

The New York Times

# THE OUTLAW OCEAN

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In this series on lawlessness on the high seas, [Ian Urbina](#) reveals that crime and violence in international waters often goes unpunished.

PART 1

## **STOWAWAYS AND CRIMES ABOARD A SCOFFLAW SHIP**

By [Ian Urbina](#)

July 17, 2015

CHIOS, Greece — The rickety raft made of empty oil drums and a wooden tabletop rolled and pitched with the waves while tied to the side of the *Dona Liberta*, a 370-foot cargo ship anchored far from land in the Atlantic Ocean off West Africa.

“Go down!” yelled a knife-wielding crew member, forcing two Tanzanian stowaways overboard and onto the raft. As angry clouds gathered on the horizon, he cut the line.

Gambling on a better life, the stowaways had run out of luck. They had already spent nine days at sea, most of the time hiding in the *Dona Liberta*’s engine room, crouched deep in oily water. But as they climbed down onto the slick raft, the men, neither of whom knew how to swim, nearly slid into the ocean before lashing themselves together to the raft with a rope.

As the *Dona Liberta* slowly disappeared, David George Mndolwa, one of the abandoned pair, recalled thinking: “This is the end.”

Few places on the planet are as lawless as the high seas, where egregious crimes are routinely committed with impunity. Though the global economy is ever more dependent on a fleet of more than four million fishing and small cargo vessels and 100,000 large merchant ships that haul about 90 percent of the world’s goods, today’s maritime laws have hardly more teeth than they did centuries ago when history’s great empires first explored the oceans’ farthest reaches.

Murders regularly occur offshore — thousands of seafarers, fishermen or sea migrants die under suspicious circumstances annually, maritime officials say — but culprits are rarely held accountable. No one is required to report violent crimes committed in international waters.

Through debt or coercion, tens of thousands of workers, many of them children, are enslaved on boats every year, with only occasional interventions. On average, a large ship sinks every four days and between 2,000 and 6,000 seamen die annually, typically because of avoidable accidents linked to lax safety practices.

Ships intentionally dump more engine oil and sludge into the oceans in the span of three years than that spilled in the Deepwater Horizon and Exxon Valdez accidents combined, ocean researchers say, and emit huge amounts of certain air pollutants, far more than all the world's cars. Commercial fishing, much of it illegal, has so efficiently plundered marine stocks that the world's population of predatory fish has declined by two thirds.

The *Dona Liberta* has been among the most persistent of scofflaws, offering a case study of misconduct at sea, according to an examination of shipping, insurance and port records, and dozens of interviews with law enforcement, maritime experts and former company associates. The vessel not only cast off stowaways — Jocktan Francis Kobelo, the second man ordered onto the raft, died from the 2011 ordeal — but has also been accused of a long list of other offenses over the past decade.

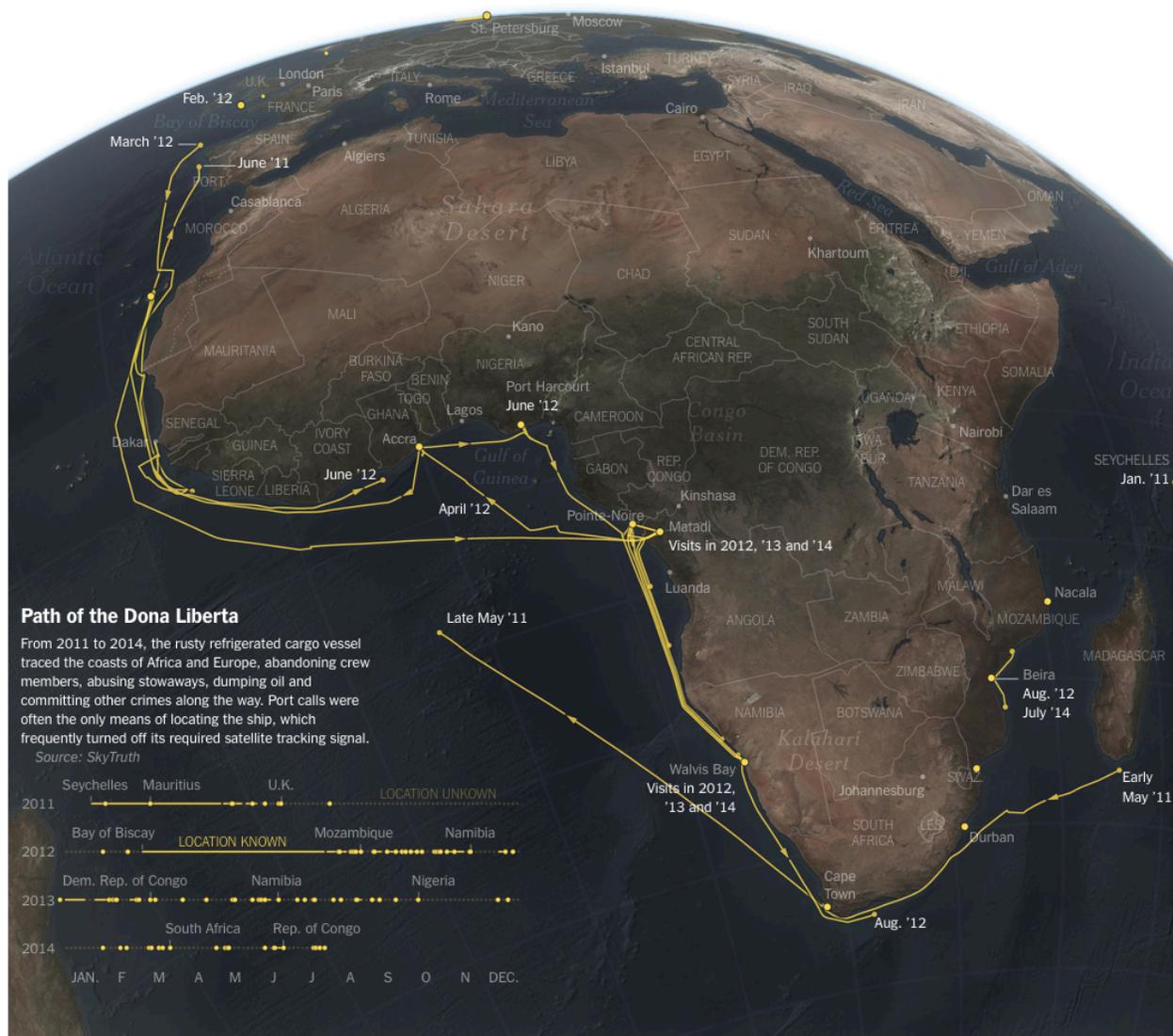
As the rusty refrigerator ship moved across two oceans and five seas and among 20 ports, it routinely abused, cheated and abandoned its crew, caused an oil slick nearly 100 miles long, and drew citations from a half-dozen countries for other environmental violations. Creditors chased its owner for millions of dollars in unpaid debts, and maritime watchdog groups listed its parent company as an illegal fishing suspect. Still, the ship operated freely and never lacked for work or laborers.

“In the maritime world, it's far easier for countries to look the other way with problem ships like the *Dona Liberta* than to do something about them,” said Mark Young, a retired United States Coast Guard commander and former chief of enforcement for the Pacific Ocean.

Vessels that disappear over the horizon tend to vanish not just from sight but from oversight, a New York Times investigation found. Countries have signed dozens of maritime pacts, the shipping industry has published reams of guidelines and the United Nations maritime agency has written hundreds of rules, all aimed at regulating ships, crews and safety. But those laws are also often weak, contradictory and easily skirted by criminals. National and international agencies usually have neither the inclination nor resources to enforce them.

The modern flagging system, which allows ships to buy the right to fly the flag of a country as long as it promises to follow its laws, provides good cover for the unscrupulous.

Usually, a ship may be stopped on the high seas only by a law enforcement or military vessel flying the same flag. The world's navies, though, have been scaling down for decades. Most nations, including the Bahamas, whose flag the *Dona Liberta* flew, have no ships that regularly patrol beyond their national waters. (Some landlocked countries like Mongolia and Bolivia offer flags for cheaper costs.)



When wrongdoing occurs, no single agency within a country or specific international organization typically has a sufficient stake in the matter to pursue it. The stowaways on the *Dona Liberta*, for example, were undocumented immigrants from Tanzania, living in South Africa and brought to shore in Liberia. The ship was owned by a Greek company incorporated in Liberia, crewed primarily by Filipinos, captained by an Italian, flagged to the Bahamas and passing through international waters. “Who leads such an investigation?” Mr. Young asked.

There is much at stake: A melting Arctic has [expanded trade routes](#). Evolving technology has opened the deep seabed to [new mining and drilling](#). Maritime rivalry and piracy have led to more violent clashes. And, with an ever more borderless economy, sea commerce is vital to many countries. “Without ships, half of the world would freeze and the other half would starve,” Rose George, a British nautical writer, said.

In recent months, the United States has said that it intends to take a bigger role in high seas governance. “We ignore the oceans at our peril,” [said Secretary of State John Kerry](#), who has pushed for more marine conservation globally and in May brokered a [landmark deal](#) with Russia to regulate trawling in Arctic waters.

Mr. Young pressed for urgent action. Asked to describe the world’s oceans today, he said: “Like the Wild West. Weak rules, few sheriffs, lots of outlaws.”

### **‘The Ground Swallows You’**

As the storm set in, 20-foot swells seasawed the 7-by-8-foot raft. To avoid flipping over, the two Tanzanian stowaways splayed flat on their backs. Their hands chafed from grasping a piece of rebar poking up from one of the rusty blue drums.

Weather is more punishing on the open water because it comes from above and below. Mr. Mndolwa compared it to experiencing an earthquake and a hurricane at the same time. For eight pitch-black hours, the men stared upward in a driving rain, keeping their mouths closed because waves kept washing over them and squinting because shutting their eyes intensified the seasickness.

Mr. Kobelo had stowed away on ships three times before in search of work wherever he landed, according to his brother, Michael. He went to Angola, Senegal and then Singapore, where he spent a year as a night watchman and firefighter in a small dry dock. Though he could have faced prosecution, most countries do not bother to charge stowaways. Immigration authorities eventually sent him back to Tanzania.

To Mr. Mndolwa, who is barely literate and had never before left Africa, Mr. Kobelo’s descriptions of his time in Singapore — free hospital visits, restaurant meals, beaches where the police never shooed him away — sounded far better than his life in Cape Town. By day, the two men roamed the sidewalks near South Africa’s Table Bay, selling knockoff watches and soccer jerseys. By night, they slept in a makeshift lean-to under a bridge.

For those seeking escape, few routes are as perilous as the sea. Roughly 2,000 stowaways are caught each year hiding on ships. Hundreds of thousands more are sea migrants, whose journey involves some level of complicity from the ship’s crew. In interviews, these travelers compared the experience of stowing away at sea to hiding in the trunk of a car for an undetermined length of time, going to an unknown place across the most brutal of terrains. Temperatures are extreme. It is impossible to bring enough food or water. And if you try to flee en route, one former stowaway in Durban, South Africa, said, “the ground swallows you whole.”

To get on board, some stowaways pose as stevedores or deck cleaners. Others swim under the stern and squeeze through a space where the rudder meets the ship. Many scale the side, helped by “stowaway poles”: long bamboo sticks with toeholds and a hook. “Love boats,” which are common in ports and deliver prostitutes, drugs and

alcohol to large ships, sometimes also bring uninvited passengers. After sneaking on board, they hide in hulls or shipping containers, crane cabs or tool trunks.

But concealed corners that might look inviting often turn deadly once ships set sail. Refrigerated fishing holds become cold, exhaust pipes heat up, shipping containers are sealed and fumigated. Maritime newsletters and shipping insurance reports offer a macabre accounting of the victims: “Crushed in the chain locker,” “asphyxiated by bunker fumes,” “found under a retracted anchor.” Most often, though, death comes slower. Vomiting from seasickness leads to dehydration. People pass out from exhaustion. They starve.

In May 2011, Mr. Mndolwa and Mr. Kobelo got their chance at a new life. They overheard a deckhand in port mention that the red-bottomed ship waiting dockside with no night watchman was leaving soon for England. Carrying their passports, a loaf of bread and a plastic bag filled with orange juice, the men shimmied across the ship’s mooring rope that night, crept down to the engine room, and stayed there, whisperingly still, for the next five days.



Source: SkyTruth

But their hiding spot soon proved unbearable. The turbines left their ears ringing. The fumes made them lightheaded. The heat “stole our breath,” Mr. Mndolwa recounted. Within two days their food ran out. Creeping through the mazelike lower levels of the ship up to the deck, they found crackers and bottled water in an enclosed lifeboat. They

were discovered there four days later. Locked in a room below deck, they waited while the captain and crew determined their fate.

## **Smoke and Fire**

Though small, Greece is a superpower in the maritime world, with many shipping lines and a disproportionate number of the wealthiest shipowners. Nearly half of the best known shipping families hail from Chios, a tiny Greek island five miles off the coast of Turkey that was long prized by successive empires and nations.

Proud of its nautical pedigree, Chios claims as native sons (not without dispute) two great men of the sea — Homer and Christopher Columbus. It is also home to George Kallimassias, whose family has been in shipping for three generations. By most accounts, he runs Commercial S.A., which operated the *Dona Liberta* and a fleet of about two dozen similar ships.

Even in a struggling economy, Greece's shipping magnates benefit from favorable government treatment, including an exemption for shipping firms from certain taxes. Shipowners control most of the country's major oil companies, soccer teams and television stations, and played a major role in bailing out its banks in recent years.

The nation's major shipping families also have a reputation for noblesse oblige — many of the island's soccer fields, schools and hospitals bear plaques with their names. Mr. Kallimassias, though, is decidedly invisible.

"He is nothing like the others," said a dockworker at the Chios marina. He pointed to Mr. Kallimassias's 107-foot yacht, *Something Wild*, which the worker said is always guarded and rarely used. Mr. Kallimassias's seaside house in Chios sits behind a 15-foot wall. When he drives around, he is typically accompanied by bodyguards, according to a former employee and associates in Athens.

"The guy is smoke," said Lefteris Kormalos, a ship engine parts dealer. Last year, Mr. Kormalos won a court decision for \$30,000 in unpaid debts from Mr. Kallimassias, who is named in at least 15 similar lawsuits in Greek or American courts. Legal documents variously describe him as owner, consultant or managing director of Commercial S.A., another business called Fairport Shipping and the *Dona Liberta*.

Built in Japan in 1991, the *Dona Liberta* was operated or owned by several British and Japanese companies before Commercial S.A. acquired it in 2004. It had variously been named the *Emerald Reefer*, the *Sanwa Hope* and the *Sun An*. Over the years it has flown the flags of Panama, the Bahamas and Kiribati, a tiny island nation in the Central Pacific.

A slow, powerful workhorse, the steel-hulled vessel has more than 20,000 cubic feet of refrigeration space, enough to carry the equivalent of more than 25 million cans of tuna, the *Dona Liberta*'s main cargo.



George Kallimasiyas's yacht, Something Wild, in the port of Chios, Greece. Credit...Eirini Vourloumis for The New York Times



Mr. Kallimasiyas's home in Chios is surrounded by a high wall. A former employee said he is usually accompanied by bodyguards. Credit...Eirini Vourloumis for The New York Times

Known more commonly as “reefers,” this type of refrigeration ship is a dying breed that has been squeezed out of the business of transporting fruits and vegetables by container ships that are more than three times their size and have superior temperature-control technology. To survive, many reefers have shifted in recent years to moving fish, much of it illegal, and other contraband like counterfeit cigarettes and drugs, according to maritime insurance officials.

Mr. Kallimasias did not respond to interview requests. A clerk at the office of Commercial S.A. and Fairport Shipping in Athens shouted at a reporter through a front-gate intercom that it was inappropriate to have visited there, a point reiterated later in an email from Fairport’s lawyer, Alexandros Papalamprou.

In the 1980s, when one of Mr. Kallimasias’s companies failed to repay a loan of more than \$11 million to the National Bank of Greece, members of the Greek Parliament investigated. They found one ship of his worth seizing, but it caught fire at sea and sank, in what was believed to be a deliberate act to collect insurance on it, according to legal documents provided to The Times by a Parliament member.

Dinos Anargyrou, a former Kallimasias supplier and litigant, recounted how the courts were unable to seize Mr. Kallimasias’ assets in 2013 for another unpaid debt. At the last minute, his company moved its corporate address from a two-story luxury building in an upscale section of Athens to a 100-square-foot vacant apartment in an aging downtown high-rise.

## **Scrounging for Food**

In whispered phone calls or surreptitious notes, crew members from the *Dona Liberta* regularly contacted the international seafarers’ union, pleading for help. They described safety violations, harsh conditions, wage theft and abandonment, union records show.

By 2012, the mistreatment led the union to warn mariners against working for the *Dona Liberta* and other ships owned by Commercial S.A., according to union officials based in London.

“Lack of winter jackets, hard hats and safety shoes,” one union inspector wrote, describing crew members working outside in Norway in November. In Spain and South Africa, the crew complained that the captain routinely doctored the log books to show wages that were never paid and ship repairs that never occurred.

“When your contract is over, they send you home, saying they’ve transferred the money,” Yuriy Cheng, a Ukrainian, wrote in an undated post in Russian on a mariners’ online forum about the *Dona Liberta*’s owner. “You get home, and there is nothing there.”

Mr. Cheng described a standoff on his ship between management and the mostly Filipino crew members, who stopped work after a year of not being paid despite threats

that they would be jailed if they failed to deliver the cargo. “These guys are 40 or 50 years old,” he wrote, “and they were crying like babies out of frustration.”



In June 2011, George Cristof, a veteran sailor, knew something was wrong from the moment he stepped on board the *Dona Liberta* in the Port of Truro, England. Hired by a maritime employment agency in Galati, Romania, he had been instructed in a brief call with Mr. Kallimasias’s shipping company to fly immediately to England because a full crew was waiting, ready to launch.

But when he arrived, Mr. Cristof found the situation far different, he recalled in an interview. The provisions were gone, the cargo hold empty, the crew departed. The *Dona Liberta* had barely enough fuel to power the wheel room’s overhead lamp, much less run the ship’s 5,600-horsepower engine.

Mr. Cristof was soon joined by another Romanian, Florin Raducan, and for the next several months the two men survived by fishing over the side and begging for canned goods and bottled water from passing ships. Some days they did not eat. They lacked the money and documents needed to disembark and return home. Their phone cards were drained, their cigarettes were all but gone. The men had no heat, running water, functioning toilets or electricity. They collected rainwater to clean themselves.

“It wasn’t enough,” Mr. Cristof recounted. He soon developed a severe fungal infection on his chest, his medical records show.

Each day the men waited for orders that never came. “Jail with a salary,” Mr. Cristof said, reciting a common expression about work at sea. “Except the salary isn’t guaranteed.”

More than 2,300 seafarers have been similarly stranded by their employers over the last decade, United Nations data shows. A ship's cargo is often better protected than its crew. The industry only recently imposed rules, taking effect in 2017, mandating that shipowners carry insurance or show other proof that they can cover the costs of sailors marooned in port, as well as seafarers' death and long-term disability entitlements.

In England, an [aid organization came to the rescue](#) of the two Romanians. "They did not want to stay but they refused to leave," Ben Bailey, project manager of the group, [Mission to Seafarers](#), said of the men's predicament. Each sailor had paid more than \$1,000 to the employment agency to get the job on the *Dona Liberta*, he said. Abandoning the ship forfeited any chance of recouping that money or collecting the wages promised to them.



George Cristof was stranded on the *Dona Liberta* at the Port of Truro, England, in 2011. Along with another man he survived for months by fishing over the side and begging for canned goods and bottled water from passing ships. Credit...Cristian Movila for The New York Times

After five months, though, Mr. Cristof and Mr. Raducan gave up. They flew back to Romania. For Mr. Cristof, the breaking point had come when he learned his children could no longer afford school. For Mr. Raducan: finding out that his wife had resorted to begging in public.

## Maritime Merry-Go-Round

Few crimes are tougher to investigate than those that occur at sea. There are no cameras on the corner, no phones to tap, usually no weapons to retrieve. Crew members are often changed mid-voyage, so witnesses are scarce. “The crime scene is moving,” explained Mr. Young, the former Coast Guard official who is now senior officer of conservation enforcement at the Pew Charitable Trusts.

Complicating matters is what industry officials call the “maritime merry-go-round.” Asked about investigating the *Dona Liberta*’s possible crimes on the high seas, a United States Coast Guard official said it was not its jurisdiction. “Try Interpol,” he suggested. The authorities there said that its role was mostly to pass information between countries.

Officials at the [International Maritime Organization](#), a United Nations agency, said that the country whose flag the vessel flies is supposed to investigate any allegations. An official at the Bahamas flag registry program said that any inquiry by his office would be referred to the I.M.O.

Early one morning in April 2012, the three-person staff at [SkyTruth](#), an environmental watchdog group based in West Virginia, huddled over satellite footage sent from the European Space Agency. Their attention was quickly drawn to a half-dozen black slashes — what looked to them like intentional dumping from ships — in waters off the coast of Africa.

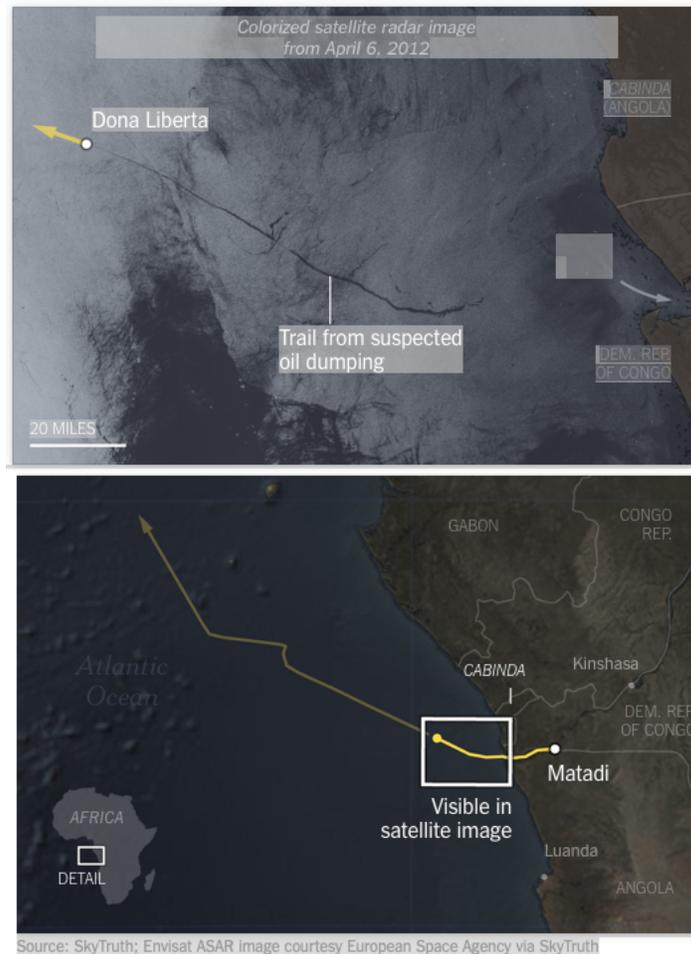
The longest gash in the ocean imagery stretched about 92 miles from Cabinda, Angola. On the leading edge of the slick, the *Dona Liberta* was headed northwest.

Ships have several options for handling the large amount of oily wastewater and fuel sludge that their engines produce during voyages. They can incinerate it on board, pay to unload it at a waste depot or — cheapest of all — use a “magic pipe,” a jury-rigged hose that illegally pumps the waste directly overboard or underwater.

That episode of dumping was not an isolated event. In February 2012, British environmental authorities had to clean up [a slick caused by the \*Dona Liberta\*](#) in the River Fal. Eight months before that, the ship was cited by Russian inspectors for having doctored its oil logbooks, a telltale sign of illegal dumping at sea. The *Dona Liberta* was cited for the same offense by Spanish inspectors in July 2009, Dutch inspectors in 2005, and British inspectors in 2004.

Most of these citations did not result in fines, most likely because few countries beyond the United States and Britain consistently prosecute such violations.

This time, no investigation was even opened. When other environmental groups alerted United Nations maritime officials, Interpol and the United States Coast Guard about the oil slick, officials said they had no jurisdiction. “Of the few people watching, even fewer do anything to stop it,” said John Hocevar, the oceans director at Greenpeace.



## Desperation

Stowaways have long been forced to walk the plank, subjected to the rough justice of the oceans. Though often victimized, they are also trespassers, usually desperate, occasionally dangerous, but by no means a new problem in the maritime world.

More humane captains put stowaways to work before dropping them off at the next port. But in recent years, European immigration laws have tightened, terrorism fears have grown and port authorities around the world have responded by raising the penalties for ships arriving with people not listed on the manifest.

The rules on land, though, often conflict with the realities at sea. Captains are prohibited from jettisoning stowaways, but they are blocked or fined if they bring them to shore. Nations have generally shifted the responsibility of handling stowaways onto the shipping industry, putting pressure on shipowners, captains and crew, said Paloma Maquet, an expert on stowaways based at Université de Poitiers in France. Captains sometimes tell their deckhands: “Make the problem go away.”

In 2014, two Guinean stowaways, one of whom soon drowned, were pushed or leapt overboard off the French coast after several African countries would not let them disembark, according to media accounts and human rights advocates. Police investigators said the fees were a factor in the episode. Two years earlier, a crew threw four African stowaways into the Mediterranean (all survived) after the captain was told the costs of repatriation. These expenses can run to \$50,000 per stowaway, or double that if cargo delays are involved.

On their raft in the Atlantic Ocean, Mr. Mndolwa and Mr. Kobelo woke up the morning after the storm to an azure sky. They sat up, untied themselves, and began passing the time talking about soccer and their families. Malnourishment, dehydration and the frigid ocean spray had sapped them. By sunset, panic set in as the temperature began falling.

“Words dried up,” Mr. Mndolwa explained. He began saying the Lord’s Prayer, first in his head, then aloud. Mr. Kobelo joined in until he began coughing, and vomiting blood.

Hope soon appeared as a speck on the horizon. A 10-foot wooden boat with a loud outboard motor was approaching. “Why are you there?” a fisherman yelled in broken English as he tossed a rope to the raft. “I don’t know,” Mr. Mndolwa replied.

A half-day later, the stowaways arrived at a fishing pier several miles outside the port city of Buchanan, Liberia, where they were soon detained for being undocumented. “Why do you put us in jail and let the crew go?” Mr. Mndolwa recalled asking a Liberian immigration official. “The authorities deal with crimes on land, not on the water,” he said the official responded.

Six days after reaching land, Mr. Kobelo, whose coughing had grown worse, died. He was 26. Sitting in a one-room house in Dar es Salaam, Tanzania, his brother, Michael, 37, said he blamed the *Dona Liberta* for the death.

His brother broke the law by stowing away, he conceded. “But even here in Tanzania we are told if you catch a thief, you don’t beat him,” he said. “You don’t throw him into the sea.”

The *Dona Liberta* arrived in the Port of Truro, near the southwestern tip of England, in June 2011, about a month after the stowaways were set adrift. The British police, apparently alerted by Liberian officials, boarded the ship and interviewed the captain. They later closed the investigation for lack of evidence, according to port officials. (They cited privacy reasons in declining to release the names of the *Dona Liberta*’s captain or crew, as had Liberian port and immigration officials, who also refused to be interviewed.)

Capt. Mark Killingback, the harbor master for the Port of Truro, said that it was clear from its weatherworn appearance that the *Dona Liberta* had fallen on hard times. He added that his office had received several requests from foreign creditors to detain the ship.



David George Mndolwa, sitting outside the lean-to that is his home in Cape Town, South Africa. This encampment, which includes other stowaways, can be a dangerous spot. Credit...Ed Ou for The New York Times

After his arrest, Mr. Mndolwa remained in his cell for five months before being flown to Tanzania, and eventually returned to Cape Town. Now 27, he lives near the same bridge as he did before boarding the *Dona Liberta*. The encampment, which includes other stowaways, is a dangerous spot. (A Times videographer was robbed there at knifepoint and beaten.)

On a portside slope strewn with trash and excrement, Mr. Mndolwa's thatch and stick lean-to contains a soiled blanket and dozens of losing lottery tickets, dangling like a mobile. One recent day he tried to sell a couple packs of gum and some hair braids to drivers waiting at a nearby stoplight, later bartering his faux-leather belt for shoelaces from another homeless man.

He will try to stow away again, he said. "I just believe the ship is going to change my life."

## **A New Name**

For much of last year, the *Dona Liberta* disappeared after turning off its location transponder. Though illegal under most conditions for large ships, disconnecting the device is easy and especially common on vessels carrying contraband.

Then in November, the rusty reefer reappeared in the Gulf of Thailand. When approached by a reporter eight miles off the coast, the Chinese captain explained that

his ship had a new owner — a Chinese company — and a new flag — Kiribati. The ship’s new name, Sea Pearl, was painted on its forward hull, alongside a shadow of its old one. (The ship has since changed its flag, again, to Vanuatu.)

Asked about the ship’s past misdeeds, the captain demurred. “Different company, different company,” he said.

Dimitris Bounias and Nikolas Leontopoulos contributed reporting from Athens, and Shannon Service from Bangkok. Kitty Bennett contributed research from St. Petersburg, Fla.

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<https://www.nytimes.com/2015/07/19/world/stowaway-crime-scofflaw-ship.html>

PART 2

## **MURDER AT SEA: CAPTURED ON VIDEO, BUT KILLERS GO FREE**

By Ian Urbina

July 20, 2015

SHARJAH KHALID PORT, United Arab Emirates — The man bobbing in the sea raises his arms in a seeming sign of surrender before he is shot in the head. He floats face down as his blood stains the blue water.

A slow-motion slaughter unfolds over the next 6 minutes and 58 seconds. Three other men floating in the ocean, some clinging to what looks like the wreckage of an overturned wooden boat, are surrounded by several large white tuna longliners. The sky above is clear and blue; the sea below, dark and choppy. As the ships’ engines idle loudly, at least 40 rounds are fired as the unarmed men are methodically picked off.

“Shoot, shoot, shoot!” commands a voice over one of the ship’s loudspeakers as the final man is killed. Soon after, a group of men on deck who appear to be crew members laugh among themselves, then pose for selfies.

Despite dozens of witnesses on at least four ships, those killings remain a mystery. No one even reported the incident — there is no requirement to do so under maritime law nor any clear method for mariners, who move from port to port, to volunteer what they know. Law enforcement officials learned of the deaths only after a video of the killings was found on a cellphone left in a taxi in Fiji last year, then posted on the Internet.

With no bodies, no identified victims and no exact location of where the shootings occurred, it is unclear which, if any, government will take responsibility for leading an investigation. Taiwanese fishing authorities, who based on the video connected a fishing boat from Taiwan to the scene but learned little from the captain, say they believe the dead men were part of a failed pirate attack. But maritime security experts, warning that piracy has become a convenient cover for sometimes fatal score-settling, said it is just as likely that the men were local fishermen in disputed waters, mutinied crew, castoff stowaways or thieves caught stealing fish or bait.

“Summary execution, vigilantism, overzealous defense, call it what you will,” said Klaus Luhta, a lawyer with the [International Organization of Masters, Mates & Pilots](#), a seafarers’ union. “This boils down just the same to a case of murder at sea and a question of why it’s allowed to happen.”

The oceans, plied by more ships than ever before, are also more armed and dangerous than any time since World War II, naval historians say. Thousands of seamen every year are victims of violence, with hundreds killed, according to maritime security officials, insurers and naval researchers. Last year in three regions alone — the western Indian Ocean, Southeast Asia and the [Gulf of Guinea](#) off West Africa — more than 5,200 seafarers were attacked by pirates and robbers and more than 500 were taken hostage, a database built by The New York Times shows.

Many merchant vessels hired private security starting in 2008 as pirates began operating across larger expanses of the ocean, outstripping governments’ policing capacities. Guns and guards at sea are now so ubiquitous that a niche industry of floating armories has emerged. The vessels — part storage depot, part bunkhouse — are positioned in high-risk areas of international waters and house hundreds of assault rifles, small arms and ammunition. Guards on board wait, sometimes for months in decrepit conditions, for their next deployment.

Though pirate attacks on large container ships, like that depicted in the film “Captain Phillips,” have dropped sharply over the past several years, other forms of violence remain pervasive.

Armed gangs run protection rackets requiring ship captains to pay for safe passage in the Bay of Bengal near Bangladesh. Nigerian marine police officers routinely work in concert with fuel thieves, according to maritime insurance investigators. Off the coast of Somalia, United Nations officials say, some pirates who used to target bigger ships have transitioned into “security” work on board foreign and local fishing vessels, fending off armed attacks, but also firing on rivals to scare them away.

Provocations are common. Countries are racing one another to map and lay claim to untapped oil, gas or other mineral resources deep in the ocean, sparking clashes and boat burnings. From the Mediterranean to offshore Australia to the Black Sea, human traffickers carrying refugees and migrants sometimes ram competitors’ boats or deliberately sink their own ships to get rid of their illicit passengers or force a rescue.

Violence among fishing boats is widespread and getting worse. Heavily subsidized Chinese and Taiwanese vessels are aggressively expanding their reach, said Graham Southwick, the president of the Fiji Tuna Boat Owners Association. Radar advancements and the increased use of so-called fish-aggregating devices — floating objects that attract schools of fish — have heightened tensions as fishermen are more prone to crowd the same spots. “Catches shrink, tempers fray, fighting starts,” Mr. Southwick said. “Murder on these boats is relatively common.”



An employee inspected a rifle aboard the Resolution, a floating armory that anchored in the Gulf of Oman. Credit...Ben C. Solomon/The New York Times

The violent crime rate related to fishing boats is easily 20 times that of crimes involving tankers, cargo ships or passenger ships, said Charles N. Dragonette, who tracked seafaring attacks globally for the United States Office of Naval Intelligence until 2012. “So long as the victims were Indonesian, Malay, Vietnamese, Filipino, just not European or American, the story never resonated,” he said.

Prosecutions for crimes at sea are rare — one former United States Coast Guard official put it at “less than 1 percent” — because many ships lack insurance and captains are averse to the delays and prying that can come with a police investigation. The few military and law enforcement ships that patrol international waters are usually forbidden from boarding ships flying another country’s flag unless given permission. Witnesses willing to speak up are scarce; so is physical evidence.

Violence at sea and on land are handled differently, Mr. Dragonette said. “Ashore, no matter how brutal the repression or how corrupt the local government, someone will know who the victims are, where they were, that they did not return,” he said. “At sea, anonymity is the rule.”

## **Pirates and Robbers**

The creaky wooden fishing boat strained to cut through eight-foot swells on a clear black night, as its captain, who goes only by the name Rio, spread out a regional map.

Headed north, about 50 miles from the Natuna Islands in the South China Sea, he tapped his finger on his location, widened his eyes and contorted his face to register fear. Then, he silently reached over and opened a wheelhouse compartment revealing a Glock handgun.

He had a good reason to be armed. The waters in this region, especially those near Indonesia, Malaysia and Vietnam, are among the most perilous in the world. More than 3,100 mariners were assaulted or kidnapped in the area last year, according to the Times database, consisting of more than 6,000 crime reports.

The database includes information provided by the Office of Naval Intelligence; two maritime security firms, OceanusLive and Risk Intelligence; and a research group called Oceans Beyond Piracy. No international agency comprehensively tracks maritime violence.

The death tolls in these attacks are murky because follow-up investigations are rare, police reports often lack details and bodies tend to disappear at sea. But maritime researchers estimated that hundreds of seafarers are killed annually in attacks. (They caution those numbers are likely to be undercounts because they do not include deaths close to shore or in some particularly dangerous areas where deaths are rarely reported to international authorities.)

Typical culprits included: rubber-skiff pirates armed with rocket-propelled grenades, night-stalking fuel thieves, hit-and-run bandits wielding machetes. But a variety of other actors appear too, and many of them are not as they initially seem: hijackers masquerading as marine police officers, human traffickers posing as fishermen, security guards moonlighting as arms dealers.

For instance, there were 10 Sri Lankan migrants, a group that included women and children, who were smuggled aboard a fishing boat in 2012 near the island nation. When their demands to set a new course for Australia were refused, the migrants attacked the crew, killing at least two men by throwing them overboard. Or the three captive Burmese workers who in 2009 escaped their Thai trawler in the South China Sea by leaping overboard, swimming to a nearby yacht, killing its owner and stealing his lifeboat.

The waters near Bangladesh illustrate why maritime violence is frequently overlooked by the international community. In the past five years, nearly 100 sailors and fishermen have been killed annually in Bangladeshi waters — and as least as many taken hostage — in a string of attacks by armed gangs, according to local media and police reports.



Weapons, tactical gear and body armor were stored in a container on the Resolution. Credit... Ben C. Solomon/The New York Times

Armed assaults have been a problem there for two decades, according to insurance and maritime security analysts. In 2013, the Bangladeshi media reported the abduction of more than 700 fishermen, 150 in September alone. Forty were reported killed in a single episode, many of them with their feet and hands bound before being thrown overboard.

These attacks were usually conducted by the half-dozen armed gangs that operate protection rackets in the Bay of Bengal and the swampy inland waters called the Sundarbans. Last year, they engaged in gun battles with the Bangladesh Air Force and Coast Guard during government raids on coastal camps and hostage ships.

Bangladesh's former foreign minister, Dr. Dipu Moni, reprimanded the international shipping industry and the foreign and local news media several years ago for defaming the country by describing its waters as a "high risk" zone for piracy.

“There has not been a single incident of piracy” in years, Dr. Moni said in a December 2011 written statement, adding that most of the violence off the nation’s coast involved petty theft and robberies, most often committed by “dacoits” (a term derived from the Hindi word for bandits).

Those claims pivot on a legal distinction between piracy, which under international law occurs on the high seas or in waters farther than 12 miles from shore, and robbery, which involves attacks closer to land.

Insurance companies once charged \$500 for each trip to and from the ports located in the west of India, but increased the rate to \$150,000, given the area’s piracy-prone designation, a Bangladeshi foreign ministry official said during a news conference in December 2011. After Bangladeshi officials protested to the International Maritime Bureau, which tracks piracy at sea, that their country was stigmatized as a high-piracy zone, the group amended its website to say its warning covered piracy and armed robbery.

In an interview, Mukundan Pottengal, the director of the bureau, which is primarily funded by shipping companies and insurers, said his organization does not try to determine the exact location of attacks or whether they are in national or international waters, partly because these details are often contested by countries.

“Whether they are called pirates or robbers is a legal distinction,” he said. “It does not change the nature of their act or the danger to the ship or crew when armed strangers get on board their ship.”

On his fishing boat, Rio said that violence is just a part of life at sea. “You must be ready, always ready,” he said. For instance, he explained that larger, unlicensed fishing vessels in the area often plow through local fishermen’s nets, not just eliminating their catch, but destroying their livelihoods.

Making a hand gesture as though he was firing his gun in the air, Rio revved his engine, lurching the boat forward, showing how he charged at others in these situations.

A wiry chain-smoker, Rio recounted the last time he used his gun. A year earlier, he said, he fired at a bigger ship that approached his boat late at night without permission. Rio said he then sped away, uncertain whether he had hit anyone on board.

Asked whether he reported the shooting to the police, Rio crinkled his face as if he did not understand. After several silent minutes, he asked: “Why would anyone report that?”

## **Floating Armories**

About 25 miles offshore from the United Arab Emirates in the Gulf of Oman, a half-dozen private security guards sat on the upper deck of the [Resolution](#), a St. Kitts and Nevis-flagged floating armory. After the men traded war stories about past encounters

with pirates, the conversation soon turned to a shared concern: the growing influx of untrained hires into the booming [\\$13 billion-a-year security business](#).

“It’s like handing a bachelor a newborn,” one guard said, describing how some of the new recruits react when given a semiautomatic weapon. Many of the new hires lack combat experience, speak virtually no English (despite a fluency requirement), and do not know how to clean or fix their weapons, said the guards, most of whom spoke only on the condition of anonymity for fear they would be blacklisted from jobs. Some of the recruits show up to work carrying ammunition in Ziploc bags or shoe boxes.



Security contractors, who face intense boredom in the long breaks between deployments, lifted weights and exercised on the deck of the Resolution. Credit...Ben C. Solomon/The New York Times

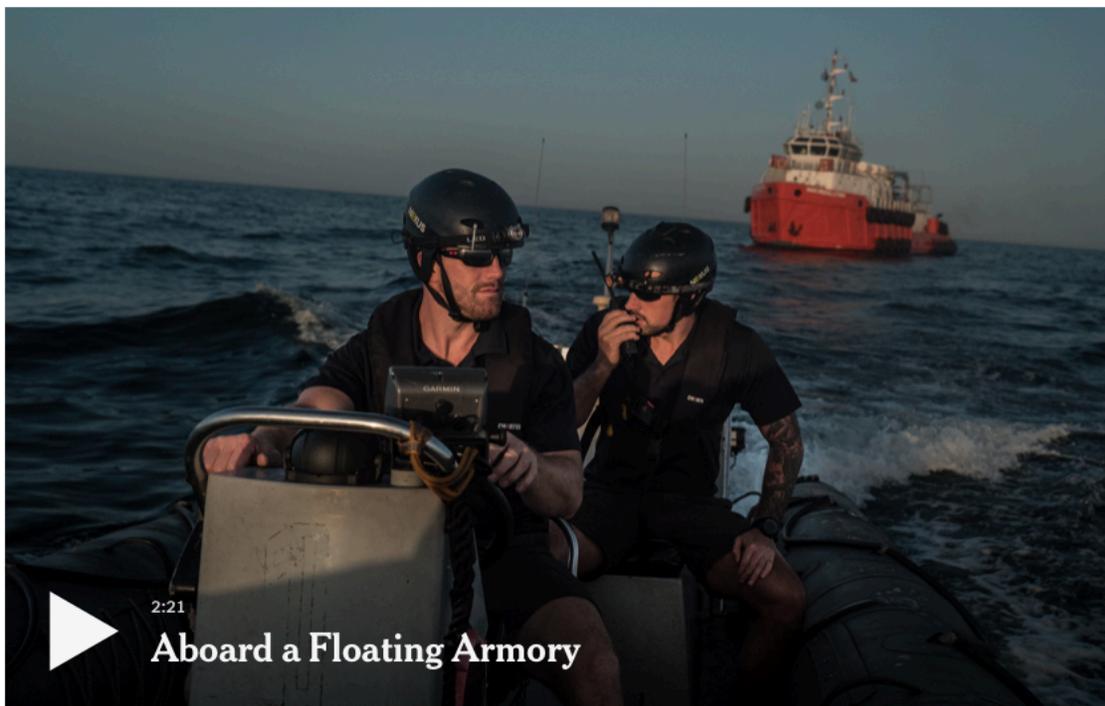
The maritime security industry includes fewer fly-by-night companies today than it did several years ago, according to the guards. But the potential for mishandling attacks — with possibly deadly consequences — has increased over the past year or so, they argued, because the shipping industry has been cutting costs, shifting from four-man security teams to teams of two or three less experienced men.

The 141-foot Resolution is among several dozen converted cargo ships, tugboats and demining barges that have been parked in high-risk areas of the Red Sea, Persian Gulf and the Indian Ocean, usually just outside national waters. The guards pay as little as \$25 per night to stay on the ship (the charge for carrying the men to and from client

ships is often several thousand dollars), and check their weapons into a locked storage container upon arrival. Then they wait, sometimes for weeks, for their next job.

Somali piracy spurred many governments to encourage merchant vessels to arm themselves or hire private security, a break from the longstanding practice of nations trying to maintain a near monopoly on the use of force. Meanwhile, growing terrorism concerns led port officials globally to impose tighter restrictions on weapons being carried into national waters. Floating armories emerged as a solution.

On the Resolution, security “team leaders,” most of them American, British or South African military veterans, explained what makes gun battles at sea so different from those on land.



Private maritime security contractors describe their work and living conditions at sea.

“Between fight or flight,” said Cameron Mouat, a guard working for MNG Maritime, a British company that charters the Resolution. “Out here, there’s just fight.” There is no place to hide, no falling back, no air support, no ammunition drops, he said. Targets are almost always fast moving. Aim is usually wobbly because the ship constantly sways.

Some ships are the equivalent of several football fields in length, too big, these guards contended, for a two- or three-man security detail to handle, especially when attackers arrive in multiple boats.

Discerning threats is difficult. Semiautomatic weapons, formerly a pirates’ telltale sign, are now found on virtually all boats traversing dangerous waters, they said. Smugglers, with no intention of attacking, routinely nestle close to larger merchant ships to hide in

their radar shadow and avoid being detected by coastal authorities. Fishing boats also sometimes tuck behind larger ships because they churn up sea-bottom sediment that attracts fish.

“The concern isn’t just whether a new guard will misjudge or panic and fire too soon,” explained a South African guard. “It’s also whether he will shoot soon enough.” If guards hesitate too long, he said, they miss the chance to take preventive measures that can help avoid fatal force, like firing warning shots, flares or water cannons, or incapacitating an approaching boat’s engine.

The armories themselves can be crucibles of violence. Guards climbing off another floating armory, the Seapol One, pulled out their smartphones and showed pictures of the infested, cramped, trash-strewn cabins where eight men bunked.

Like most floating armories, the Seapol One, run by the Sri Lankan firm [Avant Garde Maritime Services](#), had no armed security of its own to police its guests or protect against pirates who might seek to commandeer the arsenal. Most coastal nations oppose the armories, though they can do little to stop them since they are situated in international waters.



A smaller transport ship disconnected from the Resolution in the dead of night. Credit... Ben C. Solomon/The New York Times

None of the guards interviewed knew of any fatal clashes on the armories. But there was no shortage of friction, they said. A Latvian guard, weighing more than 300 pounds and standing well over six feet, relieved himself in the shower because he could not fit in the bathroom stalls. Confronted by other guards, he refused to clean it up.

Several days earlier a heated argument erupted between two South African guards and their team leader. Unpaid for nearly a month, the men had been abandoned by their security company and left on the Seapol with no way to get back to port.

Kevin Thompson, a British guard, described intense boredom and isolation, which some guards relieved with occasional drinks of forbidden alcohol or by lifting weights, assisted by steroids. Describing the armories, he said, “They’re basically psychological pressure cookers.”

## **Unsolved Killings**

The video of the killing of the four men speaks to a survival-of-the-fittest brutality common at sea, according to a dozen security experts who reviewed the footage. They speculated that one gunman, quite likely a private security guard, did all the shooting, using a semiautomatic weapon. And, they said, the four ships at the scene were probably associated with one another, perhaps by shared ownership. “You don’t rob a bank in mixed company,” one former United States Coast Guard official explained.

Last summer, the police in the Fijian capital of Suva closed their investigation into the shootings. They reasoned that the incident did not occur in their national waters, nor did it involve their vessels. Since no Fijian mariners had been reported missing, they concluded none of their citizens were among the victims.

When governments investigate incidents like this, their goal is typically not to find the culprit, said Glen Forbes from OceanusLive, the maritime risk firm. “It’s to clear their name.”

The video, which includes people speaking Chinese, Indonesian and Vietnamese languages, shows three large vessels circling the floating men. A banner that says “Safety is No. 1” in Chinese hangs in the background on the deck of one of the ships. A fourth vessel, which maritime records indicate is a 725-ton Taiwanese-owned tuna longliner called Chun I 217, passes by in the background.

Lin Yu-chih, the owner of the Chun I 217, which remains at sea, said that he did not know whether any of the more than a dozen other ships he owns or operates were present when the men were shot. “Our captain left as soon as possible,” Mr. Lin said, referring to the shooting scene.

Though the date of the shooting is unknown, he said that he believed it occurred in 2013 in the Indian Ocean, where the Chun I 217 has been sailing for the last five years.

Mr. Lin declined to release any details about the crew of the Chun I 217 or the report he said he asked the captain to write about the killings after the Taiwan police contacted his company. Mr. Lin, a board member of the Taiwanese tuna longliners association, said the private security guards on his ships were provided by a Sri Lankan company, which he declined to name. The Taiwan prosecutor's office, which is looking into the matter, declined to comment.

With one of the world's largest tuna fleets, Taiwan's fishing industry is among the nation's biggest employers and most politically powerful sectors.

Two Taiwanese fishing officials later said that the company authorized to put private security guards on Taiwanese ships was Avant Garde Maritime Services, the same business that runs the Seapol One, the armory in the Gulf of Oman. The company declined to answer questions about its guards or its floating armories.

Tzu-Yaw Tsay, the director of the Taiwanese fisheries agency, declined during an interview to release the Chun I 217's crew list or captain's name. He suggested, though, that the men in the water were most likely pirates who had been rebuffed.

"We don't know what happened," Mr. Tsay then acknowledged. "So there's no way for us to say whether it's legal."

Susan C. Beachy contributed research.

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<https://www.nytimes.com/2015/07/20/world/middleeast/murder-at-sea-captured-on-video-but-killers-go-free.html>

PART 3

## **'SEA SLAVES': THE HUMAN MISERY THAT FEEDS PETS AND LIVESTOCK**

Men who have fled servitude on fishing boats recount beatings and worse as nets are cast for the catch that will become pet food and livestock feed.

By **Ian Urbina**

July 27, 2015

SONGKHLA, Thailand — Lang Long’s ordeal began in the back of a truck. After watching his younger siblings go hungry because their family’s rice patch in Cambodia could not provide for everyone, he accepted a trafficker’s offer to travel across the Thai border for a construction job.

It was his chance to start over. But when he arrived, Mr. Long was kept for days by armed men in a room near the port at Samut Prakan, more than a dozen miles southeast of Bangkok. He was then herded with six other migrants up a gangway onto a shoddy wooden ship. It was the start of three brutal years in captivity at sea.

“I cried,” said Mr. Long, 30, recounting how he was resold twice between fishing boats. After repeated escape attempts, one captain shackled him by the neck whenever other boats neared.

Mr. Long’s crews trawled primarily for forage fish, which are small and cheaply priced. Much of this catch comes from the waters off Thailand, where Mr. Long was held, and is sold to the United States, typically for canned cat and dog food or feed for poultry, pigs and farm-raised fish that Americans consume.

The misery endured by Mr. Long, who was eventually rescued by an aid group, is not uncommon in the maritime world. Labor abuse at sea can be so severe that the boys and men who are its victims might as well be captives from a bygone era. In interviews, those who fled recounted horrific violence: the sick cast overboard, the defiant beheaded, the insubordinate sealed for days below deck in a dark, fetid fishing hold.

The harsh practices have intensified in recent years, a review of hundreds of accounts from escaped deckhands provided to police, immigration and human rights workers shows. That is because of lax maritime labor laws and an insatiable global demand for seafood even as fishing stocks are depleted.

Shipping records, customs data and dozens of interviews with government and maritime officials point to a greater reliance on long-haul fishing, in which vessels stay at sea, sometimes for years, far from the reach of authorities. With rising fuel prices and fewer fish close to shore, fisheries experts predict that more boats will resort to venturing out farther, exacerbating the potential for mistreatment.

“Life at sea is cheap,” said Phil Robertson, deputy director of [Human Rights Watch’s](#) Asia division. “And conditions out there keep getting worse.”

While forced labor exists throughout the world, nowhere is the problem more pronounced than here in the South China Sea, especially in the Thai fishing fleet, which faces an annual shortage of about 50,000 mariners, based on United Nations estimates. The shortfall is primarily filled by using migrants, mostly from Cambodia and Myanmar.

Many of them, like Mr. Long, are lured across the border by traffickers only to become so-called sea slaves in floating labor camps. Often they are beaten for the smallest transgressions, like stitching a torn net too slowly or mistakenly placing a mackerel into

a bucket for herring, according to a [United Nations survey](#) of about 50 Cambodian men and boys sold to Thai fishing boats. Of those interviewed in the 2009 survey, 29 said they had witnessed their captain or other officers kill a worker.

The migrants, who are relatively invisible because most are undocumented, disappear beyond the horizon on “ghost ships” — unregistered vessels that the Thai government does not know exist.

They usually do not speak the language of their Thai captains, do not know how to swim, and have never seen the sea before being whisked from shore, according to interviews in Malaysia, Thailand and Indonesia. These interviews, in port or on fishing boats at sea, were conducted with more than three dozen current deckhands or former crew members.

Government intervention is rare. While United Nations pacts and various human rights protections prohibit forced labor, the Thai military and law enforcement authorities do little to counter misconduct on the high seas. United Nations officials and rights organizations accuse some of them of taking bribes from traffickers to allow safe passage across the border. Migrants often report being rescued by police officers from one smuggler only to be resold to another.

Mr. Long did not know where the fish he caught ended up. He did learn, however, that most of the forage fish on the final boat where he was held in bondage was destined for a cannery called the Songkla Canning Public Company, which is [a subsidiary of Thai Union Frozen Products](#), the country’s largest seafood company. In the past year, Thai Union has shipped more than 28 million pounds of seafood-based cat and dog food for some of the top brands sold in America including Iams, Meow Mix and Fancy Feast, according to United States Customs documents.

The United States is the biggest customer of Thai fish, and pet food is among the fastest growing exports from Thailand, more than doubling since 2009 and last year totaling more than \$190 million. The average pet cat in the United States eats 30 pounds of fish per year, about double that of a typical American.

Though there is growing pressure from Americans and other Western consumers for more accountability in seafood companies’ supply chains to ensure against illegal fishing and contaminated or counterfeit fish, virtually no attention has focused on the labor that supplies the seafood that people eat, much less the fish that is fed to animals.

“How fast do their pets eat what’s put in front of them, and are there whole meat chunks in that meal?” asked Giovanni M. Turchini, an environmental professor at Deakin University in Australia who studies the global fish markets. “These are the factors that pet owners most focus on.”

## Little Respite From Danger

It is difficult to overstate the dangers of commercial fishing. Two days spent more than 100 miles from shore on a Thai fishing ship with two dozen Cambodian boys, some as young as 15, showed the brutal rhythm of this work.

Rain or shine, shifts run 18 to 20 hours. Summer temperatures top 100 degrees. The deck is an obstacle course of jagged tackle, whirring winches and tall stacks of 500-pound nets. Ocean spray and fish innards make the floor skating-rink slippery. The ship seesaws, particularly in rough seas and gale winds. Most boys work barefoot; 15-foot swells climb the sides, clipping them below the knees. Much of this occurs in pitch blackness. Purse seiners, like this ship, usually cast their nets at night when the small silver forage fish that they target — mostly jack mackerel and herring — are easier to spot.



The crew on the Thai fishing boat included two dozen Cambodian boys, some as young as 15. Credit...Adam Dean for The New York Times

When they are not fishing, the Cambodians, most of whom were recruited by traffickers, sort their catch and fix the nets, which are prone to ripping. One 17-year-old boy proudly showed a hand missing two fingers — severed by a nylon line that had coiled around a spinning crank. The migrants' hands, which are virtually never fully dry, have open wounds, slit from fish scales and torn from the nets' friction. "Fish is inside us," one of the boys said. They stitch closed the deeper cuts themselves. Infections are constant.

Thailand's commercial fishing fleet consists predominantly of bottom trawlers, called the strip-miners of the sea because they use nets weighted to sink to the ocean floor and ensnare almost everything in their path. But purse seine boats, like the one where these Cambodians work, are common too. They use circular nets to target fish closer to the water's surface. After the nets are hauled upward, they are pinched at the top, like old-style coin purses.

Before arriving on the ship, most of the Cambodians had never seen a body of water larger than a lake. The few who could swim were responsible for diving into the inky sea to ensure that the 50-foot mouth of the nets closed properly. If one of them were to get tangled in the mesh and yanked underwater, it is likely that no one would notice right away. The work is frenzied and loud, as the boys chant in unison while pulling the nets.

Meals on board consist of a once-daily bowl of rice, flecked with boiled squid or other throwaway fish. In the galley, the wheel room and elsewhere, countertops crawl with roaches. The toilet is a removable wooden floorboard on deck. At night, vermin clean the boys' unwashed plates. The ship's mangy dog barely lifts her head when rats, which roam all over the ship, eat from her bowl.

Crew members tend to sleep in two-hour snatches, packed into an intensely hot crawl space. Too many bodies share the same air, with fishing-net hammocks hanging from a ceiling that is less than five feet above the floor. Deafening, the engine turbines throb incessantly, shaking the ship's wooden deck. Every so often, the engine coughs a black cloud of acrid fumes into the sleeping quarters.

These conditions, which are typical on long-haul fishing vessels, are part of the reason that the Thai fishing fleet is chronically short of men. Thailand has one of the lowest unemployment rates in the world — generally less than 1 percent — which means native workers have no trouble finding easier, better paying jobs on land.

“You just have to work hard,” said Pier, 17, one of the migrants on the purse seiner. Pier, who goes by only one name, said he liked life on the ship. “Better than home,” he said, “Nothing to do there.” He flexed his sinewy biceps, showing the results of his labor.

In the dead of night, the captain spotted a school of fish on radar. He roused the crew with an air horn. Pier, in his second year of working on the ship, explained that he still owed the captain some of the \$300 he paid a smuggler to get him from the border to port. The rest of his debt, \$90, was from a cash advance he sent back to his family, he said. Willing to answer other questions, Pier silently looked down when asked whether he had ever been beaten. Several other boys, questioned about the same, furtively looked to the captain and shook their heads to indicate that they did not want to be interviewed.

Indentured servitude — a “travel now, pay later” labor system where people work to clear a debt typically accrued for getting free passage to another country — is common in the developing world, especially in construction, agriculture, manufacturing and the sex

industry. It is more pervasive and abusive at sea, human rights experts say, because those workers are so isolated.



The living quarters on the fishing boats are typically cramped and the men sleep for short periods between hours of work. Credit...Adam Dean for The New York Times

Historically, Thai boat captains paid large advances to deckhands so they could sustain their families during their long absences. But the country's labor crisis has converted this upfront cash into a price per head (or "kha hua" fee) given to smugglers who ferry workers across the border.

Standing on the boat next to Pier, another Cambodian boy tried to explain how elusive the kha hua debt becomes once they leave land. Pointing to his own shadow and moving around as if he were trying to grab it, he said: "Can't catch."

The boat's Thai crew master, Tang, a man with pockmarked skin and missing front teeth, ordered the boys back to work. He then ticked off a list of the pressures on deep-sea captains. Fuel costs eat up about 60 percent of a vessel's earnings, double what they did two decades ago. Once fish are caught, storing them in melting ice is a race against the clock. As fish thaw, their protein content falls, dropping their sale price. And, Tang added, because deep-sea fishing boats work on commission, "Crews only get paid if we catch enough."

Captains fear their crews as intensely as they drive them. Language and cultural barriers create divisions; most boats here have three Thai officers and foreign deckhands. The captain is armed, in part because of the threat of pirates, but Tang also talked of a gruesome mutiny on another ship that left all the officers dead.



A Cambodian migrant fisherman in the South China Sea. Credit...Adam Dean for The New York Times

Tales of forced labor are not always what they seem, according to the boat's captain, who insisted on anonymity as a condition of allowing a reporter on board. Some workers sign up willingly, only to change their minds once at sea, while others make up stories of mistreatment in hopes of getting back to their families, he said.

Still, a half-dozen other captains acknowledged that forced labor is common. It is unavoidable, they argue, given the country's demand for laborers. Every time a boat docks, they said, they fret that their willing workers will bolt to better-paying ships. That is also the moment when captive migrants make a run for it.

Short-handed at the 11th hour, captains sometimes take desperate measures. "They just snatch people," one captain explained, noting that some migrants are drugged or kidnapped and forced onto boats. "Brokers charge double."

## Litany of Abuses

Traveling the coast of the South China Sea, it can seem that every migrant has his own story of abuse.

Skippers never lacked for amphetamines so laborers could work longer, but rarely stocked antibiotics for infected wounds. Former deckhands described “prison islands” — most often uninhabited atolls, of which there are hundreds in the South China Sea. Fishing captains sometimes maroon their captive crews on those islands, sometimes for weeks, while their vessels are taken to port for dry docking and repair.

Other islands, inhabited but desolate, are also used to hold crew members. Fishing boat workers on an Indonesian island called Benjina were kept in cages to prevent them from fleeing, [The Associated Press reported](#) earlier this year. Inaccessible by boat several months a year because of monsoons, Benjina had an airstrip that was rarely used and no phone or Internet service.

Thai government officials said they have stepped up the number of investigations and prosecutions and plan to continue doing so. A registration drive is underway to count undocumented workers and provide them with identity cards, added Vijavat Isarabhakdi, Thailand’s ambassador to the United States until this year. The government has also established several centers around the country for trafficking victims.



San Oo, 35, was trafficked into Thailand from Myanmar and sold to a fishing boat. He was forced to work at sea for two and a half years. Credit...Adam Dean for The New York Times

San Oo, 35, a soft-spoken Burmese man with weather-beaten skin, predicted that until ship captains are prosecuted, little will improve. He described how on his first day of two and a half years in captivity, his captain warned that he had killed the seaman Mr. Oo was replacing. “If you disobey or run or get sick I will do it again,” he recalled his captain saying.

Pak, a 38-year-old Cambodian who fled a Thai trawler last year, ended up on the Kei Islands, in Indonesia’s eastern Banda Sea. The United Nations estimated that hundreds of migrants there escaped fishing boats over the last decade. “You belong to the captain,” Pak said, recounting watching a man so desperate that he jumped overboard and drowned. “So he can sell you if he wants.”

Critics have faulted Thailand for what they say is a deliberate failure to confront the larger causes of abuse in fishing. Compared to its neighbors, Thailand has less stringent rules on how long boats can remain at sea. Last year, it was the only country to vote against a United Nations treaty on forced labor requiring governments to punish traffickers, before reversing its stance in the face of international pressure.

Thai officials also proposed using prison labor on fishing boats as a way to shift away from migrant workers, a plan dropped after an outcry from human rights groups. On Monday, the State Department renewed Thailand’s ranking on the lowest rung of governments that do not meet minimum standards in countering human trafficking.

The other Thai industry where forced labor is common is sex work, said Mr. Robertson, from Human Rights Watch. The two industries intersect in run-down towns like Ranong, along the Thailand-Myanmar border. Labor brokers operate with impunity in these towns. Karaoke bars double as brothels and debt traps.

A tavern owner named Rui sat down to make his pitch late one night in November, pointing to two prepubescent girls who sat in a corner, wearing caked-on makeup and tight, glittery skirts. He spread a stack of Polaroid pictures of them from a year before. Each clutched a stuffed animal in the photos and looked scared. “Popular,” Rui said of the girls now. “Very popular now.”

A beer at Rui’s tavern cost about \$1. Sex with a “popular” girl: \$12. For the tattered men, mostly Burmese, who end up here, a couple of evenings at the tavern can add up to a kingly sum. Many of them have trekked hundreds of miles by foot, not a cent on them, hoping for work. Meals, drugs and lodging, offered as favors, show up later as fees. To clear these bills, migrants are sometimes sold to the sea.

Checking boats for human rights abuses is difficult. Most fishing vessels are exempt from international rules requiring the onboard tracking systems used by law enforcement. Marine officials in Thailand, Malaysia and Indonesia said that their navies rarely inspect for labor and immigration violations. Authorities in those countries added that they lack boats and fuel needed to reach the ships farthest from shore that are most prone to using captive labor.



Prostitutes waited for customers outside a karaoke bar and brothel in Songkhla, Thailand. Credit... Adam Dean for The New York Times

Deep-sea fishing generally does not lend itself to timecards or pay stubs. Labor contracts common in the region often include terms that would seem unthinkable in jobs on land.

For instance, a contract from a manpower agency in Singapore, provided to The New York Times, committed deckhands to a three-year tour during which the agency retained the full \$200 per month for the first six months and \$150 per month thereafter. “Daily working hours will be around 18 hours,” the contract stipulates, adding that there is no overtime pay. Boats may remain at sea for longer than a year per trip. Only seawater may be used for bathing and laundry. Mariners can be traded from boat to boat at the captain’s discretion.

“All biscuits, noodles, soft drinks and cigarettes” are to be purchased by the sailor, the contract says. “Any crew who breaches the contract (own sickness, lazy or rejected by the Captain, etc.) must bear all the expenses incurred in going back home.”

## **Supply and Demand**

The boat that delivered Mr. Long to captivity and subsequently rescued him was known as a “mothership.” Carrying everything from fuel and extra food to spare nets and replacement labor, these lumbering vessels, often over a hundred feet long, function as

the roving resupply stores of the marine world. Motherships are the reason that slow-moving trawlers can fish more than 1,500 miles from land. They allow fishermen to stay out at sea for months or years and still get their catch cleaned, canned and shipped to American shelves less than a week after netting.

But once a load of fish is transferred to a mothership, which keeps the cargo below deck in cavernous refrigerators, there is almost no way for port-side authorities to determine its provenance. It becomes virtually impossible to know whether it was caught legally by paid fishermen or poached illegally by shackled migrants.



Migrant workers unloaded barrels of fish at the docks in Songkhla. "Motherships" bring the catch to shore so that the trawlers can stay at sea. Credit...Adam Dean for The New York Times

Bar codes on pet food in some European countries enable far-flung consumers to track Thai-exported seafood to its onshore processing facilities, where it was canned or otherwise packaged. But the supply chain for the 28 million tons of forage fish caught annually around the globe, about a third of all fish caught at sea and much of it used for pet and animal feed, is invisible before that.

Sasinan Allmand, the head of corporate communications for [Thai Union Frozen Products](#), said that her company does routine audits of its canneries and boats in port to ensure against forced and child labor. The audits involve checking crew members' contracts, passports, proof of payment and working conditions. "We will not tolerate any human trafficking or any human rights violation of any kind," she said. Asked whether

audits are conducted on the fishing boats that stay at sea, like the one where Mr. Long was captive, she declined to respond.

Human rights advocates have called for a variety of measures to provide greater oversight, including requiring all commercial fishing ships to have electronic transponders for onshore monitoring and banning the system of long stays at sea and the supply ships that make them possible. But their efforts have gotten little traction. The profits for seafood businesses still far exceed the risks for those who exploit workers, said Mark P. Lagon, who formerly served as the State Department's ambassador at large focused on human trafficking.

Lisa K. Gibby, vice president of corporate communications for Nestlé, which makes pet food brands including Fancy Feast and Purina, said that the company is working hard to ensure that forced labor is not used to produce its pet food. "This is neither an easy nor a quick endeavor," she added, because the fish it purchases comes from multiple ports and fishing vessels operating in international waters.

Some pet food companies are trying to move away from using fish. Mars Inc., for example, which sold more than \$16 billion worth of pet food globally in 2012, roughly a quarter of the world's market, has already replaced fishmeal in some of its pet food and will continue in that direction. By 2020, the company plans to use only non-threatened fish caught legally or raised on farms and certified by third-party auditors as not being linked to forced labor.

Though Mars has been [more proactive](#) on these issues than many of its competitors, Allyson Park, a Mars spokeswoman, conceded that the fishing industry has "real traceability issues" and struggles to ensure proper working conditions. This is even more challenging, she said, since Mars does not purchase fish directly from docks but further up the supply chain.

Over the past year, Mars received more than 90,000 cartons of cat and dog food from the cannery supplied by one of the boats where Lang Long was held captive, according to the Customs documents.

## **Shackled and Afraid**

In Songkhla, on Thailand's southeast coast, Suchat Junthalukkhana thumbed through an inch-thick binder, each page with a photograph of a fleeing mariner whom his organization, the Stella Maris Seafarers Center, had helped.

"We get a new case every week," he said.

The fate of the men who escape from the fishing boats often relies on chance encounters with altruistic strangers who contact Stella Maris or the other groups that make up an underground railroad that runs through Malaysia, Indonesia, Cambodia and Thailand.



Dockworkers sorted through deliveries of fish at a processing facility in Ranong, Thailand. Credit...Adam Dean for The New York Times

One such inadvertent rescuer was Som Nang, 41, who said his name means “good luck” in Khmer. A squat man, he is quick to show off the retractable metal rod that he keeps with him for protection.

Having worked dockside for several years, Som Nang had heard the tales of fishing-boat brutality. None of it prepared him, however, for what he would witness on his maiden voyage on a mothership late in 2013.

“I wish I had never seen it,” Som Nang said, sitting in his cinder-block home just outside Songkhla. After a four-day trip from shore, Som Nang’s supply boat pulled alongside a dilapidated Thai-flagged trawler with an eight-man crew that had just finished two weeks fishing in Indonesian waters where they were not allowed.

It was difficult not to notice Mr. Long, who crouched near the front of the fishing boat, Som Nang said. Padlocked around his bruised neck was a rusty metal collar attached to a three-foot chain looped to an anchor post. Mr. Long, who was the only Cambodian among the Burmese deckhands and the Thai senior crew, stared, unblinking, at anyone willing to make eye contact.



Lang Long, 30, watched television in a safe house in Songkhla. Mr. Long, a Cambodian, was rescued from a fishing boat where he was forced to work on for three years and was often restrained with shackles. Credit...Adam Dean for The New York Times

“Please help me,” Som Nang, who is also Cambodian, recounted Mr. Long whispering in Khmer. That was 30 months after Mr. Long had met a trafficker along the Thai-Cambodian border during a festival. Mr. Long said he never intended to work in Thailand but the job offer was attractive. When he instead arrived at a port near Samut Prakan, the trafficker sold him to a boat captain for about \$530, less than a water buffalo typically costs. He was then marched up a gangplank, and sent due west for four days.

A police report later described his account of his arrival in captivity: “Three fishing boats surrounded the supply boat and began fighting for Mr. Long,” the report says. Similar arguments broke out a year later when Mr. Long was sold again in the middle of the night between trawlers.

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The longer he spent on the boats, the more his trafficking debt should have lightened, bettering his prospects for release. But the opposite was the case, Mr. Long explained. The more experience he had, the bleaker his fate, the higher the price on his head, the hotter the arguments over him between short-handed trawler captains.

Having never seen the sea before, Mr. Long seemed to tangle his portion of the nets more than others, he said. All the fish looked the same to him — small and silver — making sorting difficult. Slowed at first by intense seasickness, Mr. Long said he sped up after witnessing a captain whipping a man for working too slowly.

Mr. Long suffered similarly. “He was beat with a pole made of wood or metal,” said a case report about him from the Office of the National Human Rights Commission of Thailand. “Some days he had rest of only 1 hour.” When drinking water ran low, deckhands stole foul-tasting ice from the barrels of fish. If one of the seamen put gear away incorrectly, the crew master docked the day’s meal for the offender.

Mr. Long said he often considered jumping overboard to escape. He did not know how to swim, though, and he never once saw land during his time at sea, Mr. Long told a doctor who later treated him. At night he had access to the ship’s radio. But he had no idea whom or how he could call for help.

As much as he feared the captains, Mr. Long said, the ocean scared him more. Waves, some five stories high, battered the deck in rough seas.



A mothership in Songkhla. These large vessels carry barrels of ice and other supplies to fishing boats in international waters. Credit...Adam Dean for The New York Times

When Som Nang's boat showed up, Mr. Long had been wearing the shackle on and off for about nine months. The captain typically put it on him once a week, Mr. Long said, whenever other boats approached.

After offloading fish for about 10 minutes, Som Nang said he asked the captain why Mr. Long was chained. "Because he keeps trying to escape," the captain replied, according to Som Nang. Based on the looks he got from the crew on his mothership, Som Nang said he figured it best to stop asking questions. But after returning to port, he contacted Stella Maris, which began raising the 25,000 baht, roughly \$750, needed to buy Mr. Long's freedom.

Over the next several months, Som Nang resupplied the fishing boat twice. Each time, Mr. Long was shackled. Som Nang said he discreetly tried to reassure him that he was working to free him.

In April 2014, Mr. Long's captivity ended in the most undramatic of ways. Som Nang carried a brown paper bag full of Thai currency from Stella Maris to a meeting point in the middle of the South China Sea, roughly a week's travel from shore. With few words exchanged, the money was handed to Mr. Long's captain. His debt paid, Mr. Long, rail-thin, stepped onto Som Nang's boat and began his journey back to solid ground and a hope for home.

Thai immigration officials who have investigated his case say they found it credible. Mr. Long is in the process of being repatriated back to his native village, Koh Sotin, in Cambodia. He hopes to go back to his old job cleaning a local Buddhist temple, he said. Thai and Indonesian marine officials say they are trying to locate his last boat captain but they are not hopeful because there are so many of these illegal vessels.

During his six-day voyage back to shore on the mothership, Mr. Long cried and slept most of the time. Som Nang said the crew hid him to avoid word getting out to other fishing boats about their role in the rescue.

Mr. Long, who has a perpetually vacant gaze, said he never wanted to eat fish again. He added that at first he had tried to keep track of the passing days and months at sea by etching notches in the wooden railing. Eventually he gave that up. “I never thought I would see land again,” he said.

Som Nang, who is now a security guard at a factory, said he stopped working at sea shortly after his rescue trip. His explanation: “I don’t like what is out there.”

Kitty Bennett and Susan C. Beachy contributed research.

A version of this article appears in print on July 27, 2015, Section A, Page 1 of the New York edition with the headline: Forced Labor for Cheap Fish

PART 4

## **A RENEGADE TRAWLER, HUNTED FOR 10,000 MILES BY VIGILANTES**

For 110 days and across two seas and three oceans, crews stalked a fugitive fishing ship considered the world’s most notorious poacher.

By **Ian Urbina**

July 28, 2015

ABOARD THE BOB BARKER, in the South Atlantic — As the Thunder, a trawler considered the world’s most notorious fish poacher, began sliding under the sea a couple of hundred miles south of Nigeria, three men scrambled aboard to gather evidence of its crimes.

In bumpy footage from their helmet cameras, they can be seen grabbing everything they can over the next 37 minutes — the captain’s logbooks, a laptop computer, charts and a slippery 200-pound fish. The video shows the fishing hold about a quarter full with catch and the Thunder’s engine room almost submerged in murky water. “There is no way to stop it sinking,” the men radioed back to the Bob Barker, which was waiting nearby. Soon after they climbed off, the Thunder vanished below.

It was an unexpected end to an extraordinary chase. For 110 days and more than 10,000 nautical miles across two seas and three oceans, the Bob Barker and a companion ship, both operated by the environmental organization [Sea Shepherd](#), had trailed the trawler, with the three captains close enough to watch one another's cigarette breaks and on-deck workout routines. In an epic game of cat-and-mouse, the ships maneuvered through an obstacle course of giant ice floes, endured a cyclone-like storm, faced clashes between opposing crews and nearly collided in what became the longest pursuit of an illegal fishing vessel in history.

Industrial-scale violators of fishing bans and protected areas are a main reason more than half of the world's major fishing grounds have been depleted and [by some estimates](#) over 90 percent of the ocean's large fish like marlin, tuna and swordfish have vanished. Interpol had [issued a Purple Notice on the Thunder](#) (the equivalent of adding it to a Most Wanted List, a status reserved for only four other ships in the world), but no government had been willing to dedicate the personnel and millions of dollars needed to go after it.

So Sea Shepherd did instead, stalking the fugitive 202-foot steel-sided ship from a desolate patch of ocean at the bottom of the Earth, deep in Antarctic waters, to any ports it neared, where its crews could alert the authorities. "The poachers thrive by staying in the shadows," [Peter Hammarstedt, captain](#) of the Barker, said while trying to level his ship through battering waves. "Our plan was to put a spotlight on them that they couldn't escape."

The pursuit of the Thunder until its sinking in April, pieced together from radio transmissions, interviews, ship records and reporting on board the Bob Barker and its fellow ship, the Sam Simon, demonstrates the anything-goes nature of the high seas, where weak laws and a lack of policing allow both for persistent criminality and, at times, bold vigilantism.

Illegal fishing is a global business estimated at \$10 billion in annual sales, and one that is thriving as improved technology has enabled fishing vessels to plunder the oceans with greater efficiency. While countries, with varying degrees of diligence, typically patrol their own coastlines, few ever do so in international waters, even though United Nations maritime regulations require them to hold vessels flying their flags accountable for illicit fishing.

That leaves room for organizations like Sea Shepherd, which describes itself as an eco-vigilante group, flies a variation of the Jolly Roger on its ships and often cites the motto, "It takes a pirate to catch a pirate." In chasing the Thunder, Sea Shepherd's goal was not just to protect a rapidly disappearing species of fish, its leaders said, but to show that flagrant violators of the law could be brought to justice.

Maritime lawyers question whether the group has legal authority for its actions — ranging from cutting nets and blocking fishermen to ramming whaling vessels — but Sea Shepherd claims its tactics are necessary. So do some Interpol officials.

“They’re maritime skip tracers,” one Interpol official said, speaking on the condition of anonymity because he was not permitted to talk to reporters. “And they’re getting results.”



The Thunder, shadowed by the Bob Barker and the Sam Simon, in February. Credit...Simon Ager/Sea Shepherd Global

Banned since 2006 from fishing in the Antarctic, the Thunder had been spotted there repeatedly in recent years, prompting Interpol to issue an all-points bulletin on it in December 2013. The vessel was described as the most egregious of the ships then on its Purple Notice list, collecting over \$76 million from illicit sales in the past decade, more than any other ship, according to agency estimates. The Thunder’s prime catch was toothfish, more popularly called Chilean sea bass, known on docks as “white gold” because its fillets often sell for \$30 a plate or more in upscale restaurants in the United States.

The Thunder’s status as a fugitive hardly slowed it down. By keeping its locational transponder turned off, it could fish and then slip in and out of ports undetected. The ship’s name and port registry, which have changed more than a half-dozen times, were not painted on its hull, the typical practice, but on a metal sign hung from its stern. (Sailors call such signs “James Bond license plates” because they can be easily swapped out.) In March, the Thunder was stripped of its registration by Nigeria and became officially stateless, which meant that marine authorities from any country could board and arrest its crew.

“Sea Shepherd is doing what no one else will,” said Peter Whish-Wilson, an Australian senator. “The urgency of this problem has grown,” he added, “but the government response, from all governments really, has fallen.”

### **‘Maintain Hot Pursuit’**

On its second day of prowling for the Thunder last December, the Barker spotted its prey. Appearing first as a red blip on an otherwise barren radar monitor, the vessel was moving slowly, at 6 knots, and heading against the tide of floating icebergs, some the size of tall buildings.



Alistair Allan, the bosun on the Bob Barker, on the ship's deck. The Bob Barker never left the trail of the poacher during the chase. Credit...Selase Kove-Seyram for The New York Times

Captain Hammarstedt sailed within 400 feet of the Thunder before reaching for a reference binder — an Interpol “mug shots” guide featuring silhouettes of illegal fishing vessels. He radioed the Thunder’s officers, most of them Spaniards or Chileans. Speaking through a translator, he warned that the Thunder was banned from fishing in those waters and would be stopped.

The Thunder responded: “No, no, no. Negative, negative. You have no authority to arrest this vessel. You have no authority to arrest this vessel. We are going to continue sailing, we are going to continue sailing but you have no authority to arrest this ship, over.”

“We do have authority,” the Bob Barker said. “We have reported your location to Interpol and to the Australian police.”

The poachers replied, “O.K., O.K., you can send our location, but you can’t board this ship, you can’t come in or arrest us.”

The Thunder’s crew, which had been working on its aft deck, abruptly disappeared inside. The ship (a trawler that had been converted to do other types of deep-sea fishing) soon doubled its speed and made a run for it, the Barker close behind. They were in a stretch of Antarctic sea called the Banzare Bank, known among mariners as “The Shadowlands” because it is among the planet’s most remote and inhospitable waters, nearly a two-week journey to the nearest major port.

On that first night of the chase, Dec. 17, Captain Hammarstedt made a note in his ship’s log: “Bob Barker will maintain hot pursuit and report on the F/V Thunder’s position to Interpol.”

## Exploding Fish

While the Bob Barker chased the Thunder, the Sam Simon tracked another vessel wanted by Interpol, a ship called the Kunlun, eventually causing its captain to disembark in Phuket, Thailand, where it remains. The Simon also spotted another toothfish netter called the [Yongding](#), which was soon detained as well.

The Thunder, though, was the top prize. When the Bob Barker began pursuing the vessel, the Sam Simon’s initial job was to remain in the Banzare Bank and pull up the [45 miles of illegal net](#) that the Thunder left behind, evidence for a possible prosecution.



Sea Shepherd crew aboard the Sam Simon collect the 45 miles of illegal gillnet the Thunder left behind when it fled, pursued by The Bob Barker.

Hauling the nets was dangerous. The Sam Simon's deck was slippery, cluttered and partly frozen. The ship's side walls were low. Tripping was easy. Marbled with slush, the polar water below was so cold that to fall would likely have meant death not by drowning but from cardiac arrest.

Consumer demand for toothfish skyrocketed in the 1980s and 1990s after a Los Angeles-based seafood wholesaler decided to rename the oily fish Chilean sea bass to make it more appealing to the American market. An ugly bottom dweller, found only in the earth's coldest waters, the toothfish can grow over six feet long and weigh more than 250 pounds. The rebranding worked a little too well. More fishing boats targeted toothfish, and now some scientists say that its population is disappearing at an unsustainable rate, though it is unclear how fast.

The fish that the Sam Simon's crew were pulling on board had been trapped underwater in the nets and were starting to decompose. With gas building up inside the carcasses, some of the fish exploded as they slammed onto the deck. Many members of the crew, most of them vegans, cried or vomited.

Gillnets, like those used by the Thunder, are dropped to the sea floor and form mesh walls sometimes many miles long. The nets are illegal in many parts of the world because they are indiscriminate. For every four sea creatures netted by the Thunder, for instance, only one was a toothfish. The rest were thrown back to the sea, most of them dead.



Toothfish, more popularly called Chilean sea bass, were the Thunder's main catch. Credit...Jeff Wirth/Sea Shepherd Global

Just before 6 a.m. on Jan. 3, Capt. Siddharth Chakravarty, a 32-year-old Indian who had previously worked on chemical tankers, headed to bed. About 20 minutes after he fell asleep, the Sam Simon's crew called his cabin. "We need you on the bridge," the voice said. "It's urgent."

He arrived to find his first mate, Wyanda Lublink, at the helm. Ms. Lublink, a no-nonsense former Dutch Navy commanding officer, pointed out the window at an iceberg — about seven stories tall, roughly a half-mile across — rapidly approaching the ship's back deck.

"What are you waiting for?" Captain Chakravarty asked.

"We have time," one of the officers replied.

"No, we don't," the captain said. Though the iceberg was still about a mile away, the wind was pushing it faster toward the ship, whose engines, which were turned off to save fuel, required about 20 minutes to warm up.

"Clear the aft deck, now!" Captain Chakravarty ordered. "Start the engine immediately."

Eighteen minutes later, about 50 feet from impact, the Sam Simon shoved through the pack ice, just barely avoiding the iceberg.

By late February, the Simon made its way to Mauritius, a small island nation in the Indian Ocean, where Captain Chakravarty met with Interpol and the local authorities.

Fishing boat captains have their superstitions, sweet spots and, in gillnetting, their signature style — distinguished by knot ties, net grids and rope splicing. Familiar with the unique characteristics of nets from the Thunder, Captain Chakravarty ticked off a 72-point list for the investigators. Before leaving, he handed over some of the Thunder's nets. He took the rest of them, having been warned that they might be sold on the black market.

## **An Angry Sea**

Built in 1969 in Norway, the Thunder had many names over the years (Vesturvón, Arctic Ranger, Rubin, Typhoon I, Kuko, and Wuhan N4) and was registered to fly the flag of as many countries (Britain, Faroe Islands, Seychelles, Belize, Togo, Mongolia and most recently, Nigeria).

During its final months, the ship's crew included 40 men — 30 Indonesians, the Spanish officers and the captain, Alfonso R. Cataldo, 48, a Chilean.

Some maritime records cite the Thunder's operators as a Panama-registered company called Trancoeiro Fishing, but ownership is a mystery, shrouded by shell companies from Seychelles, Nigeria and Panama. Trancoeiro Fishing did not respond to requests

for comment. Contacted through their families, three of the ship’s officers declined to comment, while others, including the captain, could not be reached.



Crew members from the Sam Simon delivered illegal fishing equipment from the Thunder to the authorities in Mauritius. Credit...Jeff Wirth/Sea Shepherd Global

After being spotted in Antarctica, the Thunder bolted north toward the “Furious Fifties” and “Roaring Forties,” a perilous strip of latitudes spanning the Southern and Indian Oceans. Winds there routinely top 70 miles per hour in storms. Waves reach 60 feet tall.

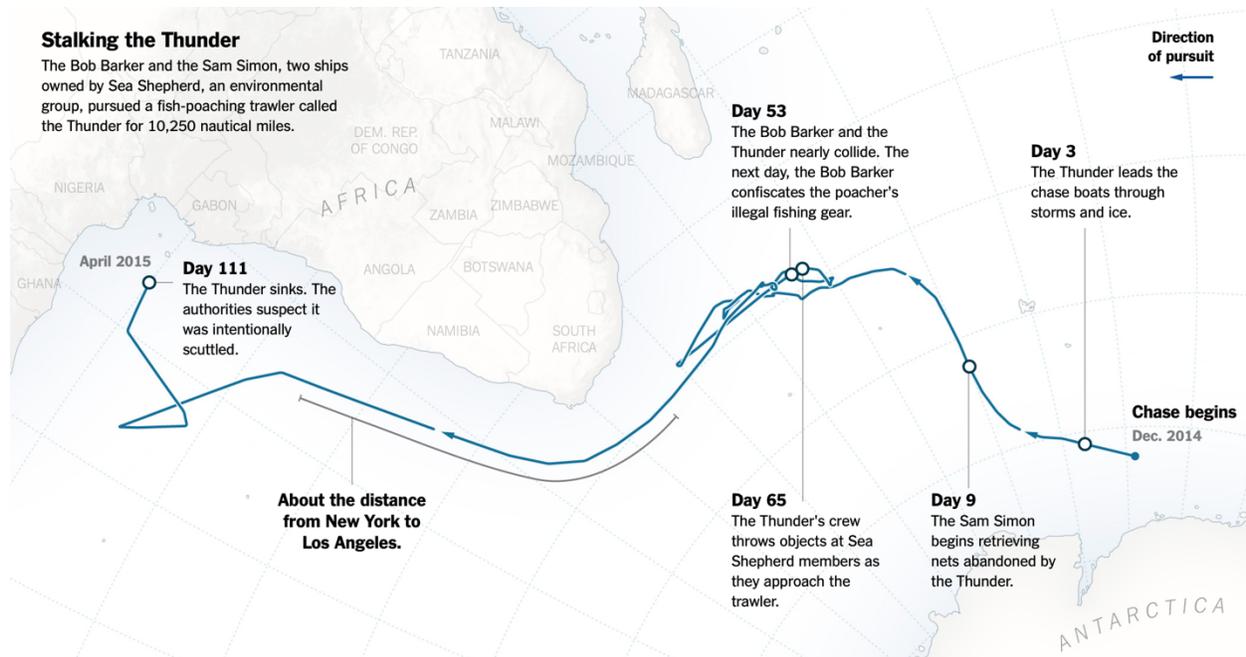


To pass through this region, ships typically wait on the periphery to slip between these storms. The fleeing Thunder did not.

The Barker's Captain Hammarstedt, 30, a baby-faced Swede, was respected by his crew for his seafaring skills and calm under fire. A decade of antiwhaling work had exposed him to a fair share of angry storms and violent confrontations. Still, he worried as he prepared to follow the Thunder into a huge low-pressure zone.

As the wider, heavier Thunder held firm over the next two days in the storm, the Bob Barker swayed back and forth, listing 40 degrees as it was battered by 50-foot waves. Below deck, fuel sloshed in the Barker's tanks, splashing through ceiling crevices and filling the ship with diesel fumes. In the galley, a plastic drum tethered to the wall broke free, coating the floor in vegetable oil that bled into the cabins below. Half the crew was seasick. "It was like working on an elevator that suddenly dropped and climbed six stories every 10 seconds," Captain Hammarstedt recalled.

Emerging on the other side of the storm, the ships settled into several days of radio silence. As much a battle of wills, this endurance race was also a test of fuel capacities. While the Barker never left the Thunder's trail, the Sam Simon split off several times to resupply. Each time the two vessels moved close enough to connect a refuel hose, the Thunder turned 180 degrees and sped toward them, wedging between them to disrupt the effort.



By The New York Times

On Feb. 7, tensions erupted. After the Thunder threw out fishing nets, Captain Hammarstedt tried blocking the ship's path. The Thunder responded by charging toward the Barker. Captain Hammarstedt immediately pulled his throttle into reverse, avoiding a collision by about one yard.

The next day, the Thunder’s deckhands began preparing their nets, with officers radioing beforehand to alert the Barker that they intended to fish. “If you do, we will cut your nets,” Captain Hammarstedt threatened.

Moments later, as the Thunder’s mesh hit the water, he gave his crew the go-ahead. They began lifting and cutting the buoys, causing the nets to sink. Captain Cataldo, on the Thunder, exploded.

“You are taking our buoys!” he said over the radio. “That is illegal. We are coming.”

The Barker responded that it had seized the fishing gear as evidence of a crime.

“We are coming next to you to get our buoys,” the Thunder’s captain replied angrily. “You have to give them back.” Shortly after, he added: “You started this war.”



The Bob Barker, Sea Shepherd’s ship, captures the Thunder’s fishing buoys.

Turning the chaser into the chased, the Thunder headed full throttle at the Bob Barker, which fled, its crew delighted that their adversary was wasting fuel. Three hours later, the Thunder’s captain returned to his original course.

## **A Cause Célèbre**

Though its ships are unarmed, Sea Shepherd is not averse to confrontation. The group is best known for its antiwhaling campaigns, which have included ramming Japanese vessels. Some critics dismiss its work — depicted on “Whale Wars,” the Animal Planet television show — as counterproductive publicity stunts.

Headquartered in Amsterdam, Sea Shepherd spent more than \$1.5 million chasing the Thunder, and it has a fleet of five large ships, a half-dozen fast inflatables, a crew of more than 120 and units in more than a dozen countries, including the United States.

Much of its money is donated by celebrities, including Sean Connery, Brigitte Bardot and Martin Sheen. The Bob Barker, currently flagged in the Netherlands, is named after the former host of the American television game show “The Price Is Right,” who [gave \\$5 million to buy the ship](#) in 2010. The Sam Simon, which also flies a Dutch flag, was bought in 2012 for more than \$2 million, [largely funded by](#), and named for, a creator of the television show “The Simpsons.”



For 110 days and more than 10,000 nautical miles across two seas and three oceans, Sea Shepherd ships chased an illegal fishing vessel.

Captain Hammarstedt said he draws the legal authority for actions like confiscating the Thunder’s nets from a provision in the United Nations World Charter for Nature that calls on nongovernmental groups to assist in safeguarding nature in areas beyond national jurisdiction.

Several maritime lawyers and international policy experts, though, said that obstructing fishing vessels and confiscating their gear is probably illegal. “But no one would prosecute this because it pales in comparison to what the Thunder was doing,” said Kristina Gjerde, an expert on high seas policy based at the [International Union for Conservation of Nature](#), a coalition of nonprofit groups and government agencies working on global maritime and environmental oversight. “Sea Shepherd knows this.”

Two months into the chase, having reached heavy seas in the Indian Ocean about 400 miles southeast of South Africa, the Thunder sat high in the water, indicating that it had burned through much of its fuel.



The Thunder illegally burned trash in February. Several governments are considering charges against the ship's owners for illegal fishing and perhaps other crimes, including money laundering and tax evasion. Credit...Jeff Wirth/Sea Shepherd Global

The Simon and the Barker saw an opportunity and put five of their crew members in a small skiff. They carried a black trash bag with 10 16-ounce plastic bottles, caps wrapped in yellow tape. Inside each bottle was a note written in an Indonesian language, Bahasa Indonesia, a message intended for the Thunder's crew.

"We have no intentions of putting you in trouble," the 450-word note said. "We should work together."

Pulling within range, the Sea Shepherd's crew began throwing the bottles onto the Thunder's deck. Moments later, a man appeared on the upper deck wearing a black ski mask. He hurled a chain that splashed into the water a couple of inches from the skiff's twin outboard motors. Next, he threw a round metal tube, about the size of a roll of duct tape, that hit one of the Sea Shepherd's crew members, forcing a retreat.

### **Offering Help, With Caution**

The distress call came at 6:39 a.m.

“Assistance required, assistance required,” the Thunder’s captain pleaded over the radio. “We’re sinking.” The Thunder had collided with something, he said, possibly a cargo ship. “We need help.”



“Assistance required, assistance required,” the Thunder’s captain pleaded over the radio at 5:15 a.m. “We’re sinking.”

The Sea Shepherd officers were shocked. While they noticed some commotion on the Thunder, there was no hint of a collision. Still, they quickly agreed that the more spacious Sam Simon would take the Thunder’s crew on board. Captain Chakravarty called a meeting on his bridge. “We’re outnumbered two to one,” he warned. “This is very dangerous for us.”

Everyone was to change out of shorts and T-shirts and into uniform, he instructed. The guests were to be escorted on bathroom visits. There would be two-man watches from the upper deck at all times. No one was to ask any questions about fishing. “This is strictly a rescue operation now,” he said.

At 12:46 p.m. on April 6, the Sam Simon’s log noted of the Thunder: “Going down very fast.” By then, the trawler’s crew had moved into their rescue boats. Meanwhile, three Barker crewmen were climbing on board in hopes of salvaging evidence.

“I’m giving you 10 minutes,” Captain Hammarstedt said in a radio call to his men.

After grabbing binders, charts and computers from the bridge, they headed to the engine room, finding it almost completely submerged. In the galley, a defrosting chicken sat on the table.



The Thunder's crew was rescued in the Atlantic and taken on board the Sam Simon. Credit... Jeff Wirth/Sea Shepherd Global

Climbing down into the fish hold, Anteo Broadfield, an Australian serving as second mate, quickly became lightheaded. The air there was too thin, the refrigeration fumes too thick. Helmet camera footage shows hundreds of white plastic bags — stacks of wrapped fish (just “trunks,” their heads, tails and guts removed). “You need to go now,” the Barker radioed. Straining, the men lifted out one of the heavy fish bags before returning to their skiffs.

Once on the Sam Simon, the Thunder’s officers were surly and untalkative. “Estupido!” one of them yelled, lunging at a Sea Shepherd photographer who was taking their pictures.

Captain Chakravarty contacted the nearest port officials in São Tomé and Príncipe, the small island nation off the coast of West Africa, and arranged for the police and Interpol officials to meet them.

On arrival, the Thunder’s senior crew members were arrested. In July, three officers were charged with a variety of counts, including pollution, negligence and forgery. Several other governments, including that of Spain, are considering charges against the ship’s owners for illegal fishing and perhaps other crimes, including money laundering

and tax evasion, according to the Interpol official who discussed the case on the condition of anonymity.



The Thunder in the moments before it was swallowed by the ocean. Sea Shepherd crew members found signs that it had been intentionally scuttled. Credit...Simon Ager/Sea Shepherd Global

But losing the ship — and the evidence that went down with it, including the fish in the hold, onboard computers, various records and fishing equipment — makes prosecution more difficult, Interpol and Sea Shepherd officials acknowledge.

While relieved that the Thunder is no longer in action, the Sea Shepherd's crew members, along with law enforcement authorities, are suspicious about how the great chase ended. No other vessels had been near the Thunder before it sank, and its cabin doors were tied open rather than sealed shut to keep water out. That suggested the \$5 million ship might have been intentionally scuttled, possibly to avoid being seized by the police, according to the authorities in São Tomé and Príncipe and Sea Shepherd officials.

The Sam Simon crew remembered something else. As their ship carried the Thunder's crew back to land, Captain Cataldo climbed onto a five-foot-high stack of his confiscated nets on the back deck. Stretching out, he went to sleep.

But just before that, as the Thunder finally sank, he had pumped his fist and cheered.

Kitty Bennett and Susan C. Beachy contributed research.

Video footage courtesy of Animal Planet / Sea Shepherd Global, Selase Kove-Seyram for The New York Times.

PART 5

## **TRICKED AND INDEBTED ON LAND, ABUSED OR ABANDONED AT SEA**

Illegal “manning agencies” trick villagers in the Philippines with false promises of high wages and send them to ships notorious for poor safety and labor records.

By **Ian Urbina**

Nov. 9, 2015

LINABUAN SUR, the Philippines — When Eril Andrade left this small village, he was healthy and hoping to earn enough on a fishing boat on the high seas to replace his mother’s leaky roof.

Seven months later, his body was sent home in a wooden coffin: jet black from having been kept in a fish freezer aboard a ship for more than a month, missing an eye and his pancreas, and covered in cuts and bruises, which an autopsy report later concluded had been inflicted before death.

“Sick and resting,” said [a note](#) taped to his body. Handwritten in Chinese by the ship’s captain, it stated only that Mr. Andrade, 31, had fallen ill in his sleep.

Mr. Andrade, who died in February 2011, and nearly a dozen other men in his village had been recruited by an illegal “manning agency,” tricked with false promises of double the actual wages and then sent to an apartment in Singapore, where they were locked up for weeks, according to interviews and affidavits taken by local prosecutors. While they waited to be deployed to Taiwanese tuna ships, several said, a gatekeeper demanded sex from them for assignments at sea.

Once aboard, the men endured 20-hour workdays and brutal beatings, only to return home unpaid and deeply in debt from thousands of dollars in upfront costs, prosecutors say.

Thousands of maritime employment agencies around the world provide a vital service, supplying crew members for ships, from small trawlers to giant container carriers, and handling everything from paychecks to plane tickets. While many companies operate responsibly, over all the industry, which has drawn little attention, is poorly regulated. The few rules on the books do not even apply to fishing ships, where the worst abuses tend to happen, and enforcement is lax.

Illegal agencies operate with even greater impunity, sending men to ships notorious for poor safety and labor records; instructing them to travel on tourist or transit visas, which exempt them from the protections of many labor and anti-trafficking laws; and disavowing them if they are denied pay, injured, killed, abandoned or arrested at sea.

“It’s lies and cheating on land, then beatings and death at sea, then shame and debt when these men get home,” said Shelley Thio, a board member of [Transient Workers Count Too](#), a migrant workers’ advocacy group in Singapore. “And the manning agencies are what make it all possible.”

Step Up Marine Enterprise, the Singapore-based company that recruited Mr. Andrade and the other villagers, has a well-documented record of trouble, according to an examination of court records, [police reports](#) and case files in Singapore and the Philippines. In episodes dating back two decades, the company has been tied to trafficking, severe physical abuse, neglect, deceptive recruitment and failure to pay hundreds of seafarers in India, Indonesia, Mauritius, the Philippines and Tanzania.

Still, its owners have largely escaped accountability. Last year, for example, prosecutors opened the biggest trafficking case in Cambodian history, involving more than 1,000 fishermen, but had no jurisdiction to charge Step Up for recruiting them. In 2001, the Supreme Court of the Philippines harshly reprimanded Step Up and a partner company in Manila for systematically duping men, knowingly sending them to abusive employers and cheating them, but Step Up’s owners faced no penalties.

The Philippine authorities have charged 11 people tied to Step Up with trafficking and illegal recruitment of Mr. Andrade and others from the Philippines. But only one person, allegedly a low-level culprit, has been arrested and is likely to be tried: Celia Robelo, 46, who faces a potential life sentence for what prosecutors say was a recruiting effort that earned her at most \$20 in commissions.

Mr. Andrade’s story was pieced together from interviews with his family, other seamen recruited in or near his village, police officers, lawyers and aid workers in Jakarta, Manila and Singapore. It highlights the tools — debt, trickery, fear, violence, shame and family ties — used to recruit men, entrap them and leave them at sea, sometimes for years under harsh conditions.

No country exports more seafarers than the Philippines, which provides roughly a quarter of them globally. More than 400,000 Filipinos sought work last year as officers, deckhands, fishermen, cargo handlers and cruise workers. Mr. Andrade’s death shows that governments are sometimes unable or unwilling to protect the rights of citizens far from home.

The abuse of Filipino seamen has increased in recent years, labor officials in the Philippines say, because the country’s maritime trade schools produce, on average, 20,000 graduates a year for fewer than 5,000 openings. As men grow desperate for work, they take greater risks. Roughly a third of them now use agencies that are illegal — unregistered and willing to break rules, the officials said.

Such agencies, favored by ship operators and workers looking to shave costs, compound the problem of lawlessness on the high seas. Scofflaw ships cast off stowaways and deplete fishing stocks. Violence is rampant, and few nations patrol the waters, much less enforce violations of maritime laws or international pacts.



Men on Kalaw Avenue in Manila advertised seafaring jobs in September. Credit... Hannah Reyes for The New York Times

In Manila, in late September, along a densely packed two-block stretch of sidewalk on Kalaw Avenue near the bay, hundreds of seafarers looked for work. Recruiters from manning agencies — some legal, many not — carried signs around their necks listing job openings or pointed to brochures arrayed on tables. Fixers sold fake accreditation papers while a popular Tagalog rap song, “Seaman Lolo Ko” (“My Grandpa Is a Seaman”), boomed in the background.

“These days,” the singer, known as Yongas, rapped, “it’s the seaman getting duped.” Mariners, who used to be the cheaters (on their spouses), he warned, are now the ones cheated (by everyone else).

## The Trip

In the summer of 2010, Mr. Andrade was growing restless. He had studied criminology in college in hopes of becoming a police officer, not realizing that there was a minimum

height requirement of 5-foot-3. He was two inches shy. His night watchman job at a hospital paid less than 50 cents an hour. When not working in his family's rice paddy, he spent much of his time watching cartoons on television, according to his brother Julius, 38.

When a cousin told him about possible work at sea, Mr. Andrade saw it as a chance to tour the world while earning enough money to help his family. He was introduced to Ms. Robelo, who prosecutors say was the local Step Up recruiter. She said the pay was \$500 per month, in addition to a \$50 allowance, his brother and mother recounted to the police.

Mr. Andrade agreed to sign up, handed over about \$200 in "processing fees" and left for Manila, 220 miles north of here. He paid \$318 more before flying to Singapore in September 2010. He received his plane ticket on his 31st birthday. A company representative met him at the airport and took him to Step Up's office in Singapore's crowded Chinatown district.

If Mr. Andrade's experience was like those of the other Filipino men interviewed by The New York Times, he would have been told then that there had been a mistake: His pay would be less than half of what he had been expecting. And after multiple deductions, the \$200 monthly wage would shrink even more.



Seamen crowded on Kalaw Avenue for an event that advertised free food.Credit...Hannah Reyes for The New York Times

A half-dozen other men from Mr. Andrade's village, who prosecutors said were also recruited by Step Up, recalled in interviews that the paperwork flew by in a whirlwind of fast-moving calculations and unfamiliar terms ("passport forfeiture," "mandatory fees," "sideline earnings").

First, they were required to sign a contract, they said, that typically stipulated a three-year binding commitment, no overtime pay, no sick leave, 18- to 20-hour workdays, six-day workweeks and \$50 monthly food deductions, and that granted captains full discretion to reassign crew members to other ships. Wages were to be disbursed not monthly to the workers' families but only after completion of the contract, a practice that is illegal at registered agencies.

Next, some of them signed a bill to pay for food supplies in advance; like most of the deductions, the \$250 fee was kept by the agency. Then came the "promissory note," confirming that the mariner would pay a "desertion penalty," usually more than \$1,800, if he left. The document noted that to collect their wages, crew members would have to fly back to Singapore at their own expense.

Mr. Andrade, like the other deckhands recruited by Step Up, came from a village (Linabuan Sur's population is roughly 3,000). The men said they had never before traveled abroad, worked on the high seas, heard the term "trafficking" or dealt with a manning agency. None could explain why they might need a copy of any contract they signed as proof of a two-way agreement. They still did not know why it was troubling that a boss in a foreign country should confiscate their passports, which rendered them powerless to leave.

By that point, most of the men were deeply in debt, some more than \$2,000, from recruiters' fees, lodging expenses, health checkups, tourist visas and seamen's books (mandatory maritime paperwork). They had borrowed from relatives, mortgaged their homes and pawned family possessions: "our one fishing boat," "my brother's home" and a carabao (a water buffalo), they said.

Standing on a 35-foot wooden boat late one recent night, about 40 miles from the Philippine shore, Conrad Bonihit, a friend of Mr. Andrade's, explained why poor villagers gravitated to illegal manning agencies.

"It takes money to make money," Mr. Bonihit said as he helped hoist a 50-foot net gyrating with anchovies. To get jobs legally requires coursework at an accredited trade school that can cost \$4,000 or so, he said, far more than most villagers can afford. And the wages quoted by Step Up are often nearly double what the men might make through an accredited company.

At sea, though, the reality is different from the promises on land, Mr. Bonihit said, adding that he had lasted 10 months in the job he got through Step Up. When the once-a-week beatings of crew members became too much to bear, he left his ship in port. With help from missionaries, he flew home, he said.

“You go with pride,” he said of his experience, “come back with shame.”

Even though Mr. Andrade, Mr. Bonihit and the other Filipino men traveled to Singapore at different times over the past five years, nearly all of them described in virtually identical terms a two-bedroom apartment on the 16th floor, above Step Up’s office, where they waited before and after voyages.



Condrad Bonihit, a friend of Mr. Andrade's, also got a seafaring job through Step Up. But when the weekly beatings of crew members became too much to bear, he left. Today, he works on a smaller, local fishing vessel. Credit...Hannah Reyes for The New York Times

As he headed toward his first job at sea, Mr. Andrade stayed in the apartment for about a week, according to family members who spoke with him briefly by phone. Pots and pans were stacked in the corners, and the walls were greasy from frying fish. The floor was so dirty that moss grew in patches, and with the windows sealed, the rooms reeked of urine and sweat, according to interviews and court records.

A short Filipino man in his 40s, known as Bong, managed the apartment for Step Up with a Chinese woman, Lina, affidavits say. New recruits were told to keep their voices down and to avoid moving around much. Some of the men were required to leave before 7 a.m. and return after dark. Others were confined to the apartment, which Bong kept locked all the time.

At night, 20 or more men lay on flattened cardboard on the floor, inches apart. If Bong pointed at you, three of the seafarers recounted, it meant you were to sleep in his room, where, they said, he demanded sex. “No was not an option,” one of the men said, because Bong controlled who got which jobs.

Mr. Andrade's relatives say they lost track of him shortly after receiving his [final text message](#). "Bro, this is Eril," Mr. Andrade wrote on Sept. 15, 2010. "I am now here in Singapore I was not able to text earlier I ran out of phone credit."

### **"Total Strangers"**

Established in 1988, the manning company, then known as Step Up Employment Agency, initially recruited domestic labor, providing workers for cooking, cleaning and child care jobs in Singapore. In 1995, it adopted a new name and agenda. "Supplies Philippines, China, Indonesia, Vietnam, Myanmar, Nepal, India fisherman," a business card said. "With Over 25 years of experience in fishing Vessel, We Strive To Serve You Better!"



Within the past year, the sign for Step Up Marine Enterprise, which recruited Mr. Andrade, was removed from the office in Singapore where it had operated. The sign now advertises 123 Employment Agency, run by the Step Up owner's son. Credit...Amrita Chandradas for The New York Times

For years, the agency was run by Victor Lim, now in his mid-60s, and his wife, Mary, according to court records. Its main office, on the second floor of a shopping mall, across from a sex-toy shop and a massage parlor, is small and cramped.

Within the past year or so, the company's sign was removed, leaving only one for a business owned by Mr. Lim's son, Bryan, called 123 Employment Agency. Singapore tax records indicate that it has had annual revenues of about \$1 million in recent years.

The comment section of [a website](#) advertising Step Up's services contains just two. The first is from a man saying the agency sends men to boats with unsafe working conditions. The second is from a woman who wrote in 2013 that Step Up had offered no help after placing her brother on a ship from which he went missing.

In 2009, human rights groups criticized Step Up for not helping more to raise a ransom for the crew of the Win Far 161, a Taiwanese tuna vessel that was attacked by Somali pirates. The pirates used the boat, allegedly fishing illegally in the Indian Ocean near the Seychelles, to attack a Maersk container ship in an episode made famous by the movie "Captain Phillips." The Win Far 161 crew was held hostage and tortured for 10 months, during which two members died before the others were ransomed.

That same year, when eight Filipino seamen were jailed in Tanzania for months on charges of illegal fishing after their captain fled, Step Up officials refused to hire lawyers or post bail, advocates said.



Seamen on small fishing boats like this one, in the Sibuyan Sea, make about \$32 a month. They say they want to work on larger vessels for the promise of a higher income, despite reports of abuse and unpaid wages. Credit...Hannah Reyes for The New York Times

Mr. Lim, his son and Step Up did not respond to repeated requests for comment for this article. But in a lawsuit decided by the Supreme Court of the Philippines in 2001, Mr. Lim and his partners offered an argument that they would repeat in later interviews

about trafficking allegations. “Total strangers,” the defendants said, denying ties to a seafarer who had sued for unpaid wages.

The court revoked the recruiter license of JEAC, then Step Up’s partner firm in Manila, and ordered JEAC to pay the back wages. The only thing worse than the companies’ sending “unlettered countrymen to a foreign land and letting them suffer inhumane treatment in the hands of an abusive employer,” the court said in its decision, was that they had conspired to deny workers their pay.

This was roughly when Mr. Lim and Step Up shifted away from using registered manning agencies in the Philippines and began to rely instead on Filipino domestic workers in Singapore to recruit through their relatives in villages back home. Ms. Robelo, for example, was brought in, even though she had no experience, by her sister-in-law, Roselyn Robelo, who had worked as a domestic helper for Mr. Lim.

After Mr. Andrade died, officials from Step Up and Hung Fei Fishery Co., the owner of the Taiwanese fishing ship he had worked on, offered to pay his family about \$5,000, according to a 2012 letter from the Philippine Embassy in Singapore. (The death benefit provided to a seafarer by a legal manning agency in the Philippines is typically at least \$50,000.) The family declined, instead filing a complaint against Step Up in November 2011 with Singapore’s Ministry of Manpower. Officials at the ministry and on a government anti-trafficking task force said last month they were waiting for a formal request from the Philippine government before investigating.



Left, Julius Andrade with the autopsy reports and other documents on his brother's death. The metal lining from EriL Andrade's coffin, right, sits alongside his family's now-abandoned house. Credit... Hannah Reyes for The New York Times

Police officials and prosecutors in Mr. Andrade’s province, Aklan, voiced frustration at what they said was a lack of response from the federal authorities in Manila. Celso J. Hernandez Jr., a lawyer with the Philippine Overseas Employment Administration, the agency responsible for protecting Filipino workers sent abroad, said he had no records on Mr. Andrade’s death or on Step Up. “The illegal manning agencies are invisible to us,” he said. The Philippine anti-trafficking task force did not respond to requests for comment.

Taiwanese police and fishery officials said they had no record of having questioned Shao Chin Chung, the captain of Mr. Andrade's ship, about his death. The ship, Hung Yu 212, was cited for illegal fishing in 2000, 2011 and 2012, according to the commissions that regulate tuna fishing in the Indian and Atlantic Oceans. A secretary at Hung Fei Fishery Co., based in Kaohsiung, Taiwan, said recently that the owner was traveling and was not available to answer questions. Efforts to interview other crew members were unsuccessful.

On April 6, 2011, Mr. Andrade's cadaver [arrived at port](#) in Singapore on the Hung Yu 212. Dr. Wee Keng Poh, a forensic pathologist at Singapore's Health Sciences Authority, [conducted an autopsy](#) six days later. He concluded that the cause of death was acute myocarditis, an inflammatory disease of the heart muscle. His report gave little more detail.

### **A Suspicious Death**

These select documents are related to the trafficking and death of Eril Andrade, a Filipino seafarer who worked on a Taiwanese fishing ship.

FOREIGN SERVICE OF THE PHILIPPINES			
REPORT OF DEATH OF PHILIPPINE CITIZEN			
		Philippine Embassy, Singapore <small>(Place and Date)</small>	
deceased <u>Eril M. Andrade</u> Sex <u>Male</u> Occupation <u>OFW (Fisherman)</u>			
Nationality <u>Native</u> Evidence of Philippine Citizenship <u>Passport</u>			
Address in the Philippines <u>Linabuan Sur, Banga, Kalibo, Aklan</u>			
February 22 <small>(Month) (Day)</small>		0215H 2011 <small>(Hour/Minute) (Year)</small>	
		Age <u>31 years old</u> <small>(As nearly as can be ascertained)</small>	

The body was then flown to the Philippines, where Dr. Noel Martinez — the pathologist in Kalibo, the provincial capital — performed [a second autopsy](#). He disagreed with the first, instead citing a heart attack as the cause of death. Dr. Martinez's autopsy report also noted extensive unexplained bruises and cuts, inflicted before death, on Mr. Andrade's brow, upper and lower lip, nose, upper right chest and right armpit.

Mr. Andrade's pancreas and one eye were missing. The two pathologists could not be reached, but a provincial police investigator suggested that the organs could have been damaged in an accident aboard the ship or removed during the first autopsy. Removing an eye is not typical in an autopsy, several pathologists in New York said, adding that the pancreas might have been missing because it sometimes decomposes faster than other organs.

Shaking his head, Emmanuel Concepcion, a friend of Mr. Andrade's, said he knew what conditions on long-haul fishing boats were like and doubted that Mr. Andrade had died of natural causes. After being recruited by Step Up, Mr. Concepcion also worked on a Taiwanese tuna ship, in the South Atlantic, but quit after the cook fatally stabbed the captain, who had routinely beaten crew members. Asked what he thought was the most likely cause of his friend's death, Mr. Concepcion said, simply, "Violence."



Emmanuel Concepcion, a friend of Mr. Andrade's, at his job at a fast-food restaurant in Kalibo, the Philippines, in September. He worked on a Taiwanese tuna ship for nine months and says he was never paid. Credit...Hannah Reyes for The New York Times

## **“A Job Is Something You Share”**

Down a dirt road, surrounded by rice paddies, Ms. Robelo sat behind cinder-block walls in a remote jail. Housing about 223 prisoners, only 24 of them women, the five-acre Aklan Rehabilitation Center has the feel of a bustling shantytown. Chickens and visiting children scurried underfoot as prisoners squatted on a roof overlooking the courtyard.

Most of the 10 Step Up workers who have been charged in absentia by the Philippine authorities, including Mr. Lim and his wife, are in Singapore and are unlikely to be prosecuted because there is no extradition treaty between the countries.

Jailed since May 2013, Ms. Robelo cried while explaining what had led to her arrest.

“When I got a name,” she said, “I called it to Singapore.” She never met or spoke directly with any of the Lims, she said; she communicated only with her sister-in-law in Singapore. Before Mr. Andrade’s death, she said, she never heard from the men prosecutors say she recruited, some of them her relatives, about what happened in Singapore or at sea. She said she had signed up only three men, not 10, as prosecutors charge.

“If no one has work, a job is something you share,” Ms. Robelo said, adding that she saw her role as “helping the boys,” not officially recruiting them. She said she had been told that the \$2 promised (but never paid) for each person she referred was not a commission but intended to offset the cost of driving to the men’s houses for paperwork.



Celia Robelo and her son in September at the jail near Kalibo where she is being held on charges of human trafficking and illegal recruitment. She says she only wanted to help men like Mr. Andrade find work. Credit...Hannah Reyes for The New York Times

Visiting the jail, her husband, Mitchell, 44, and children — Xavier, 9, and Gazrelle, 7 — stood nearby. Mr. Robelo has been unemployed since he sold his auto rickshaw to raise \$2,800 to pay his wife’s first lawyer, who, the couple said, took the money and disappeared without doing any work.

In Kalibo, a prosecutor, Reynaldo B. Peralta Jr., said the local police had not interviewed other crew members from Mr. Andrade’s ship about how he died because they were elsewhere in the Philippines, beyond Mr. Peralta’s jurisdiction.

“Were it not for her recruitment,” Mr. Peralta said of Ms. Robelo, “these victims would not have left the country.” Ms. Robelo knew she was recruiting illegally, he claimed, because some villagers gave her money to send to Singapore.

Back in the village, hidden behind a thicket of banana trees, the empty metal lining from Mr. Andrade’s coffin sat alongside the now-abandoned house that he had hoped to

repair. A half-dozen unpaid electric bills were wedged into the cracked front door, addressed to his mother, Molina, who died in 2013 from liver failure. Inside, water dripped through the ceiling.

Julius, Mr. Andrade's brother, said that unless officials in Manila got more involved, he did not believe he would ever get justice for his brother's death. "It's not right," he said of Ms. Robelo's incarceration. The real culprits who should be in jail, he added, are in Singapore and at sea.

Susan Beachy contributed research from New York.

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PART 6

## **MARITIME 'REPO MEN': A LAST RESORT FOR STOLEN SHIPS**

Thousands of boats are stolen each year, and some are recovered using alcohol, prostitutes, witch doctors and other forms of guile.



Max Hardberger, a maritime "repo man," center, his longtime fixer, Oge Cadet, in red, and a hired rower got a closer look at ships in Miragoâne, Haiti, by pretending to be potential buyers. Credit...Josué Azor for The New York Times

By **Ian Urbina**

Dec. 28, 2015

MIRAGOÂNE, Haiti — In Greece, Max Hardberger posed as an interested buyer, in Haiti as a port official, in Trinidad, a shipper. He has plied guards with booze and distracted them with prostitutes; spooked port police officers with witch doctors and duped night watchmen into leaving their posts. His goal: to get on board a vessel he is trying to retrieve and race toward the 12-mile line where the high seas begin and local jurisdiction ends.

Mr. Hardberger is among a handful of maritime “repo men” who handle the toughest of grab-and-dash jobs in foreign harbors, usually on behalf of banks, insurers or shipowners. A last-resort solution to a common predicament, he is called when a vessel has been stolen, its operators have defaulted on their mortgage or a ship has been fraudulently detained by local officials.

“When we show up, things go missing,” said Mr. Hardberger.

Tens of thousands of boats or ships are stolen around the world each year, and many become part of a global “phantom fleet” involved in a broad range of crimes. Phantom vessels are frequently used in Southeast Asia for human trafficking, piracy and illegal fishing, in the Caribbean for smuggling guns and drugs, and in the Middle East and North Africa to transport fighters or circumvent arms or oil embargoes, according to Rear Adm. Christopher Parry, a maritime security expert formerly with Britain’s Royal Navy.

Usually the vessels are not recovered because they are difficult to find on the vast oceans, the search is too expensive and the ships often end up in ports with uncooperative or corrupt officials

But sometimes, when the boat or ship is more valuable, firms like Mr. Hardberger’s [Vessel Extractions](#) in New Orleans are hired to find it. His company occasionally handles jobs involving megayachts, but more often the targets are small-to-medium cargo ships that carry goods between developing countries with poor or unstable governments.

To the local port authorities and law enforcement officials in foreign countries, Mr. Hardberger and his ilk are vigilantes who erode the rule of law in places that are struggling to establish it. “They deserve to be arrested,” Louhandy Brizard, 27, a Haitian Coast Guard officer, said about repo men during a sea patrol looking for stolen boats.

Charles N. Dragonette, who monitored maritime crime for the United States Office of Naval Intelligence until 2012, said that he believes that Mr. Hardberger follows whatever rules exist. But, he added, “I do worry about how these guys undercut local authorities, embarrassing them by stealing ships from under their noses, and worsening the overall corruption problem by paying bribes to local helpers to pull off these heists.”

Most recoveries of stolen boats and maritime repossessions are ho-hum affairs, typically involving paperwork and banks working with local law enforcement. But when negotiations fail, waterborne jailbreaks sometimes occur.

Charles Meacham, a maritime repo man based in Jacksonville, Fla., recounted how his teams spirited hundreds of boats out of a marina in Mexico in 2009 after they were stolen from Florida by a drug cartel, a move that won him a bounty on his head. Court papers describe a job that Mr. Hardberger handled in 2009, where he retrieved a freighter called the Virgin Express I from the Dominican Republic, boarding it by pretending to be a shipper, then sailing the ship to the Turks and Caicos Islands, where he handed it over to the mortgage holder.



Mr. Hardberger, with his dog, Morgan, at their home in Lumberton, Miss. Credit...William Widmer for The New York Times

Citing past assignments in Cuba, Egypt, Ghana, Honduras, Trinidad, Venezuela and elsewhere, Mr. Meacham and a half dozen others in the industry said that they each get on average one or two “extraction” requests per year. John Dalby, chief executive officer of [Marine Risk Management](#), said his firm is currently working for a consortium of banks to repossess a fleet of more than a dozen freighters from nearly as many ports around the world. “They have to be taken all at once or else several will run,” he said.

A review of contracts and court records from some of these extraction jobs and interviews with repo men, insurance investigators and coast guard officers show that

lawlessness offshore sometimes extends from corruption onshore. These documents and comments shed light on the array of ploys used to steal, seize, extort and recover ships. They also reveal how maritime repo men — and the scheming debtors, dodgy port mechanics, testy guards, disgruntled crews and dishonest port officials that they are hired to outwit — take advantage of the lack of policing and jurisdictional ambiguity of the open ocean.

The public perception of modern piracy usually involves Somalis in fast-boats capturing tankers on the high seas. “More often overlooked but just as prevalent is white-collar piracy,” Admiral Parry said. Buccaneers in business suits hijack ships in port through opportunistic ruses rather than at sea with surprise shows of force.

Consumers are affected by the theft and corruption because it adds millions of dollars to transport costs and insurance rates, raising sticker prices more than 10 percent, maritime researchers say.

Most corrupt detentions in port consist of “squeeze and release” bilking schemes intended to get bribes, said Douglas Lindsay, the lead partner with Maritime Resolve, a recovery firm based in England. “But squeeze long enough and you strangle,” Mr. Lindsay said. Shipping businesses can go bankrupt as cargo spoils, delivery deadlines pass and owed wages accumulate.



Mr. Hardberger inspected a map while on a patrol with the Haitian Coast Guard. Credit... Josué Azor for The New York Times

“The fact is that in some parts of the world possession isn’t, as the saying goes, nine tenths of the law,” added Mr. Dragonette. “It is the law.”

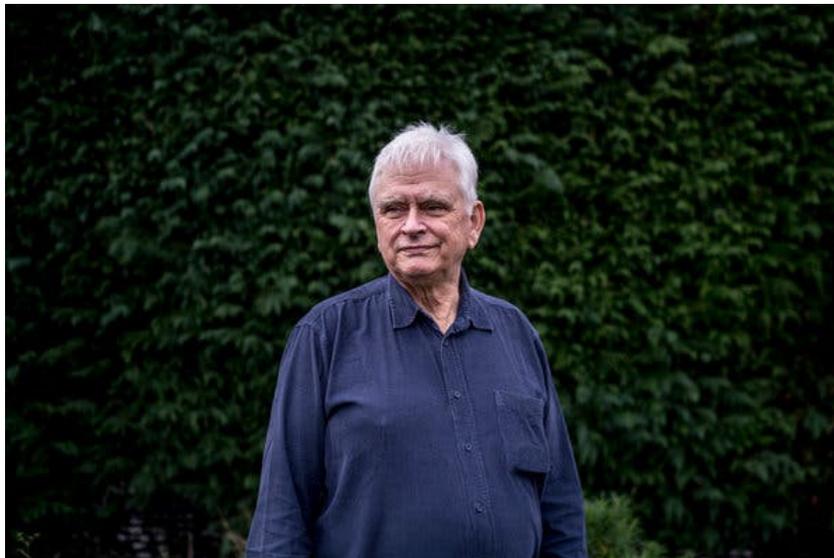
## Ship Raiders and Port Pirates

Port scams are as old as shipping itself and seasoned repo men can identify them by name. “Unexpected complications”: a shipyard makes repairs without permission, then sends the owner an astronomical bill, often for more than the value of the ship, hoping to force its forfeiture. “Barratry”: buying off crews, sometimes paying more than a year’s wages to leave a ship’s keys and walk away. “A docking play”: a shipowner defaults on his mortgage, but is in cahoots with a marina, which charges the reposessor hyperinflated docking fees. “I swam out to it one night and took the boat back,” said Steve Salem, a repo man in Sarasota, Fla., recalling one such case in the Abacos, a chain of islands in the Bahamas, in 2012.

Mr. Lindsay described a “classic shakedown” case he handled in 2011 in Guinea in West Africa where a ship was being fraudulently detained with a \$50 million fine for less than \$10,000 in damage to a dock. “They fly you in, you find the right official, and negotiate him back to Planet Earth,” Mr. Lindsay said.

Stolen boats — about 5,000 were taken in the United States in 2014 — are often relocated to “unfriendly jurisdictions,” where local governments are sometimes less sympathetic to American owners and more susceptible to bribes, the repo men said.

Mr. Meacham, the Florida-based repo man, said he was once sent to Havana to retrieve a stolen American-owned megayacht being used by a hotel there. Chartering the vessel into international waters, he then told the Cuban captain: Come with us to the United States or take a lifeboat back to shore. The captain chose the former.



Douglas Lindsay, the lead partner with Maritime Resolve, a recovery firm based in England, said ships are often detained by officials seeking a bribe to release them. Credit...Andrew Testa for The New York Times

John Lightbown, the general manager of a Florida shipping company, said that in some places criminals can seize a \$2 million ship for \$2,000. “No evidence, no invoices, no affidavits, no appeals process,” said Mr. Lightbown, who has hired Mr. Hardberger several times. “They just need the filing fee that goes to a local justice of the peace and something extra under the table.”

To talk his way on board, Mr. Hardberger said he has a collection of fake uniforms and official-sounding business cards, among them are “Port Inspector,” “Marine Surveyor” and “Internal Auditor.” He also carries a glass vial of magnetic powder to sprinkle on the hull to reveal lettering that has been welded off.

Mr. Dalby, from Marine Risk Management, said that rather than taking ships from unfriendly ports, he prefers surreptitiously placing GPS trackers on them while in transit, then calling in the police.

“Occasionally the legal system solves the problem,” added Mr. Hardberger, who canceled plans for an extraction job this month after a court in Haiti ordered the release of a freighter called the Amber Express, which had been improperly detained in the Port of St.-Marc, Haiti.

All of the repo men said they abide by certain self-imposed rules. No violence or weapons — better, they said, to hire street youths for lookouts, bar owners for diversions, and prostitutes to talk their way on board to spy. Officials from the Haitian Coast Guard, Interpol, and the bar association in California, where Mr. Hardberger is licensed, said they had no records of complaints, disciplinary actions or arrest warrants for him.



Members of the Haitian Coast Guard patrolled on the nation's south coast. Credit...Josué Azor for The New York Times

Asked whether he ever pays off public officials, Mr. Meacham replied in much the same way as his colleagues had. “Bribery is illegal,” he said. “Negotiating a fine is not.”

### **‘\$300, Four Welders, and a Fax Machine’**

Often, maritime law works in crooks’ favor, said Michael Bono, a lawyer and managing director of Vessel Extractions. Ship sales are more anonymous and final than sales of other types of property, he said. If someone buys a stolen painting at an auction, explained Edward Keane, a maritime lawyer in New York, the rightful owner can later make a claim and in many cases repossess it. But under international maritime law, he said, a vessel sold at a judicial auction has had its “face washed” or “bottom scrubbed” clean of liens and other previous debts, including mortgages.

About 50 miles west of Haiti’s capital, in Miragoâne, known as a pirate’s paradise, Mr. Hardberger explained that giving a stolen boat a fast makeover requires little more than “about \$300, four welders, and a fax machine.”

Joined by his longtime local fixer, Oge Cadet, Mr. Hardberger, 67, crossed the harbor in a row boat while they prospected a strip of beach where they hope to build a dock to chop up old ships for scrap. Mr. Cadet recounted an extraction job here in 2004. An American businessman had bribed local judicial officials to seize a 10-story-tall car carrier called the Maya Express and sell the ship to him in a rigged auction, according to court records.

To scare guards away, Mr. Hardberger paid a local witch doctor \$100 to publicly put a curse on the one place in town with cellphone reception. Though the glare from a blowtorch used by Mr. Hardberger’s team to cut through the ship’s anchor chains almost got them caught, they successfully sailed the ship to the Bahamas, where a judge upheld the repossession.

Referring to Haiti’s ports and legal system, Justice John Lyons of the Bahamas wrote that “cronism and corruption are the order of the day.”

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