

In African waters.

**The trafficking of
Cambodian fishers
in South Africa**

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International Organization for Migration (IOM)

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Foreword

This report describes the experiences of Cambodian men who were held in servitude by human traffickers or suffered other forms of extreme exploitation on fishing vessels in the waters of South Africa. It joins several previous NEXUS Institute studies authored by Senior Researcher, Rebecca Surtees, which examine issues of human trafficking at sea. Other reports include: *At sea: The trafficking of seafarers and fishers from Ukraine*; *Trapped at sea. Using the legal and regulatory framework to prevent and combat the trafficking of seafarers and fishers*; and *Trafficked at sea. The exploitation of Ukrainian seafarers and fishers*.

Together, these reports document the stories of men who, in seeking to support themselves and their families through commercial fishing (or other types of work at sea), pursue this employment at the risk of enslavement and extreme violence and exploitation. Their experiences poignantly illustrate the tragic and widespread phenomenon of trafficking aboard vessels at sea occurring around the world.

This report, reinforcing the findings of our earlier studies, recounts the physical violence used to compel the labour of men at sea:

All but two of the 31 Cambodians in this study experienced physical abuse and violence while trafficked on fishing vessels in the oceans around South Africa. . . . Men described a wide array of assaults and abuses perpetrated against them – for example, being hit with hands and fists, as well as beaten with batons and bamboo sticks and attacked with weapons.

One man described being beaten on the head with a fishing gaff to force him to work.

Among the striking reflections made by some of the men interviewed for this study compared the treatment they experienced as victims of trafficking at sea against a very personal benchmark of abuse and suffering: “Even when we were sick or injured, they still forced us to work... It was more brutal than the Pol Pot regime...”

It is a common tactic of traffickers to isolate their victims in order to minimise the possibility of escape or rescue. Many of the commercial vessels stay at sea for long periods of time, rarely coming to port, so that trafficking at sea provides nearly perfect isolation that veils the criminal acts perpetrated against the men harboured on board. The vast, open waters in which these vessels operate allow traffickers to inflict brutalities upon the bodies and spirits of men a long way from the possibility of escape and freedom.

Thus, this manifestation of human trafficking is all the more insidious because, despite universal recognition of human trafficking as a serious crime and a violation of human rights, traffickers have found a haven at sea largely immune from official inquiry or prosecution.

This report highlights a myriad of complex issues that governments around the world – individually and collectively – must now face before they can be able to end the impunity of the perpetrators and protect the victims of trafficking on the waters of the earth. Some of the initial steps needed to combat this form of human trafficking emerged from the accounts of the men interviewed in these studies.

At the same time, part of the solution must be a reinvigorated dedication to applying current international and national legal instruments to trafficking at sea while new and more potent legal tools against this specific form of trafficking are enacted. The United Nations Convention Against Transnational Crime and its associated Anti-Trafficking Protocol (“Palermo Protocol”) call upon countries to work together to eradicate human trafficking around the world. It is irrelevant to this mandate of combatting human trafficking whether exploitation, which is the principle element of the crime of human trafficking, is perpetrated on land or at sea (or, as in many cases, a combination of both). Although a much stronger specialised international legal framework will likely be required, in the meantime, the conduct described in these reports falls within the scope of activities that countries obligated themselves to criminalise and combat as human trafficking.

Governments will need to adopt comprehensive strategies tailored to the unique characteristics of this form of human trafficking. They must foster new tactics to create and ensure, for example, effective transparency in fishing supply chains. In the future, through a combination of technology, instantaneous communications, information-sharing and awareness produced by social media and other means, consumers will be able to make more fully informed decisions about the products they consume. Consumers of products of the fishing industry will have the opportunity to reward companies that sell fish that were not caught through the exploitation of humans as described in this research. They will be able to reject products offered by companies engaged in these practices.

As the level of consumer engagement grows, the international community will almost certainly begin to note which governments licence or otherwise perpetuate or acquiesce to the practices of companies that have become known to engage in or facilitate human trafficking.

The type of vigorous international cooperation envisioned by the countries of the world in embracing the Palermo Protocol will be needed to forge effective transnational strategies and solutions against this form of human trafficking. It will require governments, the business community, and the breadth of civil society to work together to be successful.

The analyses and findings contained in NEXUS Institute reports are a call to action for governments to begin to immediately address the plight of trafficked fishers (and seafarers on vessels of all types). There will be no easy solutions. However, human trafficking in this sector can be eradicated. I hope that this research will serve to inform and advance serious deliberations globally on the actions that must be taken to end the practice of enslaving humans at sea once and for all.

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