

# Ship of horrors: life and death on the lawless high seas

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**From bullying and sexual assault to squalid living conditions and forced labour, working at sea can be a grim business - and one deep-sea fishing fleet is particularly notorious.**

On the night of 14 August 2010, the captain of a South Korean trawler, the Oyang 70, left Port Chalmers, New Zealand, for what would be his final journey. The ship was bound for fishing grounds about 400 miles east in the southern Pacific Ocean. When it arrived three days later, the captain, a 42-year-old man named Shin Hyeon-gi, ordered his crew to cast the net over the vessel's rusty stern. As the men worked furiously on the illuminated deck, the ship soon began hoisting in thousands of pounds of a lithe, slender fish called southern blue whiting, which writhed and flapped across the deck. With each haul, the silvery mound of fish grew.

A type of cod, blue whiting was sometimes ground up into fish sticks or imitation lobster. More often it was pelletised and sold as protein-rich food for farmed carnivorous fish such as salmon. At about 9¢ per pound, blue whiting was a low-price catch, which meant the Oyang 70 had to catch a lot to make a profit. As the crew pulled in the net, tonne after tonne of the fish slid to the deck – 39,000kg in all, a decent haul.

The battered, 74 metre ship was long past its prime. The average age for distant-water fishing boats in the South Korean fleet was 29, and the Oyang 70 was 38 years old. Port captains called it “tender” – a euphemism for unstable. A month before it set sail, a New Zealand inspector ranked the ship as “high risk”, citing more than a dozen safety violations, including the fact that one of the ship's main doors below deck was not watertight. The inspector later cleared the ship to sail after its operator claimed that all problems had been fixed.

One of the Oyang's unsolved problems was the man at the helm. Shin had replaced the previous captain, who fell overboard in a drunken stupor and drowned. When the ship cast its first net that day, Shin had been at the helm for nine months. Former crew members referred to him as an “angry man” – sullen, prone to screaming and almost always carrying around a bottle of clear liquid. Deckhands debated whether it was water or grain alcohol. None was reckless enough to ask.

Shin drove his men hard. As the first net was pulled that night, they sorted the squirming, oily mound on the aft deck, quickly heaving the fish down a chute to the ship's interior to make space for the next haul.

One floor down, in the ship's factory, more than a dozen men stood cramped before the “slime line”, a conveyor belt, wielding knives and operating circular saws. Their job was to remove heads, guts and bycatch, while the valuable part of the fish continued down the line for packing and freezing. The men needed roughly half a day to fully process the first catch. But before they made it through the load, Shin ordered the men on deck to put the net back in the water. Work continued almost nonstop over the next 24 hours.

At about 3am on 18 August, the ship's first mate frantically roused Shin from his sleep. The net was too full, the first mate told him. It was pulling the boat under. Water in the engine room was already several feet deep. The crew on deck was begging to cut the net.

The captain jumped from his bunk and raced to the bridge. But instead of ordering the net cut, he demanded that the bosun, the man in charge of the deckhands, command them to keep hoisting. That order would be Shin's last.

For the Sajo Oyang Corporation, which operated the vessel, the poor treatment of workers and the dismal condition of its ship was nothing unusual. Time and again, Sajo Oyang abused its crew members, often treating them with the same disregard as the bycatch in its nets – as a distraction and annoyance. Sometimes, that disregard cost men their lives. The infamy of the Sajo Oyang fleet was well known in maritime circles.

The vastness of the seas made it difficult to chase down bad actors – finding the criminals in the first place was often impossible. What stood out about the story of the Oyang ships was that safety risks and violations, and the persistent mistreatment of workers, were hiding in plain sight. But at every turn, inspectors and regulators largely shrugged off their responsibilities, often with a crass disdain for the lives at stake.

Aside from the eight Korean officers, the crew of the Oyang 70 consisted of 36 Indonesians, six Filipinos and one Chinese. The officers derided the Muslims on board as “dogs” or “monkeys”. The drinking water was often brown and tasted of metal, workers would later tell investigators and lawyers. After a certain point, the only food on board for the crew was rice and the fish they caught. Men were docked pay if they ate too slowly. The crew described the ship as “a floating freezer”; the heater on board barely worked. The shared toilet lacked running water. There were so many cockroaches that a crew member later said he could smell them cooking as they fell on to the hot engine block.

The Oyang 70 was known as a stern trawler, towing a long, cylindrical net from behind. The ship's most intense work happened in the dark, because blue whiting is a schooling fish that lives near the seabed, and is more easily caught at night, when it feeds on plankton, small shrimp and krill closer to the surface.

As the crew struggled with the net on 18 August, everyone on board knew it was more fish than the boat could handle. No one knew by how much, though, because there were no batteries in the net's weight sensors. The cost of replacing the ship's trawl net was more than \$150,000. The price of losing a net full of fish would be the captain's job.

As the net was winched up the stern ramp in the early morning darkness, it looked like a monstrous whale. At the chute, the net mouth opened and the whale regurgitated a flood of fish, so much that the hold soon clogged. The closed end, or “cod” end, of the net stretched down into the sea behind them. Trailing the ship, this mesh cylinder stretched nearly 30 metres. At the far end underwater, the net bulged to cover an area the size of six tennis courts. More than five tonnes of fish were on the ship's slipway, while around another 100 tonnes remained underwater – easily worth more than \$20,000.

Other captains would later testify that this catch was more than double the size of a “bag” that they would have been willing to pull on to a ship of its size. Behind the ship, the bloated net began dragging the Oyang 70's rudder deep underwater, jutting its bow awkwardly toward the inky sky.

Most captains would have immediately identified how dangerous the situation had become. It takes

a rare, almost instinctual calm and spatial acuity to steady a ship of this size while reading the tides, countering gusts and directing a dozen men scrambling on deck. This is especially true when hoisting a large, heavy net, which has to be carefully centered behind the ship.

Shin lacked this instinct. He was not calm, nor was his ship stable in the best of circumstances, and certainly not when his net suddenly slipped to the port side, abruptly tipping the Oyang 70 to a 15-degree list. In the factory below deck, the men on the slime line continued working, even as the ship tilted and as the water rose to their knees. In a desperate attempt to right the ship, Shin ordered some of the men to move any heavy equipment they could budge to starboard and tether it there.

But the list remained, and water began rushing in through the open “offal chute”, a port-side door for expelling fish guts and heads into the ocean. At the same time, dead fish and debris clogged the ship’s scuppers, trapping on board the water that should have drained off. The door to the engine room below, which also should have been sealed, was open. So, too, was the fish hold.

Everything began flowing in the wrong direction. Water bubbled up through floor drains and sprayed in through portholes, and walls became waterfalls. The ability of a boat to flush its decks is as essential as humans’ ability to breathe. Water always needs to be leaving the vessel faster than it is entering. When it’s not, problems multiply quickly. The crew had stacked flattened cardboard boxes over the generator in a futile effort to protect it from the water coming in from above. Soon, the drainage pumps shut off. Even before the Oyang 70 began taking on water, the ship was off-kilter because the captain had ordered most of the boxed fish to be stacked in one hold, rather than spread across two. The ship’s fuel tanks had not been filled to maximum, adding to the Oyang’s instability because of internal sloshing.

At about 4am, a heated argument erupted on the bridge. The chief engineer was in tears and screaming in Korean at the captain, pleading with him to cut the net. The captain finally gave in. The bosun put on a harness and shimmied on to a section of the mesh, knife in hand. Other crewmen followed, all slashing frantically at the net. Too little, too late – the ship continued to roll over.

What had been obvious before was now unavoidable: the Oyang 70 was going down. Chaos overtook the ship. On the bridge, Shin made a distress call on the VHF radio. Men began leaping into the sea. Only the Korean officers wore life jackets. The Oyang’s rescue boat was in the water. But it, too, had been overturned by the waves.

The water temperature before dawn that morning was about 6C. The ship had 68 survival suits, designed to insulate against the cold – more than enough for the 51 men on board. None of the crew put one on. It is unclear if any of them knew how.

Greed, not water, sank the Oyang 70. The ship had tried to swallow too much fish; the ocean swallowed the ship instead. The last men off the drowning ship said that they saw Shin in the wheelhouse, refusing to abandon his post or put on a life jacket. Hugging a pole and clutching his clear bottle, he was muttering in Korean and crying. The Amaltal Atlantis, a New Zealand-flagged fishing boat, heard the VHF call and headed to the scene, arriving an hour later. Much later and the 45 men it rescued would likely have frozen or drowned.

Several of the survivors suffered acute hypothermia. Rescuers never recovered the captain’s body. Among the five other crew members who died, three were found frozen, floating in a lifeboat. On land, a preventable disaster like this might have spelled the end of a company. Not so on the open ocean.

In the world of deep-sea fishing, the Sajo Group is a leviathan. Founded in 1971, the group oversees

a huge fleet of more than 70 fishing ships. The company's slogan is "Nature is delicious". By 2010, the group had made more than \$1bn in annual revenue, millions of dollars of which came from fish pulled from New Zealand waters.

The Sajo Oyang's corporate presence in New Zealand was structured like Russian dolls: larger companies enveloping subsidiaries, and subsidiaries of subsidiaries. The men who worked on the boats were recruited and contracted not by the Sajo Oyang company directly, but by agencies based in Indonesia, Myanmar, South Korea and elsewhere. By outsourcing the recruitment, logistics and payroll of foreign crews, the company centralised profits and decentralised liability.

The sinking of the Oyang 70 made headline news in New Zealand. To handle damage control, the company tapped a pugnacious lobbyist and spokesman named Glenn Inwood, who was famous for representing several other controversial industries, such as whaling and tobacco.

About eight months after the Oyang 70 sank, its replacement, the Oyang 75, arrived at Lyttelton Port in New Zealand. Shortly before it departed again for the fishing grounds, Inwood gave reporters a tour of the new vessel, which he hailed as a model of the highest labour and fishing standards. But even Sajo Oyang's deft fixer couldn't control the publicity surrounding what happened next. Early on the cold morning of 20 June 2011, a parishioner went to her church in Lyttelton, where she discovered 32 Indonesian men hiding in the nave. Shivering and distraught, the Indonesian men had fled the "model" Oyang 75 while the ship was being unloaded.

Waking up at about 4am, the Indonesians had snuck off the ship while the captain was still asleep. Because they were Muslim, the men had wandered the streets looking for a mosque; finding none, they took refuge in the church instead.

One by one, the men described to church officials and later to government investigators their captivity on a ship of horrors. A chief engineer broke a deckhand's nose for inadvertently bumping into him. Another officer punched a crew member in the head so often that he lost part of his vision. Insubordinate crew were sometimes locked in the refrigerator. Others were forced to eat rotten fish bait. On good days, shifts lasted 20 hours. Sometimes they worked for 48 hours straight. "I often thought about asking for help," Andi Sukendar, one of the Indonesian deckhands, said in court papers. "But I didn't know who to ask."

The worst part, the men said, was the sexual assaults, mostly at the hands of a sadistic bosun who would steal their clothing as they bathed so that he could chase them as they ran naked back to their bunks. In the galley, he approached the men from behind and jabbed them with his exposed erection. When they passed him in the halls, he grabbed their genitals. Other Korean officers made advances, the crewmen said, but none were as aggressive as the bosun. He assaulted deckhands while they showered. He climbed into their bunks at night when they were sleeping.

"The bosun tried to teach me how to have sex with him but I refused," one crew member recounted. Others were not able to stave him off.

I wish I could say I was surprised by these reports. But what I read was sickeningly familiar. The expanse of the sea and the dictatorial power of officers over crews allow abusive behaviour that is often only uncovered when a ship sinks.

As police interviewed the Oyang 75's crew in Lyttelton, the ship's owner refused to pay for their accommodation or food, claiming that they no longer worked for him. The bosun was fired and quickly sent back to Korea, avoiding prosecution in New Zealand. The people in Indonesia who had recruited the men to the ships repeatedly called the crew members' families, pressuring them to be

quiet and not talk to reporters or lawyers.

Over the next year, a New Zealand journalist, Michael Field, and two University of Auckland researchers, Christina Stringer and Glenn Simmons, investigated further. Interviewing dozens of crewmen from several Sajo Oyang company vessels and hundreds of men from other foreign ships fishing in New Zealand waters, they revealed a broad pattern of abuse.

Beyond the abhorrent working conditions on its ships, the Oyang fleet was putting entire ecosystems at risk with its fishing practices. One ship was impounded in Russia for illegal fishing and later [fined in New Zealand](#) for discharging thousands of gallons of used engine oil into the sea. Two other Sajo Oyang ships had been caught in New Zealand's waters [dumping](#) hundreds of thousands of dollars' worth of fish overboard, a practice known as high-grading, used to circumvent catch quotas and make room for fresher or more valuable fish.

Meanwhile, workers on Sajo Oyang ships described meals speckled with dead bugs and mattresses riddled with biting mites, men hiding in closets from violent officers, and rapes that occurred in nearby bunks that they felt powerless to stop. Crewmen recounted being issued torn hand-me-downs and ill-fitting boots, tattered jackets and gloves. Captains kept the sailors' passports and certification papers to ensure they could not leave.

On one of the company's other ships in New Zealand's waters, a deckhand accidentally crushed his finger under a heavy roll of rope. When it was later amputated, he was sent immediately back to work below deck, causing his wound to reopen. He woke up at night to find cockroaches crawling on it, drawn by the dried blood. An engineer told investigators that the crew was only allowed to wash garments with seawater in bags used for fish processing, leaving him little choice but to wear rancid-smelling work clothes every day. Another man who worked in the ship's storage area described food flecked with bugs; he ate it anyway, because he was so hungry.

The story of the Oyang fleet was also a story about entrapment. Why did men take these jobs? Once they saw how bad the conditions were, why didn't they flee immediately?

Most of the crew members on the Sajo Oyang ships were from Tegal in central Java, Indonesia, and had been recruited by through an intricate system of debt bondage. They had signed contracts in English, a language they did not speak. Typically, their salary was about US\$235 per month - a fraction of the minimum wage required under law, at least while they worked in New Zealand's waters.

From this wage, labour agents deducted expenses such as "currency variations", "transfer fees" and medical checkups, which, in some instances, amounted to 30% of their earnings. To get the jobs, the men often had paid more than \$175 in fees - more than a month's salary for some. And, as collateral, they often handed over their most prized possessions to ensure the completion of their two-year contracts: home deeds, car registrations and, in one case, the land grant certificate for a community mosque.

Breaching the contracts would bring economic ruin to their families. One deckhand on another vessel, the Oyang 77, put up his elementary and junior high school graduation certificates. In his small village, such records are irreplaceable. If he failed to get the papers back, he would be unemployable. The documents were "the only things of value he had", one affidavit said.

News of the scams and abuse in this work rarely made it back to the small villages where new crew members were recruited, because those who had been tricked were too ashamed to talk about it or to warn others. Even those who knew the risks were willing to try their luck, because they were

desperate for work.

As the conditions on these ships came to light in New Zealand, the public was horrified and lawmakers began cracking down. The fishing industry went on the offensive. Inwood, the industry's all-purpose fixer, led the charge, arguing that working long hours was a standard practice on all fishing ships. The failure to pay wages was the fault not of the Sajo Oyang company but of manning agents in Indonesia who were responsible for handling such matters. Koreans tend to be more physical and vocal than Indonesians, he argued. Some of the abuse allegations on the ships were supposedly misunderstandings stemming from these cultural differences.

"During its entire period of operating in New Zealand, Sajo Oyang, its officers, crew and representatives have never been the subject of a prosecution," Inwood wrote in a letter to the editor of a New Zealand newspaper in July 2012. "That is a rare accomplishment in an industry as highly regulated as the New Zealand fishing industry."

Other fishing companies argued that the problems in the Sajo Oyang fleet were isolated and should not be used to justify new regulations. Meanwhile, the Sajo Oyang company worked to protect its brand.

While reporting in Auckland in the spring of 2017, I met with Christina Stringer, one of the two University of Auckland researchers who had brought to light many of the abuses in New Zealand's waters. She recounted how, at one point during her investigation into foreign fishing fleets, she and her research partner, Glenn Simmons, were dining at a local Chinese restaurant with several Indonesian crew members from one of the Oyang ships. The men were living in safe houses at the time and, having no income, were dependent on the kindness of strangers to eat. The former boss of the crew happened to be dining at the same restaurant, and after he took pictures of the crew with his cell phone and made some calls, a group of men appeared outside the restaurant, glaring at the crew as they waited for them to leave. Simmons hustled the crew to a car out the back and managed to lose the group, though not without a chase.

The company had good reason to fight the bad publicity. The New Zealand government had begun issuing fines: NZ\$420,000 for the Oyang 75's dumping of low-value catches to replace them with more valuable fish, NZ\$10,500 for illegally dumping oil at sea, and NZ\$120,000 for when the Oyang 77 tossed more than 50 tonnes of fish overboard.

Pressure was also mounting from abroad. The US State Department released its annual Trafficking in Persons Report in June 2012, which explicitly faulted New Zealand for poor treatment of foreign fishing workers. In response, New Zealand took a drastic step. In August 2014, the parliament passed a law expelling all foreign fishing vessels from its national waters. Fishing companies had two years to comply, and were given the option of "reflagging" to New Zealand and operating under its full legal jurisdiction.

The law was meant to better protect the roughly 1,500 foreign nationals working on foreign-chartered vessels in its waters by forcing these ships to comply with New Zealand's labour standards. It was a bold move, because it would cost New Zealand hundreds of millions of dollars in foreign investment as fishing companies moved elsewhere rather than shoulder the added burden and cost of the new regulations. To fish in New Zealand's waters, all crew had to be provided with access to personalised bank accounts in which to deposit wages, observers would be required on virtually all foreign-owned fishing vessels, and there would be independent audits of wages.

The existence of forced labour on fishing ships was not a revelation. Stories of sea slavery had been reported for more than a decade on boats from Thailand, Taiwan and elsewhere. But no country had

ever acted as aggressively as New Zealand did in response.

Still, seafarer unions and lawyers for the fishing boat workers questioned whether the government had gone far enough. They argued that the effect of New Zealand's law would be to push bad behaviour elsewhere as the worst scofflaws simply opted to leave New Zealand's waters and set up shop in jurisdictions that exert even less control over foreign fishing fleets. The Oyang 75 subsequently travelled to east Africa, near Mauritius, while the Oyang 77 sailed to an area near the Falkland Islands.

The horrors that repeatedly befell the hapless crews of Sajo Oyang ships were infuriating and tragic. More importantly, though, they illustrated the chaotic, desultory nature of maritime regulation. Forcing companies to follow labour laws, to observe fishing regulations and to abide by national boundaries requires robust enforcement regimens, constant vigilance and a dogged dedication to a higher legal – if not moral – code. But usually, it requires something else, too, an ingredient that is often missing: participation and cooperation of the men on the receiving end of abuse.

Before one of the investigators left the Oyang 75, one of the workers on board, a 28-year-old Indonesian man named Purwanto, pulled him aside. Purwanto seemed genuinely puzzled why anyone would take an interest in the conditions of his work, whether he was satisfied and paid. “No one has ever asked about us before,” said Purwanto, who had been working on the ship for a year. “Why do you want to know about life on the ship?” he asked. The investigator and the union inspector responded that they were simply checking for labour violations. Purwanto said that even if there were violations, it didn't matter – he needed the job, so he would not say anything more. There was nothing else for him back in Indonesia, he said. “This is the best we can get.”

*This is an edited extract from [The Outlaw Ocean: Crime and Survival in the Last Untamed Frontier](#) by Ian Urbina, published by The Bodley Head on 19 September and available at [guardianbookshop.co.uk](http://guardianbookshop.co.uk)*

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