

## 第二場

### 海上漁工勞動權益問題

#### Session 2

#### Labor Rights of Fishery Workers at Sea

主持人 行政院防制人口販運及消除種族歧視協調會報委員

履歷 李凱莉

現職 財團法人勵馨社會福利事業基金會移住者服務中心主任

學歷 東海大學社會學研究所碩士

- 經歷
- ◆ 109 年度基隆市政府兒少性剝削防制諮詢會諮詢委員
  - ◆ 105-106 年度遊戲分級適切性評議會委員(依兒童及少年福利與權益保障法制定辦理)
  - ◆ 美國國務院 國際訪問領袖計畫-打擊人口販運  
(International Visitor Leadership Program-Combating Trafficking in Persons) 2014 年台灣代表
  - ◆ 勵馨基金會新北市外籍勞工庇護中心督導
  - ◆ 勵馨基金會研究發展處專員
  - ◆ 勵馨基金會國際事務專員
  - ◆ 財團法人台灣基督長老教會高雄中會事工幹事
  - ◆ 行政院青輔會專案執行

專長 人口販運及兒少性剝削議題、兒少福利

## **Kai-Li Lee**

CV of  
Moderator

**Committee Member of Executive Yuan  
Coordination Committee on Prevention of  
Human Trafficking and Elimination of Racial  
Discrimination**

Current  
Position

**Director, Migrant Service Center, The Garden of Hope  
Foundation**

Education

**Master, Graduate Institute of Department of Sociology,  
Tunghai University**

Experience

- ◆ **Member of Child Sexual Exploitation Prevention  
Advisory Committee, Keelung Municipal Government,  
FY 2020**
- ◆ **Member of the Annual Game Classification  
Appropriateness Review Board, 2016-2017 (based on  
The Protection of Children and Youths Welfare and  
Rights Act)**
- ◆ **2014 Taiwan Representative, International Visitor  
Leadership Program-Combating Trafficking in  
Persons, U.S. Department of State**
- ◆ **Supervisor, New Taipei City Foreign Worker Shelter  
Center, The Garden of Hope Foundation**
- ◆ **Coordinator, Research and Development Division, The  
Garden of Hope Foundation**
- ◆ **Coordinator of International Affairs, The Garden of  
Hope Foundation**
- ◆ **Secretary, Taiwan Presbyterian Church, Kaohsiung  
Office**
- ◆ **Project Coordinator, National Youth Commission,  
Executive Yuan**

Expertise

- ◆ **Human Trafficking and Child Sexual Exploitation  
Issues, Child Welfare**

與談人 行政院防制人口販運及消除種族歧視協調會報委員

履歷 姜皇池

現職 臺灣大學法律學系教授

學歷 1.倫敦大學瑪莉皇后學院國際法博士

2.美國華盛頓大學法學碩士

3.臺灣大學法學士

專長 國際公法、國際人權法、國際組織法與國際海洋法

## **Huang-Chih Chiang**

CV of  
Commentator

**Committee Member of Executive Yuan  
Coordination Committee on Prevention of  
Human Trafficking and Elimination of Racial  
Discrimination**

Current  
Position

**Professor, College of Law, National Taiwan University**

Education

- ♦ **Ph.D., Queen Mary University of London**
- ♦ **LL.M., University of Washington**
- ♦ **LL.B., National Taiwan University**

Expertise

**International Law, International Human Rights Law, Law  
of International Organizations, and Law of the Sea**

與談人 台灣區遠洋鮪延繩釣漁船魚類輸出業同業公會組長

履歷 林涵宇



學歷 中山大學海洋環境及工程學系博士班

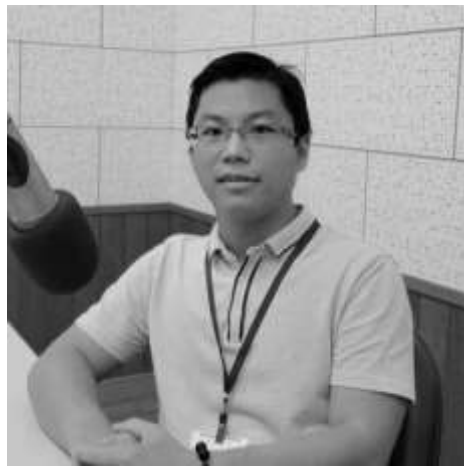
高雄海洋科技大學航運管理系暨研究所碩士

經歷

- ◆ 台灣區遠洋鮪延繩釣漁船魚類輸出業同業公會組長
- ◆ 台灣區遠洋鮪延繩釣漁船魚類輸出業同業公會專員
- ◆ 遠洋漁業青年聯誼會籌備會委員
- ◆ 高雄海洋科技大學航運管理系暨研究所航運與物流管理課程講師

CV of **Han-Yu Lin**

Commentator **Section Chief, Taiwan Tuna Association**



Education **Ph.D. Student, Department of Marine Environment and Engineering, National Sun Yat-sen University**

**Master of Department of Shipping and Transportation Management, National Kaohsiung Marine University**

- Experience
- ◆ **Section Chief, Taiwan Tuna Association**
  - ◆ **Senior Officer, Taiwan Tuna Association**
  - ◆ **Member of Distant Fishery Youth Association**
  - ◆ **Lecturer of Shipping and Transport Logistics, National Kaohsiung University of Science and Technology, Department of Shipping and Transportation Management**

**從市場機制談漁產供應鏈的  
勞動權益問題及實踐**

**Labor Rights and Its Implementation in the Seafood  
Supply Chain - the Perspective of Market Mechanism**

**主 講 人 豐群水產股份有限公司副總經理葉建億**

**Speaker Mr. Arthur Yeh, VP, FCF Co., Ltd.**



主講人 豐群水產股份有限公司副總經理

履歷 葉建億



經歷 豐群水產股份有限公司協理

CV of

**Arthur Yeh**

Commentator

**Executive Vice President, FCF Co., Ltd.**



Expertise

**Senior Vice President, FCF Co., Ltd.**

## 從市場機制談漁產供應鏈 的勞動權益問題及實踐



豐群水產股份有限公司 葉建億 副總經理

## Labor Rights and Its Implementation in the Seafood Supply Chain - the Perspective of Market Mechanism



Arthur Yeh, VP, FCF Co., Ltd.

# 遠洋漁產供應鏈簡介



# Introduction to Distant Water Seafood Supply Chain



## 產業概況、社會責任背景



Revealed: Asian slave labour producing prawns for supermarkets in US, UK

The *Guardian* reports that Asian and South American workers are forced to produce prawns for major UK and US retailers. The article also asks: How can we stop this? What can we do to help? What can we do to help? What can we do to help?



• 2014年6月，英國報社的調查報導揭露泰國蝦業的生產鏈存在奴役勞工議題。

• 許多國際巨擘，如：好事多、沃爾瑪等，皆受媒體攻擊，為改善形象，在2015年末，共同成立 Shrimp Task Force 來執行改善計劃。

• 隨著議題延續至所有水產品，Shrimp Task Force改名為 Seafood Task Force (STF)，確保能涵蓋更多水產品供應鏈的勞工權益，包含鮪魚捕撈等。

• 豐群於2016年，正式加入STF，並積極參與討論和相關會議，以及作為市場與生產端的溝通橋樑。大黃蜂食品也為STF的會員，並擔任董事一職。

• 許多產業目前面對的難題，也在此組織中提出，共同討論可行的解決辦法，並舉辦大型推廣會議，與捕撈業者進行溝通改善。



## Industry Overview, Social Responsibility Background



Revealed: Asian slave labour producing prawns for supermarkets in US, UK

The *Guardian* reports that Asian and South American workers are forced to produce prawns for major UK and US retailers. The article also asks: How can we stop this? What can we do to help? What can we do to help? What can we do to help?



• June 2014, British newspaper's Investigative report revealed the slave labor problem in Thailand's prawn supply chain.

• Many multinational corporations, such as Costco and Walmart, were under media attack; to improve image, they jointly established a Shrimp Task Force at the end of 2015 for the execution of improvement plan.

• With the issue spreading to all marine products, Shrimp Task Force was renamed to Seafood Task Force (STF) to make sure that it takes care of labor rights in the supply chains of more marine products, including tuna fishing.

• Joining STF in 2016, FCF has proactively participated in related discussions and meetings and acted as the bridge of communication between the market and production ends. Bumble Bee Foods is also became a member of STF and serves as its board director.

• Many problems faced by the industry have also been brought to the organization for discussion of feasible solutions. Large promotional conferences have also been held to communicate with fishery companies for improvements.



# Seafood Task Force 現有會員

銷售市場及  
水產供應鏈  
高度關注重視  
社會責任議題



# Current Members of Seafood Task Force

The sales  
market and  
marine  
product  
supply chains  
are highly  
concerned  
with SR  
issues



## 遠洋漁業的行業生態

- 尋找及追逐魚群的狩獵活動
- 為期數週到數個月的跨洋航程
- 海上作業狀況多難度高、仰賴熟練經驗
- 生活受制於船隻空間及硬體設備

指標性社會責任認證(例如SA8000)  
並未適用於海洋相關產業



## Industry Environment of Distant Water Fishery

- Hunting activity of searching for and chasing fish
  - Transoceanic voyages lasting weeks to months
  - Operations on sea are difficult and problem-prone, and require skills and experience
  - Life limited by vessel space and hardware
- Indicative SR certifications (such as SA8000) are not applicable to marine related industries



# 水產業常見社會責任議題

## 傳統認知觀念和系統性問題爭議

- 統一保管護照
- 船員預借薪資
- 缺乏提早終止聘僱的共識解決方案
- 缺乏專業可靠的紀律政策、申訴管道
- 缺乏全面完善的書面程序、文件和記錄
- 缺乏完善的聘僱管理
- 缺乏社會責任管理系統的專業能力和知識



# Common SR Issues of Marine Product Industry

## Controversies in Traditional Concepts and Systematic Problems

- Collection of passports for safekeeping
- Advance salary as loan
- Lacks consensus on solution of early termination of employment contract
- Lacks professional and reliable disciplinary policy, complaint channel
- Lacks comprehensive paperwork procedures, documents, and records
- Lacks comprehensive employment management
- Lacks professional capability and knowledge on social responsibility management system





## 社會責任議題所面臨的困難挑戰

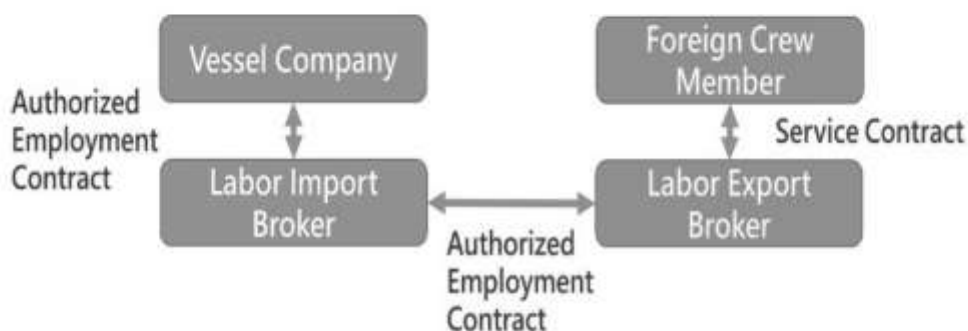


很多船員議題，包含遵循的法律規範、資訊事前正確傳遞、適當的訓練、糾紛爭議的處理等並非漁業公司可以獨自解決

勞力輸出國 (例如: 印尼、菲律賓、越南) 的勞務仲介未受到台灣法律約束，因此倘若他們違反船員管理辦法，業者無法強制要求改善。



## Grave Challenges of SR

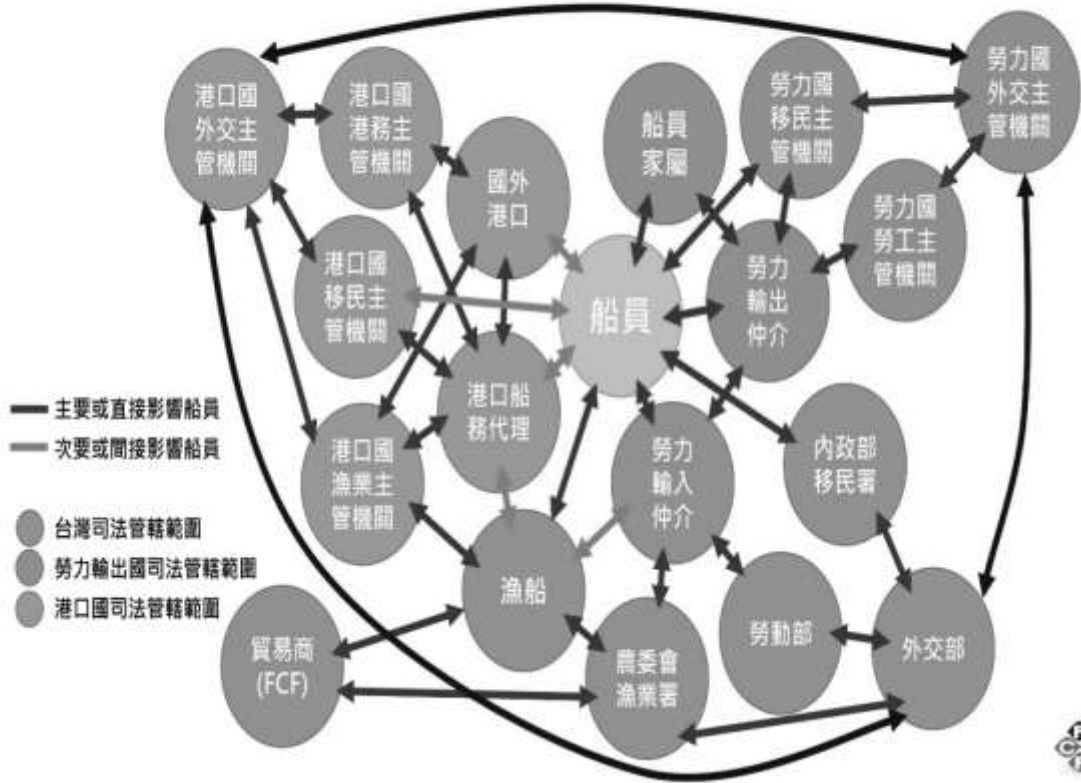


Many issues regarding crew members, including laws and regulations, accurate disclosure of information in advance, appropriate training, and dispute resolution, cannot be solved by fishery company on its own.

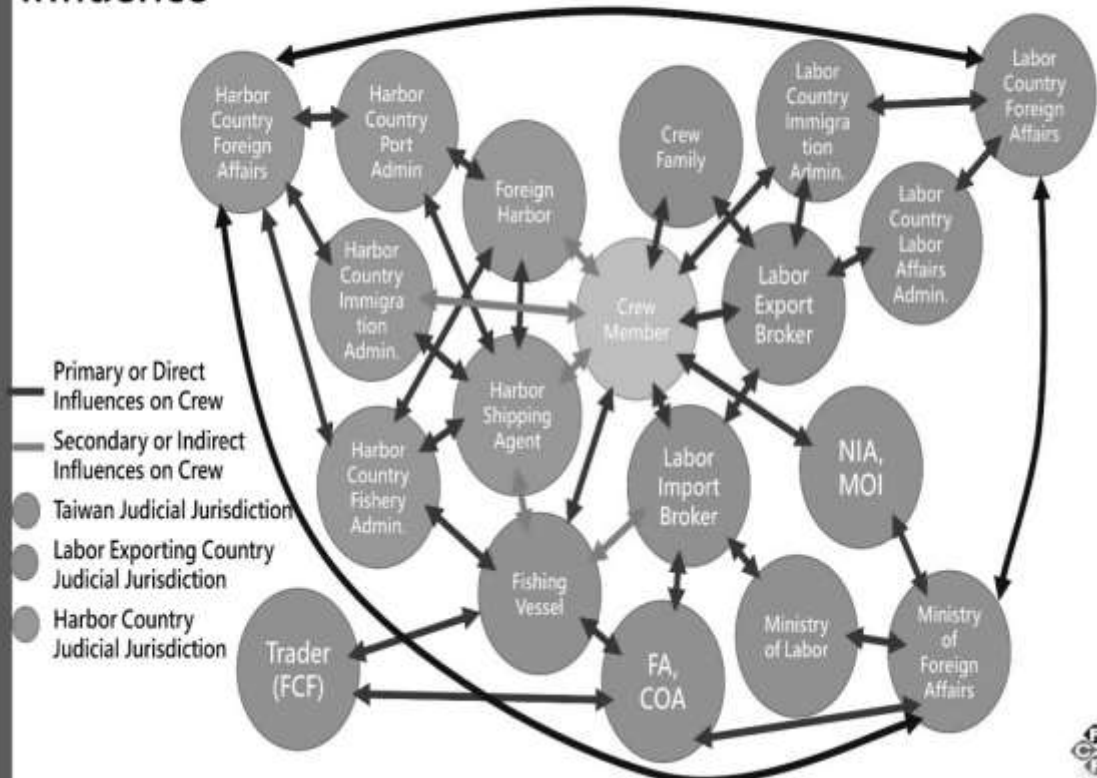
Labor brokers in labor exporting countries (such as: Indonesia, Philippines, Vietnam) are not legally bound by laws of Taiwan, and fishery companies cannot force them to make improvements if they violated crew management regulations.



# 船員事務權責及影響力關係圖



# Relationship Diagram of Crew Affairs Authority and Influence



## 業界的重視 – 以漁業公會為例

- 請造船技師協助改善船員船艙、生活空間畫出修改船圖。
- 輔導漁船增修船上生活設備，安裝船艙空調冷氣、過濾飲水機、加大床舖、改善衛生間及使用器材。
- 宣導漁船按照實際作業情況訂出工作守則，設計出工時表、薪資表及實施記錄。
- 製作船員宣導影片，說明簽約注意事項及權益、上船前應有的準備、申訴方法及管道、防逃、防被騙。
- 製作船長及幹部宣導影片，加強重視文化禁忌、和諧溝通與領導管理。



## Industry's Efforts – Case of Fisheries Association

- Invites shipbuilding technicians to help improve crew cabin, living space, and draw designs for remodeling.
- Provides guidance for fishing vessels to add facilities, such as installing A/C and water filter drinking fountain in cabin, enlarged bed, improved washroom, and other facilities.
- Encourages formulation of work rules according to actual operational situations and designing of timetable, salary chart, and implementation log.
- Promotional videos for crew members, explaining things to pay attention to prior to signing a contract and their rights, things to prepare before coming onboard, how and where to file complaints. Precaution for the crewmembers on the problems associated with running away and falling swindled.
- Promotional videos for captain and officers, enhancing awareness of cultural taboos, harmonious communication and leadership and management skills.

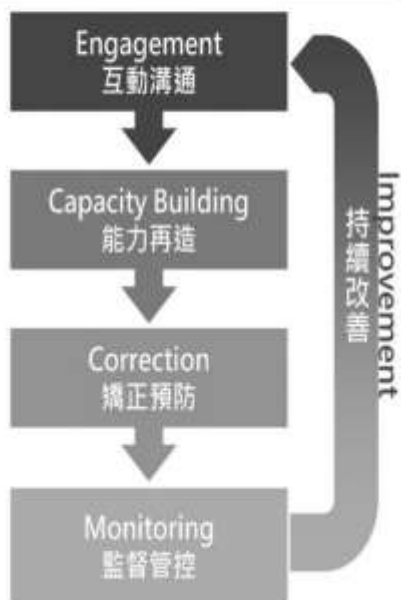


# 豐群社會責任計畫

社會責任評估



豐群社會責任改善

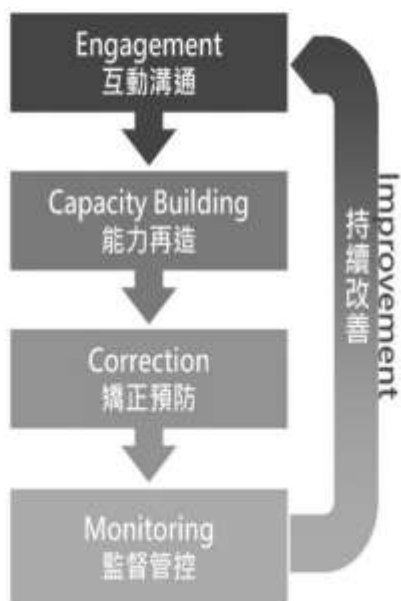


# FCF SR Plan

Social Responsibility Assessment



FCF SR Improvement



## 社會責任成果進展 – 業界參與



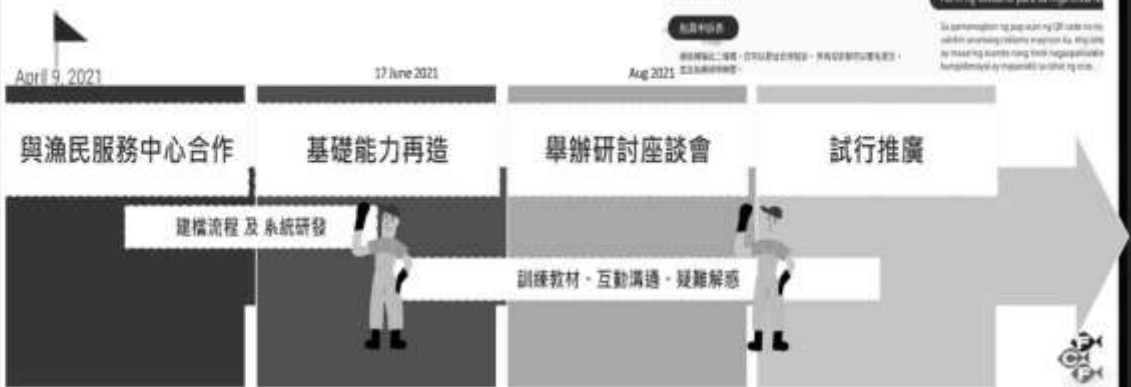
## SR Achievements – Industry Engagement



# 社會責任成果進展 – 漁工之聲專案

合作單位 - 基督長老教會海員漁民服務中心

- 讓船員可以透過第三方單位來傳達真正的核心問題
- 溫和務實的方式來處理協調船員和公司間的爭議
- 從台灣遠洋延繩釣、圍網、魷釣船開始試行推廣



**Workers' Voice**  
 台灣基督長老教會海員漁民服務中心  
 PCT Seamen's/Fishermen's Service Center  
 A social responsibility project by The Presbyterian Church in Taiwan Seamen's/Fishermen's Service Center, e-Adult and supported by PCT Co., Ltd.

**Complaint Form for Crew Members**  
 By submitting this QR code you can raise any complaint you may have. All complaints can be submitted anonymously and confidentiality will be maintained at all times.

**船員申訴表**  
 透過此QR碼，您可以向我們提出任何申訴。所有申訴均可匿名提出，我們將保守您的隱私。

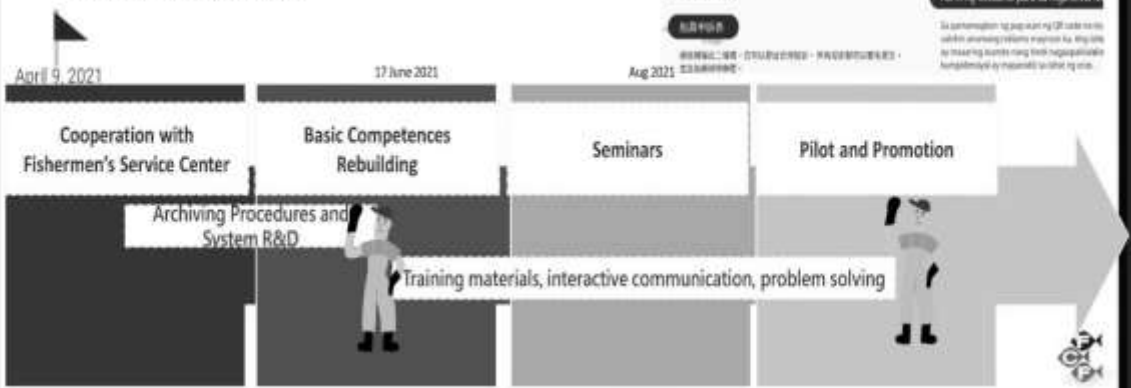
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**Form ng Bakante para sa mga Crew M**  
 Sa pamamagitan ng pagpapantay ng QR code na ito, maaari kang magamit ang mga bakante para sa pagpapantay ng anumang isyu na mayroon ka. Ang lahat ng bakante ay maaaring magamit nang hindi nagpapalibang sa pagpapantay ng mga bakante.

## SR Achievements – Workers's Voice Project

Partner – The Presbyterian Church in Taiwan Seamen and Fishermen's Service Center

- Allows crew members to raise real core issues through a third party
- Moderate and practical ways of resolving disputes between crew members and vessel companies
- Pilot and promotion on Taiwan's distant water longline fishing, seine, squid angling boats



**Workers' Voice**  
 台灣基督長老教會海員漁民服務中心  
 PCT Seamen's/Fishermen's Service Center  
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## 社會責任成果進展 – 盡責聘僱專案

合作單位 - 印尼漁民協會 Indonesia Fishermen Association (INFISA)

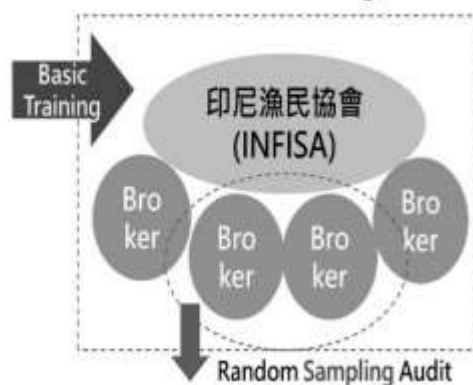
- 透過在地組織作為了解及溝通當地仲介代理的橋梁。
- 協助當地仲介代理建構符合國際社會責任標準的基礎。
- 和地組織合作發展出審查和篩選優良仲介的機制。



## SR Achievements - Responsible Employment Project

Partner - Indonesia Fishermen Association (INFISA)

- Understanding and communicating with local brokers and agents through local organizations.
- Help local brokers and agents to establish a foundation in line with international SR standards
- Cooperating with local organizations in the development of audit and screening mechanism of outstanding brokers



## 極需跨國跨領域的合作參與

就公眾上對於遠洋漁業社會責任的期待，  
業界應盡心負責，做對的事。

供應鏈的每一個角色，都應積極鑑別問題並加以改善。  
喚醒整體產業意識，是當務之急。

避免對立，透過深入了解，互動溝通，  
共同正視面對產業的問題，以求整體產業提升。

也期望透過非政府組織、主管單位等針對不同利害關係人的  
倡議來促成跨國官方及民間機構的合作



## In Need of International Cooperation

The industry should be responsible and do the right things to respond to the public expectation for the fishing industry in terms of SR

Every party in the supply chain should actively identify issues and make improvement. Top priority now is to raise the awareness of the entire supply chain

Avoid opposition. Interact and communication through in-depth understanding, to jointly confront the problems in the industry for overall enhancement of the sector.

Facilitate international PPP through the initiatives of NGOs and authorities targeting different stakeholders.





THANK YOU



THANK YOU



**臺灣遠洋漁船非我國籍船員  
勞動權益問題及對策**

**Problems and Antidotes to Labor Rights of  
Foreign Crewmembers Employed by  
Taiwanese Pelagic Fishing Vessels**

**主 講 人 行政院農業委員會漁業署組長林頂榮**

**Speaker Mr. Ding-Rong Lin, Director, Fisheries Agency,  
Council of Agriculture, Executive Yuan**

主講人 行政院農業委員會漁業署遠洋漁業組組長

履歷 林頂榮



經歷 漁業署組長：2013.1-

漁業署副組長：2011.7-2013.1

學歷 國立臺灣大學海洋研究所碩士

CV of  
Speaker

**Ding-Rong Lin**

**Director, Fisheries Agency, Council of  
Agriculture, Executive Yuan**



Expertise

**Director, Fisheries Agency, Council of Agriculture,  
Executive Yuan : 2013.1-**

**Deputy Director, Fisheries Agency, Council of Agriculture,  
Executive Yuan : 2011.7-2013.1**

Education

**Master of Institute of Oceanography, National Taiwan  
University**



# 臺灣遠洋漁船 非我國籍船員 勞動權益問題及對策

行政院農業委員會漁業署  
Fisheries Agency, Council of Agriculture, Executive Yuan

遠洋漁業組  
林頂榮 組長  
110年10月15日

## 簡報大綱

壹、背景說明

貳、我國對外籍船員權益保障努力

參、未來精進措施

肆、結語

# 壹、背景說明

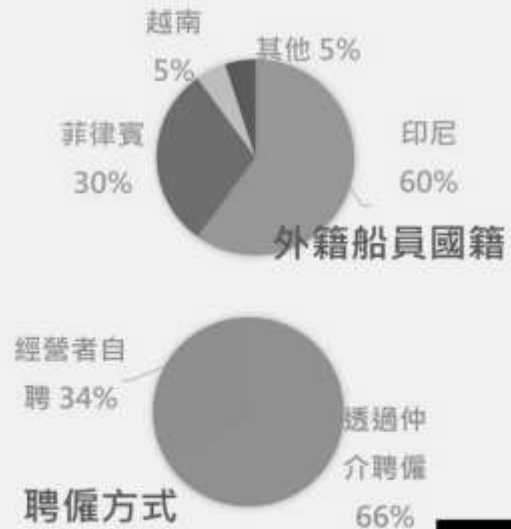
## 臺灣遠洋漁業概況



- 遠洋漁船約1,100艘，包括鮪延繩釣、鯉鮪圍網、魷釣及秋刀魚棒受網。
- 遠洋漁船僱用外籍船員大多採境外聘僱、境外解僱。
- 依「遠洋漁業條例」訂定「境外僱用非我國籍船員許可及管理辦法」，規範基本工資、工時、保險，定型化契約保障船員權益。

## 境外僱用外籍船員現況

約僱用2萬名境外僱用外籍船員



02

# 壹、背景說明



## 1 市場國關切議題

人口販運報告

強迫勞動清單

海關暫扣令

臺歐盟人權諮商會議



## 2 民間團體關注

NGO(EJF、綠色和平、宜蘭縣漁工職業工會等)



03

## 壹、背景說明

### 外界關注議題篩選

薪資給付不足、境外僱用外籍船員薪資較低

• 境內24,000元；境外13,500元

勞動條件不佳

• 工時、住艙、生活照護、海上停留時間長、勞保投保率低

監測管理機制能量不足

• 檢查能量、人口販運起訴率低、仲介篩選船員與來源國仲介管理不足

權宜漁船涉及強迫勞動案件且缺乏管理

國際合作完善體系尚待建立

教育宣導待加強

04

## 貳、我國過去對遠洋外籍船員權益保障努力

### 106.1.20實施境外僱用外籍船員管理法規

項目	舊法規	現行法規
法規	「漁業法」、「漁船船主在國外僱用外籍船員應遵守及注意事項」 法律授權不明確、保障不足	「遠洋漁業條例」、「境外僱用非我國籍船員許可及管理辦法」 明確的法律授權、保障較高
工資	雙方議定(當時300-350美金)、 給付方式未規定	每月工資不得低於450美金、以直接給付給船員為原則、不得預扣賠償或保證金費用
工時	未規定	律定每日休息最少10小時及每月休息日數4日
保險	意外險50萬	除意外險外、增加一般身故保險金額不得低於新臺幣100萬元、並增加醫療險

05

## 貳、我國過去對遠洋外籍船員權益保障努力

### 僱用及仲介管理

項目	舊法規	現行法規
船主應遵守事項	分散於契約及規定	明確規定並要求提供船員申訴之便利條件
仲介管理	1.公司或自然人皆可從事 2.無保證金制度 3.評鑑機制較鬆	1. 仲介機構許可制：排除以自然人身份從事仲介 2. 仲介保證金制：150萬~500萬元 3. 強化評鑑機制：評鑑不良者可勒令停業
罰則	1.仲介無； 2.船主(長)違規處收照或罰款3萬~15萬元	1. 仲介未經許可罰400萬~2,000萬、違規罰100萬~500萬元 2. 船主(長)違規處收照或罰款5萬~25萬元。

06

## 貳、我國過去對遠洋外籍船員權益保障努力

### 仲介評鑑結果

評鑑結果	107 (試辦)	108	109	110	合計
甲等	2	27	32	20	81
乙等	23	12	15	28	78
丙等	8	2	0	3	13
丁等	13	2	2	3	20
合計	46	43	49	54	192

### 仲介機構違規處分情形

違規樣態	違規件數(件)			罰鍰金額(萬元)		
	108	109	110(至7/31)	108	109	110(至7/31)
未簽訂契約	0	0	0	-	-	-
非法仲介	1	0	0	400	-	-
違反工資相關規定	1	3	0	120	300	-
其他	-	-	-	-	-	-
小計	2	3	0	520	300	-
合計		5			820	

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## 貳、我國過去對遠洋外籍船員權益保障努力

### 防堵人口販運

#### 防堵遠洋漁船涉及人口販運

- 104年9月14日訂定「我國境外僱用外來船員之遠洋漁船涉嫌違反人口販運防制法爭議訊息受理通報及後續處理標準作業程序」
- 110年2月3日再修正以整合及加速國內外通報程序及納入8個販運鑑別參考指標。

請安心在船上工作，  
勿受人施暴引誘而從事非法工作行為！

Kapayapaan ng laip habang magtrabaho sa barko,  
lwasen ang sindikatong mungkahin ka nyang gumawa  
ng mga ilegal na gawain !

Sitakan bekerja dengan tenang di atas kapal, jangan  
terpancing oleh bujuk rayu sindikat perdagangan manu-  
sia dan melakukan pekerjaan yang ilegal !

Hãy yên tâm mà làm trọn việc trên tàu, đừng nghe theo  
sáng gọi dụ dỗ của bọn buôn người mà thực hiện  
những công việc trái phép !



行政院農業委員會漁業署 國小廳

Administrative Yuan Executive Yuan Bureau of Fisheries, Ministry of Agriculture

Executive Yuan National Fishery Administration

Biro Perikanan Burean Agraria Eksekutif Yuan

Resolusi Terpadu Asia

Sở Nông nghiệp và Phát triển Nông thôn Bộ Nông nghiệp và Phát triển Nông thôn

Ministry of Agriculture and Forestry

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## 貳、我國過去對遠洋外籍船員權益保障努力

### 僱用管理

#### 申請僱用許可

- 經審查船員資格(如年齡、未有不良僱用紀錄)、契約、保險文件等方許可僱用。

#### 簽訂契約前告知權利義務

- 強制勞務契約為定型化契約，載明基本權益保障事項。
- 簽約前船員觀看本署製作之權利義務影片，船主或仲介須全程錄音、錄影保存，及提供船員契約留存之義務。(108年3月納入辦法)



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## 貳、我國過去對遠洋外籍船員權益保障努力

### 建立訪查制度

#### 國內港口

聘專責訪查員10名



#### 國外港口

6個主要國外港口  
派駐漁業專員



#### 公海登檢

1. 目前中西太平洋
2. 執檢任務過程中，發問卷給船員填寫



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## 貳、我國過去對遠洋外籍船員權益保障努力

### 船員訪查統計

年度		108	109	110 (至9/28止)
國內港口	艘次	82	102	67
	人數	468	560	390
國外港口	艘次	74	20	11
	人數	193	95	52
公海登檢	艘次	43	2	0
	人數	59	3	0
累計	艘次	199	124	78
	人數	720	658	442

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## 貳、我國過去對遠洋外籍船員權益保障努力

### 申訴制度與協處

#### 申訴管道

- 1955勞工申訴諮詢專線（國外：+886-2-8073-3141）、我國駐外館處、我國觀察員及駐外專員等提出申訴。
- 接受民間團體舉報(如海員中心、海星教會、FOSBI、EJF及GP)

#### 處理情形及困境

- 近3年(108-110年7月)計受理申訴162件、取回薪資92,746美元、保證金13,359美元、取回護照52本。
- NGO舉報案件本署查處所面臨困難：
  - 僅片面訪查船員，未提供船員等細部資料。
  - 所舉報多為發生1年甚或數年前，增加回溯查證難度。
  - 一次性提供數十案，查察量能不足。

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## 貳、我國過去對遠洋外籍船員權益保障努力

- ◆ 關懷照顧(法規宣導、諮商、照顧及康樂等活動)
- ◆ 提升岸上生活條件(全臺10處漁港增設淋浴間，提供外籍船員免費使用熱水盥洗)



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# 參、未來精進措施

## 漁業與人權行動計畫- 七大策略 具體措施

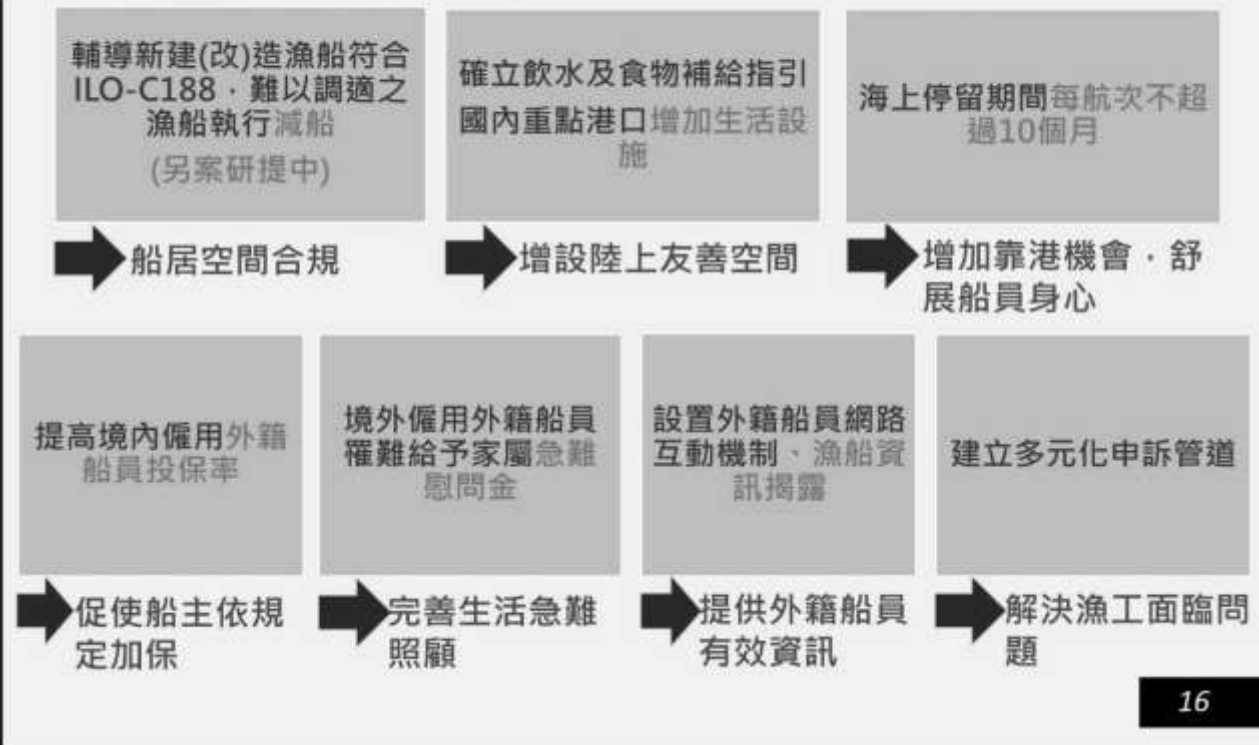
14

### 策略一 落實勞動條件及效益



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## 策略二、強化生活條件 與社會保障及效益



## 策略三 強化仲介管理明定與收費項目指引及效益

### □ 境外僱用仲介：(將修規定)

#### □ 對我國籍漁船之仲介：

- 國內仲介需取得勞動部許可、行蹤不明達一定比率予以處分或撤銷許可、合作之國外仲介須來源國當局設立許可。
- 國外仲介不得代轉付船員工資。

#### □ 國內仲介公司若仲介外籍漁船之外籍船員：

- 該漁船發生人口販運或強迫勞動，涉及仲介未善盡應有責任者，予以停業或撤銷許可。

➔ 不得透過國外仲介給付，杜絕扣款、仲介角色單純化、減少行蹤不明機率

## 策略四-監測管理機制能量及效益

### 強化執法人力·提高境外僱用勞動檢查頻率

正請增人力及經費

➡ 檢查量能提升  
確保法規落實執行

### 推動遠洋漁船運用科技監管設備

推動使用CCTV等科技監管設備·保全雙方爭議證據

➡ 協助釐清爭議

### 第三方驗證

強化國外港口檢查  
解決國際特殊政治環境問題

➡ 補足國外訪查能量



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## 策略四-監測管理機制能量及效益

### 強化跨機關打擊海上人口販運機制

- 訂定「強化打擊海上人口販運案件工作指引」等行政規則。
- 相關部會每年至少各辦理1場次防制人口販運教育訓練。
- 研修人口販運防制法·提高罪犯之最低本刑。
- 漁政及勞政機關納入各地方檢察署人口販運之執行小組成員。
- 設置人口販運被害人鑑定前之緊急安置處所。

➡ 強化第一線司法警察及其他行政部門人員受理疑似遭勞力剝削案件之敏感度、識別職能及調查技巧

➡ 被害人鑑別前，倘有人身安全疑慮時，得由農委會緊急安置，以求第一時間受到保護



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## 策略五-加強權宜籍漁船管理及效益

### 對進入我國港口之外籍漁船建立聯合檢查機制

- 110年6月已修外籍漁船進入我國港口許可及管理辦法，有強迫勞動、人口販運之外籍漁船不得進入利用我國港口。
- 建立外籍漁船進入我國港口之聯合檢(訪)查機制，今年已執行2次。倘涉嫌強迫勞動或人口販運，移送司法警察偵辦。並提送船籍國

➡ 檢查進入我國港口FOC船，港口國有效管制。

### 要求FOC漁船僱用船員之勞動條件跟上我國

- 109年12月已修經營投資非我國籍漁船許可辦法，經判決有罪確定，或經外國政府、國際組織通報，並經主管機關認定確有強迫勞動或人口販運情事，得廢止許可。
- 不影響船籍國管轄權及國際法制許可下，參考ILO-C188標準，增列許可投資函附加條件，將修正投資經營FOC漁船相關法規。



➡ 拉近FOC船與我國籍漁船漁工權益。

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## 策略六-建立及深化國際合作及效益

加強與船員來源國、重要市場國溝通合作  
與來源國建立合作機制安排

1. 規劃外籍船員來源國對船員訓練篩選管道

➡ 降低僱用風險

2. 每年與主要市場國及船員來源國會商

➡ 對外籍船員權益議題交換意見與合作



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## 策略七-宣導共善夥伴關係及效益

### 推廣業者加入企業社會責任(CSR)計畫

- 每年向經營者辦理企業社會責任宣導會
- 推廣漁船參與海洋生態標章認證或發展FIP計畫
- 辦理ILO-C188公約宣導

➔ 漁產品符合企業社會責任與環保理念。  
符合國際認證趨勢易讓外界信服。  
避免漁獲物輸出之阻力(含價格、附加條件)



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## 策略七-宣導共善夥伴關係及效益

### 公私立合作

- 每年與漁業團體與民間團體合作人權教育宣傳。
- 每年與NGO或慈善團體合作辦理關懷系列活動。

整體：

- ✓ 與關切外籍船員權益之勞工團體或NGO討論溝通交流。
- ✓ 請漁業團體一起向國外說明我國做為及改善實情。



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## 肆、結語



- 我國維護漁業勞動人權普世價值不能等，持續進一步提升外籍船員工作條件及權益。
- 經營者與船員朝向共好之關係。



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簡報完畢  
敬請指教

**漁工工作環境及供應鏈之強迫勞動風險  
( 歐盟觀點 )**

**Addressing Working Conditions of Fishers and the Risk  
of Forced Labour in Supply Chains: an EU Perspective**

**主 講 人 歐盟就業總署國際處處長 Mr. Lluís Prats**

**Speaker Mr. Lluís Prats, Head of International Unit,  
Directorate-General for Employment, Social Affairs  
and Inclusion, European Commission**

主講人 **歐盟就業總署國際處處長**

履歷 **Lluís Prats**



簡歷 **Lluís PRATS**（巴塞隆納）是巴塞隆納律師協會的成員並擁  
有都柏林三一學院 MBA 學位。他曾在西班牙中央和地方政府工  
作，並於 1995 年加入歐盟執委會。過去 22 年間，他在對外關  
係總署和內部市場、工業、創業和中小企業總署擔任過多項職  
務。他目前是就業、社會事務和共融總署的國際處處長，負責  
促進歐盟就業和社會政策的對外工作。

CV of  
Speaker

## **Lluís Prats**

**Head of International Unit, Directorate-General for Employment, Social Affairs and Inclusion, European Commission**



Biography

**Lluís PRATS (Barcelona) is a Member of the Barcelona Bar Association and MBA (Trinity College Dublin). He worked in the Spanish National and Local Administrations and joined the European Commission in 1995, where for the past 22 years he had several responsibilities in the Directorate-General for External Relations and in the DG for Internal Market, Industry, Entrepreneurship and SMEs. He is currently the Head of International Unit in the Directorate-General for Employment, Social Affairs and Inclusion, promoting the external dimension of EU employment and social policies.**



## 漁工工作環境及供應鏈之強迫勞動風險（歐盟觀點）

Lluís PRATS  
歐盟執委會就業總署  
國際處處長

防制強迫勞動圓桌論壇  
布魯塞爾-台北, 2021年10月15日



## Addressing working conditions of fishers and the risk of forced labour in supply chains: an EU perspective

Lluís PRATS  
Head of International Unit  
DG Employment, Social Affairs and Inclusion  
European Commission

Roundtable Forum on Prevention of Forced Labour  
Brussels-Taipei, 15 Oct 2021

## 簡報大綱

- 合宜的漁業工作：
  - ✓ 國際勞工組織第188號公約 ( ILO C188) & 歐盟指令
  - ✓ 對第三國家 & 地區的專門協助
- 處理歐盟供應鍊中的強迫勞動問題：
  - ✓ 提供給歐盟公司的盡職調查指南
  - ✓ 歐盟關於永續公司治理的法規
  - ✓ 禁止歐盟市場出現強迫勞動的產品



## Structure of the presentation

- **Decent work in fishing:**
  - ✓ ILO C188 & EU Directive
  - ✓ Technical assistance to 3rd countries & territories
- **Addressing forced labour in EU supply chains:**
  - ✓ Guidance on due diligence for EU companies
  - ✓ EU legislation on sustainable corporate governance
  - ✓ Ban on products in EU market made by forced labour



## 歐盟漁船規模 ( 2018 )

- 59,000艘現役漁船\*
- 149,906 漁工
- 平均年薪: EUR 24,287歐元
- 上岸漁獲物: 450萬公噸海鮮
- 上岸漁獲物價值: 67億歐元
- 毛利:15億歐元
- 淨利: 7.91億歐元

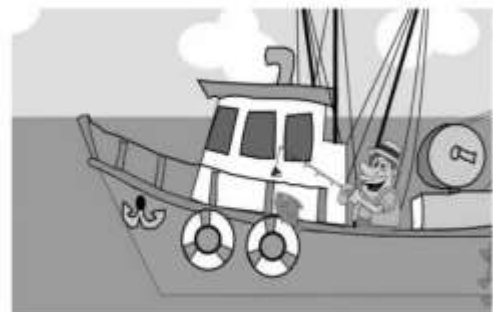
\*76%的小型沿海漁船 · 24%的大型漁船和不到1%的遠洋漁船



## EU fishing fleet (2018)

- 59 000 active vessels\*
- **149 906 fishers**
- Average annual wage: EUR 24 287
- Landings: 4.5 million tonnes of seafood
- Landing value: EUR 6.7 billion
- Gross profit: EUR 1.5 billion
- Net profit: EUR 791 million

\* 76% small-scale coastal, 24% large-scale & >1% distant-water vessels



## 為什麼要立法規範漁業工作環境？

在這個產業，發生事故、  
傷害和職業疾病的風險  
和嚴重性都很高



## Why regulate the working conditions in the fishery sector?

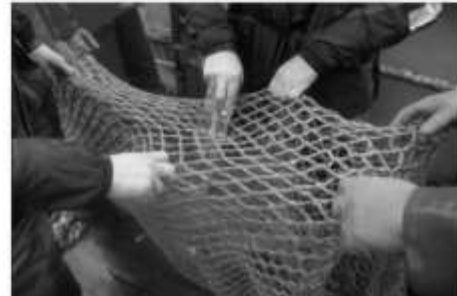
**Risks** and  
**seriousness** of  
accidents, injuries,  
and occupational  
diseases are **high**  
in this sector





## 歐盟以法律條文明確規範漁業勞動的主要原因

1. 事故往往是因為衛生和安全以及工作條件**缺失**所造成
2. 對於現有的船舶安全國際條約的批准速度**緩慢**
3. 法律框架**破碎零散**



## Main reasons for codifying the area in the EU

1. Accidents are often caused by **inadequate** health and safety and working conditions
2. **Slow** ratification of existing international treaties on safety on board vessels
3. **Fragmentation** of the legal framework



## 國際勞工組織第188號公約 ( ILO C188 )



International  
Labour  
Organization

- 於2007年國際勞工組織第96屆國際勞工大會通過
- 獲得所有歐盟成員國投票贊成，7個國家已經批准該公約
- 統合國際勞工組織現有五項與漁工有關公約中的四項
- 包含全球性的最低要求



European  
Commission

## ILO Convention 188



International  
Labour  
Organization

- Adopted at the **96th International Labour Conference of the ILO in 2007**
- **All** EU MS voted in favour of Convention 188 and 7 have already ratified it
- Consolidates the **four out of the five** existing ILO Conventions relating to fishers
- Contains **global** minimum requirements



European  
Commission

## 國際勞工組織第188號公約 ( ILO C188 )



- 主要目標:
  - 確保漁工在漁船上有合宜的生活和工作條件
    1. 工作時間
    2. 工作合約的細節
    3. 住宿和飲食
    4. 職業安全和衛生保護
    5. 醫療照顧和社會保險
- C188適用於**所有**從事商業捕撈作業的漁工和漁船



## ILO Convention 188



- Main **objectives**:
  - To ensure that fishers have **decent living and working conditions** on board fishing vessels
    1. Working time
    2. Details of their work agreement
    3. Accommodation and food
    4. Occupational safety and health protection
    5. Medical care and social security
- C188 applies to **all** fishers and fishing vessels engaged in **commercial** fishing operations



## 歐盟的社會政策



歐盟條約：

- 列出了歐盟有權能採取行動的社會政策領域：*保護工人的健康和安全、工作條件等*。
- 在這些社會領域，歐盟可以通過立法制定最低要求（成員國可以提供更多的保護）。
- 歐盟社會夥伴可以自主決定在這些社會領域協商協議
- 根據歐盟執委會的提案，以理事會決議的形式，透過歐盟立法來實施他們的協議



## EU's social policy



The EU Treaty:

- Lists the **social policy fields** in which the EU has a competence to act: *protection of workers' health and safety, working conditions, etc.*
- In these social fields, the EU may adopt legislation on **minimum requirements** (Member States can be **more protective**)
- **EU social partners can decide to negotiate an agreement** in these social fields on an autonomous basis
- **Implementation of their agreement through EU legislation** by means of a Council Decision based on a proposal from the Commission



## 從公約到協議...



- 歐盟的社會夥伴在2009年進行協商，目的是達成和ILO C188相關的協議。
- 他們在2012年達成協議
- 2013年，歐盟社會夥伴要求執委會以理事會決議實施他們的協議



## From a Convention to an Agreement...



- EU social partners entered into negotiations with an aim of **reaching an agreement** concerning ILO C188 in 2009
- They **concluded the agreement** in 2012
- The EU social partners requested the Commission to **implement their agreement** by a Council decision in 2013



## 從公約到協議...



### 協議的目標:

1. 促進批准ILO C188以在創造這個產業在歐盟的公平競爭環境
2. 為歐盟海洋漁業的社會立法邁出法典化的第一步
3. 改善該行業因下列問題而惡化的形象：環境問題、魚類資源減少、對這一行普遍撤資，以及無法吸引年輕和熟練工人的工作條件



## From a Convention to an Agreement...



### **Objectives** of the Agreement:

1. Promote the **ratification** of ILO C188 to create a level playing field for the sector in the EU
2. First step towards **codification** of the EU social legislation in the sea fishing sector
3. **Improve** the image of the sector, which deteriorated due to environmental issues, decline in fish stocks, general disinvestment in the sector but also unattractive working conditions for young and skilled workers



### 最低標準



### Minimum standards



## 歐盟指令\* 2017/159



- 實施歐盟社會夥伴間關於歐盟社會夥伴實施國際勞工組織的188號漁業工作公約(ILO-C188)的協議
- 歐盟指令的內容包括指令目的，轉換期限，允許會員國加入更有利的條文等等
- 以制定共同目標，且所有歐盟成員國必須將其轉化為自己的國家法律的歐盟立法類型



## EU Directive\* 2017/159



- Implements the Agreement between EU social partners concerning implementation of ILO Work in Fishing C188 between EU social partners
- The EU Directive includes provisions on its purpose, transposition deadlines, allows for MS to introduce more favourable provisions, among others
- *Type of EU legislation setting common objectives that all EU MS have to translate into their own national laws*





## 歐盟指令2017/159的主要目標



- 改善懸掛歐盟成員國國旗船隻上工作的漁工的工作和生活條件
- 保護海洋漁撈業工作者的健康和 safety
- 建立一個適合海洋漁撈業工作條件的綜合法律框架



## Main objectives of EU Directive 2017/159

- To **improve** the *working and living conditions* for fishers working on vessels flying the flag of an EU Member State



- To **protect** the *health and safety* of workers in the sea fishing sector
- To **establish** a *consolidated legal framework* suited to working conditions in the sea fishing sector



## 誰在涵蓋範圍內？

適用於：



- 根據僱傭合約或僱傭關係，在所有從事商業的漁船上以任何職位工作的所有漁工
- 與前一項中提及的漁工在同一艘船上的所有其他漁工，以確保對整體安全和健康的保護
- 歐盟指令包含有關船隻和漁工的規定



## Who is covered?

Applies to:



- All fishers working in any capacity under **a contract of employment or** in an employment relationship on all fishing vessels engaged in commercial fishing
- **All other fishers** who are present on the same vessel with fishermen referred to in (a) in order to ensure the **protection of the overall safety and health**
- The EU Directive contains provisions regarding the *vessel and the worker*



## 歐盟指令2017/159的主要內容

- 在漁船上工作的最低要求:  
*最低年齡、體檢證明*
- 服務條件:  
*人員編制、工作時間、漁民工作協議、船員名單、遣返、私營勞動力市場服務*
- 職業安全和衛生:  
*食物和住宿、衛生保健和醫療照顧*



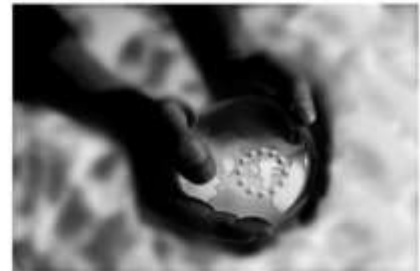
## Main provisions of EU Directive 2017/159

- Minimum requirements for work on fishing vessels:  
*Minimum age, medical certificate*
- Conditions of service:  
*Manning, working time, fisherman's work agreement, crew list, repatriation, private labour market services*
- Occupational safety and health:  
*Food and accommodation, health protection and medical care*



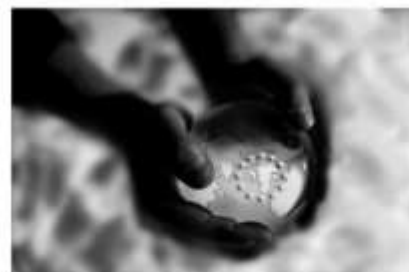
## 歐盟立法的附加價值

1. 統整過的歐盟法律框架，與國際標準接軌
2. 公平的競爭環境
3. 有助於加速國際條約的批准過程
4. 更好的執法



## Value added of the EU legislation

1. Consolidated EU legal framework, aligned with international standards
2. Level playing field
3. Help speed up the ratification process of international treaties
4. Better enforcement



## 針對第三國家與地區的專門協助



- 從船到岸的權利東南亞漁業勞工遷移區域計畫 ( 2020-2024 年為1000萬歐元 )
- 與臺灣的系列活動 ( 2019-2021 ) : 研討會、考察訪問、虛擬專家團
- 在與夥伴國家簽訂的永續漁業夥伴協議以及「國際海洋治理」中，納入並監控社會條款



## Technical assistance to 3<sup>rd</sup> countries and territories



- **Ship to Shore Rights South East Asia regional programme** for labour migration in the fishing sector (€10m in 2020-2024)
- **Series of events with Taiwan** (2019-2021): workshop, study visit, virtual experts mission
- Inclusion and monitoring of social clauses in **Sustainable Fisheries Partnership Agreements** with partner countries, and in International Ocean Governance



## 歐盟關於強迫勞動的倡議

- 所有歐盟成員國都批准了國際勞工組織（ILO）關於強迫勞動和童工的諸項基本公約
- 歐盟還透過內部和外部政策（開發、擴大、貿易等）推動這些公約的普世批准和有效實施



## EU initiatives addressing forced labour

- All EU Member States ratified ILO fundamental conventions on forced & child labour
- The EU also promotes universal ratification and effective implementation of the conventions through its internal & external policies (development, enlargement, trade, etc.)



## 歐盟關於強迫勞動的倡議

- 非立法性的主動出擊：為歐盟公司提供盡職調查指南，處理其業務和供應鏈中的強迫勞動風險（2021年7月）：
- 背景、方法和目標
- 概述：「具體考量」- 「交叉考量」
- 附加價值&限制
- 下一步-推廣



## EU initiatives addressing forced labour

- **Non-legislative initiative:** Guidance on due diligence for EU companies to address the risk of forced labour in their operations and supply chains (July 2021):
- Background, approach and objectives
- Overview: "specific considerations" – "cross-cutting considerations"
- Added value & limitations
- Next steps - outreach



## 歐盟關於強迫勞動的倡議

- 立法倡議：永續公司治理（「強制盡職調查」）  
（2021年第四季）



## EU initiatives addressing forced labour

- **Legislative initiative:** Sustainable Corporate Governance (“mandatory due diligence”) (Q4 2021)





## 歐盟關於強迫勞動的倡議

- 禁止強迫勞動製造的產品進入歐盟市場—執委會主席在2021年9月宣佈的新做法



## EU initiatives addressing forced labour

- **A ban on products in the EU market made by forced labour** – new initiative announce by the Commission President in Sept 2021



謝謝

*xiè xiè*

Thank you



谢谢

*xiè xiè*

Thank you



台灣區鮪魚公會對於社會責任之作為與實踐  
**SR Actions and Practices of  
Taiwan Tuna Association**

與 談 人 臺灣區鮪魚公會組長林涵宇

**Commentators Mr. Han-Yu Lin, Taiwan Tuna Association**

與談人 台灣區遠洋鮪延繩釣漁船魚類輸出業同業公會組長

履歷 林涵宇



學歷 中山大學海洋環境及工程學系博士班

高雄海洋科技大學航運管理系暨研究所碩士

經歷

- ◆ 台灣區遠洋鮪延繩釣漁船魚類輸出業同業公會組長
- ◆ 台灣區遠洋鮪延繩釣漁船魚類輸出業同業公會專員
- ◆ 遠洋漁業青年聯誼會籌備會委員
- ◆ 高雄海洋科技大學航運管理系暨研究所航運與物流管理課程講師

CV of **Han-Yu Lin**

Commentator **Section Chief, Taiwan Tuna Association**



Education **Ph.D. Student, Department of Marine Environment and Engineering, National Sun Yat-sen University**

**Master of Department of Shipping and Transportation Management, National Kaohsiung Marine University**

Experience

- ◆ **Section Chief, Taiwan Tuna Association**
- ◆ **Senior Officer, Taiwan Tuna Association**
- ◆ **Member of Distant Fishery Youth Association**
- ◆ **Lecturer of Shipping and Transport Logistics, National Kaohsiung University of Science and Technology, Department of Shipping and Transportation Management**



## 台灣區鮪魚公會對於社會責任之作為與實踐



報告人：台灣區鮪魚公會組長林涵宇



## SR Actions and Practices of Taiwan Tuna Association



Speaker: Han-Yu Lin, Section Chief,  
Taiwan Tuna Association



## 台灣區鮪魚公會社會責任之作為與實踐



1 前言

2 改進方針

3 重要事件

4 各項社會責任作為、溝通、合作

5 Q&A



## SR Actions and Practices of Taiwan Tuna Association



1 Introduction

2 Improvement Guidelines

3 Key Events

4 SR Actions, Communication, Cooperation

5 Q&A



## 前言



遠洋漁業為台灣初級產業、是國際貿易產業也是外交產業，亦是戰略產業，更是讓台灣成為未來全球經濟與立足國際的關鍵力量之一。



台灣遠洋漁業發展，造就我國在全世界三大洋擁有多數國外港口作為基地，目前與16個國家有過漁業合作的實績，也讓台灣傳達給世界各國。



台灣區鯖魚公會為台灣大型鯖延繩釣漁船之代表，經常參與國際漁業管理與協助政府推動國際外交事務，在面對環境、社會及治理(ESG)等議題，展現積極面對問題解決問題，開大門走大路的精神。



## Introduction



Distant water fishery is Taiwan's primary industry, international trade industry, diplomatic industry, as well as strategic industry. It is also one of Taiwan's key strengths to play a key role in global economy and international trade.



As the results of the development of Taiwan's distant water fishery, Taiwan has most of the foreign harbors across the three oceans as bases of operation, and has had fishery cooperation with 16 countries, helping Taiwan to reach out to countries around the world.



Taiwan Tuna Association is the representative of Taiwan's deep-sea longline boatowners and exporters, and often participates in international fishery management and helps the government in international affairs. Facing the environmental, social, and governance (ESG) issues, Taiwan Tuna Association proactively confronts the problems and solve the problems, displaying its bold and integral spirit.





## 改進方針

從「點—線—面」進行多層次的討論與研究，來改善產業面臨之問題。

1

辦理座談會，透過與政府機關與專家學者對話，提升產業瞭解國際勞工公約與強迫勞動定義，以及讓非產業之機關重新認識遠洋漁業。

2

盤點結構性問題，透過產業、政府機關與專家學者對話，多方討論找出整體可行性方法

3

帶領產業公會成員逐步落實推動漁業永續、健全管理與發展。



## Improvement Guidelines

Conduct multilayered discussions and studies from "point-line-plane" to resolve the problems faced by the industry.

1

Organize seminars to dialogue with expert scholars through government agencies, enhancing the industry's understanding on international labor conventions and the definition of forced labor, while also re-introducing distant water fishery to agencies unrelated to the industry.

2

Conduct inventory on structural problems, and engage in dialogues between the industry, government, and expert scholars, to identify comprehensive and feasible solutions through diverse discussions.

3

Lead Association members to gradually promote and realize fishery sustainability, sound and comprehensive management and development.





## 重要事件

- ◆制定每周與每日工時表
- ◆英國Key Traceability Ltd.介紹漁業改進計畫
- ◆籌備漁業改進計畫，成立「降低漁業混獲工作小組」與「社會責任工作小組」
- ◆洽請專家並修訂境外僱用非我國籍船員勞務契約範本。

- ◆與高雄科技大學簽約推動「我國籍漁船之外籍船員幹部訓練計畫」，展開為期2年的外籍船員幹部委訓合作計畫，該課程為全國首創為外籍船員開設的海事人員幹部培訓課程。



- ◆ 產業溝通會議
- ◆ 海洋管理委員會(MSC)與漁業改進計畫(FIP)介紹
- ◆ 討論國際區域WCPFC漁船船員之勞動標準決議

- ◆與對外漁業合作發展協會簽署推動「太平洋長鰭鯖漁業改進計畫(FIP)」

- ◆漁業改進計畫正式登陸 FisheryProgress網站
- ◆與中正大學合作推動科技部2030跨世代臺灣社會發展政策研究-以科技完善海上人權保護與永續發展：建立以人為核心的遠洋漁業合宜勞動政策計畫



## Key Events

- Formulated weekly and daily working hours charts
- UK's Key Traceability Ltd. introduced fishery improvement plan
- Devised fishery improvement plan, established "Bycatch Reduction Working Group" and "SR Working Group"
- Consulted with experts and formulated contract template for employment of foreign crew members overseas.

- Signed agreement with National Kaohsiung University of Science and Technology to promote "Staff Training for Foreign Crew Members on Taiwanese Fishing Vessels," launching a two-year training cooperation. The program was the first in seafaring staff training for foreign crew members.



- Industry Communication Meeting
- Marine Stewardship Council (MSC) and Fishery Improvement Project (FIP) Introduction
- Discussion on the resolution on Labor Standards for Crews on Fishing Vessels in WCPFC

- Signed agreement with Overseas Fisheries Development Council to promote "Pacific Ocean Albacore Longline Fishing FIP"

- FIP officially registered on FisheryProgress website
- Cooperated with National Chung Cheng University to implement MOST's 2030 Intergenerational Social Development Policy Research – Improving Protection of Human Rights at Sea and Sustainable Development: Establishing Decent Humancentric Labor Policy for Distant Water Fishery Project



## 台灣區鮪魚公會社會責任 - 保障船員生命

2016年



- 22歲的印尼籍船員申請提早結束契約並立即獲得允諾，在船東不計較契約提早結束，如實將所有薪資費用核算後，沒想到就在搭機返國的前一天，因心肌病變的緣故導致休克及呼吸衰竭，住進了高雄醫學大學附設中和紀念醫院，春勝漁業股份有限公司林董事長為保全他的生命，指示代表簽署葉克膜手術同意書並協助辦理相關住院事宜。
- 幸好在台灣遇見了高醫醫療團隊及有情有義的台灣船公司，在高雄市政府海洋局積極協調及相關社會資源共同籌措之下，讓船員不但重獲新生，也毫無經濟負擔的返回故鄉重啟自己的人生，這是一段印尼船員與台灣漁業命運共同交織的故事，真真實實的發生在高雄籍鮪釣漁船和高雄這塊美麗友善的土地上。



## Taiwan Tuna Association SR: - Protect Crew Members' Life

2016



- A 22-year-old Indonesia crew member applied for premature termination of his contract with the fishery operator. Luckily, his kind boss agreed without penalizing him, and gave him all his well-deserved salary. One day before his flight home, he was admitted to Kaohsiung Medical University Chung-Ho Memorial Hospital due to a heart condition, suffering from severe pulmonary hypertension, and almost died of shock and respiratory failure. To save his life, his boss, Chairman Lin of Chun Sheng Fishery, stepped in, acted as Watt's emergent contact, and signed the agreement form for emergent Extracorporeal Membrane Oxygenation (ECMO) intervention.
- Luckily, he recovered under the care of the medical team at Kaohsiung Medical University with the help of his kind employer in Taiwan. The Marine Bureau of Kaohsiung City Government and various organizations immediately took charge to connect with various social organizations, seeking available social resources. He was able to regain vitality and return home to embark on the next journey in life free of economic burdens. This is a story of the interwoven fates of an Indonesian crew member and Taiwan's fishery industry, a true story that took place on a Taiwanese fishing vessel and the friendly soil of Kaohsiung.



## 台灣區鮪魚公會社會責任-與世界最大零售商對話

2017年



- 美國沃瑪爾 (Walmart) 集團來台訪問，公會與沃爾瑪代表雙方針對勞工權益、漁業永續及產業降低混獲(By-catch)等議題交換意見。
- 林理事長以自身漁船船員受傷病之案例，說明船東對於漁工之照顧不會中斷，也會持續加強向會員宣導，並開始帶領公會進行著手與了解漁工人權議題。



## Taiwan Tuna Association SR – Dialogue with World' s Largest Retailer

2017



- US Walmart Group visited Taiwan and the Association met with Walmart representatives to exchange opinions on issues including labor rights, fishery sustainability, and reduction of bycatch.
- Chairman Lin used the case of the injury and illness of his own crew members to explain that vessel owners' care for employees would not be interrupted, and the Association would continue to conduct promotion to members. Under his leadership, the Association also began to address and understand human rights issues of fishing workers.



## 台灣區鮪魚公會社會責任-成立產學工作小組

2018年



- 公會充分了解漁工人權是未來遠洋漁業發展的重要關鍵因素，為加速與積極討論初期以太平洋長鱈鮪組每半年至一年固定返回國內漁港之漁船公司為合作對象，成立「降低漁業混獲工作小組」與「社會責任工作小組」，積極參與並籌備漁業改進計畫。
- 邀請中正大學劉黃麗娟老師、台灣基督長老教會海員漁民服務中心等具備國際勞工公約、與實際對漁船船員第三方NGO加入「社會責任工作小組」，開始討論制定每週與每日工時表，進行境外僱用非我國籍船員勞務契約範本之修訂。



## Taiwan Tuna Association SR – Establishment of Industry-Academia Working Group

2018



- The Association fully understands that human rights of fishing workers are key factors of future development of distant water fishery. To accelerate the process and engage in proactive discussion, the Association targeted companies of Pacific Ocean albacore longline fishing boats that regularly returns to domestic harbors every six months to one year, and established "Bycatch Reduction Working Group" and "SR Working Group" to proactively participate in and plan for FIPs.
- The Association invited Professor Li-chuan Liu Huang of National Chung Cheng University and PCT Seamen's/Fishermen's Service Center, both with knowledge on international labor conventions, as well as third-party NGOs of crew members to join the "SR Working Group," discussing the formulations of weekly and daily working hours charts, as well as the template contract of employment of foreign crew members overseas.



## 台灣區鮪魚公會社會責任-與歐盟對話



2019年

- 歐盟執委會就業總署(DG EMPL)於在高雄舉辦「漁工工作及生活條件座談會」本會積極參與並帶領歐盟代表實際登船訪查與進行漁船船員對話。
- 會議中提出相關意見交流包括C-188公約生效前建造之漁船，倘住艙空間因結構問題已無法改善，歐盟如何改善該等漁船及C-188公約適用等問題。



## Taiwan Tuna Association SR – Dialogue with EU



2019

- DG EMPL organized in Kaohsiung the "EU-Taiwan Workshop on Working and Living Conditions for Fishers," which the Association proactively participated in and led EU representatives onboard for inspection and dialogue with crew members.
- At the workshop, the Association engaged in exchange of opinions on the issues such as remodeling fishing vessels built before the C-188 convention came into effect. EU was consulted on problems of vessels with living spaces that could not be improved due to structural problems and how EU would improved vessels like that and the applicability of C-188 convention.



## 台灣區鮪魚公會社會責任-實際登船查驗



2019年

- 行政院政務委員羅秉成率領行政院人權保障推動小組與防制人口販運協調會報委員與各政府機關及產業公會，訪視在臺外籍船員船上居住環境，並登上本會會員遠洋鮪延繩釣鴻發66號漁船與非我國籍船員會談。



## Taiwan Tuna Association SR – Onboard Inspection



2019

- Minister without portfolio Ping-cheng Lo led the Human Rights Task Force and Executive Yuan Coordination Committee on Prevention of Trafficking Prevention and Elimination of Racial Discrimination members, government agencies and industry associations to inspect living conditions of foreign workers onboard fishing vessels and boarded the Association's member Hung Fa No. 66 longline fishing boat to interview foreign crew members.



## 台灣區鮪魚公會社會責任-來源國合作可行性



2019年

- 與漁業署前往印尼參訪船員訓練學校、當地仲介機構、印尼海外漁工安置保護局與醫院健檢中心，了解與當地印尼機關合作與訓練船員的可行性。



## Taiwan Tuna Association SR – Possibility to Cooperate with Country of Origin



2019

- Visited crew member training school in Indonesia, local brokers, Indonesian National Board for Placement and Protection of Indonesian Overseas Workers (NBPPiOW), and hospital examination centers, with Fisheries Agency to explore possibility of cooperating with local Indonesian agencies and crew training.





## 台灣區鯖魚公會社會責任-正式簽約改進計畫

2020年



- 與中華民國對外漁業合作發展協會於109年9月16日正式簽約推動「太平洋長鰭鯖漁業改進計畫(FIP)」共同支持漁業永續發展與防制人口販運政策，並期以生態系統為基礎的漁業管理方式，逐步引領我國三大洋遠洋鯖延繩釣漁船推動漁業改進計畫。
- 「太平洋長鰭鯖漁業改進計畫(FIP)」內容包括打擊非法、未報告及不受規範(IUU)漁業及降低漁業物種混獲（海洋哺乳類、海龜、海鳥等）與改善漁業混獲資訊蒐集。在企業社會責任方面，初期以維護漁工權益及發展漁船經營者與漁工之溝通管道為主，後續將配合推動漁業改進計畫社會責任政策，並與相關機構和貿易商之合作，以積極推動漁業永續及發展。



## Taiwan Tuna Association SR - Official Signing of FIPs

2020



- Officially signed agreement with OFDC the "Pacific Ocean Albacore Longline Fishing FIP" on January 16, 2020, to jointly support sustainable development of fishery and policies of human trafficking prevention, and gradually guide Taiwan's albacore longline fishing boats in three oceans to promote FIPs through ecology-based fishery management methods.
- The "Pacific Ocean Albacore Longline Fishing FIP" includes fight against illegal, unreported, and unregulated (IUU) fishing and bycatch reduction (marine mammals, sea turtles, seabirds), as well as improved collection of bycatch information. In terms of CSR, the early focus is mainly ensure labor rights and maintaining communication channel between operators and workers; later, the project will promote FIP SR policy and work with related agencies and traders to proactively promote fishery sustainability and development.



## 台灣區鮪魚公會社會責任-勞動機關對話



2020年

➢ 勞動部、漁業署及政治大學林良榮教授至高雄實際參訪公會遠洋鮪延繩釣富遠1號漁船設備、船艙與生活空間，本會林理事長逐一說明漁船操作與作業實務。



## Taiwan Tuna Association SR – Dialogue with Labor Affairs Agencies



2020

➢ Ministry of Labor, Fisheries Agency, and National Chengchi University Professor Liang-jung Lin visited Fu Yuan No. 1, a member distant water albacore longline fishing boat of the Association, in Kaohsiung, to inspect equipment, cabin, and living space. Chairman Lin explained operations and practices onboard the fishing boat.



## 台灣區鮪魚公會社會責任-建立升遷管道

2020年



- 漁撈業欠缺本國籍青年人力投入是長久存在的問題，而台籍漁船上的外籍船員若能藉著完善的培訓機制養成必要的專業技能、承擔更重大的船上任務，對於船上工作、船員認同、船員收入來說將是三贏的局面。
- 本會推動國內3大遠洋魚類輸出業同業公會與高雄科技大學，簽定「我國籍漁船之外籍船員幹部訓練計畫」合約書，展開為期2年的外籍船員幹部委訓合作計畫。
- 全國創新為外籍船員開設的海事人員幹部培訓課程。



## Taiwan Tuna Association SR – Promotion Channel

2020



- The fishery industry has long faced the problem of lack of engagement of local young people. It will be an all-win situation in terms of onboard operations, crew member unity, and crew member income, if foreign crew members onboard Taiwanese fishing boats could receive training on professional skills and assume greater responsibilities onboard.
- The Association promoted the signing of agreement between the industry associations of distant water fishery in three oceans and National Kaohsiung University of Science and Technology, launching a two-year program of "Staff Training for Foreign Crew Members on Taiwanese Fishing Vessels."
- The national innovation of a staff training program for foreign crew members.



## 台灣區鮪魚公會社會責任-與第三方NGO合作



2021年

- 與中華民國對外漁業合作發展協會前往台灣基督長老教會海員漁民服務中心講解與分享漁業實際作業狀況與漁業改進計畫內容，協助該中心提升對實務的認識及訪視船員之能力。
- 與台灣基督長老教會海員漁民服務中心合作務實了解及協助船員改善所涉問題，包括勞務契約等議題



## Taiwan Tuna Association SR – Cooperation with Third-Party NGOs



2021

- Joined OFCD to visit PCT Seamen's/Fishermen's Service Center, explaining and sharing actual practices of fishery and FIPs, and helping the center to enhance knowledge on actual practices and ability to visit crew members.
- Cooperated with PCT Seamen's/Fishermen's Service Center to learn practical understanding and assist crew members to resolve issues, including employment contract.



## 台灣區鮪魚公會社會責任-推廣與教育



邀請中正大學劉黃麗娟教授辦理二場產學座談會  
從美國勞動部童工與強迫品項清單看漁工人權保護的方向與作為。  
第一場主要參加人員為漁業公司現場  
第一線從業人員、第二場台灣區鮪魚公會理監事



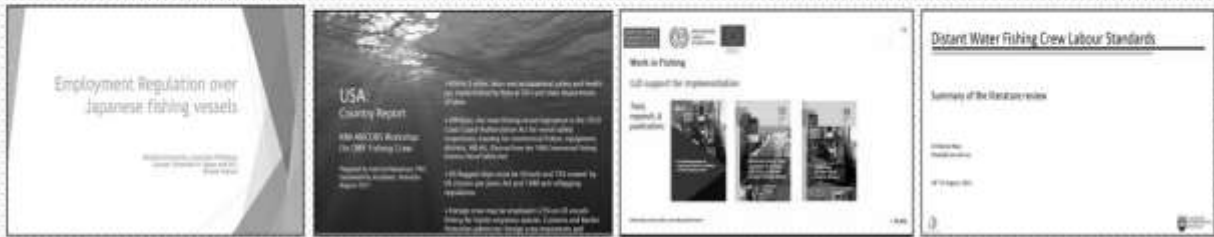
## Taiwan Tuna Association SR – Promotion and Education



Invited Professor Li-chuan Liu Huang of National Chung Cheng University to organize two industry-academia seminars, discussing the direction and measures of human rights protection of fishing workers from the List of Goods Produced by Child Labor or Forced Labor. The first seminar were attended by first-line employees of fishing companies; the second seminar was attended by directors and supervisors of Taiwan Tuna Association



# 台灣區鮪魚公會社會責任-參與國際研討會



2021年



➢ 參加韓國海事研究院KMI和澳洲國家海洋資源與安全中心學術單位合作進行之區域管理組織(WCPFC)的漁工研討會，與會參與成員包括ILO、美國、日本、韓國、中國、歐盟等，分享我國產業之因應對策。



# Taiwan Tuna Association SR – Participate in International Conferences



2021



➢ Participated in WCPFC fishing labor conference jointly organized by South Korea's KMI and Australian National Centre for Ocean Resources and Security, which was attended by ILO, US, Japan, South Korea, China, and EU, sharing Taiwanese fishery industry's responses to related issues.



## 台灣區鮪魚公會社會責任-產學合作

2021年



- 與國立中正大學劉黃麗娟教授與教授王安祥、游寶達、熊博安等人組成跨領域團隊主動提出與產業進行跨領域合作，日前獲科技部「2030跨世代台灣社會發展政策研究計畫」補助，提出「以科技完善海上人權保護與永續發展：建立以人為核心的遠洋漁業合宜勞動政策」計畫，為台灣遠洋漁業建立一套透明可稽核的聘僱管理模式，建立海上合宜勞動政策，翻轉台灣遠洋漁業的血汗污名，逐步引領我國遠洋漁業積極改善。



## Taiwan Tuna Association SR – Industry-Academia Cooperation

2021



- Formed interdisciplinary team with National Chung Cheng University's professors Li-chuan Liu Huang, An-hsiang Wang, Pao-ta Yu, and Pao-ann Hsiung, to proactively propose interdisciplinary cooperation with industry. Received subsidy of MOST's 2030 Intergenerational Social Development Policy Research, and proposed the "Improving Protection of Human Rights at Sea and Sustainable Development: Establishing Decent Human-centric Labor Policy for Distant Water Fishery Project," in aim to establish for Taiwan's fishery a transparent and auditable employment management model, decent labor policy at sea, and clear Taiwan's name of blood and sweat fishery, gradually guiding improvement of Taiwan's fishery.



## 台灣區鮪魚公會社會責任-舉辦漁工人權工作坊

2021年



- 由國立中正大學勞工關係學系系主任劉黃麗娟「以科技完善海上人權保護與永續發展：建立以人為核心的遠洋漁業合宜勞動政策計畫細項」及本會「產業漁業改進計畫」向行政院農業委員會漁業署、高雄市政府海洋局、國立中正大學、台灣區鮪魚公會、AIT代表進行說明與講解整個計畫與產業改進內容。



## Taiwan Tuna Association SR – Fishing Workers' Human Rights Workshop

2021年



- Professor Li-chuan Liu Huang, Head of Department of Labor Relations, National Chung Cheng University, to explain the overall project and improvement of "Improving Protection of Human Rights at Sea and Sustainable Development: Establishing Decent Humancentric Labor Policy for Distant Water Fishery Project," and the association's "Fishery Improvement Project" to the Fisheries Agency, Kaohsiung Marine Bureau, National Chung Cheng University, Taiwan Tuna Association, and AIT representatives.





## 台灣區鮪魚公會社會責任-舉辦漁工人權工作坊

2021年



- 由國立中正大學勞工關係學系系主任劉黃麗娟「以科技完善海上人權保護與永續發展：建立以人為核心的遠洋漁業合宜勞動政策計畫細項」及本會「產業漁業改進計畫」向行政院行政院人權保障推動小組委員、全球漁業觀察 Global Fishing Watch區域統籌代表進行說明與講解整個計畫與產業改進內容。



## Taiwan Tuna Association SR – Fishing Workers' Human Rights Workshop

2021



- Professor Li-chuan Liu Huang, Head of Department of Labor Relations, National Chung Cheng University, to explain the overall project and improvement of "Improving Protection of Human Rights at Sea and Sustainable Development: Establishing Decent Humancentric Labor Policy for Distant Water Fishery Project," and the association's "Fishery Improvement Project" to the Human Rights Task Force and regional coordinating representative of Global Fishing Watch.



## 國家人權委員會舉辦外籍漁工人權專案- 高雄權宜船及臺籍漁船履勘暨產官學聯合座談會

2021年



➤ 國家人權委員會主任委員陳菊，偕同國家人權會委員王幼玲、紀惠容，以及監察委員王美玉，前往高雄旗津及前鎮漁港進行履勘，瞭解境外聘僱外籍漁工勞動條件。結束履勘行程後，進行「外籍漁工人權產官學聯合座談會」，由中正大學勞工關係學系主任劉黃麗娟教授主持，與會者包括行政院農業委員會漁業署張致盛署長、高雄市政府海洋局黃登福副局長、財團法人中華民國對外漁業合作發展協會台灣鮪魚公會等代表，進行說明與講解整個計畫與產業改進內容。



## National Human Rights Commission Organizes Foreign Fishing Workers' Human Rights Project – Inspection of Kaohsiung Convenient Flag Ship and Taiwanese Fishing Boats and Industry-Government-Academia Joint Seminar

2021



➤ National Human Rights Commission Chairperson Chu Chen, and commission members Yu-ling Wang, Hui-jung Chi, as well as Control Yuan member Mei-yu Wang, to visit Qijin and Qianzhen (both in Kaohsiung) fishing ports for inspection, understanding the working conditions of foreign fishing workers employed overseas. After the inspection, the "Industry-Government-Academia Seminar on Foreign Fishing Workers' Human Rights" was hosted by Professor Li-chuan Liu Huang, Head of Department of Labor Relations, National Chung Cheng University, which was attended by Director-General Chih-sheng Chang, Kaohsiung Marine Bureau Deputy Director-General Teng-fu Huang, and OFDC and Taiwan Tuna Association representatives, explaining the content of the overall project and FIP.

## 台灣區鮪魚公會社會責任- FISHERYPROGRESS.ORG網站正式登陸

2021年

FISHERYPROGRESS.ORG

HUMAN RIGHTS  
AND SOCIAL  
RESPONSIBILITY  
POLICY

Version 1.0    Released May 12, 2021

www.fisheryprogress.org  
contact@fisheryprogress.org

## Taiwan Tuna Association SR – Official Registration on FISHERYPROGRESS.ORG

2021

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# 台灣區鮪魚公會社會責任-工時表填報之用意

Working Hours Chart (SR) form showing dates from 8/2 to 8/15. The chart includes columns for days of the week and hours of the day. Handwritten entries indicate working hours and rest periods.



制定每周與每日工時表紙本用意

- ✓ 宣導船員權利與義務
- ✓ 逐步教育船長與船員社會責任與人權的觀念
- ✓ 建立工時與休假制度紀錄



# Taiwan Tuna Association SR – Purposes of Completing Working Hours Charts

Working Hours Chart (SR) form showing dates from 8/2 to 8/15. The chart includes columns for days of the week and hours of the day. Handwritten entries indicate working hours and rest periods.



Purposes of producing hardcopies of weekly and daily working hours charts

- ✓ Promote crew rights and obligations
- ✓ Gradual education of captain and crew on the concepts of social responsibility and human rights
- ✓ Establish records of working hours and leave system





## 台灣區鮪魚公會社會責任-面臨問題 ( 舉例 )

- ① 由誰解釋與定義C188公約與ILO 強迫勞動指標？
- ② 船員於漁船上自行保管護照，倘損毀遺失，是否有能力自行付款辦理新護照？
- ③ 各國駐外單位是否能短期內協助遺失或損毀護照之船員，重新辦理新護照，以配合漁船出港作業？

ILO 強迫勞動指標		
扣留身分文件	經討論產業初期提出之做法	經專家與律師及產業多方討論
雇主一旦扣留身分文件或其他有價值的個人財產，且勞工缺乏管道以取得及討回這些文件或財產，並判斷自己選擇離職恐將失去相關文件或財產，亦可視為強迫勞動的構成要件。在許多情形下，若沒有身分文件，勞工將無法獲得其他工作或得到基本服務，且很可能不敢向主管機關或非政府組織求助。	為便利辦理進出港登記，甲方、漁船幹部或甲方代表人應免費在漁船駕駛台、船長室或其他適當之處所提供公事包或透明保險箱供乙方自由選擇是否統一保管護照。甲方集中保管時應協助印製船員護照影本提供乙方隨身攜帶。	乙方於契約期間，應盡保管個人文件(包括但不限於：護照、海員證、旅行文件)之責，並甲方於任一港口內需辦理因應海關、檢疫、出入境管理等行政事務時須配合辦理或委託甲方辦理。

溝通的重要性，找出適合我國遠洋漁業，兼顧維護漁工人權



## Taiwan Tuna Association SR – Problems (Examples)

- ① Who interprets and defines C-188 convention and ILO Forced Labor Index?
- ② When crew members keep their own passports onboard, when in case of damaged or missing passport, can they afford to pay for the fees of getting a new passport?
- ③ Can foreign embassies or office help crew members who have lost or damaged passports to reissue a new one in time for the fishing boat's departure?

ILO Forced Labor Index (FLI)		
Seizure of Identity Document	Early Proposals by the Industry after Discussion	Proposal after Discussions by Experts and Lawyers
When the employer seizes identity documents or other valuable personal assets, and the employee has no channel to get these documents or assets back, or believes that if he or she leaves the job, he or she will not be able to get these documents or assets back, it is regarded as forced labor. Under many circumstances, without identity documents, the employee will not be able to get other jobs or basic services, and many dare not to seek help from authorities or NGOs.	For the convenience of arrival/departure registration, Party A, staff of the boat, or Party A representative, should provide a briefcase or transparent safety box at the bridge, captain's cabin, or other suitable spots, free of charge, for Party B to freely choose whether they want their passports kept in the same place. Party A, when safekeeping all the employees' passports in one place, must help to produce a copy of the passport for Party B to carry around.	During the period of the employment contract, Party B should be responsible to safekeep one's own documents (including but not limited to: passport, seaman's certificate, travel documentations); Party B should cooperate with the procedures or entrust Party A with administrative affairs relating to customs, disease control, and entry and exit management.

The importance of communication, find solutions suitable for Taiwan's distant water fishery, while also protecting human rights of fishing workers



# 附錄：有關防制強迫勞動之法律或指南

## Appendix: The laws and guidance against forced labor

秘書單位蒐集提供部分國家及國際組織頒布有關防制強迫勞動之法律或指南之名稱及網址，但不限於此。

Listed below are the names and IP addresses of the laws and guidance against forced labor in different countries and other related materials as search results by our conference staff.

### 1. 美國加州(State of California)

中文：2012 年「加州供應鏈透明度法案」

英文：「The California Transparency in Supply Chains Act」

網址：<https://oag.ca.gov/SB657>

[https://oag.ca.gov/sites/all/files/agweb/pdfs/cybersafety/sb\\_657\\_bill\\_ch556.pdf](https://oag.ca.gov/sites/all/files/agweb/pdfs/cybersafety/sb_657_bill_ch556.pdf)

### 2. 歐盟(European Union)

中文：2021 年「歐盟企業在營運和供應鏈上應對強迫勞動風險之盡職調查指南

英文：「GUIDANCE ON DUE DILIGENCE FOR EU BUSINESSES TO ADDRESS THE RISK OF FORCED LABOUR IN THEIR OPERATIONS AND SUPPLY CHAINS」

網址：[https://trade.ec.europa.eu/doclib/docs/2021/july/tradoc\\_159709.pdf](https://trade.ec.europa.eu/doclib/docs/2021/july/tradoc_159709.pdf)

### 3. 英國(Britain)

中文：2015 年「現代奴役法」、2021 年「供應鏈透明度實踐指南」及「奴役與人口交易聲明」

英文：「Modern Slavery Act 2015」、「Transparency in Supply Chains: A Practical Guide」、「Slavery and Human Trafficking Statement」

網址：<https://www.legislation.gov.uk/ukpga/2015/30/contents/enacted>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/649906/Transparency\\_in\\_Supply\\_Chains\\_A\\_Practical\\_Guide\\_2017.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/649906/Transparency_in_Supply_Chains_A_Practical_Guide_2017.pdf)

### 4. 德國(Germany)



中文：2021 年通過並訂於 2023 年實施「供應鏈企業責任法」

英文：「Act on Corporate Due Diligence Obligations in Supply Chain」或簡稱「Supply Chain Act」

網址：[https://www.csr-in-deutschland.de/SharedDocs/Downloads/EN/act-corporate-due-diligence-obligations-supply-chains.pdf;jsessionid=77DFBD6A6F96FADDC9B0CBC4C748CEE4?\\_\\_blob=publicationFile&v=4](https://www.csr-in-deutschland.de/SharedDocs/Downloads/EN/act-corporate-due-diligence-obligations-supply-chains.pdf;jsessionid=77DFBD6A6F96FADDC9B0CBC4C748CEE4?__blob=publicationFile&v=4)

#### 5. 法國(France)

中文：2017 年「企業警戒責任法」

英文：The Duty of Vigilance Law

網址：<https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000034290626/>

<https://respect.international/loi-2017-399-du-27-mars-2017-relative-au-devoir-de-vigilance-des-societes-meres-et-des-entreprises-donneuses-dordre/>

#### 6. 澳大利亞(Australia)

中文：2018 年「現代奴隸法」

英文：Modern Slavery Act

網址：<https://www.legislation.gov.au/Details/C2018A00153>

#### 7. 荷蘭(Nederlands/Dutch)

中文：2017 年批准「童工盡職調查法」

英文：Child Labour Due Diligence Law

網址：<https://zoek.officielebekendmakingen.nl/stb-2019-401.html>

<https://respect.international/child-labour-due-diligence-law-wet-zorgplicht-kinderarbeid/>

#### 8. 挪威(Norway)

中文：2021 年「商業透明度法案」

英文：The Transparency Act

網址：<https://lovdata.no/dokument/NL/lov/2021-06-18-99>