

INVESTIGATION NO. 15

MURDER AT SEA?



At least four men are seen being shot at sea in film footage published on YouTube in 2014. Only one of the fishing vessels seen in the film is clearly identifiable – the Taiwanese longliner CHUN 1 No. 217. Further investigation identified other vessels and individuals involved, including the vessel from which the shots were fired. The motives for the attacks and the identity of the perpetrators remain a mystery. The case demonstrates a lack of will on the part of relevant States to pursue an investigation, and provides a strong indication of a state of lawlessness on the high seas where fisheries crime can take place with few, if any, consequences.

VESSEL TYPE

Longliners

FLAG STATE

Taiwan and Seychelles

PENALTY/SANCTIONS

None

KEY EVENTS

2012 An unidentified vessel was attacked by tuna longliners and the incident was filmed. In the footage, the Taiwanese longliner CHUN I No.217 is visible.

AUG 2014 Video footage of the incident was posted on YouTube titled 'Fishing vessel Fijian crew getting shot, outside Fiji waters'. It is reported that the video was found on a mobile phone left in a taxi in Fiji, and turned over to the Fijian police. The video was also shared widely over social media. The Fijian police undertook an investigation but closed the case with the conclusion that crimes shown in the video did not take place in Fiji.

OCT-DEC 2014 Taiwan's Ministry of Foreign Affairs and Fishery Agency report to have

investigated the case and found that the CHUN 1 No. 217 was 'passing by' at the time of the shooting and was not involved.

Analysis of the video and work to identify the vessels involved was undertaken, with over 3 000 vessel photos compared with film footage of the incident. The Taiwanese PING SHIN NO. 101 is identified as the most likely shooting vessel and a third vessel, is believed to be the CHUN I No.628, which is Seychelles flagged.

Interviews with crews from the longliners indicate that the vessel attacked was more likely to have been an Iranian dhow manned by around 15 Pakistanis. All crew members are believed killed, either shot or run over. The location of the shootings is believed to be on the high

seas between Seychelles and Somalia, although may have occurred in Somali waters. The tuna longliners were allegedly carrying armed guards of ex-military Pakistani origin, supplied by Taiwanese and Pakistani companies.

No automatic identification system (AIS) tracks were found for the identified vessels during the time of the footage.

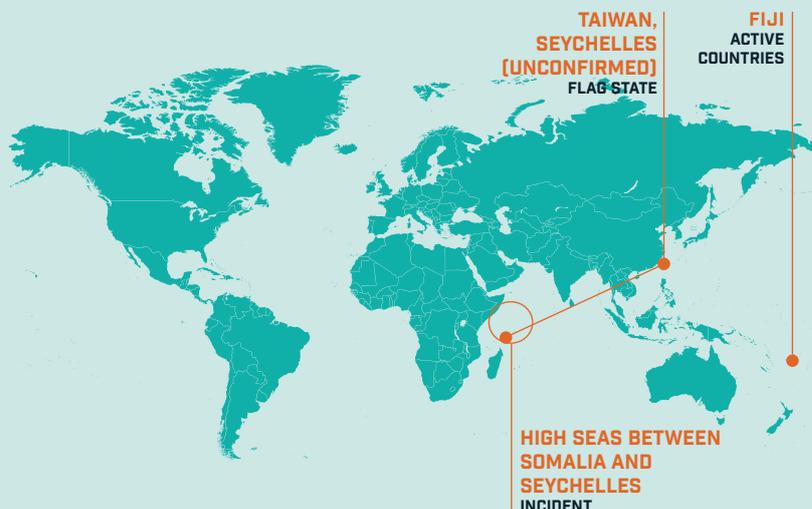
2015-2017 The incidents have attracted international media interest including coverage in the National Geographic Lawless Oceans series, which undertook further investigations and conducted interviews with crew from the vessels known to be present at the incident. This testimony has been crucial in verifying and cross checking facts.

WHAT WORKED?

- Identification of the vessels from structural features of the vessels seen in the video against collected photos of longliners.
- Eyewitness accounts were crucial to corroborate facts and verify information which had been revealed from the video analysis.
- Interest from the international media has kept this investigation active and increases the likelihood of enforcement action being taken.
- Investigative tools that map networks and connections between vessels, their owners and operators was utilised to identify the companies involved and operational structures.

WHAT DID FISH-i AFRICA DO?

- Engaged in analysis of vessels and intelligence.
- Cooperated with INTERPOL.
- Cooperated with Secure Fisheries.
- Cooperated with the Norwegian National Advisory Group against Organised Fisheries Crime and Illegal, Unreported and Unregulated (IUU) Fishing.



WHAT NEEDS TO CHANGE?

- Stricter flag State responsibility is needed to ensure that States take appropriate action when their vessels and nationals are involved in violations or crimes.
- A multi-agency approach is required to ensure that crimes committed on fishing vessels are given suitable priority and resources.
- Mandatory AIS and VMS tracking is needed for all commercial fishing vessels to ensure compliance.
- Unique identifiers, such as IMO numbers would enable authorities to more easily identify vessels thought to be involved in criminal activity.
- Photographs of vessels should be publicly available.

HOW?

The evidence uncovered during FISH-i investigations demonstrates different methods or approaches that illegal operators use to either commit or cover-up their illegality and to avoid prosecution.

FLAGGING ISSUES The flag State is responsible to monitor the activity of its fleet and the crew on board its vessels and

enforce laws when applicable. Without flag States acting responsibly, crew operating in the high seas will not be held accountable for their actions.

AVOIDANCE OF PENALTIES Despite a number of witnesses to the incident, no enforcement action has been taken.



In working together on over thirty investigations, FISH-i Africa has shed light on the scale and complexity of illegal activities in the fisheries sector and highlighted the challenges that coastal State enforcement officers face to act against the perpetrators.

FISH-i investigations demonstrate a range of complexity in illegalities – ranging from illegal fishing, to fisheries related illegality, to fisheries associated crime to lawlessness.

In this case evidence of lawlessness was found.

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