

Filipino Fishers on Ocean Going Vessels, A Case of Modern Day Slavery

Atty. Edwin Dela Cruz

Abstract

The Philippines is a source of more than 10,000 Fishers working on Ocean Going Vessels. Although there is a nominal contract called the POEA Standard Agreement, now called the DMW Standard Agreement, stating the wages, hours of work, leave pay, shore leave, overtime pay, holiday and regular rest day every week, this agreement is blatantly violated by shipowners and the master of the vessel. The fishers are not allowed regular shore leaves and the vessel stays in the middle of the sea in the fishing grounds, where it is approached by loading barges and ships to get the harvest. There is no compliance with the regular sleeping requirements after every 10 hours of work, nor of the weekend rest day stated in the contract. The wages are delayed for months in many actual cases and the remittance to the families are usually delayed. Pay on board is negligible and the agreed wages are not followed. The problem is that the fishers are suffered to stay on board the ship and work without shore leave and regular weekly rest days as the ship is away from the shore for many months. This in essence is Forced Labor without commensurate remunerations, equivalent to human trafficking and modern day slavery. Fishers suffered during the COVID 19 pandemic with many months of being stranded in the middle of the sea without sufficient food, water, medicine and supplies. Many got sick without medical attention. A number of fishers died in the open seas. To respond to this crisis, an alliance of grassroots and seafarers rights advocates was formed in the Philippines in 2021 called the SEANETWORK for Seafarers Empowerment Advocates Network. They assisted many fishers who were stranded and their families to ensure that they be given food and water and the fishers abandoned by the shipowners and employers be rescued and repatriated. The Philippines is not a signatory to the ILO Convention 188.

Speaker Profile

Atty Edwin Dela Cruz is a member of the Global Council of MIGRANTE International representing seafarers. Migrante International is a global alliance of grassroots migrant organization in some 22 countries worldwide. He is also the President of the International Seafarers Action Center (ISAC) Philippines an institution advocating for the rights of seafarers and fishers. He is a labor lawyer who specializes in cases of overseas Filipino workers landbased and seabased including seafarers and fishers for the past 25 years. He was the legal counsel of the ITF FOC Philippines from 1998 to 2001.