

TAIWAN PROFILE

Main fisheries and seafood products, and export trends

Taiwan is one of the major fish and seafood exporters in the global trade system, with an emphasis on distant water fishing (DWF) and aquaculture. Ten species account for some three quarters of Taiwan's total fisheries production. In 2012 skipjack was the largest, accounting for over 14.5%, followed by saury (13%), squid (8%), mackerel (5.5%), bigeye tuna (5%), yellowfin tuna (5%) and longfin tuna (4%).

DWF

According to the Organisation for Economic Co-operation and Development (OECD), in 2011 annual production of deep sea capture fisheries was over 800,000 metric tonnes, accounting for more than 60% of overall fisheries production. Tuna longlining (covering both super freezer and conventional methods) is pursued in all the major oceans of the world. Tuna purse seine fisheries are concentrated in the Central and Western Pacific. Squid jigging operated in the South-western Atlantic, the Northern Pacific and the Eastern Pacific oceans. Most tuna longliners and purse seiners use foreign ports as a base to replenish supplies, or for repairs and transshipment. Trawlers operate mainly in Indonesian waters. Much of the tuna is transported in frozen form for canning elsewhere, particularly in Thailand with its major canning industry, also in the Philippines, and increasingly in China where the canning industry is now experiencing significant growth.

Taiwan has one of the world's largest longline fishing fleets, over 300 large longliners, over 24 metres in length and each weighing over 100 dwt. It also has over 1,000 smaller longline vessels, based mainly in Kaohsiung and nearby ports in southern Taiwan. Smaller tuna vessels are run as family businesses.

Coastal and offshore fisheries operate within Taiwan's waters and EEZ. Major fisheries include trawling, longlining, torchlight fishing, mackerel purse seine fishing and set-net fishing.

Aquaculture

High quality aquaculture is a feature of Taiwan's seafood production, covering fresh water farming, brackish water farming, and mariculture. Covering some 55,000 hectares in all, aquaculture has an annual production of over 300,000 metric tonnes. The largest aquaculture products are tilapia (6% of the total fisheries output in tonnage terms in 2012), milkfish (just under 6%) and hard clams (some 5%). Inland aquaculture has been far larger than marine aquaculture in output (167,000 mt as opposed to some 30,000 mt).

Processing

OECD reports that Taiwan's fish processing industry demands excellent quality and an ample supply of raw materials. This has led to the development of a variety of processed sea products. Frozen roasted eel for export is a prominent feature; and traditional frozen food products (such as fish ravioli, shrimp ravioli, fish steaks or squid balls) are at a mature stage of development. Productions of cured and canned food have entered an era of full automation, and are of high quality.

Seafood export trends

Annual seafood exports are estimated to amount to some US\$ 2 billion. Major export markets have been Japan, Thailand and the U.S., accounting for over half of Taiwan's total fishery product exports by value. After Taiwan became a member of the World Trade Organization (WTO) in 2002, it began to enjoy the advantages of expanded free trade, and has been seeking to generate new markets for its fishery products. OECD reports that premium quality fishery products with export potential have been selected with a focus on export opportunities in the EU, Japan, Korea and the U.S. Assistance has been provided to fishers and fisheries associations to participate in international food and sea products events and for international marketing and promotion campaigns. Extensive fisheries trade information will be gathered to help identify export opportunities. Organizations with marketing capability will be institutionally strengthened or integrated, and an international label for sea products will be developed.

Seafood exports to UK

Seafood imports from Taiwan to the UK have so far been relatively small. For 2013 and 2014, they have amounted to just under 1.3 million kg by weight, and just over UK£ 3.6 million by value. The main import items have included: prepared or preserved tuna or skipjack; squid and frozen squid; prepared or preserved fish; frozen tilapia; prepared or preserved eels; and a small amount of crustaceans. Altogether, over 400,000 kg. of tuna products were imported in 2013.

There can be a reasonable expectation, in the light of the Taiwan Government's active policy of marketing seafood to EU countries, that the level of UK seafood imports from Taiwan may increase in future years.

Employment in fisheries and seafood

According to the Fisheries Agency, in 2012 326,000 people were employed as fishers (241,000 full time, and 85,000 part time). Some 15,840 fishers were engaged in DWF, 54,840 in offshore fishery and 157,410 in coastal fishery. A further 21,230 were employed in marine culture, 10,310 in inland fishing, and 66,320 in inland aquaculture.

The BBC reported in June 2014 that Taiwan employs 24,000 migrant fishers (mainly from Indonesia, the Philippines and Vietnam), but that this number would increase if the irregular workers from Cambodia and Myanmar in the fishing industry were to be counted.

Human trafficking and forced labour: Indicators, ranking and reports

Taiwan is ranked Tier 1 in the U.S. Government's 2015 Trafficking in Persons¹ (TIP) report. This is the highest ranking, given to governments which are considered to comply fully with the minimum standards of U.S. anti-trafficking legislation for the elimination of human trafficking. Taiwan has now been placed in Tier 1 for several years.

¹ United States Trafficking in Persons Report 2015 <http://www.state.gov/j/tip/rls/tiprpt/>

Nevertheless, the 2015 TIP report identifies a number of issues of concern in the seafood industry, with particular reference to the activities of labour brokers and abusive practices against migrant workers. Generally it observes that documented and undocumented migrant workers, mostly from mainland China, Indonesia, and Vietnam, have experienced indicators of trafficking on Taiwan fishing vessels including non-or underpayment of wages, long working hours, physical abuse, lack of food, and poor living conditions. There were, however, no arrests or convictions for trafficking violations on Taiwan fishing vessels. The report recommends that the Government of Taiwan should increase efforts to prosecute and convict traffickers under Taiwan's anti-trafficking law; vigorously investigate and prosecute, using the newly established procedures, the owners of Taiwan-owned or -flagged fishing vessels who allegedly commit abuse and labour trafficking on board long haul fishing vessels; increase efforts to reduce exploitation of migrant workers by brokers, including Taiwan recruiters and Taiwan employers, by simplifying the process of direct hiring and building public awareness of the Direct Hiring Service Center.

It reports that a Cambodian court convicted six Taiwan nationals for enslaving 74 Cambodians on board Taiwan fishing vessels, but at the end of the reporting period, Taiwan authorities had not yet convicted any traffickers associated with this case (five of six remain at-large in Taiwan) or prosecuted other cases involving abuses on board Taiwan-flagged vessels.

Taiwan is ranked 152 out of 167 countries in the Australia-based Walk Free Foundation's 2014 *Global Slavery Index*² (a highly positive ranking, given that a No. 1 ranking indicates the highest prevalence of slavery, and a No. 167 ranking the least). Taiwan has the third best ranking for the Asia and Pacific region, after Australia and New Zealand. It also receives a positive ranking (fourth in the region, behind Australia, New Zealand and the Philippines) for measuring the government's response.

Other information on forced labour or human trafficking in Taiwanese seafood has been somewhat anecdotal, rather than based on systematic investigations on Taiwanese vessels or seafood production plants. In June 2014, for example, the BBC carried a report on *Exploitation in Taiwan's \$2 billion fishing industry*. This referred to a case where a Taiwanese recruitment agency named *Giant Ocean* had recruited over 1,000 Cambodians to work on mainly Taiwanese-owned fishing vessels since 2009, and allegedly subjected them to severe forms of abuse. A feature of the case was that a Cambodian court sentenced the agency's manager and five associated to terms of imprisonment in April 2014, and also ordered them to pay compensation to 150 victims.

Other reporting on the exploitation of Cambodian fishers in DWF has also highlighted the involvement of Taiwanese brokers and Taiwan-flagged vessels in this abuse. The best example is a 2014 report by the International Organization for Migration (IOM) and the Nexus Institute, which meticulously documents the experience of Cambodian men who migrated for work, mainly in South African waters, following recruitment by

² Global Slavery Index 2014 http://d3mj66ag90b5fy.cloudfront.net/wp-content/uploads/2014/11/Global_Slavery_Index_2014_final_lowres.pdf

the *Giant Ocean* company³. On arrival in Cape Town, the Cambodian fishers were generally met by persons from Taiwan or mainland China, who represented fishing companies in the port. The vessels to which they were eventually taken were often Taiwan-flagged, and the skippers were frequently from Taiwan as well as mainland China.

Taiwan and international human rights standards

Taiwan is characterised by a unique international status. Following the 1971 United Nations (UN) Resolution which recognized the People's Republic of China as the sole representative of China to the UN, most countries do not recognize Taiwan as an independent State, nor is it a member of such international organizations as the UN and the International Labour Organization (ILO).

United Nations treaties and procedures

Earlier, Taiwan signed the Universal Declaration on Human Rights in 1948, and the International Covenants on both civil and political rights and economic, social and cultural rights in 1967, but did not actually ratify these two latter instruments before losing its UN seat in 1971. In 2009, Taiwan's Legislative Yuan ratified both of the UN human rights Covenants, but the request to deposit the instruments of ratification was rejected by the UN Secretary General. However, domestic statutes ensure the incorporation of the rights enshrined by these international instruments in the national legal system. Taiwan's 1946 Constitution (which was extensively reformed in the 1990s following the end of martial law and the onset of political democratization) recognized fundamental human rights.

International Labour Organization (ILO) Conventions⁴

There is a similar situation with regard to the ILO and its International Labour Conventions. Prior to 1971, Taiwan has ratified four of the ILO's eight core human rights Conventions, including one of the instruments on forced labour. In February 2014, in launching a new Ministry of Labour, the Government proclaimed its vision of "decent work" for Taiwan, apparently based on the principles of the ILO and its standards. The Council on Labour Affairs follows the ILO and its standards closely, and provides training programmes for other agencies on the standards and their supervisory mechanisms.

There has been some close cooperation between UK and Taiwanese agencies on human rights issues. A study funded by the British Academy, on the protection of human rights in the UK and Taiwan, was published in May 2015⁵.

³ *In African Waters: The Trafficking of Cambodian Fishers in South Africa*, Rebecca Surtees, IOM and Nexus Institute, 2014. http://publications.iom.int/bookstore/free/Nexus_AfricanWaters_web.pdf

⁴ The International Labour Organization's Fundamental Conventions

http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_095895.pdf

⁵ *The Protection of Human Rights and Constitutional Review in the UK and Taiwan*, Bingham Centre for the Rule of Law, May 2015.

http://www.biicl.org/documents/597_uk_taiwan_research_report_final_22_5_2015.pdf

Fisheries policy and institutional framework

The Fisheries Act was first promulgated in 1929, and has been amended seven times since then. Recent regulations have emphasised, among other things, measures to combat IUU fishing. Other policies are addressing such issues as responsible fisheries, overcapacity in fisheries, and integrated coastal management.

The Council of Agriculture of the Executive Yuan is the highest policy-making body, and the Fisheries Agency the highest administrative agency. Taiwan also participates in a number of international bodies and RFMOs, sometimes as a full member, sometimes with observer status.

Measures to protect migrant fishers from other Asian countries

While the Council of Agriculture has passed two regulations on the hiring of migrant sea-based fishers, the ILO observes that these are aimed primarily at preventing the migrants from absconding in Taiwan, and only touch briefly on their employment conditions. In the absence of specific regulations, employment conditions are determined largely by the contractual agreements into which the migrant fishers enter with their employers or recruitment and service placement providers⁶. These provide a considerable degree of protection, for the migrants from different Asian countries who enter Taiwan through legal and official channels. All foreign service providers sending migrants to work in Taiwan's fishing sector must be approved by the Council on Labour Affairs (CLA), and must comply with its regulations on private employment services.

For example, legal migrant fishers from the Indonesia and the Philippines are entitled to the terms and conditions stipulated in their standard employment contract, recognized by Taiwan. As for Vietnamese, the Fishery Association of Kaohsiung City (a group that specializes in supplying migrant sea-based fishers to Taiwan fishing vessel owners operating in international waters) has partnered with 14 recruitment and placement agencies in Vietnam to implement a standard form contract for Vietnamese migrant fishers. A standards service contract has also been developed for Vietnamese seeking employment on Taiwan's DWF vessels.

Measures against IUU fishing

OECD reports that Taiwan has complied with relevant RFMO regulations to take measures against IUU fishing, including:

- Establishing authorised fishing vessel lists
- Requiring fishing vessels to report their catches
- Implementing management measures on transshipment in port or at sea
- Requiring fishing vessels to implement Vessel Monitoring System (VMS)
- Despatching patrol vessels to conduct boarding and inspection on the high seas
- Implementing Statistical Document and Catch Document schemes

⁶ *Work in Fishing in the ASEAN Region: Protecting the rights of migrant fishers*, ILO, Regional Office for Asia and the Pacific, 2014. http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-bangkok/documents/publication/wcms_306645.pdf

- Implementing measures to reduce incidental catches
- Allocating fishing quota and delineating fishing areas
- Port state measures.

Overall risk assessment

By reference to international human rights standards and their application, to measures against forced labour and human trafficking, and also to official safeguards for the protection of migrant fishers, Taiwan might be considered low risk. It has also taken significant steps to modernize its fishing industry, to control IUU fishing, and to develop high standards in aquaculture and processed seafood. The indications are that, deprived of full membership status in major international institutions, Taiwan is particularly concerned to demonstrate to its EU and other international trading partners that it abides by internationally recognized social as well as environmental standards.

However, there are outstanding issues of concern, particularly the treatment of migrant fishers on Taiwanese-flagged vessels in DWF. UK importers need to be particularly attentive when dealing with any tuna that can be traced to Taiwan-flagged DWF vessels. This remains medium to high risk. When dealing with Taiwan, UK companies might raise the issue of labour brokerage systems with the relevant authorities, pressing for regulations that ensure employment protections together with adequate monitoring and oversight.

For further information

- **United States Trafficking in Persons Report 2015**
<http://www.state.gov/j/tip/rls/tiprpt/>
 The Department places each country in this Report onto one of four tiers, as mandated by the Trafficking Victims Prevention Act (TVPA). This placement is based more on the extent of government action to combat trafficking than on the size of the country's problem. The analyses are based on the extent of governments' efforts to reach compliance with the TVPA's minimum standards. Tier one is the best ranking and Tier 3 the worst.
- **Global Slavery Index 2014**
http://d3mj66ag90b5fy.cloudfront.net/wp-content/uploads/2014/11/Global_Slavery_Index_2014_final_lowres.pdf
 The Global Slavery Index estimates the prevalence of modern slavery country by country, the absolute number by population, how governments are tackling modern slavery, and what factors explain or predict the prevalence of modern slavery. Rankings range from 1 to 167 - with 1 the worst and 167 the best, in terms of the prevalence of the population in modern slavery. This is based on three factors: estimated prevalence of modern slavery by population, levels of child marriage and levels of human trafficking into and out of the country. This gives a 'weighted measure'.
- **The International Labour Organization's Fundamental Conventions**
http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_095895.pdf
 Ratifications of fundamental Conventions and Protocols by country
http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:10011:0::NO::P10011_DISPLAY_BY,P10011_CONVENTION_TYPE_CODE:1,F

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