

Written Testimony of Ian Urbina
Subcommittee on Water, Oceans, and Wildlife
“Oversight of NOAA’s Report at Illegal, Unreported and Unregulated Fishing”

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2:00 PM

Chairman Huffman and Members of the Subcommittee, thank you for the opportunity to speak today.

My name is Ian Urbina and I have been an investigative reporter for The New York Times for nearly two decades. Five years ago, I began writing a series for the newspaper and after two more years at sea I recently published a book called *The Outlaw Ocean* about the diversity of environmental and human rights abuses occurring offshore around the world. Today, you will be hearing from various subject matter experts. My role here, at least as I understand it, is to offer a broader backdrop for the discussion and perhaps in doing so, stoke a sense of urgency and add weight to the gravity of the policy decisions before you.

There are few remaining frontiers on our planet. But perhaps the wildest, and least understood, are the world’s oceans. Too big to fully police, and under no clear international authority, these immense expanses of water play host to rampant criminality and exploitation. In my time as an investigative journalist, I’ve never done more daunting reporting or witnessed a more urgent need for it.

Over the past several years, this reporting chronicled the story of a Cambodian migrant, who had been shackled by the neck on a trawler catching fish destined for American shelves. Captive at sea for 3 years, this Cambodian was a synecdoche of a wider problem known as "sea slavery" that ensnares tens of thousands of men and boys on fishing boats each year globally.

Off the coast of South Africa, I shadowed a Tanzanian stowaway who, discovered at sea by an unwitting and angry crew, was set overboard on a makeshift dingy and left to die in the middle of the ocean, hundreds of miles from land as a storm approached. This grim phenomenon known as "rafting" has become a more common way to dispose of migrants and stowaways, especially in the wake of new rules imposed after September 11 and more recently new anti-immigration policies that have raised penalties for captains who arrive in port with unplanned guests aboard.

At another point during this reporting, I embedded on a roach-infested Thai purse seiner, where 40 trafficked Cambodian boys worked 20-hour days, barefoot, rain or shine, on a slippery deck, just one misstep from disaster. That first night I tried to sleep on the floor. I was soon awakened by rats crawling across my legs, dozens more scurrying all around me and the rest of the crew. Needless to say, long-haul fishing isn't just the world's most dangerous profession, it's also in many places the most gruesome.

While investigating offshore violence, I spent time on floating armories. These are surreal places, part bunkhouse, part weapons depot that are meant to house private maritime security guards in international waters, just beyond the reach of local government prohibitions against unregistered arms or mercenaries. As the guards waited for their next deployment on ships passing through piracy prone areas, they detailed for me how and why at sea murder can occur with impunity. We discussed a case I

was investigating at the time in which an entire offshore slaughter of a half dozen unarmed men was captured on camera phone footage that had been provided to me, and at the end of the footage, the culprits or witnesses posed for celebratory selfies. To this day, no one has charged or prosecuted the captain who likely ordered those murders.

In the North Atlantic, I joined the longest law-enforcement chase in nautical history. A vigilante conservation group called Sea Shepherd was attempting what no government had been willing to do. That is, these advocates were trying to stop a ship that for nearly a decade had fished illegally and largely unobstructed in Antarctic waters, profiting to the tune of more than \$67 million. Even though Interpol had placed this illegal ship on its so-called Purple Notice list -- which is essentially an arrest-on-sight list -- no one with the authority or responsibility to act did so.

The bottom line is that this realm, which happens to cover 2/3 of the globe, is home to an assortment of extra-legal actors. They range from traffickers and smugglers, pirates and mercenaries, wreck thieves and repo men, to vigilante conservationists and elusive poachers, seabound abortion providers, clandestine oil-dumpers, shackled slaves and cast-adrift stowaways. Many of these actors flourish in the absence of governance. And, importantly, many of the more urgent problems they are countering or creating involve an interplay between human rights and environmental abuses.

Consider, for one example, shark finning, which is banned in more than a dozen countries, but ship captains on tuna longliners often allow their crew to offset poverty wages by cutting off shark fins and selling them at port.

A fleet of South Korean trawlers owned by the Sajo Oyang Corporation that I cover in the book was notorious not only for sexual assault, forced labor, squalid living conditions, but also for engaging in a type of illegal fishing called high grading, which entails gaming the catch quota system by tossing old catch overboard so as to save and register newer fresher catch.

The stakes here could not be higher. Most of you have likely heard these statistics before but they bear repeating: One out of every five fish on American plates comes from pirate fishing vessels. For all the attention we in the media pay toward unintentional oil spills, every three years, ships intentionally dump more oil and sludge into the oceans than the Exxon Valdez and BP spills combined. Over 90 percent of the planet's fishing grounds are depleted, thanks in large part to overfishing. By 2050, some research predicts that the sea will contain more plastic than fish.

Those are just the environmental threats. Now consider the perils facing the more than 50 million people working out there. At least one ship globally sinks every three days. Tens of thousands of boys and men work on ships as human slaves. A \$20-billion private security force operates at sea and when these mercenaries kill, governments rarely respond because no country holds jurisdiction in international waters.

So, what does any of this have to do with IUU or NOAA? I might suggest three relevant cautions.

First, a key revelation of this journalism is that, generally speaking, the biggest problem is not a lack of law, but rather a lack of enforcement. The prerequisite for true enforcement is almost always monitoring. Think here of mandatory crew manifests, independent vessel identification numbers, VMS/AIS or other vessel tracking, port state inspection regimes, supply chain auditing, bar-code fish tracking, on board cameras, chain of custody rules, public and centralized comprehensive blacklists of

scofflaw vessels, government-funded satellite monitoring, rules on reporting violence at sea, public access to crime data, consumer driven certification -- solutions exist, what's needed is political will.

Second, in pondering solutions to IUU, it would be perilous to ignore the way that environmental abuses contribute to and derive from human rights and labor crimes. Whatever fixes you consider for IUU, it seems prudent to consider not just the fish but also the fishers. In my humble opinion, it is ill-advised to push policy fixes that help to ensure that a fish hasn't been caught using illegal gear or ensuring that it hasn't been pulled from water where it's forbidden, without also ensuring that the people doing the actual fish were not sea slaves.

Finally, and here I know I do not need to tell any of you this, the time for action is now. When it comes to this woefully out-of-sight, out-of-mind realm, solutions exist to many of the most vexing challenges. More often, however, what has been missing is political will.

Thank you again for your time.