

## Protest, don't sit still

### The increasing cases of abuse of non-domiciled fishermen employed on fishing vessels must not go unchallenged

The International Transport Workers' Federation (ITF) has, from time to time, received alarming reports about the abuse of fishermen, especially those employed as non-domiciled fishermen on some national flag and on flag of convenience fishing vessels. This information was generally at an anecdotal level but is becoming more concrete and it is now clear that a picture of systematic abuse is emerging, which amounts to the denial of basic human and trade union rights.

There have been cases of physical and sexual abuse, fishermen being put in chains when the vessel is in port to prevent them jumping ship, and cases where fishermen have attempted to swim to shore in order to secure essential medical treatment. This matter was discussed within the ITF by the Fisheries Section Steering Committee and it was agreed that urgent action was required.

It goes without saying that the ITF is horrified by such abuse and is committed to taking measures to combat it. It is in these circumstances that I am requesting ITF Inspectors and ITF Fisheries affiliates to provide information which will enable us to assess the extent of this abuse and to make appropriate representations at relevant international forums, including the International Labour Organization.

We envisage that the ITF will address the abuse of fishermen at two levels. The first is to collate documentation on the abuse of fishermen which show that it is, in some instances, institutionalized and systematic. We, therefore, need to secure as much historical information as possible. At the second level the effort is to ensure that the ITF and its affiliates take a strong line in future cases.

If you become aware of any such cases, you are requested to take decisive action and, in addition to contacting the ITF Secretariat immediately, to report the matter to your local law enforcement officers, as the perpetrators must be brought to justice.

In this regard, it is worth noting that the United Nations Convention on the Law of the Sea (UNCLOS) expressly provides in Article 2 that the sovereignty of a coastal State extends beyond its land territory and internal waters (i.e., ports and harbours) to the territorial sea. The ILO will raise the matter with the flag and port State and, if other options fail and it is legally feasible, we may be prepared to instigate private criminal prosecutions in the more extreme cases.

#### Reporting form

In order to facilitate the correlation of the information, both in the case of past instances and future cases, we have, in co-operation with Amnesty International, prepared a standard reporting form. You are requested to complete one form for each case of abuse. Completed forms should be sent to Tom Holmer of the ITF Maritime Department. ITF Inspectors are also requested to routinely visit foreign flag fishing vessels which visit their ports and to liaise with the crews,

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