

**COMPLEMENTARY ELEMENTS FOR DISCUSSION UNDER ITEM 8 OF THE
AGENDA FOR THE COMPLIANCE COMMITTEE**

Prepared by IOTC Secretariat, 26 APRIL, 2014

The Secretariat has received the following documents which are being made available through this report for the consideration of CPCs and for them to take any action that they may feel is appropriate, at the 11th Session of the Compliance Committee.

Attachment 1 – The information has been previously provided through IOTC CIRCULAR 2014–07.

Attachment 2 – Results of investigation conducted by Sri Lanka in collaboration with Belize.

Attachment 3 – Results of investigation conducted by Malaysia.

Attachment 1

3 February 2014 / 3 février 2014

IOTC CIRCULAR 2014-07 / CIRCULAIRE CTOI 2014-07

Dear Sir/Madam,

SUBJECT: COMMUNICATION FROM SOUTH AFRICA CONCERNING TWO STATELESS FISHING VESSELS THAT FLED THE PORT OF CAPE TOWN AND SUSPECTED OF ILLEGAL FISHING AND LABOUR ABUSE.

Please find attached a communication from South Africa on two stateless fishing vessels, SAMUDERA PASIFIC No. 8 and BERKAT MENJALA No. 23, which fled the port of Cape Town on 29 December, 2013, in contravention of an arrest order issued by the Western Cape High Court. It is suspected that the two vessels are the same vessels currently listed in the IOTC Record of Authorised Vessels, under IOTC number 003948 and IOTC number 008284, respectively, and flagged to Indonesia.

It is recommended to the CPCs to:

- Distribute the circular to their national agencies in charge of implementation of Port State Measures (Fisheries, Port, Maritime and Customs authorities), to fisheries department in charge of licensing of fishing vessels, to national agencies in charge of at sea fisheries patrol, to national agencies in charge of vessels registration and to take enforcement actions against the vessels they deem necessary according to international conventions, IOTC Resolutions and national legislation. CPCs are also encouraged to report any information that they may have on the movements of these two vessels to the South African authority (Bernard Liedemann, Directorate of Monitoring and Surveillance, Department of Agriculture, Forestry and Fisheries, Email: BernardL@daff.gov.za).
- Contact their INTERPOL National Central Bureau (NCB) to get additional information on the two vessels and the progress of the investigation.

It should be noted that the two vessels are on the shipping movement reports of the Kenya Port Authority <http://www.kpa.co.ke/InfoCenter/ShippingMovements/Documents/SHIPPING%20MOVEMENT%20-%20%20SATURDAY%201ST%20FEB%202014.doc> and <http://www.kpa.co.ke/InfoCenter/Documents/14%20DAYS%20LIST%20OF%20%2002%20%20FEBRUARY%20%20%202014.xls>. The reports indicate that the two vessels have the following international radio call signs, 5IM205 and 5IM207. The prefix 5HA-5IZ of the international radio call sign series are allocated to the United Republic of Tanzania, by the International Telecommunication Union.

Note that the Interpol Purple notices are available in Arabic, English, French and Spanish languages on the Interpol web site (<http://www.interpol.int/INTERPOL-expertise/Notices/Public-Purple-notice>).

Madame/Monsieur,

SUJET: COMMUNICATION DE L'AFRIQUE DU SUD CONCERNANT DEUX NAVIRES DE PECHE SANS NATIONALITE QUI ONT FUI LE PORT DE CAPE TOWN ET SUSPECTES DE PECHE ILEGAL ET INFRACTIONS AU DROIT DU TRAVAIL.

Veuillez trouver en pièce jointe une communication de l'Afrique du Sud sur deux navires de pêche apatrides, Samudera Pasific No. 8 and Berkat Menjala No. 23, qui ont fui le port de Cape Town le 29 Décembre 2013 en contravention d'une ordonnance d'arrêt émis par le tribunal supérieur de l'ouest du Cap. Il est soupçonné que les deux navires sont les mêmes navires actuellement inscrits dans le registre des navires autorisés de la CTOI sous les numéros CTOI003948 et CTOI008284, et battent le pavillon de l'Indonésie.

Il est recommandé aux CPC de :

- distribuer la circulaire à leurs agences nationales en charge de la mise en œuvre des mesures du ressort de l'État du port (autorité des pêches , autorité du port , autorité maritime et autorité douanière) , au département des pêches en charge de l'octroi de licences des navires de pêche , aux agences nationales en charge de de la surveillance des pêches en mer, aux agences nationales en charge de l'immatriculation des navires et de prendre des mesures coercitives qu'ils jugent nécessaires à l'encontre des navires selon les conventions internationales, les résolutions de la CTOI et les lois nationales. Les CPC sont également encouragés à signaler toute information dont ils pourraient avoir sur les mouvements de ces deux navires et de rapporter à l'autorité des pêches de l'Afrique du Sud (Bernard Liedemann, Direction de la surveillance et de la surveillance, Ministère de l'Agriculture, des Forêts et des Pêches, courriel : BernardL@daff.gov.za),
- contacter leur Bureau National d'Interpol (NCB) afin d'obtenir des informations complémentaires sur les deux navires et sur les progrès de l'enquête.

Il convient de noter que les deux navires sont sur les rapports de mouvements des navires de l'Autorité du Port du Kenya (<http://www.kpa.co.ke/InfoCenter/ShippingMovements/Documents/SHIPPING%20MOVEMENT%20-%20SATURDAY%201ST%20FEB%202014.doc> et <http://www.kpa.co.ke/InfoCenter/Documents/14%20DAYS%20LIST%20OF%20%2002%20%20FEBRUARY%20%20%202014.xls>). Les rapports indiquent que les deux navires ont les indicatifs d'appel suivant 5IM205 et 5IM207. Les préfixes 5HA-5IZ de la série internationale d'indicatifs d'appel ont été attribués à la République Unie de Tanzanie par l'Union internationale des télécommunications.

Veuillez noter que les avis d'Interpol sont disponibles en anglais, arabe, espagnol et français sur le site internet d'Interpol (<http://www.interpol.int/INTERPOL-expertise/Notices/Public-Purple-notice>).

Yours sincerely / Cordialement.



Rondolph Payet
Executive Secretary / Secrétaire exécutif

Attachments / Pièces jointes:

- Interpol Purple Notices on Samudera Pasific No. 8 and Berkat Menjala No. 23/Avis d'Interpol sur les navires Samudera Pasific No. 8 et Berkat Menjala No. 23.

INTERPOL

Requesting Country: South Africa
Date of publication: 21 January 2014



Modus Operandi

Type of incident: Absconded stateless fishing vessel – Samudera Pasific No. 8

Date of incident: 29 December 2013

Location of incident: Port of Cape Town

Country: South Africa

Description of Modus Operandi / Hiding Place:

The fishing vessel SAMUDERA PASIFIC No. 8 is a suspected vehicle of crime, used for the purpose of illegal fishing and labour abuse possibly amounting to human trafficking.

The vessel is believed to be part of a fleet of vessels using the same names and identifiers, and fraudulently sharing the same fishing licenses. The vessel is likely to have changed its name, flag, IMO number and/or call sign after leaving the Port of Cape Town, South Africa, on 29 December 2013.

The South African Department of Agriculture, Forestry and Fisheries (DAFF) has strong reasons to suspect that the vessel fled port to avoid further investigation. It is possible that the vessel will be scuttled.

Known identifiers of the vessel are provided in the table below. The information presented may contain inaccuracies, as the networks involved have made attempts to conceal the vessel's true identity. Please refer to the pictures to ascertain a possible match.

Kindly take note that the vessel is believed to pose an immediate threat to the safety and security of the persons on board and a pollution risk to the marine and coastal environment.

Confidential police information has been removed



Type of incident:

In the morning of 29 December 2013 the two fishing vessels SAMUDERA PASIFIC No. 8 and BERKAT MENJALA No. 23 fled the Port of Cape Town, South Africa, in contravention of an arrest order issued by the Western Cape High Court. The BERKAT MENJALA No. 23 is the subject of a separate INTERPOL Purple Notice. The vessels were two in a fleet of ten fishing vessels that were arrested by the South African DAFF in November 2013 on suspicion of fishing offences in contravention of multilateral treaties regulating high seas fisheries. In addition, investigating officers hold evidence that the vessels have been used to fish illegally within the South African Exclusive Economic Zone.

Investigations further revealed that the fishers and crews on board the fleet of vessels have not been paid for several months, and that they work and live in substandard, unsafe and unhygienic conditions. A total of 75 fishers have been evacuated off the ten vessels.

Senior officers on board the SAMUDERA PASIFIC No. 8 presented a forged vessel registration certificate purportedly issued by Indonesia. Indonesian authorities have informed the South African DAFF that the document is a fabrication. The South African DAFF therefore has strong reasons to believe that the vessel is in fact stateless and that it now sails under a false name, IMO number and call sign.

Request:

If presented in port, the South African DAFF kindly asks that:

- the vessel is inspected;
- the persons on board are arrested;
- evidence and witness statements are gathered and forwarded to NCB Pretoria; and
- the vessel is seized in furtherance of on-going investigations and legal action.

If found at sea, the South African DAFF kindly asks that:

- the South African DAFF is promptly notified via NCB Pretoria;
- if applicable, the right to board and visit a vessel on the high seas reasonably suspected to be a ship without nationality in accordance with Article 110 of the Law of the Sea Convention is exercised in accordance with international law;
- law enforcement action is taken as deemed appropriate; and
- if applicable, the persons on board the vessel are returned to Cape Town, South Africa, to appear in court.

Recommended action:

It is strongly recommended that you **circulate this Purple Notice to your law enforcement bodies, including fisheries, ports and customs authorities**, to alert them about this modus operandi so that they may take whatever preventive and precautionary measures they deem necessary. All recipients are strongly encouraged to share data on suspects and modi operandi, and provide any investigative information that could help establish links with similar events as well as identify the perpetrators.

Confidential police information has been removed



Vessel identifiers:

Vessel name	Samudera Pasific No. 8 /Samudera Pasific 08	Status	Active
Vessel type	Fishing vessel	Year built	1980
Current flag	Indonesia	Length overall	47,22 m
IMO number	7921162	Gross tonnage	498
MMSI number		Deadweight	377
Call sign	YGFN	Builder	Niigata Shipbuilding & Repair, Niigata, Japan
National vessel registration no.	498 No. 1063/Pd (earlier: 145 No. 513/PD and 26.07.0028.04.17095)		
Current owner and operator	Panca Cahaya Teratai, PT Komp. City Resort Residence Blok D No.10 Cengkareng Timur, Jakarta Barat, Indonesia		
Fishing gear	Tuna longliner/longline/drifted longline		
Fishing licenses	CCSBT ¹ registration no. FV05443 (from 19.05.2009 to 18.05.2012) IOTC ² record no. IOTC003948 (from 01.07.2013 to 20.11.2013)		
Historical data			
Month/Year	Name	Flag	Call sign
Unknown	Samudera Pasific No. 8	Indonesia	YGFN
Until 2012	Hakko Maru No. 18	Mauritius	Unknown
Until Jan 2007	Kawil No. 01/Kawil 01	Philippines	Unknown
Unknown	Rey Mikhail	Unknown	Unknown

¹ Commission for the Conservation of Southern Bluefin Tuna (http://www.ccsbt.org/site/authorised_vessels.php)

² Indian Ocean Tuna Commission (<http://www.iotc.org/English/record/search3.php9>)

Confidential police information has been removed

Pictures:



Samudera Pasific No. 8, Port of Cape Town, South Africa, November 2013.



Samudera Pasific No. 8 (to the left), Port of Cape Town, South Africa, November 2013.

Confidential police information has been removed



Samudera Pasific No. 8 (to the left), Port of Cape Town, South Africa, November 2013.



Samudera Pasific No. 8, Port of Cape Town, South Africa, November 2013.

Confidential police information has been removed

INTERPOL

Requesting Country: South Africa
Date of publication: 21 January 2014



Modus Operandi

Type of incident: Absconded stateless fishing vessel – Berkat Menjala No. 23

Date of incident: 29 December 2013

Location of incident: Port of Cape Town

Country: South Africa

Description of Modus Operandi:

The fishing vessel BERKAT MENJALA No. 23 is a suspected vehicle of crime, used for the purpose of illegal fishing and labour abuse possibly amounting to human trafficking.

The vessel is believed to be part of a fleet of vessels using the same names and identifiers, and fraudulently sharing the same fishing licenses. The vessel is likely to have changed its name, flag, IMO number and/or call sign after leaving the Port of Cape Town, South Africa, on 29 December 2013.

The South African Department of Agriculture, Forestry and Fisheries (DAFF) has strong reasons to suspect that the vessel fled port to avoid further investigation. It is possible that the vessel will be scuttled.

Known identifiers of the vessel are provided in the tables below. The information presented may contain inaccuracies, as the networks involved have made attempts to conceal the vessel's true identities. Please refer to the pictures to ascertain a possible match.

Kindly take note that the vessel is believed to pose an immediate threat to the safety and security of the persons on board and a pollution risk to the marine and coastal environment.

Confidential police information has been removed



Type of incident:

In the morning of 29 December 2013 the two fishing vessels BERKAT MENJALA No. 23 and SAMUDERA PASIFIC No. 8 fled the Port of Cape Town, South Africa, in contravention of an arrest order issued by the Western Cape High Court. The SAMUDERA PASIFIC No. 8 is the subject of a separate INTERPOL Purple Notice. The vessels were two in a fleet of ten fishing vessels that were arrested by the South African DAFF in November 2013 on suspicion of fishing offences in contravention of multilateral treaties regulating high seas fisheries. In addition, investigating officers hold evidence that the vessel has been used to fish illegally within the South African Exclusive Economic Zone.

Investigations further revealed that the fishers and crews on board the fleet of vessels have not been paid for several months, and that they work and live in substandard, unsafe and unhygienic conditions. A total of 75 fishers have been evacuated off the ten vessels.

Senior officers on board the BERKAT MENJALA No. 23 presented a forged vessel registration certificate purportedly issued by Indonesia. Indonesian authorities have informed the South African DAFF that the document is a fabrication. The South African DAFF therefore has strong reasons to believe that the vessel is in fact stateless and that it now sails under a false name, IMO number and call sign.

Request:

If presented in port, the South African DAFF kindly asks that:

- the vessel is inspected;
- the persons on board are arrested;
- evidence and witness statements are gathered and forwarded to NCB Pretoria; and
- the vessel is seized in furtherance of on-going investigations and legal action.

If found at sea, the South African DAFF kindly asks that:

- the South African DAFF is promptly notified via NCB Pretoria;
- if applicable, the right to board and visit a vessel on the high seas reasonably suspected to be a ship without nationality in accordance with Article 110 of the Law of the Sea Convention is exercised in accordance with international law;
- law enforcement action is taken as deemed appropriate; and
- if applicable, the persons on board the vessel are returned to Cape Town, South Africa, to appear in court.

Recommended action:

It is strongly recommended that you **circulate this Purple Notice to your law enforcement bodies, including fisheries, ports and customs authorities**, to alert them about this modus operandi so that they may take whatever preventive and precautionary measures they deem necessary. All recipients are strongly encouraged to share data on suspects and modi operandi, and provide any investigative information that could help establish links with similar events as well as identify the perpetrators.

Vessel identifiers:

Vessel name	Berkat Menjala No. 23 /Berkat Menjala 23	Status	Active
Vessel type	Fishing vessel	Year built	1985
Current flag	Indonesia	Length overall	47,32 (50,5/50,82) ¹ m
Home port	Bitung	Deadweight	399
IMO number	8510271	Gross tonnage	587
Call sign	YGIN	Builder	Niigata Shipbuilding & Repair, Niigata, Japan
National vessel registration no.	CT 587 No 538/Pd (as per picture)		
Current owner and operator	Panca Cahaya Teratai, PT Jl. Komp. City Resort Residence Blok D No.10 Cengkareng Timur, Jakarta Barat, Indonesia		
Current operator	Same as owner		
Fishing licenses	CCSBT ² registration no. FV05442 (from 01.04.2010 to 31.03.2011) IOTC ³ record no. IOTC008284 (from 21.11.2012 to 20.11.2013)		
Fishing gear	Tuna longliner/longline/drifted longline		
Historical data			
Month/Year	Name	Flag	
Jan/2008	Berkat Menjala No. 23	Indonesia	
Unknown	Gold Light/Gold Light No. 23	Republic of Korea	
Until 2005	Ocean Fresh	Georgia	
Until 2001	Kin Chuan Hsing No. 18	Equatorial Guinea	
Until Aug 1997	Kin Chuan Hsing No. 18	Honduras	
Until 1997	Eden No. 18	Japan	
Until 1990	Konpira Maru No. 18	Japan	

¹ Open sources provide different figures.

² Commission for the Conservation of Southern Bluefin Tuna (http://www.ccsbt.org/site/authorised_vessels.php)

³ Indian Ocean Tuna Commission (<http://www.iotc.org/English/record/search3.php9>)

Pictures:



Berkat Menjala No. 23, Port of Cape Town, South Africa, November 2013.



Confidential police information has been removed

Berkat Menjala No. 23, Port of Cape Town, South Africa, November 2013.



Berkat Menjala No. 23, Port of Cape Town, South Africa, November 2013 (with a floating platform in the background).



Berkat Menjala No. 23 (to the left), Port of Cape Town, South Africa, November 2013.

Confidential police information has been removed

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 தொலைபேசி }
 Telephone } (3 lines)



எனது இல. } DFAR/FM/K/IOTC/2014
 My No. }
 உமது இல. }
 Your No. }

අධ්‍යක්ෂ ජනරාල් කාර්යාලය } 449170
 பணிப்பாளர் நாயகத்தின் அலுவலகம் } 472187
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கடற்றொழில், நீரியல் வளத்துறை திணைக்களம்

DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

නව මහලේකම් කාර්යාලය, මාලිගාවත්ත, කොළඹ 10
 புதிய செயலகம், மாளிகாவத்த, கொழும்பு 10.
 New Secretariat, Maligawatta, Colombo 10.

E-mail : depfish@diamond.lanka.net
 Web : www.fisheriesdept.org

දිනය }
 திகதி } 27 -03-2014
 Date }

Mr. Valarie Lanza
 Director of High Seas Fisheries
 Balize High Seas Fisheries Unit
 Marina Towers, Suite 204, Newtown Barracks
 Balize City, Belize

Dear Mr. Valarie Lanza

SUBJECT : IMPLEMENTATION OF PORT STATE MEASURES- REQUEST OF INVESTIGATION ON THE ACTIVITIES OF THE FISHING VESSEL SHUEN SIANG PRESUMED TO BE FLAGGED TO BELIZE.

In accordance with paragraph 15.1 of the resolution 10/11, Sri Lanka would like to invite the Government of Belize to provide clarification on the activities of the vessel *shuen siang*, apparently flagged to Belize but with no history of registration on the IOTC record of authorized Vessels. This vessel has entered the fishing port of Sri Lanka (Dikovita) for repairs on 26th February 2014 and departed on 5th March 2014.

Sri Lanka is forwarding the findings of the port state investigations in the annexes 1,2 and 3 which suggest that the vessel *shuen siang* is operating illegally in the IOTC area.

I would like to invite your office to review attached documents and investigate the activities of the vessel and report the investigation results to Sri Lanka and the IOTC Secretariat.

We wish to inform you that Sri Lanka intends to request IOTC to circulate this letter and the response letter to be received from your office to all CPCs.

Your cooperation on this matter is highly appreciated.

Thanking You
 Yours sincerely

Nimal Hettiarachchi
 Director General

Attachments

- Annex 1 – Information on the fishing vessel SHUEN SIANG
- Annex 2 – Photograph of the vessel Shuen Siang
- Annex 3 - Document present by the vessel

Cc : director.bhsfu@gmail.com, bhsfu.gob@gmail.com; secretarit@iotc.org

Annex 1 - Information on the fishing vessel SHUEN SIANG

The fishing vessel *Shuen Siang* (Annex 2) entered the port of Dikovita on 26 February 2014. The vessel left the port on 5 March 2014. The purpose of the call was for repair of the vessel engine. The only document provided by the vessel to the port authority is a Ship Station License apparently issued by IMMARBE, Belize (annex 3). The period of validity of the document is from 23/07/2010 to 22/07/2015 and was apparently issued by Mr Michael S. T. Lee, Deputy Registrar at IMMARBE.


- The vessel displays the name *Shuen Siang* on the stern and the registration number CT3-3803 on the bow. The format of the vessel registration number corresponds to the format used by Taiwan, China. Those are the only two markings displayed on the vessel,
- There was no flag hoisted by the vessel,
- The vessel is equipped with longline fishing gears: radio buoys, intermediary buoys, line hauler/setter, branch lines stored in baskets. There were weighting scales on board.

Following consultation with the IOTC Secretariat, it is confirmed that the vessel is not registered on the IOTC record of authorised vessels (resolution 13/02) nor is present on the list of vessels authorised by the Fisheries Agency of Taiwan, China.

Annex 2 –Photograph of the vessel Shuen Siang



Annex 3 – document presented by the vessel



INTERNATIONAL MERCHANT MARINE REGISTRY OF BELIZE
"IMMARBE"
 REGISTRATION OF MERCHANT SHIPS ACT 1989
 SHIP STATION LICENSE

NAME OF VESSEL
SHUEN SIANG

V4QV3 06952181

NAME AND ADDRESS OF OWNERS
FU HSIANG INTERNATIONAL FISHERY CO., LTD
NO. 88, TIANLUN STREET, QIANZHEN DIST, KAOHSIUNG CITY, TAIWAN, R.O.C.

FISHING (FISHING VESSEL)	GROSS TONNAGE	NET TONNAGE	TYPE OF SERVICE	CLASS
	49.07	16.28		

PRIVATE COMMUNICATION

NO. 88, TIANLUN STREET, QIANZHEN DIST, KAOHSIUNG CITY, TAIWAN, R.O.C.

STATION CALL LETTERS	BAND AND TYPE	POTENCY	DIRECTION	FREQUENCY
SSB	ICOM IC-M710	150 W	H3E, R3E, J3E, J2B F1B, A1A	1.6 - 27.5 Mhz
VHF	ICOM IC-M58	25 W	G3E	156 - 164 Mhz
MISSION OF				
CLASSIFICATION				
DATE OF EXPIRATION				

ISSUED ON: **JULY 23, 2010** DATE OF EXPIRATION: **JULY 22, 2015**

INTERNATIONAL MERCHANT MARINE REGISTRY OF BELIZE
 "IMMARBE"

by: **MICHAEL S. E. LEE** DEPUTY REGISTRAR

CONTROL N° 10

GOVERNMENT OF BELIZE

BELIZE HIGH SEAS FISHERIES UNIT

MINISTRY OF FINANCE

2nd Floor Marina Towers

Newtown Barracks, Belize City Belize

Tel: 501-2235026 Fax: 501-22-35026

Email: bhsfu.gob@gmail.com

Belize



High Seas Fisheries Unit

HSFU/RFMO/V03/2014(10) Vol.1

28th March 2014

Nimal Hettiarachchi

Director

Department of Fisheries and Aquatic Resources

Office of the Director

New Secretariat, Maligawatta, Colombo 10

Sri Lanka

Dear Nimal Hettiarachchi,

Re: IMPLEMENTATION OF PORT STATE MEASURES – REQUEST OF INVESTIGATION ON THE ACTIVITIES OF THE FISHING VESSEL SHUEN SIANG PRESUMED TO BE FLAGGED TO BELIZE

Greetings from Belize!!!

I have read with concern your letter of 27th March 2014 with reference to allegations of IUU activities by a Belize flagged vessel named above.

After a thorough check, I can conclusively confirm that, based on the document provided in your letter, the vessel **SHUEN SIANG** is not registered, nor has it ever been registered as a Belize flagged vessel for the reasons stated below.

1. The call sign is incorrect as it is not consistent with our country's assigned call letter sequence. The call sign sequence allocated to Belize and by extension our vessels begin with **V3** and not **V4** as indicated in the fraudulent navigation documents. I cannot officially confirm, but, if I am not mistaken the V4 sequence is assignment to St. Kitts and Nevis.
2. In respect to the registration numbers, we utilize a specific procedure for the assignment of these numbers as indicated below:
 - The first two digits "06" is assigned based on the designated office that registers the vessel
 - The next two digits 3 and 4 is the year of registration – "95"
 - Digit 5 is the category of vessel based on GT - "2"

GOVERNMENT OF BELIZE

BELIZE HIGH SEAS FISHERIES UNIT

MINISTRY OF FINANCE

2nd Floor Marina Towers

Newtown Barracks, Belize City Belize

Tel: 501-2235026 Fax: 501-22-35026

Email: bhsfu.gob@gmail.com



High Seas Fisheries Unit

- The remaining digits is a sequential number that is assigned and controlled by the designated office. "181"

Based on the above, the first two digits of the registration number on this vessel "06" is not consistent with the office that registered the vessel. Additionally Mr. Michael S.T.Lee whose signature is on the document provided is not an authorized deputy registrar for Belize nor has he ever been authorized.

Digits 4 and 5 of the registration number indicates the year it was registered. As we do not have any records of this vessel ever being registered with us we cannot confirm its year of registration considering that, at the initial point of registration, the vessel obtained a provisional navigation document and not a permanent document as the one provided hereto. In respect to this matter however, we can advise that our permanent documents do not carry an expiration date, our navigation patents would indicate in that particular box "**Permanent validity**". Our new formats do not carry any box at all for an expiration date.

Digits 5 is based on the category of vessel, in this case "2", as per our procedure would, indicate that the vessel is between 501 to 5000 gt. However, as can clearly be seen, this vessel is below that category and such digit would fall within our number "1" range of vessels less than 500 gt.

EXAMPLE

Considering that IMMARBE Hong Kong (Designated Office #3) on May 4,2005 enrolled its 70th vessel M/V "Pacific Ocean II" of 16,138 GT, the following registration number shall be assigned.

03 05 3 0070

3. The control number for the form itself is not consistent with our forms. Patents and ship station licenses begins with control number "04" and "05" respectively. As can be noted on the document provided, both navigation documents and ship station license starts with a "10".

GOVERNMENT OF BELIZE

BELIZE HIGH SEAS FISHERIES UNIT

MINISTRY OF FINANCE

2nd Floor Marina Towers

Newtown Barracks, Belize City Belize

Tel: 501-2235026 Fax: 501-22-35026

Email: bhsfu.gob@gmail.com

Belize



High Seas Fisheries Unit

Given the above explanations, it can be clearly ascertained that this is a fraudulent certificate. We have had a similar case addressed to us by the Secretariat in respect to 20 other vessels which are flying our flag illegally and this I believe was circulated to the Commission. As the deadline has passed for the identification of IUU vessels to be made to the Commission, our delegation will seek to address this as well during the discussions of the compliance committee meeting.

If you require any documents or additional information please do not hesitate to contact our Administration.

Please accept the renewed assurances of my highest consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Valarie Lanza'.



Mrs. Valarie Lanza
Director General of High Seas Fisheries

From: IOTC Secretariat(f) <secretariat@iotc.org>
Sent: 15 October 2013 14:37
To: 'Nor Azlin Mokhtar'
Cc: s_basir@yahoo.com; 'Mohd Noor b Noordin'; secretariat@iotc.org; 'Noraisyah bt Abu Bakar'; 'Johari bin Ramli'; 'Hj Mohd Sidek b Md. Jahaya'; ngkiam@dof.gov.my; 'Ahmad Hazizi b Aziz'
Subject: Request for clarification on activities of vessels to be flagged to Malaysia that have landed fish in Sri Lankan port in 2012

Dear Sir,

As per the reporting requirement of the Resolution 05/03, the Secretariat has received information from Sri Lanka, that 3 LSTLVs flagged to Malaysia have landed their catch in Sri Lankan port during the year 2012. The vessels are HOOM XIANG 101 (5 counts of landing), HOOM XIANG 103 (5 counts of landing) and HOOM XIANG 105 (6 counts of landing).

As per our record those vessels were authorised by Malaysia to operate in the IOTC area until the 12 of December 2011. It is at this date that your office requested deletion of those vessels on the IOTC Record of Authorised Vessels. Consequently, those vessels were not authorised to operate in the IOTC area in 2012.

Considering the information provided by Sri Lanka, those vessels are alleged IUU fishing vessels and we would like to invite your office to provide clarification regarding the whereabouts of those vessels, the reasons as to why they have been de-registered from the IOTC record on 12/12/2011 but they have been operating/landing catches in the IOTC area in 2012.

According to the procedure, this information will be brought to the attention of the next Compliance Committee.

Vessels to be flagged to Malaysia that have landed fish in Sri Lankan port:

Vessel name	Flag	Date of departure from last port	Date of arrival in port of landing	Permit No	Total catch landed
HOOM XIANG 101	MALAYSIA	27/12/2011	12/01/2012	2012/002MA	23,159.50
HOOM XIANG 101	MALAYSIA	13/01/2012	21/01/2012	2012/005MA	21,303.00
HOOM XIANG 101	MALAYSIA	23/01/2012	02/02/2012	2012/007MA	21,210.50
HOOM XIANG 101	MALAYSIA	03/02/2012	11/02/2012	2012/009MA	25,215.50
HOOM XIANG 101	MALAYSIA	13/02/2012	01/03/2012	2012/011MA	22,538.00
HOOM XIANG 103	MALAYSIA	26/12/2011	12/01/2012	2012/001MA	18,968.50
HOOM XIANG 103	MALAYSIA	13/01/2012	19/01/2012	2012/004MA	30,005.50
HOOM XIANG 103	MALAYSIA	21/01/2012	18/03/2012	2012/013MA	16,122.50
HOOM XIANG 103	MALAYSIA	20/03/2012	11/04/2012	2012/015MA	22,090.00
HOOM XIANG 103	MALAYSIA	13/04/2012	26/04/2012	2012/016MA	14,303.00
HOOM XIANG 105	MALAYSIA	08/01/2012	17/01/2012	2012/003MA	23,312.00

HOOM XIANG 105	MALAYSIA	18/01/2012	24/01/2012	2012/006MA	18,567.50
HOOM XIANG 105	MALAYSIA	25/01/2012	07/02/2012	2012/008MA	18,101.00
HOOM XIANG 105	MALAYSIA	09/02/2012	22/02/2012	2012/010MA	24,319.00
HOOM XIANG 105	MALAYSIA	23/02/2012	07/03/2012	2012/012MA	16,809.50
HOOM XIANG 105	MALAYSIA	09/03/2012	31/03/2012	2012/014MA	24,234.00



Prk.ML. 41/53/1 (57)
28 February 2014

The Executive Secretary
Indian Ocean Tuna Commission (IOTC)
Le Chantier Mall
P.O. Box 1011
Victoria
Seychelles
Tel: +248 4225494
Fax: +248 4224364

Dear Sir,

CLARIFICATION ON ACTIVITIES OF VESSELS TO BE FLAGGED TO MALAYSIA THAT HAVE LANDED FISH IN THE SRI LANGKAN PORT IN 2012 (HOOM XIANG 101, HOOM XIANG 103, HOOM XIANG 105).

Thanks very much for your email dated 15 October 2013 regarding reports of Malaysian flag vessels landed fish in Sri Lankan Port during the year 2012.

2. We are pleased to clarify the reason for the deletion of all Hoom Xiang vessels licensed under Malaysian Flag in 2011. For your information, Hoom Xiang Industries Sdn. Bhd had already seized their company and factory operation due to bankruptcy. The company is in liquidation under the supervision of a provisional liquidator. We also received a letter from the company director to revoke all the vessels fishing licenses due to operational problems. All the vessel licenses have been expired and no renewal has been made since. The Department of Fisheries in the letter dated 3rd January 2012 had informed IOTC of the termination of fishing gears and vessel licenses effective 12th December 2011, hence, they are not allowed to carry out any fishing activities in Malaysian Waters and in the IOTC areas. Any fishing activity done after the effective date is considered illegal and the vessel is subjected to be listed as IUU vessels.

3. The location of these vessels is unknown as the tracking system on the vessels has been deactivated. We also did not receive any information from other countries regarding the landings or whereabouts of all the vessels.

Thank you.

Yours truly,

(HAJI JOHARI BIN RAMLI)
Director,
Licensing and Resource Management Division,
Department of Fisheries Malaysia
Putrajaya



c.c.
Director General of Fisheries Malaysia
Deputy Director General of Fisheries Malaysia (Development)
Director, International and Trade Division
Head of Legal Section
Head of Tuna Section

NAM/IOTC