

2021 Republic of China (Taiwan) Trafficking in Persons Report



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I. Prologue

1. Due to the globalized development of economy, war and turmoil, changes in regime, gaps between the rich and the poor, and the high frequent movement of people between countries, a boom in human trafficking has been driven. To streamline interagency resources, the R.O.C. (Taiwan) government announced the Human Trafficking Prevention Action Plan in November 2006 and set up the Executive Yuan Coordination Committee on Prevention of Human Trafficking in January 2007. With the promulgation of the Human Trafficking Prevention Act (HTPA) in 2009, Taiwan government cooperated with non-governmental organizations (NGOs) to aggressively combat human trafficking. Also, in response to the emerging forms of human trafficking, a series of proactive reviews and amendments have been implemented to effectively combat trafficking in persons (TIP) and enhance the protection of victims' rights and interests.
2. Recently, there have been incidents involving Flags of Convenience (FOC) vessels of distant fishery, where foreign workers were forced to work overtime and had their wages unreasonably deducted. On the other hand, there also have been cases involving foreign students in Taiwan who were targeted by criminal syndicates as tool of labor exploitation, due to their barrier in language and disability of seeking for help. In January 2021, letters were issued to all ministries to implement the 2021-2022 Anti-Exploitation Action Plan, an action plan for the ministries to promote the prevention and control of human trafficking. The

Executive Yuan has instructed the Council of Agriculture, in conjunction with the Ministry of Labor and the Ministry of Interior, to develop the Action Plan On Human Rights and Fishery Industry, proposing seven major strategies to protect fishermen's rights, including fulfillment of terms of service for laborers, improving living conditions and social security, strengthening the management of labor brokering, monitoring the resources of the management mechanism, strengthening the management of FOC, and deepening international cooperation and promoting good partnerships.

3. The advent of the COVID-19 vaccine in 2020 has lowered the rate of severe or fatal cases and, border controls have been relaxed in many countries that human trafficking rings start to seize chance to commit crimes. To continue Taiwan's prevention and control measures of combating human trafficking, the coordination platform provided by the Executive Yuan Coordination Committee on Prevention of Human Trafficking and Elimination of Racial Discrimination enhanced international exchanges and coordination, integrated available resources to strengthen the investigation, prosecution, and conviction of TIP cases and refine protection and prevention action plans concerning TIP victims. Looking ahead to 2022, Taiwan will continue to work closely with the international community to combat TIP and promote human rights-based governance.

II. Highlights of 2021

Throughout 2021, preventive measures and control works have been promoted by government agencies (as shown in Table 1: Interagency TIP Prevention Mechanism). To effectively combat

TIP crimes and practice the spirit of The International Convention on the Elimination of All Forms of Racial Discrimination and its related policies, the Coordination Committee was renamed the Executive Yuan Coordination Committee on Prevention of Human Trafficking and Elimination of Racial Discrimination on May 8, 2020. In consolidating resources of related agencies, and in close cooperation with NGOs, significant achievements were made in the fight against human trafficking. At present, the government still adopted prevention and control measures to combat human trafficking through four approaches: prosecution, protection, prevention, and partnership (hereinafter referred to as the 4P strategy) to be in line with the international practice of combating TIP.

1. Prosecution:

Judicial police agencies identified 145 TIP cases (40 cases of labor exploitation and 105 cases of sexual exploitation) in 2021. A total of 78 individuals were prosecuted in 58 TIP cases, of which 73 individuals were convicted.

2. Protection:

2.1 The National Immigration Agency (NIA), Ministry of the Interior (the MOI), and the Ministry of Labor (MOL) operate 25 shelters in cooperation with private organizations: In 2021, a total of 121 newly identified victims were placed in shelters. Aside from having their everyday needs met, these residents received additional services such as psychological counseling, interpretation assistance, legal assistance, accompaniment during investigations, and necessary medical care.

2.2 Work permits and vocational training for human trafficking victims: A total of 80 persons were issued work permits in

2021. Also, when issuing work permits to human trafficking victims, the MOL informed the public employment service centers in the jurisdiction of the victims' shelters to provide victims with employment services. In 2021, the public employment service centers provided services to 83 persons, among them 69 found employment.

2.3 Services provided through the 1955 hotline: In 2021, the 1955 hotline received a total of 254,617 calls, among them 229,506 were to seek consultation, and 25,111 were to file general or emergency complaints. In addition, there were 3,210 cases in which migrant workers were assisted to change employers through the hotline. In 2021, there were 3,761 cases in which foreign workers recovered unpaid wages from their employers or brokers with the help of the 1955 Hotline. The amount of recovered wages and related fees totaled NT\$125,752,765 (approximately US\$4,280,945).

3. Prevention:

3.1 Active promotion of the 2021-2022 Anti-Exploitation Action Plan: Under the Standard Operating Procedures for Receiving and Reporting Disputes on Distant Water Fisheries with Oversea Employment of Foreign Crew Members Suspect of Violating the HTPCA unannounced checks were made to uncover crimes such as forced labor, unauthorized labor, and impersonation of crew members. The NIA also hardened the inquiry to international travelers who were with companions about their relationship. If suspicious case were found, the NIA would initiate the procedure of identifying victims of human trafficking.

3.2 Preventing labor exploitation of overseas foreign crew

members: Before the second quarter 2022, The Fisheries Agency (FA), Council of Agriculture, Executive Yuan will recruit and train 62 inspectors to increase the frequency of inspections to R.O.C. flagged distant fishery vessels entering into Ports of Taiwan. The MOFA will continually contact partner countries to increase stationed R.O.C. offices in international ports. Also, interviewers and investigators are required to attend training courses for at least 4 hours annually to conduct victim-centered interviews. The interviews could be conducted together with judicial police agencies (if necessary) to indentify forced labor imposed on foreign fishermen.

3.3 Improvement on protection of migrant workers' rights: Labor Occupational Accident Insurance and Protection Act was promulgated, in which domestic migrant workers are covered to protect their labor rights. Besides, the MOL has established the Administrative Penalties Criteria on the Permission and Administration of the Employment of Foreign Workers to establish a standard care service for migrant workers and improve the basic life care for migrant workers. Further, to promote direct employment, the MOL launched voice navigation guide to help users to fill application forms on the direct hiring website system in August 2021, and added an instructional video of application procedure of employing foreigners on the website in October of the same year.

3.4 Strengthening protection for child and youth victims from sexual exploitation and the settlement of victims who were Taiwan nationals: The Ministry of Health and Welfare (MOHW) continued to urge the related agencies to promote

the prevention of child and youth sexual exploitation, and hold periodically consultation reviews to reveal the performance on prevention of child and youth sexual exploitation. The MOHW also continued to coordinate across local governments on the provision of services related to adult victims who were Taiwan nationals to complete the network of services.

4. Partnership:

4.1 Cross-border movements and transnational organized crimes are closely related to human trafficking. Due to political factors, Taiwan was not only forced to withdraw from Interpol but also failed to sign up extradition treaties with any country. Therefore, the signing of a Memorandum of Understanding (MOU) on human trafficking has been an important basis for cooperation between Taiwan and other countries. From 2011 to 2021, Taiwan signed memorandums of understanding (MOUs) on cooperation concerning immigration affairs and human trafficking with 22 countries (including Mongolia).

4.2 The NIA and the Immigration Control Department of the Ministry of Public Security of Vietnam held the 6th Bilateral (Video) Meeting on Immigration Affairs in November 2021, during which a consensus was reached on cooperation in combating smuggling, prevention of human trafficking and illegal marriage brokerage, and immigration enforcement, etc. In particular, through the cooperation in combating smuggling, the friendly forces of both sides were combined for the first time to form a cross-national and cross-agency law enforcement force. Taiwan has also reached a consensus with Vietnam on cooperation in preventing human trafficking,

strengthening the partnership of cross-country cooperation in combating human trafficking crimes.

4.3 The Mutual Legal Assistance in Criminal Matters Act was promulgated in May 2018. As of 2021, agreements on the Legal Cooperation in Criminal Matters have been signed (or come into force) between Taiwan and a total of 4 countries, including Belize, Nauru, Poland, and Slovakia.

4.4 In October 2021, the Global Cooperation and Training Framework (GCTF) Webinar on Combating Cybercrime and Strengthening International Law Enforcement Cooperation was jointly held by the Ministry of Foreign Affairs (MOFA), National Police Agency (hereinafter the NPA), American Institute in Taiwan (AIT), and Japan-Taiwan Exchange Association (JTEA). Government officials, experts, and scholars at home and abroad were invited to the seminar to strengthen the partnership of cross-country cooperation in combating cybercrime, human trafficking, and other transnational crimes. In the hope to strengthen law enforcement cooperation with the international community and to fight against cybercrime, human trafficking, and other cross-border crimes.

4.5 In November 2021, the FA and the American Institute in Taiwan (AIT) co-hosted a seminar on Taiwan's Distant Water Fishing Industry Development and the Labor Environment for Foreign Crew Members". About 100 participants from groups in the distant water fishing industry, fishery administrators, experts and academics, and civic groups were invited to discuss issues on protecting labor rights in Taiwan's distant water fishing industry and to share their opinions on the overall

development of Taiwan's distant water fishing industry and appropriate labor policies.

III. Achievements in 2021

1. Intensified prosecution of TIP-related crimes

1.1 Results of investigations into TIP-related crimes

(1) To enhance interagency communication, use resources appropriately, and ensure the law is optimally enforced among illegal brokers and at high-risk sites such as places where foreign workers gather and houses of ill repute, judicial police agencies have entrusted specific units with the task of overseeing the investigation of TIP-related crimes since 2009. Combating the sexual exploitation of minors (anyone under the age of 18) and comprehensively fighting this type of human trafficking has long been a top priority for judicial police agencies.

(2) In 2021, judicial police agencies investigated 145 human trafficking cases, 40 of which involved labor exploitation and 105 sexual exploitations. All of these cases were referred to district prosecutor's offices (Statistics for judicial police investigations of TIP Cases from 2009 to 2021 are shown in Table 2).

1.2 Prosecution and sentence

(1) Based on the principle of maintaining judicial independence, each judge's decision to impose a sentence on a specific case should in principle be respected, if the circumstances listed in Article 57 of the Criminal Code of the Republic of China have been taken into consideration and the sentence imposed is made in accordance with the principle of

proportionality and equality, and does not exceed the statutory range of punishment. However, in order to enable judges to decide on human trafficking cases with appropriate sentences, reflect on the principle of culpability and the purpose of punishment, and incorporate diverse societal opinions, a "reference list suggested by focus groups for the sentencing of crimes that constitute violations of Articles 31 and 32 of the HTPA" was devised by the Judicial Yuan in accordance with the results of meetings attended by representatives of the courts, prosecutors offices, law firms, academia, and victim protection groups. On August 24, 2018, the reference list was sent to all courts for judges' reference in sentencing.

- (2) In addition, to avoid sentencing discrepancies and to enhance the fairness and transparency of sentencing, the Judicial Yuan has incorporated the sentencing information for crimes that constitute violations of Articles 31 and 32 of the HTPA in the Judicial Yuan's Sentencing Information System. This provides judges with reference for sentencing in human trafficking cases and Judicial Yuan continues to call on judges at all levels to refer to the above sentencing information when adjudicating cases involving human trafficking.
- (3) In 2021, a total of 78 individuals were prosecuted (or requested by the public prosecutor for summary judgment on a sentence) by district prosecutors offices under a total of 58 trafficking charges (Cases Prosecuted and Persons Indicted for TIP-related Offences by District Prosecutors Offices from 2009 to 2021 are shown in Table 3).

(4) In 2021, the number of persons convicted by district courts on human trafficking-related cases is 73. Among them, 7 persons were sentenced to more than 7 years and less than 10 years of imprisonment; 3 persons were sentenced to more than 5 years and less than 7 years of imprisonment; 23 persons were sentenced to more than 3 years and less than 5 years of imprisonment; 22 persons were sentenced to more than 1 year and less than 2 years of imprisonment; 3 persons were sentenced to less than 6 months of imprisonment (Sentences Imposed on TIP Related Crimes from 2009 to 2021 are shown in Table 4).

1.3 Expanding investigations into the sources of human trafficking

(1) To actively investigate and punish illegal employment and brokerage: Due to cultural and language barriers and constraints in the workplace, migrant workers are vulnerable to unfair treatment while working and living in Taiwan. The MOL has been strictly investigating and managing the employment and brokerage of migrant workers in accordance with the law to strengthen the prevention of human trafficking. The type and number of hiring violation cases from 2009 to 2021 are shown in Table 5; the type and number of broker violation cases from 2009 to 2021 are shown in Table 6.

(2) To enhance the investigation and prosecution of labor exploitation of crew members working on fishing vessels: To prevent Taiwan's distant water fishing vessels with foreign crew members hired overseas onboard from human trafficking, all prosecutor authorities have been actively

targeting distant water fishing vessels that are suspicious of violating Human Trafficking Prevention Act. The district prosecutors offices are also called on to strengthen enforcement and supervision of these efforts. The manual on handling cases involving women and children victims was published in March 2017. Under the TIP section of the manual, a subsection on violations of the HTPA by Taiwan's distant water fishing vessels employing foreign workers overseas was included. This should help in the prosecution of labor exploitation of fishing workers, so as to protect the rights of victims.

- (3) To strengthen the investigation and screening of foreigners who are potential victims of forced labor and sexual exploitation: The NIA and other judicial police agencies have adopted appropriate measures to carry out basic service/duties (conducting visits and inspections of foreigners, receiving self-reportings and violation cases filed by citizens, etc.) to strengthen the inspection and screening of foreigners. If there are suspected victims or offenders of labor exploitation or sexual exploitation, the investigation mechanism will be immediately activated: analyzing the interpersonal network of the suspected offenders, and expanding the investigation into the sources of trafficking, to actively combat human trafficking crimes.

1.4 Implementing guidelines for investigation, prosecution, and trial

- (1) To help victims return home as soon as possible, the MOJ continues to request that prosecutors in TIP-related cases take the following measures:

- A. If a TIP-related case has resulted in a shelter referral for victims, the fact of "victims being referred to the shelter" should be noted in the dossiers upon case assignment to remind the prosecutor to expedite the investigation. Such cases should be handled in the same manner as the criminal case in which the accused is under detention to strengthen the supervision and evaluation.
 - B. If victims ask to be repatriated, the prosecutors should, after having assessed all relevant circumstances, agree to repatriate the victim if the situation allows.
 - C. TIP cases should be thoroughly investigated, and a confrontation between victims and defendants should be arranged if necessary. Also, when the referring units, shelters, or victims in shelters inquire about the progress of investigation in the case, the governing prosecutors office should provide appropriate replies without violating the premise of investigatory nondisclosure.
 - D. Any letter from shelters or legal documents from TIP victims should be properly and promptly reviewed and preserved.
 - E. When an investigation is closed, a notification letter should be sent to the referring unit and the shelter, informing the results of the identification of the victims and the repatriation decision. If the case results in an indictment, the letter should state that the case has been transferred for trial and that the court will decide on whether the victim's placement is to be extended.
- (2) The MOJ continues to direct prosecutors to ensure the confidentiality of identities and the personal safety of social

workers, interpreters and other persons who accompany TIP victims to court or appear in court as witnesses. Also, to strengthen confidentiality, comparison tables should be employed in specific cases for the names or information that may lead to the identification of social workers and interpreters to be replaced with code numbers.

- (3) The MOJ continues to improve measures to expedite the repatriation of TIP victims. Furthermore, to balance victims' right to repatriation with the necessity of cross-examination and confrontation, the MOJ and the MOFA co-study the feasibility of implementing video conference interviews with victims in overseas missions. Although victims might be delayed in returning home as a result of testifying during investigations or trials, which would cause some degree of inconvenience to the victims, the measure is nonetheless necessary for the investigation and prosecution of TIP crimes.
- (4) In order to establish a network of information for the investigation, prosecution, placement, and protection, the Taiwan High Prosecutors Office regularly updates the list of contacts for human trafficking cases in the local prosecutors office.
- (5) The MOJ actively enhances the competency of currently contracted interpreters to ensure the quality of interpretation services. In addition, the MOJ continues to supervise the prosecutor authorities to take into account the interpreters' basic knowledge of interpreting ethics, prosecution duties, criminal laws and procedural laws required to perform the interpreting duties. Courses and trainings on interpretation

ethics, basic legal knowledge, and the knowledge of the process of investigation and prosecution are conducted regularly to ensure interpretation accuracy and enable interpreters to conduct their duties in compliance with laws and regulations. In addition, as to the need for interpretation services of unusual dialects or rare languages, the MOJ has requested the prosecutors to seek interpretation services from the relevant foreign mission(s) in Taiwan or qualified candidates recommended by credible organizations, so as to protect the rights and interests of foreign nationals.

(6) In accordance with the provisions on the victim protection procedures in the Code of Criminal Procedure, which was amended and put into effect in January 2020, corresponding measures were taken to protect victims' privacy, assist victims in expressing opinions, prevent secondary victimization, and effectively heal the victim's pain caused by the crime, including:

A. Measures to protect victims in investigations and trials (Article 248-1, Article 248-3, Article 271-2, Article 271-3): During investigations conducted by either prosecutors or public prosecutor investigators, judicial police officers, or judicial policemen, due care should be taken to protect the privacy of the victim and his/her family member, and appropriate isolation facilities should be applied to prevent the victim from being seen by the accused or a third party. In addition, apart from the victim's statutory agent, spouse, and blood relatives, experts or other persons the victim trusts, with the consent of the victim, may also be present alongside the victim during the investigation stage, as well

as during the trial.

- B. Reference of cases to mediation and restorative justice program during the investigation and trial stages (Article 248-2, Article 271-4): During the investigation and the trial stages, the public prosecutor and the court may order the case to undergo mediation; alternatively, the public prosecutor may, upon petition of the accused or the victim, refer the case to an appropriate organization, institution or association to undergo a restorative justice program.
- (7) Participation in Proceedings by the Victim: Under the provisions of the Code of Criminal Procedure amended and promulgated in January 2020, the provisions regarding the participation in Proceedings by the victim ensure that the victim can keep track of the progress of the litigation, strengthen victim's procedural subjectivity, and safeguard the dignity and needs of the victim, which in turn enhance their trust in criminal justice:
- A. Scope of Application (Article 455-38): Subject to the limited judicial resources and the necessity of participation, the victim's participation in the procedure is applicable to criminal offenses that cause injury to the life, body, freedom, sexual offense against victim's free will, and other legal rights concerning personality in a severe way. Such cases are covered in the Criminal Law, the HTPA, the Child and Juvenile Sexual Exploitation Prevention Act, and other special criminal laws.
 - B. Applicants (Article 455-38): In principle, the victim may petition the court to participate in the Proceedings of the case concerned. However, where the victim is without

legal capacity, of limited legal capacity, deceased, or for other legitimate reasons that the victim cannot make the petition, the petition may be made by the statutory agent, spouse, or blood relative of the said victim. But where the accused is the only person with one of the identities listed above, and there is no other person with the identities listed above to make the petition, the petition may be made by the competent authority or the Association for Victims Support.

- C. The procedure to submit a petition (Article 455-39, Article 455-40): A petition for participating in the Proceedings shall be made to the respective court of instance. The court shall, by a ruling, approve the petition for participating in the Proceedings where the court is of the opinion that the petition is appropriate or overrule the petition where the petition is not appropriate, after consulting the opinions expressed by the prosecutor, the accused, the defense attorney and the assistant, and after taking into account the circumstances of the case, the petitioner's relationship with the accused, the progress of the case Proceedings, and the interests of the petitioner.
- D. The subjectivity of victims in the proceeding (Articles 455-41 to 455-47): Participants in the Proceedings may retain an agent at any time (or the court may appoint one under certain circumstances); request to receive copies of the case files and exhibits; be notified of the dates of the preliminary proceeding and appear before the court; elect one or more persons to represent the participants concerned; state their opinions regarding the matters in the preliminary

proceeding, the probative value of evidence, the possible range of sentencing, so as to protect the subjectivity of victims in criminal Proceedings, instead of merely as a supporting role.

1.5 Cases of the investigation, prosecution, and trial

(1) Examples of the investigation

Case 1: A syndicate operated by a suspect surnamed Xu and 9 others was busted for having committed sexual exploitation

Description:

The Taipei City Police Department busted a sexual exploitation ring operated by a suspect surnamed Xu and 9 others. The syndicate was led by the suspect surnamed Xu, with a division of work such as Xu's girlfriend as the accountant, suspect Jian and 5 other suspects as the operators of control rooms. The group recruited women and teenagers for sex trades on the Internet with the common intent of arranging sex trades, intimidation, and obtaining money by fraudulence. The suspects searched for clients on websites such as "I SUGAR", "A SUGAR DATING", "MEETING GIRL", and "Men's Dream Network", and arranged for Chen and 7 other women to conduct sex trade for a price of NT\$4,000 to NT\$8,000. The main suspect, surnamed Xu, then pretended to be the parent of the girls to rip off the clients. The accomplice, a lawyer surnamed Wang then asked the clients to make the conciliation for \$200,000 to \$600,000 on the pretext that the girls were under the age of 18 to obtain money. The case was discovered by the Taipei City Police Department during the investigation of a child and juvenile sexual

exploitation case. In August 2021, this case was referred to the Kaohsiung District Prosecutors Office for investigation on the basis of violation of Article 32 of the HTPA, Article 32 of the Child and Juvenile Sexual Exploitation Prevention Act, and Article 231 of the Criminal Code of the Republic of China.

Case 2: A syndicate operated by a suspect surnamed Yu and 4 others was busted for having committed labor exploitation.

Description:

The Taichung City Police Department busted a labor exploitation ring operated by a suspect surnamed Yu and 4 others. The group recruited underage girls to act as hostesses to provide lewd services and sex trade to drinkers. The suspects not only took cuts from the escorts, but also made up various titles and rules for deducting money to exploit labors of the four hostesses. The case was reported to the prosecutor for further investigation and a raid was launched to have the suspects arrested. In August 2021, the case was referred to the Taiwan Taichung District Prosecutors Office for investigation for violation of Article 32 and 33 of the HTPA, Article 32 of the Child and Juvenile Sexual Exploitation Prevention Act, and Article 235 of the Criminal Code of the Republic of China.

Case 3: The fishing vessel "Da Wang" registered in the Republic of Vanuatu was busted for having committed labor exploitation.

Description:

The captain, the chief mate and other cadre of an FOC

fishing vessel "Da Wang" registered in the Republic of Vanuatu took advantage of the vulnerability of the crew members who were not familiar with the language and could not ask for help, scolded and assaulted the Indonesian fishermen, forcing them to work overtime and depriving them of their wages. Complaints had been filed about the working environment and other labor conditions, alleging the captain did not allow the crew to use the dehydrator, and the crew members did not have clothing warm enough to work in such a harsh and cold environment. In December 2020, the NIA referred the case to the Kaohsiung District Prosecutors Office for investigation on charges of violating the HTPA, the Immigration Act, and offenses of forgery. On March 23, 2022, the Kaohsiung District Prosecutors Office concluded the investigation and charged nine suspects, including the ship owner surnamed Tsai, the ship's captain, the chief mate, the shipping agency, and the shipping agent, with violating the HTPA.

Case 4: The fishing vessel "Chin Chun No.12" registered in the Republic of Vanuatu was busted for having committed offenses of labor exploitation.

Description:

The distant water longline fishing vessel "Chin Chun No.12" was owned by a Taiwanese company, Sheng Sheng Fishing Co. Ltd., but registered in the Republic of Vanuatu. It was suspected of labor exploitation such as questionable wage deductions and overtime work (to which payment is not commensurate with the work duty). The company even

withheld the passports or travel documents of the crew members to further make use of the victim's inability and helplessness. The case was investigated by the Kaohsiung, Chiayi and Fengshan Reconnaissance Brigades of Coast Guard Administration Investigation Branches, and the Kaohsiung City Specialized Operation Brigade of the NIA under the command of the Kaohsiung District Prosecutors Office in Taiwan. In October 2021, the case was referred for further investigation pursuant to the "HTPA".

Case 5: Cracking down the Labor Exploitation Case of Hong Yu Manpower Agency, Inc.

Description:

In September 2020, the Taichung City Specialized Operation Brigade of the NIA cracked down on a manpower agency. The company had allegedly set up a shell company and applied to the MOL for a higher quota of foreign migrant workers in the manufacturing industry by falsely reporting the number of national workers, and then arranged for the migrant workers to work illegally in the manufacturing industry with low wages. These migrant workers were totally unaware of the situation of labor exploitation and the need to seek help from outside, they performed work that was inconsistent with the name they were introduced to and the labor was not commensurate with their payment. In addition to the 19 shell companies established by the suspect company, other companies also allegedly misrepresented the quota of migrant workers for the illegal brokerages of the Hong Yu agency. In December 2020, 35 suspects, including the main suspect Ms.

Diao, were identified and were referred to the Taiwan Taichung District Prosecutors Office on suspicion of violating the Organized Crime Prevention Act, the HTPA, the Criminal Code of the Republic of China for offenses of Forgery and Fraud, and the Employment Service Act, and were prosecuted by the Taiwan Taichung District Prosecutors Office in January 2021.

Case 6: A syndicate led by a suspect surnamed Huang was busted for having committed labor exploitation.

Description:

A suspect, surnamed Huang set up a human trafficking ring with three accomplices, and recruited three victims in Indonesia to work in Taiwan under false pretenses. After entering Taiwan with a stay visa, the victims were sent to a residence in Minxiong Township, Chiayi County. Under strict supervision, the victims were isolated and unable to seek help; without legal documents, they could not stay in Taiwan for a long time or work legally. The victims were then transported to Kaohsiung, Chiayi, Nantou, and Taichung to work in labor-intensive jobs, such as farming, solar energy, gardening, and ironworking. In addition, \$15,000 were deducted from the victims' first month's salary for each work they finished, making the victims only paid a meager amount of money that was not commensurate with their labor duties. The case was reported by the Kaohsiung City Specialized Operation Brigade of the NIA to the Kaohsiung District Prosecutors Office in Taiwan, along with the Investigation Bureau of the MOJ (hereinafter referred to as the Investigation Bureau) for joint

investigation. The suspects were prosecuted on suspicion of violating Article 32 of the HTPA in June 2021.

Case 7: A syndicate led by suspects surnamed Tsai and Luo was busted for having committed sex exploitation.

Description:

The Chiayi City Specialized Operation Brigade of the NIA, together with the Chiayi Military Police, Chiayi City Police Bureau, and Chiayi County Police Department, launched a raid and identified nine suspects, including suspects surnamed Tsai and Luo. The suspects recruited Indonesian undocumented migrant workers to a health center operated by the syndicate and forced the victims to engage in sex trades and make obscene acts with unspecified targets by means of control, coercion, and delayed payment of the victims' salary. In June 2021, the case was referred to the Chiayi District Prosecutors Office for further investigation under the HTPA. From June to August 2021, the Chiayi District Prosecutors Office filed an indictment against suspects surnamed Tsai, Fang, Lai and Luo on charges of retaining the victims and soliciting sexual intercourse for profit. From July to September of the same year, the Chiayi District Court pronounced sentences on Tsai, Fang, Lai and Luo for the above offenses.

Case 8: A syndicate led by a suspect surnamed Lai was busted for having committed sexual exploitation

Description:

In order to expand their businesses and increase the financial rewards, a suspect surnamed Lai, together with group member Ding and others, operated a transnational sex trafficking recruitment ring. Ding and unknown trafficking agents from abroad openly recruited unspecified Vietnamese women to work in massage jobs in Taiwan through an online social platform, and forced the Vietnamese women to engage in sex trades on the pretext of "surrogate fees", and transported them in batches to the sporting house operated by Lai to conduct sex trades with unspecified clients for profit. The case was referred to the Taipei District Prosecutors Office for violation of the HTPA by the Taipei City Specialized Operation Brigade of the NIA's Northern Taiwan Administration Corps.

Case 9: A suspect surnamed Lee was detected for inducing foreign migrant workers for sexual exploitation.

Description:

A Taiwanese suspect surnamed Lee lured foreign migrant workers to run away from their original employers and hid them in a rented house in the vicinity of Hukou Industrial Park in Hsinchu County. Lee pimped these undocumented migrant workers to private brothels in the area along Rongguang Road and Shengli Road in Hukou Township, Hsinchu County every day to make money. Under the command of the Hsinchu District Prosecutors Office, the case was investigated by the Hsinchu City Specialized Operation Brigade of the NIA's Central Taiwan Administration Corp, Fengyuan Station of the Investigation Bureau's Taichung City Field Office MOJ,

and the First Precinct of Hsinchu City Police Bureau(HCCPB) in July 2021. The case was referred for further investigation in violation of the HTPA.

Case 10: Uncovering a suspect surnamed Huang for sexual exploitation of undocumented migrant workers.

Description:

In August 2020, the Hsinchu City Specialized Operation Brigade of the NIA launched a raid and discovered that the Eloven Entertainment Group, operated by suspects Huang and Liu were involved in sexual exploitation and incommensurate wage deduction by forcing undocumented migrant workers to engage in the work of hostess and lewd services to unspecific drinkers. In October 2021, the case was referred to the Hsinchu District Prosecutors Office for further investigation pursuant to the HTPA.

(2) Trial Cases

Case: Supreme Court Judgment Tai-Shan-Zi No. 42 of 2021

Description:

It is explicitly stated in Article 4 and Article 6 of the Enforcement Rules of the HTPA: The term "labor exploitation or underpayment" mentioned in Paragraph 2 of Article 32 of the HTPA means the labor income actually earned by the victim is apparently unreasonable in consideration of the work hours, nature of work, workplace, working environment, and

other labor conditions. The term "making use of the victim's inability, ignorance or helplessness" means the human trafficker taking advantage of the victim's situation of illegal entry, illegal residence, living in a foreign land, language barrier, or other comparable disadvantageous situations. Under the heading "facts", it was indicated that the three suspects, including the suspect surnamed Wang, took advantage of the foreign workers' inability to find jobs in Taiwan freely, the fact that they have to endure unlawful labor exploitation in fear of being repatriated due to early termination, unfamiliarity with Taiwan, language barrier and other comparable disadvantageous situations. In addition to the payment of health insurance, agency service fees, and loans from Indonesian companies, the wages and overtime pay amounting to NT\$11,951 were withheld. All the circumstances of the victims' labor condition, salary, and the disadvantageous situation of having difficulties in seeking assistance were noted in the previous judgment, mentioning that the labor income actually earned by the victims was apparently incommensurate with their work duty. Pursuant to the provision that a written judgment of "Guilty" shall set forth the facts, which may be indicated jointly, since the suspect surnamed Wang and two other suspects' violation of the HTPA were not affected, the lack of details of the pay incommensurate with the work duty has no effect on the result of the judgment and constitutes no reasons for an appeal to be taken to the court of the third instance. In addition, the original judgment was based on the above evidence that the victims did not receive any remuneration which was instead taken

back by the suspect surnamed Wang on the pretext of keeping money for them. The fact that Wang and the other three accomplices committed the offense knowingly with the intention of not paying the remuneration, and the profits reached the level of labor exploitation, etc. were clearly analyzed and were in line with the theoretical principles without violating the reasonable judgment of social experience. The offense stated above is thus sentenced to imprisonment pursuant to the HTPA. (Date of Decision: 21 January 2021)

(3) Statistics on criminal judgments of courts of first instance and civil claims against human traffickers

A. Criminal judgments: Criminal judgments: Statistics on the outcome of criminal cases in which the defendants violated human trafficking-related laws and regulations. For example, such as the statistics of district courts' ruling, shows that a total of 11 human trafficking cases were concluded in 2021, among which 4 cases were convicted, with a conviction rate of 30%.

B. Civil claims: In 2021, 3 civil claims for compensation of human trafficking were received by the district court, and the details are shown in Table 7: Civil Claims Received by District Courts for Human Trafficking Cases in 2021.

2. Enhancing the protection of TIP victims

2.1 Safe and Secure Placement and Protection Measures

(1) Placement and protection of foreign victims

A. Considering the need for regional balance and the preference to shelter victims in proximity, the NIA and the MOL, in conjunction with private organizations, have set up a total of 25 shelters throughout Taiwan to provide

victims with placement and protection, including residents' everyday needs, psychological counseling, interpretation, legal aid, company of social workers during judicial Proceedings, and necessary medical care. When providing victims with services, staff are required to take into account multiculturalism, gender sensitivity, empathy, and expertise in relevant regulations.

- B. For victims holding work permits, in 2021, shelters accommodated a total of 113 newly identified victims, 64 of whom were female and 49 males. Among them, 62 were Indonesians and 51 were Vietnamese. There were no victims from other countries. In 2021, due to the COVID-19 pandemic and strict border control, the number of victims without work permits decreased significantly to 8.

(2) Services for Taiwanese adult victims:

- A. Placement and Protection: The Social and Family Affairs Administration (SFAA) under the MOHW has coordinated with local governments to give priority to the placement of existing shelters; if the shelters are still inadequate or unsuitable for use, local governments will join hands with NGOs to establish a complete network of settlements. In 2021, only related consultation services were provided, and there was no placement and protection case established.
- B. Necessary financial assistance: The SFAA provides the victims with necessary financial support, including emergency living assistance, educational assistance for children, relocation assistance, legal Proceedings assistance, medical assistance, and psychological therapy

assistance. In addition, local governments also commission lawyers to provide legal consultations according to victims' needs.

C. Support services: The SFAA has highlighted the importance of providing support services to human trafficking victims in its Annual Directives for Subsidizing the Promotion of Social Welfare Services, and has requested that local governments work with private institutions to organize support and therapy groups, self-growth courses, and other activities that provide victims with psychological advice and counseling. In 2021, no civil organization applied for subsidies.

D. Follow-up services for victims returning home

a. The SFAA has issued a formal document requesting all judicial police agencies to consult with the victim for consent to be referred, in case the victim refuses to accept the placement and returns home, to get the victim's consent to be referred, fill out the referral form and fax it to competent personnel of social affairs in local government to provide follow-up services.

b. In order to protect the victim's interests and rights to seek help after returning home, the SFAA under the MOHW has also issued written documents to request the judicial police agencies to provide booklets of TIP victims' basic rights and interests to Taiwanese TIP victims for future reference when accepting the case.

(3) Providing related services to child and youth victims or suspected victims of human trafficking

A. In the human trafficking cases investigated and referred in

2021, a total of 107 victims under the age of 18 were found to have engaged in sexual transactions. In accordance with the Child and Youth Sexual Exploitation Prevention Act, 33 of these victims were placed by local social agencies in shelters located in the district where the investigation took place; 59 were remanded to the custody of their parents by court rulings; 2 were detained in the Juvenile Detention Houses; 13 were adults at the time of investigation and allowed to return home on one's own.

B. In 2021, the competent authorities in each municipality and county received 239 reports of suspected child sexual exploitation cases, including 178 cases of indecent acts of sexual intercourse or obscene acts with children and adolescents in exchange for monetary or other considerations (which are suspected to be trafficking charges) and 61 cases of children acting as a host/hostess in a bar or club or engage in acts associated with tour escort and singing or dancing companion services that involve sexual activities. The competent authorities provided services such as accompanying the victims for investigation, assessment of the necessity of placement (including family function), placement protection, referral to relevant service resources, counseling and treatment after returning home, and tracing in order to safeguard the rights of children.

(4) Providing protection services to foreign crew member victims: The FA has commissioned the governments of Kaohsiung City, Pingtung County, Keelung City and Yilan County to participate in the management of foreign crew

members employed overseas and related businesses. Should any foreign crew member become a victim of cross-border trafficking or be abused or beaten, etc., municipal and county governments shall provide assistance and placement at the early stage within their respective competencies pursuant to the regulations related to the protection of victims.

(5) Carrying out the protection of rights and interests during investigations and court Proceedings

A. When investigating human trafficking cases involving foreign victims, police agencies are required to have interpreters on hand to assist in the production of written records to protect victims' interests and rights. In the human trafficking cases investigated and referred in 2021, the NPA provided interpretation services for 39 persons and accompanying social workers during the investigation for 156 persons.

B. In conducting the victim identification and placement, the NIA shall inform the victims of their rights and interests, including the company of social workers during investigation and trial, the rights of knowing the progress of the case Proceedings, residence and work permit. The SOP of case handling should also be explained to the victims. Also, the NIA has set up a victim conversation room that is different from the examining room (warmer and less oppressive) to alleviate the psychological burden of the victims.

2.2 Dynamic identification and inquiry of suspected victims

- (1) To ensure that all suspected human trafficking victims are properly identified and investigated, Specialized Operation Brigades and the NIA's detention centers conduct inquiries to detainees that have overstayed the visit or the period of residence in accordance with the regulations of the situation of being victims of human trafficking.
- (2) After the inquiry, if anyone appears to be a suspected victim of human trafficking, the case will be referred to the original investigating authority for further identification. In 2021, 9 persons were identified as victims after inquired and immediately referred to the placement and follow-up services pursuant to the regulations.

2.3 Full provision of visitor (resident) permits

According to Articles 16 and 28 of the HTPA, the central competent authority shall issue a temporary visitor permit or extend the permit for the necessity of an investigation or trial, to combat TIP crimes and help victims integrate into society. In 2021, 70 persons were granted temporary visitor permits and 77 were approved to extend their stay permits.

2.4 Ensure the protection of work permits and related rights

- (1) In accordance with Article 28, Paragraph 5 of the HTPA and provisions of the Regulations on Work Permits and Administration for Human Trafficking Victims, foreign victims of human trafficking who have obtained temporary stay permits valid for less than 6 months or legal residence permits issued by the NIA are allowed to file an application to the MOL for work permits to work legally in Taiwan and maintain financial incomes if they are willing to work here. A total of 80 foreign victims were granted work permits in

2021.

- (2) Upon issuing work permits to human trafficking victims, the MOL also informs the public employment service center in the place where the victim's shelter is located so as to provide the victims with employment services, as well as information on the vocational training courses. In 2021, the public employment service center provided services to 83 persons, among them 69 found employment.

2.5 Effective and immediate access to the hotline for employers to seek for consultation and file complaints.

- (1) The MOL is responsible for the overall establishment of hotlines for consultation and complaint filing:
 - A. On July 1, 2009, the MOL set up the 1955 Labor Consultation and Complaint Hotline for Foreign Workers (hereinafter "1955 hotline", available to nationals, foreigners, migrant workers and employers), staffed by personnel with expertise in five languages, including Chinese, English, Vietnamese, Indonesian, and Thai, to provide 24-hour (including holidays) bilingual, toll-free telephone consultation and complaint services, legal aids and consultation resources, referrals for protection and placement, and information on services provided by other government agencies. After receiving complaints, the case would be electronically assigned to the local government for investigation and follow-up management. It also features instant online interpretation services for medical, business, work, or living needs.
 - B. In 2021, the hotline received a total of 254,617 calls of consultation and complaints, among them 229,506 were to

seek consultation, and 25,111 were to file general or emergency complaints. In addition, there were 3,210 cases in which migrant workers were assisted to change employers through the hotline.

(2) The FA provides channels for consultation and complaints for crew members:

A. Through questionnaires (in Mandarin, English, Indonesian, Filipino, Vietnamese, and Burmese), the FA monitors ship owners' and brokers' compliance with regulations for the fishery. In 2021, 605 foreign crew members on 110 fishing vessels were asked to fill out questionnaires during inspection visits, as shown in Table 9.

B. Fishing vessels suspected of violating applicable regulations during the aforementioned inspections were placed under further investigation to determine the applicability of potential administrative penalties or judicial proceedings. Statistics on such punishments issued in 2021 are shown in Tables 10 and 11.

C. Complaints by foreign crew members employed overseas through the 1955 hotline forwarded to the FA by the MOL in 2021 are shown in Table 12.

2.6 Assisting migrant workers in recovering outstanding wages

In 2021, there were 3,761 cases in which foreign workers recovered outstanding wages with the help of the 1955 Hotline or migrant worker service stations at the city/county level. The amount of wages and related fees recovered totaled NT\$125,752,765 (approximately US\$4,248,475).

2.7 Achievements of public-private partnership and sheltering services provided by NGOs

(1) Protection services

In accordance with the Guideline of Human Trafficking Victim Identification, during an investigation, the judicial police agencies, coast guard agency and immigration authorities will refer trafficking victims to social affairs, immigration or labor affairs authorities for placement and protection according to the nationalities and types of visas held by the victims.

(2) Achievements of Nantou Shelter in serving foreign victims

A. Nantou Shelter was founded in October 2009 and has been run by the Good Shepherd Social Welfare Foundation (hereinafter referred to as the Good Shepherd Foundation) commissioned by the NIA for over ten years. As of the end of 2021, the shelter had helped 453 victims (mostly without work permits, only a few with work permits).

B. Services and achievements of the Good Shepherd Foundation are as follows:

a. Physical and psychological recovery and support: The shelter considers victims' recovery its core mission and provides a variety of special services to the victims it accommodates. Victims can be physically and psychologically traumatized from the mistreatment and exploitation, and find it hard to get accustomed to society. The shelter provides continuous care, medical treatment, emotional support, consultations and long-term company to help victims reacquaint themselves with Taiwanese society, and relearn how to put trust and to embrace in others. In addition, the shelter organizes celebrations of annual festivals and holidays as well as outdoor activities

to help victims overcome the trauma of exploitation.

- b. Empowerment and stable employment: To help victims return to society, gain economic security, and acquire the skills needed for planning the future, the shelter has developed employment services through a combination of skills training, lectures, counseling, job placement, and home-based employment. Providing residents opportunities to acquire professional skills and elevate their capabilities further builds up their knowledge, puts them at an advantage, and enables them to cope with future challenges.
- c. Prevention of re-trafficking: The shelter puts a high priority on preventing TIP victims from being exploited again. To this end, it provides information about human trafficking and overseas employment to those who plan to continue working abroad. Victims are taught to learn from their own experiences and develop plans to protect themselves from becoming targets for human trafficking again.
- d. Cross-border cooperation and repatriation: Visits were made by the staff of the Good Shepherd Foundation or through other appropriate channels to local governments and community groups in Indonesia and Thailand to help victims be aware of the resources available back home. For example, before leaving Taiwan, victims can also talk to nuns who worked in their home countries for years to get access to first-hand and up-to-date information about living in their home countries. Such information sessions help victims obtain assistance from

relevant agencies after returning home.

(3) Services and achievements of the Legal Aid Foundation

- A. To safeguard human rights and rights to bring legal Proceedings for human trafficking victims, in 2008, the Legal Aid Foundation (hereinafter referred to as the LAF) set up Legal Aid for Victims of Human Trafficking Programs. Under this program, the foundation provides legal aid to TIP victims who are admitted to shelters and reside legally in Taiwan and meet the requirements stated in the Legal Aid Act. In 2021, of the 176 applications for legal aid, 162 were fully approved (including litigation representation defending, and mediation), 3 of which were subsequently withdrawn. In total, legal aids were provided in 92 percent of applications.
- B. In order to raise the awareness of legal aid lawyers and staff on the issue of human trafficking, the LAF has continued to organize relevant training courses. In 2021, the LAF held 3 courses on "the situation of migrant workers working on fishing vessels, in factories, and at homes" to enhance the understanding of the vulnerable situation of migrant workers in face of exploitation.
- C. Since 2007, the LAF has participated in the civilian Supervision Alliance for Human Trafficking Prevention to help promote the legislative process of the HTPA, including sharing the victim assistance experience of civic organizations, providing opinions on the amendment of the law, and expressing continual concerns on issues related to human trafficking, so as to promote more extensive legal assistance work.

3. Prevention: Curbing human trafficking

3.1 Diverse Multilingual Communication Channels and Actions

In order to strengthen and implement human trafficking prevention policies, related promotional activities were held and promoted, as summarized below:

- (1)The FA: In December 2021, the Wanli District Fishermen’s Association and the Kaohsiung City government cohosted an evening party and free clinic for foreign fishermen. The free clinic was organized with the medical resources provided by National Taiwan University Hospital and New Taipei City Chinese Medical Doctors’ Association as well as assistance from the Wanli District Fishermen’s Association. The evening party was held by the Linyuan District Fishermen’s Association of Kaohsiung City, the Taiwan Seamen and Fishermen’s Service Center of the Peace Foundation of Presbyterian Church in Taiwan. Some 300 foreign crew members were invited to the party and provided with materials regarding human trafficking to raise foreign crew members’ awareness in terms of avoiding being lured by human smugglers’ seduction into illegal work.
- (2)The Ministry of Education (MOE): In September 2021, the National Conference of Academic Affairs Directors of Technical and Vocational Education Institutions was held. During the conference, the MOE encouraged the schools to offer courses on human rights and the rule of law, including the awareness of human trafficking. During November and December of 2021, 3 joint visits were made to overseas and international students in the Northern, Central, and Southern

parts of Taiwan, promoting the concept of human rights and rule of law, with a total of 503 participants from 96 colleges and universities, high schools and junior colleges various agencies nationwide. Meanwhile, subsidies for legal education programs for elementary and junior high school students and adult education students were provided to the department of law in 23 universities/colleges. A total of 13 sessions on preventing human trafficking were held for 540 students. Also, as part of the promotion for the youth working holiday program, the 2021 Youth Working Holiday Advocacy Online Handbook was published on the MOFA's website to provide updated information related to the prevention of human trafficking.

- (3)The NIA: Each year, multilingual posters on human trafficking prevention were created and posted at service stations in each district. Information on human trafficking was also updated on the official website of the NIA. Promotions were carried out through the digital screens and bulletin boards in meeting rooms of NIA's service centers, specialized operation brigades and detention centers, mobile services delivery vehicles, courses on related laws and regulations, or online posting of relevant information. In wake of the high volume of people traveling on the THSR in recent years, posters were put up at THSR passenger service stations in 2021 to disseminate information on human trafficking. In addition, the NIA regularly organized free clinics and health education programs for foreign fishermen at the sea ports, to raise awareness of human trafficking prevention and to educate foreign fishermen on related laws and regulations.

(4)The MOHW: In accordance with the 2021 Mental Health Network Regional Support Plan, the MOHW requested that all psychiatric centers in its psychiatric hospital network incorporate anti-TIP and victim protection sessions into their training programs for mental health administration and medical personnel. A total of two sessions (each session being two hours) were attended by 144 persons in 2021. The 5th session of the 2nd Child and Youth Sexual Exploitation Prevention and Control Consultative Meeting and the 1st session of the 3rd meeting were held in March and October 2021 respectively, inviting representatives of ministries, municipalities, county (city) governments, experts and scholars, civic groups to review the situation of education and promotion of child and youth sexual exploitation prevention and control in 2021, and to urge the central authority in charge of the field concerned and the municipalities and county (city) governments to continue the implementation of the projects.

(5)The MOL:

A.The MOL set up migrant worker service centers at both Taoyuan and Kaohsiung international airports to provide migrant workers arriving at the airport multilingual services, assistance on proceeding through customs and immigration, information on workers' rights as well as legal counseling. A 10-minute video on workers' rights and related regulations would be played for foreign workers at the airport upon their arrival. Service centers provide oral explanations and pamphlets to help migrant workers adjust to life in Taiwan and minimize the stress of living in a foreign environment. Starting from March 2020, due to the prohibition of migrant

workers gathering amid the pandemic, lectures on laws and regulations were suspended and replaced by dispensing advocacy manuals for migrant workers in order to raise awareness on rights and interests and related laws and regulations involving working in Taiwan. In total, 29,742 arriving migrant workers received the manuals in 2021.

B. In order to help employers, migrant workers, brokers and the general public in Taiwan understand migrant workers' hiring practices, rights protection and related legal information, a Taiwan Workforce Development Agency Information Site of Foreign Worker Rights Defense was set up in five languages (Chinese, English, Indonesian, Vietnamese, and Thai), available for migrant workers to inquire about their legal rights and seek advice to file complaints and protect their rights. Further, in May 2021, an updated version "Line@1955" was released to actively push the latest epidemic prevention information and employment rights information to migrant workers. In June 2021, the "1955 real-time text message service" was launched, where the staff of native speakers would respond to questions by text about pandemic prevention regulations, labor conditions, employment applications, and other frequently asked questions. The "1955hotline" migrant worker Facebook page was set up to provide migrant workers with information on the epidemic and their employment rights, which would be synchronized on the Taiwan Workforce Development Agency Information Site of Foreign Worker Rights Defense.

C. In 2021, the MOL commissioned 5 broadcasters to produce

13 episodes of a radio program in Filipino, Indonesian, Mandarin, Thai, and Vietnamese on such topics as prevention of human trafficking, and bodily harm onto migrant workers, and the 1955 Consultation and Complaint Hotline for Foreign Workers, aiming to further educate employers, brokers, and foreigners about related laws and regulations and to provide a venue for interaction with the callers. By the end of 2021, the broadcast had reached an estimated 4.7 million audience.

(6)The NPA: In 2021, the police departments under the municipalities and county (city) governments held 1,909 seminars on community security for 85,857 attendees. These seminars raised public awareness by playing videos on the prevention of human trafficking as well as related measures and regulations. Also, LED electronic bulletin boards and website banners of law enforcement agencies and related organizations at all local government levels were set up to enhance the awareness of anti-TIP hotlines.

3.2 To deepen educational trainings and lecture activities

The central and local government agencies continue to provide training and workshops for judicial police, prosecutors, judges, and officials of the administrative authority of immigration, fisheries, labor, social affairs, education, foreign affairs and others:

(1)The MOJ: Training courses on handling human trafficking cases were organized annually to help prosecutors better understand all aspects of issues during investigations, prosecutions, and trials, as well as the protection and placement of victims. Each year, budgets are set aside for

human trafficking training. The MOJ, in collaboration with the ECPAT Taiwan, hosted a workshop on the prevention of human trafficking and child and youth sexual exploitation in September 2021. Prosecutors from the United States Department of Justice were invited to share their views on convicting serious child and youth exploitation offenders (including behavioral patterns and sentencing standards). The head of legal and regulatory affairs for Facebook in the Asia Pacific region was also invited to give a lecture on Facebook's policy on combating online child and youth sexual exploitation. Members of the Queensland Task Force on Child and Youth Exploitation shared their views on online grooming cases. These courses were provided to strengthen prosecutors' ability to effectively detect offenses of online sexual exploitation and enhance their professionalism in handling human trafficking cases.

(2)The Financial Supervisory Commission (the FSC): Training courses (including human trafficking awareness) for bank employees were held, with a total of 57 sessions and 2,129 participants. For securities and futures practitioners, 136 training sessions were held, with 6,384 participants, and for insurance practitioners, 108 training sessions (including human trafficking awareness) were held, with 5,469 participants.

(3)The NIA: Under the NIA Experience Inheritance Program on Human Trafficking Investigation and the Digital/Internet Gender Violence Cases, experts and scholars from various fields were invited to conduct educational training and lectures for law enforcement officers from the judicial police

agencies. In addition, in August 2021, NIA Border Affairs Corps at all ports were instructed to implement procedures for the investigation and identification of suspected human trafficking cases. In the event of a shipwreck, ship stranding or ship owner's failure to actively deal with crew members unduly stayed in the maritime area and ports, once a labor dispute or suspected labor exploitation case is discovered, the ship crew interview and identification process should be initiated immediately to assess whether crew members are victims of forced labor offenses in accordance with the "ILO Indicators of Forced Labour" published by the International Labour Organisation (ILO). When initiating the investigation and identification of suspected labour exploitation of crew members, indicators such as exploitation purpose, illegal means, and human flow are used to assess cases of labour exploitation in accordance with the Reference Indicators for the Identification of Victims of Human Trafficking.

(4)The MOL: To strengthen employers' understanding of laws and regulations on migrant worker employment and management responsibilities, employers applying for the employment of foreign domestic helpers and home care workers for the first time are required to receive a certain number of hours of "pre-employment training" before the application. The seminars provide information on the relevant laws and regulations for migrant workers, the prevention of human trafficking, the customs and traditions of the migrant workers' home country, labor-management relations and related insurance regulations, labor contracts and salary payments, and the termination of employment.

The training is to help employers understand the future situation of their own household and the relevant laws and regulations governing the situation, so to promote harmony between the employer and employee. In 2021, 23,739 employers attended seminars and obtained certificates. In addition, the MOL, in cooperation with the MOI, organized educational training for labor inspectors on the subject of forced labor in 2021 (4 sessions from November to December) to enhance their knowledge of the 11 indicators of forced labour proposed by the International Labour Organization. The training is to facilitate the immediate identification of suspected cases of labour exploitation when receiving complaints or carrying out labour inspections and timely reporting to the judicial police to intervene and investigate.

(5)The MOE: In 2019, the MOE issued the Regulations for New Southbound Programs of Industry-Academia Collaboration Students' Internship and Work-Study along with the Regulations for New Southbound Programs of Industry-Academia Collaboration. SOPs for admitting students and student internships are established for technical and vocational education institutions to comply with and to protect the rights and interests of overseas students in off-campus internships and work-study. Meanwhile, the MOE requires schools to adopt the practice of directly dispatching officials overseas to conduct recruitment of students without the use of human resource agencies. In addition, schools are to feature bulletins and other written materials that lay out the rules in students' host country

languages, including important statements for students to read and sign in advance, so that the students may understand their rights and obligations with respect to studying in Taiwan. The MOE continues to implement reviews (visits) of international programs in universities and colleges so that there is a clear distinction between internship programs and student work-study activities. Should there be any suspicious breach of foreign students' labor rights or interests, the MOL will be requested to provide prioritized assistance and refer the case to the local government for an investigation. The MOL and related units will then provide the investigation results to the MOE for follow-up, so as to provide help to students and protect their rights and interests in Taiwan. A dedicated website and mailbox for counseling overseas students were established, along with a hotline for overseas students, and an interagency reporting network platform.

(6)The MOFA: The Institute of Diplomacy and International Affairs offers training courses on the prevention of human trafficking every year. Since 2013, anti-TIP courses have been included in the Pre-Departure Training Programs for Reserved Personnel and Personnel Stationed Abroad of Executive Yuan subordinate agencies (the "Expatriate Program") held twice a year, as well as in the Training Programs for Newly Recruited Diplomatic, Consular and Administrative Personnel (the "Newly Recruited Diplomatic Program") held once a year to enhance the awareness of participants and to be in line with international trends.

3.3 Revision and implementation of anti-trafficking legislation

- (1) Criminal Punishment involved: To enhance victims' rights in litigation, the amendment of the Code of Criminal Procedure regarding the general protection and participation in litigation of crime victims has also been approved and come into force on 10 January 2020, echoing international human rights and opening up a new era for our criminal procedure.
- (2) No criminal punishment involved: The FA announced the implementation of the Regulation on the Authorization and Management of Overseas Employment of Foreign Crew Members on January 20, 2017. The basic rights and benefits of foreign crew members employed abroad, such as basic wages, working hours and insurance, were included in the Regulation, and ship owners were required to sign labor contracts with crew members in accordance with the standardized terms and conditions to protect the rights and benefits of crew members. The above regulations were reviewed and amended on a roll planning basis. In 2019, in order to be in line with international standards, the FA amended the above Regulations, with the main amendments as follows: in the case of overseas employment of foreign crew members, the crew members should be informed of the matters included in the employment and service contracts and be provided with a copy of the contract for each crew member to keep; In fulfilling the obligation to inform, the entire process shall be recorded and videotaped without interruption, so that foreign crew members can

clearly understand the basic rights and protections provided by our government before boarding the fishing vessels.

3.4 Promoting administrative guidance for the prevention and control of human trafficking

- (1) The central and local government agencies took the initiative in planning preventive administrative guidance or management measures under their respective duties and functions, and in accordance with provisions in Article 2 of the HTPA and Article 3 of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (hereinafter referred to as the International Trafficking in Persons Protocol).
- (2) The administrative guidance and measures planned and enforced in 2021 by the central authorities are summarized as follows:
 - A. The Ministry of Transportation and Communications (the MOTC): In order to prevent children under the age of 18 from falling into the trap of human trafficking when flying abroad, the Civil Aeronautics Administration under the MOTC has written to the Taipei Airlines Association and the Board of Airline Representatives to adopt a flexible approach to persuade inbound foreign passengers to provide the contact information of parents and guardians at the departure counter for use in case of any emergency. In addition, the Maritime and Port Bureau (the MPB) under the MOTC has established the "Notification Mechanism for Human Trafficking Involving Crew Members". Under the mechanism, upon handling a suspected human trafficking case involving crew members, officers of the

maritime affairs centers should immediately notify the judicial police, regardless of the nationality of the crew members, and assist in providing relevant information to protect the human rights of the crew. From September 2021, if the operators of foreign merchant vessels are involved in forced labor or human trafficking and either charged by the domestic judiciary, reported by a foreign government(s), or listed on the International Transport Workers' Federation (ITF) website for seafarer abandonment and the dispute has not yet been resolved, the disputed vessels will be listed in the blacklist (updated every month) and banned from entering into ports of the Republic of China as a measure to eliminate offenses of forced labors and human trafficking.

- B. The Fisheries Agency (the FA): A joint liability and evaluation system for brokers has been established. Approval and guarantee bonds submitted in advance to the competent authority are required for broker application. The amount shall be from NT\$1,500,000 (US\$49,000) to NT\$5,000,000 (US\$162,000), depending on the number of people the agency plans to employ. In 2021, according to the FA's evaluation of 54 brokerage firms, 20 were given an A grade, 28 a B grade, 3 a C grade, and 3 a D grade. Two of the brokerage firms graded D have been revoked of the licenses, and the other one was suspended for one year.
- C. The Ministry of Economic Affairs (the MOEA): As United Nations Guiding Principles on Business and Human Rights (UNGPR) are also of great relevance to the prevention and control of human trafficking, the Department of Investment

Services, MOEA has produced promotional materials on corporate social responsibility and human rights, based on the OECD Guidelines for Multinational Enterprises. In April 2021, the economic divisions of the Taipei Representative Office stationed in various foreign countries were requested to promote human rights (including the prevention and control of human trafficking) to overseas Taiwanese businesses.

D. The Ministry of Labor (MOL):

- a. To establish a standard care service for migrant workers and to strengthen the responsibilities of employers to manage and the relevant local government to supervise, the Ministry of Labor has amended and implemented the "Standards for Necessary Safety and Health Equipment and Measures for Workers Working under High Physical Exertion" (hereinafter "the Standards") to protect the rights and interests of migrant workers to work and live in Taiwan.
- b. Based on the International Labor Organization (ILO) R115 - Workers' Housing Recommendation, the MOL has amended and published the Standards to require sleeping areas for migrant workers to be at least 3.6 square meters of floor space per person. In addition, in order to strengthen the supervision of employers' responsibilities, employers are required to enroll foreign workers in accident insurance when hiring them to work as domestic helpers and home care workers. The Standards were amended in June and in December 2020, and became effective starting January 1, 2021.

c. In order to prevent private employment service institutions from overcharging, the MOL set up the 2021 Implementation Plan for Inspecting the Charges of Private Employment Service Institutions, targeting agencies with poor evaluations who have been filed complaints by migrant workers or have had high migrant worker missing rates. In 2021, a total of 184 migrant workers and 92 agencies were inspected, of which 15 private employment service institutions were found overcharging, 84 failed to perform entrusted duties and caused employers to violate the law, 113 illegal brokerages discovered (including individuals and legal entities) were subjected to punishments.

4. Strengthening domestic and foreign partnerships

4.1 Participation in International exchanges and activities

(1) The MOJ: The Mutual Legal Assistance in Criminal Matters Act was promulgated and came into effect in May 2018. Where a matter concerns international mutual legal assistance in criminal matters, treaties apply; where there are no such treaties or no applicable provisions in such treaties, the Act shall apply. The Act could thus be the primary legal source for enhancing international mutual assistance in criminal matters, or the secondary legal source to provide supplementary information on the law, and shall be of great help in promoting international cooperation on combating cross-border human trafficking. In 2021, the MOJ continued to establish contact windows for information sharing and cooperation, and actively engaged

in international criminal legal assistance to assist domestic and foreign investigative units in human trafficking cases, such as information exchange, evidence collection, and officer repatriation.

(2) The MOEA: In October and November 2021, the MOEA held two workshops on "Corporate Responsibility for Human Rights, International Law and Judicial Reform in the EU" and "Corporate Responsibility and Legislation of Human Rights: from the UK, France and Germany to Taiwan". Representatives from the public and private sectors were invited to discuss the latest legislation in other countries to serve as a reference for future deliberations on promoting relevant legal systems in Taiwan.

(3) The NIA

Regular exchanges with the relevant host country government's immigration agencies: The immigration attachés regularly meet with immigration and human trafficking prevention and control agencies in the host nation, to discuss recent legislative amendments or cases, and to share our successful experience in the prevention and intervention of human trafficking, including:

A. Bilateral meetings on cooperation in immigration affairs with Indonesian immigration authorities were held regularly. In 2021, due to the severity of the epidemic, the bilateral meeting was suspended. The meeting is to be resumed in the future.

B. In September 2021, the immigration attachés of the Taipei Economic and Cultural Representative Office in Japan attended the video conference of the 17th partnership

liaison against Human Trafficking held by the Japanese Community Safety Bureau of the National Police Agency, to exchange experiences on human trafficking cases detected by Japanese law enforcement agencies during the COVID-19 pandemic and on the protection and returning of the victims to their home countries.

C. In April and October 2021, officers from the Immigration and Agriculture Divisions of Taipei Economic and Cultural Representative Office (TECO) in the United States attended a video conference on forced labour in Taiwan's distant water fishing industry held by Kuo-Ping Lin, Deputy Director General of the FA, and the U.S. Department of Labor. The FA explained to officials of the U.S. Department of Labor measures to improve on the list of forced labour incidents in the distant water fishing industry alleged by the U.S. Side.

D. In March 2021, the immigration attachés of TECO in Miami met with the Director of the Miami office of the Homeland Security Investigation (HSI) of Immigration and Customs Enforcement (ICE) to establish closer cooperation in combating human smuggling rings and human trafficking, and in exchanging criminal information.

(4) The MOFA:

A. In response to the ongoing concerns about Taiwan's business and human rights as well as labour rights issues in the annual US Trafficking in Persons Report, the MOFA has been communicating with the U.S. through various channels, including the third U.S.-Taiwan

Consultations on Democratic Governance in the Indo-Pacific Region launched in November 2021. Also, Taiwan participated in the Summit for Democracy held in the United States in December 2021 and presented a series of commitments as follows:

- a. To implement the National Action Plan (NAP) on Business and Human Rights (BHR) published in December 2020.
- b. To reduce forced labour in the fishing industry, including Taiwan's distant water vessels.
- c. To simplify the registration process for labor unions and encourage staff of listed companies to organize trade unions.
- d. To conduct a study on the feasibility of banning the import or government procurement of products produced by child labor or forced labor.

B. In October 2021, the MOFA and the NPA, along with AIT, Taipei Office and JTEA, cohosted the GCTF webinar on Combating Cybercrime and Strengthening International Law Enforcement Cooperation. Government officials, experts and scholars at home and abroad were invited to deepen cross-border police cooperation and share experiences to enhance capacity building in combating cybercrime, corruption, human trafficking, money laundering and other types of transnational crimes.

(5) The FA: In November 2021, the FA and AIT cohosted a seminar on Taiwan's Distant Water Fishing Industry Development and the Labor Environment for Foreign Crew Members". Groups in the distant water fishing industry,

fishery administrators, experts and academics, and civic groups were invited to exchange and discuss issues on the development of Taiwan's distant water fishing industry and labor environment of foreign crew members, and to share opinions on the overall development of Taiwan's distant water fishing industry and appropriate labor policies. Interactive discussions were made on industry development and human rights protection.

4.2 Promote the signing or substantive international cooperation

- (1) To effectively facilitate cooperation on immigration matters and combat human trafficking, up to the end of 2021, Taiwan has signed MOUs on cooperation concerning immigration affairs and human trafficking prevention with 22 countries: Australia, Belgium, Belize, El Salvador, Eswatini, Gambia, Guatemala, Honduras, Indonesia, Japan, the Marshall Islands, Mongolia, Nauru, Palau, Panama, Paraguay, the Philippines, Saint Christopher and Nevis, Saint Vincent and the Grenadines, Solomon Islands, the United States, and Vietnam, which effectively enhanced international cooperation on immigration affairs, cross-border crime prevention, and anti-TIP efforts.
- (2) In recent years, Taiwan has also been committed to cooperating with the international community to combat criminal activities in various ways. The Taiwan-US Mutual Legal Assistance Agreement in Criminal Matters was signed in March 2002. The Taiwan-Philippines Mutual Legal Assistance Agreement in Criminal Matters was signed on April 19, 2013. The Taiwan-South Africa Mutual Legal

Assistance Agreement in Criminal Matters was signed on July 24, 2013. Signing the related agreements is of great significance to upholding the sovereignty of our judicial system and serves as a basis for requesting mutual legal assistance from the countries with which we have signed the agreements in the prosecutions of human trafficking crimes. In 2019, Taiwan signed the "Agreement between the Taipei Representative Office in Poland and the Polish Office in Taipei on the Legal Cooperation in Criminal Matters" and "Treaty On Mutual Legal Assistance In Criminal Matters Between The Government Of The Republic Of China (Taiwan) And The Government Of The Republic Of Nauru" gaining new grounds in practical cooperation with foreign countries in the field of justice while joining hands in combating transnational (human) trafficking crimes.

(3) The Mutual Legal Assistance in Criminal Matters Act was promulgated and came into force in May 2018. It serves as a legal basis for mutual legal assistance (e.g., obtaining evidence information, interrogating defendants or witnesses) between Taiwan and countries other than the 6 aforementioned nations of Belize, Nauru, the Philippines, Poland, South Africa, and the United States. The agreements that took effect (or were signed) in 2021 are as follows:

- A. Agreement between the Taipei Representative Office in Poland and the Polish Office in Taipei on the Legal Cooperation in Criminal Matters (Signed on June 17, 2019; Entered into force on February 23, 2021).
- B. Treaty On Mutual Legal Assistance in Criminal Matters

Between the Government of the Republic of China (Taiwan) And The Government of the Republic of Nauru (Signed on August 7, 2019; Entered into force on June 5, 2021).

C. Treaty On Mutual Legal Assistance in Criminal Matters Between the Government of the Republic of China (Taiwan) And The Government of Belize (Signed on September 26, 2020 and September 28, 2020; Entered into force on July 30, 2021).

D. The Arrangement on Judicial Cooperation in Criminal Matters between the Taipei Representative Office in Slovakia and the Slovak Economic and Cultural Office Taipei on the Legal Cooperation in Criminal Matters (Signed on July 12, 2021 and August 03, 2021; Entered into force on August 03, 2021).

(4) Taiwan is committed to cross-border cooperation and the establishment of an interagency communication mechanism. The cross-border cooperation in the detection of suspected human trafficking offenses in 2021 is summarized as follows:

A. In November 2021, in cooperation with the Turkish prosecutors and police agencies, a telecoms fraud control room in Turkey was uncovered and a number of Taiwanese suspects were arrested. The case was subsequently opened for investigation in Turkey on charges of fraud and human trafficking. The case is still under investigation by police and the prosecutors' office.

B. In May 2021, based on the information provided by the Investigation Bureau and through mutual legal assistance,

the Prosecution Service of the Republic of North Macedonia uncovered a total of 48 Taiwanese suspected of telecom fraud. In May 2021, all 48 Taiwanese suspects involved in the telecoms fraud and human trafficking cases were deported to Taiwan after the Taipei Representative Office in Italy and judicial authorities acted in coordination with the North Macedonian prosecutors.

C. A Taiwanese female engaging in the sex trade in the United States was suspected to be involved in human trafficking. In June 2021, the AIT informed the MOJ in Taiwan of the case. Contacts were then made with the U.S. law enforcement agencies. The case was eventually under investigation by the Taiwan Taoyuan District Prosecutors' Office. As the case lacked substantial evidence of trafficking in persons, the "not to prosecute" ruling has been finalized.

4.3 Sponsoring or participating in events organized by civic groups at home and abroad

In order to deepen our partnership with civic groups at home and abroad on the issue of human trafficking, competent agencies continue to provide subsidies or participate in related activities, as summarized below:

- (1) Private institutions were funded by the MOL to organize lectures for employers, migrant workers, and brokers and feature cultural exchanges and holiday celebrations and organize courses in Mandarin and other languages. These activities served as a platform to raise awareness of human trafficking prevention and control, employers' obligations in protecting the personal safety and privacy of migrant workers,

as well as providing healthy living conditions. It also informed participants of the benefits of the 1955 hotline.

(2)The FA subsidized the Overseas Fisheries Development Council of the Republic of China to conduct professional training with regard to protecting the interests and inspection visits of overseas-employed foreign crew members. Domestic port inspectors, first-line responsible staff from county and municipal governments, and staff from seafarers' and fishermen's service centers were invited to attend, to enhance the sensitivity of inspectors and first-line staff in detecting suspicious signs and to improve their experience in the international fishing industry.

IV. Future endeavors

1. Prosecution

1.1 The MOJ will enhance the professional skills of prosecutors in investigating TIP cases.

The Taiwan High Prosecutors Office established a special task force overseeing the prevention of human trafficking in January 2007. Regular meetings are held in June and December every year to enhance the effectiveness of the judicial police in investigating and detecting human trafficking cases and to strengthen the inter-agency liaison. During the regular meeting, discussions are made on the detection, prosecution and sentencing of human trafficking cases. The meeting will also continue to focus on emerging human trafficking cases and evaluate and study guidelines for effective investigation and detection.

1.2 The FA sets out operational procedures to assist in the investigation of human trafficking cases

In response to the human trafficking offenses alleged by local and foreign civic groups, the FA has established the Standard Operating Procedures for Receiving and Reporting Disputes on Distant Water Fisheries with Overseas Employment of Foreign Crew Members Suspected of Violating the HTPCA. According to the operating procedures, when a TIP case is reported, the FA shall transfer the case files along with related evidence to the prosecutor's office of the registered place of the fishing vessel. The Draft Action Plan On Human Rights and Fishery Industry has also been formulated. After approved by the Executive Yuan, the draft will be actively promoted by various agencies to enhance the

protection of crew members' labor rights and other interests.

1.3 The judicial police agencies will intensify the investigation and prosecution of TIP crimes

- (1) Continual supervision will be made to all police agencies in carrying out an Anti-Slavery Plan, with the main focus of police work on cracking down on human trafficking syndicates with three or more members, consisting of the main suspects, fake spouses, and/or other criminal suspects.
- (2) In major prosecution and investigation cases, such as the fishing vessel Da Wang registered in the Republic of Vanuatu, the judicial police shall cooperate to work under the prosecutor's instructions and take the initiative to complete the inquiry and evidence collection, so as to put an end to similar human trafficking offenses.

1.4 The NIA will intensify educational training and investigative skills

- (1) To deal with the problem of new officers' inexperience in detecting clues in suspicious cases, the NIA has strengthened education and training on detection, evidence collection and knowledge of related laws, so as to apply such enhanced detection skills to uncover clues for seizure, receipt (acceptance) of self-reported cases and admission of foreigners to detention centers and effectively combat illegal criminal syndicates. In addition to carrying out joint inspections with the respective security agencies in each responsible district of jurisdiction and conducting inter-agency coordination meetings, the NIA will also continue to strengthen the deployment of criminal intelligence collecting functions and implement proactive

joint inspections at gathering places for migrant workers and illegal workplaces with better pay offers and labor conditions.

- (2) The 2021 Seed Instructor Training Programs ~~will be~~ continued to provide training courses to investigator seed trainers in the domains of domestic migrant workers, foreign fishing vessel crew members, and overseas students. The first training course for seed instructors was conducted in March 2021 through case studies. Prosecutors and experienced officers were invited to share the gist of detecting human trafficking crimes and highlight the key points in evidence collection. With 25 participants, the course aimed to nurture seed instructors of the police of respective localities in future investigations.

1.5 The drafting of the Basic Law of Sentencing in Criminal Cases has been initiated.

- (1) In order to enhance the appropriateness and predictability of sentencing and to strengthen people's trust in the judiciary authorities, the Judicial Yuan formed the "Committee of the Sentencing Commission for Criminal Cases" in December 2019, which convened 20 meetings from January to November 2021 to study and draft the Basic Law of Sentencing in Criminal Cases. After extensive consultation with various sectors of society, the basic law was drafted and titled the Draft of Appropriate Sentencing in Criminal Cases Act.
- (2) The above draft was approved by the Judicial Yuan in December 2021 and is submitted to the Legislative Yuan for deliberation. Once the legislation is passed by the

Legislative Yuan, the Sentencing Commission for Criminal Cases ("SC") will be established to formulate sentencing guidelines for criminal cases, so as to enhance the appropriateness, transparency, fairness, and reasonable predictability of sentencing and to meet society's expectations for fairness and justice in sentencing.

1.6 Education and training will be continued to improve the investigation skills of judicial police officers.

In order to enhance the professional knowledge of police officers in investigating human trafficking cases, the NPA will continue to instruct police agencies to conduct training sessions and invite experienced judges, prosecutors, or experts and scholars to lecture on how to enhance the admissibility of the evidence and lawfulness of cases, and to strengthen the investigation skills and indictment rate. Also, the NIA will continue to organize seed instructor training courses and plan to provide more finessed training on investigation techniques for sexual and labor exploitation cases.

2. Protection

2.1 Enhance the function of assisted victim identification in suspected human trafficking cases

The Judicial police agencies handling suspected human trafficking cases may invite, whenever necessary, social workers or other professionals to accompany the victim(s) in the investigation and assist in victim identification. The NIA will continue to look into the feasibility of expanding the database of available social workers to accompany victims in investigations. This includes the integration of local

governments and civil society organizations to support the accompaniment in investigations. The combined and expanded roster works in favor of ~~immediate~~ instant dispatch of professional helpers to a scheduled interrogation, so that the accompanying social workers or other professionals get to help stabilize the mood of the victims in the investigations and thus the victims get to state the situation of their victimization clearly. During the process, accompanying social workers and professionals also serve to pass on to the victims information concerning the victims' rights and interests in getting protections and services provided by the government.

2.2 Implementation of victim protections

- (1) To avoid misunderstandings and misjudgments as a result of language barriers during the identification, examining or questioning of victims, the NPA and NIA will continue to instruct judicial police agencies to follow the rules and assure the presence and assistance of interpreters or the persons to accompany victims for the benefits of their human rights during the investigations of the human trafficking cases. Also, both the Guideline of Human Trafficking Victim Identification and the MOJ-issued Human Trafficking Victims Identification Indicators should be observed when conducting the interrogation.
- (2) The NPA and NIA will continue to instruct police agencies to supervise and see that the investigation non-disclosure rule is observed and victim privacy is protected in a press release. Also, when the safety of a victim admitted to a shelter or during the court presence for testimony needs to

be safeguarded by police protection, the police should dispatch officers to provide the protection.

2.3 Statistics on Protection and Services for Victims of Trafficking in Persons

The NIA, SFAA, and other central and local authorities involved in the placement and protection of victims will follow up to ensure the implementation of the services and the protection of all ~~the~~ victims regardless of their nationality, whether being admitted to a shelter or not.

3. Prevention

3.1 Actively promoting the drafted amendment to the Human Trafficking Prevention Act

- (1) The Human Trafficking Prevention Act has not seen a major amendment since its implementation in June 2009. However, in order to comply with the Protocol to Prevent, Suppress and Punish Trafficking in Persons and to optimize the protection of victims' rights, the full amendment was drafted and sent to the Executive Yuan for review.
- (2) The draft is highlighted as follows:
 - A. The definition of trafficking in persons is amended so that it does not require the element of violation against the victim's will. This will render it in compliance with the concept of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (The consent of a victim shall be irrelevant).
 - B. A mechanism for re-identification of victims is added to improve the appeal mechanism for suspected victims. The provision of a temporary stay permit with validity period

of less than 6 months is amended to be a residence permit with validity period of 1 year. Diversified non-institutional placement services have been introduced. Foreign victims are allowed to choose between living with relatives or friends and living alone. The revised service measures are intended to improve the victim's chances of landing a job, provide the national health insurance coverage for the victim and to strengthen the victim's willingness to stay in Taiwan and testify.

- C. The hierarchy of criminal punishments for labour exploitation is clearly defined, and the sentence imposed is increased to toughen the punishment of human trafficking offenses and to spotlight the commitment to the protection and control of human trafficking victims.

3.2 Strengthen the protection of the rights and interests of foreign crew members employed abroad

- (1) Increasing the impact of inspection and implementing the enforcement of laws: In the second quarter of 2022, the FA will recruit and train 62 inspectors to increase the frequency of inspection over the conditions of foreign crew members employed by R.O.C. (Taiwan) distant water fishing vessels. The inspection will be focused on the vessel supervisors and ship owner compliance with relevant fishery laws, and the offenses of human trafficking. Also, continual negotiations with the port states will be carried out with the help of the MOFA to increase the number of specialists stationed in overseas ports.
- (2) Conducting victim-centered interviews: Interviewers and investigators are required to take training courses of at least

4 hours annually. Under the standardized operational procedure, the crew members will be informed of the non-disclosure of personal information and separated from the vessel owner and the supervisors during the interviews. If necessary, the interview could be conducted together with judicial police agencies. Victim-centered interviews could be conducted on vessel inspections at port side or at-sea, so as to detect signs of forced labor among foreign crew members.

- (3) Strengthening the management of FOC fishing vessels: The FA amended the “Regulations on the Management and Approval of Foreign-Flag Fishing Vessels Entering into Ports of the Republic of China” to restrict foreign fishing vessels involved in human trafficking or forced labor from entering the ports in Taiwan. The prospect of setting up a mechanism of joint inspections on returned Taiwanese FOC fishing vessels is being considered.
- (4) Promoting diversified channels for foreign crew members to file complaints: The 1955 hotline has been added to employment contracts (such as Mandarin, English, Vietnamese and Indonesian versions) and to distribute promotional pamphlets with above-mentioned hotline (such as Mandarin, English, Vietnamese and Indonesian versions). The FA provided the MOL with the necessary information for the 1955 hotline’s derivative APP. A network interaction mechanism for foreign crew members will soon be set up by the FA.
- (5) Strengthening advocacy among fishing crew members:

Aside from conducting campaigns and holding meetings to explain current laws and regulations, also organizing educational courses and periodical trainings for domestic vessel supervisors and fishing workers to promote the importance of treating foreign crew members as key partners during operations at sea, raise the awareness of corporate social responsibility and to maintain friendly relations with each other.

3.3 Optimizing protection of migrant workers' rights

- (1) To protect the foreign home caregivers' labor rights to take leave and address the need for the care receivers to obtain uninterrupted care service, the MOL has subsidized the MOHW to expand respite care services for families with foreign home caregivers since December 2018. After consultation between the MOL and the MOHW, the eligibility criteria were relaxed in 2020. Families employing foreign home caregivers to take care of individuals who meet the disability levels of 2-8 as assessed by LTC Management Centers can apply for respite care services to cater to the needs of the disabled and the leave rights of foreign home caregivers.
- (2) The employment of domestic workers requires permission. Although it is currently not covered in the "Labor Standards Act", it is mentioned in the "Employment Service Act" that foreign workers should sign a written labor contract with domestic employers before entering R.O.C. (Taiwan) to protect their labor rights. Besides, the labor condition must comply with the labor contract verified by the competent authority in the home country of the foreign worker and

related provisions in the “Employment Service Act” of R.O.C. (Taiwan). In case of any dispute, domestic workers can apply for mediation of labor disputes or initiate litigation according to the “Civil Code” to protect their rights and interests.

- (3) The MOL has set up the Domestic Workers’ Protection Task Force and the Discussion Meeting of Domestic Workers’ Protection was held in September 2019 to discuss relevant protection measures and actively consult the opinions of various sectors to convene meetings promptly, as well as to conduct a review in line with the promotion of the long-term care system.
- (4) Aside from the promotion of direct employment and consultation services in various languages, the MOL has set up dedicated staffs to assist employers in applying and tracking the progress of the case. Also, the MOL will continue to review the "Standards for Necessary Safety and Health Equipment and Measures for Workers Working under High Physical Exertion" in a rolling manner, so as to assure migrant workers’ rights to work and live in Taiwan. In addition, international companies participating in the Responsible Business Alliance (RBA) are required to prohibit their suppliers from requiring foreigners to pay for the recruitment procedure or other recruitment-related fees when they work in other countries. The Direct Hiring Joint Service Center established by the MOL will continue to provide information on direct employment services to employers of foreign workers, who are subject to the aforementioned standards, to increase their willingness to

use the service.

3.4 Raising the Awareness of Human Trafficking and the Concept of Prevention and Control

The NPA will continue to request police departments to make good use of multiple channels to promote public awareness of the prevention and control of human trafficking and to call on victims' self-awareness, encouraging TIP victims to report crimes to the police to initiate the corresponding investigation and rescues. Aside from conducting campaigns and holding meetings to explain current laws and regulations, the FA also continues to educate domestic fishing workers in their periodically scheduled training on the importance of treating foreign workers as key partners during operations at sea, so as to promote corporate social responsibility, and to maintain friendly relations with each other. The MOE continues to require all schools' teachers to help prevent child and youth sexual exploitation in accordance with the "Child and Juvenile Sexual Exploitation Prevention Act," the "Protection of Children and Youth Welfare and Rights Act," and so on. This requirement aims to raise the awareness of gender equality and children's rights among faculty members and students and the teachers' teaching abilities. To effectively prevent child and youth sex trades.

4. Partnership

4.1 International exchange and cooperation

- (1) The MOJ will continue to maintain an open line of communication with international mutual legal assistance

windows for providing prompt assistance on judicial cooperation matters for prosecutors in the investigation of human trafficking cases. In addition, the efforts will be continued to keep close contact with judicial police agencies (such as the Criminal Investigation Bureau of the NPA, the NIA, and the Investigation Bureau), and establish communication links with the Mainland Affairs Council, the MOFA and the immigration attaché, legal secretaries or liaison officers of other relevant overseas offices to obtain real-time intelligence on human trafficking cases as information for the investigation and development of the cases.

- (2) In order to avoid the circumstances that foreign country's request of mutual legal assistance in criminal matters from Taiwan is turned down or submission of further documents is required, due to non-compliance (such as incorrect formatting, a requirement not met, unclear statements, improper use of language, etc.), which will, in turn, lead to the delayed acceptance of MLA and detrimental to the bilateral relations and judicial cooperation between Taiwan and the requesting countries. In November 2021, the MOJ drafted the "Requesting Mutual Legal Assistance in Criminal Matters from the Republic of China (Taiwan), A Guide to MLA". The English edition is uploaded to the website for future reference to facilitate the foreign countries' requests.
- (3) When the prosecuting authorities are investigating transnational human trafficking cases, if the witness or evidence is located abroad, requests could be made in

accordance with the treaties or agreements on mutual legal assistance or the “Mutual Legal Assistance in Criminal Matters Act”. The MOJ will assist in the follow-up processes and provide advices to the prosecuting authorities on international judicial cooperation matters. Should any other countries or jurisdictions need mutual legal assistance in collecting evidence in investigating transnational human trafficking cases, the requests for mutual legal assistance may be made in accordance with the signed treaties or agreements or on the basis of reciprocity.

4.2 Maintaining cooperation between central and local authorities to prevent human trafficking

Since 2014, Taiwan has been implementing assessments on local governments’ implementation results in combating human trafficking. Annual review of such tasks has been performed for seven years by the NPA, NIA and MOL, in cooperation with experts and scholars from the private sectors. There has been a great improvement in the performance of local governments. Also, in order to implement the Action Plan on Human Rights and Fishery Industry, the "Enhanced Cooperation Mechanism for Combating Human Trafficking at Sea" will be formulated to strengthen the sensitivity of administrative departments and judicial police officers in receiving complaints from foreign crew members, and to enhance the division of responsibilities and cooperation mechanisms, so as to facilitate the fight against crime and ensure immediate, clear, complete and safe services for suspected victims.

4.3 Collaborative Implementation of the 2021-2022

Anti-Exploitation Action Plan

In order to continuously strengthen the central government agencies' efforts to prevent human trafficking, and to coordinate the local governments to implement or participate in accordance with the strategies planned by the central government, the NIA proposed the "2021-2022 Anti-Exploitation Action Plan", which will be implemented by more than 20 authorities under different ministries, including the Criminal Department of the Judicial Yuan, the MOJ, the Council of Agriculture of the Executive Yuan, and the NPA. In addition, the action plan was approved at the 38th meeting of the Executive Yuan Coordination Committee on Prevention of Human Trafficking and Elimination of Racial Discrimination held in late December 2020, to integrate and coordinate the resources and capacities of various authorities to combat human trafficking and implement human rights protection. The action plan has been implemented by all central authorities in 2021 and 2022, and will be followed up, evaluated and supervised by the Coordination Committee on Prevention of Human Trafficking and Elimination of Racial Discrimination.

4.4 Strengthen cross-border police cooperation and interagency communication

The NPA will continue to promote international police cooperation through platforms such as agreements or Memorandum of Understanding (MOU) and the network of police liaison officers abroad to strengthen international law enforcement cooperation. It also exchanges criminal intelligence with the police or civic groups in the host

countries and exchanges ideas on the investigation and prevention of cross-border human trafficking cases. Also, police departments are instructed to apply the "third-party policing" strategy to maintain close interagency communication with local agencies in labor and social administration to actively identify sources of crime through joint investigation and advocacy efforts. The police agencies will also draw on the expertise, experience, and resources of the private sector in preventing human trafficking, and jointly organize educational trainings and promotion of prevention measures, so as to strengthen bilateral partnerships.

V. Conclusion

The prevention of human trafficking covers a wide range of subjects. In order to eradicate human trafficking crimes, it takes coordination of the efforts of all governmental agencies and cooperation with civil organizations to strengthen the prevention and control system. In recent years, there have been labor exploitation issues, targeting distant water fishing crew members on FOC-flagged vessels and foreign students in Taiwan. In order to actively eliminate human trafficking crimes, Taiwan has formulated the “2021-2022 Anti-Exploitation Action Plan” and the “Action Plan on Fishery Industry and Human Rights”, which will be implemented by various authorities and reviewed on a rolling basis. In 2021, 73 individuals were convicted in TIP-related cases. The number is slightly higher than in 2020, demonstrating Taiwan’s determination to prevent human trafficking crimes.

Looking ahead, on the one hand, we must continue to enhance the professional knowledge of the judicial police authorities in investigating human trafficking cases and strengthen the detection and prevention work to curb the occurrence of human trafficking crimes. On the other hand, we should also take the initiative to rescue human trafficking victims and strengthen assistance in recovering the damages of victims, so as to protect the rights and interests of victims through trauma-informed placements. In addition, it takes effective coordination between public sectors and civil organizations as well as all interests of the society to bring forth sustainable prevention efforts. In combating human trafficking

and in protecting victims, Taiwan seeks to bring forth the spirit of the “Human Trafficking Prevention Act” and the constitutional protections of human rights.

Table 1: Interagency TIP Prevention Mechanism

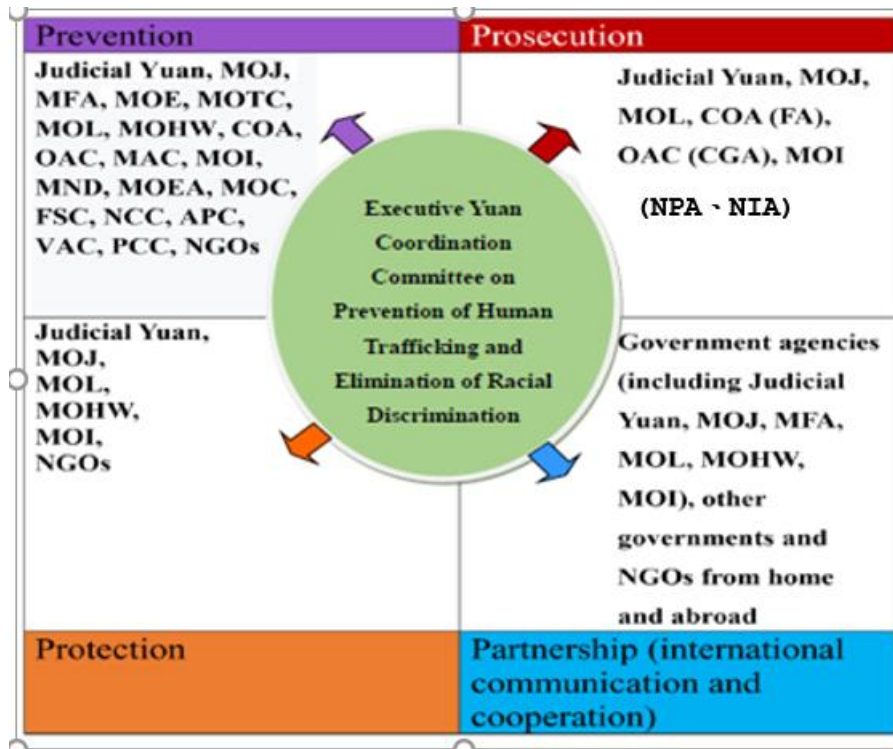


Table 2: Statistics for Judicial Police Investigations of TIP Cases Investigated by Type of Cases from 2009 to 2021

Year	Cases Total Cases investigated	Type of cases	
		Labor exploitation	Sexual exploitation
2009	88	46	42
2010	123	77	46
2011	126	73	53
2012	148	86	62
2013	166	84	82
2014	138	51	87
2015	141	44	97
2016	134	40	94
2017	145	37	108
2018	133	38	95
2019	143	32	111
2020	159	29	130
2021	145	40	105

(Statistics provided by the MOJ; compiled by the NIA)

**Table 3: Cases Prosecuted and Persons Indicted for
TIP-related Offences by
District Prosecutor’s Offices from 2009 to 2021**

Year	Cases Prosecuted	Persons Indicted	Type Of Cases			
			Labor Exploitation		Sexual Exploitation	
			Cases	Persons	Cases	Persons
2009	118	335	35	102	83	233
2010	115	441	41	110	76	346
2011	151	437	72	179	80	259
2012	169	458	34	57	136	408
2013	127	355	84	246	46	103
2014	102	184	21	52	88	153
2015	63	148	12	25	52	127
2016	64	166	17	44	50	128
2017	87	248	19	66	68	182
2018	71	113	24	40	47	73
2019	71	122	14	22	57	100
2020	78	132	18	31	63	105
2021	58	78	14	26	44	52

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

(Statistics provided by the MOJ; compiled by the NIA)

Table 4: Sentences Imposed on TIP Related Crimes from 2009 to 2021

Unit: Person(s)

Year Sentence	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
< 6 months	256	192	98	144	155	97	103	96	18	9	7	5	3
6-12 months	50	37	15	16	21	10	10	13	4	2	2	4	5
1-2 years	30	34	27	27	36	20	14	23	10	14	15	12	22
2-3 years	4	4	5	3	5	6	1	4	3	2	5	1	9
3-5 years	7	19	17	32	41	30	29	21	23	21	18	26	23
5-7 years	1	0	2	2	4	2	1	0	0	0	2	1	3
7-10 years	13	1	1	3	2	1	0	3	0	2	1	5	7
10-15 years	0	1	0	0	0	3	1	1	2	0	0	1	0
Short detention	6	8	6	11	4	5	2	1	2	0	0	0	1
Fine	1	4	2	62	1	1	2	0	0	0	0	0	0
No sanction	0	0	1	0	1	0	0	0	0	0	0	0	0
Total	376	300	174	300	270	175	163	162	62	50	50	55	73

(Statistics provided by the MOJ; compiled by the NIA)

Table 5: Type and Number of Illegally Hiring Cases from 2009 to 2021

Type of Illegally Hiring		Illegally harboring foreigners	Hiring foreign workers without permission or with permission for other people	Hiring foreigners to work for other people	Assigning foreign workers to work without permission
Year / No. Of cases					
2009	Number of Cases for fines imposed	152	582	12	410
	Number of Cases for employers' permits revoked	116			
2010	Number of Cases for fines imposed	186	777	26	545
	Number of Cases for employers' permits revoked	133			
2011	Number of Cases for fines imposed	255	960	17	746
	Number of Cases for employers' permits revoked	197			
2012	Number of Cases for fines imposed	305	1,136	14	768
	Number of Cases for employers' permits revoked	161			
2013	Number of Cases for fines imposed	376	1,450	13	897
	Number of Cases for employers' permits revoked	227			
2014	Number of Cases for fines imposed	317	1,224	20	689
	Number of Cases for employers' permits revoked	174			
2015	Number of Cases for fines imposed	370	1,372	16	848
	Number of Cases for employers' permits revoked	151			
2016	Number of Cases for fines imposed	390	1,563	10	664
	Number of Cases for employers' permits revoked	163			
2017	Number of Cases for fines imposed	465	1,830	10	554
	Number of Cases for employers' permits revoked	167			
2018	Number of Cases for fines imposed	495	1,708	3	556
	Number of Cases for employers' permits revoked	183			
2019	Number of Cases for fines imposed	981	3,563	13	723
	Number of Cases for employers' permits revoked	203			
2020	Number of Cases for fines imposed	910	2,171	4	701
	Number of Cases for employers' permits revoked	181			
2021	Number of Cases for fines imposed	724	1,830	13	750
	Number of Cases for employers' permits revoked	153			

(Statistics provided by the MOL; compiled by the NIA)

**Table 6: Type and Number of Cases for Brokers
Violation of Regulations from 2009 to 2021**

Type of Violation		Collecting unauthorized fees	Failure to perform entrusted duties, causing employers' violation of the law	Illegal brokerage (including individuals and entities)
Year/No. of cases				
2009	No. of cases for Fine(s) imposed	110	52	92
	No. of cases for Business operation suspended	10	0	10
2010	No. of cases for Fine(s) imposed	22	52	62
	No. of cases for Business operation suspended	2	1	17
2011	No. of cases for Fine(s) imposed	21	58	81
	No. of cases for Business operation suspended	6	1	18
2012	No. of cases for Fine(s) imposed	23	60	73
	No. of cases for Business operation suspended	12	3	9
2013	No. of cases for Fine(s) imposed	16	64	106
	No. of cases for Business operation suspended	5	2	14
2014	No. of cases for Fine(s) imposed	5	65	98
	No. of cases for Business operation suspended	8	5	13
2015	No. of cases for Fine(s) imposed	2	83	109
	No. of cases for Business operation suspended	2	1	10
2016	No. of cases for Fine(s) imposed	6	58	110
	No. of cases for Business operation suspended	4	0	7
2017	No. of cases for Fine(s) imposed	6	65	115
	No. of cases for Business operation suspended	5	0	6
2018	No. of cases for Fine(s) imposed	4	77	123
	No. of cases for	1	0	2

	Business operation suspended			
2019	No. of cases for Fine(s) imposed	15	65	134
	No. of cases for Business operation suspended	7	0	4
2020	No. of cases for Fine(s) imposed	15	81	106
	No. of cases for Business operation suspended	12	0	6
2021	No. of cases for Fine(s) imposed	15	84	113
	No. of cases for Business operation suspended	11	0	4

(Statistics provided by the MOL; compiled by the NIA)

Table 7: Civil Claims Received by District Courts for Human Trafficking Cases from 2019 to 2021

No.	The court hearing the case	Case No.	Claims Amount (default interest not Included) (NT\$)	Trial results	Current trial status
1	Taiwan Taoyuan District Court	Judgment Su-Ze 105 (2019)	NT\$ 600,000	Plaintiff winning the suit	Cases closed
2	Taiwan Ciaotou District Court	Judgment Su-Ze 46 (2018)	NT\$ 5,803,424	Partly winning and partly losing	Under trial of Taiwan High Court Kaohsiung Branch Court Lau-Shan-Ze 12 (2019)
3	Taiwan Ciaotou District Court	Judgment Su-Ze 120 (2019)	NT\$ 4,000,000	Partly winning and partly losing	Case closed
4	Taiwan Kaohsiung District Court	Judgment Su-Ze 469 (2019)	NT\$ 1,500,000	Plaintiff losing the suit	Case closed
5	Taiwan Taoyuan District Court	Judgment Su-Ze 1500 (2020)	NT\$5,030,000	Partly winning and partly losing	Case closed
6	Taiwan Hsinchu District Court	Judgment Su-Ze 322 (2020)	NT\$ 600,000	Plaintiff losing the suit	Appeals overruled
7	Taiwan Yunlin District Court	Judgment Su-Ze 685 (2019)	NT\$ 1,300,000	Partly winning and partly losing	Case closed
8	Taiwan Yunlin District Court	Judgment Su-Ze 136 (2020)	NT\$ 1,000,000	Partly winning and partly losing	Filing an appeal
9	Taiwan Taoyuan District Court	Judgment Su-Ze 251 (2021)	NT\$ 1,000,000	Partly winning and partly losing	Appeal overruled (fail to pay the court fees)
10	Taiwan Taoyuan District Court	Judgment Su-Ze 25 (2019)	NT\$ 1,474,520	Plaintiff losing the suit	Case closed
11	Taiwan Taichung District Court	Judgment Su-Ze 3450 (2019)	NT\$ 1,702,400	Plaintiff losing the suit	Case closed
No.	The court hearing the case	Case No.	Claims Amount (default interest not Included) (NT\$)	Investigation and trial	Current trial status
1	Taiwan Taoyuan District Court	Judgment Su-Ze 105 (2019)	NT\$ 600,000	Plaintiff winning the suit	Cases closed
2	Taiwan Ciaotou District Court	Judgment Su-Ze 46 (2018)	NT\$ 5,803,424	Partly winning and partly losing	Under trial of Taiwan High Court Kaohsiung Branch Court Lau-Shan-Ze 12

					(2019)
3	Taiwan Ciaotou District Court	Judgment Su-Ze 120 (2019)	NT\$ 4,000,000	Partly winning and partly losing	Case closed
4	Taiwan Kaohsiung District Court	Judgment Su-Ze 469 (2019)	NT\$ 1,500,000	Plaintiff losing the suit	Case closed
5	Taiwan Taoyuan District Court	Judgment Su-Ze 1500 (2020)	NT\$5,030,000	Partly winning and partly losing	Case closed
6	Taiwan Hsinchu District Court	Judgment Su-Ze 322 (2020)	NT\$ 600,000	Plaintiff losing the suit	Appeals overruled
7	Taiwan Yunlin District Court	Judgment Su-Ze 685 (2019)	NT\$ 1,300,000	Partly winning and partly losing	Case closed
8	Taiwan Yunlin District Court	Judgment Su-Ze 136 (2020)	NT\$ 1,000,000	Partly winning and partly losing	Filing an appeal
9	Taiwan Taoyuan District Court	Judgment Su-Ze 251 (2021)	NT\$ 1,000,000	Partly winning and partly losing	Appeal overruled (fail to pay the court cost)
10	Taiwan Taoyuan District Court	Judgment Su-Ze 25 (2019)	NT\$ 1,474,520	Plaintiff losing the suit	Case closed
11	Taiwan Taichung District Court	Judgment Su-Ze 3450 (2019)	NT\$ 1,702,400	Plaintiff losing the suit	Case closed

(Statistics provided by the Judicial Yuan; compiled by the NIA)

Note: Partly winning and partly losing refers to a case where the plaintiff's claim is partly well-grounded and is decided in favour of the plaintiff. The groundless part of the claim is dismissed.

Table 8: Statistics of Foreign TIP Victims Placed in Shelters from 2009 to 2021

Gender and nationality Year/Exploitation type		No. of Newly Admitted Victims	Gender		Nationality								
			Male	Female	Indonesian	Vietnamese	Thai	Filipino	Mainland Chinese	Cambodian	Bangladesian	Indian	Other
2009	Sexual Exploitation	85	0	85	45	12	1	0	27	0	0	0	0
	Labor Exploitation	244	71	173	120	73	6	14	0	9	22	0	0
	Total	329	71	258	165	85	7	14	27	9	22	0	0
2010	Sexual Exploitation	45	5	40	14	4	6	2	19	0	0	0	0
	Labor Exploitation	279	61	218	147	71	6	37	2	13	2	1	0
	Total	324	66	258	161	75	12	39	21	13	2	1	0
2011	Sexual Exploitation	56	0	56	20	1	1	1	33	0	0	0	0
	Labor Exploitation	263	90	173	155	83	9	13	0	0	3	0	0
	Total	319	90	229	175	84	10	14	33	0	3	0	0
2012	Sexual Exploitation	152	0	152	131	1	0	0	20	0	0	0	0
	Labor Exploitation	310	66	244	225	59	1	23	0	2	0	0	0
	Total	462	66	396	356	60	1	23	20	2	0	0	0
2013	Sexual Exploitation	121	0	121	110	1	0	1	9	0	0	0	0
	Labor Exploitation	245	47	198	166	64	6	7	0	0	0	0	2
	Total	366	47	319	276	65	6	8	9	0	0	0	2
2014	Sexual Exploitation	86	0	86	67	4	2	0	13	0	0	0	0
	Labor Exploitation	206	52	154	95	61	4	43	2	1	0	0	0
	Total	292	52	240	162	65	6	43	15	1	0	0	0
2015	Sexual Exploitation	64	0	64	53	4	0	1	6	0	0	0	0
	Labor Exploitation	122	64	58	83	29	0	10	0	0	0	0	0
	Total	186	64	122	136	33	0	11	6	0	0	0	0
2016	Sexual Exploitation	40	5	35	21	0	10	3	6	0	0	0	0
	Labor Exploitation	116	64	52	55	30	0	30	0	0	0	0	1
	Total	156	69	87	76	30	10	33	6	0	0	0	1

2017	Sexual Exploitation	61	9	52	14	5	39	3	0	0	0	0	0
	Labor Exploitation	135	53	82	94	14	6	18	0	0	3	0	0
	Sexual and Labor	12	0	12	1	1	0	10	0	0	0	0	0
	Total	208	62	146	109	20	45	31	0	0	3	0	0
2018	Sexual Exploitation	29	1	28	15	8	4	0	0	0	0	0	2
	Labor Exploitation	79	35	44	59	15	0	4	0	0	1	0	0
	Sexual and Labor	12	0	12	11	1	0	0	0	0	0	0	0
	Total	120	36	84	85	24	4	4	0	0	1	0	2
2019	Sexual Exploitation	30	0	30	11	8	11	0	0	0	0	0	0
	Labor Exploitation	61	24	37	43	11	0	4	0	0	0	0	3
	Sexual and Labor	1	0	1	1	0	0	0	0	0	0	0	0
	Total	92	24	68	55	19	11	4	0	0	0	0	3
2020	Sexual Exploitation	38	0	38	11	4	23	0	0	0	0	0	0
	Labor Exploitation	64	32	32	24	30	0	10	0	0	0	0	0
	Sexual and Labor	6	0	6	6	0	0	0	0	0	0	0	0
	Total	108	32	76	41	34	23	10	0	0	0	0	0
2021	Sexual Exploitation	36	0	36	20	16	0	0	0	0	0	0	0
	Labor Exploitation	70	51	19	28	41	0	1	0	0	0	0	0
	Sexual and Labor	15	0	15	14	1	0	0	0	0	0	0	0
	Total	121	51	70	62	58	0	1	0	0	0	0	0

(Statistics provided by the NIA; compiled by the NIA)

**Table 9: Statistics of Inspection Visits for Overseas
Employment of Foreign Crew
Members (Fishing) from 2019 to 2021**

Year	Statistics	Port(s) in R.O.C. (Taiwan)	Foreign port(s)	Onboard inspections at high sea	Total
2019	Fishing workers	468	193	59	720
	Fishing vessels	82	75	43	200
2020	Fishing workers	560	95	3	658
	Fishing vessels	102	20	2	124
2021	Fishing workers	550	55	0	605
	Fishing vessels	98	12	0	110

(Statistics provided by the Fisheries Agency; compiled by the NIA)

**Table 10: Punishments for (Fishing) Ship Owner's
Violation from 2019 to 2021**

Violation type	Year	No. of violations	Cumulative penalty amount (NT\$)	Duration of license suspension (Months)
Employment without permission	2019	98	1,259	24
	2020	126	1,234	-
	2021	33	349	-
Wage violations	2019	5	110	3
	2020	7	155	6
	2021	7	155	6
Working hour violations	2019	1	-	3
	2020	-	-	-
	2021	-	-	-
payroll roster not kept	2019	1	5	-
	2020	2	10	-
	2021	2	10	-
Labor not related to fishing	2020	1	5	-
	2021	-	-	-
Failure to fulfill the obligations to supervise and manage foreign crew members in accordance with the regulations	2020	3	35	-
	2021	4	40	-
Failure to promptly notify relevant agencies in case of injury, casualty or another serious emergency of any foreign crew member	2020	4	100	8
	2021	1	25	-
Failure to renew the contract after expiration	2020	1	5	-
Violation of regulations on living conditions	2021	1	9	-
Failure to ensure foreign crew members enjoy the same welfare and labour protection as others of the same position	2021	1	10	-
Failure to use a template of the employment contract	2021	1	17	-

(Statistics provided by the Fisheries Agency; compiled by the NIA)

**Table 11: Cases for Broker’s Violations and Fines
Imposed from 2019 to 2021**

Violation type	Year	No. of violations	Penalty amount (NT\$ 10,000)
Employment without permission	2019	1	200
	2020	0	-
	2021	0	-
Illegal brokerage	2019	1	400
	2020	0	-
	2021	0	-
Wage violations	2019	4	420
	2020	3	300
	2021	0	-

(Statistics provided by the Fisheries Agency; compiled by the NIA)

Table 12: Statistics of 1955 Hotline Complaints Filed by Overseas Foreign (Fishing) Crew Members from 2019 to 2021

1955 Complaints	Cases				Case Status		
	Cases closed	Pending cases	No. of complaints by foreign crew members	Total	Wages recovered	Guarantee bonds recovered (prior to the enforcement of new regulations)	Passport recovered (visas)
2019	35	7	7	49	US \$ 30,713	US \$ 8,759	25
2020	44	4	27	75	US \$ 31,138	US \$ 3,600	19
2021	20	20	18	58	US \$ 32,237	US \$ 1,400	14

(Statistics provided by the Fisheries Agency; compiled by the NIA)