

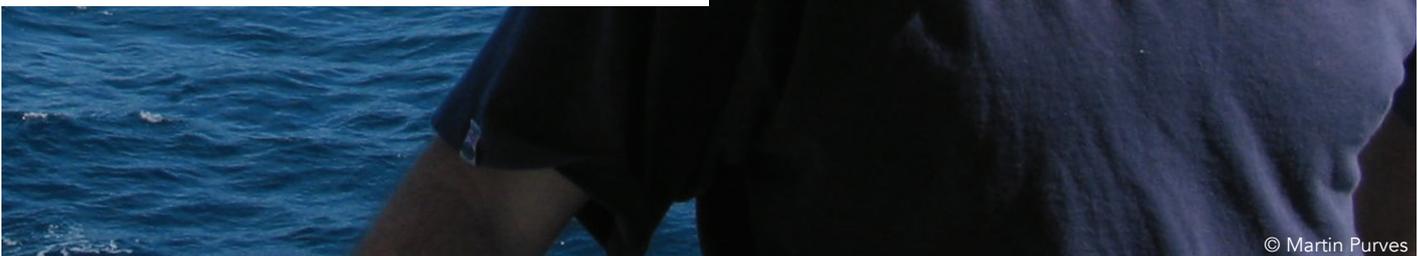


HUMAN RIGHTS AT SEA

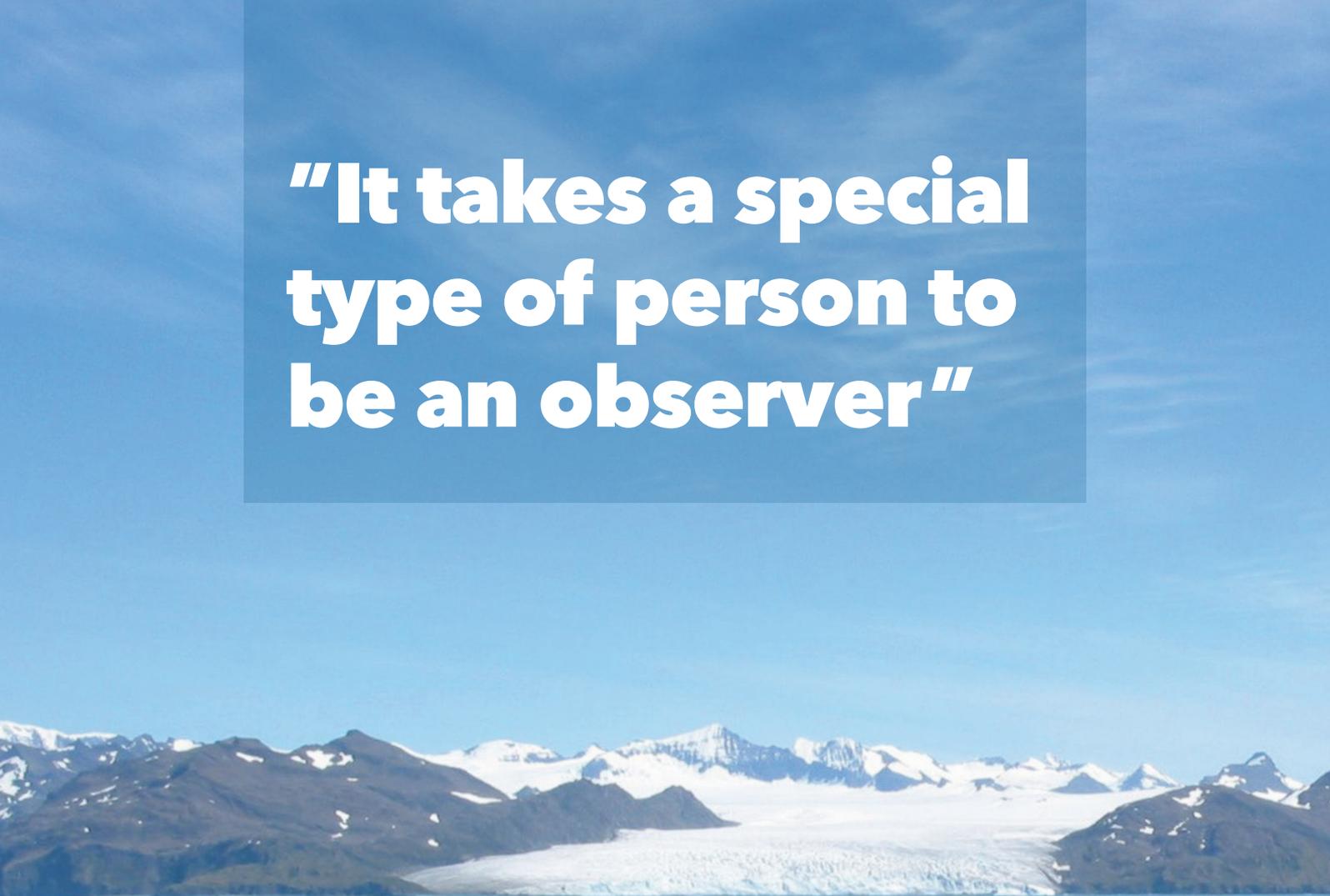


**Human Rights at Sea**  
Insight Briefing Note

**The Role of  
a Fisheries  
Observer**



© Martin Purves



**“It takes a special  
type of person to  
be an observer”**

Martin Purves is a fisheries management and engagement specialist with over 20 years of field, government, consultancy, market and non-profit sector experience. He has been leading the work of the International Pole & Line Foundation (IPNLF) as Managing Director for the past four years. He started his career as a fisheries observer on fishing vessels in the Southwest Indian and Southern Oceans, later going on to be a resource manager of South Africa's Patagonian toothfish fishery and representing his country at the Commission for the Conservation of Antarctic Living Marine Resources (CCAMLR). Altogether he has spent more than three years of his life at sea on many different types of fishing and research vessels, ranging in size from 12m to over 60m in length. He has been deployed in the Indian, Atlantic and Southern Oceans and did several trips in the Gulf of Alaska while working on a project about observer sampling protocols for NOAA's National Marine Fisheries Service (NMFS). He has also trained, deployed and managed observers and developed training materials and trained fishery control officers. His wide-ranging experience in tuna fisheries was further expanded when he worked as a cruise leader during the Regional Tuna Tagging Project in the Indian Ocean. He established and led the Marine Stewardship Council's (MSC) Southern Africa Programme for seven years before joining IPNLF.

# Human Rights at Sea

INSIGHT BRIEFING NOTE

THE ROLE OF A FISHERIES OBSERVER

## 'THE OUTSIDER'

Income for fishing vessel crews is typically linked to the value of the catch. That fact alone ensures that observers are treated as outsiders onboard.

Rarely do observers stick with a ship for more than one voyage. It's part of a deliberate management strategy to ensure they maintain a degree of independence and to reduce the risks of bribery during the weeks or months they spend at sea. The crew, in contrast, generally know each other well and have worked together for extended periods of time.

Observers can serve a purely scientific role onboard, or they can also act as enforcement officers. If they have strong and consistent regulatory back-up, they can halt illegal operations and cut short a voyage, costing all onboard but themselves money and reputation. In many cases, though, they would be risking their life to try.

Early in his career as a fisheries observer, South African national Martin Purves made a conscious decision to gain more insight into the daily life of a fisherman by sailing one voyage as a crewmember instead of performing his usual observer duties. From the day he left port, he worked at least 14 hours a day every day for the next 40 days, often in the harshest of conditions. It gave him an understanding of what is at stake for others onboard. "It was the hardest I've ever worked in my life" he said.

In well-regulated observer programs, fisheries observers are usually given officer status. That generally means having their own cabin, and under some management schemes the observer has to be a different nationality to the vessel's flag state to help ensure independence.

On one occasion, Purves found himself the only English speaker on board, bunking down in a cabin of six. Along with language and cultural isolation, there can be hygiene challenges on board, says Purves, citing some Asian vessels he has been on that were riddled with cockroaches.

**"If an observer discovers things they weren't intended to know about, they can face intimidation, threats, violence and, in the worst cases, murder."**



Martin Purves on deck in South Georgia



Psilodraco breviceps length measurements



Different stages of fish eggs

Photos © Martin Purves

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When observers are asleep, illegal activities can take place, with the crew doing their best to hide the evidence afterwards. If an observer discovers things they weren't intended to know about, they can face intimidation, threats, violence and, in the worst cases, murder.

Training is therefore critical, says Purves. Observers who are primarily trained to collect scientific data are sometimes expected to play the role of an enforcement officer or policeman without the necessary backup support or training. "When the authorities expect you to become a law enforcer on board, it is their responsibility to ensure that you undergo proper training on monitoring, control and surveillance, that you have a good understanding of the relevant fisheries regulations, know how to gather evidence and also fully understand your mandate. Unfortunately, this is often not the case, and observers can be ill equipped to be both data collectors and enforcement officers. Their own safety should be paramount and ideally they should be equipped with their own communication tools, which would include a satellite phone in offshore seas fisheries and an EPIRB, a safety device that will alert authorities in the event of an emergency."

Difficult situations can develop rapidly and unexpectedly. In one instance, Purves had been on deck, in a survival suit and lashed to the rail due to the icy, dangerous seas, recording catch details on a waterproof slate when he was suddenly summoned to the bridge. He thought he had developed a reasonably good relationship with the Captain and could not see a cause for the suspicion and anger he was confronted with. The Captain informed him that he was not to go on deck again during the voyage.

The Captain ordered the crew not to speak to Purves from that moment onward, but luckily the first officer was sympathetic and allowed him to phone his employer when the Captain was not on the bridge.

They were fishing for Patagonian toothfish in the sub-Antarctic waters off South Georgia on a voyage sanctioned by the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), so Purves had back-up. The authorities in South Georgia instructed the Captain to return to shore immediately.

Cutting the voyage short, with the catch underway, was not a popular decision with most of the crew. They blamed Purves, and the rest of the voyage was tense and challenging, but he made it back safely. When they arrived in port, the matter was investigated, and the Captain reprimanded. In this instance things worked out fine, and Purves always knew he had back-up support, which he says was a crucial factor. "Without proper support from the authorities and the company or organisation that deploy you observers can be very vulnerable."



Rough weather on a scientific survey vessel off South Georgia © Martin Purves

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Back on land, while Purves was involved in the management of South Africa's own Patagonian toothfish fishery, he was responsible for the training, deployment and debriefing of observers on the five licensed vessels operating in the fishery. Although a newly developed fishery, the authorities struggled to cope with an influx of about 50-60 illegal fishing boats from all over the world, stretching their capabilities to effectively manage the fishery. Part of Purves' job had been to photograph these illegal fishing vessels when he saw them in port and gather information on their ownership and activities.

**“Crewmembers can face serious risks on such vessels, and many labour and human rights abuses have been documented in illegal fishing operations around the world.”**

Had he been a crewmember on one of those vessels, the outcome of a Captain's displeasure could have been very different. Crewmembers can face serious risks on such vessels, and many labour and human rights abuses have been documented in illegal fishing operations around the world. High seas trans-shipments, which often occur in tuna longline fisheries, makes crewmembers particularly vulnerable and can mean victims are away from help for months or even years at a time.

Purves has worked around the world, on vessels large and small. When working in South Georgia, in the South West Atlantic, the vessels often returned to the Falkland Islands at the end of a voyage. He recalls often reading and hearing about reports of crewmembers choosing to jump overboard from Korean and Taiwanese squid jiggers rather than facing the abuse they were receiving on board. In the icy waters, few survived the near-impossible swim back to shore.

While working in the South Georgia fishery, Purves acted as the coordinator of the other observers in the fishing fleet. The vessels were scattered many miles from each other, but Purves instituted a weekly radio call. On the surface, and in part, the observers discussed scientific issues such as helping each other identify bycatch species, but always there was another purpose for the call, and that was to check that the observers were okay. They secretly agreed a series of code words that could be used to alert each other of problems. These words could then be used as a call for help that would be taken up by the others who would radio the authorities on their behalf.

**“It takes a special type of person to be an observer,”** says Purves.

**“You need to be resilient and to be able to survive in an isolated environment; to be the outsider. You need to sometimes report things that you know are going to cause problems for the people that you've been with for maybe a month or more and who you've got to know quite well.”**

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"Later in my career I worked for a company that deployed and managed observers, amongst other things. One of our observers was out on a tuna longliner in South African waters when the captain offered him a substantial bribe to look the other way when he observed them blatantly disregarding regulations on shark finning. He refused, resulting in some of the crewmembers threatening him with violence. When one of the crew made a cutthroat gesture by drawing his fingers across his throat the observer started seriously fearing for his own safety. He managed to send a distress signal back to our office and we immediately alerted the authorities. The reaction was swift. An offshore patrol vessel that happened to be in the vicinity was dispatched and the fishing vessel was intercepted within 24 hours and escorted back to port after the observer had been transferred to safety. The captain spent that night in a jail cell and was later found guilty for these offences. This sent a very strong message to the captains and owners of vessels that observers needed to be respected and that the authorities would deal forcefully with any threats to their safety."

Despite the challenges, Purves is proud of what can be achieved. In the case of the Patagonian toothfish fishery in the Southern Ocean, a major adverse environmental impact was the bycatch of seabirds, particularly albatross. CCAMLR instituted a number of changes to legal fishing operations to reduce this, including limiting the setting out of longlines to after dusk and before dawn. The lines were weighted, so that they sank quickly, and a streamer line or tory line was deployed above the fishing line to further deter seabirds from diving in, getting hooked and drowning.

"Many of the Captains had never done anything like this before, and there was pushback," says Purves. "Sometimes observers would find themselves in a situation where the Captain simply refused to obey the rules. But it was very rewarding to see changes in behaviour taking place".

"Nowadays, there are no questions asked. It's just done, and everyone accepts it. Some Captains have become champions of change and helped develop new techniques to protect the seabirds. It's a changing mindset, but it does take time."



A trawler fishing for icefish off South Georgia © Martin Purves

# Who We Are

## BACKGROUND

Human Rights at Sea was established in April 2014. It was founded as an initiative to explore issues of maritime human rights development, review associated policies and legislation, and to undertake independent investigation of abuses at sea. It rapidly grew beyond all expectations and for reasons of governance it became a registered charity under the UK Charity Commission in 2015.

Today, the charity is an established, regulated and independent registered non-profit organisation based on the south coast of the United Kingdom. It undertakes **R**esearch, **A**dvocacy, **I**nvestigation and **L**obbying specifically for human rights issues in the maritime environment, including contributing to support for the human element that underpins the global maritime and fishing industries.

The charity works internationally with all individuals, commercial and maritime community organisations that have similar objectives as ourselves, including all the principal maritime welfare organisations.

## OUR MISSION

To explicitly raise awareness, implementation and accountability of human rights provisions throughout the maritime environment, especially where they are currently absent, ignored or being abused.



## STAY IN CONTACT



We welcome any questions, comments or suggestions. Please send your feedback to:  
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## Human Rights at Sea Insight Briefing Note

### The Role of a Fisheries Observer

Human Rights at Sea is a Registered Charity in England and Wales No. 1161673. The organisation has been independently developed for the benefit of the international community for matters and issues concerning human rights in the maritime environment. Its aim is to explicitly raise awareness, implementation and accountability of human rights provisions throughout the maritime environment, especially where they are currently absent, ignored or being abused.

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