



THE IOTC DRAFT IUU VESSELS LIST

Prepared by IOTC Secretariat, 21 September, 2020

PURPOSE

To provide information and evidence received by the IOTC Secretariat to the Compliance Committee to assist it in taking decisions on:

- If updates are required to the details of any vessels included in the current IOTC list of vessels that have carried out illegal, unregulated and unreported (IUU) fishing activities in the IOTC Area of competence,
- Recommending to the Commission which, if any, vessels should be added to the IOTC IUU Vessels List.

In accordance with Paragraph 11 of IOTC Resolution 18/03 *On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC Area*, the list of vessels on the current IOTC IUU Vessels List (*published in February 2020*) and the Draft List of IUU Vessels (*circulated in August and September 2020*) proposed for inclusion in the IOTC IUU Vessels List are provided in [Annex 1](#) and [Annex 2](#), respectively.

INFORMATION REPORTED TO THE IOTC SECRETARIAT

Information, evidence and responses received against five fishing vessels, IMULA 0641 KLT (LAKNA DHEE), IMULA 0541 KLT (CHATHURANGA 02), IMULA 0096 KLT (NISANSALA 01), IMULA 0811 GLE and IMULA 0195 TCO (MANGALA), to be considered for inclusion in the IOTC IUU Vessels List are provided in [Annex 3](#), of this document.

Confirmation from Honduras of the deletion from its Register of Ships of a carrier vessel included in the current IOTC IUU Vessels List is provided in [Annex 4](#).

Requests from Thailand with regards to change of names and flags of two vessels included in the current IOTC IUU Vessels List is provided in [Annex 5](#).

RECOMMENDATION/S

That the CoC17:

- 1) **NOTE** the information provided in document IOTC-2020-CoC17-08, which will assist it in its deliberations for recommending a Provisional IUU Vessels List for the consideration of the Twenty-fourth Session of the Commission;
 - 2) **NOTE** the actions taken by Sri Lanka against the five Sri Lankan vessels, as provided in Annex 3;
 - 3) **NOTE** the deletion of the carrier vessel, WISDOM SEA REEFER, from the Register of Ships of Honduras (Annex 4);
 - 4) **NOTE** the requests from Thailand to change the details of the vessels, WISDOM SEA REEFER and AL WESAM 5 (Annex 5);
 - 5) **NOTE** the information provided in Annex 5, with regards to the destiny of the carrier vessel, UTHAIWAN (ex-WISDOM SEA REEFER);
 - 6) **CONSIDER** if the five Sri Lanka vessels should be recommended for IUU listing;
 - 7) **CONSIDER** if the details of the vessels, WISDOM SEA REEFER and AL WESAM 5, should be updated to reflect the information in the Certificates of Registry issued by Mongolia and Cameroon, respectively;
 - 8) **CONSIDER** if the carrier vessel, WISDOM SEA REEFER/UTHAIWAN should be deleted from the IOTC IUU Vessels List upon receipt of proof that the vessel has been scrapped,
 - 9) **RECOMMEND** a Provisional IUU Vessels List for the consideration of the Twenty-fourth Session of the Commission.
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No.	Current name of vessel (previous names) Nom actuel du navire (noms précédents)	Current flag (previous flags)/ Pavillon actuel (noms précédents)	Owner / beneficial owners (previous owners) Propriétaire / en équité (précédents)	Owner Address (Previous Owner Address(es)/Adresse du propriétaire (Adresse propriétaires précédent/s)	Operator (previous operators)/ Armateur (précédents)	Operator Address (Previous Operator Address(es)/Adresse l'armateur (Adresse l'armateur précédent/s)	Country and number of registration of legal entity/Pays et numéro d'enregistrement de l'entité légale	Call sign (previous call signs) Indicatif d'appel (précédents)	Lloyds-IMO number/ Numéro Lloyds-IMO	Recent photographs of the vessel/ Photos récentes du navire	Length Overall (LOA) of the vessel(m)/ Longueur hors-tout du navire(m)	Date first included in IOTC IUU List/ Date de première inscription sur la Liste INN de la CTOI	Summary of IUU activities/ Résumé des activités INN	Reference of supporting document and information/ Références aux documents et informations en appui	Summary of action taken/ Résumé des actions ayant été prises	Source organisation/ Source l'organisation	
56	HAI DA 705	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	Communications between Japanese Patrol vessel and HAI DA705 at 43 10.4'N,153 38.6'E on 11 Sep 2016 indicated they caught squid with drift net in the high sea. (Port displayed on the vessel: 沈家们); Vessel type: Drift net vessel; Tonnage: 290t/Communications entre le patrouilleur japonais et HAI DA705 à 43 10.4'N,153 38.6'E le 11 sept 2016 indiquant une capture de calmar avec un filet dérivant en haute mer (Port affiché sur le navire : 沈家们); Type de navire: navire utilisant le filet dérivant ; Tonnage: 290 t).	UNK/INC	UNK/INC	SIOFA	
57	HAI LUNG (YELE; RAY, KILY; CONSTANT; TROPIC; ISLA GRACIOSA)	UNK (Belize; Mongolia; Equatorial Guinea; South Africa; Belize)/ INC (Belize; Mongolie; Guinée Équatoriale; Afrique du Sud; Belize)	UNK/INC	UNK/INC	Arniston Fish Processors (Pty) Ltd (Vidal Armadores S.A.; Nalanza S.A.; Argibay Perez J.A.; Belfast Global S.A.; Eterna Ship Management)	UNK/INC	UNK/INC	PQBT	6607666	NA/PD	UNK/INC	December/décembre 2019	Fishing inside Division A (2012), Fishing 58.4.3b (23 May 2006), Fishing 58.4.2 (18 Feb 2007), Fishing 58.4.3b (24 Mar 2007), Fishing 58.4.3b (12 Jan 2008), Fishing 58.4.3b (09 Jan 2009), Fishing 58.4.3b (20 Jan 2009)/Pêche dans Division A (2012), Pêche 58.4.3b (23 mai 2006), Pêche 58.4.2 (18 fév 2007), Pêche 58.4.3b (24 mars 2007), Pêche 58.4.3b (12 janv 2008), Pêche 58.4.3b (09 janv 2009), Pêche 58.4.3b (20 janv 2009).	UNK/INC	UNK/INC	CCAMLR	
58	HEAVY SEA (DUERO; JULIUS; KETA; SHERPA UNO)	UNK (Panama; Saint Kitts and Nevis; Belize)/ INC (Panama; Saint-Kitts-et-Nevis; Belize)	UNK/INC	UNK/INC	C&S Fisheries S.A. (Muner S.A.; Meteroros Shipping; Meteora Shipping Inc.; Barroso Fish S.A.)	UNK/INC	UNK/INC	3ENF8	7322926	NA/PD	UNK/INC	December/décembre 2019	Sighted 58.5.1 (03 Feb 2004), Fishing 57 (29 Jul 2005)/Observé 58.5.1 (03 fév 2004), Pêche 57 (29 juil 2005).	UNK/INC	UNK/INC	CCAMLR	
59	HOOM XIANG 101	UNK (MALAYSIA)/ INC (MALAISIE)	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	June/juin 2014	Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03	IOTC-2014-CoC11-07 Rev1	Included in the IUU Vessel List/Inscrit dans la Liste des navires INN	IOTC	
60	HOOM XIANG 103	UNK (MALAYSIA)/ INC (MALAISIE)	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	June/juin 2014	Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03	IOTC-2014-CoC11-07 Rev1	Included in the IUU Vessel List/Inscrit dans la Liste des navires INN	IOTC	
61	HOOM XIANG 105	UNK (MALAYSIA)/ INC (MALAISIE)	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	June/juin 2014	Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03	IOTC-2014-CoC11-07 Rev1	Included in the IUU Vessel List/Inscrit dans la Liste des navires INN	IOTC	
62	HOOM XIANG II	UNK (MALAYSIA)/ INC (MALAISIE)	UNK/INC (Hoom Xiang Industries Sdn. Bhd)	UNK/INC (MALAYSIAN INTERNATIONAL TUNA PORT, 11960 BATU MAUNG PULAU, PINANG)	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	Yes/Oui - Click Here/cliquer ici	UNK/INC	March/mars 2010	Contravention of IOTC Resolution 09/03/ Violation de la résolution de la CTOI 09/03	IOTC-2010-514-CoC13-add1	Included in the IUU Vessel List/Inscrit dans la Liste des navires INN	IOTC	
63	IANNIS I	UNK/INC (Panama)	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	HO3374	7332218	NA/PD	UNK/INC	December/décembre 2019	UNK/INC	UNK/INC	UNK/INC	SEAFO	
64	JYI LIH 88	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	IATTC	E13-6833	UNK/INC	ICCAT	
65	KIM SENG DENG 3	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	May/mai 2015	Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03	IOTC-2015-CoC12-08a Rev4	Included in the IUU Vessel List/Inscrit dans la Liste des navires INN	IOTC	
66	KOOSHA 4 (EGUZKIA)	Iran, Islamic Republic of/République Islamique d'Iran	UNK/INC	UNK/INC	Pars Paya Seyd Industrial Fish	UNK/INC	UNK/INC	9BQK	7905443	NA/PD	UNK/INC	December/décembre 2019	Inside Division 58.4.1 (15 Feb 2011)/Dans la Division 58.4.1 (15 Fév 2011).	UNK/INC	UNK/INC	CCAMLR	
67	KUANG HSING 127	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	May/mai 2015	Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03	IOTC-2015-CoC12-08a Rev4	Included in the IUU Vessel List/Inscrit dans la Liste des navires INN	IOTC	
68	KUANG HSING 196	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	May/mai 2015	Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03	IOTC-2015-CoC12-08a Rev4	Included in the IUU Vessel List/Inscrit dans la Liste des navires INN	IOTC	
69	LABIKO (Maine; Claude Monier; Chevalier d'Assas)	UNK (Tanzania; Equatorial Guinea; Indonesia; Cambodia; Panama; Sierra Leone; Korea (DPRK); Togo; Uruguay)/ INC (Tanzanie; Guinée Équatoriale; Indonésie; Cambodge; Panama; Sierra Leone; Corée (RPD); Togo; Uruguay)	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	7325746	NA/PD	UNK/INC	December/décembre 2019	UNK/INC	UNK/INC	UNK/INC	SIOFA
70	LIAO YUAN YU 071	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	It was seen at 42 15.4'N, 153 22.8'E on 23 Aug 2016. When the Japanese patrol vessel approached, a vessel crew tried to hide the vessel name. Communication between the Japanese patrol vessel and LIAO YUAN YU 071 indicated that they hid the vessel name because they didn't want to be caught. (Port displayed on the vessel: Shidao; Vessel type: Lighted lift net vessel; Tonnage: 800t/ Observé à 42 15.4'N, 153 22.8'E le 23 août 2016. Lorsque le patrouilleur japonais s'est approché, un membre d'équipage du navire a tenté de cacher le nom du navire. Communication entre le patrouilleur japonais et le LIAO YUAN YU 071 indiquant qu'il avait caché le nom du navire car il ne voulait pas être arrêté. (Port affiché sur le navire : Shidao; Type de navire : navire pêchant au filet soulevé éclairé ; Tonnage: 800 t).	UNK/INC	UNK/INC	SIOFA	
71	LIAO YUAN YU 072	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	It was seen at 42 18.7'N, 153 27.9'E on 23 Aug and at 42 9.2'N, 151 16.4'E on 11 Oct 2016. Vessel name was hidden by paint. (Port displayed on the vessel: Shidao; Vessel type: Lighted lift net vessel; Tonnage: 800t/Observé à 42 18.7'N, 153 27.9'E le 23 août et à 42 9.2'N, 151 16.4'E le 11 Oct 2016. Le nom du navire était caché par de la peinture. (Port affiché sur le navire : Shidao ; Type de navire : navire pêchant au filet soulevé éclairé ; Tonnage: 800 t).	UNK/INC	UNK/INC	SIOFA	
72	LIAO YUAN YU 9	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	It was seen at 42 3.0'N, 153 0.8'E on 23 Aug and at 42 10.0'N, 151 16.8'E on 11 Oct 2016. Vessel name was hidden by paint. (Port displayed on the vessel: Shidao;Vessel type: Lighted lift net vessel; Tonnage: 800t/Observé à 42 3.0'N, 153 0.8'E le 23 août et à 42 10.0'N, 151 16.8'E le 11 Oct 2016. Le nom du navire était caché par de la peinture. (Port affiché sur le navire : Shidao ; Type de navire : navire pêchant au filet soulevé éclairé ; Tonnage: 800 t).	UNK/INC	UNK/INC	SIOFA	
73	LILA NO. 10	UNK/INC (Panama)	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	EU – Vessel greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season/UE - Navire de plus de 24 m non inclus dans le Registre des navires de l'ICCAT. Observé pêchant en MED pendant la période de fermeture.	2259	UNK/INC	ICCAT	
74	LIMPOPO (ROSS; ALOS; LENA; CAP GEORGE; CONBAROYA; TERCERO; LENA; ALOS; ROSS)	UNK (Togo, Ghana, Seychelles, France)/ INC (Togo, Ghana, Seychelles, France)	UNK/INC	UNK/INC	Grupo Oya Perez (Kang Brothers; Lena Enterprises Ltd; Alos Company Ghana Ltd)	UNK/INC	UNK/INC	UNK/INC	UNK/INC	7388267	NA/PD	UNK/INC	December/décembre 2019	Fishing 58.5.2 (21 Sep 2003), Sighted 58.5.1 (03 Dec 2003), Fishing 58.4.3b (23 Feb 2005), Fishing 58.4.3b (14 Dec 2005), Sighted 58.4.3b (25 Jan 2007)/Pêche 58.5.2 (21 sept 2003), Observé 58.5.1 (03 déc 2003), Pêche 58.4.3b (23 fév 2005), Pêche 58.4.3b (14 déc 2005), Observé 58.4.3b (25 janv 2007).	UNK/INC	UNK/INC	CCAMLR
75	LU RONG YU 1189	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	It was seen at 41 24.9'N, 140 32.7'E (Japan EEZ) on 14 Jun 2016. (Port displayed on the vessel: Shidao; Vessel type: Carrier vessel; Tonnage: 100t) MMSI: 412321992/Observé à 41 24.9'N, 140 32.7'E (ZEE japonaise) le 14 juin 2016. (Port affiché sur le navire: Shidao ; Type de navire : navire transporteur ; Tonnage : 100t) MMSI : 412321992.	UNK/INC	UNK/INC	SIOFA	

No.	Current name of vessel (previous names) Nom actuel du navire (noms précédents)	Current flag (previous flags)/ Pavillon actuel (pavillons précédents)	Owner / beneficial owners (previous owners) Propriétaire / en équité (précédents)	Owner Address (Previous Owner Address(es)/Adresse du propriétaire (Adresse propriétaire(s) précédents)	Operator (previous operators)/ Armateur (précédents)	Operator Address (Previous Operator Address(es)/Adresse l'armateur (Adresse l'armateur précédents)	Country and number of registration of legal entity/Pays et numéro d'enregistrement de l'entité légale	Call sign (previous call signs) Indicatif d'appel (précédents)	Lloyds-IMO number/ Numéro Lloyds-IMO	Recent photographs of the vessel/ Photos récentes du navire	Length Overall (LOA) of the vessel(m)/ Longueur hors-tout du navire(m)	Date first included in IOTC IUU List/ Date de première inscription sur la Liste INN de la CTOI	Summary of IUU activities/ Résumé des activités INN	Reference of supporting document and information/ Références aux documents et informations en appui	Summary of action taken/ Résumé des actions ayant été prises	Source organisation/ Source l'organisation
76	LU RONG YU 612	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	A Japanese patrol vessel sighted this fishing vessel was drifting in the Convention area at 39 50.00'N,147 1.8'E on July 21.The port of registry is Shidao and AIS information showed that the vessel name is "Lu Long Yuan Yu 108", which is on the current IUU vessel list and is different from the name shown on the vessel side, and that MMSI is 412328746.The tonnage 651 t was derived from the information of "Lu Long Yuan Yu 108" in the current IUU vessel list.Ref: NPFC-2018-TCC03-WP04/Un patrouilleur japonais a observé ce navire de pêche dérivant dans la zone de la Convention à 39 50.00'N,147 1.8' E le 21 juillet. Le port d'immatriculation est Shidao et les informations d'AIS montraient que le nom du navire est "Lu Long Yuan Yu 108", qui figure sur la liste des navires INN actuelle et qui est différent du nom indiqué sur le côté du navire et dont le MMSI est 412328746. Le tonnage 651 t est extrait des informations relatives au "Lu Long Yuan Yu 108" figurant dans la liste actuelle des navires INN. Ref: NPFC-2018-TCC03-WP04.	UNK/INC	UNK/INC	SIOFA
77	LU RONG YUAN YU 101	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	While LU RONG YUAN YU 101 is registered as a light PS vessel in the NPFC list, the identical name with different vessel types were seen. LU RONG YUAN YU 101 with lift net type was seen at 49 9.2'N,149 19.5'E on 17 May 2016. LU RONGYUAN YU 101 with stern-trawl type was seen at 38 0.2'N, 145 58.5'E on 20 May 2016. (Port displayed on the vessel: Shidao; Vessel type: Stern Trawl/Light lift net vessel; Tonnage: 800t/651t)MMSI: Lift Net 656558842/Stern Trawl 41232875314:10/Alors que le LU RONG YUAN YU 101 est enregistré comme sennuer léger dans la liste de la NPFC, un nom identique a été observé sur des types de navire différents. Le LU RONG YUAN YU 101 avec un type de filet soulevé a été observé à 49 9.2'N,149 19.5'E le 17 mai 2016. Le LU RONGYUAN YU 101 avec un type de chalut pour pêche arrière a été observé à 38 0.2'N, 145 58.5'E le 20 mai 2016. (Port affiché sur le navire : Shidao; Type de navire : chalut pour pêche arrière/navire pêchant au filet soulevé éclairé ; Tonnage: 800 t/651 t) MMSI: Filet soulevé 656558842/Chalut pour pêche arrière 41232875314:10	UNK/INC	UNK/INC	SIOFA
78	LU RONG YUAN YU 102	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	While LU RONG YUAN YU 102 is registered as one light PS vessel in the NPFC list, the identical name with different vessel types were seen. LU RONG YUAN YU 102 with lift net type was seen at 42° 21.3'N, 151° 55.5'E on 11 Oct 2016. LURONG YUAN YU 102 with stern-trawl type was seen at 42°7.3'N, 151°13.8'E on the same day.LU RONG YUAN YU 102 was also seen with a carrier vessel "MIN FU DING YU LENG 08888" at 42 22.2'N, 151 19.6'E on 12 Oct 2016. (Port displayed on the vessel: Shidao; Vessel type: Stern Trawl/Light lift net vessel; Tonnage: 800t/651t)MMSI: Lift net 413228752/Stern Trawl 412328752/Alors que le LU RONG YUAN YU 102 est enregistré comme sennuer léger dans la liste de la NPFC, un nom identique a été observé sur des types de navire différents. Le LU RONG YUAN YU 102 avec un type de filet soulevé a été observé à 42° 21.3'N, 151° 55.5'E le 11 oct 2016. Le LU RONGYUAN YU 102 avec un type de chalut pour pêche arrière a été observé à 42°7.3'N, 151°13.8'E ce même jour. Le LU RONG YUAN YU 102 a également été observé avec un navire transporteur "MIN FU DING YU LENG 08888" à 42 22.2'N, 151 19.6'E le 12 oct 2016. (Port affiché sur le navire : Shidao; Type de navire : chalut pour pêche arrière/navire pêchant au filet soulevé éclairé ; Tonnage: 800 t/651 t) MMSI: Filet soulevé 413228752/Chalut pour pêche arrière 412328752	UNK/INC	UNK/INC	SIOFA
79	LU RONG YUAN YU 103	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	While LU RONG YUAN YU 103 is registered as one light PS vessel in the NPFC list, the identical name with different vessel types were seen. LU RONG YUAN YU 103 with lift net type was seen at40 25.9'N, 150 9.9'E on 1 June 2016. LURONG YUAN YU 103 with stern-trawl type was seen at 37 59.9'N, 145 58.5'E on 20 May 2016. (Port displayed on the vessel: Shidao; Vessel type: Stern Trawl/Light lift net vessel; Tonnage: 651t/651t) MMSI: Lift Net 412328751/Stern Trawl 412328751/Alors que le LU RONG YUAN YU 103 est enregistré comme sennuer léger dans la liste de la NPFC, un nom identique a été observé sur des types de navire différents. Le LU RONG YUAN YU 103 pêchant au filet soulevé a été observé à 40 25.9'N, 150 9.9'E le 1er juin 2016. Le LU RONGYUAN YU 103 avec un type de chalut pour pêche arrière a été observé à 37 59.9'N, 145 58.5'E le 20 mai 2016. (Port affiché sur le navire : Shidao ; Type de navire : Navire utilisant le chalut pour pêche arrière/ filet soulevé éclairé ; Tonnage: 651 t/651 t) MMSI: Filet soulevé 412328751/chalut pour pêche arrière 412328751	UNK/INC	UNK/INC	SIOFA
80	LU RONG YUAN YU 105	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	While LU RONG YUAN YU 105 is registered as one light PS vessel in the NPFC list, the identical name with different vessel types were seen. LU RONG YUAN YU 105 with lift net type was seen at 42°27'N, 152° 5.8'E on 11 Oct 2016.LU RONG YUAN YU 105 with stern-trawl type was seen at 41°54.8'N, 151°17.4'E on 5 Sep 2016. (Port displayed on the vessel: Shidao; Vessel type: Stern Trawl/Light lift net vessel; Tonnage: 651t/651t)MMSI: Lift net 926001560/412428757 Stern Trawl 412328749/Alors que le LU RONG YUAN YU 105 est enregistré comme sennuer léger dans la liste de la NPFC, un nom identique a été observé sur des types de navire différents. Le LU RONG YUAN YU 105 avec un type de filet soulevé a été observé à 42°27'N, 152° 5.8'E le 11 oct. 2016. Le LU RONG YUAN YU 105 avec un type de chalut pour pêche arrière a été observé à 41°54.8'N, 151°17.4'E le 5 sept 2016. (Port affiché sur le navire : Shidao ; Type de navire : Navire utilisant le chalut pour pêche arrière/ filet soulevé éclairé ; Tonnage: 651 t/651 t) MMSI: Filet soulevé 926001560/412428757 Chalut pour pêche arrière 412328749	UNK/INC	UNK/INC	SIOFA
81	LU RONG YUAN YU 106	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	While LU RONG YUAN YU 106 is registered as one light PS vessel in the NPFC list, the identical name with different vessel types were seen. LU RONG YUAN YU 106 with lift net type was seen at40 30.4'N, 14934'E on 29 May 2016. LU RONG YUAN YU 106 with stern-trawl type was seen at 40 17.6'N, 148 33'E on the same day.The two fishing vessels with duplicate names "LU RONG YUAN YU 106" were seen transshipping with a carrier vessel "MIN FU DING YU LENG 08888" at42 16.4'N, 151 21.4'E on 8 Oct 2016 (see the last photo). (Port displayed on the vessel: Shidao; Vessel type: Stern Trawl/Light lift net vessel; Tonnage: 651t/651t)MMSI: Lift net 412328748 Stern Trawl 412328748/Alors que le LU RONG YUAN YU 106 est enregistré comme sennuer léger dans la liste de la NPFC, un nom identique a été observé sur des types de navire différents. Le LU RONG YUAN YU 106 avec un type de filet soulevé a été observé à 40 30.4'N, 14934'E le 29 mai 2016. Le LU RONG YUAN YU 106 un type de chalut pour pêche arrière a été observé à 40 17.6'N, 148 33'E ce même jour. Les deux navires de pêche avec des noms dupliqués « LU RONG YUAN YU 106 » ont été observés procédant à un transbordement avec le navire de charge « MIN FU DING YU LENG 08888 » à 42 16.4'N, 151 21.4'E le 8 oct. 2016 (cf. la dernière photo). (Port affiché sur le navire : Shidao ; Type de navire : Navire utilisant la	UNK/INC	UNK/INC	SIOFA

No.	Current name of vessel (previous names) Nom actuel du navire (noms précédents)	Current flag (previous flags)/ Pavillon actuel (pavillons précédents)	Owner / beneficial owners (previous owners) Propriétaire / en équité (précédents)	Owner Address (Previous Owner Address(es)/Adresse du propriétaire (Adresse propriétaire(s) précédents)	Operator (previous operators)/ Armateur (précédents)	Operator Address (Previous Operator Address(es)/Adresse l'armateur (Adresse l'armateur précédents)	Country and number of registration of legal entity/Pays et numéro d'enregistrement de l'entité légale	Call sign (previous call signs) Indicatif d'appel (précédents)	Lloyds-IMO number/ Numéro Lloyds-IMO	Recent photographs of the vessel/ Photos récentes du navire	Length Overall (LOA) of the vessel(m)/ Longueur hors-tout du navire(m)	Date first included in IOTC IUU List/ Date de première inscription sur la Liste INN de la CTOI	Summary of IUU activities/ Résumé des activités INN	Reference of supporting document and information/ Références aux documents et informations en appui	Summary of action taken/ Résumé des actions ayant été prises	Source organisation/ Source l'organisation
82	LU RONG YUAN YU 108	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	While LU RONG YUAN YU 108 is registered as one light PS vessel in the NPFC list, the identical name with different vessel types were seen. LU RONG YUAN YU 108 with lift net type was seen at 40 28.4'N, 149 28.1'E on 29 May 2016. LU RONG YUAN YU 108 with stern-trawl type was seen at 40 18.6'N, 148 30.7'E on the same day. (Port displayed on the vessel: Shidao; Vessel type: Stern Trawl/Light lift net vessel; Tonnage: 651t/651t) MMSI: Lift Net 412443265 412328746 800025754 Stern Trawl 800024754/Alors que le LU RONG YUAN YU 108 est enregistré comme sennear léger dans la liste de la NPFC, un nom identique a été observé sur des types de navire différents. Le LU RONG YUAN YU 108 avec un type de filet soulevé a été observé à 40 28.4'N, 149 28.1'E le 29 mai 2016. Le LU RONG YUAN YU 108 avec un type de chalut pour pêche arrière a été observé à 40 18.6'N, 148 30.7'E ce même jour. (Port affiché sur le navire : Shidao ; Type de navire : Navire utilisant le chalut pour pêche arrière/ filet soulevé éclairé ; Tonnage: 651 t/651 t) MMSI: Filet soulevé 412443265 412328746 800025754 Chalut pour pêche arrière 800024754.	UNK/INC	UNK/INC	SIOFA
83	LU RONG YUAN YU 109	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	While LU RONG YUAN YU 109 is registered as one light PS vessel in the NPFC list, the identical name with different vessel types were seen. LU RONG YUAN YU 109 with lift net type was seen at 40 25.1'N, 149 25 'E on 29 May 2016. LURONG YUAN YU 109 with stern-trawl type was seen at 40 16.4'N, 148 32.1'E on the same day. (Port displayed on the vessel: Shidao; Vessel type: Stern Trawl/Light lift net vessel; Tonnage: 651t/651t)MMSI: Lift Net 412328745 Stern Trawl 412328745/800025747/Alors que le LU RONG YUAN YU 109 est enregistré comme sennear léger dans la liste de la NPFC, un nom identique a été observé sur des types de navire différents. Le LU RONG YUAN YU 109 avec un type de filet soulevé a été observé à 40 25.1'N, 149 25 'E le 29 mai 2016. Le LURONG YUAN YU 109 avec un type de chalut pour pêche arrière a été observé à 40 16.4'N, 148 32.1'E ce même jour. (Port affiché sur le navire : Shidao ; Type de navire : Navire utilisant le chalut pour pêche arrière/ filet soulevé éclairé ; Tonnage: 651t/651t)MMSI: Filet soulevé 412328745/800025747.	UNK/INC	UNK/INC	SIOFA
84	LU RONG YUAN YU 787	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	A Japanese patrol vessel sighted this fishing vessel was drifting in the Convention area at 39 49.7'N, 147 2.8'E on July 21 2017, and Japanese patrol aircraft sighted the same vessel anchored at 41 3.3'N, 150 22.1'E on August 2 2017. The China flag was raised and the sign of "CHINA" was painted on the vessel side (see the photos).MMSI is 413800814 and the port of registry is Shidao.Ref: NPFC-2018-TCC03-WP04/Un patrouilleur japonais a observé ce navire de pêche dérivant dans la zone de la Convention à 39 49.7'N, 147 2.8'E le 21 juillet 2017, et un avion patrouilleur japonais a observé ce même navire ancré à 41 3.3'N, 150 22.1'E le 2 août 2017. Le pavillon chinois a été hissé et le signe « CHINE » était peint sur le côté du navire (se reporter aux photos). Le MMSI est 413800814 et le port d'immatriculation est Shidao. Réf : NPFC-2018-TCC03-WP04.	UNK/INC	UNK/INC	SIOFA
85	LU RONG YUAN YU 797	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	A Japanese patrol aircraft sighted this fishing vessel in the Convention area was operating at 42 7.1'N, 151 40.9'E on July 7 2017. China flag was raised and "CHINA" was painted on the vessel side (see the photo).MMSI is 412327980.Ref: NPFC-2018-TCC03-WP04/Un avion patrouilleur japonais a observé ce navire de pêche dans la zone de la Convention opérant à 42 7.1'N, 151 40.9'E le 7 juillet 2017. Le pavillon chinois était hissé et « CHINE » était peint sur le côté du navire (se reporter aux photos). Le MMSI est 412327980. Réf : NPFC-2018-TCC03-WP04.	UNK/INC	UNK/INC	SIOFA
86	LU RONG YUAN YU YUN 958	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	A Japanese patrol fishing vessel sighted this fishing vessel was drifting in the Convention area at 39 50.9'N, 147 4.3'E on July 21.The vessel raised China flag and the port of registry was Shidao.AIS information showed that the vessel name is 958 and MMSI is 412452812.Ref: NPFC-2018-TCC03-WP04/Un patrouilleur japonais a observé ce navire de pêche dérivant dans la zone de la Convention à 39 50.9'N, 147 4.3'E le 21 juillet. Le navire hissait le pavillon chinois et le port d'immatriculation était Shidao. Les informations d' AIS montraient que le nom du navire est 958 et le MMSI est 412452812. Réf : NPFC-2018-TCC03-WP04.	UNK/INC	UNK/INC	SIOFA
87	MAAN YIH HSING	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	May/mai 2015	Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03	IOTC-2015-CoC12-08a Rev4	Included in the IUU Vessel List/Inscrit dans la Liste des navires INN	IOTC
88	MADURA 2	UNK/INC	P.T. PROVISIT	Indonesia/Indonésie	P.T. PROVISIT	Indonesia/Indonésie	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	JAPAN - Communication between fishing vessel and reefer company indicated tuna species had been taken in the Atlantic/JAPON - Communication entre le navire de pêche et l'entreprise du cargo frigorifique indiquant que des espèces de thons avaient été capturées dans l'Atlantique.	PWG-122	UNK/INC	ICCAT
89	MADURA 3	UNK/INC	P.T. PROVISIT	Indonesia/Indonésie	P.T. PROVISIT	Indonesia/Indonésie	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	JAPAN - Communication between fishing vessel and reefer company indicated tuna species had been taken in the Atlantic/JAPON - Communication entre le navire de pêche et l'entreprise du cargo frigorifique indiquant que des espèces de thons avaient été capturées dans l'Atlantique.	PWG-122	UNK/INC	ICCAT
90	MARIA	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	FN 003882	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	SOUTH AFRICA - vessel had no VMS, suspected of having no tuna licence and of possible at-sea transshipments/AFRIQUE DU SUD - le navire ne disposait pas de VMS, soupçonné de ne pas être titulaire de licence de thonidés et de transbordements en mer potentiels.	2431	UNK/INC	ICCAT
91	MARWAN 1 (AL WESAM 4, CHAICHANACHOKE 8)	SOMALIA/SOMALIE (DIBOUTI, THAILAND/THAILANDE)	SOMLINK FISHERIES INVESTMENT (MARINE RENOWN SARL)	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC (HSN5721)	UNK/INC	Yes/Oui - Click Here/clicquer ici	UNK/INC	May/mai 2018	Contravention of IOTC Resolution 17/03/ Violation de la résolution de la CTOI 17/03	IOTC Circular 2019-54	Included in the IUU Vessel List/Inscrit dans la Liste des navires INN	IOTC
92	MELILLA NO. 101	UNK/INC (Panama)	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	EU – Vessel greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season/UE - Navire de plus de 24 m non inclus dans le Registre des navires de l'ICCAT. Observé pêchant en MED pendant la période de fermeture.	2259	UNK/INC	ICCAT
93	MELILLA NO. 103	UNK/INC (Panama)	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	EU - Vessel greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season/UE - Navire de plus de 24 m non inclus dans le Registre des navires de l'ICCAT. Observé pêchant en MED pendant la période de fermeture.	2259	UNK/INC	ICCAT
94	MURTOSA	UNK/INC (Togo)	UNK/INC	UNK/INC	Aveiro, Portugal (since 2005)	UNK/INC	UNK/INC	UNK (ZDBLI)/ INC (ZDBLI)	7385174	NA/PD	UNK/INC	December/décembre 2019	UNK/INC	UNK/INC	UNK/INC	SEAFO
95	NEFELIN	Ukraine	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	7645237	NA/PD	UNK/INC	December/décembre 2019	UNK/INC	UNK/INC	UNK/INC	SIOFA
96	NEPTUNE	Georgia/Géorgie	Space Energy Enterprise Company, LTD	UNK/INC	Space Energy Enterprise Company, LTD (Space Energy Enterprises Co. Ltd.)	UNK/INC	UNK/INC	UNK/INC	4LOG	C-00545	NA/PD	December/décembre 2019	Fishing on the high seas of the WCPFC Convention Area without being on the WCPFC Record of Fishing Vessels (CMM 2007-03-para 3a)/Pêche en haute mer dans la zone de la Convention de la WCPFC sans figurer sur le Registre des navires de pêche de la WCPFC (CMM 2007-03-para 3a).	E11-5762; E13-1532	UNK/INC	WCPFC
97	NEW BAI I No. 168	UNK/INC	Shin Pao K ONG Winniw Tsengi	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	YGYMY	UNK/INC	NA/PD	December/décembre 2019	Senegal / ICCAT/Sénégal/ICCAT	E16-01726	UNK/INC	ICCAT
98	No. 2 CHOYU	UNK/INC (Honduras)	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	EU – Vessel greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season/UE - Navire de plus de 24 m non inclus dans le Registre des navires de l'ICCAT. Observé pêchant en MED pendant la période de fermeture.	2259	UNK/INC	ICCAT

No.	Current name of vessel (previous names) Nom actuel du navire (noms précédents)	Current flag (previous flags)/ Pavillon actuel (pavillons précédents)	Owner / beneficial owners (previous owners) Propriétaire / en équité (précédents)	Owner Address (Previous Owner Address(es)/Adresse du propriétaire (Adresse propriétaires précédents)	Operator (previous operators)/ Armateur (précédents)	Operator Address (Previous Operator Address(es)/Adresse l'armateur (Adresse l'armateur précédents)	Country and number of registration of legal entity/Pays et numéro d'enregistrement de l'entité légale	Call sign (previous call signs) Indicatif d'appel (précédents)	Lloyds-IMO number/ Numéro Lloyds-IMO	Recent photographs of the vessel/ Photos récentes du navire	Length Overall (LOA) of the vessel(m)/ Longueur hors-tout du navire(m)	Date first included in IOTC IUU List/ Date de première inscription sur la Liste INN de la CTOI	Summary of IUU activities/ Résumé des activités INN	Reference of supporting document and information/ Références aux documents et informations en appui	Summary of action taken/ Résumé des actions ayant été prises	Source organisation/ Source l'organisation
152	ZHOU YU 657	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	It was seen at 42 35.5'N, 152 6.7'E on 12 Sep 2016. (Port displayed on the vessel: Zhoushan; Vessel type: Lighted lift net vessel; Tonnage: 600t)/Observé à 42 35.5'N, 152 6.7'E le 12 sept 2016. (Port affiché sur le navire : Zhoushan ; Type de navire : navire utilisant le filet soulevé éclairé ; Tonnage: 600t).	UNK/INC	UNK/INC	SIOFA	
153	ZHOU YU 658	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	It was seen at 40 12.3'N, 148 40.5'E on 29 May 2016 and at 42 46.7'N, 152 41.2'E on 7 Sep 2016. (Port displayed on the vessel: Zhoushan; Vessel type: Lighted lift net vessel; Tonnage: 600t)/Observé à 40 12.3'N, 148 40.5'E le 29 mai 2016 et à 42 46.7'N, 152 41.2'E le 7 sept 2016. (Port affiché sur le navire : Zhoushan ; Type de navire : navire utilisant le filet soulevé éclairé ; Tonnage: 600 t).	UNK/INC	UNK/INC	SIOFA	
154	ZHOU YU 659	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	It was seen in the NPFC area on 2, 4, 13, 17 Jun and 7 Sep 2016. On 4 Jun the vessel name on the right side was hidden by paint. (Port displayed on the vessel: Zhoushan; Vessel type: Lighted lift net vessel; Tonnage: 600t)/Observé dans la zone de la NPFC les 2, 4, 13, 17 juin et le 7 sept 2016. Le 4 juin, le nom du navire sur le côté droit était caché par de la peinture. (Port affiché sur le navire : Zhoushan ; Type de navire : Navire utilisant le filet soulevé éclairé ; Tonnage: 600 t).	UNK/INC	UNK/INC	SIOFA	
155	ZHOU YU 660	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	It was seen in the Japanese EEZ on 10 May 2016 and in NPFC area multiple times from May to Sep 2016. On 10 May the vessel showed Korean flag but changed the Korean to Japanese flag when the Japanese patrol vessel approached. Vessel name changed between 15 May and 12 Sep 2016 (see the photos). The vessel is not permitted in Japan nor registered in NPFC. (Port displayed on the vessel: Basuo-not apparent; Vessel type: Lightedlift net vessel; Tonnage: 600t)/Observé dans la ZEE japonaise le 10 mai 2016 et dans la zone de la NPFC à de nombreuses reprises entre mai et sept 2016. Le 10 mai, le navire affichait le pavillon coréen mais a changé du pavillon coréen au pavillon japonais lorsque le patrouilleur japonais s'est approché. Le nom du navire a changé entre le 15 mai et le 12 septembre 2016 (se reporter aux photos). Le navire n'est pas autorisé au Japon ni enregistré auprès de la NPFC. (Port affiché sur le navire : Basuo-non apparent ; Type de navire: Navire utilisant le filet soulevé éclairé ; Tonnage: 600t).	UNK/INC	UNK/INC	SIOFA	
156	ZHOU YU 661	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	NA/PD	UNK/INC	December/décembre 2019	It was seen in the Japanese EEZ on 10 and 13 May 2016 and in NPFC area on 15, 29 May and 7 Sep 2016. The vessel names on the left and right side changed frequently (see the photos). The vessel showed Japanese flag in May. But the vessel is not permitted in Japan nor registered in NPFC. (Port displayed on the vessel: Shidao; Vessel type: Lighted lift net vessel; Tonnage: 600t)/Observé dans la ZEE japonaise les 10 et 13 mai 2016 et dans la zone de la NPFC les 15 et 29 mai et le 7 sept 2016. Les noms du navire sur le côté gauche et droit ont changé fréquemment (se reporter aux photos). Le navire affichait le pavillon japonais en mai. Toutefois, le navire n'est pas autorisé au Japon ni enregistré auprès de la NPFC. (Port affiché sur le navire : Shidao ; Type de navire : Navire utilisant le filet soulevé éclairé ; Tonnage: 600t).	UNK/INC	UNK/INC	SIOFA	

Note: *: No information on whether the two vessels FU HSIANG FA NO. 21 are the same vessels / Aucune information indiquant si les deux navires FU HSIANG FA NO. 21 sont les mêmes navires.
UNK/INC: UNKNOWN/INCONNU
NA/PD: NOT AVAILABLE/PAS DISPONIBLE

No.	Current name of vessel (previous names) Nom actuel du navire (noms précédents)	Current flag (previous flags)/ Pavillon actuel (pavillons précédents)	Owner / beneficial owners (previous owners) Propriétaire / en équité (précédents)	Owner Address (Previous Owner Address(es)/Adresse du propriétaire (Adresse propriétaires précédent(s))	Operator (previous operators)/ Armateur (précédents)	Operator Address (Previous Operator Address(es)/Adresse l'armateur (Adresse l'armateur précédents)	Country and number of registration of legal entity/Pays et numéro d'enregistrement de l'entité légale	Call sign (previous call signs) Indicatif d'appel (précédents)	Lloyds-IMO number/ Numéro Lloyds-IMO	Recent photographs of the vessel/ Photos récentes du navire	Length Overall (LOA) of the vessel (m)/ Longueur hors-tout du navire (m)	Date first included in IOTC IUU List/ Date de première inscription sur la Liste INN de la CTOI	Summary of alleged IUU activities/ Résumé des activités présumées INN	Reference of supporting document and information/ Références aux documents et informations en appui	Summary of actions taken/ Résumé des actions ayant été prises	Source organisation/ Source l'organisation
1	LAKNADHEE/IMULA 0641 KLT	Sri Lanka	M.L.R. Fernando	Chamara Uyana, Ambepitiya, Beruwala	UNK/INC	UNK/INC	Not applicable/Pas applicable	4SF2530	UNK/INC	Yes - IOTC Circular 2020-34/Oui - Circulaire CTOI 2020-34	13.4	Not applicable/Pas applicable	Fishing without a licence in UK "BIOT" water. Fishing using prohibited gear, including wire trace. There was a total catch of 356 sharks, 3-5 tonnes (spp unknown) and small amount of tuna/tuna like species (spp and amount unknown). / Pêche sans licence dans les eaux du TBOI. Pêche à l'aide d'un engin interdit, y compris des bas de ligne acier. Il y avait une capture totale de 356 requins, 3-5 tonnes (espèces inconnues) et de petites quantités de thons/espèces apparentées (espèces et quantités inconnues).	Yes - IOTC Circular 2020-34/Oui - Circulaire CTOI 2020-34	The vessel owner was prosecuted for IUU fishing within the waters of UK "BIOT" without a licence, he pleaded guilty and was sentenced with a conditional discharge for 3 years. Sri Lanka has prosecuted the vessel owner and imposed an administrative penalty of SLR400,000. / Le propriétaire du navire a été traduit en justice pour s'être livré à la pêche INN dans les eaux du Territoire britannique de l'Océan Indien sans disposer de licence. Il a plaidé coupable et a été libéré sous caution avec une validité de 3 ans. Le Sri Lanka a poursuivi le propriétaire du navire et lui a imposé une sanction administrative de 400 000 SLR.	IOTC/CTOI
2	CHATHURANGA 02/IMULA0541 KLT	Sri Lanka	B.D.S.F.A. Wikramasuriya	1/162, Marakkalawaththa, Beruwala	UNK/INC	UNK/INC	UNK/INC	4SF3788	UNK/INC	Yes - IOTC Circular 2020-34/Oui - Circulaire CTOI 2020-34	13.8	Not applicable/Pas applicable	Fishing without a licence in UK "BIOT" waters. Lacking gear markings and logbook. / Pêche sans licence dans les eaux du TBOI. Absence de marquage des engins et de carnet de pêche.	Yes - IOTC Circular 2020-34/Oui - Circulaire CTOI 2020-34	The Owner was fined and the court ordered that all fishing gear be forfeited, in accordance with UK "BIOT" law. Sri Lanka has suspended the fishing operation licence. Court proceedings were initiated against the owner but did not occur due to delays ascribed to Coronavirus. / Le propriétaire a été condamné et le tribunal a ordonné la saisie de tous les engins de pêche conformément à la législation du TBOI. Le Sri Lanka a suspendu la licence de pêche. Des poursuites judiciaires ont été engagées à l'encontre du propriétaire mais n'a pas eu lieu en raison de retards imputables au Coronavirus	IOTC/CTOI
3	Nisansala 01/IMULA 0096 KLT	Sri Lanka	K.T.R.Y.M. Fernando	11/1, Parana Kade, Beruwala	UNK/INC	UNK/INC	UNK/INC	4SF4015	UNK/INC	Yes - IOTC Circular 2020-34/Oui - Circulaire CTOI 2020-34	13.5	Not applicable/Pas applicable	Fishing without a licence in UK "BIOT" waters. Lack of gear markings. No entry in logbook since departure. Vessel not on the IOTC authorised vessel fishing list (15/04 para 1). Configured to use large scale driftnets (>2.5km) (17/07 para 4). / Pêche sans licence dans les eaux du TBOI. Absence de marquage des engins. Pas d'enregistrement dans le carnet de pêche depuis son départ. Navire ne figurant pas dans la Liste des navires de pêche autorisés de la CTOI (15/04, paragraphe 1). Configuré pour utiliser de grands filets dérivants (>2,5 km) (17/07, paragraphe 4).	Yes - IOTC Circular 2020-34/Oui - Circulaire CTOI 2020-34	The Master was fined and the court ordered that all fishing gear be forfeited, in accordance with UK "BIOT" law. The Owner was tried and he pleaded guilty, but the Penalty Board has not yet met to decide on the level of the penalty. / Le capitaine a été condamné à une amende et le tribunal a ordonné l'élimination de la capture et la saisie de l'engin de pêche conformément à la législation du TBOI. Le propriétaire a été jugé et a plaidé coupable, mais le Conseil des sanctions ne s'est pas encore réuni pour décider du niveau de la sanction	IOTC/CTOI

No.	Current name of vessel (previous names) Nom actuel du navire (noms précédents)	Current flag (previous flags)/ Pavillon actuel (pavillons précédents)	Owner / beneficial owners (previous owners) Propriétaire / en équité (précédents)	Owner Address (Previous Address(es)/Adresse du propriétaire (Adresse propriétaires précédent/s)	Operator (previous operators)/ Armateur (précédents)	Operator Address (Previous Operator Address(es)/Adresse l'armateur (Adresse l'armateur précédents)	Country and number of registration of legal entity/Pays et numéro d'enregistrement de l'entité légale	Call sign (previous call signs) Indicatif d'appel (précédents)	Lloyds-IMO number/ Numéro Lloyds-IMO	Recent photographs of the vessel/ Photos récentes du navire	Length Overall (LOA) of the vessel (m)/ Longueur hors-tout du navire (m)	Date first included in IOTC IUU List/ Date de première inscription sur la Liste INN de la CTOI	Summary of alleged IUU activities/ Résumé des activités présumées INN	Reference of supporting document and information/ Références aux documents et informations en appui	Summary of actions taken/ Résumé des actions ayant été prises	Source organisation/ Source l'organisation
4	IMULA0811 GLE	Sri Lanka	D.T. Priyankara	No. 262/2, Richmand Kanda Road, Galle	UNK/INC	UNK/INC	UNK/INC	4SF4926	UNK/INC	Yes - IOTC Circular 2020-34/Oui - Circulaire CTOI 2020-34	UNK/INC	Not applicable/Pas applicable The vessel was not on the current IOTC Record of Authorised Vessels. Fishing gear not stowed and readily available for fishing. The fishing vessel had a drift net on deck on the starboard side and could have easily have been cast. / Le navire ne figurait pas dans le Registre des navires autorisés actuel de la CTOI. Engin de pêche non rangé et prêt à être utilisé pour la pêche. Le navire de pêche avait un filet dérivant sur le pont, côté tribord, qui pourrait avoir été facilement mouillé.	Yes - IOTC Circular 2020-34/Oui - Circulaire CTOI 2020-34	Due to the current situation with Coronavirus the vessel was not boarded and Sri Lanka was requested to investigate the vessel. Sri Lanka has detained the vessel in port, suspended the fishing operation licence, skipper licence and seized the registration and log books. A trial was held on 15 July 2020, the outcome is not yet reported. / En raison de la situation actuelle liée au Coronavirus, le navire n'a pas été arraisonné et il a été demandé au Sri Lanka de procéder à une enquête sur ce navire. Le Sri Lanka a immobilisé le navire au port, suspendu la licence d'opérations de pêche, la licence du capitaine et saisi les documents d'immatriculation et les carnets de pêche. Un procès a eu lieu le 15 juillet 2020, dont l'issue n'a pas encore été communiquée.	IOTC/CTOI	
5	MANGALA/IMULA0195 TCO	Sri Lanka	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	UNK/INC	Yes - IOTC Circular 2020-34/Oui - Circulaire CTOI 2020-34	UNK/INC	Not applicable/Pas applicable Fishing without a license, Fishing gear not stowed and readily available for fishing. Fishing gear not marked with name or call sign. Not authorised to fish in IOTC area. / Pêche sans licence, engin de pêche non rangé et prêt à être utilisé pour la pêche. Engin de pêche non marqué avec le nom ou l'indicatif d'appel. Pas autorisé à pêcher dans la zone CTOI.	Yes - IOTC Circular 2020-34/Oui - Circulaire CTOI 2020-34	Due to the current situation with Coronavirus the vessel was not boarded and Sri Lanka was requested to investigate the vessel. At the time of writing Sri Lanka has taken no action against the owner or skipper and we are not aware of the status of the vessel. / En raison de la situation actuelle liée au Coronavirus, le navire n'a pas été arraisonné et il a été demandé au Sri Lanka de procéder à une enquête sur ce navire. À la date du présent courrier, le Sri Lanka n'a pas pris de mesures à l'encontre du propriétaire ou du capitaine et n'était pas au fait de la situation du navire.	IOTC/CTOI	

Annex 3 - Checklists

CHECKLIST TO BE COMPLETED BY THE SECRETARIAT FOR VESSELS TO BE INCLUDED ON THE DRAFT AND PROVISIONAL IUU LISTS

Vessel Name: IMULA 0641 KLT (LAKNA DHEE)

Action	Responsibility	Paragraph	Provided on time (Y/N)	Aide Memoire	Mark which applies	Comments
For the Draft IUU Vessel List						
IOTC Reporting form (Annex I) submitted at least 70 days before the Compliance Committee meeting with documented information	Nominating CPC	5,6,7,8	Y	If No, do not include on the Provisional IUU list (Para 17)	✓	Received 21/07/2020
At least 15 days before the Compliance Committee Meeting, Flag State has provided information that it has notified the Owners and Masters of a vessel of its inclusion on the Draft IUU Vessel List and the consequences thereof	Flag CPC	9,10	Y		✓	Received 21/07/2020
At least 15 days before the Compliance Committee Meeting, Flag State has provided information consistent with Paragraph 10	Flag CPC	10	Y		✓	Received 16/09/2020
Additional information has been submitted, relevant to IUU listing	Nominating CPC or flag CPC	12	Y		✓	Received 21/07/2020 & 16/09/2020
For Inclusion on the Provisional IUU Vessel List (note that Secretariat will indicate if information has been provided, but will make no judgement as to its adequacy, which will be the responsibility of the Compliance Committee)						

Action	Responsibility	Paragraph	Provided on time (Y/N)	Aide Memoire	Mark which applies	Comments
Has the flag State of a vessel included in the Draft IUU Vessel List provided information that demonstrates that the vessel has at all relevant times complied with the rules of the flag State and with its authorisation to fish and:	Flag CPC	14c		Aide Memoire to CoC: Only where para14c or 14 d are satisfied, do not include on Provisional IUU list.		
(a) that the vessel has conducted fishing activities in a manner consistent with the IOTC Agreement and Conservation and Management Measures	Flag CPC	14c				
(b) that the vessel has conducted fishing activities within the waters under the jurisdiction of a coastal State in a manner consistent with the laws and regulations of that coastal State; or	Flag CPC	14c				
(c) that the vessel has fished exclusively for species that are not covered by the IOTC Agreement or IOTC Conservation and Management Measures	Flag CPC	14c				
Has the flag State provided information that demonstrates that effective action has been taken in response to IUU fishing activities (the CoC will decide if they are of adequate severity)	Flag CPC	14d				
Has the flag State provided information to show that it has taken any actions in accordance with 07/01	Flag CPC	14d				

CHECKLIST TO BE COMPLETED BY THE SECRETARIAT FOR VESSELS TO BE INCLUDED ON THE DRAFT AND PROVISIONAL IUU LISTS

Vessel Name: IMULA 0541 KLT (CHATHURANGA 02)

Action	Responsibility	Paragraph	Provided on time (Y/N)	Aide Memoire	Mark which applies	Comments
For the Draft IUU Vessel List						
IOTC Reporting form (Annex I) submitted at least 70 days before the Compliance Committee meeting with documented information	Nominating CPC	5,6,7,8	Y	If No, do not include on the Provisional IUU list (Para 17)	✓	Received 21/07/2020
At least 15 days before the Compliance Committee Meeting, Flag State has provided information that it has notified the Owners and Masters of a vessel of its inclusion on the Draft IUU Vessel List and the consequences thereof	Flag CPC	9,10	Y		✓	Received 21/07/2020
At least 15 days before the Compliance Committee Meeting, Flag State has provided information consistent with Paragraph 10	Flag CPC	10	Y		✓	Received 16/09/2020
Additional information has been submitted, relevant to IUU listing	Nominating CPC or flag CPC	12	Y		✓	Received 21/07/2020 & 16/09/2020
For Inclusion on the Provisional IUU Vessel List (note that Secretariat will indicate if information has been provided, but will make no judgement as to its adequacy, which will be the responsibility of the Compliance Committee)						

Action	Responsibility	Paragraph	Provided on time (Y/N)	Aide Memoire	Mark which applies	Comments
Has the flag State of a vessel included in the Draft IUU Vessel List provided information that demonstrates that the vessel has at all relevant times complied with the rules of the flag State and with its authorisation to fish and:	Flag CPC	14c		Aide Memoire to CoC: Only where para14c or 14 d are satisfied, do not include on Provisional IUU list.		
(a) that the vessel has conducted fishing activities in a manner consistent with the IOTC Agreement and Conservation and Management Measures	Flag CPC	14c				
(b) that the vessel has conducted fishing activities within the waters under the jurisdiction of a coastal State in a manner consistent with the laws and regulations of that coastal State; or	Flag CPC	14c				
(c) that the vessel has fished exclusively for species that are not covered by the IOTC Agreement or IOTC Conservation and Management Measures	Flag CPC	14c				
Has the flag State provided information that demonstrates that effective action has been taken in response to IUU fishing activities (the CoC will decide if they are of adequate severity)	Flag CPC	14d				
Has the flag State provided information to show that it has taken any actions in accordance with 07/01	Flag CPC	14d				

CHECKLIST TO BE COMPLETED BY THE SECRETARIAT FOR VESSELS TO BE INCLUDED ON THE DRAFT AND PROVISIONAL IUU LISTS

Vessel Name: IMULA 0096 KLT (NISANSALA 01)

Action	Responsibility	Paragraph	Provided on time (Y/N)	Aide Memoire	Mark which applies	Comments
For the Draft IUU Vessel List						
IOTC Reporting form (Annex I) submitted at least 70 days before the Compliance Committee meeting with documented information	Nominating CPC	5,6,7,8	Y	If No, do not include on the Provisional IUU list (Para 17)	✓	Received 21/07/2020
At least 15 days before the Compliance Committee Meeting, Flag State has provided information that it has notified the Owners and Masters of a vessel of its inclusion on the Draft IUU Vessel List and the consequences thereof	Flag CPC	9,10	Y		✓	Received 21/07/2020
At least 15 days before the Compliance Committee Meeting, Flag State has provided information consistent with Paragraph 10	Flag CPC	10	Y		✓	Received 16/09/2020
Additional information has been submitted, relevant to IUU listing	Nominating CPC or flag CPC	12	Y		✓	Received 21/07/2020 & 16/09/2020
For Inclusion on the Provisional IUU Vessel List (note that Secretariat will indicate if information has been provided, but will make no judgement as to its adequacy, which will be the responsibility of the Compliance Committee)						

Action	Responsibility	Paragraph	Provided on time (Y/N)	Aide Memoire	Mark which applies	Comments
Has the flag State of a vessel included in the Draft IUU Vessel List provided information that demonstrates that the vessel has at all relevant times complied with the rules of the flag State and with its authorisation to fish and:	Flag CPC	14c		Aide Memoire to CoC: Only where para14c or 14 d are satisfied, do not include on Provisional IUU list.		
(a) that the vessel has conducted fishing activities in a manner consistent with the IOTC Agreement and Conservation and Management Measures	Flag CPC	14c				
(b) that the vessel has conducted fishing activities within the waters under the jurisdiction of a coastal State in a manner consistent with the laws and regulations of that coastal State; or	Flag CPC	14c				
(c) that the vessel has fished exclusively for species that are not covered by the IOTC Agreement or IOTC Conservation and Management Measures	Flag CPC	14c				
Has the flag State provided information that demonstrates that effective action has been taken in response to IUU fishing activities (the CoC will decide if they are of adequate severity)	Flag CPC	14d				
Has the flag State provided information to show that it has taken any actions in accordance with 07/01	Flag CPC	14d				

CHECKLIST TO BE COMPLETED BY THE SECRETARIAT FOR VESSELS TO BE INCLUDED ON THE DRAFT AND PROVISIONAL IUU LISTS

Vessel Name: IMULA 0811 GLE

Action	Responsibility	Paragraph	Provided on time (Y/N)	Aide Memoire	Mark which applies	Comments
For the Draft IUU Vessel List						
IOTC Reporting form (Annex I) submitted at least 70 days before the Compliance Committee meeting with documented information	Nominating CPC	5,6,7,8	Y	If No, do not include on the Provisional IUU list (Para 17)	✓	Received 21/07/2020
At least 15 days before the Compliance Committee Meeting, Flag State has provided information that it has notified the Owners and Masters of a vessel of its inclusion on the Draft IUU Vessel List and the consequences thereof	Flag CPC	9,10	Y		✓	Received 21/07/2020
At least 15 days before the Compliance Committee Meeting, Flag State has provided information consistent with Paragraph 10	Flag CPC	10	Y		✓	Received 16/09/2020
Additional information has been submitted, relevant to IUU listing	Nominating CPC or flag CPC	12	Y		✓	Received 21/07/2020 & 16/09/2020
For Inclusion on the Provisional IUU Vessel List (note that Secretariat will indicate if information has been provided, but will make no judgement as to its adequacy, which will be the responsibility of the Compliance Committee)						

Action	Responsibility	Paragraph	Provided on time (Y/N)	Aide Memoire	Mark which applies	Comments
Has the flag State of a vessel included in the Draft IUU Vessel List provided information that demonstrates that the vessel has at all relevant times complied with the rules of the flag State and with its authorisation to fish and:	Flag CPC	14c		Aide Memoire to CoC: Only where para14c or 14 d are satisfied, do not include on Provisional IUU list.		
(a) that the vessel has conducted fishing activities in a manner consistent with the IOTC Agreement and Conservation and Management Measures	Flag CPC	14c				
(b) that the vessel has conducted fishing activities within the waters under the jurisdiction of a coastal State in a manner consistent with the laws and regulations of that coastal State; or	Flag CPC	14c				
(c) that the vessel has fished exclusively for species that are not covered by the IOTC Agreement or IOTC Conservation and Management Measures	Flag CPC	14c				
Has the flag State provided information that demonstrates that effective action has been taken in response to IUU fishing activities (the CoC will decide if they are of adequate severity)	Flag CPC	14d				
Has the flag State provided information to show that it has taken any actions in accordance with 07/01	Flag CPC	14d				

CHECKLIST TO BE COMPLETED BY THE SECRETARIAT FOR VESSELS TO BE INCLUDED ON THE DRAFT AND PROVISIONAL IUU LISTS

Vessel Name: IMULA 0195 TCO (MANGALA)

Action	Responsibility	Paragraph	Provided on time (Y/N)	Aide Memoire	Mark which applies	Comments
For the Draft IUU Vessel List						
IOTC Reporting form (Annex I) submitted at least 70 days before the Compliance Committee meeting with documented information	Nominating CPC	5,6,7,8	Y	If No, do not include on the Provisional IUU list (Para 17)	✓	Received 21/07/2020
At least 15 days before the Compliance Committee Meeting, Flag State has provided information that it has notified the Owners and Masters of a vessel of its inclusion on the Draft IUU Vessel List and the consequences thereof	Flag CPC	9,10	Y		✓	Received 21/07/2020
At least 15 days before the Compliance Committee Meeting, Flag State has provided information consistent with Paragraph 10	Flag CPC	10	Y		✓	Received 16/09/2020
Additional information has been submitted, relevant to IUU listing	Nominating CPC or flag CPC	12	Y		✓	Received 21/07/2020 & 16/09/2020
For Inclusion on the Provisional IUU Vessel List (note that Secretariat will indicate if information has been provided, but will make no judgement as to its adequacy, which will be the responsibility of the Compliance Committee)						

Action	Responsibility	Paragraph	Provided on time (Y/N)	Aide Memoire	Mark which applies	Comments
Has the flag State of a vessel included in the Draft IUU Vessel List provided information that demonstrates that the vessel has at all relevant times complied with the rules of the flag State and with its authorisation to fish and:	Flag CPC	14c		Aide Memoire to CoC: Only where para14c or 14 d are satisfied, do not include on Provisional IUU list.		
(a) that the vessel has conducted fishing activities in a manner consistent with the IOTC Agreement and Conservation and Management Measures	Flag CPC	14c				
(b) that the vessel has conducted fishing activities within the waters under the jurisdiction of a coastal State in a manner consistent with the laws and regulations of that coastal State; or	Flag CPC	14c				
(c) that the vessel has fished exclusively for species that are not covered by the IOTC Agreement or IOTC Conservation and Management Measures	Flag CPC	14c				
Has the flag State provided information that demonstrates that effective action has been taken in response to IUU fishing activities (the CoC will decide if they are of adequate severity)	Flag CPC	14d				
Has the flag State provided information to show that it has taken any actions in accordance with 07/01	Flag CPC	14d				

Annex 3 - Information, evidence and responses for the Sri Lankan vessels



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Dr Chris O'Brien
Executive Secretary
Indian Ocean Tuna Commission
Mahe
Seychelles

21 July 2020

cc. Ms Anne-France Mattlet, Chair of the Compliance Committee;
Mr Kumara, and Ms K Hewapathirana, DFAR, Sri Lanka

Dear Dr O'Brien,

Resolution 18/03 On establishing a list of vessels presumed to have carried out IUU fishing in the IOTC Area of Competence: Sri Lankan Flagged Vessel IMULA 0641 KLT (Lak Nadhee)

As required in paragraphs 5 and 6 of Resolution 18/03 please find attached a completed IOTC Reporting form for Illegal Activity and accompanying evidence supporting IUU fishing activity for the Sri Lankan flagged vessel IMULA 0641 KLT (Lak Nadhee). Under the bilateral arrangement established between UKOT and Sri Lanka in order to combat IUU, this vessel was reported to the Sri Lankan Authorities who have taken action against the owner/master under the provisions of national fisheries legislation (FARA 1996/2013).

The attached evidence shows that:

- The vessel was not on the current IOTC Record of Authorised Vessels and had been granted permission by the Sri Lankan Authorities to operate only within the EEZ of Sri Lanka
- No VMS was installed
- The vessel was fishing without a licence in BIOT waters on 27 March 2019
- The vessel was fishing with prohibited gears including wire trace
- The vessel owner was also the skipper/master of the vessel.
- The vessel had tuna and tuna like species on board including several shark species
- The vessel owner was prosecuted for IUU fishing within the waters of the British Indian Ocean Territory without a license, he pleaded guilty and was sentenced with a conditional discharge for 3 years;
- Sri Lanka has prosecuted the vessel owner and imposed an administrative penalty of SLR400,000. The vessel is detained under a SLR3 millions bond.
- At the time of writing the owner has not paid the fine due in Sri Lanka. Due to the economic hardship caused by Coronavirus the owner pleaded for and was granted permission to undertake one fishing trip (presumably without paying a bond) which commenced on 14/07/2020 to enable him to pay the penalty. No details were provided of the conditions under which fishing was permitted (e.g. was it only permitted inside Sri Lanka's EEZ; was VMS installed; was a maximum duration imposed; what reporting requirements were imposed? Etc)

At the time of writing, whilst noting and accepting the circumstances and consequent actions of DFAR caused by Coronavirus, given that the vessel is no longer detained and the owner has not paid his

administrative penalty we consider that Sri Lanka has not provided sufficient information to enable the conclusion that sanctions of adequate severity have been applied in respect of the owner of this vessel.

In order to enable us to review and potentially update our conclusion, by copy of this letter we request that Sri Lanka provides an update to the BIOT Administration and the Compliance Committee in advance of its 2020 meeting providing evidence:

- That the vessel has returned from its one permitted fishing trip, and that the owner has paid the Administrative Penalty in full.
- On the status of the vessel – if released what are the conditions under which it has been released?
- On Sri Lanka's current ad-hoc policy in relation to coronavirus and detained vessels – amongst others, under what circumstances will a vessel be released to fish; how is the requirement for a bond treated; what conditions are imposed on the fishing trip (duration, location, reporting etc); will only one trip be allowed?

We submit this vessel to IOTC Compliance Committee with recommendation c) 'Recommended for inclusion on IOTC IUU list'. We will review this recommendation before the meeting in light of any additional information provided by Sri Lanka pursuant to paragraphs 10 and 12 of Resolution 18/03.

I would be grateful if you could circulate this material for the information and consideration of the Compliance Committee.

Thank you.

Yours sincerely



Dr C.C. Mees

Head of UK(OT) Delegation to IOTC

Enclosed: IOTC Reporting form for Illegal Activity, IMULA 0641 KLT (Lak Nadhee)



IOTC Reporting form for Illegal Activity

Recalling IOTC Resolution 18/03 On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC Area, attached are details of illegal activity recorded by UK(OT) in British Indian Ocean Territory.

A. Details of Vessel

(Please detail the incidents(s) in the format below)

Item	Definition	Indicate
a	Current Name of Vessel (Previous name/s, if any)	Lakna Dhee
b	Current Flag (previous flag/s, if any)	Sri Lanka
c	Date first included on IOTC IUU Vessel List (if applicable)	N/A
d	Lloyds IMO Number, if available	N/A
e	Photo	Yes, See Appendix 1
f	Call Sign (previous call sign, if any)	4SF2530
g	Owner (previous owner/s, if any)	
h	Operator (previous operator/s, if any) and Master/Fishing Master	Master - Meemange Lalith Risantha Fernando
i	Date of alleged IUU fishing activities	27/03/2019 07:10
j	Position of alleged IUU fishing activities	07-11.8S; 072-08.0E
k	Summary of alleged IUU activities (see section B for more detail)	Fishing without a licence in BIOT water. Fishing using prohibited gear, including wire trace. There was a total catch of 356 sharks, 3-5 tonnes (spp unknown) and small amount of tuna/tuna like species (spp and amount unknown).
l	Summary of any Actions known to have been Taken in respect of the alleged IUU fishing activities	The vessel was approached and photographed.
m	Outcome of Actions taken	Following approach, the vessel was requested to follow RN PACS to Diego Garcia.

B. Details of IOTC Resolution Elements Contravened

(Indicate with a "X" the individual elements of IOTC Resolution 17/03 contravened, and provide relevant details including date, location, source of information. Extra information can be provided in an attachment if necessary.)

That a vessel has, within the IOTC Area and in relation to species covered by the IOTC Agreement or by IOTC Conservation and Management Measures:

Item	Definition	Indicate
a	Engaged in fishing or fishing related activities and is neither registered on the IOTC Record of Authorised Vessels in accordance with Resolution 15/04, nor recorded in the Active list of vessels; or	<input checked="" type="checkbox"/>
b	Engaged in fishing or fishing related activities when its flag State is without quota, catch limit, or effort allocation under IOTC Conservation and Management Measures where applicable; or	<input type="checkbox"/>
c	Failed to record or report its catches in accordance with IOTC Conservation and Management Measures or has made false reports; or	<input checked="" type="checkbox"/>
d	Taken or landed undersized fish in contravention of IOTC Conservation and Management Measures; or	<input type="checkbox"/>
e	Engaged in fishing or fishing related activities during closed fishing periods or in closed areas in contravention of IOTC Conservation and Management Measures; or	<input type="checkbox"/>
f	Used prohibited fishing gear in contravention of IOTC Conservation and Management Measures; or	<input type="checkbox"/>
g	Transhipped fish to, or otherwise participated in joint operations with, support or re-supply vessels that are not included on the IOTC Record of Authorised Vessels or not on the Record of Vessels Authorised to receive transhipments at-sea in the IOTC Area or	<input type="checkbox"/>
h	Engaged in fishing or fishing related activities in waters that are under the national jurisdiction of a coastal State without the permission or authorisation of that State or in contravention of the laws and regulations of that State (without prejudice to the sovereign rights of the State concerned to undertake enforcement measures against such a vessel); or	<input checked="" type="checkbox"/>
i	Engaged in fishing or fishing related activities whilst being without nationality; or	<input type="checkbox"/>
j	Engaged in fishing or fishing related activities having intentionally falsified or concealed its markings, identity or registration; or	<input type="checkbox"/>
k	Engaged in fishing or fishing related activities in contravention of any other binding IOTC Conservation and Management Measures;	<input type="checkbox"/>

C. Associated Documents

(List here the associated documents that are appended e.g. boarding reports, court proceedings and photographs)

Appendix I – Photographs.

Appendix II – Inspection Report

Appendix III – Notification of Investigation and Exchanges with DFAR

Appendix IV – Request for Clarification and DFAR Response

D. Recommended Actions

	Recommended Actions	Indicate
a	Notification to IOTC Secretariat only. No further action is recommended.	<input type="checkbox"/>
b	Notification of illegal activity to IOTC Secretariat. Recommend notification of activity to flag State.	<input type="checkbox"/>
c	Recommended for inclusion on IOTC IUU list	<input checked="" type="checkbox"/>

Appendix I – Photographs.



Figure 1: Vessel photo, portside



Figure 2: Vessel name/registration number

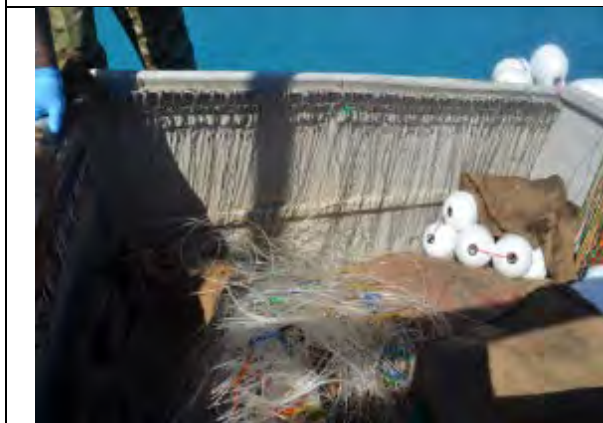


Figure 3: Fishing gear and wire trace.

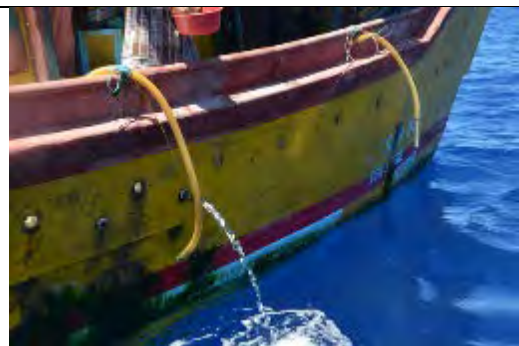


Figure 4: Monofilament line in the water.



Figure 5 tuna and tuna-like species caught.

Appendix II – Inspection Report

Information for MRAG on IMUL A 0641 KLT

1 Summary

Date of boarding	The vessel was not boarded as the FPOs were not on a Patrol vessel. Instead it was required to go back to DG for a full inspection under S 30 of the Fisheries Regulations. 007
Patrol type and number	CAMDA
Vessel name	Lakna Dhee
Vessel type	Multi Day
Vessel flag and home port	Sri Lanka: Beruwala
Vessel identification number	IMUL A 0641 KLT
Vessel identification type	
IOTC# (if registered)	
Vessel Master name	Meemange Lalith Risantha Fernando
SFPO	
FPO / FPOs	XO Renny Bulmer. ROPO 3 Philip Jakes
Outcome of boarding	N/A

2 Initial sighting details (from BPV only)

Date and time of first sighting	27/03/19 0710			
Sighted by	Lookout on USNS Watkins	Radar	Visual	x
Position of target 1	07-11.8S; Long 072-08.0E			
Course				
Speed				
Range				
Bearing				
Comments:	USNS Watkins was estimated to me about a mile form the vessel at the time of the first sighting. The Master of the vessel observed the pulling of fishing gear. He could not identify gear type. He was using Clearvu binoculars 7 x 50. He could not tell if it was long line or net. He could also see several floats trailing from the front of the vessel with a Radar reflector at the end. He said he was aware of such items being used in fishing activity. He saw five people on board the vessel, 4 on the forward part of the boat working the fishing gear, the fifth was in the wheel house of the vessel.			
	The Watkins observed until two RN PACs arrived			
Fisheries Pennant and Sierra Quebec Three Raised	N/A			
Target requested to stop and prepare for boarding.	N/A			
Response to request for boarding	N/A			

3 Launching of workboat

Information for MRAG on IMUL A 0641 KLT

Time workboat launched	N/A
Workboat crew	N/A
Comments on the approach to the FV:	
On board the PACS were two BIOT Fisheries Protection Officers. Executive Officer (XO), Major Bulmer, and BIOT Police Officer, ROPO 3, Philip Jakes.	
On arrival at the location of the fishing boat ROPO 3 checked with the coxswain of the vessel he was on, their position. He was told they were at, 06 degrees 57' 703 South, 072 degrees 19' 154 East, approximately 17 nautical miles of the coast of DG.	
PHOTOGRAPH TO BE PROVIDED.	
ROPO 3 then recorded several photographs whilst the PAC circled the fishing vessel.	
PHOTOGRAPHS TO BE PROVIDED.	
BY 1205, the PAC had approached the fishing vessel.	
XO / FPO Bulmer engaged the Captain of the vessel in conversation.	
The XO asked if the man was the captain of the vessel.	
Had he been fishing in these waters.	
Did he have any catch on board.	
ROPO 3 witnessed the captain gesture that he had been fishing and that he had fish on board.	
He was then instructed by the XO to follow the Royal Naval PACS in his vessel. Which he did.	
It was during this time that ROPO 3 noticed what he has described as a monofilament line going from the port aft side of the vessel, into the water.	
PHOTOGRAPH TO BE PROVIDED.	
ROPO 3 shouted to the captain and asked if the line was fishing. He says the captain of the fishing vessel nodded his head. He was not able to hear any answer as the vessel he was in moved quickly away.	
At 1640, having arrived at the lagoon of Diego Garcia ROPO 3 noticed that the monofilament line which he had seen going into the water on initial contact had either been cut or had snapped off.	
Photographic Evidence Collected (See Annex 1).	Port
As above to be provided issues with transmission of the same.	Starboard
	Stern
	Fishing gear
	Other

4 Boarding details

Date and time vessel boarded	N/A
Position vessel boarded	N/A
Boarding party team	N/A
Language spoken	N/A
Interpreter needed (Y/N)?	Name Nil available

4.1 Crew details

Vessel Master name	Meemange Lalith Risantha Fernando
Vessel Master nationality	Sri Lankan
Vessel Master address	Charnara UYANA, AMBEPITIYA, Beruwala Sri

Information for MRAG on IMUL A 0641 KLT

	Lanka
Vessel Master D.o.B	20/03/70
Number of crew	4
Vessel crew nationality	Sri Lankan
Are any crew under 18 (Y/N), if 'Y' provide details below.	No
Do any crew have health issues (Y/N), if 'Y' provide details below.	None reported
Observations:	
Photographic Evidence Collected (See Annex 1).	Captain ID Other crew id

4.2 Vessel registration and paperwork

Fishing licence present (y/n) and number if relevant	Copy of licence attached
Fishing licence date of issue, expiry and issuing authority	As above
FV owner name (as per licence)	As above
FV owner details (as per licence)	As above
Fishing logbook present (y/n) and number if relevant	✓
Issuing authority	
Date of last entry	2017
Position of last entry	
Other paperwork:	
Photographic Evidence Collected (See Annex 1).	Licence
	Logbook
Documents as copied attached	Other

Information for MRAG on IMUL A 0641 KLT

4.3 Interview with Captain

Time of interview	N/A	(HH:MM)
Captain's rights read and understood?	N/A	
FV Port of departure	Breuwala	
Date of departure	17/02/19	
Travelling to or from fishing grounds?		
Amount of fish onboard (t)		
If fish onboard where caught?		
If fish onboard when caught?		
If fish onboard how caught?		
Destination		
Port of return		
Anticipated date of return		
Comments:		

4.4 Vessel Inspection

Fishing gear type	Wire trace and hooks on the upper decks. Documents indicated that they had 25000m 6'GNLM and 250 Hooks HTL with terms the netting was not to be laid on the rocks or coral reefs.	
Comments:		
Catch onboard (estimated t)	3 to 5 tonnes various sharks	
IOTC species onboard (Y/N)	Yes	No
Description of catch	356 sharks of various species and small amount of tuna and tuna like species, apparently being used for bait.	
Comments:	Photographs to be provided	
Photographic Evidence Collected (See Annex 1)	Gear	
As Above	Catch	
	Hold	

5 List of violations¹

5.1 BIOT ordinance violations

Fishing without a licence	x
Fishing with prohibited fishing gear	x
Possession of prohibited fishing gear	
Obstruction of a fisheries patrol officer	
Possession of sea cucumbers or molluscs	
Traversing or landing on an SNR	

i

Mark with an 'X'

Information for MRAG on IMUL A 0641 KLT

On Thursday 28th March 2019 following the offloading, photographing and recording of the catch etc., an application for its' destruction was made and granted in the BIOT Magistrates Court.

On the **3rd April 2019** the Owner was once more brought before the court and charged as follows:

Charge One

STATEMENT OF OFFENCE

Fishing otherwise than in accordance with a licence, contrary to section 7(2)(a) of the Fisheries (Conservation and Management) Ordinance 2007

PARTICULARS OF OFFENCE

En Lalit Rishante Fernando, on or between the 21st day of February 2019 and the 28th day of March 2019, was the Owner of a fishing boat known as Sri Lankan Fishing Vessel Lakna Dhee IMUL-A-0641 KLT, which was being used for fishing within the fishing waters of the British Indian Ocean Territory otherwise than in accordance with a fishing licence.

Charge Two

STATEMENT OF OFFENCE

Having prohibited fishing gear on a fishing boat, contrary to section 6(2) of the Fisheries (Conservation and Management) Ordinance 2007

PARTICULARS OF OFFENCE

En Lalit Rishante Fernando, on the 27th day of March 2019, was the Owner of Sri Lankan Fishing Vessel Lakna Dhee IMUL-A-0641 KLT on which there was found, within the fishing waters of the British Indian Ocean Territory, prohibited fishing gear, namely wire mesh line.

Both Charges were put to the Owner and he admitted them. Accordingly verdicts of guilty were recorded against him for each offence.

Sentence: The Owner received a three year conditional discharge.

Ancillary Court Orders: The Court ordered that all gear from the vessel be forfeited.

There was no order as to costs.

The Principle Immigration Officer has directed that the Owner / Master and all crew be served with removal orders.

This document has been completed with reference to prosecution material and evidence gathered during the course of the investigation into this case and its subsequent prosecution.

BIOT Principle Legal Adviser
Denise Bradshaw 4th April 2019.

Information for MRAG on IMUL A 0641 KLT

5.2 IOTC CMM violations

Vessel not marked with name or callsign	
Fishing gear not marked with name or callsign	
No VMS (if relevant i.e., >15m)	
VMS not tamperproof (if relevant i.e., >15m)	
No state issued logbook (if relevant i.e., >24m)	
No state issued licence	
Possession of drift net over 2.5km.	
Not on the IOTC authorised list	
Not on the IOTC Record Active Tuna / Swordfish	
No turtle de hooker on board	
Comments	

6 SFPO actions2

Vessel and Master detained and escorted to DG	
FPN issued and catch and gear seized	
IOTC Reporting Form to be completed (Res: 11/03)	
Master given verbal warning and released	
No further action, vessel released	
Comments (when detained / escorted)	

7 Disembarkation and recovery

Time FV disembarked	(HH:MM)
Time Workboat recovered to the BPV	(HH:MM)
Comments	

8 Vessel records and history

Vessel on IOTC register (Y/N)	N	IOTC number	
Vessel on IOTC Record Active Tuna / Swordfish (Y/N)			
Version of IOTC database referenced:			
Vessel previously boarded (Y/N)		Inspection report ID	
Master previously boarded (Y/N)		Inspection report ID	
Owner previously boarded (Y/N)		Inspection report ID	
Crew previously boarded (Y/N)		Inspection report ID	
Comments:			

Information for MRAG on IMUL A 0641 KLT

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BIOT Fisheries Protection Officer

Annex 1: Photograph / Video Log

Stage of Boarding / Inspection	Type of Photograph	Still Video	Filename(s)
Prior to Boarding	Port	X	
	Starboard	X	
	Stern	X	
	Fishing gear	X	
	Other	X	
Crew identification	ID photographs	X	
	Captain photos	X	
	Crew photos	X	
Vessel Documentation	Licence	X	
	Logbook	X	
	Other	X	
Vessel Inspection	Gear	X	
	Catch	X	
	Hold	X	

Appendix III – Notification of Investigation and Exchanges with DFAR



18 Queen Street
London
W1J 5PN
United Kingdom

Tel: (+44) 020 7255 7755
Fax: (+44) 020 7499 5388
E-Mail: enquiry@mrags.co.uk
Internet: www.mrag.co.uk

Geethamali Chandrasiri
Assistant Director
Department of Fisheries and Natural Resources
No. 10 New Secretariat
Maligawatta, Colombo 10

27 March 2019

E-Mail: Geethamali Chandrasiri ip@fisheriesdept.gov.lk

Cc: Director General dodfar@gmail.com;
Janak Pushpakumara kumara84janaka@gmail.com;
Nuwan Gunawardana nuwan54@gmail.com;
Kalyani Hewapathirana hewakal2012@gmail.com

Dear Dr Chandrasiri,

Request for Confirmation of Ownership of the Sri Lankan vessel IMUL-A-0641-KLT

The Sri Lankan flagged vessel LAKNA DHEE IMUL-A-0641-KLT, (IOTC14850 (current authorisation expired 31/12/2017)) is currently the subject of a criminal investigation into suspected fishing activities. In order to complete the investigation, the BIOT Administration needs to be clear as to the accurate details of the registered owner before a final decision on any course of action can be taken. At this stage our investigations into the possible activities of this vessel are preliminary, no finding has been made by the Administration of any such activity.

According to the best information available to the Administration the owner's name and address are as follows;

Source	Owner Name / Address
IOTC Record of Active Vessels	MLR FERNANDO CHAMARA UYANA / AMBEPITIYA/ BERUWALA.

Please can you confirm the ownership details for the vessel? We would be grateful for a formal signed response with a DFAR letterhead, which can be scanned and sent by email as soon as possible.

It has not been confirmed if there is an operational VMS unit onboard. If possible, please could you supply any VMS records for the recent trip that could provide information in relation to the vessel's movements. The vessel will arrive in Diego Garcia today and therefore we would be grateful for an early indication of whether you plan to request that Sri Lankan authorities deal with the vessel if it is confirmed that it is in violation of the fisheries regulations of Sri Lanka.

Thank you for your cooperation.

Yours sincerely

Linsey Billing
BIOT Administrator

Dr Christopher Mees
Head of UK Delegation to IOTC

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P. O. Box

දුරකථන | 446183
දුරකථන | (3 lines)
Telephone

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සාමාන්‍ය මාරුවේ දුරකථන අංකය | 472187
Office of Director General



දුරකථන | 449170
දුරකථන | අංකය | 449170
Fax No

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Your No.

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கடற்செழிவு, நீரியல் வளத்துறை திணைக்களம்

DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

Email : depfish@diamond.lanka.net
Web : www.fisheriesdept.org

Mr. John Pearce
Principal Consultant, MRAG Ltd
18 Queen Street
London, W1J 5PN
United Kingdom

Dear Mr. Pearce

Confirmation of ownership details of the Vessel "Lakna Dhoo" (IMUL-A-0641-KLT)

This is in reference to your E-mail 27th March 2019 requesting confirmation of the ownership details of the Vessel "Lakna Dhoo" (IMUL-A-0641-KLT).


We confirm the owner of the above vessel is as follows.

Owner Name/address	Sources
FERNANDO M.L.R. (National ID No. 701413148V)	DFAR Vessel Registry, DFAR operation license registry (within EEZ) - Copy of the vessel registration attached.
"CHAMARA UYANA", AMBEPITIYA, BERUWALA.	

The owner has been granted permission to operate only within EEZ of Sri Lanka.

Your continuous support on this regard is highly appreciate

Thank you
Yours sincerely


Kalyani Hewapathirana
Director (Operation)
For Director General

Kalyani Hewapathirana
Director (Fishing Operations) duty cover up
Department of Fisheries & Aquatic Resources
For Director General

අංකය | 27/03/2019
දිනය | Date

නව මහලේ කාර්යාලය, මාලිගාවත, කොළඹ 10
New Secretariat, Maligawatta, Colombo 10.

Vessel Registration Certificate

Boat Registration No **IMUL-A-0142PTM**
Certificate Serial No **46629**
Date of First Registration **07-Sep-11**
Vessel Material **FRP**
Year of Manufacture **2011**
Length **40.5 Feet**
Engine No **6D14-795468** Engine Type **Mitsubishi**
Horse Power **115**
Boat Yard **SEELANI BOAT YARD** Boat Yard No. **SLB 533**

Owner Details

Name	Address	National ID	Effective Date
THENABADU T	PELAWATTA, LIGHT HOUSE ROAD, -, DEVINUWARA	681830570V	07-Mar-18

Insurance No **33758** Insurance Date **19-Dec-17**

1. Port Name **Puranawella**
2. Port Name **Not available**

Date _____ For Director General
Department of Fisheries and Aquatic Resources


Registration Certificate recieved

Signature of Applicant

Management Division - Vessel Registry Unit
Thursday, July 12, 2018

Boat Departure Form

FM/BD

VMS Active Card VMS ഇക്റ്റീവ് കാർഡ്			
 Department of Fisheries & Aquatic Resources മത്സ്യവും ജലസേചനവും മുൻവകുപ്പ്		1. Rept. No. രപ്പോർട്ട് നമ്പർ	District Code/Division/Zone/SS. No.
2. Boat Registration No. കാലു രജിസ്ട്രേഷൻ നമ്പർ		KUALA A. 0641 KLT	
3. Departure Port/Sea/Port വിട്ടപ്പുറം/കടലിടം/പുറം		Departure Date/Port/Port വിട്ടപ്പുറം തീയതി/പുറം	
4. Area of Fishing Operation മത്സ്യം ചെയ്യാൻ തയ്യാറായ പ്രദേശം	EEZ ജി.ജി.ജി.	High Sea ഹൈ സീ	EEZ & High Sea ജി.ജി.ജി. & ഹൈ സീ
5. Name of the Skipper/Chief/Chief അധ്യക്ഷൻ/മുൻപറ്റിപ്പാലം/മുൻപറ്റിപ്പാലം			
Address വിലാസം			
SKL No. മത്സ്യം ചെയ്യാൻ തയ്യാറായ നമ്പർ			
National Identity Card No. ദേശീയ തിരിച്ചറിയൽ കാർഡ് നമ്പർ			
Telephone No. ടെലിഫോൺ നമ്പർ			
6. Details of Crew Members അതിരുകൾ കീഴിലുള്ള വിവരങ്ങൾ			
Name അംഗം		National Identity Card No. ദേശീയ തിരിച്ചറിയൽ കാർഡ് നമ്പർ	
i			
ii			
iii			
iv			
v			
vi			
vii			

7. Information of fishing gear മത്സ്യം ചെയ്യാൻ തയ്യാറായ കലണ്ടർ			
7.1. Long Line തുറന്നിടൽ			
Length of long line/മുൻപറ്റിപ്പാലം നീളം (മീ.)			
Length of fishing line/മത്സ്യം ചെയ്യാൻ തയ്യാറായ നീളം (മീ.)			
Length of branch line/ശാഖകൾ തയ്യാറായ നീളം (മീ.)			
No. of Hooks & Type/മുൻപറ്റിപ്പാലം തയ്യാറായ നമ്പർ & തരം			
7.2. Gill Net തുറന്നിടൽ			
Mesh size (In.) മുൻപറ്റിപ്പാലം തയ്യാറായ നമ്പർ			
Length of net (No. of Mesh) മുൻപറ്റിപ്പാലം നീളം (മുൻപറ്റിപ്പാലം)			
Height of the Net (No. of Mesh) മുൻപറ്റിപ്പാലം ഉയരം (മുൻപറ്റിപ്പാലം)			
Number of Net Pieces മുൻപറ്റിപ്പാലം			
7.3. Other Net മറ്റ് തയ്യാറായ കലണ്ടർ			

Boat Departure Form

FM/BD

For office use only කාර්යාලයේ පමණක් භාවිතය සඳහා පමණි

8. Check list for fishing boat departure ධීවර කර්මාන්තය සඳහා පිටත්වීමේ දී පිරික්සිය යුතු කරුණු

Vessel Registration book සඳහා ලියාපදිංචි කර ඇති බවට තීරණය කළ බවට	Yes ඔව්	No නැත	V.R.N. No. අංකය අංකය
Local Operation License දිගු කාලීන දැඩිමසේ ලබාදුන් බවට තීරණය කළ බවට	Yes ඔව්	No නැත	L.O.L. No. සංඛ්‍යා අංකය
High Sea Operation License ගොඩනැගීමේ දිනපතකදී ලබාදුන් බවට තීරණය කළ බවට	Yes ඔව්	No නැත	H.O.L. No. සංඛ්‍යා අංකය
Fishing Log book ධීවර කලාප පොත	Yes ඔව්	No නැත	LB No. අංකය අංකය
Radio Call Sign ග්. ඩී. අං. සංඛ්‍යා සංඛ්‍යා සංඛ්‍යා	Yes ඔව්	No නැත	Call sign සංඛ්‍යා අංකය
VMS සඳහා පිරික්සිය යුතු කරුණු	Yes ඔව්	No නැත	
Life jackets සියලුම සිටීමේ තත්වයේ පවතින බවට තීරණය කළ බවට	Yes ඔව්	No නැත	
Gear Marking පැහැය සලකුණු සිටීම	Yes ඔව්	No නැත	
Prohibited fishing gear on board කැපවී පැවැත්ම	Yes ඔව්	No නැත	
Fire extinguishers පිටි කිරීමේ උපකරණ	Yes ඔව්	No නැත	
Lure cutter & Dehookers මුහුණු කිරීමේ උපකරණ	Yes ඔව්	No නැත	
Boat Insurance සේවාව ලබා ගත් බවට තීරණය කළ බවට	Yes ඔව්	No නැත	

89053.

9. Declaration of the Boat Owner යාත්‍රා නිවැරදිව ප්‍රකාශය

I declare that above information is true and correct මා සඳහන් තොරතුරු සත්‍ය බව ප්‍රකාශ කරමි.

Name of the boat owner යාත්‍රා නිවැරදිව පව	Signature of Owner යාත්‍රා නිවැරදිව පව	Date දිනය
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10. Certification of the Fisheries Officer යාත්‍රා නිවැරදිව පිරික්සිය යුතු කරුණු ලබා දුන් තොරතුරු නිවැරදි බවට තීරණය කළ බවට ප්‍රකාශ කළ බවට

Name and the Designation of the Fisheries Officer ධීවර නිලධාරී නම සහ තනතුර	Signature and the Rubber Stamp of the Fisheries Officer ධීවර නිලධාරී අත්සන සහ මිදුම්	Date දිනය
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11. Certification of the Fishery Harbour Officer / ධීවර පිටිය නිලධාරී සහතිකය

Name of the Fisheries Harbour Officer ධීවර පිටිය නිලධාරී නම	Signature and the Rubber Stamp of the Officer නිලධාරී අත්සන සහ මිදුම්	Date දිනය
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12. Certification of the Navy/Coastguard Officer

Name of the Officer නිලධාරී නම	Signature and the Rubber Stamp of the Officer නිලධාරී අත්සන සහ මිදුම්	Date දිනය
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Ginigie Prasanna Janaka Kumara
Director General
Department of Fisheries and Natural Resources
No. 10 New Secretariat
Maligawatta, Colombo 10

12 April 2019

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Janak Pushpakumara kumara84janaka@gmail.com
Nuwan Gunawardana nuwan54@gmail.com
Kalyani Hewapathirana hewakal2012@gmail.com

Dear Mr. Ginige Prasanna Janaka Kumara,

Release of the Sri Lankan vessel IMUL-A-0641-KLT.

Thank you for your letter dated 29 March 2019 confirming the ownership and licensing details of the above referenced vessel.

The vessel was first sighted with fishing gear in the water on the 27 March 2019 and was subsequently detained on suspicion of being involved in illegal fishing activity and escorted to Diego Garcia for further investigation. Upon arrival at Diego Garcia it was found to have 356 sharks of various species (including vulnerable species as classified on the IUCN red list) and small amounts of tuna and tuna-like species on board. It was also in possession of wire trace, illegal fishing gear, according to BIOT law. Please see the attached report, (which the BIOT Principal Legal Adviser has completed from the evidence gathered during the police investigation) for details.

On 28 March an application was made to the Magistrate to destroy the catch. Having heard from the BIOT Police and the Owner, who was also the Master of the vessel, the Magistrate ordered the destruction of the catch.

A further court hearing was held in Diego Garcia on 3 April. The Owner of the vessel pleaded guilty to charges of illegal fishing and being in possession of illegal gear. The Owner was sentenced with a conditional discharge for three years and the court ordered that all fishing gear be forfeited, in accordance with BIOT law.

The vessel was released and escorted from Diego Garcia on 4 April 2019, it is expected to be back in Sri Lanka on 16 April 2019.

We would like to request that, DFAR take such action as they can against the owner / Master/ of this vessel so as to discourage him and others from entering BIOT waters and engaging in illegal fishing activity. We would be grateful to be kept informed of any action to be taken by the Authorities in Sri Lanka.

We would like to thank Sri Lanka as flag State for the continued bilateral assistance in combatting the threat of IUU fishing in the Indian Ocean.

If you have any questions or require assistance please do not hesitate to contact myself (c.mees@mrags.co.uk) or James Moir Clark (j.clark@mrags.co.uk). We look forward to your continued cooperation.



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Please contact the BIOT Principal Legal Adviser, Denise Bradshaw to request information and evidence relating to the BIOT Police investigation.

If you have any questions or require assistance please do not hesitate to contact myself (c.mees@mrags.co.uk) or John Pearce (j.pearce@mrags.co.uk). We look forward to your continued cooperation.

Yours Sincerely

A handwritten signature in black ink that reads 'C.C. Mees'.

Dr C.C. Mees
Head of UK(OT) Delegation to IOTC



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Director General
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27 September 2019

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Geethamali Chandrasiri jp@fisheriesdept.gov.lk
Janak Pushpakumara kumara84janaka@gmail.com
Nuwan Gunawardana nuwan54@gmail.com;

Dear Mr. Ginige Prasanna Janaka Kumara,

Confirmation of actions taken in respect of Lakna Dhee (IMUL-A-0641-KLT) and Dinesh 3 (IMUL-A-2024-MTR)

The BIOT Administration would kindly request details of actions taken by DFAR in respect of the two Sri Lankan flagged vessels Lakna Dhee (IMUL-A-0641-KLT) and Dinesh 3 (IMUL-A-2024-MTR) previously notified to you.

In our letters of 12 April 2019 and 3 July 2019, we requested that, DFAR take such action as they can against the Owners / Masters of these vessel so as to discourage them and others from entering BIOT waters and engaging in illegal fishing activity. Please could you provide an update on actions taken with respect to these two vessels and provide any relevant supporting evidence.

We would like to thank Sri Lanka as flag State for the continued bilateral assistance in combatting the threat of IUU fishing in the Indian Ocean.

If you have any questions or require assistance please do not hesitate to contact myself (c.mees@mrags.co.uk) or James Moir Clark (j.clark@mrags.co.uk). We look forward to your continued cooperation.

Yours Sincerely

Dr C.C. Mees
Head of UK(BIOT) Delegation to IOTC

Linsey Billing
BIOT Administration, Director of Fisheries

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P. O. Box }

දුරකථන } 446183
தொலைபேசி }
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අධ්‍යක්ෂ ජනරාල් කාර්යාලය } 449170
பணிப்பாளர் நாயகத்தின் அலுவலகம் }
Office of Director General } 472187



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தொலை நகல் }
Fax No. }

මගේ අංකය }
எனது இல. } DFAR/DFO/BIOT-2019
My No. }

ඔබේ අංකය }
உமது இல. }
Your No. }

ධීවර හා ජලජ සම්පත් දෙපාර්තමේන්තුව

கடற்றொழில், நீரியல் வளத்துறை திணைக்களம்

DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

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

දිනය } 24/10/2019
திகதி }
Date }

Linsey Billing – BIOT Administrator
Dr C.C. Mees - Head of UK(OT) Delegation to IOTC
18 Queen Street
London, W1J 5PN
United Kingdom

Dear Madam,

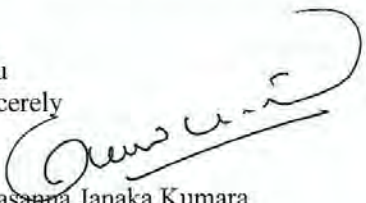
**Confirmation of actions taken in respect of “Lak Nadhee” (IMUL-A-0641 KLT),
“Chathuranga 2” (IMUL-A-0541 KLT), “Dinesh 03” (IMUL-A-0204 MTR)**

This is in reference to your letters dated on 27th September 2019 requesting confirmation of the actions taken in respect to the vessels reported in BIOT waters.

Please find the relevant information in the table provide in Annex I.

Your continuous support of providing information of the Sri Lanka vessels those engage in irresponsible fishing activities in BIOT waters is highly appreciated.

Thank you
Yours sincerely


Ginige Prasanna Janaka Kumara
Director General

Annex I

S/N	Vessel Name	Reg. Number & IOTC Number at the time of arrest	Date of reported from BIOT	Arrived date to SL	Initial Actions taken	Legal Actions taken	Case Number	Status at the end of the Month
1	LAK NADHEE	IMUL A 0641 KLT IOTC14850	27.03.2019	12.04.2019	1. Detained the vessels immediately after 2. Summon the skipper and the crew to the Head office DFAR and conduct an inquiry with the presence of the vessel owner. 3. Suspend the fishing operation license, Skipper license and seize the registration book and the log book issued to the vessel.	i. Initiate court case in MC Colombo under 14 a sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013 ii. Hon. Magistrate summoned to retain the vessel under the Dept. of Coast Guard iii. Accused accept the guilty and request for settlement under 52 sentence of FARA No. 2 of 1996	10087/5/19	Pending for administrative penalty
2	CHATHURANGA 2	IMUL A 0541 KLT IOTC14383	28.08.2019	08.09.2019	1. Detained the vessels immediately after 2. Summon the skipper and the crew to the Head office DFAR and conduct an inquiry with the presence of the vessel owner. 3. Suspend the fishing operation license, Skipper license and seize the registration book and the log book issued to the vessel.	i. Not taken action against the boat owner due to certificate of conviction issued by MC in Diego Garcia. ii. The owner of the vessel has informed to settle the penalty imposed by MC Diego Garcia	N/A	N/A
3	DINESH 03	IMUL A 0204 MTR	07.06.2019	06.07.2019	1. Detained the vessels immediately after arrival to the port and keep under the supervision of Coast Guard Department. 2. Summon the skipper and the crew to the Head office DFAR and conduct an inquiry with the presence of the vessel owner. 3. Suspend the fishing operation license, Skipper license and seize the registration book and the log book issued to the vessel.	i. Initiate court case in MC Colombo under 14 a & 14 f sentences of FARA No. 2 of 1996 amended by FARA No.35 of 2013 ii. Hon. Magistrate summon to retain the vessel under the Dept. of Coast Guard iii. Accused accept the guilty and request for settlement under 52 sentence of FARA No. 2 of 1996	12553/5/19	Pending for administrative penalty

From DFAR 24/12/2019 (follow up actions non-payment of fine "Chathuranga 2", supplementaty information).

Annex III

S/N	Vessel Name,	Registration No & IOTC No at the time of arrest	Date of reported from BIOT	Arrived date to Sri Lanka	Initial Action taken by DFAR	Legal Action taken	Case Number	Status at the end of the Month
01	DINESH 03	IMUL-A-0204 MTR	07.06.2019	06.07.2019	<ol style="list-style-type: none"> 1. Detained the vessels immediately after arrival to the port and keep under the supervision of Department of Coast Guard. 2. Summon the skipper & crew to the Head office, DFAR & conduct an inquiry with the presence of the vessel owner & report to the Head Office. 3. Suspend the fishing operation license, skipper license & seize the registration book & the log book issued to the vessel. 4. Initiate the legal actions as per the FARA No.02 of 1996 of Sri Lanka and its amended by FARA No.35 of 2013 	<ol style="list-style-type: none"> 1. Initiate court case in MS Colombo under 14 a & 14f sentences of FARA No.02of 1996 amended by FARA No.35 of 2013 2. Hon. Magistrate summon to retain the vessel under the Dept. of Coast 3. Accused accept the guilty and request for settlement under 52 sentence of 02 of 1996 	12553/5/19	Administrative penalty - SLR 150,000
02	LAK NADHEE IOTC14383	IMUL-A-0641 KLT	27.03.2019	12.04.2019 (According to the statement given by the skipper)	<ol style="list-style-type: none"> 1. Detained the vessels immediately after arrival to the port and keep under the supervision of Department of Coast Guard. 2. Summon the skipper & crew to the Head office, DFAR & conduct an inquiry with the presence of the vessel owner & report to the Head Office. 3. Suspend the fishing operation license, skipper license & seize the registration book & the log book issued to the vessel. 4. Initiate the legal actions as per the FARA No.02 of 1996 of Sri Lanka and its amended by FARA No.35 of 2013 	<ol style="list-style-type: none"> 1. Initiate court case in MS Colombo under 14 a & 14f sentences of FARA No.02of 1996 amended by FARA No.35 of 2013 2. Hon. Magistrate summon to retain the vessel under the Dept. of Coast 3. Accused accept the guilty and request for settlement under 52 sentence of 02 of 1996 	10087/5/19	Administrative penalty - SLR 400,000



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24 February 2020

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Nuwan Gunawardana nuwan54@gmail.com

Dear Mr. Ginige Prasanna Janaka Kumara,

Request for updated status of the cases relating to: IMULA 0641 KLT (Lak Nadhee); IMULA 0204 MTR (Dinesh 3); IMULA 0541 KLT (Chathuranga 2); IMULA 0096 KLT.

Thank you for your letter of 26 December 2019 providing updated details of actions taken by DFAR in respect of the three Sri Lankan flagged vessels IMULA 0641 KLT (Lak Nadhee); IMULA 0204 MTR (Dinesh 3); IMULA 0541 KLT (Chathuranga 2).

The 70-day deadline for submission of vessels to the IOTC draft IUU vessels list is 22 March (effectively Friday 20 March). We are writing to ask if you can provide us with further details in advance of that deadline **by 13 March 2020** as follows:

IMULA 0641 KLT (Lak Nadhee)

1. We assume that it was the Owner that was prosecuted - Please confirm?
2. Has the administrative penalty of SLR150,000 now been paid?
3. Is this vessel still detained at the port and the subject of impounding by the Sri Lankan Authorities? If it has been released, under what conditions?
4. Does the Master/ Skipper's fishing operation licence remain suspended? Under what circumstances and when will you cease these actions?

IMULA 0204 MTR (Dinesh 3)

1. We assume that it was the Owner that was prosecuted - Please confirm?
2. Has the administrative penalty of SLR400,000 now been paid?
3. Is this vessel still detained at the port and the subject of impounding by the Sri Lankan Authorities? If it has been released, under what conditions?
4. Does the Master/ Skipper's fishing operation licence remain suspended? Under what circumstances and when will you cease these actions?

IMULA 0541 KLT (Chathuranga 2)

1. Please provide details of the outcome of the trial of the owner held on 17 February 2020.
2. Your letter dated 26 December 2019 indicates 'Boat was released on SLR 3million bond' and 'The vessel is detained with the Coast Guard at Beruwala Harbour since the date of arrived to Sri Lanka'. Please confirm which is correct?
3. Please clarify if the skipper is also being prosecuted or if any such prosecution would be for a future offence (refer to your note at the bottom of the table on page 1 of your letter of 26 December 2019). If the skipper is being prosecuted.
4. Does the Master/ Skipper's fishing operation licence remain suspended? Under what circumstances and when will you cease these actions?

IMULA 0096 KLT

1. We refer to our letter dated 28 January 2020.

We would be grateful for you to provide us with a full update of all of the actions that you have taken, are in the process of taking or intend to take in these cases. This will allow us to consider the submissions that we shall make to the IOTC Compliance Committee as to whether your actions constitute measures of adequate severity which will allow us to conclude that it would not be necessary for us to ask for the vessel to be placed on the IUU list.

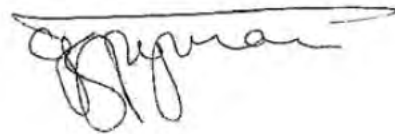
We would like to thank Sri Lanka as flag State for the continued bilateral assistance in combatting the threat of IUU fishing in the Indian Ocean.

If you have any questions or require assistance please do not hesitate to contact myself (c.mees@mrags.co.uk) or James Moir Clark (j.clark@mrags.co.uk). We look forward to your continued cooperation.

Yours Sincerely



Dr C.C. Mees
Head of UK(BIOT) Delegation to IOTC



Christopher (Kit) Pyman
BIOT Administration, Director of Fisheries

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P. O. Box

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தொலைபேசி (3 lines)
Telephone

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பணிப்பாளர் நாயகத்தின் அலுவலகம் 472187
Office of Director General



දුරකථන 449170
தொலை நகல் 449170
Fax No.

මගේ අංකය 1
எனது இல. DFAR/DFO/BIOT-2019
My No.
ඔබේ අංකය 2
உமது இல.
Your No.

ධීවර හා ජලජ සම්පත් දෙපාර්තමේන්තුව

கடற்றொழில், நீரியல் வளத்துறை திணைக்களம்

DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

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Web : www.fisheriesdept.org

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

දිනය 12/03/2020
திகதி
Date

Dr C.C. Mees - Head of UK(OT) Delegation to IOTC
18 Queen Street
London, W1J 5PN
United Kingdom

Dear Sir,

Updated status of the cases relating to: IMULA 0641 KLT (Lak Nadhee); IMUL 0204 MTR (Dinesh 03); IMULA 0541 KLT (Chathuranga 2) and IMULA 0096 KLT.

This is in reference to your letters dated 24th February 2020 on the above.

The current status of the above four Sri Lanka fishing vessels reported in BIOT water in year 2019 and 2020 are given in the Table 01 annexed hereto.

Thank you
Yours sincerely

Ginige Prasanna Janaka Kumara
Director General

Copy : Linsey Billing – BIOT Administrator

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දුරකථන
දුරකථන } 446183
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ඔබේ අංකය
My No. } DFAR/DFO/BIOT-2020
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Your No. }

අධ්‍යක්ෂ ජනරාල් කාර්යාලය
Office of Director General } 449170
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New Secretariat, Maligawatta, Colombo 10.

கடற்செய்தியல், நீரியல் வளத்துறை திணைக்களம்

DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

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දිනය
Date } 2020.01.20

සේ. ඊ. ආ. ඩී. පී. එම්. ප්‍රකාශන,
නො. 11/1,
පරණ කොඩි,
කොටුව.

දියාගේ මාර්ගය (BIOT) මුහුදු සීමාවේ නීති විරෝධී ධීවර කටයුතු වල යෙදීම හා නීති විරෝධී ධීවර ආම්පන්න සන්නයේ කඩ හැනීම නිසා එරට අධිකරණයට දඩ මුදල් ගෙවීම

IMUL-A-0096 KLT යාත්‍රාව දියාගේ මාර්ගයට (BIOT) අයත් මුහුදු සීමාවේ, 2020/01/20 යන දින අනවසර ලෙස ධීවර කටයුතු වල යෙදීම සහ එරට මුහුදු සීමාවේ තහනම් ධීවර ආම්පන්න භාවිතා කිරීම යන කරුණු සඳහාම කර ගනිමින් 2020/01/25 දින එරට අධිකරණයට ඉදිරිපත් කරන ලදුව පවත්වන ලද නඩු විභාගයෙන් වරදකරු බවට පිළිගෙන පහත සඳහන් දඩ මුදල් දින 30 ක් ඇතුළත, එනම් 2020.02.23 දිනට පෙර ගෙවීමට නියෝග කොට ඇති බව මෙම දෙපාර්තමේන්තුවට දැනුම් දී ඇත.

අදාළ වරදකරු කිරීමේ සහතිකයේ පිටපතක් මේ සමඟ අමුණා ඇත.

- 01. අනවසර ලෙස ධීවර කටයුතු වල යෙදීම වෙනුවෙන් මුසානා පවුළු - 10,000
 - 02. තහනම් ධීවර ආම්පන්න භාවිතා කිරීම වෙනුවෙන් මුසානා පවුළු - 7,500
 - 03. උසාවි ගාස්තු වෙනුවෙන් මුසානා පවුළු - 100
- එකතුව මුසානා පවුළු - 17,600

උක්ත දඩ මුදල් ගෙවීමට කටයුතු කරන ලෙස මෙයින් දන්වා සිටිමි.

තව ද, ඔබ විසින් අනවසර ලෙස ධීවර කටයුතු වල යෙදීම, තහනම් ධීවර ආම්පන්න භාවිතා කිරීම හා උසාවි ගාස්තු සඳහා BIOT අධිකරණයට ගෙවිය යුතු අදාළ දඩ මුදල් ගෙවීම පැහැර හැරීම යිද කරනු ලැබුව හොත් එයද බරපතල වරදකි. ඉන්දියානු සාගර වුනා නොමිසමේ (IOTC) 18/03 සම්මුතිය අනුව උක්ත වැරදි කරනු ලබන යාත්‍රා නීති විරෝධී, වාර්තා නොවූ හා අවිධිමත් යාත්‍රා ලැයිස්තුවට (IUU list) ඇතුළත් කරනු ලබයි.

එම ලැයිස්තු ගත යාත්‍රා,

- ලියාපදිංචි හා ධීවර මෙහෙයුම් බලපත්‍ර අවලංගු කිරීම
- යාත්‍රා හිමිකරු හා නියමුවා ඇතුළු කාර්ය මණ්ඩලයට එරෙහිව නඩු පැවරීම
- නීති විරෝධී කටයුතු කරන අවස්ථාවේ යාත්‍රා හිමිකාරීත්වය තිබූ පුද්ගලයින්ට එම යාත්‍රාව යොදා ගනිමින් ධීවර කටයුතු වල යෙදීම-තහනම් කිරීම
- එවැනි යාත්‍රා වලින් බලය සහ නෙළවල්ලන් වැනි වුනා විශේෂ අපහාසනීය කිරීම, ගොඩබෑම හෝ ප්‍රවාහනය තහනම් කිරීම යන කරුණුවලට යටත් වේ.

මු ලාංකික ධීවර යාත්‍රා මේ ආකාරයේ ලැයිස්තු ගත වීම විදේශීය වෙළඳ මත්ස්‍ය අපහාසනීය කිරීම සඳහා දැඩි බලපෑමක් ඇති කරනු ලබන අතර එම තත්වය මඟින් ධීවර ක්ෂේත්‍රයේ ප්‍රගතියට බාධාවක් වේ.

හිතියේ ප්‍රකාශන ජනක කුමාර
අධ්‍යක්ෂ ජනරාල්

හිතියේ ප්‍රකාශන ජනක කුමාර
අධ්‍යක්ෂ ජනරාල්

පිටපත්: අධ්‍යක්ෂ (විමර්ශන හා පුහුණු)- විමර්ශන හා පුහුණු අංශය-කො.දැ.පි.
සහකාර අධ්‍යක්ෂ - කළුතර දිස්ත්‍රික් ධීවර කාර්යාලය- අවසා කටයුතු සඳහා

Table 01: Updated status of the cases relating to: IMULA 0641 KLT (Lak Nadhee); IMUL 0204 MTR (Dinesh 03); IMULA 0541 KLT (Chathuranga 2) and IMULA 0096 KLT.

S/N	Vessel Name,	Registration No & IOTC No at the time of arrest	Date of reported from BIOT	Arrived date to Sri Lanka	Response for the Query
01	LAK NADHEE IOTC14383	IMUL-A-0641 KLT	27.03.2019	12.04.2019	<p>01. We confirmed that the owner is prosecuted.</p> <p>02. The Administrative Penalty (AP) is not paid. Although the vessel released under SLR 3million bond. The Owner has not depart for fishing due to the fishing gears have taken to custody by BIOT authorities.</p> <p>03. The Vessel still detained at fishery harbor under the supervision of Department of Coast Guard.</p> <p>04. The owner himself has operated the vessel and therefore the owner and the skipper are same person with regard to this vessel.</p> <p>Note: The Investigation Division of DFAR informed the vessel owner to pay AP imposed.</p>
02	DINESH 03	IMUL-A-0204 MTR	07.06.2019	06.07.2019	<p>01. We confirmed that the owner is prosecuted.</p> <p>02. Administrative penalty has paid.</p> <p>03. Since the administrative penalty is paid. The Vessel is released.</p> <p>Conditions:</p> <ol style="list-style-type: none"> The owner is strictly advised not to use the vessel for high seas fishing. The vessel is included to priority list of next VMS installation. <p>04. As per the FARA 1996, legal actions can only be taken against the vessel owner. Therefore the suspension of Skipper license is removed.</p> <p>Note: The draft amended act to include the provision to prosecute the skipper is currently processing at the Legal Draftsman Department. Once the said Act, enacted DFAR would be able to prosecute the skippers.</p>

Appendix IV – Request for Clarification and DFAR Response



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Mr P.J.K. Ginige
Director General
Department of Fisheries and Natural Resources
No. 10 New Secretariat
Maligawatta, Colombo 10

3 July 2020

E-Mail: dgdgar@gmail.com;

cc: Kalyani Hewapathirana, Director Operations hewakal2012@gmail.com

Dear Mr Ginige,

IOTC draft IUU Vessels List 2020 - Request for updated details on the following vessels flagged to Sri Lanka: IMULA 0641 KLT (Lakna Dee); IMULA 0541 KLT (Chathuranga 2); IMULA 0096 KLT; IMULA 0204 MTR (Dinesh 3); IMUL-A-0811-GLE; IMUL-A-0868-CHW; IMUL-A-0063-KMN.

IOTC Circular 2020-19 provided revised dates for the upcoming Compliance Committee meeting with the new 70-day deadline for reporting vessels to IOTC for inclusion on the draft IUU vessels list being 23 July 2020. In light of that UK(BIOT) requests updated information on those vessels already submitted to IOTC on 20 March 2020 in order to determine if sanctions of adequate severity have now been applied. We also require updated information for those new vessels, already communicated to you, that will be submitted this year in order to determine our recommendation with respect to the draft IUU vessels list. A summary of the vessels for which updated details of actions taken by Sri Lanka in respect of both the owner and master (skipper) is required follows:

Presented for IUU inclusion on the draft IUU Vessel list on 20 March 2020.

Vessel	DFAR Actions/ Response letter dated 12/3/2020	BIOTA submission to IOTC cc DFAR on 20/3/20; Updates required
IMULA 0641 KLT (Lakna Dee)	Owner prosecuted; Administrative penalty NOT paid Vessel released under SLR 3m bond (not utilised by owner yet) Vessel detained under supervision of Coast Guard Owner/Skipper same person	Recommend IUU listing pending: "BIOTA require clarification that the vessel will remain detained until the administrative penalty is paid by the owner. With such an assurance we would consider that sanctions of adequate severity have been applied." <u>Please confirm the vessel status.</u>
IMULA 0541 KLT (Chathuranga 2)	Owner trial postponed to 17/3/2020 Vessel released under SLR 3m bond (not utilised by owner yet) Therefore: Vessel detained under supervision of Coast Guard (but presumably would be released if Bond paid?) Skippers suspension now removed (if this is interpreted correctly?) but released on SLR 500000 bond due to violating agreement with owner.	Recommend IUU listing pending: "Given the failure of the owner to pay the fine to BIOT, and that court proceedings undertaken by the Sri Lankan Authorities have yet to conclude, we consider that Sri Lanka has not provided sufficient information to enable the conclusion that sanctions of adequate severity have been taken in respect of the owner of this vessel." <u>Please provide an update on court proceedings. Please confirm whether the vessel is still detained by the Coast Guard. Please confirm the status of the skipper.</u>

IMULA 0096 KLT	Vessel, logbook and and skipper licence taken into DFAR custody Vessel registration and fishing operation licence suspended BIOT fine NOT paid, so DFAR prosecuting, next date 11/5/2020 Owner informed of consequences of IUU listing; Skipper on 2 day awareness course.	Recommend IUU listing pending: 'Given the failure of the owner to pay the fine to BIOT, and that court proceedings undertaken by the Sri Lankan Authorities have yet to conclude, we consider that Sri Lanka has not provided sufficient information to enable the conclusion that sanctions of adequate severity have been taken in respect of the owner of this vessel.' <u>Please provide an update on court proceedings.</u> <u>Please confirm whether the vessel is still detained by the Coast Guard</u>
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Presented to IOTC for information only on 20/3/20

IMULA 0204 MTR (Dinesh 3)	Owner prosecuted; Administrative penalty PAID Vessel released, conditions= no high seas fishing, priority for VMS Skippers suspension now removed (if this is interpreted correctly?)	We note that the vessel has been released on the condition that it undertakes no high seas fishing and that it is prioritised for installation of VMS. <u>We request that the Sri Lankan Authorities report to the Compliance Committee when installation of the VMS occurs. Please provide an update.</u>
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New Vessels to be presented to IOTC by 23 July 2020

Vessel	BIOT Action / Outcome	DFAR Actions/ Response on date. <u>Update required</u>
IMUL-A-0811- GLE	21/4/20 The vessel was inspected on 19/04/20 and presumed IUU in BIOT waters (fishing gear not stowed and readily available for fishing; vessel initially evaded the BPV) although there was insufficient evidence to detain the vessel which was escorted from BIOT waters.	28/04/20 Only authorised to fish in EEZ - DFAR will take legal action. <u>Please provide an update on actions taken in respect of the owner and master and outcomes, and the status of the vessel.</u>
IMUL-A-0868- CHW	Inspected in BIOT on 22/04/20 - no IOTC AFV reported to SL 30/4/20	16/06/20 Only authorised to fish in EEZ - DFAR will take legal action. <u>Please provide an update on actions taken in respect of the owner and master and outcomes, and the status of the vessel.</u>
IMUL-A-0063- KMN	Inspected - IUU in BIOT waters, gear in water 17/6/20 reported to DFAR 22/6/20	27/06/2020 By email with attachments. Requested Investigation Division take legal action - case pending. <u>New case but please provide an update on actions taken and outcomes in respect of owner and mater, and the status of the vessel a) before 23 July deadline and b) before 1 October CoC Meeting.</u>

We will make our submission to IOTC no later than 23 July but require time to consider our recommendation based on the actions taken by Sri Lanka. We therefore request that you provide the updated status on the actions and outcomes in respect of owners and masters, and on the status of the vessels **no later than 19 July 2020**. Please continue to provide updates leading up to the Compliance Committee Meeting on 1 October 2020.

We also note that since 2019 Sri Lanka has been working to update its fisheries legislation in respect of the actions that may taken against skippers of relevant vessels. We would be grateful for an update on progress in this respect.

Finally, thank you also for providing details of a number of vessels for which administrative discrepancies had occurred with respect to addition to the IOTC Authorised Fishing Vessel list (IMUL-A-0732-CHW; IMUL-A-0804-CHW; IMUL-A-0130-CBO). These vessels will not be reported to IOTC on 23 July but will be noted in the vessels in-transit report that is submitted annually.

If you have any questions or require assistance please do not hesitate to contact us. We look forward to your continued cooperation.

Yours Sincerely



Dr C.C. Mees (c.mees@mrag.co.uk)
Head of UK(OT) Delegation to IOTC



Christopher (Kit) Pyman (Kit.Pyman@fco.gov.uk)
BIOT Administrator



ඩීවර හා ජලජ ඝමීමක දෙපාර්තමේන්තුව
கடற்றொழில் நரியல் வளத்துறை திணைக்களம்
DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

web site : <http://www.fisheriesdept.gov.lk> E - mail : info@fisheriesdept.gov.lk

මුහුදු සේවය, මාළුකාවත්තේ කොழும்පු 10, කොළඹ 10. இலங்கை மது இல அமைதி கார்ப்பரே, மதுகார்ப்பரே, கොழும்பு 10, சூ குமாரி New Secretariat, Maligawaththa, Colombo 10

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எனது இல
My Ref

} DFAR/DFO/BIOT/2020

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உமது இல
Your Ref

}

දිනය
நினை
Date

} 12.07.2020

Dr C.C. Mees - Head of UK(OT) Delegation to IOTC,
18 Queen Street,
London, W1J 5PN,
United Kingdom.

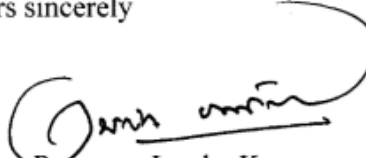
Dear Sir,

IOTC Draft IUU Vessel List 2020 – Request dor updated details on the following vessels flagged to Sri Lanka: IMULA 0641 KLT (Lak Nadhee); IMULA 0541 KLT (Chathuranga 2) and IMULA 0096 KLT; IMUL 0204 MTR (Dinesh 03); IMULA 0811 GLE; IMULA 0868 CHW; IMULA 0063 KMN.

This is in reference to your letters dated 3rd July 2020 on the above.

The current status of the above four Sri Lanka fishing vessels reported in BIOT water in year 2019 and 2020 are given in the Table 01 annexed hereto.

Thank you
Yours sincerely


Ginige Prasanna Janaka Kumara
Director General

Copy : Linsey Billing – BIOT Administrator

IOTC Draft IUU Vessel List 2020 -18/03 Resolution
New Vessels to be presented to IOTC by 23 July 2020

Reg. Number / Vessel Name	Date of arrested /inspected	Arrived date to SL	Initial Action taken by DFAR	Legal Actions taken	Case Number	Status at the end of the Month
1 IMUL A 0063 KMN JK	17/06/2020	08/07/2020	(i) Detained the vessel after arrival to the port of Sri Lanka and keep under the supervision of Department of Coast Guard (DCG). (ii) Summon the skipper and crew to the head office, DFAR and conduct and inquiry in the presence of the vessel owner (iii) Suspend the fishing operation license, skipper license and seize the registration book and the log book issued to the vessel. (iv) The owner informed the repercussions of being listed IUU vessels list as per the IOTC resolution 18/03 on the date of 24.06.2020 (Annex i-English translation)	(i) Filed court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013. (ii) Magistrate ordered to detain the vessel to owner SLR 5 million bond	36436/5/20	Next trail date 20.10.2020
2 IMULA 0868 CHW Chamara Putha	22/04/2020	09/05/2020	(i) Detained the vessel after arrival to the port of Sri Lanka and keep under the supervision of Department of Coast Guard (DCG). (ii) Summon the skipper and crew to the head office, DFAR and conduct and inquiry in the presence of the vessel owner. (iii) Suspend the fishing operation license, skipper license and seize the registration book and the log book issued to the vessel (iv) The owner informed the repercussions of being listed IUU vessels list as per the IOTC resolution 18/03 on the date of 16.06.2020 (Annex ii-English translation)	(i) Filed court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013 (ii) Magistrate ordered to retain the vessel under the Dept. of Coast Guard and owner to present at the courts.	34950/5/20	1 st trial date 15.07.2020
3 IMULA 0811 GLE	19/04/2020	07/05/2020	(i) Detained the vessel after arrival to the port of Sri Lanka and keep under the supervision of Department of Coast Guard (DCG). (ii) Summon the skipper and crew to the head office, DFAR and conduct and inquiry in the presence of the vessel owner. (iii) Suspend the fishing operation license, skipper license and seize the registration book and the log book issued to the vessel (iv) The owner informed the repercussions of being listed IUU vessels list as per the IOTC resolution 18/03 on the date of 23.04.2020 (Annex iii-English translation)	(i) Filed court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013 (ii) Magistrate ordered to detain the vessel under the Dept. of Coast Guard and owner to present at open court.	36037/5/20	1 st trial date 15.07.2020

Presented for IUU inclusion on the draft IUU vessels list on 20 March 2020

	Reg. Number / Vessel Name	Date of arrested /inspected	Arrived date to SL	Legal Actions taken	Case Number	Status at the end of the Month
1	IMUL A 0096 KLT Nisansala 1	Between 19 th December 2019 and 20 th January 2020	05.02.2020	(i) Initiate court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013. (ii) Magistrate summoned to retain the vessel under LKR 5 million bond. (iii) Accused accept the guilty and request for settlement under 52 sentence of FARA No. 2 of 1996. (iv) The accused pleaded for one fishing trip to earn and pay the penalty and therefore one fishing trip allowed on 18/06.2020*.	28565/5/20	Penalty board to be meet to decide the amount of penalty.
2	IMUL A 0541 KLT Chathuranga 2	Between 24 th and 31 st August 2019	08.09.2019	(i) Initiate court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013. (ii) Magistrate summoned to retain the vessel on LKR 3 million bond. (iii) Owner pleaded on his economic constrains and ask for permit for fishing and therefore one fishing trip allowed with a different skipper on 17/06/2020* (iv) The Skipper is still accused in court case due to availability of ans agreement between skipper and owner of the vessel.	22573/5/19	17/03/2020 trial not held due to closure of Courts due to COVID 19 pandemic issue. Next trail date 08.12...2020
3	IMUL A 0641 KLT Lak nadee	27.03.2019	According to the stamen given by the skipper, arrival date is 12.04.2019	(i) Initiate court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013. (ii) Magistrate summoned to retain the vessel under LKR 3 million bond. (iii) Accused accept the guilty and request for settlement under 52 sentence of FARA No. 2 of 1996 (iv) The accused pleaded for one fishing trip to earn and pay the penalty and therefore one fishing trip allowed on 14/07.2020*.	10087/5/19	Administrative penalty LKR 400,000 is not paid.

Presented to IOTC for information only on 2020

1	IMUL A 0204 MTR	07.06.2019	06.07.2019	(i) Initiate court case in MC Colombo under 14 a & 14 f sentences of FARA No. 2 of 1996 amended by FARA No.35 of 2013 (owner and skipper are same person) (ii) Magistrate summon to retain the vessel under the Dept. of Coast Guard. (iii) Accused accept the guilty and request for settlement under 52 sentence of FARA No. 2 of 1996	12553/5/19	Administrative penalty SLR 1,000,000 has paid. The vessel is detained and the owner is in the pending list of VMS installation.
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- The economic situation of fisher community has become very poor due to the lock down of the country and closure of markets in the country due to covid-19 pandemic and therefore DFAR tend to take some decisions on humanitarian grounds on these vessel owners due to social issues.



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கடற்பெறுமூழில் நீரியல் வளத்துறை திணைக்களம்
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පුද්ගල දෙපාර්තමේන්තුව: මහලිංගවත්ත පොදුරාජ්‍ය 10, මුහුදුබඩ, නව මහ ලක්ෂ්මී කර්නලය, මාලිගාවත්ත, කොළඹ 10, ශ්‍රී ලංකාව New Secretariat, Maligawaththa, Colombo 10

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My Ref



DFAR/DFO/BIOT-2020

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உமது இல
Your Ref



දිනය
திகதி
Date



2020 - 06- 24

Mr. Jeyakanthan Y.
No. 100, Coat Road,
Thirukovil.

Report on the inspection and illegal fishing activity of the Sri Lankan vessel IMUL-A-0063 KMN in British Indian Ocean Territory (BIOT) waters

The BIOT authorities have informed to this Department that the vessel IMUL-A-0063KMN was found engage in fishing in BIOT waters on 17.06.2020. They have remotely conduct an investigation and the vessel has ordered to leave BIOT waters and directly return to Sri Lanka.

This is to inform you that entering into other state's Exclusive Economic Zone (EEZ) without valid license and fishing inside is a serious offence. According to the Indian Ocean Tuna Commission (IOTC) Resolution 18/03, once the vessel found guilty on theses offences it will be included into Illegal, Unreported and Unregulated (IUU) list.

Such vessels will subject to,

- Cancellation of vessel registration and suspension of fishing operation license
- Litigation against vessel owner and skipper
- Prohibition of exportation of fish caught by the vessel.

Further, I would like to inform you that listing of Sri Lankan fishing vessels in the IOTC IUU vessels list caused damage to the fisheries industry in Sri Lanka.

Ginige Prasanna Janaka Kumara
Director General

Copy: Director (Training and Investigation)- Division of Training and Investigation -For Information pls
Assistant Director -District Fisheries Office- Kalmunai - "
Assistant Director -District Fisheries Office- Negombo - "



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கடற்றொழில் நீரியல் வளத்துறை திணைக்களம்

DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

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ප්‍රධාන ලේකම්, මානිකවත්තේ කොටුපා 10, කොළඹ 10. இலங்கை ஊடுவரை மலி கவாத்தி, கொழும்பு 10, ශ්‍රී ලංකාව New Secretariat, Maligawaththa, Colombo 10

මගේ අංකය
எனது இல
My Ref



DFAR/DFO/BIOT-2020

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உமது இல
Your Ref



දිනය
திகதி
Date



16.06.2020

P.S.P.Fernando
No.31 A, Pahala Road,
Toduwawa.

Reporting of Illegal Fishing activity of the Sri Lankan vessel IMUL-A-0868CHW in British Indian Ocean Territory (BIOT) waters

The BIOT authorities have informed to this Department that the vessel IMUL-A-0868CHW was found engage in fishing in BIOT waters on 22.04.2020. They have remotely conduct an investigation and the vessel has ordered to leave BIOT waters and directly return to Sri Lanka.

This is to inform you that entering into other state's Exclusive Economic Zone (EEZ) without valid license and fishing inside is a serious offence. According to the Indian Ocean Tuna Commission (IOTC) Resolution 18/03, once the vessel found guilty on theses offences it will be included into Illegal, Unreported and Unregulated (IUU) list.

Such vessels will subject to,

- Cancellation of vessel registration and suspension of fishing operation license
- Litigation against vessel owner and skipper
- Prohibition of exportation of fish caught by the vessel.

Further, I would like to inform you that listing of Sri Lankan fishing vessels in the IOTC IUU vessels list caused damage to the fisheries industry in Sri Lanka.

HPK

Kalyani Hewapathirana
Director(Fishing Operations)

Copy: Director (Training and Investigation)- Division of Training and Investigation -For Information pls

Assistant Director -District Fisheries Office- Chilaw

- ,,

Assistant Director -District Fisheries Office- Negombo

- ,,

D. Thisara Priyankara,
No.262/2, Richmand Kanda Road,
Galle.

Reporting of Illegal Fishing activity of the Sri Lankan vessel IMUL-A-0811GLE in British Indian Ocean Territory (BIOT) waters

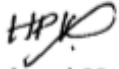
The BIOT authorities have informed to this Department that the vessel IMUL-A-0811 GLE was found engage in fishing in BIOT waters on 19.04.2020. They have remotely conduct an investigation and the vessel has ordered to leave BIOT waters and directly return to Sri Lanka.

This is to inform you that entering into other state's Exclusive Economic Zone (EEZ) without valid license and fishing inside is a serious offence. According to the Indian Ocean Tuna Commission (IOTC) Resolution 18/03, once the vessel found guilty on theses offences it will be included into Illegal, Unreported and Unregulated (IUU) list.

Such vessels will subject to,

- Cancellation of vessel registration and suspension of fishing operation license
- Litigation against vessel owner and skipper
- Prohibition of exportation of fish caught by the vessel.

Further, I would like to inform you that listing of Sri Lankan fishing vessels in the IOTC IUU vessels list caused damage to the fisheries industry in Sri Lanka.



Kalyani Hewapathirana
Director (Fishing Operations)

Copy: Director (Training and Investigation)- Division of Training and Investigation - For Information pls
Assistant Director -District Fisheries Office- Galle - "

Dr Chris O'Brien
Executive Secretary
Indian Ocean Tuna Commission
Mahe
Seychelles

21 July 2020

cc. Ms Anne-France Mattlet, Chair of the Compliance Committee;
Mr Kumara, and Ms K Hewapathirana, DFAR, Sri Lanka

Dear Dr O'Brien,

Resolution 18/03 On establishing a list of vessels presumed to have carried out IUU fishing in the IOTC Area of Competence: Sri Lankan Flagged Vessel IMULA 0541 KLT (Chathuranga 02)

As required in paragraphs 5 and 6 of Resolution 18/03 please find attached a completed IOTC Reporting form for Illegal Activity and accompanying evidence supporting IUU fishing activity for the Sri Lankan flagged vessel IMULA 0541 KLT (Chathuranga 02). Under the bilateral arrangement established between UKOT and Sri Lanka in order to combat IUU, this vessel was reported to the Sri Lankan Authorities who have taken action against the owner/master under the provisions of national fisheries legislation (FARA 1996/2013).

The attached evidence shows that

- The vessel, detained on 28/08/2019, was not on the current IOTC Record of Authorised Vessels (its authorisation expired on 30/04/2019), and had been granted permission by the Sri Lankan Authorities to operate only within the EEZ of Sri Lanka (no high seas licence).
- No VMS was visible although the Sri Lankan Authorities indicated a VMS was fitted but turned off. VMS records have been requested but not provided to date;
- The vessel was fishing without a licence in BIOT waters;
- The vessel was fishing with prohibited gears including wire trace;
- The vessel had tuna and tuna like species on board including several shark species;
- A court hearing was held in Diego Garcia on 30th August 2019. The Owner of the vessel pleaded guilty to charges of illegal fishing and being in possession of illegal gear. The Owner was fined £15,000 for illegal fishing, £7,500 for possession of illegal fishing gear, with £50 Court Costs and the court ordered that all fishing gear be forfeited, in accordance with BIOT law;
- The vessel was released and escorted from Diego Garcia on 31st August 2019.
- By the due date of 21st September 2019, the owner had not paid his fine to the BIOT Authorities and the Sri Lankan Authorities were requested to take such action as they can against the owner / Master of this vessel so as to discourage him and others from entering BIOT waters and engaging in illegal fishing activity. To date the fine remains un-paid;
- Sri Lanka has suspended the fishing operation licence. Court proceedings were initiated against the owner but a trial due to be held on 17/03/2020 did not occur due to delays ascribed to Coronavirus. The vessel is detained on a SLR 3million bond.
- Due to the economic hardship caused by Coronavirus the owner pleaded for and was granted permission to undertake one fishing trip (presumably without paying a bond) which commenced on 17/06/2020. No details were provided of the conditions under which fishing was permitted (e.g. was it only permitted inside Sri Lanka's EEZ; was VMS required; was a maximum duration imposed; what reporting requirements were imposed? Etc)

- The actions taken in respect of the skipper are inadequate but we note that such administrative powers that are currently available to deal with the skippers of IUU vessels have been applied. We note the intention of Sri Lanka to update its Fisheries Act in respect of the sanctions available to it against vessel operators (skippers).

At the time of writing, whilst noting and accepting the circumstances and consequent actions of DFAR caused by Coronavirus, given: a) the failure of the owner to pay the fine to BIOT; and, b) that the vessel is no longer detained and the owner has yet to face trial, we consider that Sri Lanka has not provided sufficient information to enable the conclusion that sanctions of adequate severity have been applied in respect of the owner of this vessel.

We note that the trial will be held after the Compliance Committee and will take this into account. Nevertheless, in order to enable us to review and potentially update our conclusion, by copy of this letter we request that Sri Lanka provides an update to the BIOT Administration and the Compliance Committee in advance of its 2020 meeting providing evidence:

- That the vessel has returned from its one permitted fishing trip and that it is again detained in port pending trial.
- On Sri Lanka's current ad-hoc policy in relation to coronavirus and detained vessels – amongst others, under what circumstances will a vessel be released to fish; how is the requirement for a bond treated; what conditions are imposed on the fishing trip (duration, location, reporting etc); will only one trip be allowed?

We submit this vessel to IOTC Compliance Committee with recommendation c) 'Recommended for inclusion on IOTC IUU list'. We will review this recommendation before the meeting in light of any additional information provided by Sri Lanka pursuant to paragraphs 10 and 12 of Resolution 18/03.

I would be grateful if you could circulate this material for the information and consideration of the Compliance Committee.

Thank you.

Yours sincerely,



Dr C.C. Mees
Head of UK(OT) Delegation to IOTC
Enclosed: IOTC Reporting form for Illegal Activity, IMULA 0541 KLT
(Chathuranga 02)



IOTC Reporting form for Illegal Activity

Recalling IOTC Resolution 18/03 On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC Area, attached are details of illegal activity recorded by UK(OT) in British Indian Ocean Territory.

A. Details of Vessel

(Please detail the incidents(s) in the format below)

Item	Definition	Indicate
a	Current Name of Vessel (Previous name/s, if any)	Chathuranga 2
b	Current Flag (previous flag/s, if any)	Sri Lanka
c	Date first included on IOTC IUU Vessel List (if applicable)	N/A
d	Lloyds IMO Number, if available	IMULA0541KLT
e	Photo	Yes, See Appendix 1
f	Call Sign (previous call sign, if any)	4SF3788
g	Owner (previous owner/s, if any)	BDS Fernando 2 MRA
h	Operator (previous operator/s, if any) and Master/Fishing Master	Not known
i	Date of alleged IUU fishing activities	28/08/2019
j	Position of alleged IUU fishing activities	09.32.489 S 72.51.802 E
k	Summary of alleged IUU activities (see section B for more detail)	Fishing without a licence in BIOT waters. Lacking gear markings and logbook.
l	Summary of any Actions known to have been Taken in respect of the alleged IUU fishing activities	Masters Informed of violation and that this would be reported
m	Outcome of Actions taken	Vessel detained

B. Details of IOTC Resolution Elements Contravened

(Indicate with a "X" the individual elements of IOTC Resolution 17/03 contravened, and provide relevant details including date, location, source of information. Extra information can be provided in an attachment if necessary.)

That a vessel has, within the IOTC Area and in relation to species covered by the IOTC Agreement or by IOTC Conservation and Management Measures:

Item	Definition	Indicate
a	Engaged in fishing or fishing related activities and is neither registered on the IOTC Record of Authorised Vessels in accordance with Resolution 15/04, nor recorded in the Active list of vessels; or	<input checked="" type="checkbox"/>
b	Engaged in fishing or fishing related activities when its flag State is without quota, catch limit, or effort allocation under IOTC Conservation and Management Measures where applicable; or	<input type="checkbox"/>
c	Failed to record or report its catches in accordance with IOTC Conservation and Management Measures or has made false reports; or	<input checked="" type="checkbox"/>
d	Taken or landed undersized fish in contravention of IOTC Conservation and Management Measures; or	<input type="checkbox"/>
e	Engaged in fishing or fishing related activities during closed fishing periods or in closed areas in contravention of IOTC Conservation and Management Measures; or	<input type="checkbox"/>
f	Used prohibited fishing gear in contravention of IOTC Conservation and Management Measures; or	<input type="checkbox"/>
g	Transhipped fish to, or otherwise participated in joint operations with, support or re-supply vessels that are not included on the IOTC Record of Authorised Vessels or not on the Record of Vessels Authorised to receive transhipments at-sea in the IOTC Area or	<input type="checkbox"/>
h	Engaged in fishing or fishing related activities in waters that are under the national jurisdiction of a coastal State without the permission or authorisation of that State or in contravention of the laws and regulations of that State (without prejudice to the sovereign rights of the State concerned to undertake enforcement measures against such a vessel); or	<input checked="" type="checkbox"/>
i	Engaged in fishing or fishing related activities whilst being without nationality; or	<input type="checkbox"/>
j	Engaged in fishing or fishing related activities having intentionally falsified or concealed its markings, identity or registration; or	<input type="checkbox"/>
k	Engaged in fishing or fishing related activities in contravention of any other binding IOTC Conservation and Management Measures;	<input checked="" type="checkbox"/>

C. Associated Documents

(List here the associated documents that are appended e.g. boarding reports, court proceedings and photographs)

Appendix I – Photographs.

Appendix II – Inspection Report

Appendix III – Notification of Investigation and Request for Cooperation

Appendix IV – Request for Clarification and DFAR Response

D. Recommended Actions

	Recommended Actions	Indicate
a	Notification to IOTC Secretariat only. No further action is recommended.	<input type="checkbox"/>
b	Notification of illegal activity to IOTC Secretariat. Recommend notification of activity to flag State.	<input type="checkbox"/>
c	Recommended for inclusion on IOTC IUU list	<input checked="" type="checkbox"/>

Appendix I – Photographs.



Figure 1: Vessel photo, starboard side

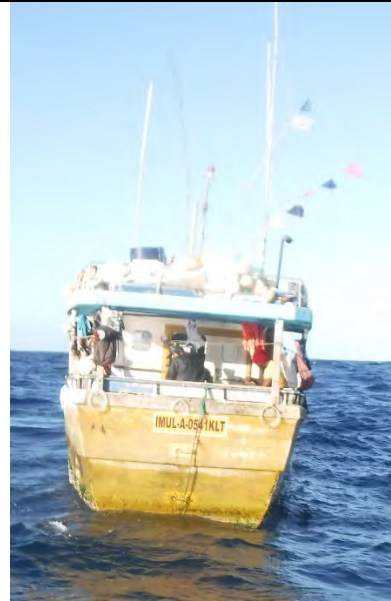


Figure 2: Vessel stern depicting IMULA number

The logbook page contains the following sections:

- Header:** Daily Catch Data for a Fishing Trip
- Table:** A table with columns for Date, Location, Species, Weight, etc. The last entry is for 05/05/2019.
- Footer:** Received Date: 2019. 8.24 9:06, and other administrative information.

Figure 3: Vessel logbook, last entry 05/05/2019



Figure 4. Unmarked floats

INSPECTION REPORT – JGC-05-003

1 Summary

Date of boarding	24/08/2019
Patrol type and number	FIPA 72
Vessel name	Chathuranga 2
Vessel type	IMULA
Vessel flag and home port	Sri Lanka
Vessel identification number	IMULA 0541 KLT
IOTC# (if registered)	14383
Vessel Master name	CPK Ranaweera
SFPO	John Caddle
BPV crew assisting	David Laing
Outcome of boarding	

2 Initial sighting details (from Grampian Frontier only)

Date and time of first sighting	24/08/2019	(DD/MM/YY)			
Sighted by	David Laing	Radar	x	Visual	x
Position of target 1	09.32.489 'S 72.51.802				
Course	133				
Speed	1.8 knots				
Range	2.3 nm				
Bearing	290 degrees				
Comments:					
Fisheries Pennant and Sierra Quebec Three Raised	24/08/2019 07:45	(DD/MM/YY HH:MM)			
Vessel called on VHF CH16 and MF 2182.0	24/08/2019 07:45	(DD/MM/YY HH:MM)			
Target requested to stop and prepare for boarding.	24/08/2019 08:39	(DD/MM/YY HH:MM)			
Response to request for boarding	Compliant				

3 Launching of workboat

Time workboat launched	24/08/2019	(DD/MM/YY)	
Workboat crew	Coxn: S Cullen Boiwmn: J Szostek		
Comments on the approach to the FV: On approaching the vessel, it was stopped in the water. The FRC proceeded around the vessel to take photographs. The swell was around 3 to 4 meters so a slow approach and safe boarding was conducted. The vessel was approached about 4 times before being boarded safely			
	Port	Y	
Photographic Evidence Collected (See Annex 1).	Starboard	Y	
	Stern	Y	

	Fishing gear	Y
	Other	

4 Boarding details

Date and time vessel boarded	24/08/2019	(DD/MM/YY)	
Position vessel boarded	09° 32.747' S 072° 52.612' E		
BPV crew assisting	David Laing		
Language spoken	English		
Interpreter needed (Y/N)?	N	Name	N/A

4.1 Crew details

Vessel Master name	CPK Ranaweera		
Vessel Master nationality	Sri Lankan		
Vessel Master address	No 31/D Mullapitiya Beruwala		
Vessel Master D.o.B	05/03/1957	(DD/MM/YY)	
Number of crew (including captain)	5		
Vessel crew nationality	Sri Lankan		
Are any crew under 18 (Y/N), if 'Y' provide details below.			N
Do any crew have health issues (Y/N), if 'Y' provide details below.			N
Observations:			
Photographic Evidence Collected (See Annex 1).	Captain ID	Y	
	Other crew id	N	

4.2 Vessel registration and paperwork

Fishing licence present (y/n) and number if relevant	Y: 19EEZIMULA4093KLT (LKA EEZ only)		
Fishing licence date of issue, expiry and issuing authority	18/03/2019 – 31/12/2019 (DD/MM/YY) Director Gen of Fisheries, LKA		
FV owner name (as per licence)			
FV owner details (as per licence)	BDS Fernando Fernando 2 MRA Wikramassoriya 1/62 Marakkala Watta, Beruwala (Taken from the IOTC current vessel data base online. No information on vessel)		
Fishing logbook present (y/n) and number if relevant	Y, 2324		
Issuing authority	Director Gen of Fisheries, LKA		
Date of last entry	05/05/2019	(DD/MM/YY)	
Position of last entry	Unknown		
Other paperwork: N/A			
Photographic Evidence Collected (See Annex 1).	Licence	Y	
	Logbook	Y	
	Other	Y	

4.3 Information from Captain

Time of discussion with captain	08:40	(HH:MM)
Captain's rights read and understood?	N/A	
FV Port of departure	Beruwala	
Date of departure	Unknown	(DD/MM/YY)
Travelling to or from fishing grounds?	Unknown	
Amount of fish onboard (t)	30	
If fish onboard where caught?	BIOT EEZ	
If fish onboard when caught?	Unknown	
If fish onboard how caught?	Longline/Drift Net	
Destination	Beruwala	
Port of return	Beruwala	
Anticipated date of return	Unknown	(DD/MM/YY)
Comments: During documentation check one crew member spoke broken English and he was asked to interpret and he willingly did so. As we came across the LKA EEZ fishing licence when ask why he didn't have a High seas licence he said "I don't know" When asked why here he replied "Good fishing".		

4.4 Vessel inspection

Fishing gear type	Gill net and LL (wire trace)		
Comments: Gill Net stowed correctly however, the Master when asked if his gear was in the water he said "Yes" on checking the upper deck there was bait cut on deck and there were 3 x sucker fish alive and wriggling on the deck.			
Catch onboard (estimated t)	Approx ¾ to 1 ton.		
IOTC species onboard (Y/N)	Y	Endangered species onboard (Y/N)	N
Description of catch: Forward hold had what looked like sword fish HT and rear hold had Shark and Tuna species in.			
Comments: On boarding the vessel, the sea state was difficult. The swell was 3-4 meters and whilst on the vessel it was difficult to have a detailed inspection. As thorough an inspection that could safely be done was completed.			
Photographic Evidence Collected (See Annex 1).	Gear	Y	
	Catch	Y	
	Hold	Y	

5 List of violations ("X" marks non-compliance otherwise leave blank)

5.1 BIOT ordinance violations

Fishing without a licence	X
Fishing with prohibited fishing gear	X
Possession of prohibited fishing gear	X
Obstruction of a fisheries patrol officer	
Possession of sea cucumbers or molluscs	
Traversing or landing on an SNR	
Comments:	

5.2 IOTC CMM violations

Vessel not marked with name or callsign	
Fishing gear not marked with name or callsign	X
No VMS	
VMS not tamperproof	
No state issued logbook	
No state issued licence	X (LKA EEZ Only)
Possession of drift net over 2.5km.	
Not on the IOTC authorised list	
Not on the IOTC Record Active Tuna / Swordfish	
No turtle de hooker on board	
Comments: Vessel detained and taken back to Diego Garcia for further investigation.	

6 SFPO actions

Vessel and Master detained and escorted to DG	Y
FPN issued and catch and gear seized	
IOTC Reporting Form to be completed (Res: 11/03)	Y
Master given verbal warning and released	
No further action, vessel released	
Comments	

7 Disembarkation and recovery

Time FV disembarked	09:50 & 14:34	(HH:MM)
Time Workboat recovered to the BPV	10:23 & 14:36	(HH:MM)
Comments: Due to sea state, seeking advice from ROPO1 and gear in the water the vessel was boarded twice and approached once and instructed to haul gear.		

8 Vessel records and history

Vessel on IOTC register (Y/N)	Y	IOTC number	14383
Vessel on IOTC Record Active Tuna / Swordfish (Y/N)			N
Version of IOTC database referenced:			Online current vessels
Vessel previously boarded (Y/N)	N	Inspection report ID	
Master previously boarded (Y/N)	N	Inspection report ID	
Owner previously boarded (Y/N)	N	Inspection report ID	
Crew previously boarded (Y/N)	N	Inspection report ID	
Comments:			

John Caddle
BIOT Senior Fisheries Protection
Officer 24/08/2019

Appendix III – Notification of Investigation and Request for Cooperation



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Geethamali Chandrasiri
Assistant Director
Department of Fisheries and Natural Resources
No. 10 New Secretariat
Maligawatta, Colombo 10
E-Mail: Geethamali Chandrasiri

26 August 2019

ip@fisheriesdept.gov.lk

Cc: Director General dqdfar@gmail.com;
Janak Pushpakumara kumara84janaka@gmail.com;
Nuwan Gunawardana nuwan54@gmail.com;
Kalyani Hewapathirana hewakal2012@gmail.com

Dear Dr Chandrasiri,

Request for Confirmation of Ownership of the Sri Lankan vessel Chathuranga 2 (IMULA-0541-KLT)

The Sri Lankan flagged vessel **Chathuranga 2** IMULA 0541 KLT, (IOTC0014383 (current authorisation expired 30/04/2019)) is currently the subject of a criminal investigation into suspected fishing activities. In order to complete the investigation, the BIOT Administration needs to be clear as to the accurate details of the registered owner before a final decision on any course of action can be taken. At this stage our investigations into the possible activities of this vessel are preliminary, no finding has been made by the Administration of any such activity. According to the best information available to the Administration the owners' names and address are as follows. NB: These have been taken from the IOTC record of vessels as no details were available during the inspection (<https://www.iotc.org/vessels/history/101127/14383>)

Source	Owner Names / Address
IOTC Record of Active Vessels for IMULA 0541 KLT	B.D.S. FERNADO Mr. A. WIKRAMASOORIYA 1/62, MARAKKALA WATTA, BERUWALA

Please can you confirm the ownership details for the vessel? We would be grateful for a formal signed response with a DFAR letterhead, which can be scanned and sent by email as soon as possible.

There was no VMS unit visible onboard. However, in case this is not the case, please could you supply any VMS records for the recent trip that could provide information in relation to the vessel's movements. We would be grateful for an early indication of whether you plan to request that Sri Lankan authorities deal with the vessel if it is confirmed that it is in violation of the fisheries regulations of Sri Lanka.

Thank you for your cooperation.

Yours sincerely

Linsey Billing
BIOT Administrator

Dr Christopher Mees
Head of UK Delegation to IOTC

තැ. අං. } 531
த. பெட்டி }
P. O. Box }

දුරකථන } 446183
தொலைபேசி }
Telephone } (3 lines)

අධ්‍යක්ෂ ජනරාල් කාර්යාලය } 449170
பணிப்பாளர் நாயகத்தின் அலுவலகம் }
Office of Director General } 472187



ෆැක්ස් අංකය } 449170
தொலை நகல் }
Fax No. }

මගේ අංකය } DFAR/DFO/B
எனது இல. }
My No. }
ඔබේ අංකය }
உமது இல. }
Your No. }

ධීවර හා ජලජ සම්පත් දෙපාර්තමේන්තුව

கடற்றொழில், நீரியல் வளத்துறை திணைக்களம்

DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

E-mail : depfish@diamond.lanka.net

Web : www.fisheriesdept.org

නව මහලේකම් කාර්යාලය, මාලිගාවත්ත, ද
புதிய செயலகம், மாளிகாவத்த, கொழும்பு
New Secretariat, Maligawatta, Colomb

දිනය } 28/08/2019
நினைதி }
Date }

Linsey Billing – BIOT Administrator
Dr C.C. Mees - Head of UK(OT) Delegation to IOTC
18 Queen Street
London, W1J 5PN
United Kingdom

Dear Madam

Confirmation of ownership details of the Vessel “Chathuranga 2” (IMUL-A-0541-KLT)

This is in reference to your letter dated 26th Aug 2019 requesting confirmation of the ownership details of the Vessel “Chathuranga 2” (IMUL-A-0541-KLT)

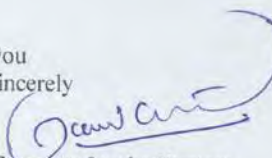
We confirm the owner of the above vessel is as follows.

Owner Name/address	Sources
1/162, Marakkalawaththa, Beruwala.	DFAR Vessel Registry. Copy of the vessel registration attached.

The owner has been granted permission to operate only within EEZ of Sri Lanka. The vessel is equipped with VMS; however the skipper has switched off VMS. There are provisions under the Fisheries and Aquatic Resources Act No. 2 of 1996 Sri Lanka and the amendments to take legal actions against the fishers who violate the conditions of the licenses issued. Therefore we would much appreciate if you send the vessel and the crew to Sri Lanka with your the findings of the investigation to this Department to take legal actions.

Your continuous support of providing information of the Sri Lanka vessels those engage in irresponsible fishing activities in BIOT waters is highly appreciated.

Thank you
Yours sincerely


Ginige Prasanna Janaka Kumara
Director General

Vessel Registration Certificate

Boat Registration No **IMUL-A-0541KLT**

Certificate Serial No **50025**

Date of First Registration 17-Feb-12

Vessel Material FRP

Year of Manufacture 2011

Length 41.91 Feet

Engine No 6TY120255061 Engine Type Yanmar

Horse Power 115

Boat Yard VIHAGA MARINE Boat Yard No. VM 52

Owner Details

Name	Address	National ID	Effective Date
WICKRAMASURIYA BDSFA	1/162 , MARAKKALAWATHTHA, BERUWALA, -	813300150V	18-May-15


Insurance No 02/MBSL/FB/3500/2012

Insurance Date 17-Feb-12

1. Port Name Beruwala Harbour
2. Port Name Not available

27/08/2019

Date


For Director General
Department of Fisheries and Aquatic Resources

Registration Certificate received


Kalyani Hewapathirana
Director (Fishing Operation)
Department of Fisheries & Aquatic Resources
Maligawatte,
Colombo 10.

Signature of Applicant

Management Division - Vessel Registry Unit
Tuesday, August 27, 2019

Boat Departure Form

FM/BD

VMS Active Code VMS සක්‍රීය අංකය	VMS EEZ only.			27 AUG 2019
 Department of Fisheries & Aquatic Resources ධීවර හා ජලජ සම්පත් දෙපාර්තමේන්තුව	1. Report No. වාර්තා අංකය	District code/Harbour/month/S.No. 125/05/2019/07/488		
2. Boat Registration No. යාත්‍රා ලියාපදිංචි අංකය	E.A.K IMUL - A - 0541 KLT			
3. Departure Port පිටත් වූ වරාය	මෝබලම	Departure Date පිටත් වූ දිනය	2019/07/28	
4. Area of Fishing Operation ධීවර මෙහෙයුම් කරන ප්‍රදේශය	EEZ දේශීය	High Sea මහ මුහුද <input checked="" type="checkbox"/>	EEZ & High Sea දේශීය හා මහ මුහුද <input checked="" type="checkbox"/>	X
5. Name of the Skipper නියමුවාගේ නම	C.N.K. ටිකුණ			
Address ලිපිනය	No. 31 / D, මල්වත්ත, මෝබලම			
SKL No. නියමු බලපත්‍ර අංකය	S.L. 0864 KLT			
National Identity Card No. ජා.හැ.අංකය	570652770 V ✓			
Telephone No. දුරකථන අංකය	0777180500			
6. Details of Crew Members ගැනියන් පිළිබඳ විස්තර				
Name නම	National Identity Card No. ජා.හැ. අංකය			
i A.R.M. ජනාම	199017500831 ✓			
ii W.M. අමේනිහ	195614401065 ✓			
iii W.P.M. දිල්කාන්	860074540 W ✓			
iv G.K.S. මුහුණාරින	900433077 ✓			
v				
vi				
vii				

7. Information of fishing gear ධීවර පන්ත පිළිබඳ තොරතුරු				
7.1 . Long Line මරුවැල්				
Length of long line මරුවැල දිග (මීටර්)	200 x 60			
Length of Floating line බෝයා කමි උස (බිඹ)	20			
Length of branch line ශාකා යොනෙහි උස (බිඹ)	20			
No. of Hooks & Type බිලි කටු වර්ගය සහ සංඛ්‍යාව	200			
7.2. Gill Net කරමල් දැල්				
Mesh size (In.) දල් ඇසක ප්‍රමාණය (අඟල්)	6"	↘		
Length of net (No. of Mesh) දල් කවචයක දිග (ඇස් සංඛ්‍යාව)	100			
Height of the Net (No. of Mesh) දල් කවචයක උස (ඇස් සංඛ්‍යාව)	1000			
Number of Net Pieces දල් කවච ගණන	25			
7.3. Other Net වෙනත් ආම්පන්න				

cc
Director operations & ...
[Signature]



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Ginigie Prasanna Janaka Kumara
Director General
Department of Fisheries and Natural Resources
No. 10 New Secretariat
Maligawatta, Colombo 10

04 September 2019

E-Mail: Director General dqdfar@gmail.com
Cc: Geethamali Chandrasiri ip@fisheriesdept.gov.lk
Janak Pushpakumara kumara84janaka@gmail.com
Nuwan Gunawardana nuwan54@gmail.com
Kalyani Hewapathirana hewakal2012@gmail.com

Dear Mr. Ginige Prasanna Janaka Kumara,

Release of the Sri Lankan vessel Chathuranga 2 (IMULA-0541-KLT)

Thank you for your letter dated 28th August 2019 confirming the ownership and licensing details of the above referenced vessel.

The vessel was first sighted on 24th August 2019 and was subsequently detained on suspicion of being involved in illegal fishing activity and escorted to Diego Garcia for further investigation by the BIOT Police.

On 26th August 2019, an application was made to the Magistrate to destroy the catch. Having heard from the BIOT Police and the Master of the vessel, the Magistrate ordered the destruction of the catch. The catch included black marlin, striped marlin, skipjack tuna, yellowfin tuna, longfin and shortfin mako sharks, silky sharks, smooth hammerhead sharks and a manta ray.

A further court hearing was held in Diego Garcia on 30th August 2019. The Owner of the vessel pleaded guilty to charges of illegal fishing and being in possession of illegal gear. The Owner was fined £15,000 for illegal fishing, £7,500 for possession of illegal fishing gear, with £50 Court Costs and the court ordered that all fishing gear be forfeited, in accordance with BIOT law. A copy of the Certificate of Conviction is attached for your information.

The vessel was released and escorted from Diego Garcia on 31st August 2019.

We would like to request that, DFAR take such action as they can against the owner / Master of this vessel so as to discourage him and others from entering BIOT waters and engaging in illegal fishing activity. We would be grateful to be kept informed of any action to be taken by the Authorities in Sri Lanka.

We would like to thank Sri Lanka as flag State for the continued bilateral assistance in combatting the threat of IUU fishing in the Indian Ocean.



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Internet: www.mrag.co.uk

If you have any questions or require assistance please do not hesitate to contact myself (c.mees@mrags.co.uk) or James Moir Clark (j.clark@mrags.co.uk). We look forward to your continued cooperation.

Yours Sincerely

Dr C.C. Mees
Head of UK(OT) Delegation to IOTC

Linsey Billing
BIOT Administration, Director of Fisheries



Mr David Murphy
Clerk of the Magistrate's Court
Diego Garcia
British Indian Ocean Territory
BFPO 485

Tel: 00246 370 3506
Email: BIOT-HQ-LCIS@MOD.UK

CERTIFICATE OF CONVICTION

Case Number: 007/19

This is to certify that on the 30th of August 2019 Mr Chandra Puscha Kumara Ranaweera attended the Magistrate's Court in Diego Garcia and on his own admission guilty pleas were entered to the following charges:

1. Chandra Puscha Kumara Ranaweera, being the Master of Sri Lankan Fishing Vessel CHATHURANGA-2 IMULA - 0541KLT did, between the 28th day of July 2019 and the 24th day of August 2019, fish within the fishing waters of the British Indian Ocean Territory without a licence.

Contrary to Section 7(2)(a) of the Fisheries (Conservation and Management) Ordinance 2007.

2. Chandra Puscha Kumara Ranaweera, being the Master of Sri Lankan Fishing Vessel CHATHURANGA-2 IMULA - 0541KLT was found with prohibited fishing gear, namely wire trace line.

Possession of Prohibited fishing gear on a fishing boat, contrary to section 6(2)(a) of the fisheries (Conservation and Management) Ordinance 2007.

SENTENCE

1. £15,000 fine for illegal fishing in BIOT waters – To be paid within 28 days
2. £7,500 fine for possession of illegal fishing gear – To be paid within 28 day.
3. £50 Court Costs
4. Forfeiture of all fishing gear; apart from equipment used for personal food.

CERTIFIED TRUE COPY
Clerk of the Court 
30 AUG
CLERK OF THE COURT
BIOT

Date: 30th August 2019





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Ginigie Prasanna Janaka Kumara
Director General
Department of Fisheries and Natural Resources
No. 10 New Secretariat
Malgawatta, Colombo 10

27 September 2019

E-Mail: Director General dqdfar@gmail.com
Cc: Kalyani Hewapathirana hewakal2012@gmail.com
Geethamali Chandrasiri ip@fisheriesdept.gov.lk
Janak Pushpakumara kumara64janaka@gmail.com
Nuwan Gunawardana nuwan54@gmail.com

Dear Mr. Ginige Prasanna Janaka Kumara,

Non Payment of Fine for the Sri Lankan vessel Chathuranga 2 (IMULA-0541-KLT)

As previously notified to you on 4 September 2019 the Master of the Sri Lankan flagged vessel Chathuranga 2 (IMULA-0541-KLT) pleaded guilty to charges of illegal fishing and being in possession of illegal gear and was fined £15,000 for illegal fishing, £7,500 for possession of illegal fishing gear, with £50 Court Costs.

The BIOT Administration can confirm that the fine has not been paid by the due date of 21 September 2019. This information will be pertinent to any report to be submitted to the IOTC IUU Compliance Committee in due course.

In our letter dated 4 September we requested that, DFAR take such action as they can against the Owner / Master of this vessel so as to discourage him and others from entering BIOT waters and engaging in illegal fishing activity. As agreed under our bilateral arrangement, please provide to the BIOT Authority within 30 days (i.e. 27 October 2019) details of the actions taken in respect of the vessel, owner and master and details of the dates on which any outcomes of the cases may be known. Please provide any relevant supporting evidence.

We would like to thank Sri Lanka as flag State for the continued bilateral assistance in combatting the threat of IUU fishing in the Indian Ocean.

If you have any questions or require assistance please do not hesitate to contact myself (c.mees@mrags.co.uk) or James Moir Clark (j.clark@mrags.co.uk). We look forward to your continued cooperation.

Yours Sincerely

Dr C.C. Mees
Head of UK(BIOT) Delegation to IOTC

Linsey Billing
BIOT Administration, Director of Fisheries

Office of the Commissioner's Representative
Diego Garcia
British Indian Ocean Territory
BFPO 485

Tel: 00246 370 3506



28th November 2019

Dear Mr Ranaweera

I am writing further to your appearance before the BIOT Magistrates Court on 30th August 2019.

As you know, on that day, after accepting your guilt to the charges which you faced, you were convicted of the following criminal offences:

1. Fishing without a licence in BIOT waters contrary to Section 7(1) and 7(2)(i) of the Fisheries (Conservation and Management) Ordinance 2007.
2. Possession of Prohibited fishing gear in BIOT Waters contrary to Section 6(2) and 6(3)(i) Fisheries (Conservation and Management) Ordinance 2007.

You received the following sentences as a result of those admissions.

For the charge of Fishing without a Licence you were fined 15,000 GBP.
For the charge of being in possession of prohibited fishing gear you were fined 7,500 GBP.
In addition you were ordered to pay 50.00 GBP towards the costs of your case and the Court ordered that the fishing gear recovered from the fishing vessel of which you were the Master, the Chathuranga II, be forfeited to the Court.

The Magistrate ordered that you pay the fine and costs within 28 days.

The deadline for the payment of the monies was the 28th of September 2019 and it has now passed and the Court has noted that no monies have been paid by you.

I am writing to remind you of your obligation to pay these penalties and that a failure to do so could result in you facing further enforcement action.

I attach once more the details of the Bank to where these monies should be paid.

Yours sincerely,

Mr David Murphy
Clerk of the Court
HQBF BIOT
Diego Garcia

A handwritten signature in black ink, appearing to be 'DM', written over a horizontal line.



Bank details are as follows:

Account Name: BIOT Revenue Account
Account No: 00717735
Sort Code: 16-00-38
IBAN: GB43RBOS16003800717735
BIC/Swift Code: RBOS GB 2L
Address: The Royal Bank of Scotland PLC, London Drummonds Branch, 49 Charing Cross, London, SW1A 2DX.

කු. පෙ. } 531
ප. පෙ. පි. }
P. O. Box

දුරකථන } 446183
තொலைபேசி }
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අධ්‍යක්ෂ ජනරාල් කාර්යාලය } 449170
பணிப்பாளர் நாயகத்தின் அலுவலகம் } 472187
Office of Director General



ෆැක්ස් අංකය } 449170
தொலை நகல் }
Fax No.

මගේ අංකය } DFAR/DFO/BIOT-2019
எனது இல. }
My No.

ඔබේ අංකය }
உமது இல. }
Your No.

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கடற்றொழில், நீரியல் வளத்துறை திணைக்களம்

DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

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புதிய செயலகம், மாளிகாவத்த, கொழும்பு 10.
New Secretariat, Maligawatta, Colombo 10.

දිනය } 24/10/2019
திகதி }
Date

Linsey Billing – BIOT Administrator
Dr C.C. Mees - Head of UK(OT) Delegation to IOTC
18 Queen Street
London, W1J 5PN
United Kingdom

Dear Madam,

**Confirmation of actions taken in respect of “Lak Nadhee” (IMUL-A-0641 KLT),
“Chathuranga 2” (IMUL-A-0541 KLT), “Dinesh 03” (IMUL-A-0204 MTR)**

This is in reference to your letters dated on 27th September 2019 requesting confirmation of the actions taken in respect to the vessels reported in BIOT waters.

Please find the relevant information in the table provide in Annex I.

Your continuous support of providing information of the Sri Lanka vessels those engage in irresponsible fishing activities in BIOT waters is highly appreciated.

Thank you
Yours sincerely

Ginige Prasanna Janaka Kumara
Director General

Annex I

S/N	Vessel Name	Reg. Number & IOTC Number at the time of arrest	Date of reported from BIOT	Arrived date to SL	Initial Actions taken	Legal Actions taken	Case Number	Status at the end of the Month
1	LAK NADHEE	IMUL A 0641 KLT IOTC14850	27.03.2019	12.04.2019	1. Detained the vessels immediately after 2. Summon the skipper and the crew to the Head office DFAR and conduct an inquiry with the presence of the vessel owner. 3. Suspend the fishing operation license, Skipper license and seize the registration book and the log book issued to the vessel.	i. Initiate court case in MC Colombo under 14 a sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013 ii. Hon. Magistrate summoned to retain the vessel under the Dept. of Coast Guard iii. Accused accept the guilty and request for settlement under 52 sentence of FARA No. 2 of 1996	10087/5/19	Pending for administrative penalty
2	CHATHURANGA 2	IMUL A 0541 KLT IOTC14383	28.08 2019	08.09.2019	1. Detained the vessels immediately after 2. Summon the skipper and the crew to the Head office DFAR and conduct an inquiry with the presence of the vessel owner. 3. Suspend the fishing operation license, Skipper license and seize the registration book and the log book issued to the vessel.	i. Not taken action against the boat owner due to certificate of conviction issued by MC in Diego Garcia. ii. The owner of the vessel has informed to settel the panelty imposed by MC Diego Garcia	N/A	N/A
3	DINESH 03	IMUL A 0204 MTR	07.06.2019	06.07.2019	1. Detained the vessels immediately after arrival to the port and keep under the supervision of Coast Guard Department. 2. Summon the skipper and the crew to the Head office DFAR and conduct an inquiry with the presence of the vessel owner. 3. Suspend the fishing operation license, Skipper license and seize the registration book and the log book issued to the vessel.	i. Initiate court case in MC Colombo under 14 a & 14 f sentences of FARA No. 2 of 1996 amended by FARA No.35 of 2013 ii. Hon. Magistrate summon to retain the vessel under the Dept. of Coast Guard iii. Accused accept the guilty and request for settlement under 52 sentence of FARA No. 2 of 1996	12553/5/19	Pending for administrative penalty

Ginigie Prasanna Janaka Kumara
Director General
Department of Fisheries and Natural Resources
No. 10 New Secretariat
Maligawatta, Colombo 10

12 December 2019

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Geethamali Chandrasiri ip@fisheriesdept.gov.lk
Janak Pushpakumara kumara84janaka@gmail.com
Nuwan Gunawardana nuwan54@gmail.com

Dear Mr. Ginige Prasanna Janaka Kumara,

Follow up re non-payment of fine Chathuranga 2 (IMULA-0541-KLT) in BIOT Magistrates Court. Date of Hearing: 30th August 2019. Offences: Illegal Fishing and Possession of Illegal Fishing Gear. Non-payment of financial penalties (Illegal Fishing £15,000; Illegal Gear £7,500 and £50.00 Court Costs); Payment Due 28th September 2019.

Thank you for your letter of 24 October 2019 providing the details of actions taken by DFAR in respect of IMULA-0541-KLT as requested in our letter dated 27th September. This followed earlier communications on 4 September (vessel release with attached copy of Certificate of Conviction), and 26 August 2019 (confirmation of ownership).

We are writing to ask if you can provide us with further details on the actions taken locally in respect of this vessel, the Master/Skipper and the Owner. This will allow us to consider the submission that we shall make to the IOTC Compliance Committee as to whether your actions constitute measures of adequate severity which will allow us to conclude that it would not be necessary for us to ask for the vessel to be placed on the IUU list.

We should be grateful to have your answers in respect of the following questions:

1. Is this vessel still detained at the port and the subject of impounding by the Sri Lankan Authorities?
2. If the vessel is still detained what are the terms of any detention, specifically: is it without any licence to fish? Are you holding its registration or logbook? Does the Master/ Skipper's fishing operation licence remain suspended? Under what circumstances and when will you cease these actions?

Following the expiry of the deadline for the payment of the financial penalties imposed by the BIOT Magistrates' Court, a further letter, reminding the Master of his obligation to pay the Court fine was sent to him on the 28th November 2019 (attached). To date this has not been paid.

A non-payment of the fine could result in our asking that the vessel be placed on the IUU list. This has not been explained to the owner/ master. Perhaps DFAR, through your local Harbour Officers could do this?



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Other actions which Sri Lanka could take that might lead us to conclude that IUU listing is not necessary include the local Prosecution of the owner of the vessel for the violations of Sri Lankan Fisheries Laws for which he is liable.

We would be grateful for you to provide us with a full update of all of the actions that you have taken, are in the process of taking or intend to take in this case.

We would like to thank Sri Lanka as flag State for the continued bilateral assistance in combatting the threat of IUU fishing in the Indian Ocean.

If you have any questions or require assistance please do not hesitate to contact myself (c.mees@mrags.co.uk) or James Moir Clark (j.clark@mrags.co.uk). We look forward to your continued cooperation.

Yours Sincerely

Dr C.C. Mees
Head of UK(BIOT) Delegation to IOTC

Linsey Billing
BIOT Administration, Director of Fisheries

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 P. O. Box
 446183
 Telephone (3 lines)



අංක 331
 My No. DFAR/DFQ/BIOT-2019
 අංක 331
 Your No.

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DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

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 New Secretariat, Maligawatta, Colombo 10

දිනය
 Date 9/12/2019

Linsey Billing - BIOT Administrator
 Dr C.C. Mees - Head of UK(OT) Delegation to IOTC
 18 Queen Street
 London, W1J 5PN
 United Kingdom

Dear Madam

Follow up actions non-payment of fine "Chathuranga 2" (IMUL-A-0541-KLT) Reported in BIOT waters

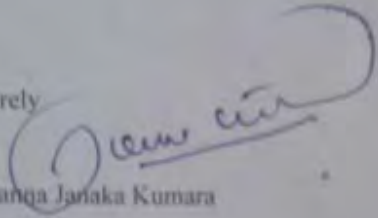
This is in reference to your letter dated 12th December 2019 Follow up non-payment of fine "Chathuranga 2" (IMUL-A-0541-KLT)

Further details on the actions taken by DFAR in respect of IMUL-A-0541-KLT is as follows.

Date of arrival to Sri Lanka	Action taken	Status at the end of the Month
20/09/2019	<ul style="list-style-type: none"> The vessel, logbook and the skipper license taken to the custody of DFAR. The vessel registration and fishing operation license suspended The Owner informed to pay the fine imposed by the Courts of Diego Garcia. (Annex i) Since fine is not paid a case filed against the owner of the vessels under the provisions of 14 (E) FARA Act No 35 on 11th November 2019. The case No. 22573. The owner informed the repercussions of being listed in IUU vessels list as per IOTC resolution 18/03 (Annex ii) First trial date was 04.12.2018 Skipper listed to participate at next 2 day awareness on the international laws and obligations of high seas after the trial operations. 	<ul style="list-style-type: none"> SLR 100,000 personal bail Boat was released on SLR 3million bond Transfer and handover to others, make alterations to the boat was suspended The vessel is detained with Coast Guard Department and anchored at Beruwala harbour since the date of arrived to Sri Lanka Next trial date is on 17th February 2020 <p>NOTE: Following the recent instructions given to all FV owners by DFAR, The skipper has signed an agreement with the owner mentioning that he will never cross MBL or do any illegal fishing (Annex iii). Therefore, the skipper will prosecuted based on this Agreement until the legal provisions to act against the skipper is passed</p>

Further, The current status of the other two vessels reported in BIOT water in year 2019 are as Annex iii.

Thank you
Yours sincerely


Ginige Prasanna Jadhava Kumara
Director General



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Ginigie Prasanna Janaka Kumara
Director General
Department of Fisheries and Natural Resources
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24 February 2020

E-Mail: Director General dgdgar@gmail.com
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Geethamali Chandrasiri ip@fisheriesdept.gov.lk
Janak Pushpakumara kumara84janaka@gmail.com
Nuwan Gunawardana nuwan54@gmail.com

Dear Mr. Ginige Prasanna Janaka Kumara,

Request for updated status of the cases relating to: IMULA 0641 KLT (Lak Nadhee); IMULA 0204 MTR (Dinesh 3); IMULA 0541 KLT (Chathuranga 2); IMULA 0096 KLT.

Thank you for your letter of 26 December 2019 providing updated details of actions taken by DFAR in respect of the three Sri Lankan flagged vessels IMULA 0641 KLT (Lak Nadhee); IMULA 0204 MTR (Dinesh 3); IMULA 0541 KLT (Chathuranga 2).

The 70-day deadline for submission of vessels to the IOTC draft IUU vessels list is 22 March (effectively Friday 20 March). We are writing to ask if you can provide us with further details in advance of that deadline by 13 March 2020 as follows:

IMULA 0641 KLT (Lak Nadhee)

1. We assume that it was the Owner that was prosecuted - Please confirm?
2. Has the administrative penalty of SLR150,000 now been paid?
3. Is this vessel still detained at the port and the subject of impounding by the Sri Lankan Authorities? If it has been released, under what conditions?
4. Does the Master/ Skipper's fishing operation licence remain suspended? Under what circumstances and when will you cease these actions?

IMULA 0204 MTR (Dinesh 3)

1. We assume that it was the Owner that was prosecuted - Please confirm?
2. Has the administrative penalty of SLR400,000 now been paid?
3. Is this vessel still detained at the port and the subject of impounding by the Sri Lankan Authorities? If it has been released, under what conditions?
4. Does the Master/ Skipper's fishing operation licence remain suspended? Under what circumstances and when will you cease these actions?

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IMULA 0541 KLT (Chathuranga 2)

1. Please provide details of the outcome of the trial of the owner held on 17 February 2020.
2. Your letter dated 26 December 2019 indicates 'Boat was released on SLR 3million bond' and 'The vessel is detained with the Coast Guard at Beruwala Harbour since the date of arrived to Sri Lanka' Please confirm which is correct?
3. Please clarify if the skipper is also being prosecuted or if any such prosecution would be for a future offence (refer to your note at the bottom of the table on page 1 of your letter of 26 December 2019). If the skipper is being prosecuted.
4. Does the Master/ Skipper's fishing operation licence remain suspended? Under what circumstances and when will you cease these actions?

IMULA 0096 KLT

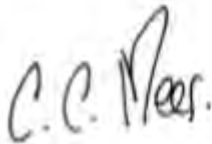
1. We refer to our letter dated 28 January 2020.

We would be grateful for you to provide us with a full update of all of the actions that you have taken, are in the process of taking or intend to take in these cases. This will allow us to consider the submissions that we shall make to the IOTC Compliance Committee as to whether your actions constitute measures of adequate severity which will allow us to conclude that it would not be necessary for us to ask for the vessel to be placed on the IUU list.

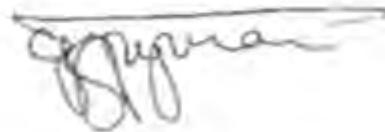
We would like to thank Sri Lanka as flag State for the continued bilateral assistance in combatting the threat of IUU fishing in the Indian Ocean.

If you have any questions or require assistance please do not hesitate to contact myself (c.mees@mrags.co.uk) or James Moir Clark (j.clark@mrags.co.uk). We look forward to your continued cooperation.

Yours Sincerely



Dr C.C. Mees
Head of UK(BIOT) Delegation to IOTC



Christopher (Kit) Pyman
BIOT Administration, Director of Fisheries

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New Secretariat, Maligawatta, Colombo 10.

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திகதி } 12/03/2020
Date }

Dr C.C. Mees - Head of UK(OT) Delegation to IOTC
18 Queen Street
London, W1J 5PN
United Kingdom

Dear Sir,

Updated status of the cases relating to: IMULA 0641 KLT (Lak Nadhee); IMUL 0204 MTR (Dinesh 03); IMULA 0541 KLT (Chathuranga 2) and IMULA 0096 KLT.

This is in reference to your letters dated 24th February 2020 on the above.

The current status of the above four Sri Lanka fishing vessels reported in BIOT water in year 2019 and 2020 are given in the Table 01 annexed hereto.

Thank you
Yours sincerely

Ginige Prasanna Janaka Kumara
Director General

Copy : Linsey Billing – BIOT Administrator

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 புதிய செயலகம், மாலிகா வத்த, கொழும்பு 10.
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IMUL-A-0096 KLT යාත්‍රාව දියාගේ ශාර්ඛියාවට (BIOT) අයත් මුහුදු සීමාවේ, 2020/01/20 යන දින අනවසර ලෙස ධීවර කටයුතු වල යෙදීම සහ එරට මුහුදු සීමාවේ තහනම් ධීවර ආම්පන්න භාවිතා කිරීම යන කරුණු පදනම් කර ගනිමින් 2020/01/25 දින එරට අධිකරණයට ඉදිරිපත් කරන ලදුව පවත්වන ලද නඩු විභාගයෙන් වරදකරු බවට පිළිගෙන පහත සඳහන් දඩ මුදල් දින 30 ක් ඇතුළත, එනම් 2020.02.23 දිනට පෙර ගෙවීමට නියෝග කොට ඇති බව මෙම දෙපාර්තමේන්තුවට දැනුම් දී ඇත.

අදාළ වරදකරු කිරීමේ සහතිකයේ පිටපතක් මේ සමඟ අමුණා ඇත.

01. අභවසර ලෙස ධීවර කටයුතු වල යෙදීම වෙනුවෙන් මුත්‍යානා පවුම් -	10,000
02. තහනම් ධීවර ආම්පන්න භාවිතා කිරීම වෙනුවෙන් මුත්‍යානා පවුම් -	7,500
03. උසාවි ගාස්තු වෙනුවෙන්	මුත්‍යානා පවුම් - 100
එකතුව	මුත්‍යානා පවුම් - 17,600

උක්ත දඩ මුදල් ගෙවීමට කටයුතු කරන ලෙස මෙයින් දන්වා සිටිමි.

තව ද, ඔබ විසින් අනවසර ලෙස ධීවර කටයුතු වල යෙදීම, තහනම් ධීවර ආම්පන්න භාවිතා කිරීම හා උසාවි ගාස්තු සඳහා BIOT අධිකරණයට ගෙවිය යුතු අදාළ දඩ මුදල් ගෙවීම පැහැර හැරීම සිදු කරනු ලැබූව හොත් එයද බරපතල වරදකි. ඉන්දියානු සාගර වුනා කොමසමේ (IOTC) 18/03 සම්මුතිය අනුව උක්ත වැරදි කරනු ලබන යාත්‍රා නීති විරෝධී, වාර්තා නොවූ හා අවිධිමත් යාත්‍රා ලැයිස්තුවට (IUU list) ඇතුළත් කරනු ලබයි.

- එම ලැයිස්තු ගත යාත්‍රා,
- ලියාපදිංචි හා ධීවර මෙහෙයුම් බලපත්‍ර අවලංගු කිරීම
 - යාත්‍රා හිමිකරු හා නියමුවා ඇතුළු කාර්ය මණ්ඩලයට එරෙහිව නඩු පැවරීම
 - නීති විරෝධී කටයුතු කරන අවස්ථාවේ යාත්‍රා හිමිකාරීත්වය තිබූ පුද්ගලයින්ට එම යාත්‍රාව යොදා ගනිමින් ධීවර කටයුතු වල යෙදීම-තහනම් කිරීම
 - එවැනි යාත්‍රා වලින් බලශා සහ කෙළවල්ලන් වැනි වුනා විශේෂ අපහාසනා කිරීම, ගොඩබෑම හෝ ප්‍රවාහනය තහනම් කිරීම යන කරුණුවලට යටත් වේ.

ශ්‍රී ලාංකික ධීවර යාත්‍රා මේ ආකාරයේ ලැයිස්තු ගත වීම විදේශීය වෙළඳ පොළ මත්ස්‍ය අපහාසනා කිරීම සඳහා දැඩි බලපෑමක් ඇති කරනු ලබන අතර එම තත්වය මඟරට ධීවර ක්ෂේත්‍රයේ ප්‍රගතියට බාධාවක් වේ.

ගිනිගේ ප්‍රසන්න ජනක කුමාර
 අධ්‍යක්ෂ ජනරාල්
 ධීවර හා ජලජ සම්පත් දෙපාර්තමේන්තුව

පිටපත්: අධ්‍යක්ෂ (විමර්ශන හා පුහුණු)- විමර්ශන හා පුහුණු අංශය-කා.දැ.පි.
 සහකාර අධ්‍යක්ෂ - කළුතර දිස්ත්‍රික් ධීවර කාර්යාලය- අවසාන කටයුතු සඳහා

03	CHATHURANG A 02	IMUL-A-0541-KLT	24.08.2019- 31.08.2019	08.09.2019	<p>01.The trial is further postponed next calling date 17.03.2020.</p> <p>02. Although the vessel released on SLR 3million bond the owner has not requested for depart for fishing yet . Therefore the vessel is still is detained with Coast Guard Department and anchored at Beruwala harbor.</p> <p>03 The suspension of skipper license is removed. However the Skipper has violated the agreement he has signed with the vessel owner. Therefore he has been strictly advised and released on SLR 500,000 personal bond by the Magistrate.</p> <p>04. As per the FARA 1996 Act, legal actions can only be taken against the owner.</p> <p>Note: The draft amended act to include the provision to act against the skipper is currently processing at the Legal Draftsman Department. Once the said Act, enacted DFAR would be able to prosecute the skippers.</p>
04	NISANSALA 01	IMUL-A-0096 KLT	19.12.2019- 20.01.2020	05.02.2020	<ul style="list-style-type: none"> • The vessel, logbook and the skipper license taken to the custody of DFAR. • The vessel registration and fishing operation license suspended. • The Owner informed to pay the fine imposed by the Courts of Diego Garcia on the date of 30.01.2020. (Annex i) • Since fine is not paid a case filed against the owner of the vessels under the provisions of 14 (E) FARA Act No 35 on 23.02.2020. The case No. 28565/05/20. • 1st trial date 06.02.2020 and next trail date 11.05.2020 • The owner informed the repercussions of being listed in IUU vessels list as per IOTC resolution 18/03 on the date of 30.01.2020 (Annex i). • Skipper listed to participate at next 2 day awareness on the international laws and obligations of high seas after the trial operations.

Appendix IV – Request for Clarification and DFAR Response



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Mr P.J.K. Ginige
Director General
Department of Fisheries and Natural Resources
No. 10 New Secretariat
Maligawatta, Colombo 10

3 July 2020

E-Mail: dgdgar@gmail.com

cc: Kalyani Hewapathirana, Director Operations hewakal2012@gmail.com

Dear Mr Ginige,

IOTC draft IUU Vessels List 2020 - Request for updated details on the following vessels flagged to Sri Lanka: IMULA 0641 KLT (Lakna Dee); IMULA 0541 KLT (Chathuranga 2); IMULA 0096 KLT; IMULA 0204 MTR (Dinesh 3); IMUL-A-0811-GLE; IMUL-A-0868-CHW; IMUL-A-0063-KMN.

IOTC Circular 2020-19 provided revised dates for the upcoming Compliance Committee meeting with the new 70-day deadline for reporting vessels to IOTC for inclusion on the draft IUU vessels list being 23 July 2020. In light of that UK(BIOT) requests updated information on those vessels already submitted to IOTC on 20 March 2020 in order to determine if sanctions of adequate severity have now been applied. We also require updated information for those new vessels, already communicated to you, that will be submitted this year in order to determine our recommendation with respect to the draft IUU vessels list. A summary of the vessels for which updated details of actions taken by Sri Lanka in respect of both the owner and master (skipper) is required follows:

Presented for IUU inclusion on the draft IUU Vessel list on 20 March 2020.

Vessel	DFAR Actions/ Response letter dated 12/3/2020	BIOTA submission to IOTC cc DFAR on 20/3/20; Updates required
IMULA 0641 KLT (Lakna Dee)	Owner prosecuted; Administrative penalty NOT paid Vessel released under SLR 3m bond (not utilised by owner yet) Vessel detained under supervision of Coast Guard Owner/Skipper same person	Recommend IUU listing pending: ' <u>BIOTA require clarification that the vessel will remain detained until the administrative penalty is paid by the owner. With such an assurance we would consider that sanctions of adequate severity have been applied.</u> ' <u>Please confirm the vessel status.</u>
IMULA 0541 KLT (Chathuranga 2)	Owner trial postponed to 17/3/2020 Vessel released under SLR 3m bond (not utilised by owner yet) Therefore: Vessel detained under supervision of Coast Guard (but presumably would be released if Bond paid?) Skippers suspension now removed (if this is interpreted correctly?) but released on SLR 500000 bond due to violating agreement with owner.	Recommend IUU listing pending: 'Given the failure of the owner to pay the fine to BIOT, and that court proceedings undertaken by the Sri Lankan Authorities have yet to conclude, we consider that Sri Lanka has not provided sufficient information to enable the conclusion that sanctions of adequate severity have been taken in respect of the owner of this vessel.' <u>Please provide an update on court proceedings.</u> <u>Please confirm whether the vessel is still detained by the Coast Guard. Please confirm the status of the skipper.</u>

IMULA 0096 KLT	Vessel, logbook and skipper licence taken into DFAR custody Vessel registration and fishing operation licence suspended BIOT fine NOT paid, so DFAR prosecuting, next date 11/5/2020 Owner informed of consequences of IUU listing; Skipper on 2 day awareness course.	Recommend IUU listing pending: 'Given the failure of the owner to pay the fine to BIOT, and that court proceedings undertaken by the Sri Lankan Authorities have yet to conclude, we consider that Sri Lanka has not provided sufficient information to enable the conclusion that sanctions of adequate severity have been taken in respect of the owner of this vessel.' <u>Please provide an update on court proceedings.</u> <u>Please confirm whether the vessel is still detained by the Coast Guard</u>
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Presented to IOTC for information only on 20/3/20

IMULA 0204 MTR (Dinesh 3)	Owner prosecuted; Administrative penalty PAID Vessel released, conditions= no high seas fishing, priority for VMS Skippers suspension now removed (if this is interpreted correctly?)	We note that the vessel has been released on the condition that it undertakes no high seas fishing and that it is prioritised for installation of VMS. <u>We request that the Sri Lankan Authorities report to the Compliance Committee when installation of the VMS occurs. Please provide an update.</u>
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New Vessels to be presented to IOTC by 23 July 2020

Vessel	BIOT Action / Outcome	DFAR Actions/ Response on date. <u>Update required</u>
IMUL-A-0811- GLE	21/4/20 The vessel was inspected on 19/04/20 and presumed IUU in BIOT waters (fishing gear not stowed and readily available for fishing; vessel initially evaded the BPV) although there was insufficient evidence to detain the vessel which was escorted from BIOT waters.	28/04/20 Only authorised to fish in EEZ - DFAR will take legal action. <u>Please provide an update on actions taken in respect of the owner and master and outcomes, and the status of the vessel.</u>
IMUL-A-0868- CHW	Inspected in BIOT on 22/04/20 - no IOTC AFV reported to SL 30/4/20	16/06/20 Only authorised to fish in EEZ - DFAR will take legal action. <u>Please provide an update on actions taken in respect of the owner and master and outcomes, and the status of the vessel.</u>
IMUL-A-0063- KMN	Inspected - IUU in BIOT waters, gear in water 17/6/20 reported to DFAR 22/6/20	27/06/2020 By email with attachments. Requested Investigation Division take legal action - case pending. <u>New case but please provide an update on actions taken and outcomes in respect of owner and mater, and the status of the vessel a) before 23 July deadline and b) before 1 October CoC Meeting.</u>

We will make our submission to IOTC no later than 23 July but require time to consider our recommendation based on the actions taken by Sri Lanka. We therefore request that you provide the updated status on the actions and outcomes in respect of owners and masters, and on the status of the vessels **no later than 19 July 2020**. Please continue to provide updates leading up to the Compliance Committee Meeting on 1 October 2020.

We also note that since 2019 Sri Lanka has been working to update its fisheries legislation in respect of the actions that may be taken against skippers of relevant vessels. We would be grateful for an update on progress in this respect.

Finally, thank you also for providing details of a number of vessels for which administrative discrepancies had occurred with respect to addition to the IOTC Authorised Fishing Vessel list (IMUL-A-0732-CHW; IMUL-A-0804-CHW; IMUL-A-0130-CBO). These vessels will not be reported to IOTC on 23 July but will be noted in the vessels in-transit report that is submitted annually.

If you have any questions or require assistance please do not hesitate to contact us. We look forward to your continued cooperation.

Yours Sincerely



Dr C.C. Mees (c.mees@mrag.co.uk)
Head of UK(OT) Delegation to IOTC



Christopher (Kit) Pyman (Kit.Pyman@fco.gov.uk)
BIOT Administrator



ධීර හා ජල සම්පත් දෙපාර්තමේන්තුව
கடற்பொழில் நீரியல் வளத்துறை திணைக்களம்
DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

web site : <http://www.fisheriesdept.gov.lk> E - mail : info@fisheriesdept.gov.lk

ප්‍රධාන ලේකම්, ගාභිලානුගම පොදු 10, කොළඹ 10. இலங்கை மதி சில வகுறை துறை, சிங்கப்பள்ளம், கைதலி 10, சூ. இலங்கை New Secretariat, Maligawaththa, Colombo 10

මගේ අංකය
எனது இல
My Ref

} DFAR/DFO/BIOT/2020

ඔබේ අංකය
உமது இல
Your Ref

}

දිනය
திகதி
Date

}

13.07.2020

Dr C.C. Mees - Head of UK(OT) Delegation to IOTC,
18 Queen Street,
London, W1J 5PN,
United Kingdom.

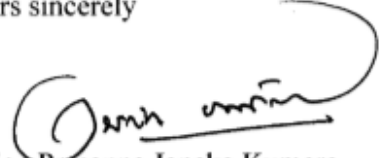
Dear Sir,

IOTC Draft IUU Vessel List 2020 – Request dor updated details on the following vessels flagged to Sri Lanka: IMULA 0641 KLT (Lak Nadhee); IMULA 0541 KLT (Chathuranga 2) and IMULA 0096 KLT; IMUL 0204 MTR (Dinesh 03); IMULA 0811 GLE; IMULA 0868 CHW; IMULA 0063 KMN.

This is in reference to your letters dated 3rd July 2020 on the above.

The current status of the above four Sri Lanka fishing vessels reported in BIOT water in year 2019 and 2020 are given in the Table 01 annexed hereto.

Thank you
Yours sincerely


Ginige Prasanna Janaka Kumara
Director General

Copy : Linsey Billing – BIOT Administrator

IOTC Draft IUU Vessel List 2020 -18/03 Resolution
New Vessels to be presented to IOTC by 23 July 2020

	Reg. Number / Vessel Name	Date of arrested /inspected	Arrived date to SL	Initial Action taken by DFAR	Legal Actions taken	Case Number	Status at the end of the Month
1	IMUL A 0063 KMN JK	17/06/2020	08/07/2020	<p>(i) Detained the vessel after arrival to the port of Sri Lanka and keep under the supervision of Department of Coast Guard (DCG).</p> <p>(ii) Summon the skipper and crew to the head office, DFAR and conduct and inquiry in the presence of the vessel owner</p> <p>(iii) Suspend the fishing operation license, skipper license and seize the registration book and the log book issued to the vessel.</p> <p>(iv) The owner informed the repercussions of being listed IUU vessels list as per the IOTC resolution 18/03 on the date of 24.06.2020 (Annex i-English translation)</p>	<p>(i) Filed court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013.</p> <p>(ii) Magistrate ordered to detain the vessel to owner SLR 5 million bond</p>	36436/5/20	Next trail date 20.10.2020
2	IMULA 0868 CHW Chamara Putha	22/04/2020	09/05/2020	<p>(i) Detained the vessel after arrival to the port of Sri Lanka and keep under the supervision of Department of Coast Guard (DCG).</p> <p>(ii) Summon the skipper and crew to the head office, DFAR and conduct and inquiry in the presence of the vessel owner.</p> <p>(iii) Suspend the fishing operation license, skipper license and seize the registration book and the log book issued to the vessel</p> <p>(iv) The owner informed the repercussions of being listed IUU vessels list as per the IOTC resolution 18/03 on the date of 16.06.2020 (Annex ii-English translation)</p>	<p>(i) Filed court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013</p> <p>(ii) Magistrate ordered to retain the vessel under the Dept. of Coast Guard and owner to present at the courts.</p>	34950/5/20	1 st trial date 15.07.2020
3	IMULA 0811 GLE	19/04/2020	07/05/2020	<p>(i) Detained the vessel after arrival to the port of Sri Lanka and keep under the supervision of Department of Coast Guard (DCG).</p> <p>(ii) Summon the skipper and crew to the head office, DFAR and conduct and inquiry in the presence of the vessel owner.</p> <p>(iii) Suspend the fishing operation license, skipper license and seize the registration book and the log book issued to the vessel</p> <p>(iv) The owner informed the repercussions of being listed IUU vessels list as per the IOTC resolution 18/03 on the date of 23.04.2020 (Annex iii-English translation)</p>	<p>(i) Filed court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013</p> <p>(ii) Magistrate ordered to detain the vessel under the Dept. of Coast Guard and owner to present at open court.</p>	36037/5/20	1 st trial date 15.07.2020

Presented for IUU inclusion on the draft IUU vessels list on 20 March 2020

	Reg. Number / Vessel Name	Date of arrested /inspected	Arrived date to SL	Legal Actions taken	Case Number	Status at the end of the Month
1	IMUL A 0096 KLT Nisansala 1	Between 19 th December 2019 and 20 th January 2020	05.02.2020	(i) Initiate court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013. (ii) Magistrate summoned to retain the vessel under LKR 5 million bond. (iii) Accused accept the guilty and request for settlement under 52 sentence of FARA No. 2 of 1996. (iv) The accused pleaded for one fishing trip to earn and pay the penalty and therefore one fishing trip allowed on 18/06.2020*.	28565/5/20	Penalty board to be meet to decide the amount of penalty.
2	IMUL A 0541 KLT Chathuranga 2	Between 24 th and 31 st August 2019	08.09.2019	(i) Initiate court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013. (ii) Magistrate summoned to retain the vessel on LKR 3 million bond. (iii) Owner pleaded on his economic constrains and ask for permit for fishing and therefore one fishing trip allowed with a different skipper on 17/06/2020* (iv) The Skipper is still accused in court case due to availability of ans agreement between skipper and owner of the vessel.	22573/5/19	17/03/2020 trial not held due to closure of Courts due to COVID 19 pandemic issue. Next trail date 08.12..2020
3	IMUL A 0641 KLT Lak nadee	27.03.2019	According to the stamen given by the skipper, arrival date is 12.04.2019	(i) Initiate court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013. (ii) Magistrate summoned to retain the vessel under LKR 3 million bond. (iii) Accused accept the guilty and request for settlement under 52 sentence of FARA No. 2 of 1996 (iv) The accused pleaded for one fishing trip to earn and pay the penalty and therefore one fishing trip allowed on 14/07.2020*.	10087/5/19	Administrative penalty LKR 400,000 is not paid.

Presented to IOTC for information only on 2020

1	IMUL A 0204 MTR	07.06.2019	06.07.2019	(i) Initiate court case in MC Colombo under 14 a & 14 f sentences of FARA No. 2 of 1996 amended by FARA No.35 of 2013 (owner and skipper are same person) (ii) Magistrate summon to retain the vessel under the Dept. of Coast Guard. (iii) Accused accept the guilty and request for settlement under 52 sentence of FARA No. 2 of 1996	12553/5/19	Administrative penalty SLR 1,000,000 has paid. The vessel is detained and the owner is in the pending list of VMS installation.
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- The economic situation of fisher community has become very poor due to the lock down of the country and closure of markets in the country due to covid-19 pandemic and therefore DFAR tend to take some decisions on humanitarian grounds on these vessel owners due to social issues.



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கடற்பொழியல் தீரியல் வளத்துறை திணைக்களம்
DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

web site : <http://www.fisheriesdept.gov.lk> E - mail : info@fisheriesdept.gov.lk

දුරකථන සංඛ්‍යාව: 011-26224000, 011-26224001, 011-26224002, 011-26224003, 011-26224004, 011-26224005, 011-26224006, 011-26224007, 011-26224008, 011-26224009, 011-26224010, 011-26224011, 011-26224012, 011-26224013, 011-26224014, 011-26224015, 011-26224016, 011-26224017, 011-26224018, 011-26224019, 011-26224020, 011-26224021, 011-26224022, 011-26224023, 011-26224024, 011-26224025, 011-26224026, 011-26224027, 011-26224028, 011-26224029, 011-26224030, 011-26224031, 011-26224032, 011-26224033, 011-26224034, 011-26224035, 011-26224036, 011-26224037, 011-26224038, 011-26224039, 011-26224040, 011-26224041, 011-26224042, 011-26224043, 011-26224044, 011-26224045, 011-26224046, 011-26224047, 011-26224048, 011-26224049, 011-26224050, 011-26224051, 011-26224052, 011-26224053, 011-26224054, 011-26224055, 011-26224056, 011-26224057, 011-26224058, 011-26224059, 011-26224060, 011-26224061, 011-26224062, 011-26224063, 011-26224064, 011-26224065, 011-26224066, 011-26224067, 011-26224068, 011-26224069, 011-26224070, 011-26224071, 011-26224072, 011-26224073, 011-26224074, 011-26224075, 011-26224076, 011-26224077, 011-26224078, 011-26224079, 011-26224080, 011-26224081, 011-26224082, 011-26224083, 011-26224084, 011-26224085, 011-26224086, 011-26224087, 011-26224088, 011-26224089, 011-26224090, 011-26224091, 011-26224092, 011-26224093, 011-26224094, 011-26224095, 011-26224096, 011-26224097, 011-26224098, 011-26224099, 011-26224100

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DFAR/DFO/BIOT-2020

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உமது இல
Your Ref



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இல
Date



2020 - 06 - 24

Mr.Jeyakanthan Y.
No.100, Coat Road,
Thirukovil.

Report on the inspection and illegal fishing activity of the Sri Lankan vessel IMUL-A-0063 KMN in British Indian Ocean Territory (BIOT) waters

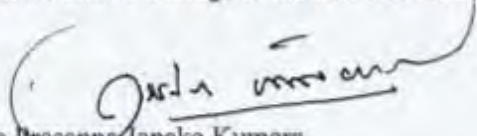
The BIOT authorities have informed to this Department that the vessel IMUL-A-0063KMN was found engage in fishing in BIOT waters on 17.06.2020. They have remotely conduct an investigation and the vessel has ordered to leave BIOT waters and directly return to Sri Lanka.

This is to inform you that entering into other state's Exclusive Economic Zone (EEZ) without valid license and fishing inside is a serious offence. According to the Indian Ocean Tuna Commission (IOTC) Resolution 18/03, once the vessel found guilty on theses offences it will be included into Illegal, Unreported and Unregulated (IUU) list.

Such vessels will subject to,

- Cancellation of vessel registration and suspension of fishing operation license
- Litigation against vessel owner and skipper
- Prohibition of exportation of fish caught by the vessel.

Further, I would like to inform you that listing of Sri Lankan fishing vessels in the IOTC IUU vessels list caused damage to the fisheries industry in Sri Lanka.


Ginige Prasanna Janaka Kumara
Director General

Copy: Director (Training and Investigation)- Division of Training and Investigation -For Information pls
Assistant Director -District Fisheries Office- Kalmunai - -
Assistant Director -District Fisheries Office- Negombo - -



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கடற்றொழில் நீரியல் வளத்துறை திணைக்களம்
DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

web site : <http://www.fisheriesdept.gov.lk> E - mail : info@fisheriesdept.gov.lk

புதிய செயலகம், மாலிகாவத்தை கொழும்பு 10, இலங்கை வலி சில ரஞ்சனி காரைகட. மலிகாவத்த, කොළඹ 10, ශ්‍රී ලංකාව New Secretariat, Maligawaththa, Colombo 10

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Your Ref

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திகதி
Date

} 16.06.2020

P.S.P.Fernando
No.31 A, Pahala Road,
Toduwawa.

Reporting of Illegal Fishing activity of the Sri Lankan vessel IMUL-A-0868CHW in British Indian Ocean Territory (BIOT) waters

The BIOT authorities have informed to this Department that the vessel IMUL-A-0868CHW was found engage in fishing in BIOT waters on 22.04.2020. They have remotely conduct an investigation and the vessel has ordered to leave BIOT waters and directly return to Sri Lanka.

This is to inform you that entering into other state's Exclusive Economic Zone (EEZ) without valid license and fishing inside is a serious offence. According to the Indian Ocean Tuna Commission (IOTC) Resolution 18/03, once the vessel found guilty on theses offences it will be included into Illegal, Unreported and Unregulated (IUU) list.

Such vessels will subject to,

- Cancellation of vessel registration and suspension of fishing operation license
- Litigation against vessel owner and skipper
- Prohibition of exportation of fish caught by the vessel.

Further, I would like to inform you that listing of Sri Lankan fishing vessels in the IOTC IUU vessels list caused damage to the fisheries industry in Sri Lanka.

HPK

Kalyani Hewapathirana
Director(Fishing Operations)

Copy: Director (Training and Investigation)- Division of Training and Investigation –For Information pls

Assistant Director –District Fisheries Office- Chilaw - ,,

Assistant Director –District Fisheries Office- Negombo - ,,



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கடற்றொழில் நீரியல் வளத்துறை திணைக்களம்

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புதிய செயலகம், மாலிகாவத்தை மொழும்பு 10, இலங்கை. නව මහ රජකමී කාර්යාලය, මලිගාවත්ත, කොළඹ 10, ශ්‍රී ලංකාව. New Secretariat, Maligawaththa, Colombo 10

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DFAR/DFO/BIOT-2020

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உமது இல
Your Ref



දිනය
திகதி
Date



23.04.2020

D. Thisara Priyankara,
No.262/2, Richmand Kanda Road,
Galle.

Reporting of Illegal Fishing activity of the Sri Lankan vessel IMUL-A-0811GLE in British Indian Ocean Territory (BIOT) waters

The BIOT authorities have informed to this Department that the vessel IMUL-A-0811 GLE was found engage in fishing in BIOT waters on 19.04.2020. They have remotely conduct an investigation and the vessel has ordered to leave BIOT waters and directly return to Sri Lanka.

This is to inform you that entering into other state's Exclusive Economic Zone (EEZ) without valid license and fishing inside is a serious offence. According to the Indian Ocean Tuna Commission (IOTC) Resolution 18/03, once the vessel found guilty on theses offences it will be included into Illegal, Unreported and Unregulated (IUU) list.

Such vessels will subject to,

- Cancellation of vessel registration and suspension of fishing operation license
- Litigation against vessel owner and skipper
- Prohibition of exportation of fish caught by the vessel.

Further, I would like to inform you that listing of Sri Lankan fishing vessels in the IOTC IUU vessels list caused damage to the fisheries industry in Sri Lanka.

Kalyani Hewapathirana
Director (Fishing Operations)

Copy: Director (Training and Investigation)- Division of Training and Investigation - For Information pls
Assistant Director -District Fisheries Office- Galle

Dr Chris O'Brien
Executive Secretary
Indian Ocean Tuna Commission
Mahe
Seychelles

21 July 2020

cc. Ms Anne-France Mattlet, Chair of the Compliance Committee;
Mr Kumara, and Ms K Hewapathirana, DFAR, Sri Lanka

Dear Dr O'Brien,

Resolution 18/03 On establishing a list of vessels presumed to have carried out IUU fishing in the IOTC Area of Competence: Sri Lankan Flagged Vessel IMULA 0096 KLT (Nisansala 01)

As required in paragraphs 5 and 6 of Resolution 18/03 please find attached a completed IOTC Reporting form for Illegal Activity and accompanying evidence supporting IUU fishing activity for the Sri Lankan flagged vessel IMULA 0096 KLT (Nisansala 01). Under the bilateral arrangement established between UKOT and Sri Lanka in order to combat IUU, this vessel was reported to the Sri Lankan Authorities who have taken action against the owner/master under the provisions of national fisheries legislation (FARA 1996/2013).

The attached evidence shows that

- The vessel was detained on 20 January 2020. It was not on the current IOTC Record of Authorised Vessels (its authorisation expired on 31/12/2019);
- A VMS unit was installed but appeared to be turned off. BIOTA have requested a copy of any VMS records (not yet supplied);
- The vessel was fishing without a licence in BIOT waters;
- The vessel was fishing with prohibited gears including wire trace;
- The vessel had tuna and tuna like species on board including endangered shark species;
- There were no gear markings;
- There were no entries in the logbook since departure from port;
- The vessel was configured to use large scale driftnets (>2.5km) (17/07 para 4) – nets estimated to be 8 miles (12.8 km);
- A court hearing was held in Diego Garcia on 25th January 2020, the master of the vessel pleaded guilty to charges of illegal fishing and being in possession of illegal gear. The Master was fined £10,000 for illegal fishing and £7,500 for possession of illegal fishing gear (wire trace), with £100 Court Costs. The court ordered that the catch be disposed of and fishing gear be forfeited, in accordance with BIOT law;
- The vessel was released and escorted from Diego Garcia on 25th January 2020. A request was made to the Sri Lankan Authorities to take such action as they can against the owner / Master of this vessel so as to discourage him and others from entering BIOT waters and engaging in illegal fishing activity;
- By the due date of 23rd February 2020, the owner had not paid his fine to the BIOT Authorities. To date the fine remains un-paid;
- The vessel and logbook are in the custody of DFAR, Sri Lanka, and the vessel registration and fishing operation licence have been suspended. The owner was tried in March and pleaded guilty. The

Penalty Board has not yet met to decide the level of the penalty. The vessel was detained on a SLR 5 millions bond.

- Due to the economic hardship caused by Coronavirus the owner pleaded for and was granted permission to undertake one fishing trip (presumably without paying a bond) which commenced on 18/06/2020 to enable him to pay the penalty. No details were provided of the conditions under which fishing was permitted (e.g. was it only permitted inside Sri Lanka's EEZ; was VMS installed; was a maximum duration imposed; what reporting requirements were imposed? Etc)
- The actions taken in respect of the skipper are inadequate but we note that such administrative powers that are currently available to deal with the skippers of IUU vessels have been applied. We note the intention of Sri Lanka to update its Fisheries Act in respect of the sanctions available to it against vessel operators (skippers).

At the time of writing, whilst noting and accepting the circumstances and consequent actions of DFAR caused by Coronavirus, given a) the failure of the owner to pay the fine to BIOT; b) that the amount of fine has not yet been decided, c) that the vessel is no longer detained and the owner has not yet paid any administrative penalty, we consider that Sri Lanka has not provided sufficient information to enable the conclusion that sanctions of adequate severity have been applied in respect of the owner of this vessel.

In order to enable us to review and potentially update our conclusion, by copy of this letter we request that Sri Lanka provides an update to the BIOT Administration and the Compliance Committee in advance of its 2020 meeting providing evidence:

- The amount of the fine set by the Penalty Board
- That the vessel has returned from its one permitted fishing trip, and that the owner has paid the Administrative Penalty in full.
- On the status of the vessel – if released after payment of Administrative Penalty, what are the conditions under which it has been released?
- On Sri Lanka's current ad-hoc policy in relation to coronavirus and detained vessels – amongst others, under what circumstances will a vessel be released to fish; how is the requirement for a bond treated; what conditions are imposed on the fishing trip (duration, location, reporting etc); will only one trip be allowed?

We submit this vessel to IOTC Compliance Committee with recommendation c) 'Recommended for inclusion on IOTC IUU list'. We will review this recommendation before the meeting in light of any additional information provided by Sri Lanka pursuant to paragraphs 10 and 12 of Resolution 18/03.

I would be grateful if you could circulate this material for the information and consideration of the Compliance Committee.

Thank you.

Yours sincerely,



Dr C.C. Mees
Head of UK(OT) Delegation to IOTC

Enclosed: IOTC Reporting form for Illegal Activity, IMULA 0096 KLT
(Nisansala 01)



IOTC Reporting form for Illegal Activity

Recalling IOTC Resolution 18/03 On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC Area, attached are details of illegal activity recorded by UK(OT) in British Indian Ocean Territory.

A. Details of Vessel

(Please detail the incidents(s) in the format below)

Item	Definition	Indicate
a	Current Name of Vessel (Previous name/s, if any)	IMUL-A-0096KLT
b	Current Flag (previous flag/s, if any)	Sri Lanka
c	Date first included on IOTC IUU Vessel List (if applicable)	N/A
d	Lloyds IMO Number, if available	IMULA0096KLT
e	Photo	Yes, See Appendix 1
f	Call Sign (previous call sign, if any)	4SF4015
g	Owner (previous owner/s, if any)	K.T.Y. Mangali Fernando No.11/1 Paranakade Beruwala Mrs. Konthadoru Thambiralalage Yamuna Mangali Fernando Contact: 0778-677-437
h	Operator (previous operator/s, if any) and Master/Fishing Master	Not known
i	Date of alleged IUU fishing activities	20/01/2020
j	Position of alleged IUU fishing activities	-05°50.060'S, 072°05.288'E
k	Summary of alleged IUU activities (see section B for more detail)	Fishing without a licence in BIOT water. Lack of gear markings. No entry in logbook since departure. Vessel not on the IOTC authorised vessel fishing list (15/04 para 1). Configured to use large scale driftnets (>2.5km) (17/07 para 4).
l	Summary of any Actions known to have been Taken in respect of the alleged IUU fishing activities	Master informed of violation and that this would be reported.

m	Outcome of Actions taken	Vessel detained
n	Comments	<p>Both High Seas licence and IOTC License expired. No record of catch since last departure (December). Large hauler configured to operate large Gillnets and Longline. Estimate size of Gillnet onboard 8 miles. Tuna and endangered species onboard – BET, SKJ, LTT, Scalloped hammerheads, Tiger sharks + Silky sharks.</p>

B. Details of IOTC Resolution Elements Contravened

(Indicate with a "X" the individual elements of IOTC Resolution 17/03 contravened, and provide relevant details including date, location, source of information. Extra information can be provided in an attachment if necessary.)

That a vessel has, within the IOTC Area and in relation to species covered by the IOTC Agreement or by IOTC Conservation and Management Measures:

Item	Definition	Indicate
a	Engaged in fishing or fishing related activities and is neither registered on the IOTC Record of Authorised Vessels in accordance with Resolution 15/04, nor recorded in the Active list of vessels; or	<input checked="" type="checkbox"/>
b	Engaged in fishing or fishing related activities when its flag State is without quota, catch limit, or effort allocation under IOTC Conservation and Management Measures where applicable; or	<input type="checkbox"/>
c	Failed to record or report its catches in accordance with IOTC Conservation and Management Measures or has made false reports; or	<input checked="" type="checkbox"/>
d	Taken or landed undersized fish in contravention of IOTC Conservation and Management Measures; or	<input type="checkbox"/>
e	Engaged in fishing or fishing related activities during closed fishing periods or in closed areas in contravention of IOTC Conservation and Management Measures; or	<input type="checkbox"/>
f	Used prohibited fishing gear in contravention of IOTC Conservation and Management Measures; or	<input checked="" type="checkbox"/>
g	Transhipped fish to, or otherwise participated in joint operations with, support or re-supply vessels that are not included on the IOTC Record of Authorised Vessels or not on the Record of Vessels Authorised to receive transhipments at-sea in the IOTC Area or	<input type="checkbox"/>
h	Engaged in fishing or fishing related activities in waters that are under the national jurisdiction of a coastal State without the permission or authorisation of that State or in contravention of the laws and regulations of that State (without prejudice to the sovereign rights of the State concerned to undertake enforcement measures against such a vessel); or	<input checked="" type="checkbox"/>
i	Engaged in fishing or fishing related activities whilst being without nationality; or	<input type="checkbox"/>
j	Engaged in fishing or fishing related activities having intentionally falsified or concealed its markings, identity or registration; or	<input type="checkbox"/>
k	Engaged in fishing or fishing related activities in contravention of any other binding IOTC Conservation and Management Measures;	<input checked="" type="checkbox"/>

C. Associated Documents

(List here the associated documents that are appended e.g. boarding reports, court proceedings and photographs)

Appendix I – Photographs.

Appendix II – Inspection Report

Appendix III – Notification of Investigation and Request for Cooperation

Appendix IV – Request for Clarification and Response from DFAR

D. Recommended Actions

	Recommended Actions	Indicate
a	Notification to IOTC Secretariat only. No further action is recommended.	<input type="checkbox"/>
b	Notification of illegal activity to IOTC Secretariat. Recommend notification of activity to flag State.	<input type="checkbox"/>
c	Recommended for inclusion on IOTC IUU list	<input checked="" type="checkbox"/>

Appendix I – Photographs.

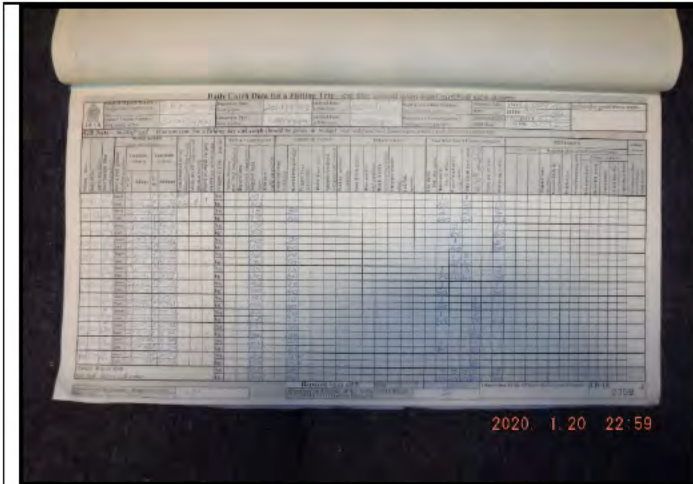


Figure 1: Logbook- no entry since departure

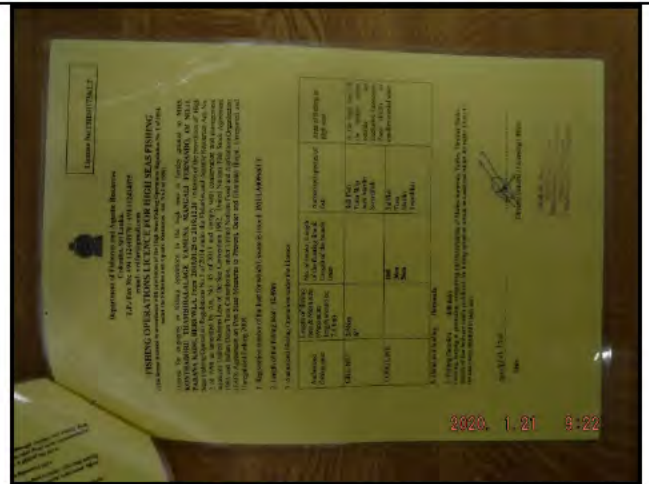


Figure 2: Expired fishing license



Figure 3: Unmarked floats- all gear unmarked



Figure 4: Tuna species caught



Figure 5: Vessel bow



Figure 6: Vessel port side



Figure 7: Vessel starboard side



Figure 8: Vessel stern

INSPECTION REPORT – RD_01_01

1 Summary

Date of boarding	20/01/2020
Patrol type and number	FIPA 080
Vessel name	IMULA0096KLT
Vessel type	MUL
Vessel flag and home port	Sri Lanka - Beruwala
Vessel identification number	IMULA0096KLT
Vessel identification type	
IOTC# (if registered)	12940 – Expired
Vessel Master name	B.K.N Fernando
SFPO	Rhys Diplock
BPV crew assisting	Lukasz Kisielewski
Outcome of boarding	Vessel detained and taken to DG for further inspection.

2 Initial sighting details (from Grampian Frontier only)

Date and time of first sighting	20/02/20 00:38	(DD/MM/YY HH:MM)		
Sighted by	Lukasz Kisielewski (2 nd Mate)	Radar	Y	Visual
Position of target 1	-05°42.9'S, 072°09.8'E			
Course	262°			
Speed	4.6 knots			
Range	4.7nm			
Bearing	159°			
Comments: The FV was switching between 0.4kts and 6kts, indicative of setting fishing gear.				
Fisheries Pennant and Sierra Quebec Three Raised	20/01/20 06:12	(DD/MM/YY HH:MM)		
Target requested to stop and prepare for boarding.	20/01/20 06:40	(DD/MM/YY HH:MM)		
Response to request for boarding	Fully compliant			

3 Launching of workboat

Time workboat launched	20/01/20 05:50	(DD/MM/YY HH:MM)
Workboat crew	Donald Macfarlane Pawel Krasuski	
Comments on the approach to the FV: DC was launched 6nm from FV in order to catch them by surprise (we suspected they were setting gear also South of their first sighting position). They had all of their lights off but turned the stern light on once we had reached them.		

	Port	Y
Photographic Evidence Collected (See Annex 1).	Starboard	Y
	Stern	Y
	Fishing gear	Y
	Other	Y

4 Boarding details

Date and time vessel boarded	20/01/22	(DD/MM/YY HH:MM)	
Position vessel boarded	Starboard side		
Boarding party team	Lukasz Kisielewski		
Language spoken	Sinhalese/English		
Interpreter needed (Y/N)?	N	Name	N/A

4.1 Crew details

Vessel Master name	B.K.N. Fernando		
Vessel Master nationality	Sri Lankan		
Vessel Master address	348/A4, Pothuwila, Payagala		
Vessel Master D.o.B	30/10/1979	(DD/MM/YY)	
Number of crew (including captain)	6		
Vessel crew nationality	Sri Lankan		
Are any crew under 18 (Y/N), if 'Y' provide details below.			N
Do any crew have health issues (Y/N), if 'Y' provide details below.			N
Observations:			
Photographic Evidence Collected (See Annex 1).	Captain ID	Y	
	Other crew id	Y	

4.2 Vessel registration and paperwork

Fishing licence present (y/n) and number if relevant	Y: 19HS0173KLT (HS License)		
Fishing licence date of issue, expiry and issuing authority	25/01/2019 (annual renewal)	(DD/MM/YY)	
	Department of Fisheries and Aquatic Resources, Sri Lanka		
FV owner name (as per licence)	Tenisan Thenabadu		
FV owner details (as per licence)	Mrs Konthadoru Thamiralalage Yamuna Mangali Fernando of No.11 Parana Kade, Beruwala. Contact: 0778-677-437		
Fishing logbook present (y/n) and number if relevant	Y, LB-18 2309		
Issuing authority	Department of Fisheries and Aquatic Resources, Sri Lanka		
Date of last entry	27/10/2019	(DD/MM/YY)	
Position of last entry	-10°25.0'S, 061°36.0'E		
Other paperwork: Vessel Insurance document, Local EEZ fishing license, Vessel Maintenance Reports.			
Photographic Evidence Collected (See Annex 1).	Licence	Y	
	Logbook	Y	
	Other	Y	

4.3 Information from Captain

Time of discussion with captain	07:16	(HH:MM)
Captain's rights read and understood?	N/A	
FV Port of departure	Beruwala, Sri Lanka	
Date of departure	19/12/2019	(DD/MM/YY)
Travelling to or from fishing grounds?	To fishing grounds	
Amount of fish onboard (t)	Unknow, estimate 1t	
If fish onboard where caught?	Lagoon side of the GCB atoll and Speakers Bank	
If fish onboard when caught?	Told me one-two days ago	
If fish onboard how caught?	Gillnet and Longline	
Destination	Claims they were on their way to Saya de Malha	
Port of return	Beruwala, Sri Lanka	
Anticipated date of return	29/01/2020	(DD/MM/YY)
Comments: One of the crew spoke good English and told me they were heading towards Mala Banks to fish but decided it was too far from Sri Lanka so settled on the GCB atoll and Speakers Bank (gear markers on their plotter confirms this). He was acting as interpreter between myself and the Captain.		

4.4 Vessel inspection

Fishing gear type	Gillnet and Longline		
Comments: 2.5km of gillnet with 6' mesh. 56m mainline with 36m downline longline. 350 hooks with wire trace.			
Catch onboard (estimated t)	1t		
IOTC species onboard (Y/N)	Y	Endangered species onboard (Y/N)	N
Description of catch: A range of different reef fish (trevally, grouper, snapper), some Skipjack tuna, Marlin and various shark species.			
Comments: The Captain claimed they had 100+ sharks onboard from BIOT before they were requested to haul their longline.			
Photographic Evidence Collected (See Annex 1).	Gear	Y	
	Catch	Y	
	Hold	Y	

5 List of violations ("X" marks non-compliance otherwise leave blank)

5.1 BIOT ordinance violations

Fishing without a licence	X
Fishing with prohibited fishing gear	X
Possession of prohibited fishing gear	X
Obstruction of a fisheries patrol officer	
Possession of sea cucumbers or molluscs	
Traversing or landing on an SNR	
Comments: Captain and vessel crew were fully compliant.	

5.2 IOTC CMM violations

Vessel not marked with name or callsign	
Fishing gear not marked with name or callsign	X
No VMS	
VMS not tamperproof	
No state issued logbook	
No state issued licence	
Possession of drift net over 2.5km.	
Not on the IOTC authorised list	X
Not on the IOTC Record Active Tuna / Swordfish	
No turtle de hooker on board	
Comments: *There was VMS installed on the vessel but it was switched off. IOTC license (12940) expired 31/12/2019. None of the fishing gear was marked.	

6 SFPO actions

Vessel and Master detained and escorted to DG	Y
FPN issued and catch and gear seized	
IOTC Reporting Form to be completed (Res: 11/03)	Y
Master given verbal warning and released	
No further action, vessel released	
Comments:	

7 Disembarkation and recovery

Time FV disembarked	09:23	(HH:MM)
Time Workboat recovered to the BPV	09:27	(HH:MM)
Comments: The vessel was boarded a second time to explain what was going to happen and that they had to take us to where their gear was deployed. A third boarding was carried out to monitor the catch as the longline was hauled.		

8 Vessel records and history

Vessel on IOTC register (Y/N)	Y	IOTC number	12940
Vessel on IOTC Record Active Tuna / Swordfish (Y/N)			N
Version of IOTC database referenced:			N/A
Vessel previously boarded (Y/N)	N	Inspection report ID	
Master previously boarded (Y/N)	N	Inspection report ID	
Owner previously boarded (Y/N)	N	Inspection report ID	
Crew previously boarded (Y/N)	N	Inspection report ID	
Comments:			

Rhys Patrick Diplock
BIOT Senior Fisheries Protection
Officer
21/01/2020

Appendix III – Notification of Investigation and Request for Cooperation



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Geethamali Chandrasiri
Assistant Director
Department of Fisheries and Natural Resources
No. 10 New Secretariat
Maligawatta, Colombo 10
E-Mail: Geethamali Chandrasiri

21 January 2020

ip@fisheriesdept.gov.lk
Cc: Director General dqdfar@gmail.com;
Janak Pushpakumara kumara04janaka@gmail.com;
Nuwan Gunawardana nuwan54@gmail.com;
Kalyani Hewapathirana hewakat2012@gmail.com

Dear Dr Chandrasiri,

Request for Confirmation of Ownership of the Sri Lankan vessel IMULA-0096-KLT

The Sri Lankan flagged vessel IMULA 0096 KLT, (IOTC0012940 (current authorisation expired 31/12/2019)) was detained on 20 January 2020 and is currently the subject of a criminal investigation into suspected fishing activities. In order to complete the investigation, the BIOT Administration needs to be clear as to the accurate details of the registered owner before a final decision on any course of action can be taken. At this stage our investigations into the possible activities of this vessel are preliminary, no finding has been made by the Administration of any such activity. According to the best information available to the Administration the owner's name and address is as follows.

Source	Owner Names / Address
IOTC Historical Record of Authorised Vessels and insurance documentation for IMULA 0096 KLT	KTYM FERNANDO 19, TEMPLE RD, MASSALA, BERUWALA

Please can you confirm the ownership details for the vessel? We would be grateful for a formal signed response with a DFAR letterhead, which can be scanned and sent by email as soon as possible.

Although there was a VMS unit visible onboard it appeared to be switched off. However, if this was not the case, please could you supply any VMS records for the recent trip that could provide information in relation to the vessel's movements. We would be grateful for an early indication of whether you plan to request that Sri Lankan authorities deal with the vessel if it is confirmed that it is in violation of the fisheries regulations of Sri Lanka.

Thank you for your cooperation.

Yours sincerely

Christopher (Kit) Pyman
BIOT Administrator

Dr Christopher Mees
Head of UK Delegation to IOTC

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 446183
 (3 lines)



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DFAR/DFO/BIOT-2020
 22/01/2020

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DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

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 New Secretariat, Maligawata, Colombo 10.

22/01/2020

Christopher (Kit) Pyman – BIOT Administrator
 Dr C.C. Mees - Head of UK(OT) Delegation to IOTC
 18 Queen Street
 London, W1J 5PN
 United Kingdom

Dear Madam,

Confirmation of Ownership details of the Sri Lankan Fishing Vessel -IMUL-A-0096-KLT

This is in reference to your letter dated 21st Jan 2020 requesting confirmation of the ownership details of the fishing vessel -IMUL-A-0096 KLT

We confirm the owner of the above vessel is as follows.

Owner Name/address	Sources
KTRYM Fernando, 11/1, Parana Kade, Beruwala.	DFAR Vessel Registry. Copy of the vessel registration attached.

This is the quick communication on confirmation of ownership and this Department is investigating on the history of the activities of this vessel.

Thank you
 Yours sincerely

Kalyani Hewapathirana
 Director (Fishing Operation)

Kalyani Hewapathirana
 Director (Fishing Operation)
 Department of Fisheries & Aquatic Resources
 Maligawata,
 Colombo 10.

Vessel Registration Certificate

Boat Registration No **IMUL-A-0096KLT**
Certificate Serial No **37989**
Date of First Registration **07-Apr-06**
Vessel Material **FRP**
Year of Manufacture **2004**
Length **41** feet
Engine No **10990** Engine Type **Helino**
Horse Power **130**
Boat Yard **Boat Yard No. 40 N8FG 268**

Owner Details

Name	Address	National ID	Effective Date
FERNANDO KTRYM	11/1, PARANA KADE, -, BERUWALA	696672245V	07-Apr-06

Insurance No **FB/012/3871/2010**

Insurance Date **26-May-10**

1. Port Name **Beruwala Harbour**
2. Port Name **Not available**

2020/01/22
Date



For Director General
Department of Fisheries and Aquatic Resources

Registration Certificate received

U. A. Hettiarachchi
Fisheries Inspector
Dept of Fisheries & Aquatic Resources

Signature of Applicant

Management Division - Vessel Registry Unit
Wednesday, January 22, 2020



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Ginigie Prasanna Janaka Kumara
Director General
Department of Fisheries and Natural Resources
No. 10 New Secretariat
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28 January 2020

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Nuwan Gunawardana nuwan54@gmail.com
Kalyani Hewapathirana hewakat2012@gmail.com

Dear Mr. Ginigie Prasanna Janaka Kumara,

Release of the Sri Lankan vessel IMULA-0096-KLT

Thank you for your letter dated 22nd January 2020 confirming the ownership and licensing details of the above referenced vessel.

The vessel was first sighted on 20th January 2020 and was subsequently detained on suspicion of being involved in illegal fishing activity and escorted to Diego Garcia for further investigation by the BIOT Police.

The catch included a large number of sharks, including scalloped hammerheads, and tuna species and was disposed of on 22nd January 2020.

A court hearing was held in Diego Garcia on 25th January 2020, the master of the vessel pleaded guilty to charges of illegal fishing and being in possession of illegal gear. The Master was fined £10,000 for illegal fishing and £7,500 for possession of illegal fishing gear (wire trace), with £100 Court Costs. The court ordered that the catch be disposed of and fishing gear be forfeited, in accordance with BIOT law. A copy of Record of Proceedings is attached for your information.

The vessel was released and escorted from Diego Garcia on 25th January 2020 at 18:00 local time, the master estimated it would take 10-13 days to return to Sri Lanka.

We would like to request that DFAR take such action as they can against the owner / Master of this vessel so as to discourage him and others from entering BIOT waters and engaging in illegal fishing activity. We would be grateful to be kept informed of any action to be taken by the Authorities in Sri Lanka. Thank you for the continued bilateral assistance in combatting the threat of IUU fishing in the Indian Ocean.



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If you have any questions or require assistance please do not hesitate to contact myself (c.mees@mrags.co.uk) or James Moir Clark (j.clark@mrags.co.uk). We look forward to your continued cooperation.

Yours Sincerely

Dr C.C. Mees

Head of UK(OT) Delegation to IOTC

Christopher (Kit) Pyman

BIOT Administrator



BRITISH INDIAN OCEAN TERRITORY
MAGISTRATE'S COURT
RECORD OF PROCEEDINGS

Case Number: 01/20

Name: Bogahawaththage Kelum Nishantha FERNANDO

Employment: Master of Sri Lankan Fishing Vessel Nisansalh 01 IMUL A 0096 KLT

The above named person appeared in the Magistrate's Court on the 24 day of January 2020 on the following charges:

Charge One

STATEMENT OF OFFENCE

Fishing otherwise than in accordance with a licence, contrary to section 7(2)(a) of the Fisheries (Conservation and Management) Ordinance 2007

PARTICULARS OF OFFENCE

You, Bogahawaththage FERNANDO, on or between the 19th day of December 2019 and the 20th day of January 2020, were the Master of a fishing boat known as Sri Lankan Fishing Vessel Nisansalh 01 IMUL A 0096 KLT, which was being used for fishing within the fishing waters of the British Indian Ocean Territory otherwise than in accordance with a fishing licence.

Charge Two

STATEMENT OF OFFENCE

Having prohibited fishing gear on a fishing boat, contrary to section 6(2) of the Fisheries (Conservation and Management) Ordinance 2007

PARTICULARS OF OFFENCE

You, Bogahawaththage FERNANDO, on the 20th day of January 2020, were the Master of Sri Lankan Fishing Vessel, Nisansalh 01 IMUL A 0096 KLT on which there was found, within the fishing waters of the British Indian Ocean Territory, prohibited fishing gear, namely wire trace line.

RESULT OF HEARING

On the 25 day of January 2020, Mr Bogahawaththage Kelum Nishantha FERNANDO admitted the truth of both charges and was sentenced as follows:

Charge One Fine £ 10.000

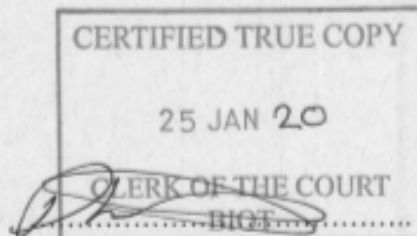
Charge two Fine £ 7500

The Court also ordered the following fishing and other gear to be forfeited to the Crown, to be disposed of as the Commissioner may direct:

1. The hooks and wire trace line.
2. All nets, markers, other lines, grappling implements and buoys.
3. Any salt or ice not already disposed of in connection with the destruction order that has already been made.

Save that the Master and crew may be allowed sufficient hand lines and hooks, without wire trace, to enable them to subsistence fish only during their return to Sri Lanka.

The Court ordered that the fines must be paid in full within 30 days.



Clerk of the Magistrate's Court
Diego Garcia
British Indian Ocean Territory

25th January 2020



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Ginigie Prasanna Janaka Kumara
Director General
Department of Fisheries and Natural Resources
No. 10 New Secretariat
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24 February 2020

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Geethamali Chandrasiri ip@fisheriesdept.gov.lk
Janak Pushpakumara kumara34janaka@gmail.com
Nuwan Gunawardana nuwan54@gmail.com

Dear Mr. Ginige Prasanna Janaka Kumara,

Request for updated status of the cases relating to: IMULA 0641 KLT (Lak Nadhee); IMULA 0204 MTR (Dinesh 3); IMULA 0541 KLT (Chathuranga 2); IMULA 0096 KLT.

Thank you for your letter of 26 December 2019 providing updated details of actions taken by DFAR in respect of the three Sri Lankan flagged vessels IMULA 0641 KLT (Lak Nadhee); IMULA 0204 MTR (Dinesh 3); IMULA 0541 KLT (Chathuranga 2).

The 70-day deadline for submission of vessels to the IOTC draft IUU vessels list is 22 March (effectively Friday 20 March). We are writing to ask if you can provide us with further details in advance of that deadline by 13 March 2020 as follows:

IMULA 0641 KLT (Lak Nadhee)

1. We assume that it was the Owner that was prosecuted - Please confirm?
2. Has the administrative penalty of SLR150,000 now been paid?
3. Is this vessel still detained at the port and the subject of impounding by the Sri Lankan Authorities? If it has been released, under what conditions?
4. Does the Master/ Skipper's fishing operation licence remain suspended? Under what circumstances and when will you cease these actions?

IMULA 0204 MTR (Dinesh 3)

1. We assume that it was the Owner that was prosecuted - Please confirm?
2. Has the administrative penalty of SLR400,000 now been paid?
3. Is this vessel still detained at the port and the subject of impounding by the Sri Lankan Authorities? If it has been released, under what conditions?
4. Does the Master/ Skipper's fishing operation licence remain suspended? Under what circumstances and when will you cease these actions?

MRAG Ltd
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VAT Registration No 877 7013 92

In association with
Marine Education and Conservation Trust
Reg. Charity No. 297 193

IMULA 0541 KLT (Chathuranga 2)

1. Please provide details of the outcome of the trial of the owner held on 17 February 2020.
2. Your letter dated 26 December 2019 indicates 'Boat was released on SLR 3million bond' and 'The vessel is detained with the Coast Guard at Beruwala Harbour since the date of arrival to Sri Lanka'. Please confirm which is correct?
3. Please clarify if the skipper is also being prosecuted or if any such prosecution would be for a future offence (refer to your note at the bottom of the table on page 1 of your letter of 26 December 2019). If the skipper is being prosecuted.
4. Does the Master/ Skipper's fishing operation licence remain suspended? Under what circumstances and when will you cease these actions?

IMULA 0096 KLT

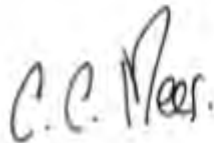
1. We refer to our letter dated 28 January 2020

We would be grateful for you to provide us with a full update of all of the actions that you have taken, are in the process of taking or intend to take in these cases. This will allow us to consider the submissions that we shall make to the IOTC Compliance Committee as to whether your actions constitute measures of adequate severity which will allow us to conclude that it would not be necessary for us to ask for the vessel to be placed on the IUU list.

We would like to thank Sri Lanka as flag State for the continued bilateral assistance in combatting the threat of IUU fishing in the Indian Ocean.

If you have any questions or require assistance please do not hesitate to contact myself (c.mees@mrags.co.uk) or James Moir Clark (j.clark@mrags.co.uk). We look forward to your continued cooperation.

Yours Sincerely



Dr C.C. Mees
Head of UK(BIOT) Delegation to IOTC



Christopher (Kit) Pyman
BIOT Administration, Director of Fisheries

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கடற்றொழில், நீரியல் வளத்துறை திணைக்களம்

DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

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புதிய செயலகம், மாலிகாவத்த, கொழும்பு 10.
New Secretariat, Maligawatta, Colombo 10.

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திகதி } 12/03/2020
Date }

Dr C.C. Mees - Head of UK(OT) Delegation to IOTC
18 Queen Street
London, W1J 5PN
United Kingdom

Dear Sir,

Updated status of the cases relating to: IMULA 0641 KLT (Lak Nadhee); IMUL 0204 MTR (Dinesh 03); IMULA 0541 KLT (Chathuranga 2) and IMULA 0096 KLT.

This is in reference to your letters dated 24th February 2020 on the above.

The current status of the above four Sri Lanka fishing vessels reported in BIOT water in year 2019 and 2020 are given in the Table 01 annexed hereto.

Thank you
Yours sincerely

Ginige Prasanna Janaka Kumara
Director General

Copy : Linsey Billing – BIOT Administrator

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Office of Director General



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புதிய செயலகம், மாலிகாபத்த, கொழும்பு 10.
New Secretariat, Maligawatta, Colombo 10.

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මේරුවල.

දියාගේ ගාර්මියා (BIOT) මූල්‍ය සීමාවේ නීති විරෝධී ධීවර කටයුතු වල යෙදීම හා නීති විරෝධී ධීවර ආම්පන්න සන්නකයේ කඩා ගැනීම් නිසා එරට අධිකරණයට දඩ මුදල් ගෙවීම

IMUL-A-0096 KLT යාත්‍රාව දියාගේ ගාර්මියාවට (BIOT) අයත් මූල්‍ය සීමාවේ, 2020/01/20 යන දින අනවසර ලෙස ධීවර කටයුතු වල යෙදීම සහ එරට මූල්‍ය සීමාවේ තහනම් ධීවර ආම්පන්න භාවිතා කිරීම යන කරුණු පදනම් කර ගනිමින් 2020/01/25 දින එරට අධිකරණයට ඉදිරිපත් කරන ලදුව පවත්වන ලද නඩු විභාගයෙන් වරදකරු බවට පිළිගෙන පහත සඳහන් දඩ මුදල් දින 30 ක් ඇතුළත, එනම් 2020.02.23 දිනට පෙර ගෙවීමට නියෝග කොට ඇති බව මෙම දෙපාර්තමේන්තුවට දැනුම් දී ඇත.

අදාළ වරදකරු කිරීමේ සහතිකයේ පිටපතක් මේ සමඟ අමුණා ඇත.

- | | |
|--|--------------------------|
| 01. අනවසර ලෙස ධීවර කටයුතු වල යෙදීම වෙනුවෙන් මුත්‍යානා පවුම් | - 10,000 |
| 02. තහනම් ධීවර ආම්පන්න භාවිතා කිරීම වෙනුවෙන් මුත්‍යානා පවුම් | - 7,500 |
| 03. උසාවි ගාස්තු වෙනුවෙන් | මුත්‍යානා පවුම් - 100 |
| එකතුව | මුත්‍යානා පවුම් - 17,600 |

උක්ත දඩ මුදල් ගෙවීමට කටයුතු කරන ලෙස මෙයින් දන්වා සිටිමි.

තව ද, ඔබ විසින් අනවසර ලෙස ධීවර කටයුතු වල යෙදීම, තහනම් ධීවර ආම්පන්න භාවිතා කිරීම හා උසාවි ගාස්තු සඳහා BIOT අධිකරණයට ගෙවිය යුතු අදාළ දඩ මුදල් ගෙවීම පැහැර හැරීම සිදු කරනු ලැබුවහොත් එයද බරපතල වරදකි. ඉන්දියානු සාගර වුනා කොමසමේ (IOTC) 18/03 සම්මුතිය අනුව උක්ත වැරදි කරනු ලබන යාත්‍රා නීති විරෝධී, වාර්තා නොවූ හා අවිධිමත් යාත්‍රා ලැයිස්තුවට (IUU list) ඇතුළත් කරනු ලබයි.

එම ලැයිස්තු ගත යාත්‍රා,

- ලියාපදිංචි හා ධීවර මෙහෙයුම් බලපත්‍ර අවලංගු කිරීම
- යාත්‍රා හිමිකරු හා නියමුවා ඇතුළු කාර්ය මණ්ඩලයට එරෙහිව නඩු පැවරීම
- නීති විරෝධී කටයුතු කරන අවස්ථාවේ යාත්‍රා හිමිකාරීත්වය තිබූ පුද්ගලයින්ට එම යාත්‍රාව යොදා ගනිමින් ධීවර කටයුතු වල යෙදීම-තහනම් කිරීම
- එවැනි යාත්‍රා වලින් බලයා සහ කොළවල්ලන් වැනි වුනා විශේෂ අපහාසය කරීම, ගොඩබෑම හෝ ප්‍රවාහනය තහනම් කිරීම යන කරුණුවලට යටත් වේ.

ශ්‍රී ලාංකික ධීවර යාත්‍රා මේ ආකාරයේ ලැයිස්තු ගත වීම විදේශීය වෙළඳ පොළ මත්භා අපහාසය කිරීම සඳහා දැඩි බලපෑමක් ඇති කරනු ලබන අතර එම තත්වය මඟරව ධීවර ක්ෂේත්‍රයේ ප්‍රගතියට බාධාවක් වේ.

ගිනිගේ ප්‍රසන්න ජනක කුමාර
අධ්‍යක්ෂ ජනරාල්
ධීවර හා ජලජ සම්පත් දෙපාර්තමේන්තුව

පිටපත්: අධ්‍යක්ෂ (විමර්ශන හා පුහුණු)- විමර්ශන හා පුහුණු අංශය-කො.ද.පි.
සහකාර අධ්‍යක්ෂ - කළුතර දිස්ත්‍රික් ධීවර කාර්යාලය- අවසා කටයුතු සඳහා

03	CHATHURANG A 02	IMUL-A-0541-KLT	24.08.2019- 31.08.2019	08.09.2019	<p>01.The trial is further postponed next calling date 17.03.2020.</p> <p>02. Although the vessel released on SLR 3million bond the owner has not requested for depart for fishing yet . Therefore the vessel is still is detained with Coast Guard Department and anchored at Beruwala harbor.</p> <p>03 The suspension of skipper license is removed. However the Skipper has violated the agreement he has signed with the vessel owner. Therefore he has been strictly advised and released on SLR 500,000 personal bond by the Magistrate.</p> <p>04. As per the FARA 1996 Act, legal actions can only be taken against the owner.</p> <p>Note: The draft amended act to include the provision to act against the skipper is currently processing at the Legal Draftsman Department. Once the said Act, enacted DFAR would be able to prosecute the skippers.</p>
04	NISANSALA 01	IMUL-A-0096 KLT	19.12.2019- 20.01.2020	05.02.2020	<ul style="list-style-type: none"> • The vessel, logbook and the skipper license taken to the custody of DFAR. • The vessel registration and fishing operation license suspended. • The Owner informed to pay the fine imposed by the Courts of Diego Garcia on the date of 30.01.2020. (Annex i) • Since fine is not paid a case filed against the owner of the vessels under the provisions of 14 (E) FARA Act No 35 on 23.02.2020. The case No. 28565/05/20. • 1st trial date 06.02.2020 and next trial date 11.05.2020 • The owner informed the repercussions of being listed in IUU vessels list as per IOTC resolution 18/03 on the date of 30.01.2020 (Annex i). • Skipper listed to participate at next 2 day awareness on the international laws and obligations of high seas after the trial operations.

Appendix IV – Request for Clarification and Response from DFAR



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London
W1J 5PN
United Kingdom

Tel: (+44) 020 7205 7755
Fax: (+44) 020 7490 5389
E-Mail: enquiry@mrug.co.uk
Internet: www.mrag.co.uk

Mr P.J.K. Ginige
Director General
Department of Fisheries and Natural Resources
No. 10 New Secretariat
Maligawatta, Colombo 10

3 July 2020

E-Mail: dgdgar@gmail.com;

cc. Kalyani Hewapathirana, Director Operations: hewakal2012@gmail.com

Dear Mr Ginige,

IOTC draft IUU Vessels List 2020 - Request for updated details on the following vessels flagged to Sri Lanka: IMULA 0641 KLT (Lakna Dee); IMULA 0541 KLT (Chathuranga 2); IMULA 0096 KLT; IMULA 0204 MTR (Dinesh 3); IMUL-A-0811-GLE; IMUL-A-0868-CHW; IMUL-A-0063-KMN.

IOTC Circular 2020-19 provided revised dates for the upcoming Compliance Committee meeting with the new 70-day deadline for reporting vessels to IOTC for inclusion on the draft IUU vessels list being 23 July 2020. In light of that UK(BIOT) requests updated information on those vessels already submitted to IOTC on 20 March 2020 in order to determine if sanctions of adequate severity have now been applied. We also require updated information for those new vessels, already communicated to you, that will be submitted this year in order to determine our recommendation with respect to the draft IUU vessels list. A summary of the vessels for which updated details of actions taken by Sri Lanka in respect of both the owner and master (skipper) is required follows:

Presented for IUU inclusion on the draft IUU Vessel list on 20 March 2020.

Vessel	DFAR Actions/ Response letter dated 12/3/2020	BIOTA submission to IOTC cc DFAR on 20/3/20; Updates required
IMULA 0641 KLT (Lakna Dee)	Owner prosecuted; Administrative penalty NOT paid Vessel released under SLR 3m bond (not utilised by owner yet) Vessel detained under supervision of Coast Guard Owner/Skipper same person	Recommend IUU listing pending: 'BIOTA require clarification that the vessel will remain detained until the administrative penalty is paid by the owner. With such an assurance we would consider that sanctions of adequate severity have been applied.' <u>Please confirm the vessel status.</u>
IMULA 0541 KLT (Chathuranga 2)	Owner trial postponed to 17/3/2020 Vessel released under SLR 3m bond (not utilised by owner yet) Therefore: Vessel detained under supervision of Coast Guard (but presumably would be released if Bond paid?) Skippers suspension now removed (if this is interpreted correctly?) but released on SLR 500000 bond due to violating agreement with owner.	Recommend IUU listing pending: 'Given the failure of the owner to pay the fine to BIOT, and that court proceedings undertaken by the Sri Lankan Authorities have yet to conclude, we consider that Sri Lanka has not provided sufficient information to enable the conclusion that sanctions of adequate severity have been taken in respect of the owner of this vessel.' <u>Please provide an update on court proceedings. Please confirm whether the vessel is still detained by the Coast Guard. Please confirm the status of the skipper.</u>

IMULA 0096 KLT	Vessel, logbook and and skipper licence taken into DFAR custody Vessel registration and fishing operation licence suspended BIOT fine NOT paid, so DFAR prosecuting, next date 11/5/2020 Owner informed of consequences of IUU listing; Skipper on 2 day awareness course.	Recommend IUU listing pending: 'Given the failure of the owner to pay the fine to BIOT, and that court proceedings undertaken by the Sri Lankan Authorities have yet to conclude, we consider that Sri Lanka has not provided sufficient information to enable the conclusion that sanctions of adequate severity have been taken in respect of the owner of this vessel.' <u>Please provide an update on court proceedings.</u> <u>Please confirm whether the vessel is still detained by the Coast Guard</u>
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Presented to IOTC for information only on 20/3/20

IMULA 0204 MTR (Dinesh 3)	Owner prosecuted; Administrative penalty PAID Vessel released, conditions= no high seas fishing, priority for VMS Skippers suspension now removed (if this is interpreted correctly?)	We note that the vessel has been released on the condition that it undertakes no high seas fishing and that it is prioritised for installation of VMS. <u>We request that the Sri Lankan Authorities report to the Compliance Committee when installation of the VMS occurs. Please provide an update.</u>
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New Vessels to be presented to IOTC by 23 July 2020

Vessel	BIOT Action / Outcome	DFAR Actions/ Response on date. <u>Update required</u>
IMUL-A-0811- GLE	21/4/20 The vessel was inspected on 19/04/20 and presumed IUU in BIOT waters (fishing gear not stowed and readily available for fishing; vessel initially evaded the BPV) although there was insufficient evidence to detain the vessel which was escorted from BIOT waters.	28/04/20 Only authorised to fish in EEZ - DFAR will take legal action. <u>Please provide an update on actions taken in respect of the owner and master and outcomes, and the status of the vessel.</u>
IMUL-A-0868- CHW	Inspected in BIOT on 22/04/20 - no IOTC AFV reported to SL 30/4/20	16/06/20 Only authorised to fish in EEZ - DFAR will take legal action. <u>Please provide an update on actions taken in respect of the owner and master and outcomes, and the status of the vessel.</u>
IMUL-A-0063- KMN	Inspected - IUU in BIOT waters, gear in water 17/6/20 reported to DFAR 22/6/20	27/06/2020 By email with attachments. Requested Investigation Division take legal action - case pending. <u>New case but please provide an update on actions taken and outcomes in respect of owner and mater, and the status of the vessel a) before 23 July deadline and b) before 1 October CoC Meeting.</u>

We will make our submission to IOTC no later than 23 July but require time to consider our recommendation based on the actions taken by Sri Lanka. We therefore request that you provide the updated status on the actions and outcomes in respect of owners and masters, and on the status of the vessels **no later than 19 July 2020**. Please continue to provide updates leading up to the Compliance Committee Meeting on 1 October 2020.

We also note that since 2019 Sri Lanka has been working to update its fisheries legislation in respect of the actions that may be taken against skippers of relevant vessels. We would be grateful for an update on progress in this respect.

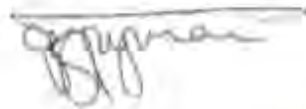
Finally, thank you also for providing details of a number of vessels for which administrative discrepancies had occurred with respect to addition to the IOTC Authorised Fishing Vessel list (IMUL-A-0732-CHW; IMUL-A-0804-CHW; IMUL-A-0130-CBO). These vessels will not be reported to IOTC on 23 July but will be noted in the vessels in-transit report that is submitted annually.

If you have any questions or require assistance please do not hesitate to contact us. We look forward to your continued cooperation.

Yours Sincerely



Dr C.C. Mees (c.mees@mrag.co.uk)
Head of UK(OT) Delegation to IOTC



Christopher (Kit) Pyman (Kit.Pyman@fco.gov.uk)
BIOT Administrator



ධීවර හා ජලජ සම්පත් දෙපාර්තමේන්තුව
கடற்புறத்தில் நீரியல் வளத்துறை திணைக்களம்
DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

web site : <http://www.fisheriesdept.gov.lk>

E - mail : info@fisheriesdept.gov.lk

புதிய செயலகம், மாளிகளவத்தை கோட்டம்பு 10, இலங்கை. ஊர் சில ரெகிஸ்டர் கார்டு, இலங்கை, கைபி 10, சி. இலங்கை New Secretariat, Maligawaththa, Colombo 10

මගේ අංකය
எனது இல
My Ref

} DFAR/DFO/BIOT/2020

මගේ අංකය
உமது இல
Your Ref

}

දිනය
திகதி
Date

} 13.07.2020

Dr C.C. Mees - Head of UK(OT) Delegation to IOTC,
18 Queen Street,
London, W1J 5PN,
United Kingdom.

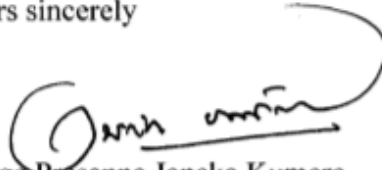
Dear Sir,

IOTC Draft IUU Vessel List 2020 – Request dor updated details on the following vessels flagged to Sri Lanka: IMULA 0641 KLT (Lak Nadhee); IMULA 0541 KLT (Chathuranga 2) and IMULA 0096 KLT; IMUL 0204 MTR (Dinesh 03); IMULA 0811 GLE; IMULA 0868 CHW; IMULA 0063 KMN.

This is in reference to your letters dated 3rd July 2020 on the above.

The current status of the above four Sri Lanka fishing vessels reported in BIOT water in year 2019 and 2020 are given in the Table 01 annexed hereto.

Thank you
Yours sincerely


Ginige Prasanna Janaka Kumara
Director General

Copy : Linsey Billing – BIOT Administrator

IOTC Draft IUU Vessel List 2020 -18/03 Resolution
New Vessels to be presented to IOTC by 23 July 2020

	Reg. Number / Vessel Name	Date of arrested /inspected	Arrived date to SL	Initial Action taken by DFAR	Legal Actions taken	Case Number	Status at the end of the Month
1	IMUL A 0063 KMN JK	17/06/2020	08/07/2020	<p>(i) Detained the vessel after arrival to the port of Sri Lanka and keep under the supervision of Department of Coast Guard (DCG).</p> <p>(ii) Summon the skipper and crew to the head office, DFAR and conduct and inquiry in the presence of the vessel owner</p> <p>(iii) Suspend the fishing operation license, skipper license and seize the registration book and the log book issued to the vessel.</p> <p>(iv) The owner informed the repercussions of being listed IUU vessels list as per the IOTC resolution 18/03 on the date of 24.06.2020 (Annex i-English translation)</p>	<p>(i) Filed court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013.</p> <p>(ii) Magistrate ordered to detain the vessel to owner SLR 5 million bond</p>	36436/5/20	Next trail date 20.10.2020
2	IMULA 0868 CHW Chamara Putha	22/04/2020	09/05/2020	<p>(i) Detained the vessel after arrival to the port of Sri Lanka and keep under the supervision of Department of Coast Guard (DCG).</p> <p>(ii) Summon the skipper and crew to the head office, DFAR and conduct and inquiry in the presence of the vessel owner.</p> <p>(iii) Suspend the fishing operation license, skipper license and seize the registration book and the log book issued to the vessel</p> <p>(iv) The owner informed the repercussions of being listed IUU vessels list as per the IOTC resolution 18/03 on the date of 16.06.2020 (Annex ii-English translation)</p>	<p>(i) Filed court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013</p> <p>(ii) Magistrate ordered to retain the vessel under the Dept. of Coast Guard and owner to present at the courts.</p>	34950/5/20	1 st trial date 15.07.2020
3	IMULA 0811 GLE	19/04/2020	07/05/2020	<p>(i) Detained the vessel after arrival to the port of Sri Lanka and keep under the supervision of Department of Coast Guard (DCG).</p> <p>(ii) Summon the skipper and crew to the head office, DFAR and conduct and inquiry in the presence of the vessel owner.</p> <p>(iii) Suspend the fishing operation license, skipper license and seize the registration book and the log book issued to the vessel</p> <p>(iv) The owner informed the repercussions of being listed IUU vessels list as per the IOTC resolution 18/03 on the date of 23.04.2020 (Annex iii-English translation)</p>	<p>(i) Filed court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013</p> <p>(ii) Magistrate ordered to detain the vessel under the Dept. of Coast Guard and owner to present at open court.</p>	36037/5/20	1 st trial date 15.07.2020

Presented for IUU inclusion on the draft IUU vessels list on 20 March 2020

	Reg. Number / Vessel Name	Date of arrested /inspected	Arrived date to SL	Legal Actions taken	Case Number	Status at the end of the Month
1	IMUL A 0096 KLT Nisansala 1	Between 19 th December 2019 and 20 th January 2020	05.02.2020	(i) Initiate court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013. (ii) Magistrate summoned to retain the vessel under LKR 5 million bond. (iii) Accused accept the guilty and request for settlement under 52 sentence of FARA No. 2 of 1996. (iv) The accused pleaded for one fishing trip to earn and pay the penalty and therefore one fishing trip allowed on 18/06.2020*.	28565/5/20	Penalty board to be meet to decide the amount of penalty.
2	IMUL A 0541 KLT Chathuranga 2	Between 24 th and 31 st August 2019	08.09.2019	(i) Initiate court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013. (ii) Magistrate summoned to retain the vessel on LKR 3 million bond. (iii) Owner pleaded on his economic constrains and ask for permit for fishing and therefore one fishing trip allowed with a different skipper on 17/06/2020* (iv) The Skipper is still accused in court case due to availability of ans agreement between skipper and owner of the vessel.	22573/5/19	17/03/2020 trial not held due to closure of Courts due to COVID 19 pandemic issue. Next trail date 08.12..2020
3	IMUL A 0641 KLT Lak nadee	27.03.2019	According to the stamen given by the skipper, arrival date is 12.04.2019	(i) Initiate court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013. (ii) Magistrate summoned to retain the vessel under LKR 3 million bond. (iii) Accused accept the guilty and request for settlement under 52 sentence of FARA No. 2 of 1996 (iv) The accused pleaded for one fishing trip to earn and pay the penalty and therefore one fishing trip allowed on 14/07.2020*.	10087/5/19	Administrative penalty LKR 400,000 is not paid.

Presented to IOTC for information only on 2020

1	IMUL A 0204 MTR	07.06.2019	06.07.2019	(i) Initiate court case in MC Colombo under 14 a & 14 f sentences of FARA No. 2 of 1996 amended by FARA No.35 of 2013 (owner and skipper are same person) (ii) Magistrate summon to retain the vessel under the Dept. of Coast Guard. (iii) Accused accept the guilty and request for settlement under 52 sentence of FARA No. 2 of 1996	12553/5/19	Administrative penalty SLR 1,000,000 has paid. The vessel is detained and the owner is in the pending list of VMS installation.
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- The economic situation of fisher community has become very poor due to the lock down of the country and closure of markets in the country due to covid-19 pandemic and therefore DFAR tend to take some decisions on humanitarian grounds on these vessel owners due to social issues.



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கடற்பொழியல் தீர்வியல் வளத்துறை திணைக்களம்
DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

web site : <http://www.fisheriesdept.gov.lk> E - mail : info@fisheriesdept.gov.lk

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DFAR/DFO/BIOT-2020

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Your Ref

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-Date
Date

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2020-06-24

Mr. Jeyakanthan Y.
No. 100, Coat Road,
Thirukovil.

Report on the inspection and illegal fishing activity of the Sri Lankan vessel IMUL-A-0063 KMN in British Indian Ocean Territory (BIOT) waters

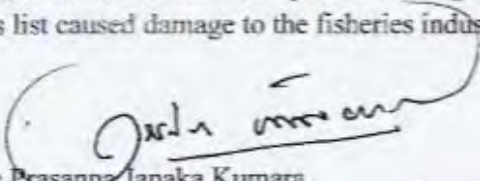
The BIOT authorities have informed to this Department that the vessel IMUL-A-0063KMN was found engage in fishing in BIOT waters on 17.06.2020. They have remotely conduct an investigation and the vessel has ordered to leave BIOT waters and directly return to Sri Lanka.

This is to inform you that entering into other state's Exclusive Economic Zone (EEZ) without valid license and fishing inside is a serious offence. According to the Indian Ocean Tuna Commission (IOTC) Resolution 18/03, once the vessel found guilty on theses offences it will be included into Illegal, Unreported and Unregulated (IUU) list.

Such vessels will subject to,

- Cancellation of vessel registration and suspension of fishing operation license
- Litigation against vessel owner and skipper
- Prohibition of exportation of fish caught by the vessel.

Further, I would like to inform you that listing of Sri Lankan fishing vessels in the IOTC IUU vessels list caused damage to the fisheries industry in Sri Lanka.


Ginige Prasanna Janaka Kumara
Director General

Copy: Director (Training and Investigation)- Division of Training and Investigation -For Information pls
Assistant Director -District Fisheries Office- Kalmunai - -
Assistant Director -District Fisheries Office- Negombo - -



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கடற்பொழியில் நீரியல் வளத்துறை திணைக்களம்
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web site : <http://www.fisheriesdept.gov.lk> E - mail : info@fisheriesdept.gov.lk

පුත්ත ප්‍රධාන කාර්යාලය, මාලිගාවත්ත පොදු පාර 10, කොළඹ 10. இலங்கை மலி இல அமைதி கட்டுவக, மலி இல அமைதி கட்டுவக, கොழலி 10. இலங்கை New Secretariat, Maligawaththa, Colombo 10

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} DFAR/DFO/BIOT-2020

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உமது இல
Your Ref

}

දිනය
திகதி
Date

} 16.06.2020

P.S.P.Fernando
No.31 A, Pahala Road,
Toduwawa.

Reporting of Illegal Fishing activity of the Sri Lankan vessel IMUL-A-0868CHW in British Indian Ocean Territory (BIOT) waters

The BIOT authorities have informed to this Department that the vessel IMUL-A-0868CHW was found engage in fishing in BIOT waters on 22.04.2020. They have remotely conduct an investigation and the vessel has ordered to leave BIOT waters and directly return to Sri Lanka.

This is to inform you that entering into other state's Exclusive Economic Zone (EEZ) without valid license and fishing inside is a serious offence. According to the Indian Ocean Tuna Commission (IOTC) Resolution 18/03, once the vessel found guilty on theses offences it will be included into Illegal, Unreported and Unregulated (IUU) list.

Such vessels will subject to,

- Cancellation of vessel registration and suspension of fishing operation license
- Litigation against vessel owner and skipper
- Prohibition of exportation of fish caught by the vessel.

Further, I would like to inform you that listing of Sri Lankan fishing vessels in the IOTC IUU vessels list caused damage to the fisheries industry in Sri Lanka.

HPIK

Kalyani Hewapathirana
Director(Fishing Operations)

Copy: Director (Training and Investigation)- Division of Training and Investigation -For Information pls
Assistant Director -District Fisheries Office- Chilaw - ..
Assistant Director -District Fisheries Office- Negombo - ..



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கடற்றொழில் நீரியல் வளத்துறை திணைக்களம்

DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

web site : <http://www.fisheriesdept.gov.lk>

E - mail : info@fisheriesdept.gov.lk

புதிய செயலகம், மாலிகாவத்தை கொழும்பு 10. இலங்கை ஐசி இன ரஞ்சனி காரணம். இலங்கை, மலேசிய 10, சூ குணம் New Secretariat, Maligawaththa, Colombo 10

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My Ref



DFAR/DFO/BIOT-2020

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உமது இல
Your Ref



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திகதி
Date



23.04.2020

D. Thisara Priyankara,
No.262/2, Richmand Kanda Road,
Galle.

Reporting of Illegal Fishing activity of the Sri Lankan vessel IMUL-A-0811GLE in British Indian Ocean Territory (BIOT) waters

The BIOT authorities have informed to this Department that the vessel IMUL-A-0811 GLE was found engage in fishing in BIOT waters on 19.04.2020. They have remotely conduct an investigation and the vessel has ordered to leave BIOT waters and directly return to Sri Lanka.

This is to inform you that entering into other state's Exclusive Economic Zone (EEZ) without valid license and fishing inside is a serious offence. According to the Indian Ocean Tuna Commission (IOTC) Resolution 18/03, once the vessel found guilty on theses offences it will be included into Illegal, Unreported and Unregulated (IUU) list.

Such vessels will subject to,

- Cancellation of vessel registration and suspension of fishing operation license
- Litigation against vessel owner and skipper
- Prohibition of exportation of fish caught by the vessel.

Further, I would like to inform you that listing of Sri Lankan fishing vessels in the IOTC IUU vessels list caused damage to the fisheries industry in Sri Lanka.

Kalyani Hewapathirana
Director (Fishing Operations)

Copy: Director (Training and Investigation)- Division of Training and Investigation - For Information pls
Assistant Director -District Fisheries Office- Galle

Dr Chris O'Brien
Executive Secretary
Indian Ocean Tuna Commission
Mahe
Seychelles

21 July 2020

cc. Ms Anne-France Mattlet, Chair of the Compliance Committee;
Mr Kumara, and Ms K Hewapathirana, DFAR, Sri Lanka

Dear Dr O'Brien,

Resolution 18/03 On establishing a list of vessels presumed to have carried out IUU fishing in the IOTC Area of Competence: Sri Lankan Flagged Vessel IMUL-A-0811-GLE

As required in paragraphs 5 and 6 of Resolution 18/03 please find attached a completed IOTC Reporting form for Illegal Activity and accompanying evidence supporting IUU fishing activity for the Sri Lankan flagged vessel IMUL-A-0811-GLE. Under the bilateral arrangement established between UKOT and Sri Lanka in order to combat IUU, this vessel was reported to the Sri Lankan Authorities who have taken action against the owner/master under the provisions of national fisheries legislation (FARA 1996/2013).

The attached evidence shows that:

- The vessel was not on the current IOTC Record of Authorised Vessels
- The vessel was presumed fishing without a licence in BIOT waters on 19 April 2020 (gear ready to be deployed; vessel evaded the patrol vessel)
- Due to the current situation with Coronavirus the vessel was not boarded and the BIOT Authorities were unable to conduct a full criminal investigation of the vessel's activity; Sri Lanka was requested to investigate the vessel.
- Sri Lanka has detained the vessel in port, suspended the fishing operation licence, skipper licence and seized the registration and log books.
- A trial was held on 15 July 2020 the outcome of which is not yet reported.

At the time of writing, without details of the outcome of the owner's trial, we consider that Sri Lanka has not provided sufficient information to enable the conclusion that sanctions of adequate severity have been applied in respect of the owner of this vessel.

In order to enable us to review and potentially update our conclusion, by copy of this letter we request that Sri Lanka provides an update to the BIOT Administration and the Compliance Committee in advance of its 2020 meeting providing evidence of the sanctions imposed and the status of any fine payments and vessel detention.

We submit this vessel to IOTC Compliance Committee with recommendation c) 'Recommended for inclusion on IOTC IUU list'. We will review this recommendation before the meeting in light of any additional information provided by Sri Lanka pursuant to paragraphs 10 and 12 of Resolution 18/03.

I would be grateful if you could circulate this material for the information and consideration of the Compliance Committee.

Thank you.

Yours sincerely

A handwritten signature in black ink that reads 'C.C. Mees'.

Dr C.C. Mees

Head of UK(OT) Delegation to IOTC

Enclosed: IOTC Reporting form for Illegal Activity, IMUL-A-0811-GLE

ANNEX I

IOTC REPORTING FORM FOR ILLEGAL ACTIVITY

Recalling IOTC Resolution 18/03 On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC Area, attached are details of illegal activity recorded by [name of CPC, third party] in [area in which the activity took place]

A. Details of Vessel

(Please detail the incidents(s) in the format below)

Item	Definition	Indicate
a	Current Name of Vessel (Previous name/s, if any)	IMUL-A-0811-GLE
b	Current Flag (previous flag/s, if any)	Sri Lanka
c	Date first included on IOTC IUU Vessel List (if applicable)	N/A
d	Lloyds IMO Number, if available	N/A
e	Photo	Yes, See Appendix 1
f	Call Sign (previous call sign, if any)	4SF4926
g	Owner (previous Owner/s, if any)	Unknown
h	Operator (previous Operator/s, if any) and Master/Fishing Master	Unknown
i	Date of alleged IUU fishing activities	19/04/2020
j	Position of alleged IUU fishing activities	Lat: 03.49.47 S Long: 075.11.061
k	Summary of alleged IUU activities (see section B for more detail)	Fishing gear not stowed and readily available for fishing - The fishing vessel had a drift net on deck on the starboard side and could have easily have been cast.
l	Summary of any actions known to have been taken in respect of the alleged IUU fishing activities	The Master and vessel were not 'detained' but were contacted via loud-hailer at sea and warned.
m	Outcome of actions taken	Vessel was escorted out of the EEZ

B. Details of IOTC Resolution Elements Contravened

(Indicate with a “X” the individual elements of IOTC Resolution 18/03 contravened, and provide relevant details including date, location, source of information. Extra information can be provided in an attachment if necessary.)

That a vessel has, within the IOTC Area and in relation to species covered by the IOTC Agreement or by IOTC Conservation and Management Measures:

Item	Definition	Indicate
a.	engaged in fishing or fishing related activities and is neither registered on the IOTC Record of Authorised Vessels in accordance with Resolution 15/04 [superseded by Resolution 19/04], nor recorded in the Active list of vessels; or	X
b.	engaged in fishing or fishing related activities when its flag State is without quota, catch limit, or effort allocation under IOTC Conservation and Management Measures where applicable; or	
c.	failed to record or report its catches in accordance with IOTC Conservation and Management Measures or has made false reports; or	
d.	taken or landed undersized fish in contravention of IOTC Conservation and Management Measures; or	
e.	engaged in fishing or fishing related activities during closed fishing periods or in closed areas in contravention of IOTC Conservation and Management Measures; or	
f.	used prohibited fishing gear in contravention of IOTC Conservation and Management Measures; or	
g.	transhipped fish to, or otherwise participated in joint operations with, support or re-supply vessels that are not included on the IOTC Record of Authorised Vessels or not on the Record of Vessels Authorised to receive transhipments at-sea in the IOTC Area or	
h.	engaged in fishing or fishing related activities in waters that are under the national jurisdiction of a coastal State without the permission or authorisation of that State or in contravention of the laws and regulations of that State (without prejudice to the sovereign rights of the State concerned to undertake enforcement measures against such a vessel); or	X
i.	engaged in fishing or fishing related activities whilst being without nationality; or	
j.	engaged in fishing or fishing related activities having intentionally falsified or concealed its markings, identity or registration; or	
k.	engaged in fishing or fishing related activities in contravention of any other binding IOTC Conservation and Management Measures;	

C. Associated Documents

(List here the associated documents that are appended e.g. boarding reports, court proceedings, photographs)

Appendix I – Photographs.

Appendix II – Inspection Report

Appendix III – Notification of Investigation and Request for Cooperation

Appendix IV – Request for Clarification and Response from DFAR

D. Recommended Actions

Recommended Actions		Indicate
a	Notification to IOTC Secretariat only. No further action is recommended.	
b	Notification of illegal activity to IOTC Secretariat. Recommend notification of activity to flag State.	
c	Recommended for inclusion on IOTC IUU list	X

Appendix I – Photographs.



Figure 1: Vessel photo, bow



Figure 2: Vessel stern, displaying catch on upper deck



Figure 3: Vessel name/registration number



Figure 4: Vessel photo, portside, displaying callsign

BIOT INSPECTION REPORT – JGC-001-002-2020

1. SUMMARY

Date of boarding	19 April 2020
Patrol type and number	FIPA 87
Vessel name	IMUL-A-0811-GLE
Vessel type	MU
Vessel flag and port of reg.	Sri Lanka
Vessel Registration No.	IMUL-A-0811-GLE
IOTC# (if registered)	No
Vessel Captain's name	Unknown
SFPO	John Caddle
BPV crew assisting	David Laing
<u>Action Taken:</u>	
The vessel was inspected remotely, without boarding, and photographed from the BIOT Patrol vessels (BPV) bow.	

2. INITIAL SIGHTING DETAILS (from Initial Target Sighting Form)

Date and time of first sighting	19/04/2020 1130	(DD/MM/YY HH:MM)
Sighted by: (<i>insert name</i>)	Killian Hickey	Radar X Visual
Position of target	Lat: 03.49.47 S Long: 075.11.061	
Course	143	
Speed	4.3	
Range	6 miles	
Bearing	000	
<u>Comments:</u>		
Fisheries Pennant and Sierra Quebec 3 Raised	Fisheries Pennant raise only 19/04/2020 1229	(DD/MM/YY HH:MM)
Vessel called on VHF CH16 and/or MF 2182.0	19/04/2020 1206	(DD/MM/YY HH:MM)
Target requested to stop and prepare for boarding	The vessel was not boarded	(DD/MM/YY HH:MM)
Response to request for boarding	N/A	

3. LAUNCHING OF RHIB

Time RHIB launched	N/A (DD/MM/YY HH:MM)		
RHIB Crew (<i>names</i>)	N/A		
<u>Comments on the approach to the FV:</u>			
Photographic Evidence Collected (See Annex 1).	Port	Yes	
	Starboard	Yes	
	Stern	Yes	
	Fishing gear	Yes	
	Other	Yes (Crew)	

4. BOARDING DETAILS

Date and time vessel boarded	N/A (DD/MM/YY HH:MM)		
Position vessel boarded	N/A		
BPV crew assisting	N/A		
Language spoken	Broken English from BPV bow		
Language Cards used Y/N	N	Numbers used	N/A

5. CREW DETAILS

Captain's name	N/A		
Captain's nationality	Sri Lankan		
Captain's address	N/A		
Captain's D.o.B	N/A (DD/MM/YY)		
Number of crew (inc. Captain)	6		
Nationality of Crew	Sri Lankan		
Are any crew under 18 (Y/N), if 'Y' provide details below	Unknown		
Do any crew have health issues (Y/N), if 'Y' provide details below.	Unknown		
<u>Health issue details:</u>			
Photographic Evidence Collected (See Annex 1).	Captain ID	No	
	Other crew ID	No	
	Other	No	

6. VESSEL DOCUMENTS and REGISTRATION

Vessel Name	IMUL-A-0811-GLE		
International Callsign	4SF4926		
Flag State	Sri Lanka		
Authorisation to Fish/Fishing Licence No.	Unknown		
Valid from / to (dd/mm/yyyy)	N/A		
Port of Registration	Unknown		
Registration Number	IMUL-A-0811-GLE		
FV owner name and details (as per licence)	Unknown		
Fishing logbook No.	Unknown		
Issuing Authority	Unknown		
Date of last entry (dd/mm/yyyy)	Unknown		
Position of last entry	Unknown		
Boat Departure Form/Port Exit Documents (Y/N): if Y provide details of port and date of departure.	Unknown		
Insurance documentation (Y/N)	Unknown		
Names and addresses of owners	Unknown		
Overall length (ft/m)	N/A	Engine Power (KW/hp)	Unknown
Other paperwork:	N/A		
Photographic Evidence Collected (See Annex 1).	Licence	No	
	Logbook	No	
	Boat Departure/Exit	No	
	Other	No	

7. INTERVIEW WITH CAPTAIN

Time of interview	N/A	(HH:MM)
Travelling to or from fishing grounds?	Unknown	
Port and date of departure	Unknown	
Total amount of fish onboard (t)	Unknown	
If fish onboard where caught?	Unknown	
If fish onboard when caught?	Unknown	
If fish onboard how caught?	Unknown	
Destination	Unknown	
Next port of call	Unknown	
ETA	Unknown	(DD/MM/YY)
<u>Comments:</u>		

8. VESSEL INSPECTION

Fishing gear type			
<u>Comments</u>			
A drift net was seen visually on the starboard side of the upper deck. There were also DAN markers sighted on the bow and attached forward to aft along the centre of the deck. One piece of monofilament line was attached to the front of the bridge. In summary very little gear was sighted for a vessel of this type.			
Catch onboard (estimated/reported t)		Unknown if any fish were in holds	
IOTC species onboard (Y/N)		Endangered species onboard (Y/N)	Unknown
Description of catch	Various dried fish on upper deck and on Bridge roof		
<u>Comments</u>			
Photographic Evidence Collected (See Annex 1).	Gear	Yes	
	Catch	Partial (On upper deck)	
	Hold	No	
	Other	Bridge roof	

9. BIOT ORDINANCE NON-COMPLIANCE

Section 5 (1(c)): Possession of sea cucumbers or molluscs	Unknown
Section 6 (1(a)): Fishing using prohibited fishing gear	Unknown
Section 6 (2): Possession of prohibited fishing gear	Unknown
Section 7 (1): Fishing without a license	Unknown
Section 9 (1): Fishing gear not stowed and readily available for fishing	Yes
Section 16: Obstruction of a Fisheries Protection Officer	No
Other:	
<u>Comments</u> The fishing vessel had a drift net on deck on the starboard side and could have easily have been cast	

10. IOTC CMM NON-COMPLIANCE

15/04 Para 14: Vessel not marked with name or callsign	
15/04 Para. 15: Fishing gear not marked with name or callsign	
15/03 Para. 1: No VMS present	
15/03 Para 8: VMS not tamper resistant	
15/03 para 9: VMS present but not working	
15/04 para. 13: No state issued logbook	
15/04 para. 13: No state issued licence	
17/07 Para 4: Possession of drift net over 2.5km.	
15/04 Para 1: Not authorised to fish in IOTC area	
12/04 para. 6,7,8 No turtle de hooker on board	
<u>Comments</u>	

11. SFPO ACTIONS TAKEN

Vessel and Master detained and escorted to DG	No
FPN issued and catch and gear seized	No
IOTC Reporting Form to be completed	No
Master given verbal warning and released	Yes
No further action, vessel released	Yes
<u>Comments:</u> The Master and vessel were not 'detained' but were contacted via loud-hailer at sea, warned, and subsequently escorted out of the EEZ.	

12. DISEMBARKATION and RECOVERY

Time FV disembarked	N/A	(HH:MM)
Time RHIB recovered to the BPV	N/A	(HH:MM)
Comments:		

13. VESSEL RECORDS and HISTORY

Vessel on IOTC register (Y/N)	No	IOTC number	
Date authorised from		Date authorised to	
Vessel currently authorised to fish in IOTC area of competence (Y/N)			
Version of IOTC database referenced:			
Vessel previously boarded (Y/N)	No	Inspection report ID	
Master previously boarded (Y/N)	Unknown	Inspection report ID	
Owner previously boarded (Y/N)	Unknown	Inspection report ID	
Crew previously boarded (Y/N)	Unknown	Inspection report ID	
Comments:			

John Caddle.

19/04/2020

BIOT Senior Fisheries Protection Officer

Appendix III – Notification of Investigation and Request for Cooperation



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United Kingdom

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Geethamali Chandrasiri
Assistant Director
Department of Fisheries and Natural Resources
No. 10 New Secretariat
Maligawatta, Colombo 10

21 April 2020

E-Mail: ip@fisheriesdept.gov.lk

cc. Director General dgdfr@gmail.com
Kalyani Hewapathirana hewakal2012@gmail.com
Janak Pushpakumara kumara84janaka@gmail.com

Dear Mrs Chandrasiri,

Notification of vessel inspection on Sri Lankan Flagged vessel in BIOT waters: IMULA-0811-GLE

You have previously requested that BIOT-A report Sri Lankan vessels sighted and/or inspected at sea that either do not appear on the IOTC list of Authorised Vessels, have no VMS on board, have not provided an In-Transit report, or exhibit any other non-compliance with IOTC CMMs.

On 19 April 2020 the Senior Fisheries Protection Officer inspected the vessel IMULA-0811-GLE.

This vessel was not on the IOTC authorised fishing vessel list (and therefore we assume has no high seas fishing licence) and had not submitted a Transit Report. The vessel was presumed IUU in BIOT waters (fishing gear not stowed and readily available for fishing; vessel initially evaded the BPV) although there was insufficient evidence to detain the vessel which was escorted from BIOT waters.

An inspection reports for the vessel is attached.

We would be grateful if you could investigate the activities of this vessel, and if it had a vessel monitoring system (VMS) on board, please provide details of the vessel whilst it was in BIOT waters. Following your investigation, we would also be grateful for an early indication of whether you plan to request that Sri Lankan authorities deal with the vessel if it is confirmed that it is in violation of the fisheries regulations of Sri Lanka.

As recommended by the Compliance Committee (Para 75 of IOTC-2018-CoC15-RE) details of this vessel inspection will be included within a report (for information only) submitted to the 17th Compliance Committee.

If you have any questions or require assistance please do not hesitate to contact myself (c.mees@mrags.co.uk) or John Pearce (j.pearce@mrags.co.uk). We look forward to your continued cooperation.

Yours Sincerely

Dr C.C. Mees
Head of UK(OT) Delegation to IOTC
Attachment: Inspection Reports for vessel IMULA-0811-GLE

Christopher (Kit) Pyman
BIOT Administrator

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P. O. Box

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Telephone

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பணிப்பாளர் நாயகத்தின் அலுவலகம் } 472187
Office of Director General



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தொலை நகல் }
Fax No.

මගේ අංකය } DFAR/DFO/BIOT-2020
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My No.

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Your No.

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கடற்றொழில், நீரியல் வளத்துறை திணைக்களம்

DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

E-mail : depfish@diamond.lanka.net

Web : www.fisheriesdept.org

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புதிய செயலகம், மாளிகாவத்த, கொழும்பு 10.
New Secretariat, Maligawatta, Colombo 10.

දිනය } 28/04/2020
திகதி }
Date

Dr C.C. Mees - Head of UK(OT) Delegation to IOTC
18 Queen Street
London, W1J 5PN
United Kingdom

Dear Sir

Sri Lanka Flagged vessel IMUL-A-0811GLE Inspected in BIOT waters

This is in reference to your letter dated 21.04.2020 on the above.

The above vessel is duly registered in the Department of Fisheries and Aquatic Resources and entered to the vessel registry of DFAR. The vessel Registration is attached hereto for your information.

The owner has been granted permission to operate only within EEZ of Sri Lanka. The vessel has no VMS on board. It is obvious that the license has been misused violating the law. There are provisions under the Fisheries and Aquatic Resources Act No. 2 of 1996 Sri Lanka and the amendments to take legal actions against the fishers who violate the license conditions.

The information provided by you is already submitted to the Investigation Division of DFAR to conduct an investigation and take legal actions once the vessel arrived to Sri Lanka Port. The progress will report once the investigations conducted.

Your continuous support of providing information of the Sri Lanka vessels those engage in irresponsible fishing activities in BIOT waters is highly appreciated.

HPK

Thank you
Yours sincerely

Kaiyani Hewaparhirana
Director Fishing Operations
Head of SL Delegate to IOTC

Sgd.Ginige Prasanna Janaka Kumara
Director General

Appendix IV – Request for Clarification and Response from DFAR



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Mr P.J.K. Ginige
Director General
Department of Fisheries and Natural Resources
No. 10 New Secretariat
Maligawatta, Colombo 10

3 July 2020

E-Mail: dgdgar@gmail.com;

cc. Kalyani Hewapathirana, Director Operations hewakal2012@gmail.com

Dear Mr Ginige,

IOTC draft IUU Vessels List 2020 - Request for updated details on the following vessels flagged to Sri Lanka: IMULA 0641 KLT (Lakna Dee); IMULA 0541 KLT (Chathuranga 2); IMULA 0096 KLT; IMULA 0204 MTR (Dinesh 3); IMUL-A-0811-GLE; IMUL-A-0868-CHW; IMUL-A-0063-KMN.

IOTC Circular 2020-19 provided revised dates for the upcoming Compliance Committee meeting with the new 70-day deadline for reporting vessels to IOTC for inclusion on the draft IUU vessels list being 23 July 2020. In light of that UK(BIOT) requests updated information on those vessels already submitted to IOTC on 20 March 2020 in order to determine if sanctions of adequate severity have now been applied. We also require updated information for those new vessels, already communicated to you, that will be submitted this year in order to determine our recommendation with respect to the draft IUU vessels list. A summary of the vessels for which updated details of actions taken by Sri Lanka in respect of both the owner and master (skipper) is required follows:

Presented for IUU inclusion on the draft IUU Vessel list on 20 March 2020.

Vessel	DFAR Actions/ Response letter dated 12/3/2020	BIOTA submission to IOTC cc DFAR on 20/3/20; Updates required
IMULA 0641 KLT (Lakna Dee)	Owner prosecuted; Administrative penalty NOT paid Vessel released under SLR 3m bond (not utilised by owner yet) Vessel detained under supervision of Coast Guard Owner/Skipper same person	Recommend IUU listing pending: 'BIOTA require clarification that the vessel will remain detained until the administrative penalty is paid by the owner. With such an assurance we would consider that sanctions of adequate severity have been applied.' <u>Please confirm the vessel status.</u>
IMULA 0541 KLT (Chathuranga 2)	Owner trial postponed to 17/3/2020 Vessel released under SLR 3m bond (not utilised by owner yet) Therefore: Vessel detained under supervision of Coast Guard (but presumably would be released if Bond paid?) Skippers suspension now removed (if this is interpreted correctly?) but released on SLR 500000 bond due to violating agreement with owner.	Recommend IUU listing pending: 'Given the failure of the owner to pay the fine to BIOT, and that court proceedings undertaken by the Sri Lankan Authorities have yet to conclude, we consider that Sri Lanka has not provided sufficient information to enable the conclusion that sanctions of adequate severity have been taken in respect of the owner of this vessel.' <u>Please provide an update on court proceedings. Please confirm whether the vessel is still detained by the Coast Guard. Please confirm the status of the skipper.</u>

IMULA 0096 KLT	Vessel, logbook and skipper licence taken into DFAR custody Vessel registration and fishing operation licence suspended BIOT fine NOT paid, so DFAR prosecuting, next date 11/5/2020 Owner informed of consequences of IUU listing; Skipper on 2 day awareness course.	Recommend IUU listing pending: 'Given the failure of the owner to pay the fine to BIOT, and that court proceedings undertaken by the Sri Lankan Authorities have yet to conclude, we consider that Sri Lanka has not provided sufficient information to enable the conclusion that sanctions of adequate severity have been taken in respect of the owner of this vessel.' <u>Please provide an update on court proceedings.</u> <u>Please confirm whether the vessel is still detained by the Coast Guard</u>
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Presented to IOTC for information only on 20/3/20

IMULA 0204 MTR (Dinesh 3)	Owner prosecuted; Administrative penalty PAID Vessel released, conditions= no high seas fishing, priority for VMS Skippers suspension now removed (if this is interpreted correctly?)	We note that the vessel has been released on the condition that it undertakes no high seas fishing and that it is prioritised for installation of VMS. <u>We request that the Sri Lankan Authorities report to the Compliance Committee when installation of the VMS occurs. Please provide an update.</u>
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New Vessels to be presented to IOTC by 23 July 2020

Vessel	BIOT Action / Outcome	DFAR Actions/ Response on date. <u>Update required</u>
IMUL-A-0811- GLE	21/4/20 The vessel was inspected on 19/04/20 and presumed IUU in BIOT waters (fishing gear not stowed and readily available for fishing; vessel initially evaded the BPV) although there was insufficient evidence to detain the vessel which was escorted from BIOT waters.	28/04/20 Only authorised to fish in EEZ - DFAR will take legal action. <u>Please provide an update on actions taken in respect of the owner and master and outcomes, and the status of the vessel.</u>
IMUL-A-0868- CHW	Inspected in BIOT on 22/04/20 - no IOTC AFV reported to SL 30/4/20	16/06/20 Only authorised to fish in EEZ - DFAR will take legal action. <u>Please provide an update on actions taken in respect of the owner and master and outcomes, and the status of the vessel.</u>
IMUL-A-0063- KMN	Inspected - IUU in BIOT waters, gear in water 17/6/20 reported to DFAR 22/6/20	27/06/2020 By email with attachments. Requested Investigation Division take legal action - case pending. <u>New case but please provide an update on actions taken and outcomes in respect of owner and master, and the status of the vessel a) before 23 July deadline and b) before 1 October CoC Meeting.</u>

We will make our submission to IOTC no later than 23 July but require time to consider our recommendation based on the actions taken by Sri Lanka. We therefore request that you provide the updated status on the actions and outcomes in respect of owners and masters, and on the status of the vessels **no later than 19 July 2020**. Please continue to provide updates leading up to the Compliance Committee Meeting on 1 October 2020.



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We also note that since 2019 Sri Lanka has been working to update its fisheries legislation in respect of the actions that may be taken against skippers of relevant vessels. We would be grateful for an update on progress in this respect.

Finally, thank you also for providing details of a number of vessels for which administrative discrepancies had occurred with respect to addition to the IOTC Authorised Fishing Vessel list (IMUL-A-0732-CHW; IMUL-A-0804-CHW; IMUL-A-0130-CBO). These vessels will not be reported to IOTC on 23 July but will be noted in the vessels in-transit report that is submitted annually.

If you have any questions or require assistance please do not hesitate to contact us. We look forward to your continued cooperation.

Yours Sincerely

Dr C. C. Mees (c.mees@mrags.co.uk)
Head of UK(OT) Delegation to IOTC

Christopher (Kit) Pyman (Kit.Pyman@fco.gov.uk)
BIOT Administrator



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கடற்றொழில் நீரியல் வளத்துறை திணைக்களம்
DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

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புதிய செயலகம், மாளிகாவத்தை கொழும்பு 10. இலங்கை: டிபி சிஎ டிஎஃப் டிஆர். சி.சி.எஃப்.எம்., கைபி 10, சி. சி.எஃப்.எம். New Secretariat, Maligawaththa, Colombo 10

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திகதி
Date

} 12.07.2020

Dr C.C. Mees - Head of UK(OT) Delegation to IOTC,
18 Queen Street,
London, W1J 5PN,
United Kingdom.

Dear Sir,

IOTC Draft IUU Vessel List 2020 – Request dor updated details on the following vessels flagged to Sri Lanka: IMULA 0641 KLT (Lak Nadhee); IMULA 0541 KLT (Chathuranga 2) and IMULA 0096 KLT; IMUL 0204 MTR (Dinesh 03); IMULA 0811 GLE; IMULA 0868 CHW; IMULA 0063 KMN.

This is in reference to your letters dated 3rd July 2020 on the above.

The current status of the above four Sri Lanka fishing vessels reported in BIOT water in year 2019 and 2020 are given in the Table 01 annexed hereto.

Thank you
Yours sincerely

Ginige Prasanna Janaka Kumara
Director General

Copy : Linsey Billing – BIOT Administrator

IOTC Draft IUU Vessel List 2020 -18/03 Resolution

New Vessels to be presented to IOTC by 23 July 2020

	Reg. Number / Vessel Name	Date of arrested /inspected	Arrived date to SL	Initial Action taken by DFAR	Legal Actions taken	Case Number	Status at the end of the Month
1	IMUL A 0063 KMN JK	17/06/2020	08/07/2020	(i) Detained the vessel after arrival to the port of Sri Lanka and keep under the supervision of Department of Coast Guard (DCG). (ii) Summon the skipper and crew to the head office, DFAR and conduct and inquiry in the presence of the vessel owner (iii) Suspend the fishing operation license, skipper license and seize the registration book and the log book issued to the vessel. (iv) The owner informed the repercussions of being listed IUU vessels list as per the IOTC resolution 18/03 on the date of 24.06.2020 (Annex i-English translation)	(i) Filed court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013. (ii) Magistrate ordered to detain the vessel to owner SLR 5 million bond	36436/5/20	Next trail date 20.10.2020
2	IMULA 0868 CHW Chamara Putha	22/04/2020	09/05/2020	(i) Detained the vessel after arrival to the port of Sri Lanka and keep under the supervision of Department of Coast Guard (DCG). (ii) Summon the skipper and crew to the head office, DFAR and conduct and inquiry in the presence of the vessel owner. (iii) Suspend the fishing operation license, skipper license and seize the registration book and the log book issued to the vessel (iv) The owner informed the repercussions of being listed IUU vessels list as per the IOTC resolution 18/03 on the date of 16.06.2020 (Annex ii-English translation)	(i) Filed court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013 (ii) Magistrate ordered to retain the vessel under the Dept. of Coast Guard and owner to present at the courts.	34950/5/20	1 st trial date 15.07.2020
3	IMULA 0811 GLE	19/04/2020	07/05/2020	(i) Detained the vessel after arrival to the port of Sri Lanka and keep under the supervision of Department of Coast Guard (DCG). (ii) Summon the skipper and crew to the head office, DFAR and conduct and inquiry in the presence of the vessel owner. (iii) Suspend the fishing operation license, skipper license and seize the registration book and the log book issued to the vessel (iv) The owner informed the repercussions of being listed IUU vessels list as per the IOTC resolution 18/03 on the date of 23.04.2020 (Annex iii-English translation)	(i) Filed court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013 (ii) Magistrate ordered to detain the vessel under the Dept. of Coast Guard and owner to present at open court.	36037/5/20	1 st trial date 15.07.2020

Presented for IUU inclusion on the draft IUU vessels list on 20 March 2020

	Reg. Number / Vessel Name	Date of arrested /inspected	Arrived date to SL	Legal Actions taken	Case Number	Status at the end of the Month
1	IMUL A 0096 KLT Nisansala 1	Between 19 th December 2019 and 20 th January 2020	05.02.2020	(i) Initiate court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013. (ii) Magistrate summoned to retain the vessel under LKR 5 million bond. (iii) Accused accept the guilty and request for settlement under 52 sentence of FARA No. 2 of 1996. (iv) The accused pleaded for one fishing trip to earn and pay the penalty and therefore one fishing trip allowed on 18/06.2020*.	28565/5/20	Penalty board to be meet to decide the amount of penalty.
2	IMUL A 0541 KLT Chathuranga 2	Between 24 th and 31 st August 2019	08.09.2019	(i) Initiate court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013. (ii) Magistrate summoned to retain the vessel on LKR 3 million bond. (iii) Owner pleaded on his economic constrains and ask for permit for fishing and therefore one fishing trip allowed with a different skipper on 17/06/2020* (iv) The Skipper is still accused in court case due to availability of ans agreement between skipper and owner of the vessel.	22573/5/19	17/03/2020 trial not held due to closure of Courts due to COVID 19 pandemic issue. Next trail date 08.12..2020
3	IMUL A 0641 KLT Lak nadee	27.03.2019	According to the stamen given by the skipper, arrival date is 12.04.2019	(i) Initiate court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013. (ii) Magistrate summoned to retain the vessel under LKR 3 million bond. (iii) Accused accept the guilty and request for settlement under 52 sentence of FARA No. 2 of 1996 (iv) The accused pleaded for one fishing trip to earn and pay the penalty and therefore one fishing trip allowed on 14/07.2020*.	10087/5/19	Administrative penalty LKR 400,000 is not paid.

Presented to IOTC for information only on 2020

1	IMUL A 0204 MTR	07.06.2019	06.07.2019	(i) Initiate court case in MC Colombo under 14 a & 14 f sentences of FARA No. 2 of 1996 amended by FARA No.35 of 2013 (owner and skipper are same person) (ii) Magistrate summon to retain the vessel under the Dept. of Coast Guard. (iii) Accused accept the guilty and request for settlement under 52 sentence of FARA No. 2 of 1996	12553/5/19	Administrative penalty SLR 1,000,000 has paid. The vessel is detained and the owner is in the pending list of VMS installation.
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- The economic situation of fisher community has become very poor due to the lock down of the country and closure of markets in the country due to covid-19 pandemic and therefore DFAR tend to take some decisions on humanitarian grounds on these vessel owners due to social issues.



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கடற்பொழியில் நீரியல் வளத்துறை திணைக்களம்
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Date

} 23.04.2020

D. Thisara Priyankara,
No.262/2, Richmand Kanda Road,
Galle.

Reporting of Illegal Fishing activity of the Sri Lankan vessel IMUL-A-0811GLE in British Indian Ocean Territory (BIOT) waters


The BIOT authorities have informed to this Department that the vessel IMUL-A-0811 GLE was found engage in fishing in BIOT waters on 19.04.2020. They have remotely conduct an investigation and the vessel has ordered to leave BIOT waters and directly return to Sri Lanka.

This is to inform you that entering into other state's Exclusive Economic Zone (EEZ) without valid license and fishing inside is a serious offence. According to the Indian Ocean Tuna Commission (IOTC) Resolution 18/03, once the vessel found guilty on theses offences it will be included into Illegal, Unreported and Unregulated (IUU) list.

Such vessels will subject to,

- Cancellation of vessel registration and suspension of fishing operation license
- Litigation against vessel owner and skipper
- Prohibition of exportation of fish caught by the vessel.

Further, I would like to inform you that listing of Sri Lankan fishing vessels in the IOTC IUU vessels list caused damage to the fisheries industry in Sri Lanka.


Kalyani Hewapathirana
Director (Fishing Operations)

Copy: Director (Training and Investigation)- Division of Training and Investigation - For Information pls
Assistant Director -District Fisheries Office- Galle

Dr Chris O'Brien
Executive Secretary
Indian Ocean Tuna Commission
Mahe
Seychelles

21 July 2020

cc. Ms Anne-France Mattlet, Chair of the Compliance Committee;
Mr Kumara, and Ms K Hewapathirana, DFAR, Sri Lanka

Dear Dr O'Brien,

Resolution 18/03 On establishing a list of vessels presumed to have carried out IUU fishing in the IOTC Area of Competence: Sri Lankan Flagged Vessel IMUL-A-0195-TCO

As required in paragraphs 5 and 6 of Resolution 18/03 please find attached a completed IOTC Reporting form for Illegal Activity and accompanying evidence supporting IUU fishing activity for the Sri Lankan flagged vessel IMUL-A-0195-TCO. Under the bilateral arrangement established between UKOT and Sri Lanka in order to combat IUU, this vessel was reported to the Sri Lankan Authorities with a request that they conduct an investigation into its activities.

The attached evidence shows that:

- The vessel was not on the current IOTC Record of Authorised Vessels
- The vessel was fishing without a licence in BIOT waters on 14 July 2020 (gear baited and deployed in water; gear hauled when requested by Senior Fisheries Protection Officer)
- Due to the current situation with Coronavirus the vessel was not boarded and the BIOT Authorities were unable to conduct a full criminal investigation of the vessel's activity; Sri Lanka was requested to investigate the vessel.
- At the time of writing Sri Lanka has taken no action against the owner or skipper and we are not aware of the status of the vessel.

Sri Lanka has not provided sufficient information to enable the conclusion that sanctions of adequate severity have been applied in respect of the owner of this vessel. Further details have been requested.

We submit this vessel to IOTC Compliance Committee with recommendation c) 'Recommended for inclusion on IOTC IUU list'. We will review this recommendation before the meeting in light of any additional information provided by Sri Lanka pursuant to paragraphs 10 and 12 of Resolution 18/03.

I would be grateful if you could circulate this material for the information and consideration of the Compliance Committee.

Thank you.

Yours sincerely



Dr C.C. Mees
Head of UK(OT) Delegation to IOTC

Enclosed: IOTC Reporting form for Illegal Activity, IMUL-A-0195-TCO

ANNEX I

IOTC REPORTING FORM FOR ILLEGAL ACTIVITY

Recalling IOTC Resolution 18/03 On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC Area, attached are details of illegal activity recorded by [name of CPC, third party] in [area in which the activity took place]

A. Details of Vessel

(Please detail the incidents(s) in the format below)

Item	Definition	Indicate
a	Current Name of Vessel (Previous name/s, if any)	MANGALA IMUL-A-0195-TCO
b	Current Flag (previous flag/s, if any)	SRI LANKA
c	Date first included on IOTC IUU Vessel List (if applicable)	N/A
d	Lloyds IMO Number, if available	N/A
e	Photo	Yes, See Appendix I
f	Call Sign (previous call sign, if any)	Unknown
g	Owner (previous Owner/s, if any)	Unknown
h	Operator (previous Operator/s, if any) and Master/Fishing Master	Unknown
i	Date of alleged IUU fishing activities	14/07/2020
j	Position of alleged IUU fishing activities	05° 16.6'S 72° 15.3'E
k	Summary of alleged IUU activities (see section B for more detail)	Fishing without a license, Fishing gear not stowed and readily available for fishing. Fishing gear not marked with name or callsign. Not authorised to fish in IOTC area
l	Summary of any actions known to have been taken in respect of the alleged IUU fishing activities	F/V was pursued once LL gear had been inspected for catch/wire trace. F/V continued heading away from BPV/workboat however, once workboat was within sight F/V reduced speed and stopped without intervention
m	Outcome of actions taken	SFPO ordered F/V to haul gear, response was immediate and no issues were encountered

B. Details of IOTC Resolution Elements Contravened

(Indicate with a “X” the individual elements of IOTC Resolution 18/03 contravened, and provide relevant details including date, location, source of information. Extra information can be provided in an attachment if necessary.)

That a vessel has, within the IOTC Area and in relation to species covered by the IOTC Agreement or by IOTC Conservation and Management Measures:

Item	Definition	Indicate
a.	engaged in fishing or fishing related activities and is neither registered on the IOTC Record of Authorised Vessels in accordance with Resolution 15/04 [superseded by Resolution 19/04], nor recorded in the Active list of vessels; or	X
b.	engaged in fishing or fishing related activities when its flag State is without quota, catch limit, or effort allocation under IOTC Conservation and Management Measures where applicable; or	
c.	failed to record or report its catches in accordance with IOTC Conservation and Management Measures or has made false reports; or	
d.	taken or landed undersized fish in contravention of IOTC Conservation and Management Measures; or	
e.	engaged in fishing or fishing related activities during closed fishing periods or in closed areas in contravention of IOTC Conservation and Management Measures; or	
f.	used prohibited fishing gear in contravention of IOTC Conservation and Management Measures; or	
g.	transhipped fish to, or otherwise participated in joint operations with, support or re-supply vessels that are not included on the IOTC Record of Authorised Vessels or not on the Record of Vessels Authorised to receive transshipments at-sea in the IOTC Area or	
h.	engaged in fishing or fishing related activities in waters that are under the national jurisdiction of a coastal State without the permission or authorisation of that State or in contravention of the laws and regulations of that State (without prejudice to the sovereign rights of the State concerned to undertake enforcement measures against such a vessel); or	X
i.	engaged in fishing or fishing related activities whilst being without nationality; or	
j.	engaged in fishing or fishing related activities having intentionally falsified or concealed its markings, identity or registration; or	X (gear markings)
k.	engaged in fishing or fishing related activities in contravention of any other binding IOTC Conservation and Management Measures;	

C. Associated Documents

(List here the associated documents that are appended e.g. boarding reports, court proceedings, photographs)

Appendix I – Photographs.

Appendix II – Inspection Report

Appendix III – Notification of Investigation and Request for Cooperation

D. Recommended Actions

Recommended Actions		Indicate
a	Notification to IOTC Secretariat only. No further action is recommended.	
b	Notification of illegal activity to IOTC Secretariat. Recommend notification of activity to flag State.	
c	Recommended for inclusion on IOTC IUU list	X

Appendix I – Photographs.



Figure 1: Vessel hauling gear. Note no Dahn Flags on board.



Figure 2: Vessel recovering LL gear with one Dahn Flag on deck



Figure 3: Vessel starboard side, 6 Crew noted on deck, green T-shirt is the skipper

Appendix II – Inspection Report

BIOT INSPECTION REPORT – YB_03_2020

1. SUMMARY

Date of boarding	14/07/2020
Patrol type and number	O/SP 30
Vessel name	MANGALA
Vessel type	MU
Vessel flag and port of reg.	SRI LANKA
Vessel Registration No.	UNKNOWN
IOTC# (if registered)	NO
Vessel Captain's name	UNKNOWN
SFPO	YOLANDA BARNES
BPV crew assisting	D. MACFARLANE, W. FARQUAR, R. COOPER (ROYAL MARINE)
<u>Action Taken:</u>	

2. INITIAL SIGHTING DETAILS (from Initial Target Sighting Form)

Date and time of first sighting	14/07/2020 07:30	(DD/MM/YY HH:MM)			
Sighted by. (insert name)	J. WARD (CAPTAIN) J. KRUEGER (C/O)	Radar	YES	Visual	YES
Position of target	05° 16.6'S 72° 15.3'E				
Course	108°				
Speed	7.4				
Range	6.8				
Bearing	40°				
<u>Comments:</u>					
Target was initially spotted and thought to be an expected visiting yacht. On further investigation it became clear due to suspicious activity and location that the target was a F/V.					
Fisheries Pennant and Sierra Quebec 3 Raised	14/07/2020 08:53	(DD/MM/YY HH:MM)			
Vessel called on VHF CH16 and/or MF 2182.0	14/07/2020 08:47 14/07/2020 08:50	(DD/MM/YY HH:MM)			
Target requested to stop and prepare for boarding	N/A Vessel stooped in the water once realising workboat was in pursuit.				(DD/MM/YY HH:MM)
Response to request for boarding	SFPO ordered F/V to haul gear, response was immediate and no issues were encountered				

3. LAUNCHING OF RHIB

Time RHIB launched	14/07/2020 08:48 (DD/MM/YY HH:MM)	
RHIB Crew (<i>names</i>)	Y. Barnes, D Macfarlane, W Farquar, G. Kimber	
<u>Comments on the approach to the FV:</u> F/V was pursued once LL gear had been inspected for catch/wire trace. F/V continued heading away from BPV/workboat however, once workboat was within sight F/V reduced speed and stopped without intervention.		
Photographic Evidence Collected (See Annex 1).	Port	YES
	Starboard	YES
	Stern	YES
	Fishing gear	YES
	Other	N/A

4. BOARDING DETAILS

Date and time vessel boarded	N/A (DD/MM/YY HH:MM)	
Position vessel boarded	N/A	
BPV crew assisting	N/A	
Language spoken	N/A	
Language Cards used Y/N	N/A	Numbers used

5. CREW DETAILS

Captain's name	N/A	
Captain's nationality	N/A	
Captain's address	N/A	
Captain's D.o.B	N/A (DD/MM/YY)	
Number of crew (inc. Captain)	6 crew seen visually on deck	
Nationality of Crew	Unknown (Sri Lankan?)	
Are any crew under 18 (Y/N), if 'Y' provide details below	N/A	
N/A		
Do any crew have health issues (Y/N), if 'Y' provide details below		
<u>Health issue details:</u> N/A		
Photographic Evidence Collected (See Annex 1).	Captain ID	N/A
	Other crew ID	N/A

6. VESSEL DOCUMENTS and REGISTRATION

Vessel Name	MANGALA		
International Callsign	Unknown		
Flag State	Sri Lanka		
Authorisation to Fish/Fishing Licence No.	N/A		
Valid from / to (dd/mm/yyyy)	Unknown		
Port of Registration	Unknown		
Registration Number	IMUL-A-0195-TCO		
FV owner name and details (as per licence)	Unknown		
Fishing logbook No.	Unknown		
Issuing Authority	Unknown		
Date of last entry (dd/mm/yyyy)	Unknown		
Position of last entry	Unknown		
Boat Departure Form/Port Exit Documents (Y/N): if Y provide details of port and date of departure.	Unknown		
Insurance documentation (Y/N)	Unknown		
Names and addresses of owners	Unknown		
Overall length (ft/m)	Unknown	Engine Power (KW/hp)	Unknown
Other paperwork:	Unknown		
Photographic Evidence Collected (See Annex 1):	Licence	Unknown	
	Logbook	Unknown	
	Boat Departure/Exit	Unknown	
	Other	Unknown	

7. INTERVIEW WITH CAPTAIN

Time of interview	Unknown	(HH:MM)
Travelling to or from fishing grounds?	Unknown	
Port and date of departure	Unknown	
Total amount of fish onboard (t)	Unknown	
If fish onboard where caught?	Unknown	
If fish onboard when caught?	Unknown	
If fish onboard how caught?	Unknown	
Destination	Unknown	
Next port of call	Unknown	
ETA	Unknown	(DD/MM/YY)
<u>Comments:</u>		
N/A		

8. VESSEL INSPECTION

Fishing gear type			
<u>Comments</u>			
LL gear in the water, no wire trace seen, Dahn flags, white polystyrene buoys and blue containers noted.			
Catch onboard (estimated/reported t)		Unknown	
IOTC species onboard (Y/N)	Unknown	Endangered species onboard (Y/N)	Unknown
Description of catch	N/A		
<u>Comments</u>			
No fish/shark were pulled in on the LL hooks during entire hauling of gear. All hooks were baited with fresh bait.			
Photographic Evidence Collected (See Annex 1).	Gear	YES	
	Catch	N/A	
	Hold	N/A	
	Other	N/A	

9. BIOT ORDINANCE NON-COMPLIANCE

Section 5 (1(c)): Possession of sea cucumbers or molluscs	Unknown
Section 6 (1(a)): Fishing using prohibited fishing gear	Unknown
Section 6 (2): Possession of prohibited fishing gear	Unknown
Section 7 (1): Fishing without a license	YES
Section 9 (1): Fishing gear not stowed and readily available for fishing	YES (Gear in Water)
Section 16: Obstruction of a Fisheries Protection Officer	N/A
Other:	N/A
<u>Comments</u>	

10. IOTC CMM NON-COMPLIANCE

15/04 Para 14: Vessel not marked with name or callsign	Name clear and IMUL No.
15/04 Para. 15: Fishing gear not marked with name or callsign	YES
15/03 Para. 1: No VMS present	Unknown
15/03 Para 8: VMS not tamper resistant	Unknown
15/03 para 9: VMS present but not working	Unknown
15/04 para. 13: No state issued logbook	Unknown
15/04 para. 13: No state issued licence	Unknown
17/07 Para 4: Possession of drift net over 2.5km.	Unknown
15/04 Para 1: Not authorised to fish in IOTC area	YES
12/04 para. 6,7,8 No turtle de hooker on board	Unknown
<u>Comments</u>	
15/04 Para 1: F/V not on updated IOTC list received 01072020.	

11. SFPO ACTIONS TAKEN

Vessel and Master detained and escorted to DG	NO (due to Covid 19)
FPN issued and catch and gear seized	N/A
IOTC Reporting Form to be completed	YES
Master given verbal warning and released	YES
No further action, vessel released	N/A
<u>Comments:</u> Due to Covid restrictions F/V was ordered to leave territory immediately after all gear was retrieved.	

12. DISEMBARKATION and RECOVERY

Time FV disembarked	N/A	(HH:MM)
Time RHIB recovered to the BPV	14/07/2020 15: 50	(HH:MM)
<u>Comments:</u>		

13. VESSEL RECORDS and HISTORY

Vessel on IOTC register (Y/N)	NO	IOTC number	N/A
Date authorised from	N/A	Date authorised to	N/A
Vessel currently authorised to fish in IOTC area of competence (Y/N)			NO
Version of IOTC database referenced:			20200701
Vessel previously boarded (Y/N)	Unknown	Inspection report ID	N/A
Master previously boarded (Y/N)	Unknown	Inspection report ID	N/A
Owner previously boarded (Y/N)	Unknown	Inspection report ID	N/A
Crew previously boarded (Y/N)	Unknown	Inspection report ID	N/A
<u>Comments:</u>			

YOLANDA BARNES

14/07/2020

BIOT Senior Fisheries Protection Officer

Appendix III – Notification of Investigation and Request for Cooperation



18 Queen Street
London
W1J 6PN
United Kingdom

Tel: (+44) 020 7255 7755
Fax: (+44) 020 7409 5388
E-Mail: enquiry@mrags.co.uk
Internet: www.mrag.co.uk

Mr P.J.K. Ginige
Director General
Department of Fisheries and Natural Resources
No. 10 New Secretariat
Maligawatta, Colombo 10

15 July 2020

E-Mail: dgdgar@gmail.com;

cc. Kalyani Hewapathirana, Director Operations hewakal2012@gmail.com

Dear Mr Ginige,

Report on the inspection and illegal fishing activity of the Sri Lankan vessel IMUL-A-0195-TCO (MANGALA) in British Indian Ocean Territory (BIOT) Waters

The Sri Lankan flagged vessel IMUL-A-0195-TCO (MANGALA) was inspected on suspicion of being involved in illegal activities, namely illegal fishing in BIOT waters on 14 July 2020. The vessel was not on the IOTC list of Authorised Fishing Vessels. The vessel initially evaded the workboat launched from the patrol vessel but eventually stopped and on request hauled the freshly baited longline deployed in the water. No catch was observed as the line was hauled. The vessel was fishing illegally without a licence within BIOT waters. The vessel inspection report is attached.

Due to the current situation with Coronavirus the vessel was not boarded and we are therefore unable to conduct a full criminal investigation of the vessel's activity. The Master was instructed to leave BIOT waters directly and to return the fishing vessel to port.

The vessel is now on its way back to Sri Lanka and should arrive in the next few days. In respect of our bilateral cooperation to combat illegal fishing we would kindly request the assistance of DFAR to recall the vessel to port immediately and notify the relevant port authorities to detain the vessel on arrival pending investigation. We would be grateful if you could conduct a regulatory investigation into the activities of this vessel, including its vessel monitoring system (VMS) data. Following your investigation, we would also be grateful for an early indication of any legal action against the owner and Master (skipper) of the vessel that you plan to implement through the Sri Lankan authorities.

The activities of this vessel and any subsequent action taken by the Sri Lankan Authorities will be submitted to the 17th Compliance Committee before the (new) 70 day deadline of 23 July.

If you have any questions or require assistance please do not hesitate to contact us. We look forward to your continued cooperation.

Yours Sincerely

Dr C.C. Mees (c.mees@mrags.co.uk)
Head of UK(OT) Delegation to IOTC

Christopher (Kit) Pyman (Kit.Pyman@fco.gov.uk)
BIOT Administrator

Attachment: Inspection Report for vessel: IMUL-A-0195-TCO (MANGALA)



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கடற்றொழில் நீரியல் வளத்துறை திணைக்களம்
DEPARTMENT OF FISHERIES & AQUATIC RESOURCES

web site : <http://www.fisheriesdept.gov.lk> E - mail : info@fisheriesdept.gov.lk

புதிய செயலகம், மாளிகாவத்தை கொழும்பு 10. இலங்கை டிவி சிவ சேனாதி கார்ட்டரஸ், சிபிஓவிலம், கைபி 10. ශ්‍රී ලංකාව New Secretariat, Maligawaththa, Colombo 10

මගේ අංකය
எனது இல
My Ref

DFAR/DFO/K/IOTC
GENERAL/2019-2020

ඔබේ අංකය
உமது இல
Your Ref

දිනය
திகதி
Date

15.09.2020

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

CC: Ms. Susan Imende-IOTC Chairperson,
Dr. C.C.Mees-Head of UK (OT) Delegation to IOTC,

Dear Sir,

Latest Updated of the Action Taken on the Five (05) Sri Lanka Fishing Vessels Listed in the Draft IUU Vessel List of IOTC

There are Five (05) vessels listed in the draft IUU vessels list of IOTC 2020. The Department of Fisheries and Aquatic Resources (DFAR) is being bilaterally engaged with UKOT (BIOT) Authorities to prevent the illegal fishing activities conduct by the fishing vessels. Sri Lanka is thankful to UKOT (BIOT) Authorities for providing the investigation reports of such vessels to DFAR during the bilateral communications which facilitate to conduct investigations and to take legal actions as per the Fisheries Act of Sri Lanka.

Sri Lanka would like to report the updates of the legal proceedings conducted on the five (05) vessels after UKOT's 70 days prior submission to the Secretariat. Please see annex (i) attached to this letter. All five (05) vessel owners have been prosecuted in Magistrate courts of Sri Lanka and four (04) vessels have been compounded and all the fines paid. Trial is ongoing for one vessel (IMUL-A-0811GLE) and the next trial date is on 15.09.2020 and updates will be reported in due course.


Sri Lanka has prosecuted and imposed sanctions for the vessel owners as per the provisions of the Fisheries and Aquatic Resources Act No. 2 of 1996 and the amendments thereof fulfilling the conditions given in paragraph 14 (d) and forwarded this letter to IOTC Secretary as per the paragraph 10 of the Resolution 18/03. Hence Sri Lanka complied the Resolution and report to you to bring the attention of the Compliance Committee on this regard.

Sri Lanka is well understood that there is no means to control multiday vessels other than installation of Vessel Monitoring System (VMS) on board for all multiday vessels those have capacity of operating offshore areas and beyond EEZ. Sri Lanka is being in a process of installation of VMS to all multiday vessels and it takes some time. Until such time taken for VMS installation DFAR do not hesitate to take legal action against the fishermen who violate high seas obligations disregarding the national laws.

Moreover, prosecution of the skipper of the vessels other than the vessel owner is well understood and the draft amendment to incorporate such legal provisions to the FARA Act No.2 of 1996 is ready to be passed by the recently elected Parliament. Though this amendment is to be passed early this year it was delayed due to postponing of the general elections from the scheduled date owing to the Covid-19 pandemic.

It would be much appreciate if the Secretariat would circulate this letter (with the annexure) to all members of the 17th Compliance Committee.

Thank You.
Yours Sincerely,


Kalyani Hewapathirana
Director (Fishing Operations)
Head of Delegation to IOTC-COC

Sdg/ Ginige Prasanna Janaka Kumara
Director General

Sri Lanka Vessels in IOTC Draft IUU Vessel List 2020 -18/03 Resolution

Last update 15th September 2020

	Reg. Number / Vessel Name	Date of arrested /inspected	Date of arrival to SL	Initial Actions taken by DFAR	Legal Actions taken	Status as at 70 days before CM	Status as at 15 days before CM
01.	IMUL A 0641 KLT Lak nadee	27.03.2019	12.04.2019	(i) Detained the vessel after arrival to the port of SL and keep under the supervision of Department of Coast Guard (DCG). (ii) Summon the skipper and crew to the head office, DFAR and conduct and inquiry in the presence of the vessel owner. (iii) Suspend the fishing operation license, skipper license and seize the registration book and the log book issued to the vessel. (iv) The owner informed the repercussions of being listed IUU vessels list as per the IOTC Resolution 18/03.	(i) Initiate court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013. Case No.10087/5/19 (ii) Magistrate summoned to detain the vessel under the DCG. (iii) Accused accept the guilty and request for settlement under 52 (B) sentence of FARA No. 2 of 1996.	Administrative penalty SLR 400,000 is not paid.	Administrative penalty SLR 400,000 is paid. Receipt No: T/24 610340 and T/24 610348
2	IMUL A 0541 KLT Chathuranga 2	24. 08.2019	08.09.2019	(i) Detained the vessel after arrival to the port of SL and keep under the supervision of DCG. (ii) Summon the skipper and crew to the head office, DFAR and conduct and inquiry in the presence of the vessel owner. (iii) Suspend the fishing operation license, skipper license and seize the registration book and the log book issued to the vessel. (iv) The owner informed the repercussions of being listed IUU vessels list as per the IOTC Resolution 18/03.	(i) Initiate court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013. Case No: 22573/5/19 (ii) Magistrate summoned to detain the vessel on SLR 3 million bond. (iii) Since the skipper has signed an agreement with the vessel owner swearing that he is not engage in any illegal activities using the vessel Skipper accused in court case	17/03/2020 trial not held due to closure of Courts due to COVID 19 pandemic issue. Next trail date: 08.12.2020	Skipper has accepted the guilty. The officials of the investigation brought forward trail to the date of 10.09.2020 by a motion. Administrative penalty of SLR 200,000 has imposed and paid. Receipt No: T/24610484
3	IMUL A 0096 KLT Nisansala 1	20-01.2020	05.02.2020	(i) Detained the vessel after arrival to the port of SL and keep under the supervision of DCG. (ii) Summon the skipper and crew to the head office, DFAR and conduct and inquiry in the presence of the vessel owner. (iii) Suspend the fishing operation license, skipper license and seize the registration book and the log book issued to the vessel. (iv) The owner informed the repercussions of being listed IUU vessels list as per the IOTC Resolution 18/03.	(i) Initiate court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013. Case No:28565/5/20 (ii) Magistrate summoned to detain the vessel under SLR 5 million bond. (iii) Accused accept the guilty and request for settlement under 52 (B) sentence of FARA No. 2 of 1996.	Next calling date 16.11.2020	The officials of the investigation brought forward trail to the date of 14.09.2020 by a motion. Administrative Penalty of SLR 200,000 has paid. Receipt No. T/24 610537

4	IMULA 0811 GLE	19.04.2020	07.05.2020	<p>(i) Detained the vessel after arrival to the port of SL and keep under the supervision of DCG.</p> <p>(ii) Summon the skipper and crew to the head office, DFAR and conduct and inquiry in the presence of the vessel owner.</p> <p>(iii) Suspend the fishing operation license, skipper license and seize the registration book and the log book issued to the vessel.</p> <p>(iv) The owner informed the repercussions of being listed IUU vessels list as per the IOTC Resolution 18/03.</p>	<p>(i) Initiate court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013. Case No:36037/5/20</p> <p>(ii) Magistrate summoned to detain the vessel under SLR 3 million bond.</p> <p>(iii) Accused accept the guilty and request for settlement under 52 (B) sentence of FARA No. 2 of 1996.</p>	1 st trial date 15.07.2020	<p>Administrative penalty of SLR 300,000 has imposed.</p> <p>One installment has paid. Receipt No. T/24 610463</p> <p>Next Trial date : 15.09.2020</p>
5	IMULA 0195 TCO MANGALA	14.07.2020	23.07.2020	<p>(i) Detained the vessel after arrival to the port of SL and keep under the supervision of DCG.</p> <p>(ii) Summon the skipper and crew to the head office, DFAR and conduct and inquiry in the presence of the vessel owner.</p> <p>(iii) Suspend the fishing operation license, skipper license and seize the registration book and the log book issued to the vessel.</p> <p>(iv) The owner informed the repercussions of being listed IUU vessels list as per the IOTC Resolution 18/03.</p>	<p>(i) Initiate court case in MC Colombo under 14 F sentence of FARA No. 2 of 1996 amended by FARA No.35 of 2013. Case No: 37573/5/20</p> <p>(ii) Magistrate summoned to detain the vessel under SLR 5 million bond.</p> <p>(iii) Accused accept the guilty and request for settlement under 52 (B) sentence of FARA No. 2 of 1996.</p>	1 st trial date 25.08.2020	<p>Administrative Penalty of SLR 500,000 has paid.</p> <p>Receipt No. T/24 610445</p>



RESOLUTION No. DGMM/081/2020. GENERAL DIRECTORATE OF THE MERCHANT MARINE. TEGUCIGALPA, MUNICIPALITY OF THE CENTRAL DISTRICT, EIGHTH OF MAY, TWO THOUSAND TWENTY.

VIEW: To issue Resolution for the vessel "SUCCESSFUL ex WISDOM SEA REEFER", with registration number L-2638505 and IMO 7637527, owned by the company WISDOM SEA REEFER LINE SA.

WHEREAS: That the General Directorate of the Merchant Marine is in charge of the administration, control and coordination of all activities related to the Merchant Marine and Maritime transport, maritime security and the protection of the marine environment.

WHEREAS: By Resolution DGMM/011/2018 dated February 2, 2018, the General Directorate of the Merchant Navy resolved: a) To declare the Application for the Renewal or Extension of the Navigation Patent and Certificate of Minimum Crew for the ship named SUCCESSFUL former WISDON SEA REEFER with registration No. L-2638505 owned by the company WISDOM SEA REEFER LINE SA, presented by Attorney José Aníbal Padilla. b) Impose on the aforementioned vessel a fine of FIFTY THOUSAND EXACT DOLLARS (\$50,000.00), for having committed Very Serious offenses contained in the provisions of the Organic Law of the National Merchant Marine: 1) Violation by part of the fishing vessels of the Norms of the General Law of the Merchant Marine and its Regulations or of those contained in the International Maritime Agreements of which Honduras forms part of, in relation to the use of the resources at sea. 2) Failure to comply with the conditions established in the permits or authorizations for the provision of maritime service. 3) The falsification provided to the General Directorate of the Merchant Marine in compliance with legal or regulatory provisions. 4) Failure to comply with the regulations established in this Law on the registration of ships. 5) The existence of rational indications that the ship engages in smuggling or piracy or other similar acts or the illegal transportation of people, drugs or narcotics, war or commercial weapons or other dangerous goods without proper authorization.

WHEREAS: By electronic transfer on April 30, 2020 and by means of a document called "Bank Statement Movement" issued by the Integrated Financial Administration System (SIAFI) and provided electronically by the Tax Collection Section, it was found that the vessel "SUCCESSFUL" ex "WISDOM SEA REEFER" with Registration number L-2638505 and IMO 7637527, owned by the company WISDOM SEA REEFER LINE SA, complied with the payment of the sanction imposed by Resolution DGMM/011/2018 dated February 2, 2018, furthermore, that it has paid all dues with the Maritime Authority for taxes and other administrative charges.

WHEREAS: According to Report RB/031/2020 dated six (06) May 2020 issued by the Department of Ship Registration, stating that the vessel "SUCCESSFUL ex WISDOM SEA REEFER" with registration No. L-2638505 property of the company WISDOM SEA REEFER LINE SA is registered in the Ship Ownership Registry of the General Directorate of the Merchant Marine under site No. 93 in Volume XXIV; and BEARS NO MORTGAGE LIENS OR ANY ENCUMBRANCES thereof.

WHEREAS: By means of Report RIB-010-2020 dated six (06) May 2020 issued by the Department of International Ship Registry, stating the following: 1) That the vessel "SUCCESSFUL" ex "WISDOM SEA REEFER" with Registration Number L-2638505 and IMO number 7637527, owned by the company WISDOM SEA REEFER LINE SA, was detained in the port of Phuket, Thailand under the name of UTHAIWAN since September 13, 2019, waving the flag of Cameroon at the time of detention. 2) That in relation to the above and pursuant to Official Letter DGMM No. 618/2018 of December 13, 2018, this Administration made a formal request to the Department of Fisheries of the Kingdom of Thailand and other competent authorities, for a set sail restriction or detention once the ship "SUCCESSFUL" ex "WISDOM SEA REEFER" with Registration Number L-2638505 and IMO number 7637527 called port. It should be noted that said ship remains registered under the Honduran flag state, in the International Ship Registry of this Administration and since the expiration of Navigation Patent No. 1434, issued in favor of the ship, there has not been any renewals of Navigation Patents, and no extensions thereof, which is why the General Directorate of the Merchant Marine imposed a sanction of FIFTY THOUSAND AMERICAN DOLLARS (US\$50,000.00) on the ship according to Resolution No. DGMM/011/2018 issued on two (2) February 2018. 3) That in order to inform the Directorate of Maritime Affairs and Waterways of the Ministry of Transport of the Republic of Cameroon on November 4, 2019, through Official Letter DGMM/642/2019, the detention of the ship in Phuket, Thailand was reported as it arrived in port under the flag of Cameroon while still under Honduran registration. 4) That for the sake of the ship "SUCCESSFUL" ex "WISDOM SEA REEFER" with Registration Number L-2638505 and IMO number 7637527, owned by the company WISDOM SEA REEFER LINE SA, be released from its detention in the port of Phuket, Thailand, the International Ships Department, on behalf of the General Directorate of the Merchant Marine, on April 11, 2020, committed via email to send a copy of the Deletion Resolution once the funds were confirmed by the Tax Collection Section for the payment of the debt in its entirety for FIFTY-SIX THOUSAND FOUR HUNDRED AND FORTY-FIVE EXACT DOLLARS (US\$ 56,445.00). 5) That on May 4, 2020, the Tax Collection Section sent a report confirming the total payment due by the ship "SUCCESSFUL" ex "WISDOM SEA REEFER" with Registry Number L-2638505 and IMO number 7637527 owned by the company WISDOM SEA REEFER LINE SA, for FIFTY-SIX THOUSAND FOUR HUNDRED AND FORTY-FIVE AMERICAN DOLLARS (US\$56,445.00). 6) That in



view of the fact that all the debts with the General Directorate of the Merchant Marine have been fully paid, this Department of International Ship Registry is of the opinion that the Official Deletion of the registration of the ship "SUCCESSFUL" ex "WISDOM SEA REEFER" with Registration Number L-2638505 and IMO number 7637527, owned by the company WISDOM SEA REEFER LINE SA be issued by virtue of the power conferred on Articles 66 and 70 of the Organic Law of the National Merchant Marine.

WHEREAS: By means of the Opinion LG 056/2020 dated seven (7) May 2020, issued by the Legal Directorate, in relation to the vessel SUCCESSFUL "ex" WISDOM SEA REEFER is from the following Legal Analysis: In reference to the Organic Law of the National Merchant Marine (LOMMN), That Article 1 of the Organic Law of the National Merchant Marine, amended by Decree 120-2016 published on December 17, 2016, establishes: "The purpose of this Law is to establish the regulatory framework of the National Merchant Marine and in general maritime activities, regulate the administration to which it will be subject; establish the competences and powers contained in this Law, the corresponding regulatory norms, and those granted to the Maritime Authority, the International Treaties and Agreements ratified by the State of Honduras; especially with regard to the formulation and implementation of maritime policies on safety and protection of navigation, protection of the marine environment, training and certification of seafarers; regulate, control and administer the records for flagging of ships and give the subsequent technical, administrative and social follow-up of said ships ". Article 59 in its first paragraph of the Organic Lay of the National Merchant Marine refers: "The Navigation Patent will be the document by means of which it will be proved that the ship has Honduran nationality and that it has been authorized to fly the national flag". Article 66 of the Organic Lay of the National Merchant Marine establishes: "The Navigation Patent will be deleted when: 1) In a state of war, the ship or vessel is placed at the service of an enemy nation or its allies. 2) There are rational indications that the ship engages in smuggling or piracy or other similar acts or the illegal transportation of people, drugs or narcotics, war or commercial weapons or other dangerous goods without proper authorization. 3) The ship has acquired a new nationality, 4) The boat is in conditions of absolute non-navigability or has been lost according to evidence issued by the competent maritime authority. 5) There is a well-founded presumption of loss of the vessel after one (1) year has elapsed since the last notice; 6) The ship has been scrapped; 7) Is engaged in an activity different from that authorized; 8) Refuse to collaborate without just cause with the Honduran authorities in cases of national emergency; 9) You are in arrears in the payment of taxes. 10) As requested by the owners, shippers or ship owners. The Navigation Patent may also be deleted if the person responsible for navigating the ship prevents the competent Honduran authorities from accessing it when they try to comply with their legal or regulatory obligations or when they have not timely

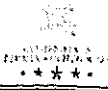
communicated to the General Directorate of the Merchant Marine the changes made to the fundamental characteristics of the ship". Article 67 of the aforementioned Law establishes: "If any of the situations referred to in the previous Article arise, the General Directorate of the merchant Marine, before deciding, will hear the representative in Honduras of the owner of the vessel. If within sixty calendar days said representative has not removed the charges, the General Directorate will issue the corresponding resolution". Article 92 sub-paragraph (1) establishes the following: "The General Directorate of the Merchant Marine shall have the following powers: 1) Comply with and enforce the Constitution of the Republic, the International Maritime Agreements of which Honduras is a part, this Law and the other legal and regulatory provisions that are related to its tasks ". As stated in the International Ship Registry Report and whose extract has been condensed in the second section of this Legal Opinion Vessel "SUCCESSFUL" ex "WISDOM SEA REEFER" with Registration Number L-2638505 and IMO number 7637527 owned by the company WISDOM SEA REEFER LINE SA, has incurred a ground for Deletion in view of being registered with the Honduran flag, it called a port flying the flag of Cameroon (Article 66 sub-paragraph 3) of the Organic Law of the National Merchant Marine); Likewise, according to the DGMM Ship Ownership Registration Reports, there is no encumbrance on the site of the ship's property and according to the Department of the International Ship Registry, the aforementioned vessel has honored all debts with the Maritime Authority. Therefore, the Legal Direction is of the following criteria: 1) It is observed that there is a cause for deletion of the Vessel "SUCCESSFUL" ex "WISDOM SEA REEFER" with Registration Number L-2638505 and IMO number 7637527 owned by the company WISDOM SEA REEFER LINE SA, in accordance with article 66 sub-paragraph (3) of the Organic Law of the National Merchant Marine. 2) It was verified through Reports that there is no lien weighing on the ship's property and that the pending debts with the Maritime Authority have been paid.

WHEREAS: That any contravention or attempted contravention of the Organic Law of the Merchant Marine and its Regulations that are issued based on this Organic Law constitutes an infraction.

WHEREAS: The Organic Law of the Merchant Marine establishes that the General Directorate of the Merchant Marine shall have the power to comply with and enforce the Constitution of the Republic, the International Agreements of which Honduras is a part of, this Law and other legal provisions and regulations that are related to their tasks.

THEREFORE

The General Directorate of the Merchant Marine, in use of the faculties of which it is invested and in application of articles 1, 2, 4, 5, 59, 66 sub-paragraph (3); 67, 69, 70



and 92 sub-paragraph (1) of the Organic Law of the Merchant Marine; 83 and 84 of the Administrative Procedural Law, articles 116 and 120 of the General Law of Public Administration.

RESOLVES

FIRST: Proceed to DELETE the Registration of the vessel SUCCESSFUL "ex" WISDOM SEA REEFER with Registration number L-2638505 and IMO number 7637527 owned by the company WISDOM SEA REEFER LINE SA, pursuant to article 66 sub-paragraph (3) of the Organic Law of the National Merchant Marine; for having acquired a new nationality.

SECOND: Make the transcripts of the Law. NOTIFY.

Signature of ABC. JUAN CARLOS RIVERA and official stamp: PODER EJECUTIVO, DIRECTOR GENERAL, Honduras, C.A., DIRECCIÓN GENERAL DE LA MARINA MERCANTE

Signature of ABC. CINTIA HERNANDEZ and official stamp: PODER EJECUTIVO HONDUREÑO, SECRETARÍA GENERAL, DIRECCIÓN GENERAL DE LA MARINA MERCANTE

Annex 5 - Request from Thailand to update the details of two vessels



No. 0505.3/3629

Department of Fisheries, Kaset Klang,
Chatuchak, Paholyothin Road,
Bangkok 10900, Thailand

25 May B.E. 2563 (2020)

Dear Christopher O'Brien,

The Kingdom of Thailand is privileged to write this letter to the Indian Ocean Tuna Commission (IOTC) for calling your attention to a fishing vessel named "PROGRESO" which is suspected, as the FV AL WESAM 5 or CHAINAVEE 54.

The FV PROGRESO submitted Advance Request for Port Entry (AREP) on 4th May 2020 for the purposes of conducting maintenance in the Thai port of Thajeen Union port, Sumutsakhon Province. The Thai Authorities considered the AREP and relevant documents submitted and also made enquiries regarding the identity of the vessel.

We found that the former identity of this fishing vessel is almost certainly the FV AL WESAM 5 or CHAINAVEE 54, formerly Somali-flagged and Djiboutian-flagged, respectively. According to IOTC CIRCULAR 2018-34: Communication From The European Union Regarding A Possible Change Of Name And Flags Of Four Vessels Listed In The IOTC IUU Vessels List and IOTC 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, these circulars notified on the AL WESAM fleet fishing vessels including FV AL WESAM 5 or CHAINAVEE 54 which has been listed in IOTC IUU fishing vessels list.

The particulars of both fishing vessels are very similar in a number of additional ways, such as Length, Width, Depth, Gross Tonnage, Net Tonnage, Main engine, Year Built, and Material. We also note that the vessel registration certificate indicated that the previous name of this vessel was listed as, JUSTICIA (also Cameroonian-flagged) however no record of this vessel name has been found in the vessel databases consulted. All of this evidence has provided us with reasonable grounds to suspect that the FV PROGRESO is the same vessel that was formerly known, as the FV AL WESAM 5 or CHAINAVEE 54.

In this regard, The Department of Fisheries, Thailand would like to inform you that we considered to deny the FV PROGRESO, Cameroonian-flagged on 22nd May 2020 with results are as follows;

1) We suspected that this vessel is an IUU fishing vessel named the FV AL WESAM 5 or CHAINAVEE 54 which has been listed in IOTC IUU fishing vessels list according to the above-mentioned information.

2) The owner...

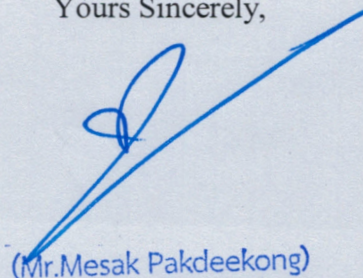
2) The owner cannot provide the history of this vessel to Thai authority. Therefore, we cannot ensure the legality of this fishing vessel.

3) This vessel did not comply with Section 95 of Royal Ordinance on Fisheries B.E. 2558 (2015) and the Amendment B.E. 2560 (2017) according to incomplete submitting required documents including maintenance plan and port clearance.

Thailand, as a party to 2009 Agreement on Port State Measures (PSMA) and a Contracting Parties to IOTC, would like to share the denial of entry of the FV PROGRESO to you to aware of our consideration according to Article 9 of PSMA. If you have any questions, please do not hesitate to contact us at thaipsm.investigation@gmail.com and thaipsm@fisheries.go.th.

We would be highly appreciated if you can circulate this letter to all members to aware of this fishing vessel referring to this information.

Yours Sincerely,



(Mr. Mesak Pakdeekong)
Director-General

IOTC Secretariat, Le Chantier Mall (2nd floor)
PO Box 1011, Victoria Mahé - SEYCHELLES
Tel: +248 4225494
Fax: +248 4224364

Fish Quarantine and Inspection Division.
Tel. +66 2 562 0600

PARTICULAR

SHIP'S NAME	PROGRESO ex JUSTICIA
FLAG	CAMEROON
MATERIAL OF HULL	WOOD
CALL SIGN	TJMC30
MMSI	613003576
PORT OF REGISTRY	KRIBI
OWNER	MR. PORNCHAI VIRIYAJIT
YEAR BUILT	2015
GROSS TONNAGE	384
NET TONNAGE	261.16
LENGTH	40.00 M
WIDTH	10.00 M
DEPTH	4.00 M
MOULDED DRAUGHT	3.20 M
NUMBER OF FISH HOLD	6 (SIX)
F.O. CAPACITY	150,000 L
L.O. CAPACITY	2,000 L
F.W. CAPACITY	5,000 L
MAIN ENGINE	CATERPILLAR ,1432.32 KW.
GENERATOR	2 SETS VOLVO PENTA DI6C -A MG 1 SET CATERPILLAR 3408
FREEZER	12 SETS BITZER 6F.2
WINCH	1 SET CATERPILLAR 3406
AUTO PILOT	1 SET SAURA SA-101
MAGNETIC COMPASS	1 SET SAURA KEIKI SEISAKUSHO T2554
GPS COMPASS	1 SET JRC NWZ-4701
SATELLITE NAVIGATION	1 SET SAMYUNG N-100 1 SET JRC NWU 800 MARK II 1 SET SAMYUNG SGP-330 1 SET SIMRAD OP40
RADAR	1 SET FURUNO 1835 1 SET JRC JMA-5200 MK2 SERIES
RADIO TRANCEIVER	1 SET ICOM IC-M304 1 SET KENWOOD TKM-707
SOUNDER	1 SET HONDA HE-7380 1 SET KAIJO SONIC KSE-210 1 SET SIMRAD ES80 1 SET FURUNO FCV -1150
SONAR	1 SET FURUNO MU-150HD
LIFE RAFT AND SAVING EQUIPMENT	2 SETS



FEDERAL REPUBLIC OF SOMALIA
MINISTRY OF PORTS AND MARINE TRANSPORT
MARITIME AUTHORITY

CERTIFICATE OF SHIP REGISTRY
FOR A FISHING VESSEL

CERTIFICATE NUMBER
PCR - 1342

Issued under the SOMALI MARITIME REGISTRY OFFICE, provisions of Article 36 Merchant Shipping
Code/ State Gazette 55/1970

This is to certify: That the pursuant to the provisions of the Somali National Ship Registry Act 2015, the following
entity(s) are the ship particulars and owners of this vessel:-

Name of the Vessel	Call Sign	IMO Number	Official Number	(Previous Name)
ALWESAM 5	SM024	---	MA-00233/17	CHAINAVEE 54

Port and Date of Registration	Type of Vessel	Year of Built	Previous Date and Port of Registered	Name and Address of Builders
Mogadishu Port on 28 th Dec 2017,	FISHING VESSEL	2015	DJIBOUTI PORT, DJIBOUTI	THAILAND

Registered Dimensions and Tonnages

Length	Breadth	Dept	Grosse Tonnage	Net Tonnage
40.00M	10M	4M	384M.T	261.16M. T

Construction Characteristics

Material of Hull	WOOD	Number of Crane	0
Number of Bulkheads	0	Number of Decks	(1)

Engine Particulars

Type of Main Engine	Make and Model	Maximum Speed	Main Engine power	Number of Aux engines	Number of Main Engine
DIESEL	CATERPILLAR 3516	9 (KNOTS)	1,432.32KW	(3)	(1)

Owners' Details

Owners' Name (S)	Owners' Contact Address
ALWESAM FISHING AND COLD STORAGE COMPANY	Airport Road, Bosaso, Puntland State Of Somalia Phones: +252907725584

and WHEREAS the Maritime Administrator, on behalf of the Government of Somalia approved the application of the aforesaid owner for provisional Registration of the vessel, and WHEREAS the owner has complied with the requirements for Provisional Registration and submitted same, the vessel is therefore provisionally registered under the Laws and Flag of the Somalia.

The period of validity of this PROVISIONAL REGISTRATION CERTIFICATE expires on

27th Dec 2020

Issued at : Mogadishu Port On: the day of 28th month of Dec year of 2017.

Ship Registrar Officer
Eng. Abdullahi M. Einte



Authorized by
Marine Department Director
Fadumo Mohamud Jilaw

REPUBLIQUE DU CAMEROUN
Paix-Travail-Patrie

MINISTERE DES TRANSPORTS

DELEGATION REGIONALE DU SUD

CIRCONSCRIPTION MARITIME FLUVIALE
ET LACUSTRE DU SUD ET DE L'EST



REPUBLIQUE OFCAMEROON
Peace-Work-Fatherland

MINISTRY OF TRANSPORTS

SOUTH REGIONAL DELEGATION

MARITIME AND INLAND WATERWAYS
DISTRICT FOR THE SOUTH AND THEEAST

CERTIFICAT D'IMMATRICULATION

Des navires et engins flottants
(Décret n° 62-DF-325 du 06 septembre 1962)

N° Matr.: K - 22/IS/ 2019
N° of Regis.:

REGISTRATION CERTIFICATE

Of ships and floating Materials
(Decree n° 62-DF-325 dated September the 6th, 1962)

Conformément aux dispositions de l'article 10 du décret n°62-DF-325 du 06 septembre 1962
According to the provisions of Article 10 of decree n° 62-DF-325 dated September the 6th, 1962

(JORFC du 15 septembre 1962 page 1054) de l'Arrêté n° 140-MTMPT du 22 octobre 1962
(federal Gazette of Sept. The 15th, 1962 page 1054) and other n° 140-MTMPT of October the 22nd, 1962

(JORFC du 1er novembre 1962 page 1279) le navire ci-après désigné
(federal Gazette of november the 1st, 1962 page 1279) the under mentioned ship

Nom: **PROGRESO (IMO No : N/A)** Type: **FISHING VESSEL**
Name _____ Type _____

Coque : **WOOD** Puissance : **1432.32 KW**
Hull _____ Power _____

Longueur **40.0 m** Largeur : **10.00 m** Creux : **4.00m**
Length _____ Width _____ Depth _____

Jauge Brute : **384** Jauge Nette : **261.16**
G.R.T (Gross Registered Tonnage) _____ N.R.T (Net Registered Tonnage) _____

Appartenant à: **MR. PORNCHAI VIRIYAJIT, 406/29 SUTTIWATWITHI ROAD, THA CHALOM,**
Owned by : **MUEANG SAMUTSAKHON, SAMUTSAKHON, 74000 THAILAND**

Exploité par : **MR. PORNCHAI VIRIYAJIT, 406/29 SUTTIWATWITHI ROAD, THA CHALOM,**
Operated by : **MUEANG SAMUTSAKHON, SAMUTSAKHON, 74000 THAILAND**

A été immatriculé sur le registre des bâtiments de la Circonscription Maritime du : **SUD et de L'EST à KRIBI**
Has been registered on the Ships register of Maritime District of _____

Sous le N° : **K-22/IS/2019** Valable jusqu'au : **01 /09/2024**
Under N° _____ Valid until _____

Fait à : **KRIBI** le **28/04/2020**
Issued at _____ on _____





No. 0527.2/ 5028

Department of Fisheries
Kaset Klang, Chatuchak
Paholyothin Road,
Bangkok 10900 Thailand
Tel/Fax: 662 558 0187

15 July B.E. 2563 (2020)

Dear Mr. Christopher O'Brien,

Subject: Requesting the Adjustment of Details of Vessels on the IOTC IUU Vessels List

With reference to the Item 30 (b) under the IOTC agreement resolution 18/03 on establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC area of competence, we would like to inform you the additional information regarding the two (2) fishing vessels, namely; 1) AL WESAM 5 and 2) WISDOM SEA REEFER as follows;

1. While tracing back on "AL WESAM 5" flying an unknown flag, we found that its particulars is identical with "PROGRESO" 's flying Cameroon flag; therefore, upon the reasonable suspicion, we would like to request the fishing vessels named "AL WESAM 5", listed on the IOTC IUU Vessels List to be changed to "PROGRESO" flying Cameroon flag.

2. The Department of Fisheries of Thailand together with the authorities concerned investigated the carrier vessel named "UTHAIWAN" holding Mongolian flag, and it was found that the vessel was associated with a history of IUU fishing activities in many countries under the previous name "WISDOM SEA REEFER", holding Honduras flag therefore, we would like to request the "WISDOM SEA REEFER", listed in the IOTC IUU Vessels List to be changed to "UTHAIWAN" holding Mongolian flag,

We have enclosed herewith their details and particulars for your reference. Should further information be required, please contact us at Email: overc.dof@gmail.com.

Your continued assistance in this matter would be much appreciated.

Yours sincerely,

(Mr. Mesak Pakdeekong)
Director-General

Mr. Christopher O'Brien
Executive Secretary, Indian Ocean Tuna Commission
IOTC Secretariat Le Chantier Mall (2nd floor)
PO Box 1011, Victoria, Seychelles.
Phone: +248 4225 494 Fax: +248 4224 36
E-mail: IOTC-Secretariat@fao.org

Overseas Fisheries and Transshipment Control Division
E-mail: overc.dof@gmail.com



FEDERAL REPUBLIC OF SOMALIA
MINISTRY OF PORTS AND MARINE TRANSPORT
MARITIME AUTHORITY

CERTIFICATE OF SHIP REGISTRY
FOR A FISHING VESSEL

CERTIFICATE NUMBER
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This is to certify: That the pursuant to the provisions of the Somali National Ship Registry Act 2015, the following
entity(s) are the ship particulars and owners of this vessel:-

Name of the Vessel	Call Sign	IMO Number	Official Number	(Previous Name)
ALWESAM 5	SM024	---	MA-00233/17	CHAINAVEE 54

Port and Date of Registration	Type of Vessel	Year of Built	Previous Date and Port of Registered	Name and Address of Builders
Mogadishu Port on 28 th Dec 2017,	FISHING VESSEL	2015	DJIBOUTI PORT, DJIBOUTI	THAILAND

Registered Dimensions and Tonnages

Length	Breadth	Dept	Grosse Tonnage	Net Tonnage
40.00M	10M	4M	384M.T	261.16M. T

Construction Characteristics

Material of Hull	WOOD	Number of Crane	0
Number of Bulkheads	0	Number of Decks	(1)

Engine Particulars

Type of Main Engine	Make and Model	Maximum Speed	Main Engine power	Number of Aux engines	Number of Main Engine
DIESEL	CATERPILLAR 3516	9 (KNOTS)	1,432.32KW	(3)	(1)

Owners' Details

Owners' Name (S)	Owners' Contact Address
ALWESAM FISHING AND COLD STORAGE COMPANY	Airport Road, Bosaso, Puntland State Of Somalia Phones: +252907725584

and WHEREAS the Maritime Administrator, on behalf of the Government of Somalia approved the application of the aforesaid owner for provisional Registration of the vessel, and WHEREAS the owner has complied with the requirements for Provisional Registration and submitted same, the vessel is therefore provisionally registered under the Laws and Flag of the Somalia.

The period of validity of this PROVISIONAL REGISTRATION CERTIFICATE expires on

27th Dec 2020

Issued at : Mogadishu Port On: the day of 28th month of Dec year of 2017.

Ship Registrar Officer
Eng. Abdullahi M. Einte



Authorized by
Marine Department Director
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Paix-Travail-Patrie

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REPUBLIQUE OFCAMEROON
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MINISTRY OF TRANSPORTS

SOUTH REGIONAL DELEGATION

MARITIME AND INLAND WATERWAYS
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CERTIFICAT D'IMMATRICTATION

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Nom: **PROGRESO** (IMO No : N/A) Type: **FISHING VESSEL**
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Hull _____ Power _____

Longueur **40.0 m** Largeur : **10.00 m** Creux : **4.00m**
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(federal Gazette of november the 1st, 1962 page 1279) the under mentioned ship

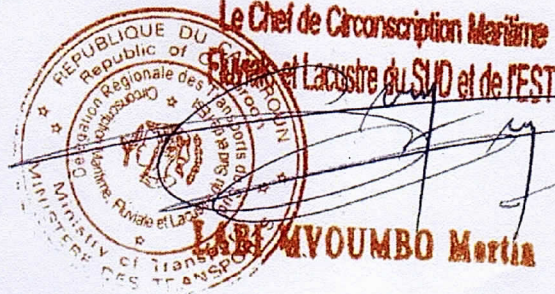
Nom: JUSTICIA IMO N°: n/a Type: FISHING VESSEL
Name _____ Type _____
que: WOOD Puissance : 1432.32 KW
Hull _____ Power _____
Longueur 40.0 m Largeur : 10.00 m Creux : 4,00m
Length _____ Width _____ Depth _____
Jauge Brute : 384 Jauge Nette : 261.16
G.R.T (Gross Registered Tonnage) _____ N.R.T (Net Registered Tonnage) _____

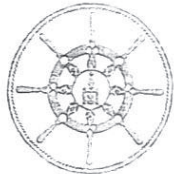
Appartenant à: MR. WISARUT SONGHIRUNNGAM , 83/167 MOO 3, BANGYAPHRAEK,
Owned by : MUEANG SAMUTSAKHON, SAMUTSAKHON 74000 THAILAND
Exploité par : MR. WISARUT SONGHIRUNNGAM , 83/167 MOO 3, BANGYAPHRAEK,
Operated by : MUEANG SAMUTSAKHON, SAMUTSAKHON 74000 THAILAND

A été immatriculé sur le registre des bâtiments de la Circonscription Maritime du : SUD et de L'EST à KRIBI
Has been registered on the Ships register of Maritime District of _____

Sous le N° : K-22/IS/2019 Valable jusqu'au : 01 /09/2024
Under N° Valid until

Fait à : KRIBI le 01/09/2019
Issued at on





MONGOLIA MARITIME
ADMINISTRATION

MONGOLIA
MONGOLIA MARITIME ADMINISTRATION

PROVISIONAL CERTIFICATE OF REGISTRY

(Single Delivery Voyage)

Issued under the provisions of
Chapter 3 of the Regulations for Registration of Ships 2003

Official Number
47912077

Call Sign
JVJT7

IMO Ship Number
7637527

Name of Vessel
UTHAIWAN

Name and Address of Owner	IMO Registered Owner Number	Shares (%)
P.K. SHIPPING AND AGENCY CO., LTD 18/86 Soi Ramkhamheng 174 Minburi Bangkok 10510	-	100

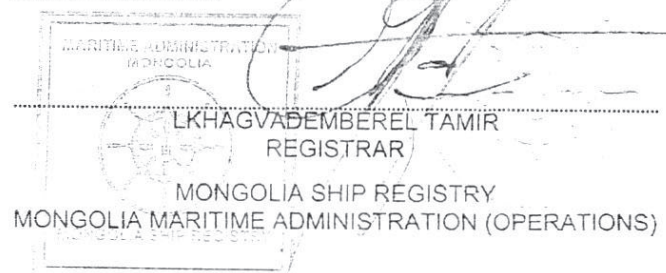
Description of Vessel			
Type of Vessel Reefer Carrier	Year of Built 1977	Hull material Steel	Previous Registry / Name Cameroon / UTHAIWAN
Gross Tonnage 2989	Length(Metres) 93.10	Name of Builder B.V. Nieuwe Noord Nederlandse Groningue, , Netherlands	
Net Tonnage 1555	Breadth(Metres) 14.00	Number of Engines 1	Type of Engine / Total Power (KW) Diesel / 2208
Deadweight -	Depth(Metres) 5.51	Speed of Vessel (Knots) 10.00	Engine Make / Model Deutz

Voyage Limitations	
Single Delivery Voyage on ballast without any cargo, passenger and fishing activity from Phuket, Thailand to	
Port of Departure Phuket, Thailand	Port of Arrival Chittagong, Bangladesh

Date of Provisional Registry 29 January 2020	Port of Registry Ulaanbaatar	Date of Expiry 27 July 2020
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Issued at Singapore on 21 April 2020.

The Registrar of the Mongolia Ship Registry, by the powers vested thereupon by the Regulations for Registration of Ships 2003, hereby authorizes this Provisional Registration of Vessel UTHAIWAN.



REPUBLIQUE DU CAMEROUN
Paix - Travail - Patrie
MINISTRE DES TRANSPORTS
DELEGATION REGIONALE DU SUD
CIRCONSCRIPTION MARITIME, FLUVIALE
ET LACUSTRE DU SUD ET DE L'EST



REPUBLIC OF CAMEROON
Peace - Work - Fatherland
MINISTRY OF TRANSPORT
SOUTH REGIONAL DELEGATION
MARITIME AND INLAND WATERWAYS
DISTRICT OF THE SOUTH AND EAST

CERTIFICAT D'IMMATRICULATION

Des navires et engins flottants
(Décret n° 62-DF-325 du 06 septembre 1962) **N° Matr.: K -36/IP/2019**
N° of Regis.:

REGISTRATION CERTIFICATE

Of ships and floating Materials
(Decree n° 62-DF-325 dated September the 6th, 1962)

Conformément aux dispositions de l'article 10 du décret n°62-DF-325 du 06 septembre 1962
According to the provisions of Article 10 of decree n° 62-DF-325 dated September the 6th, 1962

(JORFC du 15 septembre 1962 page 1054) de l'Arrêté n° 140-MTMPT du 22 octobre 1962
(Federal Gazette of Sept. The 15th, 1962 page 1054) and other n° 140-MTMPT of October the 22nd, 1962

(JORFC du 1er novembre 1962 page 1279) le navire ci-après désigné
(Federal Gazette of november the 1st, 1962 page 1279) the under mentioned ship

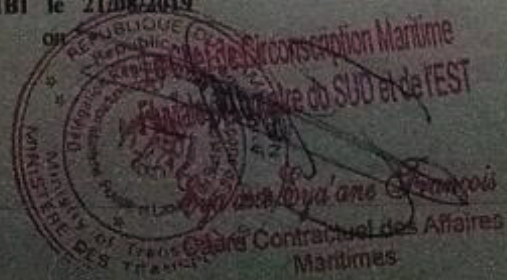
Nom: Name	UTHAIWAN	Type: REEFER CARRIER Type	
que: Hull	STEEL	Puissance : Power	2208 KW
Longueur Length	93.10 m	Largeur : Width	14.00 m
		Creux : Depth	8.00m
Jauge Brute : G.R.T (Gross Registered Tonnage)	2989	Jauge Nette : N.R.T (Net Registered Tonnage)	1555

Appartenant à: P.K. SHIPPING AND AGENCY CO., LTD 18/86 SOI RAMKHAMHENG 174, MINBURI BANGKOK 10510 , THAILAND
Owned by :
Exploité par : P.K. SHIPPING AND AGENCY CO., LTD 18/86 SOI RAMKHAMHENG 174, MINBURI BANGKOK 10510 , THAILAND
Operated by :

A été immatriculé sur le registre des bâtiments de la Circonscription Maritime du : SUD et de L'EST à KRIBI
Has been registered on the Ships register of Maritime District of

Sous le N° : K-36/IP/2019 Valable jusqu'au : SINGLE VOYAGE IN BALLAST CONDITION FROM THE PORT KRONG
Under N° : Valid until KHEMARA PHOUMIN CAMBODIA TO THE PORT OF CHITTAGONG
BANGLADESH . BUT NOT LATER THAN 20/11/2019

Fait à : KRIBI le 21/08/2019
Issued at



10 MAR 2016 WISDOM
SEA REEFER

REPUBLICA DE HONDURAS
REPUBLIC OF HONDURAS



DIRECCIÓN GENERAL DE LA MARINA MERCANTE
GENERAL DIRECTORATE OF THE MERCHANT MARINE
PATENTE DEFINITIVA DE NAVEGACIÓN
DEFINITIVE CERTIFICATE OF REGISTRY



REGISTRO NUMERO: L-2638505
NUMERO OMI: 7637527

RBPDM 05.01
DGMAL/DP No. 970

El Infrascrito, Director General de la Marina Mercante, por medio del presente documento HACE CONSTAR: Que los Armadores de la Nave que se describe a continuación, han obtenido la Patente Definitiva siguiente:
The Undersigned, General Director of the Merchant Marine, by means of this document HEREBY CERTIFY, that the Owners of the under-described vessel have obtained the Definitive Registry as follow:

GENERALIDADES DE LA NAVE General Ship's Data	
Nombre de la Nave: Ship's Name	<u>WISDOM SEA REEFER</u>
Ex Nombre / Ex Name:	<u>CHAICHAROEN</u>
Tipo de la Nave: Type of Vessel	<u>BUQUE FRIGORIFICO / REEFER CARRIER</u>
Nacionalidad Actual: Present Nationality	<u>HONDUREÑA</u>
Lugar y Fecha de Construcción: Place and Year Built	<u>GRONINGUE, THE NETHERLANDS 1977</u>
Armadores: Owners	<u>WISDOM SEA REEFER LINE, S. A.</u>
Domicilio: Address	<u>EDIF. SOFIA # 14, OFFICE 3, LOS PERIODISTAS AVE. LOS ANGELES BETANIA, PANAMA. REPUBLIC OF PANAMA</u>
Apoderado Legal: Power of Attorney	<u>CLAUDIA E. RAMOS CERRATO</u>
Construido por: Built by:	<u>B.V. NIEUWE NOORD NEDERLANDSE GRONINGUE</u>

CARACTERISTICAS PRINCIPALES Main Particulars			
Número de Cubiertas: Number of Decks	<u>2 DOS</u>	Material del Casco: Hull Material	<u>Acero: X</u>
Mastiles: Masts	<u>2 DOS</u>	Dimensiones: Dimensions	<u>Eslora: 93.10 Mts</u>
Chimeneas: Funnels	<u>2 DOS</u>	Longitud: Length	<u>Manga: 14.00 Mts</u>
Puentes: Bridges	<u>1 UNO</u>	Anchura: Breadth	<u>Puntal: 8.00 Mts</u>
		Profundidad: Depth	<u>Calado: 5.51 Mts</u>
		Tonelaje: Tonnage	<u>Bruto: 2,989.00</u>
			<u>Gross Net: 1,555.00</u>

SISTEMA DE PROPULSION	SISTEMA DE ESTACION DE RADIO
Propulsion System 1 MOTOR DIESEL DEUTZ SBY 6M 540	Radio Station System
Núm. Y Clase de Motores: 2208 KW	Clase de Radio
Number and Type of Engine	Type of Radio
Velocidad de la Nave 14.8 NUDOS	Indicativo de Llamada:
Ship's Speed	Cell Sign Letters
	Frecuencias:
	Frecuencias

WISDOM SEA REEFER LINE, S. A.	
Empresa Responsable de la Operación: Enterprise responsible for operation	
Permiso de Navegación Definitive Navigation Permit No.	Fecha de Emisión: Issue Date
Núm: <u>970</u>	<u>29 de Marzo de 2016</u>
Registro de Matricula Definitive Ship's Register Certificate.	Fecha de Expiración: Expiration Date
Núm: <u>L-2638505</u>	<u>29 de Marzo de 2020</u>
Extendida en Tegucigalpa, M.D.C., a los <u>29 DE MARZO DEL 2016 / MARCH 29TH, 2016</u>	
Issued at Tegucigalpa, M.D.C., República de Honduras, C.A.	

Original Papel seguridad Verde 1ra. Copia: Verde 2da. Copia Resada
INTERNATIONAL NAVIGATION

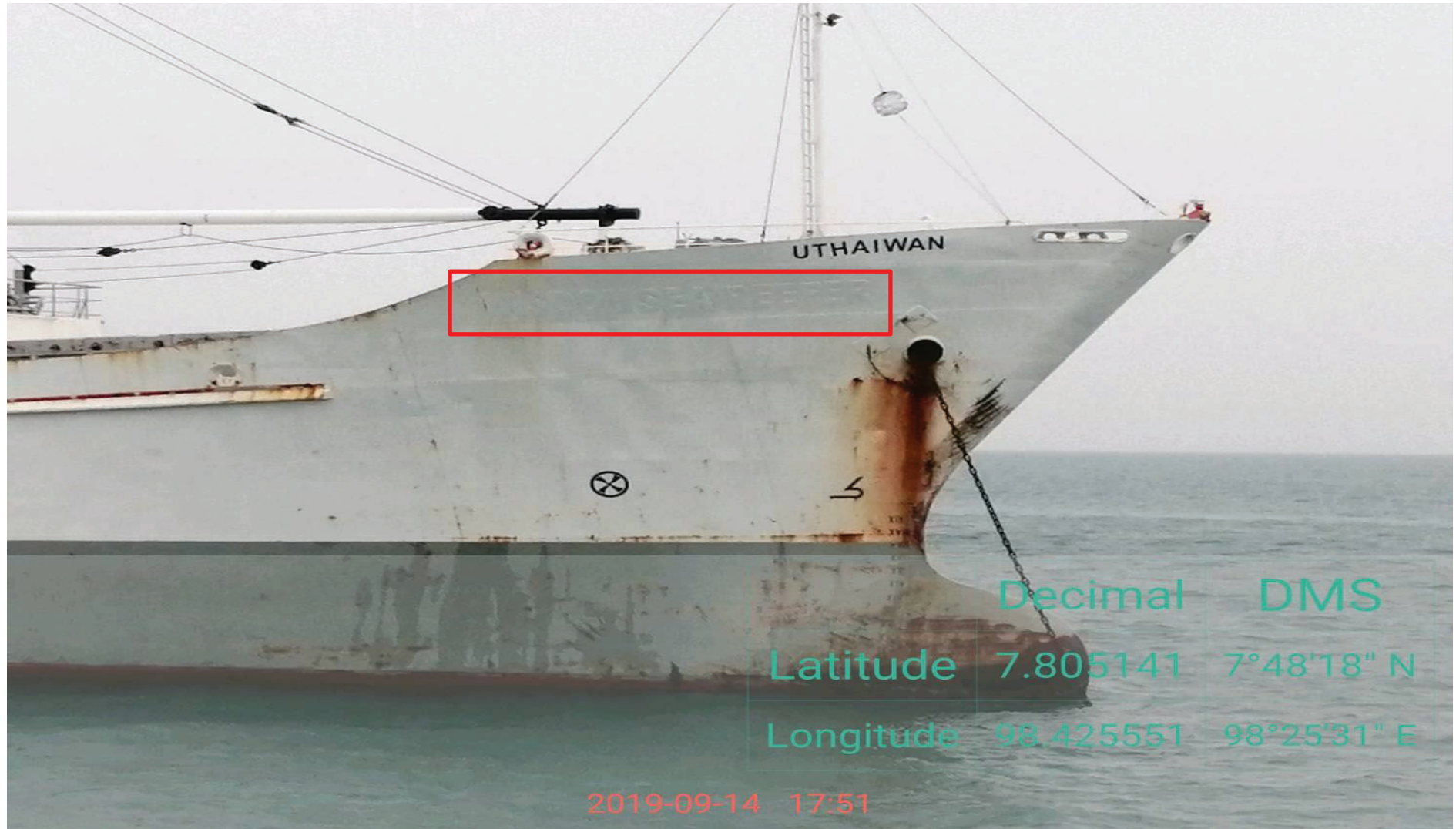
[Signature]
Director General de la Marina Mercante
General Director of the Merchant Marine



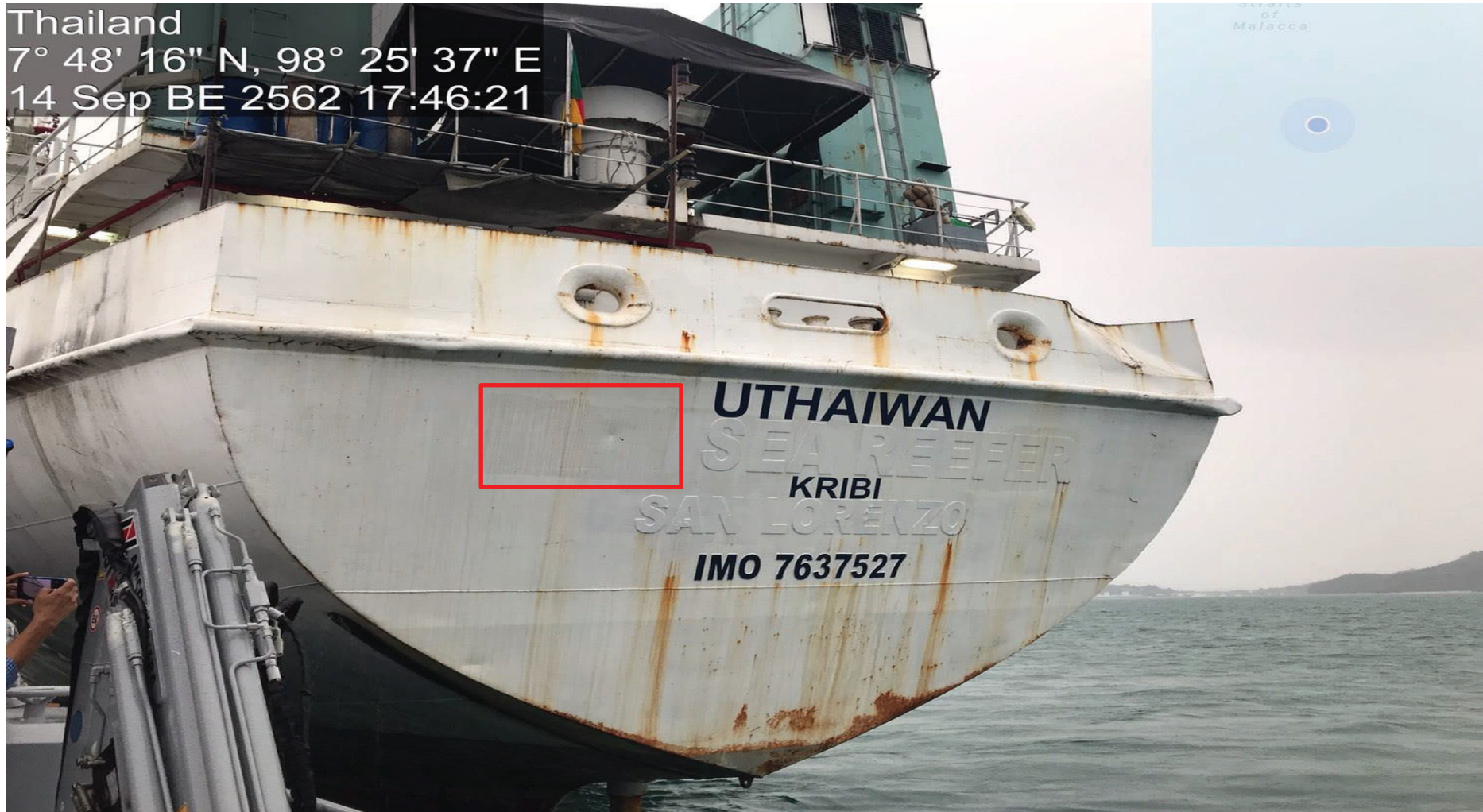
PARTICULAR OF VESSEL

NAME	WISDOM SEA REEFER
VESSEL TYPE	REEFER CARRIER
FLAG	HONDURAS
PORT OF REGISTRY	SAN LORENZO
IMO NUMBER	7637527
CALL SIGN	HQXQ4
GROSS TONNAGE	2,989.00
NET TONNAGE	1,555.00
DEAD-WEIGHT (MT)	3,771.00
LENGTH OVER ALL (m)	101.93
LENGTH (m)	93.10
BREADTH (m)	14.00
DEPTH (m)	8.00
SUMMER DRAFT (m)	5.51
BUILDERS	B.V.NIEUWE NOORD NEDERLANDSE GRONINGUE, THE NETHERLANDS
YEAR BUILT	1977
CARGO CAPACITY (m) ³	3,727
BUNKERS CAPACITY (m) ³	MGO 165 TONS
TEMPERATURE	-18 °C
COOLANT TYPE	R22
ENGINE	1 DEUTZ SBV 6 M 540 , ENGINE NO. 5 7 0 9 7 1 1 3,000 HP adjusted at 2,500 HP
SPEED (knots)	14.8
OWNERS	: WISDOM SEA REEFER LINE S.A.
CLASSIFICATION	: INTERMARITIME CERTIFICATION SERVICES (ICS CLASS)
INSURANCE COVERAGE :	
H & M	: QBE INSURANCE GROUP
PNI	: THE SHIPOWNERS' MUTUAL PROTECTION AND INDEMNITY ASSOCIATION (LUXEMBOURG)

On the bow of the vessel, both the port side and the starboard side you can see the name “WISDOM SEA REEFER” (in red frame).



Ship's appearance shows UTHAIWAN and IMO number 7637527. At the stern of vessel, you can see the name "SEA REEFER SAN LORENZO". There is also a scratch in front of the word "SEA" (in red frame).



In the ship wheelhouse (Ship Bridge), the signboard was covered with white paper name “UTHAIWAN”. When peeling the white paper off and you can see the name “WISDOM SEA REEFER” (in red frame).

GOLDEN ARROW MARINE S.A		GAM-FORM - 025		Issue Date: 3 April 2012 Revision No. 0	
M.V. WISDOM SEA REEFER		EMERGENCY MUSTER LIST		Page 1 of 1	
		EMERGENCY MUSTER LIST		HONDURAS	
RANK	NAME	STATION	LIFERAFT STATION	RECUE/MOB STATION	
1st OFF			STBD LIFERAFT In overall Command. I/C Launching Liferaft. Establish Communications.	In Overall Command. Take over Bridge Watch. Establish Internal & External Communications.	
2nd OFF			PORT LIFERAFT I/C Launching Liferaft. Collect VHF from Bridge.	Port Coxswain. Roll Call I/C Collect VHF from Bridge. Rescue Zone preparation.	
CH. ENG.			STBD LIFERAFT Assist the Master for General Bridge and Deck duties as instructed.	Alternate Boat Coxswain. Assist the Master for General Bridge and Deck duties as instructed.	
2nd. ENG			PORT LIFERAFT Shutdown Main Engine. 2nd I/C of launching Liferaft Roll Call.	I/C engine Room. Standby.	
3rd. ENG	MR. CHAT KAEWKARN		STBD LIFERAFT 2nd I/C of launching Liferaft. Assist Ch. Off as instructed. Standby First Alder.	Alternate Boat Engineer.	
OILER 1	MR. CHANON UD-NOON		STBD LIFERAFT Secure Liferaft Painter. Rig Embarkation Lader. Assist L/R launching as instructed.	I/C Boat Engineer. Attend Boat Engine; Prepare boat Motor & Tools before launching as required.	
OILER 2			PORT LIFERAFT Secure Liferaft Painter. Rig Embarkation Lader. Assist L/R launching as instructed.	Alternate Boat Crew. Assist in preparing boat davit or crane as instructed.	
A/B 1			STBD LIFERAFT Secure Liferaft Painter. Rig Embarkation Lader. Assist L/R launching as instructed.	Boat Crew. Prepare Boat launching. Attend Boat Ladder as instructed.	
A/B 2			PORT LIFERAFT Secure Liferaft Painter. Rig Embarkation Lader. Assist L/R launching as instructed.	Alternate Boat Crew. Assist preparing Boat launching. Operate Boat Crane or Davit as instructed.	
A/B 3	MR. ZAY YAR LIN		PORT LIFERAFT Collect EPFB & SART from Bridge & take to L/R Station. Assist in L/R launching.	Alternate Boat Crew. Assist preparing Boat launching.	
COOK			PORT LIFERAFT Collect extra rations, fresh water & Medical Supplies for Liferafts.	Make Stretcher readily available. Make First Aid Kits and Blankets available.	
O/S 1	MR. VITOON PROHTEO		PORT LIFERAFT Assist in Liferaft launching as instructed.	Alternate Boat Crew. Assist preparing Boat launching. As instructed.	
O/S 2			STBD LIFERAFT Assist in Liferaft launching as instructed.	Alternate Boat Crew. Assist preparing Boat launching. As instructed.	
O/S 3			PORT LIFERAFT Assist in Liferaft launching as instructed.	Alternate Boat Crew. Assist preparing Boat launching. As instructed.	
O/S 4			STBD LIFERAFT Assist in Liferaft launching as instructed.	Alternate Boat Crew. Assist preparing Boat launching. As instructed.	
OTHER			Report to Muster Station for instructions. Bring Lifejacket or immersion Suit.	Report to Muster Station for instructions. Bring Lifejacket or immersion Suit. Assist as required.	

STANDING ORDERS IN CASE OF FIRE:

- Everyone who discovered a fire reports this immediately to the Bridge or to Duty officer and commences the Fire Fighting with all possible means.
- Duty Officer inform the master, Duty Engineer, Chief Engineer and stop ventilation.
- In case fire, Fire squads come immediately on the Muster Station to receive order.
- Chief Engineer arranges "Water On Deck", Stops Ventilation, Close Emergency Valves and operate CO-2 if ordered.
- All communication via the Bridge.

DO NOT ACTIVATE CO-2 INSTALLATION UNLESS SPECIAL ORDER FROM MASTER OR HIS SUBSTITUTE.

MUSTER STATION NO. 1 : BRIDGE PORT/SIDE
MUSTER STATION NO. 2 : BRIDGE STBD/SIDE

- The Chief Officer is responsible for ensuring that the Life-saving and Fire Appliances are maintained and ready.
- The Masters substitute is the Chief Officer. The Chief Engineers substitute is 2nd Engineer.
- The Master is the designated person for GMDSS (Distress messages).
- FIFI Team 1: I/C Fire on Deck or Accommodation. (Support Team is FIFI Team 2.)
- FIFI Team 2: I/C Fire in Engine Room & Machinery Spaces. (Support Team is FIFI Team 1.)
- OIL SPILL: Individual duties to be assigned and delegated as per SOPEP guidelines.
- M.O.B. The Master will assign and co-ordinate the duties of Lookouts during this operation.

FIRE ALARM SIGNAL CONTINUOUS SOUNDING OF THE FIRE ALARM OR SHIP'S WHISTLE.
MOB ALARM SIGNAL 3 LONG BLASTS ON THE SHIP'S WHISTLE OR SHIP'S ALARM.
LIFERAFT STATION 7 OR MORE SHORT BLASTS FOLLOWED BY 1 LONG BLAST ON THE SHIP'S WHISTLE OR ALARMS.

ABANDON SHIP ONLY BY VERBAL INSTRUCTION FROM THE MASTER OR SUBSTITUTE.

MUSTER POINT (S) : _____

MASTER: *T. Paul* DATE: 30 - NOVEMBER - 2015

RESOLUTION No. DGMM/081/2020. GENERAL DIRECTORATE OF THE MERCHANT MARINE. TEGUCIGALPA, MUNICIPALITY OF THE CENTRAL DISTRICT, EIGHTH OF MAY, TWO THOUSAND TWENTY.

VIEW: To issue Resolution for the vessel "SUCCESSFUL ex WISDOM SEA REEFER", with registration number L-2638505 and IMO 7637527, owned by the company WISDOM SEA REEFER LINE SA.

WHEREAS: That the General Directorate of the Merchant Marine is in charge of the administration, control and coordination of all activities related to the Merchant Marine and Maritime transport, maritime security and the protection of the marine environment.

WHEREAS: By Resolution DGMM/011/2018 dated February 2, 2018, the General Directorate of the Merchant Navy resolved: a) To declare the Application for the Renewal or Extension of the Navigation Patent and Certificate of Minimum Crew for the ship named SUCCESSFUL former WISDON SEA REEFER with registration No. L-2638505 owned by the company WISDOM SEA REEFER LINE SA, presented by Attorney José Anibal Padilla. b) Impose on the aforementioned vessel a fine of FIFTY THOUSAND EXACT DOLLARS (\$50,000.00), for having committed Very Serious offenses contained in the provisions of the Organic Law of the National Merchant Marine: 1) Violation by part of the fishing vessels of the Norms of the General Law of the Merchant Marine and its Regulations or of those contained in the International Maritime Agreements of which Honduras forms part of, in relation to the use of the resources at sea. 2) Failure to comply with the conditions established in the permits or authorizations for the provision of maritime service. 3) The falsification provided to the General Directorate of the Merchant Marine in compliance with legal or regulatory provisions. 4) Failure to comply with the regulations established in this Law on the registration of ships. 5) The existence of rational indications that the ship engages in smuggling or piracy or other similar acts or the illegal transportation of people, drugs or narcotics, war or commercial weapons or other dangerous goods without proper authorization.

WHEREAS: By electronic transfer on April 30, 2020 and by means of a document called "Bank Statement Movement" issued by the Integrated Financial Administration System (SIAFI) and provided electronically by the Tax Collection Section, it was found that the vessel "SUCCESSFUL" ex "WISDOM SEA REEFER" with Registration number L-2638505 and IMO 7637527, owned by the company WISDOM SEA REEFER LINE SA, complied with the payment of the sanction imposed by Resolution DGMM/011/2018 dated February 2, 2018, furthermore, that it has paid all dues with the Maritime Authority for taxes and other administrative charges.



No. 0527.2/ 6354

Department of Fisheries
KasetKlang, Chatuchak
Paholyothin Road,
Bangkok 10900 Thailand
Tel/Fax: 662 558 0187

3 September B.E. 2563 (2020)

Dear Mr.Christopher O'Brien,

Subject: Inform the Travel Plan of an IUU vessel "UTHAIWAN" for Scrapping at Chittagong, Bangladesh

Kindly refer to our letter No. 0527.2/8361 dated 31 October 2019 informing the progress of legal action of Thailand against the IUU vessel named "UTHAIWAN".

Currently, we have completed the work on this vessel in accordance with the Thai legal process. The updated vessel flag of UTHAIWAN is Mongolian flagged for single delivery voyage (Date of expire is 26 October 2020) and this vessel has been planning to sail to the Chittagong, Bangladesh for scrapping purpose.

In this connection, we would like to share to you and IOTC parties that UTHAWAN vessel is under inspection made by the authorities for sailing safety and other necessary readiness according to the requirement under Thai maritime laws. If she complies all requirements, the vessel could depart Thai port for sailing to the destination, Chittagong, Bangladesh by 5 September 2020, and schedules to arrive at Chittagong within 10 September 2020. The vessel owner commit to report the Marine Department of Thailand the vessel position regularly throughout sailing to destination. Under the scrapping plan it would be 105 days for the process complete of scrapping. In this regard, your kindly update on the above matter is highly appreciated. In addition, we also would like to urge the Secretariat to forward this information to all IOTC contracting and cooperating non-contracting parties at your earliest convenience.

Please be assured of our fullest cooperation.

Yours sincerely,


(Mr.Mesak Pakdeekong)
Director-General

Enclosure: As stated

Mr. Christopher O' Brien
Executive Secretary, Indian Ocean Tuna Commission
IOTC Secretariat Le Chantier Mall (2nd floor)
PO Box 1011, Victoria, Seychelles.
Phone: +248 4225 494 Fax: +248 4224 36
E-mail: iotc-secretariat@fao.org

Overseas Fisheries and Transshipment Control Division
E-mail: overc.dof@gmail.com



Embassy of Mongolia

25 August 2020

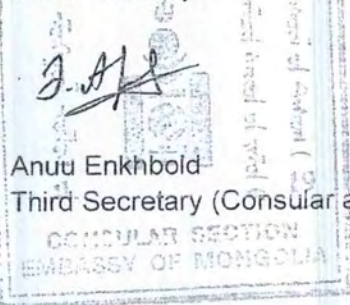
To Whom It May Concern:

This is to inform that Mongolia Maritime Administration issued Exemption Certificate in Singapore on 17 August 2020 and valid until 26 October 2020. The details of the above-mentioned license are as follows:

Name of Vessel	UTHAIWAN
Type of Registration	Single delivery voyage
Official No.	47912077
IMO No.	7637527
Call Sign	JVJT7
Type of Ship	Reefer Carrier
Gross Tonnage	2989
Port of Registry	ULAANBAATAR

The copy of the certificate is enclosed herewith.

Yours faithfully,



Anuu Enkhbold
Third Secretary (Consular and Immigration Affairs)



MONGOLIA
Ship
Registry

CERTIFIED TRUE COPY

Mongolia Ship Registry
133 New Bridge Road,
#16-02 China Town Point
Singapore 059413

17th August 2020

EXEMPTION CERTIFICATE

(Issued under the Authority of Mongolia, provisions of Chapter 3 of the Regulations for Registration of Ships 2003)

Name of Vessel : UTHAIWAN
Type of Registration: Single delivery voyage
Official No. : 47912077
IMO No. : 7637527
Call Sign : JVJT7
Type of Ship : Reefer Carrier
Gross Tonnage : 2989
Port of Registry : ULAANBAATAR

This is to certify that:

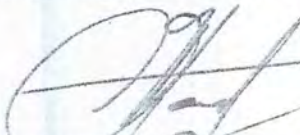
Under the Authority conferred by the Regulations for Registration of Ships 2003 and SOLAS Chapter 1, Regulation 4(a) the above vessel is exempted from the requirements of SOLAS CH II (SC), CH III & CH V (SE), CH IV (SR), CH IX (DOC & SMC), CH XI-2 (ISSC) Loadline and ITC.

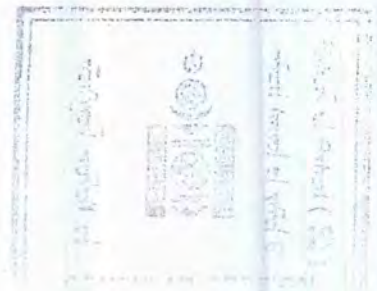
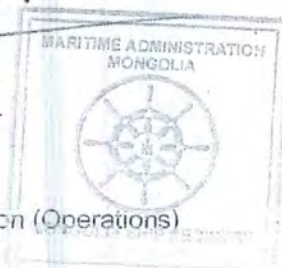
Conditions for which the Exemption certificate is granted :

- 1) Vessel will undergo One Single Delivery Voyage from **Phuket, Thailand** to **Chittagong, Bangladesh**;
- 2) The Recognised Organization has surveyed the vessel and the vessel is in seaworthy conditions to undertake the single delivery voyage;
- 3) The master is requested to notify this Administration once the Voyage is completed; and
- 4) Vessel will proceed in ballast condition without any fishing activity, a cargo or a passenger.

This Certificate is valid until 26 October 2020 or upon completion of the voyage, whichever comes first.

Issued at Singapore on : 17 August 2020


LKHAGVAEMBEREL TAMIR
Registrar
Mongolia Ship Registry
Mongolia Maritime Administration (Operations)





MONGOLIA MARITIME
ADMINISTRATION

MONGOLIA
MONGOLIA MARITIME ADMINISTRATION

SPECIAL VOYAGE PERMIT

CERTIFIED TRUE COPY

Issued under the provisions of
Chapter 3 of the Regulations for Registration of Ships 2003

Certification No. SVP -47912077

Name of Ship	Official number	Call sign	Gross Tonnage	Length of Ship	IMO Ship Number
UTHAIWAN	47912077	JVJT7	2989	93.10	7637527
Owner				IMO Registered Owner Number	
P.K SHIPPING AND AGENCY CO.,LTD 18/86 Soi Ramkhamheng 174 Minburi Bangkok 10510					
Route	Single Delivery Voyage on ballast without any cargo, passenger and fishing activity from Phuket, Thailand to Chittagong, Bangladesh.				
Period	From:	27 July 2020	To:	26 October 2020	
Other conditions, if any, of Navigation	1) The vessel shall proceed on a coastal voyage sheltered in nature with no deviation unless in the event of emergency. 2) The vessel shall have a voyage plan with designated area for emergency shelter in case of adverse weather. 3) The vessel shall proceed to sea on fine weather, continuously monitor the weather forecast and take precautionary measures accordingly in the event of adverse weather, such as reduce speed, deviation, seek shelter, etc. 4) All openings on weather and exposed decks are to be kept closed throughout the sea passage. 5) Vessel has to report its noon positions to its company to monitor progress and also to keep within communication range with nearest coast station throughout the passage.				
Issued under the provision of the Regulations for registrar of ships under the Ship Registry of Mongolia					
Date : 11 August 2020					
  LKHAGVADEMBEREL TAMIR REGISTRAR MONGOLIA SHIP REGISTRY MONGOLIA MARITIME ADMINISTRATION (OPERATIONS)					

THIS IS TO CERTIFY that the above-mentioned ship has been surveyed in accordance with the provision of Chapter 5 (Survey & Safety) of the Regulations for Registration of Ships under the Ship Registry of Mongolia 2003, and found to be fit for above single delivery voyage and complying with the conditions as prescribed above.

Place Issued :

Date issued :

Capt./Mr.
Surveyor for Authorised Recognised Organisation





Embassy of Mongolia

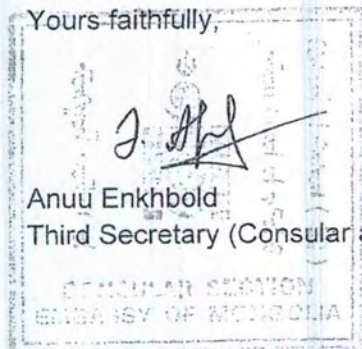
25 August 2020

To Whom It May Concern:

This is to inform that Mongolia Maritime Administration issued Provisional Minimum Safe Manning Certificate number 47912077, Call Sign JVJT7, IMO Ship Number 7637527 under the name of **UTHAIWAN** at Singapore on 11 August 2020 and it is valid until 26 October 2020.

The copy of the certificate is enclosed herewith.

Yours faithfully,



Anuu Enkhbold
Third Secretary (Consular and Immigration Affairs)

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MONGOLIA MARITIME
ADMINISTRATION

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CERTIFIED TRUE COPY

PROVISIONAL MINIMUM SAFE MANNING CERTIFICATE

Issued under the provisions of regulation V/14(2) of the International Convention for the Safety of Life at Sea, 1974, as amended

Name of Ship:	UTHAIWAN		IMO Ship Number:	7637527	
Official Number:	47912077	Port of Registry:	Ulaanbaatar	Type of Ship:	Reefer Carrier
Call Sign:	JVJT7	Gross Tonnage:	2989.0	Propulsion Power (kW):	2208 KW
UMS Operation:	No	Trading Area:	Single Delivery Voyage on ballast without cargo & passenger and from Phuket, Thailand to Chittagong, Bangladesh		
Operation Company (Manager)	P.K SHIPPING AND AGENCY CO.,LTD				

THIS IS TO CERTIFY that having regard to SOLAS V/14, as amended, the ship named in this certificate is considered to be safely manned in accordance with the principles and guidelines set out in IMO Resolution A.1047(27), if when it proceeds to sea, it carries not less than the numbers and grades of personnel specified in the table(s) below.

Grade of Officer	STCW Reg.	Number	Grade of Ratings	STCW Reg.	Number
Master	Reg II/2	1	Deck Watch Rating	Reg II/4 or II/5	2
OOW Navigational	Reg II/1	1	Engine Watch Rating	Reg III/4 or III/5	1
Chief Engineer	Reg III/3	1			
Engineer Officer	Reg III/1	1			

Special requirements or conditions, if any:

- Ships carrying 100 or more persons and ordinary engaged of more than three (3) days duration shall carry a qualified medical doctor according to MLC 2006 A4.1.4(b)
- Ships carrying ten (10) or more persons shall require a fully qualified cook according to MLC 2006 A 3.2.5
- The certificate of competency or sufficiency (COC/COP) provided shall also authorize the holder thereof to perform any lower ranking position, as long as it is of the same nature as the one for which the respective COC or COP was issued
- Watchkeeping Deck Officers are required to have the appropriate GMDSS Radio Operator Certificate General or Restricted, depending upon the ship's Intended Sea Area of operation.

**While the vessel holds an Unattended Machinery Space Certificate (UMS) issued by Recognized Organization, the Engineer Officer and one Oiler/Motorman may be dispensed with.

Date Issued	Issued at	Date of Expiry
11 August 2020	Singapore	26 October 2020

Remarks: All Deck & Engineer officers sailing on Mongolia vessels must hold a Certificate of Endorsement (COE) issued by Registry.



LKHAGVADEMBEREL TAMIR
REGISTRAR

MONGOLIA SHIP REGISTRY
MONGOLIA MARITIME ADMINISTRATION (OPERATIONS)

* Where a trading area other than unlimited is shown, a clear description or map of the trading area should be included in the certificate
MSR/PROV MSMC/REV.1/2017



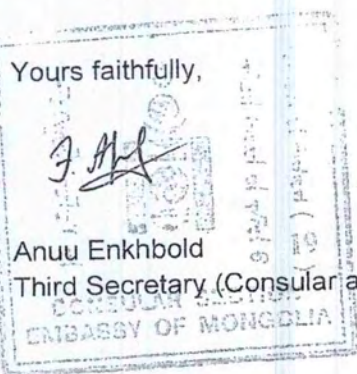
Embassy of Mongolia

25 August 2020

To Whom It May Concern:

This is to inform that Mongolia Maritime Administration issued Provisional Certificate of Registry (Single Delivery Voyage) number 47912077, Call Sign JVJT7, IMO Ship Number 7637527 under the name of Vessel **UTHAIWAN** at Singapore on 11 August 2020 and it is valid until 26 October 2020.

The copy of the certificate is enclosed herewith



Anuu Enkhbold
Third Secretary (Consular and Immigration Affairs)



MONGOLIA MARITIME
ADMINISTRATION

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PROVISIONAL CERTIFICATE OF REGISTRY
(Single Delivery Voyage)

Issued under the provisions of
Chapter 3 of the Regulations for Registration of Ships 2003

Official Number
47912077

Call Sign
JVJT7

IMO Ship Number
7637527

Name of Vessel
UTHAIWAN

Name and Address of Owner	IMO Registered Owner Number	Shares (%)
P.K SHIPPING AND AGENCY CO.,LTD 18/86 Soi Ramkhamheng 174 Minburi Bangkok 10510	-	100

Description of Vessel			
Type of Vessel Reefer Carrier	Year of Built 1977	Hull material Steel	Previous Registry / Name Cameroon / UTHAIWAN
Gross Tonnage 2989	Length(Metres) 93.10	Name of Builder B.V. Nieuwe Noord Nederlandse Groningue, , Netherlands	
Net Tonnage 1555	Breadth(Metres) 14.00	Number of Engines 1	Type of Engine / Total Power (KW) Diesel / 2208
Deadweight -	Depth(Metres) 5.51	Speed of Vessel (Knots) 10.00	Engine Make / Model Deutz

Voyage Limitations Single Delivery Voyage on ballast without any cargo, passenger and fishing activity from Phuket, Thailand to	
Port of Departure Phuket, Thailand	Port of Arrival Chittagong, Bangladesh

Date of Provisional Registry 29 January 2020	Port of Registry Ulaanbaatar	Date of Expiry 26 October 2020
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Issued at Singapore on 11 August 2020.

The Registrar of the Mongolia Ship Registry, by the powers vested thereupon by the Regulations for Registration of Ships 2003, hereby authorizes this Provisional Registration of Vessel UTHAIWAN.



MONGOLIA MARITIME ADMINISTRATION
MONGOLIA

LKHAGVADEMBEREL TAMIR
REGISTRAR

MONGOLIA SHIP REGISTRY
MONGOLIA MARITIME ADMINISTRATION (OPERATIONS)



Embassy of Mongolia

25 August 2020

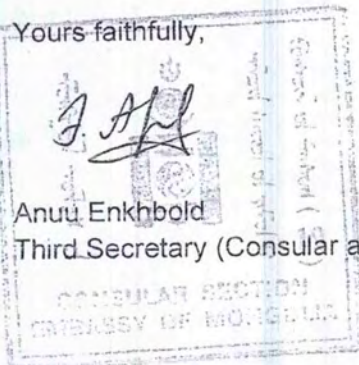
To Whom It May Concern:

This is to inform that Mongolia Maritime Administration issued Provisional Ship Radio Station License Number R-47912077 at Singapore on 11 August 2020 and valid until 26 October 2020. The details of the above-mentioned license are as follows:

License number	R-47912077
Name of Ship	UTHAIWAN
Gross Tonnage	2989.0
Call Sign	JVJT7
IMO Ship Number	7637527
Type of Ship	Reefer Carrier
MMSI No.	457-900-477
Licensee	P.K SHIPPING AND AGENCY CO., LTD

The copy of the certificate is enclosed herewith.

Yours faithfully,



Anuu Enkhbold
Third Secretary (Consular and Immigration Affairs)



MONGOLIA MARITIME
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PROVISIONAL SHIP RADIO STATION LICENCE

A. GENERAL PARTICULARS

License Number R-47912077	Name of Ship UTHAIWAN	Gross Tonnage 2989.0	Call Sign: JVJT7
IMO Ship Number 7637527	Type of Ship: Reefer Carrier		MMSI No. 457-900-477
Licensee P.K SHIPPING AND AGENCY CO.,LTD			IMO Registered Owner Number -

B. STATION PARTICULARS

Transmitter	Make	Type Number	Frequency
VHF Radio Telephony	NSR / STN ATLAS	NVR-1000 / DEBEG 6348	155-163.5 MHz
VHF DSC Encoder/Decoder	NSR / STN ATLAS	NVR-1000 / DEBEG 3817R	155-163.5 MHz
MF Radio Telephony	STN ATLAS	DEBEG 3100	1.6-4 MHz
MF DSC Encoder/Decoder	STN ATLAS	DEBEG 3818	1.6-4 MHz
Inmarsat S E S 1	JRC / TRIMBLE	JUE-87 / TNL 8001	TX1626.5-1660.5 MHz / RX 1525.0-1559.0 MHz
Navtex Receiver	JRC	NCR-333	518KHz /490 KHz/ 4209.5 KHz
Satellite EPIRB	NSR	NEB-1000	406.040/121.5 MHz
Radar 1	FURUNO	FR-1505DA (RDP-059)	9410MHz±30MHz X BAND
Radar 2	FURUNO	FR-2117	9410MHz±30MHz X BAND
Lifeboat VHF	ICOM	IC-GM1600	156.3MHz- 156.875 MHz
Ship Security Alert System (SSAS) LRIT	FURUNO THRANE&THRANE	FELCOM 16 TT-3026M ETRACK	

Date Issued 11 August 2020	Issued at Singapore	Date of Expiry 26 October 2020
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This license is hereby granted to the Licensee to establish and to operate a radio communication station in the authorised frequency bands in accordance with the I. T. U. Radio Regulations in force for a period not exceeding the validity of this licence, subject to the laws and regulations of the Government of Mongolia.

It is prohibited to receive radio correspondence other than that which the station is authorised to receive. Where such correspondence is received involuntarily, it shall not be reproduced, communicated to third persons or used for any purpose whatsoever, and its very existence must not be revealed.

MONGOLIA MARITIME ADMINISTRATION
УИДЭГ

LKHAGVADEMBEREL TAMIR
REGISTRAR

MONGOLIA SHIP REGISTRY
MONGOLIA MARITIME ADMINISTRATION (OPERATIONS)



ANNUAL TESTING OF 406MHz SATELLITE EPIRB CERTIFICATE

Certificate of annual testing of 406MHz Satellite Emergency Position Indicating Radio Beacon (EPIRB) in accordance with IMO MSC/Cir.1040/Rev.1 (dated 25 May 2012) and new SOLAS Chapter IV regulation 15.9

Ship's Name	UTHAIWAN
IMO Number	7637527
Callsign	JVJT7
MMSI No.	457900477
Ship Owner's / Operators Name	P.K. SHIPPING AND AGENCY CO.,LTD.
406MHz Satellite EPIRB Manufacturer & Type	NSR & NEB-2000C
Serial No.	EB196127

1 Checking position and mounting for float-free operation;	Outer Nav. Bridge
2 Verifying the presence of a firmly attached lanyard in good condition; the lanyard should be neatly stowed, and must not be tied to the vessel or the mounting bracket;	Yes
3 Carrying out visual inspection for defects;	Yes
4 Carrying out the self-test routine;	Yes
5 Checking that the EPIRB identification (15 Hex ID and other required information) is clearly marked on the outside of the equipment;	B928334D29C70D1
6 Decoding the EPIRB 15 Hexadecimal Identification Digitals (15 Hex ID) and other information from the transmitted signal, checking that the decoded information (15 Hex ID or MMSI/call sign, data, as required by the Administration) is identical to the identification marked on the beacon;	457900477
7 Checking that the MMSI number encoded in the beacon corresponds with the MMSI number assigned to the ship;	Yes
8 Checking registration through documentation or through the point of contact associated with that country code;	Yes
9 Checking the battery expiry date;	Jun-2024
10 Checking the hydrostatic release and its expiry date; as appropriate;	Jun-2021
11 Checking the emission in the 406MHz band using the self-test mode or and appropriate device to avoid transmission of a distress call to the satellites;	Yes
12 If possible, checking emission on the 121.5MHz frequency using the self-test mode or an appropriate device to avoid activating the SAR system;	Yes
13 Checking that EPIRB has been maintained by an approved shore-based maintenance provider at intervals required by the Administration;	Yes Next SBM due: 06/2024
14 After the test, remounting the EPIRB in its bracket, checking that no transmission has been started; and	Yes
15 Verifying the presence of beacon operating instructions;	Yes



Brilliant Performance Co., Ltd.

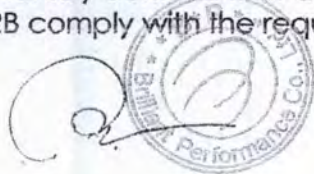
The Satellite EPIRB was tested and found to be in good working order as per below details :

**MEASUREMENT MADE BY FUTRONIC GMDSS-AIS SN.: 20090210 SW.: Rev 5. Oct.2016H
CONTROL MEASUREMENT ON MMSI NO.: 4579004770 - HOUR:10 DATE:06-02-2020**

406.040MHZ: 406.039,1KHZ, LEVEL: 207, COUNTRY CODE: 457
ON-AIR TEST MODE, LONG MESSAGE, BCH CHECK OK
USER PROTOCOL: MARITIME USER, ID: 900477
SPECIFIC BCN: 0
AUX. DEVICE TYPE: 121.5MHZ
INTERNAL NAVIGATION DEVICE.
POSITION: NORTH 127. 0 EAST 255. 0
PROGRAMMED IDENTIFIER (BIT 26-85): B928334D29C70D1
PROGRAMMED MESSAGE (BIT 25-144): DC9419A694E3868D29E5EFE0FF0146

Place of inspection	Bangkok, Thailand
Date of inspection	06 th February 2020
Cospas/Sarsat beacon tester maker	FUTRONICS A/S Serial no.20090210
Certificate issued date	06 th February 2020
Certificate expiry date	05 th February 2021

It is hereby certified that all electrical parameters, as well as the documentation on the EPIRB comply with the requirements of the COSPAS-SARSAT and IMO standards.



Porntep Watawuti
(Radio Inspector)
Brilliant Performance Co., Ltd.

Page 2 of 2

QF 07.12.01 (Rev. 1)

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