

Working Conditions on Fishing Vessels in West Africa

A case study of abandoned crew in Las Palmas



Between August 2013 and December 2013, the crewmembers of the fishing vessel “Isabel” were stranded in the Spanish port of Las Palmas. The 12 people, from several West African countries (Senegal, Mauritania, Côte d’Ivoire and Ghana) had been told that they would be going to sea in West Africa for three weeks. However, a financial dispute between the two owners of the boat led one of the owners to bring the boat to the port of Las Palmas where it was detained by Spanish authorities for a number of safety and administrative infractions.

Having previously flown the Panama flag, the vessel was in effect “stateless”, leaving the crew perilously unprotected whilst working at sea. The crew was forced to live onboard the boat for five months without adequate food and accommodation, whilst the vessel’s situation was resolved and the financial dispute was settled. During the five months spent in Las Palmas, each crewmember received 300 euros in total, which is only 25% of their salary. After the financial dispute was settled and the Isabel was granted an Ivorian flag, the vessel returned to Abidjan in December 2013. In January 2014, one of the crew drowned in an accident in port. There is no evidence that steps were being taken to maintain adequate health and safety standards on the boat at the time of the accident.

The following document summarizes details about the Isabel and the victims in this case.

Year	Name	Flag	Call sign	IMO	Operator
2013	Isabel	Côte d’Ivoire	HO8348	6909650	Kora International Fishing S.A. (based in Benin)
2011 (October)	Isabel	None	HO8348	6909650	Kora International Fishing S.A. (based in Benin)
2011 (July)	Isabel	Panama	HO8348	6909650	Kora International Fishing S.A. (based in Benin)
2002	Badminton	Togo	HO8348	6909650	Castromar
1998	Badminton	Belize	HO8348	6909650	Castromar



Isabel moored in Las Palmas in September 2013

FACTS

Isabel left Abidjan on 30 July 2013 with the plan to go fishing for 22 days and then to return to Abidjan. The Ivorian crew on board who were 'on a trial' had not signed a job contract. Once at sea, the seafarers were not told where they were going and only 11 days later, on 9 August 2013, when they reached Las Palmas, they were finally told that they were going to port.

It is alleged that the vessel was intended to go fishing in West Africa but that the Spanish joint-owner on board took the vessel to Las Palmas with the aim of pressuring the other part-owner into selling the vessel, as the latter owed the former money. On arrival in Spain, the two Spanish crewmembers abandoned the vessel and the rest of the crew.

Whilst stranded for five months in Las Palmas, the crew lived in unsanitary and cramped conditions and received two payments of 100 euros, and then two payments of 50 euros, which represent only 25% of the salary they should have received for five months of work.

Unclear ownership and "stateless" vessel

The ownership of the vessel remains unclear. Spanish inspectors who went onboard were able to determine that the vessel belongs to the company Kora International Shipping S.A. based in Benin, but it transpired that the Spanish crew also had an ownership interest in the vessel. This situation made it difficult to determine who was responsible for repatriating the crew to their respective countries, and who was responsible for paying their outstanding salaries. Finally, in December 2013, the Benin-based company is believed to have acquired the totality of shares in the vessel.

The vessel initially claimed that it was flagged to Panama. The Panama flag was flying from the vessel's mast and it was also written on the vessel's hull. A document onboard the vessel issued by the Panama Maritime Authority granted a "Special Navigation Permit" for the vessel to travel between Las Palmas and Cotonou, Benin between 11th July and 11th October 2011.

However, the Panama registry informed Spanish authorities that Panama had de-registered Isabel in June 2011, meaning that the vessel is likely to have operated without a flag during a two-year period.

It is worth noting that before adopting the Panama flag, the vessel had been flagged to Belize and Togo. These three registries have been identified by the European Commission as possible "non-cooperating third countries" and are listed as "Flags of Convenience" by the International Transport Workers Federation (ITF).

WHO OWNS THE ISABEL



In July 2013, **Isabel** was officially owned and operated by Kora International Fishing S.A., a company based in Benin but registered in Panama. This company owns and operates only one vessel – Isabel. However, there is evidence to suggest that a Spanish crewmember, who also had an ownership interest in the vessel, decided to bring the vessel to Las Palmas in order to force the resolution of a financial dispute. The lack of transparency around ownership of the vessel makes it difficult to determine the persons liable for ensuring adequate working conditions and the vessel's adherence to fisheries laws.

Conditions on board the vessel

When EJF visited the vessel in September 2013, it was in a very poor condition. The crew was very agitated and at the time had not received any salary since leaving Abidjan. Many of the crew were worried about their families in West Africa, and not being able to provide money for school fees and other living expenses. As the crew was on trial and therefore was not working under a contract, many of them were worried about their 'clandestine' situation since there was no administrative record of them working on the boat. Consequently, they were unable to leave the vessel at any point.

The crew members were hungry. Although the charity Stella Maris had brought them some food a few days earlier, the cook on board complained that the twelve crew needed more protein. On the evening before EJF went onboard, there had been a fight on the boat regarding the cleanliness of the vessel, which ended up with one of the crew attacking another and threatening him with a knife.

In January 2014, once back in the port of Abidjan, one of the crewmembers died. Whilst he was painting the hull of the vessel, the ladder broke and the crewmember hit his head against the hull and fell into the sea. At present, there is no evidence that steps were being taken to maintain adequate health and safety standards on the boat at the time of the accident.

“

You do not have money, you cannot go out, we do not have light on the boat. You cannot even buy credit to call your family. We are stranded. You don't know what is going on.

And the biggest problem is that today they are returning to school, and I have to pay the school fees and buy the books. They need my help – and look where I am.

”

Mohammadou, crewmember

“

They took us and they told us that we will be on trial for 22 days. So we came for the trial, and they gave us 50.000 CFA (approximately 104 USD) so we could give it to our family, and we said ok for the trial, but they did not make us sign any contract.

We went onboard the vessel and we did not fish once. We asked: 'where is the boat going?' – and they told us we were going to fish in Senegal. Then we asked again, and they did not tell us anything.

We left Abidjan on the 30th of July, and we navigated for 11 days. So we started to get anxious: 'but where are we going?'

”

Alphonse, crewmember



A crewmember holding the Panama flag at the vessel's stern



The crew stranded on board Isabel

RECOMMENDATIONS:

The Côte d'Ivoire Government should:

- Along with other ILO Member States, ratify and implement the ILO Work in Fishing Convention (ILO Convention No. 188) which establishes international standards for decent work and living conditions for those employed on fishing vessels;
- Ensure that there are robust systems to monitor working conditions of seafarers, including through effective inspections and verification of worker contracts.

Governments should:

- Ratify and implement the ILO Work in Fishing Convention (ILO Convention No. 188) and ensure there are adequate procedures to identify victims of human trafficking and labour abuse on fishing vessels, including with the involvement of National Rapporteurs on Trafficking in Human Beings or equivalent mechanisms;
- Call for the urgent development of a comprehensive Global Record of fishing vessels by the United Nations Food and Agriculture Organisation (FAO) that will assign each industrial vessel a Unique Vessel Identifier.

EU Member States should:

- Require their nationals to notify of any interests they have in third country fishing vessels, and investigate any IUU fishing or human rights abuses associated with these vessels.

The private sector should:

- Seafood companies, retailers and brands should commit to conclusively demonstrate that their supply chains are free from trafficking in persons and other human rights abuses.



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