

Legal Aid for Migrant Workers in Taiwan



財團法人法律扶助基金會
Legal Aid Foundation

Fang-Chun Chu Attorney

fc.chu@laf.org.tw





Fang-Chun Chu

Director of Department of Legal Research & Legal Affairs, Legal Aid Foundation

- Attorney (since 2004)
- Chairperson of the 2nd Immigration Laws Committee, Taiwan Bar Association

Participated Activities -

- Drafting and legislation promotion of the Human Trafficking Prevention Act (2007)
- Amendment of the Human Trafficking Prevention Act (2021-2023)
- Civilian Surveillance Alliance on Human Trafficking Prevention (since 2007)
- Has been handling cases involving migrant workers for many years

According to the Legal Aid Act, everyone may be a recipient of legal aid, irrespective of nationality

Article 14, Section 1, Item 1 of the Legal Aid Act:

The provisions of this Act are applicable to people

The provisions of this Act are also applicable to non-citizens of the Republic of China who meet any one of the following conditions: (Law amended July 1, 2015 to loosen restrictions)

- 1 People who **lost their residency** due to incidents **not imputed to themselves**.
- 2 Victims or possible victims in a **human trafficking case**.
- 3 People who do not reside within the border of the Republic of China may exercise their rights under the laws of the Republic of China when the other party, **who received the Foundation's aid in the past for the same cause, passes away**.
- 4 People who do not reside within the border of the Republic of China may exercise their rights under the laws of the Republic of China when the other **party passes away due to an occupational accident**.
- 5 Other conditions as decided by the Foundation.

Legal aid services through video calls for foreigners do not require qualifications

- Available to foreigners in Taiwan
- Book an appointment through filling out an English application form
- The process is assisted by the Legal Aid Foundation staff, a lawyer, and an interpreter
- When necessary, the Foundation will refer the case to apply for legal aid



Targeting the foreign nationals that have higher internet access rate

The image shows a digital form titled "LAF English Legal Advice Request Form". At the top, it features the LAF logo and a cartoon character. The main heading asks, "Do you have any legal issues and would like to get free advice from a lawyer?". Below this, it explains that the service is provided via Google Meet video-conference for English-speaking foreigners in Taiwan. A section titled "Your Legal Case" contains a text input field for the user's legal matter and a section for uploading documents. A pink arrow points from the first annotation to the main heading, and another pink arrow points from the second annotation to the "Your Legal Case" section. A third pink arrow points from the bottom of the form to the "新增檔案" (Add File) button.

LAF English Legal Advice
Request Form

Do you have any legal issues and would like to get free advice from a lawyer?

Taiwan Legal Aid Foundation (LAF) is using [Google Meet video-conference](#) technology to provide free legal advice for [English-speaking foreigners who are currently living in Taiwan](#).

This service will be a **one-off advice** session for your case and it **MUST be arranged by appointment** beforehand. This request form is produced for this purpose. Your submission of this form is required for booking appointments.

Your Legal Case

Please let us know the details of your legal matter and your questions. *

I want to ask.....

Please provide important documents/evidence regarding your case if there is any (e.g. appearance notices or summons issued by the court/prosecutors' office/police, contracts, photos of evidence, etc.)

新增檔案

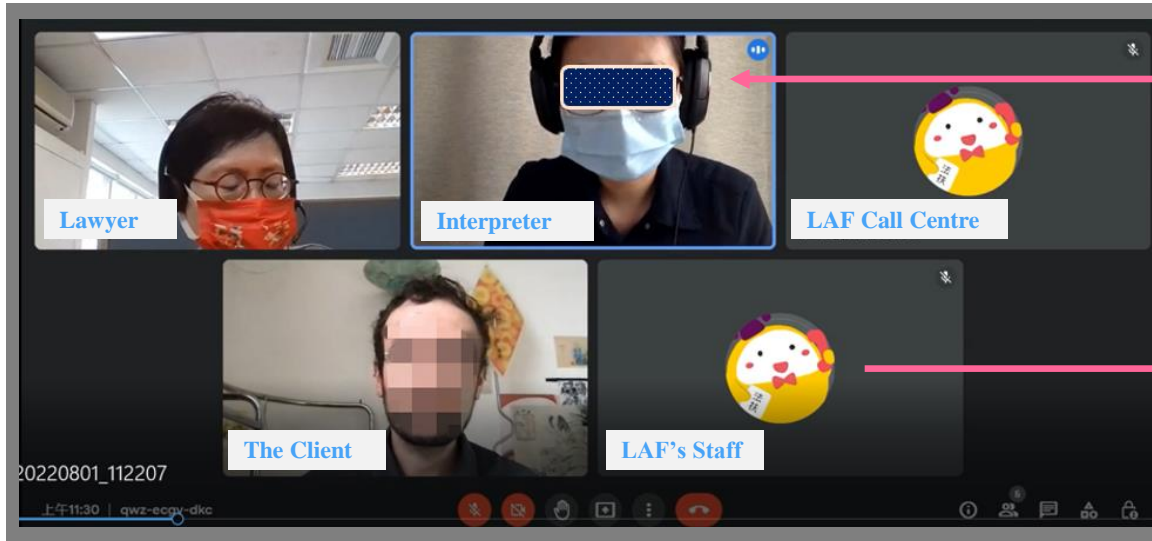
1

Providing clear service descriptions to strengthen communication

2

Employing online forms and allowing file upload to collect personal and case details beforehand

Targeting the foreign nationals that have higher internet access rate



3

Involving the interpreters in the online meetings

4

Facilitating simultaneous monitoring for better quality

Multi-lingual Services

- The official website, notification to applicants are offered in multiple languages
- A list of interpreters is established and released
- Payments to interpreters are paid off by the Foundation for those who applied for legal aid and have such payments incurred by handling legal aid cases

財團法人法律扶助基金會
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Chinese 中文
Indonesian 印尼文
Viet Nam 越南文
English 英文
Tagalog 他加祿文
Burmese 緬甸文

for Granting Legal Aid

About us Our services FAQ Contact us Annual report Conferences

Surat Pemohonan Bantuan Hukum Tertulis
法律扶助申請書 (印尼文)

Click: ► **Lembaga Bantuan Hukum Perkenalan Proyek CHI ZHI (DOBEST)**

Dimanakah lembaga bantuan hukum?
Pilih salah satu Lembaga Bantuan Hukum merupakan 22 cabang di seluruh Tanah, Indonesia di Bala-jubing, Komor, Selay Pengulu, informasi dari cabang-bantuan hukum adalah sebagai berikut:

Cabang Keelung (總機分會)
Add: 117, No. 14, Zhong 1st Rd., Ramat Dist., Keelung City 600, Taiwan
Tel: 03-2023-0000
Fax: 03-2023-0001

Cabang Taipei (台北分會)
Add: 101, No. 101, Sec. 2, Zhongxing Rd., Taipei City 101, Taiwan
Tel: 02-2023-0000
Fax: 02-2023-0001

Cabang Shilin (士林分會)
Add: 111, No. 111, Sec. 1, Zhongxing Rd., Shilin City 111, Taiwan
Tel: 02-2023-0000
Fax: 02-2023-0001

Cabang New Taipei (新台北分會)
Add: 222, No. 222, Sec. 1, Zhongxing Rd., New Taipei City 222, Taiwan
Tel: 02-2023-0000
Fax: 02-2023-0001

Cabang Taoyuan (桃園分會)
Add: 333, No. 333, Sec. 1, Zhongxing Rd., Taoyuan City 333, Taiwan
Tel: 03-2023-0000
Fax: 03-2023-0001

Cabang Hsinchu (新竹分會)
Add: 300, No. 300, Sec. 1, Zhongxing Rd., Hsinchu City 300, Taiwan
Tel: 03-2023-0000
Fax: 03-2023-0001

Cabang Miaoli (苗栗分會)
Add: 370, No. 370, Sec. 1, Zhongxing Rd., Miaoli City 370, Taiwan
Tel: 03-2023-0000
Fax: 03-2023-0001

Cabang Taichung (台中分會)
Add: 400, No. 400, Sec. 1, Zhongxing Rd., Taichung City 400, Taiwan
Tel: 04-2023-0000
Fax: 04-2023-0001

Cabang Changhua (彰化分會)
Add: 500, No. 500, Sec. 1, Zhongxing Rd., Changhua City 500, Taiwan
Tel: 05-2023-0000
Fax: 05-2023-0001

Cabang Yunlin (雲林分會)
Add: 600, No. 600, Sec. 1, Zhongxing Rd., Yunlin City 600, Taiwan
Tel: 05-2023-0000
Fax: 05-2023-0001

Cabang Tainan (台南分會)
Add: 700, No. 700, Sec. 1, Zhongxing Rd., Tainan City 700, Taiwan
Tel: 06-2023-0000
Fax: 06-2023-0001

Cabang Keelung (總機分會)
Add: 117, No. 14, Zhong 1st Rd., Ramat Dist., Keelung City 600, Taiwan
Tel: 03-2023-0000
Fax: 03-2023-0001

Cabang Tainan (台南分會)
Add: 700, No. 700, Sec. 1, Zhongxing Rd., Tainan City 700, Taiwan
Tel: 06-2023-0000
Fax: 06-2023-0001

Cabang Kaohsiung (高雄分會)
Add: 800, No. 800, Sec. 1, Zhongxing Rd., Kaohsiung City 800, Taiwan
Tel: 07-2023-0000
Fax: 07-2023-0001

Cabang Keelung (總機分會)
Add: 117, No. 14, Zhong 1st Rd., Ramat Dist., Keelung City 600, Taiwan
Tel: 03-2023-0000
Fax: 03-2023-0001

Cabang Keelung (總機分會)
Add: 117, No. 14, Zhong 1st Rd., Ramat Dist., Keelung City 600, Taiwan
Tel: 03-2023-0000
Fax: 03-2023-0001

Apakah Ada Masalah Hukum? Lembaga Bantuan Hukum Bantu Anda!
有法律問題？法扶來幫您

412-8518
24小時法律熱線 (免費長途電話)

財團法人法律扶助基金會
Legal Aid Foundation

Yapen: Lembaga Bantuan Hukum yang memiliki cakupan di
Yapen, merupakan lembaga pelayanan jasa bantuan untuk masyarakat yang kurang mampu.

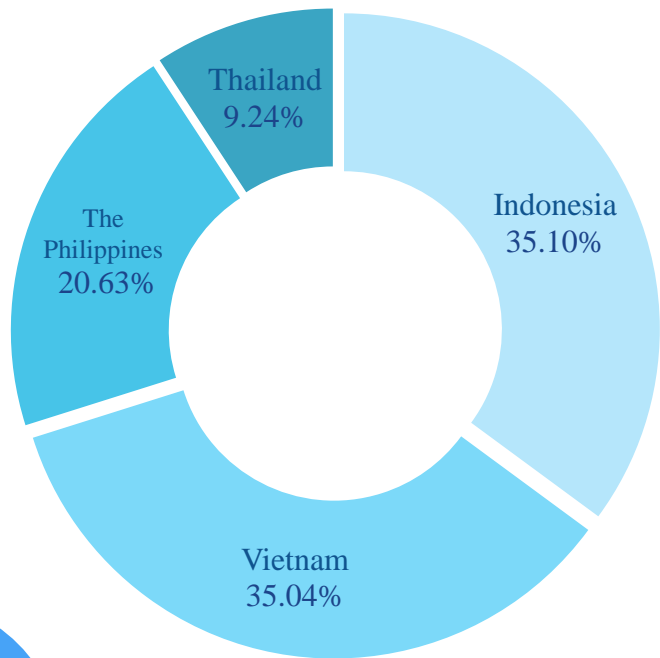
法律扶助基金會公開通譯傳單人名單-1120328更新

外語、原民及其他 手語翻譯

基本資料					受理經歷
編號	姓名	翻譯種類	連絡電話	電子信箱	通譯訓練單位、經歷
1	陸芳芳	印尼語	0929-XXXXXX	XXXXXX@XXXXXX.com	法院、檢察署特約通譯
2	岑敏理	越南語	0933-XXXXXX	XXXXXX@XXXXXX.com	法院特約通譯
3	范氏落六	越南語	0910-XXXXXX	XXXXXX@XXXXXX.com	法院特約通譯
4	盧展利	東埔寨語/粵語	0939-XXXXXX	XXXXXX@XXXXXX.com	法院特約通譯
5	王樹屏	越南語	0955-XXXXXX	XXXXXX@XXXXXX.com	法院、檢察署特約通譯
6	朱賢惠	泰國語/粵語	0929-XXXXXX	XXXXXX@XXXXXX.com	法院、檢察署、移民署、警察局
7	段金鶯	越南語	0963-XXXXXX	XXXXXX@XXXXXX.com	法院、檢察署特約通譯

Migrant Workers (in Productive Industries and in Social Welfare) in Taiwan - by Nationality

(as of June 2023)

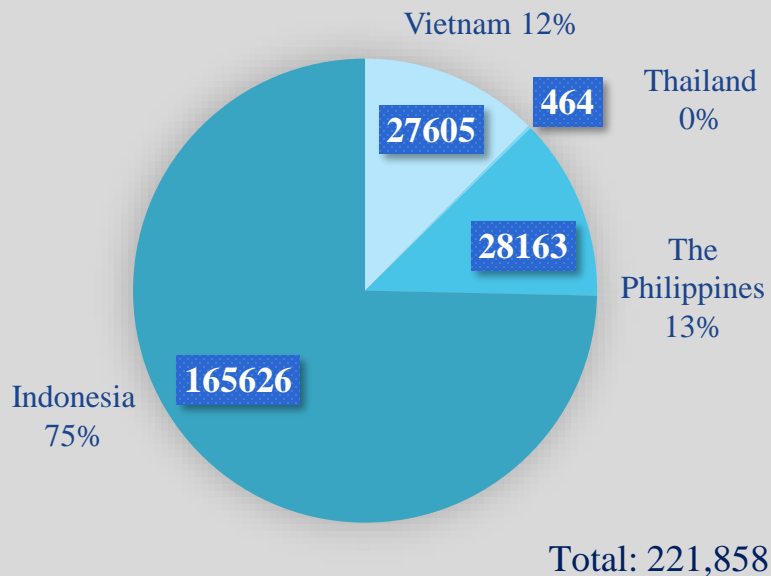


Indonesia	Vietnam	The Philippines	Thailand	Malaysia	Other
259,558	259,088	152,529	68,318	3	0
Total: 739,496					

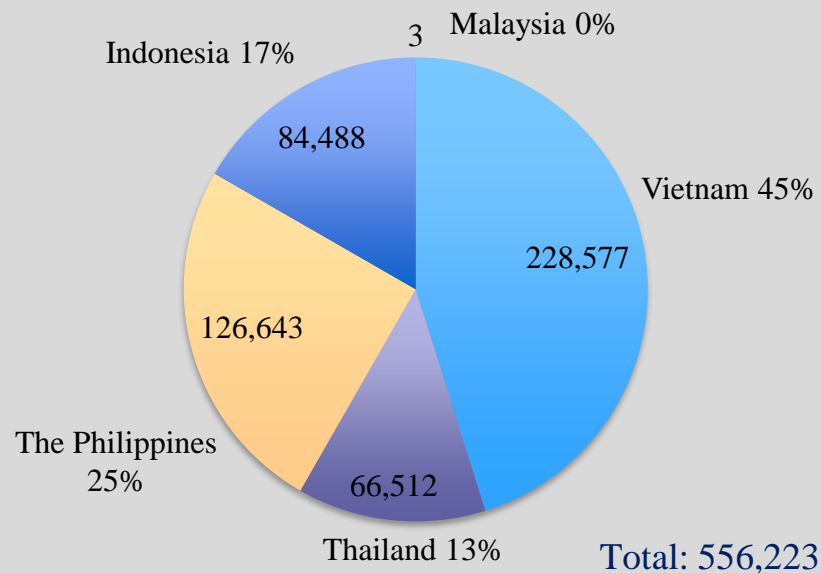
Source: [Ministry of Labor](#)

Migrant Workers by Types of Work (as of 2022)

Migrant workers in social welfare



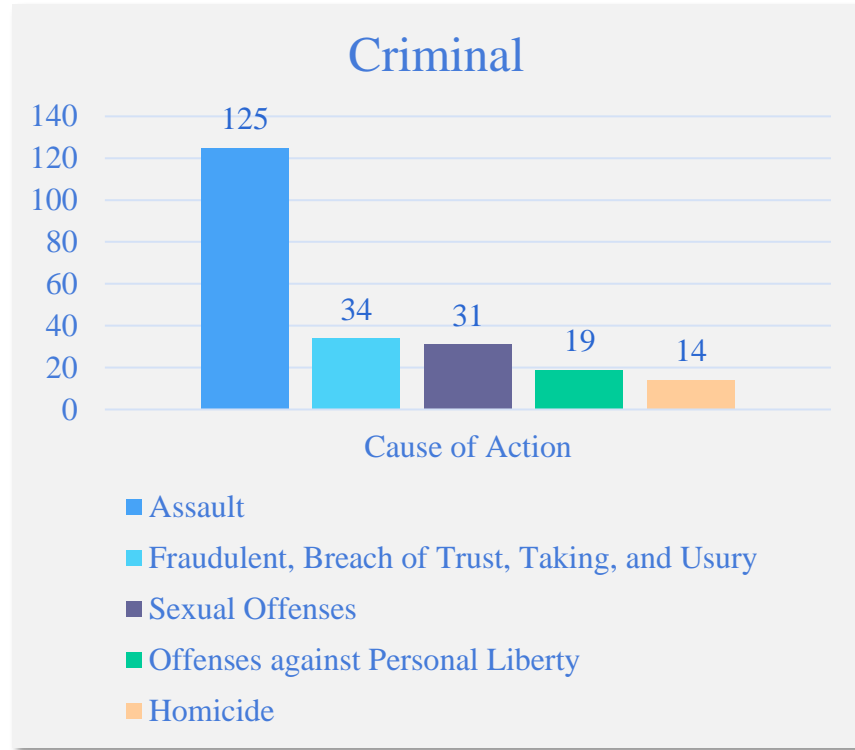
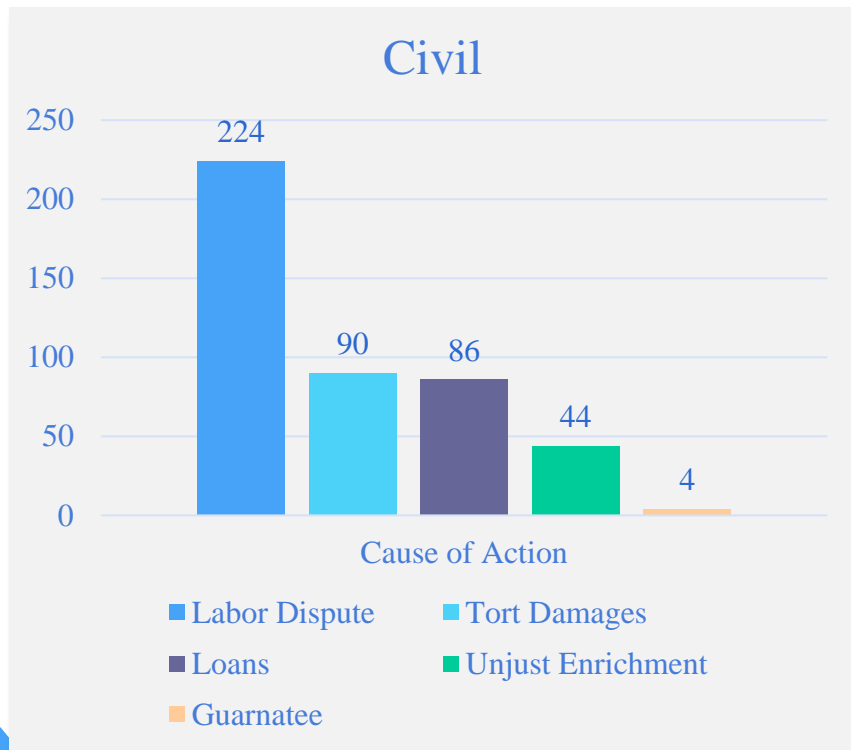
Migrant workers in productive industries



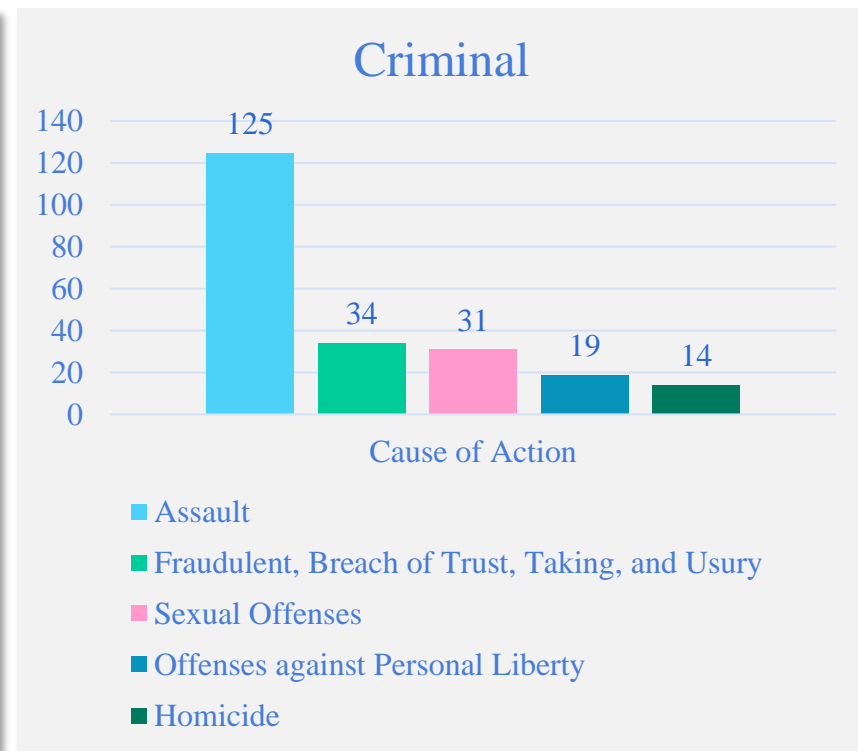
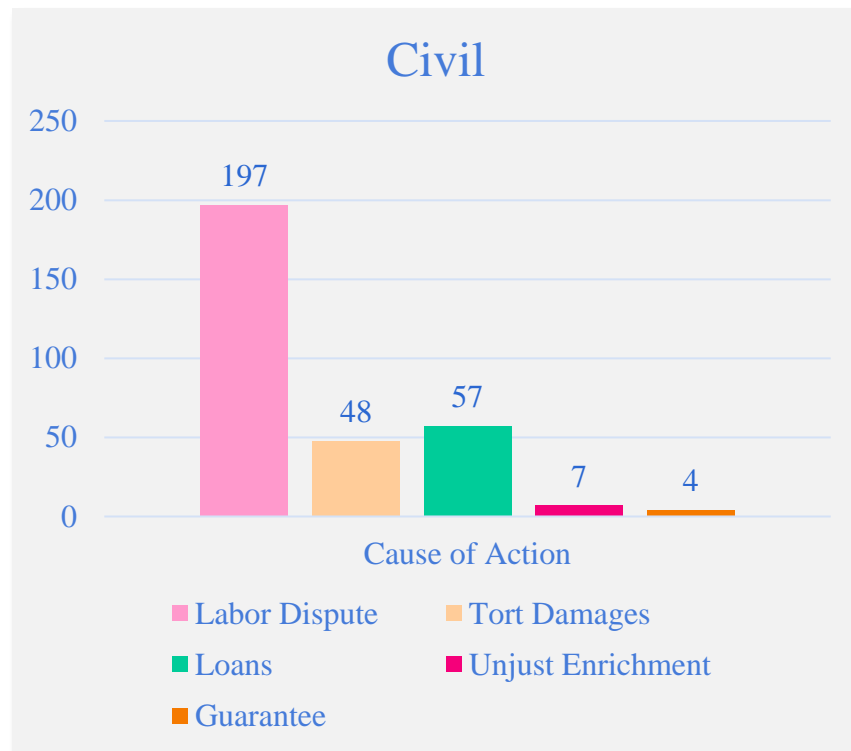
Migrant Workers Applying Legal Aid from Us

	Total number of approved cases with foreign applicants	Number of applications (migrant workers)	Number of approved cases with migrant worker applicants	Percentage of approval for cases with migrant worker applicants
2019	1918	948	873	92.08%
2020	1699	686	620	90.38%
2021	1742	824	753	91.38%
2022	1740	928	799	86.10%

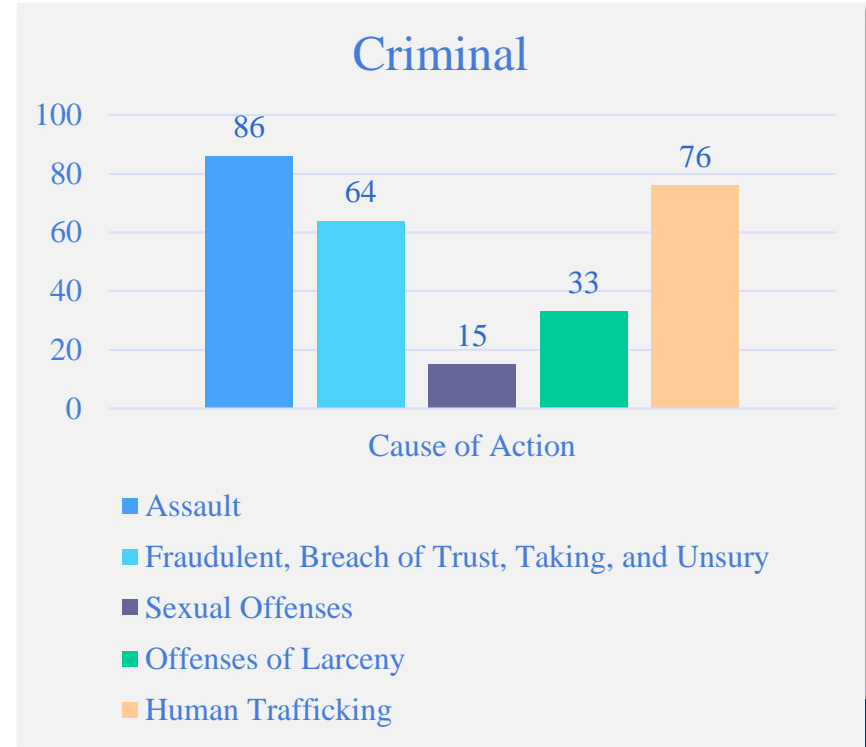
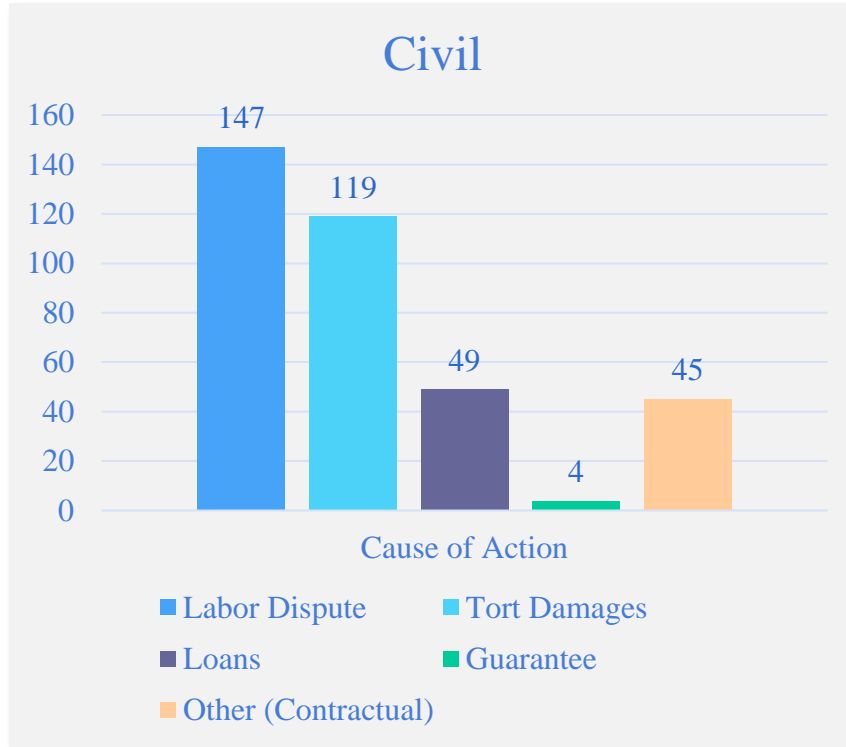
Top 5 Cause of Action of Approved Cases with Migrant Worker Applicants in 2019



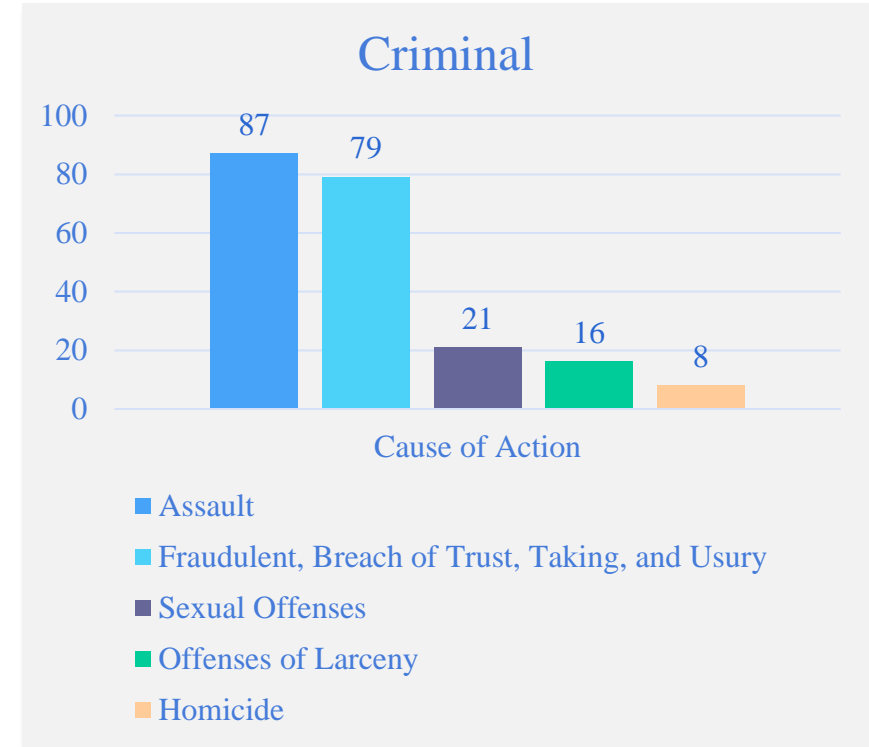
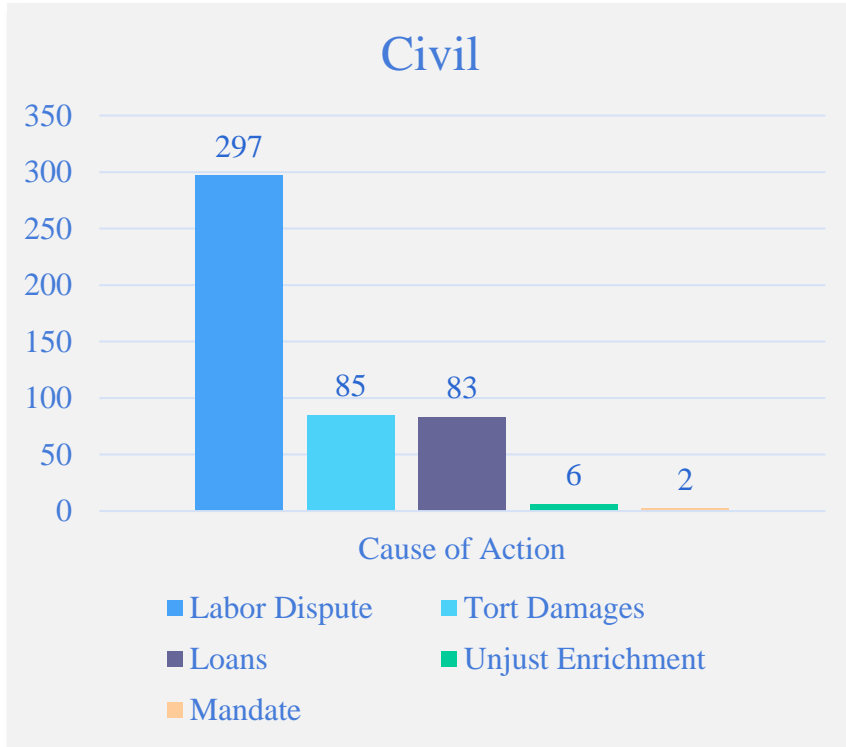
Top 5 Cause of Action of Approved Cases with Migrant Worker Applicants in 2020



Top 5 Cause of Action of Approved Cases with Migrant Worker Applicants in 2021



Top 5 Cause of Action of Approved Cases with Migrant Worker Applicants in 2022



Common Types of Cases in Need of Legal Aid

Civil

Labor Dispute

Tort Damages

Loans (include debt collection incurred by paying recruitment fees to agencies back home)

Criminal

Assault

Fraudulent

Sexual Offenses

Fishers and Seafarers Legal Aid Foundation Assisted in Recent Years | Case Study |



Ocean Pioneer (China)



Der Yun (Belize)



UNIPROFIT (Belize)

KING MIDAS (Sierra Leone)

Ocean Pioneer (China)

Number of legal aid recipients : 4 Burmese

Type of aid needed: Salary payment

- Referred by a Burmese service agency to work on the vessel, the crew members had not received their salary since April 2020. In October of the same year, the vessel lost engine power off the Taiwan Strait. The entire crew was abandoned by the ship owner and service agency without food and water.
- The captain requested for an emergency entry to the Taipei Port on October 11, 2020. The port then arranged tugboats to pull the vessel into the port to harbor.



Der Yun (Belize)

Number of legal aid recipients: 6 Burmese, 2 Chinese

Type of aid needed: Salary payment, human trafficking, and provisional attachment

- The cargo ship entered the Taipei Port to load cargo and was expected to leave on October 10, 2019, but due to some reasons, it harbored until August 2021. Hence, the crew members were forced to stay on the ship.
- The court adopted interpretations favoring the migrant workers in regard to “who is the actual employer”.

社會 直擊

Escaping A Prison on the Sea 1: Crew members abandoned by the unscrupulous ship owner for 27 months finally returned home; Current conditions of the Der Yun crew revealed

記者：陳柔瑜 | 2022-08-20 06:00



德運輪2019年10月開始滯留台北港，8名外籍船員遭無良船東丟包27個月，船上生活十分艱辛，如今終於全部返鄉。（圖／本報資料照，讀者提供，CTWANT合成）

UNIPROFIT (Belize)

Number of legal aid recipients: 5 Chinese, 1 Indonesian

Type of aid needed: Salary payment

- 2022.3.23: The cargo ship was stranded off the Taitung coast, and was pulled to the Kaohsiung Port under the arrangement of Maritime and Port Bureau (Taitung Office)
- Salary payment was not made to the crew during their stay on the stranded ship
- 2022.10.21: After multiparty negotiations and their compliance to Taiwan's Covid-19 Prevention Measures, the crew members entered Taiwan and departed within a few days

聯利輪罰款中國籍船東擺爛 執行署6600萬起拍



貝里斯籍散貨輪擱淺台東外海，中國籍船東擺爛不處理，執行署高雄分署9月5日拍賣這艘貨輪。（記者黃佳琳翻攝）

<https://news.ltn.com.tw/news/society/breakingnews/438562>

KING MIDAS (Sierra Leone)

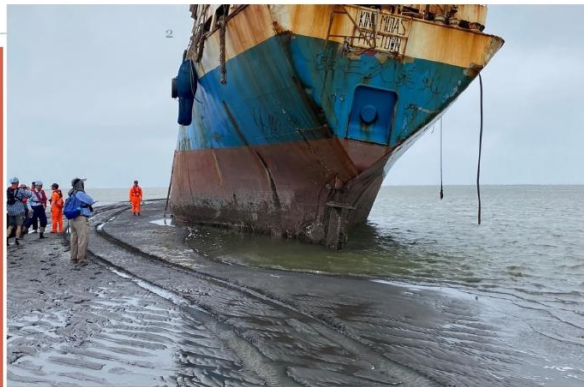
Number of legal aid recipients: 5 Burmese; 1 Indonesian

Type of aid needed: Salary payment

- 2019.6.7: Crew members enter Taiwan to board the ship to work
- 2019.12.6: The ship was stranded at the river mouth of Zhoshui River in Western Taiwan, and the rescue attempt failed. The captain ordered his crew to look after the cargo, yet the ship was running low in supply as time passed
- 2019.12.7: A contingency planning meeting was convened by the Maritime and Port Bureau, Ministry of Transportation and Communications
- 2020.11: The crew members called for help to personnel in the Diocese of Taichung, and were finally able to land in December with the help of agencies and the private sector.
- The crew members received part of the salary after a reconciliation was made as the ship was ordered a provisional attachment

「米達斯」貨船基本資料

1. 「米達斯」貨船船舶所有人為「J*** I*** INTERNATIONAL TRADING CO. LTD」，登記地址為Seychilles(塞席爾群島)。
2. 船籍：獅子山共和國籍。
3. 船體：西元1994年建造，載運冷凍貨品400噸。
4. 航程：越南至韓國。
5. 船員：共計10人，國籍分別為：1中國籍、1印尼籍、8緬甸籍。
6. 貨船在110年5月16日入高雄港，並更名為蒙古籍 S*** R*** 輪。



米達斯貨船擱淺在濁水溪口外 圖：監察院提供

<https://newtalk.tw/news/view/2022-02-17/711365>



照片來源: [ETtoday新聞雲](#)

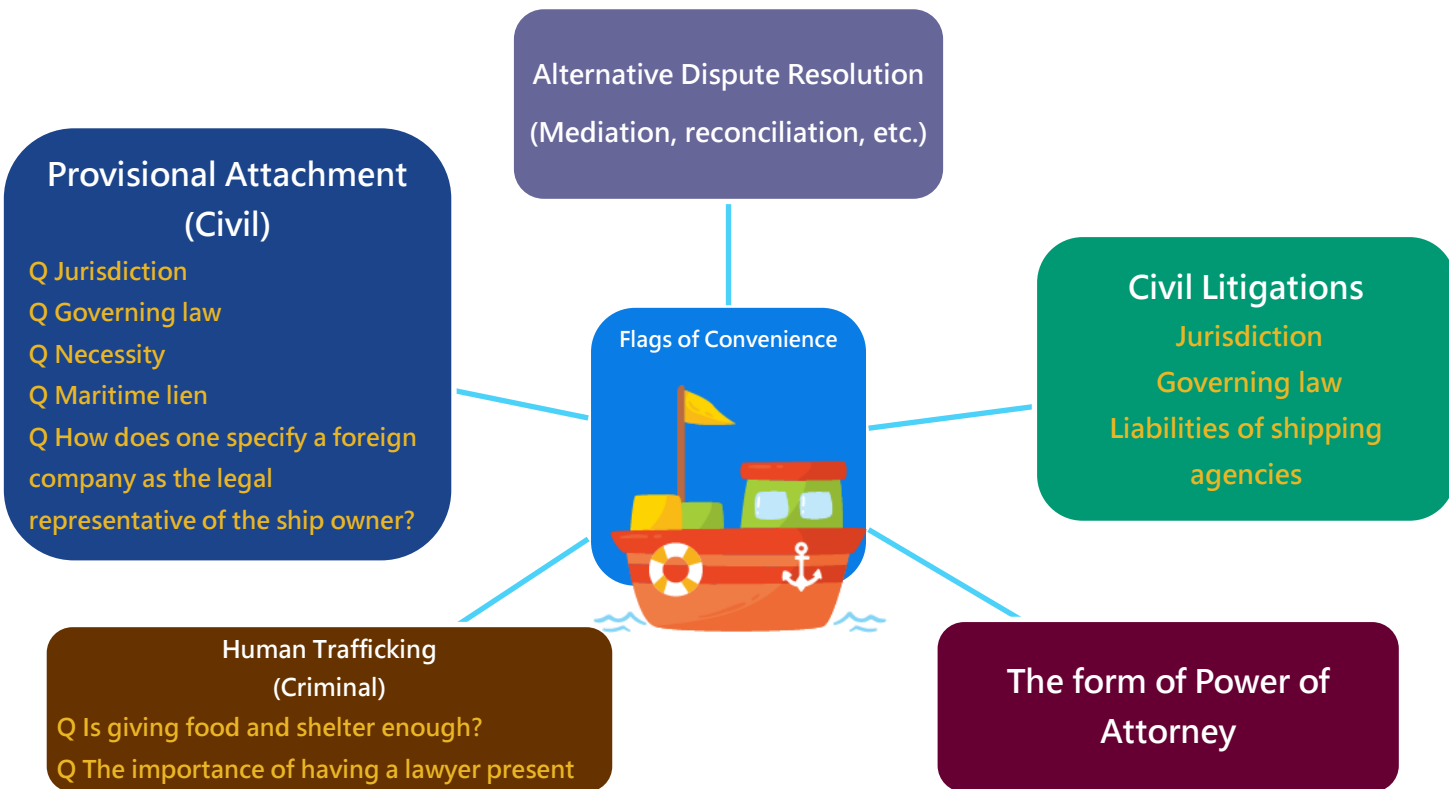
▲▼船員受困船上1年終於下船。(圖/記者許凱彰翻攝)







Legal Aid for Vessel and Ship Cases is Complicated and Difficult



The Establishment of Legal Aid Mechanism for Stranded Crew Members/Fishers

Countermeasures

Establish legal aid procedures and mechanisms and proactively invite competent agencies (the Maritime and Port Bureau, MOTC) through the Executive Yuan's Anti-Exploitation Action Plan

Assistance from NGOs

Assistance from shipping agents

Challenges

Stranded crew members/fishers have not entered Taiwan and therefore does not qualify for the condition of "legal entry" stipulated in Article 14 of the Legal Aid Act

Relevant legal aid documents must be provided

How do legal aid recipients work with their attorney after departure?



Challenges to Overcome

- Foreign students instead of migrant workers are recruited to be exploited
- The protection and legalization on the rights of domestic workers
- Illegal service fees charged among migrant workers

“Family” –Song of the Der Yun Crew



My family

Your laughter is my happiness

Yet if you shed tears

I sure will bear more of that sadness

I need you to realize my dreams with me

And the love you gave me

Made me more courageous

Because we are a family

We rely, trust, and feel grateful for each other

Because we are a family

We share and carry each other's lives