

CASE STUDY



COMMODITIES INVOLVED

Fish and human trafficking/
modern slavery

CONVERGENCE TYPOLOGY

Transactional convergence

GEOGRAPHIC REGION

Southeast Asia



Revelations of modern slavery in the fishing industry first emerged in Thailand in 2014, exposing so-called “slave ships” that stayed out at sea for years at a time, trading slaves from one boat to another and serviced by cargo boats that collected the catch and dropped off supplies. Investigations traced the supply chain of seafood caught by these boats to many global retailers and supermarkets in the United States, Europe, and the United Kingdom.⁴⁶

These media reports sparked a multi-agency investigation by Indonesian authorities including immigration, fisheries and police, into Pusaka Benjina Resources, one of the largest fishing companies in eastern Indonesia. Pusaka Benjina operated dozens of boats suspected to be Thai-owned with Thai captains and foreign fishing crews.⁴⁷

The investigation found that at least 1,456 crew members comprising 1,205 foreigners and 251 Indonesians were forced to work very long hours in abusive conditions with no pay. The foreigners had been recruited in Thailand —many were smuggled migrants from Myanmar and Cambodia who had paid brokers to help them find work and passage in Thailand and were then sold to boat captains— and brought to Indonesia using fake immigration papers and seamen books.⁴⁸ This recruitment strategy is indicative of a transactional convergence typology, with one criminal group supplying a service or good to another.

Apart from the labour and immigration crimes, investigators also found other issues connected with the case including bribery, corruption, forgery of license and other documents, money laundering, various tax-related crimes, and fisheries offences. Of the 200 boats identified in Pusaka Benjina’s fishing fleet, only 68 had fishing permits. In June 2015, the Indonesian government announced it had revoked Pusaka Benjina’s license and banned it from any further fishery activities.⁴⁹

Three Indonesian employees and five Thai boat captains were convicted in March 2016 and each sentenced to three years imprisonment and ordered to pay a fine equivalent to approximately USD 12,250. The five Thai captains were additionally ordered to pay a total of USD 67,800 in compensation

⁴⁶ <https://www.theguardian.com/global-development/2014/jun/10/-sp-migrant-workers-new-life-enclaved-thai-fishing>

⁴⁷ <https://www.thejakartapost.com/news/2015/05/13/indonesian-police-arrest-7-seafood-slavery-case.html>

⁴⁸ <https://www.thejakartapost.com/news/2015/05/09/police-have-20-possible-suspects-benjina.html>

⁴⁹ <https://www.thejakartapost.com/news/2015/06/23/govt-revokes-licenses-six-major-fishing-firms.html>



Image 12: In April 2015, foreign fishing crew at the Pusaka Benjina Resources compound raise their hands as they are asked who wants to go home. Credit: Dita Alangkara/AP.

to their crew members.⁵⁰ Although the investigation and conviction are seen as a success for Indonesia in taking steps to clean up its fishing industry and address organised crime, many victims and observers have complained that the penalties were not commensurate with the crimes and suffering inflicted on thousands of people over many years.

Following this case, in October 2015 Indonesia established the Presidential Task Force to Combat Illegal Fishing (Task Force 115) as a multi-agency task force dedicated to investigating illegal fishing and its convergence with other serious crimes, reporting directly to the President.⁵¹

Related forms of convergence are evidently ongoing in the global fishing industry, with a new case of abuse of fishing crew reported as recently as February 2021. An investigation by the Advocate for Public Interest Law and the Environmental Justice Foundation alleged that more than half of the migrant workers interviewed who crewed South Korea's distant water fishing fleet were forced to work in excess of 18 hours a day, and almost all workers reported that they had their passports confiscated by their captain and several months wages deducted at the start of contracts to discourage them from leaving or escaping.⁵²

⁵⁰ <https://www.theguardian.com/world/2016/mar/11/seafood-slave-drivers-given>

⁵¹ <https://setkab.go.id/en/president-jokowi-sets-up-task-force-to-fight-illegal-fishing/>

⁵² <https://www.seafoodsource.com/news/environment-sustainability/investigation-reveals-worker-abuse-on-korean-fishing-vessels-exporting-to-us-e>



Image 13: In April 2015, rescued Myanmar fishermen prepare to depart Benjina, Indonesia to return home. Credit: Dita Alangkara/AP.

GOOD PRACTICE

- **Multi-agency investigation** enabled collaboration between specialised law enforcement agencies and other relevant authorities, bringing together the expertise and resources needed to tackle crime convergence in this case.
- **An enduring multi-agency task force** was established to provide the necessary resources and mandate to investigate illegal fishing and convergence with other crimes in a targeted manner and on an ongoing basis.

INTERVENTION STRATEGY FOR FUTURE CONSIDERATION

- **Financial investigation** is particularly important in complex cases involving a variety of potential financial crimes that may be committed by individuals or legal entities. Financial investigation can help to identify the proceeds of crime to facilitate asset recovery, and in the event that funds are recoverable, these could be used to compensate the victims of crime.