

**Response of the Republic of China (Taiwan) to
the 2016 *Trafficking in Persons Report* of
the United States Department of State**

October 2016

I. Introduction

The United States Department of State published this year's *Trafficking in Persons Report* on June 30, 2016. The report recognized the overall efforts of the Republic of China (Taiwan) to prevent trafficking in persons (TIP), listing Taiwan as a Tier 1 country. A number of constructive suggestions are made in the report concerning Taiwan; however, the report also suggests that there are differences in the way TIP victims from mainland China and other countries are treated, which is a misunderstanding of the situation.

This response aims to explain the concrete measures being taken by Taiwan to combat TIP with regards to prosecution, protection, and prevention. The ROC government has instructed related agencies to continue to strengthen their efforts and to cooperate with the international community in combating TIP-related crime.

II. Prosecution

1. Strengthening the prosecution and conviction of perpetrators

1.1. To enhance the professional abilities of judges handling TIP cases and to assist them in making appropriate rulings in a timely manner, thereby increasing the number of convictions made in cases relating to the Human Trafficking Prevention and Control Act (HTPCA), the Judicial Yuan has published a special guidebook on handling TIP cases as a reference for judges. The same content is also available on the sexual offences/TIP case study pages of the Judicial Yuan's intranet site, making it easier for judges to access related information. The guidebook includes TIP-related regulations, legal arguments and case-related resources that can be referred to during legal proceedings. It also features articles written by experts from various fields that are designed to serve the needs of judges in charge of such cases.

1.2. To ensure that TIP cases are afforded broader attention, the Ministry of Justice (MOJ) assigns the handling of such cases to designated prosecutors in each jurisdiction. To enhance prosecutors' expertise, the ministry also plans to add a TIP section to its guidebook on the handling of cases involving women and children, covering types of TIP-related crimes, investigation skills and useful tips. In order to enhance the professional skills of prosecutors working on TIP cases, annual seminars are also held on such matters as judicial practice in TIP cases, the HTPCA, types of TIP-related crimes and current *modi operandi*, investigation skills, and evidence collection and court decisions. Pursuing and investigating TIP-related crimes presents certain challenges in terms of difficulties in amassing evidence, including the complicated causes of human trafficking, the possibility of defendants or victims being overseas or of unknown whereabouts, or information asymmetry. Moreover, it is not always

easy to prove the vulnerability of alleged victims in certain situations, or that salaries are incommensurate with work duties, and/or similar legal elements vital for prosecutors in building cases. As such, in addition to providing expert legal opinion to the various competent authorities responsible for amending the HTPCA, the MOJ has also urged prosecutors to gather evidence from a diverse range of sources, which will benefit future prosecutions and convictions. To foster interagency cooperation, an anti-TIP task force established by the Taiwan High Prosecutors Office convenes representatives from various prosecutorial agencies and related central government agencies every six months, and has also been seeking to maximize the efficiency of investigations and prosecutions by continuing to supervise prosecutors' handling of TIP cases.

1.3. Seven years after the HTPCA came into force, amendments are needed to cope with the increasing diversity of TIP-related crimes and practices. The National Immigration Agency (NIA) of the Ministry of the Interior (MOI) has invited scholars to carry out research into how best to amend the act, and to provide legal opinions on the definition of human trafficking and the protection and placement of victims. The NIA held five meetings attended by both government officials and representatives of civil society in 2015, collecting opinions and suggestions, and came to the considered conclusion that the protection of victims' rights should take precedent in the amended law, arguing that its definition of human trafficking should be made clearer, and that it should further specify means of identifying victims and taking follow-up protective measures. After being reviewed by the Executive Yuan, the amended draft will be sent to the Legislative Yuan for further deliberation. If passed by the legislature after three readings, it will serve as an effective basis for legal agencies, police agencies, prosecutor's offices and courts.

2. Enhancing the results of anti-TIP training and strengthening prosecutors' and judges' understanding of human trafficking

2.1. To ensure that its personnel possess a better understanding of TIP cases from a range of different perspectives, and to facilitate coordination between the Judicial Yuan and other government agencies and NGOs, the Judicial Yuan held a seminar on preventing TIP-related crime at its Judges Academy in 2016. As part of the seminar, judges from the Judicial Yuan's Criminal Department, together with representatives of the MOJ and NIA, presented talks for an audience comprising judges from the Judicial Yuan's various courts, MOJ prosecutors, officers in charge of legal affairs, and judicial assistants, with topics under discussion including cases of human trafficking and associated legal proceedings, international cooperation on TIP-related crimes, addressing the transnational and cultural particularities of

TIP cases, and the rapidly changing nature of TIP-related crimes due to advancements in communications technology. It is hoped that judges will be able to make more professional and appropriate rulings in the future.

2.2. To assist prosecutors in further exploring the various challenges that might arise during the course of investigation, public prosecution, trial and victim protection and resettlement, the MOJ allocates a budget for and organizes annual training courses on TIP-related crimes. A workshop held from October 14 to 16, 2015, aimed to familiarize prosecutors with problems they might encounter during TIP cases in terms of investigation and public prosecution skills. The workshop also covered the authentication of victims' identities, and their protection and resettlement, as well as the confiscation of illegal income arising from TIP-related crimes. Designed to enhance prosecutors' skills, the seminar saw experienced prosecutors, judges and frontline personnel talk variously about their experiences in pursuing criminals, their investigation skills or their rulings. The MOJ also plans to launch online classes, via its Judges Academy, to provide prosecutors with further opportunities to acquire the skills needed to investigate TIP cases, and will also continue to work with other agencies and civil groups in holding courses to improve such prosecutors' capacity to manage cases involving TIP-related crimes.

2.3. The Ministry of Labor (MOL) holds annual conferences to raise awareness about human trafficking among the foreign labor inspectors and counselors who work at labor affairs agencies in local government. Alongside scholars and experts, officials responsible for managing cases of human trafficking are invited to talk on such topics as case studies of violations of the Employment Services Act and human trafficking case management procedures, victim protection and resettlement operations, and work permit-related regulations and case analysis. This raises effectiveness in combating human trafficking and narrows the gap in understanding between local governments and legal agencies.

2.4. In addressing TIP-related crimes, the MOI's National Police Agency (NPA) has had various designated police units plan specialist operations designed to remove trafficking channels and cut off incentives to engage in such offenses, dismantle human trafficking syndicates, and strengthen investigation in TIP cases. The agency holds annual training classes from July to October for the benefit of various units, including foreign affairs police divisions, criminal investigation police teams, juvenile delinquency prevention brigades, women and children's protection divisions, and police personnel with responsibility for handling TIP-related crimes. Experienced judges and prosecutors are invited to talk about the HTPCA, the principles involved in authenticating victims and investigation skills, thereby raising the investigation techniques and professional skills of those handling TIP

cases.

2.5. The Coast Guard Administration (CGA) held three anti-TIP workshops from September 1 to 9, 2016, enhancing the expertise and investigation skills of frontline personnel. A total of 130 persons attended such events.

2.6. The NIA held an anti-TIP training workshop from March 30 to 31, 2016, for the benefit of those responsible for anti-TIP cases at the Executive Yuan's various agencies and in local governments, but who had never previously received such training. A total of 186 persons attended the workshop, which included lectures on Taiwan's anti-TIP policies and their implementation; an exploration of victims' experiences, and the gaps in understanding between judicial personnel and such victims; the authentication of victims and an introduction to investigative practices; and human trafficking prevention and investigation practices. An advanced networking workshop, targeting those who already had knowledge of TIP-related crimes, was held in September 2016.

3. Proactively investigating and prosecuting fishing vessels operating on the high seas that fly the ROC national flag or are owned by ROC nationals and are involved in abusing or trafficking fishing workers, in accordance with newly formulated standard operating procedures

3.1. On September 14, 2015, the Fisheries Agency of the Council of Agriculture (COA), Executive Yuan, published a set of standard procedures and follow-up steps for the resolution of disputes and problems that arise due to the violation of the HTPCA with respect to foreign fishing workers hired overseas. For cases in which ROC fishing vessels may be involved in any violation of the HTPCA, evidence is transferred to judicial agencies for investigation, and for any such cases where a serious violation of the HTPCA is proven, Taiwanese authorities will investigate and take the necessary legal actions to safeguard the rights of foreign fishing workers. For cases involving non-ROC fishing vessels, the flag state having jurisdiction over the vessel is responsible for handling related labor and fishing affairs; in accordance with the United Nations Convention on the Law of the Sea (UNCLOS), other states have no right to intervene. To play an active part in resolving such problems, however, Taiwan is willing to cooperate in assisting a flag state through associated bilateral mechanisms.

3.2. In accordance with the aforementioned procedures, if any ROC fishing vessel is involved in a TIP-related crime overseas, the relevant Taiwanese mission is required to assist in gathering information and evidence for use in follow-up investigations at the earliest possible juncture. The MOJ has sent these operating procedures to various prosecutorial

agencies, requesting that they also investigate and collect evidence in such cases. The Taiwan High Prosecutors Office invited officers from the Fisheries Agency to introduce the procedures at an anti-TIP task force meeting on June 20, 2016, so that representatives of prosecutorial agencies and associated units would be able to investigate and prosecute cases involving the exploitation of foreign fishing workers accordingly.

3.3. To further prevent labor exploitation and human trafficking occurring on fishing vessels on the high seas, the COA has asked personnel to uncover more such cases, and, since April 1, 2016, has made such efforts an important indicator in its performance evaluation system. A raid launched by Kaohsiung Prosecutors' Office on May 20, 2016 targeting a fishing vessel discovered foreign workers in a state of confinement and exploitation, resulting in the arrest of nine perpetrators, and the identification and subsequent resettlement of 23 victims.

3.4. Foreign fishing workers hired in Taiwan are protected by the Employment Services Act. However, in accordance with the guidelines issued by the Fisheries Agency to fishing vessel owners who hire foreign fishing workers abroad, the Employment Services Act is a domestic law and does not apply to foreign fishing workers hired in other countries.

4. Determining the reasons for failing to prosecute perpetrators as part of the victim identification process

In annual anti-TIP seminars held by the MOJ and semiannual supervisory meetings held by the Taiwan High Prosecutors Office, prosecutors or law enforcement officers who have exhibited outstanding performance in handling TIP cases share their tips and experiences of investigation in the hope that other prosecutors and frontline personnel will be able to gather evidence more effectively and ultimately bring convictions against TIP perpetrators. The MOJ provides judicial police and prosecutors with guidelines on identifying TIP victims so that such personnel are better placed to seek out and identify potential victims, to investigate cases effectively and to offer protection that meets victims' needs. A reference guide aimed at prosecutorial agencies and prosecutors handling TIP cases is also due for inclusion in a brochure on handling cases involving women and children. The Taiwan High Prosecutors Office has also established an anti-TIP task force to supervise district prosecutors' handling of TIP-related crimes.

5. Enhancing transnational coordination so as to identify victims and prosecute perpetrators

5.1 Taiwan endeavors to sign mutual legal assistance agreements with other countries in order to combat cross-border crime. In recent years, such agreements have also proven to be

a useful mechanism in fighting TIP-related crimes; however, given Taiwan's special diplomatic status, only a few countries have signed such agreements with Taiwan. In response to this predicament, Taiwan has stationed NPA liaison officers, immigration officers and MOJ investigators in major cities around the world, thus allowing for enhanced cooperation with local law enforcement agencies, the detection of TIP-related crimes at an earlier stage, and the launch of cross-border investigations. This approach would also be suitable for frontline law enforcement units such as police and investigation agencies, allowing the two sides to cooperate on a case-by-case basis. With this mutually beneficial approach towards operations, Taiwan would be able to request that a counterpart submit written evidence or interview witnesses, or otherwise dispatch its own investigators, as well as request the investigation and seizure of assets.

5.2 In accordance with the Regulations Governing Prevention against Transnational Trafficking in Persons and Protection of Victims, law enforcement agencies must launch an immediate investigation upon receiving any report of TIP-related crimes, and identify any victims encountered during the process. Upon encountering potential victims in the course of investigating cross-border TIP-related crimes, prosecutors must immediately send such persons for further identification. For those identified as victims and needing suitable shelter, the agency should contact shelters and send the victims there for placement. The competent authorities may extend the stay of a victim due to the needs of an investigation and associated legal procedures. After such authorities have decided that a victim has no need to remain to assist with an investigation and trial, they coordinate with related agencies and civil groups to contact the government of the victim's home country, that country's foreign mission in Taiwan, international organizations, NGOs or the victim's family, and send the victim home. In cases where a prosecutor locates a witness or evidence in another country, or a victim that has returned home, but that country has not signed a mutual legal assistance agreement with Taiwan, the prosecutor may still endeavor to request, via the aforementioned alternative channels, that authorities in that country investigate and gather evidence on their behalf. For cases where ROC nationals are suspected of engaging in human trafficking in other countries, such mechanisms remain effective in gathering overseas evidence despite the absence of a mutual legal assistance agreement.

6. Sentencing human trafficking criminals to appropriate jail terms, handing down strict punishments

Based on judicial independence, judges have the discretion to make legal decisions under the

condition that all the terms of Article 57 of the Criminal Code, including the proportionality principle and equality principle, are taken into account and that jail terms are not excessive. In order for judges to incorporate public opinion into sentencing and make appropriate rulings, the Judicial Yuan invited representatives from the courts, prosecutor's offices, lawyers associations, and victim protection groups to work on a reference list for sentencing crimes under Articles 31 and 32 of the HTPCA. In addition, to make sentencing consistent and enhance transparency and fairness, data on jail terms for crimes specified in paragraph 2, Article 2 of the HTPCA and those against the Child and Youth Sexual Transaction Prevention Act (renamed the Child and Youth Sexual Exploitation Prevention Act) was also incorporated in the search system for the sentencing of similar cases as a reference for judges rendering verdicts on TIP cases.

III. Protection

1. Clearly defining the role and responsibilities of Taiwan's competent authorities governing fishing vessels carrying the ROC flag

1.1 The Council of Agriculture, the central authority responsible for fishing affairs, has established guidelines and standard procedures for deep-sea fishing vessel owners to hire foreign fishing workers overseas. Foreign fishing workers hired overseas should also be laid off overseas. Fishing vessel owners are requested to sign a standard contract with foreign fishing workers to protect the latter's rights. To hire a foreign fishing worker within ROC territory, an employer must follow the stipulations of the Employment Services Act and obtain a seafarer certificate for the foreign employee. Should a foreign fishing worker change employer, the previous or new employer should update the certificate for them within seven days for the reference of the competent authority.

1.2. The Ministry of Labor (MOL) is in charge of the hiring of foreign fishing workers within national territory. In accordance with the supplementary principle for hiring foreign workers under the Employment Services Act, employers hiring foreign fishing workers within ROC territory should provide reasonable labor conditions and not avoid hiring ROC nationals without appropriate reasons before starting the recruitment process. An employer must meet one of the following requirements:

1.2.1 Owns a fishing vessel of more than 20 tons and possesses a related business license or fishing license issued by the competent authority.

1.2.2 Owns a power-driven fishing vessel of less than 20 tons and possesses a related business license or fishing license for a small vessel as well as a fishing license issued by the

competent authority.

1.2.3. Possesses a related business license or demarcated fishing right license for cage-net fish farming issued by the competent authority, or documents for cage-net fish farming presented by the owner of exclusive fishing rights.

1.3. To protect the human rights of foreign fishing workers, the MOL has set standard procedures and guidelines for regular/special visits and inspections of the working conditions of foreign laborers. The public may also report illegal cases following the guidelines. Should employers be found illegally hiring foreign workers or assigning legally hired workers unapproved tasks, the employers will be penalized accordingly.

1.4. Employer/brokerage management system

1.4.1 Protection of living conditions: The MOL requires employers to report to local governments for an inspection of living conditions within three days after the worker enters the country. Employers of foreign workers, except for those of fishing workers, must assume responsibility for foreign workers' food and accommodation needs, provide necessary facilities and amenities, and abide by their labor contract according to the guidelines approved by the MOL in advance to ensure the foreign workers have reasonable living conditions in Taiwan. The local competent authority also checks if employers are paying the foreign workers appropriately and that brokers are not charging excessive fees. It must conduct an even more thorough inspection should any illegal action by the employers or brokers be uncovered. On several occasions this year (2016), the MOL has invited representatives from related agencies, local governments and civil groups to discuss how to incorporate foreign fishing workers in the guidelines so as to better protect their rights.

1.4.2 Employer to pay foreign workers in full: The MOL clearly stipulates that, except for legally approved fees deducted from wages, employers must directly pay foreign worker wages in full and refrain from collecting service fees for brokers, as well as payments for overseas loans or other fees not specified in regulations. For severe breaches of the aforementioned regulations, employers could lose their recruitment rights, and a part or all of their employment rights of foreign workers and are requested to agree to change employer.

1.4.3 Ban on commissioned collection of overseas loan payments by brokers: Loans taken by foreign workers before coming to Taiwan should be itemized on an affidavit regarding the fees for accepting employment in Taiwan and work wages signed by the foreign workers, as well as their employers and any brokers in Taiwan and the source country. The affidavit is then reviewed by the competent authority of the source country and no change unfavorable

to the foreign worker may be made. Brokers found in violation of this rule are subject to fines and suspension or cancellation of their business licenses.

1.4.4 Harsher punishments for excessive brokerage fees: According to MOL guidelines for cancelling and suspending the business licenses of private employment agencies or individuals providing such services violating the Employment Services Act, brokers found to be charging excessive fees must cease operations, even if the excessive charges are returned.

1.4.5 Prevention of illegal seizure or embezzlement: If employers hold or seize foreign workers' passports, alien resident certificates, and property illegally and refuse to return them for no appropriate reason or turn the aforementioned into their possession, in addition to lien rights under the law, they may be fined, have their employment and recruitment permits cancelled, and be blocked from applying to hire foreign workers for two years.

1.4.6 Orientation for first-time employers of foreign domestic workers: To give employers hiring a foreign caregiver or domestic worker for the first time a better understanding of the rights and responsibilities involved and the government resources available to them on July 1, 2016, the MOL started requiring such employers to attend an orientation. The orientation covers such topics as related regulations and laws, health checks for foreign workers, the handling of foreign workers with communicable diseases, the administrative procedures required after foreign workers enter Taiwan, the protection of workers' rights, and the customs and cultures of source countries.

1.5. Help foreign workers understand their rights and protective services

1.5.1 Service centers at airports: The MOL has set up foreign worker service centers at Taiwan Taoyuan and Kaohsiung International Airports that provide services to protect their rights, such as providing airport pick-up services and information on workers' rights, as well as legal counseling.

1.5.2 Hotline for consultations and complaints: A 24-hour, multilingual, and free hotline (1955) was created for foreign workers to seek help and learn more about their rights. Complaints are transferred to local governments immediately for further investigation, penalties, and follow-up measures.

1.5.3 Education of employers and foreign workers: Employer and foreign worker manuals and anti-trafficking in persons pamphlets are sent to employers and foreign workers to introduce related regulations to them. The MOL also uses such channels as radio programs, TV clips, newspaper articles, radio advertisements and direct mailings to disseminate information on recruitment and labor regulations, as well as protective measures.

1.5.4 Subsidization of local governments to set up foreign worker service centers: Local

service centers can readily provide information about labor laws, local life, psychological counseling, work environment advice, and legal assistance for labor disputes. Subsidization for filing a lawsuit or hire a lawyer is also available to foreign workers.

1.5.5 Subsidization of local governments to hire labor inspectors: Labor inspectors conduct regular visits and handle undocumented foreign worker cases. They also check whether employers look after foreign workers adequately and whether brokers bring in foreign workers illegally, collect excessive brokerage fees, or engage in other forms of misconduct.

1.5.6 Subsidization of local governments and civil groups to organize anti-TIP events: Through the events, the government hopes to raise public awareness about TIP crimes and promote the 1955 hotline. The events also impress upon employers their responsibility to ensure the safety, respect the privacy, and look after the wellbeing of foreign workers to the greatest extent possible.

1.5.7 Placement and assistance with changing employers: Should a foreign worker need to seek new placement due to a legal dispute, physical harassment, arbitrary violation of the contract by the employer resulting in the worker's repatriation or a complaint against the employer, the local competent authority must help find an appropriate shelter for the worker. Should the worker need to change employers, the local competent authorities will also provide legal and other forms of assistance.

1.5.8 Since the Kaohsiung District Prosecutors Office uncovered three foreign fishing worker rest stops used for human trafficking on May 20, 2016, the competent authorities governing fishery affairs have been communicating with various deep-sea fishing associations to prevent such cases from reoccurring. On September 30, 2016, the Fisheries Agency held a meeting attended by local governments, fishermen's associations, and deep-sea fishing associations urging vessel owners to abide by MOL guidelines and labor standards so as to ensure that foreign workers enjoy fair living conditions when in Taiwan. The 24-hour 1955 hotline also serves foreign fishing workers making complaints.

2. Continuing to simplify direct hiring procedures and enhance the public's understanding of the Direct Hiring Center, so as to reduce foreign worker exploitation by brokers

2.1 The MOL set up Direct Hiring Service Centers on December 31, 2007, so as to provide employers with a greater variety of channels to hire foreign workers and reduce the burden on foreign workers seeking employment in Taiwan. The Workforce Development Agency of the MOL also set up service counters at seven public job service centers to help employers hire foreign workers without a broker. To expand the scope of direct hiring, the MOL also

established an online platform at the end of December 2011, to link with the human resource databases of other countries and streamline administrative procedures. Starting from 2015, Taiwan has worked with the source countries on customized projects that help employers choose and recruit foreign workers. This allows employers to directly select workers, and enables foreign workers to avoid high brokerage fees in their home countries.

2.2 To further promote direct hiring, the MOL makes pamphlets and direct mailings and provides assistance to interested parties. By the end of July 2016, meetings were held on five occasions for 23 business firms, helping employers better understand the procedures for directly hiring foreign workers and making the system more user-friendly. In addition, a cell phone application was also launched on August 5, 2014, to encourage employers to use direct hiring and reduce the difficulty in hiring and managing of foreign workers by providing services for applying for a foreign worker, as well as news and updates on the progress of their cases. An online system was created at the end of 2014 to assist employers in filling out forms online. Meanwhile, a management and information platform for after the arrival of foreign workers was introduced on July 31, 2015, giving employers access to various services and information regarding such topics as airport pick-ups, designated hospitals for health checks, alien resident certificates, and labor/health insurance. To make direct hiring more convenient and simplify the hiring procedures and documents required, the MOL has also combined the procedures for second-time recruitment and introduction of a foreign worker to be employed by an individual family on March 31, 2014. The government continues to discuss with source countries ways to further simplify the verification of required documents, and hopes to launch an online direct hiring application system to shorten the time required for document verification by the end of 2016.

2.3 Brokerage fees paid by foreign workers before coming to Taiwan may differ from country to country. To make brokerage fees and the standards thereof more transparent, the MOL has also asked source countries through bilateral meetings to help manage the various fees to be paid by workers coming to Taiwan. In addition to suggesting to source countries that brokerage fees not exceed the equivalent of one month's minimum wage in Taiwan, the government has asked these countries to verify affidavits signed by the foreign workers regarding the fees required for their job, so that the workers will know what their actual burden will be upon arrival in Taiwan. The government urges source countries to oversee their brokerage agencies and penalize them in the event that they violate brokerage fee regulations so as to help prevent the exploitation of foreign workers.

2.4 Foreign workers may seek a brokerage in Taiwan, but the brokerage is not allowed to collect any fees from a worker until services are rendered. A broker found charging fees not

permitted by law may be fined, have its business license cancelled, or be subject to other penalties.

2.5 The MOL launched a broker evaluation system to provide information on the performance of brokers for the reference of employers and foreign workers. Accordingly, local labor affairs bureaus can further safeguard the rights of foreign labors by checking on whether the brokers are charging excessive fees.

3. Amending the law to address the basic labor rights gap for family caregivers and domestic workers under the LSA

3.1 The Labor Standards Act (LSA) applies to only those industries and workers specified in the act or designated by the MOL. As for foreign caregivers employed in an industry covered by the LSA, their rights with respect to wages, working hours, breaks, and days off are protected under the law irrespective of their nationality.

3.2 Family caregivers and domestic workers employed by individual families, and their working environment, type of work, working hours, and rest hours differ from those of laborers employed by general businesses. The difference of opinions regarding the labor standards of family caretakers and domestic workers makes it difficult for them to be covered under the LSA at this time. The labor rights and working conditions of laborers, irrespective of nationality, are therefore based on the contract with their employer and the Civil Code.

3.3 As the wages of foreign laborers have been rising with commodity prices every year, to sustain the labor rights of foreign domestic workers while taking into account the financial burden on Taiwan's employers, the MOL held multilateral meetings with the source countries of laborers, namely, Indonesia, the Philippines, Thailand and Vietnam, on August 28, 2015. As a result, the minimum wage of foreign domestic workers was raised from NT\$15,840 to NT\$17,000 starting September 1, 2015.

4. Strengthening victim protection and preventing discrimination based on nationality

4.1 The National Immigration Agency (NIA) and the Ministry of Labor (MOL), together with civic groups, have set up 22 shelters that provide protection for victims across the island. The two shelters administered by the NIA, which are operated by NGOs under contract, are mainly for placing victims without work permits. Another shelter of this kind is due to be set up in Kaohsiung in southern Taiwan. The shelters run by the MOL are mostly for placing those with work permits. Due to the limited capacity of the shelters, however, some victims with work permits are also placed in the NIA shelters.

4.2 Aside from having their everyday needs met, shelter residents are all provided with additional services, regardless of whether they are from mainland China or elsewhere, such as psychological counseling, interpretation, legal aid, social-worker accompaniment during judicial proceedings, and medical care. Moreover, victims are never treated as criminals.

4.3 To protect victims, after their evidence has been taken and judicial investigations concluded, if shelters appraise that there is no need for further delay, then the NIA will help victims return safely to their home countries regardless of their nationality.

IV. Prevention

1. Establishing an information sharing system to enhance cross-agency coordination on combating human trafficking

1.1. In November 2006, the government promulgated the Human Trafficking Prevention Action Plan, and set up a cabinet-level anti-TIP coordination task force in January 2007. This has met regularly to streamline cross-ministry endeavors and coordinate resources aimed at preventing related crimes. Every two years, the relevant government ministries and commissions are requested to review their work, education programs, and campaigns, and update their prevention and implementation plans for dealing with the TIP issue.

1.2. The National Police Agency (NPA) has adopted the following measures to increase cross-agency coordination and information sharing with its international counterparts:

1.2.1. Create and regularly update a file of contact information for personnel in charge of anti-human trafficking work at judicial police departments in local county and city governments to strengthen coordination and boost the efficiency of anti-TIP work.

1.2.2. Police departments from across different regions coordinate with one another on investigating interregional human trafficking syndicates. They also cooperate with the Coast Guard Administration (CGA), the Investigation Bureau of the Ministry of Justice, and the National Immigration Agency (NIA) on sharing information and tracking down perpetrators more quickly and efficiently.

2. Enhancing the public's awareness of the different kinds of human trafficking

Judicial Yuan

The Judicial Yuan publishes information about anti-TIP seminars, as well as case studies on sexual and human trafficking crimes, on its official website.

Ministry of Justice

1. Pamphlets outlining how human rights in Taiwan are moving forward and human

trafficking is being eliminated were distributed, introducing the different types of human trafficking, ways of identifying TIP crimes, and protective measures taken by the ROC government.

2. New guidelines have been specified for the Child and Youth Sexual Exploitation Prevention Act that was passed by the Legislative Yuan, replacing those for the Child and Youth Sexual Transaction Prevention Act that was abolished.

3. Under the supervision of the MOJ, local prosecutor's offices conduct inquiries into cases involving foreign spouses, provide free application forms, help with filing lawsuits, and provide guidance throughout the legal proceedings in both civil and criminal cases. They also work with the Legal Aid Foundation to provide pro bono legal services.

4. The MOJ worked with the Police Broadcasting Service on a special month-long program that covered such topics as cultural diversity, human trafficking, gender equality, and victim and child protection. Winning advertising segments from the competitions it has held over the years were also broadcast on its national network.

5. The MOJ and the *Lihpao Daily*, affiliated to Shih Hsin University, held a cartoon competition to raise awareness of laws in Taiwan among new immigrants and immigrant workers from South East Asia, who were invited to create cartoons, in their own languages, on preventing human trafficking, domestic violence, and cyber crime, as well as safeguarding women and children's human rights, promoting gender equality, and protecting victims.

6. The MOJ will continue to utilize various channels, such as media outlets and school campuses, to strengthen the public's knowledge on different kinds of TIP crimes and related regulations.

Ministry of Labor

1. To enhance literacy on TIP crimes for foreign workers and their managers, the MOL subsidizes local governments to hold related training programs every year. From January to the end of June this year (2016), two meetings to familiarize foreign workers with their legal rights and related regulations were held, with 5,104 people attending.

2. Foreign laborer inspectors from local authorities, as well as staff of foreign laborer service centers and local placement centers, are taking training programs on identifying TIP crimes, preventing foreign laborers from being trafficked, and victim placement. These are scheduled to be held in four stages in 2016, with seminars on managing foreign laborers also scheduled to be held between October and November 2016.

3. A 30-second TV commercial was produced and lightbox advertisements placed at train

stations to raise awareness among employers of what constitutes legal employment. A short film on the rights and life of foreign workers in Taiwan is also incorporated into orientation sessions for newly arrived workers at airports in Taiwan. It covers such things as recreational activities, ways to seek consultation and raise complaints, legal protections, related regulations, and Taiwan's customs and traditions.

4. The MOL commissioned five broadcasting stations, including Radio Taiwan International, to produce 13 episodes of such radio programs as *Hello, Sawadika* in Chinese, Filipino, Indonesian, Vietnamese, and Thai on the theme of human trafficking prevention and safeguarding migrant workers, the 1995 hotline, regulations on hiring foreign workers, and background information on foreign customs and traditions, so as to educate employers, brokers, and foreign workers on related laws and regulations. From January to June 2016, an estimated 1,958,485 people listened to these programs.

5. To help foreign workers become familiar with the environment in Taiwan more quickly, the MOL has set up migrant worker service centers at both the Taoyuan and Kaohsiung international airports that provide language services, assistance on entering Taiwan, information on worker rights, and legal counseling. A 10-minute clip on workers' rights and regulations is played for foreign workers on their arrival at the airport, with staff also giving introductions and handing out pamphlets about life in Taiwan in terms of work, religion, salaries, healthcare, job training, ways to seek consultation, worker rights, and related regulations. It is hoped that foreign workers can become familiar with these matters in a short time, and therefore adjust to life in Taiwan with minimal fear and anxiety. From January to June 2016, a total of 87,649 workers received such information.

6. To teach foreign workers how to protect themselves and their personal safety, a 24-hour toll-free multilingual hotline, 1955, was launched as a means for foreign workers to seek help and get to know their rights. The hotline receives inquiries for consultations, complaints, legal aid, referrals, and placements, as well as providing information about other related sectors. From January to June 2016, there were 83,299 consultations made through the 1955 hotline, and 11,606 complaints that were transferred to the competent local authorities for follow-up.

Ministry of Health and Welfare

The president promulgated wholesale amendments to the Child and Youth Sexual Transaction Prevention Act on February 4, 2015, which was also renamed the Child and Youth Sexual Exploitation Prevention Act. To enable the new act to be smoothly put into effect, which it has yet to, the Ministry of Health and Welfare continues to undertake various

kinds of coordination and preparatory work. It commissioned civil groups to hold explanatory meetings that allowed participants from prosecutorial, police, education, and social affairs departments to understand the value and importance of the amendments, and how to cooperate together. The aim has been to increase the professionalism of personnel from local governments in charge of preventing the sexual exploitation of children and youth. It continues to use eye-catching LED bulletin boards to highlight campaigns against sex tourism and exploitation involving children and youth. These are placed at train stations, highway rest stops, MOHW-affiliated hospitals, Motor Vehicle Supervision Offices, Revenue Service Offices, the Art Bank of the National Taiwan Museum of Fine Arts, Kuo Kuang Motor Transport's Taichung station, the Culture and Tourism Bureau of Miaoli County, and the Taichung Office of the Ministry of Foreign Affairs. A film about sexually exploited children, called *Warmth*, has also been completed and played at the 38th Golden Harvest Awards short film festival, the 18th Taipei Film Festival, as well as on the Videoland Television Network and Youku online platform. Some 2,000 DVDs of the film were sent to related agencies to help further educate the public and personnel responsible for such work. The goal is to raise general awareness on the sexual exploitation of children and youth.

Ministry of Transportation and Communications

1. The Taiwan Railways Administration (train stations and trains), the Bureau of High Speed Rail (train stations and trains), the Civil Aeronautics Administration (airports), the Directorate General of Highways (depots), and the Tourism Bureau (tourist service centers and tourist centers in national scenic areas) under the MOTC have all set up LED bulletin boards to promote anti-TIP campaigns.

2. At tourism industry training events, tour guides, tour managers, and other industry practitioners are encouraged to report related crimes and spread the message that people must not engage in commercial sex when traveling either at home or abroad. Information on the prevention of human trafficking is available to the public as well as tourism industry professionals on the bureau's website. This material also constitutes part of the online course taken by trainee tour guides and tour managers. General literacy on the HTPCA and the Child and Youth Sexual Exploitation Prevention Act forms part of the final exams, and tourism professionals will be expected to spread the message to their tour groups in the future.

3. According to a self-regulation agreement signed by various parties in the hospitality industry on November 27, 2015, such people as experts and police officers from local police departments responsible for women's and children's affairs are invited to talk at industry

training sessions for hotel staff, held around the island, about the relevant laws and regulations for preventing the sexual exploitation of children and youth.

4. Campaigns to remind tourism professionals about their obligations to advise Taiwanese tourists against engaging in commercial sexual exploitation activities, as well as to report related crimes.

Council of Agriculture

The COA holds anti-TIP training programs targeting Taiwanese fishing boat owners, captains, and fishery workers. Anti-TIP information is also spread through industry magazines, relevant radio stations, as well as anti-TIP classes, so as to raise awareness of the issues.

Coast Guard Administration

The CGA continues to run anti-TIP campaigns around Taiwan through informal channels, focusing on crime prevention and reporting of related crimes. It is hoped this will raise awareness of human trafficking and prevent such crimes from happening.

Institute of Diplomacy and International Affairs, Ministry of Foreign Affairs

1. In the orientation course for newly recruited diplomatic and consular personnel, classes are provided on various topics, including preventing human trafficking, human rights education, clean government case studies, human rights issues and their development, the Convention on the Elimination of Discrimination against Women (CEDAW) and gender mainstreaming, as well as Taiwan's new immigrant policies.

2. Classes on the prevention of human trafficking have, since 2013, been incorporated into workshops held by the Institute of Diplomacy and International Affairs twice a year for officials of ministries and agencies under the Executive Yuan who are to be stationed abroad.

National Police Agency

1. Community safety meetings are held to raise anti-TIP awareness and facilitate voluntary services, build a sense of community, and maintain security in communities. From January to July 2016, a total of 92,714 people attended 1,922 such meetings held by municipal and local police departments, at which short anti-TIP films were played and related regulations introduced.

2. To make women, children, and teenagers more aware of their personal safety and crime prevention, municipal and local police departments launch periodic meetings that enhance

the knowledge of students, school teachers, company employees, and private sector representatives on various topics, such as prevention of youth sexual transactions, prevention of sexual assault, and protection of children and minors.

National Immigration Agency

The NIA has devised numerous campaigns to boost public awareness of the HTPCA and protective services for victims so that the public is equipped to help victims obtain timely assistance.

1. Media channels

1.1. A short anti-TIP campaign film clip called *Last Painting* was broadcast through six terrestrial TV channels 142 times during public service announcement time slots.

1.2 The NIA's anti-TIP clip *Say No to Bad Guys* was broadcast on TV, and 700 DVDs were sent to the Coast Guard Administration, the National Police Agency, the Investigation Bureau under the MOJ, and the labor affairs bureaus in local governments.

2. Out-reach Events

2.1 The Chinese version of *Giant Ocean Case*, a documentary film completed in July 2015, was shown at the 2015 International Workshop on Strategies for Combating Human Trafficking to further highlight the importance of anti-TIP work.

2.2 The NIA's anti-TIP clip *Say No to Bad Guys* was aired at the 2016 International Workshop on Strategies for Combating Human Trafficking to highlight anti-TIP work.

2.3 The NIA launched a special anti-TIP online campaign called *Say No to Bad Guys*. The theme video was put on YouTube, with a total of 15,000 people visiting the website from October to December 2015 for the lucky draw.

2.4 An anti-human trafficking poster design competition received more than 900 entries from May to July 2016, and 15 winning works were selected. The event successfully raised awareness in society of anti-TIP work.

V. Conclusion

Taiwan has always attached importance to protecting basic human rights. The government's anti-TIP work fully reflects this, and also plays a vital role in strengthening the social safety net. In the future, the government will continue to oversee the public sector and integrate resources from the private sector. By implementing the HTPCA, Taiwan is trying to prevent criminal activity by enhancing the investigation, prosecution, and conviction of perpetrators,

as well as by raising awareness among the public while also providing greater protections and compensation for victims. Taiwan has every intention of remaining a tier-one country, and continues to look for opportunities to work with the international community to safeguard human rights and mitigate TIP crimes.