

REPORT



ILLEGAL, UNREPORTED, AND UNREGULATED FISHING IN THE SOUTH ATLANTIC

.....
SLAVE WORK, HUMAN TRAFFICKING AND DEATH
IN THE PORT OF MONTEVIDEO

2018



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1

Because there are no controls of the conditions of life on board or of the documentation of foreign fishing vessels operating in the port, human trafficking, slavery and violation of Human Rights are constant situations in the Port of Montevideo.

Illegal, unreported and unregulated (IUU) fishing is known worldwide, not only because of its environmental and economic impacts, but also because of the other illicit activities it conceals, such as drug trafficking, human trafficking, semi-slave labor and crime on board.

The Port of Montevideo is catalogued as the second worldwide port to receive transshipment fishing suspected of being IUU¹. Incidents with victims on board, drug trafficking cases, fires and group fights on foreign IUU fishing vessels are constant situations. The Ministry of Foreign Affairs of Uruguay reported slavery, racism and discrimination².

According to official data from the National Ports Administration (ANP) and the National Navy of Uruguay, since 2013 a dead crew member per month from these vessels has been recorded.

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In May 2018, the ramshackle fishing ship Fuh Sheng 11 was inspected upon arriving at the port of Cape Town, South Africa, and it was detected that it did not meet the minimum conditions for sailing. It was documented that its crew members were beaten, suffered mistreatment and were not paid what was agreed³. The previous stop had been the Port of Montevideo, where it arrived in December 2017. That year, the Fuh Sheng 11 visited the Uruguayan port twice, where, strikingly, no inconvenience was recorded⁴.

The Fuh Sheng 11 is part of the 1100 unregulated Taiwanese fishing ships that operate on the high seas. This is the second largest fleet after China, and is among the one with the most activity in the Port of Montevideo. Due to its irregularities, the European Union is considering applying sanctions. To operate, the Fuh Sheng 11 deactivates its Automatic Identification System (AIS), and thus avoids being detected. This operation is commonly used by ships that commit illicit and a common practice between customers of the Port of Montevideo.

1 <https://oceana.org/press-center/press-releases/oceana-report-exposes-thousands-suspected-vessel-rendezvous-sea>

2 <https://www.teledoce.com/telemundo/nacionales/cancilleria-denuncio-esclavitud-racismo-y-discriminacion/>

3 <https://www.ft.com/content/de849e6e-b5ae-11e8-b3ef-799c8613f4a1>

4 ANP - Datos de Arribos



SLAVE WORK, HUMAN TRAFFICKING AND DEATH IN THE PORT OF MONTEVIDEO

PESCA ILEGAL, NO DECLARADA Y NO REGLAMENTADA EN EL ATLANTICO SUR

2

In September 2017, a diplomatic delegation from Indonesia visited Uruguay to investigate the case of the body of a crewmember from his country who was on board a Taiwanese fishing ship and who was disembarked dead in the Port of Montevideo.

The case is also tragic because the captain of Yun Mao N° 168 refused to request help and evacuate the crew from the high seas, when he was sick, and he did not agree to discontinue the fishing and take him to port. A simple toothache, which lasted for ten days, resulted in the death of the crew member.

The 'Lu Rong Yuan Yu' fleet of boats is well-known because of its innumerable incidents of illegal fishing around the world⁵; however, it is one of the main clients of the Port of Montevideo. These ships falsify their registration and identity, operate with "twin" or ghost ships, disconnect their AIS system and, in some cases, it is impossible to reliably identify them while they remain anchored in port.

In relation to this fleet, in the last 18 months the following cases have been reported:

- Lu Rong Yuan Yu 679: one crew member died and another one had to see a doctor.
- Lu Rong Yuan Yu 939: enters the port to get off a crew member with health problems.
- Lu Rong Yuan Yu 895: "wall anchor to get off a seriously injured crew member".
- Lu Rong Yuan Yu 977: "The ship transports a deceased crew member".

(Many of the incidents on board of these vessels are not reported, the crew are usually thrown into the sea, sometimes still alive).

The 'Lu Rong Yuan Yu' fleet of boats is well-known because of its innumerable incidents of illegal fishing around the world; however, it is one of the main clients of the Port of Montevideo.

In 2014, 28 African crew members escaped from a Chinese fishing ship that had arrived at the Port of Montevideo due to the terrible living conditions on board. According to the men who were semislaves, they were attacked with kitchen and fishing tools and were beaten in the face and the body, they were fed for seven months only with rice with salt and they were not provided with drinking water. The men had shackle marks on their ankles⁶.

Furthermore, in 2013, 1,400 kilograms of cocaine were detected in a Panamenian flag fishing vessel.

5 <https://www.npfc.int/npfc-iuu-vessel-list-0>
<https://www.ntnews.com.au/lifestyle/fishing/liberians-seize-illegal-vessels/news-story/8ac444cfe14722097c4d6a5149f1391e>
<https://iuu-vessels.org>

6 <https://www.teledoce.com/telemundo/nacionales/cancilleria-denuncia-esclavitud-racismo-y-discriminacion/>



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ILLEGAL, UNREPORTED AND UNREGULATED FISHING IN THE SOUTH ATLANTIC

3

The captain of the ship, of Colombian nationality, and other eight crew members were arrested.

Although there are practically no controls or inspections on foreign fishing vessels that operate in the Port of Montevideo, there are some official statistics based on the partial reports that the operators of the unregulated vessels themselves carry out. Another source of information is newspaper articles about incidents that, due to their seriousness, transcend the silence of the authority in charge of authorizing and controlling these vessels.

***In 2014, 28 African crew members escaped from a Chinese fishing vessel...
The men had shackle marks on their ankles.***

About these cases and others, what remains to be known is what is the fate of each corpse that foreign fishing vessels disembark in the Port of Montevideo, what are the costs per month, and what are the legal and administrative processes.

The authorities of the Ministry of Agriculture, Livestock and Fisheries excuse themselves by stating that the law that applies on board of ship is that of the State flag, and that Uruguay is not responsible for what happens then. However, the laws of the countries where the vessels are registered are not even complied with, since slavery and human trafficking are not legal in any of the flag States of the unregulated fishing vessels that usually arrive at the port of Montevideo.

Uruguay has ratified the Agreement on Port State Measures to Prevent, Deter and Eliminate IUU Fishing (PSMA)⁷, of the FAO, committing itself to fight against IUU fishing. However, the Government has publicly admitted to be aware that vessels that are authorized to operate in its port commit abuses and illegal activities on the high seas:

*"Because the foreign-flagged boats - most of them - fish with conditions of controls of the state of their flag, which are very lax, with labor and social security rights of the almost nonexistent crews and salary costs several times lower than the Uruguayan, such working conditions are a covert subsidy to those offshore fleets"*⁷.

"Investors prefer to fish in international waters" as soon as they leave Uruguayan jurisdiction. In this way, they lower costs and use personnel that do

⁷ <http://abuenpuertoanp.blogspot.com.ar/2016/09/entrevista-al-director-de-la-dinara-dr.html>



SLAVE WORK, HUMAN TRAFFICKING AND DEATH IN THE PORT OF MONTEVIDEO

PESCA ILEGAL, NO DECLARADA Y NO REGLAMENTADA EN EL ATLANTICO SUR

4

not have contracts or social laws that protect them. Competing in these conditions is really difficult”⁸

“(...) In 2015, more than 1,500 downloads were made in the Port of Montevideo and more than half were of ships that were transhipped on the high seas, “which means a risk situation that can cover illegal fishing”⁹

“When you see reality, you realize that there are things that are difficult to change and you also have to see what benefits the country”¹⁰

The collection of services and fees for vessels practicing the slavery of IUU fishing implies complicity, since, knowingly, the country obtains economic benefits from those who commit illicit acts and crimes on the high seas and while they remain in the Port of Montevideo, as it has been admitted by the State on numerous occasions¹¹.

To prevent a State-Port from being an accomplice of slavery and violation of Human Rights, foreign fishing vessels that moor must be inspected by competent authorities, inspections must be carried out under high transparency standards and the results thereof must be of public access. The costs of these inspections should fall on the shipowners who require the port service, and not on Uruguayan citizens.

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Collection: IUU Fishing in the South Atlantic Sur.
www.oceanosanos.org/Informes
Twitter: @oceanosanos
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⁸ <https://www.elpais.com.uy/que-pasa/pesca-pende-hilo.html>

⁹ <https://presidencia.gub.uy/comunicacion/comunicacionnoticias/onu-uruguay-distincion-control-pesca-ilegal>

¹⁰ <https://www.elpais.com.uy/que-pasa/incognita-uruguay-redes-chinas.html>

¹¹ <https://www.elpais.com.uy/que-pasa/incognita-uruguay-redes-chinas.html>



SLAVE WORK, HUMAN TRAFFICKING AND DEATH IN THE PORT OF MONTEVIDEO

ILLEGAL, UNREPORTED AND UNREGULATED FISHING IN THE SOUTH ATLANTIC

5

Crewmen who escaped from a Chinese fishing ship in Montevideo due to mistreatment on board:



REPORT