



TWELFTH REGULAR SESSION

Bali, Indonesia
3-8 December 2015

WCPFC IUU LIST FOR 2016

WCPFC12-2015-10_rev2¹
1 December 2015

Paper prepared by the Secretariat

Purpose

1. The paper presents for the consideration of WCPFC12 the relevant information for a decision on the 2016 WCPFC IUU List.

Introduction

2. The Seventh Regular Session of the Commission (WCPFC7) adopted Conservation and Management Measure 2010-06 (CMM 2010-06) to establish a “List of Vessels Presumed to Have Carried Out Illegal, Unreported and Unregulated Fishing Activities in the WCPO” (which replaced CMM 2007-03). CMM 2010-06 requires the Executive Director to prepare a draft IUU Vessel List based on information received from Members, Cooperating Non-Members and Participating Territories (CCMs) at least 70 days before the annual meeting of the Technical and Compliance Committee (TCC). CMM 2010-06 further requires the Executive Director to transmit the draft IUU Vessel List, together with all the supporting evidence provided, to all CCMs, as well as to non-CCMs with vessels on the List at least 55 days before the annual meeting of the TCC.

Developments prior to TCC11 in 2015

3. On 23 June 2015, Fiji provided a letter of nomination for a vessel to be placed on the draft IUU list and the Secretariat was requested to assist with advising the flag CCM Wallis and Futuna. On 22 July 2015: WCPFC receives reply from Wallis and Futuna to acknowledge receipt of the letter from the WCPFC ED which forwards Fiji’s nomination advice.

4. On 25 June 2015, Tonga provided a letter of nomination for a vessel to be placed on the draft IUU list. The Secretariat revised the case file package on 26 August 2015, to include a copy of the original letter sent by Tonga to China (this version is intended to replace the version of the

¹ Update of WCPFC-TCC11-2015-07_rev3. Rev 1 is an update of the 16 November version, which includes a new paragraph 10 reflecting the updated advice from FSM regarding 4 vessels on the Provisional IUU Vessel List. Rev 2 includes a new paragraph 11 reflecting the updated advice from Tonga regarding 1 vessel on the Provisional IUU list.

supporting case file that was sent by circular on 30 July 2015). On 14 July 2015: China provided a letter of reply to the nomination.

5. On 14 July 2015: FSM provided a letter of nomination for four vessels to be placed on the draft IUU list. The Secretariat revised the case file package on 26 August 2015, to include a copy of the annexes to the nomination sent by FSM this replaces the version that was sent by circular on 30 July 2015. 14 July 2015 (70 days before TCC11) was also the deadline for CCMs to provide a list of vessels presumed to be carrying out IUU activities in the Convention Area during current or previous years.

6. On 30 July 2015 the draft IUU list and supporting information was circulated to all CCMs and other relevant flag CCMs (WCPFC Circular 2015/48). Also attached to this circulation was a copy of the WCPFC IUU list. The Circular was sent to all CCMs and to Georgia a non-CCM.

7. In advance of TCC11 and following circulation of the draft IUU vessel list and supporting documentation on 30 July 2015 (Circular 2015/48), three submissions of additional supporting documentation were received as follows:

- i. In reference to Case 2015_B: A letter of reply from Chief Executive Officer of Tonga Ministry of Agriculture and Food, Forests and Fisheries to China, which was received by WCPFC on 31 August 2015.
- ii. In reference to Case 2015_C-F: A letter from Director, Bureau of Fisheries and Aquatic Resources, Philippines to WCPFC Executive Director, which was received by WCPFC on 28 August 2015.
- iii. In reference to Case 2015_B: A further letter of reply from Deputy Director, Division of Deep Sea Fishing, Bureau of Fisheries, Ministry of Agriculture, China to Tonga, which was received by WCPFC on 15 September 2015.

TCC11 outcomes

Provisional WCPFC IUU Vessel List

8. The record of the deliberations during TCC11 related to the adoption of the Provisional WCPFC IUU vessel list can be found in the TCC11 Summary Report, paragraphs 49 – 81. The TCC11 recommendations are provided in the box below:

51. TCC11 agreed to include FAIMANU V on the Provisional IUU Vessel List.
66. A majority of TCC members supported the inclusion of the RONG DA YANG 28 on the provisional IUU list whilst a minority were against the inclusion of the RONG DA YANG 28 on the Provisional IUU List. TCC11 agreed to place the vessel on the IUU list with a note to WCPFC12 that consensus was not reached on this vessel.
76. TCC11 agreed to include the LADY EVELYN-8, the F/V MASTER RUSTIN-4, the LADY EVELYN 38 and the LADY GELAINE 18 on the Provisional IUU list.
81. With respect to the Provisional IUU Vessel List, all vessels contained in WCPFC-TCC11-2015- 07_rev3 were reviewed. A Provisional IUU Vessel List was adopted and is attached as TCC11 Summary Report Attachment D.

9. A copy of the provisional WCPFC IUU vessel list as adopted by TCC11 is provided in **Annex 1** to this paper. Suitably documented information pertaining to the provisional IUU list can be

accessed by CCMs on the WCPFC secure CCM side of the website (see *Attachments 1 – 7 of WCPFC-TCC11-2015-07_rev3*)

10. On 28 November 2015 FSM as the nominating CCM provided a letter that provides additional information regarding four vessels on the Provisional IUU list (**WCPFC12-2015-11_Att Case C-F**).

11. On 1 December 2015 Tonga as the nominating CCM provided a letter that provides additional information regarding one vessel on the Provisional IUU list (**WCPFC12-2015-11_Att Case B**).

Recommendations on current WCPFC IUU Vessel List

12. The record of the deliberations during TCC11 related to the review of the WCPFC IUU vessel list can be found in the TCC11 Summary Report, paragraphs 82 – 109. The TCC11 recommendations are provided in the box below:

84. TCC11 agreed to recommend to WCPFC12 that the NEPTUNE should remain on the WCPFC IUU vessel list.

85. TCC11 agreed to recommend to WCPFC12 that the FU LIEN No.1 should remain on the WCPFC IUU vessel list.

89. TCC11 agreed to recommend to WCPFC12 that the YU FONG 168 should remain on the WCPFC IUU vessel list.

13. TCC11 also required the Secretariat to write letters seeking updates on the vessels on the WCPFC IUU vessel list. In response, during October 2015, the Executive Director sent letters to:

- Chinese Taipei and Georgia to request information of their vessel/s on the WCPFC IUU list, specifically their last known operations and whereabouts; and
- Other RFMOs (CCAMLR, CCSBT, IATTC, ICCAT, IOTC, NPAFC & SPRFMO) to seek their cooperation with locating the vessels on the WCPFC IUU list underlining that they are now listed on a number of IUU lists.

14. A summary of the substantive replies which have been received to date in response to the Executive Directors letters are provided below:

| Reply received from | Date of receipt by WCPFC | Summary of correspondence |
|---------------------|--------------------------|---|
| CCAMLR | 26 Oct 2015 | Confirms there are no updates to provide. |
| ICCAT | 26 Oct 2015 | The three vessels reported by WCPFC are included on the provisional IUU list which will be considered for adoption at the forthcoming ICCAT meeting, 10-17 November 2015. |
| NPAFC | 7 Nov 2015 | None of the vessels were sighted in the NPAFC Convention Area during the 2015 patrol season. WCPFC IUU List will be brought to attention of the NPAFC Committee on Enforcement. |
| Chinese Taipei | 13 Nov 2015 | With respect to Yu Fong 168, the license was revoked in 2009 the owner of the vessel has been penalized through repeated monetary punishment for violating the rules of not returning to port. The most recent information was received from Thailand's notification to IOTC that the vessel landed their catches in the port of Phuket in the year 2013. Assistance of other CCMs is sought to locate or detain this vessel. |

15. A copy of the current WCPFC IUU list is provided as Annex 2 to this paper. Copies of suitably documented information pertaining to the WCPFC IUU list, including replies to the October 2015 letters, can be accessed by CCMs on the WCPFC secure CCM side of the website.

Recommendation

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| <p>14. Pursuant to CMM 2010-06, WCPFC12 is invited to adopt a new WCPFC IUU Vessel List for 2016, considering:</p> <ul style="list-style-type: none"> a. the provisional IUU Vessel List recommended by TCC11, and taking in account any newly suitably documented information related to that list; and b. the TCC11 recommendation to maintain the three vessels that are currently on the WCPFC IUU vessel list. |
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PROVISIONAL IUU VESSEL LIST FOR 2016
As adopted by TCC11 in accordance with CMM 2010-06

Note: Information provided in this list is in accordance with CMM 2010-06 para 19

| # | Current name of vessel (previous names) | Current flag (previous flags) | Date first included on WCPFC IUU Vessel List | Flag State Registration Number/ IMO Number (RFV VID) | Call Sign (previous call signs) | Owner/beneficial owners (previous owners) | Notifying CCM/Contact Details | IUU activities |
|--------|---|---|--|--|---------------------------------|--|---|--|
| 2015_A | FAIMANU V | Wallis and Futuna / FRANCE (French Polynesia) | <i>(received by WCPFC 23 June 2015)</i> | WF 85 <i>Port of Registry: MATA-UTU I</i> (Not on RFV) | FNCX | | FIJI Ministry of Fisheries and Forests, Fisheries Department 360 Toorak Rd PO Box 2218 Government Building, Suva | The longliner, while entering Fiji waters failed to notify port state prior to arrival into Fiji Port, had a broken antenna which may indicate non polling of MTU & found to have shark fins on board believed OceanicWhite Tip. |
| 2015_B | RONG DA YANG 28 | CHINA | <i>(received by WCPFC 25 June 2015)</i> | (LU)CHUAN DENG(JI)(2012)FT-200030 (VID 10356) | BBGA8 | WEIHAI CHANGHE FISHERY CO. LTD of No.28,DongShan Road, WeiHai, Shandong, China | KINDGDOM OF TONGA Chief Executive Officer Ministry of Agriculture and Food, Forests and Fisheries, PO Box 14 Nuku'alofa | The longliner was sighted by an aircraft undertaking a maritime surveillance and alleged to be an unlicensed foreign fishing vessel fishing illegally inside Tongan fisheries waters. |

| # | Current name of vessel (previous names) | Current flag (previous flags) | Date first included on WCPFC IUU Vessel List | Flag State Registration Number/ IMO Number (RFV VID) | Call Sign (previous call signs) | Owner/beneficial owners (previous owners) | Notifying CCM/Contact Details | IUU activities |
|--------|---|-------------------------------|--|--|---------------------------------|---|--|--|
| 2015_C | LADY EVELYN-8 | PHILIPPINES | <i>(received by WCPFC 14 July 2015)</i> | 12-0000617 (VID 10514) | DUL-6657 | RUGELA FISHING INDUSTRIES, INC. Calumpang, General Santos City. | FEDERATED STATES OF MICRONESIA, Executive Director, National Oceanic Resource Management Authority, PO Box PS122, Pohnpei. | Multiple incidents of alleged illegal fishing and transshipments in FSM EEZ (2-Feb 2015, 31- Jan-2015). <i>Supporting file notes past history of similar activities in 12-Jan 2013 and 30 Oct 2013</i> |
| 2015_D | F/V MASTER RUSTIN-4 | PHILIPPINES | <i>(received by WCPFC 14 July 2015)</i> | 12-0000576 (VID 10656) | DUM-2834 | RUGELA FISHING INDUSTRIES, INC. Calumpang, General Santos City. | FEDERATED STATES OF MICRONESIA, Executive Director, National Oceanic Resource Management Authority, PO Box PS122, Pohnpei. | Alleged illegal transshipment with purse seine fishing vessel Lady Evelyn-38 in FSM EEZ on 14 May 2014 |
| 2015_E | LADY EVELYN-38 | PHILIPPINES | <i>(received by WCPFC 14 July 2015)</i> | 12-0000651 (VID 10560) | DUL-2828 | RUGELA FISHING INDUSTRIES, INC. Calumpang, General Santos City. | FEDERATED STATES OF MICRONESIA, Executive Director, National Oceanic Resource Management Authority, PO Box PS122, Pohnpei. | Alleged illegal transshipment in FSM EEZ (14 May 2014) |
| 2015_F | LADY GELAINE 18 | PHILIPPINES | <i>(received by WCPFC 14 July 2015)</i> | 12-0000259 (VID 10516) | DUM-2830 | RUGELA FISHING INDUSTRIES, INC. Calumpang, General Santos City. | FEDERATED STATES OF MICRONESIA, Executive Director, National Oceanic Resource Management Authority, PO Box PS122, Pohnpei. | Multiple alleged illegal transshipments with purse seine fishing vessels (31 Jan 2015 and 2 Feb 2015) |

Annex 2 (WCPFC11 Summary Report: Attachment I)



WCPFC IUU VESSEL LIST FOR 2015

(Effective from 3 February 2015: WCPFC11 agreed to maintain the WCPFC IUU list for 2014 as the WCPFC IUU list for 2015)

Note: Information provided in this list is in accordance with CMM 2010-06 para 19

| Current name of vessel (previous names) | Current flag (previous flags) | Date first included on WCPFC IUU Vessel List | Flag State Registration Number/ IMO Number | Call Sign (previous call signs) | Owner/beneficial owners (previous owners) | Notifying CCM | IUU activities |
|--|--------------------------------------|---|---|--|--|----------------------|---|
| Neptune | Georgia | 10 Dec. 2010 | C-00545 | 4LOG | Space Energy Enterprises Co. Ltd. | France | Fishing on the high seas of the WCPFC Convention Area without being on the WCPFC Record of Fishing Vessels (CMM 2007-03-para 3a) |
| Fu Lien No 1 | Georgia | 10 Dec. 2010 | IMO No 7355662 | 4LIN2 | Fu Lien Fishery Co., Georgia | United States | Is without nationality and harvested species covered by the WCPFC Convention in the Convention Area (CMM 2007-03, para 3h) |
| Yu Fong 168 | Chinese Taipei | 11 Dec. 2009 | | BJ4786 | Chang Lin Pao-Chun, 161 Sanmin Rd., Liouciuo Township, Pingtung County 929, Chinese Taipei | Marshall Islands | Fishing in the Exclusive Economic Zone of the Republic of the Marshall Islands without permission and in contravention of Republic of the Marshall Islands's laws and regulations. (CMM 2007-03, para 3b) |