

**COMPLEMENTARY ELEMENTS FOR DISCUSSION UNDER ITEM 8 OF THE
AGENDA FOR THE COMPLIANCE COMMITTEE**

Prepared by IOTC Secretariat, 02 April, 2013

The Secretariat has received the following reports of alleged IUU fishing activities in the IOTC Area from three CPCs. Since the reporting CPCs have not requested that the concerned vessels be placed on the IOTC Draft IUU Vessels List, the Secretariat is presenting the information in this report for the consideration of CPCs and for them to take any action that they may feel is appropriate, at the 10th Session of the Compliance Committee.

Report for the year 2012 (Mauritius)

IOTC CIRCULAR 2012–56

Dear Sir/Madam,

SUBJECT: COMMUNICATION FROM MAURITIUS CONCERNING THE DENIAL OF UNLOADING OF CATCH FROM THE OMAN FLAGGED VESSEL RWAD-1.

Please find below a communication from Mauritius regarding the denial of unloading of catch from the Oman flagged vessel RWAD No 1:

The following information has been provided by Mauritius and concerns the fishing vessel Rwad-1, currently flagged to Oman (IOTC008923).

- On 15 May 2012, the fishing vessel Rwad-1 called into Port Louis to unload 150 tonnes of fish,
- Following the inspection undertaken by Mauritius authorities, it was observed that the catch of albacore on-board amounted to 125 tonnes. Based on the duration of the fishing trip of the vessel, which was 19 days, the catch per day varied between 6 and 9 tonnes. This catch rate appears to be very high compared to the catch rate of other vessels using the same method of fishing on the same fishing ground (2-3 tonnes/day),
- Considering the figures above, the vessel Rwad-1 was not authorised to land/tranship the catch on-board, as it was suspected to have carried out high seas transhipment,
- The local agent representing the vessel has lodged a case in the Supreme Court against the Ministry of Fisheries for not authorising the Rwad-1 to unload/tranship,
- On 12 June 2012, the fishing vessel Rwad-1 left Port Louis for an unknown destination.

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Report for the year 2012 (Secretariat)

12 July 2012

IOTC CIRCULAR 2012-62

Dear Sir/Madam,

SUBJECT: LETTER FROM THE EXECUTIVE SECRETARY OF THE IOTC INVITING THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA TO INVESTIGATE THE ACTIVITIES OF THE VESSEL FULL RICH IN THE IOTC AREA.

Please find attached a letter from the Executive Secretary of the IOTC to the Democratic People's Republic of Korea (DPRK) concerning an invitation to investigate the activities of the vessel *Full Rich*, flagged to the DPRK, and presumed to have carried out Illegal, Unreported and Unregulated fishing in the IOTC area.

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Alejandro Anganuzzi
Executive Secretary

Attachments

Letter from the Secretariat to DPRK, documents of the fishing vessel Full Rich

IOTC Reference: 4615

Mr. An Won Sik
Ministry of Fisheries
Democratic People's Republic of Korea

E-Mail: susan@silibank.net.kp

Dear Sir,

SUBJECT: REQUEST OF INVESTIGATION ON THE ACTIVITIES OF THE VESSEL *FULL RICH* FLAGGED TO THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA AND PRESUMED TO HAVE ENGAGED IN IUU FISHING ACTIVITY IN THE IOTC AREA.

On the 11 April 2012, the vessel *FULL RICH* was sighted at the position 38°48.34'S 022°31.44'E by an IOTC Observer deployed under the IOTC Programme to monitor transshipments at sea by large-scale tuna longline fishing vessels. At the time of sighting, the observer indicated that the vessel received food from the carrier vessel onto which he was deployed. The vessel *FULL RICH* was displaying the call sign HMEK3 and the observer took three photographs of the vessel. To complete this information, you will find attached a report presenting an account of the recent activities of the vessel in the IOTC area in 2011 and 2012 (information received by the IOTC Secretariat including the recent sighting of the vessel *FULL RICH*).

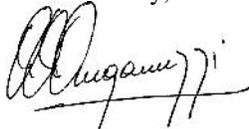
Considering the activities of the vessel *FULL RICH* in the IOTC area, I wish to invite your office to review the attached document and to conduct an investigation into the activities of vessel in the IOTC area and to report the results of your investigation to the IOTC Secretariat at your earliest convenience. We wish to propose that the results of the investigation include a full VMS report of the activities of the vessel per month from April 2011 to May 2012, the fishing logbook of the vessel, ports calls made by the vessel, if any, and the quantity of fish landed or transhipped, by species, during the same period of time.

I would also like to take this opportunity to advise your office that this letter and the information attached to it will be circulated to the Members of the Indian Ocean Tuna Commission in the coming week. In the same manner, upon receiving the results of your investigation, the Secretariat will circulate the results to the Members of the Indian Ocean Tuna Commission.

Therefore, I wish to advise you that upon circulation of the letter, the information and the results of the investigation, Members of the Indian Ocean Tuna Commission may wish to request additional information on the activities of the vessel.

Please accept the assurances of my highest consideration.

Yours sincerely,



Alejandro Anganuzzi
Executive Secretary

Attach. Summary of information on the activities of the vessel *FULL RICH* in the IOTC Area

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July 2012

INFORMATION ON THE ACTIVITIES OF THE VESSEL FULL RICH IN THE IOTC AREA

The following information concerns the fishing vessel FULL RICH, radio call sign HMEK3, sighted in the IOTC Area on the 11 April 2012, under the IOTC Programme to monitor transshipments at sea by large-scale tuna longline fishing vessels. This report presents an account of the recent activities of the vessel in the IOTC area in 2011 and 2012 according to the information received by the IOTC Secretariat.

On 16 April 2011, according to the Certificate of Registry issued by the Maritime Administration Bureau of the Democratic Peoples's Republic of Korea (received by the Secretariat from South Africa), the vessel FULL RICH was flagged to the Democratic Peoples's Republic of Korea. The details of the certificate of registry are as follow:

- Date of issue: 16 April 2011,
- Valide until: 15 April 2012,
- Registration number: 12456,
- Call sign: HMEK3,
- Gross Tonnage: 527,
- Port of registry: Wonsan,
- Ship owner: Noel International LTD Trust Company Complex, Complex, Ajeltake Road, Ajeltake Inland Majuro, Marshall Island MH 96960.

On 13 May 2011, the Belize Authority, IMMARBE, notifies the IOTC Secretariat that the vessel FULL RICH has been deregistered from the Belize Registry due to unauthorized fishing activities within the IOTC area and requested to remove the vessel from the IOTC Record of Authorized Vessels. The vessel was removed from the IOTC Record of Authorised Vessels on the same date.

On 13 June 2011, the vessel FULL RICH was arrested and detained by the South African Authority for entering South Africa's EEZ without a valid EEZ permit. At the time of the arrest the vessel had no ships navigation plots, no vessel logbook, no fishing logbook, no functioning VMS, the officers were Taiwanese and the crew were Vietnamese, and the vessel had onboard: bigeye tuna 1 tonne; yellowfin tuna 2 tonnes; bonito 0.3 tonnes; rough skin oilfish 35 tonnes; blue shark 0.5 tonnes; shortfin mako shark 0.3 tonnes, and 46 kg of shark fins.

June to October 2011, the South African Fisheries Authority prosecuted the vessel Full Rich. South Africa lost the case because South Africa had no jurisdiction on prosecuting the vessel owner for illegally fishing tuna and tuna-like species outside of South Africa's EEZ.

On 14 October 2011, the vessel was released by the South African Authority.

On 11 April 2012, the vessel Full Rich was sighted at the position 38°48.34'S 022°31.44'E. At the time of sighting, the observer indicated that the vessel received food from the carrier vessel onto which he was deployed. The vessel FULL RICH was displaying the call sign HMEK3. The observer took three photographs of the vessel (provided in the Annexe).

It should be noted the owner of the vessel remained the same during the period 2011/2012 under Belize or DPRK flags: *Noel International Ltd. Trust Company Complex Ajeltake Road, Ajeltake Island Majuro, MH96960, Marshall Islands.*

Annex – Photographs of the fishing vessel FULL RICH taken on 11 April, 2012.

Annex – Photographs of the fishing vessel FULL RICH taken on 11 April, 2012.





28 August, 2012

IOTC CIRCULAR 2012-75

Dear Sir/Madam,

SUBJECT: RESPONSE FROM THE DEMOCRATIC PEOPLE’S REPUBLIC OF KOREA REGARDING AN INVITATION TO INVESTIGATE ON THE ACTIVITIES OF THE VESSEL *FULL RICH* IN THE IOTC AREA.

Please find attached the response from the Democratic People’s Republic of Korea (DPRK) regarding an invitation to investigate the activities of the vessel *Full Rich*, flagged to the DPRK, and presumed to have carried out Illegal, Unreported and Unregulated fishing in the IOTC area (IOTC Circular 2012-62).

For the sake of clarification concerning the statements provided in paragraph 2 of the attached letter, I would like to note that there were no arrests of any nature, but that on April 11, 2012 there was a sighting of the vessel in question by an observer under the IOTC Regional Observer Programme. There is no inspector under the IOTC framework, and, of course, observers do not have the mandate or the authority to make arrests under any circumstance.

We would also like to remind that additional documentation on this case was provided with Circular 2012-62.

Yours sincerely



Alejandro Anganuzzi
Executive Secretary

Attachments:

- Responses from DPRK

Pyongyang, August 25, Juche 101(2012)

Dear Mr. Alejandro Anganuzzi,

It is with a great pleasure that I hereby reply to the questions raised by the Indian Ocean Tuna Commission (IOTC) through the document No. 4615, dated on July 9, confirming the receipt of this document on August 9, 2012.

On April 11, 2012, an IOTC inspector despatched to the IOTC area to prevent the illegal fishing had arrested a fishing vessel named FULL RICH on account of her illegal fishing in this area; hence, your commission had requested us to check on this matter because the above vessel had a registration certificate issued by the Maritime Administration of the Democratic People's Republic of Korea (DPRK). Having investigated the matter through our relevant authorities, we hereby inform you that the vessel has been proved to have no relationship with the DPRK for the following reasons;

Firstly, the Maritime Administration of DPRK had neither registered the fishing vessel called Full Rich, nor issued a certificate of registry to the fishing vessel on April 16, 2011. And the Maritime Administration has never given to any fishing vessels the radio call sign of the type of HMEK series. Thus, we confirm that the certificate of registry your commission received from ~~the~~ South Africa has no relation with us.

Secondly, according to the document of your commission the fishing vessel FULL RICH has been arrested in the exclusive economic zone of South Africa on June 13, 2011, and detained for five months for illegal fishing, but the South African Authority did not send any documents for verification of vessel to the DPRK Embassy in South Africa or to the Maritime Administration of the DPRK.

I hope the above explanation could be a satisfying reply to the questions raised by your commission and expect your soonest approval to our application for "Cooperating Non-Contracting Party" to the IOTC.

Yours Sincerely

An Won Sik
Division Director
Joint Venture Division
Ministry of Fisheries
DPR Korea



Mr. Alejandro Anganuzzi
Executive Secretary
Indian Ocean Tuna Commission

Victoria

Report for the year 2012 (Secretariat)



Indian Ocean Tuna Commission
Commission des Thons de l'Océan Indien

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29th October 2012

IOTC Reference: 4758

Hon. Dr. R. Senarathne

Minister of Fisheries &
Aquatic Resources Development
Republic of Sri Lanka

Dear Sir,

SUBJECT: Presumed illegal fishing activities of Sri Lankan vessels in the IOTC Area.

Further to your meeting with the Executive Secretary of the IOTC, Mr. Anganuzzi, I wish to provide you with the attached documents, which highlight possible illegal fishing activities by Sri Lankan fishing vessels in the IOTC Area.

As indicated in the article by Greenpeace, the two vessels, which were encountered in waters beyond the exclusive economic zone of the Republic of Sri Lanka, are not recorded in the IOTC Record of Authorised Vessels. One of the vessel was found to have on board thresher sharks, which under IOTC Resolution 12/09 is a protected species, and the other vessel was found to have on board IOTC species; mainly skipjack tuna.

Should your office require any further information or clarifications on the above, please do not hesitate to contact the undersigned.

Yours sincerely,

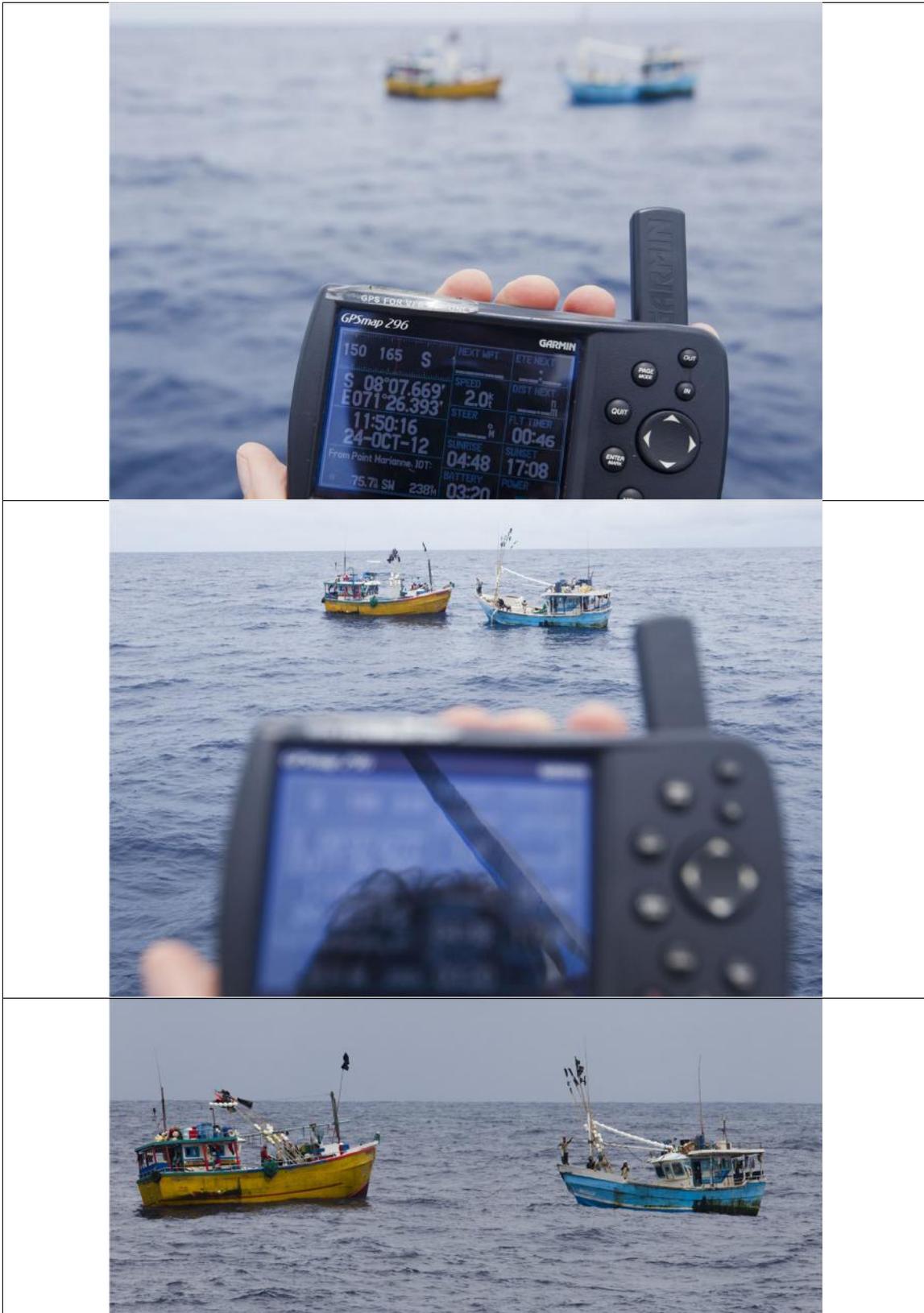
Gerard Domingue

*Compliance Coordinator
Indian Ocean Tuna Commission*

Attachments:

1. Nine Photographs
2. Article by Greenpeace

Attachment 1







Attachment 2

Greenpeace finds illegal fishing vessels, urges UK to enforce Chagos marine reserve

Indian Ocean, October 24, 2012 – Greenpeace found two illegal Sri Lankan fishing boats inside the Chagos marine reserve on Wednesday and has called on the UK government to enforce protection of this Indian Ocean reserve from pirate fishing.

The Greenpeace flagship Rainbow Warrior is currently transiting from Mauritius to the Maldives as part of its Indian Ocean expedition and found in total three fishing boats deep within the Chagos marine protected area, established by the UK government in 2010.

Onboard one vessel, identified as IMUL-A-0352KLT, Greenpeace found dozens of sharks, including thresher sharks, a protected species in this region. This boat is not on the Indian Ocean Tuna Commission (IOTC) list of registered vessels and is illegal.

A second boat, identified as IMUL-A-12939MTR, was not on the IOTC list either and is illegal. Greenpeace also boarded that vessel, mainly finding skipjack tuna.

These fishing boats use indiscriminate gillnets and longlines to catch sharks, tuna and other marine life.

"We are demanding the UK government inspect these vessels and actively protect the marine reserve from illegal fishing. Without enforcement this protected area is not worth the paper it is written on," said Greenpeace UK oceans campaigner Simon Clydesdale on board the Rainbow Warrior.

Greenpeace has given the details of the vessels to the regional authorities as well as the Foreign Office in London, urging Britain to send its patrol vessel the Pacific Marlin out from the nearby US military base Diego Garcia, where it was believed to be at anchor on Tuesday, to inspect the three vessels.

Greenpeace encountered a third vessel, identified as IMUL-A-0341KLT. This boat was authorised to fish in the region but not inside the Chagos protected area.

"Illegal fishing is a massive problem in the Indian Ocean. It is stealing from coastal communities and plunders marine life such as sharks. Boats that repeatedly fail to comply with the rules must be stopped. Our oceans need fewer fishing vessels that are properly controlled if we are to reverse the current overfishing crisis," said Greenpeace International oceans campaigner Sari Tolvanen.

Greenpeace is calling on key market players and tuna brands to ensure they have a traceable supply chain and only source tuna that is legal and comes from sustainable sources.

The Rainbow Warrior is continuing its mission in the Indian Ocean to highlight the problems associated with excessive tuna fishing, unsustainable fishing practices, and the need for countries to cooperate and ensure that communities will benefit from the wealth coming from the oceans in the future.

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