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PacNet #71 – Improved Fishing Oversight Complements Taiwan’s Diplomatic Gains – Time to Act Now

Though less than a year old, the second administration of Tsai Ing-wen has reaped many foreign policy successes for Taiwan. For example, successful management of Covid-19, visits by



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By improving oversight in its commercial fishing industry Taiwan can keep the positive momentum going. The following are some suggestions.

Fishing is big business for the island. The Taiwan Fisheries Agency (FA) has accelerated the growth of Taiwan’s fishing fleet through various forms of financial support. The fleet is the second-largest in the world, with 1,000 flagged vessels and 300 foreign-flagged—but Taiwan-owned—vessels. Agriculture and fishing constitute 2-3% of Taiwan’s GDP. The fishing industry employs 330,000 people in one fashion or another. Some sources say [nearly 30,000](#) are contract migrant fishermen, with 21,994 from Indonesia and the rest from the Philippines, but non-government organizations and US agencies put the number [closer to 160,000](#). Taiwan’s fishing industry is worth \$2 billion per year.

The regulation of commercial fishing is the FA’s responsibility, but Greenpeace East Asia has [documented](#) a “laissez-faire” attitude toward illegal, unreported, and unregulated (IUU) fishing and human rights abuses. However, the FA is generally considered understaffed, and the Control Yuan has recently opened an investigation into allegations against the fishing industry.

Human Rights and the Environment

“Seabound: The Journey to Modern Slavery on the High Seas,” [published](#) by Greenpeace in 2019, focused on environmental damage and labor abuse by Taiwan’s long-distance fishing industry. The Environmental Justice Foundation [shares](#) Greenpeace’s concerns. These reports note that fishermen’s passports are ordered turned over to the labor broker or captains of fishing vessels (FV). At sea, contract fishermen work up to [22 hours](#) per day and often suffer physical abuse if the captain is not satisfied with their work. Spurious “costs” are [deducted](#) from fishermen’s wages. Fishermen [often report](#) that wages are not paid. Only once in port may fishermen who have suffered physical abuse or not had their labor contracts honored seek justice and protection.

It would also be beneficial to address environmental concerns, including that Taiwanese long-distance fishing vessels deplete global fish stocks. They are also known for “shark finning,” or illegally catching sharks, cutting off their fins, and throwing the sharks back into the sea to die. The fins are then hidden in the vessel to evade inspection.

These practices led the European Union (EU) to issue the Taiwan fishing industry a yellow card in 2015, declaring that the industry must address EU environmental and labor concerns. If not, the yellow card would become a red card, prohibiting Taiwan fishing products from the EU market. Surprisingly, the yellow card was withdrawn in 2019, despite a widespread [lack of confidence](#) that the situation has improved.

Indeed, Taiwan’s Control Yuan recently [opened an investigation](#) into the long-distance fishing industry over the concerns that impelled the EU to levy the yellow card. The investigation focuses on two long-distance fishing vessels, where Indonesian and Filipino fishermen have declared working conditions inhumane. Working hours and salaries were not paid as stipulated in their contracts.

Interagency Cooperation

There are a number of possible solutions to bring the fishing industry into compliance. Among them, the FA should [be given](#) more staff and raise standards for offering loans, loan guarantees, and subsidies to the fishing industry. It should more strictly administer licenses and permits. Tracking technology on board vessels would also help to prevent trans-shipment or “fish laundering.”

The [National Plan of Action](#) to Prevent, Deter, and Eliminate IUU reflects the United Nations Food and Agricultural Organization [Plan of Action](#) to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing. Rigorous implementation would earn global goodwill.

As would addressing gaps in oversight: The Taiwan Labor Ministry does not oversee distant-water fishing (DWF) outside of Taiwan’s borders; the responsibility lies with the FA. The Taiwan Labor Standards Act does not cover migrant DWF fishers. Greenpeace [contends](#) that the FA is pulled in two ways: responsible for both the DWF fishing industry and labor concerns.

Additional room for improvement can be found surrounding the issue of foreign-flagged but Taiwan-owned vessels. The two vessels, noted above in the Control Yuan’s investigation, are not the only two Taiwanese-owned fishing vessels flying the flag of another country to escape legal action. FA Director-General Chang Chih-sheng said that the government is [looking to amend](#) the law so that the government would be able to prohibit foreign ships from docking in Taiwan should incidents of crew abuse be proven.

Given the interwoven complexities of IUU, an interagency task force consisting of a beefed up FA, plus the Ministry of Justice Investigation Bureau, the Coast Guard, the Ministry of the Interior, and the Environmental Protection Agency would be beneficial. Even with the formation of an interagency task force, there is a need for stronger laws and penalties.

The Office of Trade of the US Customs and Border Protection in late August blocked all seafood harvested by a vessel under investigation with a “Withhold Release Order” (WRO). The impact of the WRO is that all seafood from the vessel will be impounded until the importers can prove the catch was not the result of forced labor. This was the third time that a WRO has been levied on a Taiwan FV. “The Goods Produced by Child Labor or Forced Labor” [report](#), released by the US Department of Labor on September 30, offered a remedy similar to the WRO and underpins US concern for labor abuse. Moreover, on November 19, Greenpeace and 33 other global human rights, environmental, and labor organizations [demanded](#) that Taiwan end forced labor in distant-water fishing.

Other available remedies include 1) impounding the vessel; 2) forced sale of the vessel or government buyback; 3) arresting the captain and owner; and 4) employing the services of the space-based initiative Global Fishing Watch, which [enables oversight](#) of illegal fishing from space.

Such steps would ensure that the broad diplomatic progress Taiwan has made in recent months is not lost and reinforce the ruling Democratic Progressive Party’s self-image as a protector of working people and the environment. In fact they would enhance it, as contract fishermen come from countries Tsai’s [New Southbound Policy](#) seeks to cultivate to reduce Taiwan’s economic dependence on China.

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