

# Taiwan 2024 Human Rights Report

## Executive Summary

There were no significant changes in the human rights situation in Taiwan during the year.

There were no credible reports of significant human rights abuses.

Authorities enforced laws prohibiting human rights abuses and prosecuted officials who committed them.

## Section 1. Life

### a. Extrajudicial Killings

There were no reports authorities or their agents committed arbitrary or unlawful killings during the year.

### b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization on the part of official authorities.

## **Section 2. Liberty**

### **a. Freedom of the Press**

The constitution provided for freedom of expression, including for members of the press and other media, and authorities generally respected this right. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for media members.

#### **Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups**

In September a leading local nongovernmental organization (NGO) reported People's Republic of China (PRC) authorities pressured Taiwan businesses with operations in the PRC to refrain from advertising with Taiwan media outlets that published content critical of the PRC.

### **b. Worker Rights**

#### **Freedom of Association and Collective Bargaining**

The law provided for the right of workers to form and join independent unions, conduct strikes, and bargain collectively. The law prohibited discrimination, dismissal, or other unfair treatment of workers for union-related activities and required reinstatement of workers fired for legal trade

union activity. Employees hired through dispatching agencies (i.e., temporary workers) did not have the right to organize and bargain collectively. Authorities effectively enforced the law. Penalties were regularly applied against violators and were commensurate with those for similar laws. Special labor courts handled all labor cases, including collective disputes involving unions.

By law, there were three types of unions: enterprise unions, industrial unions, and professional unions. Enterprise unions had to have 30 members to form and there could only be one union per enterprise. They were responsible for negotiating the immediate labor rights, working conditions, and entitlements of enterprise-level collective agreements. Employees in companies with fewer than 30 workers could only join a professional or industrial union to exercise their rights. Industrial unions linked workers in the same industry. Professional unions had to be within the geographic boundaries of local administrative divisions; membership across boundaries was prohibited. Industrial and professional unions had the right to collectively bargain enterprise-level working conditions and could advocate for sector-wide benefits if they represented more than one-half of employees. Employers, however, reportedly used tactics such as increasing the number of workers employed so the 50 percent threshold could not be met.

The right to strike remained highly restricted. Teachers and civil servants

did not have the right to strike. Authorities could prohibit, limit, or break up a strike during an officially declared disaster. Workers were allowed to strike only in “adjustment” disputes such as overcompensation and working schedules, and only after mediation. The law forbade strikes related to rights guaranteed under the law, which in principle should be resolved through the judicial system.

The law required mediation of labor disputes when authorities deemed them serious or involving unfair practices. Most labor disputes involved wage and severance issues and were often settled through mediation or arbitration. Mediation usually resolved most cases within 20 working days. Legally binding arbitration generally took between 45 and 79 working days. The law prohibited strikes or other acts of protest during conciliation or arbitration proceedings. Labor organizations stated this prohibition impeded workers’ right to strike.

The Ministry of Labor oversaw implementation and enforcement of labor laws in coordination with local labor affairs authorities. Authorities effectively enforced laws providing for the freedom of association and collective bargaining. Ministry arbitration committees reviewed cases of antiunion activities, and authorities subjected violators to fines or restoration of employee’s duties. Such fines were commensurate with those for analogous violations such as civil rights violations and were sometimes applied against violators.

Large enterprises frequently made it difficult for employees to organize an enterprise union; they used methods such as blacklisting union organizers from promotion or relocating them to other divisions. These methods were most common in the technology sector.

## **Forced or Compulsory Labor**

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **Acceptable Work Conditions**

### **Wage and Hour Laws**

The Minimum Wage Act passed in December 2023 provided for a new minimum wage to take effect in January every year by law. The minimum wage was above the Ministry of Health and Welfare's poverty level. The minimum wage did not cover certain workers, such as management employees, medical doctors and other health-care workers, gardeners, bodyguards, self-employed lawyers, civil servants, and domestic household workers. Migrant fishermen on vessels operating outside Taiwan's territorial seas had a lower minimum wage. NGOs reported that due to the absence of work hour regulations, the actual pay of foreign household workers fell below the national minimum wage. The law placed the burden of proof on employers in wage and hour disputes.

The law provided for working eight hours per day and 40 hours per week, with overtime limited to 138 hours per three-month period with a 46-hour overtime monthly cap; the limit for consecutive working days was 12. There was, however, an option to extend to 54 hours per month of overtime with the consent of a union or labor-management conference. Employees could receive overtime pay for extra hours worked. The law required mandatory rest intervals for shift work of eight hours or longer in certain sectors and limited the number of working days to 12 in a two-week period.

Household workers and caregivers were not bound by working hour regulations. To allow foreign caregivers and household workers to attend religious services on a certain day of the week, a publicly funded “respite care service” provided substitutes on a per-day basis. Wage and overtime violations were most common in the manufacturing, domestic car, and fisheries sectors employing migrant laborers; however, white-collar workers also faced overtime violations. The most common violation was urging employees to accept extra leave time instead of overtime pay.

### **Occupational Safety and Health**

The law provided for occupational safety and health (OSH) standards that were appropriate for major industries in the economy. The law made enterprises and dispatching agencies responsible for occupational injuries to temporary workers. The law provided for a national occupational accident insurance fund. By law, employers were required to provide workplace

insurance for all employees, extending coverage to at least 182,000 previously uninsured migrant household workers. OSH labor inspectors proactively identified unsafe working conditions through routine inspections and conducted more frequent inspections and risk assessments on high-risk industries.

Workers could remove themselves from danger and report it to their supervisor without jeopardizing their employment. Employers, however, could terminate an employment contract if they proved a worker abused the right to suspend work.

### **Wage, Hour, and OSH Enforcement**

The Ministry of Labor effectively enforced wage and hour laws as well as OSH standards. Penalties were commensurate with those for similar crimes such as fraud or negligence and were sometimes applied against violators. Employers were subject to civil but not criminal charges when their employees were involved in fatal accidents due to unsafe working conditions.

Authorities maintained a total of 1,033 inspectors across central and local governments, just short of the ILO's standard for industrial market economies, but inspection resources in the distant fishing sector were often insufficient to enforce compliance.

Inspectors had the authority to make unannounced inspections. Authorities

could fine employers and revoke their hiring privileges for violations of the law. Employers found to be in violation of labor laws were not eligible for certain tax reductions or grants. Violations primarily related to working hours and overtime largely in wholesale and retail, logistics and transportation, accommodation, and food services sectors, were uncovered during 2023 inspections. The freight and passenger transportation industries saw higher-than-average accident rates among drivers working overtime. Authorities worked to ensure foreign workers understood their rights through a three-day compulsory training program for all foreign domestic workers upon arrival. Employers had to comply with this training requirement to be able to recruit migrant workers.

More than 793,000 foreign workers were employed, primarily from Indonesia, Vietnam, the Philippines, and Thailand; most were recruited through a labor broker. The Ministry of Labor was required to inspect and oversee the brokerage companies to ensure compliance with the law. The ministry operated a Foreign Worker Direct Hire Service Center and an online platform to allow employers to hire foreign workers without using a broker. Foreign workers could change employers in cases of exploitation or abuse.

The Ministry of Labor maintained a 24-hour toll-free hotline service in six languages where foreign workers could obtain free legal advice, request urgent relocation and protection, report abuse by employers, and file complaints about delayed salary payments. These services were extended

to a popular messaging platform. Reported cases were registered in a database for law enforcement to track.

Foreign workers' associations maintained that despite the existence of the hotline and authorities' effective response record, foreign workers were often reluctant to report employer abuses due to fear the employer would terminate their contract. Workers also struggled with accessing the hotline while at sea.

All foreign domestic workers and caregivers were required to attend a three-day training program upon arrival. The training provided clear guidance on brokerage workers' rights, and reporting mechanisms for any misconduct by the employer or broker. Employers had to comply with this training requirement for foreign domestic workers to receive approval to recruit workers.

Migrant fishermen were commonly subjected to mistreatment and poor working conditions. The Fisheries Agency employed 79 officers in six locations overseas and in some domestic ports monitored and inspected docked Taiwan-flagged fishing vessels, using a multilingual questionnaire to interview migrant fishermen and examine labor conditions onboard. The Fisheries Agency acknowledged the need for more inspectors; it conducted annual labor inspections of approximately 676 vessels employing 4,989 migrant fishermen in the distant-water fishing fleet.

Official estimates suggested more than 900,000 workers had a second or part-time job or worked in the “gig economy,” particularly in the courier and logistics service sectors. General labor standards including minimum wage applied to such informal work. Authorities required food delivery platforms to provide occupational accident insurance for all temporary workers and to suspend services during typhoons or other natural disasters. Authorities estimated more than 87,575 migrant workers were not in touch with their legal employers and likely remained informally employed elsewhere, not enjoying applicable labor protections. Studies suggested employment of such undocumented migrant workers was concentrated in the domestic work and manufacturing sectors.

## **c. Disappearance and Abduction**

### **Disappearance**

There were no reports of enforced disappearances by or on behalf of authorities.

### **Prolonged Detention without Charges**

The constitution and relevant laws prohibited arbitrary arrest and detention and provided for the right of defendants to challenge the lawfulness of their detention in court; authorities generally observed these requirements.

Prosecutors could request pretrial detention in cases in which the potential

sentence was five years or more and when there was a reasonable concern the suspect might flee, collude with other suspects or witnesses, or tamper with or destroy material evidence.

#### **d. Violations in Religious Freedom**

See the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

#### **e. Trafficking in Persons**

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **Section 3. Security of the Person**

#### **a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment**

The law stipulated no violence, threat, inducement, fraud, or other improper means should be used against accused persons, and there were no reports officials employed these practices. There were no reports of impunity in the security forces.

## **b. Protection of Children**

### **Child Labor**

There was no significant presence of the worst forms of child labor and the law prohibited all the worst forms of child labor. The legal minimum age for employment was 15, with an exception allowing children younger than 15 to work if they had completed junior high school and appropriate authorities determined the work would not harm the child's mental and physical health. The law prohibited children younger than 18 from doing heavy or hazardous work. Working hours for children were limited to eight hours per day, and children could not work overtime or night shifts.

### **Child Marriage**

The legal minimum age of marriage was 18 years; authorities effectively enforced the law. There were some reports of child marriage in rural areas.

## **c. Protection to Refugees**

Due to its unique political status, Taiwan authorities were not able to cooperate with the Office of the UN High Commissioner for Refugees or other major international humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, or other persons of concern.

## **Provision of First Asylum**

The law did not provide for granting asylum or refugee status, and authorities had no system for providing protection to refugees. Authorities handled asylum seekers on a case-by-case basis, taking international practice and the protection of human rights into consideration.

All PRC nationals unlawfully present were required by law to be returned to the PRC, although authorities allowed PRC nationals seeking asylum to remain in Taiwan on a case-by-case basis. Authorities provided humanitarian and resettlement assistance for Hong Kong nationals in Taiwan.

## **d. Acts of Antisemitism and Antisemitic Incitement**

The Jewish community was estimated at fewer than 1,000 individuals, predominately foreign residents. There were no reports of antisemitic acts.