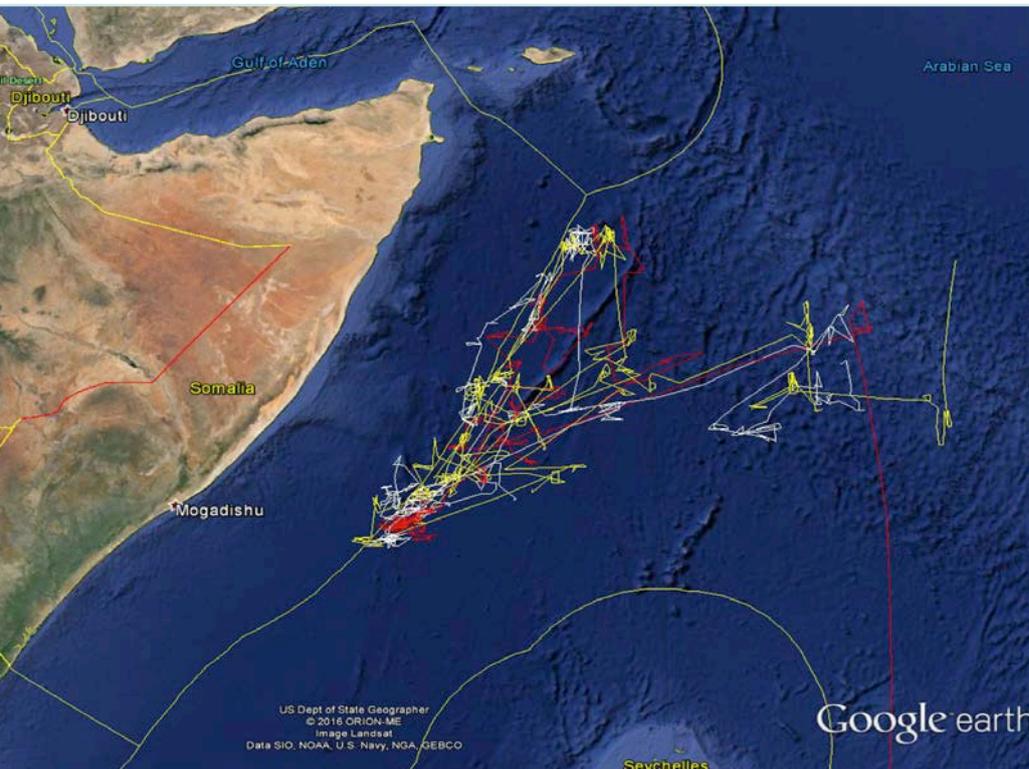


INVESTIGATION NO. 14

SERIAL OFFENDERS IN SOMALIA



While Somalia is rebuilding its capacity to control fishing activity in its exclusive economic zone (EEZ), some vessel operators repeatedly disregard the laws and regulations and take advantage of the fact that Somalia still has limited capacity to police their waters. This case demonstrates how a group of Chinese longliners have repeatedly, over several years, been fishing illegally in Somalia. Somalia raised this issue with the flag State China, but to date the vessels are still operating without sanction.

VESSELS INVOLVED

LU QING YUAN YU 101
 LU QING YUAN YU 102
 LU QING YUAN YU 105
 LU QING YUAN YU 106

LU QING YUAN YU 107
 LU QING YUAN YU 108
 XIN SHI JI 85

VESSEL TYPE

Longliners

FLAG STATE

China

PENALTY/SANCTIONS

None

KEY EVENTS

MAR 2015 Seven tuna longliners from China were observed operating in the EEZ of Somalia. They all were on the authorised vessel list of the regional fisheries management organisation (RFMO) the Indian Ocean Tuna Commission (IOTC), however they did not request authorisation to enter Somali waters or apply for fishing licences, and were therefore operating in the Somali EEZ illegally. Somalia raised the issue with flag State China through the IOTC.

NOV 2015 Due diligence checking took place when two of these vessels the LU QING YUAN YU 102 and LU QING YUAN YU 106 applied for fishing licences from Kenya. This revealed that in May 2015,

fishing licences for these two vessels were purchased from the Federal Government of Somalia. The licences had been bought, via the company Deepsea Fisheries Management Ltd., a known agent/operator that has links to Eastward Exim & Shipping PTE Ltd, the operator of several vessels that fished using forged licences in the EEZ of Tanzania in 2013.

APR TO MAY 2016 Automatic identification system (AIS) tracks again indicate that several vessels, including the LU QING YUAN YU 101, LU QING YUAN YU 102 and LU QING YUAN YU 107 are operating without licences in the Somali EEZ. Contact was made with the flag State China who would have access to vessel

monitoring system (VMS) data for each of the vessels and would be able to verify their location.

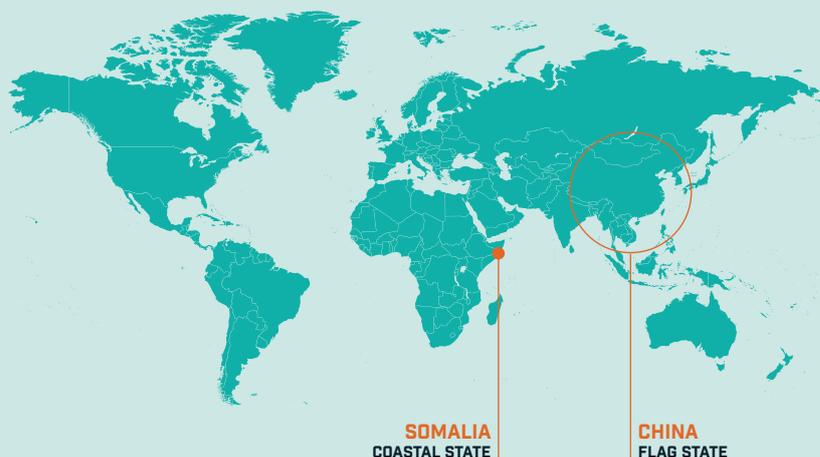
JUL 2016 TO JAN 2017 Continued monitoring of the LU QING YUAN YU fleet and other Chinese vessels showed unusual movement patterns on AIS, with tracks showing vessels 'jumping' distances of approximately 2 500 nautical miles north to south or vice versa over periods of less than an hour, whilst showing no significant change in longitude. These position anomalies may or may not be deliberate and ongoing investigations will help to confirm whether these Chinese longliners were continuing to fish without licences in Somali waters.

WHAT WORKED?

- Regional cooperation and information exchange between FISH-i countries allowed licensing authorities to cross-check and verify information.
- AIS tracking allowed the vessels to be monitored.

WHAT DID FISH-i AFRICA DO?

- Tracked the vessels via AIS and identified the AIS anomaly.
- Exchanged information between FISH-i countries and IOTC.



WHAT NEEDS TO CHANGE?

- Flag States need to act when there is evidence of non-compliance in their fleet.
- Strong national policies are needed with clear guidance on licensing conditions.
- Publicly available licence lists would help to reduce forgery and fraud within the fisheries sector.
- Mandatory AIS is needed for all commercial fishing vessels to ensure their activity can be tracked and monitored at all times.

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 (suspected) The vessels were all flagged to China, but despite communication via the IOTC, no action seems to have been taken by China.

VESSEL IDENTITY One of the vessels' identity was unknown, its AIS is not linked to any identity information.



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 Illegal fishing was found.

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