

RESPONSE TO

U.S. TRAFFICKING IN PERSONS REPORT 2008

August 2008

I. Foreword

The global movement of people has made trafficking in persons a considerable challenge that the international community and governments around the world cannot ignore. Taiwan's economic prosperity has made it a popular destination for marriage immigration and labor from Southeast Asia. Human smuggling groups are taking advantage of this trend through stowaway crime and trafficking, and profiting from illegal activities that seriously impair human rights and undermine social order, as well as cast a negative light on Taiwan's international image.

To demonstrate the government's determination to combat trafficking in persons, the Executive Yuan has established an inter-agency coordination mechanism, and set up windows for communication between government agencies and non-government organizations (NGO). This raises the level of vertical and horizontal interaction and coordination among the ministries and NGOs. By effectively integrating resources in this way, and through sheer effort, our endeavors in 2007 to prevent human trafficking and protect human rights are gradually bearing fruit.

II. Response to the 2008 US Trafficking in Persons Report

A. Response to the comment "Taiwan does not have a comprehensive anti-trafficking law" and the recommendation to "pass and implement a comprehensive anti-trafficking law":

1. To put in place a comprehensive anti-trafficking law that effectively cracks down on traffickers and protects trafficking victims, the Executive Yuan has instructed the Ministry of the Interior (MOI), in consultation with the Ministry of Justice (MOJ), to draft a law that deals specifically with the issue. Between August 2007

and July 2008, the MOI held a dozen meetings attended by representatives from the relevant ministries, as well as scholars and experts. The MOI also met with the Anti-Trafficking League twice to discuss their version of the Human Trafficking Prevention Act. Currently, the MOI has completed a preliminary draft of the law and is holding intensive review meetings. Once the review process is completed, the draft will be submitted to the Executive Yuan for approval and then sent to the Legislative Yuan for enactment. The legislative process for the Human Trafficking Prevention Act will hopefully be completed during the next legislative session.

2. The proposed draft of the Human Trafficking Prevention Act includes penalty provisions to remedy the insufficiency of the prevailing criminal code in curbing the crime of trafficking. The proposed Act stipulates the creation of a mechanism involving prosecutors, judicial police and social workers. This mechanism allows victims to testify safely, and strengthens the professional training of front-line personnel to enhance their professional awareness and know-how so as better protect victims.

B. Response to the comment “Taiwan’s immigration law was amended in 2007 to provide additional protections to trafficking victims, but these amendments have not yet come into effect” and the recommendation to “fully implement the immigration law amendment to extend its protections to trafficking victims”:

1. The amended Immigration Act was promulgated on December 26, 2007, and officially effective on August 1, 2008. Of the 37 regulations and administrative orders requiring revision or formulation in line with the amendment, all but one – Regulations Governing the Prevention of Cross-border Human Trafficking and Victim Protection, which is currently under review by the Executive Yuan - have

been completed.

2. The newly amended Immigration Act includes a special section on the prevention of cross-border human trafficking and victim protection that focuses on three aspects - prevention, prosecution and protection. The section stipulates that the relevant competent authorities should provide trafficking victims with shelter, protection and other assistance, and also provide victims with temporary entry permits and working permits, adopt protection measures in accordance with the Witness Protection Act, and provide law enforcement personnel with regular training.

C. Response to the comment “Labor Standards Act does not apply to foreign workers working as domestic service workers” and the recommendation to “extend full Labor Standards Act protections to all categories of foreign workers, including domestics and nursing caregivers”:

1. Currently, foreigners working as nursing caregivers for the sick or the elderly, or as domestics are classified under the personal services category of the domestic service industry, to which the Labor Standards Act does not apply regardless of whether the worker is a Taiwan national or a foreigner. The prevailing Labor Standards Act does not therefore discriminate against foreign workers.
2. In order to look into specific protection schemes for domestic service workers, the Council of Labor Affairs (CLA) held two expert-scholar panel meetings, three discussions and one public hearing. Consensus has yet to be reached with regard to extending the Labor Standards Act to domestic service workers given the complexity of the issue. Based on the broad range of opinions from different sectors of the society, matters to be taken into consideration include the diverse

nature of the different work duties that individual domestics and nursing caregivers perform; the difficulty in distinguishing between working hours, standby time and off hours; the appropriateness of the state interfering in the private domain (e.g. entering the homes of employers to conduct labor inspections); and the impact on the families of patient or elderly, who are mostly from disadvantaged groups in society.

3. To safeguard the labor rights of domestic service workers, the CLA will continue to review the feasibility of including domestic service workers in the Labor Standards Act and related support measures. Meanwhile, the CLA has instituted a number of measures to provide basic protection for foreign domestics and nursing caregivers. These include distributing pamphlets at the foreign worker counseling service stations at international airports to help foreign workers better understand their rights and the complaint channels available to them; providing counseling and complaint services; setting up bilingual toll-free lines at CLA and local government counseling centers; investigating foreign worker management and broker's fees; establishing a mechanism for verifying the early termination of employment contracts; and providing shelter, legal assistance and help with changing employers. The CLA is also planning to establish a 24-hour complaint hotline in May 2009.

D. Response to the comment “punishments of forced labor under the Labor Standards Act are not sufficient”:

1. In consideration of socioeconomic changes, and current wage and price levels, the CLA is looking into the feasibility of a five-fold increase in fines stipulated in Article 75 of the Labor Standards Act for employers who violate provisions in

Article 5 of the same law by forcing a worker to perform work.

2. To amend the insufficiency of the prevailing criminal code, the draft of the Human Trafficking Prevention Act currently under review already stipulates special punishments for such trafficking crimes as forced labor, and labor exploitation through violence, coercion or other illegal practices.

E. Response to the comment “foreign workers are often charged high job placement and service fees, up to US\$14,000, in order to work in Taiwan”:

1. Placement fees paid by foreign workers in their home country and their indebtedness situation:

(1) A foreign worker who finds a job in Taiwan through brokers must pay job placement fees to the broker in his/her home country and service fees to the local broker in Taiwan. The worker often needs to borrow money from the foreign broker to pay for the placement fees, as well as for such things as a physical exam, training, a certificate of good conduct, a passport, a visa, pre-departure orientation, air fare and airport tax.

(2) According to information from the labor source countries on placement fees and regulation fees in 2007, for the job of a caregiver for example, a foreign worker needs to pay between NT\$40,000 (approx. US\$1,400) to NT\$83,000 (approx. US\$2,800) in fees to come to work in Taiwan. In addition, the amount of personal loans (e.g. settling-in allowance) stated in the Foreign Worker’s Affidavit Regarding Expenses Incurred For Entry Into The Republic of China To Work And The Wage/Salary (referred to as “Wage Affidavit” below) varies among labor source countries. The Wage Affidavit must be signed by the foreign worker and authenticated by the labor-exporting country,

and the foreign worker will repay personal loans based on the amount stated in the Wage Affidavit.

- (3) Given that labor source countries do not have uniform regulations on the items and amounts of placement fees, plus the fact that the quality of placement service agencies varies, there have been incidences where a foreign worker is already in substantial debt before he or she comes to work in Taiwan due to high placement fees or other charges.

2. To address the issue of over-charging by local and foreign brokers, the CLA has adopted the following measures:

- (1) On the part of local brokers:

- a. The Standards for Fee-charging Items and Amounts of the Private Employment Services Institution enacted in 2004 stipulate that there must be the fact of “service” before an employment service agency may charge service fees for items stated in a written agreement. Further, the fees charged in the first, second and third year may not exceed NT\$1,800, NT\$1,700 and NT\$1,500 per month respectively.
- b. All 25 local governments around the country have labor inspectors on their staff, 240 in total, who investigate fees charged by local brokers. They examined 755 brokers in 2007 and 375 brokers in 2008 till June. Brokers found to be charging fees beyond the prescribed standards are subject to a fine of between 10 to 20 times the amount overcharged, or will have their business license suspended in accordance with the Employment Service Act. There were 52 cases where fines were imposed in 2007 and 44 cases in 2008 till June; there were four cases of license suspensions in 2007 and 5 cases in 2008 till June.

(2) On the part of foreign brokers:

- a. The CLA has suggested that labor source countries set the placement fees charged by their brokers at a maximum of one month the basic wage set forth in Taiwan's Labor Standards Act. Since the second half of 2006, the CLA has also held a succession of meetings with major labor source countries to discuss reasonable fee items and amounts charged by brokers before workers come into Taiwan. The CLA has reached a consensus with labor source countries that the Wage Affidavit may not include personal loans and expenses unrelated to coming to work in Taiwan.
- b. The CLA held a meeting on July 29, 2008, with the representatives of the labor source countries and NGOs to discuss the revision of the Wage Affidavit. The meeting concluded that: labor source countries should set job placement fee items and standards, and make the information public; local brokers may not collect fees or loan payments from foreign workers on behalf of a foreign broker and violators will be subject to penal provisions stipulated for the over-charging of fees; and foreign workers should only be allowed to sign affidavits for expenses incurred by coming to Taiwan to work, and for wages.

3. Pushing for direct hiring to lower the high job placement fees charged by foreign brokers:

- (1) To help foreign workers avoid high job placement fees that bind them to substantial debt, the CLA established a Direct Employment Service Center on December 31, 2007, to streamline the formalities and documentation required for direct hiring applications. The center provides bilingual application forms and information pamphlets (Chinese-English, Chinese-Thai,

Chinese-Vietnamese and Chinese-Indonesian), as well as services for counseling, inquiries, forwarding mail and reminding employers by text message or email about formalities that need to be handled after the foreign worker has entered Taiwan. The center aims to save time, money and paperwork, end the need for employers to rely completely on brokerage services, and save foreign workers from having to pay job placement fees.

(2) In its initial stage, the direct hiring program aims at employers who wish to rehire the same foreign caregivers. The second stage of the program scheduled to roll out before the end of 2008 will cover employers who wish to rehire the same foreign worker for other types of work (e.g. manufacturing, construction, institutional care and fishing). In the third stage, the CLA plans to promote the direct hiring of first-time workers through inter-government cooperation and bilateral meetings with labor source countries. According to the CLA plan, the source country will establish a human resource database for prospective employers, the employment formalities will be streamlined so that employers need not rely on brokers and the job placement fees for foreign workers will be substantially reduced.

(3) Between January and June 2008, the Direct Employment Service Center has helped 1,792 employers rehire their domestics, handled 5,169 cases on transferring applications of hiring foreign workers or for document authentication and provided 21,469 cases of telephone and onsite counseling.

F. Response to the comment “the Foreign Worker’s Affidavit Regarding Expenses Incurred for Entry into the Republic of China to Work and the Wage/Salary has been used as a tool for unprofessional brokers to over-charge foreign workers”:

1. The CLA has implemented the “Foreign Worker’s Affidavit Regarding Expenses Incurred for Entry into the Republic of China to Work and the Wage/Salary” (“Wage Affidavit”) system to protect foreign workers from compulsory charges. The Wage Affidavit, which is written in both Chinese and the relevant foreign language, must be signed by the foreign worker, the foreign broker, the employer and the local broker, and authenticated by the labor-exporting country. The Wage Affidavit is also a required document when an employer makes an application and is used by the labor inspector to determine whether the foreign and local brokers are over-charging the worker or violating other regulations.
2. With respect to complaints by some foreign workers that they were coerced by their broker into assuming debt in the form of a loan they never borrowed when they signed the Wage Affidavit, the CLA invited the representatives of the labor source countries in Taiwan to participate in a discussion on July 29, 2008, on the revision of the Wage Affidavit. The consensus was that: placement fees charged by foreign brokers, fees given to government agencies, and loan repayment methods should be scrapped; no changes, alterations or additions/deletions may be made to the Affidavit; local brokers may not collect loan repayments from foreign workers on behalf of a foreign broker, with violators subject to the same penal provisions stipulated for over-charging; and cases involving disputes relating to the Wage Affidavit should be forwarded to the labor authority of the labor-exporting country for investigation, or the CLA should take legal action against local brokers to ensure the implementation of authentication procedures and the prevention of Wage Affidavit falsification.
3. To ensure that the employer pays the foreign worker directly and that the wage is at the worker’s disposal, the CLA promulgated an amended *Regulations on the*

Permission and Administration of the Employment of Foreign Workers on August 5, 2008. These regulations stipulate that an employer shall, in accordance with the labor contract, pay the foreign worker the full wage amount in cash, minus deductions for fees assumed by the foreigner worker in accordance with the law. The same clause is also included in the Wage Affidavit. Between January and June 2008, the CLA imposed fines in 16 cases where employers failed to directly pay foreign workers the full wage amount in cash, and 69 cases where employers paid wages only after being ordered by the authorities to do so within a given time.

4. With respect to complaints filed between January and June 2008 by foreign workers against employers or brokers for owed wages, fee refunds or withheld income tax, the 25 municipal/city and county government counseling service centers and two counseling service stations at Taoyuan and Kaohsiung international airports assisted with 863 cases, and recovered a total of NT\$42,325,621.

G. Response to the comment “immigration officers, police, prosecutors and other law enforcement personnel do not consistently follow the trafficking victim identification procedures. As a result, many trafficking victims are detained, prosecuted, fined or jailed” and the recommendation to “ensure that law enforcement personnel, prosecutors, and judges consistently follow formal trafficking victim identification procedures to prevent the prosecution of trafficking victims”:

1. Trafficking victim identification procedures and problems: To facilitate the identification of trafficking victims by law enforcement personnel, the Ministry of Justice (MOJ) promulgated the Principles for Identifying Victims of Trafficking in

March 2007, a Checklist for Cases of Trafficking in Persons, and Types and Applicable Clauses for Trafficking in Persons in December 2007. Law enforcement personnel refer to these when identifying victims and providing subsequent assistance. To demonstrate our determination to prevent trafficking in persons, law enforcement police agencies have formulated and implemented special programs to step up investigations into places where trafficking groups or illegal aliens are suspected to hide or work. The police carry out victim identification work according to the established directives and refer victims to shelters. If the police are unable to determine whether or not a person is a victim, they will act according to established procedures. If a perpetrator is later caught and identified by possible victims, or if new evidence indicates that a person is indeed a victim, the police will transfer the victim to a shelter for protection. However, these procedures still face the following hurdles:

- (1) Difficulty in identification: Although the directive of Principles for Identifying Victims of Trafficking is in place, law enforcement personnel are not fully clear about the definition of and what constitutes “trafficking in persons”. In addition, given that trafficking patterns are diverse and complex, and that a possible victim could also be an offender, trafficking victims are not usually readily identifiable.
- (2) Refusal to assist in an investigation: When a suspected trafficking case is uncovered, the investigator oftentimes is unable, due to a number of factors, to readily identify whether the person is in fact a victim. These factors include: the possible victim gives an unclear account or refuses to give a statement; a lack of trust in judicial and police authorities; and the fact that the possible victim is often uncooperative during questioning and wishes only to be

repatriated as soon as possible. In addition, the lack of sense of victimization on the part of trafficking victims, whereby they do not perceive themselves as having been exploited, will have an impact on the subsequent actions law enforcement can take. Also, victims might decline placement in a shelter and refuse to assist in the investigation. These factors add to the difficulty of convicting human traffickers.

2. Improving procedures and measures for identifying trafficking victims:

- (1) We will examine and amend the Principles for Identifying Victims of Trafficking, the Checklist for Case of Trafficking in Persons, and Types and Applicable Clauses for Trafficking in Persons, so that consistent standards are applied to identifying trafficking cases and victims. We will also enhance the knowledge and skills of law enforcement personnel to enable them to better identify trafficking victims as investigation progresses, and to take necessary shelter placement and other protective measures. We will also look at the feasibility of bringing in social workers, interpreters, or labor administration and NGOs, to accompany trafficking victims during questioning and to provide relevant support mechanisms.
- (2) Integrating the interpreter databases of different government agencies: To safeguard the rights of trafficking victims and keep law enforcement personnel from misunderstanding or misjudging any case due to language barriers, the National Immigration Agency (NIA) under the Ministry of Interior (MOI) has planned to establish an interpreter database that integrates the databases of the National Police Administration, the Council of Labor Affairs and other government agencies. The database will be regularly updated, and will be available to police and prosecutors at the end of 2008.

(3) Planning to build shelters in different areas for possible trafficking victims:

Given the difficulty in identifying victims, prosecutors need plenty of time to collect evidence before determining whether a person is indeed a victim. Therefore, the NIA plans to set up three shelters for the temporary placement of trafficking victims and establish a standard operating procedure for handling possible victims of this crime. According to the standard procedure, law enforcement personnel will make further inquiries and clarification of their status. In some instances, shelter staff will provide counseling in order to prevent them from being mislabeled and put in detention facilities.

(4) Government agencies continue to hold workshops and seminars for judicial police and prosecutors to raise their awareness of trafficking in persons and enhance their sensitivity and capabilities at victim identification as follows:

- a. Taiwan Police College has added the topic trafficking in persons and prevention thereof in the courses “Gender Equality and Prevention of Domestic Violence and Sexual Assault,” “Police Operations” and “Crime Prevention” to educate academy students about trafficking in persons. It also invited experts and scholars to give lectures about trafficking in persons to raise the awareness of academy students even further.
- b. The NIA is planning to hold nine sessions of the class “General Education on Prevention of Trafficking in Persons” between May and September 2008. A total of 3,000 front-line law enforcement personnel from the Ministry of Interior, Ministry of Justice, Council of Labor Affairs and Coast Guard Administration are expected to attend. The courses will cover trafficking prevention policy, case investigation, points of particular note, victim identification, case study, and victim protection and placement.

- c. The NIA has commissioned a private organization to produce a trafficking prevention manual in 2008. The manual will cover the topics understanding trafficking in persons, prevailing laws and regulations, enforcement work, protection services and resources available. It also will provide specific guidelines to follow in trafficking cases. The NIA also has produced posters, short films and cards with emergency help contact information to enhance public awareness of trafficking victims and kindle empathy to assist victims.
3. The provision of Amnesty: The MOJ in December 27, 2006, promulgated the Ministry of Justice's Implementation Plan for Prevention of Trafficking in Persons, instructing prosecutors to consider refrain from prosecuting or suspend the prosecution of trafficking victims for involvement in crimes while being victimized. The same message was conveyed in the national chief prosecutors' meeting held on December 26, 2006. The aforementioned amnesty policy applies to all trafficking victims, not just victims who cooperate with the prosecutors.

H. Response to the recommendations to “establish procedures for referring victims to shelters; improve incentives for victims to assist in the prosecution of traffickers”:

1. With respect to procedures on providing shelter to trafficking victims, in May 2007 the Executive Yuan approved standard operating procedures of relevant agencies for handling such cases in its Human Trafficking Prevention Inter-Agency Meeting. At that point, a victim placement process and ministry-level contact windows were established. The procedures provide guidelines for government agencies and NGOs handling trafficking cases so as to more readily uncover suspicious cases, and to identify and provide assistance to

victims. When police suspect that a case involves human trafficking, they are to adhere to the Principles for Identifying Victims of Trafficking and make a preliminary determination of possible victims. The authorities then are to arrange for shelter to interested victims according to the aforementioned procedures.

2. In 2008, we plan to set up three shelters for trafficking victims and outsource the placement service to NGOs. It is hoped that the services provided by a professional organization can better meet the needs of victims and enhance their willingness to assist in investigations and trials. Article 44 of the Immigration Act states, “For cross-border trafficking victims protected under the Witness Protection Act, the competent authority may, in light of the investigation or trial proceedings of the case, may grant such victims a temporary stay permit of up to six months, which may be extended as necessary. In addition, the central labor authority may issue work permits to cross-border trafficking victims without subjecting them to the restrictions set forth in the Employment Service Act.” The enactment of the newly amended Immigration Act will offer victims more incentives to stay in Taiwan and help with judicial investigations.

I. Response to the comment “Taiwan did not take other steps to reduce demand for child sex tourism” and the recommendation to “launch a campaign to discourage child sex tourism, both domestically and abroad, by people from Taiwan”:

1. Taiwan has provided the following penalties to abate the child sex tourism:
 - (1) Paragraph 3, Article 22 of the Child and Youth Sexual Transaction Prevention Act (referred to the “Sexual Transaction Prevention Act” hereafter) stipulates penalties against the citizens of the Republic of China (Taiwan) engaging in sexual transaction with minors under eighteen years of age outside the

country. In 2007, 24 people were convicted of violating this article and received the following sentences: 12 to less than one year imprisonment, 4 to more than one year imprisonment, and 8 fined or detained. Article 9 of the Act stipulates that relevant personnel, including tourism industry workers, who are aware of minors (defined as youths under eighteen in Taiwan) engaging or suspected of engaging in the sex trade or who are aware of people engaging in sexual transactions with minors have the legal obligation to report the case. Article 36 of the same act provides that a violator of paragraph 1 of Article 9 will be subject to a fine of between NT\$6,000 and NT\$30,000.

- (2) Article 53 of the Statute for the Development of Tourism provides, “Operators of tourist hotels, motels, and travel / tourist enterprises or B&Bs who tarnish national dignity, damage national interests, engage in antisocial behavior or defraud tourists shall be fined from NT\$30,000 to NT\$150,000. For serious offenses, the offender’s business operations shall be partly or completely closed for a fixed period or have their business licenses or registration certificates rescinded. The business licenses or registration certificates of those who continue operating after being ordered to close partially or wholly for a fixed period shall be rescinded. Employees of tourist hotels, hotel, travel or tourist amusement enterprises who commit the acts described in the first paragraph shall be fined between NT\$10,000 to 50,000.” Hence travel agencies or their employees who arrange child sex tourism activities for others at home or abroad will be subject to the above punishments.

2. Campaign to deter child sex tourism:

- (1) The Ministry of Transportation and Communications (MOTC) on October 2, 2006, requested travel agencies to advise their tourist customers not to engage in sexual transactions at home or abroad. The MOTC subsequently on September 9, 2007 warned travel agencies not to arrange sex tourism or other illegal and antisocial activities. The MOTC is contemplating more proactive measures for inbound and outbound tourists in 2008 to discourage residents of or tourists from Taiwan from engaging in child and juvenile sex tourism activities at home or abroad.
- (2) The Tourism Bureau, which is under the MOTC, undertook the following activities in 2007:
 - a. It provided training for mid-level officers and lower-level workers in the hotel industry in 15 municipal and county locations. Experts were invited to give talks on trafficking in persons and related regulations and issues for the classes. A total of 1,880 persons attended the sessions. The 2008 program will invite high-level managers in the hotel industry.
 - b. Classes covered the provisions of the Child and Youth Sexual Transaction Prevention Act and related regulations. In the e-training materials for tour guides and tour leaders, the concepts for preventing trafficking in persons were added. Industry trainees were asked to read the materials online, which included online tests of the subject matter. Materials prepared by the National Immigration Agency were also distributed to the participants. Between January 2004 and June 2008, a total of 7,541 tour guides and 8,603 tour leaders received the training.
 - c. The Child and Youth Sexual Transaction Prevention Act and campaign materials in Chinese for the prevention of trafficking in persons are posted

on the website of the Tourism Bureau (<http://taiwan.net.tw>) for travelers and tourism industry workers.

- (3) Over the years, the Child Welfare Bureau of the Ministry of Interior has striven to discourage child sex tourism at home and abroad and prevent children and juveniles from getting involved in the sex trade. It has employed diverse channels to publicize the stipulations of the Child and Youth Sexual Transaction Prevention Act. Its goals for 2008 include the production of films to educate about the child and youth sex trade and an online campaign for July and August. (For your reference visit the sites: <http://tw.youtube.com/watch?v=hfSJ4ojBGXM>; <http://blog.yam.com/ecpatblog>; and <http://mymedia.yam.com/ecpatblog¬ice=clear>) It will run TV ads on the Public Television Service and the World Satellite TV channels starting in August 2008. The Government Information Office has been asked to run similar public service announcements at movie theaters in October 2008. The Child Welfare Bureau also has commissioned NGOs to collect domestic and foreign regulations on the child sex trade and information on such cases. This project is expected to be completed by the end of 2008. The collected materials will be used as research and campaign materials to raise public awareness of the issues surrounding the child sex trade industry and warn off adults and children from getting involved in the sex trade industry.

J. Response to the comment “Taiwan’s efforts to combat trafficking abroad are hampered by a lack of formal diplomatic relations with source-country governments and an inability to join relevant international organizations” and the recommendation to “improve cooperation with labor source-country governments”:

1. We hope to strengthen mutual legal assistance with other countries. With assistance from the Ministry of Foreign Affairs (MOFA), the Ministry of Justice (MOJ) has been seeking to enter a mutual legal assistance agreement (MLAA) with Vietnam since November 2006. Taiwan and Vietnam have reached consensus on the contact window for mutual legal assistance and have engaged in several rounds of discussion on the matter. In May 2008, a delegation led by the chief prosecutor of the Shihlin District Prosecutors Office visited Vietnam's International Law Department and Administrative Department under the Ministry of Justice to exchange views on the preliminary draft of the MLAA. The MOJ and MOFA will continue to urge the Vietnamese government to enter the MLAA so as to establish a channel for international cooperation.
2. We also hope to work with labor-source countries as follows:
 - (1) Taiwan's Council of Labor Affairs (CLA) has established communication channels on the issue of foreign workers victimized by traffickers with the Philippines, Thailand and Indonesia in 2007, and with Vietnam in 2008. This was accomplished through bilateral meetings between related ministers and taskforces. As for consensus reached with those countries, the labor source countries agreed to refer trafficking victims to shelter, expedite travel document for victims, and assist in their repatriation. The CLA is also looking into including a cooperative mechanism for protecting foreign workers from exploitation in Taiwan's bilateral memorandums of understanding for labor cooperation signed with labor source countries.
 - (2) The US Trafficking in Persons Report 2008 indicated that labor exploitation continues in those labor-exporting countries, such as Indonesia, Vietnam, and Thailand. In these nations, workers are often charged excessively high job

placement fees, resulting in substantial debt that labor brokers and employers use to force them into involuntary servitude. The Report also suggests that those countries have set job placement fee standards, drafted trafficking prevention regulations and strengthened education and training for law enforcement personnel. The CLA will continue to ask labor-source countries through bilateral communication channels and labor cooperation meetings to set reasonable job placement fee standards and address the problem of overcharging by brokers. This government also suggests the US to assist in urging these countries through international and regional anti-trafficking organizations to improve their domestic conditions so as to protect their people from the perils of trafficking.

3. We will seek to strengthen the role of Taiwan's NGOs and bolster international cooperation. We also will work more closely with Taiwan's NGOs to educate the public on human trafficking issues, as well as the investigation, placement and repatriation of victims. Likewise, their help will be sought to increase cooperation with countries and international NGOs dedicated to eradicating human trafficking.

III. Conclusion

Trafficking in persons is a violation of human rights that is utterly unacceptable to the international community. The Taiwan government has consistently taken the upholding of human rights as one of its most important concerns, with the combat against human trafficking requiring the effective and coordinated efforts among agencies and close cooperation between the government, and NGOs and civic organizations. At this stage, government agencies form task forces to carry out trafficking prevention duties as needed.

The 2007 action plan and inter-agency meeting was implemented through government agencies and NGOs, producing some promising preliminary results. On this basis, the Taiwan government will continue to focus on three aspects - protection, prevention and prosecution. It will also enter partnerships with NGOs and enhance international exchange and cooperation to effectively combat related crimes and curb trafficking in persons.