



25 September 2020

IOTC CIRCULAR 2020-42

Dear Sir/Madam

A COMMUNICATION FROM AUSTRALIA REGARDING A VESSEL ON THE IOTC IUU VESSELS LIST

Please find attached a communication from Australia regarding the vessel, CAPE FLOWER, which is currently listed in the IOTC IUU Vessels List.

As you will note in the communication from Australia, there is a request to update the details of the name and flag status of the CAPE FLOWER to COBIJA and flagless, respectively. The Chair of the Compliance Committee will make a point on that request in the last comments box of section 5 of the CoC17 Meeting Response Document (IOTC-2020-CoC17-MRD), so that CPCs can express their views on this request during the CoC17.

Yours sincerely

Christopher O'Brien
Executive Secretary

Attachments:

- Letter from Australia

Distribution

IOTC Contracting Parties: Australia, Bangladesh, China, Comoros, Eritrea, European Union, France (Territories), 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 ("BIOT"), 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



Australian Government

Australian Fisheries Management Authority

F2020/0227

Dr Chris O'Brien
Executive Secretary
Indian Ocean Tuna Commission Secretariat (IOTC)
PO Box 1011
Victoria SEYCHELLES

Dear Dr O'Brien,

Australian boarding of FV 'Cobija'

I am writing to inform you of the boarding of FV 'Cobija' (formerly named 'Cape Flower' and 'Cape Wrath II' (IMO 7330399)) by Australian authorities. In line with Resolution 18/03 – Establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC Area of Competence, Australia provides the following information to the IOTC Contracting Parties (Members), Co-operating non-Contracting Parties (CNCPs) and Observers.

On 18 June 2020, Australian officials boarded the FV 'Cobija' on the high seas in the Indian Ocean at position 15°05'1.20"S and 088°28'24.66"E (outside the Agreement Area). This position is 514 nautical miles west south west of the Cocos Keeling Island Group which is an Australian external territory.

The boarding was conducted on the high seas for the purpose of flag state verification in accordance with Article 110 of UNCLOS. At the time of boarding, the Master claimed the vessel was registered to the Plurinational State of Bolivia and presented associated documentation. Australia received confirmation from Bolivia that the vessel was deregistered on 20 January 2019 and had not been re-registered. Bolivia advised that any documents produced associated with this vessel should be regarded as forgeries.

The vessel had fully functional fishing gear fitted with equipment required for gillnet setting (including gillnet, buoys and radio beacons). The vessel was also fitted with all necessary equipment to retrieve the fishing gear (including winches, net tunnels, nets cages, stern doors). The vessel had processing facilities including band saw, fish processing areas, tanks and blast freezers. The fish holds were full of cargo, with what appeared to be processed frozen fish in white unmarked polypropylene/nylon bags.

Canberra

PO Box 7051
Canberra ACT 2610
P 02 6225 5555
F 02 6225 5500

Darwin

PO Box 131
Darwin NT 0801
P 08 8943 0333
F 08 8942 2897

Thursday Island

PO Box 376
Thursday Island QLD 4875
P 07 4069 1990
F 07 4069 1277

Lakes Entrance

PO Box 408
Lakes Entrance VIC 3909
P:0447 019 916

Following the boarding and upon receiving confirmation of deregistration by Bolivia, Australia alerted all relevant port States, including Parties to the Tokyo Memorandum of Understanding (MOU) and Indian MOU, requesting that they deny port access to the FV 'Cobija'. Australia also requested that if the vessel was authorised to enter a port, that authorities take appropriate action in accordance with national laws. Following this request, Myanmar, a previously known port of unload for the vessel, advised that they have permanently closed their ports to the FV 'Cobija'.

The FV 'Cobija' was originally included on the South East Atlantic Fisheries Organisation (SEAFO) IUU Vessel List in 2017 for fishing inside FAO Area 47 and 48 without authorisation. The vessel was subsequently cross listed on the IUU lists of the IOTC (under its previous names of 'Cape Flower' and 'Cape Wrath II'), the North East Atlantic Fisheries Commission (NEAFO), the Southern Indian Ocean Fisheries Agreement (SIOFA) and the International Commission for the Conservation of Atlantic Tunas (ICCAT).

Resolution 18/03 paragraph 5 encourages Contracting Parties and Co-operating Non-Contracting Parties to share information on vessels that have engaged in IUU fishing activities within the IOTC Area. Australia requests that IOTC Contracting Parties, Co-operating Non-Contracting Parties and Observers remain alert for the presence of this vessel and share any information regarding this vessel or its activities. Australia encourages IOTC Contracting Parties, Co-operating Non-Contracting Parties and Observers to consider taking appropriate action to ensure that this vessel is denied access to ports unless for the purpose of inspection and ensure that it cannot perform commercial transactions, such as imports, exports or re-exports, landings and transshipments of fisheries resources covered by the IOTC. Any such action will aid in the detection, deterrence and elimination of IUU fishing.

Recent photographs of the FV 'Cobija' obtained by Australia during the boarding are included at **Attachment A**. Further information regarding this vessel is also available at <http://www.seafo.org/Management/IUU>. As per Resolution 18/03, Australia would be grateful if you could please circulate this letter and attachment to all IOTC Contracting Parties, Co-operating non-Contracting Parties and Observers.

Australia further requests that the Secretariat update the IOTC IUU list with the current identifiers of the vessel name 'Cobija'.

If further information is required regarding these sightings, please contact the Australian Fisheries Management Authority on +61 2 6225 5555.

Yours sincerely,



Peter Venslovas

General Manager
24 September 2020

ATTACHMENT A
FV 'COBIJA' Particulars

Name of vessel and previous names, if any:	Current: Cobija. Previous: Cape Flower, Cape Wrath II
Flag of vessel and previous flags, if any:	Current: Flagless. Previous: Bolivia
IMO:	7330399
Photographs of the vessel:	See following.



Figure 1: FV 'COBIJA' 18/06/2020. At position 15°05'1.20"S, 088°28'24.66"E.



Figure 2: Previous name "CAPE FLOWER" welded to the hull.



Figure 3: Previous name "CAPE WRATH II" welded to hull.