



International
Labour
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Accelerator Lab

► Indonesian Fishermen In South Africa

Pilot Training Labour Inspection on Fishing Vessels:
22-23 Sept'23
Bali

Date: Thursday 22 September'22



Indonesian fishermen stranded in S Africa

Dec 2013:

75 Indonesian workers were intercepted and arrested by officials in Cape Town for fishing illegally in South African waters. The men spent over a year at sea, had not been paid their salaries of about \$100 a month and were mistreated. The owners of the fishing vessels got away.

Please see You Tube video below – click on link.

<https://youtu.be/zRgQm7fEI5A>

Having seen the you tube video that recorded the plight of fishers in 2013, we fast forward to 2022, wherein the same situation prevails.:

July 25-29'22- ILO & the South African Maritime Security Agency (SAMSA) had a Workshop on “Identification and assisting forced labour on fishing vessels”.

This was an integrated workshop with the Departments of Labour; Immigration; Fisheries; SAMSA; Civil Society present and actively attending.

► **3rd Aug'2022-** A fishing vessel suspected of engaging in labour abuses was inspected by the South African government.



Action by South African Government

South African Maritime Safety Authority (SAMSA) Durban inspected the vessel. Safety issues and a host of **C188** non-conformities were found upon inspection.

- 1) Safe manning documents not found on board.
- 2) Fire hydrant line was found to be modified and defective.
- 3) Non navigational charts found on board.
- 4) Navigational lights found to be defective.
- 5) The skipper with no medical/first aid training was reportedly administering injections & medication.
- 7) Medical chest found with expired medicine.
- 8) Vessel registered certificate not found on board.
- 9) Crew contracts found to be in excess of 12months.
- 10) Conflicting crew contracts.
- 11) Shortstaffed.
- 12) Sick Fishers on board.
- 13) Dirty drinking water for fishers.

► HUNG IU 313 – Detained By GoSA

Complaints of Fishers – Indonesian and Filipino

- 1- Family had not received 8 months of their salary.
- 2- Medical issues: constant stomach-ache.
- 3- Fisher who had an eye accident, had to continue working despite his medical condition.
- 4- Poorly provided with the safety materials on board. Using years old and torn oil bids/fishing apron that made their clothes wet every day.
- 5- Fishers boarded on a vessel which was not stipulated in their employment contract. Contracted to **Jing Man no. 168**, but working on board **Hung lu no. 313**.
- 6- Dirty drinking water.
- 7- Inadequate Food.
- 8- Excessive working hours.
- 9- Inadequate toilet facilities.



▶ 14 Days Later : HUNG IU 313 released from detention.

All the non-conformities resolved.

- **Seafarers with Basic training joined vessel.**
- **Additional deck officer joined vessel.**
- **Injured/sick men sent to hospital,**
- **Safety issues resolved.**
- **Crew contracts corrected and signed.**
- **Outstanding payments deposited.**
- **Medicals renewed.**
- **Medicine chest re-stocked, and**
- **First aiders appointed.**
- **The skipper had to attend first aid training in Durban and the crewmen received the necessary medical care.**



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► Plight of the fishers

Looking at the C188 non-conformities, SAMSA inspectors noted that the major issues were more with fishers contracts, medical care, safe manning and payments.

Owner offered crews new contracts with more money and many of the crews were now willing to stay onboard under these new conditions.

Government of South Africa Officials had to respect the crew's decisions.

5 fishers elected to go home and bought their own tickets.

The flags of fishing vessels berthing in South Africa: Taiwanese, Japanese, Korean, Chinese, Russian, Ukrainian, St Vincent, Seychelles, Belize, Cameroon, Spain, and Vanuatu fishing vessels in the port of Cape Town.

Statistics:

2019

A total of 193 Foreign Fishing Vessels

Visited 119 FV

2020

A total of 209 Foreign Fishing Vessels

Visited 44 FV

2021

A total of 310 Foreign Fishing Vessels

Visited 93 FV

2022 (Jan – Aug)

A total of 775 Vessels

Visited 258

Reported Cases

- 2019 (7 cases)
 - Abandoned/ withholding salary (6)
 - Physical abuse (5)
- 2020 (60 cases)
 - Abandoned/ withholding salary (6)
 - 50% cut of salary (30)
 - Physical abuse / salary / terrible working and living conditions (24)
- 2021 (54 cases)
 - Withholding salary [onboard allowance] (2)
 - Abuse of working and living condition (no toilet, insufficient food, no medical treatment for sick fishers) (23 fishers)
 - Physical abuse (29)
- 2022 (9)
 - No medical treatment (1)
 - Insufficient food (7)
 - 1 Mental health issue (1)

Statistics 2021:

54 CASES RESOLVED

11 Indicators of Forced Labour

- | | | |
|--|--|--|
| ☐ Abuse of Vulnerability | ☐ Restriction of Movement | ☒ Withholding Wages |
| ☐ Deception | ☒ Debt Bondage | ☐ Excessive Overtime |
| ☒ Abuse of Working and Living Conditions | ☐ Retention of Identity Documents | ☒ Intimidation and Threats |
| ☐ Isolation | ☒ Physical and sexual violence | |

Additional indicators / red flags

No IMO Number; Wrong vessel type declared; Undermanned; AIS Switched off in port

Longest time/day of fishing (1 or 1 ½ or 2 years)

 **CHEN HSING NO.888**
Wing In Grnd

[Add to Fleet](#)[Vessel Details](#)



SN DKR

ATD: 2022-02-23 18:10

ZA CPT

ATA: 2022-06-13 14:37 ⓘ



[PAST TRACK](#)[USE ROUTE TOOL ⓘ](#)

Status:
Class B

Speed/Course:
0kn / 0°

Draught:
N/A

Received: 4 minutes ago (AIS Source: 1615 Matt ZS1MTF)



How are these forced labour cases Addressed?

▶ All stakeholders informed

Referal to various consulates in Cape Town.

Network with relevant partners DFFE, SAMSA, Port Authority, Labour Department, Immigration, ILO, CSO, NGOs' etc.

Joint Effort allows for speedy assistance.

Conclusion:

- Indicators of Forced labour continue to exist on board foreign fishing vessels in the port of Cape Town and elsewhere.
- Affecting hundreds of foreign or migrant fishers.
- Cost cutting is linked to forced labour. The vessel owner wants to minimize expenses at the cost of safety and lives of foreign fishers.



A few Recommendations to protect Indonesian Fishers

- 1- Orientation seminar for fishers before they leave the country on their rights and responsibilities. Requirement for Manning agencies.
- 2- Inform fishers that in many sea ports there are NGOs and government officials and their consulate that they can ask for assistance and trust.
- 3- Basic English classes can also be introduced.
- 4- Repatriation clause in contracts should be made mandatory

▶ **Thank You – TERIMA KASIH**

Any Questions?

ADA PERTANYAAN

Resh Mehta

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