
Illegal fishing and human rights abuses in the Taiwanese fishing fleet

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The Environmental Justice Foundation (EJF) is a UK-based non-profit organisation working internationally to protect the environment and defend human rights. Over recent years, this has included investigations into the related problems of human trafficking and illegal, unreported and unregulated (IUU) fishing in Taiwan's substantial distant water fishing (DWF) fleet.

This confidential briefing provides background on the Taiwanese fleet, sets out structural issues with its management, details eight particularly serious case studies and provides an overview of 54 others. It concludes with detailed recommendations to the Taiwanese government.

Executive Summary

Since 2016, EJJ has investigated the activities of the Taiwanese fishing fleet - one of the world's largest distant water fleets. It is made up of over 1,140 vessels flying the Taiwanese flag¹ and more than 250 additional foreign-flagged vessels that are owned or funded by Taiwanese nationals.² Despite some encouraging legal reforms, EJJ's recent investigations have found that widespread human rights abuses and IUU fishing are still widely reported.

Since 2018, former crew members interviewed by EJJ have made allegations relating to 75 vessels linked to Taiwan. 13 of these, including the infamous Fuh Sheng No. 11 case, have already been reported to the Taiwanese government. This briefing sets out allegations from crew relating to a further 62 vessels. Of these, crew from 31 vessels (50%) reported illegal shark finning. Crew from 14 vessels reported that their vessels intentionally killed or illegally possessed protected marine mammals, including seven vessels (11%) that killed false killer whales and eight vessels (14%) that caught dolphins to either use as bait to catch sharks or to sell.

Withholding of wages was the most common human rights issue reported (57 vessels, 92%). Excessive overtime³ was also widespread (51 vessels, 82%), with crew reporting that they had to work up to 20 hours per day with very little time to rest. Reports of physical abuse (15 vessels, 24%) and verbal abuse (21 vessels, 34%) were also common. Physical violence involved captains hitting and kicking crew, and in an extreme case, locking a crew member in a freezer and electrocuting him.

Over the past three years, Taiwan has made efforts to improve its legal framework. Legislation governing the DWF fleet was significantly strengthened following a formal warning, or 'yellow card', from the European Union (EU) and repeated citations in the United States Department of State's Trafficking in Persons Report. Vessel monitoring systems have been made mandatory and are overseen by a fisheries monitoring centre in Taipei. Encouraging reforms towards increased transparency have been announced, including the publication of vessel license lists and a mandatory requirement for unique vessel numbers issued by the International Maritime Organization (IMO). There has also been a commitment from government ministers to bring Taiwanese law in line with the International Labour Organization's Work in Fishing Convention (ILO C188).

However, NGOs including EJJ and Greenpeace, as well as media organisations, continue to highlight cases of human rights abuse and illegal fishing in the Taiwanese DWF fleet. The large number of vessels surveyed in this briefing, and the frequent incidents of illegality alleged by crew, suggests that the situation on the water has failed to keep pace with the stated ambitions of government ministers.

A key reason from this is a broken enforcement regime. Taiwan banned shark finning in 2013, but the evidence in this briefing suggests it is still widespread. Simple methods continue to be used to avoid inspection - either through undeclared or unmonitored trans-shipments at sea to vessels that do not unload in Taiwanese ports or by hiding fins under legally caught fish and subsequent covert landing in Taiwan. Vessels are permitted to land fish at 32 overseas ports, but only seven of these host a Taiwanese fisheries inspector. There are no Taiwanese labour inspectors in any of the 32 overseas ports, so the majority of migrant crew members will never encounter a labour inspector.

This briefing makes it clear that an urgent, independent and systematic review of the current capacity of the responsible authority is essential. A victim-based approach to interviewing crew members is an immediate necessity, and electronic monitoring of vessels must now include the mandatory use of cameras to stamp out the widespread practice of illegal shark finning and the intentional killing of dolphins and other cetaceans. Taiwan should also fully implement all the measures set out in EJJ's Charter for Transparency.

ILLEGAL FISHING

- 50% Illegal shark finning
- 14% Catching dolphins to use as bait to catch sharks or to sell
- 11% Killing false killer whales

HUMAN RIGHTS ABUSES

- 92% Withholding of wages
- 82% Excessive overtime
- 34% Verbal abuse
- 24% Physical abuse

The alleged prevalence of illegal fishing and human rights abuses on Taiwanese vessels on which fishers interviewed by EJJ worked.



Photos of destructive fishing practices provided by fishers who had worked on Taiwanese fishing vessels.

Methodology and Results

Since the start of 2018, EJJ has conducted widespread investigations across Indonesia (the largest home country of migrant workers on many key distant water fishing fleets) to understand working conditions and assess the levels of IUU fishing. EJJ investigators have worked alongside Indonesian and international NGOs, local authorities, and fishers' associations to identify and meet fishers who have worked on distant water fishing vessels within the last two years and have since returned home. Upon receiving written and informed consent from fishers, EJJ investigators then conduct an audio-recorded or filmed interview with the fisher to gather testimony according to a standardised open-ended interview format. In order to validate interviewee reports, EJJ always seeks to corroborate findings through interviews with additional crew members from the same vessel. EJJ also connects testimony to available historic vessel positional data from satellite monitoring facilities ExactEarth and Global Fishing Watch.

In total, EJJ has conducted interviews with crew from 75 vessels that were either Taiwanese flagged or Taiwanese owned. Evidence from 13 vessels have already been submitted to the Taiwanese government in previous alerts and briefings. This briefing sets out findings from a further 62 vessels.

EJJ investigators are equipped with a shark identification guide which is provided to each interviewee. This identification guide provides photos of common shark species alongside the species name in Bahasa, thus allowing fishers to point out species that they may have encountered during their time on board the fishing vessel. This guide is available upon request.

In addition to interview findings, EJJ collects and analyses other evidence to corroborate interviewee testimony further. These sources include copies of employment contracts, passports, visa information as well as verified vessel identification from official vessel databases and AIS satellite tracking of fishing vessel movements. This briefing sets out credible allegations of IUU fishing and human rights abuses on 62 vessels involving 71 fishers. Human rights violations and IUU activities are defined according to the relevant Taiwanese regulations including the Act for Distant Water Fisheries and the Regulations on the Authorization and Management of Overseas Employment of Foreign Crew Members. Many of the situations described, such as withholding of wages, deductions, and physical and verbal abuse, are indications of human trafficking and forced labour as defined by the ILO.⁴

The most common infractions reported to EJJ include illegal shark finning, protected species being caught and killed, verbal and physical abuse of crews, threats made against crewmembers, and exploitation in the form of wage deductions or paying crew below the legal minimum wage. In one of the most severe cases of abuse EJJ has encountered on a Taiwanese vessel, an Indonesian fisher described how he was locked in the fishing vessel's bait freezer and subjected to electrocution by the captain as a punishment for minor errors.

The table below sets out the disturbing prevalence of IUU fishing and human rights abuses reported on board these 62 Taiwanese and Taiwanese-owned fishing vessels.

Unlawful Practice	Sample Vessel % (n=62)
IUU Fishing	
Shark finning	50%
Intentional capture and killing of dolphins	13%
Decapitation of false killer whales	11%
Human Rights Violations	
Withholding of wages	92%
Excessive overtime	82%
Physical abuse	24%
Verbal abuse	34%
Salary under minimum wage (\$450 USD)	18%

Table 1 - The alleged prevalence of illegal fishing and human rights abuses on Taiwanese vessels on which fishers interviewed by EJJ worked.

Shark finning and the catch of cetaceans

As set out in the table above, the main forms of IUU fishing reported by the interviewees were shark finning and the catching of cetaceans (dolphins and false killer whales).

For the purposes of this briefing, EJF defines shark finning as the removal of shark fins and the disposal of bodies whilst the vessel is still at sea. Taiwanese law states that shark bodies and fins must be kept together in the same shipment until final landing at port.^{5/6/7} Shark finning was reported on 31 out of a total of 62 vessels. Some fishers reported that their vessels would dispose of shark bodies only once the freezers were full or close to full or would only fin certain species of shark. In several cases, workers described how they would hide the fins at the bottom of freezers underneath other fish species to avoid detection by inspection authorities at port. EJF has previously made Taiwanese authorities aware that this practice is taking place.

In addition, Taiwan is a party to several regional fisheries management organisations (RFMOs) that encompass the operating jurisdictions of many of the vessels included in this briefing. These include the Inter-American Tropical Tuna Commission (IATTC), International Commission for the Conservation of Atlantic Tunas (ICCAT), Indian Ocean Tuna Commission (IOTC), and Western and Central Pacific Fisheries Commission (WCPFC). These four RFMOs stipulate similar shark retention policies stating that all parts of the shark except the head, guts, and skin must be retained.^{8/9/10/11} In addition, all four RFMOs state that fins must not exceed 5% of the total catch.



Fisher removing a shark's fin.

EJF's investigators asked fishers to identify shark species caught by their vessel. Several of the identified species are on the International Union for Conservation of Nature's (IUCN's) Red List of Threatened Species.¹² Several species are also included in Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which means that the 'trade of these animals must be controlled in order to avoid utilisation incompatible with their survival'.¹³ The following table includes some of the species identified by fishers:

Shark species name	IUCN Red List Classification	CITES	RFMO Restrictions/ Prohibitions
Blacktip shark (<i>Carcharhinus limbatus</i>) ¹⁴	Near-threatened (NT)	-	-
Blue shark (<i>Prionace glauca</i>) ¹⁵	NT	-	-
Great hammerhead shark (<i>Sphyrna mokarran</i>) ¹⁶	Critically endangered (CR)	Appendix II	ICCAT ¹⁷
Scalloped hammerhead shark (<i>Sphyrna lewini</i>) ¹⁸	CR	Appendix II	ICCAT ¹⁹
Smooth hammerhead (<i>Sphyrna zygaena</i>) ²⁰	Vulnerable (V)	Appendix II	ICCAT ²¹
Oceanic whitetip shark (<i>Carcharhinus longimanus</i>) ²²	V	Appendix II	ICCAT ²³ /IOTC ²⁴ /WCPFC ²⁵
Shortfin mako shark (<i>Isurus oxyrinchus</i>) ²⁶	Endangered (EN)	Appendix II	-
Silky shark (<i>Carcharhinus falciformis</i>) ²⁷	V	Appendix II	ICCAT ²⁸ /WCPFC ²⁹
Common thresher shark (<i>Alopias vulpinus</i>) ³⁰	V	Appendix II	ICCAT ³¹ /IOTC ³²

Table 2 - Conservation status of sharks species identified by the fishers.

Toothed whales including false killer whales (*Pseudorca crassidens*, Near threatened IUCN status & listed on CITES Appendix II) and dolphin species such as bottlenose (*Tursiops truncatus*) and common dolphins (*Delphinus delphis* and *D. capensis*) are widely reported to interact with pelagic longline fisheries around the world.^{33/34/35} They are attracted to longline fishing vessels by both their distinctive noise and the smell of the bait or the caught tuna.³⁶ These marine mammals can become hooked or entangled on longlines when they attempt to eat the bait or tuna. This often results in the death of the animal due to asphyxiation or exhaustion. Animals may also be injured by the hook resulting in impaired foraging or other injuries.³⁷ The perceived economic damage caused by toothed whales to longline catches may even result in fishing crews being ordered to kill these animals to minimise future losses.³⁸

In several cases, crews working on board vessels targeting sharks reported that dolphins were also deliberately hunted and their meat used as bait. This practice has been previously reported in shark fisheries around the world. A recent study found, for example, that it has been observed since 1970 in at least 33 countries. For instance, similar harpooning practices, as described by the crew of Vessel B later on in this briefing, were observed on board fishing vessels targeting sharks in Peru.^{39/40}

When EJF investigators asked why dolphin meat was used as longline bait, several fishers explained that dolphin blood is especially attractive to sharks. This is consistent with reports from other shark fisheries where fishers reported that the "high blood and fat content makes dolphin meat an efficient attractant, while the meat's hardy nature allows it to remain attached to hooks after extended periods of soaking (unlike other baits, fish in particular)".⁴¹

Human Rights Abuses

IUU fishing and human rights abuses are closely linked issues. Both are fuelled by declining catches and both thrive where there is a lack of transparency and inadequate measures to inspect vessels. To combat these closely bound issues, government agencies must collaborate. States such as Thailand that have made progress in this area have taken a cross-governmental approach, with agencies working together in joint task forces that combine their respective competencies. Complete transparency and accurate data have also played crucial roles in facilitating this. EJJ's 2019 report *Blood and Water* sets out the close links between IUU fishing and human rights and gives examples of how they can be tackled⁴².

The testimony from crew detailed in this briefing includes many of the indicators of both human trafficking and other serious human rights abuses such as forced labour and slavery, rather than simple labour disputes. The exploitation of migrant workers they describe is a transboundary issue, with crews being trafficked onto Taiwanese vessels, often travelling vast distances in dangerous conditions. Labour brokers are a key enabling factor of this trafficking system, taking advantage of vulnerable workers in Indonesia and other origin countries. This is further facilitated by the weak Taiwanese inspection regime that fails to follow a victim-based approach to monitoring conditions on DWF vessels. A victim-centred approach is one that acknowledges that victims of trafficking or abuse are extremely vulnerable and likely to be fearful of speaking out for fear of retaliation. Inspecting officers should attempt to make victims feel as safe, secure, and comfortable as feasibly possible.

Brokers exploit capacity gaps and deceive or pressure workers into signing unreasonable contracts that restrict their freedom of movement, charge extortionate fees, deduct wages and facilitate threats against workers or their families. Brokers very often take large sums of “guarantee money” at the beginning of contracts and then make salary deductions to repay these and other debts generated at the start of employment. These debts are used to prevent fishers from leaving the vessel early or raising complaints for fear of forfeiture of large sums of money that they need to support their families. Even where more reasonable contracts are signed, there is little avenue for redress if captains or brokers violate them. This is despite Taiwan's introduction of the Regulations on the Authorization and Management of Overseas Employment of Foreign Crew Members and the commitment from Taiwanese ministers to bring domestic regulations up to the standard of ILO C188.



Fishers often need to work long hours with very little time to rest.

A broken inspection regime

The widespread nature of reported incidents in the Taiwanese fleet suggests there are systematic weaknesses in the implementation of Taiwanese legislation governing the conduct of fishing vessels. Over the last 18 months, EJJ provided fisheries officials with evidence detailing both IUU fishing and human rights abuses aboard 13 Taiwanese flagged or Taiwanese owned fishing vessels. In response, the Taiwanese Fisheries Agency (FA) conducted its own investigations into the activities of these vessels. However, except for one high-profile case that is still in progress, these investigations failed to result in the prosecution of any vessels. EJJ's experience observing investigations by the FA is that they do not use a victim-centred approach to give crew members a safe space to report abuses, and fail to employ cross-departmental methods to take advantage of competencies in other relevant government agencies. The lack of a victim-centred approach during labour inspections makes it even more unlikely that vulnerable crews will feel safe to speak out about their experiences. The presence of senior crew members such as captains or foremen during inspections or crew interviews can also intimidate crews into silence.

The case of the vessel, Fuh Sheng No. 11, is a prime example of such failings. In May 2018, the now-infamous Taiwanese tuna longliner was detained in Cape Town by South African authorities under the International Labour Organization's C188 'Work in Fishing' Convention. Initially, the FA announced that its own investigations, conducted by a Taiwanese fisheries inspector based in Cape Town, contradicted the findings of South African inspectors and found no human rights issues on the vessel. In this initial investigation, the FA used a paper survey with crew members which they were made to fill out by a Taiwanese inspector in the presence of the vessel's captain. It was only when EJJ released its own findings, based on extensive interviews with crew members, that the FA reopened its investigation and found a range of human rights abuses. This resulted in a further, ongoing investigation by the prosecution office into the fisheries company for human trafficking.

The capacity of the FA to conduct inspections remains extremely limited despite the lessons of the Fuh Sheng No. 11 case. Currently, there are 32 designated ports across the world for Taiwanese vessels. However, only seven (in Port Louis Mauritius, Cape Town South Africa, Tokyo Japan, Pago Pago Samoa, Suva Fiji, Malakal Palau and Majuro the Marshall Islands) have Taiwanese inspectors based at port. The inspectors' responsibilities mainly relate to fisheries issues and only rely on paper-based surveys and mobile phone translation apps to collect information about human trafficking.

According to the FA's official statistics, at the end of June 2019, there were approximately 35,000 migrant fishers working on Taiwan flagged fishing vessels. 64% of them (22,550) were recruited overseas.⁴³ Many of these fishers leave their home country (in most cases Indonesia and the Philippines) and travel straight to an overseas port to board the vessel. They generally return from an overseas port without passing through Taiwan and therefore never come across any Taiwanese officials tasked with preventing human rights abuses. Even at those overseas ports with Taiwanese inspectors, the FA still uses a paper survey for the crew to answer instead of an appropriate interview. As mentioned above, this survey method was used in the botched investigation of the Fuh Sheng No. 11 in Cape Town, and it failed to uncover any issues. Without applying the victim-based approach, it is extremely unlikely that the FA will uncover any cases of human rights abuses. Urgent improvements are therefore required, prioritising a victim-centred approach and bringing in appropriate expertise to stamp out human rights abuses.

CASE STUDIES:

In this section, EJF has selected eight of the most serious cases to serve as detailed case studies. These vessels were chosen to depict the full range of IUU fishing infractions and human rights abuses.

VESSEL A

ID number	Callsign/IMO	Flag	Operating area*	Landing site
		Taiwan	Indian Ocean	Donggang (according to AIS history)

* According to interviewee(s).

IUU infractions	Human rights abuses
<ul style="list-style-type: none"> • Illegal catch and finning of thresher sharks • Separating the fins and body of other shark species 	<ul style="list-style-type: none"> • Restriction of movement • Isolation • Physical abuse including beating, locking in the freezer, spraying with a high-pressure hose and electrocution • Excessive overtime • Withholding wages • Salary below minimum wage



Interviewee reported dates on board vessel:

Interviewee - December 2018 to March 2019.



Overview of fishing practices:

The vessel is listed as being authorised by the FA to fish on the IOTC authorised vessel list for vessels over 24 metres as of 27 November 2019. The vessel is also listed as being authorised to fish on the Western Central Pacific Fisheries Commission's (WCPFC) record of fishing vessels but it does not appear on the FA's published list of authorised vessels to fish in the Pacific.

The interviewee reported that when there were dolphins near the vessel, the captain would order the crew to use a metal pole wired to a car battery to shock the dolphins with electricity. This was done to scare the dolphins away from the vessel.

The interviewee described catching a number of different shark species including: Blue sharks (Near-threatened IUCN classification- NT), hammerhead sharks (varying IUCN classifications & CITES Appendix II), silky sharks (Vulnerable IUCN classification - V & Appendix II) and thresher sharks (V & Appendix II). The catch of thresher sharks is also prohibited under IOTC regulations.⁴⁴

The interviewee reported that they would remove the fins of hammerhead and thresher sharks and throw the carcasses into the sea (in contravention of the Taiwanese Regulations for Tuna Longline Fishing Vessels Proceeding to the Indian Ocean for Fishing Operation (Article 46)).⁴⁵

The interviewee described how the vessel would also catch turtles but that these would be released, either dead or alive.



Overview of working conditions:

The human rights abuses described by the victim are some of the worst that EJF has documented in the Taiwanese fleet. He described frequent incidents of physical abuse, including beatings by the Taiwanese captain, who hit him on the back of the head and neck multiple times as punishment.

“He took a sandal and hit me on the back of my neck but I was silent and kept working. He hit me five times, he was a big man and it was painful. I knew that if I fought back I would go to jail. I remembered my family and thought who would feed them if I went to jail?”

Interviewee, Vessel A.

The interviewee also described an incident where the captain locked him in the on-board bait freezer. The interviewee had been instructed by the captain to shower. While he was doing this and still had shampoo in his hair, the captain called to him again and asked him to step into a freezer. Once he was inside the captain closed the door and kept it shut for approximately 15 minutes. Fearing for his life, the interviewee repeatedly banged on the door and shouted requests to be released. The interviewee - barely clothed and wet from his shower - described how he was shivering uncontrollably and found it difficult to breathe during his ordeal. The interviewee told EJF that the captain did not explain why he put him through this ordeal.

“I threw bait fish at the door and kicked the door all over in an attempt to get them to unlock the door. The door was still locked for what felt like 15 minutes. I felt very stiff and found it difficult to breathe. Finally the door was opened and I heard the captain say to the rest of the crew: ‘If he dies just say that he died in an accident and then we will throw his body into the sea’...”

Interviewee, Vessel A.

Shortly after the freezer incident on the same day, the captain got angry at the interviewee for making a small mistake while baiting the hooks with baitfish. The captain was standing next to him at the time using a high-pressure water hose to speed up the thawing process for frozen bait fish. The captain repeatedly directed the water stream at the interviewee's face over an extended period, hitting him directly in the eyes and causing extreme pain.

Another incident occurred when the interviewee was helping to haul in fish caught on the longlines. As he was pulling in one fish, the captain asked another fisher to pick up a metal pole that was wired to a car battery. These crude devices are used to stun fish as they are brought on board longline fishing vessels. The captain then ordered the crewmember to use the pole to electrocute the interviewee in the back twice.

“This tool is used to electrocute fish to death so you can imagine what it does to humans. After he took the metal away from me I felt weak and was shaking on the floor.”

Interviewee, Vessel A.

The interviewee told EJF that he has since gone partially deaf due to this incident.

Throughout his ordeal on board the vessel, the interviewee knew that he could not fight back for fear of being murdered by the captain. He also felt duty-bound to provide for his wife and unborn child. During his gruelling experience, the interviewee was paid only US\$430 over three months, with a total of \$1,400 USD deducted from his salary.

“Actually I didn’t want to go home but my wife wanted me to. She was afraid I would get killed.”

Interviewee, Vessel A.

VESSEL B

ID number	Callsign/IMO	Flag	Operating area*	Landing site
		Taiwan	North Pacific near Japan	Donggang (according to AIS history)

* According to interviewee(s).

IUU infractions	Human rights abuses
<ul style="list-style-type: none"> Intentionally catching and killing protected marine mammals Illegal finning and disposal of bodies for multiple species of shark 	<ul style="list-style-type: none"> Physical abuse Verbal abuse Excessive overtime Withholding wages



Interviewee reported dates onboard vessel:

Interviewee - September 2018 - May 2019.



Overview of fishing practices:

The vessel is listed as being authorised to fish in the WCPFC.

The interviewee reported that the vessel's main catch was sharks, however they would also hunt dolphins for use as bait. The crew were ordered by the captain to hunt them using a harpoon as the dolphins surfed the bow wave of the vessel. In a single day they could catch around five dolphins.

“Sharks are attracted to the fresh blood from the dolphins. If we use dolphins as bait then maybe only 100 out of a total 900 hooks don't catch anything... All Taiwanese boats that catch sharks must use the same method [using dolphins as bait]”

Interviewee, Vessel B.

The interviewee also stated that his previous captain had been an “expert dolphin hunter”, able to catch 100 dolphins every three-month trip. The captain did the harpooning himself on many occasions.

The ‘disturbing, abusing, hunting, killing, [and] trading’ of turtles, dolphins, and whales – listed as ‘protected wildlife species’ – is in violation of Taiwan’s Wildlife Conservation Act⁴⁶ and is punishable by imprisonment of up to five years and fines between NT\$200,000 and one million NT\$.⁴⁷

The interviewee was able to identify several species of shark that they would often catch including: Blue shark (NT), shortfin mako shark (Endangered IUCN status - EN & Appendix II) and thresher shark (V & Appendix II).

For blue sharks, the interviewee explained that they would remove fins, head and organs from the sharks whilst at sea. The head and organs would be thrown back, and the fins and body were then separated and the fins packed into sacks. Fins and bodies would then be stored in separate freezers.

According to the interviewee, fins would be placed at the bottom of the freezer with other fish placed on top.

“Even if the inspectors were to open the freezer they will not see the fins because they are covered in fish on top.”

Interviewee, Vessel B.

Shortfin mako shark would be processed in a similar fashion to blue sharks, but fins would be kept tied to each body. Thresher sharks were also finned, but the bodies would be discarded - an illegal practice. The interviewee stated that the captain and the crew would eat the thresher shark fins rather than store them.

The interviewee also explained that if the vessel's freezers became full or close to full capacity they would not keep the bodies for any shark species, even blue sharks. The freezers could become full within three months of fishing, warranting a return trip to Donggang. The practice of discarding bodies is in contravention of the Regulations for Tuna Longline or Purse Seine Fishing Vessels Proceeding to the Pacific Ocean for Fishing Operation (Article 58).⁴⁸



Overview of working conditions:

The interviewee stated that working hours on board were approximately 19-20 hours per day.

During his initial three months onboard the vessel, the Taiwanese captain at the time had often been rude and abusive towards him and his fellow Indonesian crew members. The captain hit him on several occasions, including two incidents which occurred while the fisher was fixing the longlines and also when the onboard water pump broke.

“The captain asked me to fix one of the longlines and then he hit me on the back of the head with his open palm...I felt very angry. I was treated worse than an animal.”

Interviewee, Vessel B.

“When the water pump broke the captain blamed me. The captain threw bowls at me but I avoided them. Then the captain threatened me saying: ‘Get out here and fight with me, duel with me. If you die I will throw you into the sea’.”

Interviewee, Vessel B.

VESSEL C

ID number	Callsign/IMO	Flag	Operating area*	Landing site
		Taiwan	Papua New Guinea	Donggang (according to AIS history)

* According to interviewee(s).

IUU infractions	Human rights abuses
<ul style="list-style-type: none">• Finning and disposal of bodies of thresher sharks. Filleting other species of sharks• Illegal catch of prohibited shark species	<ul style="list-style-type: none">• Physical abuse• Verbal abuse• Excessive overtime• Withholding wages• Abusive working and living conditions⁴⁹



Interviewee reported dates on board vessel:

Interviewee - February 2019 to August 2019.



Overview of fishing practices:

The vessel is listed as being authorised to fish in both relevant jurisdictions by the IOTC and WCPFC.

The interviewee reported that the vessel did not fly a flag during its fishing operations and the vessel mostly operated around Papua New Guinea. On average, trips lasted four to five months with the target species being tuna and tuna-like species.

The interviewee reported that they would catch sharks, turtles and sometimes dolphins. The interviewee was able to identify several species of shark that they would often catch including: Blacktip shark (NT), oceanic whitetip shark (V & Appendix II), silky shark (V & Appendix II) and thresher shark (V & Appendix II). Catching oceanic whitetip and silky sharks is prohibited under WCPFC regulations.^{50/51}



The interviewee described how, if they caught thresher sharks, they would cut off the fins and discard the bodies. For other shark species they would cut off the fins and then store these in a separate freezer to the bodies. These practices are all in contravention of the Regulations for Tuna Longline or Purse Seine Fishing Vessels Proceeding to the Pacific Ocean for Fishing Operation (Article 58).⁵²



Overview of working conditions:

The interviewee described poor living and working conditions onboard the vessel and lack of appropriate equipment for work. The Taiwanese captain was often rude and physically abusive towards the crew. One particularly inexperienced crew member was beaten on at least three different occasions.

“I watched my colleague being kicked in the groin by the captain. I tried to stop the captain and I said; ‘Please stop it, you can shout at him but please don’t kick him.’ After that, the captain hated me and sent me back to Indonesia early. I just couldn’t stand watching my colleague being beaten by the captain.”

Interviewee, Vessel C.

“The captain beat people very violently, hitting them and dragging them along the floor. My friends would cry. The last time he beat up one of my friends was in July 2019.”

Interviewee, Vessel C.

The interviewee reported very long working hours of up to 20 hours per day. His pay was deducted by US\$500 in total.

VESSEL D

ID number	Callsign/IMO	Flag	Operating area*	Landing site
		Taiwan	Indian Ocean	Port Louis

* According to interviewee(s).

IUU infractions	Human rights abuses
<ul style="list-style-type: none"> • Illegal shark finning • Illegal catch of prohibited shark species • Catching and killing protected marine mammals 	<ul style="list-style-type: none"> • Salary under minimum wage • Physical abuse • Verbal abuse • Excessive overtime • Withholding wages



Interviewee reported dates on-board vessel:

Interviewee 1 & 2 - Both arrived in Mauritius to board the vessel in June 2018 and worked on the vessel for eight months.

In November 2018, EJF investigated a vessel with a similar name that was registered to the same address as Vessel D. Two interviewees from that vessel reported the finning of sharks and disposal of bodies whilst at sea. Interviewees also reported threats and physical abuse at the hands of the captain.

“If we didn’t survive and stay awake the captain would threaten to send us back to Indonesia and cut our salaries”.

Interviewee who worked on a vessel with a similar name and registered at the same address as Vessel D (interviewed in November 2018)

Interview testimony of potential IUU fishing and human rights abuse on board this vessel were provided to the Taiwanese Fisheries Agency in order to facilitate investigations at the time with the recommendation that any associated vessels be classified as high risk as a precaution.



Overview of fishing practices:

The vessel is listed as being authorised to fish in both relevant jurisdictions by the IOTC and WCPFC.

The interviewees from this vessel described fishing in the Indian Ocean in the vicinity of Mauritius’ EEZ. They caught mostly tuna with the predominant species being albacore. They also caught a variety of shark species including: Blacktip shark (NT), blue shark (NT), shortfin mako shark (EN & Appendix II), oceanic whitetip shark (V & Appendix II) and thresher shark (V & Appendix II). Oceanic whitetip sharks and thresher sharks are listed as prohibited species by the IOTC.^{53/54}

The interviewees described how they would cut off the fins of oceanic whitetips and threshers and then discard the bodies. They would pack the fins in sacks and then hide these. For blue, blacktip and shortfin mako sharks they would cut off the fins and tie these to the body before storing them together. If there was insufficient space in the freezer, they would discard the bodies and only keep the fins.

All these practices are in contravention of Taiwanese Regulations for Tuna Longline Fishing Vessels Proceeding to the Indian Ocean for Fishing Operation (Article 46).⁵⁵ All sharks and fins were transferred to a Taiwanese flagged refrigerated cargo vessel, while their tuna catch was unloaded in Mauritius.⁵⁶

The interviewees also reported regularly catching turtles but they would release them. They also caught six false killer whales which are classified as near-threatened (NT) by the IUCN and listed on Appendix II of CITES.^{57/58} These animals were decapitated and their teeth removed to make jewellery, often with the captain's knowledge and consent.

The 'disturbing, abusing, hunting, killing, [and] trading' of turtles, dolphins, and whales – listed as 'protected wildlife species' – is in violation of Taiwan's Wildlife Conservation Act⁵⁹ and is punishable by imprisonment of up to five years and fines between NT\$200,000 and one million NT\$.⁶⁰



Overview of working conditions:

Both interviewees reported that living and working conditions were extremely arduous. Access to food and water was restricted and the working hours were reportedly between 18 and 20 hours per day. Interviewee 1 reported being physically abused by the captain if he made even small mistakes. One punishment involved Interviewee 1 having to stand at the front of the vessel on watch for up to five hours at a time. The captain would also hit Interviewee 1 whilst he was standing at the front of the vessel.

"I was often hit by the captain, usually on my head. If I made a small mistake he would punish me by making me stand at the front of the boat. The captain also often hit my friend".

Interviewee 1, Vessel D.

According to the contract of one of the interviewees--which was signed in 2018 – the monthly salary was US\$350, lower than the minimum wage even before deductions. The interviewee's passport was kept by the captain and the interviewee had to pay a total sum of US\$1,000 in deductions and guarantee money.

VESSEL E

ID number	Callsign/IMO	Flag	Operating area*	Landing site*
		Taiwan	Indian Ocean	Kaohsiung

* According to interviewee(s).

IUU infractions	Human rights abuses
<ul style="list-style-type: none"> Illegal finning of Thresher Sharks Illegal catch of prohibited shark species 	<ul style="list-style-type: none"> Salary under minimum wage Physical abuse Verbal abuse Excessive overtime Withholding of wages



Interviewee reported dates on board vessel:

The interviewee travelled to Singapore in June 2018 and waited in a hotel there before joining the vessel. He returned to Indonesia in August 2019.



Overview of fishing practices:

The vessel was listed as being authorised to fish in the jurisdiction of the IOTC.

The interviewee reported that the vessel fished in the Indian Ocean in the vicinity of Madagascar, Seychelles and Sri Lanka. They stated that the target species was tuna and tuna-like species. They often caught sharks including: Blue shark (NT), blacktip shark (NT), shortfin mako shark (EN & Appendix II), oceanic whitetip shark (V & Appendix II) and thresher shark (V & Appendix II). Upon catching most sharks they would store the bodies and fins tied together, however the bodies of Thresher sharks would be thrown back into the sea. Oceanic whitetip sharks and thresher sharks are listed as prohibited species by the IOTC.^{61/62}

Shark products were reportedly trans-shipped to Taiwanese vessels, while tuna was transferred to Japanese or Korean refrigerated cargo vessels.



Overview of working conditions:

The interviewee described poor living and working conditions on board the vessel, with water often being restricted by the Taiwanese captain. If crew wanted to shower they had to use the water that came out of the captain's air conditioning machine. Working hours would often be between 16-18 hours per day. The Taiwanese captain was often abusive and regularly forced the crew to work even if they were sick. He physically abused the interviewee along with many of his fellow crew on numerous occasions.

“He hit me violently twice. Almost everyone got hit, mostly on the body. When people got sick the captain didn’t give medication even though he had it. This didn’t just happen on board my vessel [Vessel E] but also on other boats with the same name.”

Interviewee, Vessel E.

The contract stated the monthly guaranteed salary was US\$1,500, whereas the payslip of the contract shows the monthly wage of only US\$400, lower than the minimum wage. The interviewee stated that the owner had another three vessels all with similar names. In fact, according to the contract, the interviewee was placed on Vessel E, but on the payslip, the name was one of a similarly named vessel. The interviewee's passport was kept by the captain. His pay, already much lower than that promised in his contract, was also subject to deductions of US\$1,250.

VESSEL F

ID number	Callsign/IMO	Flag	Operating area*	Landing site*
		Taiwan	Palau	Palau

* According to interviewee(s).

IUU infractions	Human rights abuses
<ul style="list-style-type: none"> Illegal shark finning Illegal catching of sharks within Palau's EEZ 	<ul style="list-style-type: none"> Verbal abuse Physical abuse Excessive overtime Abusive working and living conditions Withholding wages



Interviewee reported dates on board vessel:

The interviewee joined the vessel in March 2018 and returned to Indonesia in May 2019. They stated that the vessel fished in Palau's waters.



Overview of fishing practices:

The vessel was listed as being authorised to fish in the jurisdiction of the WCPFC.

The interviewee reported that the vessel fished for tuna and tuna-like species within the EEZ of Palau. Each trip would last seven to ten days and they would return to Taiwan every three to five months depending on the amount of low-quality fish that they caught during their time within Palau's waters.

The interviewee stated that they would catch sharks, but they were unsure as to specific species. As it is prohibited to catch sharks and fin them within the jurisdiction of Palau,⁶³ to avoid detection they would fin and eat the shark fins on the vessels and throw the bodies back into the sea. Finning sharks is also prohibited by Taiwanese Regulations for Tuna Longline or Purse Seine Fishing Vessels Proceeding to the Pacific Ocean for Fishing Operation Article 58.⁶⁴

The interviewee also reported catching turtles; these would be discarded, often already dead.



Overview of working conditions:

Working conditions included long days, regularly reaching 20 hours per day. Food was often of poor quality. Physical abuse onboard the vessel was frequent, with one incident involving the captain throwing a fishing gaff - a long pole with a sharp hook at the end that is used to stab large fish and lift them onto the boat - at the interviewee and a second incident where the captain threw a knife at one of the interviewee's fellow crew.

Approximately a month before he returned to Indonesia the captain accused the interviewee and three other crew members of stealing tuna from the hold to eat. The interviewee claims that they were, in fact, only eating some of the second-grade fish as they were hungry. The captain called the police and the four crew were put in prison in Palau for one night and charged US\$100. They were released 24 hours later, however, when the crew returned to the port they found that their vessel had departed. The interviewee and his three colleagues were stranded in Palau for one month without any assistance from the company or their broker and no source of food, water or shelter.

"Often he [The captain] would hit us if we made even a small mistake. Once he threw a knife and a fishing gaff at me. My friend was beaten by the captain more often than I was."

Interviewee, Vessel F.

Guarantee money of US\$800 and two month's wages was kept by the broker. This had not been returned in full to the interviewee in June 2019 when EJF spoke to him.

VESSEL G

ID number	Callsign/IMO	Flag	Operating area*	Landing site*
		Taiwan	Pacific	Taiwan

*According to interviewee(s)

IUU infractions	Human rights abuses
<ul style="list-style-type: none"> Illegal shark finning 	<ul style="list-style-type: none"> Physical abuse Excessive overtime Abusive working and living conditions Withholding wages

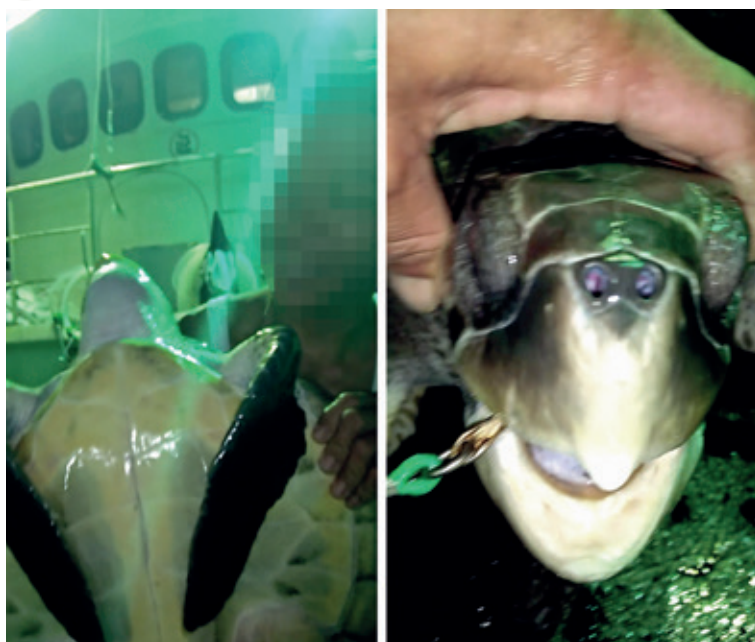


Interviewee reported dates on board vessel:

Interviewee joined the vessel in March 2019 from Taiwan, and his contract is due to finish in March 2021.



Overview of fishing practices:



Destructive fishing practices documented by fishers.

The vessel is listed as being authorised to fish in the jurisdiction of the WCPFC.

The interviewee reported that the vessel fished for tuna and tuna-like species, with each trip lasting about 13 days before they would return to Taiwan. The interviewee stated that they would catch between 10 to 20 sharks per day, including blue sharks (NT), hammerhead sharks (varying IUCN classifications/Appendix II) and thresher sharks (V & Appendix II).

Upon catching either blue, hammerhead or thresher sharks they would fin them and discard the bodies. This is in contravention of Taiwanese Regulations for Tuna Longline or Purse Seine Fishing Vessels Proceeding to the Pacific Ocean for Fishing Operation (Article 58).⁶⁵



Overview of working conditions:

Crew reported being able to sleep only three hours before having to start work again. The interviewee also stated that there were very poor living conditions on-board, reporting that crew were forced to sleep next to machinery that made them ill from constant heat, noise and covered them with oil. The crew also reported severe physical abuse on board the vessel at the hands of the captain:

“He is like mad man. He always got angry, hitting our heads often. One time the vessel had already docked and we had not had a meal since the night before, but we were required to work hard. I asked the captain if I could eat before working, and said I would stop working if he did not give me my meal. He got angry and kicked me, I was thrown into the fish storage, luckily, the storage was full, so my head did not hit the floor’.

Interviewee, Vessel G.

The interviewee reported that for three months he only received US\$300 and that the remainder of his salary was taken in deductions and medical costs.

VESSEL H

ID number	Callsign/IMO	Flag	Operating area*	Landing site*
		Taiwan	Southern Indian Ocean	Mauritius

* According to interviewee(s)

IUU infractions	Human rights abuses
<ul style="list-style-type: none"> • Illegal shark finning • Catching of prohibited shark species • Potential unauthorised at-sea trans-shipment 	<ul style="list-style-type: none"> • Salary under minimum wage • Verbal abuse • Physical abuse • Excessive overtime • Abusive working and living conditions • Withholding wages



Interviewee reported dates on board vessel:

Interviewee crewed the vessel from February 2017 to January 2019.



Overview of fishing practices:

The vessel was listed as being authorised to fish in the jurisdiction of the IOTC by the Fisheries Agency.

The interviewee reported that the vessel's fishing trips could last up to eight months before returning to port. The vessel would catch approximately 10 sharks per day, including species such as: Blue shark (NT), shortfin mako shark (EN & Appendix II) and thresher shark (V & Appendix II).

The interviewee stated that the latter species was finned and their carcasses discarded. Finning sharks and disposing of bodies is in contravention of Taiwanese Regulations for Tuna Longline Fishing Vessels Proceeding to the Indian Ocean for Fishing Operation (Article 46).⁶⁶ Thresher sharks are listed as prohibited species by the IOTC.⁶⁷ Catches were allegedly trans-shipped at sea, without supervision, to an allegedly Japanese-flagged refrigerated cargo vessel.

Furthermore, two false killer whales (NT & Appendix II of CITES) were caught and killed for their teeth. Turtles were also regularly caught.

“We brought them [False killer whales] close and electrocuted them until they were almost dead. Then we brought them on-board, cut off the head and took the teeth. Then we threw the body overboard. We used a gaff [Long pole with a sharp hook on one end] with electricity connected to it.”

Interviewee, Vessel H.



Overview of working conditions:

Labour conditions were poor, with extremely long working days. Crew reported being allowed to sleep for only two hours between shifts, under constant threat of being sent back to Indonesia. The interviewee also stated that he was forced to dive under the boat to free the longline from the propellor while air was pumped to him from the surface using a compressor. This is an extremely hazardous practise that risks the lives of the crew.

“It was horrible diving in frozen water with only the air compressor for breathing. It was dangerous but captain forced me to dive like this’.

Interviewee, Vessel H.

The interviewee reported that his salary was subject to US\$1,200 in deductions and his monthly salary was US\$400, below the minimum wage of US\$450.

Recommendations:

Taiwan has taken progressive steps to update its legislation and adopt international standards in the management of its distant water fishing fleet. However, the widespread issues documented in this briefing demonstrate the need for these legislative reforms to be translated into enforcement action on the front lines.

Due to the global nature of Taiwan's fleet, this will require cross-governmental and international cooperation. EJF therefore recommends that the Taiwan government take the following actions:

- Increase inspector coverage to include all authorised overseas ports (or reduce the number of such ports if more practical in some instances) and provide inspectors with extensive training in identifying human trafficking and other human rights abuses;
- Increase resources and training programmes for relevant authorities tasked with conducting portside vessel inspections and increase the inspection rate to not only high-risk vessels but also vessels related to them;
- Implement electronic monitoring systems for Taiwanese fishing vessels including remote sensors, cameras and the ability for crew to communicate with the outside world to raise any concerns;
- Adopt EJF's full Charter for Transparency, including the publication of a single license list of all vessels in Chinese and English, sanctions and information on beneficial ownership;
- Abolish the overseas recruitment system and require all migrant workers on fishing vessels to be recruited through Taiwan under the direct supervision of the Ministry of Labor;
- Allocate sufficient resources to bring Taiwanese law in line with the ILO C188 rapidly. This should include conducting comprehensive, victim-centred interviews with a sample of crewmembers during such inspections to identify potential human rights abuses; and
- The Executive Yuan should ensure and oversee a proactive cross-departmental investigation into human right abuses and IUU fishing cases on Taiwanese vessels. This should also include input from civil society.

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