

IUU fishing

Pillagers or victims?

The plight of Kenyan fishermen on board foreign-flagged trawlers is often shocking

Most Kenyan sailors (usually fishermen) are employed on trawlers flying Kenyan or foreign flags. There are 20 trawlers flying the Kenyan flag, 17 of which are owned by Italian companies and three by Koreans. A study carried out in 2002 by the Seafarers Assistance Programme (SAP) showed that 165 Kenyan fishermen were working on board these trawlers. Another 295 were working on European-flagged vessels, the majority of which were Spanish trawlers and longliners. A further 65 sailors were employed by Korean longliners.

Andrew M Mwangura, Co-ordinator of SAP, strongly condemns the working conditions of the Kenyan sailor-fishermen employed on both Asian and European industrial fishing boats, some of which are fishing illegally in east African waters. "Whether local or foreign, none of these vessels that employ Kenyan sailors comply with the international conventions and standards of the International Labour Organization," he says.

About ten years ago, SAP set up a programme to monitor the well-being of the sailors. It revealed that neither their working hours nor their rest periods are legal: once the vessels are out fishing, rest periods are rare. Kenyan fishermen taken on board these vessels generally have no fixed working hours and no work clothing. Most of them earn, on average, US\$100 per month, well below the US\$800 earned by crew members from other countries on the same boats.

There are no agreements in place or measures taken to ensure health on board. There is no medical care at sea and no social security system for these sailors. Between 1983 and 2003, 64 fishermen (one

Senegalese, 16 Tanzanians and 47 Kenyans) perished at sea; 121 were seriously injured and 37 had their fingers frozen.

Some of these boats are fishing off the Somali coast. This fishing zone is extremely rich in resources: it is estimated that fisheries off the 3,300-km long Somali coast could produce annually, on a sustainable basis, 300,000-500,000 tonnes of fish.

Even before the civil war in Somalia began in 1991, official fisheries statistics showed annual production levels of 20,000 tonnes, that is, only 4 per cent of the potential. Artisanal fishermen and foreign vessels holding licences accounted for half of this catch.

Since the beginning of the civil war, and in the absence of any central government in Somalia, large-scale illegal fishing operations have increased. These operations stem from all over the world and use fishing methods and gear banned internationally.

Statistics on fishing operations carried out by foreign vessels off the Somali coast have been collated by the Somali researcher M. Abdirahman Jama Kulmiye. There are some 300 vessels carrying out IUU fishing operations off the coast of the self-proclaimed Republic of Puntland, and 700 others fishing along the Somali coast. They target high-value seafood products such as shrimp, lobster and other demersal species, for which high prices are paid in the EU and other international markets.

Flags of convenience

A further deception is that the true identity of the vessel owners is often hidden as a result of registering vessels

under flags of convenience and using fronting companies in Kenya. Kenyan ports are thus *de facto* the advanced bases for organizing illegal fishing campaigns in the rich waters of Somalia. Numerous Kenyan seafarers are hired to work on board such vessels that take part of illegal fishing operations in Somali waters.

Under the pretext of fighting this large-scale illegal fishing, some Somali people have decided, in order to “protect” their territorial waters, to start the business of taking hostages. In response, the trawler owners hire militiamen to guard ships while they are fishing within Somali territorial waters.

SAP reported that, despite the presence of militia on board the fishing boats, Somali pirates have succeeded in taking several fishing boats with crew members that include Kenyan seafarers. In recent years, five Kenyan, two Korean, three Italian and three Russian fishing boats have been seized by pirates.

Examples include the 1997 seizure by pirates of a Kenyan-registered, Italian-owned ship, the *Bahari Hindi*, which was held for 45 days at Kismayo, Somalia. The pirates demanded a US\$500,000 ransom in order to release the crew of 36, comprising Italians, Poles, Kenyans, Romanians, Tanzanians and Senegalese. In December 2001, the *Bahari Kenya*, also a Kenyan-registered, Italian-owned vessel, was held at Elly Port, Somalia for 99 days, with a crew of 33 on board that included Italians, Kenyans, Romanians, Somalis and Spaniards. This time, the ransom demand was US\$1 mn. In 2003, 15 Kenyan, nine Indonesian and three Korean fishers were held as hostages aboard the Korean-flagged *Beira 3*, and were released after six months. Some fishermen have even been caught twice or thrice but, driven by the need to earn a living, they have developed a sense of daredevilry.

The fishermen victims of such piracy explain that their captors are always armed with AK-47 assault rifles, bazookas and rocket-propelled grenade launchers. The first thing the hijackers do is draw off all the fuel from the vessel. They also take with them all the fresh food, and feed the hijacked crew with stale food from

Somalia. As the ransom negotiations drag on, the captives are often beaten up and told that if the ransom is not paid, they will be killed.

Illegal fishing is also affecting the protein intake of Kenyans. Kenya has a population of 30 mn, and 9.5 kg of fish are required per year to meet the protein needs of an individual. Thus 300,000 tonnes of fish are needed annually. But according to the Food and Agriculture Organization of the United Nations (FAO), the per capita supply of fish in Kenya was only 6.1 kg in 1999, and in 2002, 5.6 kg (from marine fisheries). According to the Ministry of Livestock and Fisheries, Kenya is currently experiencing a serious shortage of fish and fish products, to the tune of over 200,000 tonnes. National production, combined with regional trade, could help address this shortage; but the lack of a national fisheries policy, and the extent of illegal fishing operations in the region by local boats (owned by European or Asian interests) and foreign fleets from Europe and Korea represent serious obstacles.

This article by the Coalition for Fair Fisheries Arrangements (CFFA) is based on *The Safety and Health of Kenyan Fishers on Board Industrial Fishing Vessels, with Specific Reference to Illegal, Unreported and Unregulated Fishing* by Andrew Mwangura, Co-ordinator, SAP, published in March 2005