



# Misery at sea – examples from East and Southern Africa

Christian Nzowa – Deep Sea Fishing Authority, Tanzania

Per Erik Bergh – Stop Illegal Fishing

...trapped at sea in a world of exploitation, abuse, and isolation...



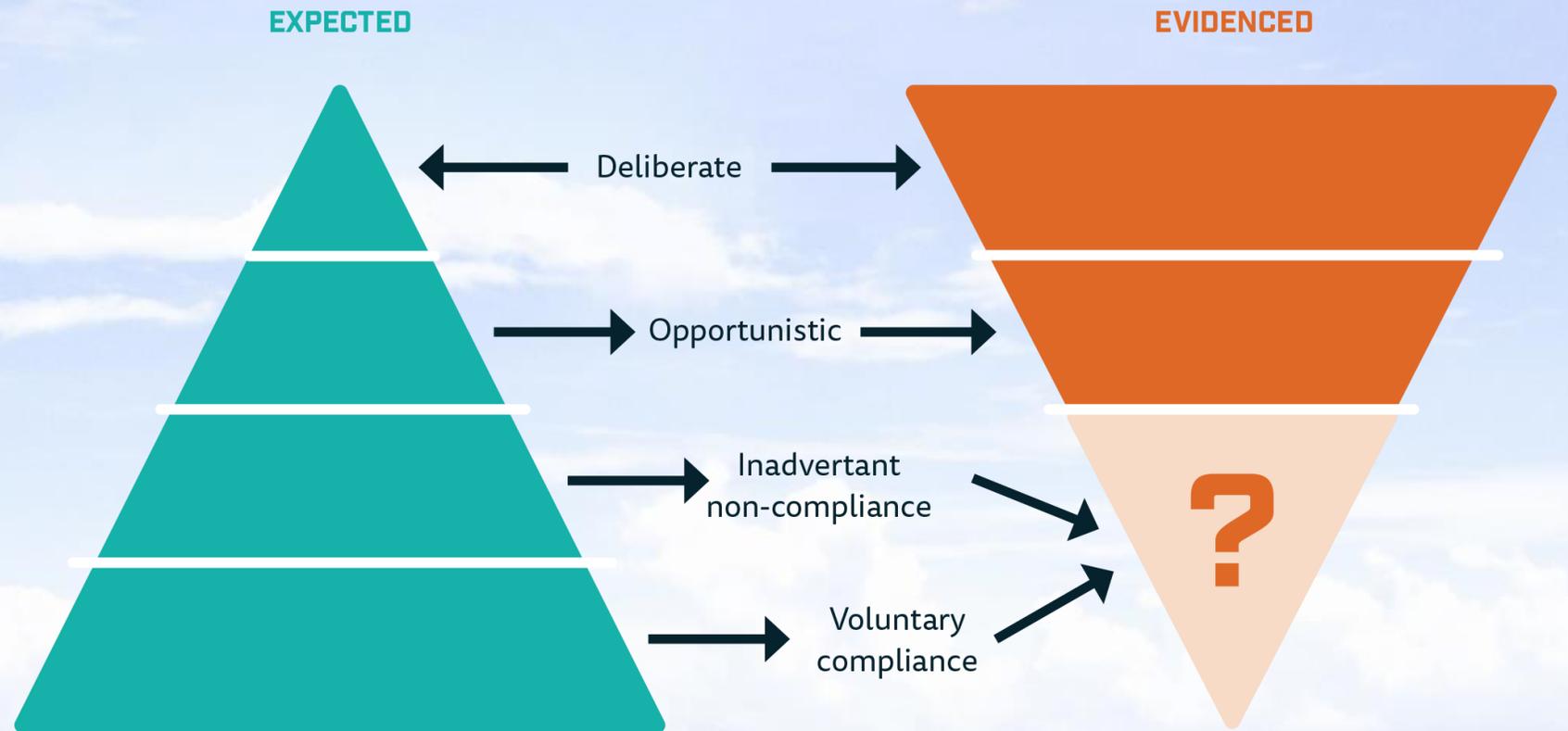
# Safety – abuse – IUU fishing



What did the evidence show us?

Multiple crimes were common.

OUR FINDINGS TURN THE COMPLIANCE PYRAMID ON ITS HEAD



# BUAH NAGA NO. 1



## INVESTIGATION NO. 18 BUAH NAGA NO. 1 INSPECTION LEADS TO SHARK-FINNING CONVICTIONS



The BUAH NAGA No. 1 was inspected in the Tanzanian exclusive economic zone, as part of Operation Jodari, a partnership between Tanzania's National Multi-Agency Task Team, Sea Shepherd and FISH-i Africa. Inspectors discovered over 90kgs of shark fin, in violation of Tanzanian law and international regulations. The Indonesian crew raised concerns over their treatment by the captain, who was in possession of an unlawful firearm, which the crew claim was used to threaten them. The owner, captain and agent were all convicted for unlawful possession of shark fins.

**VESSEL TYPE**  
Longliner

**FLAG STATE**  
Malaysia

**PENALTY/SANCTIONS**  
20 years imprisonment or a fine of USD \$433,000 for the captain, owner and agent. Vessel currently impounded.

An example is the BUAH NAGA NO. 1, a Malaysian registered vessel, that was boarded and inspected in 2018 by Tanzanian authorities.









ILLEGAL FISHING



FISHERIES RELATED ILLEGALITY



FISHERIES ASSOCIATED CRIME



LAWLESSNESS



VESSEL IDENTITY



FLAGGING ISSUES



BUSINESS PRACTICES



AVOIDANCE OF PENALTIES



DOCUMENT FORGERY (SUSPECTED)

## INVESTIGATION NO. 21 MISERY ON THE MARWAN 1



An unlicensed Kenyan agent recruited thirteen crewmembers to work on the MARWAN 1 in Somalia. The vessel is listed on the Indian Ocean Tuna Commission (IOTC) illegal, unreported and unregulated (IUU) list for previous offences related to human trafficking and illegal fishing. Subjected to death threats and poor working and living conditions the crew called for help from the International Transport Workers' Federation (ITF) in Kenya to assist with their rescue.

**VESSEL INVOLVED**

MARWAN 1  
IMO 8692495

**PREVIOUS NAMES**

ALWESAM 4  
CHAICHANACHOKE 8

**NUMBER OF FLAGS**

3

**VESSEL TYPE**

Trawler

**FLAG STATE**

Somalia (flagged through an opaque process)

**PENALTY/SANCTIONS**

None

# Shang Fu and Nata 2



INCIDENT CASE STUDY NO. 1

## ILLEGAL FISHING, LABOUR ABUSE AND HIDDEN OWNERSHIP UNCOVERED IN NAMIBIA



Photo credit: John Regan, MarineTraffic.com

### THIS CASE INVOLVED

- ✓ IUU fishing
- ✓ Fisheries related illegality
- Fisheries associated crimes

### METHODS USED

- Vessel identity
- ✓ Flagging issues
- Document forgery
- ✓ Business practices
- Avoidance of penalties
- ✓ Labour issues

### VESSELS

SHANG FU (Ex WIN FAR NO 162) - tuna longliner  
NATA 2 - tuna longliner

### FLAG STATES

Namibia  
Previously Taiwan

### PENALTIES

Fine by Namibian authorities for USD 15,000 for illegal discarding of marine resources and shark finning

### SUMMARY OF THE CASE

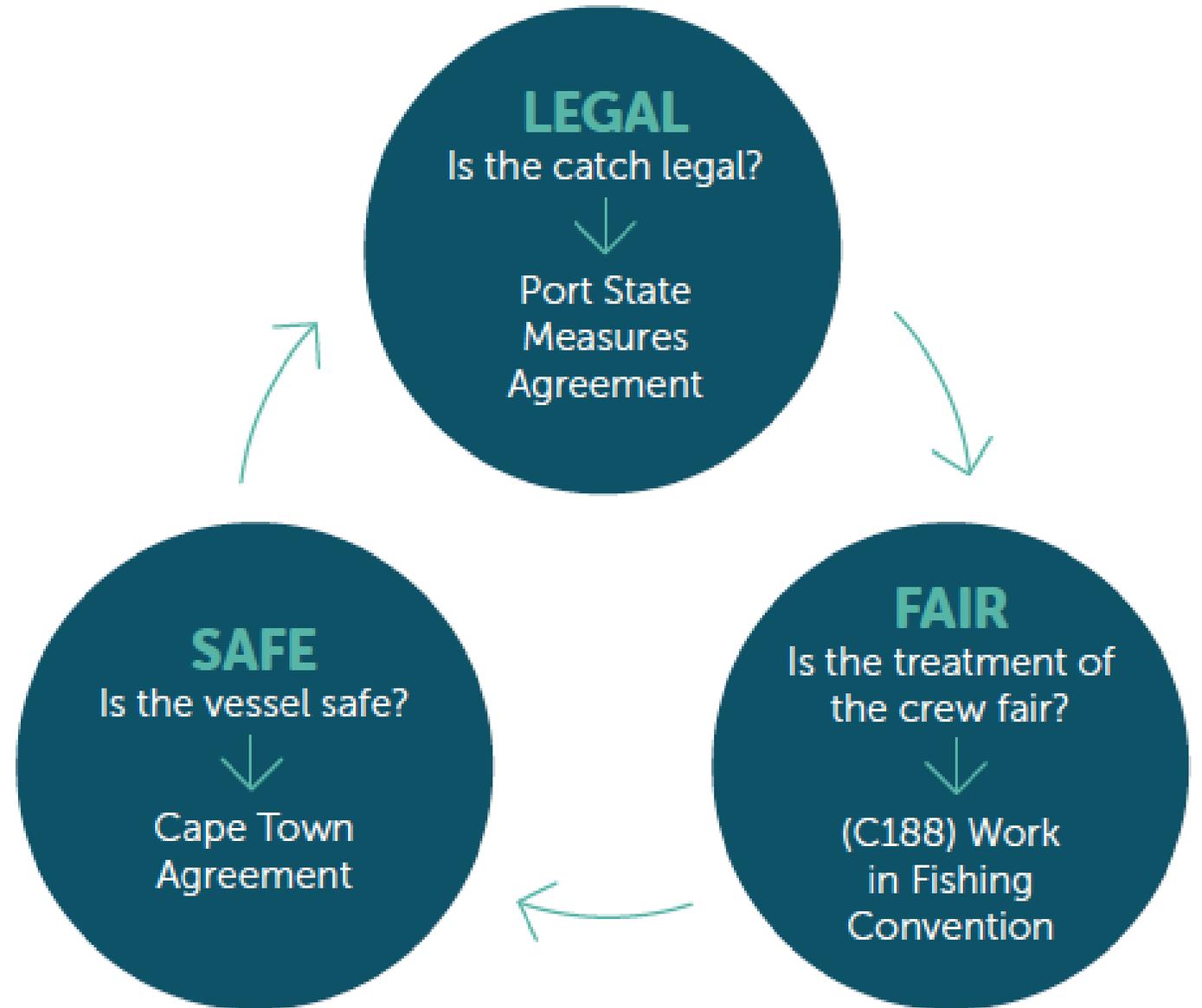
A special mission for at sea inspections of Namibian flagged tuna longline vessels was planned for the western border of the Namibian EEZ. On 22 June 2022 the SHANG FU was inspected and evidence of illegal shark finning was found in addition to the vessel not carrying a fisheries observer, as is required, so the SHANG FU was ordered to port for further investigation. This led to a fine for fisheries violations which was paid, but months later, further investigations uncovered potential labour abuse. This led to the police removing the 57 crew from the SHANG FU and her sister vessel the NATA 2 in the port of Walvis Bay. Further research, supported by the SADC MCSCC, showed a history of IUU fishing, the use of shell companies with links to hidden Taiwanese ownership.





# The three treaties approach:

PSMA  
C188  
CTA



# Training MCS officials in the three treaties



How to stop illegal fishing:

# DENIAL OF PORT ENTRY AND USE



stop illegal fishing



stop illegal fishing



**AFRICAN PORTS  
NETWORK**

to stop illegal fishing

# The Risk Matrix – an indicator for crew abuse

No	Indicator	Low	Medium	High
8	<p><b>Is the crew at risk of human rights abuse or modern-day slavery?</b></p>	<ul style="list-style-type: none"> <li>Nationality of crew from known low-risk countries</li> <li>Vessel built in the last 5 years assumed to be in good condition</li> <li>Vessel known for good labour conditions</li> </ul>	<ul style="list-style-type: none"> <li>Nationality of crew from known high-risk countries</li> <li>Vessel old and standard of cabins and living quarters questionable</li> <li>Vessel, owner, or operator suspected to pay below acceptable minimum salaries to crew</li> </ul>	<ul style="list-style-type: none"> <li>Reports of abuse from crew via social media or through official calls for help</li> <li>Vessel, owner, or operator linked to crew abuse in last 3-5 years (including not paying wages)</li> </ul>

# SAFE AND DECENT WORKING CONDITIONS IN SADC FISHERIES



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CASE	ILLEGAL FISHING	RELATED	ASSOCIATED	LAWLESSNESS		VESSEL IDENTITY	FLAGGING	BUSINESS PRACTICES	AVOIDANCE OF PENALTIES
1	●	●	○	○	FISH-i Africa's first success: the PREMIER	○	○	●	●
2	●	●	○	○	Fake licensing operation uncovered	○	○	●	○
3	●	●	○	○	IUU listed vessels de-flagged	●	●	●	●
4	●	●	○	○	The multiple identities of the NAHAM-4	●	●	●	○
5	●	●	○	○	Fugitives from justice	●	●	●	●
6	●	●	●	○	Mysterious operations on the Somali coast	○	●	●	○
7	●	●	●	○	Piracy, poaching and people smuggling?	●	●	●	○
8	●	●	○	○	Three vessels or one?	●	●	●	○
9	○	●	●	○	A repeat offender brought to book: the NESSA 7	●	●	●	○
10	●	○	○	○	Mauritian action on Sri Lankan vessels	●	○	○	●
11	●	●	○	○	Rogues or ghosts?	●	●	●	●
12	●	○	○	○	Avoidance of penalties: the TXORI ARG1	○	○	○	●
13	●	●	○	○	Dual identity vessel on the run	●	●	○	●
14	●	○	○	○	Serial offenders in Somalia	●	●	○	○
15	○	○	○	●	Murder at sea?	○	●	○	●
16	○	○	○	●	Delinquency on the high seas	○	●	○	●
17	○	○	○	●	Armed guard denies inspection	●	●	○	○
18	○	○	●	○	Drug seizure in Seychellois waters	●	○	●	○
19	○	○	●	○	Arms seized off the Horn of Africa	●	●	●	○
20	○	○	●	○	Ivory concealed among anchovies in Zanzibar	○	○	●	○



**Working in fisheries is amongst the most dangerous occupations in the world. With almost 40 million people working in fisheries globally the United Nations estimates that 80 lives are lost annually per 100,000 fishers – that is around four lives lost every hour in the fishery sector. which**

In addition, many more fishers and fishery sector workers are injured or become ill due to accidents while at work, including fishery observers and inspectors that work at sea on fishing and patrol vessels. These fishery related fatalities and accidents, often have major and long-term impacts, bringing increased hardship and suffering to, fishers, their families, and their communities, who are often living in vulnerable situations with poor conditions with no insurance or financial safety nets.

The Southern African Development Community (SADC) prioritises improving the lives of people as part of the regional integration agenda. Therefore, reducing risks and saving the lives of those working in the fishery sector – the fishers, crew, fishery officers and observers – is critical to all Member States of the SADC. This can be achieved by preparing for, reducing, or removing risks, through the systematic implementation of agreed standards and procedures for safety, and improving the skills and capacity of those working in the fishery sector.

