

Greenpeace Briefing on Taiwan for the US Department of Labor 2020 List of Goods Produced by Child Labor or Forced Labor

Introduction

Last December, Greenpeace and 23 additional NGOs, trade unions, and businesses sent a letter to the US Department of Labor, Bureau of International Labor Affairs (ILAB) Office of Child Labor, Forced Labor, and Human Trafficking calling on it to change its practice of excluding distant water fishing (DWF) nations that use forced labor to catch seafood on the high seas from its biennial List of Goods Produced by Child Labor or Forced Labor (TVPRA List), declare an official policy of attributing high seas catch to the flag State, and remove all seafood exemptions in its upcoming 2020 report.¹

This briefing supplements that letter by providing more information on forced labor in Taiwan's distant water fishing industry and demonstrating each of the criteria for listing Taiwan-caught tuna in the 2020 TVPRA List are fulfilled. The abuses on Taiwanese vessels will not stop until the US, as one of the largest markets in the world for imported seafood, uses the full range of tools at its disposal, including the TVPRA List, to push the Taiwanese government to make changes to its laws, policies, and practices. To this end, Greenpeace calls on ILAB to adopt a more flexible approach in its assessment of the prevalence of forced labor in DWF entities such as Taiwan. ILAB has confirmed it maintains a lower threshold for listing when considering countries such as North Korea and China where information on the prevalence of forced labor is difficult to obtain due to government restrictions on data collection or suppression of information dissemination.² Labor conditions on Taiwanese DWF vessels are similarly difficult to ascertain due to the government's decision to effectively limit dissemination of information on forced labor by not conducting port State labor inspections, allowing its vessels to operate at sea for an unlimited period of time without returning to shore, and restricting migrant fishers' ability to enter Taiwan and thus denying them access to support services. As such, a lower threshold for listing should also apply to DWF entities such as Taiwan that restrict the dissemination of information on forced labor through a combination of laws, policies, and practices designed to obscure the true extent of forced labor in its DWF industry.

¹ Greenpeace. 2019. 24 Groups Urge Labor Department to Act on Forced Labor in Global Fishing Industry, Citing Explosive Report. <https://www.greenpeace.org/usa/news/24-groups-urge-labor-department-to-act-on-forced-labor-in-global-fishing-industry-citing-explosive-report/>

² Meeting on Feb. 4, 2020 between ILAB, Greenpeace, and signatories to the December 17, 2019 letter re: ILAB's List of Goods Produced by Child Labor or Forced Labor and seafood exemptions; US Department of Labor. 2018 List of Goods Produced by Child Labor or Forced Labor. P. 69. <https://www.dol.gov/sites/dolgov/files/ILAB/ListofGoods.pdf> (in the section, "Countries with Data Gaps on TVPRA List", ILAB notes, "Where ILAB was able to find even limited sources, despite data availability constraints, indicating significant incidence of forced labor or child labor in the production of a particular good, and these sources were judged credible and timely, ILAB determined that there was "reason to believe" that child labor or forced labor was occurring with respect to that good.")

The information provided in this briefing shows that forced labor in Taiwan's DWF industry is absolutely not an isolated practice. Research and investigations by numerous organizations highlight the same patterns of abuse and repeatedly show the Taiwanese government's unwillingness to address the root causes of forced labor in its DWF industry. The time for Taiwan to be held accountable for forced labor is long past due, but the 2020 TVPRA List can be the catalyst for much needed reform and help secure respect for our oceans and the fishers who work in them.

Section I. Forced Labor in Taiwan's Distant Water Fishery

Seafood is one of the most traded food commodities in the world with an estimated annual value of USD 153 billion.³ Around USD 42 billion of that is from tuna.⁴ Taiwan plays a pivotal role in the global tuna trade as the second largest fishing entity on the high seas,⁵ with over 1,000 Taiwanese-flagged and close to 300 Taiwanese-owned, foreign-flagged DWF vessels that target tuna,⁶ and the largest longline tuna trader in the world.⁷ It also employs over 22,000 migrant fishers in its DWF fleet.⁸ According to the UN Food and Agriculture Organization (FAO), approximately 36% of the world's tuna longliner fleet is Taiwanese-flagged, the most of any flag State.⁹ Taiwan catches tuna and other high value fish in all of the major oceans of the world,¹⁰

³ SeafoodSource. 2019. Rabobank: Global Seafood Trade Now Worth USD 153 Billion.

<https://www.seafoodsource.com/news/supply-trade/rabobank-global-seafood-trade-now-worth-usd-153-billion>

⁴ Pew Charitable Trusts. 2016. Netting Billions: A Global Valuation of Tuna.

<https://www.pewtrusts.org/en/research-and-analysis/reports/2016/05/netting-billions-a-global-valuation-of-tuna>

⁵ Enric Sala, et al. 2018. The Economics of Fishing the High Seas.

<https://advances.sciencemag.org/content/4/6/eaat2504>

⁶ Taiwanese Fisheries Agency. 2020. Vessels Authorized to Operate in the Pacific Ocean, the Atlantic Ocean and the Indian Ocean.

<https://www.faa.gov.tw/cht/NewsPaper/content.aspx?id=2566&chk=49025ead-aae4-40e8-91e0-8bfe1f892a> (CN); Taiwanese Fisheries Agency. 2020. List of Approved FOC Vessels.

<https://www.faa.gov.tw/cht/FOC/content.aspx?id=3&chk=cafc76a4-613d-497c-adf7-9bd37cb1c96d¶m=pn%3d1> (CN)

⁷ Council of Agriculture, Executive Yuan. 2015. Develop International Markets for Taiwan's Aquatic Products. <https://eng.coa.gov.tw/ws.php?id=2503972> (CN)

⁸ Taiwanese Fisheries Agency. Number of Migrant Fishers Working on Taiwanese Vessels.

<https://www.faa.gov.tw/cht/Announce/content.aspx?id=679&chk=b810533f-40d0-4049-84d7-41bdfdfb94ab¶m=pn%3d3> (CN)

⁹ Greenpeace. 2016. Made in Taiwan: Government Failure and Illegal, Abusive and Criminal Fisheries.

<https://storage.googleapis.com/planet4-international-stateless/2016/04/1f3e47c1-taiwan-tuna-rpt-2016.pdf>; Center for American Progress. 2018. Making Reform a Priority for Taiwan's Fishing Fleet.

<https://www.americanprogress.org/issues/security/reports/2018/01/08/444622/making-reform-priority-taiwans-fishing-fleet/>

¹⁰ Council of Agriculture, Executive Yuan. 2015. Develop International Markets for Taiwan's Aquatic Products. <https://eng.coa.gov.tw/ws.php?id=2503972> (CN)

and its fleet operates in the EEZs of more than 30 countries.¹¹ Seafood export values are estimated to be around USD 2 billion, with primary markets in Japan, China, Thailand, and the United States.¹² The United States imports over 80% of its seafood and a significant amount is tuna caught by Taiwanese-flagged vessels.¹³ While Taiwan has profited from its large DWF fleet, the same cannot be said for the migrant fishers who toil in horrific and inhumane conditions on Taiwanese-flagged or owned vessels in all corners of our oceans. The European Union's (EU) decision in 2015 to issue a yellow card to Taiwan, and the US Customs and Border Protection's (CBP) issuance of a withhold release order in 2019 on tuna harvested by the Taiwanese-owned, Vanuatu-flagged fishing vessel *Tunago 61*, exemplify Taiwan's failure to manage both the DWF vessels flying its flag as well as Taiwanese who use flags of convenience (FOCs) to circumvent Taiwan's laws.¹⁴ This insufficient management, along with transshipment at sea and the overseas employment scheme (also referred to as the "two-tiered system"),¹⁵ render migrant fishers working in Taiwanese DWF fleets all the more vulnerable to forced labor.

The following eight cases of suspected forced labor on Taiwanese-flagged, owned or linked DWF vessels are drawn from the Greenpeace Southeast Asia *Seabound* report and the Greenpeace East Asia *Choppy Waters* report. They collectively demonstrate forced labor continues to be endemic in the Taiwanese DWF industry due to persistent issues such as debt bondage, withholding of wages, excessive overtime, discrimination against migrant fishers, irregular and ineffective labor inspections, and complete lack of oversight by the competent authority on labor matters. The names of the migrant fishers are withheld to protect their safety.

Case 1. Chin Chun 12

According to the Western and Central Pacific Fisheries Commission (WCPFC), *Chin Chun 12* is a Taiwanese-owned, Vanuatu-flagged vessel. From 2017 to 2019, an Indonesian migrant fisher coded as Mr. C worked on *Chin Chun 12*. In May 2019, Mr. C reported to Serikat Buruh Migran Indonesia (SBMI, or Indonesian Migrant Workers Union) that he was not paid on board every three months as required in his contract, nor was the remittance sent back to his family in

¹¹ The European Commission. 2015. Commission Decision on Notifying a Third Country of the Possibility of Being Identified as a Non-Cooperating Third Country in Fighting Illegal, Unreported and Unregulated Fishing. [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015D1002\(02\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015D1002(02)&from=EN)

¹² Taiwanese Fisheries Agency. 2018. Annual Report of Taiwan's Fisheries. <https://www.fa.gov.tw/cht/PublicationsFishYear/content.aspx?id=33&chk=6aa2c133-d15a-4a21-87b5-810a91929b84> (CN)

¹³ NOAA Fisheries. 2020. Global Wild Fisheries. <https://www.fishwatch.gov/sustainable-seafood/the-global-picture>

¹⁴ CBP. 2019. CBP Issues Detention Order on Tuna Harvested by Forced Labor Aboard the *Tunago No. 61*. <https://www.cbp.gov/newsroom/national-media-release/cbp-issues-detention-order-tuna-harvested-forced-labor-aboard-tunago>.

¹⁵ Greenpeace. 2019. The Two-Tiered System: Discrimination, Modern Slavery and Environmental Destruction on the High Seas. https://www.greenpeace.org/usa/wp-content/uploads/2019/09/Greenpeace-Briefing-on-the-Two-Tiered-System_9.19.19.pdf.

Indonesia. Mr. C also said that it was not until he returned home that he realized that he was not paid at all for his two years working on the Taiwanese-owned vessel.

ILO forced labor indicators: deception, and withholding of wages.

Case 2. Da Wang

According to WCPFC, *Da Wang* is a Taiwanese-owned, Vanuatu-flagged vessel. An Indonesian migrant fisher coded as Mr. D worked on this vessel from 2019. In July, 2019, Mr. D reported to SBMI that he signed a two-year contract but the work was terminated prematurely after the death of another migrant fisher. Mr. D reported witnessing another migrant fisher get hit on his head near the left ear by the captain, and that this migrant fisher was forced to continue to work until the work was done. The next day, this migrant fisher was found dead in his bed. After this incident, Mr. D said that all other 19 migrant fishers were asked to sign an unknown paper, which he said he later understood to be voluntary repatriation. Mr. D also claimed to be subject to frequent physical abuse from the captain, and worked approximately 22 hours per day.

ILO forced labor indicators: abuse of vulnerability, deception, physical and sexual violence, withholding of wages, abusive working and living conditions, and excessive overtime.

Case 3. Fwu Maan 88

According to WCPFC, *Fwu Maan 88* is a Taiwanese-flagged vessel. Three Indonesian migrant fishers signed contracts to work on the vessel starting in 2018. In January 2019, they reported to SBMI that they were asked by the captain to sign a voluntary repatriation statement, and thus their contracts were terminated prematurely. According to the migrant fishers, they were often subjected to physical and verbal abuse from the captain, and their passports were retained by the captain. These three migrant fishers also reported to the Indonesia Embassy in Port Moresby about the mistreatment they received from the captain, which led to conflict between them and the captain.

ILO forced labor indicators: abuse of vulnerability, physical and sexual violence, and retention of identity documents.

Case 4. Lien Yi Hsing 12

According to WCPFC, *Lien Yi Hsing 12* is a Taiwanese-flagged vessel. Two Indonesian migrant fishers coded as Mr. N and Mr. K signed two-year contracts to work on the vessel starting in 2018. They reported to SBMI on an unknown date that they worked on the vessel for 10 months but were both only paid a month's salary. Mr. N reported that his contract specified his salary as USD 500 per month, but after working 10 months on the vessel, he only received USD 500 in total. As for Mr. K, he said that his contract specified his salary as USD 450 per month, but after

working 10 months on the vessel, he only received USD 450 in total. The vessel owner told them that the rest of their salary had been sent to their Taiwanese manning agencies; however, when they contacted their agencies, no responses were given.

ILO forced labor indicators: deception, and withholding of wages.

Case 5. Shin Jaan Shin

According to WCPFC, *Shin Jaan Shin* is a Taiwanese-flagged vessel. An Indonesian migrant fisher coded as Mr. A worked on the vessel during an unknown period of time. He reported to SBMI in January 2019 that he was not paid as much as required in his contract, and that he was given a falsified seaman book.

ILO forced labor indicator: deception.

Case 6. Wei Ching

According to the International Commission for the Conservation of Atlantic Tunas (ICCAT), *Wei Ching* is a Taiwanese-flagged vessel. An Indonesian migrant fisher coded as Mr. S working on the vessel told Greenpeace East Asia that he worked on average 18 hours per day without any days off. Mr. S also claimed that the drinking water and food were unbearable. The migrant fisher said that sometimes the crew had to boil water from the air conditioner to drink. He also reported that the food was sometimes a mixture of pork and other meat, which was against the Islamic practice of some crew members. Mr. S also complained that the sleeping space was only 0.5 meter in width. In addition to this abusive environment, Mr. S reported that USD 800 was deducted from his salary. He also reported that his passport was retained by the captain, and that he didn't get a copy of his contract.

ILO forced labor indicators : abuse of vulnerability, retention of identity documents, debt bondage, abusive working and living conditions, and excessive overtime.

Case 7. Vessel A

According to ICCAT, *Vessel A* is a Taiwanese-flagged vessel. Two Indonesian migrant fishers, coded as Mr. M and Mr. E, told Greenpeace East Asia investigators that they worked around 17 to 18 hours per day. They claimed that when it got busy, they worked over 34 hours straight. They also complained that deposits were deducted from their salary. According to Mr. M, a deposit of USD 900 and a recruitment fee of USD 20 was deducted from his salary. According to Mr. E, a deposit of USD 800 was deducted from his salary. Mr. M also told Greenpeace that he felt cheated because after he had submitted all the necessary documents, he waited for six months before he got the job which was contrary to the immediate departure promised by the manning agency. They both reported that their passports were retained by the captain.

ILO forced labor indicators : abuse of vulnerability, deception, retention of identity documents, withholding of wages, debt bondage, and excessive overtime.

Case 8. Vessel B

According to ICCAT, *Vessel B* is a Japanese-flagged vessel. However, the contract of the migrant fisher Greenpeace interviewed (coded as Mr. J) showed the company is based in Kaohsiung, Taiwan, and that the representative of the vessel owner is a manning agency listed on the Taiwanese Register of Companies. Therefore, Greenpeace suspects the vessel to be a FOC owned by a Taiwanese citizen. Mr. J's contract states, "Any disputes that occurred during the contract period must be reported to the vessel owner or the captain. Disputes should only be reported to the manning agency in Indonesia or the Taiwanese fishery company when they cannot be resolved by the owner or the captain. If the fisher reports the issue to any other authority, the vessel owner is no longer responsible for the fisher's safety and that the vessel owner bears no more responsibility to send the fisher to his country of origin." The contract further states, "During the contract period, the captain reserves the right to transfer the crew member to other vessels without the fisher's consent." The contract also prohibited the migrant fisher from terminating his employment on the basis of excessive workload or working hours, lack of awareness about the nature of the work required of him, or having an ill family member, all of which rendered the contract overly binding. Mr. J reported working on average 16 hours per day with around 6 hours for sleep. Mr. J also said that he was charged a deposit and recruitment fee. He also claimed that his passport was confiscated by the captain.

ILO forced labor indicators : intimidation and threats, retention of identity documents, withholding of wages, debt bondage, and excessive overtime.

Section II. Nature of information

Seven of the eight cases presented in this briefing meet the international definition of forced labor as established in art. 2 of the ILO Forced Labour Convention, 1930 (C29). The facts in the eighth case indicate there was certainly a risk of forced labor, but there was insufficient information to conclude that there was actual forced labor. The determination of forced labor in the seven cases was based on the presence of a combination of ILO forced labor indicators that satisfied both the involuntariness and coercion (menace of penalty) elements of the ILO definition of forced labor. The third element - work - was satisfied by the migrant fishers' jobs onboard their vessels. This methodology is the same used by ILAB to determine whether information about forced labor gathered from research or other sources meets the definition established in ILO C29.

Of the eight vessels discussed above, five are Taiwanese-flagged, two are Taiwanese-owned but foreign-flagged, or FOCs, and one Taiwanese-linked. The presence of forced labor or risk of forced labor on five Taiwanese-flagged vessels owned by five different fishing companies

provides further proof that forced labor in the Taiwanese DWF industry is not an isolated practice restricted to only one or a few bad actors. Forced labor is endemic to the industry and remains persistent and undiminished due to systemic failures of the Taiwanese government.

The two Taiwanese-owned, FOC vessels are mentioned in this briefing to shine a spotlight on countries such as Vanuatu that should also be held responsible for failing to prevent forced labor from occurring on vessels under its authority. While flag States such as Vanuatu should be held responsible by ILAB in its TVPRA List, Greenpeace also recommends ILAB engage with the Taiwanese government separately to address the issue of Taiwanese who use FOCs to circumvent Taiwanese laws and evade accountability for gross human rights violations. Ultimately, both Vanuatu and Taiwan must be held accountable for failing to end the exploitation of workers by individuals and companies under their authority.

Section III. Date of information

All the information provided in this briefing is no more than five years old at the time of submission to ILAB.

Section IV. Source of information

Five of the Greenpeace cases in this briefing (*Chin Chun 12*, *Da Wang*, *Fwu Maan 88*, *Lien Yi Hsing 12*, and *Shin Jaan Shin*) are based on research and investigations conducted by Greenpeace Southeast Asia and SBMI.

SBMI was founded in 2003 and is operated by former, present, or aspiring Indonesian migrant workers and their families. It has a long track record of collaborating with international NGOs such as Greenpeace and Environmental Justice Foundation (EJF), and it has a stellar reputation for its investigations on forced labor in the East Asian distant water fishing industry and its representation of Indonesian migrant fisher returnees who are survivors of forced labor and human trafficking. SBMI has assisted numerous Indonesian migrant fishers working on Taiwanese DWF vessels and it has extensive knowledge of forced labor and other forms of labor exploitation in the industry.

Greenpeace Southeast Asia has produced three reports documenting forced labor and human trafficking in Asian fisheries - *Supply Chained* (2015), *Turn the Tide* (2016), and *Seabound* (2019). The *Seabound* report was produced with the support of Greenpeace USA Senior Oceans Adviser Andy Shen who has over eight years of experience on forced labor and human trafficking in Asian fisheries and previously worked for the International Labour Organization (ILO) and the International Labor Rights Forum as a specialist on human and labor rights in fisheries.

For the *Seabound* report, SBMI interviewed the victims, inputted the case information in SBMI's case submission form, and then developed legal cases based on the information. SBMI's case

submission form includes questions on the contract, recruitment agency, working conditions, and the fisher's general observation on the vessel. See Appendix I for the full questionnaire.

The three other Greenpeace cases in this briefing (*Wei Ching, Vessel A, and Vessel B*) are based on research and investigations conducted by Greenpeace East Asia in one of the most frequented foreign ports by Taiwanese DWF fleets. See Appendix II for Greenpeace East Asia's questionnaire.

Greenpeace East Asia has produced three reports documenting forced labor and human trafficking in the Taiwanese DWF industry - *Made in Taiwan* (2016), *Misery at Sea* (2018), and *Choppy Waters* (2020). *Choppy Waters* was produced with the support of Greenpeace USA Senior Oceans Adviser Andy Shen.

Greenpeace reports on forced labor in fisheries have been cited or referenced by the US Department of State, US Customs and Border Protection, the European Union, reputable NGOs, and other stakeholders.

Section V. Extent of Corroboration

The information provided by Greenpeace in this briefing is corroborated by numerous sources, including other NGOs, the US Department of State's past TIP Reports and Human Rights Reports, and Taiwanese and Indonesian media reports.

Greenpeace and EJF's findings on the most common forced labor indicators, and the root causes of forced labor, in the Taiwanese DWF fleet are consistent and demonstrate a well-established pattern of exploitation where vulnerable migrant workers are deceived, bound by debt and other coercive measures, and subjected to extreme working hours, violence, and other inhumane treatment with no possibility of escape. The stories of "hell on earth" are all similar and leave no doubt as to whether these workers are victims of forced labor.

The US government has known about the forced labor and human trafficking in Taiwan's DWF fleet for many years as evidenced by the commentary in the Department of State's annual TIP Report and Human Rights Report on Taiwan. Indeed, human rights abuse in the Taiwanese DWF fleet has been identified in past TIP reports as a priority issue for the Taiwanese government to handle.

The sources and information below provide extensive corroboration of Greenpeace's determination that forced labor in Taiwan's tuna industry is endemic.

US Department of State

2014-2019 TIP Reports

The US TIP reports from 2014 to 2019 all continuously pointed out that migrant fishers on Taiwan's DWF vessels are largely underpaid, subject to poor working and living conditions, and endure physical and verbal abuse. In the 2019 TIP report on Taiwan, the State Department recognized that the separation of purview between the Ministry of Labor and the Fisheries Agency (FA), coupled with insufficient inspection protocols, continued to impede efforts to address forced labor on Taiwanese-flagged or owned fishing vessels, particularly in the highly vulnerable DWF fleets.

2014-2019 Human Rights Reports

Like the US TIP reports, the US Human Rights reports from 2014 to 2019 also identified systemic issues and a pattern of human rights violations in Taiwanese DWF fleets. The 2016 Taiwan report cited the work of Greenpeace and detailed the excessively long working hours and poor living and working conditions of migrant fishers on Taiwanese vessels. In the 2019 report on Taiwan, the State Department also pointed out that the two-tiered system subjects migrant fishers recruited overseas to lesser labor rights, wages, insurance, and pensions than those recruited locally.

Environmental Justice Foundation

2018: Abuse and Illegal Fishing Aboard Taiwanese Vessel Let Slip Through the Net¹⁶

In May 2018, the Taiwanese-flagged vessel *Fuh Sheng 11* became the very first vessel in the world to be detained for violating ILO Working in Fishing Convention (C188). According to the South African officials, there was a lack of work agreements and crew list, rotten lifebuoys, missing anchors and generally bad health and safety conditions. When the vessel was detained, a Taiwan FA officer, posted in Cape Town, visited the vessel and distributed questionnaires to crew members in the presence of the captain, without disclosing his identity as a Taiwanese official, and without any interpreter despite the fact that some crew members were not able to understand the questionnaires. The Taiwanese FA later issued a statement saying that *Fuh Sheng 11* only needed a few repairs, and claimed that the vessel was not detained and that it did not violate C188. The vessel was thus released from Cape Town. Amidst the growing international attention, *Fuh Sheng 11* repatriated most of its foreign crew members.

EJF traced the crew members back to their hometowns and interviewed them, and documented the egregious human rights abuses and severe illegal fishing offences on *Fuh Sheng 11*. Crew members reported constant beatings from the captain and 22-hour work days on average. "We sometimes slept only three hours and it was slavery. There were many cockroaches in the food [...] and insects in the bedroom," according to one crew member. Another crew member reported, "We don't dare [do anything] because Indonesian crew are only laborers, not people

¹⁶ Environmental Justice Foundation. 2018. Abuse and Illegal Fishing aboard Taiwanese Vessel Let Slip through the Net. <https://ejfoundation.org/news-media/first-hand-reports-of-grave-abuse-and-illegal-fishing-aboard-taiwanese-vessel-allowed-to-slip-through-the-net>

with standing.” Apart from human rights offenses, the crew members also provided EJF with photographic evidence of shark finning. It was not until EJF’s documentary attracted great international attention that the Taiwanese FA finally admitted five months later that there were human rights abuses and IUU fishing on the vessel.¹⁷

2018: Illegal Fishing and Human Rights Abuses in the Taiwanese Fishing Fleet¹⁸

In 2018, EJF conducted interviews with crew members from three Taiwanese-flagged, one Taiwanese-owned, and one Taiwanese-linked vessel, and found cases of alleged IUU fishing and human rights abuses. The crew members reported unsanitary living conditions, and constant verbal and physical abuse. Some mentioned that they only had three to four hours of sleep per day while some reported that they would sometimes be forced to endure several days without adequate food. Deductions of salary and withholding of food were used as a means to coerce crew members as well. Apart from human rights abuse, some crew members also reported dolphin killing, shark finning and killing fish that vessels were forbidden to catch by Regional Fishery Management Organizations (RFMOs).

Human Rights at Sea¹⁹

2019: Baseline Study: On the Awareness and Application of Human Rights in Taiwan’s Fishery Industry²⁰

In October 2019, Human Rights at Sea published a 20-page *Baseline Study* reporting on how migrant fishers were forced into working overtime on Taiwanese commercial vessels in unsanitary environments, and faced verbal and physical abuse and illegal deduction of wages. Human Rights at Sea conducted field research in Taiwan and interviewed several migrant fishers in August 2019. In the report, Human Rights at Sea noted that working overtime and physical abuse have been normalized on Taiwanese vessels. The rest hours for migrant fishers was around four to six hours, and broken down into short periods on an irregular basis. Constant lack of sleep makes the vessel operations hazardous, and injuries with machine operations, knife work and rope work are common. Despite this, migrant fishers reported that they were not allowed to rest and sometimes the wounds would deteriorate due to unhealthy food, an unsanitary environment and lack of medical care. Among all the accusations, the one

¹⁷ Taiwanese Fisheries Agency. 2018. Press Release: Investigation Result of Fu Sheng 11. <https://www.fa.gov.tw/cht/NewsPaper/content.aspx?id=2520&chk=a14c8419-675b-457d-bc09-98b1f517fefa> (CN)

¹⁸ Environmental Justice Foundation. 2018. Illegal Fishing and Human Rights Abuses in the Taiwanese Fishing Fleet. <https://ejfoundation.org/resources/downloads/EJF-Taiwanese-vessels-briefing-public-final.pdf>

¹⁹ Human Rights at Sea is a UK-based human rights organization focusing on human rights for fishers and seafarers.

²⁰ Human Rights at Sea. 2019. Human Rights at Sea Baseline Study: on the Awareness and Application of Human Rights in Taiwan’s Fishing Industry. <https://www.humanrightsatsea.org/2019/10/18/labour-abuse-taiwanese-fisheries-human-rights-baseline-study-published/>

dominant complaint among the interviewed migrant fishers was illegal deduction of wages, which often comes from service fees or debt from recruitment fees. Two migrant fishers said that they were promised 300 USD per month, but they only received 50 USD per month. "(This is) Hell on earth", a migrant fisher murmured during the interview.

Greenpeace

2018: Misery at Sea: Human Suffering in Taiwan's Distant Water Fishing Fleets²¹

In 2018, Greenpeace East Asia conducted follow-up research on the case of Giant Ocean, and further research on two cases: first, the death of the Indonesian migrant fisher Supriyanto, and second, the *Tunago 61* incident where several Indonesian migrant fishers murdered the captain of the Taiwanese-owned, Vanuatu-flagged vessel and were imprisoned in Vanuatu in 2016.

In the report, Greenpeace East Asia tracked down five Taiwanese that were convicted by the Cambodian government in absentia but didn't serve their sentence because their whereabouts remained unknown. Greenpeace East Asia found that these five Taiwanese were living openly in Taiwan as fugitives from Cambodian justice. On top of this, two of them had officially sanctioned roles working in the recruitment of migrant crew onto Taiwanese vessels, and two others appeared to be involved in recruiting migrant crew for fishing vessels in Taiwan.

In the second case, Greenpeace East Asia reviewed the case of Suriyanto, an Indonesian migrant fisher who died on the Taiwanese-flagged vessel *Fu Tsz Chiun* in 2015. A post-mortem examination indicated that Suriyanto had died from septic shock from an infection he suffered following a knee injury. The FA investigation failed to establish a clear version of events, and to properly explain how a healthy, relatively young man, died at sea. It was not until the family members of Supriyanto and the Yilan Migrant Fishermen's Union (YMFU, the first and the only migrant fisher union in Taiwan) raised serious concerns about the quality of the investigation that the Control Yuan, an independent government unit overseeing all executive branches, issued a correction on the FA's investigation.

In the third case, Greenpeace East Asia flew to Vanuatu to interview the six Indonesian migrant fishers who were serving their sentence for murdering the captain of *Tunago 61*. The interviews painted a picture of cruel working and living conditions on the vessels. The migrant fishers also reported that they were subject to multiple assaults with sticks, severe sleep deprivation, regular verbal abuse, inadequate and inappropriate food, including being forced to eat pork (against their Muslim faith), excessive overtime (on average 20-hour work days), and a threat to kill one of them the night before the captain was killed. See Appendix III for the full questionnaire.

2016: Made in Taiwan: Government Failures and Illegal, Abusive, Criminal Fisheries²²

²¹ Greenpeace. 2018. Misery at Sea: Human Suffering in Taiwan's Distant Water Fishing Fleet. https://storage.googleapis.com/planet4-new-zealand-stateless/2018/05/9fdf62aa-greenpeace_misery_at_sea-report-lowres.pdf

The 2016 Greenpeace East Asia report, *Made in Taiwan: Government Failure and Illegal, Abusive, and Criminal Fisheries*, was based on a 12 month investigation from 2014 to 2015, and the interviews of more than 100 migrant fishers throughout the major ports in Taiwan. Interviews were also conducted with migrant fishers working on Taiwanese-flagged DWF vessels in Suva, Fiji. Three case studies were described and analyzed in the report, including IUU fishing by a Taiwanese-flagged vessel *Shuen De Ching No. 888*, the case of "Giant Ocean", and the notorious murder at sea in the Indian Ocean where UN agencies also made their own investigation. Greenpeace East Asia painted a vivid picture of Taiwan's DWF vessels, where IUU fishing is rampant, and the lives of migrant fishers are cheap. During the interviews, migrant fishers complained that violence was common, ranging from being slapped to being bashed with weapons or even being shot. In addition to physical abuse, one of the most common issues was the deduction of salary for food and various claimed services. Many of the migrant fishers in the DWF fleet reported that they worked 17 to 22 hours per day (often around 20 hours per day), seven days a week, for months on end, and that the typical rate of pay was USD 300 per month, which meant they only earned USD 0.5 per hour. Worse still, one of the fishers who was forced to pay labor brokers through deduction of his salary reported that he was paid only USD 100 per month, or USD 0.15 per hour. See Appendix III for the questionnaire.

Three cases were analyzed in the report, highlighting the core problems in Taiwan's distant water fishery: IUU fishing and forced labor. The first case was a Taiwanese-flagged vessel *Shuen De Ching No. 888*, on which Greenpeace boarded under the consent of the captain. Shark finning and illegal fishing were found. Crew members who were interviewed also told Greenpeace that the vessel had transshipped at sea at least twice, and on several occasions, the captain had switched off the monitoring systems on the vessel and illegally fished in the Papua New Guinea EEZ.

The second case, "Giant Ocean", illustrated the problem of systematic forced labor and human trafficking in Taiwan's distant water fishery. Giant Ocean was a Cambodian recruitment agency operated by Taiwanese with strong ties back to Taiwan. In May 2012, the Cambodian government initiated the first discussion with civil society organizations about Giant Ocean, and it was estimated afterwards that Giant Ocean had trafficked more than 1,000 Cambodians to work as migrant fishers predominantly on Taiwanese-flagged vessels. The survivors gave similar and harrowing accounts of how they were tricked about working conditions, starvation, debt bondage, physical abuse, lack of medical care, death threats, and 21 hours of work per day. In April 2014, six Taiwanese running Giant Ocean were convicted in absentia of human trafficking. All were sentenced to ten years in prison and ordered to pay the 150 identified victims. However, only the manager of Giant Ocean went to prison while the rest of the five criminals remained at large.

²² Greenpeace. 2016. *Made in Taiwan: Government Failure and Illegal, Abusive and Criminal Fisheries*. <https://storage.googleapis.com/planet4-international-stateless/2016/04/1f3e47c1-taiwan-tuna-rpt-2016.pdf>

The last case took place on August 17, 2014, when five men were shot at sea in the Indian Ocean. The crime was recorded in a video, which was then uploaded to Youtube. In the video, a Taiwanese-flagged vessel *Chun I No. 217* was spotted. The vessel owner of *Chun I No. 217*, Mr. Lin, who owned a dozen vessels and was also the Executive Director of the Taiwan Tuna Association and the Taiwan Deep Sea Tuna Fishery Development Foundation, told the New York Times that he was not aware that one of his vessels was sailing in the area where the shooting took place. However, the New York Times later reported that a Sri Lankan security firm Avant Garde Maritime Services was authorized to put armed guards on Mr. Lin's vessels. However, despite this evidence that should have triggered more investigation, the Taiwanese FA advised that the victims of the shooting were pirates, that the shooters were armed security, and that *Chun I No. 217* was "passing by" at the time.

Investigative Reports from Media

The News Lens

2018: Welcome to Taiwan: Beatings, Bodies Dumped at Sea and a Culture of Maritime Abuse²³

Apart from NGOs, the media have also shed light on human rights abuses of migrant fishers on Taiwanese DWF vessels. In 2018, The News Lens interviewed a crew member on the Taiwanese-flagged vessel *Fu Tzu Chieun*, where the Indonesian fisher Supriyanto died. The crew member reported that Supriyanto's fatal wounds resulted from continuous abuse by the captain and fellow crew members. The editor also learned during a visit with the YFMU that Taiwanese vessels had a practice of throwing bodies of deceased fishers out to sea, rendering it impossible to determine the cause of death.

The Reporter and Tempo Magazine

2017: Slavery at Sea²⁴

In 2017, a Taiwanese journal "The Reporter" worked with an Indonesian journal "Tempo Magazine" to publish the report "Slavery at Sea", documenting the lives of Indonesian migrant fishers on Taiwanese fishing vessels through interviews of dozens of migrant fishers and former migrant fishers, sponsors or brokers who recruited them, as well as agents spread throughout Indonesia. According to the investigation, the work on tuna longliners was on average over 20 hours a day, and sometimes when there was a lot of fish, the migrant fishers were not allowed to sleep for the whole day. Some reported that if they were slow at work, they were lined up and beaten on the face by the captains. They had to dive into the water without an oxygen tank to

²³ The News Lens. 2018. Welcome to Taiwan: Beatings, Bodies Dumped at Sea and a Culture of Maritime Abuse. <https://international.thenewslens.com/feature/highseas/96334>

²⁴ Tempo Magazine and The Reporter. 2018. Slavery at Sea. <https://en.tempoco/read/833777/investigation-slavery-at-sea>

clean the turbine of the vessel. Living conditions were allegedly terrible. Migrant fishers reportedly slept on whatever they could find in a stuffy room. Some migrant fishers reported that they had no choice but to thaw the ice from the storage to drink because potable water was not shared by the captain. It was such maltreatment that led a group of Indonesian migrant fishers to kill the captain of the Taiwanese-flagged vessel *Te Hung Hsing 368* in 2013.

Section VI. Significant incidence of child labor or forced labor

The findings from Greenpeace's 2019-2020 reports and the additional corroborative information presented above warrants a determination from ILAB that there is indeed a significant incidence of forced labor in Taiwan's tuna industry. The totality of information in this briefing, especially considering the Taiwanese government's laws, policies, and practices that limit the dissemination of information about forced labor in its DWF fleet, supports a conclusion that forced labor is not an isolated practice limited to one or a few companies, but a government-enabled model of exploitation that has been endemic in the industry for many years. Even with the Taiwanese government's attempts at obscuring the true conditions of migrant fishers in its DWF fleet, Greenpeace and others have documented a pattern of abuse that suggests forced labor may actually be a characteristic of the tuna industry as a whole.

Forced labor in the Taiwanese DWF industry is a direct result of Taiwan's laws, policies, and practices that enable overexploitation of global tuna fisheries at the expense of vulnerable Southeast Asian migrant fishers. Such laws, policies, and practices include overcapitalization of the DWF fleet, transshipment at sea, inadequate observer coverage on longline fishing vessels, lack of port State labor inspections, ineffective and inadequate restrictions on time at sea, systematic discrimination against migrant fishers, and lack of oversight by the competent authority on labor matters. Taiwan's discriminatory two-tiered system and the failure of its Fisheries Agency in protecting migrant fishers in the DWF fleet are discussed below.

Taiwan's overseas employment scheme, or two-tiered system, differentiates between domestic employment of migrant fishers on vessels operating predominantly in Taiwan's waters, and overseas employment of migrant fishers on Taiwanese DWF vessels operating in international waters or the EEZs of other countries. The latter embark and disembark from their working vessels at foreign ports. Migrant fishers working on DWF vessels are subject to the *Regulations on the Authorization and Management of Overseas Employment of Foreign Crew Members* administered by Taiwanese FA (hereafter referred to as the TFA Regulations). Taiwanese fishers working on DWF vessels, on the other hand, are subject to the *Labor Standards Act* promulgated by the Ministry of Labor. These two laws establish very different labor standards, thus creating a discriminatory two-tiered system in which migrant fishers who do the same work as their Taiwanese counterparts are subject to different treatment. The minimum wage for Taiwanese fishers under the *Labor Standards Act* is set at around USD 740 per month while the minimum wage for migrant fishers under the TFA Regulations is only set at USD 450 per month. Each migrant fisher in Taiwan's distant water fleet is potentially losing roughly USD 3,480 per

year due to this system. Migrant fishers in the DWF fleet may also face unequal and excessive working hours compared to Taiwanese fishers. Unless otherwise negotiated with their employers, Taiwanese fishers may work up to eight hours a day under the *Labor Standards Act* whereas TFA Regulations permit employers to demand migrant fishers work as much as 14 hours straight.²⁵ These are just two examples of the unequal treatment migrant fishers in the Taiwanese DWF industry face. The two-tiered system as a whole increases migrant fishers' risk of forced labor while significantly reducing the operating costs of the Taiwanese DWF fleet.

As noted above, the Taiwanese FA is responsible for administering the TFA regulations and ostensibly protecting all fishers, including migrant fishers, in the DWF fleet. However, the TFA, as demonstrated through its failed statements and actions, lacks the labor expertise to properly conduct labor inspections and ensure the labor rights of over 22,000 migrant fishers working on Taiwanese vessels. In the latest FA list of vessels violating *The Act for Distant Water Fisheries*, unapproved recruitment of migrant fishers accounted for 41% of total violations.²⁶ This high rate shows again the inability or unwillingness of the FA to enforce its regulation on overseas employment of migrant fishers. Migrant fishers recruited without approval of the Taiwanese government are more vulnerable to debt bondage, forced labor, human trafficking, and other human rights abuses.

The Taiwanese government and tuna industry, and the global seafood traders and American companies that source from the Taiwanese DWF fleet, may point to past reforms and ongoing initiatives to reduce forced labor as evidence the problem has subsided, but a close examination shows these efforts have been ineffective and forced labor persists because of their failure to tackle its root causes. The continued identification of potential IUU and forced labor cases after the EU lifted Taiwan's yellow card in 2019 shows that the Taiwan government's reforms are simply not enough.²⁷ The information in this briefing proves that incremental approaches, including government efforts to tinker with the existing framework for DWF and industry efforts to promote national instead of international standards,²⁸ are inadequate to uproot a problem that requires more urgent and serious actions.

²⁵ Greenpeace. 2019. The Two Tiered System: Discrimination, Modern Slavery and Environmental Destruction on the High Seas. https://www.greenpeace.org/usa/wp-content/uploads/2019/09/Greenpeace-Briefing-on-the-Two-Tiered-System_9.19.19.pdf.

²⁶ Taiwanese Fisheries Agency. 2019. IUU Vessel List. <https://www.fa.gov.tw/cht/PolicyIUU/content.aspx?id=24&chk=7a738fd3-7dd8-4c9b-a342-d132f2071b96¶m=pn%3d1> (CN)

²⁷ Greenpeace. 2020. Choppy Waters: Forced Labour and Illegal Fishing in Taiwan's Distant Water Fisheries. <https://storage.googleapis.com/planet4-southeastasia-stateless/2020/03/b87c6229-2020-choppy-waters-en.pdf>

²⁸ Greenpeace. 2020. Why Bumble Bee Tuna Should Concern You (Hint: It's Human Rights and Destructive Fishing). <https://www.greenpeace.org/usa/why-bumble-bee-tuna-should-concern-you-hint-its-human-rights-and-destructive-fishing/>

Section VII. Conclusion

This briefing presents the information ILAB needs to justifiably add Taiwan-caught tuna to the 2020 TVPRA List. Even in an unduly restrictive data collection environment, Greenpeace and other organizations have gathered sufficient evidence to demonstrate significant incidence of forced labor in Taiwan's DWF industry. This conclusion is reinforced by the systemic nature of forced labor in the industry where this abuse is underpinned by the government's laws, policies, and practices that are designed to exploit vulnerable migrant fishers in order to overfish our oceans.

To effectively combat forced labor in the Taiwanese tuna industry, Greenpeace recommends ILAB prioritize the following governmental and industry reforms in its dialogue with the Taiwanese government:

- Abolish the overseas employment scheme for migrant fishers, apply the Labor Standards Act to all fishers, including migrant fishers in the DWF fleet, and ensure all migrant fishers are governed by the Ministry of Labor and thus afforded the same rights and protections as Taiwanese fishers;
- Punish Taiwanese manning agencies if their foreign counterparts violate relevant Taiwanese regulations;
- Involve labor unions in the annual review of manning agencies approved to recruit migrant fishers;
- Adopt and implement the ILO Work in Fishing Convention (C188) within 12 months;
- Adopt and implement the eight ILO fundamental Conventions;
- Adopt and implement the ILO Migrant Worker Conventions;
- Adopt and implement the International Maritime Organization Cape Town Agreement;
- Adopt and implement a regulation on maximum time at sea that limits vessels to three months at sea so the Government can conduct labor inspections, and ensure all crew have paid shore leave and unfettered access to port services for a minimum of 10 days.
- Increase the frequency and reliability of labor inspections for all vessels, especially DWF vessels;
- Handle human trafficking and forced labor cases promptly once reported, strictly enforce relevant regulations, and increase prosecution and conviction rates;
- Establish a timely and effective grievance mechanism for migrant fishers, particularly for urgent cases at sea;
- End transshipment at sea; and
- Ensure 100% observer coverage (independent human or effective electronic catch monitoring), and the safety of all observers, on all fishing vessels.

Taiwan accounts for the second highest revenue of all DWF fishing entities on the high seas,²⁹ and the US is a major market for tuna caught by Taiwanese-flagged or owned fishing vessels. The US government has a responsibility to inform the American public of the high risk of forced labor in the Taiwanese tuna industry and prevent American companies from profiting from forced labor in their tuna supply chains. ILAB has the opportunity with its 2020 TVPRA List to raise awareness of abuses in the Taiwanese tuna industry, initiate a long overdue dialogue with American companies sourcing from the Taiwanese fleet, and catalyze much needed governmental and industry reforms in Taiwan. Greenpeace calls on ILAB to seize this opportunity to protect migrant fishers and uphold the integrity and credibility of its work on forced labor in the global fishing industry.

²⁹ Enric Sala, et al. 2018. The Economics of Fishing the High Seas.
<https://advances.sciencemag.org/content/4/6/eaat2504>

Appendix I: SBMI Questionnaire

HTFL Case Submission Form (Formulir Pengaduan Kasus TPPO/KP)

1. Submitting Organization Name (Nama Organisasi Yang Mengadu)
2. Submitting Investigator Name (Nama Orang Yang Mengadu)
3. Date (Tanggal)

Case informasi (informasi kasus)

Victim full name (nama lengkap korban)

Recruitment Agency (Indonesia) Agen perekrutan Indonesia

1. Name of recruitment company (Nama Agen Perekrutan)
2. Name of calo who introduced the fisherman to the recruitment company? (Nama Calo yang mengenalkan korban pada agen perekrutan)
3. Name of the contact person at the recruitment company? (Nama pegawai penerima di agen perekrutan)
4. Name of the boss at the recruitment company ? (Nama boss di agen perekrutan:
5. How did the fisherman get recruited? List step, persons involved (bagaimana korbanya direkrut?menjelaskan tahap-tahapnya dan siapa saja yang terlibat?
6. In what language(s) was the contract? (kontraknya di tulis dalam bahasa apa?)
7. Date contract began (Tanggal berlaku kontrak)
8. Date contract ended (Tanggal selesai kontrak)
9. What is monthly salary on the contract? (Gaji per bulan yang ada di kontrak)
10. What is monthly salary paid (Gaji perbulan yang di bayar pada nyatanya)
11. What document did the fisherman have? (korbanya mempunyai dokumen-dokumen apa?)
12. Did the recruiter prepare any of the documents for the fisherman? if so,(berapa?)
13. Did the fisherman actually carry out the activities (training, medical) apakah korbanya pernah melakukan kegiatan yang di nyatakan di dokumen-dokumen ?
14. Did the fisherman pay anything to be recruited (apakah korbanya membayar biaya perekrutan, kepada agen nya?)

TRAVEL (Perjalanan)

1. Did the fisherman book his own travel? If not, what was the travel agency (apakah korbanya pernah mengurus perjalanannya sendiri? Kalau TIDAK , nama agen travel/tournya apa?)
2. How much did it cost for the fisherman to travel to the boat? in what (berapa biaya nya untuk nelayanya berjalan sampai ke kapal ? dalam mata uang apa ?)

3. Did the fisherman stay anywhere along the way to the boat that was not a (kalau IYA dimana?)
4. Describe the process for the fisherman to travel to the boat. What? (menjelaskan proses perjalanan korban ke kapal, dia melewati negara manA saja?)

FISHING VESSEL (KAPAL PENANGKAPAN IKAN)

1. What was the name of the fishing vessel?(nama kapal nya apa?)
2. What was the vessel's call sign (Nama panggilan di radionya apa)
3. What was the vessel's IMO number?(nama IMO kapal nya apa?)
4. What was the weight of the vessel ? (GT/CT) (kapal nya CT/GT berapa?)
5. Was this the fishing vessel included in the fisherman's contract?(apakah kapal ini yang di tulis di kontrak kerjanya?)
6. If the answer to the previous question was "no" what was the vessel in the contract (jika jawaban dari pertanyaan sebelumnya adalah TIDAK , apa nama kapal nya yang di tulis dalam kontraknya?)
7. When at sea, did the fishing vessel ever meet with others in the fleet? (ketika di laut apakah kapalnya pernah bersandar di sebelah atau bertemu dengan kapal-kapal lainnya di armada?)
8. If so, what other vessels did the fishing vessel meet with? (kalau IYA apakah nama kapal-kapal nya?)
9. Did the fishing vessel ever transship food, persons or catch at sea (apakah kapal nya pernah melakukan "Transshipment" atau pemindahan barang ,orang, atau hasil penangkapan di tengah laut?)
10. If so, what other vessels did the fishing vessel transship with? (kalau IYA ,apa nama kapal- kapal nya?)
11. Where did the vessel usually operate? (kapalnya beroperasi di daerah mana?)
12. Did the vessel over go into port (apakah kapal nya pernah masuk ke pelabuhan?)
13. Yes/No (IYA /TIDAK)
14. If so which ones? (kalau iya apa nama pelabuhannya?)
15. Did the vessel ever unload catch in port? (apakah kapal nya bongkar muat hasil tangkapan di pelabuhan?)
16. Yes/No (iya /tidak)
17. If so, which port? (kalau IYA, apa nama pelabuhannya?)
18. How many hours per day worked? (berapa jam kerja per hari?)
19. Was the fisherman ever abused physically? (apakah korbanya pernah mengalami kekerasan fisik?)
20. If so, how? (kalau IYA dengan cara apa?)
21. Was the fisherman ever abused mentally? (apakah korbanya pernah mengalami kekerasan mental atau lisan?)
22. If so, how? (kalau iya dengan cara apa?)

23. How were conditions on the fishing vessel? Please describe the day to (bagai mana kondisi kerja dan lingkungan hidup di kapal ?menjelaskan kegiatan sehari-hari ,kualitas makan , air dsb)

PAYMENT (PEMBAYARAN)

1. Which person specifically paid the salary? Please give their full name (secara spesifik siapa saja yang membayar gajinya? mohon menulis nama lengkap nya?)
2. What is their title and for which company do they work? (gelarnya apa dan mereka bekerja di perusahaan mana?)
3. Did they use a company/corporate bank account or a person one to (apakah mereka pakai rekening bank pribadi atau perusahaan ?)
4. Who did they pay? family members? fisherman's bank account? (mereka membayar siapa? Keluarga ?korbanya langsung?)
5. Does the fisherman have receipts and evidence of payment available? (apakah korbanya mempunyai struk pembayaran atau bukti pembayaran lain?)

RETURNING HOME (PEMULANGAN)

1. How much of the contract did the fisherman complete? (apakah korbanya selesai kontraknya?)
2. If the fisherman went home early, did he ask to return home, or was he (kalau korbanya pulang terlebih dahulu , apakah korban meminta untuk di pulangkan?, atau dia dipulangkan tanpa persetujuan?)
3. Did the fisherman sign anything before departure? if yes, what was it and (apakah korbanya menandatangani sesuatu sebelum berangkat? jika IYA yang di tandatangi itu apa? Dalam bahasa apa?)
4. Who paid for the expenses for him to return home? (yang membayar biaya pemulangan itu siapa?)
5. Has the fisherman been paid since returning home? (apakah korbanya di bayar setelah pulang?)
6. If not why? (kalau TIDAK, mengapa?)
7. Has the fisherman been in contact with the recruiter since returning (apakah korbanya Pernah berhubungan dengan agennya setelah pulang?)

DOCUMENTS UPLOAD (UNGGAH DOKUMEN-DOKUMEN)

Please upload all corresponding documents you have for the fisherman (mohon unggah semua dokumen yang berkaitan dengan kasus ini)

Appendix II: Interview guidelines

These guidelines are designed for fishing crew to help improve labor standards and fishing practices. Responses are confidential and will be grouped together with the responses of others so that no individual can be identified.

Name: _____ Age: _____
 Manning Agency: Is your employer the manning agency that placed you in this job? _____
 Vessel name: _____ Your job: _____ Where fished: _____
 Captain's name: _____
 Fishing Gear / Fish caught: _____

- Tell me about your background, education, and how you became a fisher: _____
- Tell me about your agent and how you found your agent: _____

Employment contract

- Start date of contract: _____ Finish date of contract: _____
- Monthly pay _____ Loans _____ Net pay _____
- If you have a written employment contract: Is the contract in your native language, were you given sufficient time to review it before signing, and were the terms and conditions, including your rights and responsibilities, explained to you in your language? Were you given the opportunity to seek advice from others about your contract before signing it? Were you given a copy of your contract and do you still have it? Is this the same contract as the one that was explained to you? _____
- If NOT, did your employer provide a reason for not giving you a written contract? _____
- Were you given any information about wage entitlements and your rights?: _____
- Do you have insurance: Life insurance? Unemployment insurance (social security)? Compensation for occupational injuries? _____ if so, do you have to pay for it, how much, and how is it deducted?" _____

Average hours worked each day	Agent fee paid to agent in home country and agent in Taiwan, and also agent in third country if applicable	Monthly salary paid to AGENT	CASH paid by captain and wages directly deposited in workers' bank accounts. How often were you paid? Was it every month? How long did you work until you got your first payment?	Amount of UNLOAD bonuses	Amount of CATCH bonus	Amount of wages owed (if any)
-------------------------------	--	------------------------------	---	--------------------------	-----------------------	-------------------------------

- How did you pay the agent fee?: _____
- Have you received less money than what was agreed?: _____
- Were there any deductions from your pay that you believe were not agreed upon in your contract"? : _____
- Were you given pay receipts: did your pay receipts include an itemized list of deductions? _____

Vessel operations

- Name of port where you boarded your vessel: _____
- Were you allowed to keep your passport, seamen book, and any other identity documents at all times? If not, who kept your passport, seamen book, and other identity documents and when did they take it from you? What reason, if any did they give you for keeping your documents?: _____
- How long was the last fishing trip: _____
- Tell me about where and how you unloaded: _____
- Was there any transshipment at sea? If so, please describe it, e.g. how many hours, what fish was transferred, were there other items or people that were transferred?

- Tell me about the length of fishing lines and number of hooks: _____
- Tell me about how you processed, packaged, and labelled the fish: _____
- Were there other fish or sea creatures that were caught unintentionally? If so, what type of fish or sea creature?: _____
- Quantity of bycatch caught: _____
- What did you do with the bycatch: _____
- What did you do with your rubbish and waste oil:

- Have you ever seen a patrol vessel? If so, what did the officers say or do? Did they attempt to talk to you or other crew?: _____

Living and working conditions on the vessel

- Tell me about your accommodation spaces, toilets and washing facilities, eating areas:

- Describe your food and drinking water, was it enough, and how much time did you have for meals: What did you eat? Was the water safe to drink? How much time in between meals? Was any of this deducted from your wages and if so, how much?__
- Describe the work environment. Was the work area kept clean? _____
- Does it include on-call and steaming to the fishing area? How often did you receive a day off from work? Were you given time off after working unusually long hours over a

certain period of time? Was there a reason provided as to why you and the other crew had to work such long hours without rest? _____

- Were you given protective gear? If so, what type of gear? Did you or other crew experience near fatal or serious injuries? How often would that happen? _____
- Did you request time off when you were sick or injured? What did the captain say? If you were required to continue working while sick or injured, how long did you do so? _____
- Describe what type of medicine and how treatment was provided. _____
- When your vessel arrived in port, were you allowed to go on shore, talk to people in or near port, or otherwise remain visible on deck? _____
- Were you given any instructions about how to talk to officials? If so, what were you asked to say and was it true? _____
- Tell me how you were treated e.g. physical, sexual or verbal abuse experiences: Follow ethical guidelines on interviewing VoT. _____
- Were you unfairly treated or punished? If so, explain the circumstances and the unfair treatment or punishment. Were you ever locked in a room or chained? Please describe the circumstances of this. _____
- Who was the abuser and did they say anything to you or other crew when they punished or abused the crew? _____
- Did you take on other responsibilities beyond what was described in your contract? Why? Who asked you to do this? Did you agree to work extra hours beyond what was required in your contract? Why? Who asked you to do this?
- Did you extend your contract? Why? Who asked you to do this?
- Who is the Officer? Did you ever complain to an officer? If so, what did you complain about and what happened after you complained? Did you ever tell the Captain or other Officer that you wanted to quit your job or leave the vessel? How did they respond? _____
- Were you ever threatened with: a) deportation, b) non-payment of wages, or c) blacklisting: were there other threats against you or your family? What was threatened? Who threatened you and what did they require you do to avoid punishment? _____
- Did you encounter any difficulties in communication with the Officers? Please explain: _____
- Did you feel helpless because of your family situation: Were there any other reasons you stayed in your job? _____
- Did you feel helpless that you could complain to authorities because you feared them: Did you want to complain to authorities? If not, why not? _____
- Anything else you would like to say about the conditions, your treatment or your job: How were you able to work such long hours? Did the captain or anyone else on the vessel give you substances to help you keep working? Did you ask for them or were you required to take them? _____

Were you ever interviewed by another person or organization not related to your employer, agency, or the captain? Do you know who that person was and why they interviewed you? Please describe the interview and circumstances around it.

- If you could change one aspect of your job, what would it be and why: _____
- Will you sign another contract?: _____
- Will you seek other employment in fishing again? If not, why not. _____
- What advice would you give to a family member who wants to be a fisherman?: _____

Appendix III: Interview Guidelines for Greenpeace East Asia 2016 and 2018 Reports

These guidelines are designed for fishing crew to help improve labour standards and fishing practices. Responses are confidential and will be grouped together with the responses of others so that no individual can be identified.

Name: _____ Age: _____
 Employer's name: _____ Vessel name: _____ Your job: _____ Where fished: _____
 Captain's name: _____ Fish targeted: _____

- Tell me about your background, education and how you became a fisherman:
- Tell me about your agent and how you found your agent:

Employment contract

- Date started contract: _____ Date contract finishes: _____
- Tell me about any securities you provided for your job:
- Do you have an employment contract:
- If NOT, why not:
- Were you given any information about wage entitlements and your rights:
- Do you have insurance: _____ How much does it cost: _____

Average hours worked each day	Agent Fee paid	Monthly salary paid to AGENT	CASH paid by captain	Amount of UNLOAD bonuses	Amount of CATCH bonus	Amount of wages owed (if any)

- How did you pay the agent fee:
- Have you received less money than what was agreed:
- Were there any deductions from your pay that you did not agree with:
- Were you given pay receipts:

Vessel operations

- Name of port where you boarded your vessel:
- Were your passport and seamen book kept by your captain:
- How long was the last fishing trip:
- Tell me about where and how you unloaded:
- Tell me about any transshipping:
- Tell me about the length of fishing lines and number of hooks:
- Tell me about how you processed, packaged, and labelled the fish:
- Type of bycatch caught:
- Quantity of bycatch caught:
- What did you do with the bycatch:
- What did you do with your rubbish and waste oil:
- When you saw a patrol vessel, what did the officers say or do:

Living and working conditions on the vessel

- Tell me about your accommodation and living conditions: _
- Describe your food and drinking water, was it enough, and how much time did you have for meals:
- Tell me about your working conditions:
- What was your average and longest period of work:
- Tell me about the protective clothing given to you:
- Did you work while sick or injured:
- Did you receive medical attention or medicine when you needed it:
- Were you stopped from leaving the vessel, talking to people, or told to stay below deck when in port:
- Were you asked to lie to officials:
- Tell me how you were treated e.g. physical, sexual or verbal abuse experiences:
- Tell me the ways in which you were you unfairly treated or punished:
- Did you see other crew physically, sexually, or verbally abused:
- Were you influenced by your agent or captain to do extra work or extend your contract:
- Tell me what happened when you complained to an Officer:
- Were you ever threatened with deportation, or the non-payment of wages, or blacklisting:
- Did you feel helpless because you did not speak the same language as the Officers:
- Did you feel helpless because of your family situation:
- Did you feel helpless that you could complain to authorities because you feared them:
- Anything else you would like to say about the conditions, your treatment or your job:

Other

- If you could change one aspect of your job, what would it be and why:
- Will you sign another contract:

- If NO, why not:
- What advice would you give to a family member who wants to be a fisherman: