



TECHNICAL AND COMPLIANCE COMMITTEE
Seventh Regular Session
28 September - 4 October 2011
Pohnpei, Federated States of Micronesia

WCPFC IUU LIST

WCPFC-TCC7-2011/13 Rev 1
9 August 2011

Paper prepared by Secretariat

INTRODUCTION

1. This paper covers two issues requiring consideration by TCC and subsequent recommendation to the Commission. First, an update is provided on actions taken by the Secretariat with regard to the inclusion of the vessel *F/V Fu Lien No. 1* on the WCPFC IUU Vessel List at WCPFC 7 and matters for TCC consideration. The second issue relates to the current WCPFC IUU Vessel List as approved by WCPFC7 for further review by TCC and subsequent recommendation to WCPFC8 in accordance with CMM 2010-06.

F/V FU LIEN NO.1

2. WCPFC7 agreed to place the vessel *F/V Fu Lien No.1* on the WCPFC IUU Vessel List for fishing on the high seas in the WCPFC Convention Area in a manner which undermined WCPFC conservation and management measures.

3. Noting that the *Fu Lien No.1* was stateless at the time of the IUU fishing violation:-

201. WCPFC7 agreed by consensus to place the *Fu Lien No 1* on the WCPFC IUU vessel list. WCPFC7 additionally noted that the procedures for de-listing an IUU vessel under CMM 2007-03 require action by the flag State. However, in the case of the *F/V Fu Lien No. 1*, it was listed for being without nationality and harvesting species covered by the WCPFC Convention while on the high seas of the Convention Area. Therefore, the process for de-listing the *F/V Fu Lien No. 1* requires special arrangements. Accordingly, the Commission agreed:

- i. that the Secretariat will write to the vessel's current flag State in order to seek its assistance in resolving this matter. The Commission further agrees that in the event that the current flag State of Georgia determines that this matter is outside its jurisdiction, then the following actions by the owner of the *F/V Fu Lien No. 1* will be deemed sufficient for the purpose of removing the vessel from the IUU list. Those actions are:
 - a. payment of voluntary contribution to the Commission in an amount deemed satisfactory by the Commission;

- b. ensuring that the vessel is flagged to a responsible flag State; and
- c. a written commitment by the vessel owner and flag State that it will comply with the WCPF Convention and its conservation and management measures.

3. The Secretariat wrote to the Republic of Georgia, the new flag State of the *F/V Fu Lien No. 1* as directed by the Commission and received notification that *F/V Fu Lien No. 1* had been removed from the Georgian registry. The Republic of Georgia also provided to the Secretariat the contact details of the owners of the *F/V Fu Lien No.1* The Secretariat has contacted the owners of the *F/V Fu Lien No. 1* but has not received any response to date.

4. The United States of America which originally nominated the *F/V Fu Lien No. 1* for listing on the WCPFC IUU Vessel List has estimated that the value of the catch of the *F/V Fu Lien No. 1* was approximately US\$1.5 million and suggested that an appropriate 'voluntary contribution' by the owners of the *Fu Lien No. 1* to seek removal from the WCPFCIUU list would be US\$150,000.

WCPFC IUU VESSEL LIST FOR 2011

5. Paragraph 14 of CMM 2010-06 requires TCC to consider the current WCPFC IUU Vessel List and, based on suitably documented information provided and circulated, recommend to the Commission which, if any, vessels should be removed from the current WCPFC IUU Vessel List.

6. Attachment A is the current WCPFC IUU Vessel List as approved at WCPFC7 for review by TCC7 and subsequent recommendation to the Commission.

7. No additional information has been received by the Secretariat in respect of the vessels on the current WCPFC IUU Vessel List.

CONCLUSION

8. TCC is invited to:-
- i. Consider and advise the Commission on the financial level that would be appropriate as a 'voluntary contribution' from the owners of the *F/V Fu Lien No. 1* to seek its removal from the WCPFC IUU List of Vessels if they wish to.
 - ii. review the WCPFC IUU List in Attachment A and provide advice to WCPFC8 on the WCPFC IUU List of Vessels For 2012.

WCPFC IUU VESSEL LIST FOR 2011 10 December 2010

Note: Information provided in this list is in accordance with CMM 2007-03 para 19

Current name of vessel (previous names)	Current flag (previous flags)	Date first included on draft WCPFC IUU Vessel List	Flag State Registration Number/ IMO Number	Call Sign (previous call signs)	Owner/beneficial owners (previous owners)	Notifying CCM/Contact Details	IUU activities
Neptune	Georgia	2 July 2010	C-00545	4LOG	Space Energy Enterprises Co. Ltd.	France for French Polynesia	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	2 July 2010	IMO No 7355662	4LIN2	Fu Lien Fishery Co., Georgia	USA	Is without nationality and harvested species covered by the WCPFC Convention in the Convention Area (CMM 2007-03, para 3h)
Jinn Feng Tsair No.1	Chinese Taipei	7 Dec. 2007	CT4-2444	BJ4444	Hung Ching Chin, Pingtung, Chinese Taipei	Federated States of Micronesia E-mail: norma@mail.fm	Fishing in the Exclusive Economic Zone of the Federated States of Micronesia without permission and in contravention of Federated States of Micronesia's laws and regulations. (CMM 2007-03, para 3b)
Senta Note: Now named Sun Fu Fa (Shin Takara Maru)	Panama (Japan)	4 Jun. 2008	IMO No.8221947	HOFG	Chin Fu Fishery, Chinese Taipei Now: Shin Year Fishery (Nisshin Kisen Co.Ltd, Japan)	France (French Polynesia) E-mail: affmar@mail.pf	Transshipping on the high seas of the WCPFC Convention Area without being on the WCPFC Record of Fishing Vessels (CMM 2007-03-para 3a)
Yu Fong 168	Chinese	1 Jul. 2009		BJ4786	Chang Lin Pao-Chun,	Marshall Islands	Fishing in the Exclusive

	Taipei				161 Sanmin Rd., Liouciuo Township, Pingtung County 929, Chinese Taipei	E-mail: mimra@ntamar.net	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)
--	--------	--	--	--	---------------------------------------------------------------------------------	-----------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------