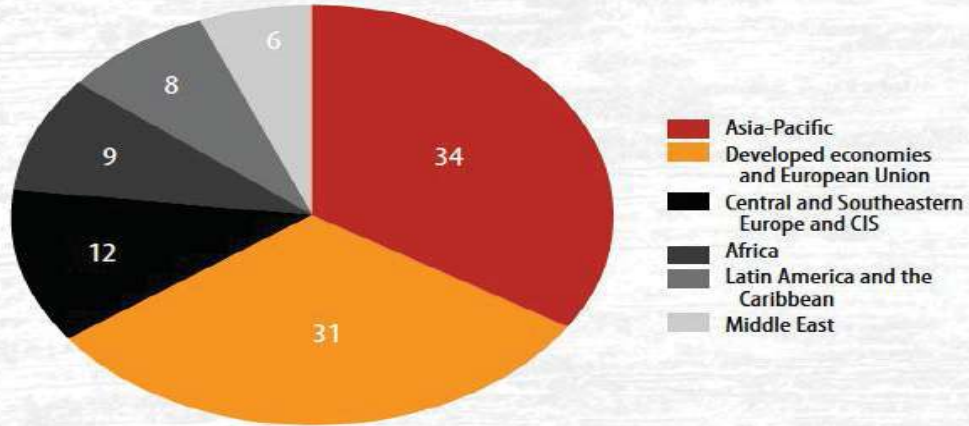
Source: UNODC elaboration of national data.

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Lucrative trade

Human trafficking is estimated to be one of the most profitable forms of organized crime, generating \$150.3 billion a year in profit globally. The Asia-Pacific region is the most lucrative.

(estimated average annual profits generated from trafficked forced laborers, percent of global profits)



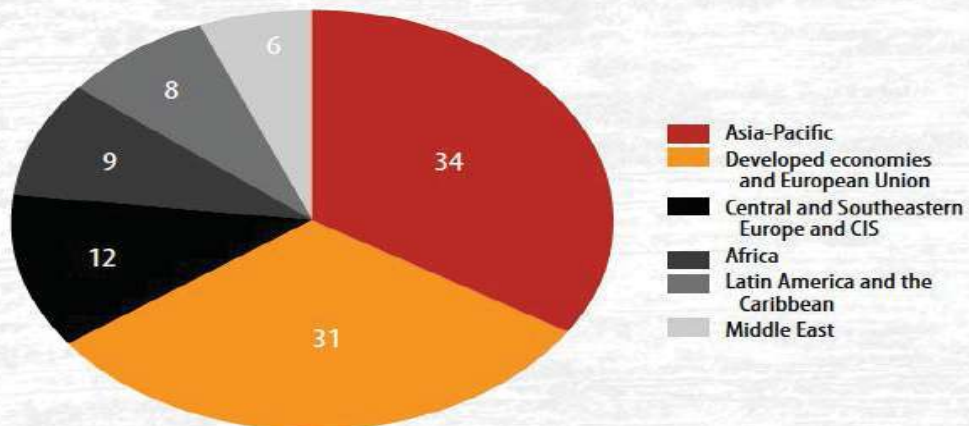
Source: International Labour Organization. 2015. *Profits and Poverty: The Economics of Forced Labor*. Geneva.

Note: CIS = Commonwealth of Independent States.

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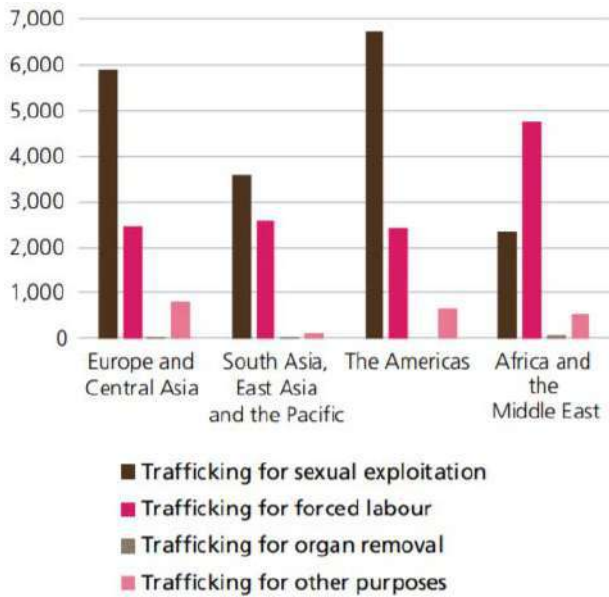
(estimated average annual profits generated from trafficked forced laborers, percent of global profits)



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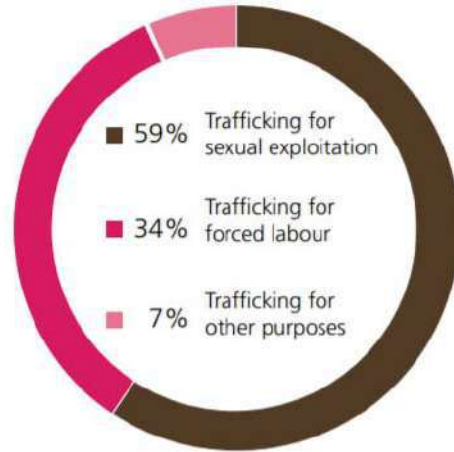
Note: CIS = Commonwealth of Independent States.

外國法理



Source: UNODC elaboration of national data.

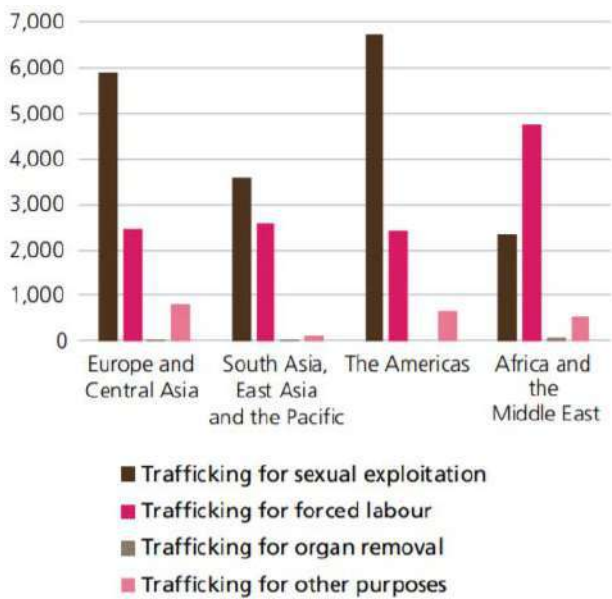
其他目的：假結婚、犯罪行為、兒童軍人、乞討



Source: UNODC elaboration of national data.

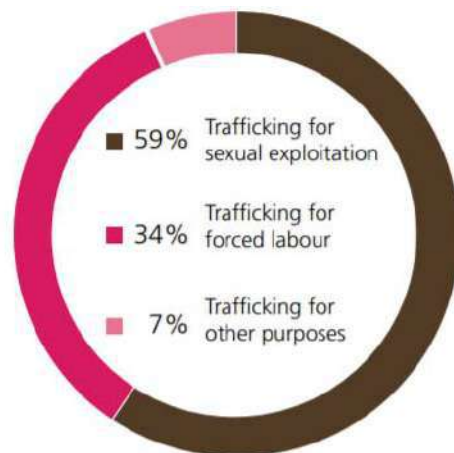
* Estimates are based on data provided by 110 countries reporting 24,687 detected victims.

Foreign jurisprudence



Source: UNODC elaboration of national data.

Other purposes：假結婚、犯罪行為、兒童軍人、乞討



Source: UNODC elaboration of national data.

* Estimates are based on data provided by 110 countries reporting 24,687 detected victims.



TIER PLACEMENT IN THE TRAFFICKING IN PERSONS REPORT (ASEAN)



- Tier 1 Governments fully comply with the Trafficking Victims Protection Act's (TVPA) minimum standards.
- Tier 2 Governments do not fully comply, but are making significant efforts to bring themselves into compliance.
- Tier 2 Watch List Governments do not fully comply, but are making significant efforts to bring themselves into compliance, as well as other negative indicators.
- Tier 3 Governments do not fully comply and are not making significant efforts to do so.

TIER PLACEMENT IN THE TRAFFICKING IN PERSONS REPORT (ASEAN)



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- Tier 3 Governments do not fully comply and are not making significant efforts to do so.



EAST ASIA & PACIFIC

Boundary representation is not authoritative.

TIER PLACEMENTS

■ TIER 1
 ■ TIER 2
 ■ TIER 2 WATCH LIST
 ■ TIER 3

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
2013	2,480 (388)	1,273 (88)	7,886 (3,277)	3
2014	1,938 (88)	969 (14)	6,349 (3,084)	3
2015	2,434 (393)	1,731 (136)	13,990 (3,333)	18
2016	2,137 (51)	1,953 (31)	9,989 (330)	7
2017	2,649 (77)	3,227 (72)	4,915 (668)	0
2018	2,352 (63)	1,275 (16)	5,466 (291)	1
2019	3,276 (86)	3,662 (20)	14,332 (7,687)	2

The above statistics are estimates derived from data provided by foreign governments and other sources and reviewed by the Department of State. Aggregate data fluctuates from one year to the next due to the hidden nature of trafficking crimes, dynamic global events, shifts in government efforts, and a lack of uniformity in national reporting structures. The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified.



EAST ASIA & PACIFIC

Boundary representation is not authoritative.

TIER PLACEMENTS

■ TIER 1
 ■ TIER 2
 ■ TIER 2 WATCH LIST
 ■ TIER 3

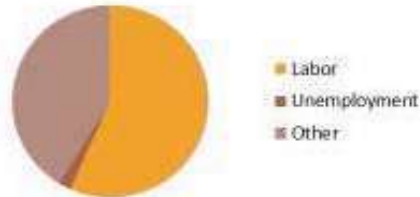
YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
2013	2,480 (388)	1,273 (88)	7,886 (3,277)	3
2014	1,938 (88)	969 (14)	6,349 (3,084)	3
2015	2,434 (393)	1,731 (136)	13,990 (3,333)	18
2016	2,137 (51)	1,953 (31)	9,989 (330)	7
2017	2,649 (77)	3,227 (72)	4,915 (668)	0
2018	2,352 (63)	1,275 (16)	5,466 (291)	1
2019	3,276 (86)	3,662 (20)	14,332 (7,687)	2

The above statistics are estimates derived from data provided by foreign governments and other sources and reviewed by the Department of State. Aggregate data fluctuates from one year to the next due to the hidden nature of trafficking crimes, dynamic global events, shifts in government efforts, and a lack of uniformity in national reporting structures. The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified.

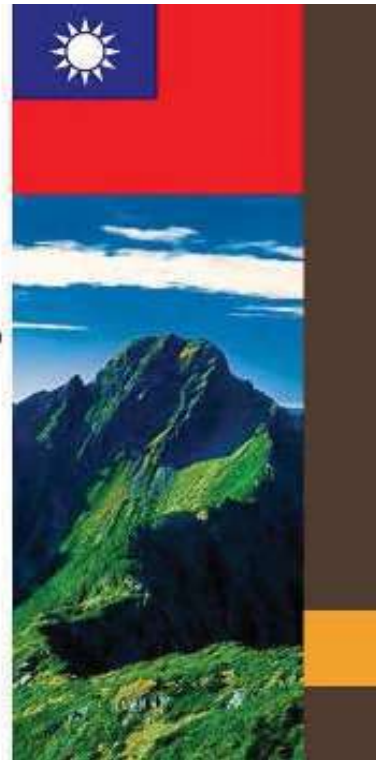
Taiwan

Demographic variables

- Population: **23,694,089** (2018 Jan)
- Labor population: **13,955,800**(58.9%)
- Unemployment rate: **3.7%** (2.2% of all population)



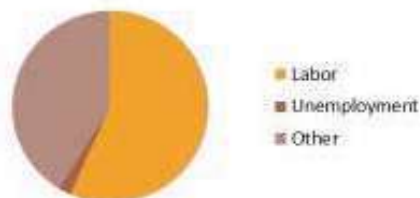
- GDP per capita: **\$24,337**



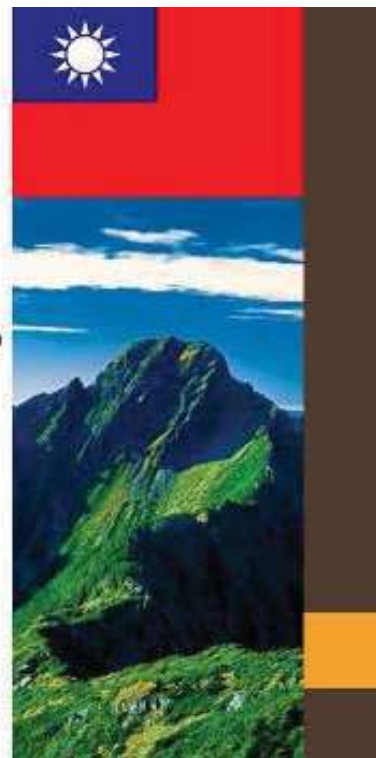
Taiwan

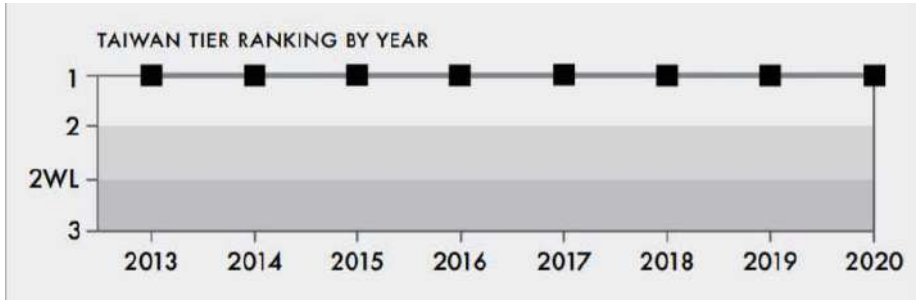
Demographic variables

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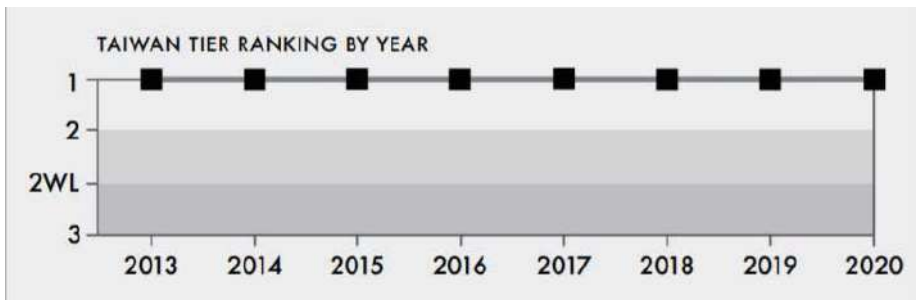




台灣政府已經符合消滅人口販運之最低標準，而且在報告期依舊持續努力消滅人口販運，因此依舊位於第一級名單。

跨機關合作打擊人口販運、簡化調查流程的新政策、持續監控容易發生人口販運的招募管道，並且強化對漁船稽查與潛在強迫勞動的調查轉介。

台灣雖然符合最低標準，但依舊有許多重大的挑戰。政府人員鑑別受害者的程序都不同，而且欠缺效率，造成部分受害者無法伸張正義並且獲得保護。人員以及稽查程序的不足，無法有效在經常發生強迫勞動的遠洋船隊中，掛有台灣國旗以及台灣籍漁船中抑制此犯罪。此外，在欠缺明確法規保障其勞動權之下，成千上萬的外籍看護仍面臨被剝削的高風險。



Taiwan authorities fully meet the minimum standards for the elimination of trafficking. Authorities continued to demonstrate serious and sustained efforts during the reporting period; therefore Taiwan remained on Tier 1.

These efforts included improved interagency coordination to combat trafficking; new policy initiatives intended to streamline investigations; continued oversight of vulnerable labor recruitment channels; and increased inspections and investigatory referrals of potential forced labor cases on fishing vessels.

Although Taiwan met the minimum standards, significant challenges remained unaddressed. Official stakeholders operated under disparate and often ineffective victim identification procedures, complicating some victims' access to justice and protective care. Insufficient staffing and inspection protocols continued to impede efforts to combat forced labor on Taiwan-flagged and -owned fishing vessels in the highly vulnerable Distant Water Fleet (DWF). Thousands of migrant domestic caregivers remained at higher risk of exploitation in the absence of specific legislation ensuring their labor rights.

行動	預防		起訴		保護	
	已實施	待加強	已實施	待加強	已實施	待加強
台灣	1. 持續監控容易發生人口販運的招募管道	在欠缺明確法規保障其勞動權之下，成千上萬的 外籍看護 仍面臨被剝削的高風險	1. 簡化調查流程的新政策 2. 強化對漁船稽查與潛在強迫勞動的調查轉介	人員以及稽查程序的不足，無法有效在經常發生強迫勞動的 遠洋船隊中，掛有台灣國旗以及台灣籍漁船中抑制 此犯罪	強化跨機關合作打擊人口販運	1. 鑑別受害者的程序 欠缺效率 2. 受害者無法伸張正義並且獲得保護

Efforts Accomplished	Prevention		Prosecution		Protection	
	Yes	Not Yet	Yes	Not Yet	Yes	Not Yet
Taiwan	1. Continued oversight of vulnerable labor recruitment channels	Thousands of migrant domestic caregivers remained at higher risk of exploitation in the absence of specific legislation ensuring their labor rights	1. New Policy Initiatives to streamline Investigations 2. increased inspections and investigatory referrals of potential forced labor cases on fishing vessels	Insufficient staffing and inspection protocols continued to impede efforts to combat forced labor on Taiwan-flagged and -owned fishing vessels in the highly vulnerable Distant Water Fleet (DWF)	improved interagency coordination to combat trafficking;	1. ineffective victim identification procedures 2. complicating some victims' access to justice and protective care

優先建議事項

1. 根據反人口販運法規，加倍努力將人口販運份子起訴並定罪。
2. 根據人口販運份子罪行判刑，包括長刑期。
3. **針對遠洋船隊中有強迫勞動嫌疑的台灣籍與掛台灣國旗的船隻（包括停靠在國外特別停靠區的船隻），加強稽查並視情況起訴高級船員與船主。**
4. **擬定並執行政策，加快海上強迫勞動調查速度，降低嫌犯逃離機率。**
5. **在港邊與海上進行船隻稽查時，進行全面且以受害者為中心的訪談，從與船員的訪談中找出是否有強迫勞動的跡象。**
6. 訓練海洋稽查主管機關鑑別受害者、進行轉介以及執法通知程序。
7. 勞工仲介評估過程正式加入公民社會意見。
8. **修正相關政策與法規漏洞，免除外籍勞工被徵收的所有仲介費、服務費與押金，並與輸出國合作直接顧聘服務。**
9. **強化對外籍勞工仲介與就業服務機構的監督，加強勞工剝削節檢程序，包括仲介違法要求其他費用以及合約不一致問題。**
10. 針對容易受剝削族群加強稽查，包括來台就讀大學的外籍學生、在海外被控犯罪因而返台之人士、逃離虐待雇主因而工作簽證到期和/或依照自行到案專案向主管機關自首之外籍勞工，並且轉介至保護性服務。
11. 投入更多資源，並且要求遠洋船隊船隻使用標準國際海事呼號、規定所有台灣籍與掛台灣國旗船隻都必須在單一標準化資料庫中登記其漁船名稱、執照、合法捕撈海域與聘用外籍船員名單，藉此簡化海上稽查流程。
12. **清楚定義監督台灣籍與掛台灣國旗漁船之各主管機關角色與責任，並加強跨機關合作。**
13. 制定法律改善現有法律對外籍幫傭與看護基本勞工保障不足之處。
14. 全面禁止扣留外籍勞工的身份與旅行證件。
15. 給予關鍵利害關係人機關權限鑑別人口販運受害人。
16. 增加資源並加強對警方、檢察官與法官的反人口販運訓練。
17. 針對台灣籍與掛台灣國旗的漁船的外籍船員，加強宣導外籍員工人口販運熱線號碼。

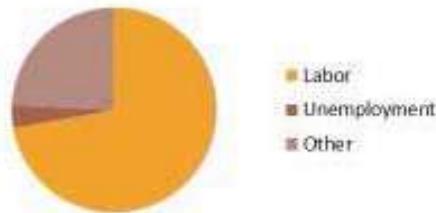
PRIORITIZED RECOMMENDATIONS

1. Increase efforts to prosecute and convict traffickers under the anti-trafficking law.
2. Sentence convicted traffickers to adequate penalties, which should include significant prison terms.
3. **Increase inspections and, where appropriate, prosecute the senior crew and owners of Taiwan-owned and -flagged fishing vessels suspected of forced labor in the DWF, including vessels stopping in special foreign docking zones.**
4. **Enact and implement policies to expedite maritime forced labor investigations and reduce suspect flight.**
5. **Conduct comprehensive, victim-centered interviews to screen foreign fishing crewmembers for forced labor indicators during portside and at-sea vessel inspections.**
6. Train maritime inspection authorities on victim identification, referral, and law enforcement notification procedures.
7. Formally include civil society input into the labor broker evaluation process.
8. **Amend relevant policies and legislative loopholes to eliminate the imposition of all recruitment and service fees and deposits on workers, and by coordinating with sending countries to facilitate direct hiring.**
9. **Strengthen oversight of all foreign worker recruitment and placement agencies and processes to screen for abuse indicators, including illegal fee requirements and contract discrepancies.**
10. Strengthen efforts to screen for trafficking among vulnerable populations, including foreign students recruited to for-profit universities; **individuals returned to Taiwan in connection with alleged overseas criminal activity**; and foreign workers falling out of visa status within Taiwan after fleeing abusive working conditions and/or surrendering to immigration authorities under the voluntary departure program, and refer them to protective services.
11. Allocate increased resources for and streamline the maritime inspection process by requiring DWF vessels to use standard international maritime call signs, and by registering all Taiwan-owned and -flagged fishing vessel names, licenses, authorized operation areas, and foreign-hired crew manifests in a single, standardized database system.
12. **Clearly define roles and responsibilities for, and increase coordination between, the agencies that oversee Taiwan-owned and -flagged fishing vessels.**
13. Enact legislation that would address gaps in basic labor protections for household caregivers and domestic workers.
14. Enact a full ban on the retention of migrant workers' identity and travel documentation.
15. Extend trafficking victim identification authority to key stakeholder agencies.
16. Increase resources for and implement anti-trafficking training for police, prosecutors, and judges.
17. Strengthen efforts to publicize the foreign worker trafficking hotline number among migrant crewmembers of Taiwan-owned and -flagged fishing vessels.

Indonesia

Demographic variables

- Population: 266,794,980 (2018 Jan)
- Labor population: 184,088,500(69%)
- Unemployment rate: 5.1% (3.5% of all population)



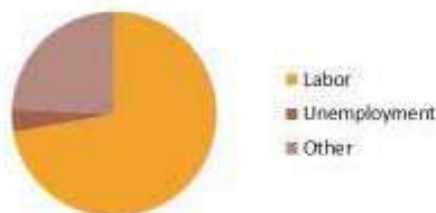
- GDP per capita: \$3,974



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- Unemployment rate: 5.1% (3.5% of all population)



- GDP per capita: \$3,974





印尼政府尚未完全符合消滅人口販運之最低標準，但目前正在努力。與前一個報告期相較之下，印尼政府整體消滅人口販運的努力是有提昇的。因此目前依舊在第二級名單上。

印尼政府在消滅人口販運的努力包括透過社會事務部提供更多受害者保護性服務；比前一年鑑別、接收與幫助更多在海外遭到剝削的印尼受害者；幫助印尼勞工取得先前在海外工作的欠薪；持續製作並散播宣傳材料，並且制定2017年通過的移工保護法的實施條例

然而印尼政府在幾個重點領域沒有符合消滅人口販運之最低標準。印尼連兩年的人口販運起訴與定罪人數下滑，而且法院有時在沒有正式休庭、判決或法律確證的情況下就會停止在民事或刑事上停止起訴人口販運案件。官員成為人口販運的共犯也是一個擔憂，且跟去年一樣，雖然政府表示有持續進行調查，卻沒有公布這些被指控為人口販運共犯之官員是否被起訴或定罪的資訊。印尼欠缺一套受害者鑑別系統，因此一直無法有效鑑別受害者，特別是男性受害者。印尼國家級、省級與地方級的反人口販運特別小組缺乏協調，造成中央政府政策無法有效在全國普遍執行。印尼政府連四年減少受害者保護預算以及全國特別小組協調辦公室預算。主管機關沒有制定移工保護法案的實施條例，造成該法案成效有限。2007年的反人口販運法規定必須有以武力、詐欺或壓迫才構成兒童性販運，與國際法規規定不同。



The Government of Indonesia does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Indonesia remained on Tier 2.

These efforts included providing more victims with protection services through its social affairs ministry; identifying, receiving, and assisting more Indonesian victims exploited overseas than the previous year; recovering back wages for Indonesian workers seeking recompense for unpaid work overseas; continuing to create and disseminate awareness materials; and enacting some implementing regulations to a migrant worker protection bill passed in 2017.

However, the government did not meet the minimum standards in several key areas. Prosecutions and convictions decreased for the second consecutive year, and courts at times ceased processing civil and criminal trafficking cases without formal adjournments, verdicts, or legal justification. Official complicity in trafficking crimes remained a concern, and, as in the previous year, although the government reported ongoing investigations, it did not report any prosecutions or convictions of officials allegedly complicit in trafficking. The lack of robust, systematized victim identification procedures continued to hinder the identification of victims overall—particularly male victims. Coordination between the national anti-trafficking task force and its provincial and local-level counterparts was insufficient to translate central government policies into nationwide implementation. The government decreased funding for victim protection, and its budget allocation to the coordinating office of the national task force decreased for the fourth consecutive year. Authorities did not enact several key implementing regulations for the migrant worker protection bill, constraining its effectiveness. The 2007 anti-trafficking law was inconsistent with international law by requiring a demonstration of force, fraud, or coercion to constitute a child sex trafficking crime.

行動	預防		起訴		保護	
	已實施	待加強	已實施	待加強	已實施	待加強
印尼	<ol style="list-style-type: none"> 1. 持續製作並散播宣傳材料 2. 制定2017年通過的移工保護法的實施條例 	<ol style="list-style-type: none"> 1. 印尼國家級、省級與地方級的反人口販運特別小組缺乏協調，造成中央政府政策無法有效在全國普遍執行 2. 主管機關沒有制定移工保護法案的實施條例，造成該法案成效有限 3. 2007年的反人口販運法因為規定必須有以武力、詐欺或壓迫才構成兒童性販運，與國際法規規定不同 		<ol style="list-style-type: none"> 1. 印尼連兩年的人口販運起訴與定罪人數下滑，而且法院有時在沒有正式休庭、判決或法律確證的情況下就會停止在民事或刑事上停止起訴人口販運案件 2. 官員成為人口販運的共犯也是一個擔憂，且跟去年一樣，雖然政府表示有持續進行調查，卻沒有公布這些被指控為人口販運共犯之官員是否被起訴或定罪的資訊 	<ol style="list-style-type: none"> 1. 透過社會事務部提供更多受害者保護性服務 2. 比前一年鑑別、接收與幫助更多在海外遭到剝削的印尼受害者 3. 幫助印尼勞工取得先前在海外工作的欠薪 	<ol style="list-style-type: none"> 1. 印尼欠缺一套受害者鑑別系統，因此一直無法有效鑑別受害者，特別是男性受害者 2. 印尼政府連四年減少受害者保護預算以及全國特別小組協調辦公室預算

Efforts	Prevention		Yes	Prosecution		Yes	Protection	
	Yes	Not Yet		Not Yet	Not Yet		Yes	Not Yet
Indonesia	<ol style="list-style-type: none"> 1. continuing to create and disseminate awareness materials 2. enacting some implementing regulations to a migrant worker protection bill passed in 2017 	<ol style="list-style-type: none"> 1. Coordination between the national anti-trafficking task force and its provincial and local-level counterparts was insufficient to translate central government policies into nationwide implementation 2. Authorities did not enact several key implementing regulations for the migrant worker protection bill, constraining its effectiveness 3. The 2007 anti-trafficking law was inconsistent with international law by requiring a demonstration of force, fraud, or coercion to constitute a child sex trafficking crime. 		<ol style="list-style-type: none"> 1. Prosecutions and convictions decreased for the second consecutive year, and courts at times ceased processing civil and criminal trafficking cases without formal adjournments, verdicts, or legal justification 2. Official complicity in trafficking crimes remained a concern, and, as in the previous year, although the government reported ongoing investigations, it did not report any prosecutions or convictions of officials allegedly complicit in trafficking 	<ol style="list-style-type: none"> 1. providing more victims with protection services through its social affairs ministry 2. identifying, receiving, and assisting more Indonesian victims exploited overseas than the previous year 3. recovering back wages for Indonesian workers seeking recompense for unpaid work overseas 	<ol style="list-style-type: none"> 1. The lack of robust, systematized victim identification procedures continued to hinder the identification of victims overall—particularly male victims 2. The government decreased funding for victim protection, and its budget allocation to the coordinating office of the national task force decreased for the fourth consecutive year 		

優先建議事項

1. 根據2007年法案進一步調查、起訴並將人口販運份子（包括刻意忽略、協助或參與販運罪行的共犯官員）定罪。
2. 刪除2007年法案當中，必須有以武力、詐欺或壓迫才構成兒童性販運的規定。
3. 指定並散播相關資訊，並且讓所有相關官員（執法、外交、海事與勞動部等）進行主動受害者鑑別標準作業程序訓練。
4. 擬定2017年移民勞工保護法的實施條例，當中包括禁止要求勞工支付招聘費用的條文。
5. 投入更多資源並積極提供所有受害者（包括男性受害者）復健服務。
6. 允許政府收容所的受害者有移動自由。
7. **加強監督勞工仲介公司，並採取行動制裁有違法行為（包括收取仲介費、不實仲介行為、調包契約與偽造文書等）使外勞發生強迫勞動的機構。**
8. 將反人口販運訓練制度化，並定期提供法官、檢察官、警察與社工人員訓練。
9. **擬定並提供印尼與外籍船員出境前與入境後講習，提供勞工權益與海上安全資訊，並確保由雇主負擔講習與訓練費用。**
10. 增加反人口販運特別小組資源，強化各部會的特別小組合作情況。
11. 加強中央與省級社會機構之間的協調，改善受害者保護措施的實施。
12. 建立資料蒐集系統，追蹤各級執法單位在反人口販運上的努力。
13. 解除移民禁令，鼓勵透過安全合法管道移民。
14. 訓練醫院員工與其他醫護供應人員，幫助其了解保證由政府支付人口販運受害者照護費用的條文。
15. 採取行動幫助各村莊領導進一步認識人口販運趨勢以及高風險族群。
16. **建立全國機制，清楚規定在受害者省份以外的地區起訴人口販運份子時各機關的角色。**

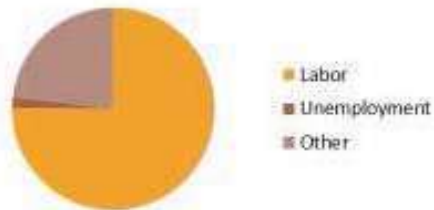
PRIORITIZED RECOMMENDATIONS

1. Increase efforts to vigorously investigate, prosecute, and convict traffickers under the 2007 law, including complicit officials who willfully ignore, facilitate, or engage in trafficking crimes.
2. Amend the 2007 law to remove the required demonstration of force, fraud, or coercion to constitute child sex trafficking.
3. Develop, finalize, disseminate, and train all relevant officials, including law enforcement, foreign affairs, marine, and labor ministry staff, on comprehensive standard operating procedures (SOPs) for proactive victim identification.
4. Complete implementing regulations to enforce the 2017 law on migrant worker protection, including on the provision prohibiting worker-paid recruitment fees.
5. Increase resources for and proactively offer all victims, including male victims, rehabilitation services.
6. Allow victims in government shelters freedom of movement.
7. **Increase efforts to effectively monitor labor recruitment agencies and take action against entities guilty of illegal conduct that contributes to the forced labor of migrant workers, including charging placement fees, deceptive recruitment practices, contract switching, and document forgery.**
8. Institutionalize and regularly provide anti trafficking training for judges, prosecutors, police, and social workers.
9. **Develop and implement mandatory pre-departure and post-arrival orientation and training for Indonesian and migrant fishermen, respectively, in order to provide information on labor rights and safety at sea, and ensure the orientation and training costs are covered by employers.**
10. Increase resources for the anti-trafficking task force and improve its coordination across ministries.
11. Strengthen coordination between central and provincial-level social affairs agencies to improve implementation of victim protection procedures.
12. Establish a data collection system to track anti-trafficking efforts at all levels of law enforcement.
13. Lift current bans on migration to encourage migration through safe, legal channels.
14. Train hospital staff and other health care providers about provisions guaranteeing government-funded care for trafficking victims.
15. Take steps to increase awareness of trafficking trends and vulnerabilities among local village leaders.
16. **Create a national protocol that clarifies roles for prosecuting trafficking cases outside victims' home provinces.**

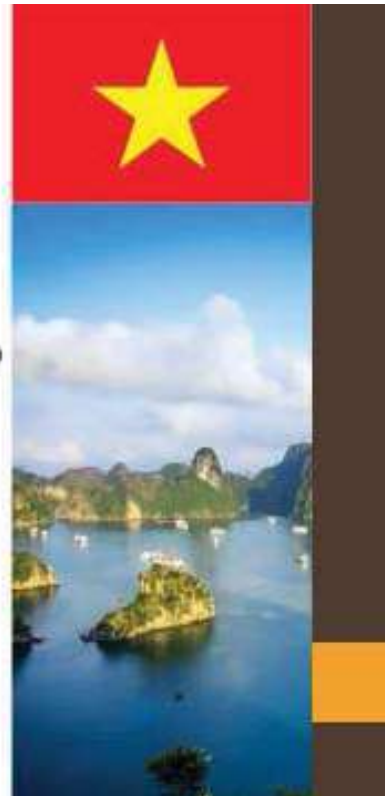
Vietnam

Demographic variables

- Population: **96,491,146** (2018 Jan)
- Labor population: **74,208,500**(76.9%)
- Unemployment rate: **2.2%** (1.7% of all population)



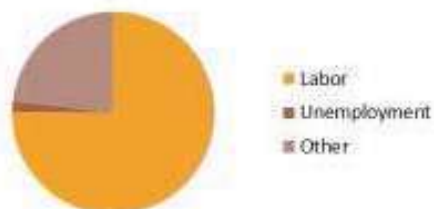
- GDP per capita: **\$1,770**



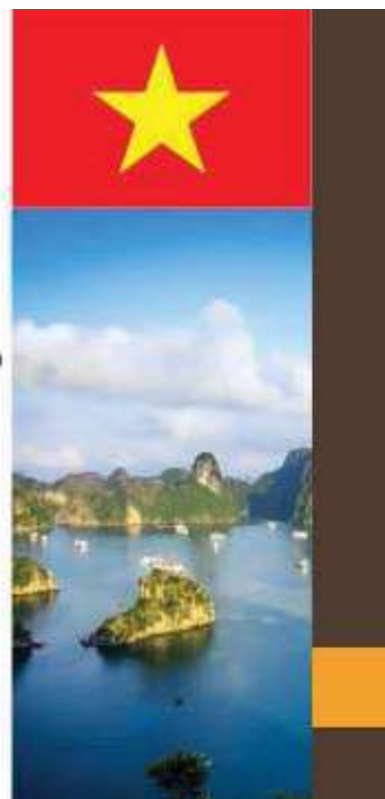
Vietnam

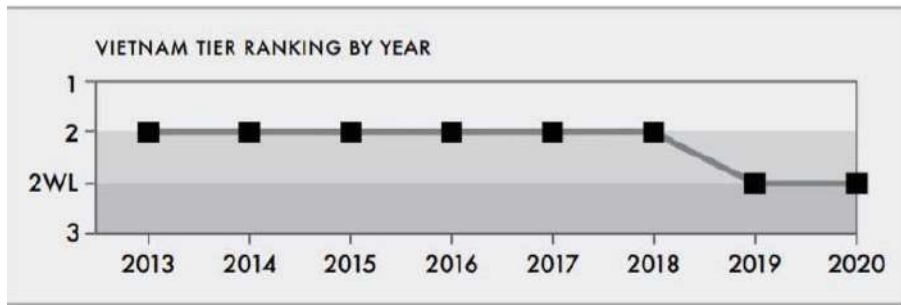
Demographic variables

- Population: **96,491,146** (2018 Jan)
- Labor population: **74,208,500**(76.9%)
- Unemployment rate: **2.2%** (1.7% of all population)



- GDP per capita: **\$1,770**

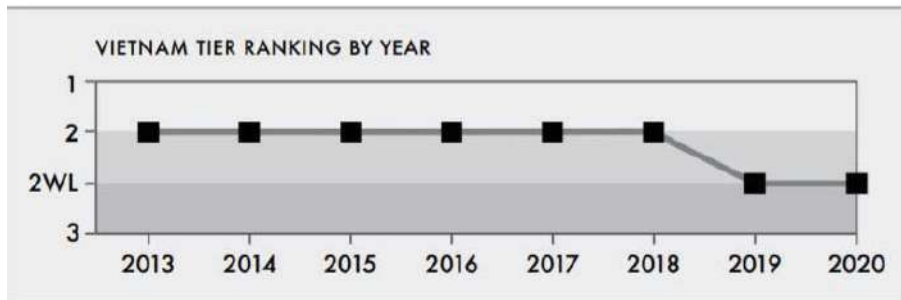




越南政府尚未完全符合消滅人口販運之最低標準，但目前正在努力。

越南政府作出的努力包括賦予人口販運受害者在司法程序中聘用律師之權利、將受害者可留在收容所的時間延長一個月、提高受害者補助使其能滿足基本需求、提高容易受人口販運所害的社群（包括在海外的移工）對人口販運的認識以及訓練執法官員。

然而，與前一個報告期相較之下，越南政府整體來說沒有提高對打擊人口販運的努力。越南政府連三年鑑別受害者人數都遠低於前一年。受害者鑑別與協助程序依舊繁瑣、緩慢且沒有效率。各機構欠缺協調，且部分省份官員不熟悉反人口販運法規與受害者保護的角色與責任，造成人口販運防制效率不彰。勞力仲介（多數都與國營機構合作）以及無照仲介據報會向尋求海外工作機會的勞工收取超過法律上限的費用，造成這些勞工負擔更高的債務，因此被迫勞動的風險也更高（像是逼債）。雖然有報導指出有官員也是共犯，越南政府沒有公布這些官員接受調查、被起訴或被定罪的資訊。因此越南連兩年都在第二級觀察名單上。



The Government of Vietnam does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so.

These efforts included providing trafficking victims the affirmative right to legal representation in judicial proceedings; increasing the amount of time victims could remain in a shelter by one month and the amount of financial support provided to them for certain basic needs; continuing to operate large-scale awareness campaigns in communities vulnerable to trafficking, including workers migrating overseas; and training law enforcement officials.

However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. For the third consecutive year, the government identified significantly fewer victims than the previous year. Victim identification and assistance procedures remained cumbersome, slow, and ineffective. A lack of interagency coordination and unfamiliarity among some provincial officials with anti-trafficking law and victim protection roles and responsibilities continued to impede anti-trafficking efforts. Labor recruitment firms—most affiliated with state-owned enterprises—and unlicensed brokers reportedly charged workers seeking overseas employment higher fees than the law allows; those workers incurred high debts and were at heightened risk for forced labor, including through debt-based coercion. Despite reports of official complicity, the government did not report any investigations, prosecutions, or convictions of officials complicit in trafficking offenses. Therefore Vietnam remained on the Tier 2 Watch List for the second consecutive year.

行動	預防		起訴		保護	
	已實施	待加強	已實施	待加強	已實施	待加強
越南	提高容易受人口販運所害的社群（包括在海外的移工）對人口販運的認識以及訓練執法官員	<ol style="list-style-type: none"> 1. 勞力仲介（多數都與國營機構合作）以及無照仲介據報會向尋求海外工作機會的勞工收取超過法律上限的費用 2. 這些勞工負擔更高的債務，因此被迫勞動的風險也更高（像是逼債） 	已實施	越南政府沒有公布這些官員接受調查、被起訴或被定罪的資訊	<ol style="list-style-type: none"> 1. 賦予人口販運受害者在司法程序中聘用律師之權利 2. 將受害者可留在收容所的時間延長一個月、提高受害者補助使其能滿足基本需求 	<ol style="list-style-type: none"> 1. 越南政府連三年鑑別受害者人數都遠低於前一年 2. 受害者鑑別與協助程序依舊繁瑣、緩慢且沒有效率 3. 各機構欠缺協調，且部分省份官員不熟悉反人口販運法規與受害者保護的角色與責任，造成人口販運防制效率不彰

Efforts	Prevention		Prosecution		Protection	
	Yes	Not Yet	Yes	Not Yet	Yes	Not Yet
Vietnam	Operate large-scale awareness campaigns in communities vulnerable to trafficking, including workers migrating overseas; and training law enforcement officials.	<ol style="list-style-type: none"> 1. Labor recruitment firms—most affiliated with state-owned enterprises—and unlicensed brokers reportedly charged workers seeking overseas employment higher fees than the law allows 2. those workers incurred high debts and were at heightened risk for forced labor, including through debt-based coercion 	Yes	the government did not report any investigations, prosecutions, or convictions of officials complicit in trafficking offenses	<ol style="list-style-type: none"> 1. providing trafficking victims the affirmative right to legal representation in judicial proceedings 2. increasing the amount of time victims could remain in a shelter by one month and the amount of financial support provided to them for certain basic needs 	<ol style="list-style-type: none"> 1. For the third consecutive year, the government identified significantly fewer victims than the previous year 2. Victim identification and assistance procedures remained cumbersome, slow, and ineffective 3. A lack of interagency coordination and unfamiliarity among some provincial officials with anti-trafficking law and victim protection roles and responsibilities continued to impede anti-trafficking efforts

優先建議事項

1. 執行2021-2025年的全國計畫，當中清楚定義各部會國家級與次國家級機構的角色、明定執法、保護與預防行動、蒐集人口販運統計資料進行分析，並且分配足夠資源以實施該計畫。
2. 全面起訴各種人口販運罪行、將人口販運份子定罪並予以懲罰，包括參與強迫勞動的案件或是共犯的官員。
3. 修訂刑法，將16與17歲兒童的性販運定為非法，與國際法規同步。
4. 持續訓練官員認識刑法150與151條的實施條例，焦點放在鑑別與調查強迫勞動與國內人口販運案例，包括男性受害者案例。
5. 依據公民社會意見，更新受害者鑑別實施條例，減少官僚妨礙受害者鑑別的情況發生，並訓練跨部門官員使用這些條例。
6. 請獨立驗證機關至藥物治療中心驗證是否已經消除強迫勞動，並提供驗證結果。
7. 在各政府部門協調並有效執行政策，在高風險族群中鑑別並協助受害者，包括移工、性工作者、童工與脫北者，並提供相關官員這些步驟的訓練。
8. 採取步驟停止由前往海外或進入越南的勞工支付仲介費以及剝削性仲介手法，包括加強監督仲介公司與第三方仲介，並且將剝削性或非法複委託仲介網起訴。提升社工人員、第一急救人員與司法人員的訓練，採用以受害者為中心的方式面對人口販運受害者，包括創傷知情照護。
9. 提高對省級主管機關的資金，進一步服務受害者重新融入社會。

PRIORITIZED RECOMMENDATIONS

1. Adopt a 2021-2025 national action plan that clarifies the roles of national and subnational entities across ministries; stipulates law enforcement, protection, and prevention actions; is informed by disaggregated trafficking data collection; and allocates sufficient resources to implementation.
2. Vigorously prosecute all forms of trafficking and convict and punish traffickers, including in cases involving forced labor or complicit officials.
3. Amend the penal code to criminalize all forms of sex trafficking of 16- and 17-yearold children, consistent with international law.
4. Continue to train officials on implementing guidelines for Articles 150 and 151 of the penal code, with a focus on identifying and investigating forced labor and internal trafficking cases, including those involving male victims.
5. In coordination with civil society, update implementing guidelines on victim identification to reduce bureaucratic obstacles preventing victim detection and train cross-sectoral officials on their usage.
6. Invite independent verification of the termination of forced labor within drug treatment centers and provide results of such verification.
7. Coordinate and effectively implement policies across government agencies to identify and assist victims among vulnerable groups, such as migrant workers, individuals in commercial sex, child laborers, and North Koreans and train relevant officials on these procedures.
8. Take steps to eliminate all worker-paid recruitment fees and predatory recruitment practices for workers migrating abroad or to Vietnam, including by strengthening efforts to monitor labor recruitment companies and third-party sub-brokers and prosecuting predatory or illegal sub-brokerage networks. Expand training for social workers, first responders, and the judiciary on victim-centered approaches to working with victims of trafficking, including trauma-informed care.
9. Increase national funding available to provincial-level authorities to provide services to reintegrated victims of trafficking.

第一級的台灣，持續努力打擊人口販運

第二級觀察名單的越南，努力打擊人口販運

第二級的印尼努力打擊人口販運，且整體投入資源不斷增加

Taiwan, Tier 1, demonstrate serious and sustained efforts

Vietnam, Tier 2 watch list, making significant efforts

Indonesia, Tier 2, making significant efforts, demonstrate overall increasing efforts

台灣籍漁船違反聯合國漁撈工作公約而被扣留



Taiwanese fishing boat detained under UN Work in Fishing Convention



桃園首件！詐騙集團依組織犯罪判刑 檢：法院里程碑。

2018-04-28 21:15 聯合報 記者曾健祐／即時報導
<https://udn.com/news/story/7321/3113208>

組織犯罪防制條例於2017年4月19日及2018年1月3日大幅修訂，將性侵、脅迫、詐欺、恐嚇與其他重大罪行的最低刑期提高至五年。「組織」係指「持續」、「可獲利」且並非隨意組成的團體。

桃園地方法院首次依據組織犯罪防制條例將電信詐騙集團判刑。該集團兩週內就詐欺得手245萬元，並且被依照組織犯罪防制條例判處2至4年的刑期。檢察官相信此案件為防治電信詐欺的里程碑，並符合該條例精神。

• Taiwan's Efforts • Fighting Telecom Fraud

桃園首件！詐騙集團依組織犯罪判刑 檢：法院里程碑。

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The Organized Crime Prevention Act were substantially amended on April 19 2017 and January 3 2018, adding the means of rape, coercion, fraud, intimidation, or commit the most serious crime which will be charged at least five years. A structured organization refers to "sustainable" and "profit-making", and refers to a group that is not arbitrarily sinned and formed at will.

For the first time, the Taoyuan District Court sentenced the telecom fraud group with the "Organizational Crime Prevention Act". The men of Ye and Zhao were defrauded by 2.45 million NTD in just two weeks, and were sentenced to two to four years by the charge of "Organization Crime Prevention Act." The prosecutor believes that this case is the milestone of anti telecom fraud and is accorded to the spirit of the Act.

桃園首件！詐騙集團依組織犯罪判刑 檢：法院里程碑

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桃園地方法院行政庭長蕭世昌表示，此案件為桃園地方法院首次依組織犯罪防制條例判刑。該條例在修法後，犯罪事實的定義變得清楚明確，讓台灣的法律體系在打擊電信詐欺集團時有更明確的法律規範。對這些罪犯來說，強制工作比服刑更可怕。他認為「這是好的現象」。

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桃園首件！詐騙集團依組織犯罪判刑 檢：法院里程碑

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Xiao Shichang, the president of administrative court of the Taoyuan District Court, said that this case is the first case in the Taoyuan District Court to sentence telecom fraud criminals by "Organizational Crime Prevention Act. After the amendment, the requirements of Corpus Delicti are clear and specific, Taiwan's legal system has a clearer legal norm against telecom fraud groups. Mandatory work is often more frightening than serving a sentence to those criminals. He thinks "this is a good phenomenon."



2020年防制人口販運國際工作坊
2020 International Workshop on
Combating Human Trafficking

謝謝聆聽

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2020年防制人口販運國際工作坊
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Thank You for Your Attention

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