

Taiwan's Anti-Human Trafficking Efforts: *Challenges and Recommendations*

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Human Trafficking

- Human trafficking is a form of modern-day slavery. It isn't just a problem of human bondage; it fuels the epidemic of gender-based violence in so many places. Most of the victims are women and children.
- Human trafficking is currently the most serious borderless crime faced by law enforcement communities in Taiwan and many other countries.

Human Trafficking

- In 2000, the United States enacted the Trafficking Victims Protection Act (TVPA), and the United Nations passed the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, also known as the Palermo Protocol.

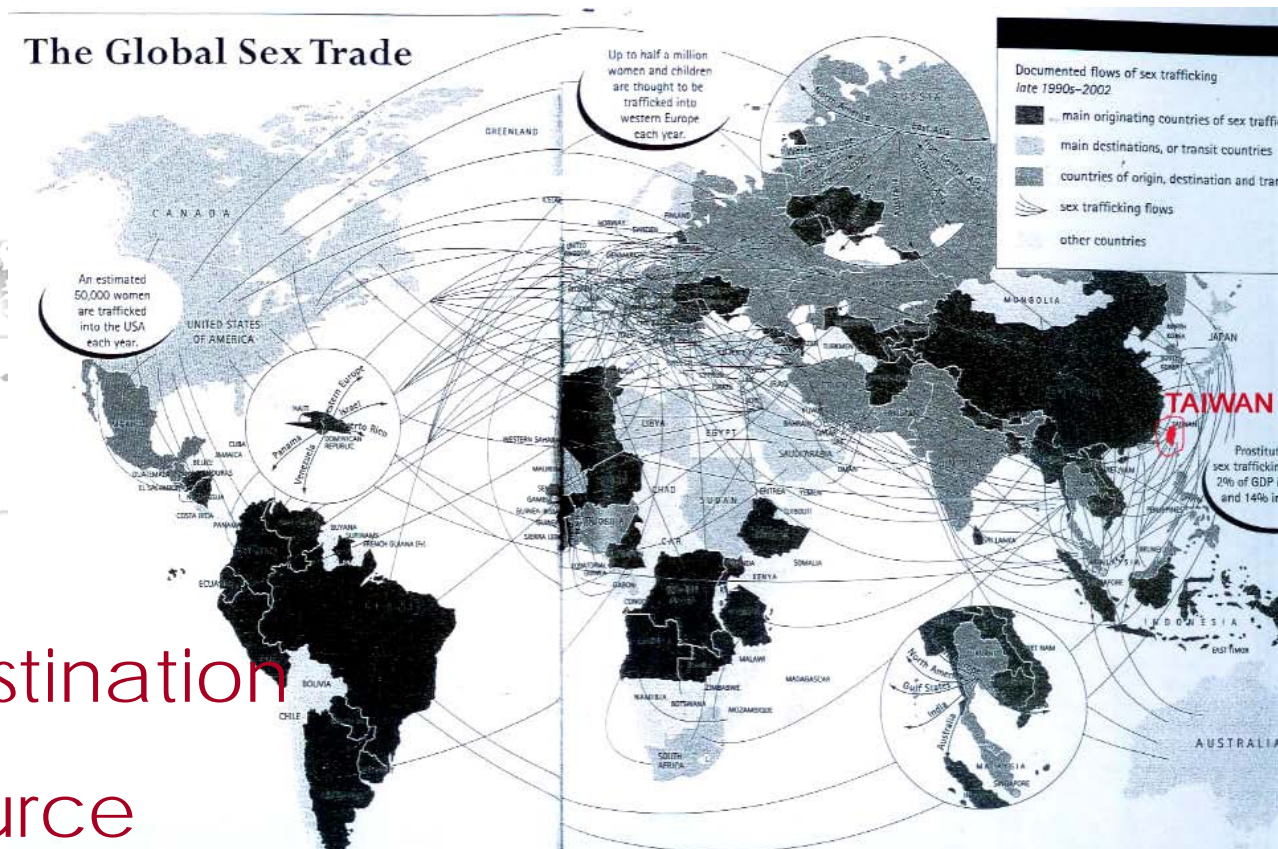
Factors for the Rise of HT

- In general , the criminal syndicates prey on poverty, despair, war, crisis, economic disparities, social discrimination, gender equality, natural disaster, and ignorance.
- The recent trend of globalization has increased the movement of people and capital across borders, especially from poorer to richer countries. Taiwan is no exception.

Internationalized Taiwan

- By the end of April 2011, the population of long-term resident immigrants in Taiwan has reached 1.01 million, including 440,000 spouses, 350,000 labors and approximately 220, 000 students, employees and non-spouse relatives.
- Accompanied with the growing immigrant population, Taiwan also face similar problems: rising cases of sex trafficking and forced labor.

Taiwan in Global Sex Trade



- Destination
- Source
- Transit

Types of HT in Taiwan

As destination (legal/illegal entry)

- Marriage immigrants (foreign /Chinese spouses)
- Short stay (entertainer/visitor /student visa)
- Labor exploitation (SE Asian countries/China)



As source (legal departure)

- Fraud “Free Trip”
- Working holidays in Australia, US, UK and Japan
- Internet lover



- As transit

Stolen Taiwanese passports/ boarding pass

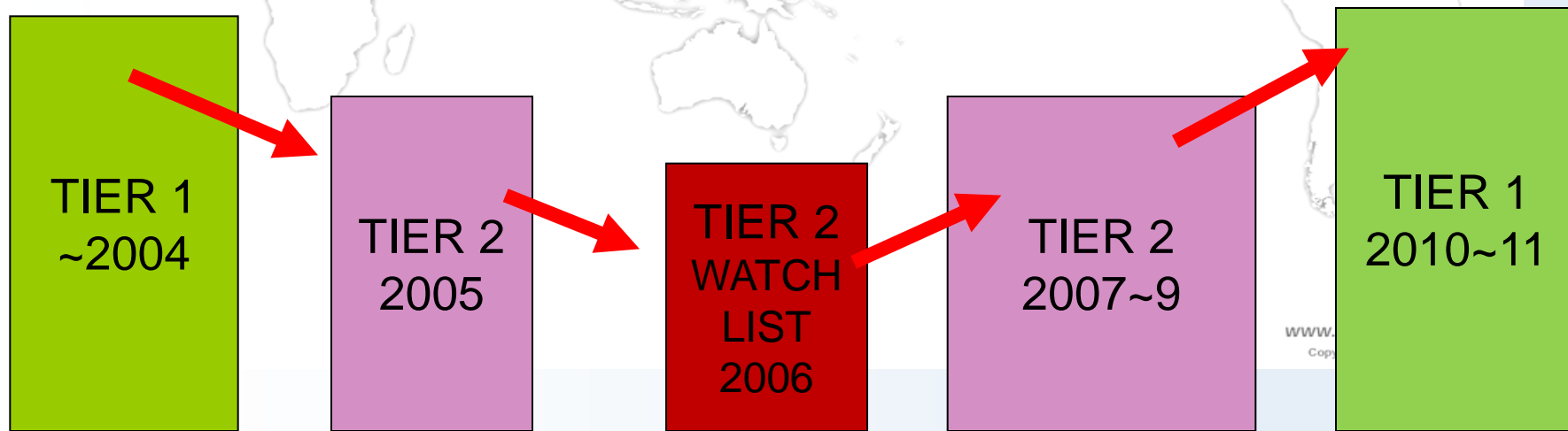
Courier services

Escort



Taiwan's Tier Placement in TIP

- 2001~2004: Tier 1 (Child & Juvenile Sexual Transaction Prevention Act)
- 2005: Tier 2 (same as Indonesia, Vietnam, Thailand)
- 2006: Tier 2 Watch List (same as China, Cambodia, India)
- 2007~9: Tier 2 (HTPCA in 2009)
- 2010~11: Tier 1



Trafficking in Persons 2011

- According to the annual report, 32 out of 184 surveyed countries rated Tier 1, with Taiwan and South Korea the only Asian nations to earn this classification.
- Tier 1 countries, according to the U.S. State Department, have acknowledged the existence of human trafficking, made efforts to address the problem, and comply with the minimum standards of the U.S. Trafficking Victims Protection Reauthorization Act.

Taiwan in TIP Report 2011

- During the reporting period, Taiwan authorities continued to prosecute and punish trafficking offenses, including both forced labor and forced prostitution. In addition, the government sustained strong victim protection efforts, continued to train law enforcement and other government officials, and raised public awareness on trafficking offenses.

Recognition...

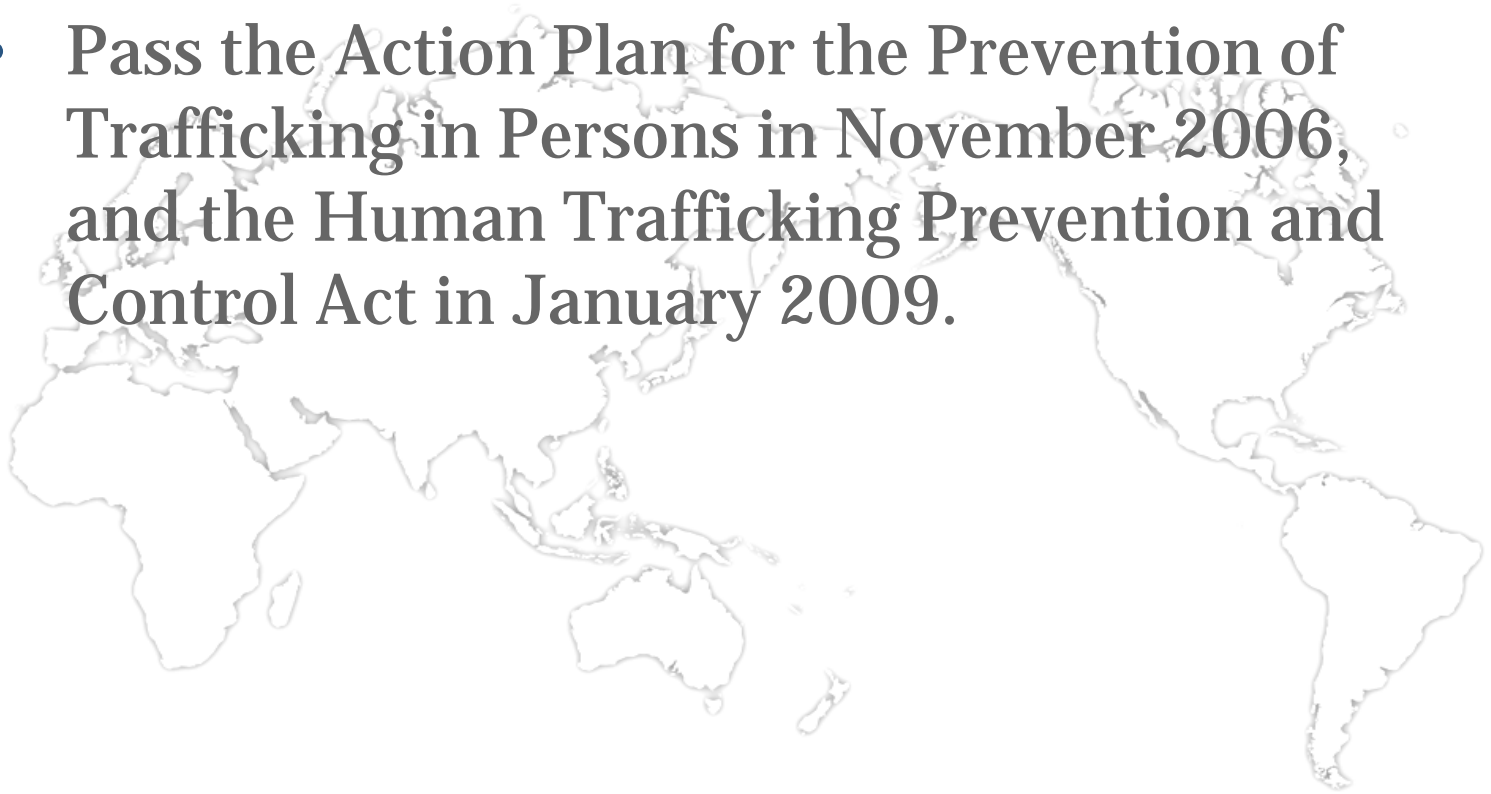
- Or the case of Taiwan, where the director of immigration has taken steps to ensure that victims of trafficking are identified, provided immigration relief and work permits, and have the opportunity to recover from their ordeals.

- Secretary Hilary Clinton

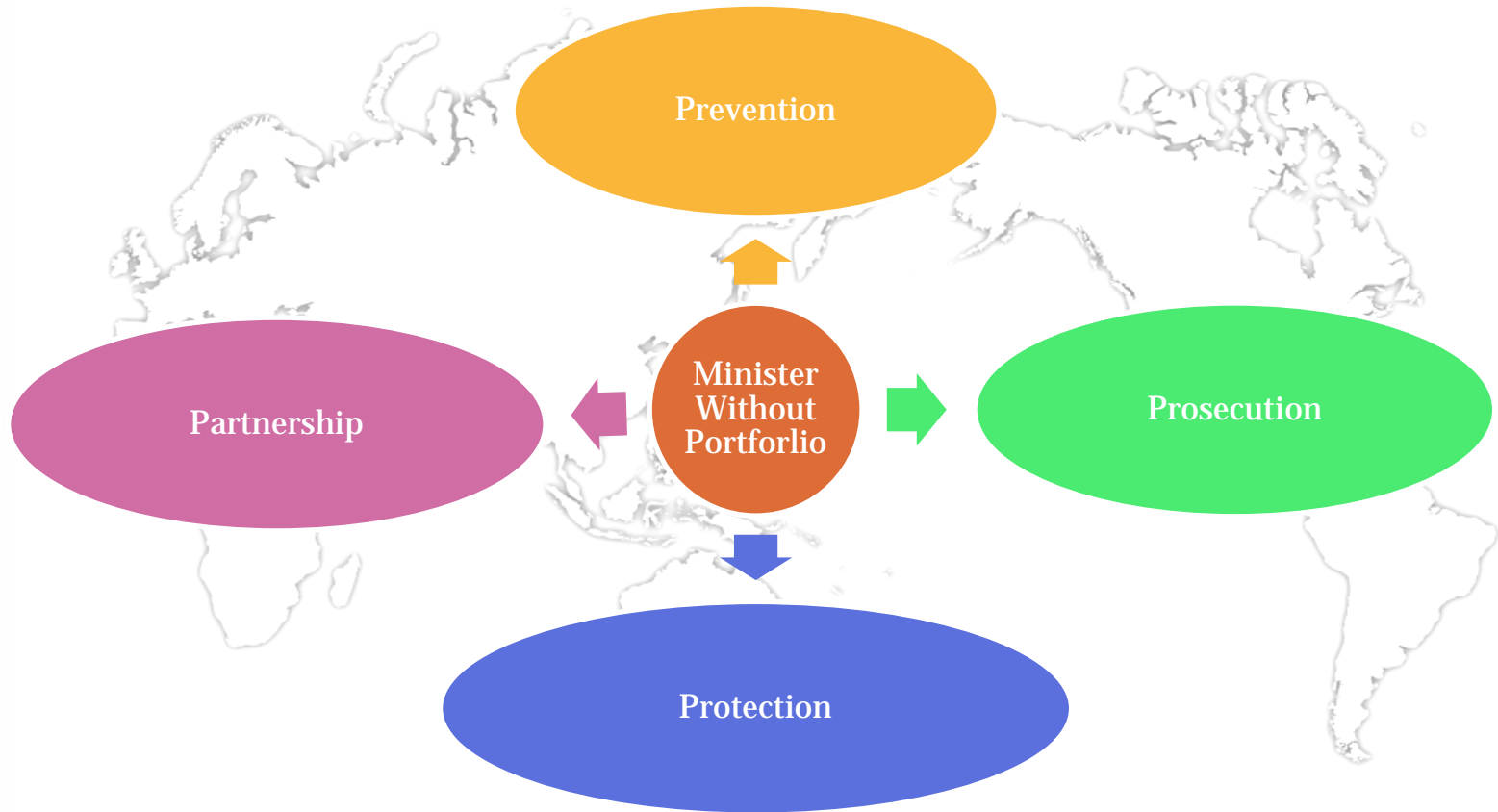
June 27, 2011

Response to TIP's rating

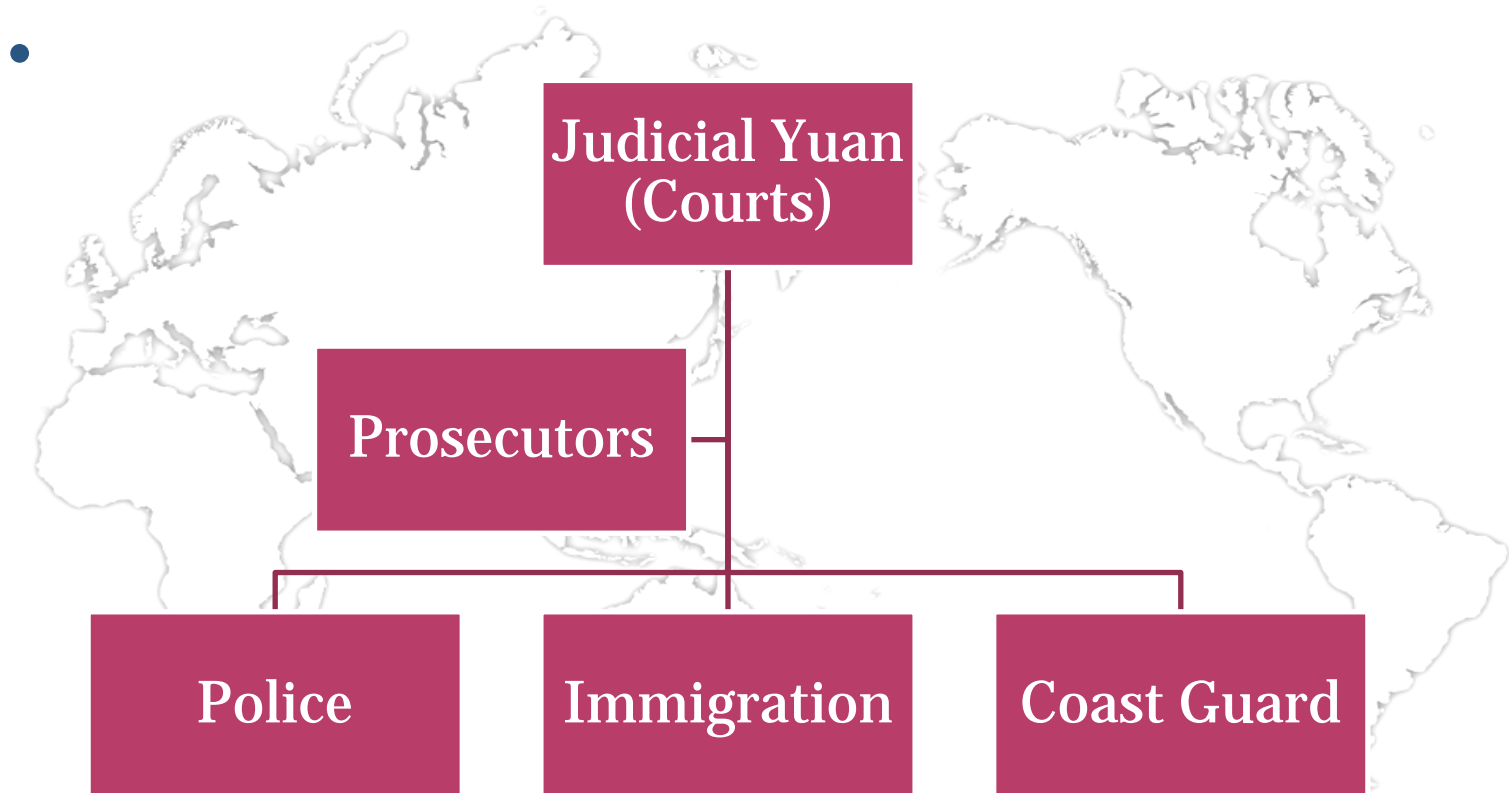
- Pass the Action Plan for the Prevention of Trafficking in Persons in November 2006, and the Human Trafficking Prevention and Control Act in January 2009.



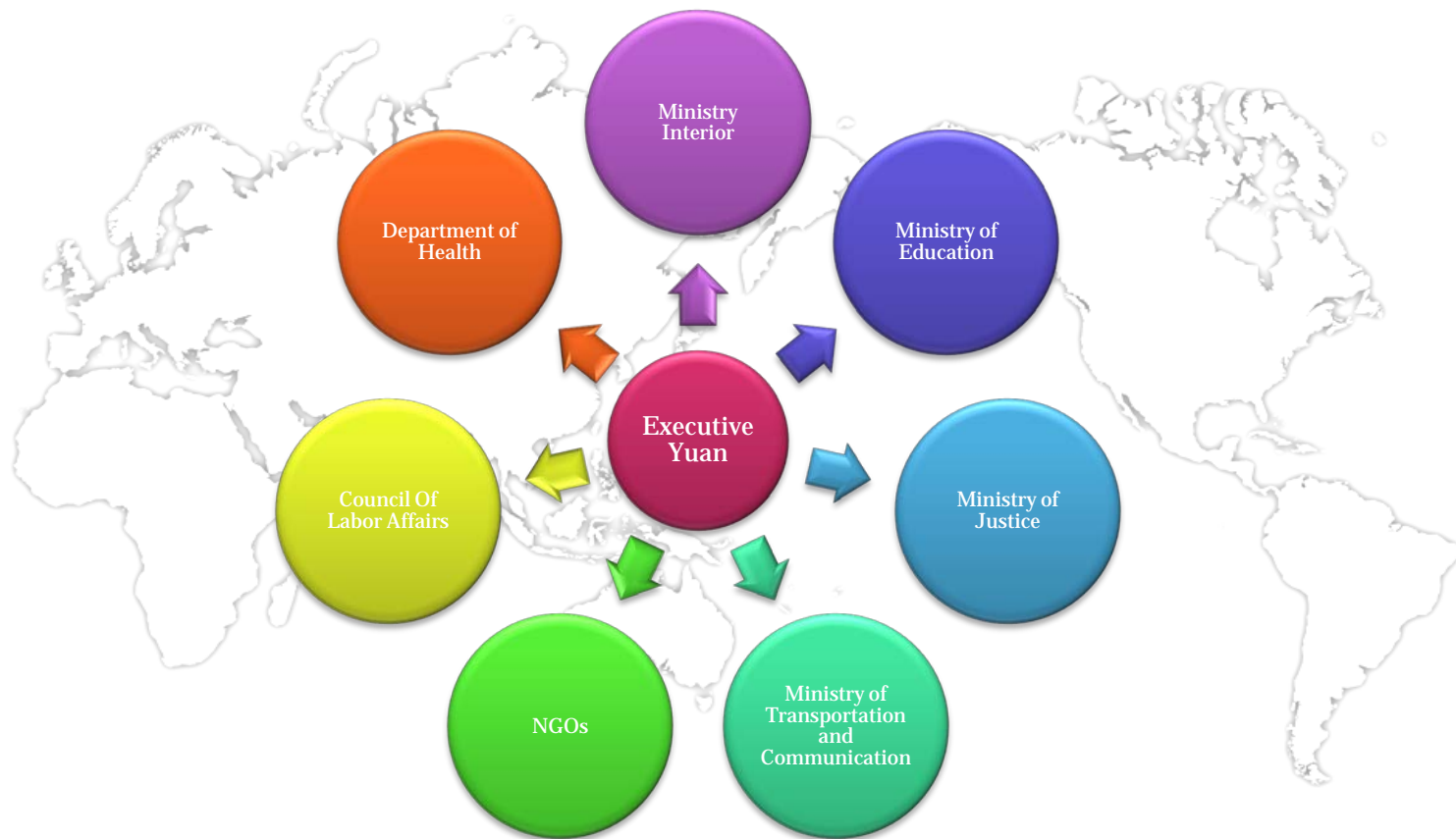
High-level Inter-Agency Coordination Committee



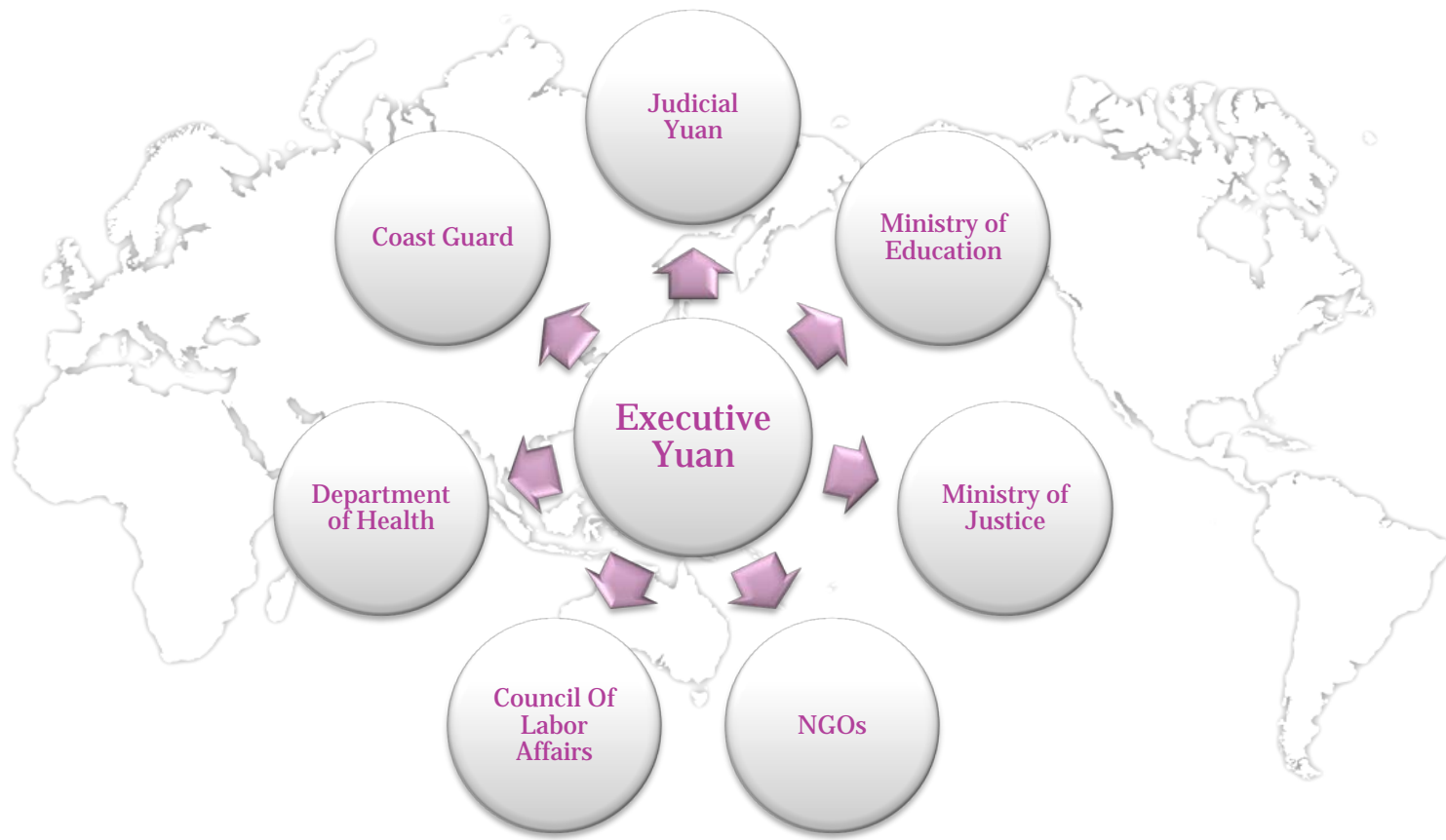
Prosecution



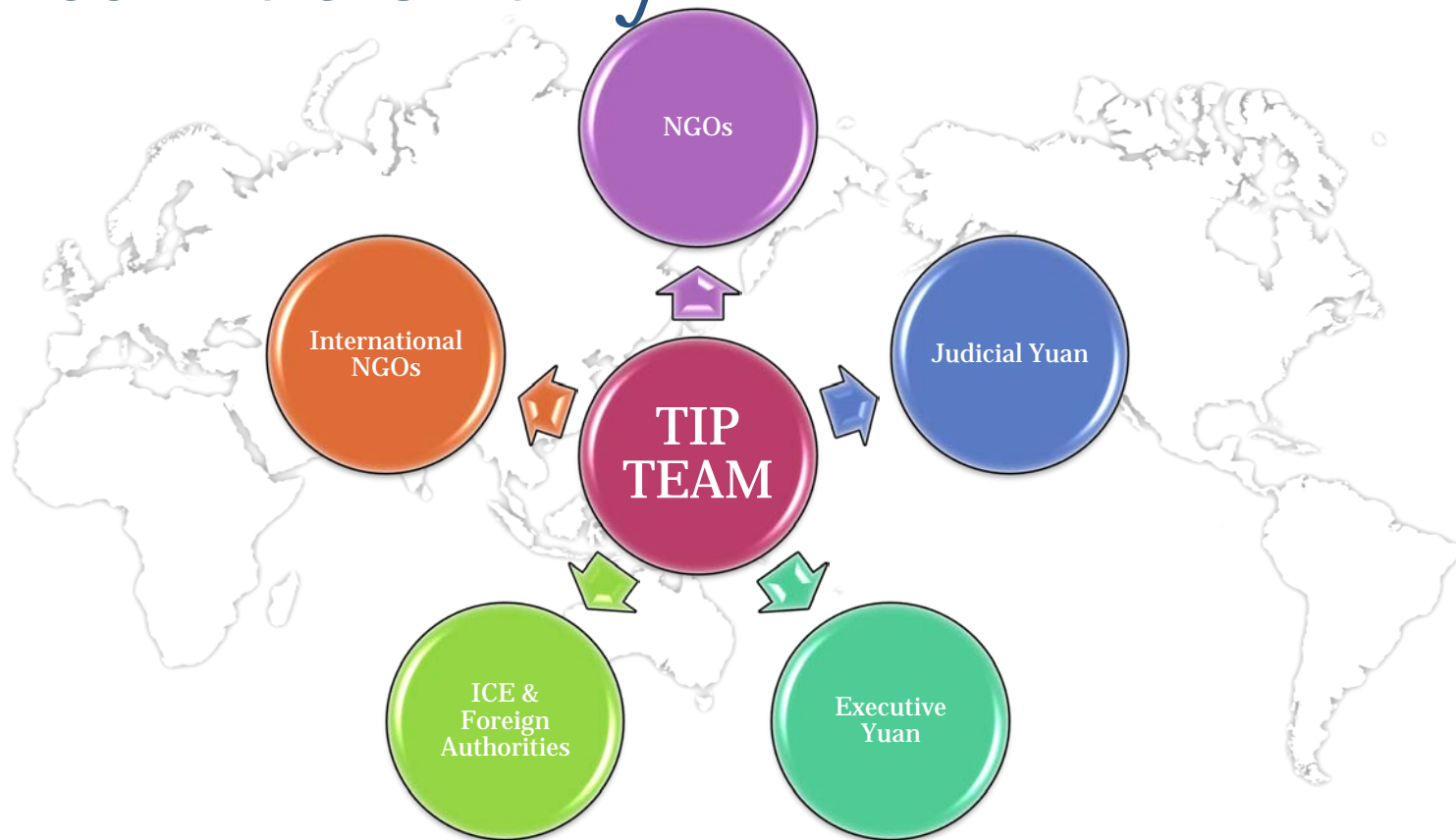
Prevention



Protection



Partnership Locally and Internationally



Social worker companion at investigation interviews

- The presence of a social worker during interviews by police officers and/or prosecutors helps emotionally stabilize victims, keeps them focused, and makes them more willing to offer useful information for investigations.
- The NIA commissioned the Taipei Women's Rescue Foundation (TWRf) to operate two hotlines staffed by social workers. Upon request, the hotline dispatches a nearby social worker to offer whatever services needed.

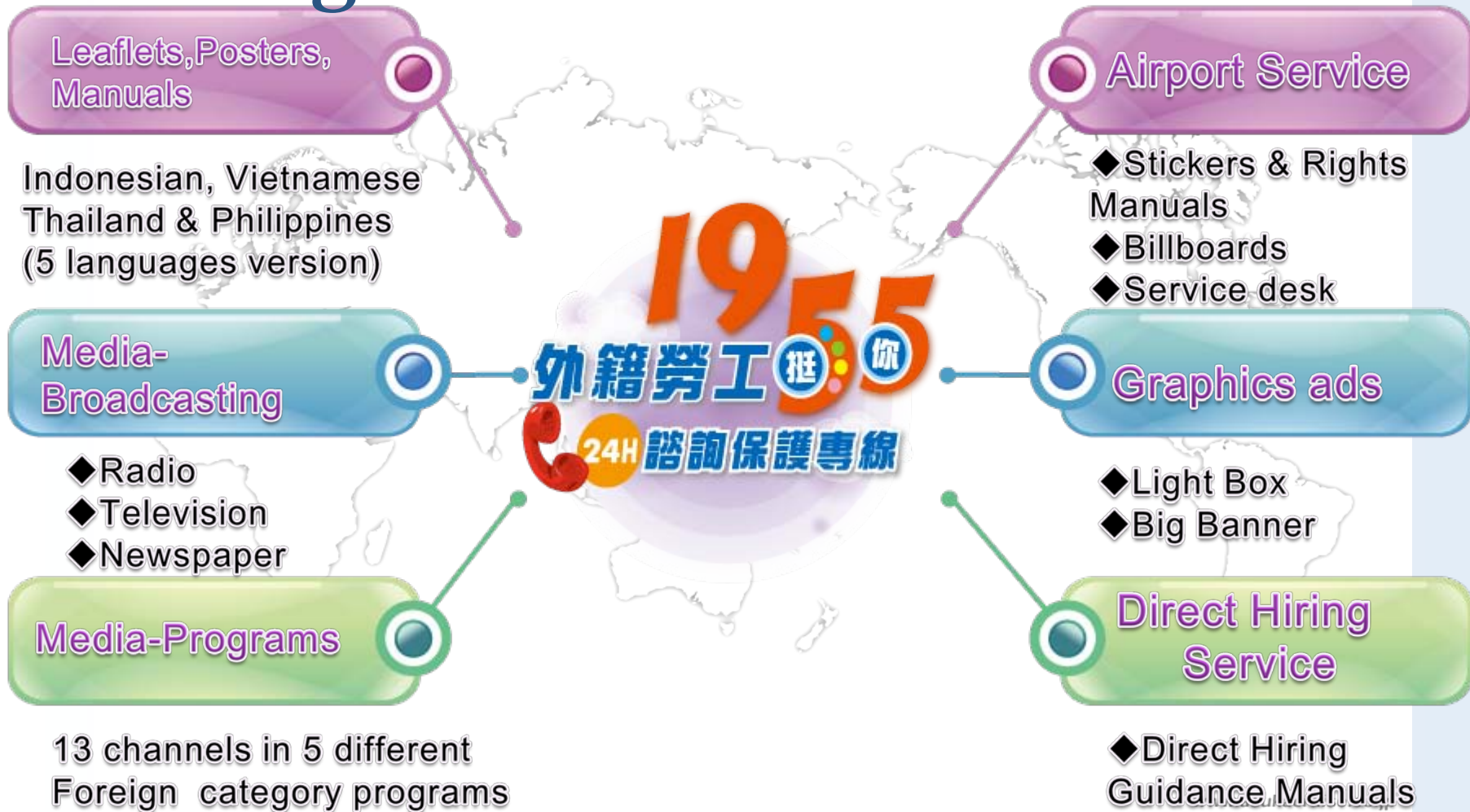


Social worker present
at police interview



Minimizing victim
exposure on TV

Foreign Labor Hotline



Shelters for Victims

- 19 shelters were set up to accommodate trafficking victims and quasi-victims pending verification of their status. Three of the NIA sites are operated under contract by NGOs
- During 2010, there were 324 newly placed victims (258 females and 66 males), the most being Indonesians (161) followed by Vietnamese (75), along with the 329 victims sheltered in 2009, indicating a significant increase before the enactment of the Human Trafficking Prevention and Control Act.

Service Provided at Shelters

- Residents at shelters receive protective services such as life necessities, psychological counseling, interpretation services, legal aid, a social worker's presence at investigation interviews, and essential medical assistance.

Cross-cultural activities

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Self-empowerment groups

Sessions for music & art



音樂團體錄製個人
創作CD共同分享



Job trainings

彩妝進階課程
—紙圖練習



彩妝實作驗收

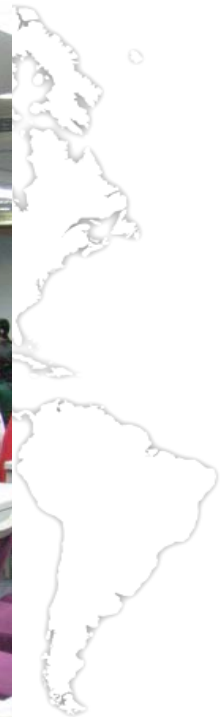


彩妝成果發表

Victims of forced labor



Workshops



Protection : Professionals' Workshops



Prevention: Awareness Raise



Multi-Language PSA



Public Awareness





Continuous Dialog



Political Will From The Top



Challenges

- The Judicial Yuan collected the judgments and rulings of human trafficking cases and came to a conclusion to admit the judges' unfamiliarity with the new law and the ambiguity of the legal definition in HTPCT were the factors for this tendency of light sentence.

Challenges (con.)

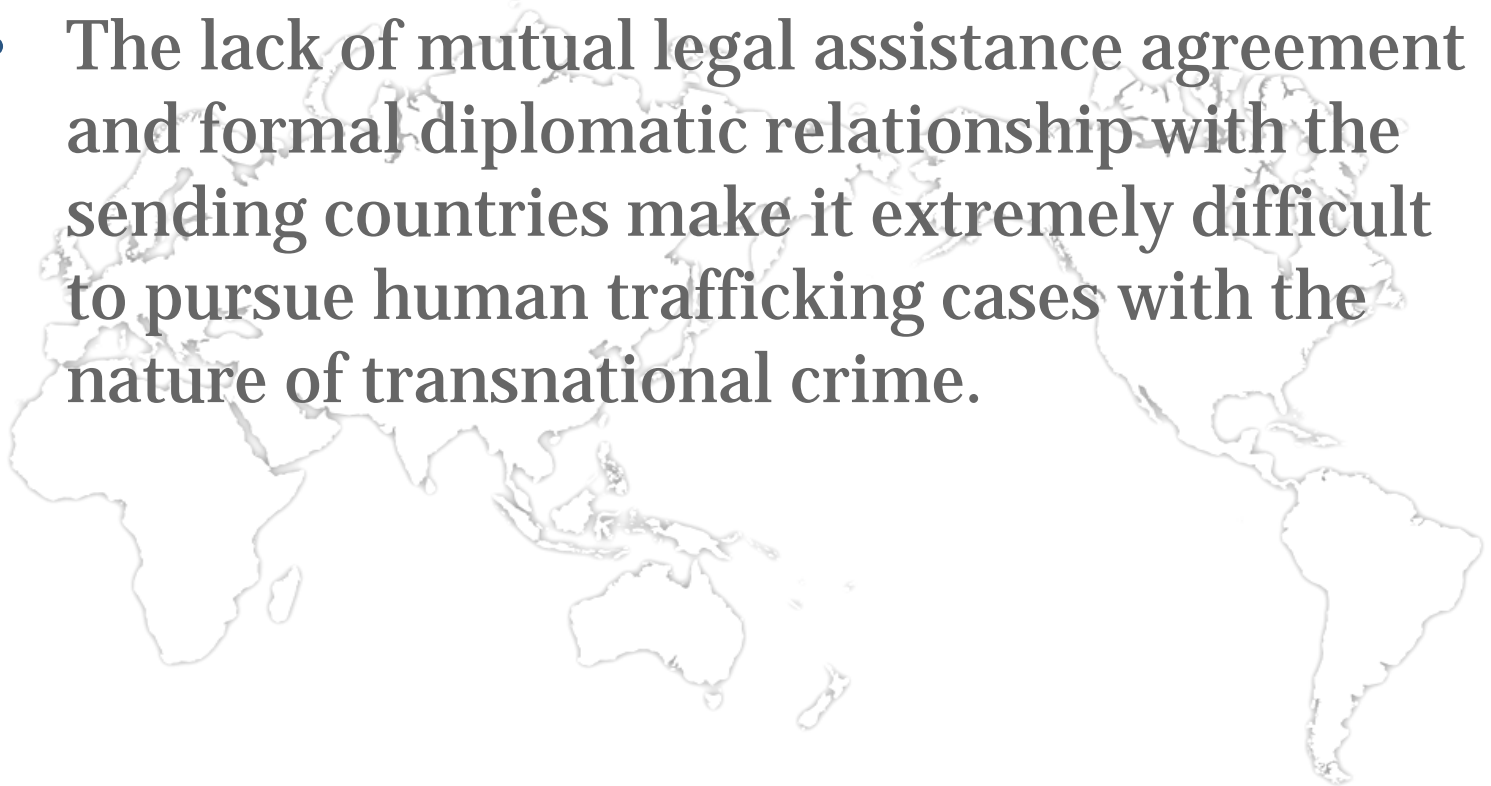
- Most of the migrant workers arriving in Taiwan are heavily indebted after paying the exorbitant recruitment fees. The pressure not only to repay the loans but also to provide the family at home with enough money makes these victims extremely vulnerable to many forms of exploitation.

High brokerage fees

- ***INDONESIA REGULATION: FACTORY WORKER: US\$ 1,400, DOMESTIC WORKER US\$ 2,900; ACTUAL COST: US\$ 3,000 - 5,000***
- ***PHILIPPINES REGULATION: US\$ 800, ACTUAL COST: US\$ 2,100 - 2,500***
- ***THAILAND REGULATION: US\$ 1,300, ACTUAL COST: US\$ 3,200 - 4,000***
- ***VIETNAM: NO OFFICIAL REGULATION, ACTUAL COST: UP TO US\$ 7,000***

Challenges (con.)

- The lack of mutual legal assistance agreement and formal diplomatic relationship with the sending countries make it extremely difficult to pursue human trafficking cases with the nature of transnational crime.



Challenges (con.)

- The misuse of labor dispute dilute the determination to combat labor trafficking. As there are more labor trafficking cases, more involvement of the local labor authorities will be needed for the police and prosecutor's lack of knowledge in labor laws.

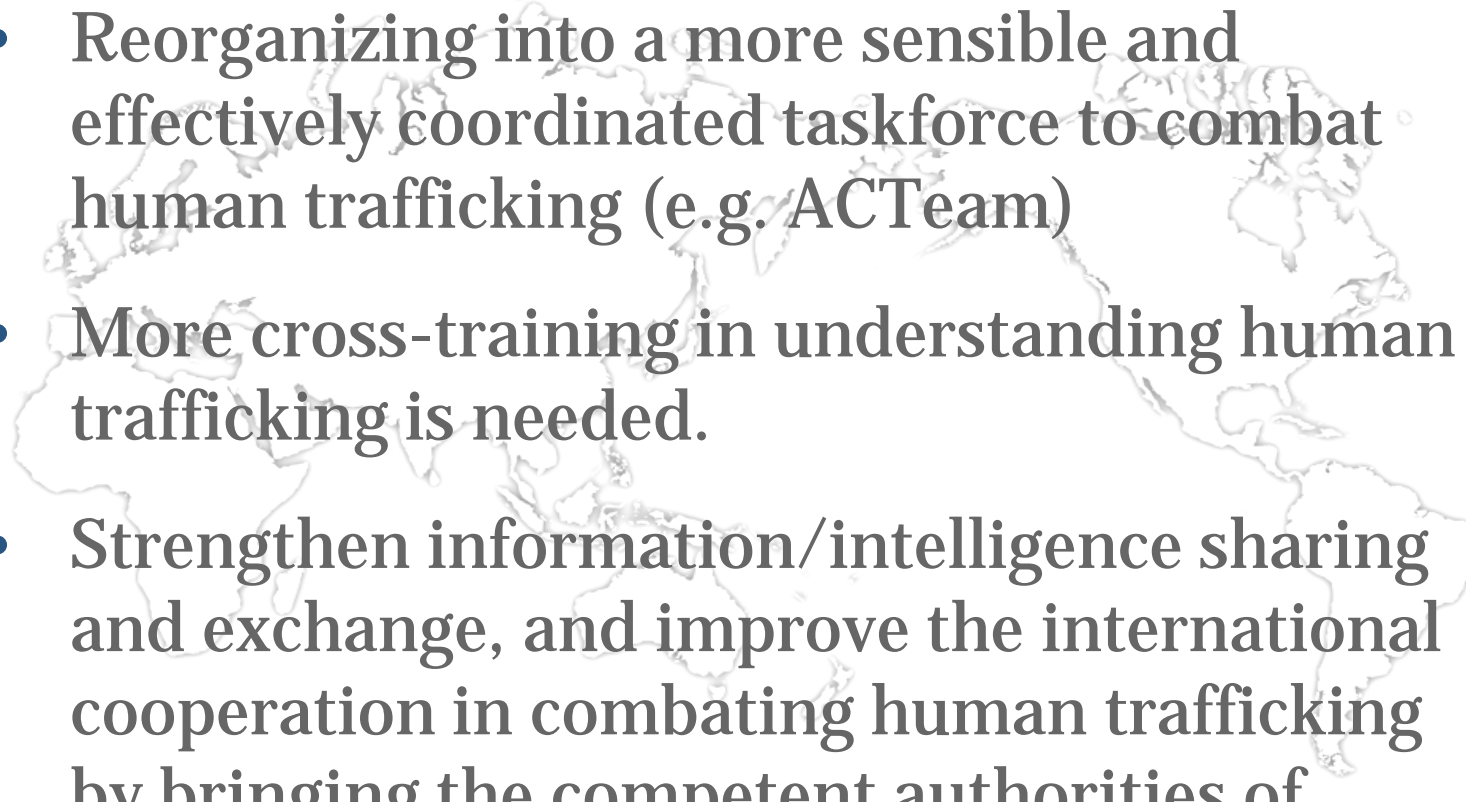
Challenges (con.)

- Some victims do not identify themselves being victimized or in a self-denial status, for they may not recognize that the situation in which they are in actually a crime of human trafficking, or they may have been in an exploitative isolation situation for too long that they have built up a psychological dependency on their traffickers.

Recommendations

- Strengthen the professionalism of the criminal justice system by providing more education and training in human trafficking for law enforcement officers, prosecutors and judges.
- Improve the sharing of information and experience by integrating the existing scattered information system in anti-human trafficking by establishing an E-learning system.

Recommendations (con.)

- 
- Reorganizing into a more sensible and effectively coordinated taskforce to combat human trafficking (e.g. ACTeam)
 - More cross-training in understanding human trafficking is needed.
 - Strengthen information/intelligence sharing and exchange, and improve the international cooperation in combating human trafficking by bringing the competent authorities of China into the regional alliance.



Injustice anywhere is a threat
to justice everywhere.

*Martin Luther King Jr., Letter from
Birmingham Jail, April 16, 1963*

I have a dream...

- Someday , through our joint efforts,
Taiwan will become the land of justice.
- Thank you.