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**CONCERNING THE IOTC PROVISIONAL IUU VESSELS LIST**

**Prepared by IOTC Secretariat, 18 April, 2013**

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In accordance with Paragraph 7 of IOTC Resolution 11/03 *On establishing a list of vessels presumed to have carried out illegal, unregulated and unreported fishing in the IOTC Area*, the list of vessels on the current IOTC IUU Vessels List and the list of vessels proposed for inclusion in the IOTC IUU Vessels list are provided in the following table. The Provisional IUU Vessels List is provided for the consideration of the Compliance Committee at its 10<sup>th</sup> Session.

Information on the evidence for the new vessels to be included in the IOTC IUU Vessels List and the responses received from the concerned fleets are provided in Annex 1 to this document.

**IOTC PROVISIONAL IUU VESSELS LIST**  
(April 2013)

<b>Current Vessels in the IOTC IUU Vessels list</b>								
<b>Current name of vessel (previous names)</b>	<b>Current flag (previous flags)</b>	<b>Date first included on IOTC IUU Vessels List</b>	<b>Lloyds/IMO number</b>	<b>Photo</b>	<b>Call sign (previous call signs)</b>	<b>Owner / beneficial owners (previous owners)</b>	<b>Operator (previous operators)</b>	<b>Summary of IUU activities</b>
<b>Ocean Lion</b>	Unknown (Equatorial Guinea)	June 2005	7826233					Contravention of IOTC Resolution 02/04, 02/05, 03/05.
<b>Yu Maan Won</b>	Unknown (Georgia)	May 2007						
<b>Gunuar Melyan 21</b>	Unknown	June 2008						
<b>Hoom Xiang 11</b>	Unknown (Malaysia)	March 2010		Yes. Refer to report IOTC-S14-CoC13-add1[E]		Hoom Xiang Industries Sdn. Bhd.		Contravention of IOTC Resolution 09/03
<b>New vessels to be considered for addition to the IOTC IUU Vessels List</b>								
<b>Current name of vessel (previous names)</b>	<b>Current flag (previous flags)</b>	<b>Date first included on IOTC IUU Vessels List</b>	<b>Lloyds/IMO number</b>	<b>Photo</b>	<b>Call sign (previous call signs)</b>	<b>Owner / beneficial owners (previous owners)</b>	<b>Operator (previous operators)</b>	<b>Summary of IUU activities</b>
<b>Txori Argi</b>	Spain	Not Applicable		Yes. Refer to attached report	ECEQ	COMPAÑIA INTERNACIONAL DE PESCA Y DERIVADOS S.A.	COMPAÑIA INTERNACIONAL DE PESCA Y DERIVADOS S.A.	Did not report on entry into the Mozambique EEZ, and fished without a license contrary to Articles 52, 53 and 56 of the Mozambique Fisheries Law No. 3/90 of 26 September

Current name of vessel (previous names)	Current flag (previous flags)	Date first included on IOTC IUU Vessels List	Lloyds/IMO number	Photo	Call sign (previous call signs)	Owner / beneficial owners (previous owners)	Operator (previous operators)	Summary of IUU activities
<b>Fu Hsiang Fa No. 21</b>	Unknown	Not Applicable		Yes. Refer to attached report	OTS 024 or OTS 089	Unknown	Unknown	Vessel not on the IOTC RAV sighted during deployment 164 under the IOTC Programme to monitor transshipments at sea by LSTLVs. Involved in transshipment of crates and supplies with the Carrier Vessel.
<b>Hsiang Fa 26</b>	Seychelles	Not Applicable	8947345	Yes. Refer to attached report	S7SB	Marina Marine Limited		Contravention of IOTC Resolution 11/03
<b>Hwa Kun No. 168</b>	Taiwan, Province of China	Not Applicable	8431334		BI2419	Chang WC	Chang WC	Contravention of IOTC Resolution 11/03



REPÚBLICA DE MOÇAMBIQUE  
MINISTÉRIO DAS PESCAS  
DIRECÇÃO NACIONAL DE FISCALIZAÇÃO DAS PESCAS

Mr Alejandro Anganuzzi  
Executive Secretary  
Indian Ocean Tuna Commission  
Victoria - Seychelles

02 May 2012

**Subject: Circulation of Request by Mozambique for Inclusion of *Txori Argi* on the Provisional IUU List for 2012 Under Resolution 11/03**

Executive Secretary, we note that the above resolutions has a clause for intersessional removal of a vessel from the IOTC IUU Vessel List however, it has not such mechanism for listing a vessel inter-sessionally on the IUU vessel list. The resolution does however, permit a Contracting Party to provide information on an IUU vessel earlier than 70 days for inclusion on the Draft IUU Vessel List. In the interests of informing members early of such a vessel, Mozambique wishes to request circulation of the attached information and request for placement of the Spanish-flagged purse seine vessel *Txori Argi* on the Draft IUU Vessel List for consideration at the next Compliance Meeting.

The details of the case and the decision of the Minister of Fisheries for an Administrative Penalty of 34,330,000 meticais as per Mozambican law was based on the evidence presented including: the recognition and admission by the Master of the vessel that he was fishing inside Mozambique's EEZ; the plot and logbooks of the vessel also demonstrating such activity; and noting that the vessel was not authorized to fish in Mozambique's waters nor had its license aboard at the time of the offence consequently is not covered under the Fisheries Partnership Agreement between Mozambique and the EU; nor had the vessel reported his entry and catch onboard when entering Mozambique's waters as required under Mozambican legislation. Further in subsequent events the Spanish Purse Seine Association negotiated release of the vessel under a Bank Guarantee and 'good faith' that the penalty would be paid within a set time which has now passed and no penalty has been paid; the Bank Guarantee has also not yet been paid to Mozambique; and the vessel owner has now decided to appeal the case to the courts. Noting this and the evidence upon which initial case was based, Mozambique requests circulation of this letter and attached documents to Contracting Parties for placement on the Draft IUU Vessel List.

Thank you for your support and assistance in this matter.

Your sincerely,

The National Director of Fisheries Surveillance

Manuel Castiano  
(Téc. Sup N1)

**IOTC Reporting form for Illegal Activity**

Recalling IOTC Resolution 2011/03 *On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC Area of competence*, attached are details of illegal activity recorded in Mozambique's Fisheries Waters.

**A. Details of Vessel**

*(Please detail the incidents(s) in the format below)*

Item	Definition	Indicate
A	Current Name of Vessel (Previous name/s, if any)	Txori Argi
B	Current Flag (previous flag/s, if any)	Spain
C	Date first included on IOTC IUU Vessel List (if applicable)	-
D	Lloyds IMO Number, if available	Not available
E	Photo	See Attached Photo
F	Call Sign (previous call sign, if any)	ECEQ
G	Owner / Beneficial Owner/s (previous owner/s, if any)	COMPANIA INTERNACIONAL DE PESCA Y DERIVADOS S.A. (INPESCA)
H	Operator (previous operator/s, if any) and Master/Fishing Master	INPESCA Master is Remigio Luis Leyenda Cedeira, Passport no. AA D 093021 S
I	Date of alleged IUU fishing activities	12 March 2012
J	Position of alleged IUU fishing activities	14°42'25.2" S 42°46'37.2" E
K	Summary of alleged IUU activities (see section B for more detail)	Did not report on entry into the Mozambique EEZ, and fished without a license contrary to Articles 52, 53 and 56 of the Mozambique Fisheries Law No. 3/90 of 26 September
L	Summary of any Actions known to have been taken in respect of the alleged IUU fishing activities	Vessel was ordered to Nacala Port, Mozambique 14 March port inspected in Nacala Port, Mozambique, detained and a fine set by the Minister of Fisheries at 34,330,000 mt. Vessel was released in good faith that the fine would be paid by 31 March 2012.
M	Outcome of Actions taken	Fine not paid and owner has appealed the case in court. Case not resolved, Mozambique's efforts in good faith refuted by Spain after release of the vessel, case not resolved, consequently Mozambique requests the Spanish flagged vessel <b>Txori Argi</b> be listed as IUU as determined by the Minister of Fisheries of Mozambique in accordance with Mozambique laws.

IOTC Record No. IOTC000812

National Record No. 3-B1-21-03

## B. Details of IOTC Resolution Elements Contravened

(Indicate with a "X" the individual elements of IOTC Resolution 2011/03 contravened, and provide relevant details including date, location, source of information. Extra information can be provided in an attachment if necessary.)

Item	Definition	Indicate
A	Harvest tuna or tuna-like species in the IOTC Area of competence and are not registered on the IOTC Record of Vessels authorised to fish for tuna and tuna-like species in the IOTC Area of competence	
B	Harvest tuna or tuna-like species in the IOTC Area of competence, when their flag State is without sufficient quotas, catch limit or effort allocation under IOTC conservation and management measures where applicable	
C	Do not record or report their catches made in the IOTC Area of competence in accordance with IOTC reporting requirements, or make false reports	
D	Take or land undersized fish in contravention of IOTC conservation measures	
E	Fish during closed fishing periods or in closed areas in contravention of IOTC conservation measures	
F	Use prohibited fishing gear in contravention of IOTC conservation measures	
G	Tranship with, or participate in joint operations such as re-supplying or re-fuelling, vessels included in the IUU Vessels List	
H	Harvest tuna or tuna-like species in the waters under the national jurisdiction of a coastal State in the IOTC Area of competence without authorisation and/or infringes the coastal State's laws and regulations	X
I	Are without nationality and harvest tuna or tuna-like species in the IOTC Area of competence	
J	Engage in fishing or fishing related activities contrary to any other IOTC conservation and management measures	

## C. Associated Documents

1. Boarding Report of *Txori Argi*, and pictures of plot of vessel showing positions inside Mozambique EEZ.
2. Notice of Findings of Administrative Penalty of the Minister of Fisheries.
3. Picture of *Txori Argi* in Nacala Port.

## D. Recommended Actions

Recommended Actions	Indicate
A Notification to IOTC Secretariat only. No further action is recommended.	
B Notification of illegal activity to IOTC Secretariat. Recommend notification of activity to flag State.	
C Recommended for inclusion on IOTC IUU list	X

Pictures of plot of vessel showing positions inside Mozambique EEZ





Pictures of *Txori Argi* in Nacala Port / Photographies du navire *Txori Argi* dans le port de Nacala







**EUROPEAN COMMISSION**  
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES  
INTERNATIONAL AFFAIRS AND MARKETS  
INTERNATIONAL AFFAIRS, LAW OF THE SEA AND REGIONAL FISHERIES  
ORGANISATIONS

Brussels,  
MARE B1/SN/

Mr Rondolph Payet  
IOTC Executive Secretary  
P.O. Box 1010  
Fishing Port  
Victoria  
SEYCHELLES

**Subject: IOTC circular 2012-48 – Communication from Mozambique regarding a vessel presumed to have been carrying out IUU fishing activities in the IOTC area of competence.**

Dear Mr Payet,

In view of Circular 2012-48 concerning a communication from Mozambique regarding a vessel presumed to have been carrying out IUU fishing activities in the IOTC area of competence, the EU wishes to transmit its preliminary comments to the IOTC in accordance with point 4 of Resolution 11/03.

The EU denies that the vessel in question, the Spanish flagged purse seiner 'Txori Argi', has been carrying out IUU fishing activities in the IOTC area of competence. Nor does the EU consider that the matter has been duly documented by way of the information and the associated documents referred to in Circular 2012-48.

Two different appeals have been launched before a Mozambique court concerning legal contradictions in the management and appraisal of the case and the infringement decision of the Mozambique Ministry of Fisheries. The outcome of both appeals is still pending, which should have a suspensive effect on the examination by the IOTC of the alleged IUU fishing activities in question.

Moreover, the EU has conducted an in depth examination of all the aspects of the alleged IUU fishing activities, including possible aspects related to the maritime zone in which the vessel was detected, aspects of the vessel's activity and vessel's historical fishing activities in the Indian Ocean, aspects of the links with the Fisheries Partnership Agreement between Mozambique and the EU, and aspects of the administrative proceedings leading to the infringement decision of the Mozambique Ministry of Fisheries, including the size of the fine imposed. Our findings have led us to the conclusion that it would not be justified to include the vessel on the IOTC IUU Vessel List.

The EU will present further documentation to support its position during the meeting of the Compliance Committee.

I would be grateful if you could circulate this letter to the IOTC members.



Seppo NURMI  
Head of EU Delegation to IOTC



**INTERNATIONAL MERCHANT MARINE REGISTRY OF BELIZE  
"IMMARBE"**

Marina Towers, Suite 204, Newtown Barracks  
Belize City, Belize

<tel:501-223-5026/223-5031>

fax:501-223-5070/223-5087

email: [immarbe@btl.net](mailto:immarbe@btl.net)

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Dear Mr. Anganuzzi/Mr. Giroux,

Thank you for your emails. Please find attached the IOTC Reporting for Illegal Activity. Through this means, Belize wishes to initiate the process of listing the subject vessel on the IOTCs IUU list.

You will recall that:

- On 15 May 2012, Belize received information (annex 1 of the IUU form) from the IOTC Secretariat on the fishing vessel FU HSIANG FA NO 21, sighted by an IOTC observer during deployment 164.
- On 16 May 2012, Belize advised the Secretariat that the fishing vessel "FU HSIANG FA NO.21" is not a Belize-registered vessel and consequently wished to request the inclusion of the vessel on the IOTC IUU provisional list.

Kindly inform me if there is any other required action to complete this process.

Please accept the assurances of my highest consideration.

*Robert Robinson*

Fisheries Liaison Officer

High Seas Fishing Unit

Belize Fisheries Department

IMMARBE Head Office

Belize City, Belize

### IOTC Reporting form for Illegal Activity

Recalling IOTC Resolution 2011/03 *On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC area of competence*, attached are details of illegal activity recorded in the Indian Ocean at position 04 08S 076 09E for the vessel FU HSIANG FA No. 21.

#### A. Details of Vessel

Item	Definition	Indicate
a	Current Name of Vessel (Previous name/s, if any)	FU HSIANG FA No. 21
b	Current Flag (previous flag/s, if any)	UNKNOWN
c	Date first included on IOTC IUU Vessel List (if applicable)	N/A
d	Lloyds IMO Number, if available	UNKNOWN
e	Photo	5 photographs
f	Call Sign (previous call sign, if any)	OTS 024 or OTS 089
g	Owner / Beneficial Owner/s (previous owner/s, if any)	UNKNOWN
h	Operator (previous operator/s, if any) and Master/Fishing Master	UNKNOWN
i	Date of alleged IUU fishing activities	28/02/2012
j	Position of alleged IUU fishing activities	04 08S 076 09E
k	Summary of alleged IUU activities (see section B for more detail)	Vessel not on the IOTC RAV sighted during deployment 164 under the IOTC Programme to monitor transshipments at sea by LSTLVs. Involved in transshipment of crates and supplies with the Carrier Vessel.
l	Summary of any Actions known to have been Taken in respect of the alleged IUU fishing activities	N/A
m	Outcome of Actions taken	N/A

## B. Details of IOTC Resolution Elements Contravened

Item	Definition	Indicate
a	Harvest tuna or tuna-like species in the IOTC area of competence and are not registered on the IOTC Record of Vessels authorised to fish for tuna and tuna-like species in the IOTC area of competence	X
b	Harvest tuna or tuna-like species in the IOTC area of competence, when their flag State is without sufficient quotas, catch limit or effort allocation under IOTC conservation and management measures where applicable	
c	Do not record or report their catches made in the IOTC area of competence in accordance with IOTC reporting requirements, or make false reports	
d	Take or land undersized fish in contravention of IOTC conservation measures	
e	Fish during closed fishing periods or in closed areas in contravention of IOTC conservation measures	
f	Use prohibited fishing gear in contravention of IOTC conservation measures	
g	Tranship with, or participate in joint operations such as re-supplying or re-fuelling, vessels included in the IUU Vessels List	
h	Harvest tuna or tuna-like species in the waters under the national jurisdiction of a coastal State in the IOTC area of competence without authorisation and/or infringes the coastal State's laws and regulations	
i	Are without nationality and harvest tuna or tuna-like species in the IOTC area of competence	X
j	Engage in fishing or fishing related activities contrary to any other IOTC conservation and management measures	

## C. Associated Documents

- Annex 1: Information from the IOTC Observer report 164.
- Annex 2: five photographs of the vessel taken by the IOTC Observer during deployment 164 on board the carrier vessel.

## D. Recommended Actions

Recommended Actions		Indicate
a	Notification to IOTC Secretariat only. No further action is recommended.	
b	Notification of illegal activity to IOTC Secretariat. Recommend notification of activity to flag State.	
c	Recommended for inclusion on IOTC IUU list	X

### Annex 1- Information from the IOTC Observer Report 164

#### Verifying vessel name / IOTC number

On the 28th February 2012 the LSTLV Fu Hsiang Fa No 21 (call sign OTS 024 or 084?) – (Annex 2) received supplies from the CV. This LSTLV did not appear in the list of LSTLVs on the observer's database.

#### Supply transfers during IOTC deployment no 164-11

Supply No	Date	LSTLV Name	IOTC Number	Position	Comments
6	28/02/2012	Fu Hsiang Fa No 21		04 08S 076 09E	Crates and supplies











From: zahor el kharousy [<mailto:zahor1m@hotmail.com>]  
Sent: 22 February 2013 14:56  
To: [secretariat@iotc.org](mailto:secretariat@iotc.org)  
Subject: Reporting for illegal activities

Dear Sir,

Please find attached IOTC Form for Illegal Activities for Tawanese Flagged Vessel Hwa Kun No. 168 and Seychelles Flagged vessel Hsiang Fa 26 for your action. Tanzania believe the two vessels were involved in IUU fishing in its waters in 2012 and would like to have them in the IOTC IUU list. Find also attached the communication between the Deep Sea Fishing Authority and the the respective Fishing Authorities of the two vessels.

Best

Zahor El Kharousy  
Director General  
Deep Sea Fishing Authority  
Zanzaibar - Tanzania

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**UNITED REPUBLIC OF TANZANIA**  
**DEEP SEA FISHING AUTHORITY**

DSFA Building, P.O.Box 56, ZANZIBAR.  
Tel: +255 732947017, Fax: +255 732947025  
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REF: DSFA/30/VOL.1/75

9<sup>th</sup> Feb. 2013

TO:  
Mr. Finley Racombo  
Seychelles Fishing Authority  
Seychelles  
Email: [fracombo@sfa.sc](mailto:fracombo@sfa.sc)

CC:  
Alejandro Anganuzzi  
ES IOTC  
Seychellers  
Email: [alejandro.anganuzzi@iotc.org](mailto:alejandro.anganuzzi@iotc.org)

RE: HSIANG FA 26

Dear Sir,

Please refer to the above mentioned subject.

I am writing to request the cooperation and kind assistance from Seychelles in an on-going investigation being conducted by the United Republic of Tanzania with the view to combating illegal, unreported and unregulated (IUU) fishing in the mutual interest of our countries.

We have recently received AIS track of a Seychelles flagged vessel **Hsiang Fa 26** indicating that the vessel has operated in the Tanzanian EEZ from the 12<sup>th</sup> – 18<sup>th</sup> of June 2012 and again on the 23<sup>rd</sup> of June 2012 (Annex 1). The vessel did not have a valid fishing license to fish in Tanzania for this period.

We therefore kindly request information and confirmation regarding:

- Whether the **Hsiang Fa 26** is flagged to Seychelles.
- VMS track of the vessel to verify its whereabouts in June 2012;
- Contact information for owner and operator; and
- Any further information on landings and transshipments which may relate to operations in Tanzania.


Very Truly Yours

  
Zahor El Kharouy  
DIRECTOR GENERAL

### IOTC Reporting form for Illegal Activity

Recalling IOTC Resolution 2011/03 *On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC area of competence*, attached are details of illegal activity recorded in the EEZ of Tanzania.

#### A. Details of Vessel

Item	Definition	Indicate
a	Current Name of Vessel (Previous name/s, if any)	Hsiang Fa 26
b	Current Flag (previous flag/s, if any)	Seychelles (2003) (Equatorial Guinea (2003), Belize (1997))
c	Date first included on IOTC IUU Vessel List (if applicable)	na
d	Lloyds IMO Number, if available	8947345
e	Photo	
f	Call Sign (previous call sign, if any)	S7SB
g	Owner / Beneficial Owner/s (previous owner/s, if any)	Marina Marine Limited
h	Operator (previous operator/s, if any) and Master/Fishing Master	
i	Date of alleged IUU fishing activities	<b>June 12<sup>th</sup> to 23<sup>rd</sup> 2012</b>
j	Position of alleged IUU fishing activities	Tanzania EEZ – see attached plot in letter to Flag State
k	Summary of alleged IUU activities (see section B for more detail)	Fishing in Tanzania EEZ without a valid license
l	Summary of any Actions known to have been Taken in respect of the alleged IUU fishing activities	Flag State is contacted and requested to cooperate and provide further information (letter attached)
m	Outcome of Actions taken	No response

## B. Details of IOTC Resolution Elements Contravened

Item	Definition	Indicate
a	Harvest tuna or tuna-like species in the IOTC area of competence and are not registered on the IOTC Record of Vessels authorised to fish for tuna and tuna-like species in the IOTC area of competence	<input type="checkbox"/>
b	Harvest tuna or tuna-like species in the IOTC area of competence, when their flag State is without sufficient quotas, catch limit or effort allocation under IOTC conservation and management measures where applicable	<input type="checkbox"/>
c	Do not record or report their catches made in the IOTC area of competence in accordance with IOTC reporting requirements, or make false reports	<input type="checkbox"/>
d	Take or land undersized fish in contravention of IOTC conservation measures	<input type="checkbox"/>
e	Fish during closed fishing periods or in closed areas in contravention of IOTC conservation measures	<input type="checkbox"/>
f	Use prohibited fishing gear in contravention of IOTC conservation measures	<input type="checkbox"/>
g	Tranship with, or participate in joint operations such as re-supplying or re-fuelling, vessels included in the IUU Vessels List	<input type="checkbox"/>
h	Harvest tuna or tuna-like species in the waters under the national jurisdiction of a coastal State in the IOTC area of competence without authorisation and/or infringes the coastal State's laws and regulations	<input checked="" type="checkbox"/>
i	Are without nationality and harvest tuna or tuna-like species in the IOTC area of competence	<input type="checkbox"/>
j	Engage in fishing or fishing related activities contrary to any other IOTC conservation and management measures	<input type="checkbox"/>

## C. Associated Documents

*Letter to Flag State in relation to 130207 Hsiang Fa 26 Tanzania EEZ*

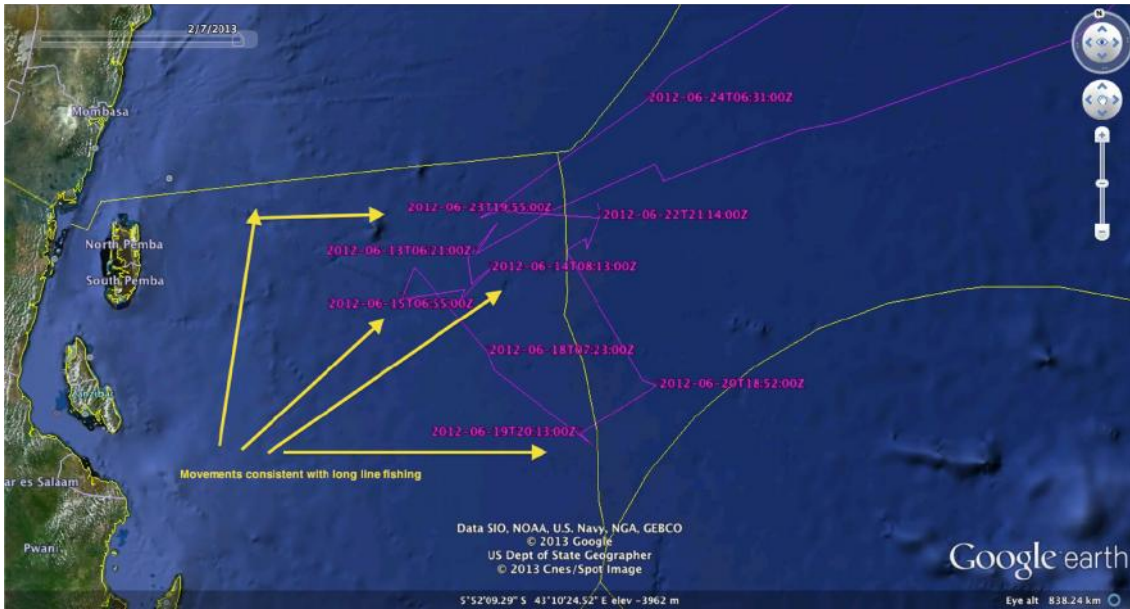
## D. Recommended Actions

	Recommended Actions	Indicate
a	Notification to IOTC Secretariat only. No further action is recommended.	<input type="checkbox"/>
b	Notification of illegal activity to IOTC Secretariat. Recommend notification of activity to flag State.	<input checked="" type="checkbox"/>
c	Recommended for inclusion on IOTC IUU list	<input checked="" type="checkbox"/>

**Annex 1 / annexe 1**

Vessel movements in Tanzanian waters June 2012

Mouvements du navire dans les eaux de la Tanzanie en juin 2012





**SEYCHELLES FISHING AUTHORITY**

P.O Box 449, Fishing Port, Mahé, Republic of Seychelles  
Telephone: 4670300 Fax: 4224508 E-mail:management@sfa.sc



*Please address all Correspondence to the Chief Executive Officer*

07<sup>th</sup> March, 2013

Mr. Alejandro Anganuzzi  
Executive Secretary  
Indian Ocean Tuna Commission  
P.O. Box 1011,  
Victoria,  
Seychelles

Dear Mr. Anganuzzi,

**Re: Report of vessel presumed to have fished in the waters under the jurisdiction of the United Republic of Tanzania, contrary to IOTC conservation and management measures.**

Reference is made to your letter of 6<sup>th</sup> March 2013 pertaining to the above subject.

Following investigation by the Seychelles Fishing Authority (SFA), the SFA confirm that:

- Fishing vessel Hsiang Fa 26 is a Seychelles flagged vessel;
- Due to the confidentiality clause on VMS data under Seychelles' vessels Agreement, the SFA is unable to provide VMS track of the requested vessel without a Court Order, but the SFA confirm that the vessel operated inside the Tanzanian EEZ from the 12-18 June 2012 and on 23 June 2012;
- The owner/operator of the said vessel is, Marina Marine Ltd, C/o Eastward Exim Shipping Pte Ltd, Room 13-E, No. 7, Kaoshiung, Taiwan.
- Logbook records of the vessel indicate that the vessel fished in Tanzania's EEZ on the specified dates.

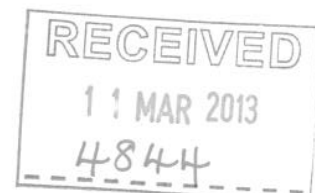
Furthermore as per our records the said vessel had a valid license to fish in Tanzania's EEZ from 09<sup>th</sup> June 2012 until 08<sup>th</sup> July 2012.

Yours sincerely,

  
Chief Executive Officer



Cc: Mr. Zahor El Kharousy – Director General DSFA



***“Striving for our Seychelles”***

Responsible Fishing For Sustainability



From: zahor el kharousy [<mailto:zahor1m@hotmail.com>]  
Sent: 22 February 2013 14:56  
To: [secretariat@iotc.org](mailto:secretariat@iotc.org)  
Subject: Reporting for illegal activities

Dear Sir,

Please find attached IOTC Form for Illegal Activities for Tawanese Flagged Vessel Hwa Kun No. 168 and Seychelles Flagged vessel Hsiang Fa 26 for your action. Tanzania believe the two vessels were involved in IUU fishing in its waters in 2012 and would like to have them in the IOTC IUU list. Find also attached the communication between the Deep Sea Fishing Authority and the the respective Fishing Authorities of the two vessels.

Best

Zahor El Kharousy  
Director General  
Deep Sea Fishing Authority  
Zanzaibar - Tanzania

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**UNITED REPUBLIC OF TANZANIA**  
**DEEP SEA FISHING AUTHORITY**

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REF: DSFA/30/VOL.1/74

7<sup>th</sup> Feb. 2013

TO:  
Mr. Chi-Chao Liu  
Fisheries Agency  
Taiwan, Province of China  
Email: [chichao@ms.1.fa.gov.tw](mailto:chichao@ms.1.fa.gov.tw)

CC:  
Alejandro Anganuzzi  
ES IOTC  
Seychellers  
Email: [alejandro.anganuzzi@iotc.org](mailto:alejandro.anganuzzi@iotc.org)

**RE: HUÀ KUN NO.168 AJ**

I am writing to request the cooperation and kind assistance from Taiwan in an on-going investigation being conducted by the United Republic of Tanzania with the view to combating illegal, unreported and unregulated (IUU) fishing in the mutual interest of our countries.

We have recently received AIS track of a Taiwanese flagged vessel **HUA KUN NO.168 AJ** indicating that the vessel has operated in the Tanzanian EEZ from the end of October 2012 until the end of December 2012 (Annex 1). The vessel does not have a valid fishing license for Tanzania for this period.

However, the vessel transmits the ship name **HUA KUN NO.168 AJ**. This vessel name (also without the "AJ") only exists in AIS signals and not in any records. The call sign transmitted, BI2419 belongs to vessel **HUNG HENG NO.121**, registry number CT70419 in the list of vessels licensed by Taiwan to operate in the Indian Ocean (IMO number 8431334). This vessel is 56,5 meters long and 722 GT.

This may mean that the **HUNG HENG NO.121** is fishing under false or new name **Hua Kun** or **Hwa Kun No 168** or that **HUA KUN No 168** is using false call sign.

We therefore kindly request confirmation as to:

- Whether the **HUA KUN NO.168 AJ/HWA KUN No. 168** or **HUNG HENG NO.121** is flagged to Taiwan and if the vessel recently has conducted a name change;
- VMS track of the vessel to verify its whereabouts in October to December 2012;
- Contact information for owner and operator; and
- Any further information on landings and transshipments which may relate to operations in Tanzania.

Very Truly Yours

  
Zahor El Kharousy  
DIRECTOR GENERAL  


### IOTC Reporting form for Illegal Activity

Recalling IOTC Resolution 2011/03 *On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC area of competence*, attached are details of illegal activity recorded in the EEZ of Tanzania.

#### A. Details of Vessel

*(Please detail the incidents(s) in the format below)*

Item	Definition	Indicate
a	Current Name of Vessel (Previous name/s, if any)	Hwa Kun No. 168 (Hung Heng No. 121)
b	Current Flag (previous flag/s, if any)	Taiwan, China (1999) (Honduras (1990))
c	Date first included on IOTC IUU Vessel List (if applicable)	na
d	Lloyds IMO Number, if available	8431334
e	Photo	<a href="#">Click here to enter text.</a>
f	Call Sign (previous call sign, if any)	BI2419
g	Owner / Beneficial Owner/s (previous owner/s, if any)	Chang WC 76, Yanping Street, Gushan District, Kaohsiung City, 80442, Taiwan, China +886 7 521 8270
h	Operator (previous operator/s, if any) and Master/Fishing Master	Chang WC
i	Date of alleged IUU fishing activities	October 5 <sup>th</sup> to November 25 <sup>th</sup> 2012
j	Position of alleged IUU fishing activities	Tanzania EEZ - see attached plot in Annex 1
k	Summary of alleged IUU activities (see section B for more detail)	Operating in the Tanzania EEZ without a valid license
l	Summary of any Actions known to have been Taken in respect of the alleged IUU fishing activities	The Fisheries Agency, Taiwan Province of China, was contacted and requested to cooperate and provide further information (letter attached)
m	Outcome of Actions taken	No response

## B. Details of IOTC Resolution Elements Contravened

(Indicate with a "X" the individual elements of IOTC Resolution 2011/03 contravened, and provide relevant details including date, location, source of information. Extra information can be provided in an attachment if necessary.)

Item	Definition	Indicate
a	Harvest tuna or tuna-like species in the IOTC area of competence and are not registered on the IOTC Record of Vessels authorised to fish for tuna and tuna-like species in the IOTC area of competence	<input type="checkbox"/>
b	Harvest tuna or tuna-like species in the IOTC area of competence, when their flag State is without sufficient quotas, catch limit or effort allocation under IOTC conservation and management measures where applicable	<input type="checkbox"/>
c	Do not record or report their catches made in the IOTC area of competence in accordance with IOTC reporting requirements, or make false reports	<input type="checkbox"/>
d	Take or land undersized fish in contravention of IOTC conservation measures	<input type="checkbox"/>
e	Fish during closed fishing periods or in closed areas in contravention of IOTC conservation measures	<input type="checkbox"/>
f	Use prohibited fishing gear in contravention of IOTC conservation measures	<input type="checkbox"/>
g	Tranship with, or participate in joint operations such as re-supplying or re-fuelling, vessels included in the IUU Vessels List	<input type="checkbox"/>
h	Harvest tuna or tuna-like species in the waters under the national jurisdiction of a coastal State in the IOTC area of competence without authorisation and/or infringes the coastal State's laws and regulations	<input checked="" type="checkbox"/>
i	Are without nationality and harvest tuna or tuna-like species in the IOTC area of competence	<input type="checkbox"/>
j	Engage in fishing or fishing related activities contrary to any other IOTC conservation and management measures	<input type="checkbox"/>

## C. Associated Documents

*Letter to Flag State in relation to Hua Kun No- 168*

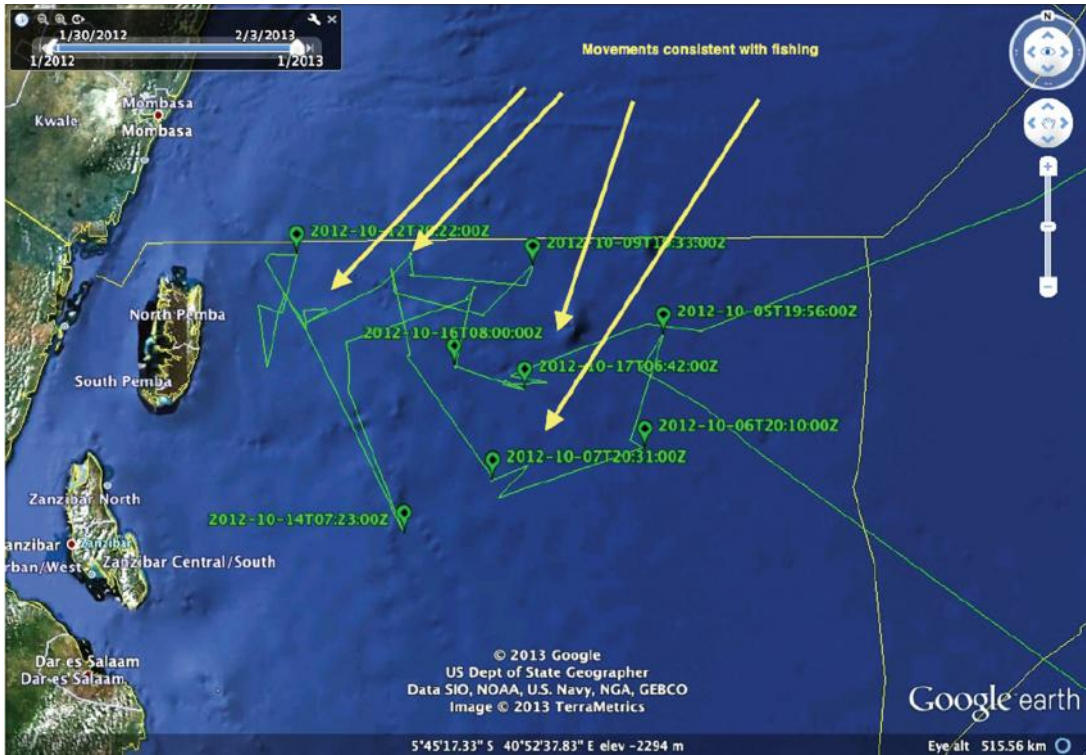
## D. Recommended Actions

	Recommended Actions	Indicate
a	Notification to IOTC Secretariat only. No further action is recommended.	<input type="checkbox"/>
b	Notification of illegal activity to IOTC Secretariat. Recommend notification of activity to flag State.	<input checked="" type="checkbox"/>
c	Recommended for inclusion on IOTC IUU list	<input checked="" type="checkbox"/>

# Annex 1

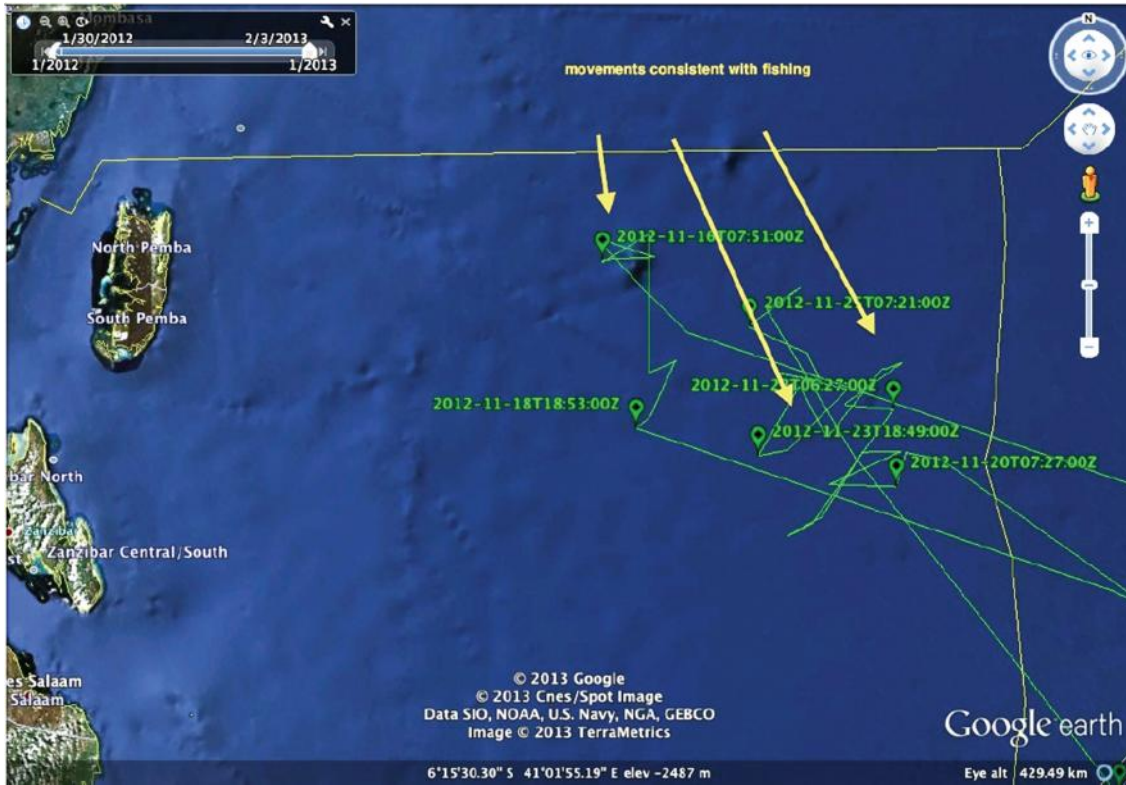
Vessel movements in Tanzanian waters October 2012

Mouvements du navire dans les eaux de la Tanzanie en octobre 2012



Vessel movements in Tanzanian waters November 2012

Mouvements du navire dans les eaux de la Tanzanie en novembre 2012



The below correspondence was received from the Fisheries Agency of Taiwan, Province of China.

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March 1, 2013

Zahor El Kharousy  
Director General  
Deep Sea Fishing Authority  
Tanzania

Dear Mr. Kharousy,

I am writing in response to your letter dated 7 February 2013, requesting our assistance to provide information of Taiwanese flagged vessel "Iua Kun No.168 Aj", in respect of its possible illegal fishing activities in the waters of Tanzania.

After investigation, I'd like to provide you with the findings as follows:

1. According to the call sign "BI2419" and the registry number "CT70419" in your letter, it is indicated that the vessel should be "Iwa Kun No. 168", which has been authorized by this Agency to operate in the Indian Ocean and its previous vessel name is "Hung Heng No.121".
2. F/V "Hwa Kun No. 168" has a valid fishing license issued by your Authority from 2012/10/4 to 2013/1/3 (license number no. 0859). I confirm, as per VMS track, that the said vessel operated in your waters from the end of October 2012 to the end of December 2012 is consistent with your AIS information.

I would also like to thank you for your patience for the late reply as we have Chinese New Year holiday (9 days) in February. Should you have further questions, please feel free to contact me.

Sincerely yours,

  
Chi-Chao Liu  
Section Chief  
Deep Sea Fisheries Division

CC: Dr. Alejandro Anganuzzi, Executive Secretary, IOTC,

On Wed, 6 Mar 2013 15:29:32 +0400

"Secretariat" <[secretariat@iotc.org](mailto:secretariat@iotc.org)> wrote:

Dear Mr. Liu,

Please find attached a communication from the Executive Secretary of the Indian Ocean Tuna Commission regarding:

REPORT OF VESSEL PRESUMED TO HAVE FISHED IN THE WATERS UNDER THE JURISDICTION OF THE UNITED REPUBLIC OF TANZANIA, CONTRARY TO IOTC CONSERVATION AND MANAGEMENT MEASURES

-----  
Secretariat  
Indian Ocean Tuna Commission  
Commission des Thons de l'Océan Indien  
PO Box 1011  
Victoria  
Seychelles

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From: FA302\_Liu Chi-Chao [mailto:[chichao@ms1.fa.gov.tw](mailto:chichao@ms1.fa.gov.tw)]

Sent: 22 March 2013 18:30

To: Secretariat; [alejandro.anganuzzi@iotc.org](mailto:alejandro.anganuzzi@iotc.org)

Cc: zahor el kharousy; [gerard.domingue@iotc.org](mailto:gerard.domingue@iotc.org); [dingrong@ms1.fa.gov.tw](mailto:dingrong@ms1.fa.gov.tw); [shiuling@ms1.fa.gov.tw](mailto:shiuling@ms1.fa.gov.tw); [hsianyin@ms1.fa.gov.tw](mailto:hsianyin@ms1.fa.gov.tw)

Subject: Re: REPORT OF VESSEL PRESUMED TO HAVE FISHED IN THE WATERS UNDER THE JURISDICTION OF THE UNITED REPUBLIC OF TANZANIA, CONTRARY TO IOTC CONSERVATION AND MANAGEMENT MEASURES

Importance: High

Dear Dr. Anganuzzi,

In response to your e-mail dated March 6th, 2013 regarding the report of F/V HWA KUN NO.168 provided by the United Republic of Tanzania, I would like to provide the following additional comments and evidence, showing the said vessel has not fished in contravention to IOTC conservation and management measures.

According to our investigation, HWA KUN NO.168 has a valid fishing license issued by Tanzanian Authority from 2012/10/4 to 2013/1/3 (please refer to the attached file for the copy of the license). Therefore, we consider there might be some misunderstandings in this reported case. Besides, as stated in my previous letter addressed to Mr. Zahor El Kharousy, HWA KUN NO.168 is authorized by this Agency to operate in the Indian Ocean and its previous vessel name was "HUNG HENG NO.121". The vessel changed its name as "HWA KUN NO.168" in 2012.

Should you have any further question, please do not hesitate to contact me at your earliest convenience.

Sincerely yours,

Chi-Chao Liu  
Section Chief  
Deep Sea Fisheries Division  
Fisheries Agency of TAIWAN

Cc: Mr. Zahor El Kharousy- Director General DSFA



Licence Number.....

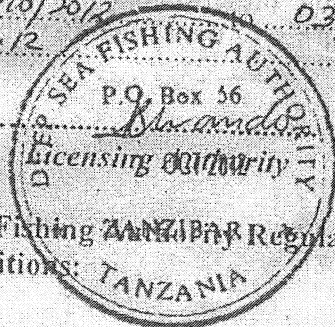
THE UNITED REPUBLIC OF TANZANIA  
THE DEEP SEA FISHING AUTHORITY ACT  
CAP. 388

The Deep Sea Fishing Authority Regulations, 2009

FISHING LICENCE  
(Made under Regulation 6(1))



1. Name of licensee AHMED HUSEIN ALI AL-SHAIBAN
2. Permanent address of licensee P.O. BOX 1617, ZANZIBAR, TANZANIA
3. Name and permanent address of owner of vessel if different from above  
HWA YI FISHERY CO. LTD. 90 EASTWARD EXIM & FREESHIPPING PTE LTD.  
Room 13-E No. 7, TZE NEI FOURTH ROAD, KAOHSIUNG, TAIWAN
4. Name and address of local representative ZANZIBAR MARINE PRODUCT LTD  
P.O. BOX 1617 ZANZIBAR, TANZANIA
5. Name and address of captain of vessel MR. CHENG CHAO LUNG  
90 OWNERS ADDRESS
6. Name of vessel HWA KUN NO 168
7. Type of vessel TUNA LONG LINE
8. Species of fish to caught TUNA (TUNA LIKE SPP)
9. Tonnage of fish allowed -
10. Length of vessel 49.50M Gross Tonnage 722.00T Engine HP 1400HP
11. Country and port of registry KAOHSIUNG, TAIWAN
12. Registration number CT 7-0417 Radio Call Sign B/2417
13. Identification mark number TZ/EEZ/DSEA/0859
14. Time intervals for reporting 24 HRS
15. Validity of licence from 04/10/2012 to 03/01/2013
16. Date issued 02/10/2012



Under Regulation 10 of the Deep Sea Fishing ~~ZANZIBAR~~ Regulations, 2009, a licensee has to comply with the following conditions:

1. A licensed fishing vessel -
  - (i) is brought either to Dar-es-Salaam, Zanzibar, Mtwara or Tanga ports for inspection and verification of fishery resources destined for export market;
  - (ii) is not discarding any by-catch at sea;