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**RESULTS OF INVESTIGATIONS ON POSSIBLE INFRACTIONS REPORTED AT THE 2012 CoC  
MEETING TO WHICH NO EXPLANATION HAS BEEN MADE BY THE CONCERNED FLEETS**

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

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During the Eight Session of the Compliance Committee, a number of possible infractions detected under the IOTC Regional Observer Programme to monitor at-sea transshipments were brought to the attention of the Committee through working paper IOTC-2011-S15-CoC48\_Add3[E]. The Committee requested that the concerned fleets identified provide information to the next meeting of the Committee about the actions it intends on taking to address each issue raised. At its Ninth Session, the Committee noted that there were outstanding reports from the 2011 Session.

*IOTC-2011-CoC8-R[E] Paragraph 55*

The CoC **NOTED** that ... iv) possible infractions reported at the 2011 CoC meeting to which no explanation has been made by the flag CPCs. The Secretariat shall inform the relevant flag CPCs of cases in .... iv)

During the 2012 inter-sessional period, the concerned fleets were notified, and responses received so far are provided in Part A (possible infractions relating to logbooks and VMS) and Part B (possible infractions relating to transshipment in the EEZ of coastal States).

**Part A -Possible infractions relating to logbooks and VMS**

**Response of Oman (Circular 2012-70)**

**Sultanate of Oman**  
Ministry of Agriculture & Fisheries Wealth

رئاسة الزراعة والثروة السمكية

No. : 2287  
Date : 1/8/2012

الرقم :  
التاريخ :  
الموافق :

**Mr. Alejandro Anganuzzi**  
Executive Secretary  
Indian Ocean Tuna Commission

Sub: Possible Infractions Observed during At-Sea Transshipment

Deployment Number	Vessel Name	Vessel Flag	Inspection Date	Inspection Comment
147	TAWARIQ 2	OMAN	30-Oct-11	Captain unable to produce all logbook records as well as fishing license unable to determine reasons due to communication problems
131	NAHAM 3	OMAN	18-Jul-11	VMS (ARGOS) present but power switched off
147	SINAW 8	OMAN	17-Nov-11	Logbook records incomplete.

In regards to the above cases which has been reported by the ROP observers and were discussed the ninth session of the compliance committee, Fremantle, Australia 18-26 Apr 2012.  
We are pleased to provide with the following response :

- 1) The captain was unable to understand the request made by ROP observer, due the language problems, the case was investigated in the Directorate General of Fisheries Resources Development in Ministry of Agriculture and Fisheries in Oman and the respond was correct and the ship owner promised to avoid such matter it in the future.
- 2) the power switched off due the electrical surge or difficulties, that happened in 17/07/2011, and it had been repaired in 22/07/2011.
- 3) The captain was writing in Chinese language, and he has been instructed to write in both language (Chinese and English) to be ready upon requisite.

**Dr. Ahmed M Al-Mazrouai**  
Acting DG, Fisheries Resources Development  
Ministry of Agriculture & Fisheries  
Oman

ص ب : ٤٧٢١ ، صندوق : الرمز البريدي : ١٠٠ ، تليفون : ٩٦٨ ٢٤٦٨٨٠٧٧ ، فاكس : ٩٦٨ ٢٤٦٨٨٠٧٧  
P.O. Box : 4721, Muscat, Postal Code : 100, Tel : 00968 24688077, Fax : 00968 24688077



**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*

12<sup>th</sup> April, 2013

Mr. Rondolph Payet  
Executive Secretary  
Indian Ocean Tuna Commission  
P.O. Box 1011,  
Victoria,  
Seychelles

**Re: Result of Investigation of Possible Infractions Observed Under the Regional Observer Programme in 2011 and 2012**

Reference is made to the results of our investigation on the above subject and actions taken by the Authority as outline in the enclose table.

124	JJIN HORNG NO.106	03/02/2011	Logbook was not not available	Could be due to language barrier of captain, bu vessel have been warned
147	SEAWISE	08/10/2011	Logbook was not not available	Could be due to language barrier of captain, bu vessel have been warned
147	ASHUNEYU	30/10/2011	Captain unable to produce logbook records for July 2011.	Could be due to language barrier of captain, bu vessel have been warned
147	LONG YIELD	12/11/2011	Logbook records not complete	Could be due to language barrier of captain, bu vessel have been warned
150	FORTUNE No. 1	17/10/2011	Logbook present (position data in book) but the master was not able to accurately calculate the catches from this log.	Could be due to language barrier
150	PING SHIN 201	08/10/2011	Logbook was not provided	Could be due to language barrier of captain, bu vessel have been warned
150	PANOCEAN	08/10/2011	No logbook present onboard, was shown just a pieces of paper with details of the fish to be transhipped	Could be due to language barrier of captain, bu vessel have been warned

Yours sincerely,

  
Chief Executive Officer



Responsible Fishing For Sustainability

May 23, 2012

Mr. Gerard Domingue  
Compliance Officer  
Indian Ocean Tuna Commission  
P.O. Box 1011  
Victoria, Seychelles

Dear Mr. Domingue,

As a follow-up of the 16<sup>th</sup> meeting of the Indian Ocean Tuna Commission, I am writing to provide you with additional information regarding the possible infractions of Taiwanese fishing vessels observed by the regional observer programme as the follows:

Follow-up of case of infringement on Thresher shark onboard

Fishing vessel Fu Kuo No.10 was reported that Thresher shark fins was observed onboard during deployment 130/11. The result of investigation and the imposition of sanctions in response to its violation were informed to the IOTC secretariat in our previous investigation report dated 8 Feb, 2012.

Transshipment of undeclared southern bluefin tuna

According to Document IOTC-2012-CoC09-04b, fishing vessel Wen Der No. 106 was observed on deployment 135/11, to have transshipped undeclared southern bluefin tuna to carrier vessel Fu Jyi. This Agency has launched an investigation on the case and found this irregularity mainly resulted from the vessel crewmembers' misrecognition of SBT. However, even if the case is an unpremeditated offense, further action will be conducted by this Agency based on domestic regulations.

Other information

In addition, to ensure the transparency of our investigation report which was informed to the IOTC secretariat dated April 10, 2012, I hereby provide you with the copies of fishing licenses and the certificates for fishing vessel operating overseas bases of those vessels. From the information, you may find that these vessels were duly authorized by this Agency to operate in the Indian Ocean.

Should you have any question on the abovementioned information, please do not hesitate to contact me at any time.

Sincerely yours,



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

The copies of the fishing licenses and certificates of the vessels were received with the above communication and are available to any parties wishing to verify it.

## Part B - Possible infractions relating to transshipment in the EEZ of coastal States

### Transshipment within the EEZ of India: Carrier Vessel Futagami – LSTLV Ho Fu Mei No. 6

- **Communication from India**

No.21001/13/2006-Fy(Ind) Vol.II  
Government of India  
Ministry of Agriculture  
Department of Animal Husbandry, Dairying & Fisheries

Krishi Bhawan, New Delhi.  
Dated the 03rd Aug., 2012.

To, Mr. Florian Giroux  
Fisheries Officer - Compliance  
Indian Ocean Tuna Commission,  
P.O. Box 1011, Seychelles.

Fax: +248-422-4364. E-mail: [fg@iotc.org](mailto:fg@iotc.org)

Subject:- **Listing of two vessels in the IOTC draft IUU vessels list for Unauthorized at sea transshipment in Indian EEZ - reg.**

Sir,

Please refer to your e. mail dated 30th June, 2012 on the subject cited above. As it is evident in accordance with the Report of the IOTC Observer Program, that carrier vessel 'Futagami' [of Flag state Vanuatu] and the LSTLVs 'Ho Fu Mei No.6' [of Flag state Taiwan] have reportedly conducted a transshipment inside Indian EEZ in position 15° 1'N and 84° 45'E (i.e., 60 Km inside Indian EEZ) on 04/02/2011, which is a prohibited offence under the provisions of Indian statutes [i.e., the Maritime Zone of India (Regulation of Fishing by Foreign Vessels) Act, 1981]. It is recommended with the approval of the competent authority that IOTC may cite the above-mentioned vessels in the list of vessels presumed to have carried out IUU fishing in the IOTC Area, in accordance with Paragraph 7 of IOTC Resolution 11/03.

Duly filled 'Reporting Form' for listing each of the above-named vessels in the 'IOTC draft IUU vessels list' is attached herewith for further necessary action.

Yours faithfully,

Dr. Sanjay Pandey

Fisheries Research & Investigation Officer, Room No. 482,  
Department of Animal Husbandry, Dairying and Fisheries,  
Ministry of Agriculture, Krishi Bhawan, New Delhi-110 001, India.  
Tel. 0091-11-23097049 / Mob. 0091-9868334244 , Telefax: 0091-11-23097012,  
E-mail: [sanjay\\_rpandey@yahoo.co.in](mailto:sanjay_rpandey@yahoo.co.in)



- Communication from Vanuatu

GOUVERNEMENT  
DE LA  
RÉPUBLIQUE DE  
VANUATU



GOVERNMENT  
OF THE  
REPUBLIC OF  
VANUATU

VANUATU COMMISSONER TO THE IOTC

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Mr. Alejandro Anganuzzi  
Secretary General  
Indian Ocean Tuna Commission,  
Seychelles.

11<sup>th</sup> September 2012

**Your Ref:** IOTC Circular 2012-76

Dear Secretary General

**Re: IOTC Draft IUU Vessels list – Vanuatu Vessel “Futugami”**

Vanuatu acknowledges receipt of the IOTC Circular 2012-76 whereby India requests the listing of the Vanuatu flagged carrier vessel “Futugami” in the IOTC draft IUU Vessels list.

India’s request is based on the ground that the said Vanuatu flagged vessel conducted an illegal transshipment inside Indian EEZ in position 15° 1’N and 84° 45’E (i.e., 60 Km inside Indian EEZ) on 4 February 2011.

However, after cross-checking the geographical coordinates reported by India and the ones appearing on the IOTC Transshipment declaration (attached as **Annex 1**) issued for the alleged illegal transshipment that occurred on 4<sup>th</sup> February 2011, Vanuatu notes that India is not reporting the correct data. Indeed, in said transshipment declaration dated 4<sup>th</sup> February 2011, the correct geographical coordinates are N15-02/E85-42”, which is outside Indian EEZ.

Besides, Vanuatu has obtained from the Vanuatu flagged vessel VMS provider (Argos) the geographical coordinates of the vessel from 1<sup>st</sup> February 2011 to 7<sup>th</sup> February 2011 (attached as **Annex 2**) showing clearly that the vessel “Futugami” never operated in the Indian EEZ during said period.

Given the above clarification and obvious mistake from India, Vanuatu hereby requests the IOTC Secretariat to immediately delete the carrier vessel “Futugami” from the IOTC Draft IUU Vessels list.

I am looking forward to reading you.

Yours sincerely,



**Laurent Parenté**

E-Mail: [laurent.parente@vanuatu-imo@hotmail.com](mailto:laurent.parente@vanuatu-imo@hotmail.com) – Tel +44 (0) 7554 380005

IOTC TRANSHIPMENT DECLARATION  
(FAX: +248-224364) (Email: [alejandro.anganuzzi@iote.org](mailto:alejandro.anganuzzi@iote.org))

VANUATU ANNEX 1

ANNEX 1

Carrier Vessel		Fishing vessel	
Name of vessel and radio call sign : M/V PUTAGAMI (YJQJ8)	Name of the vessel and call sign (船名・呼出符号) : NO 6 HO FU MEI / B12320		
Flag : VANUATU	Flag (国名) : TAIWAN Province of China		
Flag State authorization number : 9105293	Flag State authorization number (動力船登録番号) : CT7-0320		
National Register Number : 1963	National Register Number (国籍証書番号) : 011418		
IOTC Register Number, if available : IOTC-008453	IOTC Register Number, if available (IOTC番号) : 9000-70320		
	External identification (漁業許可番号) : 11953508		

Day	Month	Hour	Year
Departure			From 2011
Return			to 2011
Transshipment	04 FEB	07:15	on 2011

Agent's name	Master's name of LST Vessel	Master's name of Carrier
	CHEN YU SHIH	NOBUYUKI KASHITA
Signature	Signature	Signature

Species	Port Transshipment Area	At sea Produced Area	Type of Product						Remark
			Whole	Gutted	Head off	Fillet			
Blue Pin	BPT	黒鯛							
South Blue Pin	SBP	南方黒鯛							
Big eye	BET	大目鯛							
Yellowfin	YFT	黄鰺							
Albacore	ALB	鰹							
Sword fish	SWO	鱈							
Striped Marine	AMS/WHM	紅肉魚							
Black Marine	BLM	白皮魚							
Blue Marine	BDM/BLZ	黒皮魚							
Other fish	BJZ	其他魚							
Sharks	SKX	沙魚							
Shark fins									
Total									

If transshipment effected at sea, ICCAT Observer Signature *[Signature]*

VANUATU ANNEX 2 - VMS DATA

船名	漁業許可	コールサイン	読み仮名	漁船登録	所属団体	送信機ID	漁業者用	漁業者用	DATE	LATITUDE	LONGITUDE
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			01/02/2011 01:09	06°08'24"N	084°39'04"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			01/02/2011 02:47	06°30'22"N	084°41'56"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			01/02/2011 03:37	06°40'08"N	084°45'58"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			01/02/2011 05:14	07°03'36"N	084°44'17"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			01/02/2011 05:15	07°02'20"N	084°46'37"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			01/02/2011 09:19	07°51'47"N	084°56'46"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			01/02/2011 10:05	08°01'55"N	084°58'34"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			01/02/2011 10:20	08°04'48"N	084°56'06"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			01/02/2011 12:02	08°25'19"N	085°00'58"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			01/02/2011 12:15	08°28'08"N	084°56'46"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			01/02/2011 13:54	08°48'07"N	085°02'53"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			01/02/2011 13:57	08°48'29"N	085°04'59"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			01/02/2011 14:11	08°51'11"N	085°00'50"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			01/02/2011 14:40	08°56'49"N	085°01'41"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			01/02/2011 15:50	09°10'44"N	085°08'35"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			01/02/2011 16:20	09°16'16"N	085°07'12"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			01/02/2011 16:23	09°15'58"N	085°08'42"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			01/02/2011 18:37	09°43'19"N	085°14'17"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			01/02/2011 19:22	09°52'44"N	085°12'36"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			01/02/2011 20:17	10°03'32"N	085°14'24"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			01/02/2011 21:03	10°12'47"N	085°15'50"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			02/02/2011 00:53	10°59'46"N	085°25'08"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			02/02/2011 02:35	11°19'41"N	085°24'36"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			02/02/2011 03:15	11°28'26"N	085°27'18"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			02/02/2011 04:51	11°47'46"N	085°28'30"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			02/02/2011 04:54	11°46'55"N	085°30'04"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			02/02/2011 07:28	12°15'47"N	085°35'06"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			02/02/2011 08:14	12°24'36"N	085°34'52"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			02/02/2011 09:09	12°35'20"N	085°40'05"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			02/02/2011 09:57	12°44'24"N	085°38'31"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			02/02/2011 09:58	12°44'31"N	085°36'50"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			02/02/2011 11:38	13°04'19"N	085°42'00"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			02/02/2011 13:45	13°30'04"N	085°45'54"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			02/02/2011 13:47	13°30'07"N	085°48'22"E
FUTAGAMI	YJQJ8	フタミ		運搬船	C	68742			02/02/2011 13:49	13°30'50"N	085°46'01"E



FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	02/02/2011	14:22	13°37'23"N	085°44'42"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	02/02/2011	16:03	13°59'56"N	085°51'00"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	02/02/2011	20:08	14°51'40"N	085°58'44"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	02/02/2011	20:53	15°00'50"N	085°59'06"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	02/02/2011	20:54	15°00'22"N	086°02'20"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	02/02/2011	22:28	15°01'26"N	085°58'08"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	00:08	15°00'54"N	085°53'38"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	00:40	15°01'19"N	085°52'41"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	02:20	15°01'30"N	085°49'23"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	02:23	15°01'16"N	085°49'19"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	02:52	15°01'48"N	085°48'32"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	03:59	15°01'41"N	085°46'41"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	04:31	15°01'48"N	085°46'01"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	07:20	15°01'59"N	085°41'17"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	08:05	15°02'35"N	085°48'07"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	08:06	15°02'35"N	085°48'11"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	09:00	15°00'14"N	085°56'38"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	09:47	14°58'37"N	086°05'10"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	11:14	14°58'48"N	086°12'32"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	11:51	14°58'19"N	086°11'06"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	13:59	14°58'08"N	086°05'46"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	15:05	14°59'42"N	086°03'40"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	15:39	15°00'04"N	086°02'56"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	17:20	15°00'29"N	085°58'08"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	17:20	15°00'50"N	085°58'12"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	19:56	15°00'36"N	085°52'59"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	20:43	15°00'29"N	085°52'26"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	21:37	15°00'43"N	085°50'24"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	22:04	15°00'54"N	085°49'34"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	22:23	14°59'53"N	085°48'43"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	03/02/2011	23:44	15°01'23"N	085°46'30"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	04/02/2011	01:56	15°02'35"N	085°42'43"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	04/02/2011	02:09	15°02'28"N	085°42'14"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	04/02/2011	03:37	15°02'42"N	085°39'58"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	04/02/2011	04:09	15°02'49"N	085°39'14"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	04/02/2011	04:11	15°02'49"N	085°39'11"E

FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	04/02/2011	07:09	15°03'00"N	085°33'58"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	04/02/2011	07:53	15°03'04"N	085°32'42"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	04/02/2011	08:49	15°03'11"N	085°31'12"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	04/02/2011	09:36	15°03'22"N	085°29'56"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	04/02/2011	10:51	15°03'32"N	085°28'16"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	04/02/2011	14:43	14°59'24"N	085°57'04"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	04/02/2011	15:01	14°57'11"N	086°01'48"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	04/02/2011	15:19	14°58'59"N	086°07'34"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	04/02/2011	16:59	14°57'00"N	086°12'54"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	04/02/2011	17:00	14°57'04"N	086°12'54"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	04/02/2011	19:46	14°55'55"N	086°07'37"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	04/02/2011	20:31	14°55'19"N	086°06'50"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	04/02/2011	21:27	14°54'40"N	086°04'59"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	04/02/2011	21:39	14°55'19"N	086°04'12"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	04/02/2011	23:21	14°54'43"N	086°01'05"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	05/02/2011	00:17	14°54'54"N	085°59'24"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	05/02/2011	01:56	14°54'40"N	085°56'17"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	05/02/2011	01:57	14°54'40"N	085°56'13"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	05/02/2011	02:10	14°55'19"N	085°55'59"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	05/02/2011	03:13	14°54'43"N	085°53'46"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	05/02/2011	06:58	14°54'47"N	085°46'52"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	05/02/2011	06:59	14°54'47"N	085°46'55"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	05/02/2011	07:45	14°54'36"N	085°45'47"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	05/02/2011	08:38	14°54'29"N	085°44'31"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	05/02/2011	09:23	14°53'53"N	085°43'30"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	05/02/2011	10:27	14°53'49"N	085°42'04"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	05/02/2011	12:05	14°53'17"N	085°39'11"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	05/02/2011	13:11	14°51'43"N	085°43'16"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	05/02/2011	14:18	14°42'47"N	085°52'52"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	05/02/2011	14:51	14°38'53"N	085°57'58"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	05/02/2011	14:58	14°37'59"N	085°59'20"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	05/02/2011	15:59	14°30'04"N	086°09'50"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	05/02/2011	16:39	14°24'29"N	086°15'11"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	05/02/2011	20:21	13°57'29"N	086°53'02"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	05/02/2011	20:21	13°57'29"N	086°53'02"E
FUTAGAMI	YJQJ8	フカミ	運搬船	C	68742	05/02/2011	21:16	13°50'42"N	087°06'29"E



- **Communication from India**

No. 21001/13/2006-Fy(Ind) Vol.II  
Government of India  
Ministry of Agriculture  
Department of Animal Husbandry, Dairying & Fisheries

Krishi Bhawan, New Delhi.  
Dated the 24<sup>th</sup> September, 2012.

To,

**Mr. Alejandro Anganuzzi,**  
Executive Secretary,  
Indian Ocean Tuna Commission, **Seychelles.**

**Subject: - Withdrawal of IOTC Circular 2012-76 regarding two vessels presumed to have been carrying out IUU fishing in the IOTC area of competence.**

Sir,

Please refer to 'IOTC Circular 2012-81' regarding Communications from Vanuatu and the Contractor responsible for executing the IOTC Regional Observer Programme to Monitor Transshipments at Sea', in response to proposal submitted by India vide 'IOTC Circular 2012-76' for inclusion of two vessels into the 'IOTC Draft IUU Vessels List'.

Considering the evidence provided by Vanuatu and the clarifications from the Consortium responsible for executing the 'IOTC Regional Observer Programme to monitor transshipments at sea' as well as the revised document 'IOTC-2012-CoC09-04b [E]-IOTC ROP-Contractor's Report', it is established vide 'IOTC Circular 2012-81' that the reported transshipment between 'Futagami' and the vessel 'Ho Fu Mei No.6' occurred outside the Indian EEZ.

Taking above into account, India is hereby dropping the proposal which was submitted vide 'IOTC Circular 2012-76' for inclusion of above-named two vessels into the 'IOTC Draft IUU Vessels List'.

As the above-mentioned proposal submitted by India for inclusion of two vessels into the 'IOTC Draft IUU Vessels List' was based on the 'paragraph page 4 of the IOTC-2012-CoC09-04b' of the IOTC Regional Observer Programme. Therefore, it is recommended that the statements made by the Vanuatu vide its' letter dt. 11.09.2012 that "*India has reported incorrect data on geographical coordinates*" should be dropped.

Besides, it is also advised that the IOTC Regional Observer Programme should be implemented with more care to avoid such inaccuracy in reporting of at sea transshipments in future.

with regards,

Dr. Sanjay Pandey / Fisheries Research & Investigation Officer / Room No. 482,  
Department of Animal Husbandry, Dairying and Fisheries, / Ministry of Agriculture, Krishi Bhawan, / New Delhi-110  
001, India. / Tel. 0091-11-23388911, Ext. 4481 / Mob. 0091-9868334244 / Telefax: 0091-11-23097012, / E-mail:  
[sanjay\\_rpandey@yahoo.co.in](mailto:sanjay_rpandey@yahoo.co.in)

cc. Mr. Laurent Parente, Vanuatu Commissioner to the IOTC

- Communication from Taiwan, Province of China (letter received the 23<sup>rd</sup> May 2012)

## Alleged transshipment within the Indian EEZs

According to Document IOTC-2012-CoC09-04b, Taiwanese fishing vessel Ho Fu Mei No.6 was observed transshipping within the Indian EEZ at 15°1'N and 84°45'E during deployment 115/10 on board the carrier vessel Futagami. However, according to the transshipment declaration of Ho Fu Mei No.6 (Attachment 1) and further confirmed by vessel position recorded by the VMS centre (Attachment 2), the transshipment was in fact taken place on the high seas at 15°2'N and 85°42'E.

**IOTC TRANSHIPMENT DECLARATION**  
(FAX: +248-224364) (Email: alejandro.angunuxxi@iotc.org) ANNEX I

Carrier Vessel				Fishing vessel			
Name of vessel and radio call sign : M/V FUTAGAMI (YQJ8)				Name of the vessel and call sign (船名・呼出符号) : NO 6 / HO FU MEI / B12320			
Flag : VANUATU				Flag (国旗) : TAIWAN			
Flag State authorization number : 9105293				Flag State authorization number (船力・船号) : C77-0320			
National Register Number : 1963				National Register Number (国籍登録番号) : 011418			
IOTC Register Number, if available : IOTC-008453				IOTC Register Number, if available (IOTC登録) : 9000-70330			
External identification				External identification (船籍許可番号) : 11953608			

Day   Month   Hour   Year		Agent's name		Master's name	
Departure :       From 2011		Signature		Signature	
Return :       to 2011		Signature		Signature	
Transshipment : 04 FEB 07:15 on 2011		Signature		Signature	

Species	Port Transshipment Area	At sea Producted Area	Type of Product	Type of Product	Type of Product	Type of Product	Type of Product	Type of Product	Remark
		N15-02/E85-42	Whole	Gutted	Head off	Pilset			
Blue Fin	BPT	黑鰭							
South Blue Fin	SST	南方黑鰭							
Big eye	BET	大目鰹							
Yellowfin	YFT	黃鰹鰭							
Albacore	ALB	長鰹鰭							
Sword Fish	SWO	劍魚							
Striped Marlin	MLS/WHM	黑背旗魚							
Black Marlin	BLM	白皮旗魚							
Shark Marlin	BUM/BLM	高皮旗魚							
Other fish	BLI2	其他旗魚							
	SKX	沙魚							

Transshipment effected at sea, ICCAT Observer Signature

*[Signature]*

008453  
 2011年 2月 03日 10時 23分  
 2011年 2月 03日 10時 23分  
 2011年 2月 03日 10時 23分

2011年 2月 03日 10時 23分  
 2011年 2月 03日 10時 23分  
 2011年 2月 03日 10時 23分

劍旗

IOTC TRANSSHIPMENT DECLARATION  
(FAX:+248-224364) (Email: alejandro.angaraza@iotc.org)

ANNEX 1

Carrier Vessel		Fishing vessel	
Name of vessel and radio call sign	M/V FUTAGAMI (YJQJ8)	Name of the vessel and call sign (船名・呼出符号)	NO 6 / 82320 HO FU MEI / 82320
Flag	VANUATU	Flag (旗)	TAIWAN
Flag State authorization number	9105293	Flag State authorization number (船方船務執照號)	CT7-6525
National Register Number	1963	National Register Number (國籍登記號)	011418
IOTC Register Number, if available	IOTC-008453	IOTC Register Number, if available (IOTC 船務)	9000-70300
		Referral identification (船務許可證號)	11353508

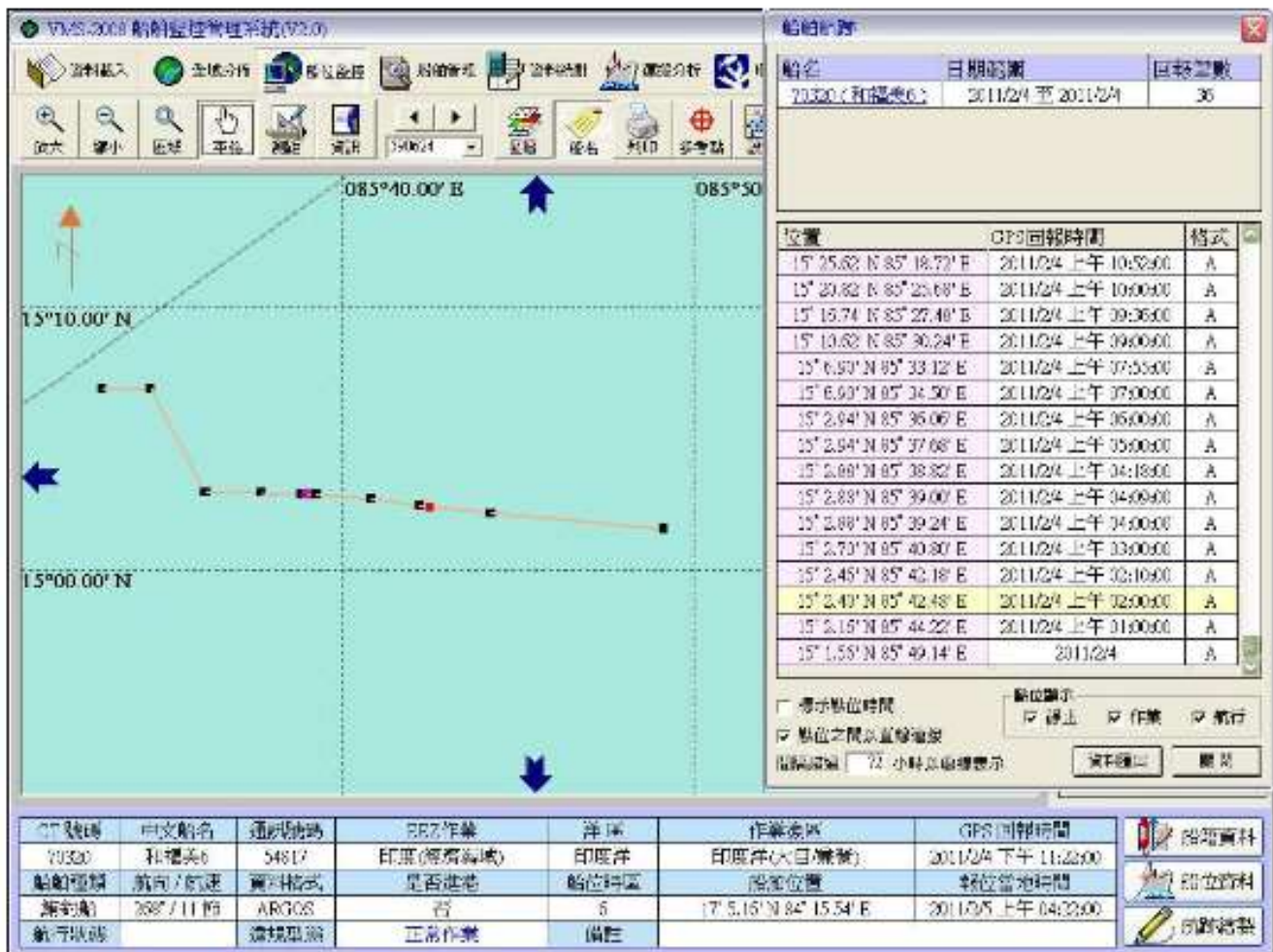
Day	Month	Hour	Year
Departure			From 2011
Return			to 2011
Transshipment	04 FEB	07:15	on 2011

Species	Port Transshipment Area	At sea Produced Area	Type of Product	Type of Product	Type of Product	Type of Product	Type of Product	Type of Product	Remarks
Blue Fin	BFT	黑鰐	Whole	Cutted	Head off	Pillet			
South Blue Fin	SFT	南方黑鰐							
Big eye	BFT	大目鰐							
Yellowfin	YFT	黃鰐							
Albacore	ALB	鰹魚							
Sword Fish	SFO	劍魚							
Striped Marlin	MLV/WHM	紅肉馬林							
Black Marlin	BLM	黑肉馬林							
Blue Marlin	BLM/BLZ	黑皮馬林							
Other fish	BLZ	其他魚類							
Sharks	SOX	沙魚							
Sharkfin									
Total									

If transshipment effected at sea, ICCAT Observer Signature: [Signature]

VMS Diagram of Ho Fu Mei No.6 on the date of transshipment (2011.02.04)





- **Response of Vanuatu**

GOUVERNEMENT  
DE LA  
RÉPUBLIQUE DE  
VANUATU



GOVERNMENT  
OF THE  
REPUBLIC OF  
VANUATU

---

**VANUATU COMMISSIONER TO THE IOTC**

---

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

London, 8<sup>th</sup> April 2013

Dear Sir,

**RE: Investigation report - Transshipment inside Mozambique EEZ (CoC09 report - Paragraph 55) – MV Asian Rex.**

During its ninth session, the Compliance Committee noted that there were several cases to be investigated by Flag CPCs. One of those cases relates to the at-sea transshipments made by the then Vanuatu flagged carrier vessel Asian Rex<sup>1</sup> and the LSTLVs Taiyo Maru No. 8.

We would like to take this opportunity to share the results of findings that have resulted from Vanuatu's investigation, as flag State for the carrier vessel Asian Rex, for further communication to all CPCs.

According to the Consortium report, IOTC-2012-CoC09-04b (a summary of the IOTC Regional Observer Programme During 2011, page 4), the Asian Rex and Taiyo Maru No. 8 conducted a transshipment inside Mozambique's waters in position 26° 52.2'S and 37° 33.7'E according to the observer report and 26° 52'S and 37° 45'E according to the transshipment declaration, both positions being within Mozambique's fisheries waters under deployment 122/11.

Following Vanuatu's investigation, it is confirmed that transshipment n°3 with the Tayo Maru N°8 occurred 4km within the Mozambique EEZ while the transshipment n°1 & 2 did occur outside the Mozambique EEZ.

As reported by the Observer on the same consortium report, it was the third transshipment of the day, the two others being to the east and the ship slowly but surely drifted into the Mozambique EEZ while transshipping cargo.

In support of the above statement, the Vanuatu Authorities checked the VMS data of M/V Asian Rex and can confirm that the above assumption reflects, as a matter of fact, what did really happen.

M/V Asian Rex departed Cape Town, South Africa on the 28th of January 2011 where the observer joined. The vessel contained around 1398.7 tonnes of tuna when the observer

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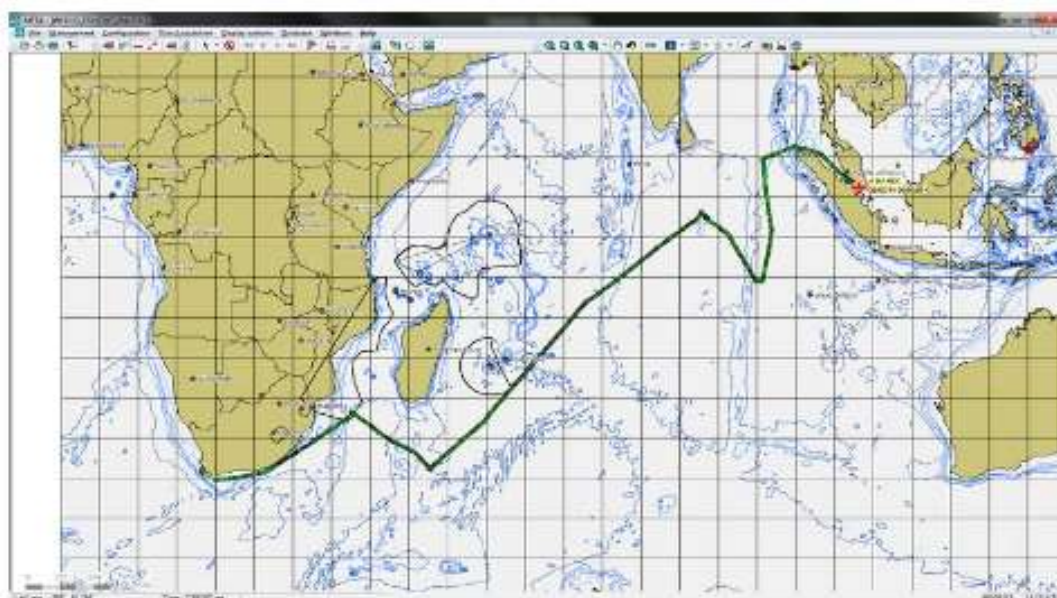
<sup>1</sup> M/V Asian Rex flagged out Vanuatu on May 2012.

boarded. The fish on board was received from transshipments conducted in the Atlantic Ocean with an ICCAT observer on board. The vessel made a total of 16 transshipments at sea.

At the end of the trip on 28 February 2011, the vessel returned to Singapore where the observer disembarked.

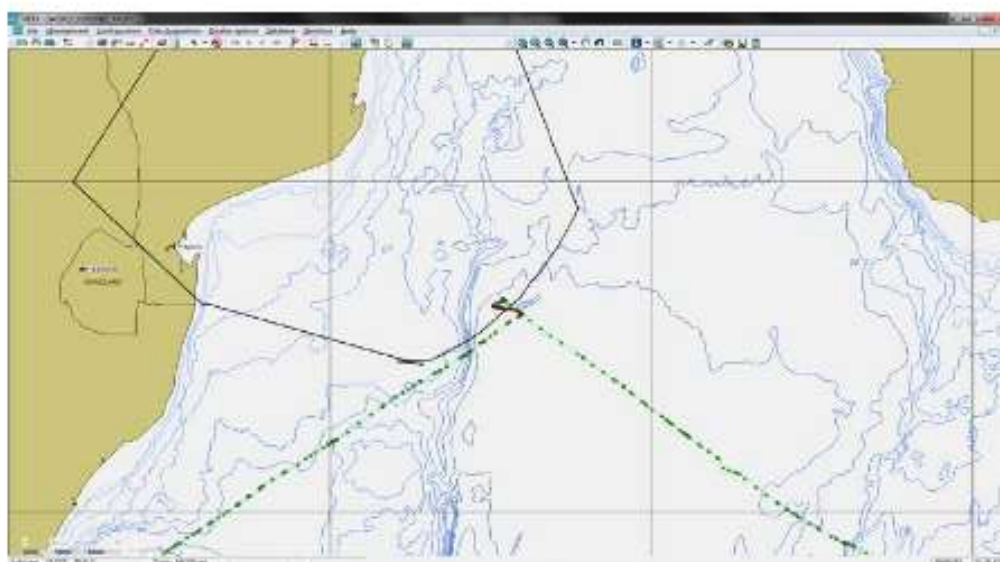
The route of the M/V Asian Rex is reflected in Picture 1 below:

**PICTURE 1 - VMS DATA FROM 28 JANUARY TO 28 FEBRUARY**



On or about 2<sup>nd</sup> February 2011, the M/V Asian Rex did enter the Mozambique EEZ as shown in Picture n°2 below:

**PICTURE 2 – M/V ASIAN REX ENTERING THE MOZAMBIQUE EEZ**

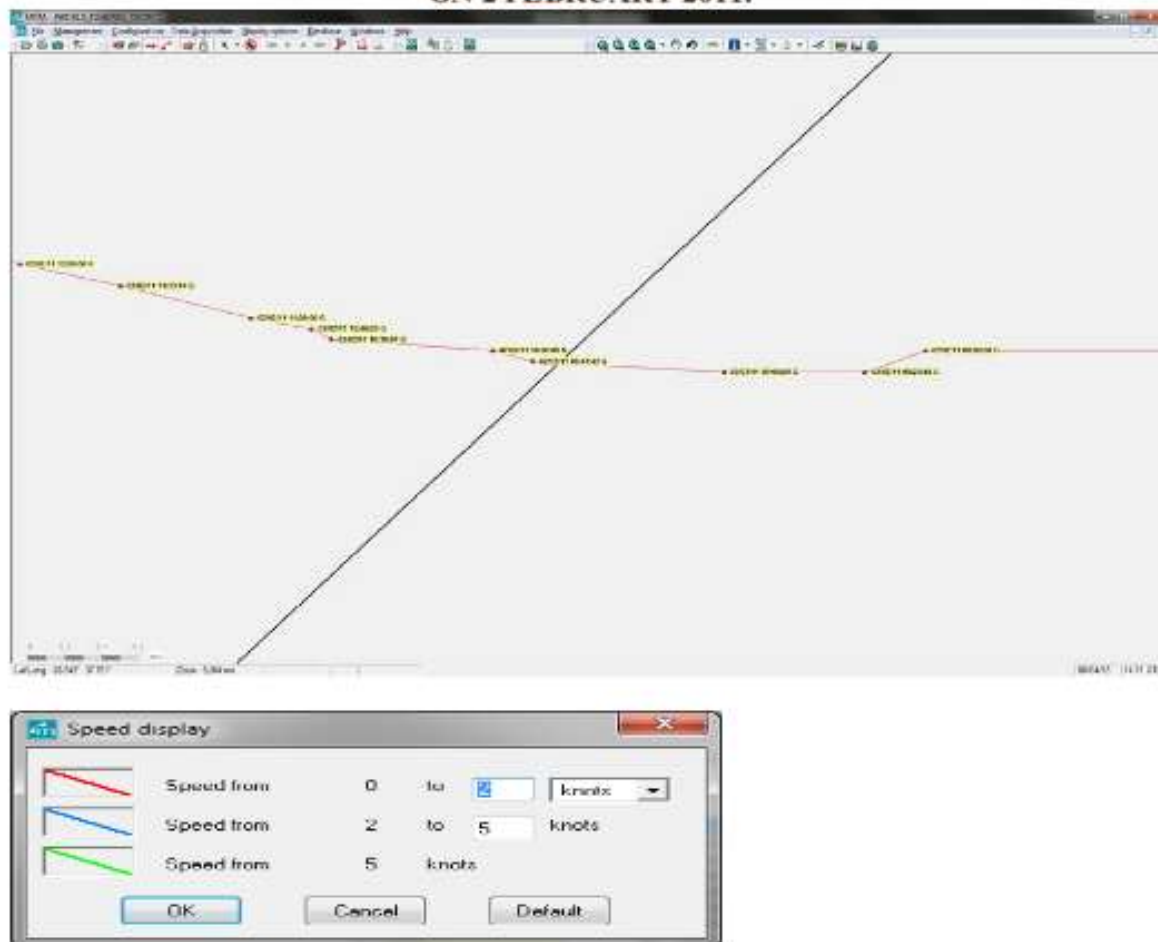


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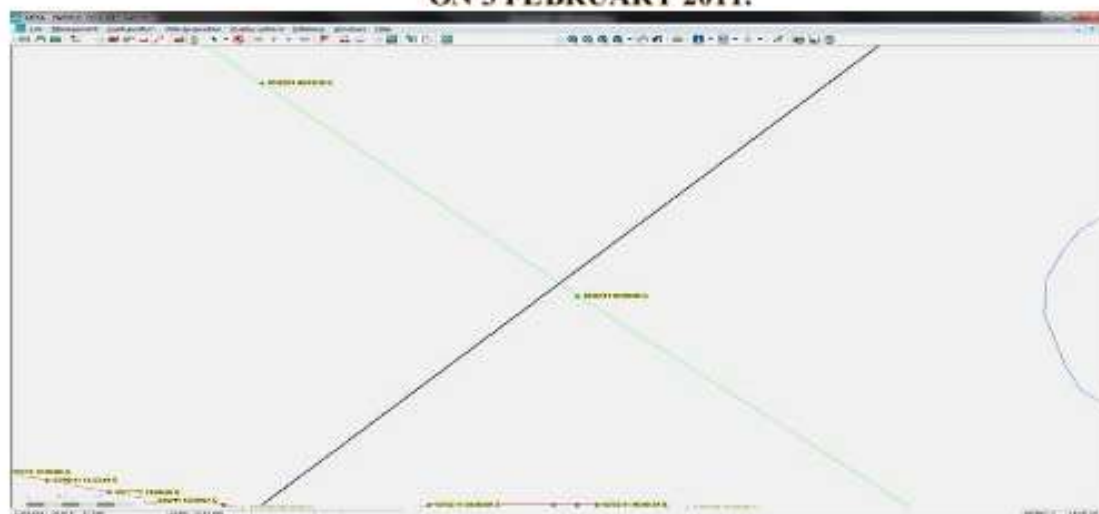
At 9.47am, on 2<sup>nd</sup> February 2011, M/V Asian Rex did enter the Mozambique EEZ at a speed estimated between 0 to 2 knots as shown on picture n° 3 below:

**PICTURE 3 - M/V ASIAN REX ENTERING THE MOZAMBIQUE EEZ AT 9.47AM ON 2 FEBRUARY 2011.**



On or about 01.00 am on 3<sup>rd</sup> February 2011, the M/V Asian Rex left the Mozambique EEZ at an average speed of 5knots as reflected in picture n° 4 below:

**PICTURE 4 - M/V ASIAN REX LEAVING THE MOZAMBIQUE EEZ AT 01.00AM ON 3 FEBRUARY 2011.**



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Below are the Asian Rex VMS data for information purposes.

Vessel	Date	Latitude	Longitude	Class	Speed	Heading	Average	Average
ASIA REX	02/02/2011 06:49	-26,92600°	37,81900°	G	0	274		
ASIA REX	02/02/2011 07:00	-26,92600°	37,81400°	G	0	280	1,6	269
ASIA REX	02/02/2011 08:00	-26,92600°	37,78000°	G	1,5	268	1,19	269
ASIA REX	02/02/2011 08:25	-26,92800°	37,78200°	G	0	274	0,8	249
ASIA REX	02/02/2011 09:00	-26,92800°	37,76800°	G	0	276	1,31	269
ASIA REX	02/02/2011 09:47	-26,92700°	37,71900°	G	2,5	301	1,28	273
ASIA REX	02/02/2011 10:00	-26,92600°	37,74500°	G	2	305	1,10	280
ASIA REX	02/02/2011 10:39	-26,92500°	37,72900°	G	0	295	1,32	274
ASIA REX	02/02/2011 10:46	-26,92400°	37,72700°	G	0	292	1,06	299
ASIA REX	02/02/2011 11:00	-26,92300°	37,72100°	G	0	296	1,11	280
ASIA REX	02/02/2011 11:11	-26,92300°	37,70800°	G	0	297	1,1	284
ASIA REX	02/02/2011 12:00	-26,91800°	37,69800°	G	0	299	1,23	282
ASIA REX	02/02/2011 12:19	-26,91600°	37,69000°	G	1,5	301	1,31	285
ASIA REX	02/02/2011 12:29	-26,91500°	37,68600°	G	0	296	1,13	285
ASIA REX	02/02/2011 13:00	-26,91200°	37,67700°	G	2,5	303	1,4	284
ASIA REX	02/02/2011 13:11	-26,91100°	37,66900°	G	0	290	1,19	285
ASIA REX	02/02/2011 14:00	-26,90600°	37,64700°	G	0	295	1,19	281
ASIA REX	02/02/2011 14:44	-26,90200°	37,62900°	G	0	295	1,12	281
ASIA REX	02/02/2011 14:54	-26,90200°	37,62500°	G	0	295	1,10	282
ASIA REX	02/02/2011 15:00	-26,90100°	37,62200°	G	0	291	1,81	290
ASIA REX	02/02/2011 15:15	-26,90000°	37,61700°	G	0	292	1,06	282
ASIA REX	02/02/2011 16:00	-26,89700°	37,60900°	G	0	292	1,12	283
ASIA REX	02/02/2011 16:22	-26,89400°	37,60800°	G	2,5	293	1,12	282
ASIA REX	02/02/2011 16:53	-26,89100°	37,57800°	G	1,5	299	1,33	288
ASIA REX	02/02/2011 17:00	-26,89000°	37,57500°	G	3	301	1,58	290
ASIA REX	02/02/2011 17:09	-26,88900°	37,57100°	G	0	300	1,10	292
ASIA REX	02/02/2011 17:35	-26,88600°	37,56400°	G	0	302	1,02	290
ASIA REX	02/02/2011 18:00	-26,88100°	37,55900°	G	0	275	0,99	318
ASIA REX	02/02/2011 18:34	-26,87100°	37,56800°	G	1,5	294	1,35	28
ASIA REX	02/02/2011 18:49	-26,86400°	37,57500°	G	1,5	293	2,52	28
ASIA REX	02/02/2011 19:00	-26,85900°	37,57000°	G	3	78	3,23	56
ASIA REX	02/02/2011 19:16	-26,85100°	37,56000°	G	3	62	3,15	55
ASIA REX	02/02/2011 20:00	-26,83700°	37,53600°	G	3	51	3,39	52
ASIA REX	02/02/2011 20:50	-26,81200°	37,57000°	G	2,5	73	2,84	62
ASIA REX	02/02/2011 21:00	-26,80900°	37,56600°	G	3	69	3,13	69
ASIA REX	02/02/2011 21:06	-26,80800°	37,56300°	G	3,5	64	3,49	79
ASIA REX	02/02/2011 22:00	-26,79700°	37,57300°	G	3	63	2,81	74
ASIA REX	02/02/2011 22:07	-26,79600°	37,57400°	G	0	331	1,31	60
ASIA REX	02/02/2011 22:40	-26,79000°	37,72600°	G	0	311	1,53	295
ASIA REX	02/02/2011 23:00	-26,78500°	37,71800°	G	0	315	1,61	304
ASIA REX	02/02/2011 23:36	-26,77700°	37,70200°	G	2	299	1,6	299
ASIA REX	02/02/2011 23:46	-26,77500°	37,69900°	G	0	3	1,31	306
ASIA REX	03/02/2011 00:00	-26,77100°	37,69100°	G	0	319	1,55	311
ASIA REX	03/02/2011 00:27	-26,80500°	37,71000°	G	2,5	171	7,02	176
ASIA REX	03/02/2011 00:33	-26,82300°	37,75300°	G	10	135	10,32	131
ASIA REX	03/02/2011 01:00	-26,87500°	37,81900°	G	10	130	10,61	131

## Conclusion:

In conclusion, Vanuatu does confirm that M/V Asian Rex did drift into the Mozambique EEZ while performing a transshipment operation and therefore did not voluntarily perform such transshipment in contravention with Mozambique national law.

Such operation while being conducted into a CPC EEZ should not be qualified as an IUU activity given the circumstances surrounding the transshipment i.e. "involuntary drifting".

We would be grateful if you could circulate this investigation report to all IOTC CPCs for their information purposes.

Yours sincerely,

**Laurent Parenté**  
Vanuatu Commissioner to the IOTC



E-Mail: [laurentparente-vanuatu-imo@hotmail.com](mailto:laurentparente-vanuatu-imo@hotmail.com) – Tel +44 (0) 7554 380005

- Response of Japan



**FISHERIES AGENCY**

MINISTRY OF AGRICULTURE, FORESTRY AND FISHERIES, GOVERNMENT OF JAPAN

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

TEL: \*81-3-3502-8460 FAX: \*81-3-3504-2649

Jan 31, 2013

Mr. Alejandro Anganuzzi,  
IOTC Executive Secretary

Dear Mr. Anganuzzi,

I am writing to report results of our investigations and actions to be taken regarding the seven (7) Japanese vessels which were pointed out by the IOTC regional observers related to at-sea transshipments.

- **LSTLV (Taiyo Maru No.8) alleged to conduct transshipment inside Mozambique's EEZ**

- On our analysis of VMS monitoring data, it was estimated that the transshipment was carried out about 8.3 miles inside the Mozambique's EEZ boundary, while the transshipment points recorded in both of the observer report and one of the vessel's declaration show different positions from VMS monitoring data (please see the attached VMS plot).
- In order to settle this issue and prevent recurrence of such incidents, following measures had been or will be taken.
  - ✓ Since Taiyo Maru No.8 was conducting fishing operation in Mozambique's water under an access arrangement between Mozambique and Japan Tuna Industry, they have consulted with the Mozambique's government.
  - ✓ Based upon findings to be obtained through further investigations on not only the LSTLV but also the carrier vessel, Fisheries Agency of Japan (FAJ) will take appropriate action against the vessel owner in accordance with Japan's relevant fisheries regulations.
  - ✓ FAJ will instruct Japan Tuna Industry and carrier vessel operators in Japan not to conduct transshipment nearby EEZ boundary, taking account of possible position gaps among positioning machines.

