

FISH-i AFRICA INVESTIGATIONS

In late 2012, the FISH-i Africa Task Force started working to enable authorities to identify and act against large-scale illegal, unreported and unregulated (IUU) fishing in the Western Indian Ocean (WIO). FISH-i is a partnership between the eight East African coastal countries of Comoros, Kenya, Madagascar, Mauritius, Mozambique, Seychelles, Somalia and the United Republic of Tanzania supported by a Technical Team of experts. This alliance is showing that regional cooperation and information sharing, coupled with dedicated analysis and technical expertise can stop illegal catch getting to market, and prevent illegal operators pursuing their lucrative business unhindered.

These illegal acts produce increased profit for those responsible, but for the WIO, they undermine the sustainability of the fisheries sector and reduce

the nutritional, social and economic benefits resulting from the region's blue economy. The region is now uniting to stop this destruction, but as the case studies show, they need global cooperation and support if these transnational, and devastating crimes are to be stopped.

Through working together on over thirty investigations, FISH-i has shed light on the scale and complexity of illegal activities in the fisheries sector of the WIO and highlighted the challenges that coastal State enforcement officers face to act against the perpetrators. The investigations contain evidence of what FISH-i has seen, uncovered and suspected over the past four years. Fifteen of these investigations have been documented to demonstrate the scale and complexity of illegal operations and to support evidence based solutions and responses.

FISH-i HAS FOUND FOUR MAIN CATEGORIES OF ILLEGALITY IN THE FISHERIES SECTOR OF THE WESTERN INDIAN OCEAN:



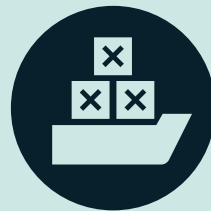
ILLEGAL FISHING

occurs when the legal framework related to fishing or a fishery is violated, including, for example, the law, regulations and licence conditions.



FISHERIES RELATED ILLEGALITY

is usually transnational and organised; including systematic law breaking within the fisheries value chain, resulting in avoidance of import and export taxes, white washing of illegal fish into the legitimate value chain, fraud and corruption.



FISHERIES ASSOCIATED CRIME

is the cover-up of crimes including trafficking of people or transporting of illicit cargo such as, arms, wildlife and drugs under the disguise of fishing.



LAWLESSNESS

is a state of delinquency within the fisheries sector, when operators and crew act outside of any laws conducting, for example, piracy and murder.

By analysing the common methods and techniques employed by operators to cover up illegal activity or get away with their offences, FISH-i has identified a range of behaviours and practises that are commonly employed in the WIO:



VESSEL IDENTITY fraud is used to hide fishing and operational history and activity; reduce costs; misinform and confuse licensing, flagging and inspection authorities; cover up history of IUU fishing; and evade sanctions when caught violating regulations or breaking laws.



FLAGGING ISSUES arise when vessels change from flag to flag, operate with no or false flag or use flags of convenience; this facilitates easy changes of name, hiding of an IUU fishing history or escaping investigations and sanctions.



DOCUMENT FORGERY is used in an attempt to hide illegal activities or to avoid obligations and costs. Forged documents of vessel registration certificates, fishing licences or catch certificates are an essential feature of illegal fishing, as operators either alter existing documents or simply create false documents.



BUSINESS PRACTICES are used to the advantage of illegal operators who use the impenetrable complexity and bureaucracy that company structures can create, making identifying beneficial owners impossible. They hide behind shell companies, postal boxes and agents to escape, unidentified and unpunished.



AVOIDANCE OF PENALTIES is common practice because operators and owners; wish to avoid a connection to illegal fishing and resultant image damage; cannot be identified and held to account and the prosecuting State has no ability to enforce the penalty; or because the owners abscond and anticipate no reprisal.

Many investigations do not result in a successful penalty or prosecution but the lesson learning about where and when the system fails is vital for deciding future priorities. FISH-i is making progress both in understanding and in tackling illegal fishing and fisheries related illegality and this informs the policy process both within the FISH-i Africa region and internationally so that globally we are better able to effectively combat IUU fishing.

The following investigations are available to download from www.fish-i-africa.org.

CASE	ILLEGAL FISHING	RELATED	ASSOCIATED	LAWLESSNESS		VESSEL IDENTITY	FLAGGING ISSUES	BUSINESS PRACTICES	AVOIDANCE OF PENALTIES	DOCUMENT FORGERY
1	●	●	○	○	FISH-i Africa's first success: the PREMIER	○	○	●	●	●
2	●	●	○	○	Fake licensing operation uncovered	○	○	●	○	●
3	●	●	○	○	IUU listed vessels de-flagged	●	●	●	●	●
4	●	●	○	○	The multiple identities of the NAHAM-4	●	●	●	○	●
5	●	●	○	○	Fugitives from justice	●	●	●	●	●
6	●	●	●	○	Mysterious operations on the Somali coast	○	●	●	○	●
7	●	●	●	○	Piracy, poaching and people smuggling?	●	●	●	○	○
8	●	●	○	○	Three vessels or one?	●	●	●	○	●
9	○	●	●	○	A repeat offender brought to book: the NESSA 7	●	●	●	○	●
10	●	○	○	○	Mauritian action on Sri Lankan vessels	●	○	○	●	○
11	●	●	○	○	Rogues or ghosts?	●	●	●	●	●
12	●	○	○	○	Avoidance of penalties: the TXORI ARG1	○	○	○	●	○
13	●	●	○	○	Dual identity vessel on the run	●	●	○	●	●
14	●	○	○	○	Serial offenders in Somalia	●	●	○	○	○
15	○	○	○	●	Murder at sea?	○	●	○	●	○

● Evidence ● Suspected ○ No evidence