

---

**CONCERNING THE IOTC IUU VESSEL LIST**  
Prepared by the IOTC Secretariat

---

This document provides information relating to the IOTC IUU vessel list.

- The first document is from Papua New Guinea in response to the listing of three PNG flagged vessels by the Commission in 2005.
- The remaining documents relate to six purse-seine vessels in the current IOTC IUU vessel list being registered under the flag of Thailand. Including (a) a letter from Thailand Authorities informing IOTC of their actions and responses from (b) Japan and (c) the European Community



## NATIONAL FISHERIES AUTHORITY

P.O. Box 2016, Port Moresby, National Capital District, Papua New Guinea.  
Telephone : 309 0444, Facsimile: 320 2061, Email: nfa@fisheries.gov.pg

### OFFICE OF THE MANAGING DIRECTOR

16<sup>th</sup> May 2005

**Alejandro Anganvzzi**

Executive Secretary

Indian Ocean Tuna Commission (IOTC)

PO Box 1011

**VICTORIA**, Mahe,  
Seychelles

Dear Mr. Anganvzzi

**SUBJECT: REPORT ON IUU FISHING VESSELS "WAN FENG" 'FENG JUNG CHIN NO.1' AND "YU FU NO.11" BY FISHERIES AGENCY OF JAPAN**

We acknowledge receipt of our copy of your circular letter of concern regarding the above matter to all Members and Cooperating Non-Members of IOTC, dated February 2005.

We confirm that the three (3) fishing vessels, "**Wang Feng**", "**Feng Jung Chin No.1**" and "**Yu Fu No.11**" are registered and licensed in PNG as domestic fishing vessels to fish only in PNG's territorial waters.

We also confirm that these three (3) vessels are currently owned by Coco Enterprise Limited, a 100% owned and operated fishing company by PNG nationals.

In view of your Circular Letter on the "Report On IUU Fishing Vessels", we conducted an investigation onto the operations of Coco Enterprise Limited. Our findings of this investigation are as follows:-

1. All the three (3) fishing vessels mentioned above have complied with all their licensing conditions imposed on them by the Licensing Authority, the PNG National Fisheries Authority.
2. All the three (3) vessels fished only in PNG territorial waters and this record conforms to our PNG National Fisheries Authority records of them. They did not physically conduct fishing operations outside of PNG's territorial waters.

*Managing Fisheries for the Sustainable Benefit*

RECEIVED

14 JUN 2005

3. All the three (3) vessels' high grade fish catches are exported to overseas markets by the use of Carrier Vessels through transshipment at any of our designated local ports.
4. A number of times in the past the company did make commercial decisions and bought high grade Big Eye Tuna from other foreign fishing companies operating in the IOTC area and exported to Japan through the carrier vessels of these other foreign fishing companies operation in the IOTC.
5. The export records of the company did with evidence of quantities of Big Eye Tuna caught in both PNG territorial waters and those caught outside.
6. The company honestly gave its own three (3) vessels descriptions under the **Big Eye Tuna Statistical Documents** where it says "Description of Vessels" for the Japanese Authorities' record of all incoming Big Eye in their Statistical Document because it did not know the particulars of those vessels that actually fished in the Indian, Pacific, or Atlantic Oceans, from which it bought these Big Eye Tuna. It simply gave the descriptions of its own three (3) vessels even though they did not fish in any of those three (3) Oceans.

The National Fisheries Authority of Papua New Guinea, basing on the findings No.4, No.5 and No.6 of its investigation and the need to maintain and honour its obligation to IOTC, unilaterally imposed very severe penalties on the Company, Coco Enterprise Limited. These penalties are as follows:-

1. Three (3) years total ban from exporting to Japan all fish catches including Big Eye and Yellow Fin Tuna catches from its three (3) vessels; "**Wang Feng**", "**Feng Jung Ching No.1**" and "**Yu Fu No.11**".
2. Total ban on further purchase of high grade Big Eye Tuna for export to Japan and all other marketing destinations from other foreign fishing companies operating in the IOTC area.
3. Warning any violation of the above will result in the cancellation of fishing licenses of the all three (3) vessels and blacklisting of the company by the PNG National Fisheries Authority.

The above penalties are effective forthwith.

The penalties that we have imposed here constitute a very severe punishment for a small fishing company and their effects will have the potential to send Coco Enterprise Limited broke.

Therefore, we sincerely request the good office of the IOTC to consider and accept the severe penalties that we have already imposed on Coco Enterprise Limited as being more than adequate under the circumstances.

We also wish to give the office of the IOTC our utmost assurance that the National Fisheries Authority of Papua New Guinea is committed to enforce the penalties it imposed on the company in question.

We kindly await your learned consideration and decision on the actions we have taken on this matter and informing us of the same as this will constitute the IOTC's position on the matter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sylvester B. Pokajam', is written over a large, hand-drawn oval. The signature is somewhat stylized and overlaps the oval.

**SYLVESTER B. POKAJAM**  
Acting Managing Director

cc: Coco Enterprise Limited

27 February 2006

**IOTC CIRCULAR: 08/06**

**SUBJECT: REGARDING THE CURRENT IOTC IUU VESSEL LIST**

Dear Sir/ Madame

Please find attached a communication from the authorities of Thailand concerning the status of six purse-seine vessels recently registered under the Thai flag. These vessels are currently listed in the List of Vessels Presumed to Have Carried Out IUU Fishing in the IOTC Area (IOTC Resolution 02/04) (IUU List), following the decision of the Commission at its last Session.

The authorities of Thailand have confirmed that the steps outlined in paragraph 12 of Resolution 02/04 have been followed and that they are satisfied that, as the vessels have changed ownership and the new owners have given their commitment to provide all necessary information and abide by IOTC resolutions, that no IUU fishing will result from their activities.

In view of the foregoing assurances from the Thai authorities, an IOTC Member, I hereby submit for your consideration the request to have the vessels deleted from the IUU List. Given the desirability of the Commission taking a decision now on this issue, I would ask that you reply in the positive or negative to the deletion from the IUU list by 25 March 2006. The decision may be taken on the basis of Article VI-2 of the Agreement.

I thank you in advance for your attention to this matter.

Yours sincerely

John Spencer

*Chairperson*

**Distribution**

**Members**

Australia *G. Hurry*  
China *Z. Ling*  
Comoros *A. Soillhi*  
Eritrea *Embassy Rome*  
EC *R. Cesari*  
France *D. Leguerrier*

Guinea *A. Bah*  
India *V. Somvanshi*  
Iran *S. Taghavi-Motlagh*  
Japan *A. Mae*  
Kenya *N. Gitonga*  
Korea *J. Kang*

Madagascar *M. Andriantsoa*  
Malaysia *F. Rahman*  
Mauritius *M. Jehangeer*  
Oman *A. Al-Hosni*  
Pakistan *T. Humayun*  
Philippines *R. Ganaden*

Seychelles *R. Payet*  
Sri Lanka *G. Piyasena*  
Sudan *O. Saeed*  
Thailand *S. Thummachua*  
United Kingdom *T. Humphries*  
Vanuatu *A. Faerua*

**IOTC Chairperson:** *E. Spencer*

**Attachments:** Letter from Department of Fisheries Thailand dated 9 February 2006



**RECEIVED**  
09 FEB 2006



No. 0505.3/ 2059

Department of Fisheries  
Kasetsart University Campus  
Phaholyotin Road,  
Bangkok 10900, Thailand  
Tel: 662 5797947  
Fax: 662 5797947

9 February B.E. 2549 (2006)

Dear Sir,

**Subject: Six Thai Purse Seiners Operating in the Indian Ocean**

May I take this opportunity to bring this matter for your kind consideration. In September 2005, the Department of Fisheries on behalf of Thailand submitted a list of 6 Thai tuna purse seiners larger than 24 meters authorized to operate in the IOTC areas. After that, these vessels have been catching tunas in the high seas in the Indian Ocean resulting in 3 transshipments of tuna production to Thailand in order to support our tuna cannery industry.

I was informed that the last Meeting of the Scientific Committee held in November 2005 expressed concern on the legitimacy of these 6 vessels and their authorization to fish. It was found out by IOTC that they were the same vessels as appeared in the IOTC IUU Vessel List. They were just renamed, registered by the Thai authority, and entitled to fish in the IOTC area.

To this regard, we are very pleased to clarify the status of these 6 purse seiners. Thailand would like to ensure that nowadays the ownership of them has already been changed after the new owners bought them on 18 July 2005. They are now Thai fishing vessels subject to Thai legislation exercised by the Maritime Department regarding registration of the vessel and by the Department of Fisheries with regard to authorization to fish in the IOTC area. The IOTC Resolution and the 2001 FAO International Plan of Action to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing (IPOA-IUU) specifically stipulate the exceptional condition for registering and authorizing them to fish. **The IOTC's Resolution 02/04, On Establishing a List of Vessels Presumed to Have Carried Out Illegal, Unregulated, and Unreported Fishing in the IOTC Area paragraph 12(d) stipulating that CPCs shall take all necessary measures, under their applicable legislation to refuse to grant their flag to vessels included in the IUU list, except if the vessel has changed owner and the new owner has provided sufficient evidence demonstrating the previous owner or operator has no further legal, beneficial or financial interest in, or control of, the vessel, or having taken into account all relevant facts, the flag State determines that granting the vessel its flag will not result in IUU fishing.** Enclosed herewith please find the letters from the 3 Thai companies, namely Thai Deep Sea Fishing Company Ltd., Thai Tuna Fishing Company Ltd., and Siam Deep Sea Fishing Company Ltd., who legally own these 6 vessels.

/Prior to...

Prior to authorize them to catch tunas in the IOTC area and to officially notify IOTC, the Thai companies had to present supporting evidence and document as stipulated in the Department's Regulation on the Engagement into High Seas Fisheries in the Indian Ocean enacted in 2005. In addition, failure to comply with rules and conditions as well as breaching of the IOTC's resolutions ultimately result in revoking of the authorization to fish. Based on this Regulation, the Thai companies are also required to submit the data of fish caught to the Department by sending their logbooks as well as the Department's form in every 3 months. They are also required to inform the Department of each transshipment of their production, and our scientists are dispatched to collect the needed data and information. So far, the Department has received excellent cooperation from them.

We surely confirm that the new owners of these 6 tuna purse seiners commit themselves to provide collaboration and compliance to our legislation and to each IOTC management and conservation measures. I personally have a view that the Commission needs to establish procedure to lift out fishing vessels included on the IOTC IUU Vessel List. As the new owners have fulfill the control over these 6 tuna fishing vessels, therefore, Thailand would like to propose the Commission to de-list the IUU fishing vessels out of the IOTC IUU Vessel List. I would like to ask your kind assistance to convey this information as well as the proposal to the Chairman and other Member Countries for consideration.

Please be assured of our fullest cooperation.

Yours sincerely,



(Mr. Arthit Namasondhi)  
Deputy Director-General  
For Director General

Alejandro Anganuzzi  
Executive Secretary  
Indian Ocean Tuna Commission  
P.O. Box 1011, Fishing Port, Victoria  
Seychelles  
Tel: 248 225494  
Fax: 248 224364

# THAI DEEP SEA FISHING COMPANY LTD

9<sup>th</sup> Floor, Bubbajit Building, 20 North Sathorn Road, Kweang Silom, Khat Bangrak, Bangkok 10500  
(Co Registration No : 0108454814514)

Date: 3<sup>rd</sup> January, 2006

Ref: TDS2006/001

Director General  
Department of Fisheries  
Ministry of Agriculture and Cooperatives

Dear Sir,

**RE: CHANGE OF OWNERSHIP**

We are the rightful owners of the following vessels:

- 1) Longevity
- 2) Eternity

We also hereby affirm that the previous owner or operator has no further legal, beneficial interest, or in control of, the vessels.

We extend our fullest cooperation with the Thailand Department of Fisheries.

Thank you,

Yours faithfully,



Girath Sinthara





# THAI TUNA FISHING COMPANY LTD

8<sup>th</sup> Floor, Bubbajit Building, 20 North Sathorn Road, Kwaeng Silom, Khet Bangrak, Bangkok 10500  
(Co Registration No : 0108454814531)

Date: 3<sup>rd</sup> January, 2006

Ref: TTF2006/001

Director General  
Department of Fisheries  
Ministry of Agriculture and Cooperatives

Dear Sir,

**RE: CHANGE OF OWNERSHIP**

We are the rightful owners of the following vessels:

- 1) Crystal Crown
- 2) Glorious Harmony

We also hereby affirm that the previous owner or operator has no further legal, beneficial interest, or in control of, the vessels.

We extend our fullest cooperation with the Thailand Department of Fisheries.

Thank you,

Yours faithfully,

  
Girath Sinthara



# SIAM DEEP SEA FISHING COMPANY LTD

9<sup>th</sup> Floor, Bubbajit Building, 20 North Sathorn Road, Kwaeng Silom, Khet Bangrak, Bangkok 10500  
(Co Registration No : 0108454814522)

Date: 3<sup>rd</sup> January, 2006

Ref: SDS2006/001

Director General  
Department of Fisheries  
Ministry of Agriculture and Cooperatives

Dear Sir,

**RE: CHANGE OF OWNERSHIP**

We are the rightful owners of the following vessels:

- 1) Golden Success
- 2) Prosperous

We also hereby affirm that the previous owner or operator has no further legal, beneficial interest, or in control of, the above-mentioned vessels.

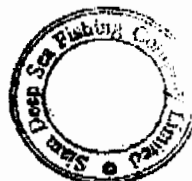
We extend our fullest cooperation with the Thailand Department of Fisheries.

Thank you,

Yours faithfully,



Girath Sinthara



21 March 2006

**IOTC CIRCULAR: 11/06**

**REGARDING THE CURRENT IOTC IUU VESSEL LIST  
SITUATION DE LA LISTE DE NAVIRES INN DE LA CTOI**

Dear Sir/ Madame

Please find attached a communication from the authorities of Japan in response to IOTC Circular 08/06 on the IOTC List of Vessels Presumed to Have Carried Out IUU Fishing in the IOTC Area.

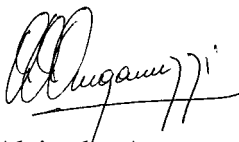
I would appreciate receiving your views and comments on this matter.

Madame, Monsieur

Veillez trouver ci-joint une communication des autorités du Japon en réponse à la Circulaire 08/06 CTOI concernant la Liste des navires soupçonnés d'avoir pratiqué des activités de pêche INN dans la zone de compétence de la CTOI.

Je souhaiterai recevoir votre opinion et vos commentaires à ce sujet.

Yours sincerely / Cordialement,



Alejandro Anganuzzi  
*Executive Secretary*

**Distribution**

**Members**

Australia G. Hurry  
China Z. Ling  
Comoros A. Soillhi  
Eritrea Embassy Rome  
EC R. Cesari  
France D. Leguerrier

Guinea A. Bah  
India V. Somvanshi  
Iran S. Taghavi-Motlagh  
Japan A. Mae  
Kenya N. Gitonga  
Korea J. Kang

Madagascar M. Andriantsoa  
Malaysia F. Rahman  
Mauritius M. Jehangeer  
Oman A. Al-Hosni  
Pakistan T. Humayun  
Philippines R. Ganaden

Seychelles R. Payet  
Sri Lanka G. Piyasena  
Sudan O. Saeed  
Thailand S. Thummachua  
United Kingdom T. Humphries  
Vanuatu A. Faerua

**IOTC Chairperson:** E. Spencer

**Attachments:** Letter from Fisheries Agency, Japan dated 15 March 2006



**FISHERIES AGENCY**

MINISTRY OF AGRICULTURE, FORESTRY AND FISHERIES, GOVERNMENT OF JAPAN

1-2-1, Kasumigaseki, Chiyoda-ku, Tokyo 100-8907, JAPAN

TEL: +81-3-3591-1086 FAX: +81-3-3502-0571

Mr. John Spencer  
Chairperson  
Indian Ocean Tuna Commission

15 March, 2006

Dear Mr. Spencer;

I refer to your letter circulated as "IOTC CIRCULAR: 08/06" dated 27 February 2006 regarding the current IOTC IUU VESSEL LIST.

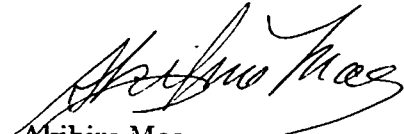
Because of the following reasons, I would like to ask you to postpone the decision on this matter until the next annual meeting of the Commission.

1. There are twelve fishing vessels on the current IOTC IUU VESSEL LIST. However, the letter from the authority of Thailand attached to your letter did not specify the name of vessels on the IUU VESSEL LIST it wanted to delete. The record of authorized vessels on the IOTC web site indicates that previous names of these six vessels are unknown and all of them were flagged to Equatorial Guinea, while no vessel with current/previous flag of Equatorial Guinea is included in the IUU VESSEL LIST.
2. Letters from three fishing companies in Thailand to the authority of Thailand state that the previous owner or operator has no further legal, beneficial interest, or in control of, the vessels. However, there is no explanation on relationship between the previous owner/operator and a Singapore based company which is the current owner or operator of these six vessels based on information on the record of authorized vessels on the IOTC web site.
3. Letters from three fishing companies in Thailand to the authority of Thailand are simple statements of the private companies and further information is necessary to consider the possibility of deleting the vessels from the IUU VESSEL LIST. Supporting evidence and documents presented by these companies referred to in the letter from the authority of Thailand (fourth paragraph) might facilitate our deliberations on this issue.
4. Based on the paragraph 3 of the IOTC Resolution 03/01, Thailand will submit to the Commission a fleet development plan which includes the type, size and origin of the vessels. Therefore, I understand the next annual meeting will be the best place to consider and decide, if necessary, on this issue. Since this is a matter which needs a careful consideration by members of the Commission based on mutual understandings, it is desirable to avoid taking steps described in Article VI-2 of the Agreement before our discussions on this issue are exhausted. On top of that, the members of the Commission have never discussed whether a decision to delete vessels from the IUU list can be made by intersessional voting.

Although it is preferred to consider this issue at the next annual meeting as I mentioned above, my vote will be negative, if you, as the chairperson of the Commission proceed as you indicated in the circular communication, because of lack of information necessary to the deletion of these six vessels from the IUU LIST.

Please circulate this letter to all the members of the Commission for their consideration.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Akihiro Mae', written in a cursive style.

Akihiro Mae  
Japanese Commissioner to IOTC

5 April 2006

**IOTC CIRCULAR: 12/06**

**REGARDING THE CURRENT IOTC IUU VESSEL LIST  
SITUATION DE LA LISTE DE NAVIRES INN DE LA CTOI**

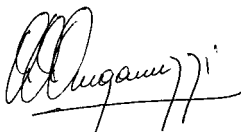
Dear Sir/ Madam

Please find attached a communication from the authorities of the EC in response to IOTC Circular's 08/06 and 11/06 on the IOTC List of Vessels Presumed to Have Carried Out IUU Fishing in the IOTC Area.

Madame, Monsieur

Veillez trouver ci-joint une communication des autorités du Japon en réponse aux Circulaires CTOI 08/06 et 11/06 concernant la Liste des navires soupçonnés d'avoir pratiqué des activités de pêche INN dans la zone de compétence de la CTOI.

Yours sincerely / Cordialement,



Alejandro Anganuzzi

*Executive Secretary*

**Distribution**

**Members**

Australia G. Hurry  
China Z. Ling  
Comoros A. Soillhi  
Eritrea Embassy Rome  
EC R. Cesari  
France D. Leguerrier

Guinea A. Bah  
India V. Somvanshi  
Iran S. Taghavi-Motlagh  
Japan A. Mae  
Kenya N. Gitonga  
Korea J. Kang

Madagascar M. Andriantsoa  
Malaysia F. Rahman  
Mauritius M. Jehangeer  
Oman A. Al-Hosni  
Pakistan T. Humayun  
Philippines R. Ganaden

Seychelles R. Payet  
Sri Lanka G. Piyasena  
Sudan O. Saeed  
Thailand S. Thummachua  
United Kingdom T. Humphries  
Vanuatu A. Faerua

**IOTC Chairperson:** E. Spencer

**Attachments:** Letter from the EC dated 3 April 2006



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR FISHERIES AND MARITIME AFFAIRS

External Policy and markets  
International and regional arrangements

03.04.2006 D 04567

Brussels,  
FISH/B-2 RC/ms D(2006)

Mr. John SPENCER  
Chairperson  
Indian Ocean Tuna Commission  
P.O. Box 1011  
Victoria  
SEYCHELLES

Dear Mr. Spencer,

I would like to refer to your note circulated as IOTC Circular 08/06 dated 27 February 2006 and regarding recent correspondence from the Thai Authorities relating to vessels on the IOTC IUU list.

Bearing in mind the comments expressed by other IOTC Members, notably Japan, we consider that there is little alternative but to await a full discussion during the next IOTC Session in May in Goa before taking any decision on the IUU list. We are nevertheless encouraged by the commitments given by the Thailand authorities in their correspondence and trust that the Commission, taking account of these assurances, can reach a consensus to remove these six vessels from the current IOTC IUU list.

In our view, there needs to be modifications to the Resolution 02-04 relating to the IUU list in order to make it more transparent and effective, inter alia, by foreseeing procedures to amend the list in the inter-sessional period. We will be sending you shortly our proposed amendments to this Resolution for distribution to Members.

Please be so kind as to request the Executive Secretary to circulate this note to Heads of Delegation of IOTC Members for their consideration.

Yours sincerely,

Roberto CESARI  
Head of EC Delegation to IOTC

C.c.: Dr. Anganuzzi (IOTC Secretariat)