

TARGET: Zero Hunger -- Episode 10

Trapped at Sea: The fight against slavery in the fishing industry

[Horn of a fishing vessel] [water]

Sandra: Hello and welcome to Target: Zero Hunger – a podcast exploring the food challenges and solutions of our time -- brought to you by the UN’s Food and Agriculture Organization. I’m your host, Sandra Ferrari.

In this week’s episode, we’re taking a look at the darker side of seafood: slavery aboard fishing vessels.

[TZH theme music]

Felix: Who can imagine that slavery still exists in the fisheries sector...

Brandt: there are something like 21 million people involved or subject to forced labor around the world

Rahat: He told me the wages at sea would be higher than any kind of work on the land...

Apinya: So they are far away from home, far away from family. They face so many Typhoons, so many things, but nobody think of them behind the seafood on your table, they have so many stories.

Nicola: You know it’s not happening in an area that is completely outside of our developed world imagination, you know, it’s happening on our doorstep.

[Theme music out]

Sandra: We’re going to start today’s podcast by hearing from a man who fell victim to a labour con.

[Port and water sounds – cranes, boat horns, water splashing]

Rahat: My name is Rahat. I’m 54 years old. I became part of a fishing crew because I was lured into it. But originally a friend had invited me to come to Bangkok to work.

Once I arrived at the bus station another guy came up to me and invited me to come work with him instead -- as a fishing crew member. He told me the wages at sea would be higher than any kind of work on the land...

Sandra: The Thai voice you’re hearing is that of fisherman named Rahat. He was taken aboard a fishing vessel and forced to work at sea along with many other captive men like him. He is sharing his story about how he found himself trapped at sea...

Rahat: Once I arrived at the workers’ lodging there, I found out that we were being held there and were not allowed to go outside...

[Bring in water sounds as interlude]

Rahat: The next day someone came to take my photo. I have no idea why. Three or four days later, four or five of us were put onto a small boat and headed to the mouth of the river towards the sea.

Sandra: Once that small boat arrived at the end of the river, Rahat was put aboard a large cargo vessel that brought him out to sea... It would be years before he would make it back home...

[water sounds – water splashing – fade out]

Sandra: The issue of modern-day slavery in the fisheries sector made international headlines about a year ago, with the publication of a Pulitzer-prize winning investigation into forced labour aboard Thai fishing vessels. The Thai government at the time took action and rescued some 2,000 fishers stranded on an Island in Indonesia.

Rahat was one of those fishers. At that point, he had been at sea for almost four years...

But this issue - slavery in the fishing sector - is not just a problem in Southeast Asia... it's far more widespread... and the fishing companies using trafficked workers, operate under all kinds of flags– and sometimes no flag at all.

Nicola So, for example, in Ireland at the moment there's a problem with them using -- fishing companies using or trafficking – non-EEA nationals into Ireland through the UK on these transit visas, which are specifically for seafarers joining a ship.

Sandra: That's Nicola Smith.

Nicola: I work for the International Transport Workers Federation.

Sandra: Nicola uses an example of how trafficking can work within European waters, but this process of entrapment is a common one across fishing sectors worldwide.

Nicola: So what happens is, when they get to the UK they have this 48 transit visa and then they get to a ship and they sail off... So these 48-hour visas run out, they're got no documentation, they've got no way of going ashore so they're stuck there on the vessel and they are stuck there for years and years and years.

Sandra: This September, the Associated Press broke another story of fishermen trapped in Hawaii aboard US ships. And the list of stories citing forced labour situations around the world goes on and on.

We wanted to find out what lies behind these slavery stories: why is the practice so persistent in the fishing industry and why is it so difficult to stop it. And beyond that what are organizations like FAO and their partners doing to help governments change the situation.

Brandt: All of the problems start with the brokers, the recruitment placement services, who match the fisher or fishermen with the fishing vessel owner.

Sandra: That's Brandt Wagner. He's the head of the Transport and Maritime Unit in the Sectoral Policies Department of ILO, the International Labour Organization.

Brandt: We're the international organization that deals with conditions of work.

Sandra: They bring together governments, unions and employers to set fair labour standards for all kinds of industries -- including fishing -- and they publish reports that highlight problems and provide guidance.

According to Brandt, forced workers can be locals, like Rahat, or migrants who travel far from home in search of work, only to be trafficked across the border with the promise of a well-paying job.

Brandt: They may think they are going to a factory and they get tricked into working on a fishing vessel. They may know that they are going to work on a fishing vessel but when they finally get on board the vessel find out that they have a great debt that must be paid back. So you get a debt-bondage situation. So this is sort of where it starts.

Sandra: Now, the ILO and FAO recently teamed up to put human rights at the center of seafood supply chains worldwide. It's a collaboration that tries to empower workers in the fishing industry to know their rights and claim them -- and help make direct change in the sector.

The initiative merges action against slavery-like working conditions -- which is one of ILO's areas of expertise--with the fight against illegal, unreported and unregulated fishing -- which is a big priority issue for FAO. And, increasingly, experts on both sides think that these two problems go hand in hand at sea.

Felix: We at FAO, we are concerned with IUU fishing. Illegal unreported and unregulated fishing, basically poaching of fish.

Sandra: This is Felix Marttin. He's a Fisheries Resource Officer at FAO.

But linked to this IUU fisheries, is trafficking, is illegal migration, is bad working conditions etc. So -- all these things are very linked and because of that we do need to work together to make sure that fisheries is a decent sector

Sandra: Because diets change and the world population keeps growing, more and more people in the world rely on seafood as a source of food. And both ILO and FAO believe that that growing demand for cheap seafood is increasingly putting pressure on labour and natural resources.

For this week's episode, our producer Kim-Jenna Jurriaans and I spoke to a mixed set of experts to help us understand the mechanics of forced labour in the industry and where governments need to focus action. Here's Kim-Jenna

KJ: ... So first, let's go through how human trafficking operations are organized -- who are the players and how to do they work? Let's hear a bit more from Rahat.

[Soundbed 1 -- building suspense -- fade in]

Rahat: The vessel I was put on was a big boat, like a cargo carrier. The journey took 10 to 12 days. And we were heading to Indonesia. At first I had no idea where we were going. They didn't

tell me we were going to work in Indonesia. When we got there, we were moved onto a smaller boat – it was a fishing trawler (1:38).

Nicola: ...those people that are tricked into boarding fishing vessels, will go onto refrigerated cargo vessels, or “reefers” for short...

Nicola: We’ve been on a few -- They are HUGE ships... And a lot of the stories that we’ve heard from Thailand are from people who are either shoved in the hold - which is obviously freezing- or they’re just in a container on board on the deck of the ship.

[Soundbed 1 -- fade out – not sure about this, but will play when mixing]

KJ: Nicola’s union runs a project called the Catcher-to-Counter Initiative together with the International Union of Food Workers. It aims to unite seafood workers in regions where unions are currently not very strong, and lobby governments to set standards for decent working conditions across the supply chain.

Nicola: These vessels, this is kind of the main blind spot for everyone that is involved in this -- and I include us labour unions in that. Because what will happen is people will be taken from areas and they will be moved at sea, so they never see land. So there are probably people out there right now who probably haven’t seen land for decades. And we’re just not able to get to them because the only real way to do that is to get the navies involved and nobody has any navies any more.

Sandra: So traffickers and transnational fishing companies doing dodgy business will often use these cargo ships to bring workers like Rahat to fishing trawlers far out at sea – sometimes beyond the jurisdiction of states... also known as the high seas...

[Soundbed 2 fade in]

Rahat: When we got on board the other crew members asked us “how did you get here and who brought you?” . I said they had told me I was going to earn a higher salary than on land – that on land I was going to make 8.000 to 9.000 bath but at sea I would make 10.000 bath. It was then the other crew told me I had been conned.

KJ: It turned out, the other crew on the trawler had all been brought aboard legally and were given a big advance. Rahat had no contract and was given no money. He never fished before in his life and the work was gruesome -- around the clock.

Rahat: For every three hours of work, we got one hour or half an hour of rest, depending on how much fish we caught -- so we got about 5 to 6 hours of rest a day.

KJ: Rahat says they had to sleep 7 people to a room that was only 3 meters wide. The space was so narrow that if one person turned, another person had to turn as well.

Rahat: The conditions on the boat were really awful. I’d never experienced conditions like this in my life. We only had enough fresh vegetables for five or six days, but we were out on the water trawling for about two months before coming back to shore. Gradually everything ran out. We just ate boiled fish with fish sauce because nothing new was ordered in.

The Daigong – the overseer or master of the vessel-- would hit us if we were lazy. When you're hurt or sick, they ignored that we couldn't work and would force us to work. If you weren't able to work, they would get the daigong to beat you up and this was very common.

[Soundbed 2 Fade out]

KJ: He finally managed to leave the ship when it docked at one of the Indonesian islands and he was offered work that would compensate him with food and a place to sleep.

Sandra: But now he is trapped on this Island... and all he wants is to leave.

KJ: And that's a very common situation – these workers are shipped from country y to country x and they can't get back, either because they don't have the money, or they don't have the right papers...

Sandra: Luckily for Rahat, right at that time rescuers and authorities intervened

Apinya: The government asked me to travel to find all information – how many people or something and collect all the people.

Sandra: That's Apinya Tajit. She and her organization Stella Maris Apostleship for the Sea have been instrumental in rescuing thousands of workers trapped at sea, including Rahat.

The government will come and interview and bring them home. I think the government brings 1 thousand 8 or 2,000 Thais back to our country and we have some Myanmar, some Cambodia that return back home by the IOM.

Sandra: That's the International Organization for Migration she's referring to.

Almost daily, she says, Apinya will receive phone calls from a concerned relative, or an enslaved worker will find her in the ports that she regularly visits and will tell her secretly about their situation. And Apinya will then work with the local authorities to get that person back home and try to get compensation for the missed income they are owed by the private vessel owners.

Apinya: When we went to Indonesia we tried to find the people that was abandoned from the vessel. In the farm in the public squares...

Apinya And then we find them, and when we find them we collect all of them. The embassy will come to interview and provide transport for us to return home.

Sandra: With the case in Indonesia, according to Apinya, they brought back 130 people on this first trip, including Rahat, arranging documents and transportation for them. Then, the government asked her to help them investigate other cases as well... hundreds of stories like Rahat's followed.

[Soundbed – soft sea sounds – fade in]

Apinya: we came to know that they are invisible people when they are sailing. Because nobody know what happen when they are at sea. It's so sad that when they out of sight they out of mind too. So they are far away from home, far away from family. They face so many Thiphoons, so many things, but nobody think of them behind the seafood on your table, they have so many stories.

[Soundbed – soft sea sounds -- out]

KJ: This begs the obvious question: Aren't there any specific laws to prevent this type of entrapment?

Sandra: The answer is, yes there are -- but it's not quite that simple, as you'll find out in a moment.

That said, international agreements *are* really important here, so let's look at two.

[Soundbed 3 – ambient music -- fade in]

KJ: In 2014, the ILO adopted a protocol that specifically tries to protect workers caught in forced labour situations for private companies, including fishing companies.

Sandra: The protocol absolves these workers so that they can't be prosecuted for illegal activities they were forced to commit while they were trapped on the boat. That's in part to make workers less scared to come forward.

Brandt: In other words, if you have a person who is an undocumented worker but they have been put in that situation by forced labour then they would have some more protection.

And what's really interesting when we talk about the illegal unreported and unregulated fishing - IUU fishing- is that you have many situations around the world now where fishermen are arrested as a result of territorial disputes and the vessel operating in the disputed territory or even as a result of illegal fishing – and some of those people onboard those ships, some of those fishermen, fishers, are actually in a forced labour situation.

Sandra: So that's one. This protocol Brand is describing also calls on countries to adopt proper measures to compensate workers and bring them back home, for example, and laws that make it harder for thugs to take advantage of workers in the first place.

KJ: And then there's this detailed convention called convention 188 -- also known as the Work in Fishing Convention.

Nicola: The work in fishing convention 188 is an international convention that, once it comes into force, will protect the rights of workers on board fishing vessels.

Felix: Not only vessels larger than 24 meters – but also smaller vessels. Basically, this is really a convention which can be used then to abolish or enforce the fact that forced labour shouldn't be there; to make sure that people have decent living conditions at the vessels so that people can not only earn a living but also live their life in a proper way.

[Soundbed out]

KJ: 188 was designed in 2007 and it sets standards for anything ranging from working contracts to the number of first aid personnel a ship has to have aboard, to the way workers should be paid and housed.

Sandra: So remember when Rahat was saying they didn't have enough veggies on board and there was no room to sleep? Under 188, countries would have to come up with national laws and inspection schemes that would ensure every boat carries enough nutritious food and has spacious, well-ventilated sleeping accommodation for workers.

KJ: Sounds like a step in the right direction... but... The only problem is...

Sandra: Not enough countries have signed onto 188 to make it enter into force -- yet. So for now, it's just kind of dangling there.

KJ: And that's where FAO and ILO and organization's like Nicola's transport workers union come in.

Felix: So basically the cooperation between FAO and ILO, one example of that cooperation could be the promotion of the ratification of the working fishing convention – convention 188. This convention was already adopted or endorsed by the international labour conference in 2007, and would come into force if ten states have ratified – of which 8 are coastal states. Until now, only 8 states have ratified it so the convention is not in force yet.

Sandra: For more countries to implement a convention like 188, they have to create local laws that comply with what the convention says. And they have to figure out what state authorities are going to be responsible for enforcing those laws. And that can be challenging.

KJ: Because FAO fisheries experts already work closely with governments on managing their fish stocks... and ILO brings together governments, unions and employers to set fair labour standards.... it seemed natural for them to team up and *together* help countries figure out how best to design those laws and measures that will protect workers at sea.

Brandt: ...because in many cases, if you look at the laws and regulations of the state there is actually really nothing applying to fishing vessels and so we're trying to put that base line of legal protection in place. And then we're also trying to put in place the laws and regulations concerning forced labour and trafficking.

Sandra: So getting the laws in place is step one. But, when it comes down to it, a big problem with all of these conventions is – how do you enforce them?

KJ: One important thing to understand here is that exercising jurisdiction at sea is far more complicated than on land.

Sandra: And that's because vessels are constantly crossing maritime borders. Countries have jurisdiction over boats that fly their own flag... and foreign boats that are in areas under their national jurisdiction, including those that come into their *ports*...

KJ: But in the end, even the most willing of countries is eventually faced with one tough reality...

Nicola: To inspect at sea is very, *very* difficult.

Brandt We have a bigger problem in long haul, you know, distant water fishing, then – I'd say – fishing closer to the shore, because the person is away from help.

They're away from inspection services. They can't communicate as easily. I'm sure you have the same problem with fisheries management. You know a lot of the vessels are not properly controlled by states and so it becomes a little bit of a Wild West situation.

Sandra: So It's difficult enough to inspect boats operating under your flag – it's even harder to get access to those who come into your waters under another country's flag. That's why some countries have come up with some creative solutions:

Felix: A very good example is, for instance, New Zealand... because of the foreign fleet coming in, and they had no jurisdiction on vessels that were not flying their flag, There is now a law that prohibits foreign vessels to come in if they don't reflag themselves to the New Zealand state. So if a vessel has a New Zealand flag, New Zealand law applies, So through that regulation, they made sure that they could inspect and could enforce New Zealand law on the vessels that are fishing in the waters.

Brandt: Now in some countries what we've seen is – and I think most examples are Thailand and Indonesia – they've started a policy, in order to control illegal fishing as well, they have this “port-in, port-out policy”, where they require vessels – even foreign vessels that fish in their waters, and their own vessels... come into port and be inspected regularly. This is a big – this creates an opportunity to look at many things at the same time. Illegal fishing, but also provides an opportunity to look at safety issues and of course labour conditions.

Sandra: So these inspections are a big issue all around.

Brandt: It may involve everyone from the labour ministry to the immigration authorities [16:07] to the police, to the fisheries agencies, to the maritime safety people. So getting all those groups together. And these countries who have had good success -- were starting to have success -- this has resulted from getting the right people around the table and then identifying the gaps, the laws and regulations and gaps in enforcement and moving forward.

KJ: Right now, only a few countries have such a system of mandatory port controls in place. But... there is a really viable solution on the table that could make this process a lot easier and widespread.

Sandra: And that's a new vehicle called the Port State Measures Agreement. It came into force in June this year and more than 30 states have already signed on, plus the European Union with its 28 countries. It's quite a groundbreaking international agreement to stop illegal and unreported fishing.

KJ: What it does is to require port States to implement a number of measures for when foreign vessels enter or use their ports – for example, submitting them to inspections. The catch, licenses, fishing gear and authorizations will all be examined as well to make sure no illegally caught fish makes it ashore.

Sandra: Right now, those inspectors boarding those ships are only inspecting for catch violations *not* labour violations. But... they *could*, if states agreed to. And there lies a real fighting chance to address the problem.

Felix: I think the opportunity here is combining the efforts to fight IUU fishing with the fight against indecent work. It's very difficult to enforce rules and regulations with respect to fisheries. If a vessel is out of port you have to have a boat to go there to inspect the vessel. You have to be able to do that. Many countries don't have that capacity. So, the port state measures agreement might help because then we could make sure that vessels are inspected when they come into port... where they have fished, what types of things they are fishing, also working conditions

KJ: So that's one concrete idea that FAO and ILO are discussing with countries right now: how can we use this new fishing treaty that states have already agreed on... and use that inspection scheme that was designed to protect fish stocks to also protect people.

Sandra: Now, of course, this won't be *the* panacea that's going to fix all problems. But, it's a real opportunity to make progress.

KJ: All these laws and tools together are gradually making business harder for ocean and seafaring offenders.

But in the end, you will still need solid complaint mechanisms that fishers can trust, according to Brandt.

Brandt: Because sometimes you just don't have enough resources to inspect every vessel. How do you know there's a problem? And the fishers? How do the fishers complain and how do they talk to somebody?

Nicola: so imagine you were a migrant worker who's been trafficked, who's been transshipped at sea and you are scared of the captain and then a bunch of guys in naval uniforms with guns come on and then a whole other group of people come on your boat and as you if you're in a situation of human trafficking. What are you going to say? (32:58) you fear for your life as it is. You're not going to tell them yes I am, unless they give you some guarantees that you will get off that vessel immediately or else you will be shot and thrown overboard.

Sandra: That's why people like Apinya and her NGO are so important, too – people who earn the trust of victims, bring forward information and help put in place complaint mechanisms.

KJ: Meanwhile, there's increased interest from consumers in things like Eco labeling -- -- certificates that ensure the food they buy was sourced sustainably.

Sandra: Ever since FAO's Code of Conduct for Responsible Fisheries and Aquaculture went into effect over 20 years ago, environmental standards for seafood products we consume have improved. And Ecolabels are a way of certifying this sustainable sourcing.

KJ: And – Increasingly -- there's demand that ecolabels ensure seafood is sourced *ethically* as well.

After all, when consumers care, food distribution companies will inevitably start caring, too.

Sandra: All that work from different angles....the victim advocates, the labour organizers, the UN, the media... and, increasingly, concerned consumers... that work is paying off.

Brandt: I think, because there's increased attention on this problem, people are starting to become much more active. Governments are paying attention to this.

Sandra: The US government has gone so far as to ban all imports from countries that cannot guarantee slave-free supply chains – sending a strong signal to food companies and their suppliers to get active about monitoring their supply chains.

Felix: In the years we have seen a shift in managing the fish stocks to managing people, so the attention goes more and more on people, the people that depend on fisheries for their livelihoods for the people that depend on fisheries for their nutrition. So, in that move you also see more and more attention to decent work.

Felix: decent work is an integral part of dealing with rural poverty. If people are poor they can be forced into situations where work is not decent.

KJ: And those who work without pay, naturally, are unable to move themselves and their families out of poverty.

Felix: We need to make sure that not only poverty is addressed, but also these working conditions.

[Theme Music In]

Sandra: Pulling out all of the stops to put an end to forced labour in the fishing industry is not just the right thing to do -- it's also, increasingly, the smart thing to do. Governments have an active interest in preventing consumer boycotts, endemic cycles of rural poverty and fish poaching all of which are depleting their stocks, and costing them millions in lost income.

International agreements are the building blocks on which to build this slavery-free industry of the future – one with decent working conditions and pay and protections. But treaties are empty shells without the political will and capacity to enforce them widely – and without civil society groups highlighting abuses.

Food companies, likewise, have a reputational and financial stake in keeping their supply chains slavery-free– as long as consumers care, too.

And that puts a responsibility on all of us as consumers: does our desire for ethical seafood outweigh our desire for quick and easy fish at our finger tips?

Do we care enough about the people behind our food to ask the right questions and educate ourselves before we buy that bag of shrimp or lobster tail. And are we willing and able to spend 20 cents -- or even two dollars -- more to ensure that the race to produce more food does not become a race to the bottom?

[Theme Music OUT]

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This episode has been produced by Kim-Jenna Jurriaans and myself. Special thanks to Stella Maris Apostleship of the Sea for recording the interview with Rahat for us.

If you have any questions or feedback for us, please write to FAO-audio@fao.org. I'm Sandra Ferrari, thanks for listening.

[Theme Music out]

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