Seafood Watch, Liberty Asia & Sustainable Fisheries Partnership: Seafood Slavery Risk Tool

Fishery Profile Data Analysis

January 29, 2018

Revised February 28, 2018 – The Seafood Slavery Risk Tool's country criteria has been revised. The revision does not change the risk rating for this fishery.

Profile Name(s)[1] and Risk Rating(s)

Species[2]	Country[3]	Risk rating
Albacore Tuna	Taiwan	CRITICAL
Atlantic Bluefin Tuna	Taiwan	CRITICAL
Bigeye Tuna	Taiwan	CRITICAL
Pacific Bluefin Tuna	Taiwan	CRITICAL
Skipjack Tuna	Taiwan	CRITICAL
Southern Bluefin Tuna	Taiwan	CRITICAL
Yellowfin Tuna	Taiwan	CRITICAL
Swordfish	Taiwan	CRITICAL

1. Profile names denote species name and country.
2. The Seafood Slavery Risk Tool uses the Food and Agriculture Organization's (FAO) species names. For scientific and other species names, please see below.
3. "Country" refers to the flag state of vessels and/or the country where the catch is landed. The Seafood Slavery Risk Tool uses FAO data as its primary source for determining this information.

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Profile Fishery Information

Other species names	Albacore: *Thunnus alalunga* Atlantic bluefin tuna: *Thunnus thynnus* Bigeye tuna: *Thunnus obesus* Pacific bluefin tuna: *Thunnus orientalis* Southern bluefin tuna: *Thunnus maccoyii* Swordfish: *Xiphias gladius* Yellowfin tuna: *Thunnus albacares*
Risk rating	**CRITICAL**
Location	Multiple oceans and water bodies. **Albacore**: Eastern Atlantic; Eastern Indian Ocean; Eastern Pacific; Northeast Pacific; Western Atlantic; Western, Central and South Pacific **Atlantic bluefin**: Eastern Atlantic; Western and Central Atlantic; Western Atlantic; Western Mediterranean (Tyrrhenian and Liguria Seas & Strait of Sicily) **Bigeye**: Eastern Atlantic; Eastern Indian Ocean; Eastern Pacific; Northeast Pacific; Western and Central Indian Ocean; Western Atlantic; Western and Central Atlantic; Western, Central and South Pacific **Pacific bluefin**: Western, Central and South Pacific **Southern bluefin**: Eastern Indian Ocean; Western, Central and South Pacific, **Skipjack Tuna**: Western Atlantic; Western, Central and South Pacific **Yellowfin**: Eastern Atlantic; Eastern Indian Ocean; Eastern Pacific; Western and Central Indian Ocean; Western Atlantic;

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	Western, Central and South Pacific **Swordfish**: Eastern Atlantic; Eastern Indian Ocean; Northeast Pacific; Western Atlantic; Western Mediterranean (Tyrrhenian and Liguria Seas & Strait of Sicily); Western, Central and South Pacific "Review of the State of World Marine Fishery Resources 2009. World Global Tuna Fisheries. Updated February 18, 2013." Rome: Food and Agriculture Organization Fisheries Department, accessed December 8, 2017. http://firms.fao.org/firms/fishery/459/en.
FAO fishing area(s)	Multiple FAO fishing areas. **Albacore**: 31, 34, 57, 67, 71, 77, 81, 87 **Atlantic bluefin**: 31, 34, 37 **Bigeye**: 31, 34, 51, 57, 67, 71, 77, 81, 87 **Pacific bluefin**: 71, 81, 87 **Southern bluefin**: 57, 71, 81, 87 **Skipjack**: 31, 71, 81, 87 **Yellowfin**: 31, 34, 51, 57, 71, 77, 81, 87 **Swordfish**: 31, 34, 37, 57, 67, 71, 81, 87 See FAO Fishing Areas Map.
Governance	Commission for the Conservation of Southern Bluefin Tuna (CCSBT) Indian Ocean Tuna Commission (IOTC) Inter American Tropical Tuna Commission (IATTC) International Commission for the Conservation of Atlantic Tunas (ICCAT) Western and Central Pacific Fisheries Commission (WCPF)

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	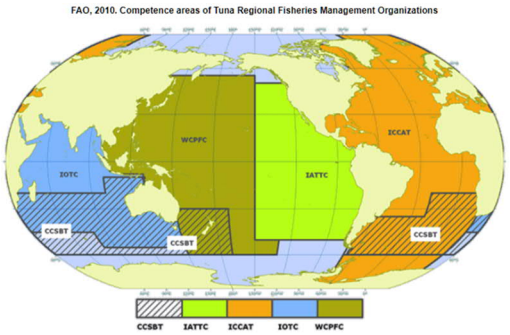 "Review of the State of World Marine Fishery Resources 2009. World Global Tuna Fisheries. Updated February 18, 2013." Rome: Food and Agriculture Organization Fisheries Department, accessed December 8, 2017. http://firms.fao.org/firms/fishery/459/en.
Flag state	Taiwan* * Taiwan is also referred to "The Republic of China (ROC)" and Chinese Taipei.
Method	Hooks and lines (Longlines) For more information, see FAO Fishing Gear Types.

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Decision Tree/Evidence

Is there credible evidence of forced labor, human trafficking, or hazardous child labor in the profile fishery?

YES

Source URL	Source type	Year published	Summary of findings	Any remarks on the credibility of this source?
Full report: https://issuu.com/twreporter.org/docs/merged__1_ Related URLs: https://en.tempo.co/read/news/2017/01/08/055833777/Investigation-Slavery-at-Sea https://www.twreporter.org/a/far-sea-fishing-indonesia-fishermen-death	Nonprofit Media-NGO: Tempo, The Reporter	2017	This source and related articles report that thousands of Indonesians "are believed to be victims of human trafficking and enslavement on Taiwanese ships" that mainly catch tuna (see infographic in full report). **The article also reports on an Indonesian victim, Supriyanto, who was abused and later died at sea on Taiwanese longline vessel, Fu Tzu Chun.** In November and December [2016], the authors "interviewed scores of seamen at Tegal, Pemalang, Cilacap, Jakarta, and in three cities in Taiwan: Taipei, Keelung, and Kaohsiung." In addition to describing the harsh working conditions, the authors report, **"If they are slow at their work, they are lined up and beaten on the face by the captain." According to a crewmember on Taiwanese vessel Homsang 26, "[A]ny crew member who works slow is tied up and given electric shocks."** *(Emphasis added)*	The article notes that the "reporting and research of this investigative report was a collaboration between *Tempo*, the *Tempo Institute*, and *Free Press Unlimited."* According the organization's LinkedIn profile, the Tempo Institute is a "journalism and research training, discussion, publication, and youth movement program." The Tempo Institute is based in Jakarta, Indonesia. According to The Reporter's website, it "is a non-profit internet media established by the Cultural Foundation for Journalists and is committed to providing in-depth

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				coverage and coverage in the public domain." The organization is located in Taipei, Taiwan. Free Press Unlimited "helps local journalists in war zones and conflict areas to provide their audience with trustworthy news and information." The organization is based in Amsterdam, the Netherlands.
http://www.scmp.com/magazines/post-magazine/long-reads/article/2025340/death-abuse-exploitation-taiwans-migrant-worker	Media: South China Morning Post Magazine	2016	**This article also reports on the abuse and death of Mr. Supriyanto.** The article states, "In a mobile-phone video taken by a crewman aboard the Fu Tzu Chun, a gaunt Supriyanto describes the beatings he has received at the hands of his captain and fellow crew. Cuts on his shaved head and across his body were made with fish hooks, he alleges. The video, says the tormented seaman, should be used as evidence in the event of his death." His cause of death was determined to be septic shock. This source also reports the debt bondage and lack of legal protections that migrant workers have in Taiwan generally. Specifically, "Migrant workers who are employed on fishing vessels operating in international waters...are not covered by the Labour Standards Act – the laws governing employer and employee rights –	The source is deemed credible as there are multiple media reports about the victim. South Morning China Post has historically been considered a reputable, independent Hong Kong-based, English-language newspaper. However, the paper has faced criticism since it was bought by one of China's wealthiest

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			and consequently do not benefit from Taiwan's minimum-wage regulations or stipulations regarding overtime pay and regular days off. They are thus vulnerable to exploitation."	businesspersons and the founder of Alibaba. Critics allege the paper is "reluctant to publish stories that might upset Beijing."[1]
http://www.greenpeace.org/international/en/publications/Campaign-reports/Oceans-Reports/Made-in-Taiwan/	NGO Report: Greenpeace	2016	Greenpeace interviewed dozens of fishermen who have been victimized on Taiwanese vessels, including tuna longliners. "Many of the fishers interviewed complained of being **physically abused at sea**. The violence ranged from a slap on the back of the head or chest to being bashed with weapons, or even being shot. Violence was often committed by the captain or engineer (usually Taiwanese) and the victims were typically migrant fishers. ...Fishers described **regularly not being paid by their agent or captain, being debt bonded, receiving very low pay rates, having their pay heavily reduced by exorbitant fees, and living in horrific conditions. There were frequent accounts of fishers working up to 22 hours each day, for months on end."** *(Emphasis added)*	Greenpeace's report publishes the fishermen's statements verbatim, and the organization consulted experts to "provide a broader understanding of the conditions and situations migrant fishers face on Taiwanese vessels." Among the experts is Alison Lee, Secretary General of the Yilan Migrant Fishermen's Union. Ms. Lee is honored as hero in the U.S. State Department's 2017 Trafficking in Persons report. (p.43) Also see Taiwan Activist Urges

[1] Phillips, Tom. "Mysterious Confession Fuels Fears of Beijing's Influence on Hong Kong's Top Newspaper." *The Guardian*, July 25, 2016. http://www.theguardian.com/world/2016/jul/25/south-china-morning-post-china-influence-hong-kong-newspaper-confession

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				Crackdown Against Floating Sweatshops
https://www.youtube.com/watch?v=RUv5TULSW5M	NGO Report: Greenpeace East Asia	2016	**A Greenpeace representative interviews five fishermen who work on Taiwanese tuna longline vessels.** They describe how they worked without pay or very low pay, worked extremely long hours, were under debt bondage, or had their passports taken. Li-Hua (Allison) Lee, Secretary General of Yilan Migrant Fishermen's Union, is also interviewed.	Please see above. These first-hand accounts are deemed highly credible for the purposes of this profile.
https://www.nytimes.com/2015/11/09/world/asia/philippines-fishing-ships-illegal-manning-agencies.html	Media: The New York Times	2015	The article tells the story of Eril Andrade, a Filipino human trafficking victim. "Mr. Andrade, who died in February 2011, and nearly a dozen other men in his village had been **recruited by an illegal 'manning agency,' tricked with false promises of double the actual wages and then sent to an apartment in Singapore, where they were locked up for weeks, according to interviews and affidavits taken by local prosecutors. While they waited to be deployed to Taiwanese tuna ships, several said, a gatekeeper demanded sex from them for assignments at sea. Once aboard, the men endured 20-hour workdays and brutal beatings, only to return home unpaid and deeply in debt from thousands of dollars in upfront costs, prosecutors say."** *(Emphasis added)* "Mr. Andrade was recruited by Step Up Marine Enterprise. " The Philippine authorities have charged 11 people tied to Step Up with trafficking and illegal recruitment of Mr. Andrade and others from the	The New York Times is internationally recognized for high quality journalism. The journalist, Ian Urbina, has published a series of articles on "lawlessness on the high seas." See The Outlaw Ocean.

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			Philippines."	
https://www.nytimes.com/interactive/2015/11/06/world/asia/document-first-draft-document-reader.html	Media: The New York Times	2015	The above article includes a collection of documents that "are related to the trafficking and death of Eril Andrade, a Filipino seafarer who worked on a Taiwanese fishing ship." The collection includes affidavits and official documents and reports.	
https://www.nytimes.com/2015/11/10/insider/human-trafficking-at-sea-reporters-notebook.html	Media: The New York Times	2015	The journalist interviewed **nearly a dozen Filipino victims for this article**. He writes, "As I traveled around small villages in the Philippines, police investigators, provincial prosecutors, seafarer advocates and former deckhands told me about widespread patterns of trafficking and related abuse. I learned that agencies, most of them illegal, typically used local recruiters to target rural [Filipino] men, promising them twice what they actually paid them after they had signed exploitative employment contracts. **The agencies then dispatched the recruits to some of the most violent and dangerous ships, usually Taiwanese tuna longliners."**	
https://www.youtube.com/watch?v=aenyrNqGFo8 (31 min)	NGO: Winrock International	2015	The video describes in significant detail "the human trafficking ring behind the former recruitment agency Giant Ocean International Limited, now accused and convicted for human trafficking in Cambodia." Victims, victim representatives, and government officials are interviewed.	Winrock International is an established nonprofit working on international development that focuses on agriculture, economic development, energy and environment, and

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				human and social capital. The video notes at the end, "This video is made possible through the United States Agency for International Development (USAID). The contents are the responsibility of Winrock International and do not necessarily reflect the view of USAID or the United States Government."
http://publications.iom.int/bookstore/free/Nexus_AfricanWaters_web.pdf	Joint NGO/Inter-governmental Organization Report: International Organization for Migration, Nexus Institute	2014	The report is an investigative report about " the experiences of Cambodian men who migrated for work in the fishing industry through a legally registered recruitment agency in Cambodia – **Giant Ocean International Fishery Company Limited ("Giant Ocean") – and ended up trafficked and exploited on fishing vessels off the coast of South Africa.** While estimates of the number of Cambodian men trafficked as fishers by Giant Ocean differ, what is clear is that hundreds of Cambodians were exploited in this way. Police received almost 200 complaints and estimate that more than 700 men were sent abroad by Giant Ocean for fishing." The report states, "**All men worked on long-haul fishing vessels, spending months and even years at sea and often travelling long distances.** None of the men clearly specified the kind of fish their vessels targeted, although from their descriptions **it seems likely that**	The International Organization for Migration is an "inter-governmental organization in the field of migration and works closely with governmental, intergovernmental and non-governmental partners." The Nexus Institute is an NGO working on human rights and human trafficking.

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			many of them were on vessels targeting various species of tuna." "Approximately one third of the men could recall either the name or number of the vessel they were on. Others were unable to read the name of the vessel or to remember it. Some men could recall and describe the flag flown on the vessel where they were exploited; **flags identified were** that of China, Japan, South Africa and **Taiwan Province of China**. Most captains were from (mainland) China or **Taiwan Province of China**." *(Emphasis added)*	
https://www.cambodiadaily.com/archives/six-taiwanese-human-traffickers-sentenced-to-10-years-each-57729/	Media: The Cambodia Daily	2014	The article reports on the six Taiwanese who were "sentenced to ten years in prison for their part in **trafficking 74 Cambodians to work under slave-like conditions on fishing boats off the coast of Africa**. Phnom Penh Municipal Court Judge Kor Vandy **found the six guilty of human trafficking** and ordered them to collectively pay between $1,800 and $15,000 in compensation and damages to each of the victims. **Lin Li Chen, 54, the owner of the now defunct Giant Ocean International Fishing Co., who was the only defendant present at the trial, was taken to prison.** The whereabouts of her five accomplices, Huang Chun Fa, Tshia Hishu, Lu-Tien Te, Chen Chun Num and Wu Futsang, remain unknown." *(Emphasis added)*	The Cambodia Daily was a well-respected English-language daily newspaper that featured local and international news as well as investigative pieces. The newspaper ceased publication in September 2017 due to a legal dispute with the government. (See: "A Small Paper with a Big Impact and The Cambodia Daily confirms it will close on Monday.)

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The Taiwan tuna and swordfish fishery is assessed as critical risk based on the above-listed evidence. The following is included for information.

INTERPOL has issued a Purple Notice on Human trafficking and modern slavery in the fisheries sector in Southeast Asia and the Pacific Islands. "INTERPOL Notices are international requests for cooperation or alerts allowing police in member countries to share critical crime-related information." Purple Notices "seek or provide information on modus operandi, objects, devices and concealment methods used by criminals." The notice states:

> "The crimes of human trafficking and modern slavery in the fisheries sector are facilitated by a unique combination of economic, labour, trade, legislative, regulatory and enforcement conditions, occurring within the context of complex and lucrative global supply chains. This Purple Notice describes some of the structures and methods used by criminal networks to enable, protect and prolong their activities within this environment, and makes recommendations to assist law enforcement agencies to identify and disrupt these activities. While this notice focuses on Southeast Asia and the Pacific Islands, it is likely (but unconfirmed) that the modus operandi described here also occurs in other parts of the world."

In addition to forced labor and human trafficking, the Taiwanese tuna fleet is associated with IUU. For example, INTERPOL has issued two Purple Notices concerning Taiwanese vessels. The first INTERPOL Purple Notice, No. 534 issued in October 2016, concerns longline vessel YUTUNA No. 1. The second, Notice No. 535 issued in November 2016, concerns longline vessel SHENG JI QUN. Both vessels' "registration document[s] and radio license[s] indicate ownership interests in Chinese Taipei" though the captains claimed Bolivian registry to Thai authorities. Along with eight other vessels, the YUTUNA No. 1 and SHENG JI QUN "appear to have engaged in IUU fishing as there [was] evidence of recent longline fishing activity for tuna on board the vessels," and both are alleged to be using false registry and radio licenses.

Is there credible evidence of forced labor, human trafficking, or hazardous child labor in the fishing industry of the country? YES

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Full report: https://www.immigration.gov.tw/public/Data/7831116311871.pdf	Government: Taiwan's National Immigration Agency	June 2017	The 2016 Republic of China (Taiwan) Trafficking in Persons Report confirms the existence of human trafficking and abuse on "deep-sea" fishing vessels that employ foreign workers. The report also highlighted a case of foreign fishermen being assisted by the Kaohsiung police and prosecutor's office in 2016. "On May 20, 2016, the Kaohsiung District Prosecutors Office instructed the NIA's Kaohsiung City Brigade, the Kaohsiung criminal police unit, and the CGA to jointly launch a raid in two groups on the locations of a human trafficking syndicate led by two people both surnamed Huang. **They uncovered 88 foreign fishing workers who had been employed overseas without a proper work permit and were being illegally held by members of the syndicate after their fishing vessels had arrived in port. Their freedom was restricted, and the salary they received was not commensurate with the amount of time they worked. It was thus suspected that they had been seriously exploited by either the shipowner or the employer. The Kaohsiung District Prosecutors Office determined that 23 of them were [trafficking] victims**, and a formal investigation then commenced on August 17, 2016." *(Emphasis added)*	This is an annual report by the Taiwanese government with certain information from civil society and relevant stakeholders.
https://www.state.gov/j/tip/rls/tiprpt/2017/	Government report: U.S. Department of State Trafficking in Persons Report (2017 USDOS TIP	2017	The 2017 USDOS TIP Report describes forced labor and human trafficking on Taiwanese ships in the Taiwan, Indonesia and Solomon Islands' sections. Taiwan (pp. tip382-384): "Most of Taiwan's more than 620,000 foreign workers are hired in their home countries through recruitment agencies and brokers, some of whom are from Taiwan, to perform low	

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	Report)		skilled work as home caregivers and domestic workers, or in farming, manufacturing, construction, and **fishing industries. Some foreign workers are charged exorbitantly high recruitment fees, resulting in substantial debts used by brokers or employers as tools of coercion to obtain or retain their labor. ...**Documented and undocumented fishermen on **Taiwan-flagged fishing vessels**, mostly from China, Indonesia, the Philippines, and Vietnam, **experience non- or under-payment of wages, long working hours, physical abuse, lack of food, and poor living conditions, which are indicators of trafficking."** *(Emphasis added)* Indonesia (p. tip211): "**There were extensive reports of Indonesian fisherman in forced labor on Chinese and Taiwanese trawlers in 2016.** Many of these vessels belong to Thai parent companies operating under the auspices of Thai-Indonesian shell companies, and utilized double-flagging and other illicit methods to contravene interception by the Indonesian authorities—a byproduct of the government's 2014 moratorium on foreign fishing vessels. **Taiwanese companies work with dozens of recruitment agencies in Burma, Indonesia, and Thailand to hire fisherman, assign them fake Thai identity and labor permit documents, and force them to fish long hours in Indonesian waters for low or unpaid salaries while incurring severe physical abuse, including in the waters surrounding Benjina and Ambon. The shell companies prohibit the fishermen from leaving their vessels and reporting these abuses by threatening to expose their fake identities to the authorities or by detaining them on land in makeshift prisons...**" *(Emphasis added)*	

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			Solomon Islands (p. tip362): Fishing crew members from Indonesia, the Philippines, Vietnam, Sri Lanka, the Democratic People's Republic of Korea, and Fiji have reported situations indicative of human trafficking, **including non-payment of wages, severe living conditions, violence, and limited food supply on Taiwan-flagged fishing vessels** in the Solomon Islands' territorial waters and ports. *(Emphasis added)*	
http://www.thejakartapost.com/news/2017/09/19/-fishermen-including-from-indonesia-kept-like-slaves-in-taiwan-.html	Media: Agence France Presse (AFP), published in the Jakarta Post	2017	This article reports that 19 people have been charged with "in the southern city of Kaohsiung [Indonesia] **for illegally holding 81 foreign fishermen in buildings after they had berthed their boats**. When they were at sea, the fishermen were sometimes made to work for 48 consecutive hours without rest for a monthly wage of US$300-$500, the prosecutors said – despite Taiwan's labour laws, which stipulate a maximum working day of eight hours and minimum wage of around $930. **'The accused exploited the fishermen with illegal methods for their own profit,' prosecutors said in a statement, describing the fishermen as 'slave labour in the sea'. The 19 face charges of human trafficking and offences against personal liberty** and could face a maximum seven-year jail term if convicted." *(Emphasis added)*	AFP is internationally recognized for high-quality journalism.
https://vimeo.com/205927565/11fdc0a4fd	NGO: Environmental Justice Foundation	2017	This video includes a first-hand account of a Filipino victim. He states in the video, "I want to warn people who do not know how the system works for fishermen. If someone invites you to sign a contract in the Philippines worth 85,000 Pesos [$1,700] do not sign it. I suffered for 9 months. Because our captain. He said we were TNT [or Tago Nang Tago]. Filipino [for] "always hiding." A term used to describe undocumented migrant workers. We started to work longer hours,	The victim's first-hand account is deemed highly credible for the purposes of this profile. The Environmental Justice

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			overtime. The captain would not let us sleep to the point that we would work for 24 hours. We couldn't even have a proper meal sometimes. I remember when my finger was almost cut off by the fishing line. The captain didn't bring me to hospital. It was lucky that there were other Filipinos there who brought me to the hospital. The doctor told the captain not to let me work for a while because of my injury, but I was forced to work anyway. I had no choice but to get back to work."	Foundation is seeking to raise awareness of illegal fishing and the human rights abuses that migrant fishermen have experienced on Taiwanese tuna longline vessels. See: https://ejfoundation.org/news-media/2017/ejf-in-the-field-uncovering-widespread-slavery-in-taiwans-fisheries
https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper	Government report: U.S. Department of State	2016	The U.S. Department of States 2016 Country Report on Human Rights Practices notes, "Foreign workers were most susceptible to forced labor, especially when serving as crew members on Taiwan-flagged fishing vessels."	The U.S. Department of State's Country Reports are produced by the Bureau of Democracy, Human Rights and Labor.
http://www.bbc.com/news/world-asia-27498048	Media: BBC	2014	This in-depth article includes first-hand accounts from trafficking victims, a Cambodian and Filipino, who worked on Taiwanese fishing boats. Victim 1 - "I was forced to work almost 24 hours a day and never got paid my full salary. I was often whipped by my captain when I was sick and could not work or worked slowly," said Mr Yim. The workers were not given enough food, he said, and during his two years at sea, the boat reached port just once - in 2012 in Dakar, Senegal. Transport boats took the catch to land. "I never imagined I could return home	The BBC is internationally recognized for high-quality journalism.

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			because working on a fishing boat in the high seas, we only saw water every day. I couldn't even communicate with my family. My working conditions were like that of a slave," said Mr Yim. Victim 2 - "We start at 6 in the morning and end at midnight. We get 20 minutes for breakfast, lunch and dinner and we sleep for only five to six hours," said Tata, using his nickname. ... "Before we go to sea, I pray to the Lord to make me strong," said Tata, whose passport is kept by the Taiwanese recruitment agency. Although his monthly salary is Taiwan's minimum wage of $634, half of it is deducted by the agency in the first year of employment, less in the second year. "Yes, it's very unfair... But because of our financial problems and [the fact] we cannot find other work, we stay," Tata said.	

Is there credible evidence that forced labor, human trafficking, or hazardous child labor exists in a related fishery OR in unspecified fisheries? N/A

Source URL	Source type	Year published	Related fishery: Y/N Summary of findings Fishery name, if available	Any remarks on the credibility of this source?
Not applicable when a fishery is rated critical risk.				

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* In related fisheries, species are commonly caught together, species occur together in space and time (species assemblages) and/or species are caught in the same area with similar gear.

Does the country meet the Seafood Slavery Risk Tool's country criteria? NO

Note: When a critical risk has been determined, adherence to Seafood Slavery Risk Tool's country criteria is not factored in the fishery rating. The following is provided for information.

Criteria	Sources	Description
Is this country ranked Tier 1 or Tier 2 on the U.S. Department of State Trafficking in Persons (USDOS TIP) report?	U.S. Department of State Trafficking in Persons Report (USDOS TIP Report)	Yes. Tier 1.
Has the country ratified the Palermo Protocol (on human trafficking)?	United Nations (UN) Treaty Collections: Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime	No. Taiwan is not a UN member state.
Has the country ratified the International Labour Organization's (ILO) conventions on forced and child labor (ILO 29, 105, 138, 182)?	International Labour Organization's (ILO) NORMLEX Database	No. Taiwan is not a UN member state.

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Criteria	Sources	Description
Has the country ratified the Port State Measures Agreement?	FAO: Port State Measures Agreement	No
The country is NOT cited with a yellow or red card for inaction on illegal, unreported, or unregulated fishing by the European Union (EU).	EU Rules to Combat Illegal Fishing (IUU)	No. The EU cited Taiwan with a yellow card in October 2015. (European Commission Press Release: "Fighting Illegal Fishing: Commission Warns Taiwan and Comoros with Yellow Cards and Welcomes Reforms in Ghana and Papua New Guinea." European Commission, October 1, 2015. http://europa.eu/rapid/press-release_IP-15-5736_en.htm.)
Does the country have legislation that criminalizes forced labor and human trafficking and protects children from hazardous child labor?	ILO NATLEX Database USDOS TIP Report	Yes "**The Human Trafficking Prevention and Control Act** (HTPCA) prohibits sex and labor trafficking and prescribes penalties of up to seven years imprisonment; these penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. However, authorities continued to prosecute the majority of trafficking cases under other laws in the criminal code as well as the Children and Youth Sexual Transaction Prevention Act (CYSTPA) (amended as the **Children and Youth Sexual Exploitation Prevention Act**, which took effect in January 2017)." (Also see: "Human Trafficking Prevention Act," https://www.moi.gov.tw/english/english_law/law_detail.aspx?sn=153 and "Child and Youth Sexual Exploitation Prevention Act," https://www.mohw.gov.tw/cp-122-516-2.html.) In addition, the TIP report states, "**To protect foreign fishermen hired overseas, who are not protected by Taiwan's Labor Standards Act, authorities enacted new laws** that require a standard contract stating the workers' salary, medical

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		benefits, working conditions, and living arrangements; authorize businesses and not individuals to act as brokers; and establish a hotline for workers to file complaints or request assistance." *(Emphasis added)* According to the U.S. Department of State's 2016 Country Report on Taiwan's Human Rights Practices, the law "prohibits all forms of forced or compulsory labor. The law prescribes penalties of up to seven years in prison for forced labor, but courts delivered light sentences or fines in most forced labor convictions. Such penalties are inadequate to serve as an effective deterrent." Concern hazardous child labor, Taiwanese "law stipulates 15 as the minimum age for employment. The law prohibits children under 16 and senior high school students from doing heavy or hazardous work. Their working hours are limited to eight hours per day, and they are prohibited from overtime work and night shifts. County and city labor bureaus effectively enforced minimum age laws by ensuring the implementation of compulsory education. Employers who violate minimum age laws face a prison sentence not to exceed six months and/or fines of up to NT$300,000 ($9,480), which was sufficient to deter violations." ("Country Reports on Human Rights Practices for 2016." U.S. Department of State. Accessed January 18, 2018. https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper.) Taiwan is not a UN member state, so there is no information about the country's legislation in the ILO NATLEX Database.
If the country has not ratified any of the ILO conventions listed above, the Palermo Protocol, and/or the PSMA, has	ILO NORMLEX Database: Committee of Experts on the Application of Conventions and Recommendations (CEACR)	No. Taiwan has criminalized forced labor and human trafficking and instituted a minimum age commensurate with ILO convention 138 on minimum age for admission

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equivalent national legislation been enacted and put into force for all non-ratified instruments?*	USDOS TIP Report The Global Slavery Index 2016	to employment, but hazardous work is prohibited only up to the age of 16 years (see above) whereas the ILO conventions (numbers 138 and 182) stipulate 18 years as the minimum age for performing hazardous work. While Taiwan is not party to the Port States Measures Agreement, Taiwan does have in place a National Action Plan to combat IUU fishing. The plan is drawn up according to the FAO guidelines on combatting IUU fishing and includes port state measures.
Is there credible evidence of effective enforcement of national legislation and obligations under international conventions?**	ILO NORMLEX Database: Committee of Experts on the Application of Conventions and Recommendations (CEACR) UN Office of the High Commissioner USDOS TIP Report The Global Slavery Index 2016 2016 Republic of China (Taiwan) Trafficking in Persons Report	No While Taiwan is rated a Tier 1 country in the 2017 USDOS TIP Report, a deeper dive into the report's analysis indicates that enforcement remains severely lacking with regard to human trafficking and forced labor of foreign fishermen. In addition, the issuance of two Interpol Purple Notices against tuna longline vessels and inaction by Taiwanese officials to investigate a high-profile murder-at-sea incident point towards systemic non-enforcement of relevant national legislation. According to the 2017 USDOS TIP Report (pp. tip382-384), trafficking investigations are taking place, including cases involving foreign fishermen. In addition, new regulations to protect foreign fishermen have been enacted. However, the report also notes that in many cases sentencing results in "lenient penalties not proportionate to the crimes." In addition, "Authorities sometimes treat labor trafficking cases as labor disputes and **did not convict any traffickers associated with exploiting foreign fishermen on Taiwan-flagged vessels**." The USDOS recommends that Taiwan, "Increase efforts to prosecute and convict traffickers under the anti-trafficking law and sentence convicted traffickers to sufficiently stringent punishments; **vigorously investigate and, where appropriate,**

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		prosecute the owners of Taiwan-owned or -flagged fishing vessels that allegedly commit abuse and labor trafficking onboard long haul fishing vessels; improve the effectiveness of anti-trafficking training and increase prosecutors' and judges' understanding of trafficking crimes; enact legislation that would address gaps in basic labor protections for household caregivers and domestic workers; **increase efforts to reduce brokers' exploitation of foreign workers by continuing to simplify the process of direct hiring and by strengthening broker evaluation and accountability systems.**" As noted above, Taiwanese law prohibits all forms of forced or compulsory labor, but "**courts delivered light sentences or fines in most forced labor convictions. Such penalties are inadequate to serve as an effective deterrent."** *(Emphasis added)* ("Country Reports on Human Rights Practices for 2016." U.S. Department of State. Accessed January 18, 2018. https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper.) A high profile incident in 2015, reported on by the *New York Times*, shows a video of four men being shot and killed in the ocean. The Taiwanese-owned tuna longline vessel, Chun 1 No. 217, is one of four vessels that were present during the incident. In February 2017, National Geographic aired a documentary about a 6-month investigation by British research scientist Karsten von Hoesslin who confirmed that, "The boat shot is a **Taiwanese vessel named Ping Shin 101** and the ship's captain is a Chinese man named Wang Feng Yu, called Captain Hoodlum. In addition, you *(sic)* identify the Seychelles vessel Chun I 628 and the **Taiwanese vessel Chun I 217**. The crew on board these boats are from the Philippines, Vietnam and Indonesia. Furthermore, witnesses can confirm that the killings took place around 300 kilometers off Somalia's coast in August 2012. It was the Pakistani guards on board Ping Shin 101, as well as Captain Wang Feng Yu who shot and killed the four

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		men. ... Although **Phing Shin 101 is under Taiwanese jurisdiction, the authorities have not investigated the matter**..." *(Emphasis added)* **As of January 2018, no evidence has been located to indicate Taiwanese officials are investigating these murders.** (See Murder at Sea: Captured on Video, but Killers Go Free, Fishing For a Lead | Lawless Oceans and National Geographic Press Release) The 2016 Global Slavery Index (GSI) rates the Government Response CCC, which indicates that the "government has a limited response to modern slavery, with limited victim support services, a criminal justice framework that criminalises some forms of modern slavery, and has policies that provide some protection for those vulnerable to modern slavery..." For the full explanation of this rating, see GSI: How Did We Measure Government Responses? The 2016 Republic of China (Taiwan) Trafficking in Persons Report contains the government's strategy and plans; yearly highlights; achievements and updates on prosecution, protection and prevention efforts; and information regarding its international cooperation to counter the issue. The report also highlighted two meetings in 2016 organized by the Fisheries Agency to discuss standard operating procedures in how to respond to human trafficking cases at sea if out of jurisdiction. In 2016, the Ministry of Justice urged prosecutors to proactively investigate possible cases of human trafficking for Taiwanese vessels employing foreign workers. The report contains updated protocols and penalties (page. 11 – 12), and it also notes initiatives with industry groups in Taiwan, (*e.g.*, Yilan County Fishermen's Union, which visited Indonesia in April 2016 to conduct interviews with migrant workers, study how the broker system worked to gain better understanding into the structural problems in their industry, and how to improve protection of rights of foreign fishing workers.

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		Taiwan is not a UN member state, so there is no information in the ILO NORMLEX Database: Committee of Experts on the Application of Conventions and Recommendations (CEACR) or published by the UN Office of the High Commissioner.

* It may be acceptable where a State has not ratified any of the convention(s) listed above, that a State has passed and brought into effect wholly and fully legislation and relevant accompanying regulation, where needed to implement legislation, that is at least materially identical in substance, intent, effect and spirit to the provisions of the relevant convention(s). It is expected that relevant legislation and regulation will include provisions that are suitably onerous and comprehensive in nature and intent to provide for its full and proper enforcement. Where this is the case, the country may be assessed as fulfilling the country criteria, despite the non-ratification(s).
** The assessment of a country's enforcement relies primarily on comments by the Committee of Experts on the Application of Conventions and Recommendations, which supervise the application of ILO conventions, and the U.S. Department of State's Trafficking in Persons Report. Both sources are credible, global in scope, and publicly available. Additional, credible sources may also be used. This assessment does not constitute a full and complete analysis of law enforcement in any country.

Is there credible evidence of forced labor, human trafficking, or hazardous child labor in seafood processing, agriculture, forestry, or aquaculture in the country?* N/A

Source URL	Source type	Year published	Sector / Industry	Summary of findings	Any remarks on the credibility of this source?
Not applicable when a fishery is rated critical risk.					

* Evidence of forced labor, human trafficking, or hazardous child labor in a country's seafood processing, forestry, agriculture, and aquaculture industries may be examined as *indicators* of risk for the at sea portion of a fishery. See the Seafood Slavery Risk Tool's conceptual model to view which pathways trigger an examination of related or similar renewable resource industries.

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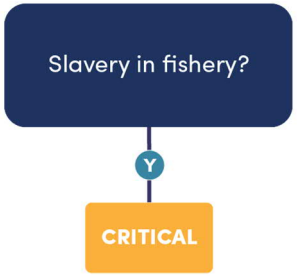
Summary of Risk Rating

The Taiwan tuna and swordfish fishery is rated CRITICAL RISK due to multiple sources documenting forced labor and human trafficking on Taiwanese longline vessels. When a critical risk has been determined, adherence to Seafood Slavery Risk Tool's country criteria and other mitigating factors are not factored in the fishery rating. It is noted that Taiwan is rated a Tier 1 country in the U.S. Department of State's 2017 Trafficking in Persons (TIP) Report; the country has legislation to prohibit forced labor, human trafficking, and hazardous child labor in place; and the government has recently enacted legislation to protect foreign fishermen. However, a deeper dive into the TIP Report's analysis and other evidence point towards systemic non-enforcement of relevant national legislation with regard to the fishing industry.

Conceptual Model Path

Critical Risk	There is credible evidence of human rights abuses in the profile fishery	

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