

WRO petitions filed against two Chinese vessels in wake of Outlaw Ocean report

By Chris Chase
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Lawmakers and advocacy groups are increasingly calling on the U.S. Customs and Border Protection (CBP) to take action after an [Outlaw Ocean Project report](#) revealed evidence that seafood processed or sourced via Uyghur or forced labor is making its way into the U.S. supply chain.

Outlaw Ocean said it has received copies of two petitions from nonprofit organizations requesting the CBP issue withhold release orders (WROs) to stop squid tied to the *Wei Yu 18* and from the

Zhen Fa 7 from entering the U.S. supply chain. Both vessels were named in the Outlaw Ocean report, which included accounts of forced labor on board. The first WRO, which Outlaw Ocean Project Director Ian Urbina [reported on his Substack](#), came on 26 October as the Human Trafficking Legal Center submitted a petition citing Section 307 of the U.S. Tariff Act of 1930, which prohibits the importation of goods made by forced or prison labor.

The Human Trafficking Legal Center requested the U.S. CBP take action against the *Zhen Fa 7*, a ship owned by Rongcheng Wangdao, claiming an Indonesian man named Daniel Aritonang [faced abusive conditions onboard](#) that led to his death. The basis of the Human Trafficking Legal Center petition was the Outlaw Ocean report, which cited recruitment contracts, interviews with the crewmembers, supply chain tracing, and eyewitness accounts as evidence for its claims.

A [second WRO petition](#) was submitted on 16 November by the International Corporate Accountability Roundtable in regard to the *Wei Yu 18*, operated by Weihai Huanhai Aquatic Co. The vessel was also alleged to have used forced labor, resulting in conditions that led to the death of an Indonesian crewmember, Fadhil. The petition cites the Outlaw Ocean report's review of recruitment contracts, payment records, interviews with crewmembers, supply chain tracing, and eyewitness accounts as evidence.

In response to the report, U.S. Senator Jeff Merkley has called on the U.S. Department of Homeland Security, which oversees CBP, to issue WROs on all of the seafood processing facilities in the Shandong and Liaoning provinces of China, citing the report's evidence that Uyghur and North Korean labor is being used to process seafood, in violation of U.S. law. U.S. Rep. Raul M. Grijalva and U.S. Rep. Jared Huffman have [also called for the CBP](#) to take action using the tariff act, and also pushed it to use the full authority of the Uyghur Forced Labor Protection Act (UFLPA) to investigate the reports and enforce any violations.

Additionally, some U.S. lawmakers and advocacy groups have pushed for increased scrutiny of imports via the expansion of the Seafood Import Monitoring Program, but NOAA Fisheries [recently announced it was withdrawing its SIMP expansion proposal](#). The U.S. intends to increase its enforcement of forced labor laws in other ways, according to the law firm Skadden Arps, which [published a client alert](#) warning of legislative developments and increased public attention to the issue. Ande Amanda K. Levitt, a lawyer at law firm Sandler, Travis, and Rosenberg P.A., [told SeafoodSource](#) the U.S. government will likely take a deeper look at the allegations in the Outlaw Ocean report.

In recent years, the CBP has upped its issuance of WROs impacting foreign fishing vessels – mainly tuna harvesters – tied to forced labor. In August 2020, [it issued a WRO](#) on all seafood harvested by the Taiwanese-owned, Vanuatu-flagged fishing vessel *Da Wang* “due to reasonable suspicion of forced labor on the vessel.” It also issued a WRO against Taiwanese-flagged *Yu Long 2*, and the Taiwan-flagged *Tunago 61* was given a WRO, though it was revoked by the CBP after it obtained evidence tuna produced by the vessel had not used forced labor.

In 2021, the CBP [issued a WRO against the *Hangton No. 112*](#), operated by Suva, Fiji-based Hangton Pacific Co., over forced labor concerns.

Once issued, a WRO requires the detention of all seafood harvested by the vessel at all U.S. ports of entry, though importers “have an opportunity to export their shipments or submit proof to CBP that the merchandise was not produced with forced labor,” according to the CBP.

So far, little official action has been taken in response to the Outlaw Ocean report by the U.S. government, aside from a 24 October hearing by the Congressional-Executive Commission on China that featured the report's primary author, Ian Urbina. However, [multiple U.S. seafood companies](#) have [cut ties](#) with the [Chinese firms](#) implicated in the report.

Photo courtesy of the North Pacific Fisheries Commission



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