



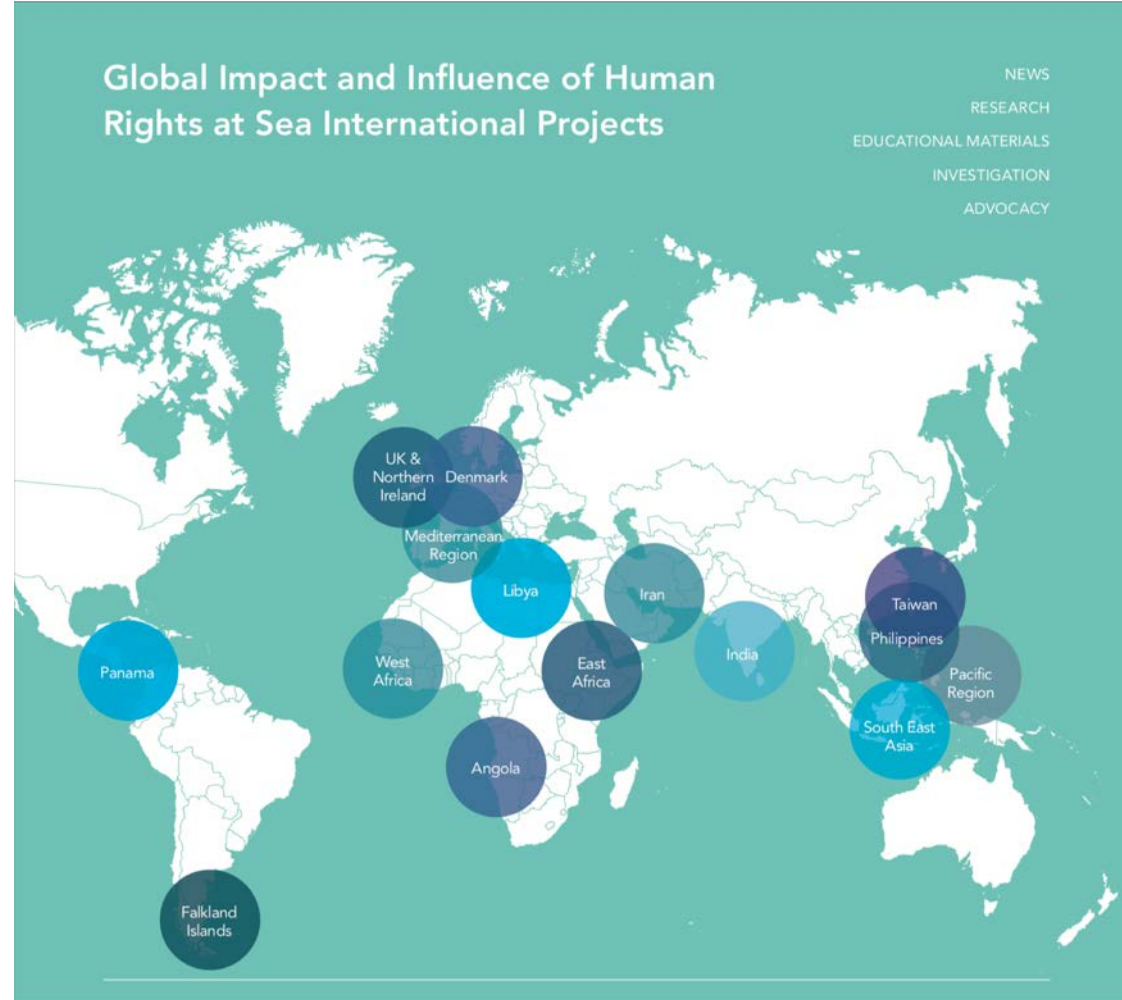
International Migration to Malaysia & Taiwan: Challenges and Promising Practises

Webinar

11 March 2020

About Us

- HRAS is an independent civil-society charitable organisation established in 2014 providing research, education and advocacy work in response to human rights abuses at sea across all areas of the maritime supply chain and environment.
- Our verticals cover global seafarers, fishers, migrant and refugees, and maritime business and human rights development.
- HRAS is non-political, non-religious and non-aligned to any one stakeholder. It is objective and impartial in its research work, findings and ISBN publications which are based on corroborated evidence and fact.
- www.humanrightsatsea.org



Context - Taiwan



- Current (2019-2020) engagement stemming from internal NGO and individual requests for independent support concerning migrant fishers in coastal & deep-water fleets.
- Research & engagement conducted in-country by / with Taiwanese nationals, civil society and Government agencies.
- Positive in-country Government support – notable openness and willingness to engage, review and comment.
- Limited fishing industry engagement – to be followed up with further research.

Our Recent Work






Human Rights at Sea Baseline Study

On the Awareness and Application of Human Rights in Taiwan's Fishing Industry

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Human Rights at Sea Case Study

Labour Disputes Reveal a Worrying Power Imbalance and Vulnerability of Migrant Fishermen in Taiwan's Fishing Industry

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Human Rights at Sea Briefing Note

On the Call for Ending Exploitative Recruitment Fees for Seafarers and Fishers in the Maritime Sector

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October 2016 Report

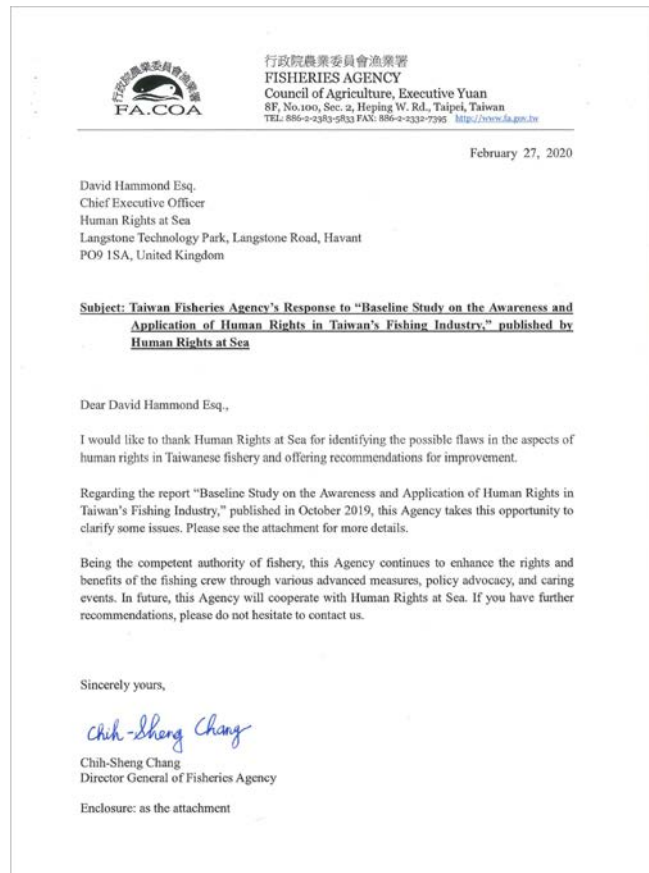
Table 1. Some ILO indicators of identifying forced labour in practice¹⁸ that are found in Taiwan’s fishing industry

Indicators of Involuntariness	Indicators of Menace Penalty
<ul style="list-style-type: none"> • Physical confinement in the work location - in prison or in private detention • Psychological compulsion, i.e. an order to work, backed up by a credible threat of a penalty for non-compliance • Induced indebtedness (ie. by falsification of accounts, inflated prices, reduced value of goods or services produced, excessive interest charges) • Deception or false promises about types and terms of work • Withholding and non-payment of wages • Retention of identity documents or other valuable personal possessions 	<ul style="list-style-type: none"> • Physical violence against worker or family or close associates • Sexual violence • (Threat of) supernatural retaliation • Imprisonment or other physical confinement • Financial penalties • Denunciation to authorities (ie. police, immigration) and deportation • Dismissal from current employment • Exclusion from community and social life • Removal of rights or privileges • Deprivation of food, shelter or other necessities • Loss of social status

Reports – Selected Key Points

- Concerns raised about treatment of foreign workers in the fishing industry. More transparent research needed.
- Exploitation of migrant labourers through exploitative recruitment practices & overseas employment agencies.
- Power imbalance between owners and employees.
- Embedding of ILO 188 into domestic law with supporting national legislation.
- For full details of all the reports and case studies see:
 - <https://www.humanrightsatsea.org/publications/>
 - <https://www.humanrightsatsea.org/case-studies/>

October 2019 Report: Taiwan Government Response



- 27 February 2020
- <https://www.humanrightsatsea.org/2020/03/08/taiwan-government-positively-and-comprehensively-responds-to-human-rights-at-sea-fisheries-report/>
- **Recommendation “Embed the philosophy and State-led narrative of “human rights at sea” on the national agenda.”**
 - The Presidential Office Human Rights Consultative Committee, the Human Rights Promotion Task Force of the Executive Yuan and the Coordination Conference for Human Trafficking Prevention have been inviting relevant ministries and agencies to convene meeting regularly. Relevant issues being addressed in such meetings have already embraced the philosophy of human rights at sea.

Taiwan Government Response

Recommendation “Strengthen international cooperation and learn from other countries’ experiences to accelerate the process of extending human rights protections at sea.”

- “Currently, the Ministry of Labor has convened bilateral labor meetings with the countries of origin of foreign crew members on an irregular basis. During such meetings, this Agency had constructive discussions on the issue of rights and benefits of the foreign crew with the parties concerned, and arrangements are made by consensus so as to protect human rights at sea.”

Taiwan Government Response

- **Accommodation.** Improvement in national and foreign crews access to on-shore accommodation at reduce cost.
- **Life jackets.** Fisheries Agency will strengthen its policy advocacy, requesting vessel operators (masters) to store life jackets in places more easily accessible.
- **Incidents at sea.** When persons in maritime distress, humanitarian aid shall take precedence over all other issues.
- **Salary deductions.** “With reference to the regulation in ILO-C188 requiring “no fees or other charges for recruitment or placement of fishers be borne directly or indirectly, in whole or in part, by the fisher,” this Agency had amended “Regulations on the Authorization and Management of Overseas Employment of Foreign Crew Members” on March 20, 2019, requesting no service fee is charged for fishing crew members in the service contract.”
- **IUU Fishing.** “Heavy punishment on fishing vessels engaging in IUU fishing.”

Headlines

- Positive Government responses and engagement with Human Rights at Sea and our findings.
- High standards of freedom of speech and access to Government.
- Ongoing civil society concerns re: migrant worker protections being raised requiring due investigation and publishing of findings.
- Need in the fishing industry and supply chain to embed law and policy relating to ILO 188 and associated safeguards.
- Need to ensure national policy and law exists around the wider fundamental human rights protections from the Universal Declaration 1948 throughout the fishing industry.

Questions

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