



## **TECHNICAL AND COMPLIANCE COMMITTEE**

### **Twelfth Regular Session**

21 – 27 September 2016

Pohnpei, Federated States of Micronesia

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### **DRAFT IUU VESSEL LIST AND CURRENT WCPFC IUU VESSEL LIST**

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WCPFC-TCC12-2016-08\_rev1<sup>1</sup>

16 September 2016

#### **Paper prepared by the Secretariat**

#### **Purpose**

1. The paper presents for the consideration and decision of TCC12:
  - a) the draft IUU vessel list and supporting documentation; and
  - b) the current WCPFC IUU vessel list.

#### **Background**

2. The Seventh Regular Session of the Commission (WCPFC7) adopted Conservation and Management Measure 2010-06 (CMM 2010-06) ‘Conservation and Management Measure 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.

#### **Vessels presumed to have undertaken IUU activity**

3. On 13 July 2016, Samoa provided a letter notifying of a vessel presumed to have undertaken IUU activity and confirmed that the responsible flag CCM had been separately advised. (**Attachment 1**).

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<sup>1</sup> Revised version incorporates updates on correspondence received related to the draft IUU list since version 1 of the paper was issued on 30 August 2016.

4. On 16 July 2016, Cook Islands provided a letter notifying of a vessel presumed to have undertaken IUU activity. The letter included as cc the contacts for the responsible flag CCM who acknowledged receipt of the letter. (**Attachment 2**)
5. On 27 July 2016 the draft IUU vessel list and supporting information was circulated to all CCMs and other relevant flag CCMs (WCPFC Circular 2016/41). Also attached to this circulation was a copy of the current WCPFC IUU vessel list.
6. Since the circulation of the draft IUU vessel list and supporting documentation on 27 July 2016 (Circular 2016/41), one submission of additional supporting documentation has been received as follow:
  - i. On 28 July 2016 Vanuatu provided a letter of reply regarding the activities of its vessel that is included on the draft IUU vessel list 2016. (**Attachment 3**)
  - ii. On 13 September 2016 United States of America provided copies of two correspondence regarding the activities of its vessel that is included on the draft IUU vessel list 2016 (**Attachment 4**)
  - iii. On 16 September 2016 Samoa provided a letter of reply to the United States of America (**Attachment 5**)
7. A copy of the recirculated draft IUU vessel list is provided in Annex 1, and all suitably documented information that relates to the draft IUU vessel list and the current WCPFC IUU vessel list can be accessed by CCMs on the WCPFC secure CCM side of the website

#### **Current WCPFC IUU Vessel List**

8. The WCPFC IUU vessel list for 2016 includes no new vessels and maintains those from the previous year's list. At WCPFC12, the Commission did include a footnote on the IUU vessel list which references the latest updates on the most recent sightings for the vessels. A copy is posted on the WCPFC website at <https://www.wcpfc.int/wcpfc-iuu-vessel-list> and a copy of the current WCPFC IUU vessel list is provided as **Annex 2**.
9. The Secretariat was tasked by WCPFC12 to write to the responsible flag State of the vessels on the WCPFC IUU vessel list, to seek their cooperation in identifying the vessels last known operations and track their whereabouts, and to request that the Commission be advised of any findings. Letters were also to be sent to RFMOs noting the vessels have been included on the WCPFC IUU vessel list for some time, and requesting their cooperation to locate these vessels and as applicable underlining circumstances when the vessel is listed on other RFMO IUU vessel lists. In response, during March 2016, the Executive Director sent letters to Chinese Taipei and other RFMOs (CCAMLR, CCSBT, IATTC, ICCAT, IOTC, NPAFC & SPRFMO)<sup>2</sup>. The Secretariat received acknowledgement of receipt to the letters but no substantive replies have been received from the RFMOs. Chinese Taipei sent a letter of reply on July 28 2016, which confirmed having no further progress to report and that sought CCMs assistance in contacting Chinese Taipei authorities if the vessel is located.

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<sup>2</sup> CCAMLR: Commission for the Conservation of Antarctic Marine Living Resources; CCSBT: Commission for the Conservation of Southern Bluefin Tuna; IATTC: Inter-American Tropical Tuna Commission; ICCAT: International Commission for the Conservation of Atlantic Tunas; IOTC: Indian Ocean Tuna Commission; NPAFC: North Pacific Anadromous Fisheries Commission; and SPRFMO: South Pacific Regional Fisheries Management Organisation

## **Recommendation**

10. TCC12 is invited, pursuant to CMM 2010-06, to:

- a) adopt a Provisional IUU Vessel List, and submit it to the Commission for consideration and approval; and
- b) recommend, as appropriate any proposed changes to the current WCPFC IUU Vessel List.



### DRAFT IUU VESSEL LIST FOR 2017

**Circulated to CCMs on July 27 2016, in accordance with paragraph 6 of CMM 2010-06 and recirculated on 14 September 2016, in accordance with paragraph 10 of CMM 2010-06 (as at 16 Sept 2016)**

**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
2016_A	HOLLY	UNITED STATES OF AMERICA	<i>(received by WCPFC 13 July 2016)</i>	1135654 (5734)	WDC98 35	HOLLY FISHERY LLC, 1615 10TH AVE APT F, HONOLULU, HI 96816, USA	SAMOA Chief Executive Officer Ministry of Agriculture and Fisheries PO Box 1874 Apia	Unlicensed fishing vessel alleged to have conducted fishing activity inside Samoa fishery waters on 31 May 2016 and 1 June 2016.
2016_B	ESSIEN No 108	VANUATU	<i>(received by WCPFC 16 July 2016)</i>	2355 / 9004451 (1301)	YJTZ3	BELEGAER FISHERY CO LTD, 5F, NO.139, HOUAN ROAD, CHIEN CHEN DISTRICT, KAOHSIUNG	COOK ISLANDS Secretary Ministry of Marine Resources, PO Box 85 Avarua Rarotonga	Unlicensed fishing vessel alleged to have conducted fishing activity in Cook Islands waters on 8, 9 and 10 December 2015.

Supporting documentation that follows:

1. Case 2016\_A: Letter from Chief Executive Officer, Ministry of Agriculture and Fisheries, Samoa (13 July)
2. Case 2016\_B: Letter from Secretary of Marine Resources, Ministry of Marine Resources, Cook Islands (16 July)
3. Case 2016\_B: Reply from Vanuatu Fisheries (received 28 July)
4. Case 2016\_A: Copies of two communications regarding F/V Holly, United States of America (received 13 Sept)
5. Case 2016\_A: Letter of Reply from Samoa to United States of America (received 16 Sept)



## WCPFC IUU VESSEL LIST FOR 2016

*(Effective from 7 February 2016: WCPFC12 agreed to maintain the WCPFC IUU list for 2015 as the WCPFC IUU list for 2016)*

**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 <sup>1</sup>	Flag State Registration Number/ IMO Number	Call Sign (previous call signs)	Owner/beneficial owners (previous owners)	Notifying CCM	IUU activities
Neptune	<i>unknown</i> (Georgia)	10 Dec. 2010	M-00545	<i>unknown</i> (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	<i>unknown</i> (Georgia)	10 Dec. 2010	M-01432 IMO No 7355662	<i>unknown</i> (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)

<sup>1</sup> **Supplementary note as at 8 Dec 2015:** In October 2015, at the request of TCC11 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 to 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. Georgia replied to confirm that the vessels **Neptune** and **Fu Lien No 1** are no longer flying Georgia flag. Chinese Taipei confirmed that 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. Chinese Taipei further advised that 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. CCAMLR and NPAFC replied and confirmed that there are no updates to provide, and ICCAT confirmed that the three vessels are included on the provisional IUU list which will be considered for adoption at the forthcoming ICCAT meeting, 10-17 November 2015.