

# The reports regarding the accusations towards Taiwan-Flagged fishing vessels released by the South African online news publisher, Daily Maverick.

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The South African online news publisher, Daily Maverick, published the “The Lawless Oceans — force labour on rust-bucket boats docking at Cape Town”, indicating that parts of Taiwan-flagged fishing vessels violated the Working in Fish Convention (Convention C-188). In the article, the vessels, HONG IU NO.313, CHIN CHANG LONG, HUNG CHUAN NO.212, Hsiang 101, JAIN LIH NO.212, and YONG QING FA NO.666 have been specifically outlined by the author. Consequently, this reports is aiming to respond and explain the circumstances of these vessels, in addition to refute the false accusations made by the publisher.

The detailed information regarding the mentioned vessels are as follows:

The circumstance regarding the Taiwan’s flagged fishing vessels mentioned in the Daily Maverick’s report.

| <b>Name</b>             | <b>CT number</b> | <b>Relevant accusation in accordance with the report</b>  |
|-------------------------|------------------|---|
| JAIN LIH 212            | CT6-1486         | In September 2022, a young fisher on the Taiwanese trawler Jan Lih 212 died while working.  |
| Chin Chang Long         | CT6-1013         | In February 2023 a Filipino, Jayron Villanueva, died in his sleep after a 20-hour shift on Chin Chang Long.   |
| Hang Chuan 212          | CT7-0529         | A crew member onboard “Hang Chuan 212: named Ernesto JoviJo reportedly went mad.  |
| Hsiang 101 (unverified) | CT7-0564         | A crew member on “Hsiang 101”, “lost his mind”. On that boat the captain refused crew access to the toilet, forcing them to use a hole in the deck. The ceiling of the cabins leaked when it rained, the drinking water was unclean |

|                        |              |  |
|------------------------|--------------|--|
|                        |              | and everything was rusted.   |
| YONG QING FA<br>NO.666 | CT6-<br>1221 | 4 member crew were stranded residing onboard the vessels which had been abandoned by the operator. The vessel was identified to be unseaworthy and detained by local authority.  |
| Hong lu 313            | CT6-<br>1340 | The vessel had been detained six months earlier in Durban by the inspector of the South African Maritime Safety Authority (Samsa) due to lack of documentation, poor accommodation, insufficient food, poor safety and health conditions and no crew list. After improving the relevant condition, the vessels has been released.<br><br>While the vessel at port in Cape Town for the second time, it still had the concerns regarding insufficient wages, food and drinkable water in accordance with Stella Maris' inspection report. |

Table : The circumstance regarding the Taiwan's flagged fishing vessels mentioned in the Daily Maverick's report.

### **Measures taken by Fishery Agency regarding the 6 distant water fishing vessels mentioned in the article.**

#### **Hong lu 313 :**

The crew members complained that their request of leaving and returning to their home country were rejected when the vessel was at port in Cape Town on August 1<sup>st</sup> 2022. An inspector of South African Maritime Safety Authority (SAMSA) in Durban then conducted the inspection regarding the vessel's equipment and documentation and interviewed each crew members of the vessel. Following the inspection, the vessel was eventually detained due to violation of provisions under the Convention C-188. Fisheries Agency had imposed a penalty with total amount of 550 thousand new Taiwanese Dollar on the vessel's operator due to lack of documentation, poor accommodation, insufficient food, poor safety and health conditions in accordance

with “Regulations on the Authorization and Management of Overseas Employment of Foreign Crew”, and “Act for Distant Water Fisheries” and “ Act for Distant Water Fisheries”.

Nevertheless, while the vessel was at port in Cape Town on March 31<sup>st</sup> 2023, the results of the inspection conducted by the SAMAS was “the accusations were unfounded and untrue” which such accusations indicated that the vessels were with problems including insufficient wages, foods and drinkable water were not in compliance with the claim made by the news publisher.

#### **Chin Chang Long:**

On January 22<sup>nd</sup> 2023, the Fisheries Agency received an information from the vessel’s operator indicating that a Filipino crew member had no breathing and heartbeat. After the crew member received an emergency treatment, no vital signs was detected and he was deemed to deceased.

The result of autopsy showed that the crew’s death was a natural mortality. The vessel’s operator had transferred remaining wages in an amount of 3,598 USD and an indemnity insurance with a sum of 48,185.03 USD to the account of the crew’s mother, in addition to achieved a reconciliation with the crew’s families. Subsequently, Fisheries Agency had also offered 100,000 TWD as death gratuity to the crew’s families.

#### **JAIN LIH 212:**

On 2<sup>nd</sup> September 2022, the Fisheries Agency had received an information form the vessel’s operator indicating that one Filipino had no vital sign while other crew members was trying to wake him up for meal. After providing emergency treatment, he still had no vital signs and was deemed to deceased. In accordance with the certificate issued by the Medical Unit of police department of Candos (Mauritius), such mortality was attributed to acute coronary insufficiency. The vessel’s operator and the crew’s families had achieved a reconciliation and paid the remaining wages with a sum of 2,535 USD, in addition to provide additional 1,000 USD as the funeral grant and 5,000 USD as the death gratuity. In addition, Fisheries Agency had also offered 100,000 TWD as death gratuity to the crew’s families.

### **Hang Chuan 212:**

Because the vessel is currently navigating at sea, the investigation regarding the accusation will be conducted once the vessel returns to port.

### **Hsiang 101 (Fisheries Agency currently assumes that the vessel should be “RUEY I SHYANG NO.101”):**

The vessel, “**Hsiang 101**”, indicating in the report could not be identified in the database. However, in accordance with the port’s record of Cape Town, the vessel is considered to be “**RUEY I SHYANG NO.101**”. However, there is no relevant information provided by the crew members onboard the vessel regarding the incident during the inspection conducted by Fisheries Agency in November 2018, and such issue was also not be mentioned during another inspection conducted by Société Générale de Surveillance (SGS. S.A) in September 2023. Furthermore, information provided by the new publisher was unclear. If Daily Maverick, could provide the detailed information regarding the vessel, it would be helpful for Fisheries Agency conducting further investigation regarding the accusation.

### **YONG QING FA NO.666:**

After being panelized and revoked its fishing license by Fisheries Agency, the vessel was detained at the port in Cape Town with 2 Taiwan’s nationals and 4 Myanmar’s nationals onboard. The 4 Myanmar’s nationals had been repatriated on 20<sup>th</sup> March 2020 with the assistance of Taiwan’s government, which the relevant fee had been paid by the government.

### **Conclusion and Suggestion**

In conclusion, Fishery Agency had imposed a penalty on the vessel operator of, Hong lu 313, due to violation of provisions of domestic law. The Agency had also assisted the families of the crew members onboard the vessels, ‘Chin Chang Long’ and ‘JAIN LIH 212’ in applying insurance indemnity and collecting remaining amount of wages. The Agency had also issued 100,000 TWD as death gratuities to those crews’ families at the first place. In addition, regarding the 4 detained Myanmar’s nationals onboard YONG QING FA NO.666 at the port in Cape Town, Fishery Agency had assisted the crew members in returning to their home country and paid for the relevant fee ion the basis of humanitarian principles.

Except the unidentified vessel, “Hsiang 101”, Fisheries Agency had taken our responsibility in penalizing vessel which violates the relevant regulations, and immediately settling the crew members’ mortality onboard fishing vessels, in addition to repatriating the crew members on the basis of humanitarian principles. Regarding the accusations of vessels violating the regulations, Fisheries Agency insists in the principle of justice and law while resolving relevant issue and makes all the efforts to take the responsibility as the flag state.

However, the reports published by Daily Maverick is inaccurate and should be revised to make clarification to the public. First, the vessel, Hong lu 313, did not have the relevant issues as indicated in the report while it was at port in Cape Town on March 31<sup>st</sup> 2023. Such information had also been verified by Stella Maris Cape Town with a confirmation of SAMSA. In addition, the edit of the report is with an issue of misleading the reader, which the contents about Hong lu 313 was illustrated with a Cameroun-flagged vessel invested in by Russian national, and may result in misidentifying the vessel. Moreover, a fishing vessel is considered to be private property. If the correspondent or journalist embarking and taking photos onboard Taiwan-flagged vessels without any permission, he/she may have violated the privacy of the operators.

In 2022, Taiwan had ratified the “Action Plan for Fisheries and Human Rights” and improved the human right in fisheries via recruiting labor inspectors, increasing labor inspection, and mandating the installation of CCTV, in addition to subsidizing the operators with installation of Wi-Fi onboard distant water fishing vessels. Fisheries Agency suggests that all news publishers shall be neutral while publishing such information, in case of causing any undesirable impact to the vessels’ operators and industry.