

Media Statement



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TO: ALL MEDIA

DATE: 17 APRIL 2020

RE: CREW OF CHINESE VESSEL PLEAD GUILTY TO ATTEMPTED MURDER

The Durban Magistrate's Court, today, sentenced seven Chinese nationals: Cui Rongli, Lin Xinyong, Zou Yongxian, Tan Yian, Xie Wenbin, Xu Kun and Mu Yong, to hefty fines after they pleaded guilty to the attempted murder of two Tanzanian men last month.

The Master of the ship, Cui Rongli, also pleaded guilty to contravention of the provisions of Section 174 (1)a and Section 317 (4) of the Merchant Shipping Act, Act 57 of 1951. These relate to misconduct (endangering life or causing injury) and failure to report stowaways.

These men form part of the crew of a shipping vessel, Top Grace, which arrived from Singapore to the Port of Durban early last month. In their plea, they mentioned that their vessel then left Durban on 26 March 2020. The following day they discovered two Tanzanian men on board. Realising that the men were stowaways, they asked them to identify themselves.

The accused became wary of the men and asked them to wear facemasks in light of the COVID-19 pandemic. The men refused to wear the facemasks. They gave them food and water, and put them into a separate room, as they did not know their COVID-19 status and feared for the rest of the crew. The two men demanded to know the vessel's destination.

Accused 2 to 7 then constructed a raft with plastic drums and plywood. They provided the men with lifejackets and water and asked them to leave the ship on the raft. The crew acted in a threatening manner by banging on the vessels deck and the men descended into the raft. The ship pulled away once they were on board the raft.

The two men later washed ashore at Zinkwazi Beach near KwaDukuza and the crew of the vessel was asked to proceed to the Port of Richards Bay. The accused admitted that their actions could have resulted in serious injury and even loss of life to them.

The two attempted murder charges were taken as one for sentencing and Rongli received a fine of R100 000 or 4 years imprisonment. For failing to report the stowaways, he was sentenced to a fine of R10 000 or three months imprisonment, suspended for five years on condition that he is not convicted of the same offence during the period of suspension. He was sentenced to a fine of R50 000 or 12 months imprisonment for misconduct. This sentence is suspended for five years on condition that he is not convicted of the same offence during the period of suspension.

Each of the other accused were sentenced to a fine of R50 000 or two years imprisonment for the attempted murders. They were handed over to Immigration officials after paying their fines.

This matter was successfully finalised by Acting Regional Court Prosecutor Vishalan Moodley.

Natasha Kara

Regional Spokesperson: DPP KZN

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