

11 December 2019

IOTC CIRCULAR

2019-54

Dear Sir/Madam,

PROPOSAL TO CHANGE THE DETAILS OF A VESSEL LISTED ON THE IOTC IUU VESSELS LIST

In accordance with paragraph 30 of IOTC Resolution 18/03, the European Union has submitted new information pertaining to a vessel listed in the IOTC List of Illegal, Unreported and Unregulated (IUU) vessels.

I invite CPCs to consider the letter (Attachment 1), the information document (Attachment 2), and additional evidence which may be downloaded from the IOTC website [[click here](#)]

I would also like to take this opportunity to inform CPCs that, in accordance with paragraph 30(b) of IOTC Resolution 18/03, the Secretariat has launched a process to verify the details of the provided information. As part of this process, I would also like to appeal to CPCs who may also have information pertaining to this matter to contact the IOTC Secretariat, as soon as possible.

Yours sincerely



Christopher O'Brien
Executive Secretary

Attachments:

- Attachment 1 – Letter from the European Union
- Attachment 2 – Information document

Distribution

IOTC Contracting Parties: Australia, Bangladesh, China, Comoros, Eritrea, European Union, France (Territories), Guinea, India, Indonesia, Iran (Islamic Rep of), Japan, Kenya, Rep. of Korea, Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Oman, Pakistan, Philippines, Seychelles, Sierra Leone, Somalia, South Africa, Sri Lanka, Sudan, United Rep. of Tanzania, Thailand, United Kingdom (OT), Yemen. **Cooperating Non-Contracting Parties:** Liberia, Senegal. **Intergovernmental Organisations, Non-Governmental Organisations. Chairperson IOTC. Copy to:** FAO Headquarters, FAO Representatives to CPCs.

This message has been transmitted by email only

Attachment 1 – Letter from the European Union

Attachment 1

Ref. Ares(2019)7274611 - 26/11/2019



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES
INTERNATIONAL OCEAN GOVERNANCE AND SUSTAINABLE FISHERIES
REGIONAL FISHERIES MANAGEMENT ORGANISATIONS

Brussels,
MARE/B4/JD

Dr. Christopher O'Brien
Executive Secretary
Indian Ocean Tuna Commission
Email: chris.obrien@fao.org

Subject: Transmission of information under paragraph 30 of Resolution 18/03

Dear Dr. O'Brien,

As part of its efforts in fighting illegal, unreported and unregulated (IUU) fishing in the Indian Ocean region, the Directorate-General for Maritime Affairs and Fisheries of the European Commission is working in close cooperation with EUNAVFOR ATALANTA whose mandate includes contributing to the monitoring of fishing activities off the coast of Somalia.

Since February 2016, our Directorate-General has been providing the Secretariat with the data gathered by EUNAVFOR units off the coast of Somalia for further transmission to the relevant States.

This data, and further investigation by our services, also made the inclusion of five vessels in the IOTC IUU Vessel List possible in May 2018.

Since then, and as per our obligations under paragraph 30 of Resolution 18/03 on establishing a list of vessels presumed to have carried out IUU fishing in the IOTC area of competence, we regularly transmitted to you information on these vessels.

Based on new data received from with EUNAVFOR ATALANTA and further analysis by our services, I am herewith pleased to send you information on one of these vessels, namely the one listed in the IOTC IUU Vessel List under the name of AL WESAM 4, indicating that she may have changed vessels' details.

As per the legal instrument mentioned above, I would be grateful if you could communicate this information to all CPCs and seek to verify it in order to update the relevant details in the IOTC IUU Vessel List and re-publicise it.

Rest assured that our services remain at your disposal should you have any questions concerning this matter.

Commission européenne/Europese Commissie, 1049 Bruxelles/Brussel, BELGIQUE/BELGIË - Tel. +32 22991111
Office: J-99 03/091 - Tel. direct line +32 229 92457

Yours sincerely,

Anders C. JESSEN
Head of Unit

Enclosure: Information on the fishing vessel AL WESAM 4 (poss. MARWAN 1)

Attachment 2 – Information document

Attachment 2

Ref. Ares(2019)7274611 - 25/11/2019

Information on the vessel AL WESAM 4 (poss. MARWAN 1)

In the context of the implementation of Council Regulation (EC) No. 1005/2008 establishing a system to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing and thanks to close cooperation with EUNAVFOR ATALANTA, the services of the European Commission collected suitably documented information on what could be a vessel listed on the IOTC IUU Vessel List.

Paragraph 30 of Resolution 18/03 provides that 'a CPC with new or changed information for vessels on the IUU Vessel List in relation to the details in paragraphs 1 to 8 of Annex II shall [...] transmit such information to the IOTC Executive Secretary'.

This paper contains the suitably documented information collected to be transmitted to the Executive Secretary.

Update of the IOTC IUU Vessel List

IOTC IUU Vessel List identifier	Information	
	<i>New information is in red</i>	
61	Alleged current name of the vessel	MARWAN 1
	Previous names of the vessel*	AL WESAM 4 (CHAICHANACHOKE 8)
	Alleged current flag of the vessel	Somalia
	Previous flags of the vessel*	Unknown (Djibouti/Thailand)
	Alleged current name and address of the owner and operator of the vessel*	SOMLINK FISHERIES INVESTMENT
	Previous owners and operators*	Unknown (MARINE RENOWN SARL)
	Alleged current callsign of the vessel*	Unknown
	Previous callsign*	Unknown (HSN5721)
	IMO number or UVI*	Unknown
	Vessel length overall	Unknown
	Date the vessel was first included on the IOTC IUU Vessel List*	May 2018

* According to the information in the current IOTC IUU Vessel List.

Sources:

- <https://www.iotc.org/vessels> (accessed on 25/11/2019)
- Suitably documented information collected (cf. below and enclosures)

The services of the European Commission note that further information on this vessel is available in Circular 2018-36 ('Communication from Thailand regarding the rejection of a consignment of fish caught by four vessels listed in the IOTC IUU Vessels List') and has not been reflected in the IOTC IUU Vessel List (source: <https://www.iotc.org/documents/communication-thailand-regarding-rejection-consignment-fish-caught-four-vessels-listed> (accessed on 25/11/2019)).

Suitably documented information collected

On 17th July and 28th August 2019, a vessel identified under the name of 'MARWAN 1' was sighted by EUNAVFOR units off the coast of Somalia. The following information was reported to the services of the European Commission.

Observation details				Observed Data								
Activity	Date	Time	Position of observed ship	Vessel name	IMO number	Hull number or other ID	International Radio Call Sign	Flag State	Actual fishing	Course	Speed (appr. knts)	Auxiliary boats (number)
Industrial fishing	17-07-2019	1006 Z	1105N 5110E	MARWAN 1					Y	30	3	
Industrial fishing	28-08-2019	0541 Z	1130N 4951E	MARWAN 1								

This information was accompanied by two photographs (cf. evidence A). The vessel could also have been sighted on 22nd August 2019 (1702Z) at the following location: 1130N, 4952E. However, the photograph, taken at night, does not allow for her clear and unambiguous identification although the structural features of the photographed vessel match with those depicted in the two photographs mentioned above.

As part of the regular transmission of sightings to IOTC, this information, with the exception of the sighting made at night, was sent to the Secretariat of the IOTC on 22nd November 2019 for further transmission to the States concerned.

The services of the European Commission did not limit themselves to sending the information to the Secretariat of the IOTC. They conducted an in-depth analysis of the information collected.

It results from their analysis that the vessel 'MARWAN 1' sighted on 17th July and 28th August 2019 is most certainly the vessel listed in the IOTC IUU Vessel List under the name of 'AL WESAM 4' that was renamed and repainted.

The services of the European Commission drew this conclusion after having analysed the photographs taken on the two dates above mentioned and photographs previously taken of the 'AL WESAM 4' (cf. evidence B). In order to reasonably exclude the possibility of the vessel 'MARWAN 1' to be another vessel, the services of the European Commission also analysed the photographs against those of all the other similar vessels known to be operating or to have been operating off the coast of Somalia.

On 20th November 2019, the services of the European Commission was informed that the vessel 'MARWAN 1' had been sighted again by EUNAVFOR units off the coast of Somalia on 5th and 13th November 2019 (cf. evidence C). These latter sightings will be included in the next regular transmission of sightings to IOTC together with the other sightings made during the fourth quarter of 2019.

The imagery collected was analysed as a matter of priority. It corroborates the findings presented in this paper.

The photographs made also depict the vessel displaying the city of Bosaso (Somalia) as home port suggesting that she is flying the flag of Somalia.

In the course of their verifications aiming at clarifying the identity of the vessel 'MARWAN 1', the services of the European Commission found several recent press reports referring to a situation involving a fishing vessel bearing the same name of 'MARWAN 1'. These press reports, accessible below, and this paper are most certainly referring to the same vessel.

- Ordeal of Kenyans 'slaving' on Somali fishing vessel (11th July 2019), Daily Nation. Retrieved from: <https://mobile.nation.co.ke/news/15-Kenyan-fishermen-stuck-on-Somali-vessel/1950946-5191648-j44uy1z/index.html> (accessed on 25/11/2019)
- Lucky escape for 13 fishermen after chilling ordeal in Somalia (3rd August 2019), The Standard, Retrieved from: <https://www.standardmedia.co.ke/article/2001336543/lucky-escape-for-13-fishermen-after-chilling-ordeal-in-somalia> (accessed on 25/11/2019)

It is noted that these press reports mention that the registered owner of the vessel 'MARWAN 1' could be a legal person named 'SOMLINK FISHERIES INVESTMENT'.

In this context, the services of the European Commission look forward to the contribution of Kenya and Somalia to the verifications that will be initiated by the Executive Secretary under paragraph 30 of Resolution 18/03.

Enclosures:

- *Evidence A: photographs of the 'MARWAN 1' taken on 17th July and 28th August 2019*
- *Evidence B: imagery analysis*
- *Evidence D: photographs of the 'MARWAN 1' taken on 5th and 13th November 2019*