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WWF **Crew conditions on fishing vessels in the Pacific Islands region**

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Introduction

My purpose in inviting a discussion on crew conditions in the Pacific Islands comes from three directions. One path is fisheries and environment, another is job security and food supply, a third is human rights. Thus, the content of this paper is arranged under those three 'directions', each with a passable level of information.

The link between the three is clear. Participants may judge them as reasonable or unreasonable but they are aimed at the survival and achievement of the fishery which future depends on the resource, access to markets, and the vessel crews.

Fisheries and environment

A paintbrush picture of the Western Central and Pacific Fishery Convention Area tuna fishery is:

Value - US$6.4 billion (2013)

Stock status

bigeye: less than 20% of its unfished stock size[1]; overfished[2];

yellowfin: at about 38% of unexploited levels (ibid.); overfishing is not occurring but recent catches are close to or exceed MSY; fully exploited in the tropical Pacific[2];

skipjack: localised depletion; remains at around 50% of unexploited levels, satisfactory[1];

South Pacific albacore: the stock is not in an overfished state, yet biomass is decreasing[2].

Number of boats - 305 purse seine, 2966 longline[3]

Regional Observer Programme observer coverage – 100% on part of the purse seine fleet[2]; about 5% in the longline fishery[4].

The Western and Central Pacific Fisheries Commission has warned that too many boats operating in the Pacific (and many more planned to be built), and the reticence by some of the Distant Water Fishing Nations (DWFNs) to submit catch data as they are required to do, challenge the long-term sustainability of the Pacific tuna resource, the fisheries and the nations depending on them[5].

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Human rights

Increasingly in recent years, reports are being published about poor conditions and abuse of crew on fishing vessels, primarily in South-east Asia (examples are [6, 7, 8; 9, 10; 11; 12; 13]). Fewer published observations have been about the working conditions in fish processing plants [14; 15; 16; 17; 18; 19; 20]). Several non-government organisations, including the International Collective in Support of Fish Workers (ICSF), Human Rights at Sea (HRAS), Slave Free Seas (SFS), EmancipAsia, Greenpeace, and Human Rights Watch, and the Environmental Justice Foundation involve themselves with crew conditions on fishing vessels, as do some international organisations to an extent (International Labor Organization, International Maritime Organization, International Transport Workers Federation), religious organisations (the Salvation Army in the United Kingdom, Uniting Church in Australia) and governments (examples: New Zealand, United States of America).

The remarkable feature of all of these reports, is that not one of them reports on, or refers to (beyond a mention), crew conditions in the Pacific Islands region – 'home' to the largest tuna fishery in the world and perhaps, the world's largest high seas fishing fleet. The 'nearest' reports come from Pacific Rim countries: Indonesia[21,22], Papua New Guinea[23];[22]; Philippines[24]; and New Zealand[25];[26];[27].

Several reasons could be invoked to explain this absence. One is that most of the fisheries reported on are trawl fisheries (rarely present in the wider Pacific Islands region), another is that the Asian countries reported on (and their fishing fleets) are easily accessible; also that there are very large numbers of people looking for work in those countries, compared to the situation in the Pacific Islands region.

Yet we would be putting our heads in the sand if we were to believe that crew conditions in the Pacific Tuna Fishery are collectively perfect or even of reasonable standard when we have no advice to say that they are, or that fishing companies, captains and recruiting agents for the companies that fish these waters are a 'cut above' those elsewhere in the world[2]. Indeed, there are a few published reports that suggest that they are comparable: Sharples and 'Mr Able Seaman' [28] and Rasoqosoqo[29] are examples; also media reports and court cases. To that I[3] can add first hand reports, interviews and statements of events. Suffice to give a summary, supported by the example (Figure 1) secured from a vessel moored in Suva, 2012.

- Issues as reported elsewhere: trickery by recruiting agents, original contracts replaced by fraudulent contracts and/or in language not understood by crewman, papers held by senior crew, debt bondage (crew obliged to 'pay off' the cost of their travel and papers), lack of adequate first aid equipment, lack of adequate food, very long working hours (18 hours or more per day), no days off, beatings for not understanding instructions, non-payment of wages, inadequate sleeping areas, absence of clean drinking water, transshipping as manpower needs change, deaths at sea caused by health factors and accidents with fishing gears (often a lack of first aid equipment, or only out-dated

[2] I am not here to tell you about the difficulties and dangers of high seas fishing: you know that far better than do I.
[3] Supported by advice from the Filipino Association of Fiji, manager of a Fiji-based crewing company, informally by personnel in some government departments in Solomon Islands and Fiji, and the Embassy of Indonesia in Fiji, the Mission for Seafarers in Fiji, several Fiji media reports, and court reports.

equipment present), inadequate gear: frostbitten (and lost) fingers, fraudulent passports and fishing papers ("70% with false documents") …

- 'Safety at sea' is low and awareness is not done correctly, mainly because most vessels are Chinese or Asian-based – this absence contributes to accidents and deaths on board; also, the life-saving equipment on board is often sub-standard.
- Recruiting agents recruit from **inland** communities where the sea, and boats other than cruise liners are unheard of, apparent sub-contracting by legal agents to unregistered and puppet agents, naïve crew borrow from neighbours and relatives – but years later, without anything to show for their work, they remain in debt to those people.
- Murders at sea are due to prolonged length of time at sea and frustration over work conditions and harsh treatment by master and officers. Many Asian vessels engage mixed crew (ethnicities) resulting often in fights from misunderstandings and frustrations (but also to avoid mutinies). Recent riot on main wharf at Suva (Indonesian fishing boat crews), murder of compatriot by a Chinese in June this year, Asian businessman charged with murder of crewman ('Fiji Times', Nov 2012), Fijian fisherman apparently murdered ('Fiji Times', March 2014).
- Regularly, crews complain of food shortage and non-payment of wages, such that when (if) the vessels come in to berth, they sometimes depart: advice on this for Filipino, ni-Vanuatu, Indonesian, and Fijian crewmen has been received.
- A Tuvaluan court found two Fijians guilty of murder of a senior crew member; "Justice Ward said the Fijians resented the fact that they were being fed with bait fish and boiled rice while the Chinese crew members and the captain were fed better food … "for being sworn at often" and that the men "had repeatedly suffered … unpleasant treatment from the deceased for a considerable time previously and had a degree of accumulated resentment"[30].
- In August 2013, an Indonesian man died after 'going berserk' on a Japanese longliner in Tahitian waters; he had been at sea for more than 18 months without having contact with his family.
- An Indonesian crewman fronted the Marshall Islands director of Immigration in 2012 to show him the scars on his back from attacks by his Taiwan vessel's captain's dog.
- The Pacific is a transit area for bonded crew; one example is of a South African who was transshipped at Mauritius, then Indonesia, then Tahitian waters and finally 'made land' at Suva – after two years, and without papers; men are often traded boat to boat depending on crew needs.
- A Papua New Guinea fisheries observer was murdered several years ago: his remains were recovered west of Wewak (north-western PNG); his legs were bound with chains.

And those are examples of just my knowledge – in Suva, Fiji. By and large, crews of distant water fishing nation (DWFN) vessels are recruited in South-east Asia (their cost is less) but most companies employ some Pacific Islanders, partly because of their perceived strength[31]; Tuvaluans and i-Kiribati so engaged have the benefit of their prior training at national maritime institutes; Japan has training programs for its Pacific crews[31]; on a sliding scale, Pacific crew rank U.S. purse-seiners best, followed by Japanese and Korean boats; Taiwanese longliners rank lowest[31].

Many men work out their two- or three-year contracts if they can; others do 'because surely they'll pay me later' [credit bondage]. The IOM[11] remarked that offshore vessels can become

prisons as there is no-one to whom workers can turn and no prospects for escape. But for those who depart early when they do get to a port, their prospects are dim – for money, place to stay, food, papers, language, and repatriation by the vessel's agents because they have broken their contracts.

International conventions on labour rights are practically impossible to enforce on the high seas, and parts of regulations are not application to the work on board; the Maritime Labour Convention, for example, does not cover seafarers working on fishing vessels, and some conventions specific to fishing vessels have not yet entered into force due to the lack of minimum requisite ratifications by countries [32] (see also [33;] and www.itfseafarers.org). Greenpeace[34] and the ICSF have come out strongly on the connection between Flags of Convenience (FoC) vessels and labour abuse in the fishing sector.

Markets, supply and job security

This briefer, second section, identifies four inter-connected recent events relevant to the Pacific tuna fishery.

- The European Union's 'rules of origin' protocol to address illegal, unreported, and unregulated (IUU) fishing, and its more recent and related 'yellow card' system are familiar to you. The protocol is intended to ensure that fisheries products entering member States have come from licensed and regulated vessels. The 'yellow card' comes with assistance to flag States to improve their legal capacities relevant to certifying product; 'red cards' (leading to trade bans) are issued if problems continue. Papua New Guinea, Fiji, Vanuatu, Solomon Islands and Tuvalu have been dealt – and have recovered from - yellow cards over these two years[35].
- MSC (Marine Stewardship Council) certification. The MSC is a 'marine ecolabelling charity and operates a rigorous science-based standard for environmentally sustainable fishing'[36] such that fisheries securing MSC certification are potentially advantaged in markets. Relevant to Western and Central Pacific tuna, MSC certification is secured for purse seine sets on, and the unassociated/non-FAD free schools of skipjack tuna in the EEZs of the eight member countries of the Parties to the Nauru Agreement (PNA), the Fiji albacore tuna longline fishery, and the American Western Fish Boat Owners Association (WFOA) albacore tuna North Pacific fishery. In 2014 however, the MSC announced that it condemns the use of forced labour ('involuntary service and unethical labour practices including debt bondage and trafficking') and that it will not certify companies and fishery clients prosecuted for such violations.
- With the publication of its report on pole-and-line fishing (2009), Greenpeace[37] launched a worldwide initiative to rid the use of fish aggregating devices (FADs) to catch tuna, on the basis that it is unsustainable and also because FAD-associated purse-seine fishing also negatively affects populations of yellowfin and bigeye tuna because juveniles of those species are caught indiscriminately with the skipjack (and other reasons, including a desire to encourage coastal State fishing). Greenpeace smartly directed its campaign on the (western) consumer – an approach that was most effective. Large supermarket chains (such

as Sainsbury's in the UK) moved to purchase canned tuna that could be certified as 'pole-and-line' caught. Greenpeace[38] also ranked popular tuna brands on the resource sustainability, fishing method used, species content, and other criteria: in Australia, ten brands received ratings between 89% and 5%. As apparently elsewhere (in the western world), the Greenpeace campaign had an impressive effect, placing fishing companies and also retailers, on the defensive; companies changed their labeling, at least. For example, Towie[39] remarked that "For the first time, an Australian company has changed its tuna when it comes to sustainability, giving conscientious WA shoppers the option to eat seafood while helping the planet". Western consumers were prepared to pay more for a tin of tuna, to 'help the planet'.

- In August this year, a class-action lawsuit was filed in California against a large supermarket chain, Costco Wholesale Corp[40]. A Costco Wholesale Corp. customer has sued the retailer on allegations that it knowingly sold frozen prawns that were the product of slave labour, and is seeking an injunction to stop the company from selling prawns without a label saying the shrimp it sells are the product of slave labour. The lawsuit claims that Costco was aware that the prawns it purchased from its South-east Asian producers, Charoen Pokphand Foods Public Co. in Thailand, came from a supply chain dependent on human trafficking and other illegal labour abuses. The court case credits its case to reports by the Environmental Justice Foundation, and The Guardian[41] (see also[42], [43]).

The fishery's future

The Western and Central Pacific Fishery Commission, urged on by fishery scientists and managers, has 'thrown the book' at the DWFNs and some member States with ever more ominous warnings about the collapse of the resource and the fisheries – but to apparent deaf ears. Except for the MSC, all have failed to recognise that a 'new' weapon, crew welfare, can actually make the difference. Pacific Islands nations, Flag States and DWFNs cannot ignore the human factor in the Pacific tuna fishery.

The nations, Commission, and the fishing companies have failed to acknowledge the manpower that is part of the whole fishery. The absence of attention to crew welfare (as generously recorded in South-east Asia) does not stop on Indonesia's eastern limit: this report tells you that it is present here, in the Pacific.

I suggest that legal challenges will not stop at shrimp: the western consumer is informed and has the means to influence product worldwide (as Greenpeace's pole-and-line program has demonstrated).

Imagine a 'yellow card' system on companies and their vessels where human rights abuse has been demonstrated in combination with strong consumer purchasing power!

Despite the Pacific Ocean's size, the tuna fishery it supports cannot for much longer continue without scrutiny. Three resources comprise this fishery, not two: the fish, the vessels, and the manpower (on boats, and on shore). The industry's willingness to recognise this third resource

can be the missing key to resource sustainability and national food security. Attention to 'people power' **can** reduce effort in the fishery, and hence support resource sustainability.

Would YOU buy a can of tuna that you knew had been caught by slaves and canned by slaves?

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