



# Fishing and Aquaculture

## Related Commodity Reports

- Seafood

## Summary of Key Documented Trafficking in Persons Risks

- ✓ Structural Supply Chain Features Contributing to Trafficking in Persons Vulnerability
- ✓ Undesirable and Hazardous Work
- ✓ Vulnerable Workforce
- ✓ Presence of Labor Intermediaries
- ✓ Associated Contextual Factors Contributing to TIP Vulnerability

## Fishing and Aquaculture Sector in Sub-Saharan Africa Overview

Approximately 10 percent of the 58 million people worldwide involved in the fishing and aquaculture sectors are in Africa. Although the majority of workers in the direct-capture fish sector are men, the sector also provides livelihood for women, who represent an estimated 15 percent of all workers engaged in fishing and aquaculture and up to 90 percent of workers in secondary activities such as processing.<sup>1</sup> In West Africa alone, the marine fisheries sector contributes an estimated 10-30 percent of GDP for countries including Mauritania, Senegal, Guinea-Bissau, and Sierra Leone. Over three million people are employed in the sector, and fish protein provides over half of nutritional protein requirements for a sizeable percentage of the population.<sup>2</sup>

Developing economies saw their share rise to 54 percent of total fishery exports by value in 2012.<sup>3</sup> In addition to trade, fishing and aquaculture are important to many rural poor. Fish provides a key protein source in diets as well as providing jobs and income in areas where other income sources are scarce, as is the case in many sub-Saharan African Countries.<sup>4</sup>

Artisanal and industrial marine fishing, as well as inland fishing and aquaculture, are present in sub-Saharan-Africa.<sup>5</sup> The main division is between small-scale fishing for subsistence and local markets versus the large-scale industrial fishing that is primarily



for export. The industrial fisheries tend to be dominated by foreign vessels from the EU, Russia, China, South Korea, and Japan focused on high value species such as tuna.<sup>6</sup>

South and West Africa are home to fish processing industries to support the industrial fishing sectors.<sup>7</sup> Most fish and seafood products exported from Africa are frozen and minimally processed, although there has been some growth in the seafood processing sector, primarily driven by Chinese company investment. Mauritius, which already has a thriving manufacturing sector, has at least 20 fish meal factories, 50 percent of which are reportedly Chinese-owned.<sup>8</sup>

West Africa is home to bio-diverse and high value species including shrimp, grouper, anchovies, mackerel, and shad, as well as migratory tuna in deep water.<sup>9</sup> There are significant tuna fisheries in the South Indian Ocean in East African off-shore waters. Nile perch is the primary fish traded from inland fishing on Lake Victoria. A variety of fish are caught in Lake Volta in Ghana, including catfish, carp and Nile perch.<sup>10</sup> However, much of the fish exported to U.S. and Europe from West Africa is bycatch or so-called trashfish that is ultimately used for animal feed.<sup>11</sup>

In the industrial fisheries sector, which is predominantly for export, vessels are both local and foreign based. Types of industrial vessels include trawlers, purse-seiners, shrimpers, and pole and line tuna boats. Foreign industrial vessels from Japan, South Korea, Russia, Spain, France, Italy and China are all active, with China being the largest foreign fleet operating in the region.<sup>12</sup>

A lack of sufficient onshore processing sites is a problem pervasive for all of the top exporters of seafood in sub-Saharan Africa. For example, only a third of fish caught in Senegalese waters is processed domestically. The supply of fish available for domestic processing has declined with the introduction of foreign owned fishing vessels in Senegal's waters.<sup>13</sup> The lack of processing facilities means that African nations lose potential value chain earnings.

## Trafficking in Persons Risk in the Fishing and Aquaculture Sector in Sub-Saharan Africa

### Structural Supply Chain Features Contributing to Trafficking in Persons Vulnerability



Fish and shellfish are harvested in open waters or raised via aquaculture in ponds, tanks, or bounded coastal waters. After harvest, fish are packed and transported to processing facilities or wholesalers. Processors convert the fish to consumer products such as canned, frozen, or smoked products, and fillets or other fresh products. Some fish may pass through multiple levels of processing, while others, such as certain kinds of shellfish, are transported live. Wholesalers receive both processed products, as well as more minimally processed fresh fish, from both foreign and domestic sources. The wholesalers then distribute the products to retailers and restaurants. Some fish products and by-products are not used for human consumption, but are instead used in fish and animal feed.<sup>14</sup>

## Undesirable and Hazardous Work

The ILO identifies fishing as a highly hazardous sector.<sup>15</sup> Fishers on vessels routinely face hazards and conditions of work that are exacerbated by poor weather conditions, a constantly moving work environment and the lack of medical care on the open water. While on vessels, fishers are exposed to sun and salt water without protective clothing, slippery/moving work surfaces, malfunctioning gear, regular use of knives/other sharp objects, entanglement in nets, large waves, inadequate sleeping quarters, inadequate sanitation, and a lack of fresh food and water. Should someone become ill while on board a vessel, it can be difficult to seek medical care in a timely manner. Collisions or shipwrecks are also a risk.<sup>16</sup>

## Vulnerable Workforce

Workforce vulnerability in fishing derives from a variety of causes, some of which have to do with the typical structure of employment relationships in the industry, and some of which have to do with the economic and education levels of the worker populations in question.

Workers aboard fishing vessels are inherently isolated. Fishing vessels, particularly those involved in long-distance fishing, like foreign vessels documented off African coasts, have an increasing capability to stay at sea for long periods of time – even up to several years. Rather than regularly docking, these vessels can “transship” caught fish and fuel via smaller vessels. This may mean that the crew of these ships has no access to port, leaving them unable to escape, report abuse, or seek assistance.<sup>17</sup> While aboard vessels, workers rarely have access to means of communication with the outside world. They may be out of reach of cell phone communication, and barred from



using other on-board communication devices such as radios or satellite phones. Depletion of fish stocks may also contribute to longer voyages, as vessels journey further and further from port, leaving workers on board for longer periods of time.

Migrant labor is increasingly used in the fishing, aquaculture, and fish processing sector as a means of cost savings. Abuse of migrant workers in the fishing sector has been well-documented. Fishers are generally recruited in their home villages or ports, and a worker may pass through a series of agents, each adding an additional debt burden through fees for their services.<sup>18</sup> This recruitment-related debt burden can act as a binding force for fishers, preventing them from resigning or advocating for better conditions, for fear of losing their jobs. Working conditions are often obscured until the worker is on board the vessel, possibly already in international waters, with no means of recourse. All workers, including migrant workers, on vessels are routinely required to surrender identity documents such as passports, thereby restricting their freedom of movement in foreign ports.<sup>19</sup> Some larger vessels can stay at sea for a year or more at a time, and lack of access to legal documentation can powerfully inhibit a worker's ability to escape, even if he does gain access to port. Cases of foreign fishers being forced to work in the sector have also been reported.<sup>20</sup>

The high numbers of foreign fishing vessels operating in African waters has been well documented, but data on the demographics of crew members is harder to come by. Anecdotally, it appears that in many cases, both workers from the vessel's port-of-origin country, as well as local workers from African nations, may be present. For example, Senegalese workers were documented to be working alongside Chinese workers on a Chinese trawler off the coast of Senegal.<sup>21</sup> While salaries are reportedly relatively high, the lack of oversight into conditions on these vessels, particularly when they are operating illegally, may leave both local and foreign workers vulnerable to abuse.

In 2010, the Environmental Justice Foundation documented South Korean, Chinese, Vietnamese, Indonesian, and Sierra Leonean workers experiencing indicators of labor trafficking on board a Korean flagged ship operating off of Sierra Leone. Sierra Leonean workers reported that they were not given contracts and were not paid in cash, but instead were compensated in bycatch that they could sell in markets. They reported that any expression of grievances could result in termination and even abandonment.<sup>22</sup>

Serious abuses of workers from Southeast Asian countries – Cambodia in particular – have been documented on Thai vessels operating in Indian Ocean waters between Mauritius and Seychelles. The lack of adequate government patrol in the area appeals to “reefer” vessels that may stay in the area for up to 18 months, relying on transshipment for supplies and to offload their catch.<sup>23</sup> Trafficked Cambodian workers have also been documented on Taiwanese vessels off the coast of Senegal.<sup>24</sup>



Child labor is common in fishing and aquaculture across the globe and appears to be common in the African context specifically. The U.S. Department of Labor's 2016 *List of Goods Produced by Child Labor or Forced Labor* notes that fish/seafood products are produced with child labor in Ghana, Kenya, Tanzania, and Uganda.<sup>25</sup>

Many children who are engaged in fishing or aquaculture participate on an informal basis, and it is common for children to enter the sector working alongside their parents or other adult family members.<sup>26</sup> Some children may seek out work in the fishing sector as a means to earn money or support their family, particularly when this is considered a culturally appropriate way for boys to prove their maturity.<sup>27</sup> Children may enter the sector as a means to pay off family debt owed to boat captains or ownership. In some contexts, such as fishing around Lake Volta in Ghana, children are recruited through traffickers who make upfront payments to the child's parents and deceive families regarding working conditions.<sup>28</sup>

Children are also trafficked in the fishing sector on Lake Victoria. Nile Perch from Lake Victoria are exported to European and Asian markets.<sup>29</sup> In one study, children working on Lake Victoria reported widespread abuse and harassment, as well as withholding of wages.<sup>30</sup> The presence of labor recruiters and deceptive recruitment practices have also been documented.<sup>31</sup> Like adults, children participating in fishing may also be subjected to deductions for provisions, such as food and cigarettes, leaving them in debt.<sup>32</sup> Children may also be recruited because of a perception that they are more docile.

## Presence of Labor Intermediaries

Employment in the fishing sector is highly dependent on local context, the size of the vessel, and the type of fishing undertaken. Fishers employed on larger boats may have relatively formal employment agreements with the captain of the vessel or fleet ownership, but contracts are rare. Workers may be recruited through formal or informal labor recruiters, to whom they owe debt for their job placement. Often, workers recruited through brokers will have no advance knowledge of their actual employer, with whom they may be required to spend months at sea. Many trafficked workers on fishing vessels have reported incidents of violence, including homicide.<sup>33</sup>

EJF reported that Chinese and Vietnamese workers on foreign vessels operating off the coast of Africa had also been recruited by labor brokers in their home countries.<sup>34</sup> There was a documented case of forced labor on tuna fishing vessels in South African waters where the crew – mainly Indonesian and Taiwanese – worked for between three and five years without being paid.<sup>35</sup> In another case, Cambodian workers were hired by a



labor recruiter and were exploited on foreign fishing vessels off the coast of South Africa.<sup>36</sup>

In 2013, there was widespread media coverage of a Chinese-owned commercial vessel, MV Leader, which exploited Namibian, Indonesian, and Chinese workers in Namibian waters.<sup>37</sup> Media articles noted that workers on MV Leader had been recruited via “labour hire.”<sup>38</sup> One potential root cause of this exploitation is, interestingly, the same policies to prevent IUU fishing that have been heralded as a success story in Namibia, where the government requires foreign companies to pay high fees to obtain fishing rights. Some analysts have suggested that these fees may incentivize companies to seek savings through low cost or exploited labor.<sup>39</sup>

Although recruitment mechanisms for Chinese workers on foreign vessels have not been well documented, given the proliferation of Chinese vessels operating both legally and illegally in African waters,<sup>40</sup> these anecdotal reports suggest the potential of more widespread vulnerability.

## Contextual Factors Contributing to Trafficking in Persons Vulnerability

With the expansion of the fish sector has come an increase in illegal, unreported, and unregulated (IUU) exploitation of wild fish stocks. IUU fishing refers to all activities that happen outside the control of laws and regulations, including activities such as fishing without a license, fishing in a closed area, fishing with prohibited gear, fishing in excess of a quota, and fishing of prohibited species. Fishing regulations can be challenging to enforce, as much of the IUU fishing happens on the high seas – that is, in water over 200 nautical miles from shore, where there is little regulation and enforcement. Outside of a nation’s “exclusive economic zone” (the 200 mile strip of ocean adjacent to the shoreline), vessels are generally governed by the laws of the country in which they are registered, or their “flag state.” Under the practice known as “flags of convenience,” fishing vessels may be registered in countries with no meaningful link to their operations, including in countries with severely limited interest or capacity to enforce fishing-related laws on vessels flying their flag.<sup>41</sup> This structural loop-hole built into the regulation and enforcement of fishing practices has led to increased environmental and social abuses in the sector, as the prevalence of IUU fishing has contributed to sharply declining world fish stocks through overfishing, leading vessels to undertake longer and longer voyages in order to find fish, and thereby increasing the vulnerability of workers who are stuck aboard for longer and longer periods of time. Declining stocks also increase the precariousness of employment for workers involved in fish processing, by



threatening the overall viability of the industry. The overfishing of Asian fish stocks may be increasingly pushing vessels into African waters.

Illegal, unregulated, and unreported (IUU) fishing is a well-documented issue in African marine fisheries, so much so that approximately 40 percent of the catch in West Africa is estimated to be unreported, and about 50 percent of fishery resources are overfished.<sup>42</sup> Although exact numbers are unknown due to the nature of the problem, in 2013, the Environmental Justice Foundation stated that “West African waters are estimated to have the highest levels of IUU fishing in the world, representing up to 37 percent of the region’s catch.”<sup>43</sup> Transshipment and the use of reefers is central to many illegal fishing practices, allowing fishing vessels to remain at sea for long periods of time and without port state oversight. An estimated 16 percent of West African fish exports are harvested by vessels that use transshipment.<sup>44</sup>

Overfishing contributes to livelihood disruptions among artisanal fishermen and contributes to food insecurity and malnutrition; fish accounts for up to 50 percent of dietary protein in many African countries.<sup>45</sup>

IUU fishing has been linked to other forms of organized crime; IUU fishing vessels have also been associated with drug trafficking, child labor, and tax evasion. The lack of regulatory infrastructure in the West African fishing industry allows IUU fishing and associated risks to thrive with little interference.<sup>46</sup>

International fishing shipments have also provided a convenient channel for illegal drug trafficking schemes. An increased demand for cocaine in Europe has driven Latin American drug smugglers to utilize West Africa as a port of exit for the drug. The United Nations Office for Drugs and Crime (UNODC) reported that “mother ships” transport cocaine from Latin America to West Africa, where the drug is placed on inconspicuous local fishing vessels. These ships are generally manned by an African crew, but carry a Latin American “controller” on board. The vessels then transport cocaine to Europe.<sup>47</sup>

IUU fishing in Somalia has been reported to be a source of income for the terrorist group al-Shabab, and pirates sometimes associated with the terrorist organization have turned to providing security for illegal foreign vessels to generate income, often firing on unprotected Somali fishermen who are seen as competition.<sup>48</sup>



## Examples of Actions Related to Trafficking in Persons in the Fishing and Aquaculture Sector

### Multi-Stakeholder Initiatives

WWF and four fishing companies in South Africa created the Responsible Fisheries Alliance which addresses environmental degradation and overfishing.<sup>49</sup>

### Government Actions

In general, there appear to be few examples of private sector intervention in the African fishing sector. Instead, most interventions have been led by governments, primarily with a focus on combatting IUU fishing.

In 2016, 40 African countries signed a binding agreement to jointly combat maritime crime, including IUU fishing. Participating nations will fund increased maritime security and work to share information on illegal operators.<sup>50</sup>

FISH-i Africa is an initiative of seven countries – Comoros, Kenya, Madagascar, Mauritius, Mozambique, Seychelles, and Tanzania – that helps national fisheries enforcement officers collaborate to share intelligence about IUU fishing operations and improve enforcement. Specifically, Fish-i Africa provides an online communication platform to share up-to-date information, risk assessment tools, and legal and investigative assistance.<sup>51</sup>

The European Union has used its “red card” system to pressure exporters of fish from Africa to comply with international regulations on overfishing. In 2013, the EU red-carded South Korea, with specific reference to the activities of its distant water fleet off West Africa. In response, South Korea revised the legal framework for its long-distance fleet, established a satellite-based vessel monitoring system on all distant water vessels, joined the International Monitoring, Control and Surveillance Network, increased on-board observer coverage, and improved its catch certification system.<sup>52</sup>





## External Resources for Business Good Practice

- Fishwise. Social Responsibility in the Global Seafood Industry.
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- Verité. Responsible Sourcing Tool. Seafood Industry Compliance Tools. <http://responsiblesourcingtool.org/seafoodindustry>



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